Minutes – Executive Policy Committee – February 15, 2012

Minute No. 164
Report – Standing Policy Committee on Property and Development – February 14, 2012

Item No. 4 **Rezoning – 761 North Drive**
(Fort Rouge-East Fort Garry Ward)
File DAZ 218/ 2011

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee submitted the matter to Council without recommendation.

Minutes – Executive Policy Committee – February 15, 2012

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DECISION MAKING HISTORY:

Moved by Councillor Wyatt,

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Browaty,

That the Executive Policy Committee submit this matter to Council without recommendation.

Carried

Deputy Mayor Swandel, Councillor Havixbeck and Councillor Wyatt asked to be recorded as having voted against the above motion, in accordance with Rule 47(7) of The Procedure By-law No. 50/2007.

STANDING COMMITTEE RECOMMENDATION:

On February 14, 2012, due to a tie vote, the Standing Policy Committee on Property and Development submitted the matter to Executive Policy Committee and Council without recommendation.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 3, 2012, the City Centre Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development that the application for rezoning under File DAZ 218/2011 be rejected.

On November 1, 2011, the City Centre Community Committee adjourned the public hearing to its meeting on January 3, 2012 to allow the applicant to have professional community consultation with the advice of the Senior Planner.

RE: **Rezoning – 761 North Drive**
(Fort Rouge-East Fort Garry Ward)
File DAZ 218/ 2011 [c/r DCU 156197/2011D]

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

Prepared by: **Josie Marques, Senior Committee Clerk**
City Centre Community Committee

Report date: **January 6, 2011**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 3, 2012, The City Centre Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development that the application for rezoning under File DAZ 218/2011 [c/r DCU 156197/2011D] be rejected.

The City Centre Community Committee provided the following supporting reason(s) for its recommendation:

1. The public consultation was problematic, although there was an attempt to do public consultation, it was not understood by the public.
2. The proposed plan has not been well thought out or communicated and is not clear.
4. Requiring this property to be rezoned as "C2" to proceed with this application indicates a problem with our zoning by-law.
5. This is a unique issue and unique location.
6. There is a lack of marketing analysis.

PUBLIC HEARING SUMMARY

File:	DAZ 218/ 2011
Before:	City Centre Community Committee Councillor Orlikow, Chairperson Councillor Gerbasi Councillor Smith
Public Hearing:	November 1, 2011 January 3, 2012 Council Chamber, Council Building, 510 Main Street
Applicant:	Medina Holding Ltd. (Dr. Ezzat Ibrahim)
Subject:	
Premises Affected:	761 North Drive

Exhibits Filed:

1. Application dated August 22, 2011
2. Notification of Public Hearing September 19, 2011
3. Manitoba Status of Title 2311439
4. Surveyor's Building Location Certificate and sketch dated February 20, 1998
5. Photograph of subject property
6. Plan (1 page)
7. Communication dated October 14, 2011, from Anne Strock, in opposition to the application
8. Communication dated October 20, 2011, from Richard Stecenko, with respect to the application
9. Communication dated October 24, 2011, from Barbara Gramiak, in opposition to the application
10. Communication dated October 24, 2011, from David Robinson, with respect to the application
11. Communication dated October 24, 2011, from Karen Forrest, in opposition to the application
12. Communication dated October 24, 2011, from Bev Stacey, in opposition to the application
13. Communication dated October 24, 2011, from Ruth Krindle, in opposition to the application
14. Communication dated October 24, 2011, from Thomas Gabriel, in opposition to the application
15. Communication dated October 25, 2011, from Dustin and Megan Kroeker, in opposition to the application
16. Communication dated October 25, 2011, from Donna Hasinoff, in opposition to the application
17. Communication dated October 25, 2011, from W. Allan Bergman, in opposition to the application
18. Communication dated October 25, 2011, from Janice A. Sugg, in opposition to the application
19. Communication dated October 26, 2011, from Carl and Alana Stephens, in support of the application
20. Communication dated October 26, 2011, from Craig Christie and Gwendolyne Nyhof, in opposition to the application
21. Communication dated October 26, 2011, from Michael, Barbara & Matthew LeBow, in opposition to the application
22. Communication dated October 26, 2011, from Wendy Constable, in opposition to the application
23. Communication dated October 25, 2011, from Ruth Rennie, in opposition to the application

24. Communication dated October 26, 2011, from Natalia Anderson, in opposition to the application
25. Communication dated October 26, 2011, from Jack Anderson, in opposition to the application
26. Communication received October 26, 2011, from Carolyn Lamb, in opposition to the application
27. Communication received October 27, 2011, from Ross and Vivian Cameron, in opposition to the application
28. Communication dated October 26, 2011, from Nadine De Lisle, in opposition to the application
29. Communication dated October 26, 2011, from Bernard and Elizabeth Beare, in opposition to the application
30. Communication dated October 26, 2011, from Barry McMillan, in opposition to the application
31. Communication dated October 26, 2011, from Laura Roy, in opposition to the application
32. Communication dated October 26, 2011, from Dayne Anderson, in opposition to the application
33. Communication dated October 26, 2011, from Wilf Scharbach and Patricia Routledge, in opposition to the application
34. Communication dated October 27, 2011, from Jennifer Olito, in opposition to the application
35. Revised Site Plans (2 pages)
36. Communication dated October 27, 2011, from John and Eileen Dean, with respect to the application
37. Report from the Planning and Land Use Division dated October 27, 2011
38. Communication dated October 27, 2011, from Ashley Paton and Ben Rawluk, in opposition to the application
39. Communication dated October 27, 2011, from Helle Cosby, in opposition to the application
40. Communication dated October 28, 2011, from Jim Morris, Jim Norris Athletic Therapy, in support of the application
41. Communication dated October 28, 2011, from Sari Fields and Jerry Beernaerts, in opposition to the application
42. Communication dated October 28, 2011, from Cindy Singer, in opposition to the application
43. Communication dated October 28, 2011, from Ray Knispel, in opposition to the application
44. Communication dated October 28, 2011, from Karen Girard and Andrew Nardella, in opposition to the application

45. Communication dated October 28, 2011, from Jim and Sharon Flood, in opposition to the application
46. Communication dated October 28, 2011, from Jeremy Hull, in opposition to the application
47. Communication dated October 28, 2011, from Jeannine Audette, in opposition to the application
48. Communication dated October 28, 2011, from Marie and Allan Gledhill, in opposition to the application
49. Communication dated October 28, 2011, from Sue and Bob Piper, in support of the application
50. Communication dated October 30, 2011, from Allan and Katherine Hendrickson-Gracie, in opposition to the application
51. Communication dated October 31, 2011, from Maureen and Lionel Holmes, in opposition to the application
52. Communication dated October 30, 2011, from Patricia MacKay, in opposition to the application
53. Communication dated October 29, 2011, from Jonathan Young and Nancy Read, in opposition to the application
54. Communication dated October 30, 2011, from Ted Allan, in opposition to the application
55. Communication dated October 30, 2011, from Jan Bones, in opposition to the application
56. Communication dated October 31, 2011, from Maureen Eyolfson, in opposition to the application
57. Communication dated October 30, 2011, from W. Gary Anderson, in opposition to the application
58. Communication dated October 29, 2011, from Patricia Down, in opposition to the application
59. Communication dated October 29, 2011, from Bonnie Stovel, in opposition to the application
60. Communication dated October 29, 2011, from Toni Anderson, in opposition to the application
61. Communication dated October 30, 2011, from Deborah Linney and Mark O'Riley, in opposition to the application
62. Communication dated October 29, 2011, from May and Daniel Lee, in opposition to the application
63. Communication dated October 30, 2011, from Millie Krause, in opposition to the application
64. Communication dated October 30, 2011, from Angela and Brian Kynaston, in opposition to the application
65. Communication dated October 29, 2011, from William and Patricia Hales, in opposition to the application

66. Communication dated October 30, 2011, from Juliane Wolfart, in opposition to the application
67. Communication dated October 30, 2011, from H.C. Wolfart, in opposition to the application
68. Communication dated October 31, 2011, from Natasha and David Humeny, in opposition to the application
69. Communication dated October 30, 2011, from Judy Boldt and Ken Friesen, in opposition to the application
70. Communication dated October 30, 2011, from Dolores Hogan, in opposition to the application
71. Communication dated October 30, 2011, from Robert J. Lamb, in opposition to the application
72. Communication dated October 31, 2011, from Joanne Goodwin, in opposition to the application
73. Communication dated October 31, 2011, from Robert Fabro, in opposition to the application
74. Communication dated October 31, 2011, from Audrey Benningen, in opposition to the application
75. Communication dated October 31, 2011, from Jean Barratt, in opposition to the application
76. Communication dated October 31, 2011, from Marianne C. Hardy, in opposition to the application
77. Communication dated October 31, 2011, from Gerry and Los Howard, in opposition to the application
78. Communication dated October 3, 2011, from Patricia Dalton, in opposition to the application
79. Communication dated October 31, 2011, from Erhard Kasper, in opposition to the application
80. Communication dated October 31, 2011, from Susan Morrow and David Hewlett, in opposition to the application
81. Communication dated October 31, 2011, from Barry Blais, in opposition to the application
82. Communication dated October 31, 2011, from Anna Bosica, in opposition to the application
83. Communication dated October 31, 2011, from Dawn Cyr, in opposition to the application
84. Communication dated October 31, 2011, from Melanie Charbonneau and Ron Harder, in opposition to the application
85. Communication dated October 31, 2011, from Elaine Black, on behalf of Stan Carter, in opposition to the application

