Minutes - Executive Policy Committee - October 31, 2007

PUBLIC HEARINGS

Minute No. 601 **Plan Winnipeg Amendment - West side of McPhillips Street, north of Templeton Avenue**
(Old Kildonan Ward)
File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommends to Council:

1. That By-law No. 149/2007, a proposal to amend Plan Winnipeg 2020 Vision By-law No. 7630/2000 by re-designating lands from Rural Policy Area to Neighbourhood Policy Area, be forwarded to Council for Second Reading.

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

DECISION MAKING HISTORY:

The Winnipeg Public Service advised that all statutory requirements with respect to this application have been complied with.

Moved by Councillor O'Shaughnessy,
That the report from the Winnipeg Public Service be taken as read.

Carried

Moved by Councillor O'Shaughnessy,
That the receipt of public representations be concluded.

Carried

Moved by Councillor O'Shaughnessy,
That the recommendation of the Winnipeg Public Service be concurred in and forwarded to Council.

Carried

Moved by Councillor O'Shaughnessy,
That the following supporting reason be provided, namely:

1. The Executive Policy Committee agreed with the comments of the Winnipeg Public Service contained in the Report from the Acting Director of Planning, Property and Development dated October 18, 2007.

Carried

Moved by Councillor O'Shaughnessy,
That the public hearing with respect to this application be concluded.

Carried

DECISION MAKING HISTORY (continued):

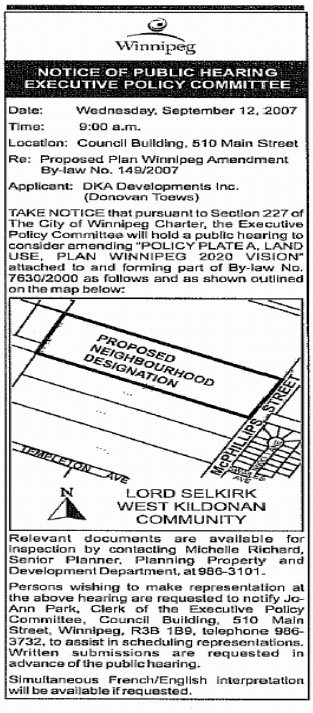
EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 17, 2007, the Executive Policy Committee did not hear any representation on the application and adjourned the public hearing to its meeting on October 31, 2007.

On September 12, 2007, the Executive Policy Committee did not hear any representation on the application and adjourned the public hearing to its meeting on October 17, 2007.

PUBLIC HEARING SUMMARY

File:	EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]
Before:	Executive Policy Committee His Worship Mayor Katz, Chairperson Deputy Mayor Leipsic Councillor Clement Councillor O'Shaughnessy Councillor Steeves Councillor Swandel Councillor Wyatt
Public Hearing:	October 31, 2007 October 17, 2007 September 12, 2007 West Committee Room Council Building, 510 Main Street
Applicant:	DKA Developments (Donovan Toews)
Subject:	A proposal to amend Plan Winnipeg By-law No. 7630/2000 by re-designating land from a Rural Policy Area to a Neighbourhood Policy Area



Winnipeg

NOTICE OF PUBLIC HEARING
EXECUTIVE POLICY COMMITTEE

Date: Wednesday, September 12, 2007
Time: 9:00 a.m.
Location: Council Building, 510 Main Street
Re: Proposed Plan Winnipeg Amendment By-law No. 149/2007
Applicant: DKA Developments Inc. (Donovan Toews)

TAKE NOTICE that pursuant to Section 227 of The City of Winnipeg Charter, the Executive Policy Committee will hold a public hearing to consider amending "POLICY PLATE A, LAND USE, PLAN WINNIPEG 2020 VISION" attached to and forming part of By-law No. 7630/2000 as follows and as shown outlined on the map below:

Relevant documents are available for inspection by contacting Michelle Richard, Senior Planner, Planning Property and Development Department, at 986-3101.

Persons wishing to make representation at the above hearing are requested to notify Jo-Ann Park, Clerk of the Executive Policy Committee, Council Building, 510 Main Street, Winnipeg, R3B 1B9, telephone 986-3732, to assist in scheduling representations. Written submissions are requested in advance of the public hearing.

Simultaneous French/English interpretation will be available if requested.

Exhibits Filed:

1. Application dated July 5, 2007
2. A. Manitoba Status of Title 1858265
   B. Title Search 1160080
3. A. Letter of authorization dated May 2, 2007 from Agritoba Inc. to DKA Developments Inc. and Landmark Planning
   B. Letter of authorization dated April 25, 2007 from the City of Winnipeg to Landmark Planning
   C. Letter of authorization dated August 29, 2007 from the City of Winnipeg to DKA Development Inc.
4. Impact Analysis dated May 2, 2007 by Landmark Planning and Design Inc.
5. Plan (1 page)
6. Council Decision of July 18, 2007; contains report from the Director of Planning, Property and Development dated July 6, 2007
7. First Reading of By-law No. 149/2007 by Council on July 18, 2007
8. Notification of Public Hearing by City Clerks to:
   A. Minister of Intergovernmental Affairs dated July 19, 2007
   B. Applicant dated July 19, 2007
   C. Administration dated July 19, 2007
   D. R.M. of West St. Paul dated July 19, 2007
9. Notification of Public Hearing
10. Communication dated September 7, 2007 from Donovan Toews, DKA Developments, Applicant, requesting that the application be adjourned
11. Notice of Adjournment dated September 12, 2007
12. Notice of Adjournment dated October 17, 2007
13. Report from the Acting Director of Planning, Property and Development dated October 18, 2007

REPRESENTATIONS:

In Support:

Ashok Dilawri
Robert Kurylko
Donovan Toews (Landmark Planning and Design Inc.), DKA Developments

In Opposition:

Richard Bahrychuk
Rick and Barb Storie

For Information:

Nil

For the City:

Ms. J. East, Manager of Planning and Land Use, Planning, Property and Development Department
Mr. K. Raban, Land Development Administrator, Planning, Property and Development Department
Ms. M. Richard, Senior Planner (Plan Winnipeg), Planning, Property and Development Department
Mr. M. Robinson, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE COMBINED PUBLIC HEARING FOR PLAN WINNIPEG AMENDMENT FILE PW 1/2007 and SUBDIVISION AND REZONING FILE DASZ 28/2007

September 12, 2007

No representations were heard inasmuch as the Executive Policy Committee adjourned the Public Hearing with respect to this application prior to opening representations.

October 17, 2007

No representations were heard inasmuch as the Executive Policy Committee adjourned the Public Hearing with respect to this application prior to opening representations.

October 31, 2007

Donovan Toews, DKA Developments, and Robert Kurylko, appeared in support of the Plan Winnipeg Amendment, Subdivision and Rezoning, and Variance applications. Donovan Toews indicated concurrence in the recommendations contained in the reports from the Manager of Planning and Land Use dated October 18, 2007, and the Administrative Coordinating Group Report dated August 28, 2007, with the following exception:

- That Condition No. 3 of the Administrative Coordinating Group Report with respect to the construction of a northbound left turn storage lane be delayed.

Ashok Dilawri appeared in support of the Plan Winnipeg Amendment, Subdivision and Rezoning, and Variance applications, and requested that Condition No. 3 of the Administrative Coordinating Group Report dated August 28, 2007, with respect to the construction of a storage lane be delayed until the 2nd phase of the subject development.

During discussion related to the northbound left turn storage lane construction, Councillor O'Shaughnessy suggested that development be limited to 5 acres, and that construction of the storage lane be required once development exceeds the 5 acres.

In this connection, Councillor Swandel suggested a condition be imposed to post a letter of credit in the amount of $300,000.00, to which Ashok Dilawri responded by advising that he could not support the proposed additional condition.

Exhibit "1" referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

Winnipeg

Planning, Property and Development Department
Service de l'urbanisme, des biens et de l'aménagement
Zoning and Permits Branch • Direction du zonage et des permis
Unit 31 - 30 Fort Street • 30, rue Fort, unité 31 • Winnipeg, Manitoba • R3C 1A7

RECEIVED
CITY CLERKS
WINNIPEG

DEVELOPMENT APPLICATION

G.S.T. # R121682967

7 JUL 11 P2:40

DASSF*	110	ZAA*	108
DAS*	110	DDR	108
DAPS	110	BDB	108
CA*	110	BRC	108
CONDO	110	Plan Wpg*	108 ✓
SAA	108	Sec. Plan*	108
DASZ*	1/2 (110-108)	DAASP	110
DAZ*	108	Other	

* These applications may be subject to 10% cash dedication

Distribution Code	Amount	
108 (6) / 110 (8)	1096.00 / 1096.00	A
GST	132.18	B
Surcharge	11.00	C
Subtotal - (A&C)		D
10% Dtwn Reduction - (D)		E
TOTAL (B,D&E)	2335.18	F

FILE NUMBER: PW 1 /07

Batch: 2427 Receipt: 84548
Amount: $2,335.18 Ref:
Date Printed: 5/4/2007 14:39:13
CASHIER ID:LROSNOSK

DOCUMENTS ENCLOSED

Title: ✓
Survey:
Plans:
Authorization ✓
Letter of Intent ✓
Other:

CROSS REFERENCE FILES: ~~DAZ 215/07~~ DASZ 28/07

Atlas Sheet:	Zoned:	Community Committee:	By-law:
R24	A	LSWK	6400/94 / 100/2004

Location: West side of McPhillips Rd, North of Templeton Ave.
Legal Description: See attached Schedule A
Applicant: DKA Developments Inc. (c/o Donovan Toews)
Name
17008 Waverley St — R3T 5V7 — 791-4259
Address — Postal Code — Telephone
Owner:
Name
Address — Postal Code — Telephone

Fully describe the nature of this application: Plan Winnipeg amendment required to redesignate the City owned and privately owned lands from Rural Policy Area to a Neighbourhood Policy Area.

Zoning Change From: To:
Land Rezoned Under By-law No.:
Agreements: Yes ☐ No ☐ Attached ☐
No. of Existing Lots:
No. of Proposed Lots:

List All Other Previous Files Pertaining to This Land:

Development Officer Comments: Subdivision and rezoning application is to proceed with the Plan Winnipeg application. Area B will be rezoned from "A" Agricultural District to "C2" Commercial District. Area A is to be opened up as a public ROW for the Chief Peguis Trail.

