Minute No. 475
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

Item No. 12 Closing – Proposed Closing of Public Lane South of 260 River Road for inclusion into DASZ 4/2020 (St. Vital Ward) File DAC 7/2019 [c/r DASZ 4/2020 & DAV 118191/2020D]

COUNCIL DECISION:

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

1. That subject to Recommendation 2, the proposed closing of public lane shown on Miscellaneous Plan No. 15597/2 (attached hereto as Appendix "B"), be approved and the land be declared surplus to the City's needs.

2. That the Director of Legal Services and City Solicitor be instructed to prepare and bring directly to Council for enactment, a By-law to facilitate the closing in accordance with Miscellaneous Plan No. 15597/2 subject to:

    A. the approval of the conveyance of the land by Council or its delegated authority; and

    B. the developer and/or purchaser (or assignee) fulfilling its obligations under the administrative conditions of approval outlined in Appendix "A" of this report.

3. That in the event the subject closing is not proceeded with expeditiously and the by-law:

    A. is not enacted within two (2) years following the date the subject report is approved by Council; and

    B. is not registered in The Property Registry within one (1) year following the date it is enacted by Council, the matter shall be deemed to be concluded and shall not be proceeded with, unless an extension of time is applied for, prior to the expiry of the two (2) year period referred to in clause (A) above, and Council approves the extension.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

COUNCIL DECISION (continued):

4. That the City enter into, execute and deliver an Offer to Purchase with the developer and/or purchaser (or assignee) and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

5. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the Offer to Purchase and the Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

DECISION MAKING HISTORY:

Moved by Councillor Gilroy,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 15, 2020, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 13, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 25, 2020, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

HEARING SUMMARY

File:	DAC 7/2019
Before:	Riel Community Committee Councillor Allard, Chairperson Councillor Chambers Councillor Mayes
Public Hearing:	June 25, 2020 Council Building, 510 Main Street
Applicant:	Sherwood Development Ltd. (Louis Pereira)
Premises Affected:	260 River Road
For submission to:	The Standing Policy Committee on Property and Development, Heritage and Downtown Development
Prepared by:	Rebecca Ford, Committee Clerk Riel Community Committee
Report date:	June 30, 2020

Community Committee Recommendation:

On June 25, 2020, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That subject to Recommendation 2, the proposed closing of public lane shown on Miscellaneous Plan No. 15597/2 (attached hereto as Appendix "B"), be approved and the land declared surplus to the City's needs.

2. That the Director of Legal Services and City Solicitor be instructed to prepare and bring directly to Council for enactment, a By-law to facilitate the closing in accordance with Miscellaneous Plan No. 15597/2 subject to:

    A. the approval of the conveyance of the land by Council or its delegated authority; and

    B. the developer and/or purchaser (or assignee) fulfilling its obligations under the administrative conditions of approval outlined in Appendix "A" of this report.

3. That in the event the subject closing is not proceeded with expeditiously and the by-law:

   A. is not enacted within two (2) years following the date the subject report is approved by Council; and

   B. is not registered in The Property Registry within one (1) year following the date it is enacted by Council, the matter shall be deemed to be concluded and shall not be proceeded with, unless an extension of time is applied for, prior to the expiry of the two (2) year period referred to in clause (A) above, and Council approves the extension.

4. That the City enter into, execute and deliver an Offer to Purchase with the developer and/or purchaser (or assignee) and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

5. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the Offer to Purchase and the Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

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

Exhibits Filed:

1. Report from the Real Property Officer dated May 5, 2020
2. Inspection Report
3. Submissions from the applicant with 22 supporting letters from residents dated January 14 and January 25, 2020
4. Communication dated June 19, 2020, from Julie Husband in opposition to the application
5. Communication dated June 19, 2020, from Gary Hanson in opposition to the application
6. Communication dated June 20, 2020, from Allan Malbranck in opposition to the application
7. Communication dated June 19, 2020, from Amber Armour in opposition to the application
8. Communication dated June 20, 2020, from Amiotosh Ghosh in opposition to the application
9. Communication dated June 20, 2020, from Anita Malbranck in opposition to the application
10. Communication dated June 20, 2020, from Brian and Donna Jones in opposition to the application
11. Communication dated June 20, 2020, from Bruce and Wendy Zimmerman in opposition to the application
12. Communication dated June 20, 2020, from Carla Johns in opposition to the application
13. Communication dated June 20, 2020, from Carol Northam in opposition to the application
14. Communication dated June 20, 2020, from Darlia Melanson in opposition to the application
15. Communication dated June 19, 2020, from David and Donna Robertson in opposition to the application
16. Communication dated June 20, 2020, from Don Bartos in opposition to the application
17. Communication dated June 19, 2020, from Emery Lajtai in opposition to the application
18. Communication dated June 20, 2020, from Ernie and Carol Kyliuk in opposition to the application
19. Communication dated June 19, 2020, from Frank and Sharon Peters in opposition to the application
20. Communication dated June20, 2020, from G. Nault in opposition to the application
21. Communication dated June 20, 2020, from Garry Peterbaugh and Candace Trussler in opposition to the application
22. Communication dated June 20, 2020, from Glen and Cindy MacGillivray in opposition to the application
23. Communication dated June 20, 2020, from Grant and Shellie Hatch in opposition to the application

Exhibits Filed (continued)

24. Communication dated June 20, 2020, from Grenville and Marisa Mowat in opposition to the application
25. Communication dated June 20, 2020, from Heather Cunningham in opposition to the application
26. Communication dated June 20, 2020, from Heather Shaer in opposition to the application
27. Communication dated June 20, 2020, from Jeff Noiseux and Shirley Caron in opposition to the application
28. Communication dated June 20, 2020, from Judy and Gord Reid in opposition to the application
29. Communication dated June 20, 2020, from Keith, Karen, Kalie, Kasia and Kyla Peters in opposition to the application
30. Communication dated June 19, 2020, from Kelly and Brian Brown in opposition to the application
31. Communication dated June 19, 2020, from Krutika Vishwakarma in opposition to the application
32. Communication dated June 19, 2020, from Lori Campbell in opposition to the application
33. Communication dated June 20, 2020, from Marcel and Kathryn Hermary in opposition to the application
34. Communication dated June 20, 2020, from Nizar Guindi, Mervat Sefin, Mariam Guindi and Mina Guindi in opposition to the application
35. Communication dated June 19, 2020, from Phil and Gisele Hudson in opposition to the application
36. Communication dated June 19, 2020, from Raghvendra Vishwakarma in opposition to the application
37. Communication dated June 19, 2020, from Robert and Dori Chunn in opposition to the application
38. Communication dated June 20, 2020, from Robert and Laura Carr in opposition to the application
39. Communication dated June 19, 2020, from Robert and Margaret Young in opposition to the application
40. Communication dated June 23, 2020, from Ronda Pfeiffer in support of the application
41. Communication dated June 20, 2020, from Ross and Melissa McDonell in opposition to the application
42. Communication dated June 20, 2020, from Sharron and Gerry Carriere in opposition to the application
43. Communication dated June 20, 2020, from Shehryar, Saba, Muhammad, Humera and Asandyar Gill in opposition to the application

