**Agenda - Council - May 18, 2005**

**Report - Standing Policy Committee on Property and Development - May 3, 2005**

**Item No. 4 Street Closing - Parts of Plato Street**
**File DAC 5/2005**

STANDING COMMITTEE RECOMMENDATION:

On May 11, 2005, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee and submits the following to Council:

1. That the street closings shown on Misc. Plan No. 12459/1 be approved and the land declared surplus to the City's needs.

2. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with Misc. Plan No. 12459/1, subject to the approval of the Standing Policy Committee on Property and Development of the terms and conditions of the conveyance of the land.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

**Report - Standing Policy Committee on Property and Development - May 3, 2005**

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 11, 2005, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 3, 2005, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 4, 2005, the Riel Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

**PUBLIC HEARING SUMMARY**

| | |
|---|---|
| File: | DAC 5/2005 |
| Before: | Riel Community Committee<br>Councillor Steeves, Chairperson<br>Councillor Magnifico |
| Public Hearing: | April 4, 2005<br>St. Norbert Community Centre, 3450 Pembina Highway |
| Applicant: | The City of Winnipeg |
| Premises Affected: | parts of Plato Street |
| Exhibits Filed: | 1. Report from the Real Property Officer dated March 15, 2005<br>2. Inspection Report |

REPRESENTATIONS:

In Support:

Jason Jaquet

In Opposition:

Nil

For the City:

Michael Robinson, Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 5/2005

**RE: DAC 5/2005 – PROPOSED CLOSING OF PARTS OF PLATO STREET**

| | |
|---|---|
| **For submission to:** | **The Riel Community Committee** |
| **Report date:** | **March 15, 2005** |
| **Recommendations:** | **1. That the proposed street closing as shown on Misc. Plan No. 12459/1 be approved and that the land be declared surplus to the City's needs.**<br><br>**2. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with Misc. Plan No. 12459/1, subject to the approval of the Standing Policy Committee on Property and Development of the terms and conditions of the conveyance of the land.**<br><br>**3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.** |

## REPORT SUMMARY

**Key Issues:**

- The portions of Plato Street proposed to be closed do not physically exist and serve no apparent public purpose. The Real Estate Division of the Planning, Property and Development Department intends to offer the closed street for sale.
- The driveway for No. 1105 Lee Boulevard encroaches into the street. It will be necessary to relocate this encroachment prior to the sale of the closed street.

**Implications of the Recommendation(s):**

**General implications:**

| | |
|---|---|
| X | **None** |
| | **For the organization overall and/or for other departments** |
| | **For the community and/or organizations external to the City of Winnipeg** |
| | **Involves a multi-year contract** |

**Comment(s):**

-

**Policy implications:**

| | |
|---|---|
| X | **No** |
| | **Yes** |

**Comment(s):**

- 

**Environmental implications:**

| | |
|---|---|
| X | **No** |
| | **Yes** |

**Comment(s):**

- 

**Human resources implications:**

| | |
|---|---|
| X | **No** |
| | **Yes** |

**Comment(s):**

- 

**Financial implications:**

| | |
|---|---|
| | **Within approved current and/or capital budget** |
| | **Current and/or capital budget adjustment required** |

**Comment(s):**

- All costs associated with this proposal will be borne by the City of Winnipeg and recovered through the sale of the land.

**REASON FOR THE REPORT:**

All street and lane closings require the consideration of the Community Committee.

**HISTORY:**

Plato Street was created in 1913 by the subdivision of the adjacent lands.

The portions of the street proposed to be closed are not paved or used for vehicular traffic and serve no apparent public purpose. The Real Estate Division of the Planning, Property and Development Department intends to offer these closed portions of the street for sale.

The residents at 1066 Lee Boulevard use the portion of Plato Street adjacent to their property for access. This portion of the street will remain open.

**DISCUSSION:**

Administrative Approval

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the closing.

Driveway Encroachment at No. 1105 Lee Boulevard

The driveway for No. 1105 Lee Boulevard encroaches significantly into the southwest quadrant of the street. It will be necessary to relocate this encroachment prior to the sale of the closed street.

Easements

Manitoba Hydro and Centra Gas have advised that they will require easements to maintain services within the street. No permanent structures will be allowed within the easement areas.

