Minutes - Executive Policy Committee – October 19, 2005

Minute No. 629
Report - Standing Policy Committee on Property and Development – October 4, 2005

Item No. 13 Subdivision and Rezoning - north and south sides of Edmund Gale Drive and George Reshaur Bay
File DASZ 27/2005

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submits the following to Council:

1. That the plan of subdivision proposed under File DASZ 27/2005 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 27/2005 dated August 8, 2005 for registration in the Winnipeg Land Titles Office.

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

3. That The Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 27/2005 dated August 8, 2005, to a "R1-3.5" Single Family Residential District.

4. 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.

5. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

6. 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.

Report - Standing Policy Committee on Property and Development - October 4, 2005

7. 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 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.

8. 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.

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

Report - Standing Policy Committee on Property and Development – October 4, 2005

DECISION MAKING HISTORY:

Moved by Councillor De Smedt,

That the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On October 4, 2005, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 19, 2005, the East Kildonan-Transcona Community Committee concurred in the administrative recommendation with the following amendment, namely:

- That Recommendation 1.A. be deleted in its entirety,

and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning – north and south sides of Edmund Gale Drive and George Reshaur Bay**
File DASZ 27/2005

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

Prepared by: **Inga K. Skundberg, Clerk**
East Kildonan-Transcona Community Committee

Report date: **September 21, 2005**

COMMUNITY COMMITTEE RECOMMENDATION:

On September 19, 2005, the East Kildonan-Transcona Community Committee concurred in the administrative recommendation, as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 27/2005 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 27/2005, dated August 8, 2005 for registration in the Winnipeg Land Titles Office~~***, subject to the following:***~~

   ~~***A. That the Developer be required to enter into an addendum to Development Agreement AG 42/87;***~~

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

3. That The Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 27/2005, dated August 8, 2005 to a "R1-3.5" Single Family Residential District.

4. 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.

5. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

6. 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.

7. 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 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.

8. 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.

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

Note: The wording in bold and italics denotes amendments made by the Community Committee.

The East Kildonan-Transcona Community Committee provided the following supporting reason for its recommendation:

1. The subject application will allow for the continuous development of Canterbury Park, and meets the market demand for single-family homes.

PUBLIC HEARING SUMMARY

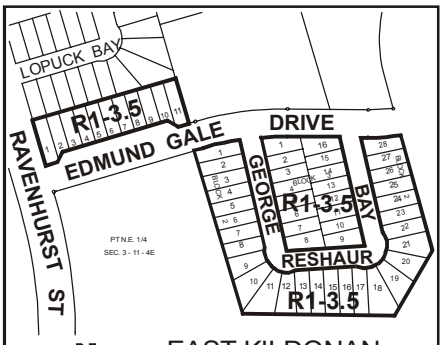
File: DASZ 27 /2005

Before: East Kildonan-Transcona Community Committee
Councillor Lubosch, Chairperson
Councillor Thomas
Councillor Wyatt

Public Hearing: September 19, 2005

Applicant: Novamet Development Corporation, Attention: Ms Lyne Jones

Subject:



APPLICANT : NOVAMET DEVELOPMENT CORPORATION
FILE : DASZ 27/05
PROPOSAL : An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 6400/94 by rezoning the land shown outlined above from an "R1-4" and "R1-5" RESIDENTIAL DISTRICT to an "R1-3.5" RESIDENTIAL DISTRICT. **For information, phone Mr. J. Wintrup, Planner at 986-5102.**

Premises Affected: north and south sides of Edmund Gale Drive and George Reshaur Bay

Exhibits Filed:
1. Application dated June 3, 2005
2. Notification of Public Hearing dated August 3, 2005

3. Manitoba Status of Titles 2056682, 2056679, 1967569, 1143487
4. Plan
5. Report from the Manager of Planning and Land Use dated August 8, 2005
6. Inspection Report

REPRESENTATIONS:

In Support:

Eric Vogan, Novamet Development Corporation

In Opposition

Nil

For Information:

Nil

For the City:

John Wintrup, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Eric Vogan appeared in support of the application. He indicated concurrence in the recommendations contained in the administrative report from the Manager of Planning and Land Use dated August 8, 2005 with the exception of Recommendation No. 1. A. regarding an addendum to Development Agreement AG 42/87, which he requested be deleted.

Councillor Waytt questioned if there is a requirement for a sidewalk considering that Edmund Gale Drive is a major collector street, to which Eric Vogan responded in the affirmative.