Exhibits Filed (continued):

44. Communication dated June 19, 2020, from Shelley and Germain Garand in opposition to the application
45. Communication dated June 20, 2020, from Susan J. Melnick in opposition to the application
46. Communication dated June 20, 2020, from Suzanne Esquivel and Jason Rodway in opposition to the application
47. Communication dated June 20, 2020, from Sylvie and Eric Einarsson in opposition to the application
48. Communication dated June 19, 2020, from Tim Armour in opposition to the application
49. Communication dated June 20, 2020, from Xikui Wang and Chang Luo in opposition to the application
50. Communication dated June 19, 2020, from George and Chantal Green in support of the application
51. Communication dated June 20, 2020, from Nate Sawatzky in support of the application
52. Communication dated June 21, 2020, from Alanna and John Richmond in opposition to the application
53. Communication dated June 21, 2020, from Gary and Joann Wensel in opposition to the application
54. Communication dated June 21, 2020, from Michelle and Bob Stanson in opposition to the application
55. Communication dated June 21, 2020, from Arthur and Marie Proulx in opposition to the application
56. Communication dated June 21, 2020, from Mary Backus and Bill Hamiltonin opposition to the application
57. Communication dated June 21, 2020, from Frank Machovec in opposition to the application
58. Communication dated June 21, 2020, from June Johnson in opposition to the application
59. Communication dated June 21, 2020, from Louise and Garry Lemay in opposition to the application
60. Communication dated June 21, 2020, from Bette & Reid Birss in opposition to the application
61. Communication dated June 21, 2020, from Jo Gretsinger in opposition to the application
62. Communication dated June 21, 2020, from Lynne Pedden in opposition to the application
63. Communication dated June 21, 2020, from Katarina Makus, Karen Makus, Kurt Makus and Dominic Leydier in opposition to the application
64. Communication dated June 21, 2020, from Kristjan Blackie in opposition to the application
65. Communication dated June 21, 2020, from Simon Liao in opposition to the application

Exhibits Filed (continued):

66. Communication dated June 21, 2020, from Gordon and Margareth Rybuck in opposition to the application
67. Communication dated June 21, 2020, from Michael and Anna Ryan in opposition to the application
68. Communication dated June 21, 2020, from Marnie Brown in opposition to the application
69. Communication dated June 21, 2020, from Nader Roman, George Roman, Michael Roman and Kareem Hanna in opposition to the application
70. Communication dated June 21, 2020, from Irene Raabe in opposition to the application
71. Communication dated June 21, 2020, from Stuart and Rebecca Thompson in opposition to the application
72. Communication dated June 21, 2020, from Kathy and Glenn McRae in opposition to the application
73. Communication dated June 21, 2020, from Corrine and Alan Scott in opposition to the application
74. Communication dated June 21, 2020, from Bernard and Hygiea Casiano in opposition to the application
75. Communication dated June 21, 2020, from Michael Hicks in opposition to the application
76. Communication dated June 21, 2020, from Roger and Beverley Wieringa in opposition to the application
77. Communication dated June 21, 2020, from Mark and Jean Pascoe in opposition to the application
78. Communication dated June 21, 2020, from Brent Wall in opposition to the application
79. Communication dated June 21, 2020, from Sean Fitzmaurice in opposition to the application
80. Communication dated June 22, 2020, from Marie and Ken Grouette in opposition to the application
81. Communication dated June 22, 2020, from Milt Toews in opposition to the application
82. Communication dated June 22, 2020, from Alexis Botkin in opposition to the application
83. Communication dated June 22, 2020, from Shawn Clark in opposition to the application
84. Communication dated June 22, 2020, from Desiree Riel in opposition to the application
85. Communication dated June 22, 2020, from Paul and Susan Lachance in opposition to the application
86. Communication dated June 22, 2020, from Paul and Karen Boucher in opposition to the application

Exhibits Filed (continued):

87. Communication dated June 22, 2020, from Rick Pelletier in opposition to the application
88. Communication dated June 22, 2020, from Bill Tedford in opposition to the application
89. Communication dated June 22, 2020, from Mary Anderson in opposition to the application
90. Communication dated June 22, 2020, from Erika Zeller in opposition to the application
91. Communication dated June 22, 2020, from Tony and Lori Ranta Rodrigues in opposition to the application
92. Communication dated June 22, 2020, from Colin McIsaac in opposition to the application
93. Communication dated June 22, 2020, from Darin Brecht in opposition to the application
94. Communication dated June 22, 2020, from Roger Schellenberg in opposition to the application
95. Communication dated June 22, 2020, from Lea Clarke in opposition to the application
96. Communication dated June 22, 2020, from Bob and Marilyn Clasper in opposition to the application
97. Communication dated June 22, 2020, from Arlene Solvason in opposition to the application
98. Communication dated June 22, 2020, from Marci Riel in opposition to the application
99. Communication dated June 22, 2020, from Tony Cyre in opposition to the application
100. Communication dated June 22, 2020, from Debbie Grenier in opposition to the application
101. Communication dated June 22, 2020, from Bev Bryce in opposition to the application
102. Communication dated June 22, 2020, from Robert and Janice Brickey in opposition to the application
103. Communication dated June 22, 2020, from Susan Taillieu in opposition to the application
104. Communication dated June 22, 2020, from Ryan Gibson in opposition to the application
105. Communication dated June 22, 2020, from Phyllis Klassen in opposition to the application
106. Communication dated June 22, 2020, from Len Klassen in opposition to the application
107. Communication dated June 22, 2020, from Ken Manswell in opposition to the application
108. Communication dated June 22, 2020, from Alice Pelletier in opposition to the application