Applicant: EP — Date
Zoning Development Officer: M.H. — Date 07/05/28
Zoning Administrator: [signature] — Date 07/07/05

Referred to Land Development Branch:
Community Planning:

THIS IS EXHIBIT "1" REFERRED TO IN FILE NO. PW 1/2007 DATED THIS 12 DAY OF 09 2007

CLERK

SCHEDULE "A"

1) SHOWN AS RLY PLAN 1906; PT 20/23 KILD; AND PT OTM LOT 23 KILD BOUNDED ON N BY LINE DRAWN S OF PARL WITH & PERP DIST 11F FROM N LIMIT SAID LOT ON S BY S LIMIT SAID LOT ON W BY E LIMIT MPTL ROW PL 3174 & ON E BY E LIMIT SAID LOT
2) ALL THOSE PORTIONS OF OTM LOTS 20, 21 AND 22 PARISH OF KILDONAN SHOWN AS RLY PLAN 1906 WLTO

Exhibit "2A" referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

DATE: 2007/02/19
TIME: 13:00

MANITOBA

STATUS OF TITLE

TITLE NO: 1858265

PAGE: 1

STATUS OF TITLE..... ACCEPTED
ORIGINATING OFFICE..... WINNIPEG
REGISTERING OFFICE..... WINNIPEG
REGISTRATION DATE..... 2002/02/20
COMPLETION DATE..... 2002/03/13

PRODUCED FOR.. FILLMORE RILEY LLP
ADDRESS..... 1700-360 MAIN ST.
WINNIPEG MB R3C 3Z3

PRODUCED BY... M.DERKSEN
LTO BOX NO.... 51

LEGAL DESCRIPTION:

AGRITOBA INCORPORATED

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

ALL THAT PORTION OF OTM LOT 23 PARISH OF KILDONAN
BOUNDED AS FOLLOWS: ON THE NORTH BY A LINE DRAWN SOUTH OF PARALLEL WITH AND PERP DISTANT 11 FEET FROM THE NORTHERN LIMIT OF SAID LOT
ON THE SOUTH BY THE SOUTHERN LIMIT OF SAID LOT
ON THE WEST BY THE EASTERN LIMIT OF THE LAND TAKEN FOR THE RIGHT-OF-WAY OF THE TRANSMISSION LINE OF THE MANITOBA POWER COMPANY LIMITED SHEWN COLOURED PINK ON PLAN NO. 3174 WLTO, AND
ON THE EAST BY THE EASTERN LIMIT OF SAID LOT

ACTIVE TITLE CHARGES:

3400956 WPG ACCEPTED — PENDING LITIGATION ORDER — REG'D: 2007/01/11
DESCRIPTION: CI 07-01-50175
FROM/BY: PARKSIDE FORD LINCOLN LTD. AND
TO: AGRITOBA INCORPORATED
CONSIDERATION: NOTES:

3412104 WPG ACCEPTED — CAVEAT — REG'D: 2007/02/12
DESCRIPTION: AGREEMENT OF PURCHASE AND SALE
FROM/BY: DKA DEVELOPMENTS INC.
TO:
CONSIDERATION: NOTES:

ACCEPTED THIS 20TH DAY OF FEBRUARY, 2002
BY A.MAPES FOR THE DISTRICT REGISTRAR OF
THE LAND TITLES DISTRICT OF WINNIPEG.

CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE SYSTEM ON 2007/02/19 OF TITLE NUMBER 1858265.
THIS IS NOT A DUPLICATE TITLE.

X _____
FOR THE DISTRICT REGISTRAR

********** END OF STATUS OF TITLE FOR TITLE 1858265 WI

THIS IS EXHIBIT "2A" REFERRED TO IN FILE NO. PW 1/2007
DATED THIS 12 DAY OF 09 20 07

_____
CLERK

Exhibit "2B" referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

DATE: 2007/07/05 TITLE SEARCH PASWAND
TSTL (1 OF 9) TITLE DISPLAY - WINNIPEG PAGE: 01
TITLE NUMBER..... 1160080 TITLE STATUS..... ACCEPTED
REGISTRATION DATE.. 1990/05/09
COMPLETION DATE.... 1990/06/08 CONSOLIDATION..... NO
LEGAL DESCRIPTION
THE CITY OF WINNIPEG

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON, IN THE FOLLOWING DESCRIBED LAND:

ALL THOSE PORTIONS OF OTM LOTS 20, 21 AND 22 PARISH OF KILDONAN SHOWN AS RLY PLAN 1906 WLTO

TX: ____
DA: _____

DATE: 2007/07/05 TITLE SEARCH PASWAND
TSEC (2 OF 9) TITLE DISPLAY - WINNIPEG PAGE: 1
TITLE NUMBER..... 1160080 TITLE STATUS..... ACCEPTED
REGISTRATION DATE.. 1990/05/09
ACTIVE CHARGES

TX: ____ _____ REGISTRATION TO DISPLAY
DA: _____ PF6-TSTC
*** NO ACTIVE CHARGES FOUND FOR THIS TITLE ***

THIS IS EXHIBIT " 2B " REFERRED TO
IN FILE NO. PW 1/2007
DATED THIS 12 DAY OF 09 2007

_____
CLERK

DATE: 2007/07/05 TITLE SEARCH PASWAND
TSTS (3 OF 9) TITLE DISPLAY - WINNIPEG
TITLE NUMBER..... 1160080 TITLE STATUS..... ACCEPTED
REGISTRATION DATE..... 1990/05/09
COMPLETION DATE..... 1990/06/08 CONSOLIDATION..... NO

SUMMARY OF TITLE DATA

SELECT ONE OF THE FOLLOWING:
TITLE NOTES..... MORE? NO .... _
ORIGINATING REG. NUMBER.. 1292649 ..... MORE? NO .... _
FROM TITLE NUMBER..... 194719.5 TYPE.... ALL MORE? NO .... _
RPA/CROWN GRANT NUMBER... ..... MORE? NO .... _

NAME FOR SERVICE..... CITY OF WINNIPEG (LAW) MORE? NO .... _
ADDRESS..... 185 KING STREET
WPG., MB.

POSTAL CODE..... R3B1J1 EFFECT... ACTIVE
DUPLICATE PRODUCED ? .... MORE? NO .... _
ISSUED DATE.....
TX: ____ NEXT TITLE NUMBER... _____
DA: _____
NO MORE INFORMATION EXISTS REGARDING THIS SCREEN

Exhibit "3A" referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

LETTER OF AUTHORIZATION

Agritoba Inc. as registered owner of the lands described as:

Certificate of Title 1858265

Part lot 23, OTM Parish of Kildonan, McPhillips Street, Winnipeg

All that portion of OTM Lot 23 Parish of Kildonan bounded as follows: on the north by a line drawn south of parallel with and perp distant 11 feet from the northern limit of said lot on the south by the southern limit of said lot on the west by the eastern limit of the land taken for the right-of-way of the transmission line of the Manitoba Power Company Limited shewn coloured pink on Plan No. 3174 WLTO, and on the east by the eastern limit of said lot

hereby authorizes DKA Developments Inc. and its agent Landmark Planning and Design Inc. - Donovan Toews to facilitate any required municipal approvals for any zoning, re-zoning, subdivision, private approach applications, street closings, variances, conditional uses or other applications as may be necessary for the intended purposes of DKA Developments Inc.

Dated at Winnipeg, Manitoba this 2nd of MAY, 2007.

AGRITOBA INC.

Per: O. D. McEwen

FRDOCS_837423.1

THIS IS EXHIBIT "3A" REFERRED TO
IN FILE NO. PW1/2007
DATED THIS 12 DAY OF 09 20 07

CLERK

Exhibit "3B" referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

Winnipeg

Planning, Property & Development Department • Service de l'urbanisme, des biens et de l'aménagement

Real Estate Division • Division des biens immobiliers

In reply please refer to / Référence à rappeler :

Ray Klassen
(204) 986-5016
Fax / Téléc. : (204) 944-8476

April 25, 2007

Landmark Planning
Suite 200-661 Pembina Highway
Winnipeg, Manitoba
R3M 2L5

sent via fax 453-6626

Attention: Mr. Donovan Toews

RE: PROPOSED PLAN WINNIPEG AMENDMENT INCLUDING CERTAIN CITY OF WINNIPEG LANDS W. OF MCPHILLIPS STREET AT CHIEF PEGUIS TRAIL EXTENSION
FILE: 5626 (PLEASE QUOTE WHEN REPLYING)

You are hereby authorized to make application within 6 months from the date of this letter, for a Plan Winnipeg Amendment to a "Neighbourhood Designation", or a variance, rezoning or subdivision on the Subject City Property as shown as shaded on the attached Misc. Plan No 13124. You will be responsible for any and all associated costs of such application.

You should provide a copy of this letter to the Planning Department when making application.

The enactment of any approved change in Plan Winnipeg, use, variance, rezoning or subdivision is conditional upon the finalization of the sale of the Subject Property.

Should you require further clarification regarding the above, please contact Michelle Richard, Senior Planner, directly at 986-3101.

Yours truly,

Ray Klassen, Manager of Real Estate Division

c. Michelle Richard, Planning and Land Use Division

V:\barry\5626Mcphillipsswailes\authorizationltr.doc

THIS IS EXHIBIT "3B" REFERRED TO
IN FILE NO. PW 1/2007
DATED THIS 12 DAY OF 09 2007

CLERK

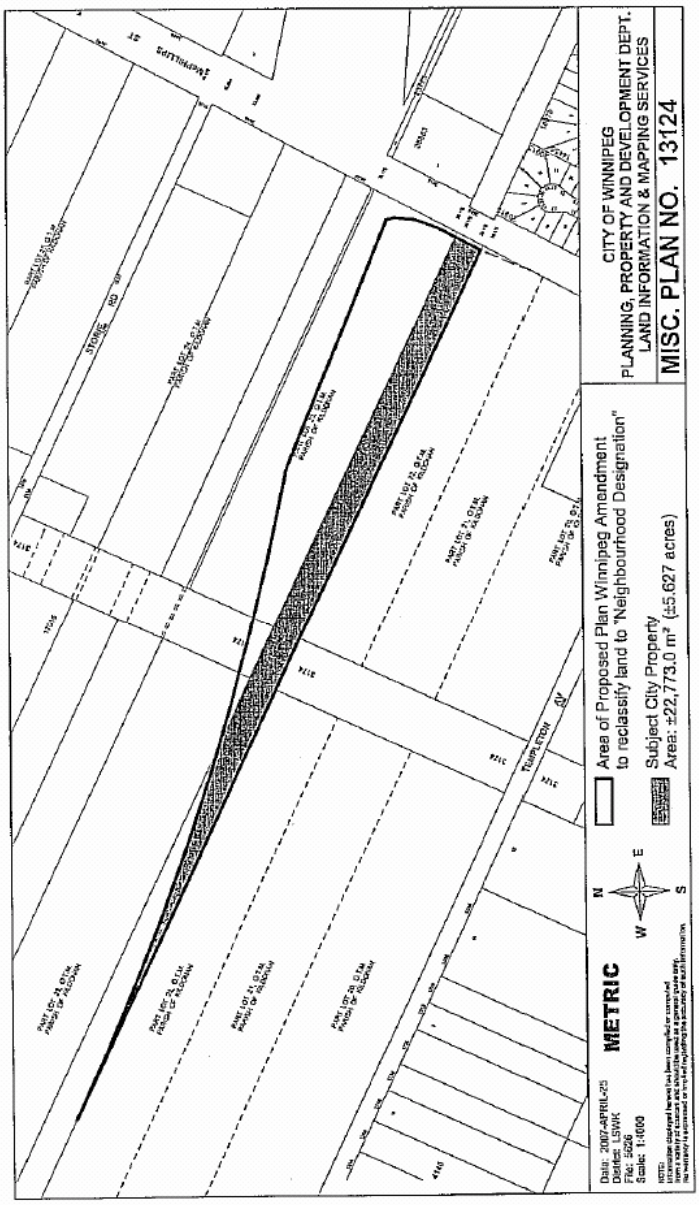

CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13124
Area of Proposed Plan Winnipeg Amendment
to reclassify land to "Neighbourhood Designation"
Subject City Property
Area: ±22,773.0 m² (±5.627 acres)
METRIC
Date: 2007-APRIL-25
District: LSWK
File: 5626
Scale: 1:4000
STONE RD
TEMPLETON AV

Exhibit "3C" referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

Winnipeg

Planning, Property & Development Department • Service de l'urbanisme, des biens et de l'aménagement

Real Estate Division • Division des biens immobiliers

In reply please refer to / Référence à rappeler :

Ray Klassen
(204) 986-5016
Fax / Téléc. : (204) 944-8476

August 29, 2007

DKA Development Inc.
900-1717 Waverley Street
Winnipeg, Manitoba
R3T 6A9

sent by courier

Attention: Mr. Ashok Dilawri

RE: PROPOSED PLAN WINNIPEG AMENDMENT INCLUDING CERTAIN CITY OF WINNIPEG LANDS W. OF MCPHILLIPS STREET AT CHIEF PEGUIS TRAIL EXTENSION
FILE: 5626 (PLEASE QUOTE WHEN REPLYING)

You are hereby authorized to make application within 6 months from the date of this letter, for a Plan Winnipeg Amendment to a "Neighbourhood Designation", or a variance, rezoning or subdivision on the Subject City Property as shown as shaded on the attached Misc. Plan No 13124. You will be responsible for any and all associated costs of such application.

