Agenda - Executive Policy Committee - January 30, 2008

PUBLIC HEARINGS

Item No. 2 Rezoning - 455 Templeton Avenue, 2401 Ferrier Street, south side Beecher Avenue, east of Ferrier Street (Old Kildonan Ward) File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 28/2007 dated January 17, 2008 to a "RM-2" Multiple-Family District subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

        i. That for the development of any buildings, accessory parking, and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches and roads, garbage enclosures, fencing, landscaping, lighting, and signage to the Lord Selkirk-West Kildonan Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development;

        ii. That a minimum 50 foot (15.25 metre) setback be maintained between the CPR Winnipeg Beach Subdivision rail tracks and any habitable building

    B. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated January 2, 2008.

2. That a ten (10%) percent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

5. That the rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

7. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Agenda - Executive Policy Committee - January 30, 2008

File: DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

Applicant: Landmark Planning and Design Inc.
(Donovan Toews)

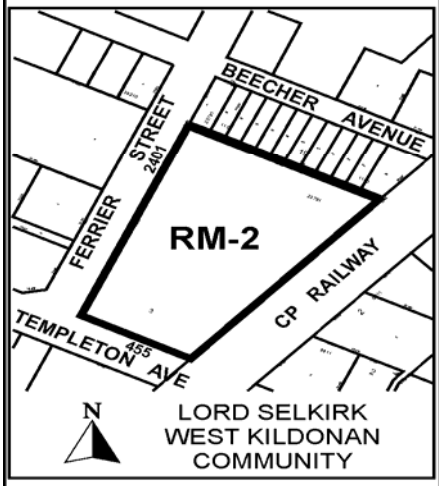
Subject:

Winnipeg

NOTICE OF PUBLIC HEARING
EXECUTIVE POLICY COMMITTEE

Date: Wednesday, January 30, 2008
Time: 9:00 a.m.
Location: Council Building, 510 Main Street
File: DAZ 226/2007
Applicant: Landmark Planning & Design Inc. (Donovan Toews)

TAKE NOTICE that the Executive Policy Committee will hold a public hearing to consider amending The Winnipeg Zoning By-Law 6400/94 from an "A" AGRICULTURAL DISTRICT to an "RM-2" MULTIPLE-FAMILY DISTRICT as shown outlined on the map below:



Relevant documents are available for inspection by contacting Michael Robinson, Planner, Planning Property and Development Department, at 986-3213.

Persons wishing to make representation at the above hearing are requested to notify Jo-Ann Park, Manager of the Decision Making Process, 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.

Premises Affected: 455 Templeton Avenue, 2401 Ferrier Street, south side Beecher Avenue, east of Ferrier Street

Exhibits Filed:

1. Revised Application dated December 10, 2007
2. Notification of Public Hearing dated December 13, 2007
3a. Manitoba Status of Title 1115032
3b. Certificate of Titles 428181, 482046, 48204, 680930
3c. Title Search 1291456
4a. Letter of authorization dated July 16, 2007, from the Manager of Real Estate, City of Winnipeg, to Landmark Planning and Design Inc.
4b. Letter of authorization dated July 18, 2007 from Maria Orszak, by the Administrator of her estate, the Public Trustee of Manitoba, per John Fergusson, Counsel for the Public Trustee, to Landmark Planning and Design Inc.
5. Plan (1 page)
6. Report from the Acting Director of Planning, Property and Development dated January 21, 2008
7. Report from the Administrative Coordinating Group dated January 2, 2008
8. Inspection Report

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

Moved by Councillor
That the reports of the Winnipeg Public Service be taken as read.

REPRESENTATIONS:

In Support:

In Opposition:

For Information:

For the City:

Moved by Councillor
That the receipt of public representations be concluded.

Moved by Councillor
That the recommendation of the Winnipeg Public Service be / not be concurred in and forwarded to Council.

Moved by Councillor
That the following supporting reasons be provided, namely:

Moved by Councillor
That the public hearing with respect to this application be concluded.

Exhibit "1" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

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 4X7

RECEIVED
CITY CLERKS
WINNIPEG
7 DEC 14 P2:58

DEVELOPMENT APPLICATION

G.S.T. # R121682967

Unless Bearing Cash Register Imprint

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)	949.00
GST	56.94
Surcharge	11.00
Subtotal - (A&C)	0.66
10% Dtwn Reduction - (D)	
TOTAL (B,D&E)	1017.60

FILE NUMBER: DAZ 226/07

Batch: 2588 Receipt: 91490
Amount: $1,017.60 Ref:
Date Printed: 7/31/2007 11:55:28
CASHIER ID:LROSNOSK

DOCUMENTS ENCLOSED

Title: ..... ☑
Survey: ..... ☐
Plans: ..... ☑
Authorization ..... ☑
Letter of Intent ..... ☐
Other: _____

CROSS REFERENCE FILES: PW 2/07

REVISED 07/12/10

Atlas Sheet:	Zoned:	Community Committee:	By-law:
T26	A	LSWK	~~6400/94~~ 100/2004

Location: 465 Templeton Ave.

Legal Description: SP Lot 3, Plan 23791

Applicant: Landmark Planning & Design Inc (c/o Shannon Toews)
Name
Suite 200-661 Pembina Hwy — R3M 2L5 — 453-6007
Address — Postal Code — Telephone

Owner: Maria Orszak
Name
Address — Postal Code — Telephone

Fully describe the nature of this application: Rezoning application required to rezone the subject lands from "A" Agricultural District to "RM-3" Multiple Family ... District.

Zoning Change From: A To: RM-3

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: Plan Wpg Amendment required to redesignate lands to Neighbourhood Policy Area. Lot width and lot area complies with Zoning By-law 6400/94.

Applicant: _____ Date

Zoning Development Officer: _____ Date 07/09/13

Zoning Administrator _____ Date 07/09/13

Referred to Land Development Branch: Sept. 18/07

Community Planning:

THIS IS EXHIBIT "1" REFERRED TO
IN FILE NO. DAZ 226/2007
DATED THIS 30 day of January 2008

CLERK

Exhibit "2" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

DATE: December 13, 2007

PLEASE BE ADVISED THAT YOUR APPLICATION HAS BEEN SCHEDULED FOR THE FOLLOWING PUBLIC HEARING AT THE DATE, TIME AND LOCATION AS INDICATED BELOW:

PUBLIC HEARING

EXECUTIVE POLICY COMMITTEE,
Council Building,
510 Main Street
on Wednesday, January 30, 2008
at 9:00 a.m.

_____

E. Axelrod
Ph: 986-5113
EA/ddg

cc: M. Robinson, Planner
E. Carriere - Land Development Br.
Donna Beaton, Parks Planner
Applicant
Community Clerk
Ward Councillor - O'Shaughnessy
File
R. J. Hartmann - Public Works
Frank/Terry - Water & Waste
Zoning Development Branch

Note: Check advertising sketch for any errors or omissions. If you require any changes, please contact me immediately.

I hereby acknowledge receipt of the notice for the public hearing outlined above.

_____.

Signed: _____

Mailed out on _____.

Signed: _____

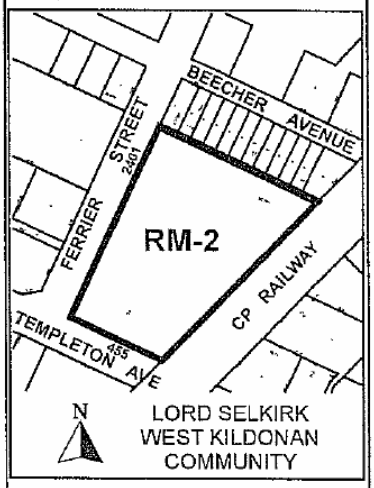
NOTE: ***Cuts will appear in both newspapers on the Thursday, 14 days prior to the date of the meeting.***

Winnipeg

NOTICE OF PUBLIC HEARING
EXECUTIVE POLICY COMMITTEE

Date: Wednesday, January 30, 2008
Time: 9:00 a.m.
Location: Council Building, 510 Main Street
File: DAZ 226/2007
Applicant: Landmark Planning & Design Inc. (Donovan Toews)

TAKE NOTICE that the Executive Policy Committee will hold a public hearing to consider amending The Winnipeg Zoning By-Law 6400/94 from an "A" AGRICULTURAL DISTRICT to an "RM-2" MULTIPLE-FAMILY DISTRICT as shown outlined on the map below:



Relevant documents are available for inspection by contacting Michael Robinson, Planner, Planning Property and Development Department, at 986-3213.

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Simultaneous French/English interpretation will be available if requested.

