Exhibit "1" referred to in File EP-1.1(PW 2/2008) [c/r DASZ 37/2008 and DAV 157053/2008D and DAC 1/2009]

Winnipeg

Planning, Property and Development Department
Service de l'urbanisme, des biens et de l'aménagement
Zoning and Permits Branch • Direction du zonage et des permis
Unit 31 - 30 Fort Street • 30, rue Fort, unité 31 • Winnipeg, Manitoba • R3B 3B1

RECEIVED CITY CLERKS WINNIPEG

DEVELOPMENT APPLICATION

G.S.T. # R121682967

8 DEC 23 A9:18
Void Unless Bearing Cash Register Imprint

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

* These applications may be subject to 10% cash dedication

Distribution Code	Amount
108 (6)	5,000.00
110 (8)	1,354.00
10% Dtwn Reduction	
Subtotal	
GST	317.70
TOTAL	6671.70

FILE NUMBER: PW 2/08

DOCUMENTS ENCLOSED

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

CROSS REFERENCE FILES:
DASZ 37/08
DAV 08-157053/D

Atlas Sheet:	Zoned:	Community Committee:	By-law:
AF19	M2/M3	ASBA	200/2006 / 100/2004

Location: West side Kenaston Blvd, South and North side Sterling Lyon PW

Legal Description: Parcel A, Plan 43883; Pt Lt 4, Plan 8361 exc Pcl A, Plan 43883 & exc. Rd Plan 43883 subj to Trans Line Plan 7739

Applicant: MMM Group Ltd. (c/o Paul McNeil)
Name
Suite 111-93 Lombard Ave — R3B 3B1 — 943-3178
Address — Postal Code — Telephone

Owner: Kenaston Intermodal Ltd. / 5083851 Manitoba Ltd. / City of Wpg
Name
Address — Postal Code — Telephone

Fully describe the nature of this application: Plan Winnipeg Amendment to redesignate subject lands from "Industrial Policy Area" to "Neighbourhood Policy Area" and an "Area of Regional Commercial and Mixed-Use Concentration"

Zoning Change From: _____ To: _____

Land Rezoned Under By-law No.: _____ Agreements: Yes ☐ No ☐ Attached ☐

No. of Existing Lots: _____ No. of Proposed Lots: _____

List All Other Previous Files Pertaining to This Land: DASSF 555/08

Development Officer Comments: Applications being submitted for a Plan of Subdivision and Rezoning, and Variances in conjunction with this application

Applicant: _____ Date

Zoning Development Officer: M. [signature] Date 08/12/19

Zoning Administrator [signature] Date 08/12/22

Referred to Land Development Branch:

Community Planning: Refer to Notes on Back: ☐

REVISED: 09 2008

Exhibit "2" referred to in File EP-1.1(PW 2/2008) [c/r DASZ 37/2008 and DAV 157053/2008D and DAC 1/2009]

DATE: 2008/06/13
TIME: 11:46

MANITOBA

TITLE NO: 2085074

STATUS OF TITLE

PAGE: 1

STATUS OF TITLE.....	ACCEPTED	PRODUCED FOR..	FILLMORE RILEY LLP
ORIGINATING OFFICE.....	WINNIPEG	ADDRESS.....	1700-360 MAIN ST.
REGISTERING OFFICE.....	WINNIPEG		WINNIPEG MB R3C 3Z3
REGISTRATION DATE.....	2005/05/10		
COMPLETION DATE.....	2005/05/19	PRODUCED BY...	M.DERKSEN
		LTO BOX NO....	51

LEGAL DESCRIPTION:

KENASTON INTERMODAL LTD.

IS REGISTERED OWNER OF AN UNDIVIDED 1/2 INTEREST

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

PARCEL 4 PLAN 8361 WLTO
EXC PARCEL A AND PUBLIC ROAD PLAN 43883 WLTO
IN OTM LOTS 1 TO 11 PARISH OF ST CHARLES

ACTIVE TITLE CHARGES:

184328 WPG ACCEPTED	CAVEAT	REG'D:	1962/03/16
FROM/BY:	MANITOBA HYDRO ELECTRIC BOARD		
TO:			
CONSIDERATION:	NOTES:	AFF;PLAN 2239	
215670 WPG ACCEPTED	CAVEAT	REG'D:	1970/05/26
FROM/BY:	MANITOBA HYDRO ELECTRIC BOARD/MANITOBA TELEPHONE SYSTEM		
TO:			
CONSIDERATION:	NOTES:	PART	
1882086 WPG ACCEPTED	CAVEAT	REG'D:	1995/02/01
DESCRIPTION:	EASEMENT AGREEMENT FOR DRAINAGE SEWER MAINTENANCE		
FROM/BY:	THE CITY OF WINNIPEG		
TO:			
CONSIDERATION:	NOTES:	AFF;WTN LTS R/W PL 34462	

ACCEPTED THIS 10TH DAY OF MAY, 2005
BY W.BROWN FOR THE DISTRICT REGISTRAR OF
THE LAND TITLES DISTRICT OF WINNIPEG.

CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE SYSTEM ON 2008/06/13 OF TITLE NUMBER 2085074.
THIS IS NOT A DUPLICATE TITLE.

X
FOR THE DISTRICT REGISTRAR

********** END OF STATUS OF TITLE FOR TITLE 2085074 WPG **********

DATE: 2008/06/13
TIME: 11:46

MANITOBA

STATUS OF TITLE

TITLE NO: 2127033

PAGE: 1

STATUS OF TITLE.....	ACCEPTED	PRODUCED FOR..	FILLMORE RILEY LLP
ORIGINATING OFFICE.....	WINNIPEG	ADDRESS.....	1700-360 MAIN ST.
REGISTERING OFFICE.....	WINNIPEG		WINNIPEG MB R3C 3Z3
REGISTRATION DATE.....	2005/11/17		
COMPLETION DATE.....	2005/11/28	PRODUCED BY...	M.DERKSEN
		LTO BOX NO....	51

LEGAL DESCRIPTION:

5083851 MANITOBA LTD.

IS REGISTERED OWNER OF AN UNDIVIDED 1/2 INTEREST
SUBJECT TO SUCH ENTRIES RECORDED HEREON, IN THE FOLLOWING
DESCRIBED LAND:

PARCEL 4 PLAN 8361 WLTO
EXC PARCEL "A" AND PUBLIC ROAD PLAN 43883 WLTO
IN OTM LOTS 1 TO 11 PARISH OF ST CHARLES

ACTIVE TITLE CHARGES:

184328 WPG ACCEPTED	CAVEAT	REG'D:	1962/03/16
FROM/BY:	MANITOBA HYDRO ELECTRIC BOARD		
TO:			
CONSIDERATION:	NOTES:	AFF: PLAN 2239	
215670 WPG ACCEPTED	CAVEAT	REG'D:	1970/05/26
FROM/BY:	MANITOBA HYDRO ELECTRIC BOARD/MANITOBA TELEPHONE SYSTEM		
TO:			
CONSIDERATION:	NOTES:	AFF: PART	
1882086 WPG ACCEPTED	CAVEAT	REG'D:	1995/02/01
DESCRIPTION:	EASEMENT AGREEMENT FOR DRAINAGE SEWER MAINTENANCE		
FROM/BY:	THE CITY OF WINNIPEG		
TO:			
CONSIDERATION:	NOTES:	AFF:WTN LTS R/W PL 34462	
3512376 WPG ACCEPTED	REQUEST CORRECTION	REG'D:	2007/09/14
DESCRIPTION:	THE PURPOSE OF THIS REQUEST IS TO CLARIFY THE EXCEPTION		
FROM/BY:	FROM THE LAND DESCRIPTION TO READ AS "EXC PARCEL A AND		
TO:	PUBLIC ROAD PLAN 43883		
CONSIDERATION:	NOTES:	SEE INSTRUMENT	

ACCEPTED THIS 17TH DAY OF NOVEMBER, 2005
BY G.PHILLIPS FOR THE DISTRICT REGISTRAR OF
THE LAND TITLES DISTRICT OF WINNIPEG.

CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA
STORAGE SYSTEM ON 2008/06/13 OF TITLE NUMBER 2127033.
THIS IS NOT A DUPLICATE TITLE.

X _____
FOR THE DISTRICT REGISTRAR

********** END OF STATUS OF TITLE FOR TITLE 2127033 WPG **********

Exhibit "3" referred to in File EP-1.1(PW 2/2008) [c/r DASZ 37/2008 and DAV 157053/2008D and DAC 1/2009]

June 13th, 2008.

TO: The City of Winnipeg

AND TO WHOM IT MAY CONCERN

We are the registered owners of the property legally described as follows:

Parcel 4 Plan 8361 WLTO Excepting Parcel A and Public Road Plan 43883 WLTO in OTM Lots 1 to 11 Parish of St. Charles.

generally located as a parcel of land divided into two parts (on the north and on the south) by Sterling Lyon Parkway, on and lying west of Kenaston Blvd.

This letter shall be full and sufficient authorization for MMM Group Limited, our consulting engineers, to make application on our behalf for subdivision of the aforesaid property.

Yours truly,

KENASTON INTERMODAL LTD.

Per: _____
Wayne Nemy, V.P.

5083851 MANITOBA LTD

Per: _____
Wayne Nemy, President

Exhibit "4" referred to in File EP-1.1(PW 2/2008) [c/r DASZ 37/2008 and DAV 157053/2008D and DAC 1/2009]

Barnes & Duncan
Land Surveying & Geomatics

298 Fort Street
Winnipeg, Manitoba
R3C 1E5

Surveyor's Building Location Certificate

September 12, 2006

Kenaston Intermodal Ltd. &
5083851 Manitoba Ltd.
c/o lower level
250 Portage Avenue
Winnipeg, Manitoba
R3C 0B1

Attention: Mr. Wayne Nemy

Dear Sir:

Re: Kenaston Intermodal

Certificate of Title:	2085074 W.L.T.O. (Search Date: Augusty 14, 2006)
Registered Owner:	Kensation Intermodal Ltd. (owner of an 1/2 undivided interest)
Legal Description:	Parcel 4, Plan 8361 WLTO Exc. Parcel A and Public Road Plan 43883 WLTO in OTM Lots 1 to 11 Parish of St. Charles.
Encumbrances:	Instrument Numbers P41237, 184328, 215670 and 1882086 are registered against the above Certificate of Title. Encumbrances noted herein are provided for information purposes only and have not been investigated as to their intent or extent.
Certificate of Title:	2127033 W.L.T.O. (Search Date: Augusty 14, 2006)
Registered Owner:	5083851 Manitoba Ltd. (owner of an 1/2 undivided interest)
Legal Description:	Parcel 4, Plan 8361 WLTO Exc. Plan 43883 WLTO in OTM Lots 1 to 11 Parish of St. Charles.
Encumbrances:	Instrument Numbers P41237, 184328, 215670 and 1882086 are registered against the above Certificate of Title. Encumbrances noted herein are provided for information purposes only and have not been investigated as to their intent or extent.

As requested, this is to certify that we have made the necessary measurements to determine the position of a one storey metal clad commerical building with attached metal clad garage, numbered 977 and 2 storey masonry commerical building with attached one storey masonry warehouse, numbered 991 on the West side of Kenaston Boulevard, in the City of Winnipeg, and find that the same, above ground level, is contained entirely within limits of the above described land.

There are no encroachments above ground level onto the above described land by buildings from adjoining properties.

PLEASE NOTE THAT NO SURVEY MONUMENTS WERE REQUESTED TO BE INSTALLED AT PROPERTY CORNERS.

This survey was made on the 16th day of August, 2006.

Signed & Sealed

Refer to Sketchs - Pages 2 & 3

Donald F. Shiach, M.L.S.

Phone: 204-284-5999
204-943-0546
800-665-6609
Fax: 204-452-7877
204-947-2918
www.BarnesDuncan.com

Christian P. Korell, M.L.S., B.Sc. Eng.
Donald F. Shiach, M.L.S.
Ray Michalenko, M.L.S.
James T. Wood, M.L.S.
Jesse P.S. Carels, C.L.S., B.Sc. Eng.
Chris S. Follett, B. Sc. Eng., P. Eng.

Our File: 06-1382
Acad dwg: 06-1382-BLC
Field Book: 863-95/97
Drafter: AN

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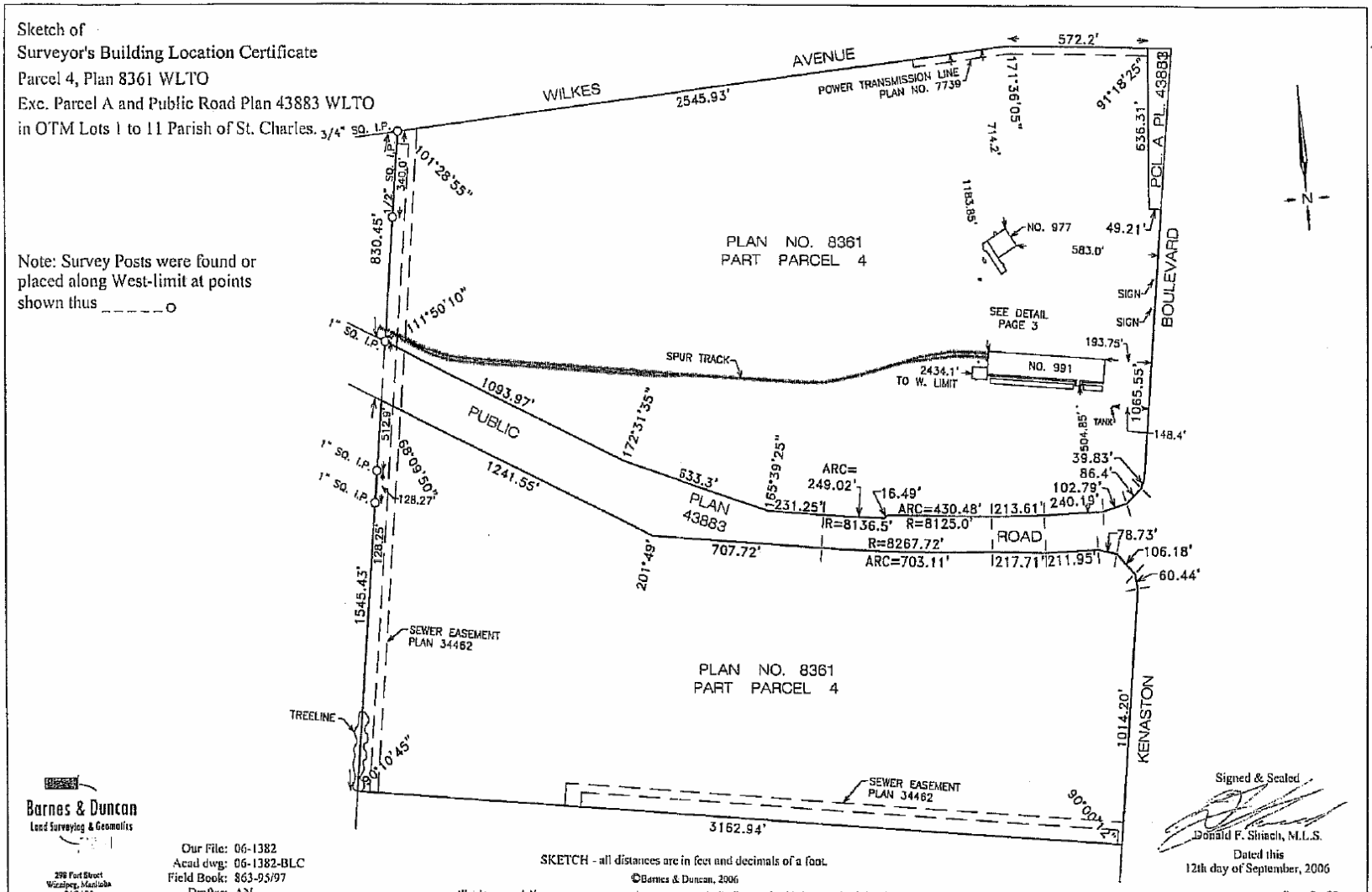
Sketch of
Surveyor's Building Location Certificate
Parcel 4, Plan 8361 WLTO
Exc. Parcel A and Public Road Plan 43883 WLTO
in OTM Lots 1 to 11 Parish of St. Charles.

