Minute No. 65
Report - Standing Policy Committee on Property and Development - January 6, 2003

Item No. 15 Proposed Plan of Subdivision and Rezoning - land located south of John Bruce Road, east of the Seine River - Proposed Acquisition of Environmentally Sensitive Lands (Bois des Esprits)
File DASZ 19/2000

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee, and submits the following to Council:

1. That the plan of subdivision proposed under File DASZ 19/2000, be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor, in accordance with Schedule "A" for File DASZ 19/2000 dated December 11, 2002, for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the reports of the Administrative Coordinating Group dated December 5, 2002, and December 16, 2002.

2. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

3. That Winnipeg Zoning By-law No. 6400/94, be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 19/2000 dated December 11, 2002, to a "PR-1" Parks and Recreational District, a "PR-2" Parks and Recreational District, an "R1-4" Single Family District, an "RM-2" Multiple Family District and an "RM-4" Multiple Family District. The parcel of land shown on Schedule "A" as "RM-2"Multiple-Family District or "PR1"Parks and Recreation District shall be zoned "RM-2"Multiple-Family District unless the City of Winnipeg commits, prior to December 31, 2003, to acquire this parcel in which case the land shall be zoned "PR-1".

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

5. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

6. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office except for the parcel of land shown on Schedule “A” for DASZ 19/2000 dated December 11, 2002 as “RM-2” Multiple-Family District or “PR1” Parks and Recreation District which shall come into force on December 31, 2003, subject to Recommendation No. 3 above.

8. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

9. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Further, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee, and recommends that Council reconsider that portion its decision of June 19, 2002 pertaining to the fundraising campaign launched by Save Our Seine River Inc., as follows:

1. That the Director of Planning, Property and Development be instructed to advise Save Our Seine River Inc. (SOS) that the "time-limited" fundraising campaign has been extended to December 31, 2003, subject to the owner’s (Ladco Development Company) consent.

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DECISION MAKING HISTORY:

Moved by Councillor Vandal,

That the recommendation of the Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

Moved by Councillor Angus,

That the Administration be authorized to do all things necessary to ensure that the appropriate authorization and transfer of funds from the Commitment Reserve Fund are received and a report is provided to the Standing Committee on Fiscal Issues at the appropriate time.

Carried

STANDING COMMITTEE RECOMMENDATION:

On January 6, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee pertaining to the proposed subdivision and rezoning under File DASZ 19/2000 as amended, namely:

- Amend Recommendation 3 by deleting the words “subject to the “RM-2” Multi-Family District zoned land reverting to “PR-1” Parks and Recreational District upon the acquisition of that property by the City of Winnipeg at the price of $65,000.00 per acre and other terms and conditions as may be agreed upon by the Developer and the City of Winnipeg” and substituting the words “The parcel of land shown on Schedule “A” as “RM-2” or “PR-1” shall be zoned “RM-2” unless the City of Winnipeg commits, prior to December 31, 2003, to acquire this parcel in which case the land shall be zoned “PR-1”.

- Amend Recommendation 7 by adding the words “except for the parcel of land shown on Schedule “A” for DASZ 19/2000 dated December 11, 2002 as “RM-2” or “PR-1” which shall come into force on December 31, 2003, subject to Recommendation No. 3 above”, and submitted its recommendation to Executive Policy Committee and Council.

The Standing Policy Committee on Property and Development also concurred in the recommendation of the Riel Community Committee pertaining to the fundraising campaign launched by Save Our Seine River Inc., and recommended that Council reconsider that portion of its decision of June 19, 2002, relating to the said fundraising campaign, and extend the time

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DECISION MAKING HISTORY (continued)

limit for the campaign from December 31, 2002 to December 31, 2003, and submitted its recommendation to Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On December 17, 2002, the Riel Community Committee conducted a public hearing for a proposed subdivision and rezoning under File DASZ 19/2000, concurred in the administrative recommendation as amended, and submitted its recommendation to the Standing Policy Committee on Property and Development.

The Riel Community Committee also recommended to Standing Policy Committee on Property and Development that Council be requested to reconsider (that portion of) its decision of June 19, 2002 (pertaining to the time limit for the fundraising campaign launched by Save our Seine River Inc.), as follows:

> "That the Director of Planning, Property and Development be instructed to advise Save Our Seine River Inc. (SOS) that the "time-limited" fundraising campaign has been extended to December 31, 2003, subject to the owner's (Ladco Development Company) consent."

COUNCIL:

On June 19, 2002, Council considered a proposed acquisition of environmentally sensitive land under the proposed plan of subdivision DASZ 19/2000 (Bois des Esprits) and an environmental impact study, and adopted the following:

I. That the Director of the Planning, Property and Development Department be instructed to:

   A. Advise the developer that the City's financial contribution for acquisition of such portions of the tree stand lands above the waterway requirement as total available funding will permit will be based on a price of $65,000.00 per acre.

   B. Encourage the Save Our Seine River Inc. (S.O.S.) to launch a "time-limited" fundraising campaign to December 31, 2002, and to consider approaching various alternative sources of support such as the Evergreen Foundation, the developer, the Province of Manitoba and the community at large toward funding

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DECISION MAKING HISTORY (continued):

an acquisition of as much as possible of all three categories of the tree stand lands.

C. Advise the S.O.S. that the City, subject to Council approval, is prepared to commit $1M towards the acquisition of the tree stand and in addition, is prepared to match dollar for dollar all other alternative sources to a maximum of $0.6M (City contribution) for funding the said proposed acquisition, all based on a price of $65,000.00 per acre.

D. Identify and to report back as to the sources of funding and method of payment to use in acquiring the lands.

E. Obtain an independent assessment on the long-term traffic and environmental impacts of the three alternative bridge locations to access the proposed Royalwood Phase II residential development, and, pending the opinion of this independent assessment, ensure that the lands now readily available for bridge construction be preserved accordingly.

II. That, subject to recommendation I.E. above, an additional appropriation of $50,000.00 be provided in order to obtain the independent assessment.

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

Re: **Proposed Plan of Subdivision and Zoning Change Report - South of John Bruce Road - East of the Seine River**
File DASZ 19/2000

For submission to: **Standing Policy Committee on Property and Development**

Prepared by: **Marc Pittet, Clerk, Riel Community Committee**

Report date: **December 24, 2002**

COMMUNITY COMMITTEE RECOMMENDATION:

The Riel Community Committee concurred in the administrative recommendation as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 19/2000, be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor, in accordance with Schedule "A" for File DASZ 19/2000 dated December 11, 2002, for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the reports of the Administrative Coordinating Group dated December 5, 2002, and December 16, 2002.

2. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

3. That Winnipeg Zoning By-Law No. 6400/94, be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 19/2000 dated December 11, 2002, to a "PR-1" Parks and Recreational District, a "PR-2" Parks and Recreational District, an "R1-4" Single Family District, an "RM-2" Multiple Family District and an "RM-4" Multiple Family District ***subject to the "RM-2" Multi-Family District zoned land reverting to "PR-1" Parks and Recreational District upon the acquisition of that property by the City of Winnipeg at the price of $65,000.00 per acre and other terms and conditions as may be agreed upon by the Developer and the City of Winnipeg.***

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

5. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

6. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

8. The Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

9. In the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Note: Bold and italicized wording denotes variation between administrative recommendations and recommendations of the Riel Community Committee.

The Riel Community Committee provided the following supporting reason for its recommendations:

1. The Riel Community Committee agrees with the administrative comments contained in the report of the Manager of Planning and Land Use.

REPORT SUMMARY

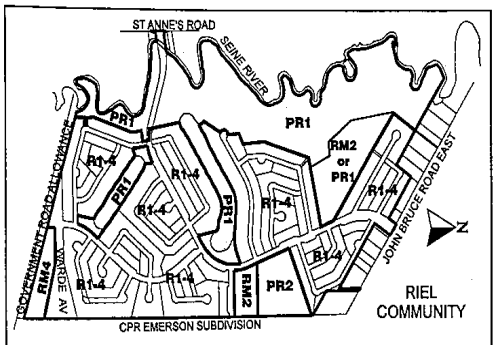
File: DASZ 19/2000

Before: Riel Community Committee
Councillor Vandal, Chairperson
Councillor Angus
Councillor Steeves

Public Hearing: December 17, 2002
Prendergast Centre, 906 Cottonwood Road

Applicant: Ladco Company Limited (Ken Oblik)
200-40 Lakewood Boulevard
Winnipeg, MB R2J 2M6

Subject:



APPLICANT: LADCO COMPANY LIMITED
FILE: DASZ 19/00
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council, and for a proposed zoning change to By-law No. 6400/94 by rezoning the land shown outlined above from an "A-5" AGRICULTURAL DISTRICT and an "R1-20" SINGLE-FAMILY DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT, an "PR2" PARKS AND RECREATION DISTRICT, an "R1-4" SINGLE-FAMILY DISTRICT and an "RM-2" MULTIPLE-FAMILY DISTRICT and an "RM-4" MULTIPLE-FAMILY DISTRICT to allow for the construction of single-family dwellings and multiple-family dwellings and considering special rear yard setbacks along the CPR Emerson subdivision and the future Warde Avenue for single-family development. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR: LADCO COMPANY LIMITED
RÉFÉRENCE: DALZ 19/00
PROJET : Demande d'approbation par le Conseil du plan de lotissement relatif aux sols délinéés ci-dessus et proposition de modification du *Règlement municipal n° 6400/94* visant à changer le zonage des sols délinéés ci-dessus qui passerait de la catégorie A-5 (SECTEUR AGRICOLE) et R1-20 (SECTEUR D'HABITATIONS UNIFAMILIALES) aux catégories PR1 (SECTEUR DES PARCS ET DES LOISIRS), PR2 (SECTEUR DES PARCS ET DES LOISIRS), R1-4 (SECTEUR D'HABITATIONS UNIFAMILIALES), RM-2 (SECTEUR D'HABITATIONS MULTIFAMILIALES) et RM-4 (SECTEUR D'HABITATIONS MULTIFAMILIALES) en vue de permettre la construction d'habitations unifamiliales et multifamiliales, l'étude de la possibilité de reculer la marge arrière le long de la subdivision d'Emerson du C.P. et de la future avenue Warde en vue de la construction d'habitations unifamiliales. **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: South of John Bruce Road - East of the Seine River

Exhibits Filed:

1. Application dated November 14, 2002
2. Notification of Public Hearing to Applicant dated November 20, 2002
3. Manitoba Status of Titles 1056567, 1095014, 1283525, 1286729
4. Extract of Atlas Sheet AG29
5. Variance Order DAV 436/89
6. Variance Order DAV 821/88
7. Plans (2 pages)
8. Report from the Manager of Planning and Land Use dated December 10, 2002
9. Report from the Administrative Coordinating Group dated December 5, 2002
10. Photograph(s) of the site and Inspection Notice
11. Revised Report from the Manager of Planning and Land Use dated December 12, 2002
12. Supplemental Report from the Administrative Coordinating Group dated December 16, 2002
13. Communication from Ed Burgener opposing the application
14. Communication from K. Chekorsky dated December 13, 2002, opposing the application
15. Copy of the Preliminary Results Summary (Royalwood Access Assessment Study) presentation made by Brad Cook, Steve Biswanger and Todd Smith at the Public Hearing
16. Presentation made by Peter Muir at the Public Hearing
17. Presentation made by Micheal Nozick at the Public Hearing
18. Presentation made by Dean Bauch at the Public Hearing
19. Presentation made by Dennis Checkley at the Public Hearing
20. Presentation made by Terry O'Rourke at the Public Hearing
21. Presentation made by Frances Cholakis at the Public Hearing
22. Seven (7) letters opposing the application submitted by Jules Legal at the Public Hearing.