Exhibit “3a” referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

DATE: 2007/07/31
TIME: 11:22

MANITOBA

STATUS OF TITLE

TITLE NO: 1115032

PAGE: 1

STATUS OF TITLE.....	ACCEPTED	PRODUCED FOR..	X
ORIGINATING OFFICE.....	WINNIPEG	ADDRESS.....	
REGISTERING OFFICE.....	WINNIPEG		
REGISTRATION DATE.....	1989/07/19		
COMPLETION DATE.....	1989/08/03	PRODUCED BY...	A.KASERBAUER

LEGAL DESCRIPTION:

MARIA ORSZAK
OF THE CITY OF WINNIPEG, IN MANITOBA

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

SP LOT 3 PLAN 23791 WLTO
IN RL 19 PARISH OF KILDONAN

ACTIVE TITLE CHARGES:

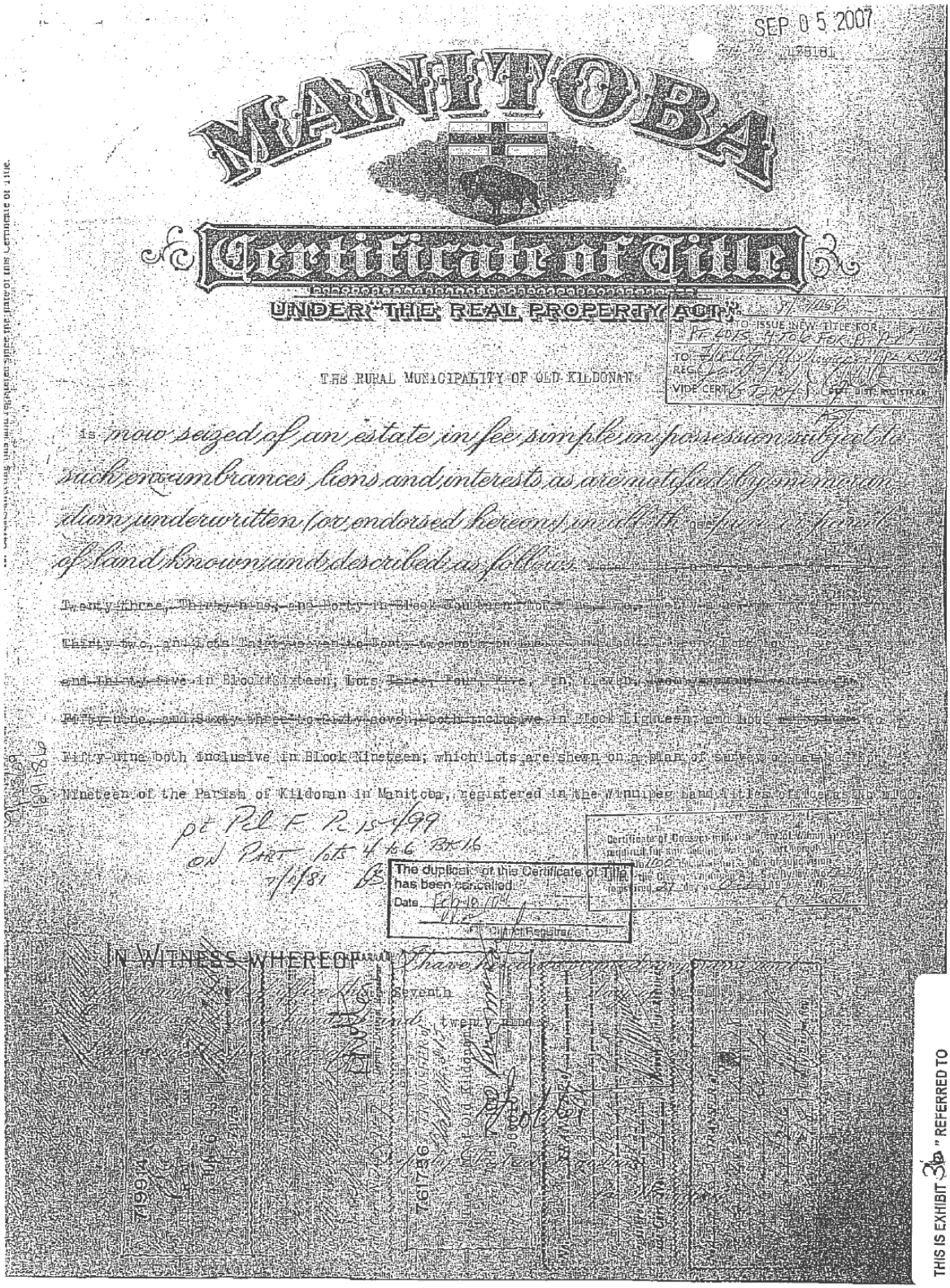
NO ACTIVE TITLE CHARGES EXIST ON THIS TITLE

ACCEPTED THIS 19TH DAY OF JULY, 1989
BY J.MOFFAT FOR THE DISTRICT REGISTRAR OF
THE LAND TITLES DISTRICT OF WINNIPEG.

UNCERTIFIED EXTRACT PRODUCED FROM THE LAND TITLES DATA
STORAGE SYSTEM ON 2007/07/31 OF TITLE NUMBER 1115032.

********** END OF STATUS OF TITLE FOR TITLE 1115032 WPG **********

Exhibit "3b" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]



SEP 05 2007

MANITOBA

Certificate of Title

UNDER "THE REAL PROPERTY ACT"

TO ISSUE NEW TITLE FOR PT LOTS 4 TO 6 FOR PT PCL
TO
REG
VIDE CERT

THE RURAL MUNICIPALITY OF OLD KILDONAN

is now seized of an estate in fee simple in possession subject to such encumbrances liens and interests as are notified by memorandum underwritten (or endorsed hereon) in all the [illegible] of land known and described as follows: [illegible] Twenty-three, Thirty-nine, and Forty in Block Fourteen; Lots [illegible] Thirty-two, and Lots Thirty-seven to Forty-two both inclusive in Block Fifteen; Lots [illegible] and Thirty-five in Block Sixteen; Lots Three, Four, Five, Ten, Eleven, [illegible] Fifty-nine, and Sixty-three to Sixty-seven, both inclusive in Block Eighteen; and Lots [illegible] to Fifty-nine both inclusive in Block Nineteen; which lots are shown on a plan of survey [illegible] Nineteen of the Parish of Kildonan in Manitoba, registered in the Winnipeg Land Titles office as No. [illegible]

pt Pcl F Pc 15-1/99
on Part lots 4 to 6 Bk 16
7/1/81

The duplicate of this Certificate of Title has been cancelled
Date Feb 18 1981
District Registrar

Certificate of Consent [illegible] required for any [illegible] Part [illegible] No. 1000 [illegible] the Certificate of Title [illegible] registered 27 day of [illegible]

IN WITNESS WHEREOF I have hereunto [illegible] Seventh [illegible] twenty-nine [illegible]

THIS IS EXHIBIT 3b " REFERRED TO IN FILE NO. DAZ 226/2007 DATED THIS 30 day of January 2008

From No. 386398 384625 387608 341723 Transfer 597277

Nature of Instrument	Day and Hour of its Production	Names of the Parties to it
Plan 1100 Cancelled as to Lots 59 & 63/67 Bk 18	The day of 19 at o'clock in the noon	M & P U Board Deputy District Registrar 719914
Plan 1100 Cancelled as to Blocks 14 + 15	The day of 19 at o'clock in the noon	M & P U B Deputy District Registrar 761756
By Law 2817/80 Closes pt Public Lane in Bk 16 Plan 1100 Sec P 15499 Affects Lots 4, 5 & 6 Bk 16	The 7 day of 1981 at January o'clock in the noon	City of Wpg 81-1053 Deputy District Registrar
Plan on Part of Lots 4 & 6 Bk 16 for Public Street	The 7 day of 1981 at Jan o'clock in the noon 81-1054	P J T Pelera 15499 Deputy District Registrar
[illegible] Closes [illegible] Plan 1100, [illegible] Bal Bk 19 Pl 18501	The 24th day of October 1984 at o'clock in the noon	City of Winnipeg No. 84-97316 Deputy District Registrar
	The day of 19 at o'clock in the noon	Deputy District Registrar
	The day of 19 at o'clock in the noon	Deputy District Registrar

MANITOBA

SEP 05 2007

Certificate of Title

UNDER THE REAL PROPERTY ACT

THE RURAL MUNICIPALITY OF SPRINGFIELD

is now seized of an estate in fee simple in the lands hereinafter described, subject to such encumbrances, liens and interests as are notified by memorials underwritten or endorsed hereon, and to the exceptions mentioned in section 80 of The Real Property Act.

