**Agenda - Council - October 26, 2005**

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

**Item No. 14 Subdivision and Rezoning - southwest corner of Redonda Street and Victoria Avenue**
**File DASZ 28/2005**

STANDING COMMITTEE RECOMMENDATION:

On October 19, 2005, 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 28/2005 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 28/2005 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 a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated August 11, 2005;

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 28/2005 dated August 8, 2005, to a "R1-3" 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 a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the creation of additional sites.

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

7. 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**

8. 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.

9. 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.

10. 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:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 19, 2005, 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 submitted the matter to Council.

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

**RE:** **Subdivision and Rezoning - southwest corner of Redonda Street and Victoria Avenue**
**File DASZ 28/2005**

**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 and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 28/2005be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 28/2005, 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 a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated August 11, 2005;

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 28/2005, dated August 8, 2005 to a "R1-3" 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 a ten (10) percent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the creation of additional sites.

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

7. 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.

8. 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.

9. 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.

10. 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.

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

1. No one registered in opposition to the application.

**PUBLIC HEARING SUMMARY**

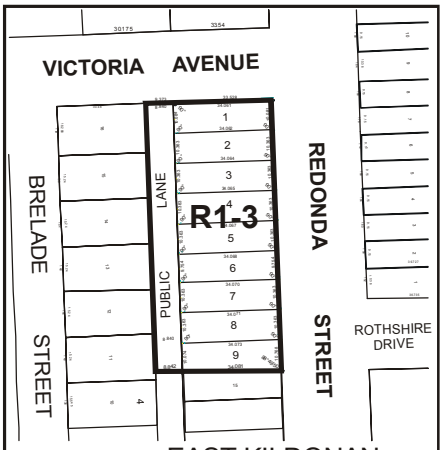
File: DASZ 28/2005

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

Public Hearing: September 19, 2005

Applicant: Novamet Development Corporation

Subject:




**APPLICANT :** NOVAMET DEVELOPMENT CORPORATION
**FILE :** DASZ 28/05
**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 "A.5" AGRICULTURAL DISTRICT to an "R1-3" RESIDENTIAL DISTRICT.
**For information, phone Mr. J. Wintrup, Planner at 986-5102.**

Premises Affected: southwest corner of Redonda Street and Victoria Avenue

Exhibits Filed:
1. Application dated June 13, 2005
2. Notification of Public Hearing dated August 3, 2005
3. Manitoba Status of Title 2056679

Certificate of Title 21680
4. Surveyor's Building Location sketch dated April 29, 2005
5. Report from the Manager of Planning and Land Use dated August 8, 2005
6. Report from the Administrative Coordinating Group dated August 11, 2005
7. 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 Coordinating Group Report dated August 11, 2005, and the administrative report from the Manager of Planning and Land Use dated August 8, 2005, with the exception of Recommendation No. 5 as it relates to the requirement for land dedication, which he requested be deleted.

Councillor Wyatt questioned if the applicant would consider developing larger lots inasmuch as the proposed project would back onto larger lots. Eric Vogan responded by advising that it would create an extra cost for the homebuyers and likely would necessitate in the loss of a lot.

Exhibit "5" referred to in File DASZ 28/2005

## Planning, Property and Development Department Report

**To the East Kildonan - Transcona Community Committee**

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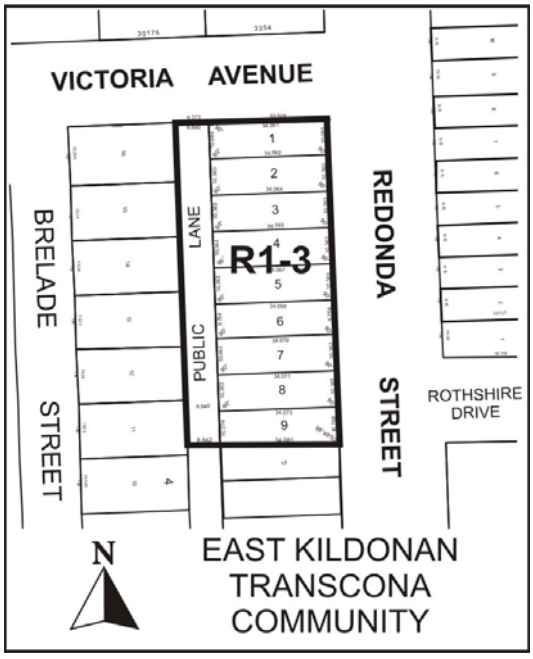
**Date:** **August 8, 2005**
**File:** **DASZ 28/05**
**Related Files:** **DASZ 5/05; DASZ 33/04**
**Subject:** **Rezone and subdivide one (1) lot into nine (9) single family lots.**