REPRESENTATIONS:

In Support:

Ken Oblik, 200-40 Lakewood Boulevard, Winnipeg, R2J 3M6
Dale Amedec, 1908 Elgin Avenue, Winnipeg, R2R 0C9
J.D. Balbon, 19 Aubin Drive, Winnipeg, R3X1J8
Mark Barker, 27 Tidewater Bay, Winnipeg, R3X 1H2
Bary Batkis, 599 Hoddinott Road, Winnipeg, R2E 0H7
Dean Bauch, 38 Beaudry Bay, Winnipeg, R3X 1Y7
Bob Baudry, 663 Stafford Street, Winnipeg, R3M 2X7
Rick Baydack, 31 Chancery Bay, Winnipeg, R2N 2R4
Elizabeth Blazanovic, 58 Willmington Drive, Winnipeg, R3X 2C1
Alan and David Borger, 200-40 Lakewood Boulevard, Winnipeg, R2J 2M6
J. Henry Borler, 10 Beckwith Lane, Winnipeg, R2N 4L2
Vince Bueti, 31 Royal Park Cove, Winnipeg, R2J 3Z1
Dania and Robert Cameron, 227 Shorehill Drive, Winnipeg, R3X 2B5
Len Chambers, 88 Monck Avenue, Winnipeg, R2H 1W9
Sean Checkley, 114 Beechtree Crescent, Winnipeg, R2M 5K6
Dennis Checkley, 19 Aubin Drive, Winnipeg, R3X 1J8
Frances Cholakis, 523 Bower Boulevard, Winnipeg, R3P 0L7
Leo Cholakis, 300-275 Portage Avenue, Winnipeg, R3B 2B3
Cond. Corp. 304, Attention: Frank Malazdrewich, President, 107-685 St. Anne's Road, Winnipeg, R2N 3T2
Frank Leslie Cox, 41 Penticton Bay, Winnipeg, R2J 1S8
Sean Crick and Michelle Elvers-Crick, 96 Braswell Bay, Winnipeg, R3X 2E1
Frank Curtis and Ulrike Hellmuth, 1-1031 Autumnwood Drive, Winnipeg, R2J 1C6
T. Cwik, 532 Doucet Street, Winnipeg, R2J 0M7
Wayne Dinzey, 110 Weatherstone Place, Winnipeg, R2J 2S8
Sherry Dombrosky, 30 Briarcliff Bay, Winnipeg, R3T 3H7
Brian R. Duncan, 2901 St. Mary's Road, Winnipeg, R2N 4A6
Guy Dupas, 59 Norcross Crescent, Winnipeg, R3X 1H8
Kaye Figurski, 3 Pitcairn Place, Winnipeg, R2J 1R5
Doreen Frame, 105-685 St. Anne's Road, Winnipeg, R2N 3T2
Don Gillespie, 220 Orchard Hill Drive, Winnipeg, R3X 1K4
Blaine Harmon, 185 Crofton Bay, Winnipeg, R2M 2E6
Scott Harnish, 135 Woodydell Avenue, Winnipeg, R2M 2T8
Peter Kaufmann, 150 Beckinsale Bay, Winnipeg, R2N 2A7
M. and Shirley Kneale, 253 Barlow Crescent, Winnipeg, R2N 3W2
Karen Hill, 22 Monterey Road, Winnipeg, R2J 1X1
Cathy and Marcus Hunzinger, 282 Orchard Hill Drive, Winnipeg, R3X 1J8
Alan and Nancy Isfeld, 49 Beaudry Bay, Winnipeg, R3X 1Y6
Rod Kelunick, 115 Norcross Crescent, Winnipeg, R3X 1J2
Yvon and Tammy Lachiver, 19 Harbinger Bay, Winnipeg, R3X 2B2
George LaFrance, 84 Lake Park Drive, Winnipeg, R2J 3A8
Beth J. Langdon, 126 Orchard Hill Drive, Winnipeg, R3X 1L7
Mark Lehmann, 182 Orchard Hill Drive, Winnipeg, R3X 1K4
Graham Lilburn, 109 Machray Avenue, Winnipeg, R2W 0Z2
Dave Lim, 28 Beaudry Bay, Winnipeg, R3X 1Y7

Greg and Calla Lofvendahl, 274 Orchard Hill Drive, Winnipeg, R3X 1J8
Ken Loscerbo, 140 Brock Street, Winnipeg, R3N 0Y4
Joe Lotecki, 123 Norcross Crescent, Winnipeg, R3X 1J2
Jackie and Brendan Madden, 70 High Ridge Road, Winnipeg, R3X 1G8
Gayle Malazdrewich, 107-685 St. Anne's Road, Winnipeg, R2N 3T2
Paul Manaigre, 52 Bedard Crescent, Winnipeg, R3X 1V3
Celia Marks and Al Montagnon, 306-679 St. Anne's Road, Winnipeg, R2N 3S8
Ernest D. Marion, 202-795 St. Anne's Road, Winnipeg, R2N 3X4
Audrey Matchett, 33 Beaudry Bay, Winnipeg, R3X 1Y7
James McCutchon, 139 Cormorant Bay, Winnipeg, R2J 2V8
Don McIntosh, 128 Bedson Street, Winnipeg, R3K 1R5
Craig Michaluk, 405-15 Carlton Street, Winnipeg, R3C 1W8
Gisèle S. Morier and Ed Kosowski, 79 Willmington Drive, Winnipeg, R3X 2C2
Peter Muir, 656 Fairmont Road, Winnipeg, R3R 1B1
Carmen and Patricia Murphy, 218 High Ridge Road, Winnipeg, R3X 1V2
Kathy Murdoch, 91 Greenhoven Crescent, Winnipeg, R2R 1B5
Ron C. Nault, 42 Cascade Bay, Winnipeg, R2J 1W1
Christine Newell and Wayne Stanley, 44 Norcross Crescent, Winnipeg, R3X 1H8
Spencer Newton, 569 Cathcart Street, Winnipeg, R3R 0S6
Michael Nozick, 300-1600 Ness Avenue, Winnipeg, R3J 3W7
Michael and Myriame Orloff, 7 Aubin Drive, Winnipeg, R3X 1J8
Terry O'Rourke, 1-200 Shorehill Drive, Winnipeg, R3X 2C8
Joe Pascucci, 58 Willmington Drive, Winnipeg, R2C 3X1
Bruce Paton, 5 Everglade Place, Winnipeg, R2J 3C1
Herb and Wilma Poetker, 223 Shorehill Drive, Winnipeg, R3X 1B5
Jacques Richer, 309-683 St. Anne's Road, Winnipeg, R2N 3T1
Brenda Rudolf, 94 Charbonneau Crescent, Winnipeg, R3X 1C5
Scott Rutledge, 751 Lagimodiere Boulevard, Winnipeg, R2J 0T8
Karen Sawatzky and Rod McRae, 111 Bristol Avenue, Winnipeg, R2H 2R5
Mike Scatliff, 8-44 Princess Street, Winnipeg, R3J 2B6
Erwin and Jeanne Schmidt, 301 Churchill Drive, Winnipeg, R3L 1V7
Glen Simpson, 72 Newcroft Road, Winnipeg, R2J 3M8
Frank Spezzano, 124 Shorehill Drive, Winnipeg, R3X 1Y6
Gord Steiss, 35 Jubinville Bay, Winnipeg, R2J 2A4
Ron Stokotelny, 1639 St. Anne's Road, Winnipeg, R2N 4G1
Derek Thorsteinson, 212-3111 Portage Avenue, Winnipeg, R3K 0W4
Greg Tohme, 263 Southbridge Drive, Winnipeg, R2J 4A6
Jennifer Van de Vooren, Box 17, Grp. 551, RR5, Winnipeg, R2C 2Z2
Leonard Wiens, 556 Atlantic Avenue, Winnipeg, R2W 0S3
Glenn Wagner, 3 Orchard Hill Drive, Winnipeg, R3X 1T9
Brent Wark, 1255-B Clarence Avenue, Winnipeg, R3T 1T4
Bob and Lily Wiebe, 586 Forbes Road, Winnipeg, R2N 4B1
Donna Wilson, 1035 Downing Street, Winnipeg, R3G 2P9
John Woods, 122 Shamrock Drive, Winnipeg, R2J 3S3
Ed, Renee and Susan Young, 23 Aubin Drive, Winnipeg, R3X 1J8

In Opposition:

Peggy Bainard Acheson, 1307-90 Plaza Drive, Winnipeg, R3T 5K8
Kris Ade, 65 Halparin Dive, Winnipeg, R3X 1Z9
Darlene Bell, 23 Munn Road, Winnipeg, R2N 3H8
June Bell, 106 Sadler Avenue, Winnipeg, R2M 1N7
J.P. Brunet, 442 rue Notre Dame, Winnipeg, R2J 0A7
Lionel Chartrand, 6 Braswell Bay, Winnipeg, R3X 2B5
David John Danyluk, 190 Home Street, Winnipeg, R3G 1X1
Ken DeJean, 64 Aubin Drive, Winnipeg, R3X 1J8
Paul Desrosiers, 23 Donora Crescent, Winnipeg, R2N 1B2
Peter Dueck, 314-919 St. Anne's Road, Winnipeg, R2N 4K8
Gabriel Dufault, 4 Buttonwood Bay, Winnipeg, R2J 2E8
Rob Duncan, 330 Montgomery Avenue, Winnipeg, R3L 1T4
Dave Dyck, 1103-100 Adamar Road, Winnipeg, R3T 3X6
Reid Edgeworth, 140 Eastwood Drive, Winnipeg, R2E 0B7
Don and Pauline Fidelak, 244 Princeton Boulevard, Winnipeg, R3R 0X8
N. Filep, 202-683 St. Anne's Road, Winnipeg, R2N 3T1
Gabriel Forest, 301-160 Niakwa Road, Winnipeg, R2M 5L1
John and Pat Andrew Gray, 636 Grierson Avenue, Winnipeg, R3T 2S4
Jim Gyselinck, 170 Christie Road, Winnipeg, R2N 4A4
Hilary Hanson and Don Seymour, 779 Municipal Road, Winnipeg, R3R 1J5
Sylvie Hébert, 501 Langevin Street, Winnipeg, R2H 2V9
Francine Hébert and Serge LaRochelle, 2 - 45 Furby Street, Winnipeg, R3C 2A2
David Henderson, 408-919 St. Anne's Road, Winnipeg, R2N 4K8
Eric Hnatiuk, 240 Creek Bend Road, Winnipeg, R3X 1V9
Kathy Holt, 210-549 St. Anne's Road, Winnipeg, R2M 5M1
Joe Keszi, 1606-55 Garry Street, Winnipeg, R3C 4H4
Norma Lacroix and Antoine Gagné, 209 - 919 St. Anne's Road, Winnipeg, R2N 4K8
David Laird, 667 St. Anne's Road, Winnipeg, R2N 3S6
André H. and Lucille LaRochelle, 958 John Bruce Road, Winnipeg, R3X 1Y5
Nathan and Sig Laser, 109 Egerton Road, Winnipeg, R2M 2V9
Elizabeth Lavender, 2 Egerton Road, Winnipeg, R2M 2V4
Gerard Lecuyer, 5 Cherry Crescent, Winnipeg, R2J 1V8
Jules and Gladys Legal, 170 Prairie Grove Road, Winnipeg, R3X 1W6
Paula Legal and Jacqueline Jean MacKay, 21 Avondale Road, Winnipeg, R2M 0N8
Christine Mazur, 702 Lanark Street, Winnipeg, R3N 1M3
Frances McMillan, 206-815 St. Anne's Road, Winnipeg, R2N 3X6
Gord Menzies, 21-667 St. Anne's Road, Winnipeg, R2N 3S7
Peter Meyer, Box 104 St. Germain P.O., Winnipeg, R0G 2A0
Alan Parker, 155 Ashford Drive, Winnipeg, R2N 1K7
Roy Paton, 305-683 St. Anne's Road, Winnipeg, R2N 3T1
Peter H. and Dorothy Penner, 313-319 St. Anne's Road, Winnipeg, R2N 2K8