Note: Survey Posts were found or placed along West-limit at points shown thus _____o



Barnes & Duncan
Land Surveying & Geomatics
298 Fort Street
Winnipeg, Manitoba
R3C 1E5

Our File: 06-1382
Acad dwg: 06-1382-BLC
Field Book: 863-95/97
Drafter: AN

SKETCH - all distances are in feet and decimals of a foot.

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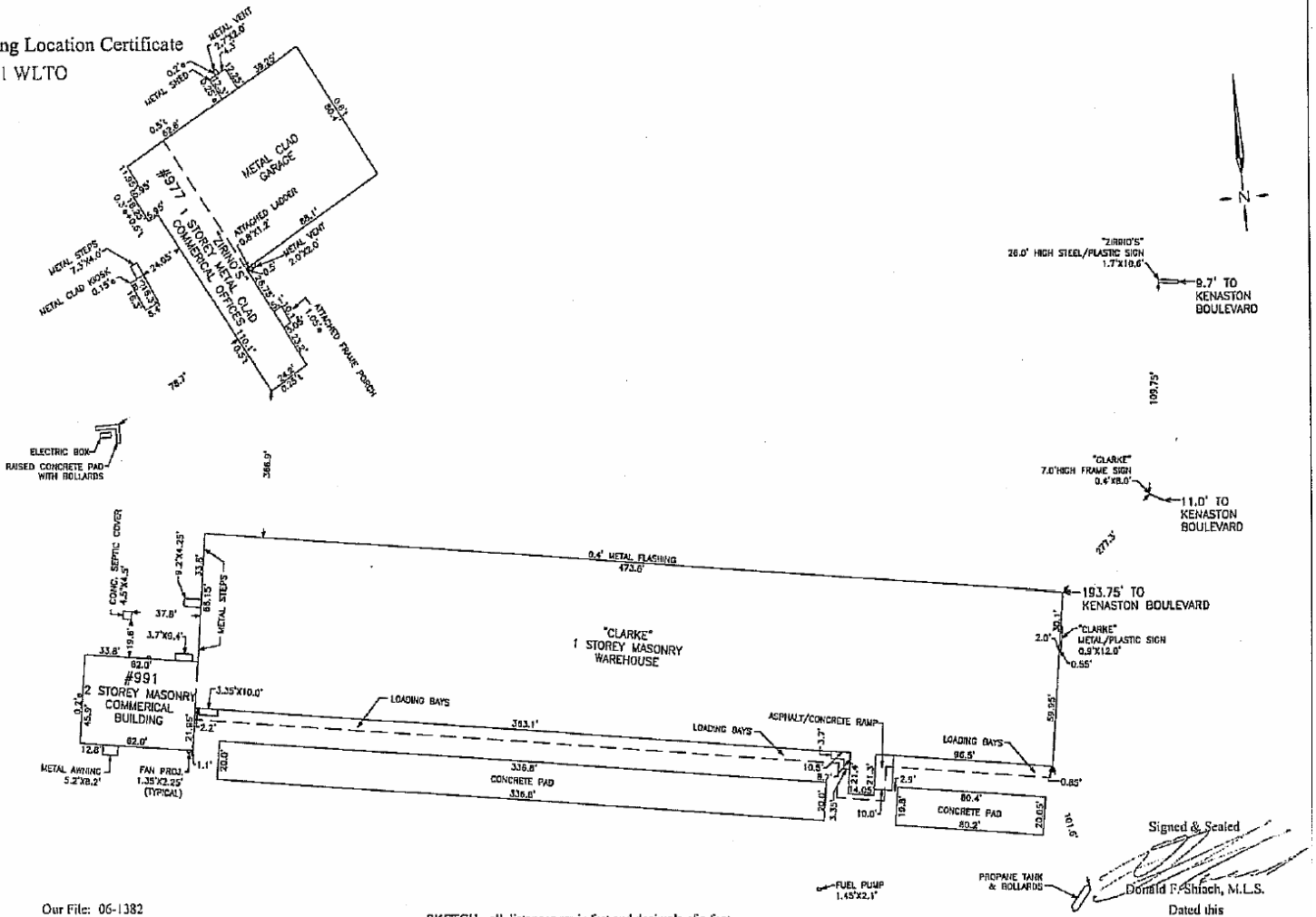
Signed & Sealed
Donald F. Slinsch, M.L.S.
Dated this
12th day of September, 2006

Sketch of
Surveyor's Building Location Certificate
Parcel 4, Plan 8361 WLTO



Barnes & Duncan
Land Surveying & Geomatics
198 Fort Street
Winnipeg, Manitoba
R3C 1E5

Our File: 06-1382
Acad dwg: 06-1382-BLC
Field Book: 863-95/97
Drafter: AN

SKETCH - all distances are in feet and decimals of a foot.