You should provide a copy of this letter to the Planning Department when making application.

The enactment of any approved change in Plan Winnipeg, use, variance, rezoning or subdivision is conditional upon the finalization of the sale of the Subject Property.

Should you require further clarification regarding the above, please contact Michelle Richard, Senior Planner, directly at 986-3101.

Yours truly,

Ray Klassen, Manager of Real Estate Division

c. Michelle Richard, Planning and Land Use Division

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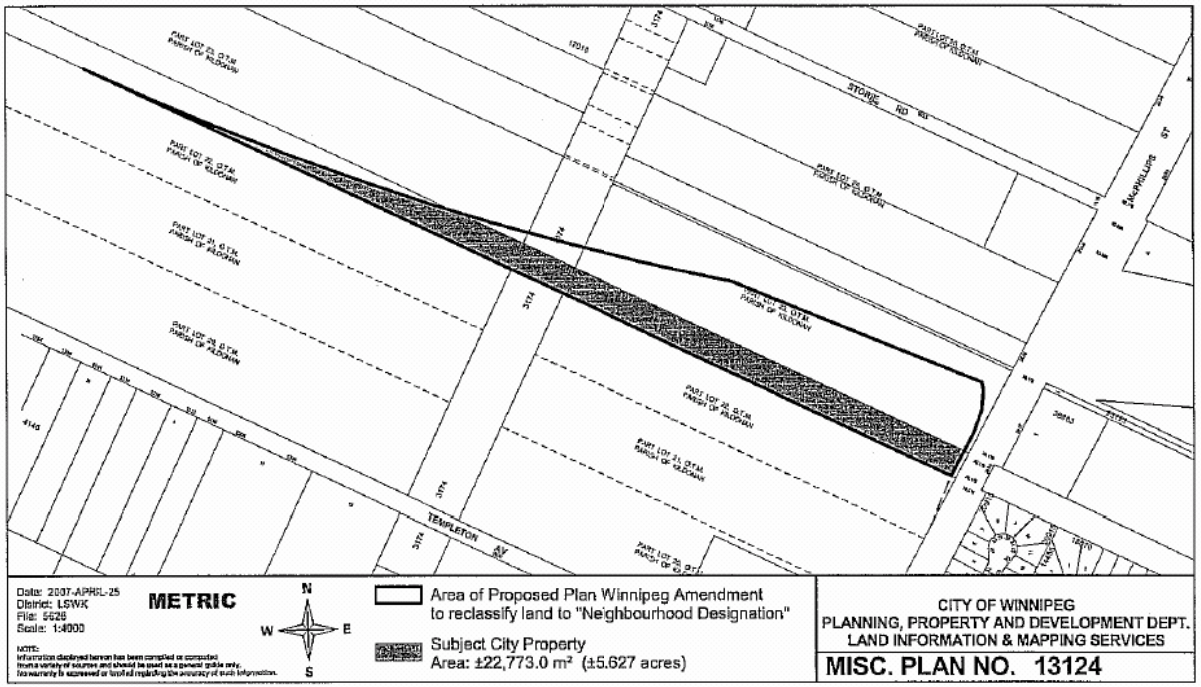

STORIE RD
TEMPLETON AV
Date: 2007-APR-25
District: LSWK
File: 5626
Scale: 1:4000
METRIC
N
W
E
S
Area of Proposed Plan Winnipeg Amendment to reclassify land to "Neighbourhood Designation"
Subject City Property
Area: ±22,773.0 m² (±5.627 acres)
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13124

Exhibit “4” referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

McPhillips Street North Development Proposal

Plan Winnipeg Amendment and Rezoning Application Impact Analysis

May 2, 2007

Landmark
Planning & Design Inc.

THIS IS EXHIBIT “ 4 ” REFERRED TO
IN FILE NO. PW 1/2007
DATED THIS 12 DAY OF 09 2007

CLERK

McPhillips North Development Proposal
Plan Winnipeg Amendment and Rezoning Application
Impact Analysis

Description of the land:

The land forming a part of this application includes lands shown outlined on City of Winnipeg Misc. Plan 13124.

The land is owned by Agritoba Incorporated. DKA Development Inc (Mr. Ashok Dilawri) is the project proponent and applicant. Mr. Dilawri has retained the assistance of Landmark Planning & Design Inc. (Donovan Toews) to facilitate the municipal approval process.

Project Proposal:

The applicant proposes to develop a 10.5 acre vacant parcel of land for commercial purposes, specifically to accommodate the development of a car dealership. The site is located on north McPhillips Street to the north of Swailes Avenue and just south of the proposed Chief Peguis Trail extension as shown on Figure 1. The development of the car dealership will require approximately half of the land fronting on McPhillips Street and the balance of the land lying to the east may be developed at some time in the future.

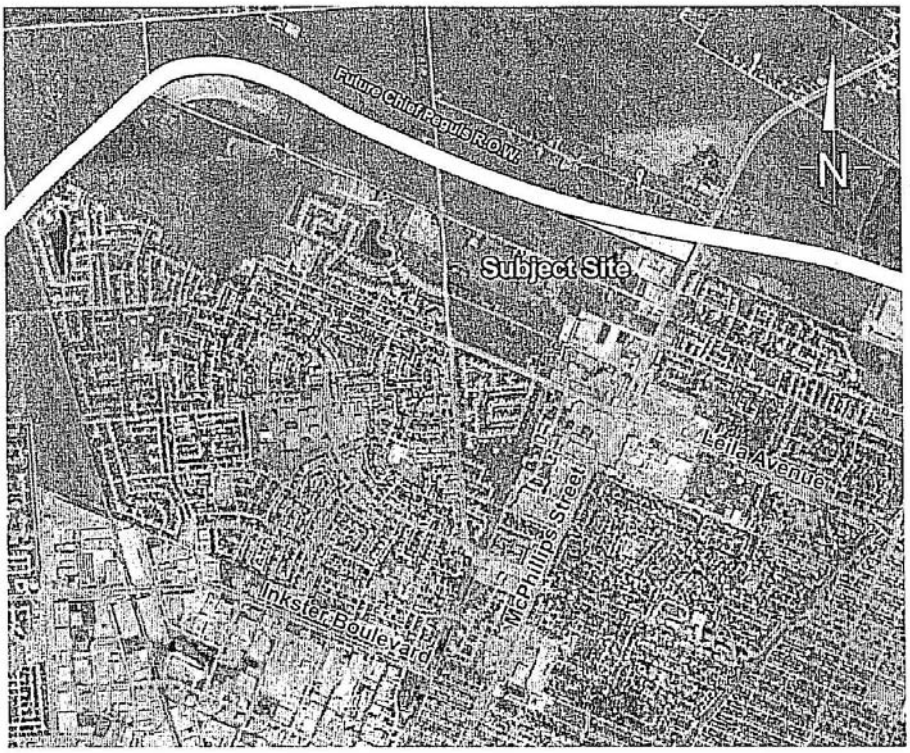
Municipal Approvals:

Development of the site will require the following municipal approvals:

- A Plan Winnipeg amendment to redesignate both City owned and privately owned lands from a *Rural* Policy Area to a *Neighbourhood* Policy Area
- A Rezoning approval to rezone the privately owned lands (after the land exchange) from *A – Agricultural* to *C2 – Commercial*
- Development and Building Permits

No conditional use or variances approvals are anticipated at this stage.

Figure 1. Proposed Plan Winnipeg Amendment – Subject Site Location



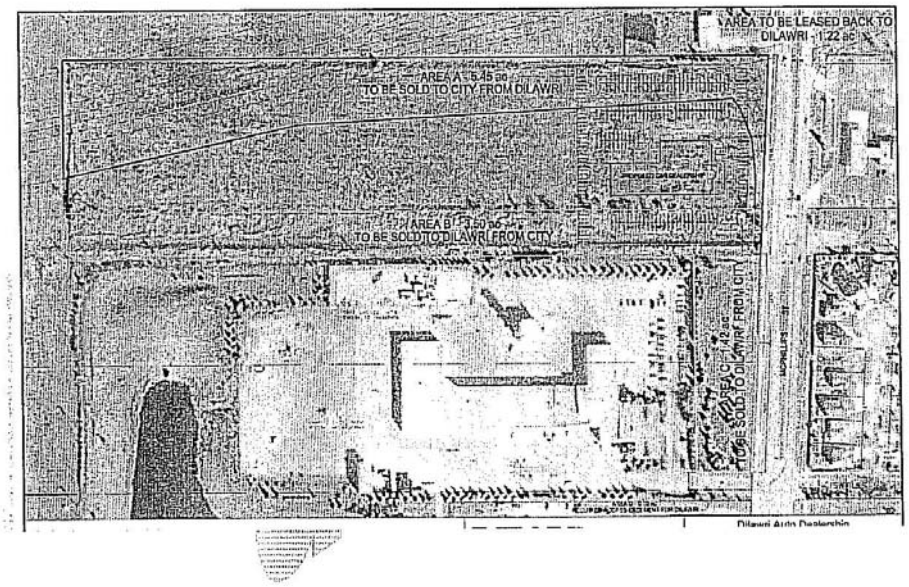
Site Development:

The site development concept is also illustrated in Figure 2; this is a conceptual site plan intended for application purposes only. It is anticipated that detailed site plans, including the building design, landscape design and parking layout, will be submitted at either the Plan Approval stage (as may be required as a condition of the Rezoning Approval) or at the building permit application stage.

It is our understanding that the future construction of the Chief Peguis Trail interchange will eliminate direct access to the proposed development site. This future access will also require a cross-access agreement through the existing driveway and private approach for the Public Works site (Area D on Figure 2). It is not anticipated that this secondary access will be required in the

near future, since Public Works has indicated that the proposed interchange is likely will not be constructed for 30 years or more.

Figure 2. Proposed Land Exchange



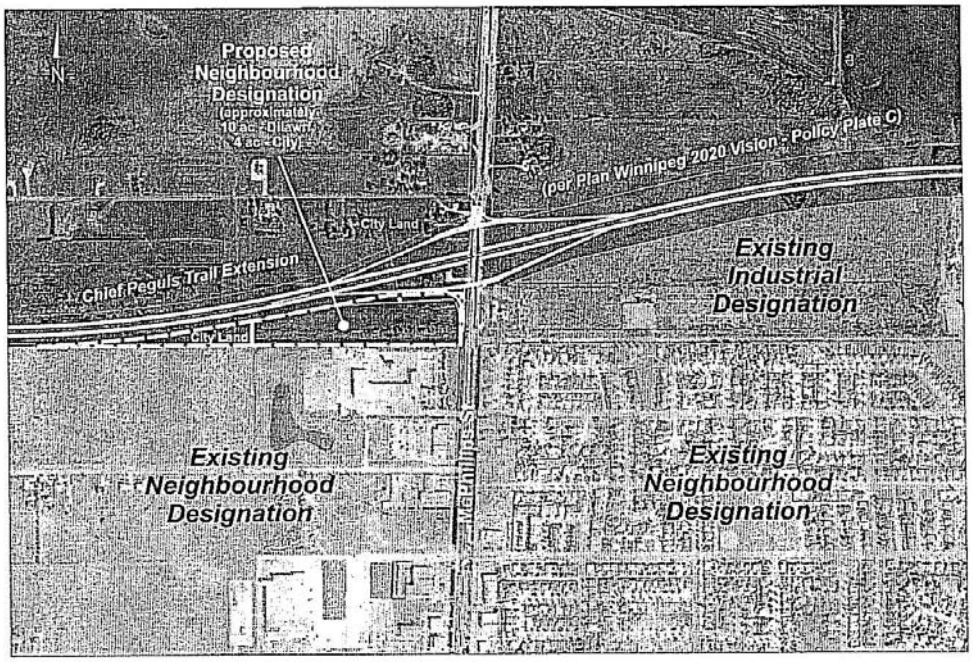
Plan Winnipeg Amendment – Basic Rationale:

The requested Plan Winnipeg amendment is minor in nature and does not, in the opinion of the applicant, represent a change in direction to any Plan Winnipeg policy. As noted earlier, Plan Winnipeg Policy Plate C illustrates the planned extension of Chief Peguis Trail. The specific alignment of the anticipated extension results in the isolation of a relatively small sliver of land lying south of the planned extension, which is the subject site (Figure 3). A portion of the area is City owned.

