Minute No. 349
Report – Standing Policy Committee on Property and Development – March 11, 2014

Item No. 1 **Closing – parts of Raleigh Street and Gateway Road at the City of Winnipeg Limits (North Kildonan Ward) File DAC 18/2013**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the street closings as shown on Misc. Plan No. 14610 be approved.

2. That the Director of Legal Services and City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street closings in accordance with Misc. Plan No. 14610.

3. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Report – Standing Policy Committee on Property and Development – March 11, 2014

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That the recommendation of the Standing Policy Committee on Property and Development be adopted.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 19, 2014, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On March 11, 2014, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 18, 2014, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File:	DAC 18/2013
Before:	East Kildonan-Transcona Community Committee Councillor Steen, Chairperson Councillor Browaty Councillor Wyatt
Public Hearing:	February 18, 2014 Council Building, 510 Main Street
Applicant:	City of Winnipeg (Director of Planning, Property and Development)
Premises Affected:	parts of Raleigh Street and Gateway Road at the City of Winnipeg limits

Exhibits Filed:

1. Report from the Real Property Officer dated January 24, 2014
2. Inspection Report
3. Communication dated January 29, 2014, from Bruce Schmidt in opposition to the application
4. Communication dated February 1, 2014, from G & H Muller in support of the application
5. Communication dated February 3, 2014, from Greg Penner in support of the application
6. Communication dated February 4, 2014, from Alicia Michalchuk in support of the application
7. Communication dated February 4, 2014, from Peter Hochheim in support of the application
8. Communication dated February 4, 2014, from Linda and Kevin Davidson in support of the application
9. Communication dated February 4, 2014, from Dayna Cote in support of the application
10. Communication dated February 5, 2014, from Lucy and Marvin McMillan in support of the application
11. Communication dated February 5, 2014, from Annemarie Harbun in support of the application
12. Communication dated February 5, 2014, from Peter Harbun in support of the application
13. Communication dated February 5, 2014, from Dick and Erika Krahn in support of the application

14. Communication dated February 7, 2014, from Albertina Brakel in support of the application
15. Communication dated February 8, 2014, from Harry and Shirley Halbesma in support of the application
16. Communication dated February 9, 2014, from Lori Ziprick in support of the application
17. Communication dated February 9, 2014, from Sandra Stoyko in support of the application
18. Communication dated February 9, 2014, from Vic and Chris Mikolayenko in support of the application
19. Communication dated February 9, 2014, from Jean Morris in support of the application
20. Communication dated February 9, 2014, from Jake and Anne Harms in support of the application
21. Communication dated February 10, 2014, from Todd Lohvinenko in support of the application
22. Communication dated February 10, 2014, from Tim Flook in support of the application
23. Communication dated February 10, 2014, from Wendy Kube and Kelly Derksen in support of the application
24. Communication dated February 10, 2014, from Brian Phillips in support of the application
25. Communication dated February 10, 2014, from Matt and Colline Sutton in support of the application
26. Communication dated February 10, 2014, from Nick and Pearl Hogeveen in support of the application
27. Communication dated February 10, 2014, from Gary Schettler in support of the application
28. Communication dated February 10, 2014, from Walmer Mangilit in support of the application
29. Communication dated February 10, 2014, from Gerry Desrosiers in support of the application
30. Communication dated February 10, 2014, from William and Jeanne Mazur in support of the application
31. Communication dated February 10, 2014, from Abe and Leonora in support of the application
32. Communication dated February 10, 2014, from Randall Hay in support of the application
33. Communication dated February 10, 2014, from Alex and Lois Mills in support of the application
34. Communication dated February 11, 2014, from Amy and Kyle Northcliffe in support of the application
35. Communication dated February 11, 2014, from Joe Schell in support of the application

