Report of the Executive Policy Committee dated January 23, 2002

Proposed Closing of Part of Park Boulevard South

File DAC 18/2001

7. The Executive Policy Committee has been advised that the street closing requires a by-law pursuant to Section 495 of The City of Winnipeg Act.

In February, 2001, the Planning, Property and Development Department received a request from Mr. Peter Cheung, the owner of 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.

This report is submitted in accordance with the provisions of By-Law No. 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 Policy Committee on Property and Development, or the Director of Planning, Property and Development, as is appropriate.

All of these criteria have been met.

A Financial Impact Statement dated January 8, 2002, indicates that there will be no financial impact as all costs associated with the closing are the responsibility of the applicant Mr. Peter Cheung.

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The Executive Policy Committee 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 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.

Schedule “A” referred to in Clause 7 of the Report of the Executive Policy Committee dated January 23, 2002

