Report of the Standing Policy Committee on Property and Development dated June 27, 2002

Proposed Closing of Peterson Avenue and Brockville Street, south of Shoreline Drive
File DAC 6/2002
[c/r DASZ 2/2002]

1. The Standing Policy Committee on Property and Development has been advised that the Planning, Property and Development Department has received a request from Genstar Development Company to incorporate portions of Brockville Street and Peterson Avenue into File DASZ 8/2002, an application to subdivide and rezone the adjacent lands as identified on Misc. Plan No. 11527.

The portion of Brockville Street between the south limit of the subdivision and Lindenwood Drive East is not required for street purposes. Upon closure of this portion of the street, the land will be incorporated into the adjoining City parklands.

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 streets being closed for inclusion into the subdivision exceeds the area of the streets being opened by the subdivision. In accordance with City policy, the land will be transferred at a price to be determined by the Real Estate Division of the Planning, Property and Development Department and approved by the Standing Policy Committee on Property and Development.

Any relocation of or easements for existing utilities within the portion of the streets contained within the subdivision will be addressed by the subdivision application. Easements will be granted for any existing utilities within the portion of Brockville to be retained by the City of Winnipeg.

The streets must be legally closed before they may be sold or incorporated into the adjoining City property. 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 June 11, 2002, the Assiniboia Community Committee held a public hearing to consider the above proposed closing application. Two persons appeared in support of the application, and no one registered in opposition thereto.

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The Community Committee concurred in the recommendation contained in the report dated May 22, 2002 from the Real Property Officer, Planning, Property and Development Department, and recommended approval of the proposed street closing.

On June 27, 2002, the Standing Policy Committee on Property and Development considered and concurred in the June 11, 2002, recommendation of the Assiniboia Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That the proposed closing of Peterson Avenue and Brockville Street, south of Shoreline Drive, as outlined Misc. Plan No. 11527 (Attachment "A"), 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. 11527 (Attachment "A").

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 1 of the Report of the Standing Policy Committee on Property and Development dated June 27, 2002