36. Communication dated February 11, 2014, from Brad Carr and Sandra Ironside in support of the application
37. Communication dated February 11, 2014, from Randy, Sandy, Lukas, Thomas, Nathan and Carson Douglas in support of the application
38. Communication dated February 11, 2014, from Jerry and Joanne Werestiuk in support of the application
39. Communication dated February 11, 2014, from Spencer Leung in opposition to the application
40. Communication dated February 11, 2014, from Paul Pearson in support of the application
41. Communication dated February 12, 2014, from Doreen Fyda in support of the application
42. Communication dated February 12, 2014, from James Caithness in support of the application
43. Communication dated February 12, 2014, from Cindy and Doug Mackenzie in support of the application
44. Communication dated February 12, 2014, from Judi and Les Perry in support of the application
45. Communication dated February 13, 2014, from Gerald Caine in opposition to the application
46. Communication dated February 14, 2014, from Beverley and Lawrence Lobay in support of the application
47. Communication dated February 14, 2014, from Cathy, Herb, Adam and Robert Cox in support of the application
48. Communication dated February 14, 2014, from Pat and Brian Michalski in support of the application
49. Communication dated February 14, 2014, from Teresa Swingle in support of the application
50. Communication dated February 15, 2014, from Henry and Katherine Siemens in support of the application
51. Communication dated February 15, 2014, from Ross and Elfriede Campbell in support of the application
52. Communication dated February 15, 2014, from Robert Harder, John and Susan De Kluyver; and Tony and Nellie Lefko in support of the application
53. Communication dated February 16, 2014, from Janet Sochasky in support of the application
54. Communication dated February 17, 2014, from Elizabeth and Gerald Klassen in support of the application
55. Communication dated February 17, 2014, from Monique Seys and Rui Carvalho in support of the application

56. Communications dated February 17, 2014, from Jodi Madsen and Rick Pokrant in support of the application
57. Communication dated February 17, 2014, from Pamela Hartry in support of the application
58. Communication dated February 17, 2014, from Joanne Tocher in support of the application
59. Communication dated February 17, 2014, from Cory and Jodi Kulchycki in support of the application
60. Communication dated February 17, 2014, from Alda Wingfield in support of the application
61. Communication dated February 17, 2014, from Adam Miller in support of the application
62. Communication dated February 17, 2014, from Dave Wence in support of the application
63. Communication dated February 17, 2014, from Luke and Darlene McKenzie in support of the application
64. Communication dated February 17, 2014, from Kelly and Geoff Page in support of the application
65. Communication dated February 17, 2014, from Bryan Hodgson in support of the application
66. Communication dated February 17, 2014, from Jeremy and Cathy Bomhof in opposition to the application
67. Communication dated February 17, 2014, from Matthew and Candice Budyk in support of the application
68. Communication dated February 17, 2014, from Trevor Siwak in support of the application
69. Communication dated February 17, 2014, from Jennifer and Neal Jarmuske in support of the application
70. Communication dated February 17, 2014, from James Warkentin in support of the application
71. Communication dated February 17, 2014, from Jennifer and David Magura in support of the application
72. Communication dated February 17, 2014, from Tim and Andrea MacDonald in support of the application
73. Communication dated February 17, 2014, from Jeff and Sarah Kemp in support of the application
74. Communications dated February 17, 2014, from Joelle and Kent Richard in support of the application
75. Communication dated February 17, 2014, from Rick and Norinne Lagiewka in support of the application
76. Communication dated February 17, 2014, from Liz Loewen and Stan Kozlowski in support of the application
77. Communication dated February 17, 2014, from Bill Florence in support of the application

78. Communication dated February 17, 2014, from Ted and Elsie Slusarchuk in opposition to the application
79. Communications dated February 17, 2014, from Darrel and Linda Rach in support of the application
80. Communication dated February 17, 2014, from Rick Pauls in support of the application
81. Communication dated February 17, 2014, from Frances Taylor in support of the application
82. Communication dated February 18, 2014, from Rob and Patrice Burgess in support of the application
83. Communication dated February 18, 2014, from Barbara Heck in support of the application
84. Communication dated February 18, 2014, from Mitch Kiyon in support of the application
85. Communication dated February 18, 2014, from Peter and D. Jay Oakes-Munro in support of the application
86. Communication dated February 18, 2014, from Bernadette and Dwaine Carlson in support of the application
87. Communication dated February 18, 2014, from Darla Rettie in opposition to the application
88. Communication dated February 13, 2014, from Fran DeBruyn in support of the application
89. Communication dated February 18, 2014, from Gerrit Brakel in support of the application
90. Communication dated February 18, 2014, from William and Isabel Thornhill in support of the application
91. Communication dated February 18, 2014, from Ian Wingfield in support of the application
92. Communication dated February 18, 2014, from Gerry Antaya in support of the application
93. Communication dated February 18, 2014, from Jason McKechnie and Marie Antaya in support of the application
94. Communication dated February 18, 2014, from Ken King in support of the application
95. Communication dated February 18, 2014, from Deanna and Wayne Buck in support of the application
96. Communication dated February 18, 2014, from Glenn and Corinne Komishon in support of the application
97. Communication dated February 18, 2014, from Ken Bradshaw in support of the application
98. Communication dated February 18, 2014, from Eugene Leggatt and Marilyn Leggatt in support of the application

