Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Subdivision and Rezoning - land located at Aldgate Road between Eastcote Drive and Highbury Road

File DASZ 6/2002
[c/r DASZ 31/84]

6. The Standing Policy Committee on Property and Development has been advised that an application has been received from Qualico Developments (Winnipeg) Ltd. (Lyne Jones), 30 Speers Road, Winnipeg, for approval of a plan of subdivision and related zoning change to Winnipeg Zoning By-law No. 6400/94 by rezoning the subject lands from an "A.5" Agricultural District to a "PR1" Parks and Recreation District and "R1-3.5"Single-Family District and an "R1-4" Single-Family District to allow for the creation of sites for single-family development, and considering a special yard set back along the retention ponds.

The applicants propose to complete rezoning and subdividing the subject lands in the subject area in order to facilitate future single-family housing development. The subject area has for many years been designated as a temporary odour zone area, which meant that residential development could not take place until the adjoining South End Treatment Plant had been satisfactorily upgraded. That has now been done allowing the applicants to proceed with their development of the area. The proposed lot sizes are consistent with existing neighbouring subdivisions to the west, east and north. The development will to all intents and purposes also realize the connection of Aldgate Road West and Aldgate Road East providing alternative and improved access for residents to Dakota St., St. Anne's Road and St. Mary's Road. Provision for a four (4) acre school site is also centrally sited as part of the plan.

On July 29, 2002, the Riel Community Committee held a public hearing to consider the subject subdivision and rezoning application. Two persons registered in support of the application, no one registered in opposition thereto, and five persons registered for information thereon.

The Riel Community Committee concurred in part, in the recommendation contained in the revised report dated July 22, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed rezoning for the following reason:

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Manager of Planning and Land Use, Planning, Property and Development Department.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Subdivision and Zoning Change Report

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dated August 8, 2002, from the Riel Community Committee, with the following amendment, which has been incorporated in the below recommendations, namely:

- Add the following to Recommendation I.A.
  3. That a new Clause 6 be added as follows:
     6. By adding the following clause dealing with the provision of a school site: "The Developer shall grant an option to the City for $1.00, which option shall be fully assignable to the Louis Riel School Division, to purchase an additional school site of 4 acres as shown on Schedule "A", which option shall include but not be limited to the following terms and conditions:
        i) The option shall be for five (5) years,
        ii) The terms and conditions of the purchase shall be determined by the Standing Policy Committee on Property and Development with the land cost at the City's standard value for acquisition for public use as determined and set from time to time by the City and the cost of installing all required improvements fronting or abutting the school site shall be at the City's uniform or pooled rate for Local Improvements for the year in which construction takes place or the actual cost of construction, whichever is the lesser as determined by the City."

The Standing Policy on Property and Development recommends:

I. That the plan of subdivision proposed under File DASZ 6/2002 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 6/2002 dated July 22, 2002, 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 31/84 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 21, 2002, with the following amendments:

      1. That paragraph 4 be deleted in its entirety.

      2. That a new Clause 5 be added as follows:
         5. By adding a clause to the effect that the Developer shall be required, within one year following the registration of the plan of subdivision approved under DASZ 6/2002, to construct the paths located at the rear of Tilstone Bay and Highbury Road and within the existing areas to the north.

      3. That a new Clause 6 be added as follows:

6. By adding the following clause dealing with the provision of a school site:
"The Developer shall grant an option to the City for $1.00, which option shall be fully assignable to the Louis Riel School Division, to purchase an additional school site of 4 acres as shown on Schedule "A", which option shall include but not be limited to the following terms and conditions:
   i) The option shall be for five (5) years,
   ii) The terms and conditions of the purchase shall be determined by the Standing Policy Committee on Property and Development with the land cost at the City's standard value for acquisition for public use as determined and set from time to time by the City and the cost of installing all required improvements fronting or abutting the school site shall be at the City's uniform or pooled rate for Local Improvements for the year in which construction takes place or the actual cost of construction, whichever is the lesser as determined by the City."

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

III. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 6/2002 dated July 6, 2002, to a "PR-1" Parks and Recreation District, a "R1-3.5" Single Family District and a "R1-4" Single Family District.

IV. That Winnipeg Zoning By-law No. 6400/94 be amended to establish the following special alignments abutting storm water retention basins:

   A. A setback of 25.9 metres (85 feet) from the rear lot line to any dwelling;
   B. A setback of 20.4 metres (67 feet) from the rear lot line to any detached accessory dwelling;
   C. A setback of 12.8 metres (42 feet) from the rear lot line to any temporary structure or swimming pool not enclosed within a building.

V. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

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

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

VIII. 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.

IX. 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.

X. That in the event that 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 that time.

Attachment "A" referred to in Clause 6 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002

By-Law No.

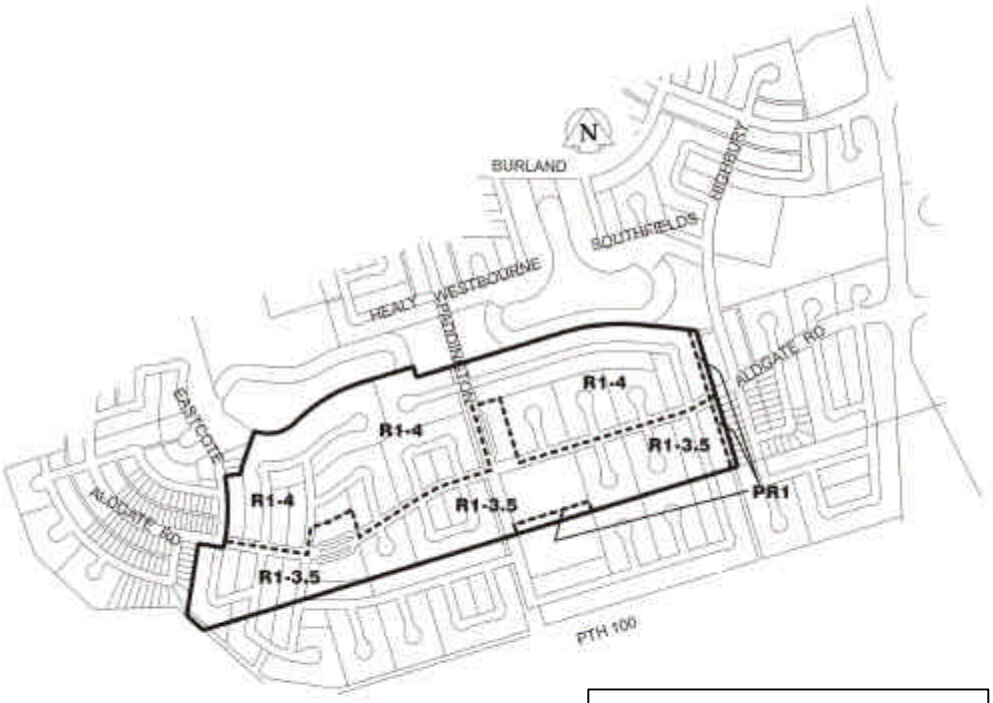
File No. **DASZ 6/02**

Atlas Sheet No. **AL27 RIEL COMMUNITY**

N

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land north of the Perimeter Highway, west of Dakota Street from an "A.5" AGRICULTURAL DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT, an "R1-3.5" SINGLE-FAMILY DISTRICT and an "R1-4" SINGLE-FAMILY DISTRICT as shown outlined below.



Schedule "A" for File DASZ 6/2002, Riel Community Committee, July 22/02

THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.