Figure 3 suggests that it was the City's *intent* to designate lands lying to the south of Chief Peguis Trail as *Neighbourhood* even though Plan Winnipeg currently shows the land as *Rural*. This intent becomes clear when looking at the *Industrial* designated lands lying to the east of McPhillips Street. With the *Industrial* designation, the alignment of directly follows the proposed Chief Peguis Trail alignment, veering southwards as it approach McPhillips street from the east. It is likely that had a more precise alignment of Chief Peguis been carried through further west (it may not have been available), the subject lands would have been designated

Neighbourhood and not *Rural* in Plan Winnipeg, and the current application process would not then be required.

Figure 3. Proposed Plan Winnipeg Redesignation Area



While the earlier intent of the City of Winnipeg can only be inferred, the merits of re-designating the subject site also stand on their own. The land is clearly a 'left-over' piece that should be developed in keeping with adjacent land uses both south of the site (Public Works site) and across McPhillips Street to the east (Commercial Gas Station), and also respecting the planned Chief Peguis Trail extension. This development cannot take place without the proposed Plan Winnipeg amendment.

The following section provides general supportive information as requested by the City of Winnipeg and in keeping with Plan Winnipeg requirements.

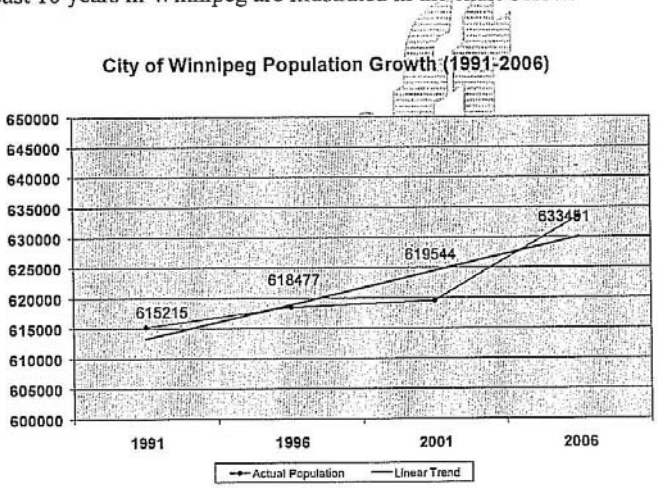
Plan Winnipeg – Supportive Information (based on an outline as provided by the City of Winnipeg):

A. Demographic Considerations

Relevant Plan Winnipeg Policies:

> **Policy 2B-03 (i)**: The City shall commit to responsive government by monitoring and responding to demographic, social, environmental and economic trends, both locally and globally.

Recent statistics confirm continued population growth in all areas of Winnipeg. The population gains over the past 10 years in Winnipeg are illustrated in the chart below:



The northeast quadrant of the City represents the primary market for the proposed car dealership. Traditionally, the northeast quadrant of the City captures its proportionate share of the population growth as is evidenced through issuance of permits for the northeast quadrant. These population increases serve as a primary indication of economic growth and therefore demand for retail products.

B. Economic Benefit

Relevant Plan Winnipeg Policies:

> **2B-03 (viii)**: The City shall commit to responsive government by evaluating …new development applications against a set of quality of life principles, including consideration of long-term economic benefits and costs.

2C-02 (ii) The City shall facilitate opportunities for business growth in Winnipeg by assisting business in meeting government requirements associated with new development and expansion…

The current demand for commercial development in the area continues to highlight Winnipeg citizens' desire to have access to these and other types of commercial land uses and products to meet the needs of day to day living and quality of life. Generally, quality of life indices include recognition that access to a range of goods and services can have a positive effect on quality of life.

The proposed project will include an estimated construction cost of $5 million (Honda Power Dealership). This investment will contribute substantially to City revenues and generate positive tertiary economic impacts. The tax contribution to the City is estimated at around $100,000 annually. The dealership will likely create in the order of 50-75 new jobs.

C. Market Commentary

Relevant Plan Winnipeg Policy:

3A-01 (ii): The City shall promote orderly development through land use designations on Policy Plate A by considering the Neighbourhood designations to signify areas of local identity with mutually supportive uses generally including a residential mix together with a variety of educational, recreational, institutional, commercial and possibly industrial uses, at a scale and density compatible with each other.

3A-02 (i): The City shall promote compact urban form in support of sustainability by approving new…commercial subdivisions only where there is a reasonable relationship between the supply of land and the projected demand and when a full range of municipal infrastructure can be provided in an environmentally sound, economical and timely manner.

3B-04 (ii): The City shall accommodate commercial and retail development by supporting the maintenance and development of neighbourhood main streets that provide a wide range of local services, that enhance community character, and that provide for the incremental expansion of commercial uses consistent with the general character of the adjacent neighbourhood.

3B-05 (ii): The City shall promote commercial densification in a manner consistent with its commitment to compact urban form by approving new locations for commercial development only where significant residential areas cannot accommodate expansion, where the long-term negative impacts on existing regional and commercial centres will be minimal, where additions to the regional street system can be demonstrated to have

long term benefits, and where a full range of municipal infrastructure can be provided in an environmentally sound, economical and timely manner.

The existing commercial land supply (i.e. Plan Winnipeg land) available to accommodate the proposed development in this area is nil. The previous vacant commercial sites at the intersection of McPhillips Street and Liela Avenue have dwindled and any remaining vacant properties do not represent a viable option for this development, as the land parcels are generally too small or are in an unsuitable configuration.

The target markets for this development are primarily the northwest quadrant in Winnipeg as well as to a lesser extent the northern part of northeast Winnipeg. The location of the site at a the intersection of a major route and a future ring road means that the target market area of the site will become larger with the construction of the Chief Peguis Trail.

The proposed development will provide commercial service to the local area and larger community and will be compatible with adjacent development, which consist of industrial and commercial uses. Existing municipal services are located adjacent to the site and the anticipated benefits to the existing transportation system are noted in Section E of this document.

D. Development Impact Analysis

Relevant Plan Winnipeg Policy:

3A-02 (v): The City shall promote compact urban form in support of sustainability by supporting new development which is adjacent to and compatible with existing development and which is designed to minimize the spatial use of land.

3A-04 (i): The City shall protect traffic flows from significant increases in volume as a result of new developments by requiring major developments to be sited in such a manner that public investment in adjacent regional transportation facilities is protected:

(These policies are also cited in subsequent sections of this report).

Any impact to other commercial operations as a result of the proposed development are likely to be positive, since additional competition typically serves as an economic driver, not an economic disincentive, as illustrated by the recent development of auto-malls.

The proposed location of the development site is likely to have little or no negative impact to adjacent properties and the larger neighbourhood, since adjacent uses are all considered compatible uses (commercial, industrial and highway corridor).

The proposed development should not have any detrimental effect on other parts of the City including central areas. Car dealerships have generally relocated to suburban areas of the City,

though a number of dealerships have established and remain successful operations in certain more central neighbourhoods, presumably capturing a niche market.

E. Transportation Impacts

Relevant Plan Winnipeg Policy:

> **3A-04 (i)**: The City shall protect traffic flows from significant increases in volume as a result of new developments by requiring major developments to be sited in such a manner that public investment in adjacent regional transportation facilities is protected:
>
> **3C-03 (iii):** T he City shall commit to traffic operations improvement to increase roadway efficiency by assessing the compatibility of new development and access controls with the intended function of the adjacent arterial street system;
>
> **3D-02 (ii)**: The City shall invest strategically in new infrastructure by recognizing that investments in arterial street system improvements and additions may be necessary in support of economic development goals and the desire to improve access an mobility;

The City of Winnipeg will benefit greatly from a transportation perspective as a result of the proposed land exchange. The land exchange will allow the City of Winnipeg to secure and protect a significant portion of the required lands to accommodate the planned Chief Peguis Trail.

Preliminary meetings with the City of Winnipeg – Public Works Department suggest that the limited scale of this development (and the nature of the proposed land use) is unlikely to have any negative impact on the existing transportation system. There is an existing median opening in McPhillips Street that will service the site for northbound ingress and southbound egress.

F. Sustainability

Relevant Plan Winnipeg Policy:

> **3A-02 (v):** The City shall promote compact urban form in support of sustainability by supporting new development which is adjacent to and compatible with existing development and which is designed to minimize the spatial use of land.
>
> **3A-02 (i):** The City shall promote compact urban form in support of sustainability by approving new…commercial subdivisions only where there is a reasonable relationship between the supply of land and the projected demand and when a full range of municipal infrastructure can be provided in an environmentally sound, economical and timely manner.

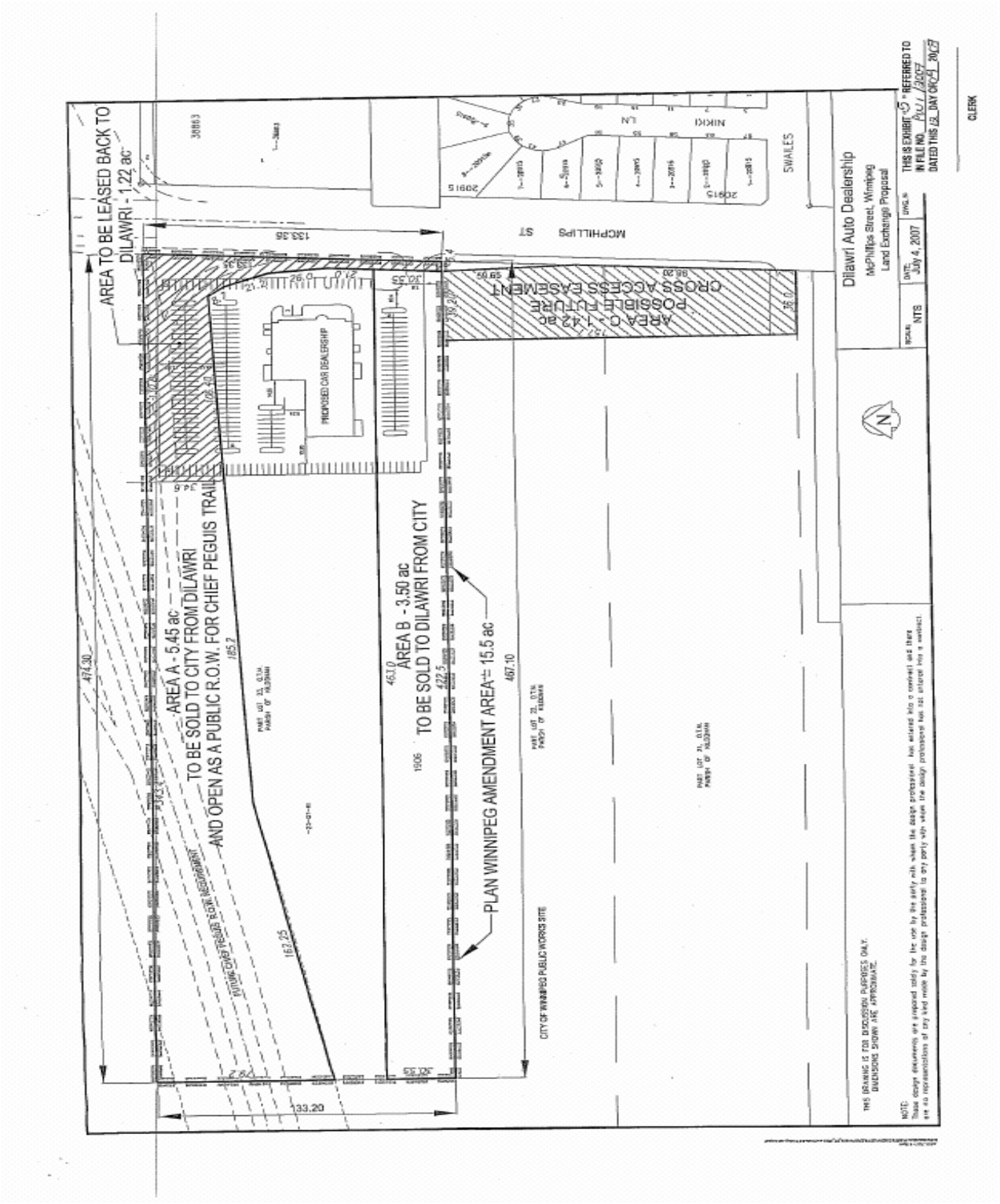
The proposed development site is both adjacent to, and compatible with, existing development.

