Proposed Closing of part of the public lane east of Archibald Street and north of Marion Street

File DAC 23/2001

4. The Standing Policy Committee on Property and Development has been advised that the Planning, Property and Development Department has received a request from Autocraft Rebuilders Inc., the owner of the property at 597 Marion Street, to purchase a portion of the public lane identified as "proposed lane closing" on Misc. Plan No. 11371. Autocraft Rebuilders intends to use the lane as a parking/storage area.

The Transportation Division of the Public Works Department has no objection to the closing. The Transportation Division does not, however, support the sale of the north/south portion of the lane. A portion of this leg of the lane will be required for the planned connection between Marion Street and Dugald Road, and the Public Works Department wishes to retain the remainder of the lane for exchange for privately-owned lands required for the Marion Street/Dugald Road connection.

As there are no immediate plans to proceed with the Marion Street/Dugald Road connection, the Public Works Department would not object to the lease of the north/south portion of the lane, subject to an appropriate cancellation clause.

Centra Gas Manitoba, Manitoba Hydro and MTS Communications will all require easements for their facilities in the area.

The lane 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.

On February 19, 2002, the Riel Community Committee concurred in the recommendation contained in the report dated January 24, 2002, from the Real Property Officer, Planning, Property and Development Department, and recommended approval of the proposed street closing.

The Standing Policy Committee on Property and Development recommends:

I. 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. 11371 (Attachment "A").

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

Copies of the documents referred to in the above clause are on file in the office of the City Clerk.

Attachment "A" referred to in Clause 4 of the Report of the Standing Policy Committee on Property and Development dated March 5, 2002

