Minutes - Executive Policy Committee - May 21, 2008

PUBLIC HEARINGS

Minute No. 328 **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)]**

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee did not hear any representation on the application and further adjourned the public hearing to its meeting on Wednesday, September 10, 2008 at 9:00 a.m., in the Council Building, 510 Main Street.

DECISION MAKING HISTORY:

Moved by Councillor Swandel,

That no representation be heard on the application, and the public hearing be further adjourned to the Executive Policy Committee meeting on Wednesday, September 10, 2008 at 9:00 a.m., in the Council Building, 510 Main Street.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 5, 2008, the Executive Policy Committee did not hear any representation on the application and further adjourned the public hearing to its meeting on Wednesday, May 21, 2008 at 9:00 a.m., in the Council Building, 510 Main Street.

On January 30, 2008, the Executive Policy Committee did not hear any representation on the application and adjourned the public hearing to its meeting on Wednesday, March 5, 2008 at 9:00 a.m., in the Council Building, 510 Main Street.

PUBLIC HEARING SUMMARY

File:	EP-1.1(PW 2/2007) [c/r DAZ 226/2007]
Before:	Executive Policy Committee His Worship Mayor Katz, Chairperson Deputy Mayor Leipsic Councillor Clement Councillor Steeves Councillor Swandel Councillor Wyatt
Public Hearing:	May 21, 2008 March 5, 2008 January 30, 2008 West Committee Room Council Building, 510 Main Street
Applicant:	Global Homes Ltd. (Perry McDonald) ~~Landmark Planning and Design Inc.~~ ~~(Donovan Toews)~~

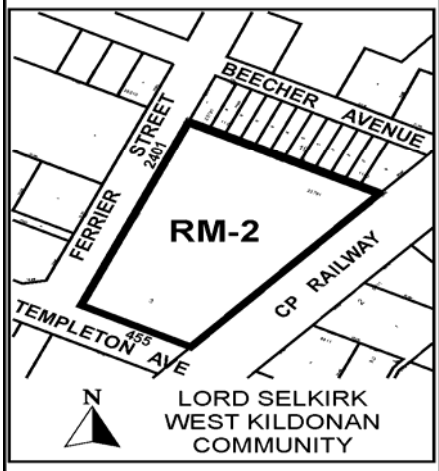
Subject:

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

9. Communication dated January 28, 2008 from Donovan Toews, Landmark Planning and Design Inc., Applicant, requesting that the application be adjourned

10. Communication dated January 29, 2008, from Kerry McKerracher in opposition to the application

11. Communication dated January 29, 2008, from Karen McKerracher in opposition to the application

12. Communication dated January 29, 2008, from Miguel and Darlene Morgadinho with respect to the application

13. Communication dated January 29, 2008 from Aurelio Gomes, Nouvelle Construction Limited, with respect to the application.

14. Communication dated January 29, 2008, from Michelle Cain with respect to the application

15. Communication dated January 30, 2008, from Sandra and Dennis Mosalowski in opposition to the application

16. Communication dated January 30, 2008, from Cynthia Spratt Goodmundson, with respect to the application

17. Petition in opposition to the application purporting to contain the signatures of 67 area residents, submitted by Nicole Dias

18. Petition in opposition to the application purporting to contain the signatures of 59 area residents, submitted by Michelle Cain

19. Petition in opposition to the application purporting to contain the signatures of 10 area businesses of the community of Ferrier Street, submitted by Billy Stefanchuk

20. Audio Recording of representations from the public hearing held on January 30, 2008

21. Notice of Adjournment dated January 31, 2008

22. Communication dated February 17, 2008, from Sandra and Dennis Mosalowski with respect to the application

23. Communication from Sandra and Dennis Mosalowski, and Irene and Bill Tokarz, submitted to area residents with respect to the application
24. Communication dated February 21, 2008 from Donovan Toews, Landmark Planning and Design Inc., Applicant, requesting that the application be further adjourned for approximately 45 days
25. Communication dated February 25, 2008 from Rick Heuchert in opposition to the application
26. Communication dated February 26, 2008 from Sandra and Dennis Mosalowski, together with petition purporting to contain the signatures of 25 area residents, in opposition to the application
27 Notice of Anticipated Adjournment dated February 27, 2008
28. Communication dated March 3, 2008, from Valerie Lempen in opposition to the application
29. Communication dated March 2, 2008, from Bryan and Heather Jansen in opposition to the application
30. Communication dated March 3, 2008, from Beverly and Eberhard Fuhl in opposition to the application
31. Audio Recording of the adjourned public hearing held on March 5, 2008
32. Notice of Adjournment dated March 5, 2008
33. Petition in opposition to the application purporting to contain the signatures of 51 area residents, submitted by Michelle Cain
34. Communication dated February 19, 2008, from Mihajlo and Mary Lepki with respect to the application, submitted by Michelle Cain
35. Communication dated March 19, 2008, from Ann and Vic Peterson with respect to the application
36. Communication dated May 13, 2008 from Perry McDonald, Global Homes Ltd., advising that Global Homes Ltd. has purchased 455 Templeton Avenue from the Public Trustee working on behalf of the estate of Mary Orszak
37. Communication dated May 14, 2008 from Perry McDonald, Global Homes Ltd., requesting that the application be further adjourned to July 2008
38. Notice of Anticipated Adjournment dated May 14, 2008
39. Letter of authorization dated May 21, 2008, from the Manager of Real Estate, City of Winnipeg, to Global Homes Ltd.

40. Communication dated May 21, 2008 from the Planner, Planning, Property and Development Department, recommending that the application be adjourned to September 2008
41. Audio Recording of the adjourned public hearing held on May 21, 2008

REPRESENTATIONS:

In Support:

Nil

In Opposition:

Nil

For the City:

Ms M. Richard, Senior Planner, Planning, Property and Development Department
Mr. M. Robinson, Planner, Planning, Property and Development Department

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 CLERKS WINNIPEG

DEVELOPMENT APPLICATION

7 DEC 14 P2:58

Unless Bearing Cash Register Imprint

G.S.T. # R121682967

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 260-661 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-2" Multiple Family ... District.

Zoning Change From: A To: RM-2

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)

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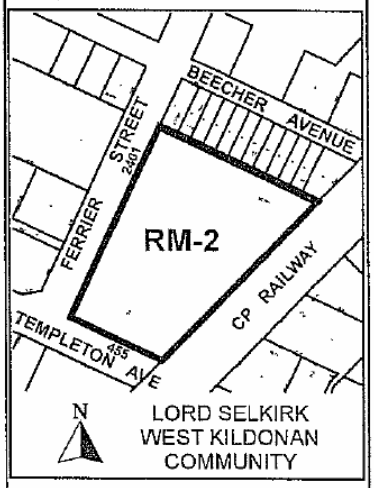

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Exhibit “3a” referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

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

MANITOBA

TITLE NO: 1115032

STATUS OF TITLE

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:

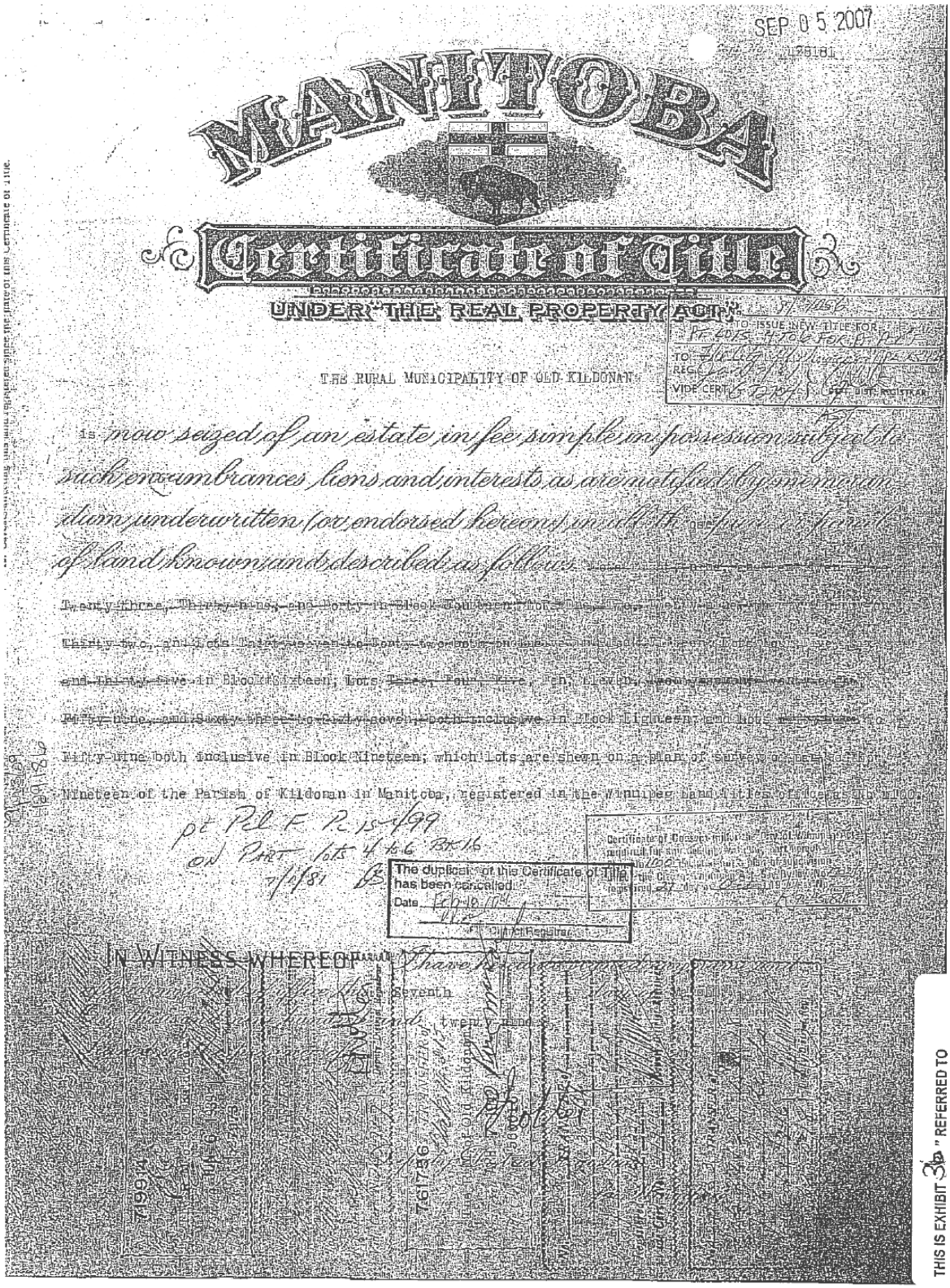
NO ACTIVE TITLE CHARGES EXIST ON THIS TITLE

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 [illegible]
REG [illegible]
VIDE CERT [illegible] DIST. REGISTRAR

