Agenda – Council – September 29, 2023

Report – Standing Policy Committee on Property and Development – September 18, 2023

Item No. 18 Confirmation of Expropriation – Lots 52, 56 and 57 Plan 24342 on the south side of Selkirk Avenue, West of Oak Point Highway

STANDING COMMITTEE RECOMMENDATION:

On September 21, 2023, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the Declaration of Expropriation dated the 22nd day of June, 2023, made pursuant to By-law 57/2023 and expropriating the following lands:

   SP LOTS 52, 56 AND 57 PLAN 24342 WLTO SAID LOT 56 BEING SUBJECT TO THE RESERVATIONS RESPECTING MINES, MINERALS, MINERAL OILS AND OTHER MATTERS AS THE SAME ARE MORE FULLY SET FORTH IN TRANSFER 740533 WLTO IN E 1/2 14-11-2 EPM;

   is hereby confirmed.

2. As set out in the Declaration of Expropriation:

   A. The lands described above are expropriated free of encumbrances.

   B. The lands described above except:

      i. mines, minerals and named substances which are excepted from or not included in the Certificate of Title of the registered owner of the surface under The Real Property Act or are not owned by the owner of the surface under The Registry Act; and

      ii. reservations in favour of the Crown as excepted from the Title of the owner of the surface, or to which Title is subject by implication under the provisions of The Real Property Act.

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

Agenda – Council – September 29, 2023

Report – Standing Policy Committee on Property and Development – September 18, 2023

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 21, 2023, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 18, 2023, the Standing Policy Committee on Property and Development passed the following motion:

WHEREAS pursuant to its By-law No. 57/2023, The City of Winnipeg authorized the expropriation of the lands described therein and made a Declaration of Expropriation dated the 22nd day of June, 2023;

AND WHEREAS The City of Winnipeg served notice of the intended expropriation upon all owners of the lands intended to be expropriated and published notice of the intended expropriation in a newspaper having general circulation in the locality in which the lands are situated, pursuant to section 1 of Schedule A to The Expropriation Act;

AND WHEREAS the statutory period for owners to object to the intended expropriation has expired, and the confirming authority has not been served with any notices of objection;

1. That the Declaration of Expropriation dated the 22nd day of June, 2023, made pursuant to By-law 57/2023 and expropriating the following lands:

   SP LOTS 52, 56 AND 57 PLAN 24342 WLTO SAID LOT 56 BEING SUBJECT TO THE RESERVATIONS RESPECTING MINES, MINERALS, MINERAL OILS AND OTHER MATTERS AS THE SAME ARE MORE FULLY SET FORTH IN TRANSFER 740533 WLTO IN E 1/2 14-11-2 EPM;

   is hereby confirmed.

2. As set out in the Declaration of Expropriation:

   A. The lands described above are expropriated free of encumbrances.

Report – Standing Policy Committee on Property and Development – September 18, 2023

DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION (continued):

B. The lands described above except:

i. mines, minerals and named substances which are excepted from or not included in the Certificate of Title of the registered owner of the surface under The Real Property Act or are not owned by the owner of the surface under The Registry Act; and

ii. reservations in favour of the Crown as excepted from the Title of the owner of the surface, or to which Title is subject by implication under the provisions of The Real Property Act.

and submitted the matter to the Executive Policy Committee and Council.