Minutes – Council – April 30, 2026

Minute No. 257
Report – Executive Policy Committee – April 21, 2026

Item No. 10 **Proposed Closing of Public Lane between 330 Garry Street and 331 Smith Street**
(Daniel McIntyre Ward)
File DAC 8/2025

COUNCIL DECISION:

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

1. That the lane closing proposed under File No. DAC 8/2025 shown on Appendix B be approved and the affected land be declared surplus to the City's needs, subject to:

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

    B. the Purchaser (or assignee) fulfilling all obligations and conditions of approval outlined in Appendix A attached to 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 street 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 Purchaser (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 (or assignee) applies for an extension of time before the expiration of the 1-year period; and

    B. Council approves the extension of time.

Report – Executive Policy Committee – April 21, 2026

COUNCIL DECISION (continued):

5. That subject to Council or its delegated authority's concurrence respecting terms and conditions of the sale of the land, the City enter into, execute and deliver a Purchase and Sale Agreement with the Purchaser(s) or assignee(s) 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to implement the intent of the foregoing (the "Ancillary Agreements"), failing which this proposal shall be deemed rescinded and shall not be proceeded with.

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

Report – Executive Policy Committee – April 21, 2026

DECISION MAKING HISTORY:

Moved by His Worship Mayor Gillingham,
That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 21, 2026, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 16, 2026, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submitted its recommendation to the Executive Policy Committee.

HEARING SUMMARY

File:	DAC 8/2025
Before:	Standing Policy Committee on Property and Development Councillor Duncan, Chairperson Councillor Dobson Councillor Santos Councillor Wyatt
Public Hearing:	April 16, 2026 Council Building, 510 Main Street
Applicant:	Harminder Walia
Premises Affected:	Public Lane between 330 Garry Street and 331 Smith Street
For submission to:	Executive Policy Committee
Prepared by:	L. Cowan, Senior Committee Clerk Standing Policy Committee on Property and Development
Report date:	April 16, 2026

Community Committee Recommendation:

On April 16, 2026, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and recommended to Council:

1. That the lane closing proposed under File No. DAC 8/2025 shown on Appendix B be approved and the affected land be declared surplus to the City's needs, subject to:

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

    B. the Purchaser (or assignee) fulfilling all obligations and conditions of approval outlined in Appendix A attached to 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 street 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 Purchaser (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 (or assignee) applies for an extension of time before the expiration of the 1-year period; and

B. Council approves the extension of time.

5. That subject to Council or its delegated authority's concurrence respecting terms and conditions of the sale of the land, the City enter into, execute and deliver a Purchase and Sale Agreement with the Purchaser(s) or assignee(s) 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"), failing which this proposal shall be deemed rescinded and shall not be proceeded with.

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 February 19, 2026
2. Inspection Report
3. Communication dated April 15, 2026 from Tony Mitousis in support of the application

REPRESENTATIONS:

In Support:

Tony Mitousis
Devinder Sangha
Rochelle Squires

In Opposition:

Nil

For Information:

Nil

For the City:

H. Borys, Director, Planning, Property and Development Department
G. Chappell, Acting Manager of Real Estate and Land Development, Planning, Property and Development Department
D. Villamor, Real Property Officer, Planning, Property and Development Department

Exhibit “1” referred to in File DAC 8/2025

ADMINISTRATIVE REPORT

Title: Proposed closing of Public Lane between 330 Garry Street and 331 Smith Street

Critical Path: Standing Policy Committee on Property and Development – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
G. Chappell (Acting)	H. Borys	N/A	J. Dunford

EXECUTIVE SUMMARY

Harminder Walia has applied to close the Public Lane between 330 Garry Street and 331 Smith Street. The proposed lane closing is shown on Misc. Plan No. 16169 and the Aerial Diagram attached to this report (see Appendices B and C). The title(s) for the lane, once closed, will be consolidated with the title for each adjoining property.

The Public Service recommends approval of the proposed lane closing. Before streets and lanes can be conveyed, they must be legally closed and declared surplus to the City’s needs.