86. Communication dated October 31, 2011, from Charles Bartlette, in opposition to the application
87. Communication dated October 31, 2011, from Rae Saville, in opposition to the application
88. Communication dated November 1, 2011, from Rev. Jennifer Sisson, in opposition to the application
89. Communication dated November, 1, 2011, from Karen Eggertson, in opposition to the application
90. Communication dated November 1, 2011, from Tammy and Lee Hotas, in opposition to the application
91. Communication dated November 1, 2011, from Michelle Dueck, in opposition to the application
92. Petition in opposition to the application purporting to contain the signatures of ninety-two (92) area residents, submitted by Liz Hansell
93. Presentation from Liz Hansell including thirteen (13) photographs, in opposition to the application
94. Revised Report from the Planning and Land Use Division dated November 1, 2011
95. Communication dated November 1, 2011, from Myra Murchison-Swar, in opposition to the application
96. Inspection Report
97. Communication dated November 1, 2011, from Carol McKay, in opposition to the application
98. Additional communication dated November 1, 2011, from Bernard and Elizabeth Beare, inn opposition to the application
99. Petition in support of the application purporting to contain the signatures of 189 area residents, submitted by the applicant at the public hearing
100. Presentation in support of the application submitted by the applicant at the public hearing
101. Communication dated October 25, 2011, from Donna McNamara, in opposition to the application
102. Audio Recording of representations of public hearing held on November 1, 2011
103. Notice of Adjournment dated November 4, 2011
104. Communication dated November 7, 2011, from Gwen Groff, in opposition to the application
105. Communication dated November 17, 2011, from Corinne Dyck Gonen, in support of the application
106. Communication dated November 18, 2011, from Atef Ibrahim, in support of the application

107. Communication dated November 18, 2011, from Merrill Shwaid, in support of the application
108. Communication dated November 18, 2011, from Vicki Derksen-Duhame, in support of the application
109. Communication dated November 18, 2011, from Carolyn Menaar, in support of the application
110. Communication dated November 18, 2011, from Steve Vasko, in support of the application
111. Communication dated November 18, 2011, from Darryl A. Walsh, in support of the application
112. Communication dated November 18, 2011, from Kathleen Gibbons, in support of the application
113. Communication dated November 21, 2011, from Doug Vialoux, in support of the application
114. Communication dated November 21, 2011, from Jodi Sabo, in support of the application
115. Communication dated November 21, 2011, from John Scappaticci, in support of the application
116. Communication dated November 17, 2011, from M. Adel, in support of the application
117. Communication dated November 17, 2011, from Hussein M. Hussein, in support of the application
118. Communication dated November 20, 2011, from Enayat Nassar, in support of the application
119. Communication dated November 23, 2011, from Judy Richichi, in support of the application
120. Communication dated November 28, 2011, from Kelli Berzuk, in support of the application
121. Communication dated December 1, 2011, from Ruth Brant, in support of the application
122. Communication dated December 2, 2011, from Heather Talledo, in support of the application
123. Communication dated December 2, 2011, from Shona Goulden, in support of the application
124. Communication dated December 2, 2011, from Augustine Catherine, in support of the application
125. Communication dated December 2, 2011, from Ingrid and Karl Truderung in support of the application
126. Communication dated December 2, 2011, from Dr. F. S. Chebib in support of the application
127. Communication dated December 2, 2011, from Ravi Ramberran in support of the application

128. Communication dated December 1, 2011, from Matthew Friesen, President and Chief Executive Officer, BASA, University of Winnipeg, in support of the application
129. Communication titled "Wildewood Club Engages Community in Open Dialogue" dated November 30, 2011, from the applicant in support of the application
130. Communication dated November 21, 2011, from Beverley Hedley in support of the application
131. Communication dated December 6, 2011, from Noha Moony in support of the application.
132. Communication dated December 7, 2011, from Maged Nashed in support of the application.
133. Communication dated December 7, 2011, from Leslie Adrian in opposition to the application.
134. Communication dated December 8, 2011, from Deborah Linney and Mark O'Riley in opposition to the application.
135. Communication dated December 11, 2011, from Carla Epp in opposition to the application.
136. Communication dated December 6, 2011, from Mohamed Elbajegni in support of the application.
137. Communication dated December 2, 2011, from Catherine Augustine in support of the application.
138. Communication dated December 18, 2011, from Kevin Dyck in support of the application.
139. Communication dated December 8, 2011, from Reda Elgazzar in support of the application.
140. Communication dated December 6, 2011, from Sam Ibraheem in support of the application.
141. Communication dated December 15, 2011, from Marceline N. Ndayumvire in support of the applications.
142. Communication dated November 24, 2011, from Kayla Pottinger in support of the application.
143. Communication dated December 20, 2011, from Carol Yamron in opposition to the application
144. Communication dated December 20, 2011, from Ruth Krindle, in opposition to the application
145. Communication dated December 20, 2011, from Lorne Hasinoff, in opposition to the application
146. Communication dated December 20, 2011, from Donna Hasinoff, in opposition to the application
147. Communication dated December 20, 2011, from Mike Bell, in opposition to the application

148. Communication dated December 20, 2011, from Rev. Canon Peter Flynn, Chair of the Board, Manitoba Interfaith Immigration Council Inc., in support of the application
149. Communication dated December 21, 2011, from Lesley Thomson, in support of the application
150. Communication dated December 21, 2011, from Alexis Vlassie, in support of the application
151. Communication dated December 22, 2011, from David Ferguson, in opposition to the application
152. Communication dated December 22, 2011, from Trevor Lockhart, in opposition to the application
153. Summary of public consultation; detailed information question and answers; open house advertisement dated December 8; open house flyer, news release dated November 30, open house advertisement dated December 7, submitted by the applicant, in support of the application
154. Summary of community consultation, dated December 20, 2011, submitted by the applicant in support of the application
155. Communication dated December 19, 2011, from Andrew and Johanna Kowatsch, in opposition to the application
156. Communication dated December 23, 2011, from Margret Paton, in opposition to the application
157. Communication dated December 22, 2011, from Geoff Woodcroft, in opposition to the application
158. Communication dated December 22, 2011, from Bill, Brian, Barbara Moons & Shirley Hurst, in opposition to the application
159. Communication dated December 29, 2011, from Verne J McKernan, in opposition to the application
160. Communication dated December 23, 2011, from Sarah McCrea, in opposition to the application
161. Communication dated December 23, 2011, from Brent McCrea, in opposition to the application
162. Communication dated December 23, 2011, from Dennis O'Brien, in opposition to the application
163. Communication dated December 23, 2011, from Judy Boldt, in opposition to the application
164. Communication dated December 23, 2011, from Ken Friesen, in opposition to the application
165. Communication dated December 24, 2011, from Anne-Shirley Clough, in opposition to the application
166. Communication dated December 24, 2011, from Neicy Kare, in support of the application

167. Communication dated December 26, 2011, from Lorna Olafson, in opposition to the application
168. Communication dated December 26, 2011, from Barry Crane, in opposition to the application
169. Communication dated December 26, 2011, from Yasmine El-Sayed, in support of the application
170. Communication dated December 26, 2011, from Nashaat Soliman, in support of the application
171. Communication dated December 26, 2011, from Marshall Forrest, in opposition to the application
172. Communication dated December 26, 2011, from Bev Stacey, in opposition to the application
173. Communication dated December 27, 2011, from Frank and Toni Rizzuto, in support of the application
174. Communication dated January 2, 2011, from Nadine Delisle, in opposition to the application
175. Communication dated December 28, 2011, from Laila Chebib, in support of the application
176. Communication dated December 27, 2011, from Barb Degen, in opposition to the application
177. Communication dated December 28, 2011, from Bob Hibbert, in opposition to the application
178. Communication dated December 28, 2011, from Bill & Dale Ketcheson, in opposition to the application
179. Communication dated December 19, 2011, from Andrew and Johanna Kowatsch, in opposition to the application
180. Communication dated December 28, 2011, from Karen & Alan Menkis, in opposition to the application
181. Communication dated December 28, 2011, from Karen Clavelle, in opposition to the application
182. Communication dated December 28, 2011, from Anne Strock, in opposition to the application
183. Communication dated December 28, 2011, from James & Tracey Popel, in opposition to the application
184. Communication dated December 28, 2011, from Marjorie Oleson, in opposition to the application
185. Communication dated December 28, 2011, from Dawn Cyr, in opposition to the application
186. Communication dated December 28, 2011, from Stefan Hasinoff, in opposition to the application
187. Communication dated December 28, 2011, from Kristine Hasinoff, in opposition to the application
188. Communication dated December 28, 2011, from Jim Hasinoff, in opposition to the application

189. Communication dated December 28, 2011, from Lorne Coulson, in opposition to the application
190. Communication dated December 28, 2011, from Nancy Gray, in opposition to the application
191. Communication dated December 28, 2011, from Verne J McKernan, in opposition to the application
192. Communication dated December 29, 2011, from Grant Sutherland, in opposition to the application
193. Communication dated December 29, 2011, from W.A. Bergman, in opposition to the application
194. Communication dated December 29, 2011, from Allan Bergman, in opposition to the application
195. Communication dated December 29, 2011, from Liz Bergman, in opposition to the application
196. Communication dated December 29, 2011, from Daniel & May Lee, in opposition to the application
197. Communication dated December 29, 2011, from Bill Ashdown, in opposition to the application
198. Communication dated December 29, 2011, from Michael Stuart, in opposition to the application
199 Communication dated December 29, 2011, from Robert Fabro, in opposition to the application
200. Communication dated December 29, 2011, from Lonnie Merel, in support of the application
201. Communication dated December 29, 2011, from Rick Wiebe, in opposition to the application
202. Communication dated December 29, 2011, from Jenell Wiebe, in opposition to the application
203. Communication dated December 29, 2011, from Drew Wiebe, in opposition to the application
204. Communication dated December 29, 2011, from Carol Goldstein, in opposition to the application
205. Communication dated December 29, 2011, from Bill Jennings, in opposition to the application
206. Communication dated December 29, 2011, from Heather Eckton, in opposition to the application
207. Communication dated December 29, 2011, from Hugh O'Hare, in opposition to the application
208. Communication dated December 29, 2011, from Donna Hasinoff, in opposition to the application
209. Communication dated December 29, 2011, from Bob Pallanik, in opposition to the application
210. Communication dated December 29, 2011, from Irene Legg, in opposition to the application