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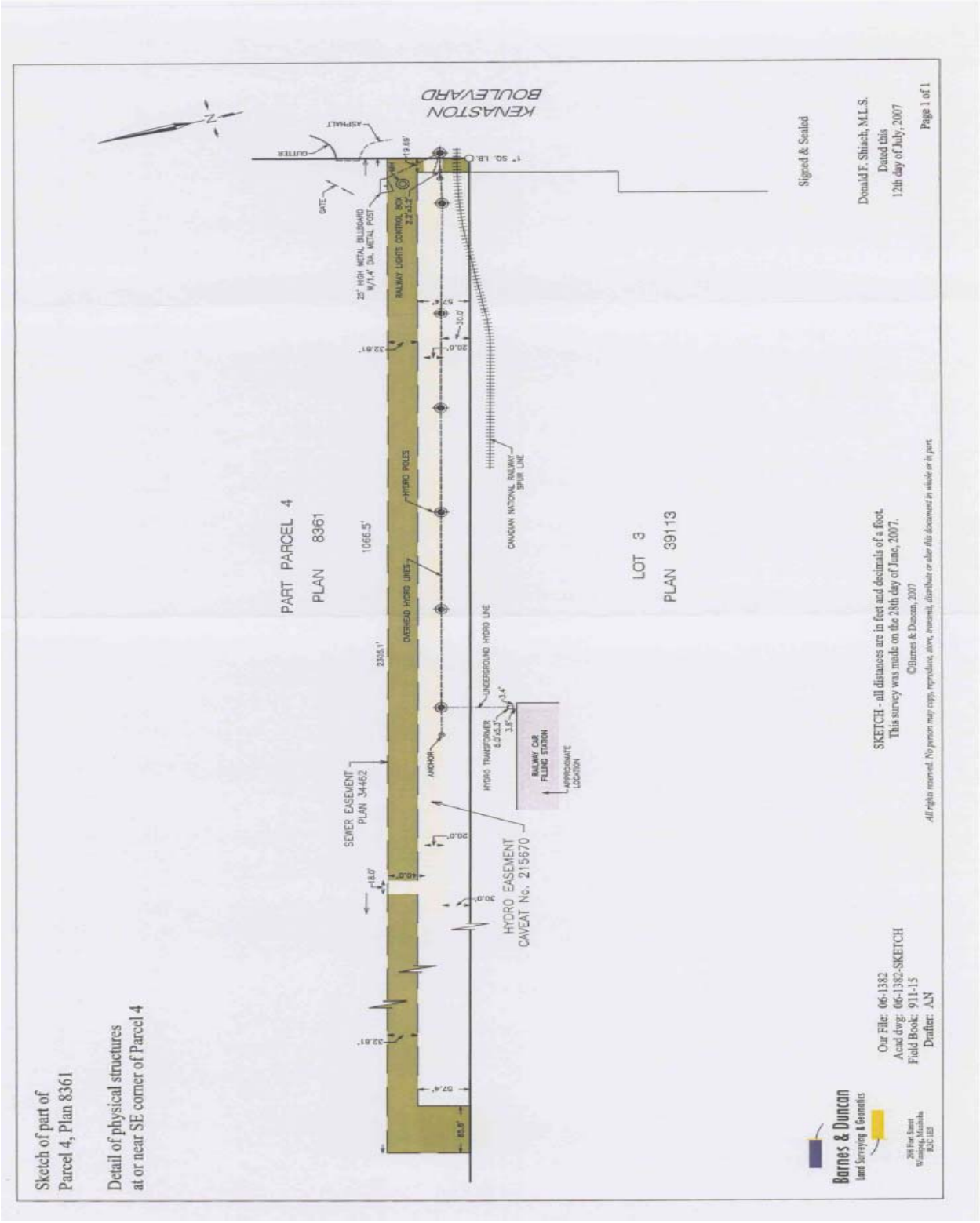
Signed & Sealed
Donald F. Shiach, M.L.S.
Dated this
12th day of September, 2006

Exhibit “5” referred to in File EP-1.1(PW 2/2008) [c/r DASZ 37/2008 and DAV 157053/2008D and DAC 1/2009]




CNR MAIN LINE
WILKES AVENUE
PLAN WINNIPEG AMENDMENT - POLICY PLATE A
1. PROPOSED "NEIGHBOURHOOD POLICY AREA"
AND
2. PROPOSED "AREA OF REGIONAL COMMERCIAL AND MIXED USE CONCENTRATION"
233 Acres
STERLING LYON PARKWAY
KENASTON BOULEVARD
LOWSON
CRESCENT
MMM GROUP
KENASTON/STERLING LYON LANDS
PROPOSED PLAN WINNIPEG AMENDMENT
SCALE NTS
DATE Dec.10.08
DWG No. 41078-PL-001

Minute No. 146
Report - Executive Policy Committee - January 21, 2009

Item No. 2 Plan Winnipeg Amendment - southwest and northwest quadrants of Sterling Lyon Parkway and Kenaston Boulevard (Charleswood-Tuxedo Ward) File EP-1.1(PW 2/2008)

COUNCIL DECISION:

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

1. That By-law No. 2/2009, a proposal to amend Plan Winnipeg 2020 Vision By-law No. 7630/2000 at the southwest and northwest quadrants of Sterling Lyon Parkway and Kenaston Boulevard by:

   A. re-designating lands identified on Attachment 1 from Industrial Policy Area to Neighbourhood Policy Area, and;

   B. expanding the Area of Regional Commercial and Mixed-Use Concentration, as identified on Attachment 1,

   as outlined in the report of the Director of Planning, Property and Development dated January 12, 2009, be forwarded to Council for first reading to allow for a public hearing on this issue.

2. That the Executive Policy Committee schedule a public hearing in accordance with sections 227 and 278 of The City of Winnipeg Charter to consider the proposed amendment to Plan Winnipeg 2020 Vision By-law No. 7630/2000, and related development applications under The Winnipeg Zoning By-law No. 200/2006.

3. That in conjunction with the combined hearing for the Plan Winnipeg Amendment and related development applications, that the Public Service be requested to report back to the Executive Policy Committee on: (a) the provision of private access requirements for the proposed major development, identifying any necessary amendments to Private Access By-law; (b) related street closings / openings; and (c) Transit service requirements.

4. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the preparation of any necessary by-laws.

Reports - Executive Policy Committee - January 21, 2009

DECISION MAKING HISTORY:

Moved by His Worship Mayor Katz,

That the recommendation of the Executive Policy Committee be adopted.

Carried

Councillor Smith asked to be recorded as having voted against the item, in accordance with Rule 47.7 of the Procedure By-law.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 2009, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

RE: Plan Winnipeg Amendment – Southwest and northwest quadrants of Sterling Lyon Parkway and Kenaston Boulevard – PW 2/2008

FOR SUBMISSION TO: **Executive Policy Committee**

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

REPORT DATE: **January 12, 2009**

RECOMMENDATION:

1.) That By-law No. 2/2009, a proposal to amend Plan Winnipeg 2020 Vision By-law No. 7630/2000 at the SW & NW quadrants of Sterling Lyon and Kenaston by:

A. re-designating lands identified on Attachment 1 from Industrial Policy Area to Neighbourhood Policy Area, and;

B. expanding the Area of Regional Commercial and Mixed-Use Concentration, as identified on Attachment 1,

as outlined in the report of the Director of Planning, Property and Development dated January 12, 2009 be forwarded to Council for first reading to allow for a public hearing on this issue.

2.) That the Executive Policy Committee schedule a public hearing in accordance with sections 227 and 278 of The City of Winnipeg Charter to consider the proposed amendment to Plan Winnipeg 2020 Vision By-law No. 7630/2000, and related development applications under The Winnipeg Zoning By-law No. 200/2006.

3.) That in conjunction with the combined hearing for the Plan Winnipeg Amendment and related development applications, that the Public Service be requested to report back to the Executive Policy Committee on: (a) the provision of private access requirements for the proposed major development, identifying any necessary amendments to Private Access By-law; (b) related street closings / openings; and (c) Transit service requirements.

4.) That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the preparation of any necessary by-laws

Report Summary

Key Issues:

The Planning, Property and Development Department supports the Plan Winnipeg amendment application that will re-designate 233 acres from 'Industrial Policy Area' to 'Neighbourhood Policy Area' in the Tuxedo Industrial Policy area.

The subject 198 acres of lands proposed to be rezoned 'Commercial' are vacant and under-utilised that previously accommodated the CN Intermodal Yards, which was shifted to the east side of Winnipeg in 2007.

The re-designation of these lands will support the logical and orderly re-alignment of the Tuxedo Industrial Policy area's boundaries to reflect the nearby changing land-uses.

The loss of lands designated 'Industrial Policy Area' in the Tuxedo Industrial Policy area will not negatively impact the industrial land supply in relation to demand in the quadrant.