In the said lands known and described as follows:

LOTS ONE HUNDRED AND SIXTY-FIVE AND ONE HUNDRED AND SIXTY-SIX IN BLOCK ONE, LOTS ONE HUNDRED AND SIXTY-SEVEN AND ONE HUNDRED AND SIXTY-EIGHT IN BLOCK TWO, LOTS ONE HUNDRED AND SIXTY-NINE AND ONE HUNDRED AND SEVENTY IN BLOCK THREE, LOTS ONE HUNDRED AND SEVENTY-ONE AND ONE HUNDRED AND SEVENTY-TWO IN BLOCK FOUR, LOTS ONE HUNDRED AND SEVENTY-THREE AND ONE HUNDRED AND SEVENTY-FOUR IN BLOCK FIVE, LOTS ONE HUNDRED AND SEVENTY-FIVE AND ONE HUNDRED AND SEVENTY-SIX IN BLOCK SIX, LOTS ONE HUNDRED AND SEVENTY-SEVEN AND ONE HUNDRED AND SEVENTY-EIGHT IN BLOCK SEVEN, LOTS ONE HUNDRED AND SEVENTY-NINE AND ONE HUNDRED AND EIGHTY IN BLOCK EIGHT, LOTS ONE HUNDRED AND EIGHTY-ONE AND ONE HUNDRED AND EIGHTY-TWO IN BLOCK NINE, LOTS ONE HUNDRED AND EIGHTY-THREE AND ONE HUNDRED AND EIGHTY-FOUR IN BLOCK TEN, LOTS ONE HUNDRED AND EIGHTY-FIVE AND ONE HUNDRED AND EIGHTY-SIX IN BLOCK ELEVEN, LOTS ONE HUNDRED AND EIGHTY-SEVEN AND ONE HUNDRED AND EIGHTY-EIGHT IN BLOCK TWELVE, LOTS ONE HUNDRED AND EIGHTY-NINE AND ONE HUNDRED AND NINETY IN BLOCK THIRTEEN, LOTS ONE HUNDRED AND NINETY-ONE AND ONE HUNDRED AND NINETY-TWO IN BLOCK FOURTEEN, LOTS ONE HUNDRED AND NINETY-THREE AND ONE HUNDRED AND NINETY-FOUR IN BLOCK FIFTEEN, LOTS ONE HUNDRED AND NINETY-FIVE AND ONE HUNDRED AND NINETY-SIX IN BLOCK SIXTEEN, LOTS ONE HUNDRED AND NINETY-SEVEN AND ONE HUNDRED AND NINETY-EIGHT IN BLOCK SEVENTEEN, LOTS ONE HUNDRED AND NINETY-NINE AND TWO HUNDRED IN BLOCK EIGHTEEN, LOTS TWO HUNDRED AND ONE AND TWO HUNDRED AND TWO IN BLOCK NINETEEN, LOTS TWO HUNDRED AND THREE AND TWO HUNDRED AND FOUR IN BLOCK TWENTY, LOTS TWO HUNDRED AND FIVE AND TWO HUNDRED AND SIX IN BLOCK TWENTY-ONE, LOTS TWO HUNDRED AND SEVEN AND TWO HUNDRED AND EIGHT IN BLOCK TWENTY-TWO, LOTS TWO HUNDRED AND NINE AND TWO HUNDRED AND TEN IN BLOCK TWENTY-THREE, LOTS TWO HUNDRED AND ELEVEN AND TWO HUNDRED AND TWELVE IN BLOCK TWENTY-FOUR, LOTS TWO HUNDRED AND THIRTEEN AND TWO HUNDRED AND FOURTEEN IN BLOCK TWENTY-FIVE, LOTS TWO HUNDRED AND FIFTEEN AND TWO HUNDRED AND SIXTEEN IN BLOCK TWENTY-SIX, LOTS TWO HUNDRED AND SEVENTEEN AND TWO HUNDRED AND EIGHTEEN IN BLOCK TWENTY-SEVEN, LOTS TWO HUNDRED AND NINETEEN AND TWO HUNDRED AND TWENTY IN BLOCK TWENTY-EIGHT, LOTS TWO HUNDRED AND TWENTY-ONE AND TWO HUNDRED AND TWENTY-TWO IN BLOCK TWENTY-NINE, LOTS TWO HUNDRED AND TWENTY-THREE AND TWO HUNDRED AND TWENTY-FOUR IN BLOCK THIRTY, LOTS TWO HUNDRED AND TWENTY-FIVE AND TWO HUNDRED AND TWENTY-SIX IN BLOCK THIRTY-ONE, LOTS TWO HUNDRED AND TWENTY-SEVEN AND TWO HUNDRED AND TWENTY-EIGHT IN BLOCK THIRTY-TWO, LOTS TWO HUNDRED AND TWENTY-NINE AND TWO HUNDRED AND THIRTY IN BLOCK THIRTY-THREE, LOTS TWO HUNDRED AND THIRTY-ONE AND TWO HUNDRED AND THIRTY-TWO IN BLOCK THIRTY-FOUR, LOTS TWO HUNDRED AND THIRTY-THREE AND TWO HUNDRED AND THIRTY-FOUR IN BLOCK THIRTY-FIVE, LOTS TWO HUNDRED AND THIRTY-FIVE AND TWO HUNDRED AND THIRTY-SIX IN BLOCK THIRTY-SIX, LOTS TWO HUNDRED AND THIRTY-SEVEN AND TWO HUNDRED AND THIRTY-EIGHT IN BLOCK THIRTY-SEVEN, LOTS TWO HUNDRED AND THIRTY-NINE AND TWO HUNDRED AND FORTY IN BLOCK THIRTY-EIGHT, LOTS TWO HUNDRED AND FORTY-ONE AND TWO HUNDRED AND FORTY-TWO IN BLOCK THIRTY-NINE, LOTS TWO HUNDRED AND FORTY-THREE AND TWO HUNDRED AND FORTY-FOUR IN BLOCK FORTY, LOTS TWO HUNDRED AND FORTY-FIVE AND TWO HUNDRED AND FORTY-SIX IN BLOCK FORTY-ONE, LOTS TWO HUNDRED AND FORTY-SEVEN AND TWO HUNDRED AND FORTY-EIGHT IN BLOCK FORTY-TWO, LOTS TWO HUNDRED AND FORTY-NINE AND TWO HUNDRED AND FIFTY IN BLOCK FORTY-THREE, LOTS TWO HUNDRED AND FIFTY-ONE AND TWO HUNDRED AND FIFTY-TWO IN BLOCK FORTY-FOUR, LOTS TWO HUNDRED AND FIFTY-THREE AND TWO HUNDRED AND FIFTY-FOUR IN BLOCK FORTY-FIVE, LOTS TWO HUNDRED AND FIFTY-FIVE AND TWO HUNDRED AND FIFTY-SIX IN BLOCK FORTY-SIX, LOTS TWO HUNDRED AND FIFTY-SEVEN AND TWO HUNDRED AND FIFTY-EIGHT IN BLOCK FORTY-SEVEN, LOTS TWO HUNDRED AND FIFTY-NINE AND TWO HUNDRED AND SIXTY IN BLOCK FORTY-EIGHT, LOTS TWO HUNDRED AND SIXTY-ONE AND TWO HUNDRED AND SIXTY-TWO IN BLOCK FORTY-NINE, LOTS TWO HUNDRED AND SIXTY-THREE AND TWO HUNDRED AND SIXTY-FOUR IN BLOCK FIFTY, LOTS TWO HUNDRED AND SIXTY-FIVE AND TWO HUNDRED AND SIXTY-SIX IN BLOCK FIFTY-ONE, LOTS TWO HUNDRED AND SIXTY-SEVEN AND TWO HUNDRED AND SIXTY-EIGHT IN BLOCK FIFTY-TWO, LOTS TWO HUNDRED AND SIXTY-NINE AND TWO HUNDRED AND SEVENTY IN BLOCK FIFTY-THREE, LOTS TWO HUNDRED AND SEVENTY-ONE AND TWO HUNDRED AND SEVENTY-TWO IN BLOCK FIFTY-FOUR, LOTS TWO HUNDRED AND SEVENTY-THREE AND TWO HUNDRED AND SEVENTY-FOUR IN BLOCK FIFTY-FIVE, LOTS TWO HUNDRED AND SEVENTY-FIVE AND TWO HUNDRED AND SEVENTY-SIX IN BLOCK FIFTY-SIX, LOTS TWO HUNDRED AND SEVENTY-SEVEN AND TWO HUNDRED AND SEVENTY-EIGHT IN BLOCK FIFTY-SEVEN, LOTS TWO HUNDRED AND SEVENTY-NINE AND TWO HUNDRED AND EIGHTY IN BLOCK FIFTY-EIGHT, LOTS TWO HUNDRED AND EIGHTY-ONE AND TWO HUNDRED AND EIGHTY-TWO IN BLOCK FIFTY-NINE, LOTS TWO HUNDRED AND EIGHTY-THREE AND TWO HUNDRED AND EIGHTY-FOUR IN BLOCK SIXTY, LOTS TWO HUNDRED AND EIGHTY-FIVE AND TWO HUNDRED AND EIGHTY-SIX IN BLOCK SIXTY-ONE, LOTS TWO HUNDRED AND EIGHTY-SEVEN AND TWO HUNDRED AND EIGHTY-EIGHT IN BLOCK SIXTY-TWO AND LOTS TWO HUNDRED AND EIGHTY-NINE AND TWO HUNDRED AND NINETY IN BLOCK SIXTY-THREE, BOTH INCLUSIVE, IN BLOCK NINETEEN WHICH LOTS ARE SHOWN ON A PLAN OF SURVEY OF PART OF BLOCK NINETEEN OF THE PARISH OF KILDONAN, IN MANITOBA, REGISTERED IN THE WINNIPEG LAND TITLES OFFICE AS NO. 1007.