Dave Penner, 677 St. Anne's Road, Winnipeg, R2M 4A3
Marcel Ritchot, Box 31, Grp.4, RR1, Dufresne, Manitoba, R0A 0J0
Bev Sawchuk, 3000-One Lombard, Winnipeg, R3B 0Y1
Jacob P. Siemens, 303-679 St. Anne's Road, Winnipeg, R2N 3S8
Ron Thiessen, 2-608 Gertrude Avenue, Winnipeg, R3L 0N1
S. and Harold Thwaites, 22 Sheridan Place, Winnipeg, R2N 2K6
Robert Tinkes, 140 The Glen, Winnipeg, R2M 0B4
Win Torchia, 11 Simon Drive, Winnipeg, R2N 3L5
David Van Vliet, 708 Jessie Avenue, Winnipeg, R3M 1A5
David Watson, 245 Creek Bend Road, Winnipeg, R3X 1V9
Sylvia Woodward, 408-545 St Anne's Road, Winnipeg, R2M5M1
Caroline Young, 90 Sauve Crescent, Winnipeg, R2N 3L3

For Information:

Kenneth M. Adam, 21 Wedgewood Drive, Winnipeg, R3T 2J7
Daniel Adamek, 403-545 St. Anne's Road, Winnipeg, R2M 5M1
Denis and Leona Beaulieu, 104 Braswell Bay, Winnipeg, R3X 2E1
Elizabeth Black, 380 Houde Drive, Winnipeg, R3V 1C8
Wilmet I. Bruce, 1016 John Bruce Road, Winnipeg, R3X 1Y8
Ed Burgener, 55 Gibraltar Bay, Winnipeg, R2Y 1J4
Brenda and Clint Buss, 60 Norcross Crescent, Winnipeg, R3X 1H8
Michael Carruthers, 134 Charbonneau Crescent, Winnipeg, R3X 1C1
Linda Chernenkoff, 160 Southglen Boulevard, Winnipeg, R2N 3J3
Murray Cliff, 925 Autumnwood Drive, Winnipeg, R2J 1C3
Ken DePauw, 119 Bluewater Crescent, Winnipeg, R2J 2X6
Gerald Dorge, 31-25 Pere Oblat Drive, Winnipeg, R3X 1E8
David Duncan, 32 DeCaigny Cove, Winnipeg, R3X 1T3
Henry Epp, Box 221, St. Norbert, Winnipeg, R3V 0L6
Ray Gagnon, 653 St. Anne's Road, Winnipeg, R2M 3G6
Dee Dee Haines, 521 Hay Street, Winnipeg, R3L 2L5
Wayne and Blandine Hardman, 872 John Bruce Road, Winnipeg, R3X 1Y4
Alf Horn, 5-1696 St. Mary's Road, Winnipeg, R2N 2L8
Shaun Klassen, 165 Claremont Avenue, Winnipeg, R2H 1W3
G. Kunderman, 66 Gaitwin Cove, Winnipeg, R2N 4H9
Bob Kurylko, Box 1, GRP 552, Winnipeg, R2C 2Z2
Justin and Jennider Labuick, 239 Shorehill Drive, Winnipeg, R3X 2B7
Patrick Lang, 167 Bluewater Crescent, Winnipeg, R2J 2X6
Janice Lukes, 574 Cloutier Drive, Winnipeg, R3V 1L8
Mr. & Mrs. A. MacGillivray, 205-805 St. Anne's Road, Winnipeg, R2N 3X5
Guy Magnusson, 38 Ambroise Lane, Winnipeg, R2M 5P2
Mr. & Mrs. H. Mousseau, 990 John Bruce Road, Winnipeg, R3X 1Y8
Steve Nelson, 401-491 Stradbrook Avenue, Winnipeg, R3L 2P8
Cheryl Oakden, 71 Duluth Bay, Winnipeg, R2J 1W6

Marie Ohta, 72 Aubin Drive, Winnipeg, R3X 1K4
Grant Osachuk and Anita Houde, 34 Breland Bay, Winnipeg, R3X 2C2
Chris Penner, 1255B Clarence Avenue, Winnipeg, R3T 1T4
Louie Sawatzky, 158 Orchard Hill Drive, Winnipeg, R3X 1K4
Patricia Selliers, 737 Home Street, Winnipeg, R3E 2C5
Marjorie Simpson, 208-805 St. Anne's Road, Winnipeg, R2N 3X5
Angie Stokes, 55 Norcross Crescent, Winnipeg, R3X 1H8
Henry Thiessen, 94 Stranmillis Avenue, Winnipeg, R2M 0K1
Beth Thomson, 501 University Crescent, Winnipeg, R3T 2N6
David D. Venema, 661 St. Anne's Road, Winnipeg, R2M 3G6
Sheila and George Watson, 412-376 Osborne Street, Winnipeg, R3L 2V3
Craig Young, 20 Beaudry Bay, Winnipeg, R3X 1Y7
Barb and Al Zaporzan, 5-200 Shorehill Drive, Winnipeg, R3X 2C8

For the City:

Ernest Carrière, Land Development Engineer, Planning, Property and Development
Harry Finnigan, Director, Planning, Property and Development
Roy Hartmann, Traffic Assessment Engineer, Public Works
Cheryl Heming, City Naturalist
Kevin Lalor, Senior Planner, Planning, Property and Development
Brad Neirinck, Bridge Inspection Engineer, Public Works
Kevin Nixon, Planner, Planning, Property and Development

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS MADE AT THE PUBLIC HEARING:

Todd Smith, Brad Cook and Steve Bizwanger, consultants, Earth Tech Canada Inc., read from a Power Point presentation titled "Preliminary Results Summary of the Royalwood Access Assessment Study" and submitted same, filed as Exhibit 15.

Councillor Steeves asked the consultants to explain what was being proposed for Warde Avenue and how this figured into their study. Todd Smith explained that it was anticipated that, in approximately twenty (20) years, Warde Avenue would be extended from St. Anne's Road, to Royalwood, through Island Lakes and on to Lagimodiere Boulevard.

Councillor Vandal asked a representative from Earth Tech to summarize the potential impacts on John Bruce Road. Mr. Smith indicated that, should John Bruce Road be used as a collector street, it would not be feasible in its current location and explained his point using a diagram. Mr. Smith explained that a number of the homes along John Bruce Road have been there for as long as thirty (30) years and, if John Bruce Road was turned into a collector street, traffic would increase significantly and it would perhaps be necessary to move several of the existing homes.

Councillor Vandal asked if the consultant had factored "public costs" in their analysis to which Mr. Smith replied they had not.

Councillor Steeves asked the consultants to explain the concept of "environmental impact" relative to their study. Steve Bizwanger indicated that this was a very broad category that included potential impacts on the area vegetation, the river and the wildlife.

Peter Muir, Corporate Counsel for Ladco Company Limited and Alan Borger, Ladco Company Limited, appeared in support of the application. Mr. Muir read from a prepared statement, filed as Exhibit 16.

Councillor Steeves questioned the size and anticipated traffic load on the proposed Southglen Bridge. Alan Borger indicated that, based on the traffic study, the daily traffic volume would constitute approximately fourteen (1,400) hundred vehicles per day. Mr. Borger stated that the proposed bridge would be two-lanes wide and the anticipated speed limit would be fifty kilometres per hour (50 km/h). Councillor Angus asked if the proposed bridge was to be a "high-level" bridge. Mr. Borger indicated that the bridge would not be a box culvert bridge as originally considered with no in stream structures and that it would be built on piers.

Councillor Vandal asked what the width of the proposed roadway would be on the Royalwood side of the bridge to which the Land Development Engineer replied that the right of way would be twenty (22) metres wide and the roadway would be ten (10) metres wide. Councillor Vandal questioned the Developer as to what amount of "Bois des Esprits" would be north of the proposed crossing to which Mr. Muir responded approximately ninety-two (92%) percent or 72 (seventy-two) acres.

Councillor Vandal next asked the developer to explain what would be involved with the river dredging process. Mr. Borger asked Scott Harnish, Senior Engineer, Wardrop Engineering, to explain the process. Mr. Harnish explained that the Seine River takes a sharp turn very close to St. Anne's Road. He indicated that, for a crossing to take place at Southglen, the river must be re-channelled approximately sixty (60) metres away from St. Anne's Road from its current position of twenty (20) metres. Mr. Harnish stated that this would allow for a bridge to be built over the re-aligned channel and alleviate the current bank stability problem that currently exists. They are proposing the following:

- winter construction to alleviate impacts on fish and habitat
- construction of a new channel between the two arms of the river
- do all work necessary (riprap, piles, etc…) during the winter
- once all work is completed, breech the channel and allow the water to flow

Mr. Harnish explained that this process would not affect the water in the river, would reduce environmental impacts and that the extraneous material and equipment required for this work would be removed before the water flows through the river. Mr. Harnish anticipated that construction would begin this winter, pending approvals.

Councillor Angus stated that approval from the Department of Fisheries and Oceans (DFO) would be required prior to re-chanellization and bridge construction. Mr. Harnish indicated that Ladco Company Limited was adhering to the DFO process and have written and submitted a report to the DFO. Mr. Harnish stated that it was his belief that the DFO was monitoring all meetings and public hearings with respect to Ladco Company Limited's application. The City Naturalist indicated that it was her belief that the DFO has been observing the process including the open house held November 27, 2002, and the public hearing.

Michael Nozick, President, Fairweather Properties Limited, appeared in support of the application and read from a prepared presentation, submitted as Exhibit 17. Mr. Nozick indicated that his company has a large financial stake in this development. He further stated that "Bois des Esprits" should exist as part of the community and not independent of it.

Derek Thorsteinson, President, Manitoba Home Builder's Association, appeared in support of the application. He indicated that the year 2002 was a record setting year in terms of new housing starts in the City of Winnipeg and that residential construction is a 1.3 billion dollars a year industry. He further stated that the current housing supply in Winnipeg was low and the demand for new homes is extremely high. Mr. Thorsteinson articulated that Ladco Company Limited is a pillar in his industry and their efforts to maintain a balance between the environment and communities they create are beyond reproach. He indicated that construction of a bridge at Warde Avenue would not serve the same need as the proposed crossing at Southglen Boulevard. He indicated that it was his understanding that Ladco Company Limited is to construct the bridge at Southglen Boulevard at its own expense while preserving the vast majority of the natural habitat along the river.