The addition of these lands to Neighbourhood Policy Area, and Area of Regional and Mixed Use Commercial Concentration will meet the growing demand for commercial lands.

This will be a 'smart' development where the surrounding area's current infrastructure deficit will be accelerated for implementation by the Developer front-ending the costs to extend services for their development. Council will be asked to use the incremental municipal tax dollars generated by the development to pay back the developer over a number of years.

Sections 227 and 278 of The City of Winnipeg Charter provide that the hearing required in respect of an amendment to Plan Winnipeg may be combined with another hearing for the same proposed development. Therefore Executive Policy Committee, upon forwarding the proposed Plan Winnipeg amendment to Council for first reading, may schedule a hearing to consider the Plan Winnipeg amendment, the rezoning/subdivision, and related variances.

Implications of the Recommendation(s):

General Implications

( ) None

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

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

( ) Involves a multi-year contract

Comment(s): The amendment will allow for the consideration of the commercial development at a public hearing.

Policy Implications

( ) No

(x) Yes

Comment(s): Change from Industrial Policy Area to Neighbourhood Policy Area is consistent with Plan Winnipeg 2020 Vision policies and will facilitate orderly and logical development.

Regulatory Implications

( ) None

(x) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s): Combining the applications to appear at one meeting of the Executive Policy Committee will reduce the need for the applicant to appear before multiple hearing bodies and for different applications to be considered by multiple Committees' of Council, thus streamlining the approval process.

Environmental Implications

(x) No

( ) Yes

Comment(s):

Human Resources Implications

(x) No

( ) Yes

Comment(s):

Financial Implications

(x) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s): Proceeding to a public hearing for further scrutiny is the consideration for this report.

Report

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

Sections 227 and 278 of the City of Winnipeg Charter provide that hearings required in respect to an amendment to Plan Winnipeg may be combined with another hearing.

Since the proposed amendment is running concurrently with an application for rezoning and subdivision (DASZ 37/08), Executive Policy Committee will consider the Plan Winnipeg amendment and subdivision and rezoning together, at one public hearing.

BACKGROUND:
MMM Group has made, on behalf of Winnipeg Intermodal Ltd. and 5083851 Manitoba Ltd., several applications with the City of Winnipeg for the proposed redevelopment of the former CN Intermodal Yards located in the northwest and southwest quadrants at the intersection of Kenaston Blvd and Sterling Lyon Parkway in the Tuxedo Industrial Policy area as a 'super-regional' commercial destination with large destination retail stores that establish in only one location in a marketplace.

The subject lands are designated 'Industrial Policy Area' and zoned 'M2 – Manufacturing Light' and 'M3 - Manufacturing Heavy Districts' and require a Plan Winnipeg Amendment and Rezoning.

The South Tuxedo Neighbourhood Policy Area is to the north, and the Tuxedo Industrial Policy area is to the south, west and east.

Zoning in the area varies: the lands south and west of the site are zoned A – Agriculture; to the north zoned R1-L Residential Single-Family and RR5 – Rural Residential 5; and to the south and east zoned M2 & M3 Manufacturing Light and Manufacturing Heavy Districts.

Gross Site Area to be re-designated under Plan Winnipeg - 233 Acres (includes the Wilkes and Sterling Lyon Right-of-ways and a strip of City of Winnipeg Lands in the NE corner) bound on the east by Kenaston Blvd, north by CN Rivers, west by Fort Whyte Alive, and south by Inland Cement.

Total Site Areas to be rezoned to 'Commercial' - 198 acres (not including the Wilkes or Sterling Lyon Parkway right-of-way, or the City of Winnipeg Lands) with:

- 158 acres of retail lands (C4 Commercial)
- 40 acres of supporting and complementary mixed-use lands (CMU – Commercial Mixed Use)

The main anchor will be IKEA, other actual tenants for the proposed retail spaces have not been finalised but may include a grocery store, a sporting goods / outdoor store, or a home improvement store. The store sizes will likely be:

- Home furnishing store - 350,000 square feet
- At least one store in the 200,000+ square foot range,
- Two stores in the 140,000 - 200,000 square foot range.
- Numerous smaller retail stores (less than 50,000 square foot in floor area).

The commercial portion of the development is estimated at a maximum of 1.5 million sq.ft. The non-commercial may include a 100 room hotel, 16 screen movie theatre, 150,000 sq ft office park, and a 500 unit multi-residential condominium.

DISCUSSION:

For the purpose of this First Reading report, three (3) critical questions need to be considered in determining if the proposed amendment to Plan Winnipeg to re-designate the subject area from Industrial Policy Area to Neighbourhood Policy Area as an Area of Regional Commercial and Mixed Use Concentration should proceed to a public hearing.

1) Industrial Land Supply

What is the impact of removing the lands from the Industrial Land inventory?

Based on preliminary analysis, there will be no adverse impacts on the Industrial Land Inventory.

The City of Winnipeg Employment Lands Strategy (Draft) identifies these lands being better suited for other uses including commercial as these lands are redundant and obsolete for industrial uses:

- Strategically located lands in other parts of Winnipeg (Airport West) are identified as meeting market place demands for employment lands over the next 25 years

due their ability to meet the demands of emerging economic sectors including Transportation, Trucking, Logistics, Intermodal and Trans-shipment.

- Nearby industrial areas can capture the demand for smaller, leased premises that combine an office component with a warehouse, repair or assembly space in flexible building format that has become the market place preference.

- The proximity of Fort Whyte Alive nature centre, which has expanded over the years to become the largest land owner within the Tuxedo Industrial Policy Area and emerging Major Open Space; and the South Tuxedo Neighbourhood Policy area to the north and Lindenwood residential area to the south east, caused conflicts as residents lobbied for several years for the CN Intermodal yard to be relocated.

2) Industrial to Commercial Impacts

What is the impact of re-designating lands from Industrial to Neighbourhood / Area of Regional and Mixed Use Commercial Concentration?

Based on preliminary analysis, there will be no adverse impacts on the Commercial Land Inventory.

Commercial space requirements estimates for the next 20 years indicate a demand increasing exponentially. Commercial lands currently available for new developments are limited, and will not meet the short term or longer term demand. Thus, the supply of commercial lands available to meet the growing demand is at a critical level.

3) Transportation and Infrastructure Impacts

Can the lands be serviced in an environmentally sound, economically and timely manner?

Based on preliminary analysis, the lands can be serviced in an environmentally sound, economically and timely manner.

MMM Group analyzed the impacts upon traffic and intersection performance on adjacent roadways resulting from the addition of 200 acres of commercial lands at the intersection of Kenaston and Sterling Lyon in consultation with the Public Works Department. A series of improvements to the surrounding road network will need to be implemented to manage additional vehicle activity in addition to improvements all ready required.

MMM Group in consultation with City of Winnipeg Water and Waste has determined water, waste water, and land drainage services required to develop the subject lands can be extended. A comprehensive servicing report will need to be submitted to outline the provision of underground services for the entire site, and that demonstrates that the existing systems can adequately meet the needs of the proposed development.

The infrastructure implemented in association with servicing the subject lands would be considered “smart” development: infrastructure that is needed for the development is also beneficial to the surrounding area and is front-ended by the Developer at an accelerated rate. Council will be asked to use the incremental municipal tax dollars generated by the development to pay back the developer over a number of years.