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; [illegible] Thirty-two, and Lots Thirty-seven to Forty-two both inclusive in Block Fifteen; [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 15-4/99
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

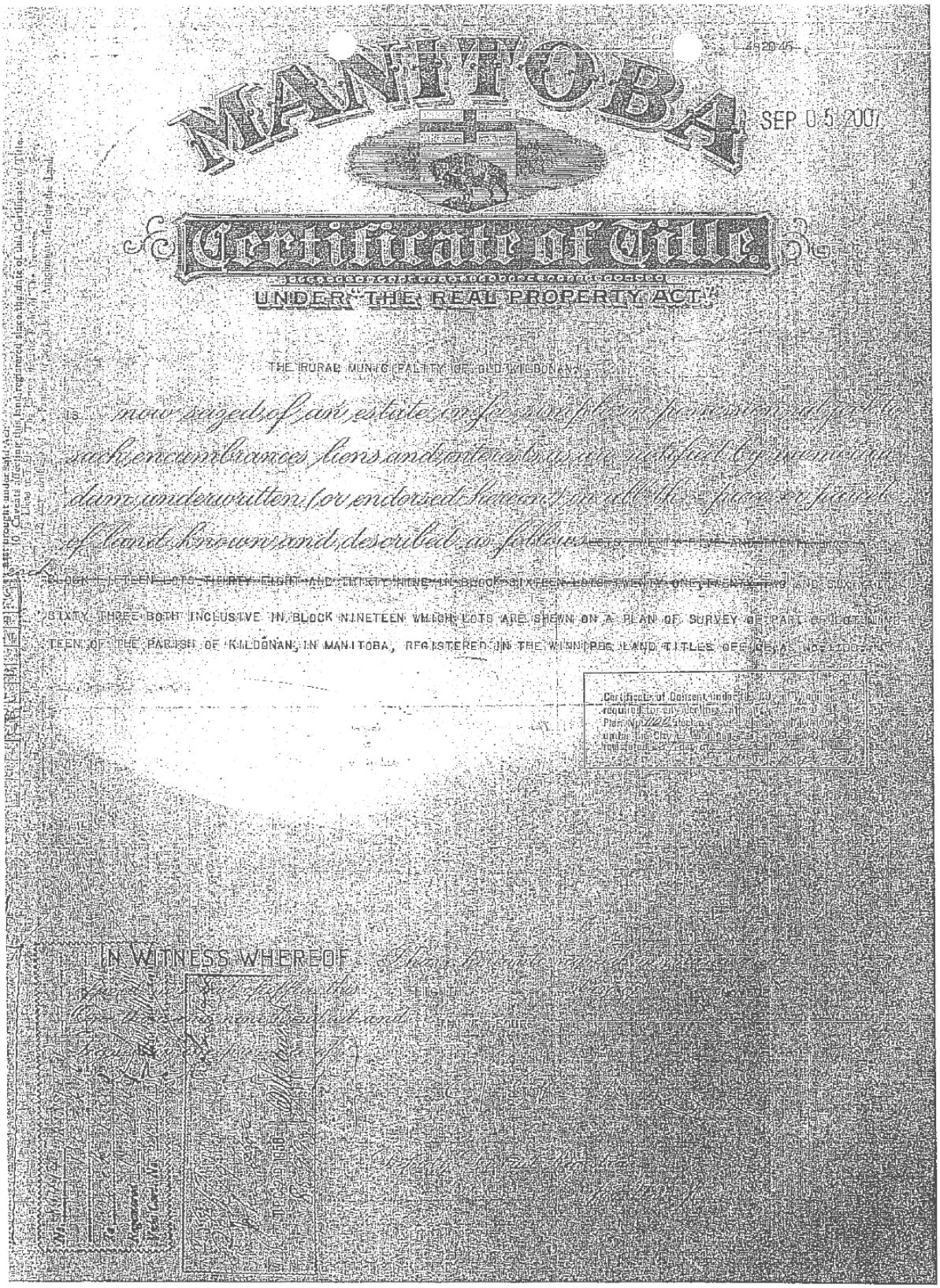
Certificate of Consent [illegible] required for any [illegible] Part [illegible] No. 1000 [illegible] the City of Winnipeg [illegible] registered 27 day of [illegible]

IN WITNESS WHEREOF [illegible] 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 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 piece or parcel of land known and described as follows: LOTS TWENTY FIVE AND TWENTY [illegible] BLOCK FIFTEEN LOTS THIRTY EIGHT AND THIRTY NINE IN BLOCK SIXTEEN LOTS TWENTY ONE, TWENTY TWO AND SIXTY [illegible] SIXTY THREE BOTH INCLUSIVE 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 dealings [illegible] Plan No. 1100 [illegible] under the City of Winnipeg [illegible] registered [illegible]

IN WITNESS WHEREOF [illegible]

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, such encumbrances liens and interests as are notified by m dum underwritten (or endorsed hereon) in all those piece 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

1100

27 Oct

The land mentioned in this Certificate of Title is under "The Real Property Act" subject by implication to:

1. Any subsisting reservation contained in the original grant of this 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 Blk 15

To The R. M. of Old Kildonan

Registered APR 7 1942

Vide Cert. No. 560616

Deputy District Registrar

761756 Blk 15 560616

No. 814143 TRANSFER of Block 16

To Nick Paise

Registered Oct 4 1949

Vide Cert. No. 598593

No. C 5 17 Blk 19

To John Boa

Registered DEC 29 1958

Vide Cert. No. 859954

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 — missing — Transfer 67462

NATURE OF INSTRUMENT	DAY AND HOUR OF ITS PRODUCTION	NAMES OF THE PARTIES
By-Law 3815/84 Closes Public Lane PL1100, affects with land. See PL 18501 — Mortgage for $	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

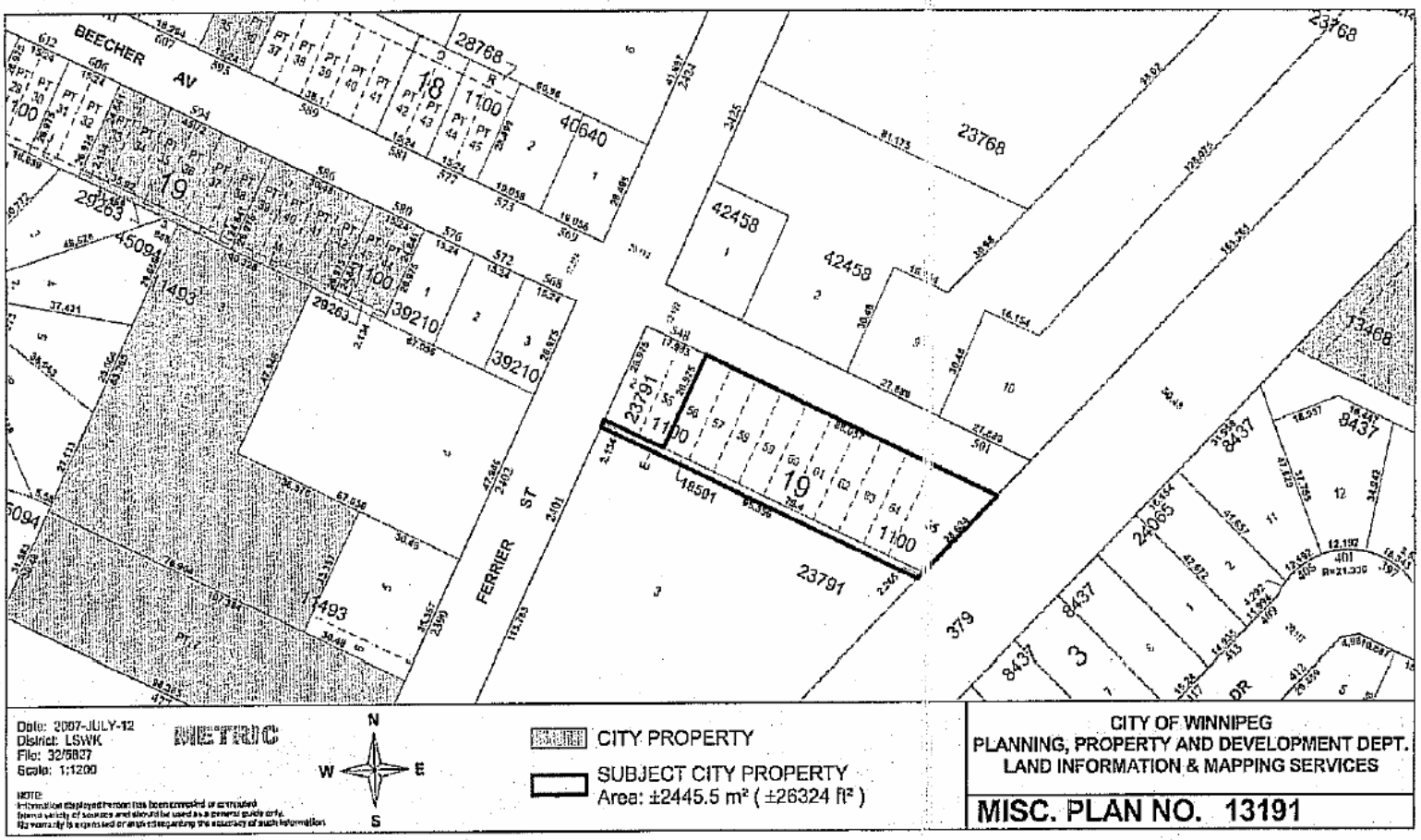

BEECHER AV
FERRIER ST
Date: 2007-JULY-12
District: LSWK
File: 32/5807
Scale: 1:1200
METRIC
N
W
E
S
CITY PROPERTY
SUBJECT CITY PROPERTY
Area: ±2445.5 m² (±26324 ft²)
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13191

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)]