Exhibit "5" referred to in File DASZ 27/2005

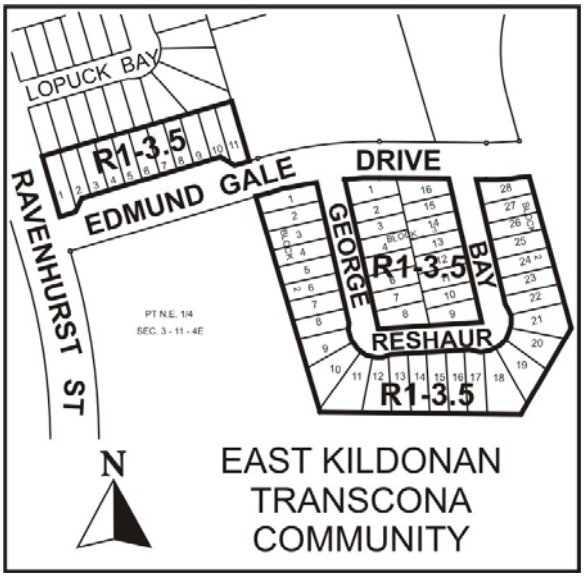
Winnipeg

Planning, Property and Development Department Report

To the East Kildonan - Transcona Community Committee

Date: **August 8, 2005**
File: **DASZ 27/05**
Related Files: **DASZ 42/87;**
Subject: **Rezone and subdivide four (4) lots into fifty (55) single family lots.**

Location: **George Reshaur Bay & Edmund Gale**



Applicant: **Novamet Development Corporation (Lyne Jones)**
Owner: **Novamet Development Corporation**
Recommendation: **Approval**

Report Summary:

- The applicant is proposing to develop **fifty-five** (**55**) single family residential lots fronting Edmund Gale and George Reshaur Bay as part of Canterbury Park.
- Edmund Gale will be extended east from Ravenhurst approximately 1,000 feet.
- George Reshaur Bay will extend south as a 'horseshoe' type bay.
- A new **11.84 acr**e park on the north side of Edmund Gale will be developed.
- The park use was approved as a public reserve under a previous by-law.
- The proposed use and zoning is consistent with the surrounding single family residential lots.

Site Description

The subject property is zoned "**R1-5**" and "**R1-4**" Single Family Residential District. This stage of Canterbury Park is located east of Ravenhurst and south of Lopuck Bay. Adjacent properties include vacant land zoned "A-5" Agriculture District.

Background

Canterbury Park was approved in principle by Council on August 2, 1989 under **DASZ 42/87.** The subdivision plan provides for approximately **1300** single family lots, two school sites and **26 acres** of park land covering **238 acres** of land. The plan was approved for **nine (9)** stages and allows the applicant to proceed with the stages with by-law approvals from Council on a needed basis. The development of the stages has occurred out-of-order over the years with the original stages 1, 4, 2 and 3 being partially completed and renumbered.

Table 1: Canterbury Park Development by Stages.

Stage	Street Name	Acres	Number of Lots	Zoning
1A	George Marshall Rothshire Place	21.56	148	1989
1B	John Duncan Ravenhurst	14.20	104	1994
1C	Chadwick	3.5	20	1999
1D	Redonda	1.12	13	1999
1E	William Gibson Sherbo Cove	7.31	40	2001
1F	William Gibson John Duncan Edmond Gale	8.88	57	2003
2F	Peter Sosiak Edmund Gale	9.35	55	2004
1G	Lopuck	7.61	46	2004
1H	Chadwick	4.20	22	2005
DASZ 27/05	**George Reshauer Edmund Gale**	**6.24**	**55**	**2005**
	Chadwick		***60+***	***2006***

	John Duncan Pl			
	Nevers Bay		***60+***	***2007***

The applicant has approval for **505 single family dwelling** lots to date on **77.73 acres** of land. Council has recently approved a by-law for a Public Reserve of **11.84 acres**. The Planning, Property and Development Department had some consultation with the developer regarding the design of the park. The park will include one Soccer / Football pitch, a Baseball Diamond, trees, shrubs, and benches. The subject lands were also included in the by-law and were zoned "R1-4" and "R1-5" Single Family Dwelling Districts as indicated in the original plan of subdivision / rezoning presented to Council under **DASZ 42/87.**

The applicant has recently extended Ravenhurst from John Duncan Drive to Pandora Avenue. *Stage 1G – Lopuck Bay* directly north of the subject lands is currently under construction. The developer has indicated that Chadwick Crescent will be extended to Edmund Gale just east of George Reshaur Bay in 2006. Edmund Gale will be further extended to full completion in 2007.