211. Communication dated December 29, 2011, from Christine Jankiewicz, in opposition to the application
212. Communication dated December 29, 2011, from Barry Blais, in opposition to the application
213. Communication dated December 29, 2011, from Pamela E. Percy, in opposition to the application
214. Communication dated December 29, 2011, from Pat Mohr, in opposition to the application
215. Communication dated December 29, 2011, from David Blais, in opposition to the application
216. Communication dated December 29, 2011, from Dr. Lane & Jean Graham, in opposition to the application
217. Communication dated December 29, 2011, from Wally Dyck, in support of the application
218. Communication dated December 29, 2011, from Sheryl Hague, in opposition to the application
219. Communication dated December 29, 2011, from Brooke Forrest, in opposition to the application
220. Communication dated December 29, 2011, from Walter & Irene Siemens, in opposition to the application
221. Communication dated December 29, 2011, from Pat Robb, in opposition to the application
222. Communication dated December 29, 2011, from Randy Horel, in opposition to the application
223. Communication dated December 29, 2011, from Sara Breslaw, in opposition to the application
224. Communication dated December 30, 2011, from Curtis Breslaw, in opposition to the application
225. Communication dated December 30, 2011, from Haithem Soliman, in opposition to the application
226. Communication dated December 30, 2011, from Randy Horel, in opposition to the application
227. Communication dated December 30, 2011, from Stan Diachun, in support of the application
228. Communication dated December 30, 2011, from Angela Powell, in opposition to the application
229. Communication dated December 30, 2011, from James Whapham, in opposition to the application
230. Communication dated December 29, 2011, from Clint Johnson, in opposition to the application
231. Communication dated December 30, 2011, from Ehtesham Saleem, in opposition to the application
232. Communication dated December 30, 2011, from Kris Hasinoff, in opposition to the application

233. Communication dated December 30, 2011, from Philip Pugliese, in opposition to the application
234. Communication dated December 30, 2011, from Tracey Pulgiese, in opposition to the application
235. Communication dated December 30, 2011, from Bonnie Stovel, in opposition to the application
236. Communication dated December 30, 2011, from Angela & Mark Probyn, in opposition to the application
237. Communication dated December 30, 2011, from Carol & Doug McKay, in opposition to the application
238. Communication dated December 30, 2011, from Mr & Mrs Probyn, in opposition to the application
239. Communication dated December 30, 2011, from Gregg & Bonita Comber, in opposition to the application
240. Communication dated December 30, 2011, from Karen Burridge, in opposition to the application
241. Communication dated December 30, 2011, from Tracey Olafson, in opposition to the application
242. Communication dated December 30, 2011, from Ronald Olafson, in opposition to the application
243. Communication dated December 30, 2011, from Karen Burridge, in opposition to the application
244. Communication dated December 30, 2011, from Mario Aiello, with respect to the application
245. Communication dated December 31, 2011, from Jerry Sherby, in opposition to the application
246. Communication dated December 31, 2011, from Julie Torgrud, in support of the application
247. Communication dated December 31, 2011, from Mario Aiello, for information with respect to the application
248. Communication dated December 31, 2011, from Ted & Linda Winia, in opposition to the application
249. Communication dated December 31, 2011, from Karen Clavelle, in opposition to the application
250. Communication dated December 31, 2011, from Michael Shwetz, in opposition to the application
251. Communication dated December 31, 2011, from Sina Aiello, in support of the application
252. Communication dated December 31, 2011, from Kelly Nicholson, in opposition to the application
253. Communication dated December 31, 2011, from Caroline Nicholson, in opposition to the application

254. Communication dated December 31, 2011, from Allan & Katherine Hendrickson-Gracie, in opposition to the application
255. Communication dated December 31, 2011, from Jennifer Sisson, in opposition to the application
256. Communication dated December 31, 2011, from Tarek ElMekkawy, in support of the application
257. Communication dated January 1, 2012, from Andrea Alkier, in opposition to the application
258. Communication dated January 1, 2012, from Lyse Audette, in opposition to the application
259. Communication dated January 1, 2012, from Cory Anema, in opposition to the application
260. Communication dated January 1, 2012, from Cory Anema, in opposition to the application
261. Communication dated January 1, 2012, from Melissa Krasey, in opposition to the application
262. Communication dated January 1, 2012, from Dawn Zawadski, in opposition to the application
263. Communication dated January 1, 2012, from Leslie Kirby, in opposition to the application
264. Communication dated January 1, 2012, from Troy Krasey, in opposition to the application
265. Communication dated January 1, 2012, from Jim Kirby, in opposition to the application
266. Communication dated January 1, 2012, from Toni Anderson, in opposition to the application
267. Communication dated January 1, 2012, from Toni Anderson in opposition
268. Communication dated January 1, 2012, from Jake L. Fehr, in opposition to the application
269. Communication dated January 1, 2012, from Darlene Hnatyshyn, in opposition to the application
270. Communication dated January 1, 2012, from Patricia Down, in opposition to the application
271. Communication dated January 1, 2012, from Darrell Bushuk, in opposition to the application
272. Communication dated January 1, 2012, from Hugh Conacher, in opposition to the application
273. Communication dated January 1, 2012, from Kati & Shane Devlin, in opposition to the application
274. Communication dated January 1, 2012, from Shane & Lynn Boyce, in opposition to the application

275. Communication dated January 1, 2012, from Nancy Gray, in opposition to the application
276. Communication dated January 1, 2012, from Allan Smeall, in opposition to the application
277. Communication dated January 2, 2012, from Warren Hardy, in opposition to the application
278. Communication dated January 2, 2012, from Corinne Larsen, in opposition to the application
279. Communication dated January 2, 2012, from Donna McNamara, in opposition to the application
280. Communication dated January 2, 2012, from Charles Bartlette, in opposition to the application
281. Communication dated January 2, 2012, from Peter & Dorothy Cowie, in opposition to the application
282. Communication dated January 2, 2012, from Marianne C. Hardy, in opposition to the application
283. Communication dated January 2, 2012, from John & Eileen Dean, in opposition to the application
284. Communication dated January 2, 2012, from Andrew Stout, in opposition to the application
285. Communication dated January 2, 2012, from Jayson Nickol, in opposition to the application
286. Communication dated January 2, 2012, from Stacey Nickol, in opposition to the application
287. Communication dated January 2, 2012, from Duncan Marshall, in opposition to the application
288. Communication dated January 2, 2012, from Jennifer Westbury & Michael Hawryluk, in opposition to the application
289. Communication dated January 2, 2012, from H. C. Wolfart, in opposition to the application
290. Communication dated January 2, 2012, from Juliane Wolfart, in opposition to the application
291. Communication dated January 2, 2012, from Angela Heck, in opposition to the application
292. Communication dated January 2, 2012, from Kristie Jennings, in opposition to the application
293. Communication dated January 2, 2012, from Cindy Singer, in opposition to the application
294. Communication dated January 2, 2012, from Jean Reimer, in opposition to the application
295. Communication dated January 2, 2012, from Jason Trevor Reimer, in opposition to the application

296. Communication dated January 2, 2012, from Robert J. Lamb & Patricia A. MacKay, in opposition to the application
297. Communication dated January 2, 2012, from Laurie & Chris Alexiuk, in opposition to the application
298. Communication dated January 2, 2012, from Jeanne Blockl, in opposition to the application
299. Communication dated January 2, 2012, from Anna Bosica, in opposition to the application
300. Communication dated January 2, 2012, from Carol Yamron, in opposition to the application
301. Communication dated January 2, 2012, from Alan Crocker, in opposition to the application
302. Communication dated January 2, 2012, from Kristina Poturica, in opposition to the application
303. Communication dated January 2, 2012, from Brett Hotas, in opposition to the application
304. Communication dated January 2, 2012, from Lee Hotas, in opposition to the application
305. Communication dated January 3, 2012, from Frances A. Booth, in opposition to the application
306. Communication dated January 3, 2012, from Susan Taylor, in opposition to the application
307. Communication dated January 3, 2012, from Aimee Hunt, in opposition to the application
308. Communication dated January 3, 2012, from Duncan Marshall & Chelsea Quebec, in opposition to the application
309. Communication dated January 2, 2012, from Lorne Sinclair, in opposition to the application
310. Communication dated January 2, 2012, from Marianne C. Hardy, in opposition to the application
311. Communication dated December 31, 2011, from Sandi D'Amico, in opposition to the application
312. Communication dated December 31, 2011, from Michael Shwetz, in opposition to the application
313. Communication dated December 30, 2011, from Marion Klassen, in support of the application
314. Communication dated January 3, 2012, from Liam Martin, in opposition to the application
315. Communication dated December 29, 2011, from Rachel Donner & Jamie Brown, in opposition to the application
316. Communication dated January 3, 2012, from Robert Sunley, in opposition to the application