99. Communication dated February 18, 2014, from Tara Shachtay in support of the application
100. Communication dated February 18, 2014, from Bonnie Mitchelson in support of the application
101. Communication dated February 18, 2014, from Shirley Jackson in support of the application
102. Communication dated February 18, 2014, from Rick and Heather Pauls in support of the application
103. Communication dated February 18, 2014, from Bryan Hodgson in support of the application
104. Communication dated February 18, 2014, from Audrey Loochuk in support of the application
105. Communication dated February 18, 2014, from Megan Francis in support of the application
106. Communication dated February 18, 2014, from Leonard De Viet in support of the application
107. Communication dated February 18, 2014, from Enid Hartwig in support of the application
108. Communication dated February 18, 2014, from Burton and Sarah Mikolayenko in support of the application
109. Communication dated February 18, 2014, from Lawrence Morris in opposition to the application
110. Communication dated February 18, 2014, from Derek Eno in opposition to the application
111. Communication dated February 18, 2014, from Teresa and Jeremy Tataryn in support of the application
112. Communication dated February 18, 2014, from Kelly and Sharon Milan in support of the application
113. Communication dated February 18, 2014, from John Obroslinski in support of the application
114. Communication dated February 18, 2014, from Bruce Miller in support of the application
115. Petition in support of the application purporting to contain the signatures of 257 area residents, submitted by Cathy Cox
116. Communication dated February 5, 2014, from Lawrence Morris in opposition the application

REPRESENTATIONS:

In Support:

Mr. J. Zabudney, Manager of Real Estate, Planning Property and Development Department
Gerry Antaya
Ken Bradshaw
Albertina Brakel
Gerrit Brakel
Wayne and Deanna Buck
Candice and Matthew Budyk
Robert and Patrice Burgess
Ross and Elfriede Campbell
Bernadette and Dwaine Carlson
Brad Carr and Sandra Ironside
Dayna Cote
Cathy, Herb, Adam and Robert Cox
Merren Cox
Linda and Kevin Davidson
John and Susan De Kluyver
Leonard De Viet
Frances DeBruyn
Gerry Desrosiers
Randy, Sandy, Lukas, Thomas, Nathan, and Carson Douglas
Tim Flook
Bill Florence
Megan and Corwin Francis
Doreen Fyda and James Caithness
Janice and Aldo Garofalo
Maureen Geurts
Harry and Shirley Halbesma
Annemarie and Peter Harbun
Robert Harder
Jake and Anne Harms
Traci Harrison
Pamela Hartry
Enid Hartwig
Randall Hay
Barbara Heck
Edward and Hanna Hindle
Peter Hochheim
Bryan Hodgson

Nick and Pearl Hogeveen
Shirley Jackson
Jennifer and Neal Jarmuske
Jeff and Sarah Kemp
Ken King
Mitch Kiyon
Elizabeth and Gerald Klassen
Glenn and Corinne Komishon
Dick and Erika Krahn
Wendy Kube and Kelly Derksen
Cory and Jodi Kulchycki
Rick and Norinne Lagiewka
Tony and Nellie Lefko
Eugene and Marilyn Leggatt
Beverley and Lawrence Lobay
Liz Loewen and Stan Kozlowski
Todd Lohvinenko
Audrey Loochuk
Tim and Andrea MacDonald
Cindy and Doug Mackenzie
Jodi Madsen and Rick Pokrant
Jennifer and David Magura
Walmer Mangilit
Richard Martens and Cathy Martens
William Mazur and Jeanne Mazur
Jason McKechnie and Marie Antaya
Luke and Darlene McKenzie
Lucy and Marvin McMillan
Alicia Michalchuk
Pat and Brian Michalski
Sheila Michalski
Vic and Chris Mikolayenko
Burton and Sarah Mikolayenko
Kelly and Sharon Milan
Adam Miller
Bruce Miller
Alex and Lois Mills
Bonnie Mitchelson
Don Mitchelson
Jean Morris
G. and H. Muller
Amy and Kyle Northcliffe
Peter and D. Jay Oakes-Munro
John Obroslinski