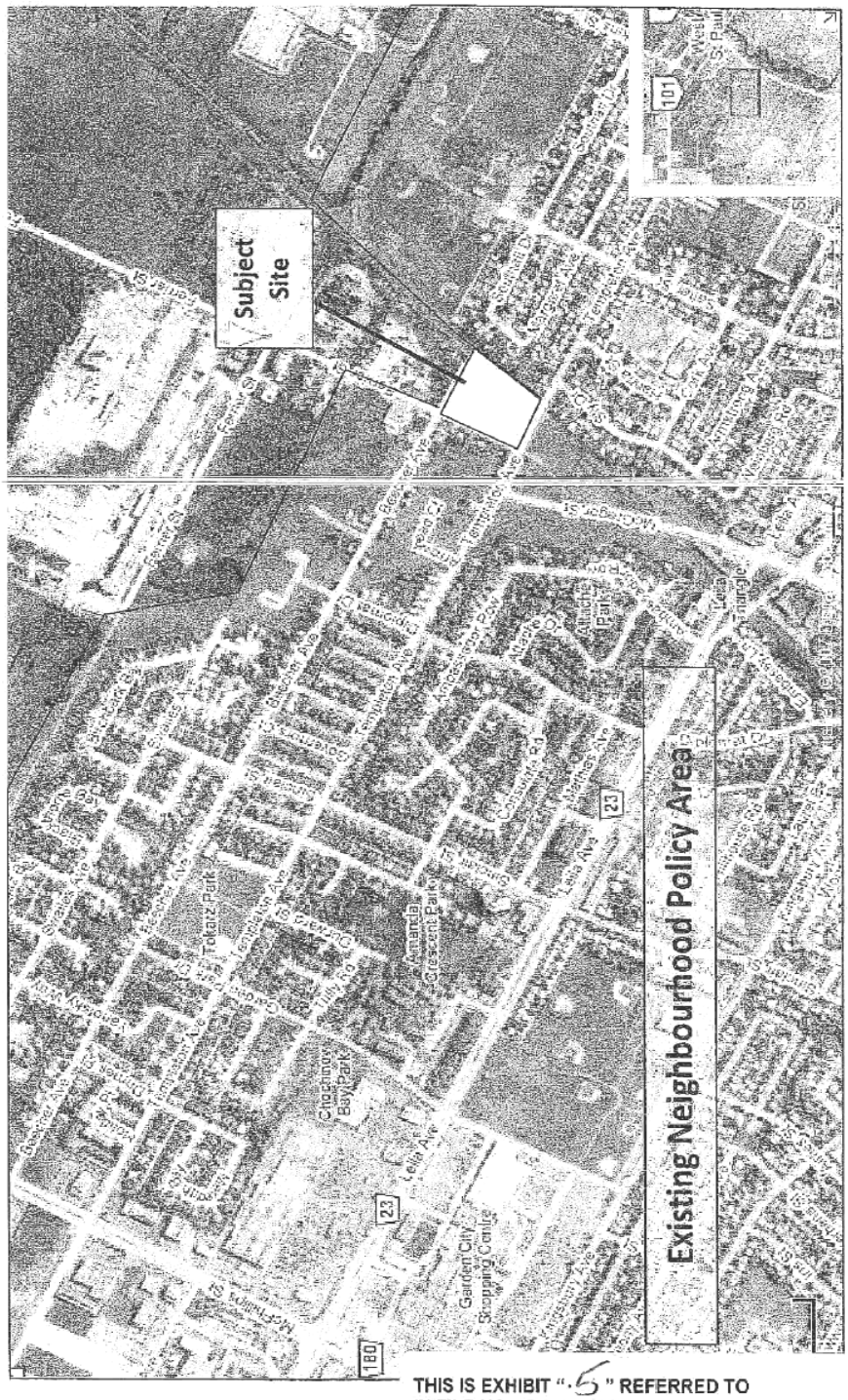


Exhibit "6" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

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

    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 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 DAZ 226/2007, dated January 17, 2008.

By-Law No. _____

File No. **DAZ 210/07**

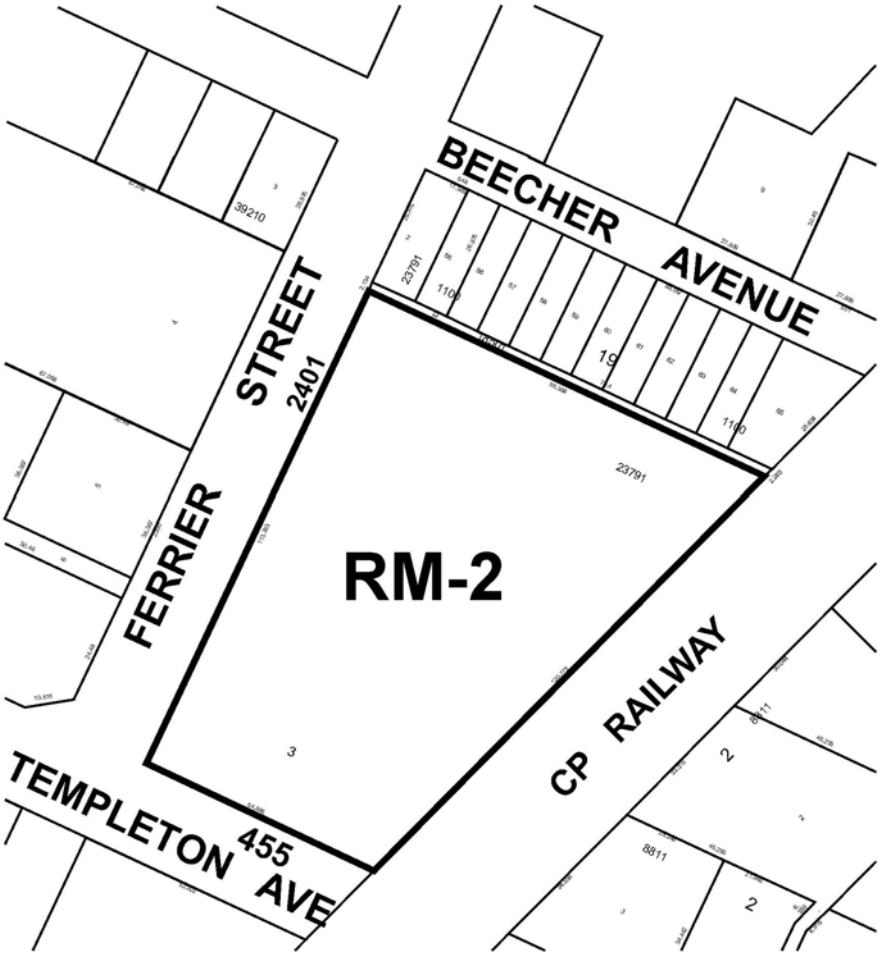
Atlas Sheet No. **T26**

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

_____
Land Development Engineer

_____
Public Works Department

_____
Water & Waste Department

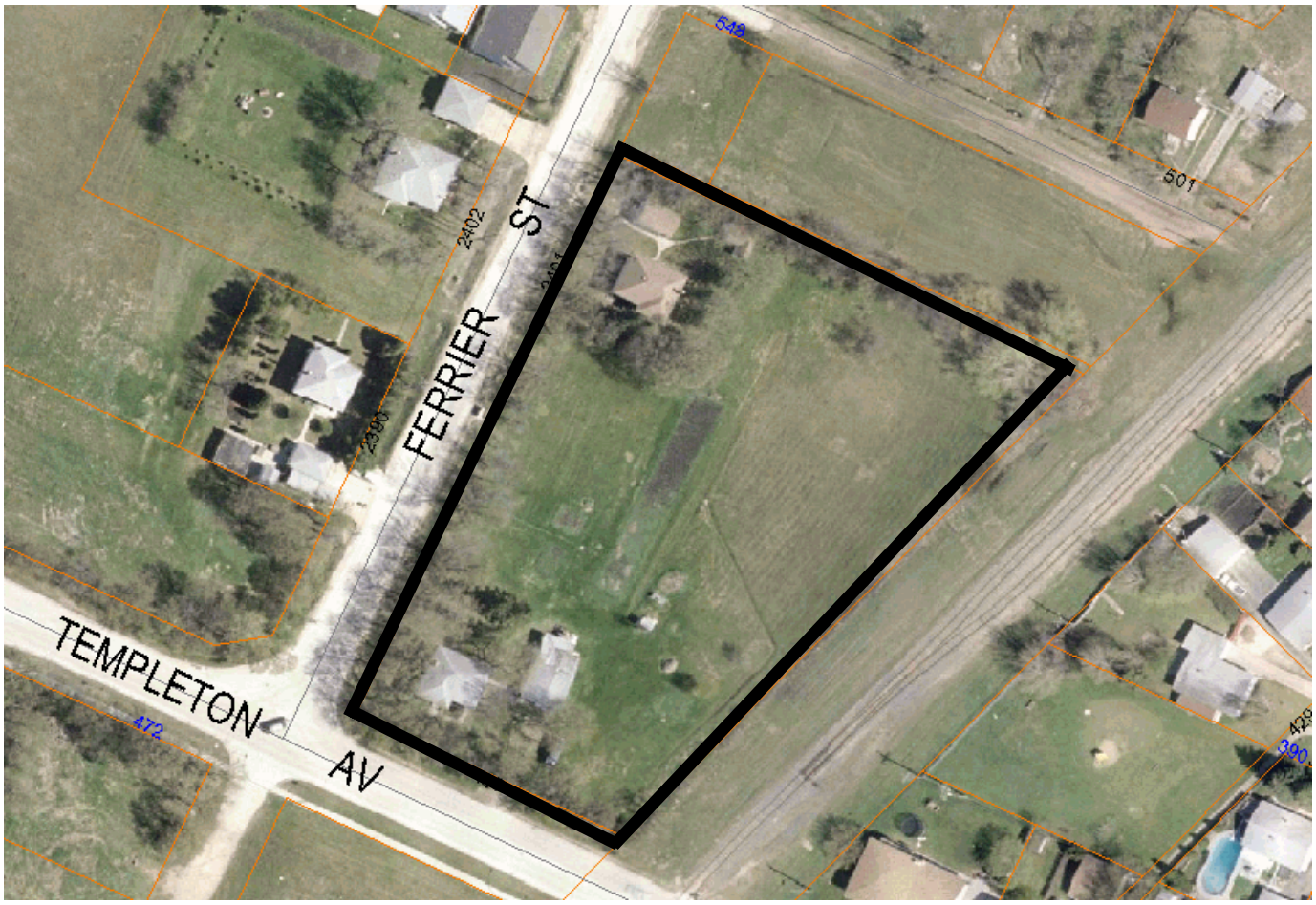


Figure 1: Aerial Photo (Flown in 2005)

Exhibit "8" 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
Main Floor, 65 Garry Street • 65, rue Garry, rez-de-chaussée
• Winnipeg • Manitoba R3C 4K4

Style to exhibit "A" referred to in the Affidavit of Ron Laubmann
sworn before me this 29th
day of January A.D. 2008
A COMMISSIONER FOR OATHS IN AND FOR THE PROVINCE OF MANITOBA. MY COMMISSION EXPIRES
09/05/24

INSPECTION REPORT

NSPECTION DECLARATION OF PUBLIC NOTICE FOR:

ile Number	:	PW 2/07 (c/r DAZ-226/2007)
Date of Public Hearing	:	Wednesday, January 30,2008
Applicant - name	:	Landmark Planning & Design Inc. (Donovan Toews)
- phone	:	

Posters - to be erected: 1 Posters – 1 large Poster on Templeton Ave

Posters - erected by: Applicant X City of Winnipeg ___

PREMISES: Land located on the corner of Templeton Avenue and Ferrier St.

