Minute No. 687
Report - Standing Policy Committee on Property and Development – October 2, 2007

Item No. 1 **Closing – Part of Roseberry Street, north of Sargent Avenue**
File DAC 14/2007

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the street closing shown on Misc. Plan No. 10249/6 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. 10249/6.

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 - October 2, 2007

DECISION MAKING HISTORY:

Moved by Councillor Swandel,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 17, 2007, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Assiniboia Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On October 2 2007, the Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 18, 2007, the Assiniboia 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 14/2007
Before:	Assiniboia Community Committee Councillor Clement, Chairperson Councillor Fielding Councillor Nordman
Public Hearing:	September 18, 2007 West Committee Room Council Building, 510 Main Street
Applicant:	The City of Winnipeg (Glen Halldorson)
Premises Affected:	Part of Roseberry Street, North of Sargent Avenue
Exhibits Filed:	1. Report from the Real Property Officer dated August 13, 2007 2. Inspection Report

REPRESENTATIONS:

In Support:

Nil

In Opposition:

Nil

Exhibit "1" referred to in File DAC 14 /2007

RE: DAC 14/2007 – PROPOSED CLOSING OF PART OF ROSEBERRY STREET NORTH OF SARGENT AVENUE

FOR SUBMISSION TO: **The Assiniboia Community Committee**

REPORT DATE: **August 13, 2007**

RECOMMENDATION:

1. That the proposed street closing as shown on Misc. Plan No. 10249/6 be approved and that the land be 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. 10249/6.

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:

Roseberry Street between Sargent and Saskatchewan Avenues was closed and sold some decades ago. The subject portion of Roseberry Street may have been left open for use as part of a private lane connecting to Berry Street to the east. The street no longer serves this or any other any public purpose.

The closed street will be offered for sale to the adjoining property owner.

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
( ) Involves a multi-year contract

Comment(s):

Policy Implications

(x) No
( ) Yes
Comment(s):

Regulatory Implications

(x) None
( ) Eliminates or reduces regulatory impact
( ) Proposes regulatory impact

Comment(s):

Environmental Implications

(x) No
( ) Yes
Comment(s):

Human Resources Implications

(x) No

( ) Yes

Comment(s):

Financial Implications

(x) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s):

Report

REASON FOR THE REPORT:

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



HISTORY:

Roseberry Street between Sargent and Saskatchewan Avenues was dedicated in 1953. Roseberry Street between Sargent Avenue and a point 20 feet south of the Airport property was closed and sold in 1955. The portion of Roseberry contained within the limits of the Airport property has also been closed. The balance of the street is shown on the attached Misc. Plan No. 10249/6. This portion of the street may have been intended for use as part of a private lane connecting to Berry Street to the east. The street no longer serves this or any other any public purpose.

DISCUSSION:

Administrative Approval

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

Transfer of Jurisdiction Over Public Rights-of-Way

The closed street will be offered for sale to the adjoining property owner. 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:

Internal Consultation With and Concurrence By:

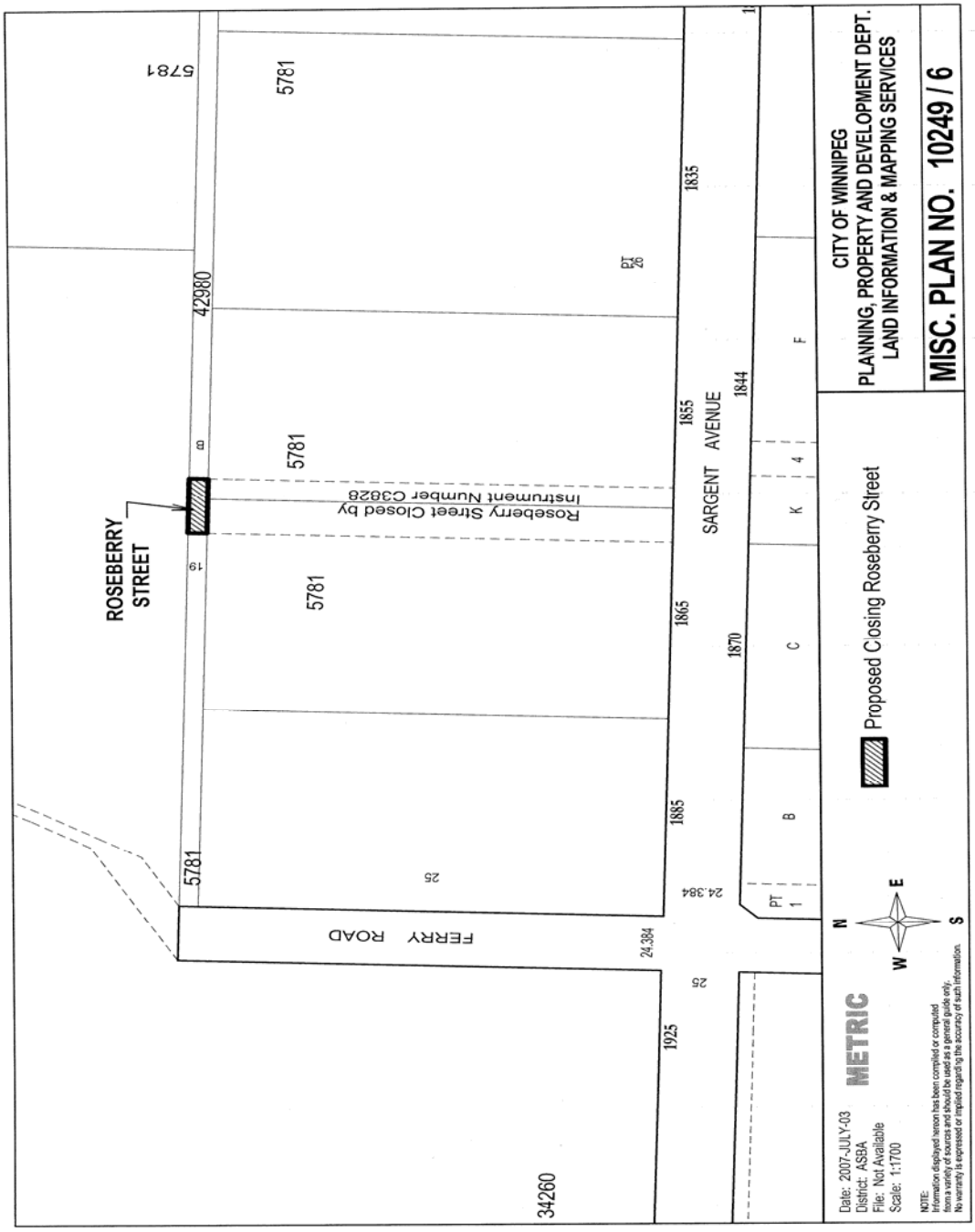
There was no internal consultation involved in the preparation of this report.

External Consultation With:

Centra Gas, Manitoba Hydro, MTS Communications, Shaw Cable

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn Halldorson, Real Property Officer
File No. DAC 14/07


ROSEBERRY STREET
Roseberry Street Closed by Instrument Number C3828
Proposed Closing Roseberry Street
SARGENT AVENUE
FERRY ROAD
5781
42980
34260
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 10249 / 6
METRIC
Date: 2007-JULY-03
District: ASBA
File: Not Available
Scale: 1:1700