Kelly and Geoff Page
Judi and Les Parry
Rick and Heather Pauls
Paul Pearson
Greg Penner
Brian and Darlene Phillips
Darrell and Linda Rach
Joelle and Kent Richard
Gerry Roch
Joe Schell
Gary Schettler
Monique Seys and Rui Carvalho
Tara Shachtay
Henry and Katherine Siemens
Trevor Siwak
Janet Sochasky
Sandra Stoyko
Matt and Colline Sutton
Teresa Swingle
Teresa and Jeremy Tataryn
Frances and Ken Taylor
William and Isabel Thornhill
Joanne Tocher
Albert Vanderploeg
Greg Veosovich
James Warkentin
Dave Wence
Jerry and Joanne Werestiuk
Craig White
Abe and Leonora Wiebe
Alda Wingfield
Ian Wingfield
Lori Ziprick

In Opposition:

Cathy and Jeremy Bomhof
Gerald Caine
Derek Eno and Brad Cook
Spencer Leung
Dave Major
Wileen Mauricio

Lawrence Morris
Carol Oppermann
Darla Rettie
Bruce Schmidt
Ted and Elsie Slusarchuk
Stephen Strang
Jake Vanderhooft

For Information:

Curtis Geurts
George Ginter
Doug Hennig
Howard Wohl

For the City:

Mr. B. Buyachok, Real Property Officer, Planning, Property and Development Department
Mr. M. Pyl, Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 18/2013

ADMINISTRATIVE REPORT

Title: **DAC 18/2013: TO SEEK COUNCIL APPROVAL FOR THE PROPOSED CLOSING OF PARTS OF RALEIGH STREET AND GATEWAY ROAD AT THE CITY OF WINNIPEG LIMITS**

Critical Path: **EAST KILDONAN - TRANSCONA COMMUNITY COMMITTEE – STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT - EXECUTIVE POLICY COMMITTEE – COUNCIL**

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	B. Thorgrimson	N/A	N/A

RECOMMENDATIONS

1. That the proposed street closings as shown on Misc. Plan No. 14610 be approved.

2. That the Director of Legal Services and City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street closings in accordance with Misc. Plan No. 14610.

3. 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

At its meeting held on December 3, 2013, the Standing Policy Committee on Property and Development instructed the Winnipeg Public Service to proceed with the subject closing application.

All street and lane closings require the consideration of the Community Committee.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no policy, regulatory, environmental, human resource or general implications associated with the recommendations.

Costs associated with the street closings are the responsibility of the Planning, Property and Development Department. These costs are to be utilized from the Land Operating Reserve and are considered to be immaterial in nature.

HISTORY

An amendment to the Rural Municipality of East St. Paul Development Plan (By-law 2007-14) Land Use Plan Map has been initiated in order to convert a parcel of land within River Lots 116 and 117 of the Parish of Saint Paul commonly known as No. 2272 Devries Avenue from its current designation as RI Mixed Use Residential/Institutional to a COM Commercial designation. Should the amendment be successful, the land use plans for this property are for the development of a large format commercial shopping centre.

No. 2272 Devries Avenue is located between the City of Winnipeg/RM of East St. Paul boundary and the Perimeter Highway. This property is currently accessible from the south solely via City of Winnipeg streets, predominantly Gateway Road, Raleigh Street, Headmaster Row, Knowles Avenue and Devries Avenue. The anticipated increase in additional traffic on these rights of way caused by this proposed development is neither contemplated nor feasible with respect to the City of Winnipeg's Council adopted Transportation Master Plan.

Consequently, on December 3, 2013, The Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan – Transcona Community Committee, as amended, and directed the Winnipeg Public Service to:

1. Proceed with an application to close the Gateway Road right of way where the street is unimproved north of Knowles Avenue to the City Limit;

2. Proceed with an application to close the right of way on Raleigh Street at the point of the City of Winnipeg and R.M. of East St. Paul boundary.

