9. From the Director, Planning, Property and Development Department
Report 2002/01/08

Proposed Closing of Part of Park Boulevard South

File DAC 18/01

Recommending:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with the attached Schedule “A”, Misc. Plan No. 11219.

II. That the proper officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Agenda - Executive Policy Committee - January 23, 2002

Attachment to Item 9 - Proposed Closing of Part of Park Boulevard South

Re: FILE NO. DAC 18/01 - PROPOSED CLOSING OF PART OF PARK BOULEVARD SOUTH

For submission to: Executive Policy Committee

Original report signed by: Director of Planning, Property and Development

Report date: January 8, 2002

In camera item:

Recommendation(s): That a by-law be enacted authorizing the subject street closing.

REPORT SUMMARY

KEY ISSUES:

- The street is being closed and sold to the adjacent property owner.
- There is no public use of the subject portion of Park Boulevard South.
- The closing and sale of the street has been approved by the Assiniboia Community Committee and the Standing Policy Committee on Property and Development.

IMPLICATIONS

General implications

X	None
	For the organization overall and/or for other departments
	For the community and/or organizations external to the City of Winnipeg
	Involves a multi-year contract

Comment: •

Policy implications

X	No (*There are no policy implications if the report is asking for a one-time decision.)*
	Yes *(There are policy implications if the recommendation(s) is/are asking for a decision that will be used to guide decisions over time.)*

Comment: •

Financial implications

	Within approved current and/or capital budget
	Current and/or capital budget adjustment required
X	No financial implications

Comment: • All costs associated with the closing will be assumed by the applicant.

REPORT

RECOMMENDATION (S):

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with the attached **Schedule "A"**, Misc. Plan No. 11219.

II. That the proper officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

REASON FOR THE REPORT:

The street closing requires a by-law pursuant to Section 495 of the City of Winnipeg Act.

HISTORY:

In February of 2001, the Planning, Property and Development Department received a request from Mr. Peter Cheung, the owner of No. 665 Park Boulevard South, to purchase the portion of the street adjacent to his property as identified on Schedule "A". Mr. Cheung requires the property to construct a driveway.
The Assiniboia Community Committee approved the closing at a public hearing held on September 18, 2001.

On November 22, 2001, the Standing Policy Committee on Property and Development approved the terms of the sale of the property.

DISCUSSION:

This report is submitted in accordance with the provisions of By-Law 7325/98, a by-law to amend procedures to allow certain street and lane opening and closing applications to be submitted to the Executive Policy Committee for report to Council without the requirement to be reviewed by a Standing Policy Committee.

The following criteria must be met before the authority in the by-law may be exercised:

1. The proposed closing must have been addressed at a public meeting and received approval from the Committee before which the public meeting took place.
2. The proposed closing and sale must have been approved by the Director of Public Works.
3. The proposed closing must have been submitted to all affected City Departments and public utilities with no objections having been received.
4. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.

5. The terms and conditions of any easement agreements created by the proposed closing and sale must have been addressed.
6. The proposed closing must have been approved by the affected property owner(s).
7. The terms and conditions of any agreements concerning the proposed closing and sale must have been approved by the Director of the department that requested the closing and either the Standing Committee on Fiscal Issues, the Standing Committee on Property and Development, or the Director of Planning, Property and Development, as is appropriate.

All of these criteria have been met.

Financial Impact Statement Date:8-JAN-02

COMMENTS:

All costs associated with the closing are the responsibility of the applicant, Mr. Peter Cheung. There is no financial impact.

Gord Courage, Manager
Support Services Division

IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:

No consultation was required in the preparation of this report.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn F. Halldorson, Real Property Officer
PPD File #: 8263

Document name: o:\reports directive\development and inspections\geomatics\dac18_01.doc

Agenda - Executive Policy Committee - January 23, 2002

Attachment to Item 9 - Proposed Closing of Part of Park Boulevard South