Exhibits Filed (continued):

109. Communication dated June 22, 2020, from George Pelletier in opposition to the application
110. Communication dated June 22, 2020, from Pat Reitmeier in opposition to the application
111. Communication dated June 22, 2020, from Rob Finlayson in opposition to the application
112. Communication dated June 22, 2020, from Riley Wiggett in opposition to the application
113. Communication dated June 22, 2020, from Fred Mostowy in opposition to the application
114. Communication dated June 22, 2020, from Jeff and Daniela Bews in opposition to the application
115. Communication dated June 22, 2020, from Robert and Patricia Johnson in opposition to the application
116. Communication dated June 22, 2020, from Michelle Smith and Jean-Pierre Parenty in opposition to the application
117. Communication dated June 22, 2020, from Karen and John Linde in opposition to the application
118. Communication dated June 22, 2020, from Len Peterson in opposition to the application
119. Communication dated June 22, 2020, from Thomas and Yvonne MacQuarrie in opposition to the application
120. Communication dated June 22, 2020, from Jesse and Tiffany Perry in opposition to the application
121. Communication dated June 22, 2020, from Murray and Johanna Abbott in opposition to the application
122. Communication dated June 22, 2020, from Henry and Pauline Napastiuk in opposition to the application
123. Communication dated June 22, 2020, from Fedra Salias in opposition to the application
124. Communication dated June 22, 2020, from Wendell and Brenda Dyck in opposition to the application
125. Communication dated June 22, 2020, from Carlie Koltek and Steve Tuhkanen in opposition to the application
126. Communication dated June 22, 2020, from Jeff Krieg in opposition to the application
127. Communication dated June 22, 2020, from Dale Purvis in opposition to the application
128. Communication dated June 22, 2020, from Jesse Prokopchuk in opposition to the application
129. Communication dated June 22, 2020, from Barb Purvis in opposition to the application

Exhibits Filed (continued):

130. Communication dated June 22, 2020, from Monica Huisman opposition to the application
131. Communication dated June 22, 2020, from Elora and Teresa Gibbons in opposition to the application
132. Communication dated June 22, 2020, from Kimberley Mozil in opposition to the application
133. Communication dated June 22, 2020, from Jaesuk and Won Chul Son in opposition to the application
134. Communication dated June 22, 2020, from Leonard Peters in opposition to the application
135. Communication dated June 22, 2020, from Todd, Cathie and Julia Webber in opposition to the application
136. Communication dated June 22, 2020, from Roland Philippot in opposition to the application
137. Communication dated June 22, 2020, from Doug Ross in opposition to the application
138. Communication dated June 22, 2020, from Bill Forrest in opposition to the application
139. Communication dated June 22, 2020, from Andrea Simpson Bowen in opposition to the application
140. Communication dated June 22, 2020, from Jasmin Bowen in opposition to the application
141. Communication dated June 22, 2020, from Trina Duffy in opposition to the application
142. Communication dated June 22, 2020, from Lance Bowen in opposition to the application
143. Communication dated June 23, 2020, from Jo-Anne and Duncan Sirett in opposition to the application
144. Communication dated June 22, 2020, from Judy Anaka in opposition to the application
145. Communication dated June 22, 2020, from Maureen & Matthew Forrest in opposition to the application
146. Communication dated June 22, 2020, from Don, Darlene and Michael Daley in opposition to the application
147. Communication dated June 22, 2020, from Margaret and Michael Kitt in opposition to the application
148. Communication dated June 22, 2020, from Mike Grenier in opposition to the application
149. Communication dated June 22, 2020, from Jade Kleven & Josh Beauchemin in to the application
150. Communication dated June 22, 2020, from Nicole Gierek in opposition to the application
151. Communication dated June 22, 2020, from Judy Wiegner in opposition to the application

Exhibits Filed (continued):

152. Communication dated June 23, 2020, from Norman Dale Watson and Lorraine A. Nogue in opposition to the application
153. Communication dated June 23, 2020, from Nancy Cooke for information to the application
154. Communication dated June 23, 2020, from Lynn Gillson in opposition to the application
155. Communication dated June 23, 2020, from Laura Fisher in opposition to the application
156. Communication dated June 23, 2020, from Alex and Bev Loewen in opposition to the application
157. Communication dated June 23, 2020, from Wilson and Michelle Brown in opposition to the application
158. Communication dated June 23, 2020, from Inga Zahodnik in opposition to the application
159. Communication dated June 23, 2020, from Brigette and Mitchell Lavitt opposition to the application
160. Communication dated June 23, 2020, from Amr Marwany and Annna Bardina in opposition to the application
161. Communication dated June 23, 2020, from Jamie Chopek and Jennifer Gulay in opposition to the application
162. Communication dated June 23, 2020, from Debbie Sanders in opposition to the application
163. Communication dated June 23, 2020, from Howard Ward and Janice Beales in opposition to the application
164. Communication dated June 23, 2020, from Qi Liu in opposition to the application
165. Communication dated June 23, 2020, from Geoff Johnson in opposition to the application
166. Communication dated June 23, 2020, from Jessica and Scott Bateman in opposition to the application
167. Communication dated June 23, 2020, from Liz Duerksen in opposition to the application
168. Communication dated June 23, 2020, from Petra Russell and Al Katz in opposition to the application
169. Communication dated June 23, 2020, from Bill and Ingrid Ward in opposition to the application
170. Communication dated June 23, 2020, from Frank and Joy Novotny in opposition to the application
171. Communication dated June 23, 2020, from Lionel Ferré and Julie Mongeon-Ferré in opposition to the application
172. Communication dated June 23, 2020, from Sheldon Swan in opposition to the application

Exhibits Filed (continued):