It is the applicant's understanding that no additional City infrastructure is required to accommodate the development, as all required services have already been extended to this location. It the applicant's further understanding that any unidentified required infrastructure costs will be identified and addressed in a development agreement required as part of the rezoning/subdivision application.

The development of the proposed site represents the logical, orderly contiguous city growth which, in the applicant's opinion, represents a positive contribution to the vitality of Winnipeg and the surrounding region, as has been highlighted in previous sections.



Exhibit “5” referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]



Minute No. 551
Report – Executive Policy Committee – July 11, 2007

Item No. 8 Plan Winnipeg Amendment – McPhillips Street North
File EP-1.1(PW 1/2007)

COUNCIL DECISION:

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

1. That By-law No. 149/2007, a proposal to amend Plan Winnipeg…2020 Vision By-law No. 7630/2000 by:

   A. Re-designating lands from Rural Policy Area to Neighbourhood Policy Area as identified on Attachment 1 in the administrative report dated July 6, 2007,

   be forwarded to Council for first reading to allow for a public hearing on this issue.

2. That the Executive Policy Committee schedule a public hearing in accordance with Sections 227 and 278 of The City of Winnipeg Charter to consider the proposed amendment to Plan Winnipeg 2020 Vision By-law No. 7630/2000 and related development applications under The Winnipeg Zoning By-law No. 6400/94.

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

Report – Executive Policy Committee – July 11, 2007

DECISION MAKING HISTORY:

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 11, 2007, the Executive Policy Committee concurred in the administrative recommendation and submitted the matter to Council.

RE: Plan Winnipeg Amendment – McPhillips Street North

FOR SUBMISSION TO: Executive Policy Committee

ORIGINAL REPORT SIGNED BY: Director of Planning, Property and Development

REPORT DATE: July 6, 2007

RECOMMENDATION:

1.) **That Council initiate an amendment to Plan Winnipeg 2020 Vision by-law No. 7630/2000 to re-designate lands identified on Attachment 1 from Rural Policy Area to Neighbourhood Policy Area by giving First Reading to By-law No. XXXX/2007.**

2.) **That Executive Policy Committee schedule a public hearing in accordance with Sections 227 and 278 of The City of Winnipeg Charter to consider the proposed amendment to Plan Winnipeg 2020 Vision By-law 7630/2000 and related development applications under The Winnipeg Zoning By-law 6400/94.**

Report Summary

Key Issues:

- The applicant proposes to develop a 10.5 acre vacant parcel of land for commercial purposes.

- The subject site is located on north McPhillips Street to the north of Swailes Avenue and south of the proposed Chief Peguis Trail extension (Phase III – not currently planned section). As shown on Attachment 1, it is an isolated parcel of Rural Policy Area south of the planned Chief Peguis Trail (Phase III) extension.

- Re-designation will support the orderly development to the north and can be characterized as infill, providing for the logical continuation of Neighbourhood Policy Area to the southern boundary of the planned Chief Peguis Trail (Phase III) extension.

- The proposed development can be serviced by the extension of existing infrastructure in an environmentally sound, economical and timely manner.

- Development of the site will require the following approvals:
  - A Plan Winnipeg amendment to re-designate both city owned and privately owned lands from a Rural Policy Area to a Neighbourhood Policy Area
  - A subdivision and rezoning from A-Agricultural and M2 - Industrial to C2 – Commercial
  - A land exchange between the City of Winnipeg and the applicant
  - Council declares the portion of the Bergen Cut-off included within the subject site surplus to the City's needs
  - All applicable municipal permits.

- In accordance with Sections 227 and 278 of The City of Winnipeg Charter, it is recommended that the Plan Winnipeg amendment and subdivision/rezoning be considered concurrently, including a combined hearing.

- In order to facilitate the proposed development, the developer is proposing an exchange of lands required by the City for the future Chief Peguis Trail extension (Phase III). The applicant understands that issues relating to the proposed land exchange must be dealt with to the satisfaction of the city prior to the Plan Winnipeg amendment receiving Third Reading.

Implications of the Recommendation(s):

General Implications

( ) None

( ) For the organization overall and/or for other departments

(x) For the community and/or organizations external to the City

( ) Involves a multi-year contract

Comment(s): The amendment will allow for consideration of appropriate commercial development to meet growing demand.

Policy Implications

(x) No

( ) Yes

Comment(s): This proposed amendment is consistent with existing policy. Change from Rural Policy Area to Neighbourhood Policy Area is consistent with Plan Winnipeg 2020 Vision policies and will facilitate orderly and logical development.

Regulatory Implications

(x) None

( ) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s):

Environmental Implications

(x) No

( ) Yes

Comment(s):

Human Resources Implications

(x) No

( ) Yes

Comment(s):

Financial Implications

(x) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s):

Report

REASON FOR THE REPORT:
Pursuant to the City of Winnipeg Charter, the Executive Policy Committee is the designated hearing body responsible for Plan Winnipeg.

BACKGROUND:

The subject site of the application is approximately 10 acres of vacant, unserviced land located on north McPhillips Street to the north of Swailes Avenue and just south of the proposed Chief Peguis Trail extension and including the former Bergen Cut-Off.

The subject site is predominately designated Rural Policy Area and zoned A – Agricultural District except for a portion of the Bergen Cut-Off which is designated Neighbourhood Policy Area and zoned M2-Industrial District.

The subject site is bound to the east by Industrial Policy Area; to the south by Neighbourhood Policy Area and to the north and west by Rural Policy Area. Zoning in the area varies – south west of the subject site is city owned land which is zoned M2; east of the subject site is zoned M2 – Industrial District and A – Agricultural District; south east of the subject site is predominately R1-5. The subject site is within close proximity to the existing Garden City Area of Regional Commercial and Mixed Use Concentration.

The applicant is seeking to establish a commercial development that will service the northwest quadrant of the city as well as to a lesser extent the northern part of northeast Winnipeg. The location, fronting on McPhillips Street is desirable as it is close to a major route and the future regional ring road.

The site is adjacent to the planned Chief Peguis Trail extension (Phase III), which is identified in Plan Winnipeg 2020 Vision Policy Plate C – Beyond 2020.

DISCUSSION:

While generally, the Public Service would not recommend a site-specific amendment to Plan Winnipeg, the following analysis demonstrates the unique circumstances of the subject property:

Policy 3A-01 Promote Orderly Development –

- Re-designation will support the orderly development to the north and can be characterized as infill, providing for the logical continuation of Neighbourhood Policy Area to the southern boundary of the planned Chief Peguis Trail (Phase III) extension.

- The specific alignment of the planned Chief Peguis Trail extension (Phase III) results in the isolation of a relatively small parcel of land lying south of the planned extension, which is the subject site.

- The proposed use for the subject site is relatively consistent with the surrounding development. Adjacent land uses include a Public Works site – Fire and Paramedic Services Training Academy, which is south of the site and across McPhillips Street to the east (commercial gas station).

- The Winnipeg Fire Paramedic Service Academy, who use the city owned property immediately adjacent to the proposed commercial site, conduct daily live fire training exercises. The applicant has been advised of the type and level of training that occurs on the adjacent site and is prepared to mitigate any adverse implications as required.

- The Winnipeg Fire and Paramedic Service will review and address specific issues related to the proposed development through the development review process (through the subdivision/re-zoning process).

3A – 02 Promote Compact Urban Form –

- The growing demand for primary residential development in this quadrant has resulted in a limited commercial land supply. Previous vacant commercial sites at the intersection of McPhillips Street and Leila Avenue have been absorbed and according to the applicant, any remaining vacant properties do not represent a viable option.

- According to the draft 2006 Residential Land Supply Study, the northwest quadrant where the subject site is located is growing, with 35% of the existing vacant Neighbourhood Policy Area being absorbed from 2004 to 2006 (1,151 acres in 2004 to 743 acres in 2006).

- The northwest quadrant is expected to continue to grow with a total projected demand for single-family residential development to 2026 in the area of 6,000 to 7,000 single-family lots (preliminary analysis using recent Conference Board forecasts and draft 2006 Residential Land Supply Study).

- The proposed development can be serviced by the extension of existing infrastructure in an environmentally sound, economical and timely manner. Urban standard piped water, wastewater systems are located on McPhillips Street.

- While land drainage is available and accessible on McPhillips Street, there will likely be significant runoff restrictions placed on the development. This area was not contemplated to discharge into the fronting land drainage system in the larger downstream system design, which was actually supposed to go north (which would involve the construction of several stormwater retention basins and connecting pipe).

- Any site-specific infrastructure improvement requirements will need to be dealt with through the subdivision and rezoning process.

- While there are no major transportation issues presented by the site-specific amendment, access to the site will need to be dealt with through the subdivision and rezoning process and land exchange.

- A major transportation issue will actually be resolved through the proposed land exchange, allowing the city to secure and protect a significant portion of the required lands to accommodate the future Chief Peguis Trail (Phase III).

Financial Impact Statement

Date: July 4, 2007

Project Name:

PLAN WINNIPEG AMENDMENT – MCPHILLIPS STREET NORTH

COMMENTS:

The recommendations in the report are that Council initiate an amendment to Plan Winnipeg 2020 Vision by-law No. 7630/2000 to redesignate lands identified on Attachment 1 from Rural Policy Area to Neighbourhood Policy Area by giving First Reading to By-law No. XXXX/2007 and that Executive Policy Committee schedule a public hearing.

There are no financial implications associated with these recommendations.