Frank Curtis, owner, Hilton Homes, appeared in support of the application. Mr. Curtis indicated that his company had a huge stake in the proposed development and, should it not proceed, he would be forced to lay of all of his staff and cease operations.

Dean Bauch, Royalwood Neighbourhood Association, appeared in support of the application and read from a prepared statement, filed as Exhibit 18.

Dennis Checkly, President of Hallmark Homes, appeared in support of the application and read from a prepared statement, filed as Exhibit 19.

Terry O'Rourke, Private Citizen, appeared in support of the application and read from a prepared statement, filed as Exhibit 20.

Vince Buetti, General Manager of A & S Construction Ltd., appeared in support of the application. He stated that the next phases of development in Royalwood are of the utmost importance as there is an impending lot shortage in Winnipeg. He further stated that, should the application not be approved, prospective homeowners would be limited in their scope when purchasing new homes.

Frances Cholakis, Private Citizen, appeared in support of the application and read from a prepared statement, filed as Exhibit 21.

Peter Kaufmann, Private Citizen, appeared in support of the application. Mr. Kaufman indicated that he served as a Councillor on the Riel Community Committee approximately ten (10) years ago and that, at that time, the Committee had determined that the bridge crossing at Southglen Boulevard was the best option available. He indicated that he was displeased this issue was being considered again as the Developer had been requested to purchase the property required for this crossing at a cost of seven-hundred and fifty thousand ($750,000.00) dollars. Mr. Kaufmann stated that, at that time, Community Committee did not want to turn John Bruce Road into a collector street and it was anticipated that St. Anne's Road would be twinned up to Southglen Boulevard and that this crossing would have little impact on existing residential neighbourhoods.

John Woods, Private Citizen, appeared in support of the application. He indicated that, as a resident of Southdale since 1971, he is well aware of how poor planning can negatively impact residential developments and that he did not want to see this happen in Royalwood. He indicated that the bridge will be paid for by the developer, at no expense to taxpayers, and that, despite Save our Seine's contention, only two (2%) of the existing forest would be affected.

John McCutchon, Private Citizen, appeared in support of the application. He stated that he did not want the existing forest turned into a park as this would result in increased traffic in the area.

Rick Baydack, Private Citizen, appeared in support of the application. He indicated that he was a professor at the University of Manitoba and that the proposed development could be used as a case study for dedication to the environment. Professor Badack stated that the DFO has stringent guidelines for habitat maintenance and that he does not believe the forest will be severely impacted by this development.

Jules Legal, President of Save Our Seine Inc. (SOS), appeared in opposition to the application and submitted seven (7) letters opposing the application, filed as Exhibit 22. He explained the composition of SOS and their goal to preserve, protect and enhance the environment of the Seine River. Mr. Legal indicated that in 1999, SOS met with Ron Duhamel, Greg Sellenger and others to discuss the Seine River and it was then determined that Bois des Esprits was likely the most precious natural environment along the river. Mr. Legal stated that SOS had engaged the firm of Gaboury Prefontaine and Perry to devise a study for Bois des Esprits and from this study a concept plan was developed. He explained that these concepts, endorsed by SOS, contain two primary components; a natural area and, to a lesser extent, an interpretive centre which they would like to locate near the mill site. He indicated that developing the interpretive centre would provide many educational opportunities but the conservation of the corridor would remain his organization's primary concern. Mr. Legal stated that Ladco Company Limited was involved in the development of the concept plan and that their name appears on its cover.

Mr. Legal indicated that the only issue SOS has with this development is the proposed access at Southglen Boulevard. He stated that it was his belief that Ladco Company Limited had

previously supported a plan that did not involve a bridge crossing the Seine River. He explained that he was shocked and outraged when on April 1st, 2002, a bulldozer destroyed a large section of Bois des Esprits. Mr. Legal stated that SOS compiled a petition with the names of in excess of one thousand (1000) area residents opposing a crossing at Southglen Boulevard. He commended the City of Winnipeg for its monetary commitment to the preservation of Bois des Esprits.

Mr. Legal questioned the relevance of Earth Tech's traffic study and indicated that Earth Tech had overlooked many potential ecological impacts. He explained that members of SOS had attended all of the meetings on this issue and it is SOS's belief that a bridge constructed at Warde Avenue would satisfy the influx of traffic created by the proposed development. Mr. Legal indicated that he had explained the Warde Avenue crossing to many residents of Royalwood and that those who he had spoken with had been content with an access at Warde; he indicated that it was apparent that the Royalwood Neighbourhood Association did not agree with him.

Mr. Legal stipulated that thirty-eight (38%) of Bois des Esprits belongs to the Province of Manitoba and thus to the citizens of the City of Winnipeg. He indicated that Ladco Company Limited does not own the Seine River but is prepared to re-channel, spoil and abuse the river. Mr. Legal stated that all SOS is asking is that the proposed bridge be relocated five-hundred (500) yards away at Warde Avenue.

Councillor Vandal referenced the meeting that was held in 1999 with Ron Duhamel and Greg Sellenger and asked if the Provincial or Federal Governments had made any commitments to SOS. Mr. Legal replied that it is his belief that both levels of government recognize their need to become more involved in the preservation of Bois des Esprits and that Raymond Simard had been working hard to raise funds to preserve the forest and make the concept plan a reality.

Councillor Steeves asked if Mr. Legal believed that the proposed bridge at Southglen Boulevard would bisect the forest. Mr. Legal replied that it would not exactly bisect the forest but would split the ecosystem in two.

Gabriel Dufault, President of the Union National Metis St. Joseph du Manitoba, appeared in opposition to the application. He explained some of the history of the area along the Seine River and the involvement of the Metis population in said area. He stated that the flourmill owned by the father of Louis Riel is located within Bois des Esprits. Mr. Dufault stated that his organization was opposed to the construction of a bridge at Southglen Boulevard but that they would support the future construction of a bridge at Warde Avenue.

Jim Gyselik, SOS, appeared in opposition to the application. He indicated that he has served the fire department for over thirty (30) years and that the nearest pumper station is located closer to Warde Avenue making construction of a bridge at Warde Avenue more advantageous for emergency access. He further explained that the John Bruce Road bridge could be used for emergency vehicles.

Marcel Richot, SOS, appeared in opposition to the application. Mr. Richot iterated that he had paddled the entire length of the Seine River, a journey which took him four (4) days. Mr. Richot conveyed that the Seine River as a whole has been abused but the section of the river located within City boundaries, particularly at Bois des Esprits, is the most beautiful. He indicated that the word "fragmentation" is a better word than bisect to describe what the proposed crossing at Southglen Boulevard would do to the forest. He stated that it is the goal of SOS to follow the will of the City of Winnipeg contained in the Seine River Study and preserve Bois des Esprits, the most pristine section of wooded land along the Seine River. Mr. Richot questioned the traffic numbers used by the developer as opposed to those cited by Earth Tech and stated that the Earth Tech presentation did not properly address the ecological impacts of this development.

Sig Laser, Private Citizen, appeared in opposition to the application. Mr. Laser indicated that he was generally supportive of the development but was opposed to the proposed bridge crossing at Southglen Boulevard and stated that most residents surveyed were opposed as well. Mr. Laser spoke of the DFO's requirements and indicated that the proponent is relying on a letter from the Province of Manitoba indicating that the Province will support the recommendation of the DFO. Mr. Laser commented on the configuration of the public hearing process and indicated that the way the meeting was structured forces the situation into a win/lose situation and that the Committee should not make its decision tonight and that the matter should be adjourned until January.

David Danyluk, SOS, appeared in opposition to the application. Mr. Danyluk asked if the Civic Environmental Committee had reviewed the application; Councillor Steeves replied that it had not and Mr. Danyluk asked that the application be adjourned pending the Civic Environmental Committee reviewing the application. He described the SOS concept plan for Bois des Esprits and indicated that parking in Royalwood would not be an issue as local residents would be able to walk to the park and others could use alternative methods of travel, such as transit. Mr. Danyluk indicated that the asphalt path proposed in the concept plan would be linked to existing paths in Royalwood and would allow for mobility challenged people to view the forest. Mr. Danyluk indicated that the traffic study detailed that a Warde Avenue bridge would accommodate traffic flows in the area and that the Southglen Boulevard plan would only be more convenient for the developer. Mr. Danyluk indicated that the proposed crossing at Southglen would negatively impact the environment. Councillor Vandal asked why SOS had signed off on Earth Tech's study to which Mr. Danyluk replied that said study was not environmental in nature but based on traffic.

Allan Parker, Private Citizen, appeared in opposition to the application. Mr. Parker indicated that he was not opposed to the development as a whole, only the proposed bridge crossing at Southglen Boulevard. He explained that people who purchased homes on Southglen Boulevard did not envision the increased traffic that a bridge crossing at Southglen Boulevard and St. Anne's Road would create and that said traffic increases would be a danger to neighbourhood children. Mr. Parker stated that he was supportive of the construction of a crossing at Warde Avenue.

Ron Thiessen, Western Canada Wilderness Committee, appeared in opposition to the application. Mr. Thiessen commended the City of Winnipeg for its monetary contributions to preserve Bois des Esprits but voiced his concern over the proposed Southglen Boulevard river crossing and subsequent re-chanellization of the Seine River. He stated that the proposed bridge construction would contribute to further pollution of the Seine River and that the matter should be adjourned until more information is available.

Harold Thwaites, SOS, appeared in opposition to the application. Mr. Thwaites explained that the Royalwood Phase II development would not be hindered should the bridge access be constructed at Warde Avenue in lieu of Southglen Boulevard. He further stated that the developer could contribute financially to the construction of a bridge at Warde Avenue instead of Southglen Boulevard.

Darlene Bell, Private Citizen, appeared in opposition to the application. Ms Bell stated that the installation of a bridge at Southglen Boulevard would further exasperate an already intolerable traffic situation on St. Anne's Road. She further indicated that she was supportive of the development but not supportive of a bridge at Southglen Boulevard.

J. P. Brunet, Past President, SOS, appeared in opposition to the application. Mr. Brunet indicated that SOS has come under fire in the media as a result of the their opposition to Ladco Company Limited's application. Mr. Brunet explained that he was a member of the Seine River Task Force whose study was approved by City Council several years ago. Mr. Brunet quoted from said study; in the study, it was determined that only one crossing would be sufficient to accommodate the next phases of development in Royalwood. Mr. Brunet surmised that the proposed crossing at Southglen Boulevard would destroy a large section of the Seine River riverbank.

Bev Sawchuk, Fundraising Chair, SOS, appeared in opposition to the application. She indicated that SOS had raised sixty-seven thousand ($67,000.00) dollars to date to purchase Bois des Esprits and spoke of the City of Winnipeg's monetary commitment to the purchase of said lands. Ms. Sawchuk explained that the City had appraised the land at sixty-five thousand ($65,000.00) per acre and that Ladco Company Limited's price for said land was seventy-five ($75,000.00) per acre. She iterated that Ladco Company Limited had bulldozed a portion of Bois des Esprits without permission and also had become a liability to SOS's fundraising campaign.

David Watson, SOS, appeared in opposition to the application. He asked whether the area he referred to as the "tree stand" would be rezoned as multi-family residential or park land. He also asked the City Naturalist to comment on the tree stand; the City Naturalist indicated that the land in question was quality habitat. Mr. Watson also asked if condominiums could be developed on site should the tree stand be rezoned to multi-family residential.

Christine Mazur, Private Citizen, appeared in opposition to the application. Ms Mazur reiterated concerns about the proposed bridge at Southglen Boulevard and suggested that a Warde Avenue crossing would be a viable alternative.