1. City posted premises on: —
   Number of Posters erected: —
   (Delete where not applicable)
2. Premises Inspected on: January 21, 20
   Number of Posters on premises: 1
3. Premises Inspected on: N/A
   Number of Posters on premises: —

I, Ron Laubmann , Development Application Inspector of the City of Winnipeg, in the solemnly declare that I did on the 21st day of January, A.D. 2008, pos public notice as stated above, and I make this solemn declaration conscientiously b knowing that it is of the same force and effect as if made under oath, and by virtue of the

Declared before me at Winnipeg
In the Province of Manitoba this

29th Day of January A.D. 2008

Development Application

COMMISSIONER FOR OATHS IN AND FOR THE
VINCE OF MANITOBA. MY COMMISSION EXPIRES 09/05/24

Exhibit "A"

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:

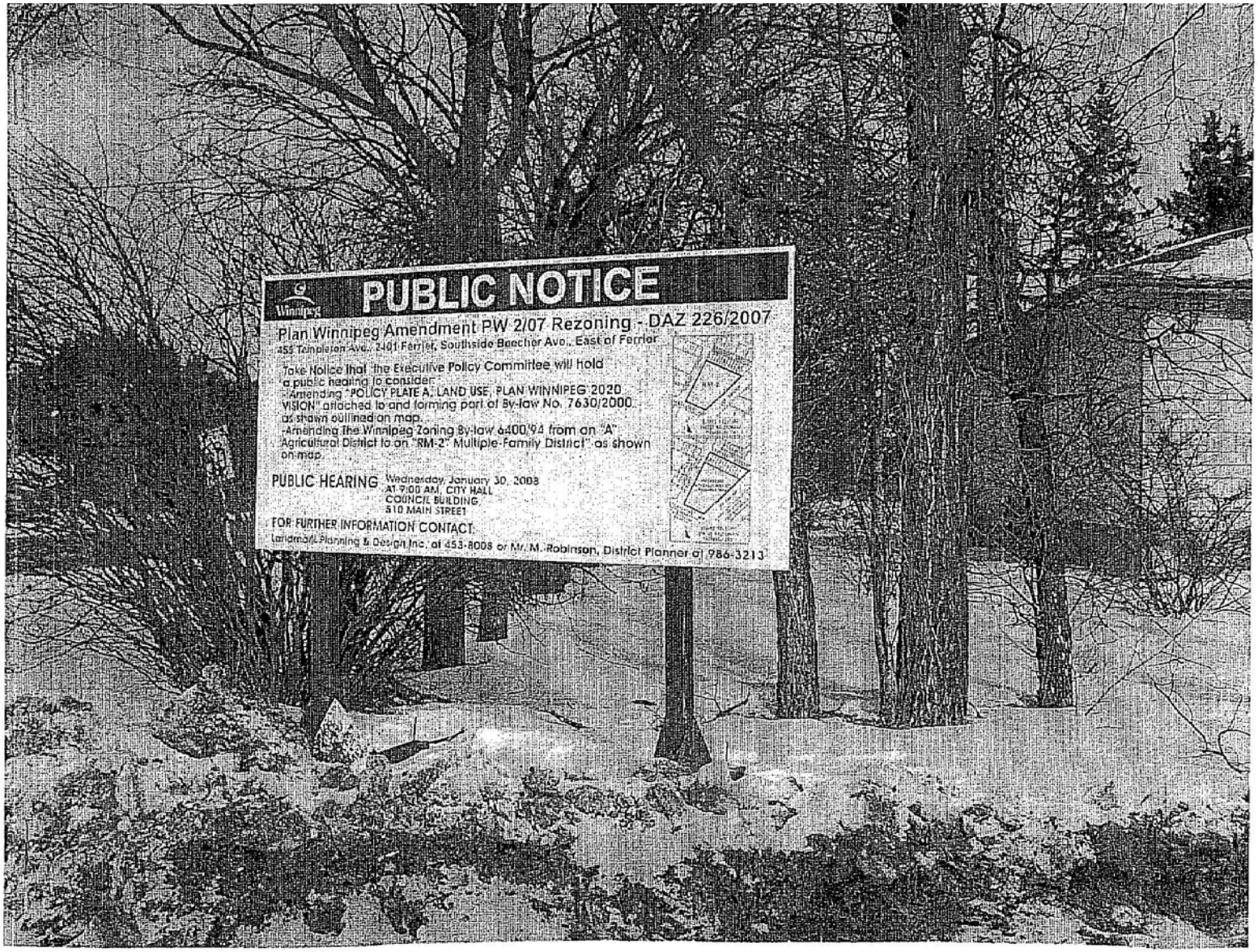


Relevant documents are available for inspection by contacting Michael Robinson, Planner, Planning Property and Development Department, at 986-3213.

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.

LORD SELKIRK - WEST KILDONAN

Templeton Ave and Ferrier St.


PUBLIC NOTICE
Plan Winnipeg Amendment PW 2/07 Rezoning - DAZ 226/2007
455 Templeton Ave., 2401 Ferrier, Southside Beecher Ave., East of Ferrier
Take Notice that 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 shown outlined on map.
-Amending the Winnipeg Zoning By-law 6400/94 from an "A" Agricultural District to an "RM-2" Multiple-Family District" as shown on map.
PUBLIC HEARING Wednesday, January 30, 2008
AT 9:00 AM, CITY HALL
COUNCIL BUILDING
510 MAIN STREET
FOR FURTHER INFORMATION CONTACT:
Landmark Planning & Design Inc. at 453-8008 or Mr. M. Robinson, District Planner at 986-3213

COW Copy

Winnipeg

RECEIVED
CITY CLERKS
WINNIPEG
8 JAN 29 P12:36

Planning, Property and Development Department • Service de l'urbanisme, des biens et de l'aménagement
Development and Inspections Division • Division de l'aménagement et des inspections

January 9, 2008

Donovin Toews
Landmark Planning & Design Inc.

Dear Sir/Madam:

RE: EAST SIDE OF FERRIER STREET, BETWEEN TEMPLETON AND BEECHER AVENUE – 2401 FERRIER STREET

POSTERS MUST BE PLACED ON THE SUBJECT PROPERTY NOT LATER THAN JANUARY 15, 2008.

IT IS YOUR RESPONSIBILITY AS THE APPLICANT TO:

1. Erect and maintain the posters in the following manner:
   a. ON the subject property.
   b. No more than one (1) metre (3 feet) in from the property line.
   c. Facing out towards all street and lane frontages in a manner that they can easily be read by passersby on the sidewalk, street or lane.
   - Posters may be attached to any surface such as walls, fences or within windows provided the above regulations are followed, or if necessary, by using stakes driven into the ground.
   - POSTERS MUST NOT BE ATTACHED TO PUBLIC UTILITY POLES OR TREES ON PUBLIC LANDS.* ANY SUCH PLACEMENT WILL CONSTITUTE A VIOLATION OF THE POSTING REQUIREMENTS AND THE STREETS BY-LAW NO. 1481/77 AND WILL BE SO NOTED ON THE POSTING INSPECTION REPORT.
   - Posters must remain up for the required fourteen (14) days prior to the public hearing, not including the posting date or the hearing date. (* The City Forester advises you are not to attach the poster to any tree on your property to avoid long term damage to the tree through disease and insect infestations.)
2. Arrange to obtain replacement posters by calling this office at 986-2533 immediately if posters have been damaged or removed due to vandalism or adverse weather conditions.
3. Correct any irregularities in our posting or departures from the written instructions on the application form, as may be pointed out to you by the posting inspector.
4. Remove all notices from the subject property immediately after the date of the public hearing.

The subject property will be inspected during the posting period and you will be notified if the posting procedure is not being adhered to. This does not, however, preclude your own surveillance of the property or your responsibility to contact this office should you notice any irregularities. The posting inspector will present a posting inspection report at the public hearing.

Yours truly,

Zoning and Permits Administrator

M. Grady
cc: Public Hearing Clerk

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

DONOVIN TOEWS

THIS IS SCHEDULE "A" ATTACHED TO AND FORMING PART OF BY-LAW No. 5893/92

SITE POSTING SPECIFICATIONS

Sign Specifications

1. Materials for a 4 foot X 8 foot sign shall include laminated plywood or other wood by-product board (½ inch thick) or corrugated plastic (10 mil thick). Sign shall be affixed to a building wall or free-standing using 4 inch X 4 inch posts or secured to a skid structure and anchored to the ground. Sign installation shall be certified by a qualified, registered professional engineer.

2. Plywood or wood by-product board shall have front and back sides, and all edges shall be painted with white acrylic exterior enamel.

3. All lettering shall be black with fonts and sizes as per attached sample and requirements set out on page 2 of this Schedule.

4. All signs shall be pre-approved by the Director of Planning, Property and Development (or designate) prior to installation and shall be placed on the site in accordance with the approved plan.

Applicant Information Area (located at the bottom of the sign)

1. Applicant area shall be not less than 8 inches and not more than 16 inches from the bottom of the sign.

2. Applicant information may not be used for promoting, selling or advertising a product and/or service.

3. Applicant information area may contain: developer/owner/applicant name(s), address, phone number, email or web site address including a rendering of the proposed building or development.

4. Colour may be used in the applicant information area; however, this area is not intended to detract from the primary purpose of the Public Notice.

5. Applicant information area, including size, colour and content, is subject to the approval of the Director of Planning, Property and Development (or designate).

Site Posting Instructions

1. The site shall be posted no more than 21 days or less than 10 days prior to the date of the first public hearing.

2. If the sign is for a Variance and or Conditional Use application, either in whole or in part, the site shall be posted no more than 21 or less than 14 days prior to the date of the first public hearing.