"Original Signed by"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Legal Services

Water and Waste

Public Works

Fire and Paramedic Service

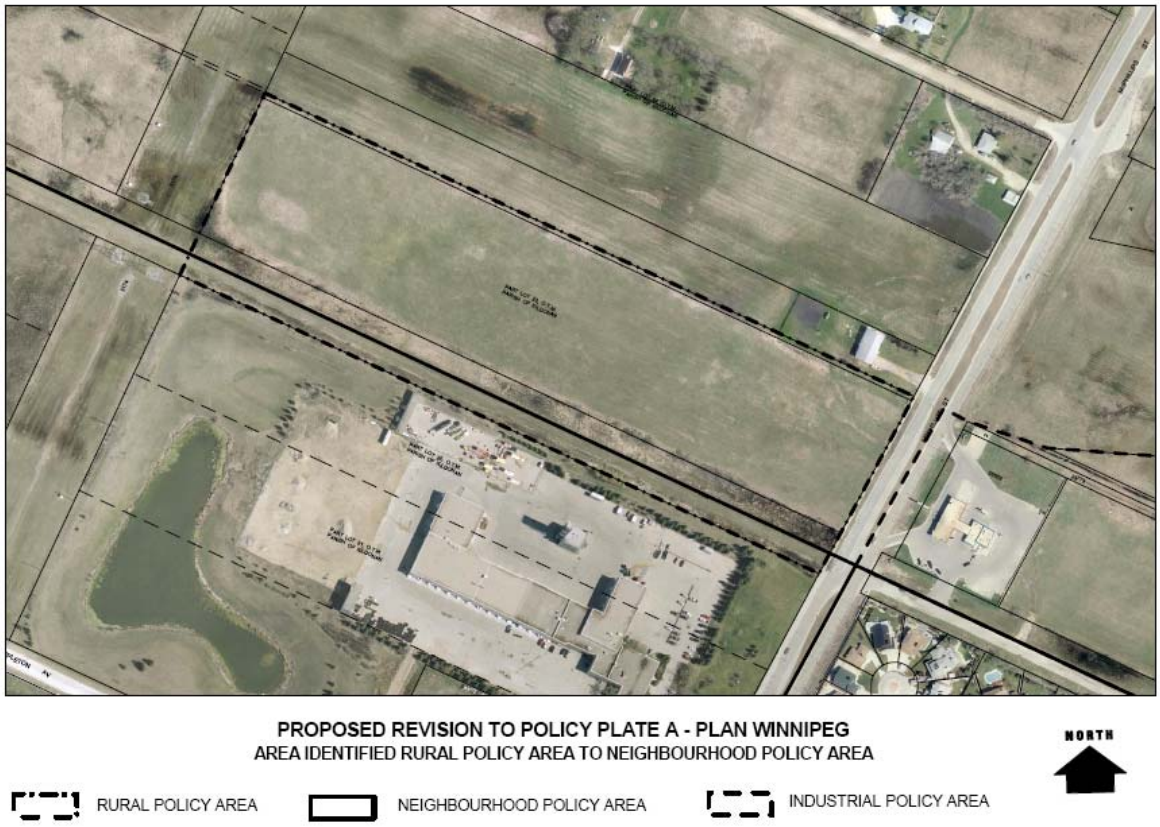
External Consultation With: NA

THIS REPORT SUBMITTED BY:

Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by	Michelle Richard, Senior Planner
PPD File No.	PW1/07

O:\Reports Directive\Planning and Land Use\Urban Planning Reports\2007 Reports\Plan Winnipeg McPhillipsStreetNorthFirstReading.doc

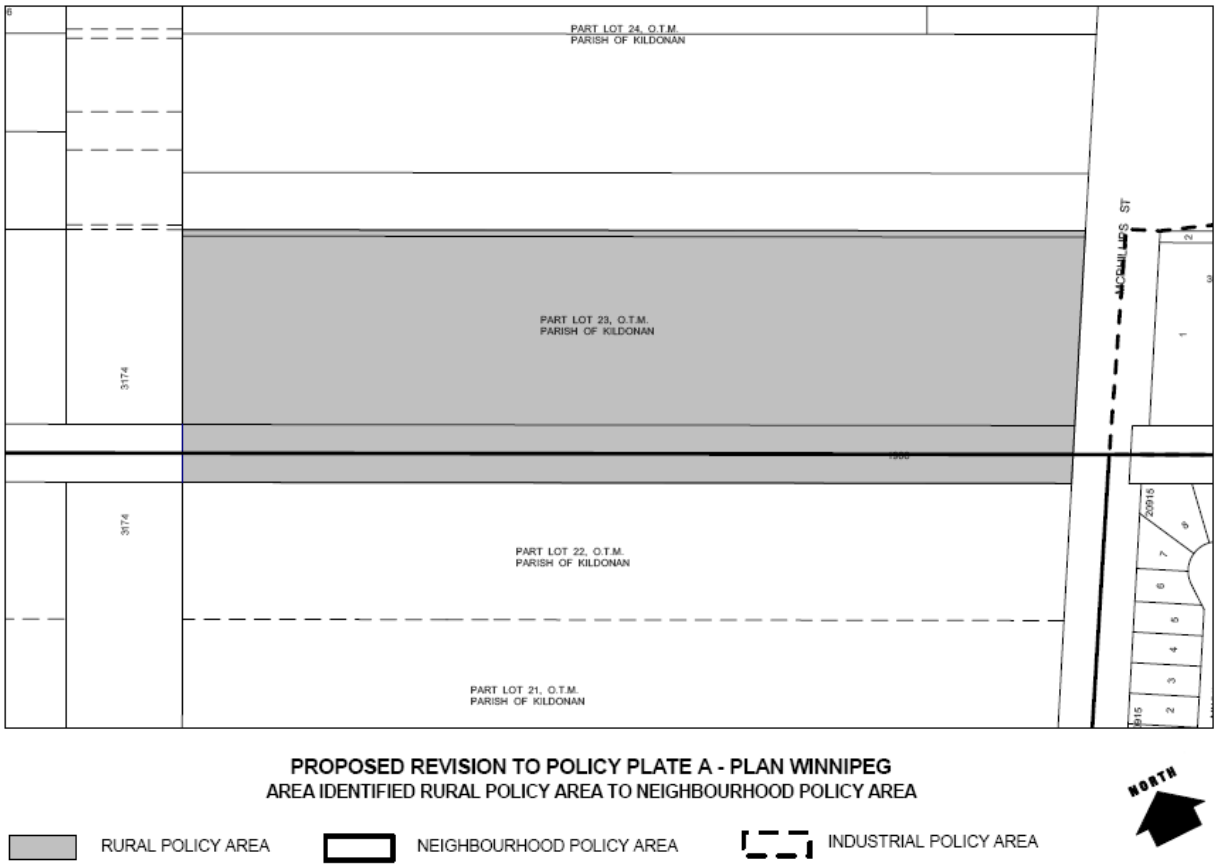
Attachment 1: Subject Site



PROPOSED REVISION TO POLICY PLATE A - PLAN WINNIPEG
AREA IDENTIFIED RURAL POLICY AREA TO NEIGHBOURHOOD POLICY AREA

NORTH

RURAL POLICY AREA NEIGHBOURHOOD POLICY AREA INDUSTRIAL POLICY AREA



PROPOSED REVISION TO POLICY PLATE A - PLAN WINNIPEG
AREA IDENTIFIED RURAL POLICY AREA TO NEIGHBOURHOOD POLICY AREA

Exhibit "7" referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

REFERENCE: FILE NO: PW 01/07

THE CITY OF WINNIPEG

BY-LAW NO. 149/2007

A By-law of **THE CITY OF WINNIPEG** to amend By-law No. 7630/2000, a By-law establishing **PLAN WINNIPEG**, being a statement of the City's policy and general proposals in respect of development or use of land in the City.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. The map titled "POLICY PLATE A, LAND USE, PLAN WINNIPEG 2020 VISION", attached to and forming part of By-law No. 7630/2000 is hereby amended as follows:

"Lands located in the Lord Selkirk – West Kildonan Community of The City of Winnipeg, shown outlined on the map below, and generally described as being located west of McPhillips Street and north of the Leila North neighbourhood are hereby designated as "NEIGHBOURHOOD" Policy Area and the said Plan Winnipeg Policy Area Map shall hereafter be read and construed as though the said lands were indicated thereon as "NEIGHBOURHOOD" Policy Area."

RECEIVED FIRST READING on this 18th day of July , A.D., 2007.

RECEIVED SECOND READING on this day of , A.D., 2007.

RECEIVED THIRD READING on this day of , A.D., 2007.

DONE AND PASSED in Council assembled this day of A.D., 2007.

Mayor

City Clerk

THIS IS EXHIBIT "7" REFERRED TO IN FILE NO. PW 1/2007
DATED THIS 2 DAY OF 09, 2007

CLERK

Certified as to Planning Details:

for Planning, Property & Development

Certified as to Form:

for City Solicitor/Manager of Legal Services
File No. P.7.3/07(1) WRS

City Clerk's Office, Winnipeg JUL 18 2007
CERTIFIED TRUE COPY
Deputy City Clerk

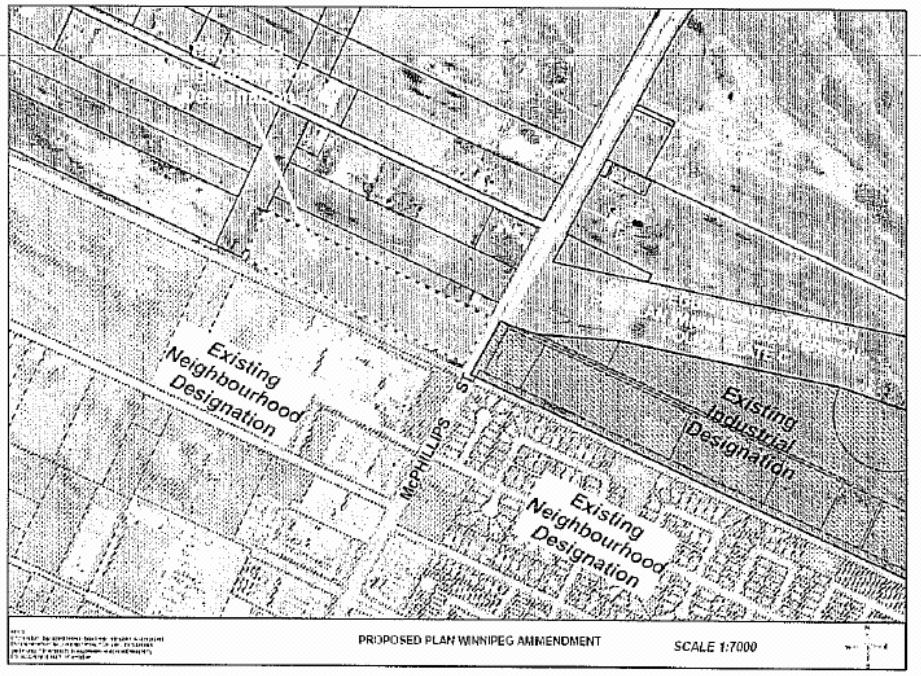

Existing
Neighbourhood
Designation
McPHILLIPS
Existing
Industrial
Designation
Existing
Neighbourhood
Designation
PROPOSED PLAN WINNIPEG AMMENDMENT
SCALE 1:7000

Exhibit "8A" referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

Winnipeg

City Clerk's Department • Bureau du greffier

July 19, 2007

File EP-1.1 (PW 1/2007)

The Honourable Steve Ashton
Minister of Intergovernmental Affairs and Trade
Legislative Building, 450 Broadway
Winnipeg, Manitoba
R3C 0V8

Plan Winnipeg Amendment: McPhillips Street North

I enclose for your attention, a copy of the July 18, 2007, City of Winnipeg Council decision with respect to the above-noted matter - Item No. 8 of the Report of the Executive Policy Committee dated July 11, 2007. On July 18, 2007, Council gave first reading to By-law No. 149/2007.

A public hearing before the Executive Policy Committee for the proposed amendment to Plan Winnipeg 2020 Vision By-law No. 7630/2000 and related development applications has been scheduled for Wednesday, September 12, 2007 at 9:00 a.m. in the Council Building, 510 Main Street.

Notice for the public hearing will be advertised in the Winnipeg Free Press and the Winnipeg Sun in accordance with The City of Winnipeg Charter.

Additional information on this matter can be accessed via the City Clerk's Department Decision Making Information System at www.winnipeg.ca/CLKDMIS in Council's Minute documents, as well as the Executive Policy Committee's agenda documents.

