Report of the Executive Policy Committee dated May 8, 2002

Proposed Lane Corner Widening at the Rear of No. 970 North Drive
File DAO 8/2001

3. The Executive Policy Committee has been advised that the lane corner widening requires a by-law pursuant to Section 495 of The City of Winnipeg Act.

The residents in the neighbourhood of the subject property have been using a portion of No. 970 North Drive as part of the public lane for a number of years. The owner of the land, Mr. Valter Rosa, requested that the City of Winnipeg purchase the property. The Public Works Department confirmed that the property was indeed being used as public lane and directed the Real Estate Division of the Planning, Property and Development Department to enter into negotiations with Mr. Rosa for the acquisition of the land.

The terms and conditions of the sales agreement have been approved by the Standing Policy Committee on Property and Development (October 4, 2001) and by Council (October 24, 2001). The City of Winnipeg is now entitled to be the owner of the land required for the corner widening, and it is appropriate at this time to enact the opening by-law.

This report is submitted in accordance with the provisions of By-Law No. 7325/98, a by-law to amend current procedures to allow certain street 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 given in the by-law may be exercised:

1. The proposed opening and acquisition must have been approved by the Director of Public Works.
2. The proposed opening must have been submitted to all affected City Departments and public utilities with no objections having been received.
3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.
4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the proposed opening.
5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening and either the Standing Committee on Fiscal Issues, the Standing Policy Committee on Property and Development, or the Director of the Planning, Property and Development Department, as is appropriate.

All of these criteria have been met.

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The Executive Policy Committee recommends:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane corner widening in accordance with Attachment “A”, Misc. Plan No. 11161.

II. 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 3 of the Report of the Executive Policy Committee dated May 8, 2002

