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Our File Number: 70277-11/MLR

September 22, 2003

Office of the City Clerk
Council Building
510 Main Street
Winnipeg, MB. R3B 1B9

Attention: City Clerk

Dear Sir or Madam:

Re: Noise Control Order – 179 Bannatyne Avenue

We represent 79222 Manitoba Ltd. in the above matter.

This is formal notice of the intention of 79222 Manitoba Ltd. c/o Jack Neaman to Appeal the Noise Control Order – 179 Bannatyne Avenue issued on September 9, 2003.

The aforementioned Noise Control Order issued by J. Moore, provides that 79222 Manitoba Ltd. must:

> **Take such steps as may be necessary to reduce the sound level coming from the air conditioning unit for Gilroy Restaurant Lounge and Market, 179 Bannatyne Avenue, ensuring that the sound level, at the point of reception to suite 218-167 Bannatyne Avenue and other suites, does not exceed a sound level of 55 dBA between the hours of 7:00 a.m. and 9:00 p.m. and 50 dBA between the hours of 9:00 p.m. and 7:00 a.m. in accordance with the City of Winnipeg Noise By-law 2840/79.**
>
> **Compliance Date: October 17, 2003.**

Be advised that 79222 Manitoba Ltd. wishes to Appeal this Order.

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Please direct all further correspondence regarding this matter to our offices.

Yours truly,

FILLMORE RILEY

Per:

CURRAN P. McNICOL
Articling Student at Law

Enclosure

CPM