Nathan Laser, Private Citizen, appeared in opposition to the application. Mr. Laser explained that, as a member of the urban green team, he had worked with SOS to maintain and clean the Seine River and that the major point sources for pollution along the Seine River were bridge crossings. Mr. Laser refuted many of the conclusions contained in the Earth Tech report and indicated that at an open house hosted by SOS, the vast majority of those in attendance did not support a bridge crossing at Southglen Boulevard.

Joe Keszi, Private Citizen, appeared in opposition to the application. He indicated that Earth Tech had not included a cumulative impact assessment in their study and that the construction of a bridge at Southglen Boulevard would likely decrease property values in the area. Mr. Keszi iterated that it was remiss of the developer to make this application without fully assessing potential impacts. He stated that the demand for housing in the City of Winnipeg currently exceeds supply and should the proposed Southglen bridge not be constructed, it is his belief that lot prices in the development would not be impacted. Mr. Keszi explained that his mother lives on Southglen Boulevard and the proposed bridge would threaten the safety of neighbourhood children.

Dave Dyck, Private Citizen, appeared in opposition to the application. He stated that the media battle waged between SOS and the developer has put the Councillors of the Riel Community Committee under a great deal of pressure and encouraged said Councillors to listen to the concerns of area residents and ensure their views are reflected in their decision.

Serge Larochelle, Private Citizen, appeared in opposition to the application. He indicated that as a child he used Bois des Esprits as a playground and learned to respect nature there. He iterated his opposition to the proposed bridge at Southglen and challenged the developer to preserve all of Bois des Esprits.

Reid Edgeworth, Private Citizen, appeared in opposition to the application. He indicated that he was supportive of the development but opposed to a bridge being constructed at Southglen Boulevard.

Gerard Lecuyer, Private Citizen, appeared in opposition to the application. Mr. Lecuyer stated that the public hearing was not sufficiently advertised. He indicated that at a meeting held by SOS at Morrow Church, the vast majority of people in attendance, including himself, opposed the proposed crossing at Southglen Boulevard. Mr. Lecuyer stated that Bois des Esprits should be protected at all costs and that, should this area be disturbed by the proposed bridge at Southglen Boulevard, the loss would be great to the Metis people and the citizens of the City of Winnipeg.

Guy Magnusson, Private Citizen, appeared for informational purposes. He indicated that he was supportive of the proposed development as the company he represents will eventually develop lands adjacent to the said development. Mr. Magnausson asked at what point in the development of the next phases of Royalwood would the Warde Avenue crossing be constructed.

Silvie Hebert, SOS, inadvertently indicated that she was appearing for informational purposes and asked that she be registered in opposition to the application as she opposed the proposed crossing at Southglen Boulevard.

Henry Thiessen, Congregational Chair of Morrow Gospel Church, appeared for informational purposes. Mr. Thiessen asked what would happen to the storm sewers and riverbank located on the Church property adjacent to the development.

Wayne Dinzey, Private Citizen, appeared in support of the application. Mr. Dinzey stated that a wilderness committee had approached his company asking that he not support the application. He explained that he is an environmentalist and that he was supportive of the construction of two bridges (at Warde Avenue and at Southglen Boulevard) from both an environmental and safety point of view. Mr. Dinzey indicated that if SOS could be supportive of the concept plan for Bois des Esprits as detailed on their website, they should be supportive of this development, which would be less intrusive.

Peter Muir, Alan Borger and Scott Harnish returned in rebuttal. Peter Muir addressed the issue of traffic and indicated that the traffic count of four to five (4,000 - 5,000) thousand is the traffic count anticipated on John Bruce Road in the year 2022. Mr. Borger indicated that the City of Winnipeg's traffic department, UMA Engineering, Wardrop Engineering and now Earth Tech have all done studies on the traffic issue and indicated that he did not believe that another traffic study was needed.

Councillor Vandal asked the Traffic Assessment Engineer if building a bridge at Southglen Boulevard would endanger the children living on Southglen Boulevard. The Traffic Assessment Engineer replied that the majority of traffic exiting Royalwood would turn onto St. Anne's Road and that traffic on Southglen Boulevard would increase by approximately ten (10) percent.

Councillor Steeves asked the applicants to address the concerns raised by Mr. Thiessen of Morrow Gospel Church. Scott Harnish indicated that the work they are proposing is on the east side of the Seine River not on the City-owned land located between the Church's land and the river. The existing storm sewer would be extended into the new channel that is proposed. The area of the old channel will be filled in and graded to a more stable, shallow slope that will provide better riverbank stability. The developer will then re-vegetate the area with native grass and shrubs to enhance the area and preserve it for the future. He iterated that the work will be limited to the developer's lands and that they would not encroach on the Church's property.

Councillor Angus asked how many lanes of traffic the new bridge would accommodate. Mr. Harnish responded that there would be two (2) lanes, five (5) meters in width with a turning lane beginning at the end of the bridge.

Mr. Muir addressed the question raised by Mr. Watson. He stated that the developer wants the 13.5 acres in question rezoned to multi-family residential and that this would be the last stage of the proposed development. Councillor Angus asked the Senior Planner what his recommendation was with respect to said 13.5 acres. The Senior Planner replied that, given the

choice, his department would be supportive of rezoning the land in question to a parks and recreation district. Councillor Angus asked the applicant if it was their intention to rezone this piece of land to avoid going through the public hearing process again to which Mr. Borger replied in the affirmative. Mr. Borger indicated that he would be willing to address this, and other issues, as part of the development agreement.

Councillor Vandal asked if the applicant was willing to grant SOS an extension of time to raise the funds necessary to purchase the Bois des Esprits land. Mr. Muir replied that the applicant is willing to extend said deadline, pending several conditions. Councillor Angus asked the developer should SOS not raise the funds required to purchase the 13.5 acres, if the developer wanted the zoning to revert from a parks and recreation district to a multi-family district to which Mr. Borger replied that these details could be handled administratively.

Councillor Vandal asked where the development would begin. Mr. Borger replied that they would begin to build in the south and move north as services are installed. Mr. Borger indicated that bridge construction and retention ponds could only begin in winter and this would be the largest factor determining when the project would begin.

Councillor Angus indicated that he was going to move a motion recommending that this application be approved. He stated that the City of Winnipeg had made monetary commitments to preserve Bois des Esprits and that the proposed bridge at Southglen Boulevard disturbed a minimum amount of the forest located there. He further stated that the developer has made many concessions, including altering the construction of the proposed Southglen bridge to allow for passage underneath it. Councillor Angus iterated that he was disappointed that a more amicable solution had not been arrived at and that he sympathised with both the developer and SOS.

Councillor Steeves stated that Bois des Esprits is a project that has captured his heart and that SOS has always conducted themselves with class. He indicated that it was his belief that the people of St. Vital want to preserve the forest and that SOS' plans for said forest have never been meant to be invasive. He stated that with Ladco Development Company's application, the vast majority of the forest will be preserved and that the Developer will pay for the bridge. He indicated that he would be supportive of Councillor Angus' motion and that he would be moving subsequent motions dealing with the proposed connection at St. Anne's Road and eventual twinning of St. Anne's Road.

Councillor Vandal stated that that the City of Winnipeg has committed hundreds of thousands of dollars to purchase land along the Seine River. He further iterated that the City of Winnipeg hired an independent consultant to review traffic implications and that, years ago, the City had directed the developer to purchase the land required for the proposed Southglen Bridge. Councillor Vandal stated that it was his belief that the proposed crossing at Southglen would not ruin efforts to preserve Bois des Esprits and that he would be supporting Councillor Angus' motion.

In reply please refer to / Référence à rappeler :

Kevin Lalor
(204) 986-5069
Fax / Téléc. : (204) 986-3684

File No. DASZ 19/00
Our c/f CP 500 (. 531)

December 12, 2002

Mr. Marc Pittet
Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

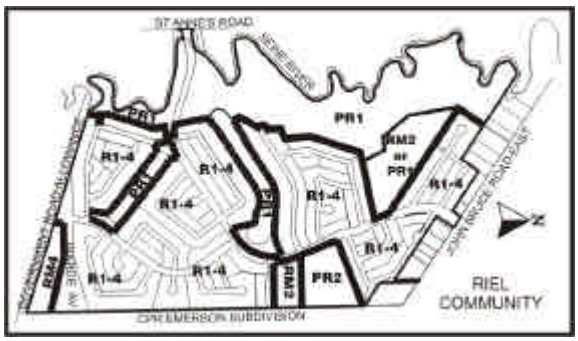
REVISED

Dear: Mr. Pittet

SUBDIVISION AND REZONING
Land located: South of John Bruce Road/ East of the Seine River
Riel Community
File No. DASZ 19/00

An application has been received from Ladco Company Ltd. for approval of a plan of subdivision and related zoning change to Zoning By-Law No. 6400/94 by rezoning the subject lands from an "A-5" Agricultural District and a "R1-20" Residential District to a "PR-1" Parks And Recreation District, a "PR-2" Parks And Recreation District, an "R1-4" Single Family District, an "RM-2" Multiple Family District and an "RM-4" Multiple Family District to allow for the future development of a single and multiple family residential subdivision while at the same time protecting and preserving an existing 80 acre forest adjoining the Seine River.

RELATED FILES:



SITE DESCRIPTION:

Site Area:

The subject lands are bounded on the north by John Bruce Road; on the east by the CPR Emerson Line; on the west by the Seine River; and on the south, by what will eventually be the extension of Warde Avenue. The area in total encompasses approximately 305 acres (124 hectares).

Existing Land Use and Zoning:

The bulk of the property is open agricultural land zoned A-5 Agricultural. Almost 80 acres of the overall area is heavily treed and lies adjacent to the Seine River; it is similarly zoned A-5 Agricultural. The frontage properties which constitute part of the application along the south side of John Bruce Road, also are vacant and are zoned R1-20 Residential.

Surrounding Land Use and Zoning:

North: To the north immediately adjacent on the south side of John Bruce Road are a dozen or so lots, primarily residential, zoned R1-20 Residential. Further to the north is a fully developed residential subdivision with a mix of R1-5, R1-4 single-family lots interspersed with some low density multiple family housing.
East: To the immediate east is the CPR Emerson line and east of that vacant lands zoned "A-5" Agricultural.
South: To the south are a substantial number of private holdings zoned "A-5" Agricultural.
West: Immediately west of the Seine River, much of the land between St. Anne's Rd. and the Seine River is occupied with seniors condo developments, of varying densities Zoning ranges from RM-L to RM-3 Multiple Family.

DEVELOPMENT DESCRIPTION:

The subject application constitutes the second phase of Royalwood and extends residential development south of John Bruce Road as far as the Warde Avenue Extension. The proposed subdivision is bounded on the east by the CPR Emerson mainline and on the west by the Seine River. The plans, in addition to delineating the Warde Avenue extension, also provide for the southerly extension of Shorehill Boulevard and link the aforementioned right-of-way with St. Anne's Road (via a new bridge) at the existing intersection of Southglen Boulevard and St. Anne's Road.

Approximately 760 "R1-4" single family lots are proposed; development to occur over at least a ten year period. In addition to single family housing, three multiple family sites have been identified, one of which will, in all likelihood, be a future school site; another further to the north will probably be purchased by the City (in conjunction with Save Our Seine River Environment Inc.), zoned PR-1 by way of this application, and assimilated into the overall public reserve area lying adjacent.