Transfer of Jurisdiction Over Public Rights-of-Way

The street must be legally closed before it may be sold. Title to all public rights of way in Manitoba is vested in the name of the Province. The registration in the Winnipeg Land Titles Office of a closing by-law removes the public right of way status from the land and vests the ownership of the property in the City's name. The City is not entitled to dispose of the land until this has been done.

**IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:**

Planning, Property and Development Department – Real Estate Division, Geomatics and Zoning & Permits Branches

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division

Water and Waste Department – Engineering Division

Centra Gas, Manitoba Hydro, MTS Communications

**THIS REPORT SUBMITTED BY:**

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn Halldorson, Real Property Officer
PPD Files #: 8346, 8354

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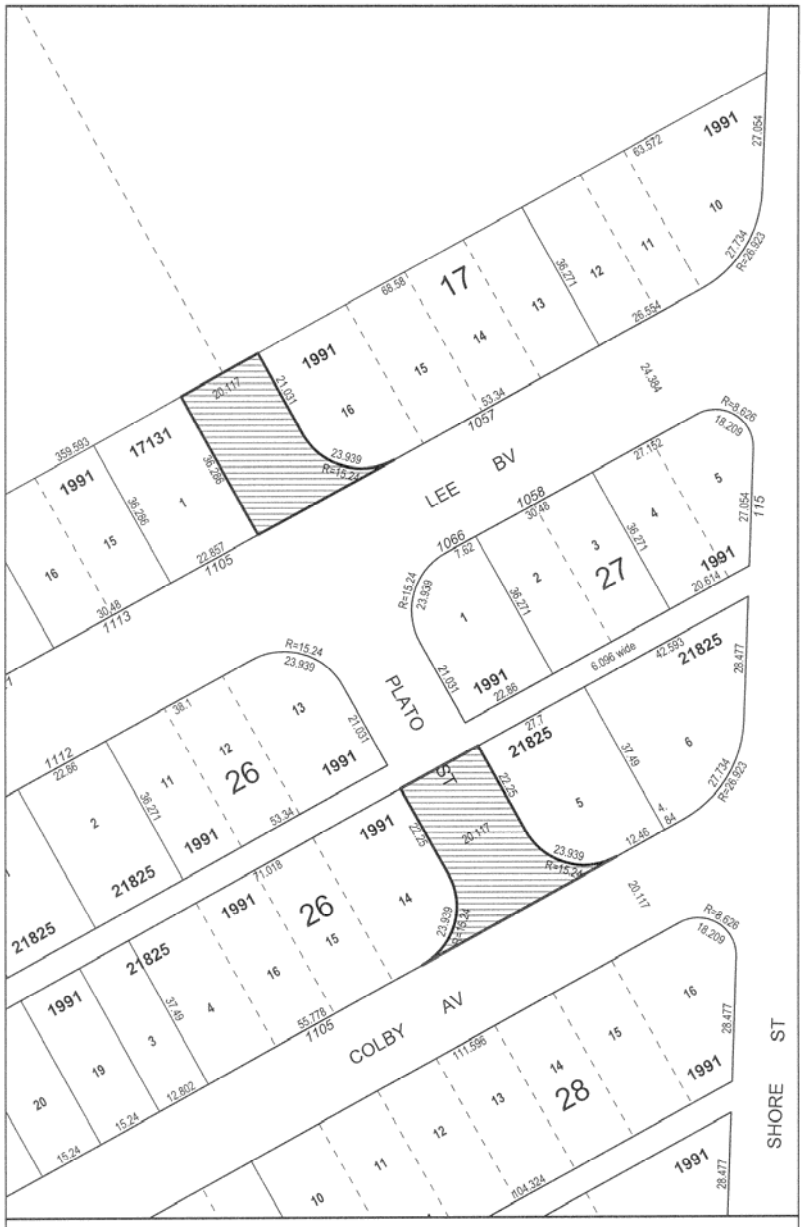


Proposed Closings DAC 5 / 2005

**METRIC**

Date: 2005-MAR-4
District: RIEL
File: 8354, 8346
Scale: 1:1000

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CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES

**MISC. PLAN NO. 12459 / 1**