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From: Pruden [mailto:]
Sent: Tuesday, November 16, 2004 6:49 PM
To: Park, Jo-Ann
Subject: Public Hearing on Plan Winnipeg Amendment - 1535 Wellington Crescent, Oak Park Transit Corridor - Nov. 25

To Mayor Katz and the Members of the EPC,

I am opposed to Plan Winnipeg Amendment By-Law No. 112/2004 to delete the railway bridge (portion of the Busway Route crossing the Assiniboine River at the St. James Bridge) from Plan Winnipeg 2020 Vision.

Bridges such as this one were the result of railways being given special privileges to build bridges over waterways. It would appear unlikely that these privileges can be assigned to private interests for non-transportation purposes. Consequently, if the assigned use of the bridge is for transportation, there is no reason to remove it from Plan Winnipeg.

Does EPC have any substantive contrary information? If it does, how can the public have access? If EPC does not have contrary information, how can it approve the by-law?

Implicit in any support of the amendment to remove the bridge from Plan Winnipeg is that this will permit non-transportation use of the bridge by private interests. The rezoning hearing of July 13th, 2004, at which the City Centre Community Committee approved a rezoning application for "residential development, including live-work units" on the bridge, certainly suggests this to be the case.

However, is it legal or, at best, appropriate for the City even to have held such a rezoning application before the amendment to remove the bridge from Plan Winnipeg was addressed?

Further, it would appear that the city cannot act unilaterally in allowing the bridge to be used by private interests for non-transportation uses. The water under the bridge is federally owned and, as the Province owns the land under the water, three of the five supporting piers are on provincial land.

Does EPC have the support of the relevant federal and provincial departments to assign non-transportation use of the bridge to private developers? If it has, has such information been made public? If it does not have the consent of the other levels of government involved, is it appropriate for EPC to approve the by-law?

Respectfully submitted by,

Vic Pruden

Wpg. Mb.