Description of the Proposed Development

The applicant is proposing to develop **fifty-five** (**55**) single family residential lots fronting Edmund Gale and George Reshaur Bay as part of Canterbury Park. The fifty-five (55) single family lots will range in size from 37 feet to 58 feet. Eleven lots (11) will front Edmund Gale and 44 will be on George Reshaur Bay. The smaller lot sizes require the developer to rezone the subject lands. The developer has the right to develop lots a minimum 50 feet on George Reshaur Bay and 40 feet Edmund Gale.

Analysis

PLAN WINNIPEG
The proposed concept complies with Plan Winnipeg in that a residential rezoning is allowed in Neighbourhood Policy Areas. Increased residential densities are encouraged.

ZONING

- The **"R1-5" Single Family Residential District** requires a minimum lot size of 5,000 square feet and a minimum lot width of 50 feet.
- The **"R1-4" Single Family Residential District** will require a minimum lot size of 4,000 square feet and minimum lot width of 40 feet.
- The **"R1-3.5" Single Family Residential District** will require a minimum lot size of 3,500 square feet and minimum lot width of 35 feet.

COMPATIBILITY WITH SURROUNDING USES
Residential dwellings is the predominant land use on the adjacent properties. The original proposed zoning for the adjacent stages reflect similar lot sizes.

Recommendation

The Planning and Land-Use Division strongly supports single family residential use on the subject lands. This proposed stage is consistent with the subdivision plan for Canterbury Park. The request for a "R1-3.5" zoning designation is reasonable given the previous zoning granted to the surrounding stages of the development.

Recommended Conditions of Approval

1. That the plan of subdivision proposed under File No. **DASZ 27/05** be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. **DASZ 27/05,** attached hereto and dated **August 8, 2005**, for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into an addendum to Development Agreement AG 42/87;

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

3. That The Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File No. **DASZ 27/05,** attached hereto and dated **August 8, 2005**, to a **"R1-3.5" Single Family Residential District**.

4. 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.

5. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

6. 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.

7. 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 **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**.

8. 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.

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

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

Report Prepared by: John S. Wintrup
PPD File # 4. 414

Schedule "A"

