David M. Sanders

October 21, 2009

Executive Policy Committee
City of Winnipeg
510 Main Street
R3B 1B9

Attention: Ms. Jo-Ann Park, Committee Clerk

Re: **Headmaster Row Sidewalks**

Delegations 1. David M. Sanders

Standing Policy Committee on Property and Development dated October 8, 2009

9. Amendment to Development Agreement AG 45/04
   – Headmaster Row Sidewalks (Laurence Kostynyk)
   East Kildonan-Transcona Community Committee, Sept. 21/09 – Minute 312
   SPC on Property and Development, Oct. 8/09 – Minute 230
   Forwarded for Executive Policy Committee Agenda – Oct. 21/09

10. Amendment to Development Agreement AG 20/04
   – Headmaster Row Sidewalks (North Grassie Properties Inc.)
   East Kildonan-Transcona Community Committee, Sept. 21/09 – Minute 313
   SPC on Property and Development, Oct. 8/09 – Minute 231
   Forwarded for Executive Policy Committee Agenda – Oct. 21/09

Further to our earlier correspondence, Ms. Searcy and I attended the meeting of the East Kildonan-Transcona Community Committee on October 19. The Committee approved a motion **rescinding** its approval of the above two amendments to the development agreements, AG 45/04 and AG 20/04.

Councillor Browaty advised that he would be attending EPC this morning, to request that the Committee not proceed with these two amendments. We ask that EPC agree to this request, in order that the residents of Headmaster Row may have an opportunity to voice their concerns and preferences about these matters before any further action is taken.

Thank you.

Yours truly,

David M. Sanders

cc. Kathy Searcy

Councilor Jeff Browaty
North Kildonan Ward

Kathy Searcy

October 13, 2009

Executive Policy Committee
City of Winnipeg
510 Main Street
R3B 1B9

Attention: Ms. Jo-Ann Park, Committee Clerk

Re: **Headmaster Row Sidewalks**

(a) Amendment to Development Agreement AG 45/04
– Headmaster Row Sidewalks (Laurence Kostynyk)
East Kildonan-Transcona Community Committee, Sept. 21/09 – Minute 312
SPC on Property and Development, Oct. 8/09 – Minute 230
Forwarded for Executive Policy Committee Agenda – Oct. 21/09

(b) Amendment to Development Agreement AG 20/04
– Headmaster Row Sidewalks (North Grassie Properties Inc.)
East Kildonan-Transcona Community Committee, Sept. 21/09 – Minute 313
SPC on Property and Development, Oct. 8/09 – Minute 231
Forwarded for Executive Policy Committee Agenda – Oct. 21/09

I am writing to request that I and my representative, David M. Sanders, appear as a delegation to speak in opposition to the above amendments at the next meeting of the Executive Policy Committee on October 21, 2009.

My concerns are summarized in the attached copy of my letter dated October 12, 2009, which I have sent to the East Kildonan-Transcona Community Committee.

I hope that on October 19 the members of the Community Committee will decide to request that EPC refer these matters back to them for reconsideration, but in any event I wish to make a presentation to EPC directly on October 21.

Thank you.

Yours truly,

Kathy Searcy

cc. David M. Sanders

Councilor Jeff Browaty
North Kildonan Ward

Kathy Searcy

October 12, 2009

East Kildonan-Transcona Community Committee
City of Winnipeg
510 Main Street
R3B 1B9

Attention: Committee Clerk

Re: **Headmaster Row Sidewalks**

(a) Amendment to Development Agreement AG 45/04
– Headmaster Row Sidewalks (Laurence Kostynyk)
East Kildonan-Transcona Community Committee, Sept. 21/09 – Minute 312
SPC on Property and Development, Oct. 8/09 – Minute 230
Forwarded for Executive Policy Committee Agenda – Oct. 21/09

(b) Amendment to Development Agreement AG 20/04
– Headmaster Row Sidewalks (North Grassie Properties Inc.)
East Kildonan-Transcona Community Committee, Sept. 21/09 – Minute 313
SPC on Property and Development, Oct. 8/09 – Minute 231
Forwarded for Executive Policy Committee Agenda – Oct. 21/09

I am writing to request that I and my representative, David M. Sanders, appear as a delegation to speak in opposition to the above amendments at the next meeting of the East Kildonan-Transcona Community Committee on October 19, 2009.

Specifically, I wish to object to the proposal to relieve these developers of some of their existing obligations to construct a sidewalk on the south side of Headmaster Row, for the full length of this residential collector street, from Gateway Road to De Vries Avenue.

