Minutes – Council – May 22, 2025

Minute No. 301
Report – Standing Policy Committee on Property and Development – May 8, 2025

Item No. 8 Closing – Portion of Craddock Avenue East of St. Mary's Road (St. Vital Ward)
File DAC 1/2025

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the proposed closing under File No. DAC 1/2025 shown on Appendix B (the "Closing") be approved and the affected land be declared surplus to the City's needs, subject to:

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

    B. the owner (or assignee) fulfilling their obligations under the administrative conditions of approval outlined in Appendix A of this report.

2. That, upon instruction from the Director, the City Solicitor prepare and bring directly to Council for enactment a by-law to facilitate the Closing (the "By-law").

3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the By-law is not enacted within 2 years following the date on which this report is approved by Council, unless:

    A. The owner or (assignee) applies for an extension of time before the expiration of the 2-year period; and

    B. Council approves the extension of time.

4. That the By-law will expire and this matter will be deemed to be concluded if the By-law is not registered at the Winnipeg Land Titles within 1 year following the date on which it is enacted by Council, unless:

    A. The Purchaser applies for an extension of time before the expiration of the 1-year period; and

    B. Council approves the extension of time.

5. 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 – May 8, 2025

DECISION MAKING HISTORY:

Moved by Councillor Duncan,

That the recommendation of the Executive Policy Committee be adopted.

Carried

Councillors Dobson, Duncan and Eadie asked to be recorded as having voted against the above motion, in accordance with Rule 47(7) of The Procedure By-law No. 50/2007.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 13, 2025, the Executive Policy Committee did not concur in the recommendation of the Standing Policy Committee on Property and Development and recommended to Council:

1. That the proposed closing under File No. DAC 1/2025 shown on Appendix B (the "Closing") be approved and the affected land be declared surplus to the City's needs, subject to:

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

    B. the owner (or assignee) fulfilling their obligations under the administrative conditions of approval outlined in Appendix A of this report.

2. That, upon instruction from the Director, the City Solicitor prepare and bring directly to Council for enactment a by-law to facilitate the Closing (the "By-law").

3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the By-law is not enacted within 2 years following the date on which this report is approved by Council, unless:

    A. The owner or (assignee) applies for an extension of time before the expiration of the 2-year period; and

    B. Council approves the extension of time.

4. That the By-law will expire and this matter will be deemed to be concluded if the By-law is not registered at the Winnipeg Land Titles within 1 year following the date on which it is enacted by Council, unless:

Report – Standing Policy Committee on Property and Development – May 8, 2025

DECISION MAKING HISTORY (continued):

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

A. The Purchaser applies for an extension of time before the expiration of the 1-year period; and

B. Council approves the extension of time.

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

STANDING COMMITTEE RECOMMENDATION:

On May 8, 2025, the Standing Policy Committee on Property and Development did not concur in the recommendation of the Riel Community Committee, and submitted the following to the Executive Policy Committee and Council:

1. That the street closing under File DAC 1/2025, be rejected.

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

COMMUNITY COMMITTEE RECOMMENDATION:

On April 29, 2025, the Riel Community Committee did not concur in the recommendation of the Winnipeg Public Service, and recommended to the Standing Policy Committee on Property and Development:

1. That the proposed closing under File No. DAC 1/2025 shown on Appendix B (the "Closing") be approved and the affected land be declared surplus to the City's needs, subject to:

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

B. the owner (or assignee) fulfilling their obligations under the administrative conditions of approval outlined in Appendix A of this report.

Report – Standing Policy Committee on Property and Development – May 8, 2025

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

2. That, upon instruction from the Director, the City Solicitor prepare and bring directly to Council for enactment a by-law to facilitate the Closing (the "By-law").