Financial Impact Statement **Date:** January 13, 2009

Project Name:

PLAN WINNIPEG AMENDMENT – PW 2/08 Sterling Lyon / Kenaston

COMMENTS:

The recommendations contained in this report include that 1) that By-law No. 2/2009, a proposal to amend Plan Winnipeg 2020 Vision By-law No. 7630/2000 at the SW & NW quadrants of Sterling Lyon and Kenaston by: a) re-designating lands identified on Attachment 1 from Industrial Policy Area to Neighbourhood Policy Area, and; b) expanding the Area of Regional Commercial and Mixed-Use Concentration, as identified on Attachment 1, as outlined in the report of the Director of Planning, Property and Development dated January 12, 2009 be forwarded to Council for first reading to allow for a public hearing on this issue, 2) that the Executive Policy Committee schedule a public hearing in accordance with sections 227 and 278 of The City of Winnipeg Charter to consider the proposed amendment to Plan Winnipeg 2020 Vision By-law No. 7630/2000, and related development applications under The Winnipeg Zoning By-law No. 200/2006 and, 3) that in conjunction with the combined hearing for the Plan Winnipeg Amendment and related development applications, that the Public Service be requested to report back to the Executive Policy Committee on:
(a) the provision of private access requirements for the proposed major development, identifying any necessary amendments to Private Access By-law; (b) related street closings / openings; and (c) Transit service requirements.

Based on the results on the above, a future report will be submitted setting out financial implications.

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

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Water and Waste

Public Works

Community Services

Winnipeg Transit

External Consultation With: NA

THIS REPORT SUBMITTED BY:

Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by	Michelle Richard & John Wintrup
PPD File No.	PW 2 / 2008

O:\Reports Directive\Planning and Land Use\Urban Planning Reports\Plan Winnipeg Sterling Lyon Kenaston First Reading Jan 12 09.doc

Exhibit "7" referred to in File EP-1.1(PW 2/2008) [c/r DASZ 37/2008 and DAV 157053/2008D and DAC 1/2009]

ATTACHMENT 1: Plan Winnipeg Amendment By-law and Map

THE CITY OF WINNIPEG

BY-LAW NO. 2/2009

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

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

1 *Policy Plate A (Land Use), attached to and forming part of By-law No. 7630/2000, is hereby amended as follows:*

The lands shown outlined on the map below are hereby designated as "NEIGHBOURHOOD" Policy Area and "AREA OF REGIONAL COMMERCIAL AND MIXED USE CONCENTRATION", and Policy Plate A shall hereafter be read and construed as though the said lands were indicated thereon as "NEIGHBOURHOOD" and "AREA OF COMMERCIAL AND MIXED USE CONCENTRATION".

RECEIVED FIRST READING on this day of , 2009.

RECEIVED SECOND READING on this day of , 2009.

RECEIVED THIRD READING on this day of , 2009.

DONE AND PASSED this day of , 2009.

_____
Mayor

_____
City Clerk

Approved as to planning details:

_____
for Planning, Property & Development

Approved as to form:

_____
for City Solicitor/Manager of Legal Services

Map 1: Proposed Re-designation of Industrial Lands to Neighbourhood Policy Area and Creation of Area of Regional Commercial and Mixed-Use

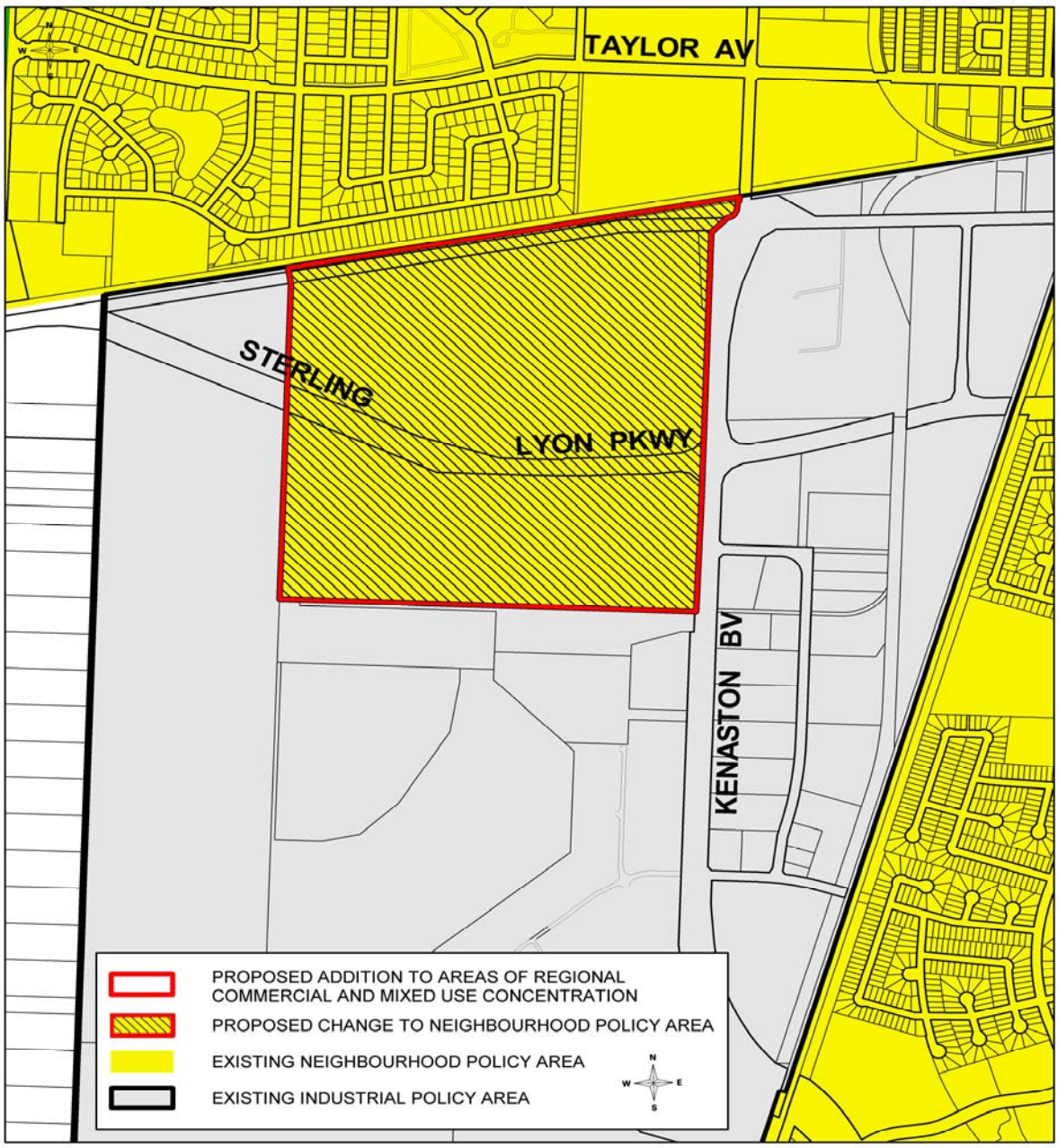


Exhibit “8a” referred to in File EP-1.1(PW 2/2008) [c/r DASZ 37/2008 and DAV 157053/2008D and DAC 1/2009]

Winnipeg

City Clerk's Department • Bureau du greffier

January 29, 2009

File EP-1.1(PW 2/2009)

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

Plan Winnipeg Amendment - southwest and northwest quadrants of Sterling Lyon Parkway and Kenaston Boulevard

I enclose for your attention copy of the January 28, 2009, Council decision with respect to the above-noted matter - Item No. 2 of the Report of the Executive Policy Committee dated January 21, 2009. On January 28, 2009, Council gave first reading to By-law No. 2/2009.