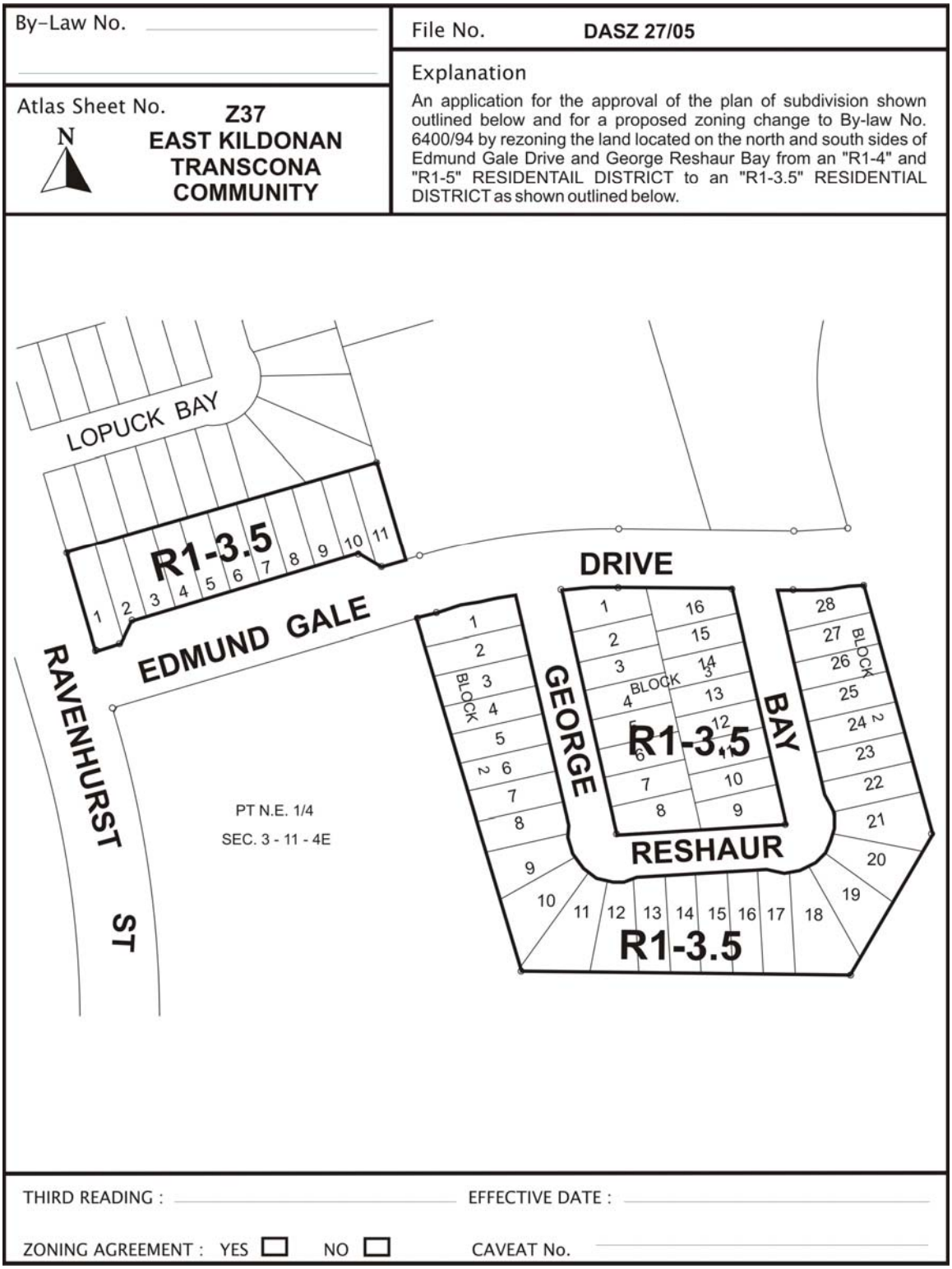


Figure 1: Schedule "A" to the report to the East Kildonan - Transcona Community Committee for File No. DASZ 27/2005, dated August 8, 2005.