RECOMMENDATIONS

1. That the lane closing proposed under File No. DAC 8/2025 shown on Appendix B be approved and the affected land be declared surplus to the City’s needs, subject to:

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

   B. the Purchaser (or assignee) fulfilling all obligations and conditions of approval outlined in Appendix A attached to 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 street 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 Purchaser (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 (or assignee) applies for an extension of time before the expiration of the 1-year period; and

B. Council approves the extension of time.

5. That subject to Council or its delegated authority's concurrence respecting terms and conditions of the sale of the land, the City enter into, execute and deliver a Purchase and Sale Agreement with the Purchaser(s) or assignee(s) 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"), failing which this proposal shall be deemed rescinded and shall not be proceeded with.

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

The proposed closing is in the Downtown Area as defined by By-law 100/2004. Part 8, Clause 39 (b) of Development Procedures By-law No. 104/2020 requires the Standing Policy Committee on Property and Development to conduct a public hearing for all street and lane closings within the Downtown Area.

Council approval is required for all closings of streets, lanes, and public rights-of-way.

IMPLICATIONS OF THE RECOMMENDATIONS

All costs associated with the lane closing are the responsibility of the Purchaser or (assignee). There are no financial implications for the City.

If the recommendations of this report are approved, net proceeds from the sale will be deposited in the Land Operating Reserve.

HISTORY/DISCUSSION

Harminder Walia has applied to close the Public Lane between 330 Garry Street and 331 Smith Street. The proposed lane closing is shown on attached Misc. Plan No. 16169 (Appendix B) and Aerial Diagram (Appendix C) attached to this report. The title(s) for the lane, once closed, will be consolidated with the title of each adjoining property, both of which are currently owned by Harminder Walia. Once closed, the lane will take on the zoning designation of the adjoining properties, which is M - Multiple-Use zoning.

The applicant has cited significant safety concerns in the lane. Closing the lane is intended to mitigate ongoing issues of vandalism, arson and other similar activities.
The proposed closing area land will be conveyed to the Purchaser (or assignee) in accordance with this report and the provisions of the City's Declaration as Surplus and Sale of Property Policy PD-026 adopted by Council September 29, 2021.
The public lane was opened by Plan No. 129 registered in the Winnipeg Land Titles Office on July 11, 1881.

The Public Service recommends approval of the proposed street closing. Before the road may be conveyed, it must be legally closed and declared surplus to the City's needs.

BellMTS, Manitoba Hydro, Centra Gas, and Rogers Communications Partnership have comments and/or conditions for approval of the proposed lane closing are detailed on Appendix A attached.

Bell Canada has indicated that they have no concerns or objections.

Imperial Oil/Exxon Mobil, Canadian National Railway Company, Shaw Cable Systems Limited, Telus Communications, Teraspan Networks Inc., Fibre.Ca Inc., Crown Pipeline Ltd., Flexnetworks, TC Energy, Canadian Pacific Railway Company, did not respond to the request for comment on this application.

FINANCIAL IMPACT

Financial Impact Statement

Date: February 18, 2026

Project Name:

Proposed closing of Public Lane between 330 Garry Street and 331 Smith Street

COMMENTS:

There are no financial implications associated with this report.

Mike McGinn Feb. 18, 2026
Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services Department (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

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

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Climate Action Plan (CAP), and it was determined that the CAP is not applicable to this specific report.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Poverty Reduction Strategy (PRS) and its Goals and Objectives, and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Real Estate and Land Development
Prepared by: Danielle Villamor
Date: February 19, 2026
File No: DAC 8/2025

Attachments:

APPENDIX A - Administrative Comments
APPENDIX B - Miscellaneous Plan 16169
APPENDIX C - Aerial diagram illustrating the proposed street closing

APPENDIX A – ADMINISTRATIVE COMMENTS

Geomatics Branch

Approval of this application is subject to the following conditions:

- That the lands making up 330 Garry Street, held in Titles 3198436/1, 3198438/1 and 3198439/1 be consolidated via preparation of a plan or plan of survey, prepared by a Manitoba Land Surveyor, creating a single Parcel and issuance of an indivisible Title.

- The public lane subject of the proposed closing be split into two parcels (A and B) to facilitate the east and west halves of the closed lane each being consolidated on Title with the respective adjoining properties known as 330 Garry Street and 331 Smith Street.

- The mylars for the plan or plan of survey consolidating the lands known as 330 Garry Street, mylars for the plan closing the public lane, closing by-law and any associated documents are to be released for registration in series.