3. Sign posting shall be maintained until final disposition of the application(s); that is, until after the decision of the designated Committee is posted on the City's website.

4. Sign shall be removed no sooner than 1 day nor more than 14 days after the final disposition of the application.

5. Bottom edge of the 4' X 8' sign shall be a minimum of 4 feet and a maximum of 8 feet above ground level.

6. Sign shall be located no further than 3 feet from a property line.

7. Applicant may use a sign vendor of their choice.

8. If installing a sign using 4" X 4" posts, applicant must Call Before You Dig (480-1212) – Manitoba Hydro

Exhibit "9" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

From: Donovan Toews
Sent: Monday, January 28, 2008 3:38 PM
To: Park, Jo-Ann
Cc: Fergusson, Exhibit "12" referred to in File EP-1.1(PW 2/2007) [c/r DAZ 226/2007]
John (TPT)
Subject: DAZ 226/07 and PW 200/07

Ms. Park,

Respecting City of Winnipeg file numbers noted above related to lands located at the northeast corner of the intersection of Templeton Avenue and Ferrier road, the applicant is requesting that both the rezoning application as well as the Plan Winnipeg amendment application be adjourned to a future date, in order to allow the applicant time to re-examine development options for this site. We anticipate that we would require approximately one month in order to carry out our investigations.

Could you please confirm that our request has been received.

Thanks kindly,

Donovan Toews
Landmark Planning & Design Inc.
453-8008 or 791-4259

Exhibit “10” referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

From: Kerry McKerracher
Sent: Tuesday, January 29, 2008 1:39 PM
To: Park, Jo-Ann
Cc: Lazarenko, Harry
Subject: FW: Templeton and Ferrier

To : Clerk, Jo-Ann Park

From Kerry McKerracher
Homeowner at 487 Sly Drive, Winnipeg

Dear Jo-Anne,

I received your email address from Councilor Harry Lazarenko's office and wanted to express my concern and OBJECTION to the re-zoning of the attached Parcels of land.

I am unable to attend the re-zoning meeting to be held City Hall tomorrow at 9:00 A.M. due to a previous commitment.

I am emailing you to express my concern and OBJECTION at the re-zoning of the Parcels of Land off of Ferrier and Templeton and Ferrier and Beecher.

Due to the Increased Traffic flow in the area I do not think we should allow re-zoning for density higher than Single Family Dwellings.

Templeton is already a very busy street due to the WAL-Mart located at McPhillips and Templeton and Further Traffic on this street would present a major problem to Kids crossing to the Park located behind the railroad tracks with access from Templeton across from SLY Drive. My 12 Year old Son Walks this way to the park, and to his friends as well as to the community centre located at the end of Salter Street. While he may be old enough to watch for Cars I still am concerned with Him crossing as there is a incline at the railway tracks and it is hard to see cars coming east on Templeton when you are looking from the corner of Sly Drive and Templeton.

I am also concerned about over-flow parking on the residential streets in the Neighborhood.

While I am not directly adjacent to the proposed re-zoning, if approved I fear it will impact my family in a negative way due to the concerns expressed above.

Please pass on my OBJECTION to the proposed re-zoning to the council members.

Thanks in Advance
Kerry McKerracher

Exhibit "11" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

From: Karen_McKerracher
Sent: Tuesday, January 29, 2008 2:07 PM
To: Park, Jo-Ann
Cc: Lazarenko, Harry

Subject: Templeton & Ferrier

From Karen McKerracher
Homeowner at 487 Sly Drive
Winnipeg, MB R2V 2H3

Dear Jo-Anne,

I received your email address from Councilor Harry Lazarenko's office and wanted to express my concern and OBJECTION to the re-zoning of the attached Parcels of land.

I am unable to attend the re-zoning meeting to be held City Hall tomorrow at 9:00 A.M. due to a previous commitment.

I am emailing you to express my concern and OBJECTION at the re-zoning of the Parcels of Land off of Ferrier and Templeton and Ferrier and Beecher.

Due to the Increased Traffic flow in the area I do not think we should allow re-zoning for density higher than Single Family Dwellings.

Templeton is already a very busy street due to the WAL-Mart located at McPhillips and Templeton and Further Traffic on this street would present a major problem to Kids crossing to the Park located behind the railroad tracks with access from Templeton across from SLY Drive. My 12 Year old Son Walks this way to the park, and to his friends as well as to the community centre located at the end of Salter Street. While he may be old enough to watch for Cars I still am concerned with Him crossing as there is a incline at the railway tracks and it is hard to see cars coming east on Templeton when you are looking from the corner of Sly Drive and Templeton.

I am also concerned about over-flow parking on the residential streets in the Neighborhood.

While I am not directly adjacent to the proposed re-zoning, if approved I fear it will impact my family in a negative way due to the concerns expressed above.

Please pass on my OBJECTION to the proposed re-zoning to the council members.

Thanks in Advance
Karen McKerracher

Exhibit “12” referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

From: Miguel Morgadinho
Sent: Tuesday, January 29, 2008 7:11 PM
To: Park, Jo-Ann
Subject: Templeton\Ferrier Project Proposal
I wish to participate in the process for the Templeton\Ferrier Project. Please keep me informed on any important dates and meetings. Thanks

Miguel Morgadinho
and
Darlene Morgadinho

Exhibit “13” referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

From: Gomes
Sent: Tuesday, January 29, 2008 7:51 PM
To: Park, Jo-Ann
Subject: Beecher & Templeton Project
Attention: Jo-Ann Park

Hello,

Please note that I wish to participate in the process with regard to the Beecher & Templeton Project.

Nouvelle Construction Limited
Aurelio Gomes
2425 Ferrier Street

Thank you for your consideration.

Regards,

A. Gomes

Exhibit “14” referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

From: michelle
Sent: Tuesday, January 29, 2008 10:37 PM
To: Park, Jo-Ann
Subject: ferrier@templeton

michelle cain

I wish to participate in the process
(ferrier @ templeton) my petition will be submitted
by nicole dias

Thanks Michelle Cain

Exhibit "15" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

From: Dennis Mosalowski
Sent: Tuesday, January 29, 2008 10:06 PM
To: CLK-City-Clerks
Cc: Hurley, Chris
Subject: Executive Policy Committee Mtg re Rezoning 455 Templeton, 2401 Ferrier

Unfortunately, we will be unable to attend the Executive Policy Committee meeting to be held January 30, but we would like to voice our concerns in regard to the proposed rezoning of this parcel of land and the subsequent development of apartment buildings in this area.

As long time residents in the Margaret Park area, we have noted the increased traffic flow on Templeton already, especially since the construction of the Wal-Mart on McPhillips, and the new housing developments which feed into Templeton. Templeton is already used by non-area residents as a major thoroughfare between Main and Mcphillips, a use for which it was not designed . Residents on Templeton already have to back out onto an increasingly busy street, and we notice that quite a few of these homes are put up for sale. This would indicate to us that the increased traffic is making the homes along the street less desireable. The intersection of Templeton and McGregor is not the only intersection to be considered in traffic flow studies, as already there are lineups of traffic waiting to get onto Main Street, where there is only an uncontrolled intersection. Construction of apartment buildings in this residential area will only compound this problem.

City planners allot 1.5 parking spaces per rental unit, however, most families now have more than one vehicle, and visitors will not be able to park on site, especially on holidays and special occasions. Since limited parking exists on Templeton itself, the overflow will end up on nearby streets such as Ferrier, Beecher, and even Sly Drive and Hannah.

Passage of this rezoning would set a precendent to allow future apartment building construction along McGregor. Our preference, and that of the majority of the people in the existing area, would be to limit development to single family dwellings, in keeping with the makeup of the existing neighbourhood. In fact, new housing in this area presently consists of single family dwellings such as the large new development north of Templeton, between Ferrier and Diplomat.

Please give our concerns due consideration when discussion takes place at the Executive Policy Committee meeting.

Yours Truly,
Sandra and Dennis Mosalowski

Exhibit “16” referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

From: SprattGoodmundson, Cynthia (FSH)
Sent: Wednesday, January 30, 2008 8:55 AM
To: Park, Jo-Ann
Subject: Meeting regarding Ferrier/Templeton property
I wish to be included in the process regarding the Ferrier/Templeton property and notified of the date for the second meeting. My address is as follows;

Cynthia Spratt Goodmundson

Exhibit "17" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

Petition

January 8, 2008

We the undersigned, do not agree with the construction of the new apartments to be built in the north east corner of Templeton Street and Ferrier Road and adjacent to CP Rail line.

	Name:	Address:	Phone #:	Signature:
1	Nicole DIAS			
2	Adelino DIAS			
3	Darlene Morgadinho			
4	Miguel Morgadinho			
5	IVAN PECUH			
6	Simone Penberthy			
7	IVAN GRDIC			
8	LINDA BOIVIN			
9	DINO VABERI			
10	CRISTINA CRUZ			
11	JOE CRUZ			
12	PETE POWOROZNYK			
13	IRENE POWOROZNYK			
14	ZVI GITTER			
15	IMP CABINTS			
16	Wendy Williams			
17	Kevin Williams			
18	Karlee Williams			
19	BARB LABEDZ			
20	RANDY TRAFIAK			
21	Christina Lewis			
22	Ida Caligiuri			
23	CARLOS MARQUES			
24	Elizabeth Olivera			
25	TRUDY STEFURA			
26	SURINDER Thin			
27	Delia Russell			
28	BRAD RUSSELL			
29	[illegible] SOUSA			
30	SUSANA SOUSA			
31	ROGER HINES			
32	[illegible]			
33	Salvador S. Hermoso			
34	DAVID McINDLESS			
35	GAIL McINDLESS			
36	BM-COLE			
37	ODAIR R. BONITO			
38	Maria D. Bonito			
39	Ian Collins			
40	[illegible]			
41	M. HARASEMIW/MARIA			