317. Communication dated January 3, 2012, from Jonathan Hunt, in opposition to the application
318. Communication dated January 3, 2012, from Melissa Weselake, in support of the application
319. Communication dated January 3, 2012, from T. Janzen, in opposition to the application
320. Communication dated January 3, 2012, from Phil Marriott, in opposition to the application
321. Communication dated January 1, 2012, from Carla Epp, in opposition to the application
322. Communication dated January 3, 2012, from A. MacHutchon, in opposition to the application
323. Communication dated January 2, 2012, from Diane Zielonko, in opposition to the application
324. Communication dated January 2, 2012, from Janet Bouskill, in opposition to the application
325. Communication dated January 2, 2012, from Liz Kircher, in opposition to the application
326. Communication dated January 3, 2012, from Richard Alsip, in opposition to the application
327. Communication dated January 3, 2012, from Gail & Kurt Enns, in opposition to the application
328. Communication dated January 2, 2012, from Ted Simonson, in opposition to the application
329. Communication dated January 2, 2012, from Nadine L. Nassar, in support of the application
330. Communication dated January 3, 2012, from Christine Reid, in opposition to the application
331. Communication dated January 3, 2012, from Phillips on behalf of Ximena Munoz & Matthew Phillips-Munoz, in support of the application
332. Communication dated January 3, 2012, from Pamela E. Percy, in opposition to the application
333. Communication dated January 3, 2012, from Betty Jennings, in opposition to the application
334. Communication dated January 3, 2012, from Paul Infuso, in support of the application
335. Communication dated January 3, 2012, from Bobbi Standing, in opposition to the application
336. Communication dated January 3, 2012, from Liz Hansell, in opposition to the application
337. Communication dated January 3, 2012, from Stephen McLean & Ashleigh Ives, in opposition to the application

338. Communication dated January 3, 2012, from William & Patricia Hales, in opposition to the application
339. Communication dated January 3, 2012, from Nicole Morin, in opposition to the application
340. Communication dated January 3, 2012, from Tilman Goetting, in opposition to the application
341. Communication dated January 3, 2012, from Janet Lucas, in opposition to the application
342. Communication dated January 3, 2012, from Patricia Dalton, in opposition to the application
343. Communication dated January 2, 2012, from Susan Lindsay, in opposition to the application
344. Communication dated January 3, 2012, from Brad Lucas, in opposition to the application
345. Communication dated January 2, 2012, from Liz Kircher, in opposition to the application
346. Communication dated December 31, 2011, from Ron Castelane, in opposition to the application
347. Communication dated January 3, 2012, from Gwenda Boychuk, in opposition to the application
348. Communication dated January 3, 2012, from Kathy Grover, in opposition to the application
349. Communication dated January 3, 2012, from Debbie Whyte, in opposition to the application
350. Communication dated January 3, 2012 from Christian Cassidy, in support of the application
351. Presentation, submitted by the applicant at the public hearing, in support of the application
352. Presentation, submitted by Rick Wiebe at the public hearing in opposition to the application
353. Area map of directly affected properties, submitted by Nigel Baseley at the public hearing, in opposition to the application
354. Area map, submitted by Lorne Hasinoff at the public meeting, in opposition to the application
355. Presentation, submitted by J. R. Flood at the public hearing, in opposition to the application
356. Communication dated January 3,2012, from Rachel Rand, submitted by David Rand at the public hearing, in opposition to the application
357. Communication undated, from Jerry Sherby, submitted by Bill Hales at the public hearing, in opposition to the application

358. Area map, submitted by Pat Hales at the public hearing, in opposition to the application
359. Communication dated December 29, 2011, from Lane & Jean Graham, in opposition to the application
360. Communication dated January 3, 2012, from Douglas B. Clark, in support of the application
361. Communication dated January 3, 2012, from Trisha Martin, in opposition to the application
362. Communication dated January 3, 2012, from Jocelyn Ward & Grant Meder, in opposition to the application
363. Communication dated January 3, 2012, from Margaret Robins, in opposition to the application
364. Communication dated January 3, 2012, from Jesse Cringan, in opposition to the application
365. Communication dated January 3, 2012, from Rick Wiebe, in opposition to the application
366. Communication dated January 3, 2012, from Margaret Froese, in opposition to the application
367. Communication dated January 3, 2012, from Colin Ray, in opposition to the application
368. Communication dated January 3, 2012, from John & Kathleen Brydon, in opposition to the application
369. Communication dated January 3, 2012, from Janet Lucas, in opposition to the application
370. Communication dated January 3, 2012, from Lidi Kuiper, in opposition to the application
371. Communication dated January 2, 2012, from Yusuf Abdulrehman, in support of the application
372. Communication dated January 3, 2012, from Ella Donnelly, in opposition to the application
373. Communication dated January 3, 2012, from Kevin Donnelly, in opposition to the application
374. Communication dated January 3, 2012, from Ella & Kevin Donnelly, in opposition to the application
375. Communication dated January 3, 2012, from Audrey Owens, for information with respect to the application
376. Communication dated January 3, 2012, from Jill Patrick, in opposition to the application
377. Communication dated January 2, 2012, from Kristina Poturica, in opposition to the application
378. Communication dated January 3, 2012, from David F. Charabin, in opposition to the application
379. Communication dated January 3, 2012, from Edward Morris Barker, in opposition to the application

380. Communication dated January 3, 2012, from Margaret Froese, in opposition to the application
381. Communication dated January 3, 2012, from Pamela E. Percy, in opposition to the application
382. Communication dated December 30, 2011, from Lisa Huber, in support of the application
383. Communication dated December 30, 2011, from Munther Zeid, in support of the application
384. Communication dated December 30, 2011, from Samar Zeid, in support of the application
385. Communication dated December 30, 2011, from Suad Zeid, in support of the application
386. Communication dated December 30, 2011, from Wajih Zeid, in support of the application
387. Communication dated December 30, 2011, from Husni Zeid, in support of the application
388. Communication dated December 30, 2011, from Tarik Zeid, in support of the application
389. Communication dated December 30, 2011, from Ramsey Zeid, in support of the application
390. Communication dated December 30, 2011, from Manal Zeid, in support of the application
391. Communication dated December 30, 2011, from Eman Zeid, in support of the application
392. Communication dated January 3, 2012, from Rae Spiwak, in opposition to the application
393. Communication dated December 30, 2011, from Luc Guenette, in support of the application
394. Communication dated January 2, 2012, from Yu Jung Kim, in support of the application
395. Communication dated January 2, 2012, from Juran Park, in support of the application
396. Communication dated January 3, 2012, from Natalia Aponiuk & Elviera Mearon, in opposition to the application
397. Communication dated January 3, 2012, from Laura Bjornson, in support of the application
398. Communication dated January 3, 2012, from A. &L Minkeviches, in opposition to the application
399. Communication dated January 3, 2012, from Brenda & Jim Nykoluk, in opposition to the application
400. Audio Recording of representations of public hearing held on January 3, 2012

REPRESENTATIONS:

In Support:

Yusuf Abdulrehman
Sina Aiello
Catherine Augustine
Cal Berzuk
J.C. & Kelli Berzuk
Laura Bjornson
Ruth Brant & Jody Sabo
John Bubbs
Ken & Jana-Lea Callis
Christian Cassidy
Dr. F. S. Chebib & Laila Chebib
Doug Clark
Douglas B. Clark
Vicki Derksen-Duhame
Stan Diachun Melissa Weselake
Gord Doerksen
Wally Dyck
Kevin Dyck
Mohamed Elbajegni
Reda Elgazzar
Tarek ElMekkawy
Yasmine El-Saved & Nashaat Soliman
Canon Peter Flynn
Matthew Friesen
Maria Funston
Kathleen Gibbons
Corinne Dyck Gonen
Luc Guenette
Malcolm Haverstick
Beverley Hedley
Adrian Honish
Lisa Huber
M. Adel & Hussein M. Hussein
Sam Ibraheem & Noha Moony
Ezzat Ibrahim
Atef Ibrahim
Naniece Ibrahim & Neicy Kare
Paul Infuso
Yu Jung Kim
Marion Klassen
David Linstead
Mike Lisanti
Brent McCannell
Carolyn Menaar
Lonnie Merel
Richard Morantz
Robert S. Morrison
Maged Nashed
Nadine Nassar
Enayat Nassar
Marceline Ndayumvire
Don Oliver & Jenni Joorisity
Juran Park
D'Arcy Phillips & Ximena & Matthew Phillips
Munoz
Kayla Pottinger
Judy Richichi
Frank & Toni Rizzuto &
James Roy
John & Shona Scappaticci & Shona Goulden
Merrill Shwaid
Don Snider
Richard Stecenko & Lorna Mayer
Heather Talledo
Lesley Thompson
Julie Torgrud
Ingrid & Karl Truderung
Steve Vasko
Doug Vialoux
Alexis Vlassie
Darryl A. Walsh
James Wankling
Dana Way
Kent Woloschuk
Husni Zeid
Munther Zeid
Tarik Zeid
Manal Zeid
Ramsey Zeid
Suad Zeid
Samar Zeid
Eman Zeid
Wajih Zeid

In Opposition:

Leslie Adrian
Laurie & Chris Alexiuk
Andrea Alkier
Ted Allan
Iris Allen & Gord Pizey
Richard Alsip
Dayne, Natalia & Jack Anderson
Toni & Gary Anderson
Cory Anema & Karen Burridge
Natalia Aponiuk
Don Armstong
Bill Ashdown
Jeanine & Lyse Audette
Jean Barratt
Charles Bartlette & Marianne C. Hardy
Nigel Baseley
Bernard & Elizabeth Beare
Jerry Beernaerts & Sari Fields
Audrey Benningen
W. Allan & Liz Bergman
Robert D. Bettner
David & Carol Blais
Barry Blais & Linda Curtis
Jeanne Blockl
Judy Boldt & Ken Friesen
Jan Bones
Frances A Booth Jill Patrick
John & Karen Borbridge
Anna Bosica
Janet Bouskill
Shane & Lynn Boyce
Gwenda Boychuk
Sara & Curtis Breslaw
John & Kathleen Brydon
Darrell Bushuk
Ross & Vivian Cameron
Stan Carter Elaine Black
Ron Castelane
David Charabin
Melanie Charbonneau & Ron Harder
Craig Christe & Gwendolyne Nyhof
Jan Christianson-Wood
Karen Clavelle
Anne-Shirley Clough
Gregg & Bonita Comber
Hugh Conacher
Muriel Conner
Wendy Constable
Helle Cosby
Lorne Coulson
Pierre Couturier & Georgia Ongley
Peter & Dorothy Cowie
Jesse Cringan
Alan Crocker & Carol Yamron
Dawn Cyr & Robert Fabro
Patricia Dalton
Sandi D'Amico
Nadine De Lisle
John & Eileen Dean
Barbara & Gene Degen
Ray Desautels & Nancy Mitchell
Kati & Shane Devlin
Susan Docker
Ella & Kevin Donnelly
Rachel Donner Jamie Brown
Patricia Down
Michelle & Rudy Dueck
Valerie Dunsmore
Heather Eckton
Karen Eggertson
Gail & Kurt Enns
Carla Epp
Maureen Eyolfson
J Faykes
Jake L Fehr & Darlene Hnatyshyn
David Ferguson & Margret Paton
Jim & Sharon Flood
Karen Forrest
Brooke & Marshall Forrest
Jerry Friesen
Margaret Froese
Diane Frost
Thomas Gabriel
Karen Girard & Andrew Nardella
Marie & Allan Gledhill
Tilman Goetting
Carol Goldstein
Joanne Goodwin
Gwen Groff