- The applicant (or assignee) is responsible for all costs related to preparation of the plans and any associated/necessary documents and registration of same at the Winnipeg Land Titles Office.

Public Works Department – Transportation Division

- Access must remain from the lane to Ellice Avenue, Garry Street and Smith Street
- If the adjoining properties are not consolidated with the lane, once closed, that the applicant enters into a Cross-Access agreement with the City or such other Agreement deemed appropriate by the Director of Property, Planning and Development.

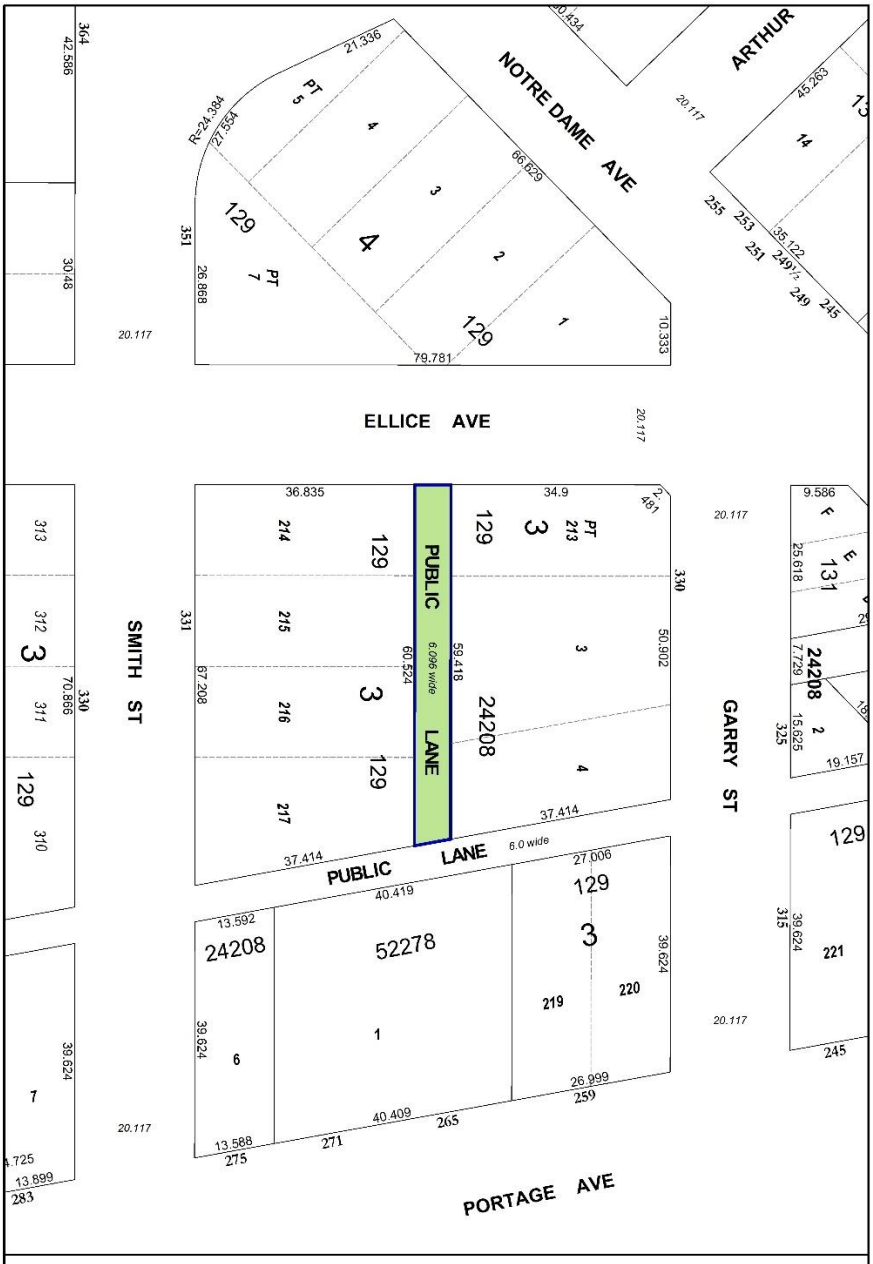