In the case of Development Agreement AG 45/04, the developer is presently required to construct a sidewalk on the south side of Headmaster Row, between Gateway Road and 664 Headmaster Row. This requirement was a specific condition inserted in the Development Agreement at the time SPC on Property and Development (May 3, 2005), Executive Policy Committee (May 11, 2005) and City Council (May 18, 2005) approved the plan of subdivision and the Development Agreement, despite the recommendation of East Kildonan-Transcona Community Committee (April 5, 2005) that the subdivision and development not be proceeded with.

In April of 2005, some 165 citizens made representations in opposition to these two subdivisions as then proposed.

In the case of Development Agreement AG 20/04, the developer is presently required to construct a sidewalk on the south side of Headmaster Row, between 668 Headmaster Row and De Vries Avenue. This requirement was a specific condition inserted in the Development Agreement at the time SPC on Property and Development (May 3, 2005), Executive Policy Committee (May 1, 2005) and City Council (May 18, 2005) approved the plan of subdivision and the Development Agreement, despite the recommendation of East Kildonan-Transcona Community Committee (April 5, 2005) that the subdivision and development not be proceeded with. In fact, these sidewalks were required to be constructed at the same time as the streets.

It is true that on October 20, 2008, the East Kildonan-Transcona Community Committee requested that all uncompleted sidewalks to be constructed on Headmaster Row, as part of Arrowwood Development-Phase 1, be suspended for the remainder of the 2008 construction season.

I note that the Development Agreement required the developer to install signs at the entrances to the subdivision, displaying the locations of all proposed sidewalks, among other things. There are two such signs, and they both continue to show the location of sidewalks on both sides of Headmaster Row, for the full length of the residential collector street, from Gateway Road to De Vries Avenue.

There has been no change in the sidewalk requirements since the subdivisions were approved in 2005, nor since I purchased my home at 749 Headmaster Row in 2007.

However, the net effect of the current proposed amendments will be that no sidewalks will be constructed on the south side of Headmaster Row, from Gateway Road to Vintage Hills Court, which is located just a little west of my home at 749 Headmaster Row.

While the homeowners on the south side of Headmaster Row between Gateway and Vintage Hills Court will undoubtedly be pleased to continue to enjoy front yards which are not reduced by a sidewalk, and while they may expect to be able to enter and exit their driveways without concern for pedestrian traffic, other homeowners such as me, located on the north side of Headmaster Row, are likely to have to deal with virtually all of the pedestrian traffic, and particularly the children, who are travelling east-west on Headmaster Row.

Once people start walking along the north side, they will be unlikely to cross over Headmaster, which is now a very busy street, to return to the south side. This subdivision plan should never have been approved in its present configuration, with so many driveways entering a residential collector street from both sides of the street. Now that the subdivision exists, it would make more sense to provide a complete sidewalk all the way along the south side, where the public reserve, the retention pond, the mailboxes, and the future park are all located.

I am therefore requesting that the Community Committee pass a motion asking Executive Policy Committee to refer the two proposed amendments back to the Community Committee for further consideration. In particular, I ask that the Community Committee invite the residents of Headmaster Row to attend a public meeting and voice their concerns and preferences about this matter, before any further action is taken.

I say that, because there was no notice of the Community Committee's intention to deal with these proposed amendments on September 21, 2009 (they were not on the published agenda).

Worse, I understood I had the undertaking of my City Councilor, Jeff Browaty, that he would keep me informed about the issues related to the Headmaster Row sidewalks. I had raised my concerns with him back in May, and he was good enough to drop by and talk with me and some of my neighbours at that time. However, I have heard nothing since an August 10th email from Councilor Browaty. I decided to inquire again last week, and was surprised and dismayed to discover that the proposed amendments had already been approved by Community Committee on September 21 and by the Standing Policy Committee on Property and Development on October 8.

This is no way to deal with homeowners and taxpayers like me, who would like to think that the City is capable of doing competent land use planning and development control, that developers will honor their commitments to the City and their customers, and that City councilors will ensure that the interested residents and members of the public are consulted and at least listened to.

For your information, I am also asking to appear as a delegation before Executive Policy Committee on October 21, to make a direct request that the proposed amendments to the two Development Agreements be referred back to the East Kildonan-Transcona Community Committee for reconsideration and further public consultation.

I do hope it will not be necessary for me to appear as a delegation before City Council on October 28.

Thank you.

Yours truly,

Kathy Searcy

cc. David M. Sanders

Councilor Jeff Browaty
North Kildonan Ward