3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the By-law is not enacted within 2 years following the date on which this report is approved by Council, unless:

    A. The owner or (assignee) applies for an extension of time before the expiration of the 2-year period; and

    B. Council approves the extension of time.

4. That the By-law will expire and this matter will be deemed to be concluded if the By-law is not registered at the Winnipeg Land Titles within 1 year following the date on which it is enacted by Council, unless:

    A. The Purchaser applies for an extension of time before the expiration of the 1-year period; and

    B. Council approves the extension of time.

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

HEARING SUMMARY

File:	DAC 1/2025
Before:	Riel Community Committee Councillor Mayes, Chairperson Councillor Allard Councillor Chambers
Public Hearing:	April 29, 2025 Council Building, 510 Main Street
Applicant:	Khokhar Law Group
Premises Affected:	Portion of Craddock Avenue East of St. Mary's Road
For submission to:	The Standing Policy Committee on Property and Development
Prepared by:	L. Cowan, Senior Committee Clerk Riel Community Committee
Report date:	April 30, 2025

Community Committee Recommendation:

On April 29, 2025, the Riel Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development:

1. That the proposed closing under File No. DAC 1/2025 shown on Appendix B (the "Closing") be approved and the affected land be declared surplus to the City's needs, subject to:

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

    B. the owner (or assignee) fulfilling their obligations under the administrative conditions of approval outlined in Appendix A of this report.

2. That, upon instruction from the Director, the City Solicitor prepare and bring directly to Council for enactment a by-law to facilitate the Closing (the "By-law").

3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the By-law is not enacted within 2 years following the date on which this report is approved by Council, unless:

A. The owner or (assignee) applies for an extension of time before the expiration of the 2-year period; and

B. Council approves the extension of time.

4. That the By-law will expire and this matter will be deemed to be concluded if the By-law is not registered at the Winnipeg Land Titles within 1 year following the date on which it is enacted by Council, unless:

A. The Purchaser applies for an extension of time before the expiration of the 1-year period; and

B. Council approves the extension of time.

5. 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 March 21, 2025
2. Inspection Report
3. Communication dated April 24, 2025, from Wyatt Greer in support of the application
4. Communication dated April 24, 2025, from Amer Khoudeda in support of the application
5. Communication dated April 24, 2025, from Lindon Kade Atten in support of the application
6. Communication dated April 24, 2025, from Lori Y Atten in support of the application
7. Communication dated April 24, 2025, from Joseph Daniel Fiorentino in support of the application
8. Communication dated April 24, 2025, from Calyn Goodchild in support of the application
9. Communication dated April 24, 2025, from Gord Lilcup in support of the application
10. Communication dated April 24, 2025, from Mimi Hamilton in support of the application
11. Communication dated April 24, 2025, from Lindsey Kilcup in support of the application
12. Communication dated April 25, 2025, from Mike Correia in support of the application
13. Communication dated April 25, 2025, from Justin Castalanos in support of the application
14. Communication dated April 25, 2025, from Ingrid Manoosingh in support of the application

Exhibits Filed (continued)

15. Communication dated April 25, 2025, from Trevor Perrault in support of the application
16. Communication dated April 25, 2025, from Jill Cesario Correia in support of the application
17. Communication dated April 25, 2025, from Peter Girden in support of the application
18. Communication dated April 25, 2025, from Pedro Reis in support of the application
19. Communication dated April 25, 2025, from Andrew Mauro in support of the application
20. Communication dated April 25, 2025, from Deborah Atten in support of the application
21. Communication dated April 25, 2025, from Tyson Farago in support of the application
22. Communication dated April 25, 2025 from Sabrina Porpiglia in support of the application
23. Communication dated April 24, 2025 from Geraldine Kilcup in support of the application
24. Communication dated April 25, 2025 from Joseph Cannizzaro in support of the application
25. Communication dated April 25, 2025 from Sean Naldrett in support of the application
26. Communication dated April 25, 2025 from Norbert Albuquerque in support of the application
27. Communication dated April 25, 2025 from Jenna Buckley in support of the application
28. Communication dated April 25, 2025 from Teresa Barbee in support of the application
29. Communication dated April 25, 2025 from Jennifer Pinder in support of the application
30. Communication dated April 25, 2025 from Erin Clear in support of the application
31. Communication dated April 26, 2025 from Cassandra Porpiglia in support of the application
32. Communication dated April 26, 2025 from Said Mohamed in support of the application
33. Communication dated April 28, 2025 from Athanasios Karasoulis in support of the application
34. Presentation dated April 28, 2025 from Vasili Mattheos in support of the application
35. Communication dated April 28, 2025 from Joseph Aiello in support of the application
36. Communication dated April 29, 2025 from Chelsea Perrault in support of the application
37. Communication dated April 29, 2025 from Stephen Hua in support of the application