173. Communication dated June 23, 2020, from Lyn Heinkel in opposition to the application
174. Communication dated June 23, 2020, from Richard Westwood in opposition to the application
175. Communication dated June 23, 2020, from Steve Geiger in opposition to the application
176. Communication dated June 23, 2020, from Donna Alexiuk in opposition to the application
177. Communication dated June 23, 2020, from Ron Duncan in opposition to the application
178. Communication dated June 23, 2020, from Janice Hanford in opposition to the application
179. Communication dated June 23, 2020, from Brenda Clendenning in opposition to the application
180. Communication dated June 23, 2020, from Raymond & Lacona Cunningham in opposition to the application
181. Communication dated June 23, 2020, from Marion Vadacchino in opposition to the application
182. Communication dated June 23, 2020, from Lori and Kevin Morawecki in opposition to the application
183. Communication dated June 23, 2020, from Linda & Gerard Cousin in opposition to the application
184. Communication dated June 23, 2020, from Wendy Spratt in opposition to the application
185. Communication dated June 23, 2020, from Ben Clendenning in opposition to the application
186. Communication dated June 23, 2020, from Charles Lunn and Mary Anne Stayner in opposition to the application
187. Communication dated June 23, 2020, from Kristine Watson in opposition to the application
188. Communication dated June 23, 2020, from Ola Norrie in opposition to the application
189. Communication dated June 23, 2020, from Ivan Pankratz in opposition to the application
190. Communication dated June 23, 2020, from Peter Clendenning in opposition to the application
191. Communication dated June 23, 2020, from Darren Desrochers and Jamie-Lee Miller in opposition to the application
192. Communication dated June 23, 2020, from Mélanie Dheilly in opposition to the application
193. Communication dated June 23, 2020, from Christine and Hugh Ross in opposition to the application
194. Communication dated June 23, 2020, from Zaida Thiessen in opposition to the application

Exhibits Filed (continued):

195. Communication dated June 23, 2020, from Yolande Vincent in opposition to the application
196. Communication dated June 23, 2020, from Richard Sherby in opposition to the application
197. Communication dated June 23, 2020, from Bernie and Maria Lodge in opposition to the application
198. Communication dated June 23, 2020, from Yolande Dagenais in opposition to the application
199. Communication dated June 23, 2020, from Gayle and Barry McPherson in opposition to the application
200. Communication dated June 23, 2020, from Dennis Hudyma in opposition to the application
201. Communication dated June 23, 2020, from Nikki McDowell and Scott Dewar in opposition to the application
202. Communication dated June 23, 2020, from Suzanne Gagne in opposition to the application
203. Communication dated June 23, 2020, from Michael Galbichka in opposition to the application
204. Communication dated June 23, 2020, from Kim Tyson and John Shearer in opposition to the application
205. Communication dated June 23, 2020, from Jim Stacey in opposition to the application
206. Communication dated June 23, 2020, from James Watson in opposition to the application
207. Communication dated June 23, 2020, from Jackie Bertrand in opposition to the application
208. Communication dated June 23, 2020, from Dr. Karine Levasseur and Jim Hopps in opposition to the application
209. Communication dated June 23, 2020, from Glenn and Diane Marks in opposition to the application
210. Communication dated June 23, 2020, from Ian Bourke in opposition to the application
211. Communication dated June 23, 2020, from John Helliar in opposition to the application
212. Communication dated June 23, 2020, from Kim Kernot in opposition to the application
213. Communication dated June 23, 2020, from Brant Schuerbeke in opposition to the application
214. Communication dated June 23, 2020, from Évariste Manéné in opposition to the application
215. Communication dated June 23, 2020, from Linda Latisnere in opposition to the application

Exhibits Filed (continued):

216. Communication dated June 23, 2020, from Murray and Wendy Salo in opposition to the application
217. Communication dated June 23, 2020, from Annette St. Onge in opposition to the application
218. Communication dated June 23, 2020, from Anita Mohoric and Wayne Copet in opposition to the application
219. Communication dated June 23, 2020, from Patricia Cyre in opposition to the application
220. Communication dated June 23, 2020, from Guilluame Dagenais in opposition to the application
221. Communication dated June 23, 2020, from Nancy Chapman in opposition to the application
222. Communication dated June 23, 2020, from Elaine Buchanan in opposition to the application
223. Communication dated June 24, 2020, from Vladimir Shpunt in opposition to the application
224. Communication dated June 24, 2020, from Todd Monnier in opposition to the application
225. Communication dated June 24, 2020, from G.L. Houde in opposition to the application
226. Communication dated June 24, 2020, from Gerald Humphreys in opposition to the application
227. Communication dated June 24, 2020, from Laurey Craig in opposition to the application
228. Communication dated June 24, 2020, from Rob and Taryn Baker in opposition to the application
229. Communication dated June 24, 2020, from Debbie Bashucky in opposition to the application
230. Communication dated June 24, 2020, from Justin Shaer in opposition to the application
231. Communication dated June 24, 2020, from Lisa Bouma in opposition to the application
232. Communication dated June 24, 2020, from Alex and Carol Ord in opposition to the application
233. Communication dated June 24, 2020, from Nada Lefko in opposition to the application
234. Communication dated June 24, 2020, from Krista Clendenning in opposition to the application
235. Communication dated June 24, 2020, from W & R Thiessen in opposition to the application
236. Communication dated June 24, 2020, from David Coates and Muriel Robidoux Coates in opposition to the application
237. Communication dated June 24, 2020, from Bruce Forsyth opposition to the application

Exhibits Filed (continued):

238. Communication dated June 24, 2020, from Paul Stepnuk in opposition to the application
239. Communication dated June 24, 2020, from Dan Moreau in opposition to the application
240. Communication dated June 24, 2020, from Doug and Maria Mathieson in opposition to the application
241. Communication dated June 24, 2020, from Darcy Zaporzan in opposition to the application
242. Communication dated June 24, 2020, from V & M Smoluk in opposition to the application
243. Communication dated June 24, 2020, from Brian Stepnuk in opposition to the application
244. Communication dated June 24, 2020, from Olivia Zaporzan in opposition to the application
245. Communication dated June 24, 2020, from Scott Spearman in opposition to the application
246. Communication dated June 24, 2020, from Jean-Pierre Grolet in opposition to the application
247. Communication dated June 24, 2020, from John Di Noto in opposition to the application
248. Communication dated June 24, 2020, from Jessica Belanger in opposition to the application
249. Communication dated June 24, 2020, from Rob & Sandi Coghlan in opposition to the application
250. Communication dated June 24, 2020, from Alex Zaporzan in opposition to the application
251. Communication dated June 24, 2020, from Harvey and Daniela Driedger in opposition to the application
252. Communication dated June 24, 2020, from Barry J. Bentham in opposition to the application
253. Communication dated June 24, 2020, from J. and S. Ogden in opposition to the application
254. Communication dated June 24, 2020, from D & D Zubrack in opposition to the application
255. Communication dated June 24, 2020, from Debra and Kirk Warren in opposition to the application
256. Communication dated June 24, 2020, from Bob Hooper in opposition to the application
257. Communication dated June 24, 2020, from Mia Schorpion in opposition to the application
258. Communication dated June 24, 2020, from Rachel and Jason Niziol in opposition to the application