Certificate of Consent under the City Planning Act required for subdivision Plan No. 1234 filed in the City Planning Department

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed my seal of office this EIGHTH day of FEBRUARY one thousand nine hundred and FORTY-FOUR.

Registrar General of Land Titles

SEP 0 5 2007

Cert. No. 48204

MANITOBA

Certificate of Title

UNDER "THE REAL PROPERTY ACT"

THE RURAL MUNICIPALITY OF OLD KILDONAN.

IS now seized of an estate in fee simple in possession, subject to such encumbrances liens and interests as are notified by memorandum underwritten (or endorsed hereon) in all those pieces of land known and described as follows LOTS TWENTY FIVE AND TWE BLOCK FIFTEEN LOTS THIRTY EIGHT AND THIRTY NINE IN BLOCK SIXTEEN LOTS TWENTY ONE, TWENTY TWO SIXTY THREE BOTH INCLUSIVE IN BLOCK NINETEEN WHICH LOTS ARE SHEWN ON A PLAN OF SURVEY OF PA TEEN OF THE PARISH OF KILDONAN, IN MANITOBA, REGISTERED IN THE WINNIPEG LAND TITLES OFFICE, A

The land mentioned in this Certificate of Title is subject to the reservations, limitations, provisions and conditions expressed in the said Real Property Act and to such of the following as may be subsisting and may be specifically mentioned in this Certificate, namely:

1. Any subsisting reservation contained in the original grant of the land from the Crown.
2. Any municipal charges, rates or assessments at the date of this Certificate or thereafter, chargeable against this land.
3. Any unregistered subsisting right of way or other easement over this land.
4. Any unregistered subsisting lease or agreement for a lease for a period not exceeding three years, where there is actual occupation of this land under the same.
5. Any drainage or mechanic's lien affecting this land.
6. Any judgments, decrees or orders for the payment of money against the registered owner, registered since the date of this Certificate and properly maintained in force.
7. All public highways embraced in the description of this land.
8. Any right of expropriation by statute.
9. The title of any person adversely in actual occupation of and rightly entitled to this land when it was first brought under said Act.
10. Caveats affecting this land registered since the date of this Certificate of Title.

No. 761756 TRANSFER of 25 Block 16 To The R.M. of Old Kildonan Registered APR 7 1942 Title Cert. No. 560616

No. 814143 TRANSFER of 25 Block 16 Plan 1593 To Nick Paulichuk Registered DEC 2 9 1958 Title Cert. No. 583954

IN WITNESS WHEREOF I have hereunto signed my name and affixed my Seal of office this EIGHTH day of NOVEMBER One thousand nine hundred and THIRTY FOUR

Signed in the presence of

Deputy District Registrar for Winnipeg

SEP 0 5 2007

Cert. No. 680930

MANITOBA

Certificate of Title

UNDER "THE REAL PROPERTY ACT."

THE RURAL MUNICIPALITY OF OLD KILDONAN

IS *now seized of an estate in fee simple in possession subject to such encumbrances liens and interests as are notified by memorandum underwritten (or endorsed hereon) in all those pieces or parcel of land known and described as follows* LOTS SIXTY-FOUR AND SIXTY-FIVE IN BLOCK NINETEEN WHICH LOTS ARE SHEWN ON A PLAN OF SURVEY OF PART OF LOT NINETEEN OF THE PARISH OF KILDONAN IN MANITOBA, REGISTERED IN THE WINNIPEG LAND TITLES OFFICE AS NO. 1100

Certificate of Consent under the City of Winnipeg Act required for any mortgage with any part hereof. Plan No. 1100 declared not a plan of subdivision under the City of Winnipeg Act. See By-law No. 732/77 registered 27 day of Oct 1977 as No. R94581

IN WITNESS WHEREOF *I have hereunto signed my name and affixed my Seal of office this* SEVENTH *day of* JULY *One thousand nine hundred and* FORTY-EIGHT

Signed in the presence of

D Murphy

Deputy District Registrar

for Winnipeg

From No. 20680 — Transfer 67462

NATURE OF INSTRUMENT	DAY AND HOUR OF ITS PRODUCTION	NAMES OF THE PARTIES
By-Law 3815/84 Mortgage for $ — Closes Public Lane PL1100, affects with land. See PL 18501	The 24th day of October 1984 at the 3 o'clock in noon	City of Winnipeg No. 84-97316 Deputy District Registrar
Mortgage for $	The day of 19 at o'clock in the noon	Deputy District Registrar
Mortgage for $	The day of 19 at o'clock in the noon	Deputy District Registrar
Mortgage for $	The day of 19 at o'clock in the noon	Deputy District Registrar
Mortgage for $	The day of 19 at o'clock in the noon	Deputy District Registrar
Mortgage for $	The day of 19 at o'clock in the noon	Deputy District Registrar

Exhibit “3c” referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

DATE: 2007/09/04 TITLE SEARCH PASREDO
TSTL (1 OF 9) TITLE DISPLAY - WINNIPEG PAGE: 01
TITLE NUMBER..... 1291456 TITLE STATUS..... ACCEPTED
REGISTRATION DATE.. 1993/02/08
COMPLETION DATE.... 1993/02/22 CONSOLIDATION..... NO

LEGAL DESCRIPTION

THE CITY OF WINNIPEG

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

PARCEL E PLAN 18501 WLTO
IN RL 19 PARISH OF KILDONAN

TX: ____
DA: _____

Exhibit "4a" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

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

July 16, 2007

Mr. Donovan Toews
Landmark Planning & Design Inc.
200-661 Pembina Hwy
Winnipeg, Manitoba
R3M 2L5

Dear Mr. Toews,

RE: INCLUSION OF CITY LANDS AT SEC FERRIER ST & BEECHER AVE IN PLAN WINNIPEG AMENDMENT APPLICATION
FILE: 32/5827 (PLEASE QUOTE WHEN REPLYING)

Donovan Toews and/or Landmark Planning & Design Inc. are hereby authorized to make application within 6 months from the date of this letter, for a Plan Winnipeg Amendment from "Industrial Policy Area" to "Neighbourhood Policy Area" on the Subject City Property as shown on the attached Misc. Plan No 13191. You or your Client will be responsible for any and all associated costs of such applications. Please note that inclusion of the City property would not involve any additional cost, since it forms part of the same application. In the event that there are additional costs, the City would absorb the incremental cost.

You should provide a copy of this letter to the Zoning and Permits Branch when making application.

Should you require further clarification regarding the above, please contact David Marsh, Enhanced Land Marketing Program Administrator, at 986-6306 or dmarsh@winnipeg.ca .

Yours truly,

Ray Klassen, Manager of Real Estate Division

Encl.
V:\David Marsh\Letters of Authorization\Toews - SEC Ferrier & Beecher Plan Wpg Amendment (ver II) -