Two relatively large wetland/retention lake areas are also identified in the south half of the subject area and are slated to be built first, should the subject application be approved. Under the current proposal, 13.66 acres of wetland "retention basins" is to be set aside in addition to 88.5 acres of public reserve. Much of the proposed public reserve area is treed, 98% of which is to be preserved and protected under this proposal. From the standpoint of services, the interceptor sewer will likely access the area at a point close to Warde Ave. and watermains are expected to cross the Seine in the proximity of the proposed bridge at Southglen Boulevard.

HISTORY:

In order to better understand certain aspects of the subject application, including the applicant's rationale for the proposed bridge location, it helps to have some understanding of the chronological order of the larger residential applications that occurred on or adjacent to the subject property in the last twenty years.

In the early to mid 1980s, the City's Streets and Transportation Department viewed the lands adjoining the Seine River east of the Novavista intersection as the most logical location to construct a bridge which would eventually link the Ladco lands south of John Bruce with South St. Vital. However, Ladco was unsuccessful in their efforts to acquire the private lands west of the Seine River and as a result, locations for a bridge were pursued.

In 1983, Ladco made application for a residential subdivision (DASZ 32/83) on the lands in question. Similar in many ways to the current application, two large retention lakes were proposed with marginal provision for protection of the habitat areas along the river. A bridge linking the area was to cross the Seine at a point coinciding with the then proposed Paddington Road extension from the west. Paddington Road was eventually to become the current Southglen Road.

That application went to the Riel Community Committee in January 1985 and was endorsed. One of their supporting arguments being that "the proposed subdivision ties in with the newly revised Compark subdivision to the west. The Paddington Road (future Southglen) extension is scheduled to intersect with the main collector street providing access to the Ladco Subdivision". At that time Riel Community Committee further directed the developer (Ladco) to acquire land for the proposed collector street system opposite the then planned connection of future Southglen Boulevard. That application was never proceeded with.

In that same year, an application by Compark (DASZ 40/85) for a 285 lot residential subdivision for the lands between Dakota and St. Anne's on both sides of the Paddington Road (Southglen) was submitted to and endorsed by the Riel Community Committee. That report clearly indicates that the future Southglen was to be a collector street connecting St. Anne's with Dakota. The plans also clearly indicate the widened access at St. Anne's, the large commercial property at the NW corner of St. Anne's, and clearly indicate the developer's responsibility to install traffic control signals at St. Anne's and Paddington (Southglen).

In 1990, under application number DASZ 5/90, Ladco made application to develop its lands north of John Bruce Road. The plans called for the eventual construction of 590 lots and amongst the listed conditions of approval were the following: Prior to the connection of any street within the subdivision to John Bruce Road, the following works must be constructed by the developer; a) a temporary asphaltic concrete access road including a vehicular crossing over the Seine River and street lights within the public right of way from the intersection of John Bruce Road to the intersection of St. Anne's Road and Southglen Boulevard or such other new right of way crossing the Seine as determined by the City; b) developer to pay the cost of traffic control signals etc. at the aforementioned intersection or at such other new right of way connecting to St. Anne's Road.

A short time later in 1991, while still considering DASZ 5/90, the Riel Community Committee adopted, in principle, a concept plan which included street crossing of the Seine River to St. Anne's Road opposite Southglen. The former Streets and Transportation Department, in corresponding with other City Departments at the time, clearly identified the Southglen connection as being one acceptable bridge alternative linking the Ladco properties to St. Anne's Road. The only other site identified was located midway between Novavista and Woodydell to the north.

In August of 1999, Grandin Park Development, a joint venture between Ladco and the Province of Manitoba, advised that it was preparing design concepts for the next phase of Royalwood. Ladco also recognized at that time that 80 of the overall 305 acres involved had been given a Grade "A" (or best quality habitat) designation by the Seine River Task Force.

On Sept. 12, 2000, Riel Community Committee, considered and approved, a report from the City recommending that AG 5/90 be amended by deleting the condition contained in the development agreement specifying that Shorehill Drive had to be extended though to St. Anne's Road if a connection from Royalwood Phase 1 to John Bruce was initiated. The connection was needed to accommodate school bus and transit access.

In September of 2000, Ladco made formal application of DASZ 19/00. Several alternative proposals, "A" and "B" were submitted at the time, but ultimately Proposal "A" which delineated as park all the land designated by the Seine River Greenway Study as A quality habitat (apprx.80 acres) and was the preferred alternative of Save Our Seine River Environment Inc. with respect to preservation of the forest only.

BOIS DES ESPRITS:

On July 16, 1980, City Council approved the Seine River Park Study and requested that an Implementation Task Force be established to prepare a five year budget for park development. That plan was generally viewed as too ambitious and was never implemented except as a guide to land acquisition.

In 1983, Council modified the Comprehensive Parkway Concept to that of a Linear Parkway Strategy, with development comprised of passive parks, recreational areas and limited access natural area preserves.

In 1993, The City of Winnipeg Board of Commissioners approved the composition and work plan for the Seine River Task Force, as well as, a budgetary provision of $85,000 to undertake an extensive study of the Seine River within the city limits. The resulting document is the Seine River Greenway Study. The study identifies the area south of John Bruce Road, east of the Seine River as an area of high quality A habitat. The study indicates in detail how the riverbottom forested areas, complete with wetlands and vestiges of old river oxbows are coveted by the Task Force. The study goes on to say that the area needs to be purchased, protected and preserved for the future. The above mentioned 80 acre riparian habitat along the east bank of the Seine River south of John Bruce Road is known as "Bois des Esprits" or "Spirits in the Woods". Not only a prime example of river bottom forest, Bois des Esprits is home to a wide variety of wildlife. As a result of the City's commitment to the principles and objectives of the Seine River Greenway Study, the City in conjunction with The Save Our Seine River Environment Inc. and the Provincial and Federal Governments have been investigating for some time ways and means in which a partnership can be structured in order to acquire and protect Bois des Esprits and also build a future interpretative centre. For its part, the City of Winnipeg has been attempting to identify funds so that they can participate in this partnership in a meaningful way.

On November 20, 2001, the Standing Policy Committee on Property and Development passed the following motion: "that the Director of Planning, Property and Development be authorized to negotiate the acquisition of some or all of the Bois des Esprits' river bottom forest above the waterway requirement, as outlined on misc. plan 11303 and report back to the Standing Policy Committee on Property and Development. The total price of the land is $2.6 million.

On June 19, 2002, City Council committed $1 million to acquire the forest for use as a natural area park. In addition, the City has agreed to match, dollar for dollar, all funds raised to a maximum of $600,000. Save Our Seine River Environment Inc. has launched a fund raising campaign and in a letter dated November 25, 2002 has requested an extension of the original fundraising deadline to December 31, 2003 in order to cover the shortfall of $1 million. However, the acquisition of either a part of or all the Bois des Esprits tree stand is only one of two major issues facing the development of the subject lands.

The second issue is Ladco's proposed vehicular access from St. Anne's Road over the Seine River to the proposed Royalwood Phase 11 residential subdivision. The developer and the City Administration have always believed that the most appropriate location for this bridge was in the area near the south limit of the tree stand opposite the Southglen Boulevard intersection with St. Anne's Road. As such, the developer had acquired the aforementioned land in 1989 for this anticipated future need.

Save Our Seine River Environment Inc. generally opposes this location because it does not agree the bridge is necessary given a future commitment by the City to build a bridge further south at Warde Avenue and, in addition, the bridge requires the destruction of approximately 2 acres of Bois des Esprits forest and further fragment a portion of the forest.

ROYALWOOD ACCESS ASSESSMENT STUDY:

On June 19, 2002, the Executive Policy Committee instructed the Director of the Planning, Property and Development to advise the Save Our Seine River Inc. that the City, subject to Council approval, was prepared to commit $1 million towards the acquisition of the tree stand and, in addition, was prepared to match, dollar for dollar, all other alternative sources to a maximum of $0.6 million for funding the proposed acquisition, all based on a price of $65,000.00 an acre. Save Our Seine River Environment Inc. was given an initial time limited deadline until December 31/02 to complete its campaign of fundraising.

The Director was also instructed to obtain an independent assessment on the long-term traffic and environmental impacts of the three primary alternative bridge locations to access the proposed Royalwood Phase II residential development; and pending the opinion of this independent assessment, ensure that the lands now readily available for bridge construction be preserved accordingly.

By July 2002, a Steering Committee had been established to develop terms of reference for what was to be referred to as the Royalwood Access Assessment Study and provide direction for the project in the following months. Members of the Committee were drawn from a number of City Departments, in addition to representatives of the Save Our Seine River Environment Inc.

By August, Terms of Reference clearly identifying the goals and objectives for the Study had been completed for review and ultimately were endorsed by all members of the Steering Committee. An RFP was sent out on August 30th to a select group of consulting firms who were invited to submit proposals. By late September, after submissions had been made and a number of firms had been short listed and interviewed, and with unanimous agreement of the Steering Committee members, the contract was offered to Earth Tech (Canada) Inc. Specifically the goals highlighted in Earth Tech's proposal addressed:

a. the provision of adequate access to the proposed Royalwood II residential development;
b. called for a solution which would best meet the needs and concerns of the community as a whole;
c. ensure that environmental impacts would be minimized;
d. ensure the operational functionality of recommended access alternatives;
e. limit negative land use impacts and provide opportunity for economic growth and beneficial land uses; and
f. minimize capital cost and life cycle costs.

Inherent also in the process, from the outset, was also a commitment to a public consultation process, the intent of which was to ensure that the benefits and impacts associated with each bridge crossing alternative would be effectively communicated to all stakeholders in order to gain assistance in selecting a preferred option.

In accordance with the Terms of Reference, six crossing alternatives were looked at in the context of environmental impact, traffic impact, transportation planning guidelines, costs, emergency access and neighbourhood/public preferences. Recognizing the eventual construction of Warde Avenue as a constant in the process, the alternatives studied were as follows:

1) Warde Avenue alone (single crossing)
2) Warde Avenue with provision for emergency vehicles at John Bruce Road
3) Warde Avenue and John Bruce Road (fully opened)
4) Warde Avenue and Nova Vista Drive
5) Warde Avenue and Compark Road
6) Warde Avenue and Southglen Blvd.

An open house was held on November 27, 2002, presided over by the consultants, at which time they displayed much of their preliminary findings. Although only 311 people officially registered with 309 surveys completed, it is estimated that more than twice that number attended the open house. It is important to note that throughout the process, the consultants were encouraged to meet with and were successful in meeting with any and all interest groups that wished to have their specific concerns or issues addressed.

ACCESS ASSESSMENT STUDY CONCLUSIONS:

The purpose of the access assessment study, from the outset, was to evaluate the long and short term impact of the alternative bridge locations identified on the existing environment and on the neighbouring communities to the north and west. The task of the Consultant was not to provide your Committee with a specific recommendation at the end of the process, but rather to draw conclusions based on the sum total of the information gathered in order to assist your Committee in making an informed decision. Given that the Consultant will be making a detailed presentation of their findings at the time of the Public Hearing, this report will only touch on what appears to be the highlites of the Study.

Without over simplifying, after all the matrixes have been completed and evaluated and all of the surveys have been tabulated and assessed, what stands out, is that, of all the options, the Warde Avenue Extension (which is a constant), combined with a bridge at Southglen appears to have the most merit and the most support. While its apparent that a bridge built at Southglen would have the highest impact on the river morphology and, to some extent, on the adjacent habitat area than would be the case if a new bridge were built at John Bruce, in most other aspects it has an some distinct advantages over the others.