The Planning, Property and Development Department is proceeding with the subject closings indicated on the attached copy of Misc. Plan No. 14610, as directed by the Standing Committee.

The easterly 33 feet of Raleigh Street and the westerly 33 feet of Gateway Road originally formed part of a Road Allowance adjoining Canadian Pacific Railway Plan No. 78 WLTO. The westerly 33 feet of Raleigh and the easterly 33 feet of Gateway were subsequently opened by Plan No. 1950 and registered in the Winnipeg Land Titles Office in November of 1912, widening the rights of way to their current width of 66 feet.

Gateway Road is improved to a point approximately 350 feet north of Knowles Avenue where it provides access to The Cornerstone Housing Corp. at No. 1865 Gateway Road. The balance of the right of way north to the City Limits is unimproved. Raleigh Street is improved north of the City Limit and is heavily used by the public.

CONSULTATION

In preparing this Report there was consultation with:

Internal Consultation:

There was consultation with the affected Civic departments.

External Consultation:

Manitoba Hydro, Centra Gas, Shaw Cablesystems, MTS Inc., Bell Canada, Telus and Norscan.

Rogers Communications, TeraSpan, Imperial Oil and Fibre did not respond to the request for comments on this proposal.

SUBMITTED BY

Department: Planning, Property and Development
Division: Land Development, Geomatics and Land Information Services
Prepared by: Bohdan Buyachok, Real Property Officer
Date: January 24, 2014
File No.

O:\Reports Directive\Development and Inspections\Geomatics\DAC 18.13 Raleigh & Gateway RPT

V:\development applications\daoc\dev application2013\dac18_2013\final_report\dac18.13rpt

APPENDIX "A"

Administrative Approval

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the street closings.

Administrative Comments

Public Works Department

At such time as the physical closure of Raleigh Street is to be implemented, the appropriate barricading and signing treatments will be required to be installed on both sides of the closure. As Gateway Road does not physically exist in the area of the closing, no additional barricading or signing is necessary for that closure.

Winnipeg Police Service

There are no issues from the Winnipeg Police Service standpoint. The closing of the regional streets (Raleigh and Gateway) will result in an increased traffic flow on the residential streets in the area which will be problematic for the area residents. This may result in an increased number of traffic related complaints. This will not impact the Winnipeg Police Service from an enforcement perspective.

Transit Department

- Residential streets are inappropriate for access to a shopping centre.
- If an alternative solution is found by the developer that links to the Perimeter Highway instead, this will preclude transit service to/from the development. While it does not do so now, transit service in the past often crossed between Winnipeg and surrounding rural areas. This might happen again in the future, particularly in areas like this where rural development is abutting the City (CentrePort is another example). Should the development proceed, a risk is that the access would be designed in such a way that it would result in an inability for transit to serve the development, resulting in increased auto use on Winnipeg streets since residents of Winnipeg could be expected to use this development.
- There is a need for closer ties between MIT, the RM and the City regarding transportation issues that impact all parties.

Water and Waste Department

There is a City owned ditch and a 250mm wastewater sewer running east/west along the north side of Glenway Avenue. The sewer ends in a manhole and both the sewer and the ditch are in close proximity, if not partially within the closing area. There is also a 250mm water main running north/south along the east side of the Raleigh Street right of way. This water main dead ends just north of the north limit of the Glenway Avenue right of way and ends with a valve and plug. This water main will be intersected by the closing area. There is also a City owned open

channel ditch that runs north/south along the east side of the Gateway Road right of way that is within the closing area.

As long as the City retains ownership of the closing areas, the Water and Waste Department has no objections to the proposal.

Easements

Manitoba Hydro and Centra Gas Manitoba Inc. have identified existing services within the closing areas.

Norscan Instruments Ltd., cable managers for the River East Transcona School Division, have also identified fibre optic cables running along the Raleigh Street right of way, thorough its intersection with Glenway Avenue, and proceeding towards the Birds Hill area crossing the Perimeter Highway.

