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

Proposed closing of parts of Julia Road, Gablehurst Crescent and the public lane west of Quantrell Bay

File DAC 21/2001

1. The Standing Policy Committee on Property and Development has been advised that the Planning, Property and Development Department has received a request from SEG Engineering Inc. to acquire the portions of Julia Road, Gablehurst Crescent and the public lane west of Quantrell Bay, contained within the limits of File DASZ 26/2001, to subdivide and rezone the lands identified on Misc. Plan No. 11272/2 (Attachment "A"). These rights-of-way do not physically exist and there is no apparent public use of the property.

The proposed street closing has been considered by all affected City Departments and public utilities. There are no administrative objections to the closing. The Water and Waste Department has stipulated that its approval of the closing is contingent on the applicant bearing the cost of abandoning or removing the water and sewer facilities in Julia Road.

The streets and lane will be incorporated into the subdivision and rezoning under File DASZ 26/2001. The area of the streets being created under File DASZ 26/2001 exceeds the area of the streets and lane being closed. In accordance with City Policy, these lands are to be transferred to the developer for the nominal sum of $1.00.

The streets and lane must be legally closed before they may be transferred to the applicant. 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 November 20, 2001, the Riel Community Committee concurred in the recommendations contained in the report dated October 16, 2001, 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. 11272/2 (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 April 2, 2002

