November 12, 2004

Jo-Ann Park, EPC Clerk
City Hall - City of Winnipeg
510 Main Street
Winnipeg, MB R3C 4X5

Re: Development of CNR Oak Point Rail Bridge - Plan Winnipeg Amendment, Public Hearing, November 25, 2004

Winnipeg Airports Authority (WAA) wishes to formally express its concern regarding the proposed commercial development and rezoning of the CNR Oak Point Rail Bridge.

While this project is being developed as a "Commercial" project, Winnipeg Airports Authority's understanding is that the proposal has a significant residential component. Our concern is that the new residential development will be situated directly underneath a 24-hour flight path of the Winnipeg International Airport.

Multi-family residential land use in this area is contradictory to the intent of the Winnipeg Airport Vicinity Development Plan (AVDP) which was adopted by City Council, May 25, 1994. The proposal falls within AREA I of the Airport Vicinity Protection Area (AVPA). This was developed by the City, in part, to protect the airport's 24-hour status and the resulting economic benefits to the community. AVPA Bylaw No. 6418/94 section 3.2a indicates that residential development is not to occur in AREA 1 except in the case of replacement or "minor" infill. WAA is concerned that the proposed development, while zoned commercial, is actually a multi-family residential development in AREA 1 and thus appears to be contrary to the intent of the AVDP and AVPA bylaw.

If the development is to proceed with a multi-family component, WAA requests specific conditions be required of the development:

1. The development be subject to the acoustical requirements established in the Airport Vicinity Acoustic Insulation By-Law for the Noise Effects Forecast - NEF 35.

2. WAA receives complaints from area residents claiming they were unaware of the potential for aircraft noise disturbance when they purchase their residence. It therefore is important that future residents be made aware of the potential for disturbance from arrivals and departures on Runway 13/31. WAA requests that a caveat be registered against title identifying the following information for the purchaser:

    - The property is located near an aircraft flight path that leads to a 24-hour runway at the Winnipeg International Airport (the "Airport"). Aircraft that either approach or depart the Airport during the day, evening or night may disturb a person in or resident on this property.

    - The caveat constitutes notice of the potential for noise disturbance from aircraft.

We thank you for your consideration in this matter and if you have any further questions please do not hesitate call me at 987-1546.

Yours truly,

Leanne Shewchuk,
Manager Environment and Risk Management

c.c. Diane Jones , Alex Robinson WAA
Councillor Peter De Smedt
Ross Mitchell City of Winnipeg Planning, Property, and Development Services

#174154