Minutes – Executive Policy Committee – October 19, 2005

PUBLIC HEARINGS

Minute No. 601 Subdivision and Rezoning – 50 and 56 Dunkirk Drive
File DASZ 16/2005 [c/r DAV 129773/2005D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the administrative recommendation and recommends to Council:

1. That the plan of subdivision proposed under File DASZ 16/2005 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 16/2005 dated September 22, 2005, for registration in the Winnipeg Land Titles Office.

2. That the Developer enter into a Servicing Agreement containing the following:

   A. The Developer shall, at no expense to the City, relocate the existing watermain which traverses the property as determined by and to the satisfaction of the Director of Water and Waste, and shall grant to the City a 6m wide maintenance easement for this relocated watermain;

   B. The Developer shall pay the full cost of engineering services provided by or on behalf of the City in connection with the relocation of the watermain and associated works;

   C. The Developer shall pay $1,650.00 plus 7% GST to defray the City's administration and related costs associated with the preparation and implementation of the Servicing Agreement.

3. That the Director of Planning, Property and Development be authorized to certify any documents in connection thereof.

4. That The Winnipeg Zoning By-law No. 6400/94 be amended by (1) rezoning the subject land as shown on Schedule "A" for File DASZ 16/2005 dated September 22, 2005, to an "RM-3" Multiple Family District; and (2) that the existing Zoning Agreement affecting the subject lands be withdrawn, and that the applicant enter into a new Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions:

A. That detailed plans shall be submitted showing the location, design, and materials of the proposed building, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping, and signage to the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

B. That no vehicular access be permitted to the subject property from Dunkirk Place.

5. That a partial discharge of Caveat No. 1500905 be provided to the developer.

6. That in the event the application is not proceed 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 City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

8. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Servicing Agreement.

9. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office, and the Zoning Agreement has been filed by caveat in the Winnipeg Land Titles Office against those lands provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

10. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends the time.

DECISION MAKING HISTORY:

Moved by Councillor Steeves,
That the administrative recommendation be concurred in and forwarded to Council.

Carried

Moved by Councillor Steeves,
That the following supporting reasons be provided, namely:

1. The former Canoe Club building and amenities no longer serve a community or recreation function, and the proposed development would enhance useable green space and public access to the riverbank. Further, the adjacent golf course lands would continue to be greenspace (a golf course) in the community.

2. The Executive Policy Committee agreed with the administrative comments contained in the report of the Director of Planning, Property and Development dated October 3, 2005.

Carried

Moved by Councillor Steeves,
That the public hearing with respect to this application be concluded.

Carried

DECISION MAKING HISTORY (continued):

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 12, 2005, the Executive Policy Committee passed the following motions:

- That the administrative report be taken as read.
- That the receipt of public representations be concluded.
- That the public hearing be adjourned to its meeting on October 19, 2005.

PUBLIC HEARING SUMMARY

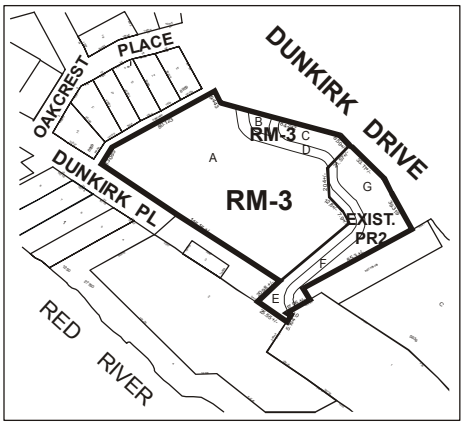
File: DASZ 16/2005 [c/r DAV 129773/2005D]

Before: Executive Policy Committee
His Worship Mayor Katz, Chairperson
Deputy Mayor Pagtakhan
Councillor Clement
Councillor Eadie
Councillor De Smedt
Councillor Steeves
Councillor Thomas

Public Hearing: October 19, 2005
October 12, 2005
Council Building, 510 Main Street

Applicant: Caleb Group of Companies (Matt Mann)

Subject:



Premises Affected: 50 and 56 Dunkirk Drive

Exhibits Filed:

1. Application dated May 12, 2005
2. Notification of Public Hearing dated September 21, 2005
3a. Certificate of Titles 778312, 344548, 394251, 419820, 444748, A48026, 488877, 56856, B86080
3b. Title Searches 1353001, 1353003, 1417623, 1802675, 1950038, 1950039, 1950041
4. Surveyor's Building Location Certificate and sketch dated March 15, 2005
5. Letter of authorization dated February 9, 2005 from Manager of Real Estate Division, Planning, Property and

Development Department, City of Winnipeg, to Caleb Construction Ltd., Attention: Matt Mann, Vice-President, Construction Division

6. Misc. Plan Nos. 4750/19, 4750/26
7. Plans (3 pages)
8. Plans by Saunders Evans Architects Inc. (13 pages)
9. Report from the Director of Planning, Property and Development dated October 5, 2005
10. Inspection Report
11. Proposed Revision to Plate "A" Land Use Plan Winnipeg submitted by the Planning, Property and Development Department at the public hearing
12. Misc. Plan No. 4750/26 submitted by the Planning, Property and Development Department at the public hearing
13. PowerPoint presentation with respect to the application, submitted by Tim Krivoshen, Caleb Group of Companies, at the public hearing
14. Package including a bound proposal, two brochures, and a list of phone enquiries, submitted by Darrell Remai, Caleb Group of Companies, at the public hearing
15. Communication dated October 2, 2005 from Louise Thibeault in support of the application submitted by Darrell Remai, Caleb Group of Companies, at the public hearing
16. Site Plan submitted by Darrell Remai, Caleb Group of Companies, at the public hearing
17. Communication in opposition to the application submitted by Arlene Cameron at the public hearing
18. Presentation dated October 12, 2005, in opposition to the application submitted by Maureen (Mo) Tipples at the public hearing

REPRESENTATIONS:

In Support:

Tim Krivoshen, Caleb Group of Companies
Darrell Remai, President and CEO, Caleb Group of Companies
Clinton Sahulka, Bering Commercial Real Estate Inc.
Louise Thibeault

In Opposition:

Rick Bochinski, Tennis Manitoba
Don Brehaut
Arlene E. Cameron
Jeanne Cromb
Robert Papineau
Maureen (Mo) Tipples
Harold Westdal

For Information:

Kennedy Andrews
Erika Blackie
Lucille and Ed Butterfield
Laurel Clark
Bruce Dixon
A. Delaney
Amanda Green
Matthew Jordan
Glen Manning
Betty Young

For the City:

Michelle Richard, Senior Planner (Plan Winnipeg), Planning, Property and Development Department
Kevin Lalor, Senior Planner, Planning, Property and Development Department
Kevin Nixon, Park Strategic Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE COMBINED PUBLIC HEARING FOR PLAN WINNIPEG AMENDMENT
FILE PW 2/2005 AND SUBDIVISION / REZONING FILE DASZ 16/2005

October 12, 2005

Michelle Richard, Senior Planner (Plan Winnipeg), Planning, Property and Development Department, appeared in support of the application and provided an overview of the application for the proposed amendment to Plan Winnipeg to re-designate area from an "Open Space" to a "Neighbourhood Policy Area". She referred to two renderings; both entitled "Proposed Revision to Plate "A" Land Use Plan Winnipeg", as well as submitted a plan of the subject area, filed as Exhibits 11 and 12, respectively.

Michelle Richard advised that the administrative recommendation was based on the following:

- The former Canoe Club building and amenities no longer serve a community or recreation function as would be expected with a Major Open Space designation.

- Re-designation of a portion of the site would support re-development of the site to a residential use that is consistent with the scale, form and context of the surrounding neighbourhood.
- The re-designation will not result in a net loss of useable green space or restrict public access to the riverbank. As part of the proposed development, the developer is to remove the Canoe Club building and outdoor structures. This portion of the site is not subject to re-designation and will be retained by the City as green space/public access to the Red River.

Kevin Lalor, Senior Planner, Planning, Property and Development Department, provided an overview of the application for the subdivision and rezoning affecting the premises at 50 and 56 Dunkirk Drive. He explained that the land in question is approximately 3 acres of the 6.6 acre former Canoe Club site at 50 Dunkirk Drive, and that the 3-acre site is presently used for parking. The remaining 3.6 acres is to be retained by the City and remain zoned "PR2". The adjoining golf course is owned by the City but is currently under lease to a private individual.