REPRESENTATIONS:

In Support:

Joe Aiello
Norbert Albuquerque
Lincoln Atten
Deborah Atten
Lindon Kade Atten
Lori Y. Atten
Teresa Barbee
Jenna Buckley
Joseph Cannizzaro
Justin Castalanos
Erin Clear
Mike Correia
Jill Cesario Correia
Tyson Farago
Joseph Daniel Fiorentino
Peter Girden
Calyn Goodchild
Wyatt Greer
Mimi Hamilton
Stephen Hua
Anastasia Ifandis
Dimitri Ifantis
Athanasios Karasoulis
Amer Khoudeda
Lindsey Kilcup
Geraldine Kilcup
Gord Lilcup
Ingrid Manoosingh
Vasili Mattheos
Andrew Mauro
Said Mohamed
Sean Naldrett
Trevor Perrault
Chelsea Perrault
Jennifer Pinder
Sabrina Porpiglia
Cassandra Porpiglia
Pedro Reis
Carrie Werschler

In Opposition:

Nil

For Information:

Nil

For the City:

D. Clark, Senior Planner, Planning, Property and Development Department
P. Komoly, Real Property Officer, Planning, Property and Development Department
K. Kowalyk, Land Development Engineer, Planning, Property and Development Department
S. Nuttall, Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 1/2025

ADMINISTRATIVE REPORT

Title: Proposed Closing of a portion of Craddock Avenue, east of St. Mary's Road
File No. DAC 1/2025

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

AUTHORIZATION

Author	Department Head	CFO	CAO
G. Chappell (Acting)	H. Borys		

EXECUTIVE SUMMARY

Khokhar Law Group, on behalf of the owner of 1141 St. Mary's Road, has applied to close a portion of Craddock Avenue, east of St. Mary's Road as shown on Misc. Plan 16064 and the aerial diagram accompanying this report (See Appendices B and C). The owner wants to close and purchase the street area to facilitate redevelopment of 1141 St. Mary's Road.

The Public Service does not support the proposed street closing. The proposed street closing would limit the City's ability to collect recycling and garbage in the immediate area and potentially impact future plans to improve the intersection of St. Mary's Road and Abinojii Mikanah.

Should Council approve the proposed street closing, conditions of approval (administrative and utility comments) are outlined in Appendix A.

RECOMMENDATIONS

That the proposed street closing under File No. DAC 1/2025 not be proceeded with.

REASON FOR THE REPORT

All street and lane closings must be considered by the Community Committee.

Council approval is required for all street and lane closings.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no financial implications for the City of Winnipeg.

HISTORY/DISCUSSION

Khokhar Law Group, on behalf of the owner of 1141 St. Mary's Road, has applied to close a portion of Craddock Avenue, east of St. Mary's Road as shown on Misc. Plan 16064 and the aerial diagram accompanying this report (See Appendices B and C). The proposed street closing and purchase will facilitate a rebuild of the owner's restaurant (George's Burgers). The owner plans to demolish their restaurant building at 1141 St. Mary's Road, and construct a new, mixed-use multi-unit commercial and residential building, anchored by George's Burgers as its main commercial tenant.

Plan No. 1868 registered in the Winnipeg Land Titles Office on July 25, 1912 legally opened the westerly 25 feet as Rose Avenue.

Plan No. 2024 registered in the Winnipeg Land Titles Office on April 2, 1913 legally opened the southerly 25 feet as Rose Avenue.

By-Law 1192/76 changed the name from Rose Avenue to Craddock Avenue.

The closing application was circulated to City departments and utilities.