First it connects to the existing collector street system west of St. Anne's Road. Neighbourhood street patterns and access points should allow for a choice of routes for day-to-day traffic and for emergency vehicles and provide for convenient, not just adequate, access to both Bishop Grandin and St. Anne's Rd. This option allows for that, while also providing a good connection to established neighbourhood services in South St. Vital, such as libraries, schools and community centres.

Of equal importance is the cost factor. The cost of land acquisition and bridge construction at Warde Avenue, whenever it is built, will be borne by the City at large. Ladco is committed to building the proposed bridge at Southglen with little or no cost to the City. By contrast, a new bridge at John Bruce, while achieving a rating almost as high in the ranking system used by the Consultant, has several clear disadvantages. First it doesn't function as efficiently as an emergency access to the new subdivision areas because of the distance (response time) from the closest fire station # 26 at Warde and Dakota.

More importantly, the costs to the City would be high. John Bruce Road west of the Seine River would have to be realigned in order to properly intersect with Meadowood. That would necessitate the acquisition of an existing trailer park and 4-5 homes along John Bruce Rd. A chart, (based on the information available at the time of this writing), has been attached to the accompanying report and may more clearly indicate the ranking given to the various options. Depending on the criteria, A indicates either the preferred option, or the most inexpensive option, or the option of least impact. F constitutes the worst option in all cases.

PLAN WINNIPEG:

Under Plan Winnipeg, the subject area is, 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. One of the primary objectives of Plan Winnipeg Policy is to promote compact urban form, which means a) approving new residential subdivisions where there is a reasonable relationship between the supply of land and the projected demand and when a full range of municipal infrastructure can be provided in an environmentally–sound, economical and timely manner, and; b) supporting new development which is adjacent to, and compatible with, existing development and which is designed to minimize the spatial use of land.

A second objective of the Plan, and of equal importance, is the protection of environmentally sensitive lands that contain important pockets of natural flora and fauna by evaluating proposed new developments that impact high–quality natural areas and encouraging the protection and preservation of such lands to the greatest extent possible. And finally, the City shall provide an integrated transportation network that supports it's commitment to sustainability and compact urban form. It is felt that, in this instance, every effort has been made by the Administration of the City of Winnipeg and City Council to ensure that the aforementioned policy objectives have been adhered to.

ADMINISTRATIVE COMMENTS:

This subdivision represents an orderly expansion of residential development and a logical next step for the Royalwood Neighbourhood. It meets the requirements of the City for a new residential subdivision and should meet all the conditions established by the Administrative Coordinating Group. Except for its location next to the Seine, this would be a simple, straightforward application.

The City's principal concern has been the desire to protect the natural character of the Seine River and the forested areas adjacent to this new development. This created two critical issues:

1. How can the forest (Bois des Esprit) be secured for the enjoyment of future generations?

2. How can the need for vehicle access across the Seine to St Anne's be accomplished with minimum impact on this important natural resource?

As described earlier, the City, with the cooperation and support of the developer and Save Our Seine Environment Inc., will, hopefully, be able to acquire most of the forest and there is every expectation that fund raising efforts by Save Our Seine Environment Inc., and additional funding by the City, will be able to acquire the full 80 acres. The Southglen option will contain specific mitigating measures for protection of the forest and river, the details of which will be addressed in the final Development Agreement. Ultimately, the City, Save Our Seine Environment Inc. and the developer all benefit.

The question of the appropriate location and number of bridge connections over the Seine is assessed in detail in the consultant's report. In the end in comes down to balancing three issues:

? protecting an important environmental asset;
? providing adequate vehicle access; and
? ensuring effective inter-neighbourhood connections.

The history of development in this area over the past 20 years, and the many discussions about appropriate crossings of the Seine, as described earlier, must also be taken into account.

It is therefore recommended that the application, including the bridge crossing of the Seine to the Southglen - St Anne's intersection, with the future development of a second crossing at Warde Avenue, as recommended by the consultant's report, be approved.

RECOMMENDATION:

I. That the plan of subdivision proposed under File No. DASZ 19/00, be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor, in accordance with Schedule "A" for File No. DASZ 19/00, attached hereto, and dated December 11, 2002, for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated December 5, 2002;

II. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

III. That Zoning By-Law No. 6400/94, be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 19/00, attached hereto, and dated December 11, 2002, to a "PR-1" Parks and Recreational District, a "PR-2" Parks and Recreational District, an "RI-4" Single Family District, an "RM-2" Multiple Family District and an "RM-4" Multiple Family District.

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

V. That the City Solicitor be requested to prepare the necessary by-law in accordance with the above.

VI. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

VII. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

VIII. The Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

IX. In the event that the necessary City of Winnipeg mylar approval signatures have not been secured within 24 months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Yours truly,

V. Buckley
Manager of Planning and Land Use

Per: Kevin Lalor, Senior Planner
(Riel Community)
986-5069

CHART

	OPTIONS					
	Warde	Warde/John Bruce	**Warde/Comp**	**Warde/ S.Glen**	**Warde/John Bruce Emergency**	**Warde/Nova Vista**
Criteria	**1**	**2**	**3**	**4**	**5**	**6**
Environment	A	C	D	E	B	F
Traffic	F	C	B	D	E	A
Transportation Planning	F	D	C	B	E	A
Public Open House	A	C	D	B	?	?
Public Cost (including present value)	B	E	D	A	C	F
Emergency Access	C	A	A	A	B	A

By-Law No. _____

File No. **DASZ 19/00**

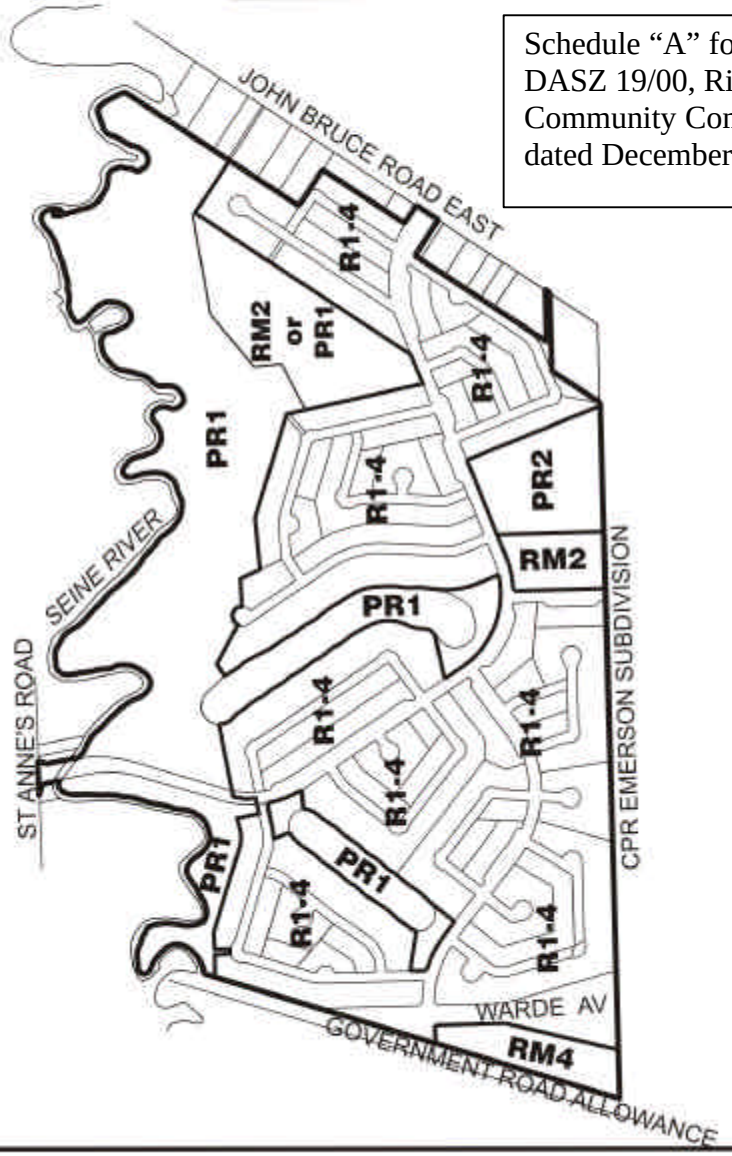
Atlas Sheet No. **AG29 RIEL COMMUNITY**

N

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land located south of John Bruce Road East to Four Mile Road, west of CPR Emerson Subdivision and east of t he Seine River from an "A.5" AGRICULTURAL DISTRICT and an "R1-20" RESIDENTIAL DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT, a "PR2" PARKS AND RECREATION DITRICT, an "R1-4" SINGLE-FAMILY DISTRICT, an "RM-2" MULTIPLE-FAMILY DISTRICT and an "RM-4" MULTIPLE-FAMILY DISTRICT as shown outlined below.

Schedule "A" for File No. DASZ 19/00, Riel Community Committee, dated December 11/02



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Re: Proposed subdivision and rezoning of land located between the Seine River and the CPR Emerson Subdivision, south of John Bruce Road – DASZ 19/00

FOR SUBMISSION TO THE CHAIRPERSON AND MEMBERS OF THE RIEL COMMUNITY COMMITTEE

"Original signed by E.L. Carrière"
E.L. Carrière, Chairman
Administrative Coordinating Group

December 5, 2002

Re: Proposed subdivision and rezoning of land located between the Seine River and the CPR Emerson Subdivision, south of John Bruce Road – DASZ 19/00

An application has been submitted by Ladco Company Limited to subdivide and rezone land located between the Seine River and the CPR Emerson Subdivision, south of John Bruce Road.

The Administrative Coordinating Group has reviewed the plan of subdivision proposed by the Applicant and submits the following report outlining the requirements associated with the plan as submitted. If your Committee decides that Shorehill Drive should not cross the Seine River opposite Southglen Boulevard as proposed by the Applicant, the requirements contained in this report affected by that decision will be amended at the public hearing.

It is recommended that approval of this application be subject to the Applicant amending its plan as follows:

1. By providing right-of-way corner cuts measuring 3.0m by 3.0m at each corner of any intersection where angle of intersection is less than 80° to the satisfaction of the Director of Public Works.

2. Intersection of local streets within the proposed subdivision are to be designed such that the angle of intersection is no less than 70° as measured in the quadrants with the acute angle.

3. By widening by 2.0m rights-of-way which will contain land drainage sewers of a diameter greater than 525mm.

It is recommended that approval of the plan of subdivision amended in accordance with 1., 2. and 3. above be subject to the Developer entering into a Development Agreement as follows:

1. The Developer shall, at no expense to the City, install watermains, wastewater sewers and lateral land drainage sewers required to serve the proposed subdivision as determined by and to the satisfaction of the Director of Water and Waste.