Kathy Grover
William Bruce Gunn
Sheryl Hague
William & Patricia Hales &
Dave Hall & Barbara Remnant
Liz Hansell
Warren Hardy
Kris Hasinoff
Donna & Lorne Hasinoff
Stefan, Jim & Kristine Hasinoff
Keith B. Haycock & Denise Phillips & Shelly Normand
Angela Heck
Allan & Katherine Hendrickson-Gracie
David Hewlett & Susan Morrow
Kathryn Hildebrand & Darryl Labinuk
Dolores Hogan
Maureen & Lionel Holmes
Randy Horel
Tammy, Lee & Brett Hotas
Kevin & David Houle
Jeremy Hull
Aimee & Jonathan Hunt
Christine Jankiewicz
Ted Janzen
Bill, Kristie & Betty Jennings
Clint Johnson
Elsie, Vida & Emily Jordaan
Erhard Kasper
Bill & Dale Ketcheson
Leslie & Jim Kirby
Liz Kircher
Andrew & Johanna Kowatsch
Melissa & Troy Krasey
Millie Krause
Ruth Krindle & Bev Stacey
Dustin & Megan Kroeker
Lidi Kuiperm & Edward Morris Barker
Angela & Brian Kynaston
Donna Labun
Carolyn Lamb
Robert J. Lamb & Patricia MacKay
Dr. Lane & Jean Graham
Corinne Larsen
Michael, Barbara & Matthew LeBow
Daniel & May Lee
Irene Legg
Gerhard & Doris Lepa
Susan Lindsay
Deborah Linney & Mark O'Riley
Trevor Lockhart
Shirley Lord & George Harris
Janet & Brad Lucas
Pam Lucenkiw
A MacDonald
A MacHutchon
Phil Marriott
Duncan Marshall
Liam Martin
Trisha Martin
Ronald Mazur
Sarah & Brent McCrea
Carol & Doug McKay
Verne McKernan
Stephen McLean & Ashleigh Ives
Barry McMillan
Donna McNamara
Elviera Mearon
Karen & Alan Menkis
M & W Messerschmidt
Kathy Mikkelsen
Kevin Mills & Rae Saville
A & L Minkeviches
Bill, Brian & Baraba Moons & Shirley Hurst
Nicole Morin
Lisa Moxam
Myra Murchison-Swar
Frances Neaman & Hamish Barrit
Kelly & Caroline Nicholson
Jayson & Stacey Nickol
Brenda & Jim Nykoluk
Dennis O'Brien
Hugh O'Hare
Tracey & Ronald Olafson
Lorna Olafson & Barry Crane
Marjorie Oleson
Jennifer Olito
Audrey & Thompson Owens
Bob Pallanik
Ashley Paton & Ben Rawluk
Weldon PennerShonna Pepper
Pamela E. Percy
Sue & Bob Piper
James & Tracey Popel

Kristina Poturica
Angela Powell
Angela & Mark Probyn
Philip & Tracey Pugliese
David & Rachel Rand
Colin Ray
Nancy Read & Jonathan Young
Christine Reid
Jean Reimer
Ruth Rennie
Pat Robb
Margaret Robins
David Robinson & Enid Brown
Patricia Routledge & Wilf Scharbach
Laura Roy
John B. Sadler
Ehtesham Saleem
Anna & Paul Schaefer
Lawrence Schmidt
Carmen & Margaret Schroeder
Jerry Sherby & Geraldine Zalitach
Michael Shwetz
Elden Siemens & Lynda Loewen
Ted Simonson
Lorne Sinclair
Cindy Singer
Jennifer Sisson & Geoff Woodcroft
Eddie Solimka
Wilma Sotas
Rae Spiwak
Bobbi & Tom Standing
Andrew Stout
Bonnie Stovel
Anne Strock
Michael Stuart
Janice A. Sugg
Robert Sunley
Grant Sutherland & Ainsleigh Marcinyshyn
Peter Synychych
Susan Taylor
Trevor Thomas
Pamela & Judi Valentine
Corliss & Lawrence Van Caeseele
Paul Van Caeseele
Gerald C. Volkers & Laurel Dawn Gardiner
Jocelyn Ward & Grant Meder
Jennifer Westbury & Michael Hawryluk
James Whapham
Debbie Whyte
Rick, Jenell & Drew Wiebe
Juliane & H.C. Wolfart
Laura Yurasek
Dawn & Robert Zawadski
Diane Zielonko

For Information:

Richard & Linda Abbott
Mario Aiello
Terry Aseltine
C. Evelyn Aston
David Capper
Resby Coutts
Dawn Cunningham
Nancy Gray & Allan Smeall
Carol & Bob Hibbert
Gerry & Lois Howard
Liz & Richard Hutchings
Brian Jones
James Ketcheson
Ray Knispel
Joy Knudson
Bryan Mercer
Megan Motkaluk
Don Mulder
David Quinton
James Patrick Stoneman
Eric & Jill Vogan
David White

For the City:

Mr. J. Wintrup, Principal Planner, Planning, Property and Development Department

Exhibit "94" referred to in File DAZ 218/2011

ADMINISTRATIVE REPORT

Title: DAZ 218/2011 – 761 North Drive

Issue: Application to rezone the subject property from a "PR-2" Parks and Recreation District to a "C2" Commercial Corridor District to permit the establishment of a multiple family residential building (65 dwelling units)

Critical Path: City Centre Community Committee as per the Development Procedures By-law and *The City of Winnipeg Charter.*

AUTHORIZATION

Author	Department Head	CFO	CAO
Patti Regan	n/a	n/a	n/a

RECOMMENDATIONS

1. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the planned area as shown on Schedule "A" for File DAZ 218/2011 dated, to a "C2" Commercial Corridor District subject to the following:

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

      i. Only the following uses shall be permitted uses on the land:
         a. All uses which are permitted in the "PR-2" Parks and Recreation District
         b. Care home

      ii. The following uses shall be permitted as conditional uses:
         a. All uses which are conditional uses in the "PR-2" Parks and Recreation District
         b. Dwelling, live-work
         c. Dwelling, multi-family
         d. Dwelling, single-family attached
         e. Dwelling, two-family
         f. Assisted living facility
         g. Neighbourhood Rehabilitation Home
         h. Single room occupancy

      iii. Only the following signage shall be permitted:

a. Any signage which is permitted in the “PR-2” Parks and Recreation District

iv. That for the development of any new building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, fencing, lighting, and landscaping to the Director of Planning, Property and Development and City Centre Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter to be maintained to the satisfaction of the Director of Planning, Property and Development.

v. For the erection of any signage, plans shall be submitted showing the location and design of proposed signage to the Director of Planning, Property, and Development for plan approval prior to the issuance of any sign permit, and thereafter to be maintained to the satisfaction of the Director of Planning, Property and Development.

2. That a cross access agreement be put in place to the satisfaction of the Director of Planning, Property, and Development and the Director of Legal Services, to guarantee that access to the property identified in Schedule “A” is available across public rights of way, which are currently being leased, as shown in Exhibit 1.

3. That the applicant shall execute a joint services agreement which shall obligate all present and future owners of the property identified in Schedule “A” to be jointly responsible for the proper use, maintenance, repair, and replacement of the common roadway systems required to access the property, which are currently being leased, as shown in Exhibit 1, until such time that any lease over these rights of way is no longer in force and effect.

4. The applicant shall provide, at no expense to the City, an easement, the length of its property and 5.0 metres in width, centred on, and for the purpose of guaranteeing public access to, the "EXISTING PATH" shown on "Exhibit 2" herein. The applicant shall be responsible for all survey plan registrations and costs related to registration of a suitable caveat in the Winnipeg Land Titles Office for this purpose.

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

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

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

8. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the planned area, provided that the said effective date occurs within one year of the date by-law is passed.

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

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

REASON FOR THE REPORT

The Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, the property will be rezoned.