A public hearing before the Executive Policy Committee for the proposed amendment to Plan Winnipeg 2020 Vision By-law No. 7630/2000 and related development applications has been scheduled for Wednesday, March 18, 2009, at 9:00 a.m. in the Council Building, 510 Main Street.

Public Notice for the combined public hearing will be provided in accordance with The City of Winnipeg Charter.

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

Should you require further information, please contact Jo-Ann I. Park, Manager of the Decision Making Process, at 986-3732.

R. Kachur
City Clerk

Enclosures
c Mr. G. Laubenstein, Chief Administrative Officer
Mr. P. Sheegl, Deputy Chief Administrative Officer
Mr. D. Joshi, Director of Planning, Property and Development
Mr. L. Strijack, Acting City Solicitor/Manager of Legal Services
Ms D. Himbeault, Acting Manager of Planning and Land Use, Planning, Property and Development Department
Ms M. Richard, Senior Planner - Plan Winnipeg, Planning, Property and Development Department
Mr. J. Wintrup, Senior Planner, Planning and Land Use Division, Planning, Property and Development Department

Exhibit “8b” referred to in File EP-1.1(PW 2/2008) [c/r DASZ 37/2008 and DAV 157053/2008D and DAC 1/2009]

Winnipeg

City Clerk's Department • Bureau du greffier

January 29, 2009

File EP-1.1(PW 2/2009)

MMM Group Limited
111 - 93 Lombard Avenue
Winnipeg, Manitoba
R3B 3B1

Attention: Paul McNeil, Regional Vice President

Plan Winnipeg Amendment - southwest and northwest quadrants of Sterling Lyon Parkway and Kenaston Boulevard

I enclose for your attention copy of the January 28, 2009, Council decision with respect to the above-noted matter - Item No. 2 of the Report of the Executive Policy Committee dated January 21, 2009. On January 28, 2009, Council gave first reading to By-law No. 2/2009.

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Mr. P. Sheegl, Deputy Chief Administrative Officer
Mr. D. Joshi, Director of Planning, Property and Development
Mr. L. Strijack, Acting City Solicitor/Manager of Legal Services
Ms D. Himbeault, Acting Manager of Planning and Land Use, Planning, Property and Development Department
Ms M. Richard, Senior Planner - Plan Winnipeg, Planning, Property and Development Department
Mr. J. Wintrup, Senior Planner, Planning and Land Use Division, Planning, Property and Development Department

Exhibit “8c” referred to in File EP-1.1(PW 2/2008) [c/r DASZ 37/2008 and DAV 157053/2008D and DAC 1/2009]

Winnipeg

City Clerk's Department • Bureau du greffier

January 29, 2009

File EP-1.1(PW 2/2008)

Mr. D. Joshi
Director of Planning, Property
and Development

Plan Winnipeg Amendment - southwest and northwest quadrants of Sterling Lyon Parkway and Kenaston Boulevard

I enclose for your attention copy of the January 28, 2009, Council decision with respect to the above-noted matter - Item 2 of Report of the Executive Policy Committee dated January 21, 2009. On January 28, 2009, Council also gave first reading to By-law No. 2/2009.

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Should you require further information, please contact Jo-Ann I. Park, Manager of the Decision Making Process, at 986-3732.

R. Kachur
City Clerk

Enclosures

c Mr. G. Laubenstein, Chief Administrative Officer
Mr. P. Sheegl, Deputy Chief Administrative Officer
Mr. L. Strijack, Acting City Solicitor/Manager of Legal Services
Ms D. Himbeault, Acting Manager of Planning and Land Use, Planning, Property and Development Department
Ms M. Richard, Senior Planner - Plan Winnipeg, Planning and Land Use Division, Planning, Property and Development Department
Mr. J. Wintrup, Senior Planner, Planning and Land Use Division, Planning, Property and Development Department

Embrace the Spirit • Vivez l'esprit

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

Exhibit “8d” referred to in File EP-1.1(PW 2/2008) [c/r DASZ 37/2008 and DAV 157053/2008D and DAC 1/2009]

Winnipeg

City Clerk's Department • Bureau du greffier

January 29, 2009

File EP-1.1(PW 2/2009)

R.M. of MacDonald
161 Mandan Drive
Box 100
Sanford, Manitoba
R0G 2J0

Attention: Reeve Rodney Burns
Tom Raine, Chief Administrative Officer

Plan Winnipeg Amendment - southwest and northwest quadrants of Sterling Lyon Parkway and Kenaston Boulevard

I enclose for your attention copy of the January 28, 2009, Council decision with respect to the above-noted matter - Item No. 2 of the Report of the Executive Policy Committee dated January 21, 2009. On January 28, 2009, Council gave first reading to By-law No. 2/2009.

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R. Kachur
City Clerk

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Mr. P. Sheegl, Deputy Chief Administrative Officer
Mr. D. Joshi, Director of Planning, Property and Development
Mr. L. Strijack, Acting City Solicitor/Manager of Legal Services
Ms D. Himbeault, Acting Manager of Planning and Land Use, Planning, Property and Development Department
Ms M. Richard, Senior Planner - Plan Winnipeg, Planning, Property and Development Department
Mr. J. Wintrup, Senior Planner, Planning and Land Use Division, Planning, Property and Development Department

Exhibit "9" referred to in File EP-1.1(PW 2/2008) [c/r DASZ 37/2008 and DAV 157053/2008D and DAC 1/2009]

DATE: February 18, 2009

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

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

REVISED – DAV No. Changed

PUBLIC HEARING

EXECUTIVE POLICY COMMITTEE,
Council Building,
510 Main Street
on Wednesday, March 18, 2009
at 9:00 A.M.

_____
A. Savage
Ph: 986-5113
AS/ddg

C/R DAV 08-157053/D

cc: J. Wintrup, Planner
S. Matile - Land Development Br.
Donna Beaton, Parks Planner
Applicant
Community Clerk
File
R. J. Hartmann - Public Works
F. Mazur - Water & Waste
B. Buyachok - Geomatics
Zoning Development Branch

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

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

_____.

Signed: _____

Mailed out on _____.

Signed: _____

City of Winnipeg
NOTICE OF PUBLIC HEARINGS

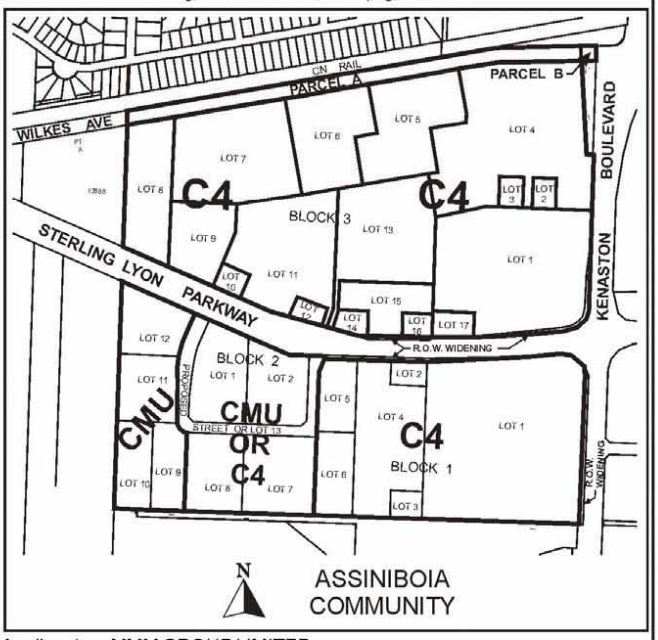
Under the authority of The City of Winnipeg Charter, the Executive Policy Committee will conduct a PUBLIC HEARING respecting the proposal described below.