THIS IS EXHIBIT "4a" REFERRED TO IN FILE NO. DAZ 226/2007 DATED THIS 30 day of JANUARY 2008

CLERK

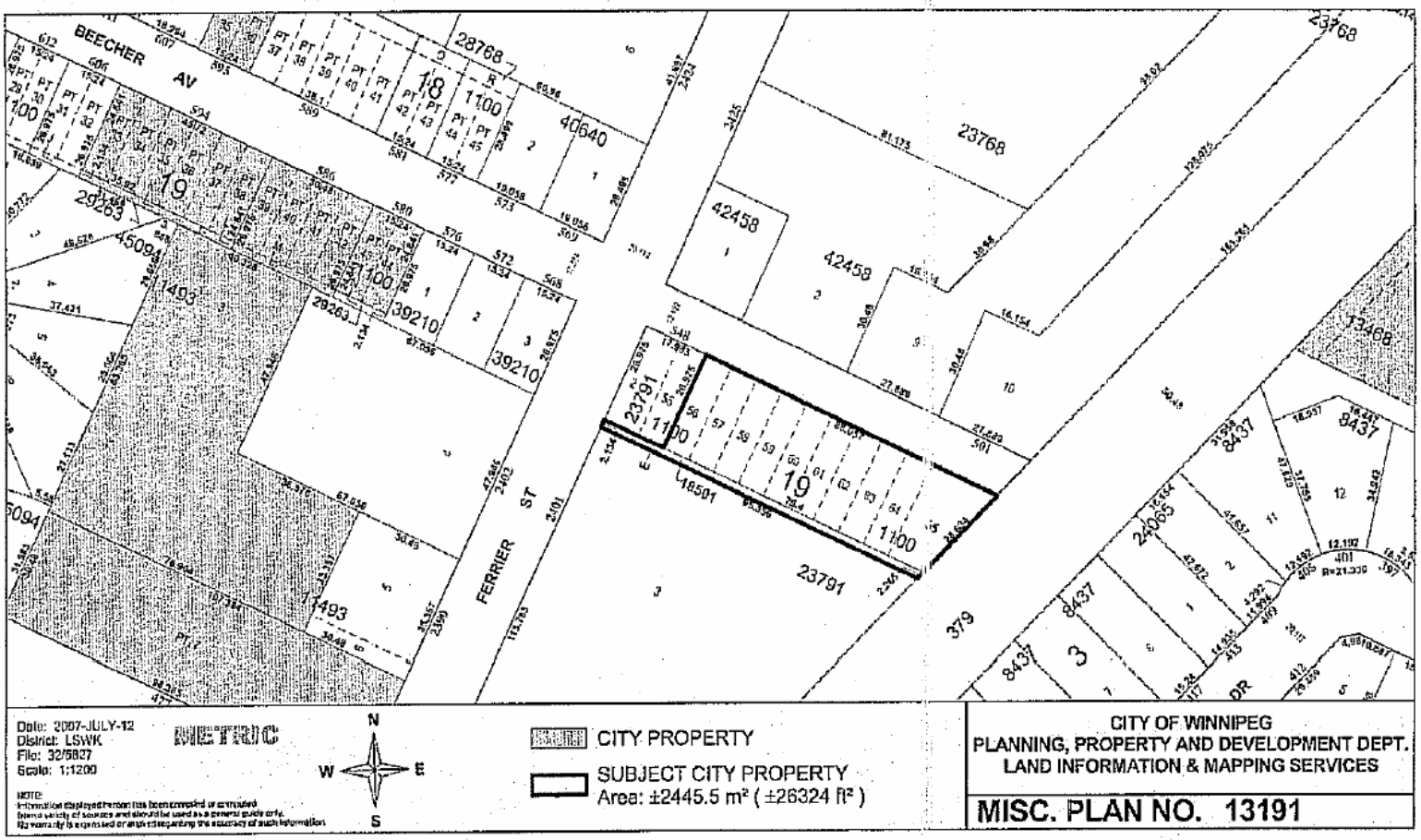

BEECHER AV
FERRIER ST
Date: 2007-JULY-12
District: LSWK
File: 32/5837
Scale: 1:1200
METRIC
N
W
E
S
CITY PROPERTY
SUBJECT CITY PROPERTY
Area: ±2445.5 m² (±26324 ft²)
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13191

Exhibit "4b" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

Public Trustee of Manitoba

155 Carlton St, Suite 500
Winnipeg, MB R3C 5R9
CANADA

Telephone: (204) 945-2723
Fax: (204) 945-0410
E-mail: John.Fergusson@gov.mb.ca

July 18, 2007

Mr. Martin Grady
Chief Zoning Administrator
Zoning and Permits Branch
31-30 Fort Street
Winnipeg MB R3C 4X7

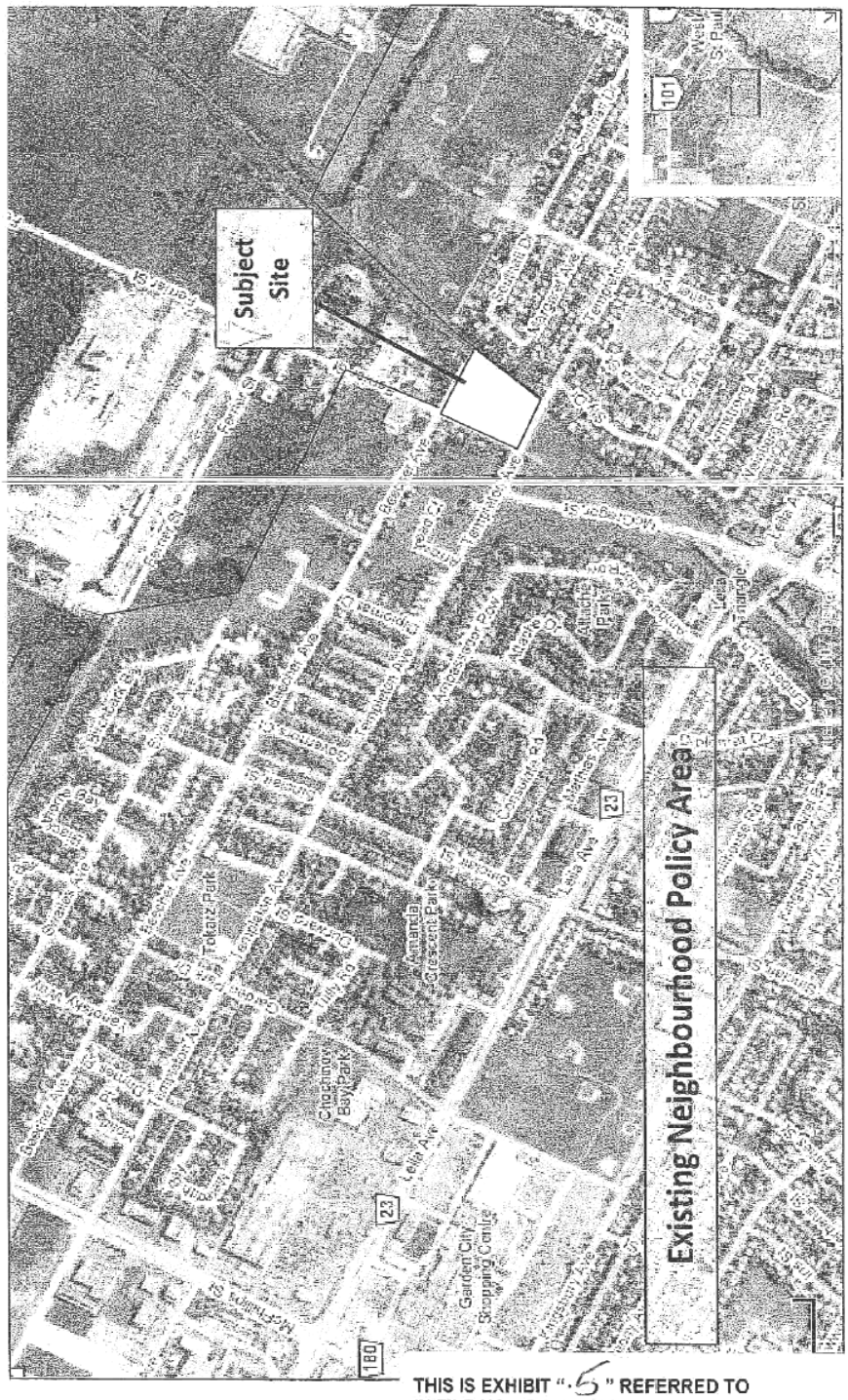
Dear Sir:

RE: Plan Winnipeg Amendment and Rezoning Applications
Certificate of Title No: 1115032
Legal Description: S.P. Lot 3, Plan 23791, WLTO in R.L. 19
Parish of Kildonan

The estate of Maria Orszak hereby authorizes Landmark Planning & Design Inc. to submit and facilitate a Plan Winnipeg Amendment application and a Rezoning application and any related municipal approvals that may arise.

Maria Orszak, by the Administrator
of her estate, the Public Trustee of
Manitoba
Per: John Fergusson
Counsel for the Public Trustee

Exhibit “5” referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]



PROPOSED PLAN WINNIPEG AMENDMENT AREA

THIS IS EXHIBIT “5” REFERRED TO
IN FILE NO. DAZ 226/2007
DATED THIS 30 day of JANUARY 2008

CLERK

Exhibit "6" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

RE:	**Rezoning - Northeast corner of Ferrier Road and Templeton Avenue**
FOR SUBMISSION TO:	**Executive Policy Committee**
ORIGINAL REPORT SIGNED BY:	**Director of Planning, Property, and Development**
REPORT DATE:	**January 21, 2008**

RECOMMENDATION:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 28/2007 dated January 17, 2008 to a "RM-2" Multiple-Family District subject to the following:

   A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

      i. That for the development of any buildings, accessory parking, and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches and roads, garbage enclosures, fencing, landscaping, lighting, and signage to the Lord Selkirk-West Kildonan Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development;
      ii. That a minimum 50 foot (15.25 metre) setback be maintained between the CPR Winnipeg Beach Subdivision rail tracks and any habitable building

   C. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated January 2, 2008.

2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless

an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

5. That the rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

7. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Report Summary

Key Issues:

- Application to rezone the subject property in order to establish a 75 unit multiple-family housing development.
- Associated with this application, a Plan Winnipeg Amendment to designate the subject lands from Industrial Policy Area to Neighbourhood Policy Area, is being considered.
- Low to medium density residential is an appropriate land use for this site provided that final plans come back to Community Committee for review to ensure that the design and layout of the proposed development and landscaping are of high quality and compatible with the area.
- Proposal meets Plan Winnipeg policies for infill development and compatible land use
- The proposed development will not have an adverse impact on adjoining properties
- Given the property influences, the proposed development is a good fit at the subject location.
- Two community meetings were held in January to discuss the proposed development. The majority of residents that attended the meetings expressed an objection to multiple-family residential and indicated a strong preference for single-family residential development.