CONSULTATION

In preparing this Report there was consultation with:
N/A

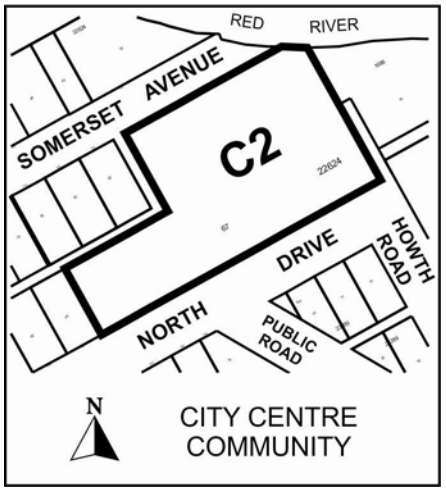
SUBMITTED BY

Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Michael Robinson, AICP, MCIP
Date:	November 1, 2011
File No.	DAZ 218/2011

APPENDIX 'A' **REVISED**
DATE: November 1, 2011
FILE: DAZ 218/2011
RELATED FILES: DCU 11-156197/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.609

SUBJECT: Rezone the subject property from a "PR-2" Parks and Recreation District to a "C2" Commercial Corridor District to permit the establishment of a multiple family residential building (65 dwelling units)

LOCATION: 761 North DRIVE
LEGAL DESCRIPTION: SP Lot 67, Plan 22624



APPLICANT: Medina Holding Ltd. (Dr. Ezzat Ibrahim)
118 Laval Drive
WINNIPEG MB R3T 2X7

OWNER: Same

RECOMMENDATION: Approval, with conditions

SITE DESCRIPTION
The subject property, which is currently zoned "PR-2" Parks and Recreation District, is located at the bend of North Drive and Netley Street, in the Wildwood neighbourhood of the Fort Rouge – East Fort Garry ward

North: Red River
South: Parking lot zoned "PR-2" Parks and Recreation District
East: Tennis courts and open space zoned "PR-2" Parks and Recreation District
West: Single family residences zoned "R1-L" Residential Single-Family District

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to establish a 65 unit multiple-family residential building immediately adjacent to and on the same property as the Wildewood Club. The proposed building will be 6 stories (60 feet) tall and will include both at grade parking and parking under the building. They will meet the Zoning By-law parking requirement of 1.5 stalls per dwelling unit.

Access to the property will be off Netley Drive and through the Wildewood Club parking lot, which is a publicly opened right of way (Howth Road).

Reason for application
Residential uses are not permitted in the "PR-2" Parks and Recreation District. Consequently, a rezoning is required.

ANALYSIS AND ISSUES

A. Policies
*O*urWinnipeg (Complete Communities Direction Strategy)
The Wildwood neighbourhood is designated as an Area of Stability. Policies which are relevant to this application are as follows:

1) Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character, and built form

2) Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments

3) In order to meet the full life cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, and townhouses.

4) Provide clarity and promote compatibility between existing developments and new developments through design and development standards, such as creation of *Infill Development Guidelines for Multiple-Family Developments in Low Density Neighbourhoods.*

A checklist provided in Appendix "C" identifies the applicable guidelines for this project from the *Infill Guidelines* and indicates how they have been addressed by the applicant. Items that require more elaboration are explained at the bottom of the checklist.

In summary, **the applicant complies with all applicable infill guidelines**, which can be evaluated at this stage of approval. Design details, as noted in Appendix "C" (where applicable) will be reviewed at the plan approval stage.

B. Zoning
The applicant has applied for a rezoning to "C2" Commercial Corridor District in order to be able to accommodate both uses which will operate on the site:
1. Indoor amusement enterprise (fitness centre)
2. Multiple family residential dwellings

Only the “C2” and “CMU” zoning districts are able to accommodate both uses.

With that said, the “C2” District allows a number of uses and allows a wide range of signage that is not appropriate in this context. Consequently, a zoning agreement is being included which will limit the range of uses that are permitted as well as the type of signage that is permitted.

It should be noted that in the “C2” District, both single-family and multiple-family housing is only permitted by conditional use. Consequently, any future proposal redevelopment proposal for additional housing would require a new conditional use approval.

C. Access

Access to the property will occur via the existing open public rights of way (see Appendix “D” for map). These public rights of way are currently under lease to the Wildwood Club until 2023. In light of this, a cross access agreement is required, which will allow residents of the new development to use these rights-of-way in order to access the property.

Currently, the right of way known as Howth Road is used as an aisle for the Wildwood Club parking lot and the adjacent tennis facility. Now that it will also function as a road to access the new development,
it is recommended that curbed landscape islands, which will provide a physical separation between the aisle and the parking area and create more organized traffic flow through the site, be installed.

D. Riverbank

Prior to building permits being issued, a waterways permit will be required.[1] The waterways permit p**rotects the public from construction that may endanger the stability of the** riverbank, impede water flow, or adversely alter the waterway.

With respect to flood protection, the Water and Waste Department is not requiring any modifications to the existing dike that is already in place.

The Winnipeg Public Service is also recommending that the existing pathway on top of the dike be maintained and that an easement be granted to the City to ensure that access to either end of the path is left open and unencumbered. The City would be responsible for maintaining the path surface only.

E. Public Consultation

The applicant held a public open house at the Wildwood Club on Friday October 14, 2011, from 3:00pm-6:00pm. They did not indicate how many people were in attendance.

The Winnipeg Public Service did receive complaints from people who attended the session that there was a lack of information provided. Also, the Winnipeg Public Service received complaints from people who live in the immediate area that they were not notified about the open house.

F. Other Issues

The Conference Board of Canada has projected a substantial shift in the share of new units, away from single-family, and towards apartment/condo multiple-family units, over the next 20+ years. As per the Conference Board forecast from 2009 to 2031

[1] This is required for all development within 350 feet of the Red River

- Single-family is projected to decrease from a 71% share to a 35% share of housing starts
- Multiple-family is projected to rise from a 29% share to a 65% share of housing starts.

A key assumption in the Conference Board projections is that, as the 'boomer' generation ages, they will generally leave their single-family homes and move into condos or apartments.

By providing a variety of different housing types in each neighbourhood, people have an opportunity to "age in place" – staying in familiar surroundings and keeping the same networks of friends.
The proposed development helps to meet this growing trend in the City.

G. Summary
The Winnipeg Public Service recommends approval of this rezoning. The proposed building meets all applicable infill guidelines and is consistent with the City's new land use and development plan, Complete Communities. In addition, the proposed development helps to meet a growing need for condo/multiple-family units in the City. It also provides an opportunity for people to live close to and enjoy an active, healthy lifestyle with all of the available recreational amenities which are in close proximity.

Recognizing that a "C2" Commercial District would allow uses which are incompatible with the area, conditions are being recommended which would the range of uses and signage that are permitted.

H. Conditions
The Winnipeg Public Service is recommending several conditions in a Zoning Agreement

1. This condition would limit uses to what is permitted or conditional in the PR-2 zoning district, and residential uses, most of which are permitted by conditional use in the "C2" District.

2. Prior to the issuance of any development or building permits, final plans showing the location and design of the building, parking areas, landscaping, fencing, garbage enclosures, and lighting shall be submitted to the Director of Planning, Property, and Development and City Centre Community Committee for plan approval.

3. In the future, if the site is redeveloped, final plans will have to be approved by City Centre Community Committee prior to the issuance of any building or development permits.

4. This would limit signage to what is permitted in the PR-2 Parks and Recreation District. Also, any sign permit will require approval from the Director of Planning, Property, and Development prior to the issuance of sign permits. This will provide a review to ensure that signage proposed is compatible with the area.

RECOMMENDATIONS
The Planning and Land Use Division recommends approval for the following reasons:

- The proposed rezoning is consistent with Complete Communities
- The proposed development is consistent with the Infill Guidelines
- The proposed development helps to meet a growing need for condo/multiple-family units in the City

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division

Report Prepared by: Michael Robinson, AICP, MCIP
PPD File # DAZ 218/2011

APPENDIX "B"
Schedule "A" for File No. DAZ 218/2011, City Centre Community Committee, dated November 1, 2011

By-Law No. _____

File No. **DAZ 218/11**

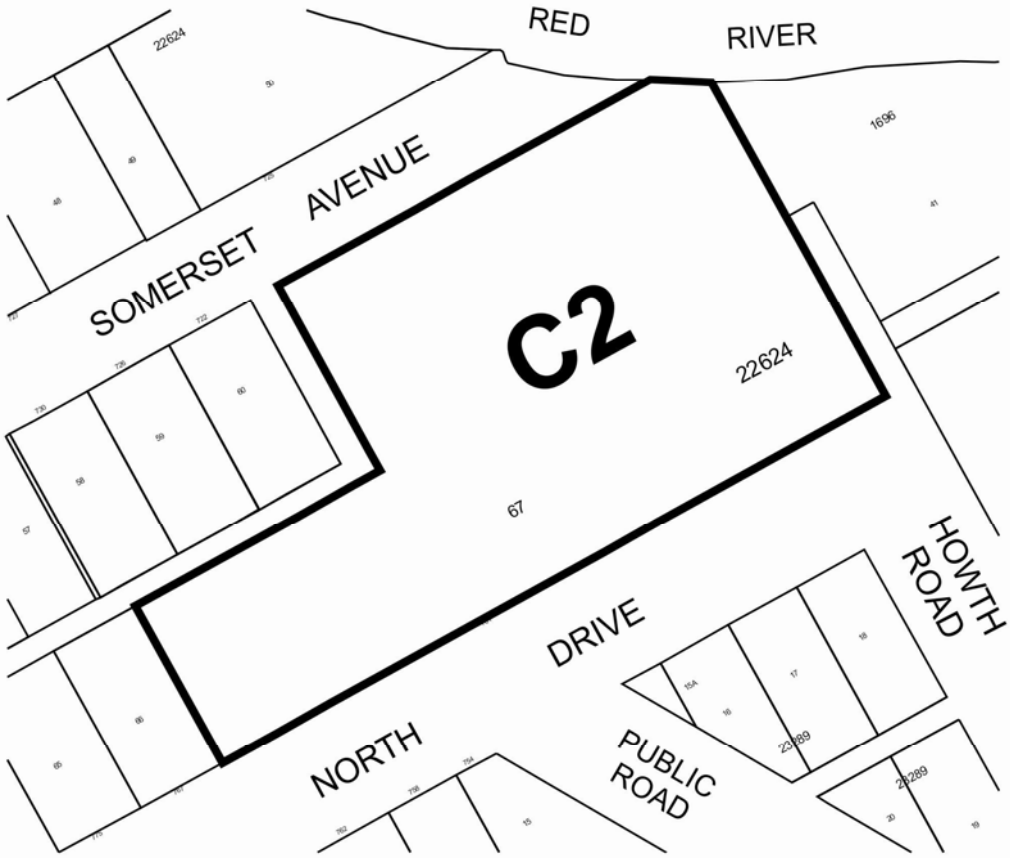
Atlas Sheet No.