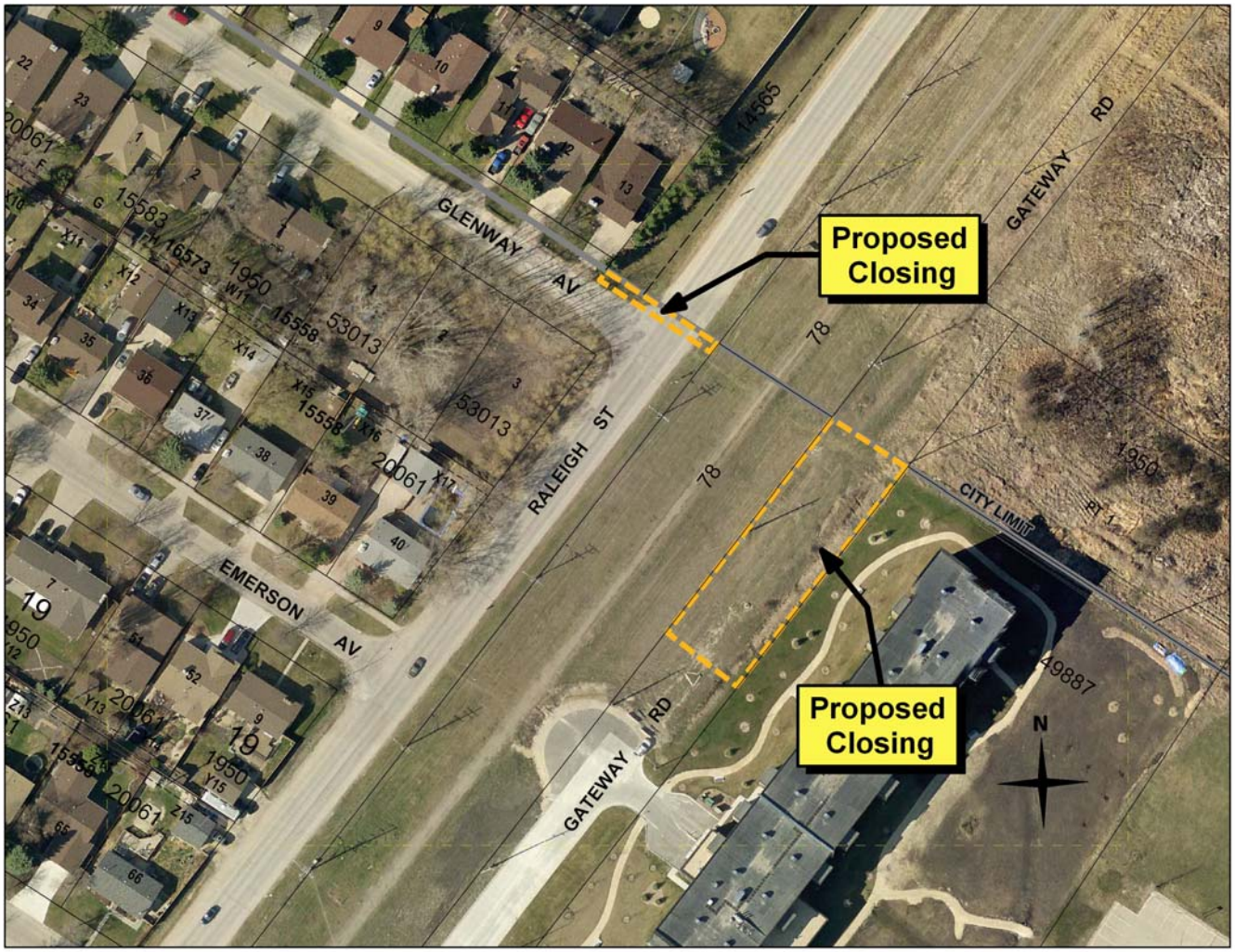
Easements will be required for all of these existing facilities. No permanent structures will be allowed within the easement areas.

Any removal or relocation of existing facilities as a result of the proposed street closings will be at the expense of the applicant.