Exhibits Filed (continued):

259. Communication dated June 24, 2020, from John Truss and Rosemarie Todaschuk in opposition to the application
260. Communication dated June 24, 2020, from R. and L. Janis in opposition to the application
261. Communication dated June 24, 2020, from Ron & Susan Stutski in opposition to the application
262. Communication dated June 24, 2020, from Al Hagglund in opposition to the application
263. Communication dated June 24, 2020, from Grant and Shawna Bartlett in opposition to the application
264. Communication dated June 24, 2020, from Lawrence Palmer in opposition to the application
265. Communication dated June 24, 2020, from Mark Korytowski and Sandra Korytowski in opposition to the application
266. Communication dated June 24, 2020, from Gayle Rakowski in opposition to the application
267. Communication dated June 24, 2020, from Bette Palmquist in opposition to the application
268. Communication dated June 23, 2020, from Rodger and Marion Guinn in support of the application
269. Communication dated June 24, 2020, from Douglas and Brenda McDonald in opposition to the application
270. Communication dated June 24, 2020, from Gail Tretiak in opposition to the application
271. Communication dated June 24, 2020, from Marilyn Hooper in opposition to the application
272. Communication dated June 24, 2020, from Bob and Rosanne Broeska in opposition to the application
273. Communication dated June 24, 2020, from Fernie and Angie Conrad in opposition to the application
274. Communication dated June 24, 2020, from William P. Hlatky in opposition to the application
275. Communication dated June 24, 2020, from Norman and Mary Popadynetz in opposition to the application
276. Communication dated June 24, 2020, from Bogdan & Natalie Galaniuk in opposition to the application
277. Communication dated June 24, 2020, from Barbara Schott in opposition to the application
278. Communication dated June 24, 2020, from Tracy Elder in opposition to the application
279. Communication dated June 24, 2020, from Jamie Lefoko in opposition to the application
280. Communication dated June 24, 2020, from Stanley Eng in opposition to the application

Exhibits Filed (continued):

281. Communication dated June 24, 2020, from Emily and Pauline Griffith in opposition to the application
282. Communication dated June 24, 2020, from Corinne Dedecker in opposition to the application
283. Communication dated June 24, 2020, from Garrett Krieg in opposition to the application
284. Communication dated June 24, 2020, from Brooke and Scott Page in opposition to the application
285. Communication dated June 24, 2020, from Chris Andrew and Jennifer Horsman in opposition to the application
286. Communication dated June 24, 2020, from Amanda Jorundson in opposition to the application
287. Communication dated June 24, 2020, from Marvin and Anne-Marie Gordon in opposition to the application
288. Communication dated June 24, 2020, from Ted Oxenforth in opposition to the application
289. Communication dated June 24, 2020, from Alix Younger and Greg Baete in opposition to the application
290. Communication dated June 24, 2020, from Glenis Younger in opposition to the application
291. Communication dated June 24, 2020, from Xingguang Yu in opposition to the application
292. Communication dated June 24, 2020, from Allan Thordarson in opposition to the application
293. Communication dated June 24, 2020, from Bronwyn Penner and Dennis Holigroski in opposition to the application
294. Communication dated June 24, 2020, from Julie and Graham Penny in opposition to the application
295. Communication dated June 24, 2020, from Nixon O and Ngoc Trinh in opposition to the application
296. Communication dated June 24, 2020, from Justin Livingstone in opposition to the application
297. Communication dated June 24, 2020, from Clint Castle in opposition to the application
298. Communication dated June 24, 2020, from Lori Oxenforth in opposition to the application
299. Communication dated June 24, 2020, from Gord and Karen Redmann in opposition to the application
300. Communication dated June 24, 2020, from John Dedecker in opposition to the application
301. Communication dated June 24, 2020, from James and Karen Schellenberg in opposition to the application

Exhibits Filed (continued):

302. Communication dated June 24, 2020, from Mike Gierek in opposition to the application
303. Communication dated June 24, 2020, from Bahar Davoodifar in opposition to the application
304. Communication dated June 24, 2020, from Michele Desautels in opposition to the application
305. Communication dated June 24, 2020, from Donna Cram opposition to the application
306. Communication dated June 22, 2020, from Mary and Don Hanson opposition to the application
307. Presentation submitted by Louis Pereira in support of the application
308. Arborist presentation submitted by Guy Shelemy in support of the application

REPRESENTATIONS:

In Support:

Brad Cook
Marnie Courage
Chantal Green
George Green
Marion Guinn
Rodger Guinn
Richard Harlow
Janelle Kaminsky
Maggie Khounthaving
Fausto Pereira
Jason Pereira
Louis Pereira
Ronda Pfeiffer
Nate Sawatzky
Guy Shelamy

In Opposition:

Johanna Abbott
Murray Abbott
Donna Alexiuk
Judy Anaka
Mary Anderson
Chris Andrew
Amber Armour
Tim Armour
Mary Backus
Greg Baete
Rob Baker
Taryn Baker
Lance Bowen
Darin Brecht
Janice Brickey
Robert Brickey
Bob Broeska
Rosanne Broeska
Brian Brown
Kelly Brown
Ken Brown
Marnie Brown
Michelle Brown
Wilson Brown
Bev Bryce
Elaine Buchanan
Lori Campbell
Shirley Caron
Laura Carr
Robert Carr
Gerry Carriere
Sharron Carriere
Bernard Casiano
Hygiea Casiano
Clint Castle
Nancy Chapman
Jamie Chopek
Dori Chunn
Robert Chunn
Shawn Clark
Lea Clarke
Bob Clasper
Marilyn Clasper
Ben Clendenning
Brenda Clendenning
Annna Bardina
Grant Bartlett
Shawna Bartlett
Don Bartos
Debbie Bashucky
Jessica Bateman
Scott Bateman
Janice Beales
Jessica Belanger
Barry J. Bentham
Jackie Bertrand
Josh Beauchemin
Krista Clendenning
Peter Clendenning
David Coates
Muriel Robidoux Coates
Rob Coghlan
Sandi Coghlan
Angie Conrad
Fernie Conrad
Wayne Copet
Gerard Cousin
Linda Cousin
Laurey Craig
Donna Cram
Heather Cunningham
Lacona Cunningham
Raymond Cunningham
Patricia Cyre
Tony Cyre
Guilluame Dagenais
Yolande Dagenais
Darlene Daley
Don Daley
Michael Daley
Bahar Davoodifar
Corinne Dedecker
John Dedecker
Michele Desautels
Darren Desrochers
Scott Dewar
Mélanie Dheilly
John Di Noto
Daniela Driedger
Harvey Driedger
Daniela Bews
Jeff Bews
Bette Birss
Reid Birss
Kristjan Blackie
Alexis Botkin
Karen Boucher
Paul Boucher
Lisa Bouma
Ian Bourke
Andrea Simpson Bowen
Jasmin Bowen
Liz Duerksen
Trina Duffy
Ron Duncan
Brenda Dyck
Wendell Dyck
Eric Einarsson
Sylvie Einarsson
Tracy Elder
Stanley Eng
Suzanne Esquivel
Lionel Ferré
Rob Finlayson
Laura Fisher
Sean Fitzmaurice
Bill Forrest
Matthew Forrest
Maureen Forrest
Bruce Forsyth
Suzanne Gagne
Bogdan Galaniuk
Natalie Galaniuk
Michael Galbichka
Germain Garand
Shelley Garand
Steve Geiger
Amiotosh Ghosh
Elora Gibbons
Teresa Gibbons
Ryan Gibson
Mike Gierek
Nicole Gierek
Asandyar Gill
Humera Gill

In Opposition (continued):

Muhammad Gill
Saba Gill
Shehryar Gill
Lynn Gillson
Anne-Marie Gordon
Marvin Gordon
Debbie Grenier
Mike Grenier
Jo Gretsinger
Jean-Pierre Grolet
Emily Griffith
Dennis Holigroski
Bob Hooper
Marilyn Hooper
Jim Hopps
Jennifer Horsman
G.L. Houde
Gisele Hudson
Phil Hudson
Dennis Hudyma
Monica Huisman
Gerald Humphreys
Julie Husband
L. Janis
R. Janis
Carla Johns
Geoff Johnson
June Johnson
Patricia Johnson
Robert Johnson
Brian Jones
Donna Jones
Amanda Jorundson
Al Katz
Kim Kernot
Margaret Kitt
Michael Kitt
Len Klassen
Phyllis Klassen
Jade Kleven
Carlie Koltek
Mark Korytowski
Pauline Griffith
Ken Grouette
Marie Grouette
Mariam Guindi
Mina Guindi
Nizar Guindi
Jennifer Gulay
Al Hagglund
Bill Hamilton
Janice Hanford
Kareem Hanna
Sandra Korytowski
Garrett Krieg
Jeff Krieg
Carol Kyliuk
Ernie Kyliuk
Paul Lachance
Susan Lachance
Emery Lajtai
Linda Latisnere
Karine Levasseur
Brigette Lavitt
Mitchell Lavitt
Jamie Lefko
Nada Lefko
Garry Lemay
Louise Lemay
Dominic Leydier
Simon Liao
John Linde
Karen Linde
Qi Liu
Justin Livingstone
Bernie Lodge
Maria Lodge
Alex Loewen
Bev Loewen
Charles Lunn
Chang Luo
Cindy MacGillivray
Glen MacGillivray
Frank Machovec
Don Hanson
Gary Hanson
Mary Hanson
Grant Hatch
Shellie Hatch
Lyn Heinkel
John Helliar
Kathryn Hermary
Marcel Hermary
Michael Hicks
William P. Hlatky
Thomas MacQuarie
Yvonne MacQuarrie
Karen Makus
Katarina Makus
Kurt Makus
Allan Malbranck
Anita Malbranck
Évariste Manéné
Ken Manswell
Diane Marks
Glenn Marks
Doug Mathieson
Maria Mathieson
Amr Marwany
Brenda McDonald
Douglas McDonald
Nikki McDowell
Colin McIsaac
Barry McPherson
Gayle McPherson
Glenn McRae
Kathy McRae
Melissa McDonell
Ross McDonell
Darlia Melanson
Susan J. Melnick
Jamie-Lee Miller
Anita Mohoric
Julie Mongeon-Ferré
Todd Monnier
Kevin Morawecki

In Opposition (continued):

Lori Morawecki
Dan Moreau
Fred Mostowy
Grenville Mowat
Marisa Mowat
Kimberley Mozil
Henry Napastiuk
Pauline Napastiuk
G. Nault
Jason Niziol
Rachel Niziol
Lorraine A. Nogue
Jeff Noiseux
Tiffany Perry
Kalie Peters
Karen Peters
Kasia Peters
Keith Peters
Garry Peterbaugh
Len Peterson
Kyla Peters
Frank Peters
Leonard Peters
Sharon Peters
Roland Philippot
Mary Popadynetz
Norman Popadynetz
Jesse Prokopchuk
Arthur Proulx
Marie Proulx
Barb Purvis
Dale Purvis
Irene Raabe
Gayle Rakowski
Gord Redmann
Karen Redmann
Gord Reid
Judy Reid
Pat Reitmeier
Alanna Richmond
John Richmond
Desiree Riel
Marci Riel
David Robertson
Ola Norrie
Carol Northam
Frank Novotny
Joy Novotny
Nixon O
J. and S. Ogden
Alex Ord
Carol Ord
Lori Oxenforth
Ted Oxenforth
Brooke Page
Scott Page
Lawrence Palmer
Donna Robertson
Pina Robinson
Lori Ranta Rodrigues
Tony Rodrigues
Jason Rodway
George Roman
Michael Roman
Nader Roman
Christine Ross
Doug Ross
Hugh Ross
Petra Russell
Anna Ryan
Michael Ryan
Gordon Rybuck
Margareth Rybuck
Fedra Salias
Murray Salo
Wendy Salo
Debbie Sanders
James Schellenberg
Karen Schellenberg
Roger Schellenberg
Mia Schorpion
Barbara Schott
Brant Schuerbeke
Alan Scott
Corrine Scott
Mervat Sefin
Heather Shaer
Justin Shaer
Bette Palmquist
Ivan Pankratz
Jean-Pierre Parenty
Jean Pascoe
Mark Pascoe
Lynne Pedden
Alice Pelletier
George Pelletier
Rick Pelletier
Bronwyn Penner
Graham Penny
Julie Penny
Jesse Perry
John Shearer
Richard Sherby
Vladimir Shpunt
Duncan Sirett
Jo-Anne Sirett
Michelle Smith
Arlene Solvason
Jaesuk Son
Won Chul Son
V. Smoluk
M. Smoluk
Scott Spearman
Wendy Spratt
Annette St. Onge
Jim Stacey
Bob Stanson
Michelle Stanson
Mary Anne Stayner
Brian Stepnuk
Paul Stepnuk
Ron Stutski
Susan Stutski
Sheldon Swan
Susan Taillieu
Bill Tedford
W. Thiessen
R. Thiessen
Zaida Thiessen
Rebecca Thompson
Stuart Thompson
Allan Thordarson