N

AE24
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 761 North Drive from a "PR2" PARKS AND RECREATION 2 (Community) DISTRICT to a "C2" COMMERCIAL COMMUNITY DISTRICT to facilitate the construction of a multiple-family residential building in addition to an existing recreational facility as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____



Figure 1: Aerial Photo (Flown in 2009)

Appendix "C" – Infill Guidelines

Guideline	Comply (Yes or No)
Section 2 - Site Planning	
2.2.1 Site Selection	
i) Encourage development along streets with sufficient capacity to accommodate the anticipated traffic generated by the development	**Yes**
ii) Encourage development on sites with reasonable access to Transit, active transportation pathways, public green space, and other services and amenities	**Yes**
2.2.2 Setbacks	
i) Where the proposed building is taller than the maximum allowable height for the adjacent, existing zoning district, achieve an appropriate side yard setback based on a 45 degree angular plane	**Yes**
ii) Establish rear yard setbacks that are consistent with the pattern of the neighbourhood	**NA**
iii) Front yard setbacks should respect the established street pattern by providing setbacks typical of the neighbourhood	**NA**
2.2.3 Building Orientation	
i) The main building façade should be oriented to face the public street	**NA**
ii) Main building entries should be clearly identifiable, visible, and accessible from the public street	**NA**
iii) Building design should consider opportunities for enhancing personal security and safety, incorporating CPTED principles	**Will be addressed at plan approval**
2.2.4 Site Characteristics	
i) The design should take into consideration specific conditions such as significant natural, historical, and cultural elements…	**Yes**
ii) Preserve established, healthy, and mature landscape including mature trees where beneficial to the project and viable	**Yes**

Section 3 - Pedestrian Access and Circulation	
i) Layout universally accessible walkways along potential desire lines….	**Will be addressed at plan approval**
ii) Provide easy, universally accessible and direct access to public sidewalks	**NA**
iii) Locate walkways to minimize potential conflict with vehicular and service areas	**Yes**
iv) Incorporate landscaping and lighting into the pedestrian system where feasible	**Will be addressed at plan approval**
v) Provide clear site lines to encourage comfortable and safe pedestrian use	**Yes**
vi) The design of the pedestrian access and circulation system should consider CPTED principles	**Will be addressed at plan approval**
Section 4 - Vehicular Access, Circulation, and Parking	
4.2.1 Vehicular Access and Circulation	
i) Vehicular access and egress for medium-density multi-family should be located on Arterial or Collector streets	**Yes**
ii) The location and orientation of vehicle access and egress should minimize the impact on the pedestrian environment, pedestrian safety, and adjacent properties	**Will be addressed at plan approval**
iii) Limit the width and quantity of curb cuts as much as possible	**Yes**
4.2.2 Parking and Service Area	
i) Ensure adequate on-site parking	**Yes**
ii) Reduce the prominence of parking areas	**Yes**
iii) Allow for greater amounts of landscaped open space by making driveways, garages, and parking lots as compact and discrete as possible	**NA**
Section 5 - Built Form	
5.2 Guidelines	
i) Massing and height of new buildings should take into consideration the area context	**Yes**
ii) Encourage building design and use details that emphasize human scale and are pedestrian friendly at grade	**Will be addressed at plan approval**
iii) Reduce the perception of mass and height of large multiple-family buildings…	**Will be addressed at plan approval**
iv) Ensure accessory structures are compatible in design with the primary buildings they serve	**NA**

Section 6 - Landscaping	
i) Provide landscaping as an integral part of the development…	**Will be addressed at plan approval**
ii) Use landscaping to define the development's pedestrian and vehicular entry ways, walkways, and driveways	**Will be addressed at plan approval**
iii) Use landscaping to break-up or buffer the visual impacts of the development's paved areas, service areas…	**Will be addressed at plan approval**
iv) Landscaping should not obstruct site lines or create isolated areas, especially adjacent to walkways	**Will be addressed at plan approval**
Section 7 - Lighting	
i) Develop a unified exterior lighting design…	**Will be addressed at plan approval**
ii) Provide exterior lighting that promotes safe vehicular and pedestrian access and circulation	**Will be addressed at plan approval**
iii) Light spill over and glare should be minimized	**Will be addressed at plan approval**

2.2.1 Site Selection

i. Public Works has indicated that North Drive, as a residential collector street, has an environmental capacity of approximately 5,000 cars per day. They have advised that the street is currently under this capacity and it is estimated that with the proposed development, will generate less than 400 additional vehicle trips per day, the street will still be under it environmental capacity.

ii. The development will be immediately adjacent to a golf course, tennis club, fitness centre, and active transportation trails.

2.2.2 Setbacks

i. The building will be a maximum of 60 feet high and will be setback approximately 90 feet from the closest adjacent residence. This setback easily complies with the infill guidelines requirement for a minimum 45 degree angular plane.

ii. & iii. The building complies with all required setbacks. With that said, given the size of the site and its isolation from other properties on the street, the front yard and rear yard setback of this building should have little to no impact on adjoining properties.

2.2.3 Building Orientation

i. & ii. The property, given its size and orientation, has limited frontage on the public street and does not orient itself to the street. Consequently, these guidelines are not applicable in this instance.

iii. This will be reviewed at the plan approval stage once the design details are completed

2.2.4 Site Characteristics

i. The development will not interfere with the existing pathway on top of the berm and will not touch the existing riparian zone between the top of the bank and the river.

ii. There are a few trees that will have to be removed to accommodate the development. However, overall, very few trees are being effected. The developer, where possible, can add trees within the new development. This will be addressed through plan approval.

3.0 Pedestrian Access and Circulation

i. – vi. The site plan shows an internal pedestrian walkway connecting the front of the building to the Wildewood Club. With respect to pedestrian connections outside the site, there are no existing public sidewalks on Netley Street or on North Drive, adjacent to the subject site.

4.2.1 Vehicular Access and Circulation

i. North Drive/Point Road is classified as a residential collector street.

ii. The drive aisle for entering the new development also serves as the drive aisle for the Wildewood Club parking lot. Currently, there is no physical separation between them. As part of the plan approval, the Winnipeg Public Service will be requiring curbed landscape islands, which will provide a physical separation between them and create more organized traffic flow through the site.

iii. There are no curb cuts required for this development

4.2.2 Parking and Service Areas

i. The development will comply with the Zoning By-law parking requirement of 1.5 stalls per dwelling unit

ii. Some of the required parking will be located underneath the building and screened, minimizing its visual prominence.

iii. The development is providing only the minimum amount of parking required under the Zoning By-law 200/2006.

5.2 Built Form Guidelines

i. The building, as shown in the Section Study (Appendix “D”), is being constructed approximately 10 feet below the grade of the existing residences to the east. Consequently, it will appear as a five storey (50 feet tall) structure from that vantage point.

Additionally, the building is being sited perpendicular to the residences on Somerset Avenue. This means that the only the narrowest portion of the building will be visible from residences to

the west. There will also be a ± 90 foot setback and landscape buffer which will be planted along the property line.

With the setback and landscape buffer, grade change which lowers the perceived height of the building, and orientation of the building, the height and massing will be compatible with the area.

iii. The architects can further break up the massing of the building through design elements such as changes in wall plane, variation of materials, changes in roof line, etc. These details will be reviewed at the plan approval stage.

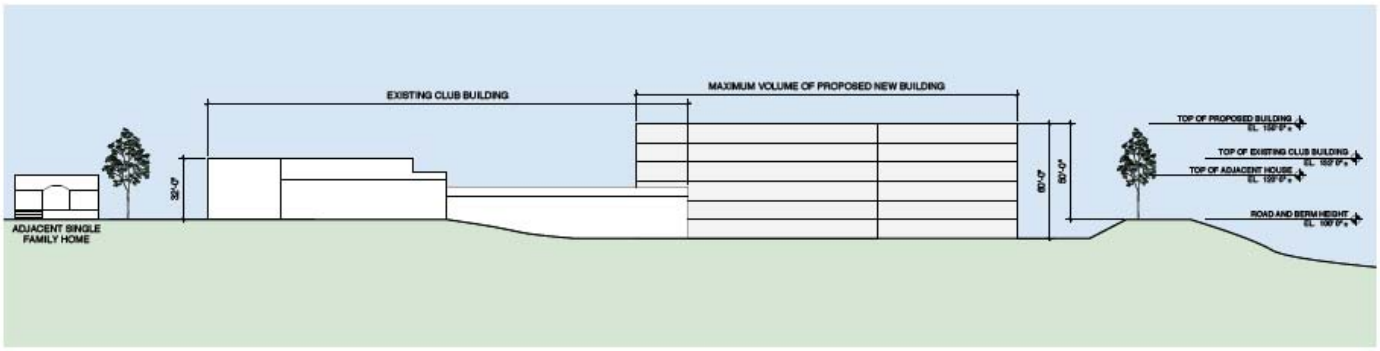
6.0 Landscaping

Landscaping, which is a visible indicator of quality development, should be an integral part of the development. Landscaping details will be addressed at the plan approval stage.

7.0 Lighting

Lighting must be kept at a reasonable level and deflected in such a way that it does not spill over onto adjacent properties. Lighting details will be addressed at the plan approval stage.