- If the street is closed, Manitoba Hydro/Centra Gas and BellMTS will require easements.
- Bell Canada, Rogers Communications, Flexnetworks, have all indicated that they have no concerns or objections.
- Teraspan Networks, Shaw Cablesystems, Telus Communications, TC Energy, Imperial Oil Fibre.Ca Inc., Crown Pipeline Ltd. and Canadian Pacific did not respond to the request for comment on this application.

The Public Service does not support the proposed street closing for the following reasons:

Water and Waste Department (Recycling and Garbage Services)

Due to the angled lane configuration between Craddock Avenue and Chesterfield Avenue, collection vehicles would be forced to enter/damage private property if Craddock Avenue is closed. Recycling and Garbage Services are not in favour of the road closure without an acceptable alternate collection vehicle plan.

Public Works Department

In order to facilitate future growth in the south end of Winnipeg, Abinojii Mikanah including the intersection at St. Mary's will need to be improved. The proposed development that will be facilitated by this closing is unlikely to be compatible with these improvements.

Public Works has met with the proponent on this issue and conveyed to them that the closure is not supported at this time.

Should Council approve the proposed street closing, conditions of approval (administrative and utility comments) are outlined in Appendix A.

CONSULTATION

This Report has been prepared in consultation with:
Legal Services Department (as to legal issues)
Geomatics Branch, Planning, Property and Development Department
Public Works Department
Transit Department
Water and Waste Department
Fire Paramedic Services

OURWINNIPEG POLICY ALIGNMENT

The proposed street closing does not contravene with any of the goals, objectives and policy priorities of OurWinnipeg development Plan.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The proposed street closing does not contravene with any of the Strategic Opportunities and Key Directions in the Climate Action Plan.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

The proposed street closing does not contravene with any of the specific goals and objectives in the Poverty Reduction Strategy (PRS), as well as the corresponding 2021-2023 Implementation Plan.

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Real Estate and Land Development
Prepared by: Petr Komoly
Date: March 21, 2025
File No: DAC 1/2025

Attachments:
APPENDIX A - Administrative & Utility Comments
APPENDIX B - Miscellaneous Plan 16064
APPENDIX C - Aerial Diagram showing the proposed closing

APPENDIX A – ADMINISTRATIVE & UTILITY COMMENTS

Should Council decide to approve the proposed street closing, it is subject to the following conditions:

Geomatics and Land Information Services

- The Purchaser(s) or assignee(s) must submit or cause to have submitted a Development Application (DASZ) proposing a plan of subdivision that creates a single lot or a plan of survey that creates a single parcel to facilitate consolidation of their adjacent holding with the portion of right-of-way being closed.

- The Purchaser(s) or assignee(s) is responsible for obtaining approval and meeting any necessary conditions in respect of the above noted Development Application.

- The Purchaser(s) or assignee(s) is responsible for all costs associated with the above-noted Development Application, the preparation of the closing plan, subdivision or survey plan, any associated documents, and the registration of all necessary documents at the Winnipeg Land Titles Office to facilitate the legal closing and conveyance of the closed public right-of-way.

- The closing plan mylars, closing by-law, land Transfer and any associated documents will be released together with the plan of subdivision and associated documents for registration in series at The Winnipeg Land Titles Office.

Water and Waste Department

There is an abandoned 50mm Water Main, an active 250mm Land Drainage Sewer Main (LDS), two Curb Inlets, and one Catch Basin (CB) and CB Lead within the proposed closing area. The existing LDS infrastructure must be able to drain the area. If the proposed lands are sold the new owner would take ownership of the LDS infrastructure.