2. a) The Developer shall, at no expense to the City, construct stormwater management facilities within the Planned Area in accordance with the "Criteria for Stormwater Management" (adopted by City Council on April 25, 2001) to the satisfaction of the Director of Water and Waste.

   b) The Developer shall, prior to issuance of a Completion Certificate for the retention basins, offset stake and grade lot corners of a representative number of private lots abutting the basins to facilitate inspection for construction completion. The Developer shall provide at no cost to the City an appropriate legal survey complete with legal monuments offset from a representative number of private lot

corners in the basins and a plan identifying horizontal and vertical extents of said monuments, which work is to be performed by a Manitoba Land Surveyor indicating the distances that the rear yard legal property limits of all private lots abutting the basins are from the retention basin normal water level, to the satisfaction of the Director of Water and Waste as a condition of issuance of a Final Acceptance Certificate.

c) The Developer shall enter into an easement agreement that shall caveat all private lots abutting the basins outlining the special conditions for the maintenance of the vegetated area at the rear of the private lots.

d) The Developer shall advise the property owners of all lots abutting the basins (by annual distribution of notices/pamphlets no later than May 31 of each year) that the property owners are responsible for shoreline erosion protection on their own properties, in accordance with the policy adopted by Council on December 12, 2001.

e) The Developer shall provide temporary construction easements on all private lots abutting the basins for such periods of time as deemed necessary by the Director of Water and Waste.

f) The Developer shall, at no expense to the City, construct a maintenance ramp on each basin to the satisfaction of the Director of Water and Waste.

g) The Developer shall, at no expense to the City, install chain link fencing, or alternate fencing approved by the Director of Water and Waste, to demarcate the public land component of the basin area from the private land component as determined by and to the satisfaction of the Director of Water and Waste.

h) Notwithstanding any other provision of this agreement regarding a warranty period, the Developer shall be responsible for maintenance of the basin area including appurtenances and landscaping for 15 years (two complete drawdown cycles estimated at seven years each) or at some earlier date as determined by the City and until occupancy of 95% of the dwellings on lots immediately abutting the basin, as determined by and to the satisfaction of the City.

i) The Developer shall provide a separate Letter of Credit in the amount of 15% of the construction cost of the basins and associated appurtenances to the satisfaction of the Director of Water and Waste, which separate Letter of Credit will be released to the Developer upon issuance of the Final Acceptance Certificate.

3. a) The Developer shall, at no expense to the City, install water and wastewater lot line connections to serve each lot within the proposed subdivision. The Developer shall warranty the lot line connections for one year after the water has been turned on for domestic purposes.

b) The Developer shall be required to undertake that sewer and water to houses will not be extended within the lots until such time as each house foundation has been back-filled and its roof has been sheathed.

4. The Developer shall, at no expense to the City, construct portland cement concrete pavements to widths of 7.5m, 8.0m and 10.0m, by 150mm and 200mm in thickness in all streets within the proposed subdivision and all related works all as determined by and to the satisfaction of the Director of Public Works.

5. The Developer shall, at no expense to the City, construct portland cement concrete pavements to a width of 6.0m by 150mm in thickness within the proposed frontage roads within the proposed subdivision, as determined by and to the satisfaction of the Director of Public Works.

6. The Developer shall, at no expense to the City, construct a 1.5m in width by 100mm in thickness portland cement concrete sidewalk along both sides of all streets with rights-of-way measuring 22.0m in width or greater except where frontage roads are constructed, within the proposed subdivision as determined by and to the satisfaction of the Director of Public Works.

7. The Developer shall, at no expense to the City, construct the new roadway structure crossing the Seine River on Shorehill Drive, in accordance with plans and specifications as determined by and to the satisfaction of the Director of Public Works.

8. Further and in addition to the requirements under Clause 9. below, development within the proposed subdivision is to be limited to not more than 100 single family lots unless and until an all weather roadway within a public right-of-way is constructed between the intersections of Shorehill Drive with John Bruce Road and Shorehill Drive with St. Anne's Road.

9. The Developer is to provide two means of vehicular turnarounds at the terminus of each temporarily dead-ended street and provide any necessary right-of-way or easements therefore, all as determined by and to the satisfaction of the Director of Public Works.

10. The Developer is to construct cul-de-sac vehicular turnarounds at the terminus of each temporarily dead-ended street and provide any necessary right-of-way or easements therefore, all as determined by and to the satisfaction of the Director of Public Works.

11. The Developer shall pay the full cost of the installation of traffic control signals, and all related works including, but not necessarily limited pedestrian and vehicular actuation, interconnection to adjacent traffic control signals and rail crossing protection and audible pedestrian signals at the intersection of Warde Avenue and the north/south collector street when and as determined by the Director of Public Works.

12. The Developer shall, at no expense to the City, pay all costs associated with the installation of the railway crossing and automatic railway crossing protection and all related works at the proposed east/west collector street crossing of the CPR Emerson Subdivision, as determined by the Director of Public Works. The City will endeavour within the limits of its powers to make recoveries from other benefiting landowners through subsequent agreements.

13. The Developer shall pay all costs associated with the relocation of streetlights and other utilities made necessary as a result of or required to accommodate works, which are to be constructed by the Developer to serve the proposed subdivision, as determined by and to the satisfaction of the Director of Public Works.

14. The Developer shall pay to the City in cash, on demand, its share of the cost of the following services to be installed in Warde Avenue along the full length of the subject property abutting the north side of Warde Avenue:

    i) a 4.0m in width by 200mm in thickness portland cement concrete lane of pavement and all related works;
    ii) a 1.5m in width by 100mm in thickness portland cement concrete sidewalk;
    iii) street lighting in the north boulevard;
    iv) landscaping in the north boulevard;

    all as determined by the Director of Public Works

15. The Developer shall pay to the City in cash, on demand, the cost of constructing in portland cement concrete pavement, an eastbound left turn storage lane, upstream transition and median opening on Warde Avenue at its intersection with the north/south collector street as determined by the Director of Public Works.

16. The Developer shall, at no expense to the City, pay 25% of the costs associated with the installation of the railway crossing and automatic railway crossing protection and all related works at the proposed Warde Avenue crossing of the CPR Emerson Subdivision, as determined by the Director of Public Works.

17. The Developer shall, at no expense to the City, construct and/or pay to the City, in cash on demand, his share of the cost of constructing the following works on St. Anne's Road at and in the vicinity of the intersection of Shorehill Drive and St. Anne's Road:

    i) through lanes, auxiliary lanes, transitions, median opening, channelization and all related works;
    ii) traffic control signals and all related works including, but not necessarily limited to pedestrian and vehicular actuation and interconnection to adjacent traffic control signals and audible pedestrian signals;

    all as determined by and to the satisfaction of the Director of Public Works.

18. The Developer shall, at no expense to the City, cause to be installed standard reflectorized permanent street name signs at all new street intersections being created as a result of the subdivision.

19. The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the proposed subdivision to the satisfaction of the Director of Public Works.

20. The Developer shall, at no expense to the City, be responsible to control and to 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 houses, until 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 all costs in remedying the situation to the satisfaction of the Director of Public Works.

21. The Developer shall, at no expense to the City, ensure that construction traffic uses 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 condition, free of dropped and tracked-on mud, and shall undertake regular cleaning of streets until building construction, including landscaping is complete, all as determined by and to the satisfaction of the Director of Public Works.

22. The Developer shall, at no expense to the City, construct within the rear yards of all one-two family lots abutting Warde Avenue, a uniform noise attenuation fence 2.0m in height, to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title of each of these proposed lots abutting Warde Avenue requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

23. The Developer shall, at no expense to the City, construct within the proposed subdivision abutting the CPR Emerson Subdivision a uniform fence 2.0m in height, as determined by and to the satisfaction of the Director of Public Works. Where private property is planned to abut the railway line the subject fence is to be within the rear yard of said lots and the Developer is to permit the City to file a caveat against the title of each property abutting the CPR Emerson Subdivision requiring the owner to maintain and/or repair the fence as originally constructed, to the satisfaction of the Director of Public Works. Said fence is intended to ensure that "pedestrian trespass" to the tracks does not become a consequence of the subject development, thereby jeopardizing existing and/or future anti-whistling regulations along the subject railway line.

24. The Developer shall install signs at the entrances to the subdivision, upon which is displayed a plan of the subdivision showing thereon the locations of all proposed

sidewalks, community mail boxes, park and multiple family sites and collector and arterial streets.

25. The Developer shall pay the Seine River Waterway Acquisition charge attributable to the gross area of the land being developed within the proposed subdivision including dedicated public open space and land purchased by the Louis Riel School Division.

26. The Developer shall dedicate as public open space 8% of the land within the proposed subdivision excluding retention basins and land being purchased by the City for the Seine River Waterway and Bois des Esprits. (The Developer is entitled to a credit of approximately 2.1 acres by virtue of an overdedication within Phase 1 of Royalwood.)

27. The Developer shall sell land to the City for Bois des Esprits in accordance with Council's approval of June 19, 2002.

28. a) The Developer shall, at no expense to the City, install boulevard sod and trees on all streets within the proposed subdivision in accordance with construction specifications and plans approved by the Director of Public Works.
    b) The Developer shall, at no expense to the City, install inter-locking paving stones and sod on all cul-de-sac islands, centre medians and dividers between street and frontage road pavements as determined by and to the satisfaction of the Director of Public Works.
    c) The Developer shall, at no expense to the City, maintain the boulevard improvements for a period of one year in accordance with specifications approved by the Director of Public Works.

29. The Developer shall pay the full cost of engineering services provided by or on behalf of the City with respect to the installation of all services required to serve the proposed subdivision.

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 19/00
December 5, 2002

"Original signed by E.L. Carrière"
Land Development Engineer

"Original signed by R.J. Hartmann"
Public Works Department
Transportation Division

"Original signed by K.T. Raban"
Water and Waste Department

INTER-OFFICE MEMORANDUM

Planning, Property and Development Department

Development and Inspections Division, Land Development Branch

Main Floor, 65 Garry Street

Winnipeg

Date: December 16, 2002

To: M. Pittet, Clerk

From: E.L. Carrière, Land Development Branch

RE: **Proposed subdivision and rezoning of land located between the Seine River and the CPR Emerson Subdivision, south of John Bruce Road – DASZ 19/00**
FILE: AG 19/00 (PLEASE QUOTE WHEN REPLYING)

Following are additional conditions which should be added to the A.C.G.'s report dated December 5, 2002. These conditions deal with possible acquisition of a school site by the Louis Riel School Division and the transfer of certain residual lands to the City for development control purposes.

"30. The Developer shall grant an option to the City for $1.00 which option shall be fully assignable to the Louis Riel School Division, to purchase a school site of approximately 4.3 acres which option shall include but not be limited to the following terms and conditions as determined by Standing Policy Committee on Property and Development:

i) The option shall be for five (5) years,
ii) The land cost shall be based on the City's standard value for acquisition of land for public use as determined and set from time to time by the City,
iii) The cost of services benefiting the school site shall be calculated based on the City's uniform or pooled rates for Local Improvements for the year in which the services were constructed or the actual cost of construction, whichever is the lesser as determined by the City.

31. a) The Developer shall transfer to the City all residual lands abutting privately-owned land fronting on John Bruce Road for development control purposes. The City agrees not to sell the residual lands to the adjacent property owners unless and until those owners have paid the following to the City:

i) $1.50 per square foot for the residual land and
ii) The cost of constructing the services in the abutting street on the basis of the Local Improvement rates prevailing at the time payment is received.

The City shall pay all monies collected for land and services to the Developer.

b) The Developer shall transfer 1-foot strips to the City within the new street rights-of-way abutting privately-owned property fronting on John Bruce Road. The City shall not permit access across the 1-foot strips until the owners of the land have

paid their share of the cost of services constructed by the Developer in the abutting street as per a) above."

"Original signed by E.L. Carrière"
E.L. Carrière, P.Eng.
Land Development Engineer

ELC/ld

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