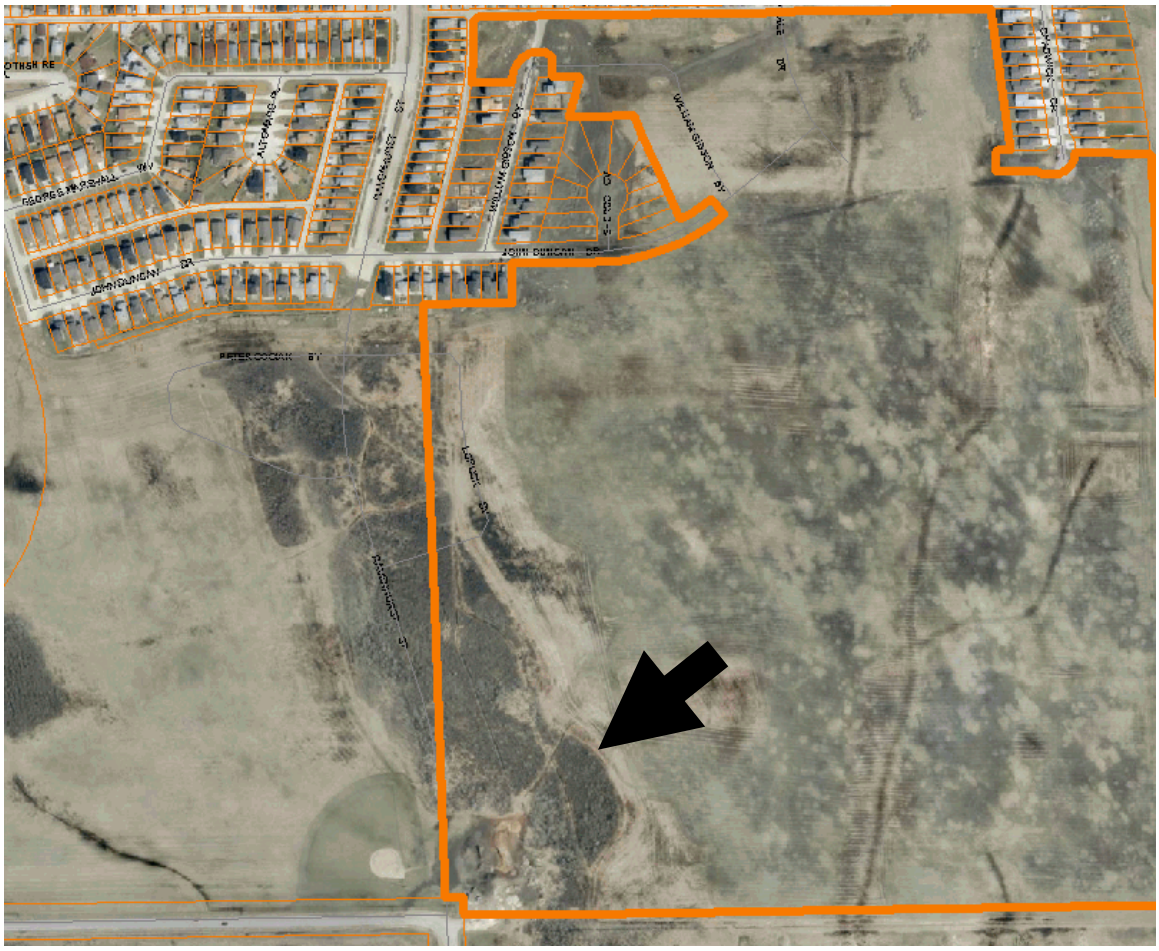


Figure 2: Existing Land-Uses for subject property and Surrounding Area.

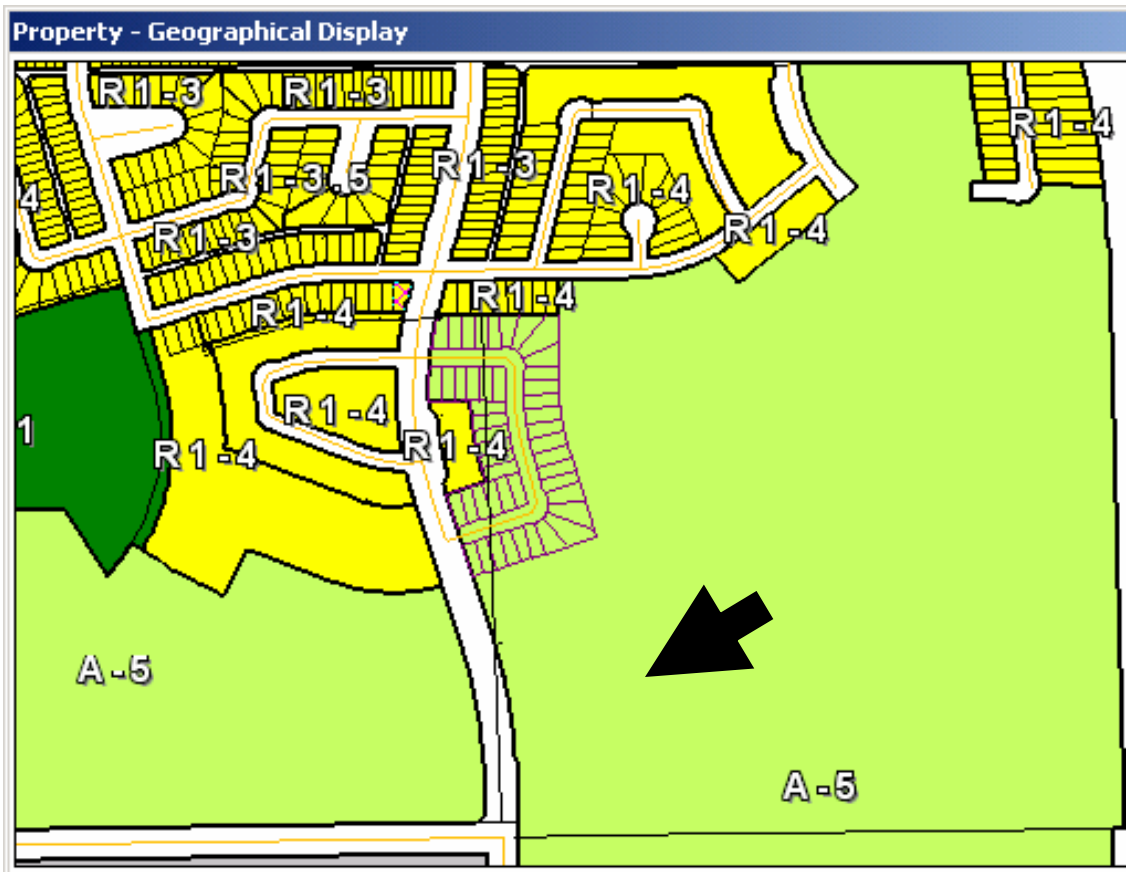


Figure 3: Existing Zoning for subject property and Surrounding Area.