Easements:

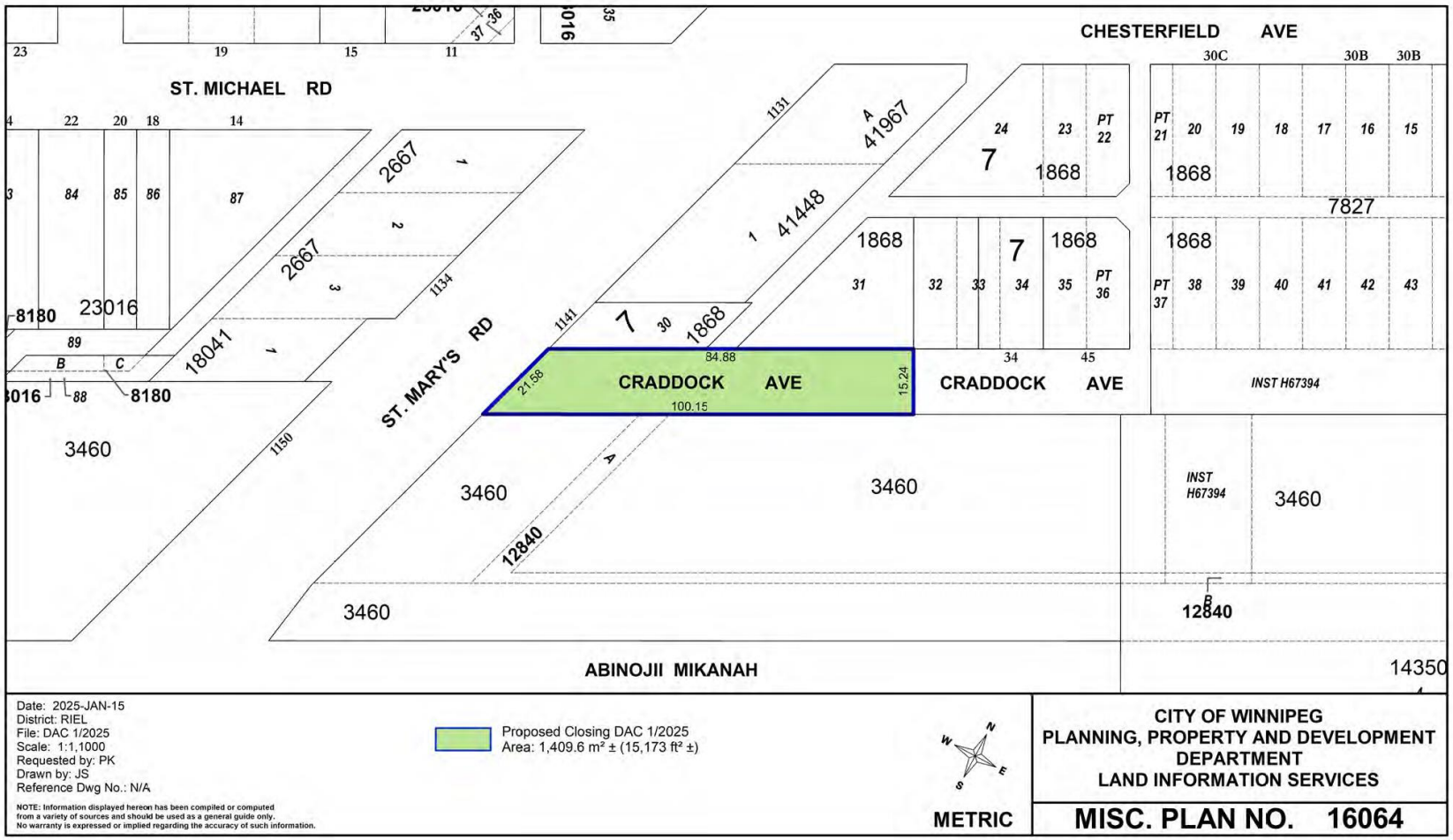
Manitoba Hydro/Centra Gas

Manitoba Hydro/Centra Gas and BellMTS have each identified facilities within Craddock Avenue for which easements will be required.

No permanent structures will be allowed within the easement areas as noted above, and easement agreements may be required to protect respective parties' interests.

Any removal or relocation of the facilities required as a result of the proposed closing will be at the expense of the Purchaser(s) or assignee(s).

APPENDIX B – MISC. PLAN NO. 16064



APPENDIX C – AERIAL VIEW OF SUBJECT CLOSINGS