In Opposition (continued):

Rosemary Todaschuk
Milt Toews
Gail Tretiak
Ngoc Trinh
John Truss
Candace Trussler
Steve Tuhkanen
Kim Tyson
Marion Vadacchino
Yolande Vincent
Krutika Vishwakarma
Raghvendra Vishwakarma
Brent Wall
Alex Zaporzan
Darcy Zaporzan
Olivia Zaporzan
Bruce Zimmerman
Xikui Wang
Bill Ward
Howard Ward
Ingrid Ward
Debra Warren
Kirk Warren
James Watson
Kristine Watson
Norman Dale Watson
Cathie Webber
Julia Webber
Todd Webber
Gary Wensel
Erika Zeller
Wendy Zimmerman
D & D Zubrack
Joann Wensel
Richard Westwood
Judy Wiegner
Beverley Wieringa
Roger Wieringa
Riley Wiggett
Margaret Young
Robert Young
Alix Younger
Steve Younger
Glenis Younger
Xingguang Yu
Inga Zahodnik

For Information:

Nancy Cooke

For the City:

E. Finnigan, Planner, Planning Property and Development Department
C. Gagnon, Real Property Officer, Planning, Property and Development Department
D. Patman, Manager of Transportation, Public Works Department
D. Trenchard, Land Development Engineer, Planning, Property and Development Department

Exhibit "1" referred to in File DAC /7/2020

ADMINISTRATIVE REPORT

Title: Proposed closing of public lane south of 260 River Road for inclusion into DASZ 4/2020 – DAC 7/2019

Critical Path: Riel Community Committee - Standing Policy Committee on Property and Development, Heritage and Downtown Development - Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Robinson	J. Kiernan	N/A	N/A

EXECUTIVE SUMMARY

Sherwood Developments (2016) Ltd. has applied to the City to close the portion of public lane south of 260 River Road for incorporation into DASZ 4/2020 being an application to subdivide and rezone the adjoining property for the establishment of residential multi-family development.

The Public Service recommends approval be given to the proposed closing. Before the portion of public lane may be sold and incorporated into the subdivision, it must be legally closed and declared surplus to the City's needs.

RECOMMENDATIONS

1. That subject to Recommendation 2, the proposed closing of public lane shown on Miscellaneous Plan No. 15597/2 (attached hereto as Appendix "B"), be approved and the land declared surplus to the City's needs.

2. That the Director of Legal Services and City Solicitor be instructed to prepare and bring directly to Council for enactment, a By-law to facilitate the closing in accordance with Miscellaneous Plan No. 15597/2 subject to:

   A. the approval of the conveyance of the land by Council or its delegated authority, and

B. the developer and/or purchaser (or assignee) fulfilling its obligations under the administrative conditions of approval outlined in Appendix “A” of this report.

3. That in the event the subject closing is not proceeded with expeditiously and the by-law:

   A. is not enacted within two (2) years following the date the subject report is approved by Council; and

   B. is not registered in The Property Registry within one (1) year following the date it is enacted by Council,

   the matter shall be deemed to be concluded and shall not be proceeded with, unless an extension of time is applied for, prior to the expiry of the two (2) year period referred to in clause (A) above, and Council approves the extension.

4. That the City enter into, execute and deliver an Offer to Purchase with the developer and/or purchaser (or assignee) and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the “Ancillary Agreements”).

5. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the Offer to Purchase and the Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

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

REASON FOR THE REPORT

Pursuant to Section 7.B(v) of the Development Procedures By-law 160/2011, where a matter relates to real property located entirely or primarily in the area covered by one Community Committee, the Community Committee shall consider in a combined hearing all applications for a proposed development which proposes a plan of subdivision and closing of a street right-of-way.

As per Section 3.1(i) of the City Organization By-law 7100/1997, only Council can declare City-owned property as surplus.

IMPLICATIONS OF THE RECOMMENDATIONS

All costs associated with the proposed closing are the responsibility of the developer and/or purchaser (or assignee). There are no financial implications for the City of Winnipeg.

HISTORY/DISCUSSION

The Public Service has received a request from Sherwood Developments (2016) Ltd. to close the portion of public lane south of 260 River Road as shown on Miscellaneous Plan No. 15597/2 (attached hereto as Appendix "B"). The portion of public lane, if closed, is to be incorporated into DASZ 4/2020, an application to subdivide and rezone the adjoining property to accommodate residential multi-family development.

The public lane was opened by Plan No. 1844 registered in the Winnipeg Land Titles Office on July 5, 1912 and subsequently shown within the limits of Plan No. 11043 which was registered in said Office on February 2, 1972. The portion of the lane proposed to be closed as shown illustrated on Misc. Plan No. 15597/2 (attached hereto as Appendix "B") is unimproved and serves no public transportation purpose.

CONSULTATION

This Report has been prepared in consultation with:

Internal Consultation:

Fire Paramedic Services
Legal Services Department (as to legal issues)
Police Services
Public Works Department
Transit Department
Water and Waste Department
Ward Councillor

External Consultation:

Manitoba Hydro, Centra Gas, BellMTS, Bell Canada, Shaw Cablesystems, Teraspan Networks, Telus Communications, Rogers Communications, TC Energy, Fibre.Ca Inc., and Crown Pipeline Ltd.