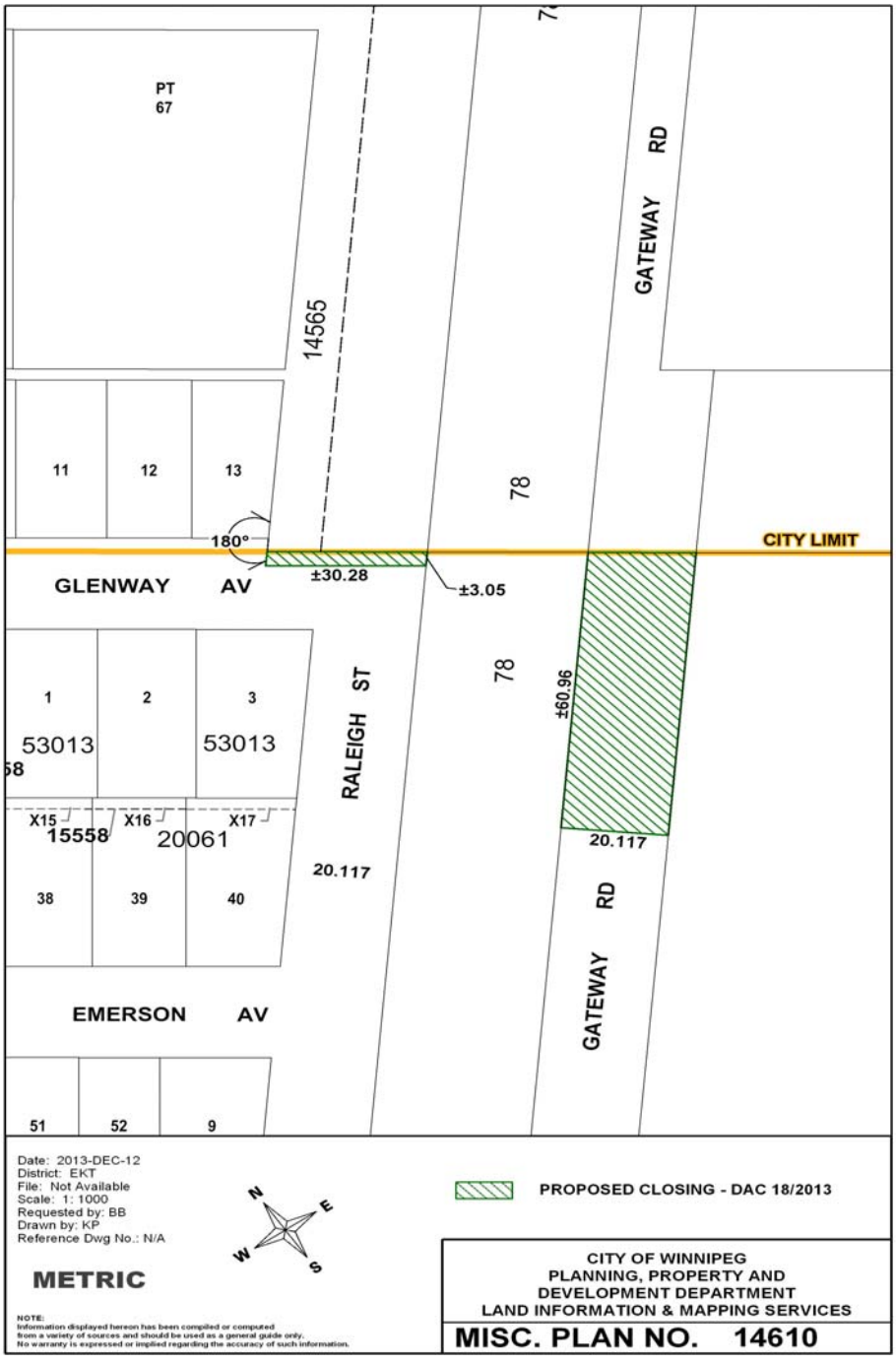
Transfer of Public Rights-of-Way

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.

Aerial View of Subject Closing



Miscellaneous Plan


PT
67
14565
GATEWAY RD
11
12
13
78
180°
CITY LIMIT
GLENWAY AV
±30.28
±3.05
1
2
3
53013
53013
RALEIGH ST
78
±60.96
X15
X16
X17
15558
20061
20.117
20.117
38
39
40
GATEWAY RD
EMERSON AV
51
52
9
Date: 2013-DEC-12
District: EKT
File: Not Available
Scale: 1: 1000
Requested by: BB
Drawn by: KP
Reference Dwg No.: N/A
METRIC
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only. No warranty is expressed or implied regarding the accuracy of such information.
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W
S
PROPOSED CLOSING - DAC 18/2013
CITY OF WINNIPEG
PLANNING, PROPERTY AND
DEVELOPMENT DEPARTMENT
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 14610