Implications of the Recommendation(s):

General Implications

(X) None
( ) For the organization overall and/or for other departments
( ) For the community and/or organizations external to the City
( ) Involves a multi-year contract

Comment(s):

Policy Implications

(X) No
( ) Yes
Comment(s):

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, Executive Policy Committee is the designated hearing body responsible for Plan Winnipeg.

Sections 227 and 278 of the City of Winnipeg Charter provide that hearings required in respect to an amendment to Plan Winnipeg may be combined with another hearing. Since the proposed amendment (By-law 200/2007) is running concurrently with an application for rezoning and subdivision (DAZ 226/07), Executive Policy Committee will consider the Plan Winnipeg amendment and rezoning together, at the January 30, 2008 public hearing.

DISCUSSION:

Description of the Proposed Development
In conjunction with a Plan Winnipeg amendment application to re-designate lands from Industrial Policy Area to Neighbourhood Policy Area, the applicant wishes to rezone a portion of the lands to “RM-2” Multiple-Family District, for the purpose of establishing a 75 unit multiple-family housing development.

Neighbourhood Context

Existing land use and zoning

The subject property, which is currently zoned “A” Agricultural, is at the northeast corner of Ferrier Street and Templeton Avenue, in the Templeton-Sinclair neighbourhood of the Old Kildonan ward.

Surrounding land use and zoning

North: Undeveloped land zoned “A” Agricultural
South: Undeveloped land zoned “A” Agricultural
East: Railroad tracks, then residences zoned “R2” and “R1-5” Residential and open space zoned “PR-1” Parks and Recreation
West: Residences zoned “R1-5” and “R1-20” Residential

Development Analysis and Issues

Plan Winnipeg

Provided that the associated Plan Winnipeg 2020 redesignation is approved, the subject area will be, in its entirety, within a Neighbourhood Policy Area. Neighbourhood Policy Areas are intended to include 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. This development meets several key goals of Plan Winnipeg including *infilling of vacant lands* (3A-02 iv) and *supporting new development which is adjacent to, and compatible with, existing development* (3A-02v).

To that point, there is a demonstrated need for new residential development in the area and recognition that infill lands, with existing services in place, are the best place to accommodate it. Moreover, there is a growing need for all housing types, including multiple family dwellings.

Property influence

The subject property is influenced by:

a) Its odd configuration, which limits the range of development options available
b) Its adjacency to railroad tracks
c) Its adjacency to industrial development

For these reasons, the Public Service feels that low to medium density multiple-family residential is the most appropriate fit at the subject location.

Density

Under “RM-2”, which is a low to medium density multiple-family district in Zoning By-Law 6400/94, the allowable density is one dwelling unit per 1,250 square feet of lot area.

Based on the total lot area, the applicant would qualify for up to seventy six (76) units.

The Public Service believes that this density is appropriate for the site and compatible with the surrounding area.

Site Plan

Parking

The current plan includes parking stalls, which amounts to 1.5 stalls per dwelling unit. This meets Zoning By-law 6400/94 and should be more than adequate to meet the needs of residents and guests.

Access

Two approaches to the development, one each from Ferrier Street and from Templeton Avenue, are proposed.

Plan Approval

Finally, at the time of plan approval, final details, which will include the overall building styling and orientation, landscaping, and fencing will be coordinated. At this juncture, it seems appropriate to outline general goals for the final design, which will be taken into consideration when the final plans are being reviewed. (Appendix A).

Proximity guidelines for railroad tracks

The subject property abuts the CPR Winnipeg Beach subdivision. In light of this, the Public Service is recommending that minimum setbacks and sound attenuation be required for the units which are immediately adjacent to the tracks.

The recommendations are based upon guidelines developed by FCM for Canadian municipalities.

Traffic

The applicant has submitted a traffic report for the proposed development. (Appendix B) The table below indicates the pre and post traffic volumes for adjacent streets.

Table 2: Post Development Traffic Volumes

Scenario		2008 Background	2008 Post Development	Traffic Increase
Templeton & Ferrier Intersection	Weekday	6,295	6,565	4.3 %
	AM Peak Hour	765	785	2.6 %
	PM Peak Hour	1,205	1,235	2.5 %
Templeton Avenue	Weekday	5,525	5,730	3.7 %
	AM Peak Hour	645	660	2.3 %
	PM Peak Hour	1,080	1,105	2.3 %
Ferrier Street	Weekday	1,540	1,670	8.4 %
	AM Peak Hour	240	250	4.2 %
	PM Peak Hour	250	265	6.0 %

The traffic report states that the proposed traffic levels are well within acceptable levels of service for these streets.

Public Consultation
An initial community consultation took place on January 7, 2008 at the Red River Community Centre. A follow up meeting took place on January 15, 2008. At the January 7th meeting, the following concerns by residents were identified.

Land Use
A preference for single-family housing rather than multi-family housing was strongly held by most people in attendance.

Privacy
There was a concern that new multi-family residents will be able to view into backyards across the rail line to the east.

Property values
There was a fear that property values would decrease because of the development

Private approaches
The homeowners on Ferrier indicated that they preferred that Ferrier Street be limited to one approach into the development

Traffic
There are currently high volumes on Templeton and this will make the problem worse. Residents felt that the increased traffic represents a safety hazard for children who cross Templeton to go to school. They believe that accessing Templeton from Ferrier is difficult and this is made worse by many speeding vehicles.

Parking
There was concern expressed that the development will result in overflow parking onto Ferrier and other adjacent streets.

Open Space
One resident indicated that kids from the new development will use the park across the rail tracks and kids playing in that park are already disruptive.

Servicing
All servicing requirements are dealt with in the accompanying ACG report.

Land Dedication
Finally, it should be noted that cash-in-lieu of dedication for public open space is incorporated into the recommended conditions of approval.

Recommendation
The Public Service recommends approval of the proposed rezoning for the following reasons:

- Proposal meets Plan Winnipeg policies for infill development and compatible land use
- Low to medium density residential is an appropriate land use for this site provided that final plans come back to Community Committee for review to ensure that the design and layout of the proposed development and landscaping are of high quality and compatible with the area.
- The proposed development will not have an adverse impact on adjoining properties
- Given the property influences, the proposed development is a good fit at the subject location

Financial Impact Statement

Date: January 17, 2008

Project Name: **First Year of Program** **2008**

Rezoning and Subdivision - Northeast corner of Ferrier Road and Templeton Avenue (DAZ 226/07)

	2008	2009	2010	2011	2012
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	8,000	-	-	-	-
Net Cost/(Benefit)	$ (8,000)	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	(8,000)	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: The $8,000 represents the estimated amount of cash in lieu of land dedication to be collected as a result of the rezoning of the subject property.

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

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:
Water and Waste Department
Public Works Department

External Consultation With:
N/A

THIS REPORT SUBMITTED BY:

Planning, Property, and Development Department
Planning and Land Use Division
Prepared by: Michael Robinson, AICP
PPD File No. DAZ 226/07

Attachments:
1. Schedule “A” for File No. DAZ 226/07, Executive Policy Committee, dated January 17, 2008
2. Schedule “B” – Administrative Coordinating Group Report, dated January 2, 2008
3. Figure 1 – Aerial Photograph
4. Appendix A – Design Guidelines for Plan Approval
5. Appendix B – Traffic Report

O:\Reports Directive\Planning and Land Use\Urban Planning Reports\2007 Reports\Templeton Ferrier DAZ 226 07.doc

Schedule "A" to the report to the Executive Policy Committee for File DAZZ 226/2007, dated January 17, 2008.