Appendix "D"
Section Study



SECTION STUDY

APPENDIX "E"

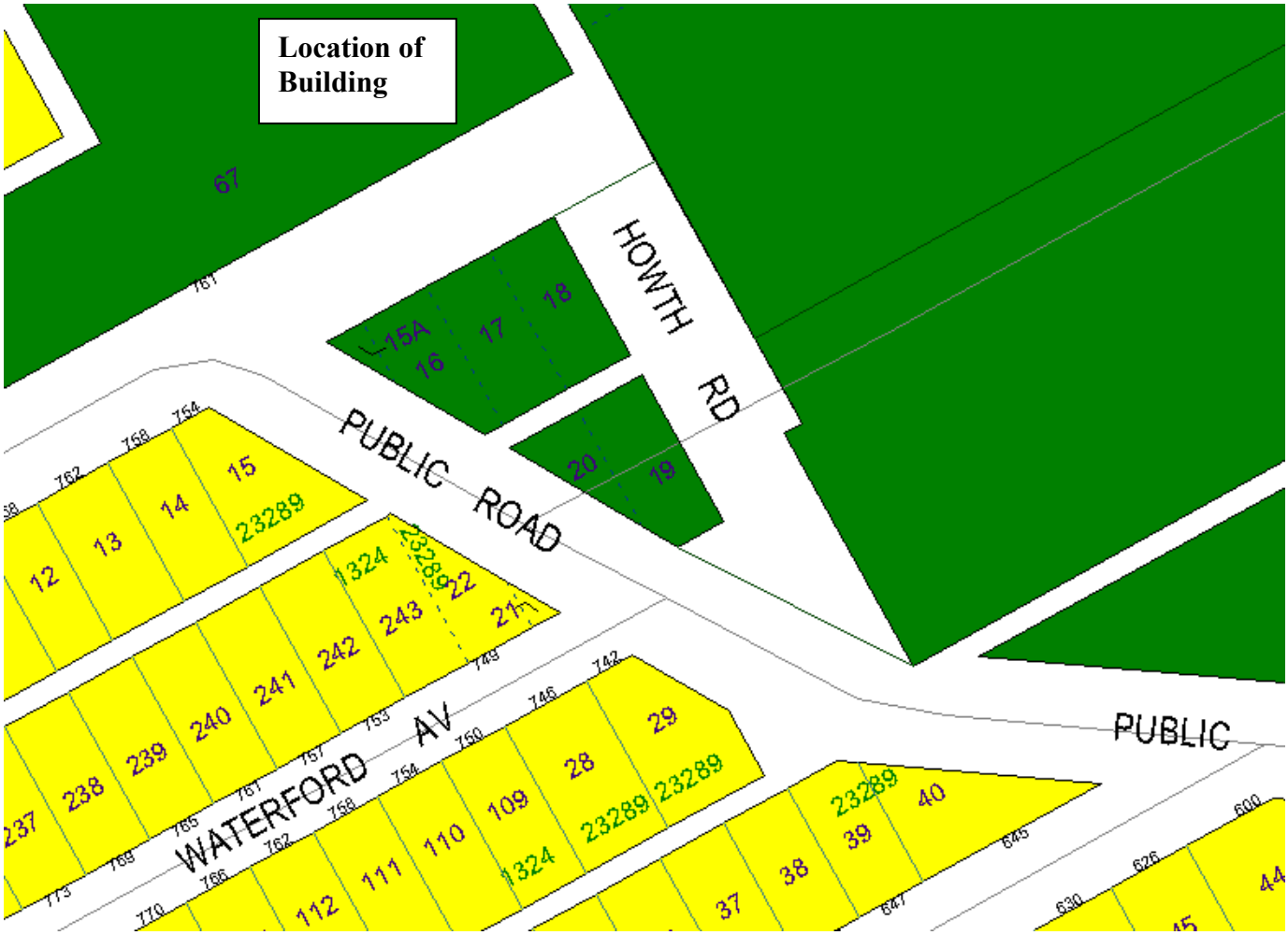


Figure 2: Open Public Rights of Way

APPENDIX "F"
Design Guidelines for Plan Approval for DAZ 218/2011

Infill Guidelines
The development will follow all guidelines from the infill guidelines in Appendix "B"

Landscaping
Landscaping, which is a visible indicator of quality development, should be an integral part of the development, and not merely located in leftover portions of the site.
a) That landscaping shall be provided to enhance the overall development in key areas such as the development perimeter, corners, common areas, and entryways.
b) That a ± 21 foot landscape buffer shall be provided along the west property line, adjacent to the public lane. The landscape buffer shall be densely planted with a mix of deciduous and coniferous trees

Design
The overall design should be made up of a distinctive, quality, architectural character and style that avoids monotonous and featureless building massing and design

Setbacks
That the building shall be setback ± 90 feet from the west property line, adjacent to the public lane, as shown on the submitted site plan

Orientation
That the overall site layout shall generally conform to the submitted site plan

That the building shall be oriented, as shown on the submitted site plan, with the building perpendicular to the adjacent residences to the east

Parking
Landscape island shall be provided along the eastern edge of the parking lot to provide a physical separation between the parking area and the access road. This will improve the overall functioning of traffic flow through the site.

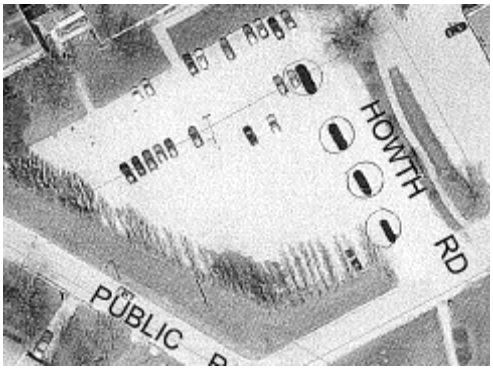


EXHIBIT 1

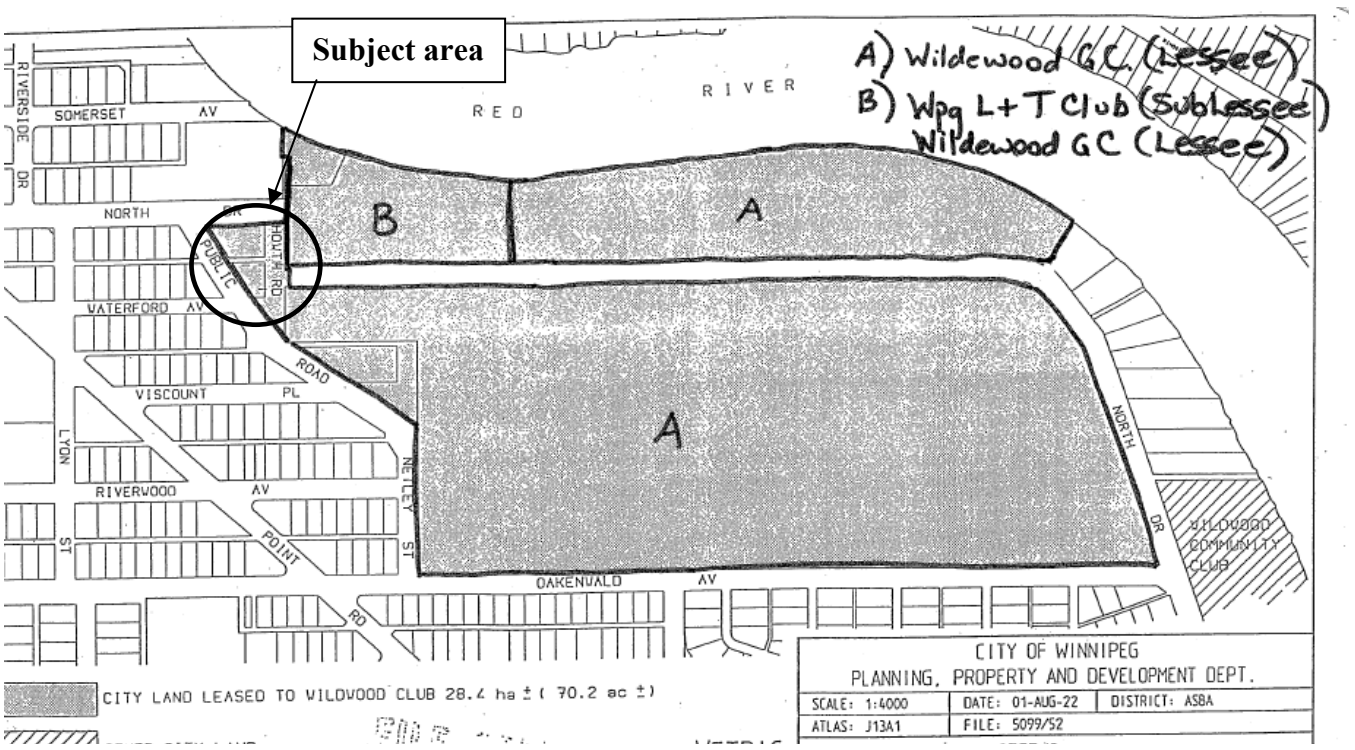

Subject area
A) Wildewood G.C. (Lessee)
B) Wpg L+T Club (Sublessee)
Wildewood GC (Lessee)
RIVER
RED
SOMERSET AV
RIVERSIDE DR
NORTH
PUBLIC
HOUTH RD
WATERFORD AV
ROAD
VISCOUNT PL
LYON
NETLEY ST
RIVERWOOD AV
POINT
ST
OAKENWALD AV
RD
NORTH DR
WILDWOOD COMMUNITY CLUB
B
A
A
CITY LAND LEASED TO WILDWOOD CLUB 28.4 ha ± (70.2 ac ±)
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
SCALE: 1:4000
DATE: 01-AUG-22
DISTRICT: ASBA
ATLAS: J13A1
FILE: 5099/52

EXHIBIT 2