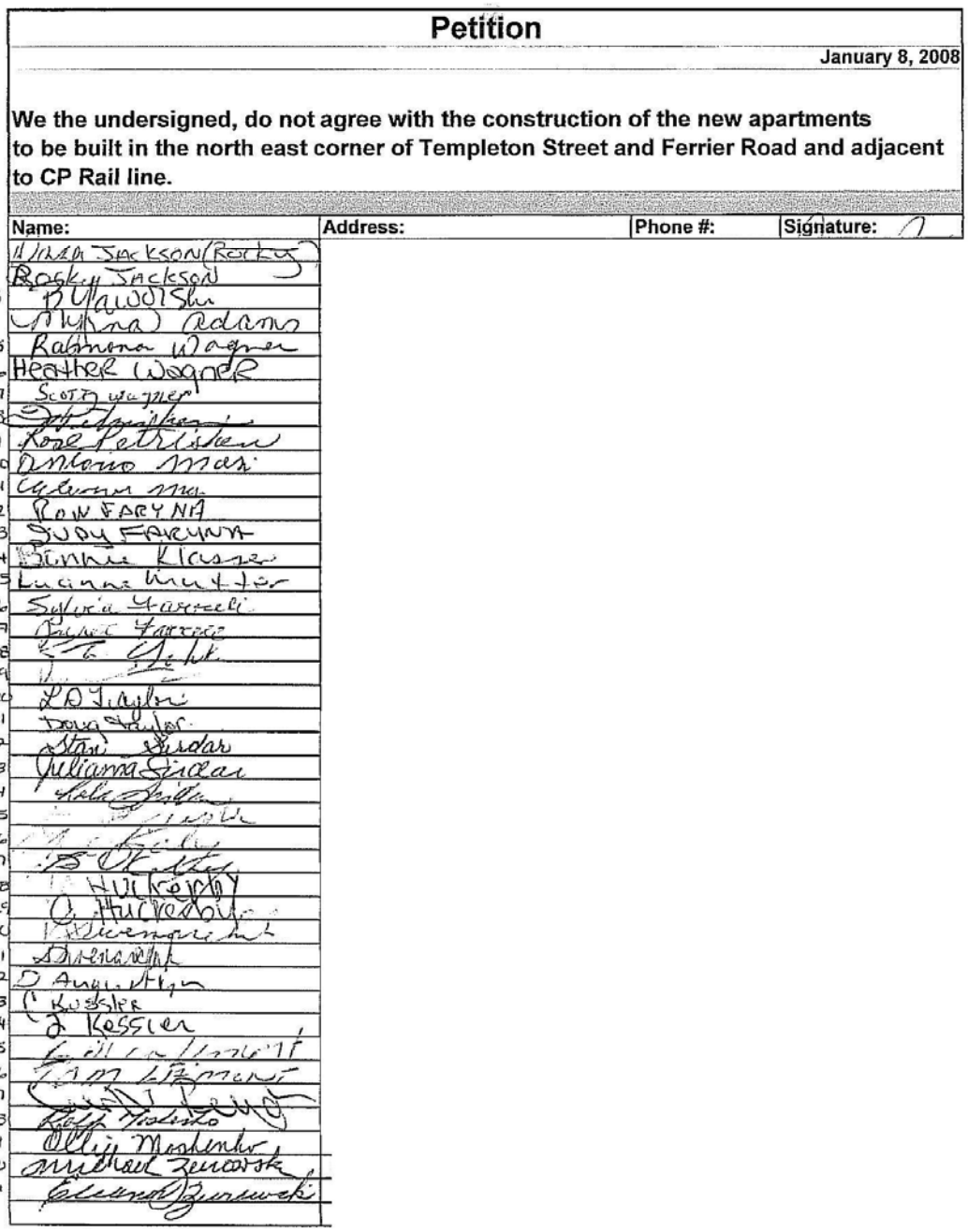
Petition

January 8, 2008

We the undersigned, do not agree with the construction of the new apartments to be built in the north east corner of Templeton Street and Ferrier Road and adjacent to CP Rail line.

	Name:	Address:	Phone #:	Signature:
42	METRO HARASEMILO			
43	JAN HERMAN			
44	KEVIN STEINKE			
45	Anna Day			
46	[illegible]			
47	MARTO FONSECA			
48	DANIEL MACAMLON			
49	KATHY ASSORO			
50	Lee Gomes			
51	Doris F. Gomes			
52	[illegible]			
53	~~[illegible]~~ JEREMY LE			
54	J. Jimmy Le			
55	Tuan Le			
56	Carol Mykytiuk			
57	Peter Mykytiuk			
58	Nicholas Mykytiuk			
59	P. Mykytiuk			
60	M. J. Mykytiuk			
61	B. Mykytiuk			
62	Jean Rodrig			
63	MARY-ERIC LAHOPER			
64	Don Wigo Protain			
65	BARCLAY RANVILLE			
66	Julieta DePaula			
67	Diane Cameron			

Exhibit "18" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]



Petition

January 8, 2008

We the undersigned, do not agree with the construction of the new apartments to be built in the north east corner of Templeton Street and Ferrier Road and adjacent to CP Rail line.

	Name:	Address:	Phone #:	Signature:
1	Wara Jackson (Rocky)			
2	Rocky Jackson			
3	B Yawolski			
4	Myrna Adams			
5	Ramona Wagner			
6	Heather Wagner			
7	Scott Wagner			
8	[illegible]			
9	Rose Petrishen			
10	Antonio Masi			
11	[illegible]			
12	Ron Faryna			
13	Judy Faryna			
14	Bonnie Klasser			
15	Luanne Mutter			
16	Sylvia Farrell			
17	[illegible]			
18	[illegible]			
19	[illegible]			
20	L D Taylor			
21	Doug Taylor			
22	Stan Sirdar			
23	Julianna Sirdar			
24	[illegible]			
25	[illegible]			
26	[illegible]			
27	[illegible]			
28	[illegible] Huckerby			
29	[illegible] Huckerby			
30	[illegible]			
31	[illegible]			
32	D Angie Atyn			
33	C Kessler			
34	J Kessler			
35	[illegible]			
36	Tom Lemont			
37	[illegible]			
38	[illegible]			
39	Ollie Moshenko			
40	Michael Zurowski			
41	Eleanor Zurowski			

42 sheet

Petition

January 8, 2008

We the undersigned, do not agree with the construction of the new apartments to be built in the north east corner of Templeton Street and Ferrier Road and adjacent to CP Rail line.

	Name:	Address:	Phone #:	Signature:
42	DEAN ROMANS			
43				
44	CARLO BERNASCHI			
45	[illegible]			
46	Laura Meisner			
47	LIZ DILLON			
48	Kent Simmons			
49	CLIFF DIAKIW			
50	LYNNE JAMESON			
51	JAY JAMESON			
52	Earl C Parker			
53	Ricardo Veloso			
54	[illegible]			
55	[illegible]			
56	Dennis Schoettle			
57	[illegible]			
58	Brian Talling			
59	Michelle Cain			

Exhibit "19" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

To The Executive Policy Committee - City of Winnipeg

Petition

The Business Community of Ferrier Street takes no current position with regards to the **Plan Winnipeg Amendment PW 2/2007,** concerning the properties known as 455 Templeton Avenue & 2401 Ferrier Street.

The Business Community of Ferrier Street, along with the Citizens of Ferrier Street, Templeton Avenue, Beecher Avenue, Southall Drive & Margaret Avenue, **oppose DAZ 226/2007**, the re-zoning application to permit any multi-family or RM2 development on the properties known as 445 Templeton Avenue & 2401 Ferrier Street.

Our Members are:

Imperial Cabinet (1980) Co. Ltd.

Nouvelle Construction Limited

Stefanchuk Concrete-Mobile Service

Luna International
Address: 2460 Ferrier Street Tel: 334 6698

Kildonan Garden Supplies

M. Block & Associates Limited

Norwin Roofing Limited

Lehigh Inland Limited

Con-Force Structures Limited

Lohr Underground Utilities & Const. Services Ltd. MARK ST VINCENT
CHARLIE LOHR.

6

Exhibit "21" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

Winnipeg

City Clerk's Department • Bureau du greffier

January 31, 2008

Files EP-1.1(PW 2/2007), DAZ 226/2007

TO WHOM IT MAY CONCERN

Applications for Plan Winnipeg Amendment and Rezoning - 455 Templeton Avenue, 2401 Ferrier Street, south side Beecher Avenue, east of Ferrier Street

On January 30, 2008, the Executive Policy Committee considered a request from the applicant that the subject applications be adjourned.

Accordingly, the Executive Policy Committee adjourned the public hearings in the above connection to its meeting to be held on Wednesday, March 5, 2008, 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 Committee's Minute documents.

JPark

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

Exhibit “22” referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

-----Original Message-----
From:
Sent: Sunday, February 17, 2008 5:37 PM
To:
Subject: Comment - Templeton and Ferrier

Sent: Sunday, February 17, 2008 5:36:38 PM
URL: http://www.winnipeg.ca/council/mynarski.stm
First name: Sandra and Dennis
Last name: Mosalowski

Message:
As residents of the Margaret Park area, we are again concerned about the proposed developement of vacant land adjacent to our property.

The developer has proposed developement of this land ,situated at Templeton and Ferrier, for apartment buildings. Although this parcel of land does not directly abut our property, we feel that future plans of the land directly behind us would be affected by a rezoning of the Templeton/Ferrier parcel of land to a RM-2 .

We sent an E-mail to the City Clerk in regard to the January 29 meeting, outlining a few of our concerns , and I will forward it to you for your information. Also, I will forward to you a copy of the letter which we are distributing to all of the residences surrounding the vacant land in question, as well as residences along Templeton between McPhillips and Main Streets.

We continue to hope that any rezoning of this vacant land would be to a RM-1 designation, single family dwellings in keeping with the existing makeup of the surrounding area. Is there any way to bring this about before land is purchased by developer?

I plan on sending this message also to Councilor O'Shaunnessy

Thank you in advance,
Sandra and Dennis Mosalowski

Exhibit "23" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

Proposed Rezoning of land at the corner of Templeton and Ferrier

Attention to ALL residents in the surrounding neighbourhoods!

This parcel of land has been purchased by a developer who has proposed to have this parcel of land rezoned to a "RM-2", and has submitted to the city plans for the construction of three apartment buildings on this site (up to 75 units). The parcel of land to the south of this, bordered by Templeton, McGregor, and the railway tracks has also been purchased, perhaps by the same developer.

In the last year, developers had purchased this adjacent land to the south with the intent to build several four-storey apartment buildings. Councilors Lazarenko and Oshaunnessy at that time put their support behind residents of the area and the application for rezoning was defeated, at which time the developer withdrew their offer to purchase the land. A few of the concerns put forward at that time included:

-increased traffic flow on Templeton, an already busy residential street
-development of multifamily housing within an existing area consisting of single family dwellings
-increased population density in the area
-increased on street parking in surrounding residential areas
-loss of privacy of existing homeowners due to multi-storey constructions.