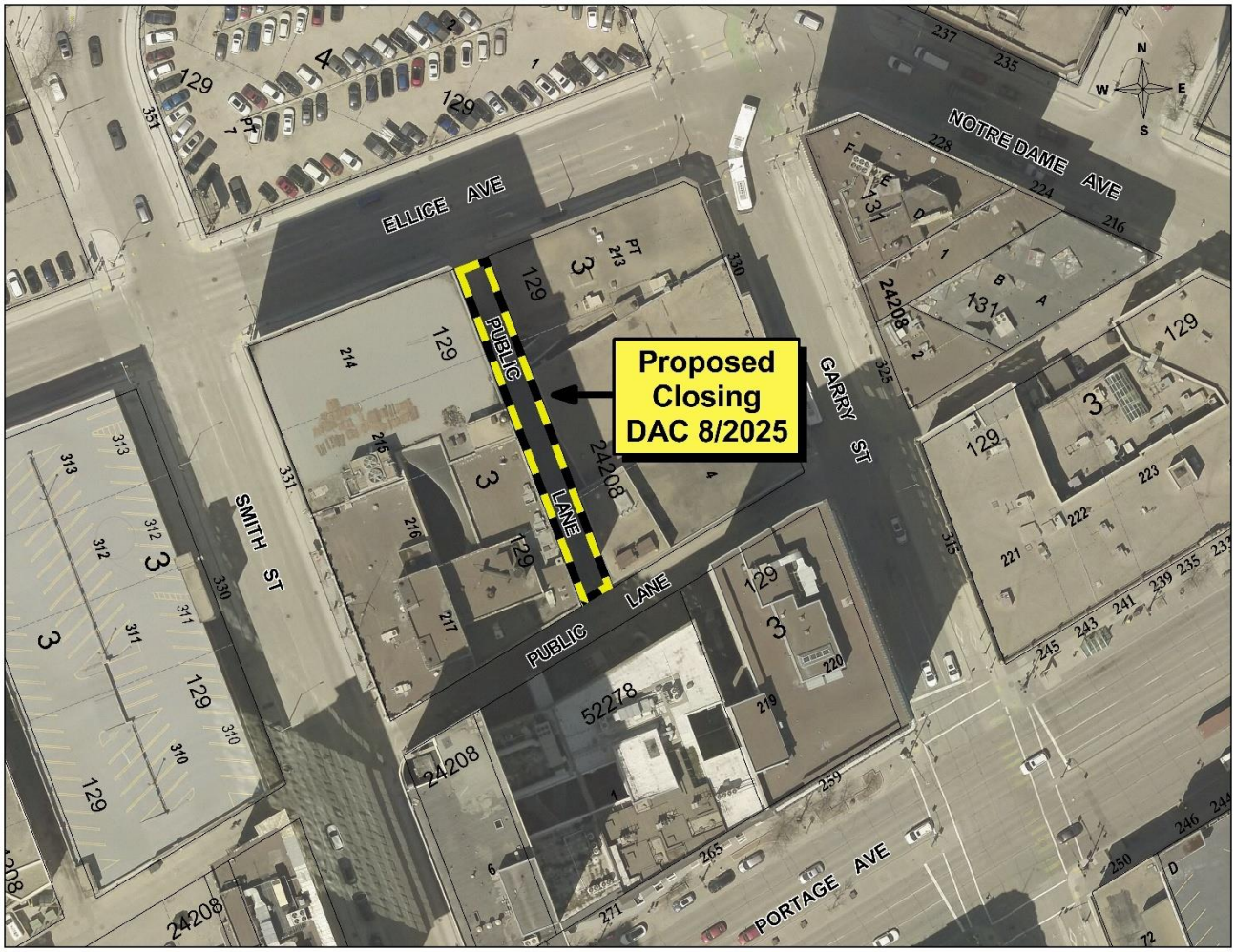
EASEMENTS:

- BellMTS has identified easement requirement for a Right-of-Way Agreement.
    - Any removal or relocation of the facilities required as a result of the proposed closing will be at the expense of the Purchaser or assignee.

- Manitoba Hydro, Centra Gas, and Rogers Communications Partnership have identified easement requirements for a Statutory Easement Agreement and a Grant of Right of Use Agreement.

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

APPENDIX B – MISCELLANEOUS PLAN 16169



APPENDIX C – AERIAL DIAGRAM OF PROPOSED CLOSING