Should you require further information, please contact Jo-Ann I. Park, Clerk of the Executive Policy Committee at 986-3732.

R. Kachur
City Clerk

Enclosures

c. Mr. B. Gray, Mayor's Director of Policy, Manager EPC Secretariat
Ms L. Black, Manager, CAO Secretariat
Mrs. U. Goeres, City Solicitor/Manager of Legal Services, Internal Services Department
Mr. J. Paterson, Acting Director of Planning, Property and Development
Ms M. Richard, Senior Planner - Plan Winnipeg, Planning, Property and Development Department
Mr. M. Robinson, Planner, Planning, Property and Development Department

Council Building, 510 Main Street • Immeuble du Conseil, 510, rue Main • W.
tel/tél. (204) 986-2171 • fax/télec. (204) 947-3452 • website:

THIS IS EXHIBIT "8A" REFERRED TO IN FILE NO. PW 1/2007 DATED THIS 12 DAY OF 09 2007

CLERK

Exhibit "8B" referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

Winnipeg

City Clerk's Department • Bureau du greffier

July 19, 2007

File EP-1.1 (PW 1/2007)

DKA Developments
1700 B Waverley Street
Winnipeg, Manitoba
R3T 5V7

Attention : Donovan Toews

Plan Winnipeg Amendment: McPhillips Street North

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Should you require further information, please contact Jo-Ann I. Park, Clerk of the Executive Policy Committee at 986-3732.

R. Kachur
City Clerk

Enclosures

c. Ms L. Black, Manager, CAO Secretariat
Mrs. U. Goeres, City Solicitor/Manager of Legal Services, Internal Services Department
Mr. J. Paterson, Acting Director of Planning, Property and Development
Ms M. Richard, Senior Planner - Plan Winnipeg, Planning, Property and Development Department
Mr. M. Robinson, Planner, Planning, Property and Development Department

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tel/tél. (204) 986-2171 • fax/télec. (204) 947-3452 • website: wi

THIS IS EXHIBIT "8B" REFERRED TO
IN FILE NO. PW 1/2007
DATED THIS 12 DAY OF 09 20 07

CLERK

Exhibit "8C" referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

Winnipeg

City Clerk's Department • Bureau du greffier

July 19, 2007

File EP-1.1(PW 1/2007)

Mr. J. Paterson
Acting Director of Planning, Property
and Development

Plan Winnipeg Amendment – McPhillips Street North

I enclose for your attention, copy of the July 18, 2007 Council decision with respect to the above-noted matter - Item 8 of Report of the Executive Policy Committee dated July 11, 2007. On July 18, 2007, Council also gave first reading to By-law No. 149/2007.

A public hearing before the Executive Policy Committee for the proposed amendment to Plan Winnipeg 2020 Vision By-law No. 7630/2000 and related development applications has been scheduled for Wednesday, September 12, 2007 at 9:00 a.m. in the Council Building, 510 Main Street.

Additional information on this matter can be accessed via the City Clerk's Department Decision Making Information System at www.winnipeg.ca/CLKDMIS in Council's Minute documents.

Should you require further information, please contact Jo-Ann I. Park, Clerk of the Executive Policy Committee at 986-3732.

R. Kachur
City Clerk

Enclosures

c. CAO Secretariat
Ms L. Black, Manager, CAO Secretariat
Mrs. U. Goeres, City Solicitor/Manager of Legal Services, Internal Services Department
Ms J. East, Manager of Planning and Land Use, Planning, Property and Development Department
Ms M. Richard, Senior Planner - Plan Winnipeg, Planning and Land Use Division, Planning, Property and Development Department

THIS IS EXHIBIT "8C" REFERRED TO
IN FILE NO. EP 1.1/2007
DATED THIS 12 DAY OF 09 2007

CLERK

Exhibit "8D" referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

Winnipeg

City Clerk's Department • Bureau du greffier

July 19, 2007

File EP-1.1 (PW 1/2007)

R. M. of West St. Paul
3550 Main Street
West St. Paul, Manitoba
R4A 5A3

Attention: Reeve Clifford Dearman
Mr. B. MacCallum, CAO

Plan Winnipeg Amendment: McPhillips Street North

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A public hearing before the Executive Policy Committee for the proposed amendment to Plan Winnipeg 2020 Vision By-law No. 7630/2000 and related development applications has been scheduled for Wednesday, September 12, 2007 at 9:00 a.m. in the Council Building, 510 Main Street.

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Should you require further information, please contact Jo-Ann I. Park, Clerk of the Executive Policy Committee at 986-3732.

R. Kachur
City Clerk

Enclosures

c. Ms L. Black, Manager, CAO Secretariat
Mrs. U. Goeres, City Solicitor/Manager of Legal Services, Internal Services Department
Mr. J. Paterson, Acting Director of Planning, Property and Development
Ms M. Richard, Senior Planner - Plan Winnipeg, Planning, Property and Development Department
Mr. M. Robinson, Planner, Planning, Property and Development Department

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Council Building, 510 Main Street • Immeuble du Conseil, 510, rue Main • Winnipeg, Manitoba R3B 1B9
tel/tél. (204) 986-2171 • fax/télec. (204) 947-3452 • website: w

THIS IS EXHIBIT "8D" REFERRED TO
IN FILE NO. PW 1/2007
DATED THIS 12 DAY OF 09 2007

CLERK

Exhibit "9" referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

Winnipeg

City of Winnipeg

NOTICE OF PUBLIC HEARINGS

Under the authority of The City of Winnipeg Charter the Executive Policy Committee, will conduct PUBLIC HEARINGS, as indicated, to receive representations on the applications listed thereunder. Information on applications may be obtained between 8:30 a.m. and 4:30 p.m. at Unit 15 - 30 Fort Street or at the Community Committee Offices located in the City Clerk's Department, Council Building, 510 Main Street.

Winnipeg

NOTICE OF PUBLIC HEARING
EXECUTIVE POLICY COMMITTEE

Date: Wednesday, September 12, 2007

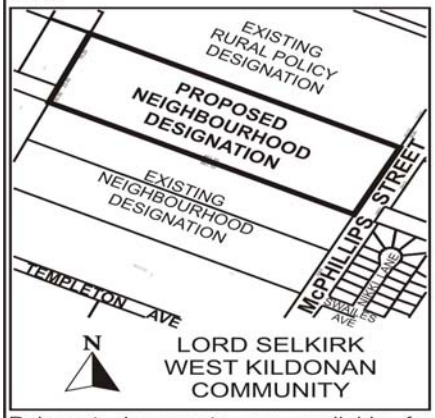
Time: 9:00 a.m.

Location: Council Building, 510 Main Street

Re: Proposed Plan Winnipeg Amendment By-law No. 149/2007

Applicant: DKA Developments Inc. (Donovan Toews)

TAKE NOTICE that pursuant to Section 227 of The City of Winnipeg Charter, the Executive Policy Committee will hold a public hearing to consider amending "POLICY PLATE A, LAND USE, PLAN WINNIPEG 2020 VISION" attached to and forming part of By-law No. 7630/2000 as follows and as shown outlined on the map below by re-designating from Rural Policy Area to Neighbourhood Policy Area:



Relevant documents are available for inspection by contacting Michelle Richard, Senior Planner, Planning Property and Development Department, at 986-3101.

Persons wishing to make representation at the above hearing are requested to notify Jo-Ann Park, Clerk of the Executive Policy Committee, Council Building, 510 Main Street, Winnipeg, R3B 1B9, telephone 986-3732, to assist in scheduling representations. Written submissions are requested in advance of the public hearing.

Simultaneous French/English interpretation will be available if requested.

Exhibit “10” referred to in File EP-1.1(PW 1/2007) [c/r DASZ 28/2007, DAV 147175/2007D]

From: Donovan Toews
Sent: September 7, 2007 11:01 AM
To: Skundberg, Inga
Cc: Ashok Dilawri
Subject: EPC Hearing Request

Inga,

Further to my voicemail, my client Mr. Ashok Dilawri, is requesting to have the public hearing associated with file DASZ 28/07 and associated Plan Winnipeg Amendment and variance, laid over for two to three weeks in order that we may complete a traffic analysis as requested by Public Works and to finalize negotiations on the proposed real estate transaction.

Could you please confirm receipt of this request and advise accordingly.

Thanks kindly,

Donovan Toews

Exhibit "11" referred to in File EP-1.1(PW 1/2007) [DASZ 28/2007, DAV 147175/2007D]

Winnipeg

City Clerk's Department • Bureau du greffier

September 12, 2007

Files EP-1.1 (PW 1/2007), DASZ 28/2007, and DAV 147175/2007D

TO WHOM IT MAY CONCERN

Applications for Plan Winnipeg Amendment, Subdivision and Rezoning, and Variance – West side of McPhillips Street, north of Templeton Avenue

On September 12, 2007, the Executive Policy Committee considered a request from the applicant that the subject applications be adjourned.

Accordingly, Executive Policy Committee adjourned the public hearings in the above connection to its meeting to be held on October 17, 2007, at 9:00 a.m. in the West Committee Room.

JPark

Jo-Ann Park
Manager of the Decision Making Process
Telephone 986-3732

Exhibit "12" referred to in File EP-1.1(PW 1/2007) [DASZ 28/2007, DAV 147175/2007D]

Winnipeg

City Clerk's Department • Bureau du greffier

October 17, 2007

Files EP-1.1 (PW 1/2007), DASZ 28/2007, and DAV 147175/2007D

TO WHOM IT MAY CONCERN

Applications for Plan Winnipeg Amendment, Subdivision and Rezoning, and Variance – West side of McPhillips Street, north of Templeton Avenue

On October 17, 2007, the Executive Policy Committee considered applications for a Plan Winnipeg Amendment, Subdivision and Rezoning, and a Variance for premises affected on the west side of McPhillips Street, north of Templeton Avenue.

The Executive Policy Committee adjourned the public hearings to its meeting on October 31, 2007, at 9:00 a.m. in the West Committee Room.

Additional information on this matter can be accessed via the City Clerk's Department Decision Making Information System at www.winnipeg.ca/CLKDMIS in Committee's Minute documents.

JPark

Jo-Ann Park
Manager of the Decision Making Process
Telephone 986-3732

Embrace the Spirit • Vivez l'esprit

Exhibit "13" referred to in File EP-1.1(PW 1/2007) [DASZ 28/2007, DAV 147175/2007D]

RE: PLAN WINNIPEG AMENDMENT – SECOND READING REPORT - WEST SIDE MCPHILLIPS STREET (NORTH OF TEMPLETON AVE)

FOR SUBMISSION TO: Executive Policy Committee

ORIGINAL REPORT SIGNED BY: Director of Planning, Property and Development

REPORT DATE: October 18, 2007

RECOMMENDATION:

1. **That By-law No. 149/2007, a proposal to amend Plan Winnipeg 2020 Vision By-law No. 7630/2000 by re-designating lands from Rural Policy Area to Neighbourhood Policy Area, be forwarded to Council for Second Reading.**

Report Summary

Key Issues:

On July 18, 2007, Council gave First Reading to By-law No. 149/2007 directing the Executive Policy Committee to schedule a public hearing (September 12, 2007) to consider amending Plan Winnipeg 2020 Vision. Giving Second Reading to the proposed by-law will allow the proposed amendment to be forwarded to the Minister of Intergovernmental Affairs for consideration, prior to Third Reading and final approval by Council.

The Public Service feels that there is merit in considering a site specific Plan Winnipeg amendment to re-designate the subject site (see Attachment A) from Rural Policy Area to Neighbourhood Policy Area to support a commercial development based on the following considerations:

- Re-designation will support orderly development to the southern boundary of the planned Chief Peguis Trail (Phase III) extension.