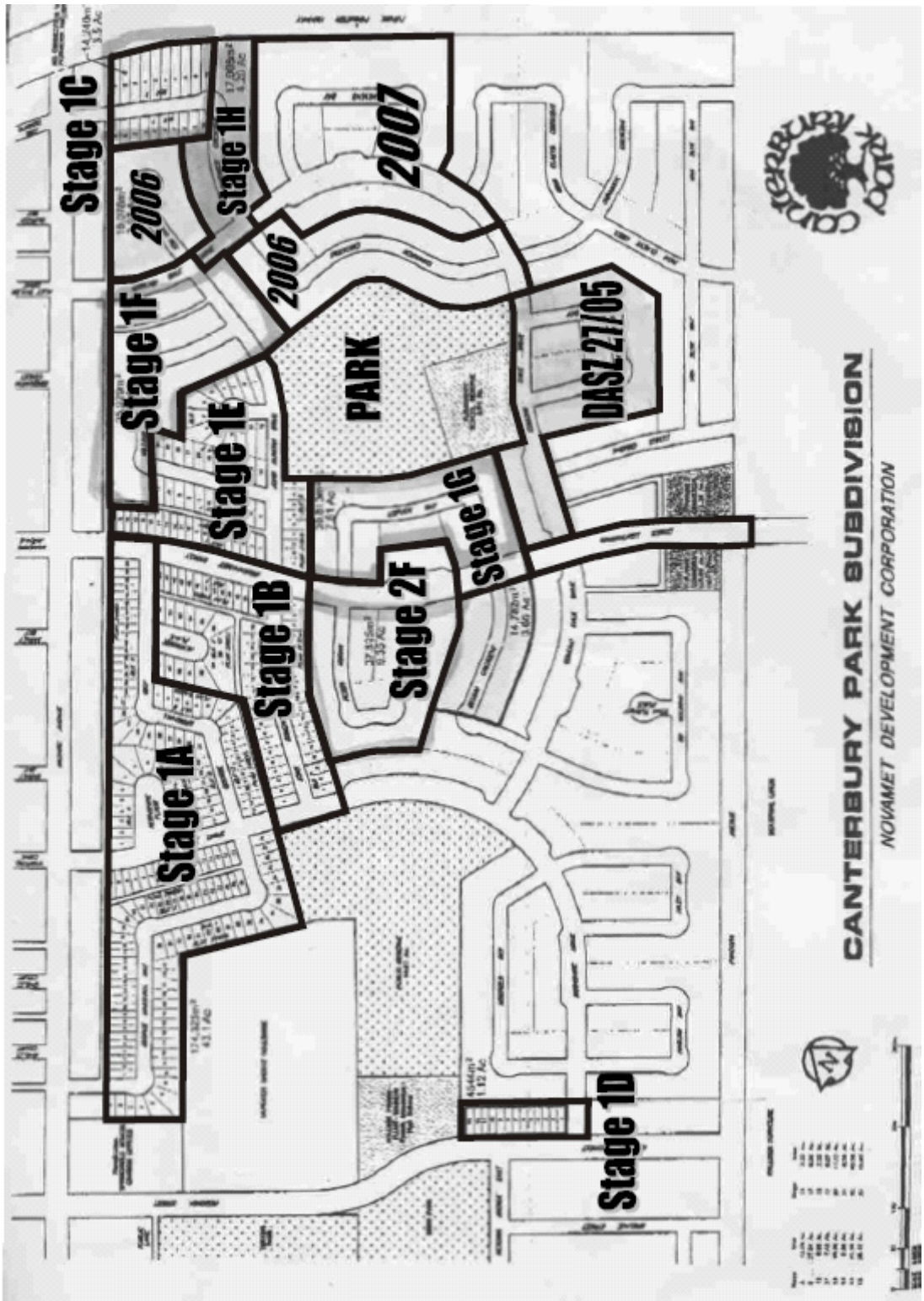


Figure 4: Subdivision Plan and Stages of Canterbury Park.