By-Law No. _____

File No. **DAZ 210/07**

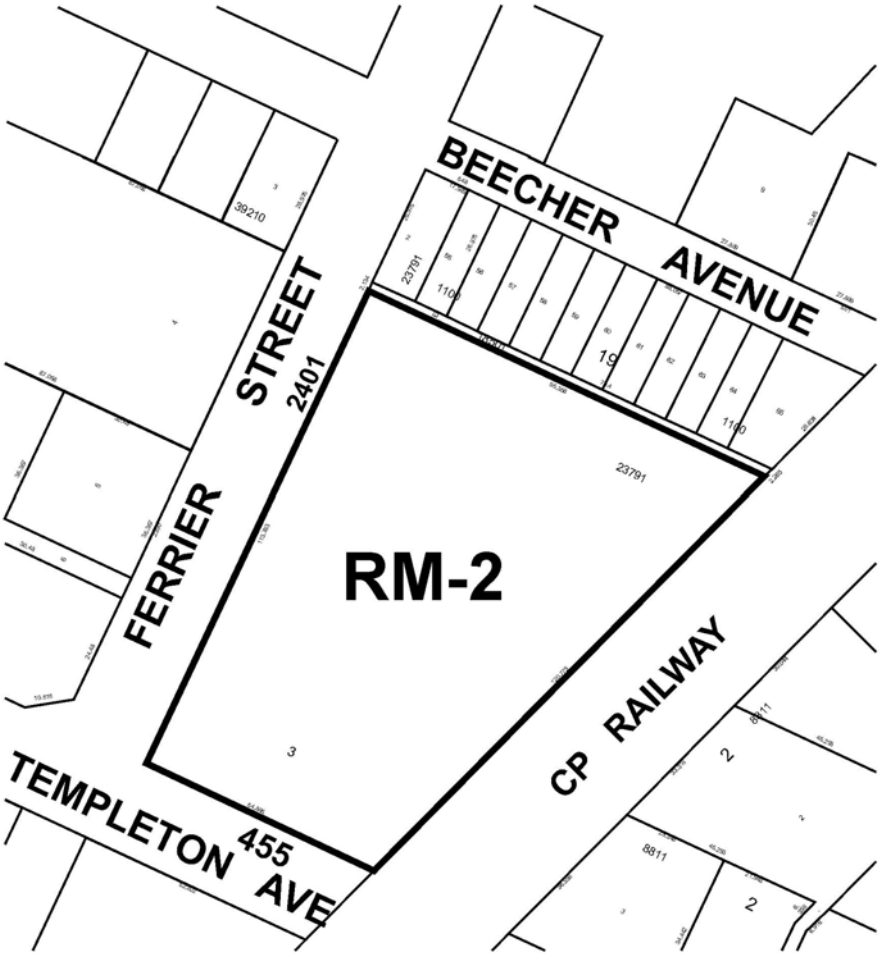
Atlas Sheet No. **T26**

N

LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located at 455 Templeton Avenue and 2401 Ferrier Street from an "A" AGRICULTURAL DISTRICT to an "RM-2" MULTIPLE-FAMILY DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Appendix A

Design Guidelines for "RM-2" lands

Purpose: To be used as guidelines when reviewing the final plan submittal for the "RM-2" lands for DAZ 226/07

Landscaping

1.) Landscaping, which is a visible indicator of quality development, should be an integral part of the development, and not merely located in leftover portions of the site.

A. That landscaping shall be provided to enhance the overall development in key areas such as the development perimeter, corners, common areas, and entryways.

Parking

2) To the maximum extent possible, parking areas should be internalized and oriented away from street frontages.

Site Planning

3) Consider setting aside an area of common open space that can be easily accessed by residents and that provides a focal point for community recreation and interaction and adds to the overall quality of life for residents. It should be purposefully integrated into the overall design of the development and not merely residual areas left over after the buildings and parking lot are sited.

The open space should be reasonably accessible to all the residents of the development. A good rule of thumb is within 500 feet of every dwelling unit in the development.

Common open space can include gardens, courtyards, recreation, or play areas and may include some of the following features:

- Seasonal planting areas
- Large, flowering trees
- Seating
- Pedestrian scaled lighting
- Gazebos or other decorative shelters
- Play structures for children
- On-site community recreation amenities

4) A minimum 50 foot building setback from the CPR Winnipeg Beach line will be required. An additional setback beyond 50 feet may be used in lieu of berming (see fencing section)

Design

5) Provide a distinctive, quality, architectural character and style that avoids monotonous and featureless building massing and design

6) New buildings should respect the context of adjacent residential neighbourhoods including the height, scale, mass, form, and character of surrounding development
7) The internal layout should ensure the privacy of residents. No balconies should be located immediately adjacent to single-family (to the north) without screening

Height

8) That the height be limited to a maximum of three stories and 35 feet

Pedestrian

9) Consider providing pedestrian connections from each building entrance to an internal sidewalk system which connects to each building and to the external sidewalk system. Where these sidewalks cross a parking lot, connections should be marked through the use of a change in paving materials and height as a signal to motorists that they should slow down upon approaching.
10) There should be at least one pedestrian connection to Templeton Avenue and one connection to Ferrier

Parking area

11) Consider breaking up large parking areas into smaller blocks of parking with landscape islands
12) Consider separating parking areas from each other by a small landscape strip
13) Parking areas abutting the right of way should be set back from the property line with enough space for soft berming and landscaping around the perimeter to provide screening and an attractive visual presentation for the property
14) Parking areas abutting the building should be set back a minimum of 10 feet with berming or hedging to screen headlight glare.

Garbage screening

15) Garbage enclosures should be oriented away from the public right of way and placed in less prominent locations on the site

Lighting

16) Eliminate adverse impacts of light spillover; provide attractive lighting fixtures and layout patterns that contribute to a unified exterior lighting design and provide exterior lighting that promotes safe vehicular and pedestrian access to and within a development.

Loading

17) Provide a loading space for each building.

Access

18) Provide at least two points of access into the development. One approach on Ferrier and one on Templeton is preferred.

Fencing and Berming

19) A 6-6.5 foot high noise attenuation fence, with a minimum TL (transmission loss) of 24 will be required along the railroad tracks. Typically, berming is required as well. However, in lieu of berming, an additional building setback beyond the required 50 feet is acceptable.

MMM GROUP

MEMORANDUM

To:	Donovan Toews	**Date:**	January 14, 2008
Company:	Landmark Planning & Design Inc.	**From:**	Kerra Mruss
CC:		**Project No:**	41961.101
		File:	710
Subject:	Proposed Multi-Family Development at Templeton Avenue & Ferrier Street Preliminary Traffic Review		

1.0 INTRODUCTION

A multi-family residential development is proposed for the northeast corner of the intersection of Templeton Avenue and Ferrier Street in northwest Winnipeg. The development is expected to include 75 apartment units. Access is proposed off Templeton Avenue as well as Ferrier Street. A brief traffic review was conducted at the intersection of Templeton Avenue and Ferrier Street adjacent to the development site.

Templeton Avenue and Ferrier Street are both two-lane undivided roadways with speed limits of 50 kilometres per hour. The intersection of Templeton Avenue and Ferrier Street is an unsignalized T-intersection. East and westbound Templeton Avenue is free-flowing through the intersection while southbound vehicles on Ferrier Street approach a stop sign at Templeton Avenue. A series of two-way and four-way unsignalized intersections are located on Templeton Avenue both east and west of Ferrier Street, and McGregor Street intersects Templeton Street at an unsignalized T-intersection (three-way stop) less than 100 metres west of the Ferrier Street intersection.

2.0 TRAFFIC VOLUMES

2.1 Background Traffic

Year 2000 traffic volumes on Templeton Avenue east of Ferrier Street and on Ferrier Street north of Templeton Avenue were obtained from the City of Winnipeg. Growth rates of approximately one percent per year were assumed for both streets, and 2000 traffic volumes were increased by 10 percent to estimate 2008 traffic volumes. Turning movements at the intersection were estimated based on the proportionate traffic volumes on Templeton Avenue and Ferrier Street.

2.2 Trip Generation, Distribution & Assignment

Trips generated by the proposed commercial development were generated for a typical weekday, weekday a.m. peak hour and weekday p.m. peak hour of adjacent street traffic. Estimates of inbound and outbound trips are based on trip rates obtained from the Institute of *Transportation Engineers Trip Generation Manual, 7th Edition*. **Table 1** summarizes the trips generated by the proposed multi-family residential development.

Suite 111, 93 Lombard Avenue, Winnipeg, MB R3B 3B1 | t: 204-943-3178 | f: 204-943-4948 | w: www.mmm.ca

Table 1: Trip Generation for the Proposed Development

Scenario		Trips Generated
Weekday (vehicles per day)	Total	600
	Inbound	300
	Outbound	300
Weekday AM Peak Hour (vehicles per hour)	Total	40
	Inbound	10
	Outbound	30
Weekday PM Peak Hour (vehicles per hour)	Total	60
	Inbound	40
	Outbound	20

Trip distribution refers to the directional split of traffic entering and exiting a site, and trip assignment assigns distributed trips to the adjacent road network. Trip distribution for this development is based on existing traffic patterns at the intersection of Templeton Avenue and Ferrier Street. The trip distribution used for the proposed development is as follows:

- 45 percent of vehicles access the development from/to the east on Templeton Avenue;
- 45 percent of vehicles access the development from/to the west on Templeton Avenue; and
- 10 percent of vehicles access the development from/to the north on Ferrier Street.

New trips generated by the proposed development were distributed and assigned to the street network based on the splits noted above. Background traffic was combined with the additional development traffic generated, distributed and assigned to the street network to determine traffic forecasts with the proposed development.

2.3 Post Development Traffic

Background and post development traffic volumes are summarized in **Table 2**. Total traffic volumes at the intersection of Templeton Avenue and Ferrier Street are forecast to increase by less than five percent on a typical weekday and less than five percent during the weekday a.m. or p.m. peak hour with the apartment complex in place.

Overall traffic volumes on Templeton Avenue are forecast to increase by less than five percent, while total traffic volumes on Ferrier Street are forecast to increase by less than 10 percent with the proposed residential development in place.

