Proposed Closing of the public lane east of Tecumseh Street, north of McDermot Avenue

File DAC 5/2002

4. The Standing Policy Committee on Property and Development has been advised that the Planning, Property and Development Department has received a request from the University of Manitoba to purchase the portion of the public lane contained within the existing parking lot in the area as identified on Misc. Plan No. 11515/1. The lane is not required as a means of vehicular access by the area residents. This land is used exclusively by the University of Manitoba and the University plans to incorporate the lane into the parking lot.

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

Winnipeg Hydro will require an easement for the maintenance of their overhead and underground lines in the lane. The University of Manitoba will not be allowed to erect any building or other structure, other than paving or fencing, in the lane without the prior written permission of Winnipeg Hydro. This will not adversely affect the University of Manitoba's plans to incorporate the lane into the parking lot.

Negotiations for the terms of the sale of the lane will be initiated upon approval of the closing by Council, and be subject to approval by the Standing Policy Committee on Property and Development. A by-law closing the lane will not be submitted to Council until the University of Manitoba has agreed to the terms of the sale.

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 May 14, 2002, the Lord Selkirk-West Kildonan Community Committee held a public hearing to consider the subject street closing application. One person registered in support of the application and no one registered in opposition thereto.

The Lord Selkirk-West Kildonan Community Committee concurred in the recommendation contained in the report dated April 26, 2002, from the Real Property Officer, Planning, Property and Development Department, and recommended approval of the proposed street closing.

On May 27, 2002, the Standing Policy Committee on Property and Development considered and concurred in the May 14, 2002, recommendation of the Lord Selkirk-West Kildonan Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That the proposed closing of the public lane east of Tecumseh Street, north of McDermot Avenue, as outlined on Misc. Plan No. 11515/1, be approved.

II. 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. 11515/1.

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

Attachment "A" referred to in Clause 4 of the Report of the Standing Policy Committee on Property and Development dated May 27, 2002