- The proposed development can be serviced by the extension of existing infrastructure in an environmentally sound, economical and timely manner.

- The proposed re-designation will support the logical continuation of Neighbourhood Policy Area and commercial development on McPhillips Street,

which is a major regional street designed to accommodate this intensity of auto-orientated land use.

- A major transportation plan will be facilitated through a proposed land exchange. The applicant is proposing an exchange of lands required by the City for the future Chief Peguis Trail Extension (Phase III).

Sections 227 and 278 of The City of Winnipeg Charter provide that hearings required in respect of an amendment to Plan Winnipeg may be combined with another hearing. Since the proposed amendment is being processed concurrently with an application for subdivision and re-zoning (DASZ 28/07) and associated variance, Executive Policy Committee will consider both the Plan Winnipeg amendment and subdivision and re-zoning application at the September 12, 2007 hearing.

The subdivision and rezoning of the subject lands from an “A” District to a “C2” District is required in order for the applicant to establish an automotive sales business and future right-of-way. Upon successful completion of negotiations, a portion of the subdivided lands will be transferred to the City and designated as future right-of-way for the Chief Peguis Trail Extension (Phase III – currently not planned section).

Implications of the Recommendation(s):

General Implications

( ) None

( ) For the organization overall and/or for other departments

(x) For the community and/or organizations external to the City

( ) Involves a multi-year contract

Comment(s): The proposed amendment will allow for consideration of appropriate commercial development to meet growing demand.

Policy Implications

(x) No

( ) Yes

Comment(s): The proposed amendment is consistent with existing policy. Change from Rural Policy Area to Neighbourhood Policy Area is consistent with Plan Winnipeg 2020 Vision policies and will facilitate orderly and logical development

Regulatory Implications

(x) None

( ) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s):

Environmental Implications

(x) No

( ) Yes

Comment(s):

Human Resources Implications

(x) No

( ) Yes

Comment(s):

Financial Implications

(x) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s):

Report

REASON FOR THE REPORT:

Pursuant to the City of Winnipeg Charter, the Executive Policy Committee is the designated hearing body responsible for Plan Winnipeg.

BACKGROUND:

Site Description:

The subject site is approximately 10 acres of vacant, unserviced land located on McPhillips Street to the north of Swailes Avenue and just south of the proposed Chief Peguis Trail Extension and including the former Bergen Cut-Off.

The subject site is predominately designated Rural Policy Area and zoned “A” Agricultural District except for a portion of the Bergen Cut-Off which is designated Neighbourhood Policy Area and zoned “M2” Industrial District. The subject site is within close proximity to the existing Garden City Area of Regional Commercial and Mixed Use Concentration.

The site is adjacent to the planned Chief Peguis Trail Extension (Phase III – not currently planned section), which is identified in Plan Winnipeg 2020 Vision Policy Plate C – Beyond 2020.

DISCUSSION:

According to preliminary residential land demand forecasts, the northwest quadrant of the city has absorbed 35% (400 acres) of the existing vacant Neighbourhood Policy Area lands from 2004 to 2006.

The northwest quadrant is expected to continue to grow with a total projected demand of approximately 6,000 to 7,000 single-family lots until 2026 (preliminary analysis using recent Conference Board forecasts and draft Residential Land Supply Study).

Existing commercial supply is limited with vacant commercial sites at the intersection of McPhillips Street and Leila Avenue now absorbed.

As part of the Plan Winnipeg review process, this area (generally described as the Templeton Sinclair and Leila North neighbourhoods) will be examined from a broader area wide perspective to address issues related to growth. This examination will include

analysis of anticipated demand for new residential and employment (commercial and industrial) lands. In doing so, the following questions will be examined:

- Is there adequate land supply to accommodate anticipated residential, commercial and industrial growth?
- What are the transportation and servicing requirements to accommodate this growth?

Overall growth analysis that will form part of the overall Plan Winnipeg review will include significant consultation and a more significant approval process. In the meantime, opportunities to support logical development and to resolve long-range transportation issues should not be overlooked.

Supports Logical and Orderly, Infill Development - Policies 3A-01; 3A-02; 3B-04; 3B-05

The re-designation of this site from Rural Policy Area to Neighbourhood Policy Area will support the logical continuation of commercial development on McPhillips Street up to the planned Chief Peguis Trail (Phase III) (see Attachment A).

While not in the Area of Regional and Mixed Use Commercial Concentration, the subject site on McPhillips Street is a major regional street designed to accommodate this intensity of auto-orientated land use. Modern car dealerships require significant land and draw from both a local and regional population.

Immediately adjacent to the subject site is the Winnipeg Fire Paramedic Service Academy, which uses this City-owned property for training including daily live fire exercises. The applicant has been advised of the nature of the training that occurs on the adjacent site and will likely be required to acknowledge, through an indemnity agreement, that they will not hold the City legally responsible for any property damages or general inconveniences that may result from these activities.

Facilitates Long Range Transportation Plans – Policy 3C-01

Long-range transportation plans will be facilitated through a proposed land exchange. The applicant is proposing an exchange of lands required by the City for the future Chief Peguis Trail Extension (Phase III). This component of the extension is identified in Plan Winnipeg 2020 Vision Policy Plate C – Transportation Concept Plan to 2020 and Beyond.

Although this component of the Chief Peguis Trail extension is not planned in the immediate future, this is an opportunity to secure a component of the right-of-way (land exchange and option to purchase – See Attachment B). The Public Service has undertaken negotiations with the applicant. On August 31st, 2007, formal Land

Exchange and Option to Purchase Agreements were presented to the applicant for consideration.

Once a negotiated settlement is reached between the City and the applicant, the Public Service will submit a report to Council with a recommendation, firstly, to approve the proposed settlement based on the terms and conditions as negotiated and secondly, that the City-owned Bergen land be declared surplus in order to facilitate this proposed land exchange.

The applicant has been advised that issues relating to the proposed land exchange and Option to Purchase Agreement must be dealt with to the satisfaction of the City prior to the Plan Winnipeg amendment receiving 3rd Reading.

Given the uncertainty as to when the Chief Peguis Trail Extension (Phase III) will be constructed, at this time, all directional access will be provided at the existing median openings on McPhillips Street at the former CPR Bergen Subdivision. However, the Public Service is recommending that the owner be required to relocate all access to the intersection of McPhillips Street and Swailes Avenue at no expense to the City with a minimum of six months' notice by the City that construction is to proceed.

Can Be Serviced In an Environmentally Sound, Economical and Timely Manner – Policy 3A-02

Urban standard piped water and sanitary sewer systems located on McPhillips Street can service the proposed development, as the limited scale of development will have a limited impact on infrastructure.

Any additional future development will require a more thorough analysis to determine if services can be extended in an environmentally sound, economical and timely manner. These issues will be addressed through an examination of anticipated growth and subsequent servicing requirements as part of the Plan Winnipeg review.

For example, land drainage is available and accessible on McPhillips Street for this site-specific development but any additional growth will have significant impacts on land drainage. This area was not contemplated to discharge into the fronting land drainage system in the larger downstream system design. It was intended to flow north which would involve the construction of several storm water retention basins and connecting pipe. As a result of the above, there will be significant runoff restriction placed on the development.

There are no major transportation issues presented by the site-specific amendment to accommodate a single automobile dealership. However, any additional development on this site may present traffic issues. As such, any increase in development size and intensity will require a more thorough examination of short and long term traffic impacts.

Financial Impact Statement **Date:** September 5, 2007

Project Name:

PLAN WINNIPEG AMENDMENT – SECOND READING REPORT - WEST SIDE MCPHILLIPS STREET (NORTH OF TEMPLETON AVE)

COMMENTS:

The recommendation in this report is that By-law No. 149/2007, a proposal to amend Plan Winnipeg 2020 Vision By-law No. 7630/2000 by re-designating lands from Rural Policy Area to Neighbourhood Policy Area, be forwarded to Council for Second Reading. There are no financial implications to the City of Winnipeg associated with this recommendation.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Legal Services

Water and Waste

Public Works

Fire and Paramedic Services

External Consultation With:

N/A

THIS REPORT SUBMITTED BY:

Department: Planning, Property and Development Department
Division: Planning and Land Use Division
Prepared by: Michelle Richard
PPD File No.: PW 1/07

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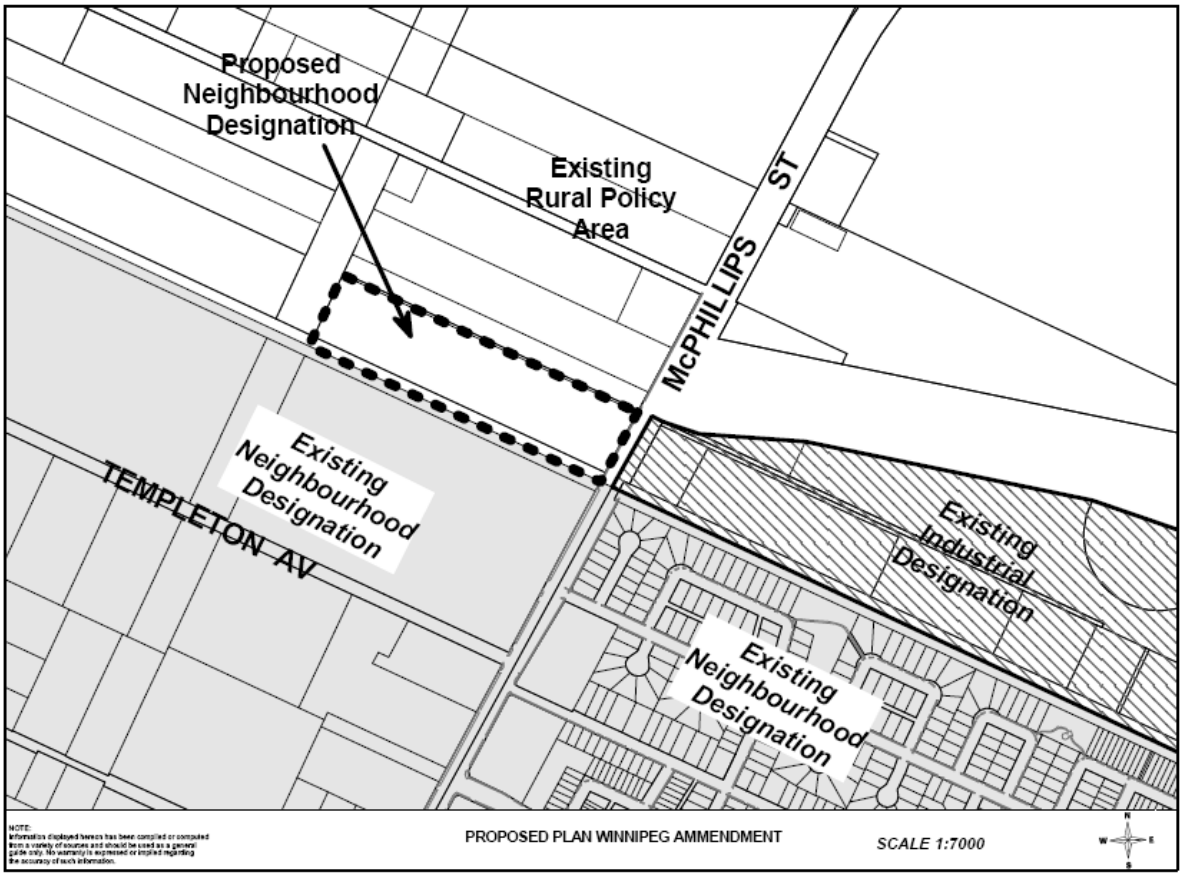
Attachment A – Proposed Re-designation from Rural Policy Area to Neighbourhood Policy Area



Attachment B – Subject Area –