Table 2: Post Development Traffic Volumes

Scenario		2008 Background	2008 Post Development	Traffic Increase
Templeton & Ferrier Intersection	Weekday	6,295	6,565	4.3 %
	AM Peak Hour	765	785	2.6 %
	PM Peak Hour	1,205	1,235	2.5 %
Templeton Avenue	Weekday	5,525	5,730	3.7 %
	AM Peak Hour	645	660	2.3 %
	PM Peak Hour	1,080	1,105	2.3 %
Ferrier Street	Weekday	1,540	1,670	8.4 %
	AM Peak Hour	240	250	4.2 %
	PM Peak Hour	250	265	6.0 %

3.0 LEVEL OF SERVICE

Transportation guidelines state that 500 passenger cars per hour per lane is approximately equivalent to a level of service (LOS) C. Level of service is a qualitative measure that describes travel conditions in terms of speed, travel time, freedom to manoeuvre, comfort, convenience, traffic interruptions and safety. Levels of service range from A (excellent) to F (beyond capacity). In general, LOS C is considered desirable, LOS D is considered acceptable during the peak hour in an urban area, and LOS E is considered to be at capacity.

Post development weekday a.m. peak hour traffic volumes on Templeton Avenue are forecast at less than 350 vehicles per hour per lane, within desirable limits. Weekday p.m. peak hour traffic volumes along Templeton Avenue are forecast at between 500 and 600 vehicles per hour per lane in the background and post development 2008 peak hours, slightly more than desirable but still within acceptable level of service limits. Post development weekday a.m. and p.m. peak hour traffic volumes on Ferrier Street are forecast at less than 200 vehicles per hour per lane, well within desirable limits.

4.0 ALL-WAY STOP CONTROL WARRANT

An All-Way Stop Control Warrant (City of Winnipeg *Transportation Division Technical Standards and Practices*) was conducted for the intersection of Templeton Avenue and Ferrier Street. Forecast 2008 post-development traffic volumes were used for the warrant analysis (pedestrian volumes were not available for the intersection). The intersection did not meet either of the 8-Hour Volume Warrants and therefore an all-way stop is not recommended for the intersection. It should be noted that the Collision Warrant for the All-Way Stop Warrant was not completed as collision information for the intersection was not obtained for this analysis.

Exhibit "7" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

Schedule "B"

Re: Proposed rezoning of land located at the northeast corner of Templeton Avenue and Ferrier Street – DAZ 226/07

FOR SUBMISSION TO THE CHAIRPERSON AND MEMBERS OF EXECUTIVE POLICY COMMITTEE

_____

E.L. Carrière
Chairperson
Administrative Coordinating Group

January 2, 2008

Re: Proposed rezoning of land located at the northeast corner of Templeton Avenue and Ferrier Street – DAZ 226/07

An application has been submitted by Landmark Planning & Design Inc. on behalf of the owners to rezone land located at the northeast corner of Templeton Avenue and Ferrier Street.

It is recommended that approval of DAZ 226/07 be subject to the Developer entering into a Servicing Agreement as follows:

1. The Developer shall, at no expense to the City, construct portland cement concrete pavement to a width of 10.0m and a thickness of 200mm in Ferrier Street from Templeton Avenue to Beecher Avenue, and all related works including, but not necessarily limited to portland cement concrete sidewalk on the east side, boulevard landscaping in the east boulevard, and ornamental street lighting, all as determined by and to the satisfaction of the Director of Public Works. The City will endeavor, within the limits of its powers to make recoveries from other benefiting privately owned lands through subsequent agreements, or alternatively the Developer may request the City to endeavor to enact Local Improvement By-Laws for the above-referenced improvements.

2. The Developer shall, at no expense to the City, construct a portland cement concrete sidewalk to a width of 1.5m by 100mm in thickness on the north side of Templeton Avenue from the existing terminus of the sidewalk approximately 25m east of the CPR Winnipeg Beach Subdivsion to Ferrier Street as determined by and to the satisfaction of the Director of Public Works.

3. The Developer shall pay all costs associated with the installation and/or relocation of street lights and other utilities made necessary as a result of or required to accommodate works, which are required by the Developer to serve the proposed development, as determined by and to the satisfaction of the Director of Public Works.

4. The Developer shall be responsible to control and initiate the clean up of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction. The clean up of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

5. The Developer shall ensure that construction traffic uses access routes as determined by the Director of Public Works. The Developer shall maintain, at no expense to the City, the access routes in a clean, dust free and safe condition, free

   of dropped and tracked-on mud, and shall undertake regular scraping and sweeping of streets until building construction, including landscaping is complete, all as determined by and to the satisfaction of the Director of Public Works.

6. The Developer shall pay its share of the cost of land drainage sewer facilities benefiting the proposed development as determined by the Director of Water & Waste.

7. The Developer shall pay the cost of engineering services provided by or on behalf of the City in connection with the installation of services described in 1 and 2 above.

8. The Developer shall pay $1,200.00 per acre in lieu of the City's administration and related costs associated with the preparation and implementation of the Service Agreement.

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. DAS 226/07
January 2, 2008

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Land Development Engineer

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Public Works Department

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Water & Waste Department

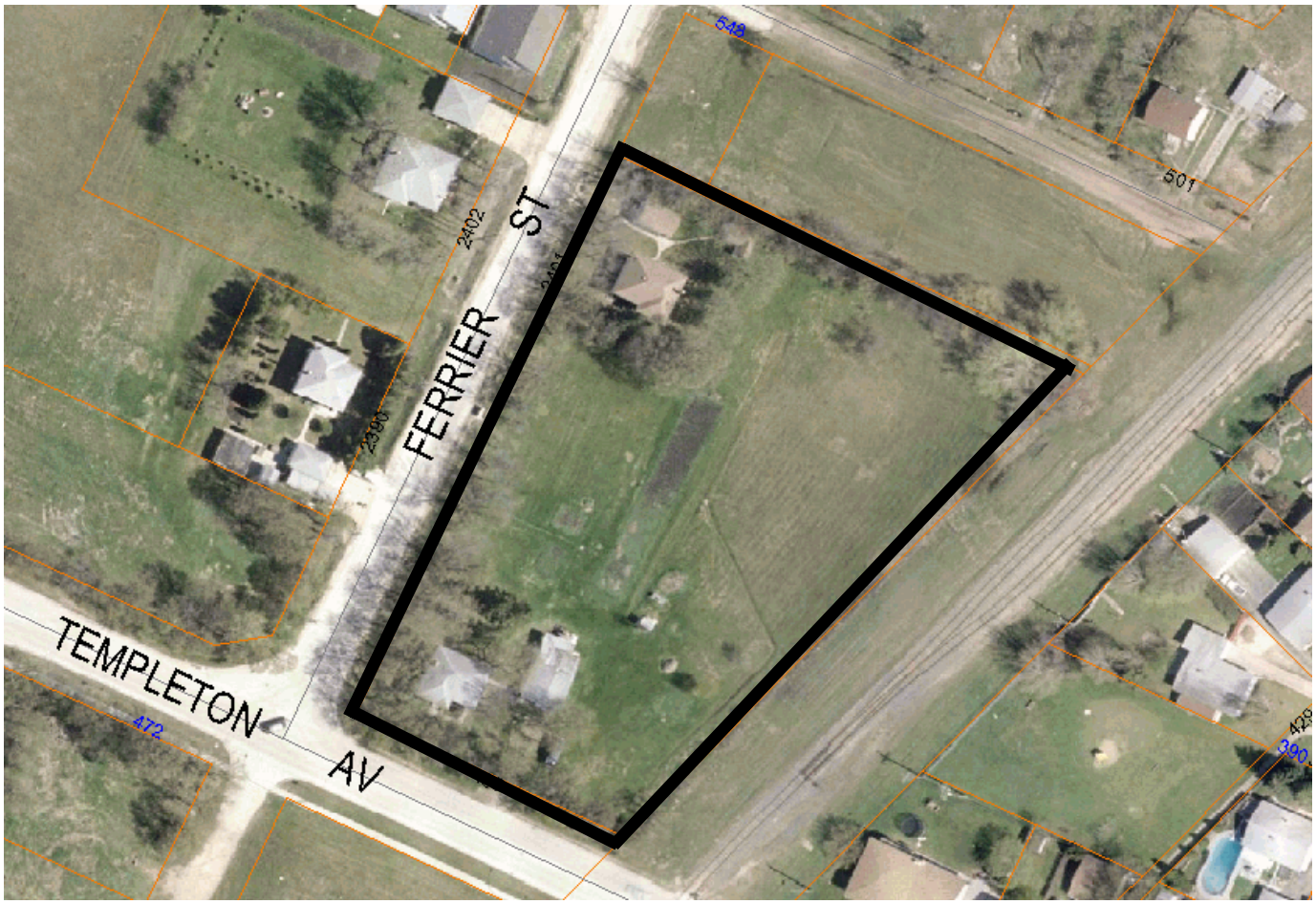

Figure 1: Aerial Photo (Flown in 2005)