Our fear is that if construction of apartment buildings takes place on the Templeton/Ferrier site, argument against future construction of multi-family type buildings on the vacant land along McGregor would be very difficult to justify. Development may be inevitable, but why not single family dwellings in keeping with the format of the existing surrounding area?

The developer has had meetings only with those homeowners whose property directly abuts the land in question, but we feel that it will ultimately affect all who live in the surrounding area. An Executive Policy Committee meeting was held January 30, but has been adjourned until Wednesday, March 5, at 9:00a.m. in the Council Building, 510 Main Street.

Please contact your Councilor and express your opinions and concerns in regard to this proposed development. If you can attend the meeting March 5, it would be a great show of support, but petitions, phone calls and E-mails to your Councilor or to the City Clerk's office are also taken into consideration. We are hopeful that by doing this we can, as a group , have a greater say. Also, if you have any further information about this or any other meetings to be held, we would appreciate hearing from you. City contact names and phone numbers are included on the reverse.

Thank You
Sandy and Dennis Mosalowski
Irene and Bill Tokarz

Exhibit “24” referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

From: Donovan Toews
Sent: Thursday, February 21, 2008 9:44 PM
To: Park, Jo-Ann
Cc: 'Fergusson, John (TPT)'
Subject: PW 2/2007 and DAZ 226/2007

Ms. Park,

We are requesting a further layover of the files noted above for about 45 days, as the Public Trustee is currently undertaking preparations to solicit development proposal options for the site, and wishes to discuss the anticipated results with area residents. Ideally, if EPC would consider a layover to April 16, it would be greatly appreciated. We trust that anyone who attended and registered at the March 5 meeting of EPC will be notified of the layover request. If that is not the case, could you please advise so that we may contact residents directly.

Thanks kindly,

Donovan Toews
Landmark Planning & Design Inc.

Exhibit “25” referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

From: RICK HEUCHERT
Sent: Monday, February 25, 2008 12:09 PM
To: Park, Jo-Ann
Subject: Proposed Rezoning of Land at Templeton and Ferrier

Hello Jo-Ann
Recently a development proposal has been submitted for the development of multi-family appartment blocks at the corner of Templeton Avenue and Ferrier Road.
I am a resident of this area and my home abuts the railway tracks near the corner of Templeton and Ferrier.

I am concerned about, and opposed to the development of multi family appartments in this space. The reasons have already been expressed at prior meetings with the City of Winnipeg. The majority, if not all residents adjacent to this space also oppose the appartment proposal. The group are in favor of single family dwellings in keeping with the existing format of the area. This same concern also exists for the parcel of land on the south side of Templeton between the railway tracks and McGregor Street.

I will try to attend the meeting on March 5, 2008; however, if I cannot attend please ensure my thoughts are presented.

Thanks you
Rick Heuchert

Exhibit "26" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

RECEIVED
CITY CLERKS
WINNIPEG
8 FEB 29 A11 :43

February 26, 2008

Jo-Ann Park
Manager of the Decision Making Process
City of Winnipeg Clerk's Department
510 Main Street, Winnipeg

Dear Ms Park,

I am enclosing with this letter a petition which has been signed by residents of Templeton Avenue, who are opposed to the construction of apartment buildings on the land at the corner of Templeton and Ferrier. I believe that you have also received signiatures on this same petition from other concerned residents of the area, Michelle Cain and Irene Tokarz.

The general opinion of people signing this petition seems to be an opposition to multi-family dwellings, and a preference for single family-type dwellings to be built in this area. A common concern is already increasing traffic flow on Templeton, and the possibility of even greater traffic in the area if multiple-family type housing is allowed .

Please include this letter of opposition and the enclosed petition into the minutes of the Executive Policy Committee meeting to be held March 5, 2008. Thank you.

Yours truly,
Sandra and Dennis Mosalowski

cc: Councillor Harry Lazarenko
Councillor Mike O'Shaughnessy

Petition

January 8, 2008

We the undersigned, do not agree with the construction of the new apartments to be built in the north east corner of Templeton Street and Ferrier Road and adjacent to CP Rail line.

Name:	Address:	Phone #:	Signature:
S. Mosalowski			
S. Hansen			
DAN PELVIRSA			
[illegible] Cabinhart			
RICHARD SLIWKA			
[illegible] Michael [illegible]			
Mildred Josephine Waldner			
Myron Walker			
[illegible]			
[illegible] Jensen			
[illegible]			
B. [illegible]			
[illegible]			
[illegible]			
[illegible] OSUDAN			
[illegible]			
Kelly Morin			
Eddy Morin			
[illegible]			
[illegible]			
Ronald W. Stark			
M. Lemer			
M. Peterson			
T. Sacchetta-Greco			
Dennis Mosalowski			

Exhibit "27" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

Winnipeg

City Clerk's Department • Bureau du greffier

February 27, 2008

Files EP-1.1(PW2/2007), DAZ 226/2007

TO WHOM IT MAY CONCERN

Applications for Plan Winnipeg Amendment and Rezoning - 455 Templeton Avenue, 2401 Ferrier Street, south side Beecher Avenue, east of Ferrier Street

The City Clerk's Department has received a request from the applicant, Donovan Toews, Landmark Planning & Design Inc, that the Executive Policy Committee further adjourn the public hearings in the above connection for approximately 45 days. Mr. Toews advises that the Public Trustee of Manitoba is preparing to solicit development proposals for the site and wishes to discuss the anticipated results with area residents before the hearings resume.

I have consulted with the Members of the Executive Policy Committee, and I anticipate that on Wednesday, March 5, 2008, the Committee will grant this request and further adjourn the public hearings to its meeting to be held on Wednesday, April 16, 2008.

Once the Executive Policy Committee ratifies this decision on March 5, 2008, the City Clerk's Department will send confirmation of the new public hearing date, time and location to all persons who registered with respect to these applications.

Please do not hesitate to contact me if you have any questions regarding this matter.

JPark

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

Embrace the Spirit • Vivez l'esprit

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: winnipeg.ca

Exhibit "28" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

Timmins, Diane

From: Park, Jo-Ann
Sent: Monday, March 03, 2008 2:17 PM
To: Timmins, Diane
Subject: FW: Proposed Rezoning of Land

From: VLempen@mpi.mb.ca [mailto:VLempen@mpi.mb.ca]
Sent: Monday, March 03, 2008 1:40 PM
To: Park, Jo-Ann
Subject: Proposed Rezoning of Land

Proposed Rezoning of Land at the corner of Templeton and Ferrier

As a resident living on Templeton in a single family dwelling, I have concerns regarding the above. Templeton is an already extremely busy street let alone adding all the extra vehicles that would be using this area should apartment blocks go up. Parking is already an issue on the street, let alone the population increase. This area makes for a nice place for walking, etc. and almost a peaceful feeling when doing so. Adding apartment blocks would change the whole dynamics, turning it into a concrete jungle. And my biggest concern is should it now or in the future become a low rental housing project, property values will decrease, crime rates will rise, and the neighbourhood will become unsavoury. Lets not overburden this area!

I support all residents in this area for the concerns of the proposed rezoning.

Thank you,

Valerie Lempen

Exhibit "29" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

P.01

March 2/05

TO: Councilors
Harry Lazarenko and
Mike O'Shaunnessy

Re: Proposed Rezoning of land at the corner of Templeton and Ferrier.

We are totally opposed to any kind of apartment complex on this land due to increased traffic flow on Templeton (already a very busy street) and also are concerned about street parking. Why can't this land be zoned single family as the rest of the adjoining property is at present!

Bryan + Heather Jensen

March 3, 2008

To Councilor Harry Lazarenko

Re: Rezoning of Land at the Corner of Templeton & Lennen Rd.

We are strongly opposed to the construction of multi family or apartment blocks in this area

We already have numerous apartment blocks on Leila & Partridge & Salter & feel that more would devalue our properties.

Also holding a meeting on a week day leaves many area residents unable to attend.

We would vote against this rezoning.

Beverly Judd &
Eberhard Fuchs

Exhibit "32" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

Winnipeg

City Clerk's Department • Bureau du greffier

March 5, 2008

Files EP-1.1(PW 2/2007), DAZ 226/2007

TO WHOM IT MAY CONCERN

Applications for Plan Winnipeg Amendment and Rezoning - 455 Templeton Avenue, 2401 Ferrier Street, south side Beecher Avenue, east of Ferrier Street

On March 5, 2008, the Executive Policy Committee considered a request from the applicant requesting a further adjournment of the above-referenced applications for an additional forty-five days.

It was the decision of the Executive Policy Committee to adjourn the public hearings to May 21, 2008. Accordingly, the public hearings with respect to the above applications will reconvene on Wednesday, May 21, 2008, 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 Committee's Minute documents.

JoPark

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

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

Exhibit "33" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

RECEIVED
CITY CLERKS
WINNIPEG

Petition

January 8, 2008

8 MAR 18 P2:23

We the undersigned, do not agree with the construction of the new apartments to be built in the north east corner of Templeton Street and Ferrier Road and adjacent to CP Rail line.

Name:	Address:	Phone #:	Signature:
R. Halabus			
E. Halabus			
K SCHOFFNER			
E. SCHOFFNER			
[illegible]			
[illegible]			
Mary Burkins			
KERRY McKERRACHER			
Karen McKerracher			
ELENA GERSTNER			
TONY GERSTNER			
SEV FUHL			
Donna Korchynski			
Willie Korchynski			
EWEN DOVER			
GEORGE DOVER			
HIBAIER			
Irene Perun			
Berta Perun			
[illegible]			
EUGENE RUBIK			
CHRISTINE RUBIK			
[illegible]			
[illegible]			
IRENA TOKARZ			
BILL TOKARZ			
BRIAN TOKARZ			
G. Galezowski			
L GALEZOWSKI			
R. UDER			
M. UDER			
K.A. ZAWORTNY			
Michael Banias			
OLGA BANIAS			
IVAN BANIAS			
Ivan Majetic			
Ursula Majetic			
Elizabeth Clayton			
CHRIS TUK			
Alda Tuk			
DERECK GLESBY			
BRIAN GLESBY			
K. Lukow			

Petition

January 8, 2008

We the undersigned, do not agree with the construction of the new apartments to be built in the north east corner of Templeton Street and Ferrier Road and adjacent to CP Rail line.