NOTICE OF PUBLIC HEARING
EXECUTIVE POLICY COMMITTEE

Date: Wednesday, March 18, 2009

Time: 9:00 a.m.

Location: Council Building, 510 Main Street, Winnipeg, Manitoba



Applicant: MMM GROUP LIMITED

File: DASZ 37/2008

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. 200/2006 by rezoning the land shown outlined above from an "M2" and "M3" MANUFACTURING DISTRICTS to a "C4" COMMERCIAL REGIONAL DISTRICT and/or "CMU" COMMERCIAL MIXED USE DISTRICT.

Information and documents concerning the Proposal and a description of the procedure to be followed at the hearing are available for inspection by contacting John Wintrup (phone: 986-5102), Planner, Planning Property and Development Department, at 15-30 Fort St., Monday to Friday excluding holidays between 8:30 am and 4:30 pm.

The purpose of the hearing is to allow interested persons to make submissions, ask questions or register objections in respect of the Proposal. Persons wanting to make representation at the public hearing are requested to notify Jo-Ann Park, Manager of the Decision Making Process, Council Building, 510 Main Street, Winnipeg, MB, R3B 1B9 at 986-3732.

French/English interpretation will be available if requested at least 48 hours prior to the hearing.

By-Law No. _____

Atlas Sheet No.

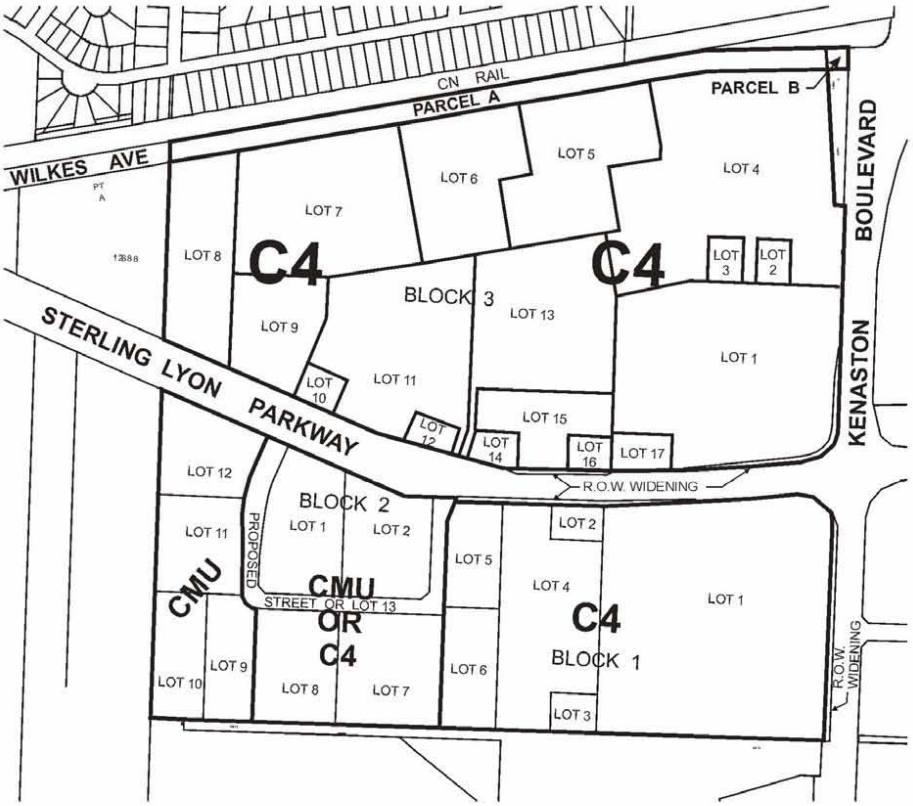
N

AF19
ASSINIBOIA COMMUNITY

File No. **DASZ 37/08**

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located on the west side of Kenaston Boulevard, south and north side of Sterling Lyon Parkway from an "M2" and "M3" MANUFACTURING DISTRICTS to a "C4" COMMERCIAL REGIONAL DISTRICT and/or "CMU" COMMERCIAL MIXED USE DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

City of Winnipeg

NOTICE OF PUBLIC HEARINGS

Under the authority of The City of Winnipeg Charter, the Executive Policy Committee will conduct a PUBLIC HEARING respecting the proposal described below.

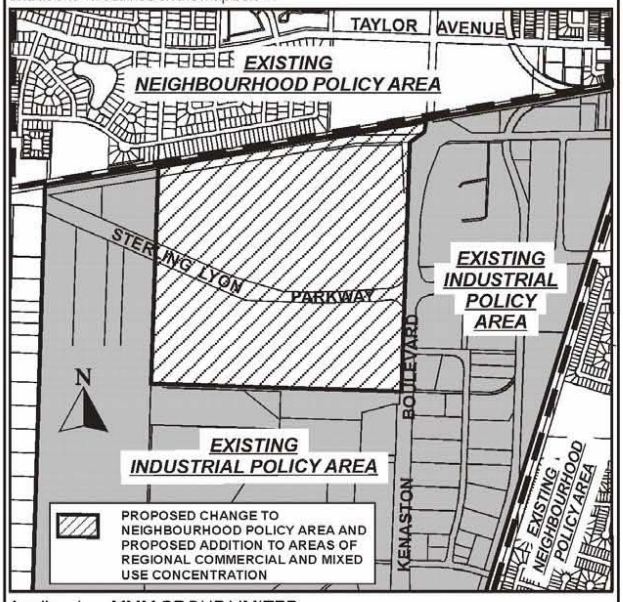
NOTICE OF PUBLIC HEARING EXECUTIVE POLICY COMMITTEE

Date: Wednesday, March 18, 2009

Time: 9:00 a.m.

Location: Council Building, 510 Main Street, Winnipeg, Manitoba

TAKE NOTICE THAT pursuant to Section 227 of The City of Winnipeg Charter, the Executive Policy Committee will hold a public hearing to consider amending Policy Plate A (Land Use), attached to and forming part of Plan Winnipeg 2020 Vision By-law No. 7630/2000, as follows and as shown outlined on the map below:



Applicant: MMM GROUP LIMITED

File: PW 2/2008

Proposal: Amend Plan Winnipeg for the subject lands shown above from an Industrial Policy to a Neighbourhood Policy Area and as an Area of Regional Commercial and Mixed-Use Concentration, to allow for commercial and residential development.

Information and documents concerning the Proposal and a description of the procedure to be followed at the hearing are available for inspection by contacting John Wintrup (phone: 986-5102), Planner, Planning Property and Development Department, at 15-30 Fort St., Monday to Friday excluding holidays between 8:30 am and 4:30 pm.

The purpose of the hearing is to allow interested persons to make submissions, ask questions or register objections in respect of the Proposal. Persons wanting to make representation at the public hearing are requested to notify Jo-Ann Park, Manager of the Decision Making Process, Council Building, 510 Main Street, Winnipeg, MB, R3B 1B9 at 986-3732.

French/English interpretation will be available if requested at least 48 hours prior to the hearing.

Exhibit “10” referred to in File EP-1.1(PW 2/2008) [c/r DASZ 37/2008 and DAV 157053/2008D and DAC 1/2009]

Report from the Winnipeg Public Service dated March 2, 2009 may be viewed as an attachment to Public Hearing No. 1, Tuxedo Yards Redevelopment: southwest and northwest quadrants of Sterling Lyon Parkway and Kenaston Boulevard