Discussion ensued between members of the Executive Policy Committee and the Administration with respect to the following: Parcel 3 and the removal of buildings and the retention of Parcel 3 as open space; Parcel 2 and retaining its designation as parks and recreation; Parcel 1 as the existing parking area for the former Canoe Club and the location of the tennis courts. Discussion also ensued with respect to the number of parking spaces as it relates to the current application, and the proposed reduction in parking for the Golf Course. (The Parcels are outlined on Figure 1 in the administrative report dated October 5, 2005, filed as Exhibit 9.)

Tim Krivoshen, Caleb Group of Companies, appeared in support of the application and provided a PowerPoint presentation with respect to the application for the subdivision and rezoning, filed as Exhibit 13. He displayed two renderings entitled "Landscape Rendering" and "Front Elevation".

Darrell Remai, President and CEO, Caleb Group of Companies, also appeared in support of the application and submitted a package which included a bound proposal, two brochures, and a listing of phone enquiries, filed as Exhibit 14. In addition, Darrell Remai submitted a communication from Louise Thibeault in support of the application, and a Site Plan which he had displayed as a rendering, filed as Exhibits 15 and 16, respectively.

Discussion ensued between members of the Executive Policy Committee and the Caleb Group of Companies with respect to the following: number of parking spots; services and amenities; and, the maintenance of roadways and parking lots throughout the year.

Councillor Clement questioned the number of parking spaces required. In response, Kevin Lalor advised that in accordance with The Winnipeg Zoning By-law No. 6400/94, one space is required for every five dwelling units, and that in this connection the subject proposal meets the required parking allotment under the By-law.

Don Brehaut appeared in opposition to the application, and advised that he was a member of the former Winnipeg Canoe Club. He expressed concern that if the proposal proceeds, the opportunity for playing court sports, specifically tennis, at the subject location will no longer be available. He expressed concern that the subject proposal attempts to fit a large retirement home in a limited space.

Arlene Cameron appeared in opposition to the application, and submitted her presentation, filed as Exhibit 17.

Maureen (Mo) Tipples appeared in opposition to the application, and read into the record her presentation, filed as Exhibit 18.

Rick Bochinski appeared in opposition to the application. He referred to his affiliation with Tennis Manitoba and in this connection, expressed concern regarding the destruction of the existing clay tennis courts and the fitness facilities.

Harold Westdal appeared in opposition to the application. He advised that he is a long term resident of Dunkirk Place and expressed concern regarding the destruction of the tennis courts.

Kennedy Andrews appeared for information and advised that he is a Board Member of the condominium complex located at 60 and 70 Dunkirk Drive, where he resides. He requested that their access road be maintained and remain unobstructed for emergency service vehicles.

In summary, Michelle Richard, Senior Planner (Plan Winnipeg), Planning, Property and Development, provided a rebuttal as it relates to the application for the Plan Winnipeg Amendment, and related the history of the former Canoe Club. She advised that the City of Winnipeg has no intention of redesignating Parcel 3 and will retain the green space and ensure access to it by the public. She indicated that the subject application would accommodate the growing demographic of seniors.

Kevin Lalor, Senior Planner, Planning, Property and Development, provided a rebuttal as it relates to the application for the subdivision and rezoning, and indicated that the Administration ruled out development of the property for commercial or a high density use, and is of the opinion that it should be developed for a low density use, such as the subject housing proposal. He reiterated that the public reserve land would be retained.

Discussion ensued between members of the Executive Policy Committee and the Administration with respect to the following: retention of the zoning designation to maintain the golf course; constraints associated with the site which make it unique, such as access to the site and the adjacent high-speed traffic corridor; the developer funding the demolition costs and the construction of the parking area; the City of Winnipeg's responsibility for upgrades and stabilization of the riverbank; and, assistance in locating new sites for displaced groups, such as the rowing and tennis clubs, as opposed to retaining them at the subject location.

In summary, Caleb Group of Companies provided a rebuttal as it relates to the application for the subdivision and rezoning. Tim Krivoshen commented on the condition of the existing building and advised that a professional engineering company (AMEC Earth and Environmental) indicated that given the mould growth and water damage in the building, that restoration costs may exceed the replacement cost; which information is contained in the submitted bound presentation (Exhibit 14).

October 19, 2005

No representations were heard inasmuch as the Executive Policy Committee concluded representations at the public hearing held on October 12, 2005.