Report of the Standing Policy Committee on Property and Development dated May 2, 2002

Proposed Closing of the public walk west of Kamberwell Bay
File DAC 3/2002 [c/r DASZ 31/84]

1. The Standing Policy Committee on Property and Development has been advised that Qualico Developments (Wpg.) Ltd. has requested the closure of the public walkway identified on Misc. Plan No. 11483/1 (Attachment "A")" in conjunction with the development of Phase 12 of DASZ 31/84, the application that created the River Park South subdivision. Qualico Developments (Wpg.) Ltd. will relocate the walkway to the position shown on the subject Misc. Plan. This walkway exists in a legal sense only. The walkway area is unimproved and there is no apparent public use of the land.

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

The area of the new walkway being created is greater than the area of the walkway being closed. In accordance with City policy, the closed walkway will be transferred to Qualico Developments (Wpg.) Ltd. for $1.00.

The walkway must be legally closed before it may be transferred. Title to all public rights of way in Manitoba is vested in the name of the Province of Manitoba. 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 April 22, 2002, the Riel Community Committee concurred in the recommendation contained in the report dated April 4, 2002, from the Real Property Officer, Planning, Property and Development Department, and recommended that the street closing be approved.

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. 11483/1 (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 1 of the Report of the Standing Policy Committee on Property and Development dated May 2, 2002