Name:	Address:	Phone #:	Signature:
Zbigniew Lukow	499 Sky Dr		
Ala Lukow	499 SKY DRIVE		
Robert Lukow	499 SKY DRIVE		
NEL SHEWCHUK	289 TEMPLETON AV		
MIKE SHEWCHUK	289 TEMPLETON AV		
Margaret Strykowski	285 Templeton Ave		
Peter Strykowski	285 Templeton Ave		
Christine Strykowski	285 Templeton Ave		

Exhibit "34" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

RECEIVED
CITY CLERKS
WINNIPEG

8 MAR 18 P2:23

February 19, 2008

RE: Proposed Rezoning of Land at the Corner of Templeton & Ferrier

We are writing respecting the proposal to rezone the subject-noted property which would permit a developer to construct multi-storey apartment buildings on this site.

This parcel of land is surrounded by quality single family residences and the construction of multi-family apartments is not in keeping with the existing housing. Any rezoning to allow for multi-storey construction would impact negatively for the reasons as outlined:

- increased vehicular traffic on Templeton which is already a busy residential street
- increased parking overflows into adjacent residential area
- decreased value of homes which yards back onto multi-storey buildings caused by a loss of privacy

We urge you to address the concerns of the residents and ensure that development of this land is in keeping with existing housing.

Sincerely,

Mihajlo + Mary Lepki

Mihajlo and Mary Lepki

Exhibit "35" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

From: Vic Peterson
Sent: Sunday, March 16, 2008 11:24 AM
To: Lazarenko, Harry; moshaunnessy@winnipeg.ca; Park, Jo-Ann
Cc: dmosalowski1@shaw.ca
Subject: Proposed Rezoning of land at the corner of Templeton and Ferrier
We are writing to you to express our concerns over the parcel of land rezoned to a RM-2 for the construction of three apartment buildings on the land bordered by Templeton, McGregor and Ferrier.

As long time residents of Templeton Ave. we have witnessed growth in the area of new single dwelling homes. To suggest the construction of multi family housing nestled into a single dwelling area would create multiple issues in the form of increased traffic flow (already a big problem on Templeton Ave.), increased street parking, and a loss of privacy to existing homeowners. Over the past year a similar request for rezoning was defeated and the developer withdrew the bid.

Please note most dwellings east of Sinclair Street to Main St. have front access only to Templeton Ave. We are finding it more difficult to back out of our driveway in a safe and timely manner due to an increased flow of traffic with the construction of Wal-Mart.
During the winter months it has become downright dangerous to back out of our driveway as we are completely blind to any oncoming traffic. We have contacted your office concerning this over the years but have only received feeble attempts to help us out. Is there any consideration being given to construct traffic lights to aid with the flow of traffic and that would give us a chance to back out of our driveways safely?

As you can appreciate any construction being considered on Templeton Avenue would only add to the problems we are already encountering.

Regards,
Ann & Vic Peterson

Exhibit “36” referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

May 13, 2008

City of Winnipeg
City Clerks Office
Main Street
Winnipeg, Mb **VIA EMAIL**

Attn Joanne Park

Dear Joanne;

RE: 455 Templeton Ave.

This letter is to inform you that Global Homes Ltd. has purchased the above noted property from the Public Trustee working on behalf of the estate of Mary Orazak.

The close date is June 5, 2008 and Global Homes Ltd. will handle all of the planning issues from here on

Thank you

Perry McDonald

Exhibit “37” referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

From: Perry McDonald
Sent: Wednesday, May 14, 2008 2:57 PM
To: Park, Jo-Ann
Subject: 455 Templeton Ave - E.P.C. Meeting

Attachments: City of Winnipeg - letter.doc
Hello Joanne;
Here is a letter confirming that Global Homes has bought the above noted property. We will have a different site plan ready shortly and will pass it on the Mr, Robinson in Planning.
This will mean that we would request an postponement until the EPC meeting in July if it is still possible to get on the agenda.
Please confirm the date and time.
Perry

--
Perry McDonald
Global Homes
230-1695 Henderson Hwy.
Winnipeg, Mb.
339-2300

Exhibit "38" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

Winnipeg

City Clerk's Department • Bureau du greffier

May 14, 2008

Files EP-1.1(PW 2/2007), DAZ 226/2007

TO WHOM IT MAY CONCERN

Applications for Plan Winnipeg Amendment and Rezoning - 455 Templeton Avenue, 2401 Ferrier Street, south side Beecher Avenue, east of Ferrier Street

The City Clerk's Department has received a request from Perry McDonald, Global Homes Ltd. (the new applicant) that the Executive Policy Committee further adjourn this public hearing.

I have consulted with the Members of the Executive Policy Committee, and I anticipate that on Wednesday, May 21, 2008, the Committee will grant this request and further adjourn the public hearings to its meeting to be held on Wednesday, July 2, 2008.

Once the Executive Policy Committee ratifies this decision on May 21, 2008, the City Clerk's Department will send confirmation of the new public hearing date, time and location to all persons who registered with respect to these applications.

Please do not hesitate to contact me if you have any questions regarding this matter.



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

Exhibit "39" 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

May 21, 2008

Mr. Perry McDonald
Global Homes
230-1695 Henderson Highway
Winnipeg, MB
R2G 1P1

Dear Mr. McDonald:

RE: INCLUSION OF CITY LANDS AT SE FERRIER STREET & BEECHER AVENUE IN PLAN WINNIPEG AMENDMENT APPLICATION PW2/2007 (FILE NO. 32/5827)

Global Homes is 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. Please note that Global Homes will be responsible for any and all associated costs of such applications. Inclusion of the City property will not involve any additional cost, since if forms part of the same application.

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 John Zabudney, Supervisor of Sales, at 986-8290.

Yours truly,

Ray Klassen
Manager of Real Estate Division

Enclosure

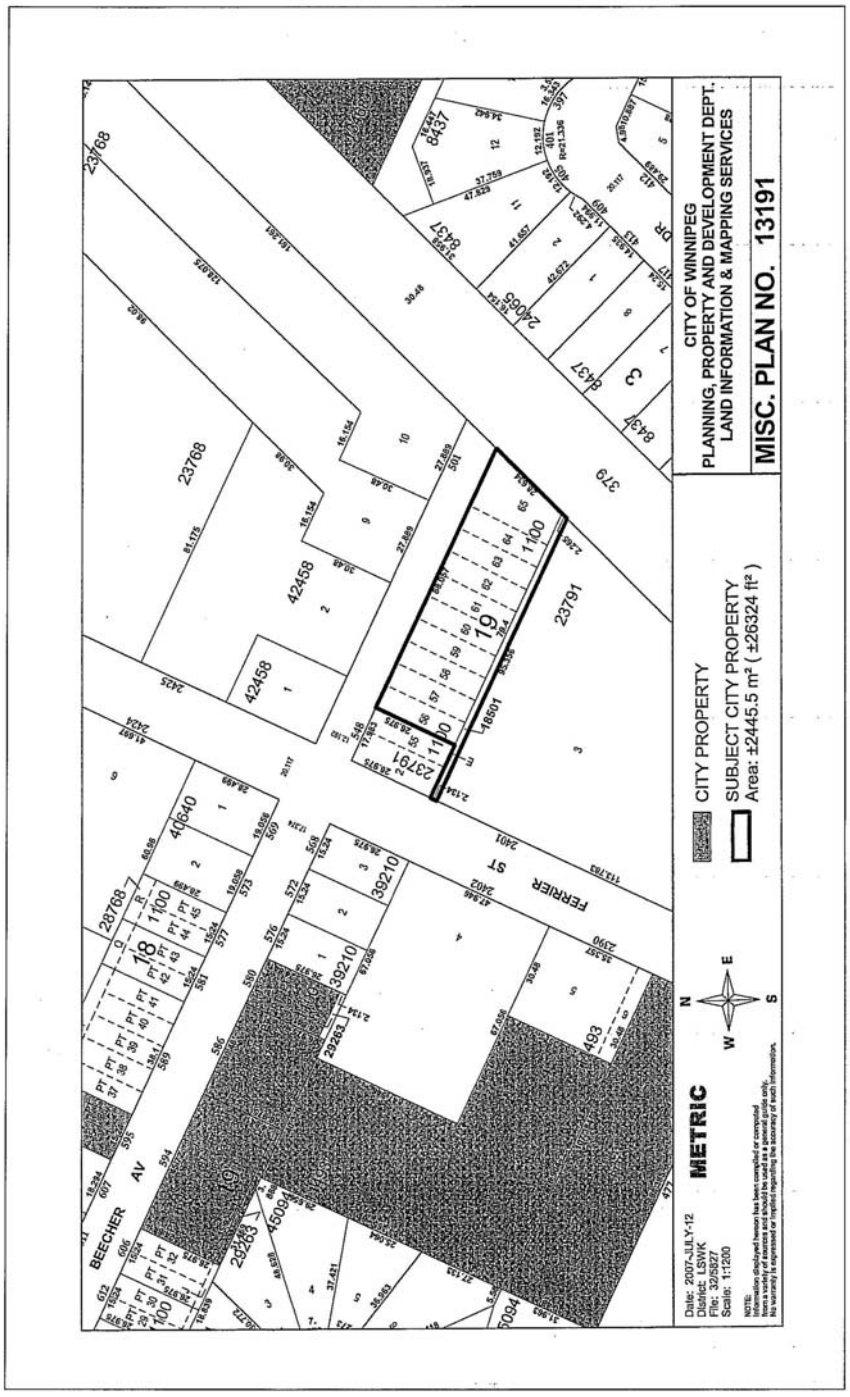
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13191
CITY PROPERTY
SUBJECT CITY PROPERTY
Area: ±2445.5 m² (±26324 ft²)
METRIC
Date: 2007-JULY-12
District: LSWK
File: 32/5827
Scale: 1:1200
BEECHER AV
FERRIER ST

Exhibit "40" referred to in File DAZ 226/2007 [c/r EP-1.1(PW 2/2007)]

INTER-OFFICE MEMORANDUM

Planning, Property and Development Department

Planning and Land Use Division
Unit 15, 30 Fort Street

Winnipeg

Date: May 21, 2008

To: JoAnn Park, Clerk of the Executive Policy Committee

From: Michael Robinson, AICP

RE: **DAZ 226/07 & PW 1/2007**

JoAnn

With respect to the adjournment date for the subject applications, I have the following new information:

The Planning and Land Use Division has just received a concept plan from the new owner of the subject property. There is a high probability that this new plan, when finalized, will have to be readvertised, in light of the fact that it is substantially different than the plan that was first advertised.

This being the case, if the public hearing is adjourned to either July 2nd or July 9, the possibility of needing another adjournment are quite likely.

Consequently, the Division recommends adjourning this matter to early September, which would allow enough time for the new plans to be reviewed internally, for public consultation to take place, and for the new plan to be readvertised.

document2