Imperial Oil did not respond to the request for comment on this application.

OURWINNIPEG POLICY ALIGNMENT

Section 235 of *The City of Winnipeg Charter* states that *"…public works, undertakings and development in the city must be consistent with Plan Winnipeg or any secondary plan."*

The subject closing does not contravene *OurWinnipeg* or the *Complete Communities Direction Strategy* and generally aligns with their overall vision and key directions.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Real Estate and Land Development
Prepared by: Catherine P. Gagnon
Date: May 5, 2020
File No: DAC 7/2019

Attachments:
Appendix “A”: Administrative Approval/Comments
Appendix “B”: Miscellaneous Plan No. 15597/2
Appendix “C”: Aerial View of Subject Closings

O:\Reports Directive\Land Development, Geomatics and Land Information Services\Geomatics\DAC 7.19 RPT_Lane S of River
V:\Development Applications\DAOC\Dev Application2019\DAC7_2019\Report and Council Decision\DAC 7.2019 Report DRAFT

APPENDIX "A" – ADMINISTRATIVE APPROVAL

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

Administrative Comments

Geomatics Branch

Approval of this application is subject to the following conditions:

- The proposed closing is subject to approval of associated DASZ 4/2020.

- The closing plan mylars, closing By-law and any associated documents are to be released along with the plan of subdivision mylars for DASZ 4/2020 and any associated documents and subsequently registered in series with and prior to the associated plan of subdivision.

- The developer and/or purchaser (or assignee) is responsible for all costs related to preparation of the necessary closing plan and any associated/necessary documents and registration of same at The Property Registry.

Easements

- Manitoba Hydro identified services within the closing area but has advised it will acquire them through DASZ 4/2020.

- BellMTS identified services within the closing area. Easements for those existing facilities will be required.

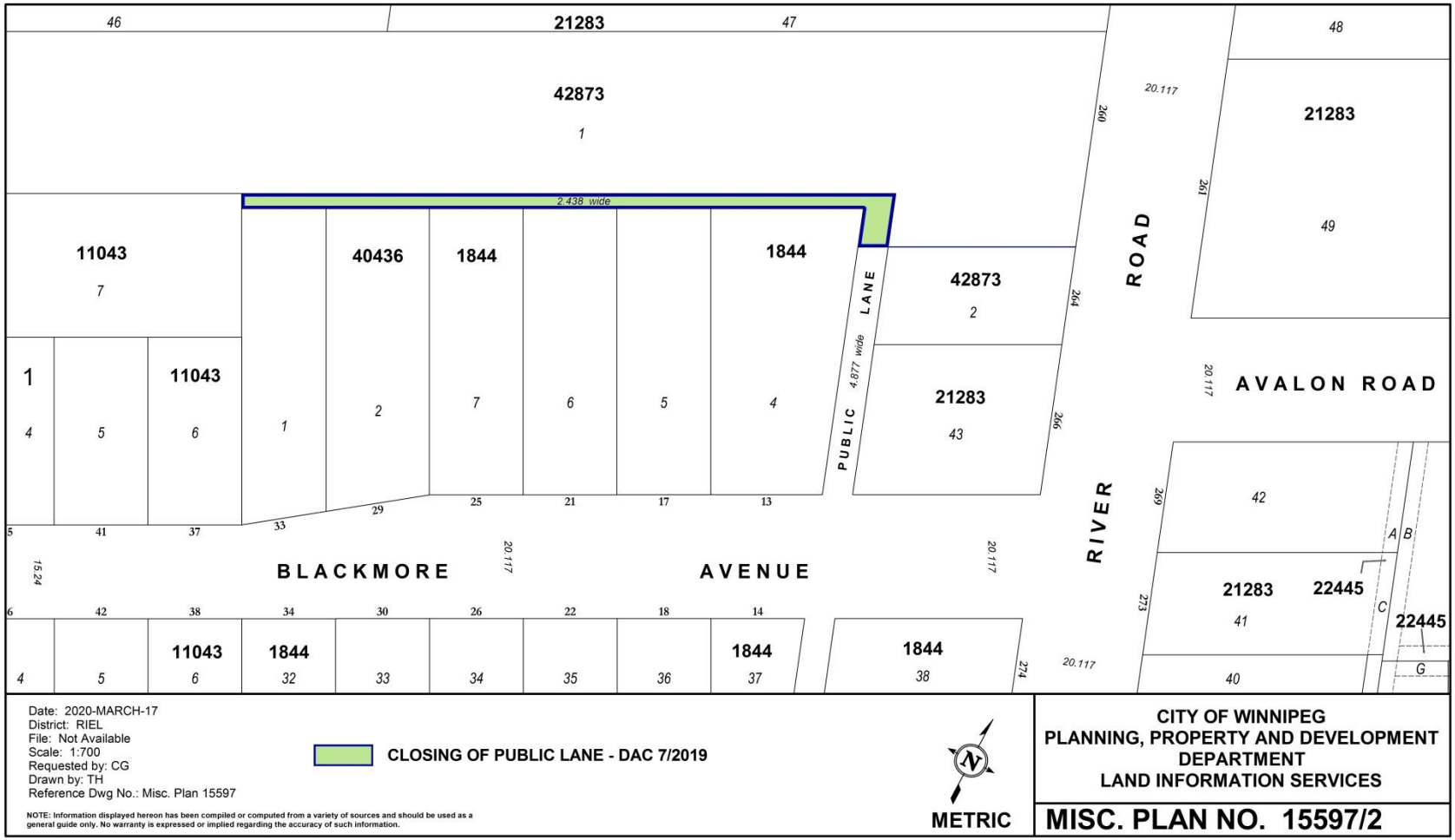
- No permanent structures will be allowed within the easement areas.

- Any removal or relocation of existing facilities as a result of the proposed closing will be at the expense of the developer and/or purchaser (or assignee).

Transfer of Jurisdiction Over Public Rights-of-Way

Title to all public rights-of-way in Manitoba is vested with the Province. They must be legally closed to remove the public right-of-way designation before ownership can be transferred to The City of Winnipeg.

APPENDIX "B" - MISCELLANEOUS PLAN NO. 15597/2



APPENDIX "C" - AERIAL VIEW OF SUBJECT CLOSING