**Location:** **South West corner of Redonda St & Victoria Avenue**




**Applicant:** **Novamet Development Corporation (Lyne Jones)**

**Owner:** **Novamet Development Corporation**

**Recommendation: Approval**

**Report Summary:**

- The applicant is proposing to develop **nine** (9) single family residential lots fronting Redonda Street with a rear public lane accessed by Victoria Avenue.
- The single family residential lots will be a minimum **33 feet** in width, **111 feet** in length and **3,577 square feet** in area.
- A new public lane will be extended from a previously approved public lane for the new development directly south, which will connect Pandora Avenue to Victoria Avenue.
- The proposed use and zoning is consistent with the surrounding single family residential lots.
- The proposed lot configuration is consistent with the surrounding neighbourhood.

**Site Description**

The subject property is zoned "A-5" Agricultural District. The parcel is **33,261 square feet** with **304 feet** of frontage on Redonda Street.

Adjacent properties include vacant land to the south zoned "R1-3" Single Family Residential District" and approved as part of **DASZ 33/04** subdivision for single family residential dwellings. Surrounding properties include single family dwellings zoned "R1-5" to the west across the rear public lane, and single family dwellings zoned "R1-3" on the east side of Redonda Street.

**Background**

The land directly south has been recently rezoned and subdivided under **DASZ 33/04** to construct **15** single family dwellings. Lot sizes and layouts were a significant issue at the EKTCC Public Hearing. The applicant was required to amend the plan to include **37 foot** wide lots alternating with **32 foot** wide lots. The sequencing of the lots shall be **two** (2) lots of 32 feet, followed by **one** (1) lot of 37 feet. The dwellings have not been constructed and the land is vacant.

The land directly to the south east has been recently rezoned and subdivided under **DASZ 5/05** to construct eleven (11) single family dwellings. The façade designs of the proposed dwellings were a significant issue at the EKTCC Public Hearing. The applicant was required to submit plans indicating the design of the façades prior to the by-law being passed by Council. The dwellings are currently under construction.

**Description of the Proposed Development**

The applicant is proposing to develop **nine** (9) single family residential lots fronting Redonda Street with a rear public lane accessed by Victoria Avenue. The nine (9) single family lots will range in size from 32 feet to 35 feet. The single family residential lots will be a minimum **32 feet** in width, **111 feet** in length and **3,577 square feet** in area.

**Analysis**

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

ZONING
This zoning designation will require a minimum lot size of 3,000 square feet and minimum lot width of 30 feet. Access to a public lane must be required for the "R1-3" zoning lot.

TRANSPORTATION AND SITE ACCESS
The lots will be accessed by a rear public lane.

COMPATIBILITY WITH SURROUNDING USES
Residential dwellings is the predominant land use on the adjacent properties.

**Recommendation**

The Planning and Land-Use Division strongly supports single family residential use on the subject lands. This proposed infill project is consistent to the surrounding context of single family residential uses in the neighbourhood. The influx of new residents with families and children attracted to this area will greatly augment the neighbourhood and the community of Transcona.

The request for a "R1-3" zoning designation is reasonable given the characteristics of the site with industrial properties directly to the south, and fronting Redonda Street (which is a 'through' street servicing the entire community). The proposed development will further add single family dwellings in the neighbourhood and accommodate the growing demand for housing in the East Kildonan – Transcona community.

**Recommended Conditions of Approval**

1. That the plan of subdivision proposed under File No. **DASZ 28/05** be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. **DASZ 28/05,** 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 a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated **August 11, 2005**;

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 28/05,** attached hereto and dated **August 8, 2005**, to a **"R1-3" 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 a ten (10) percent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the creation of additional sites.

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

7. 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.

8. 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**.

9. 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.

10. 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. 410

**Schedule "A"**

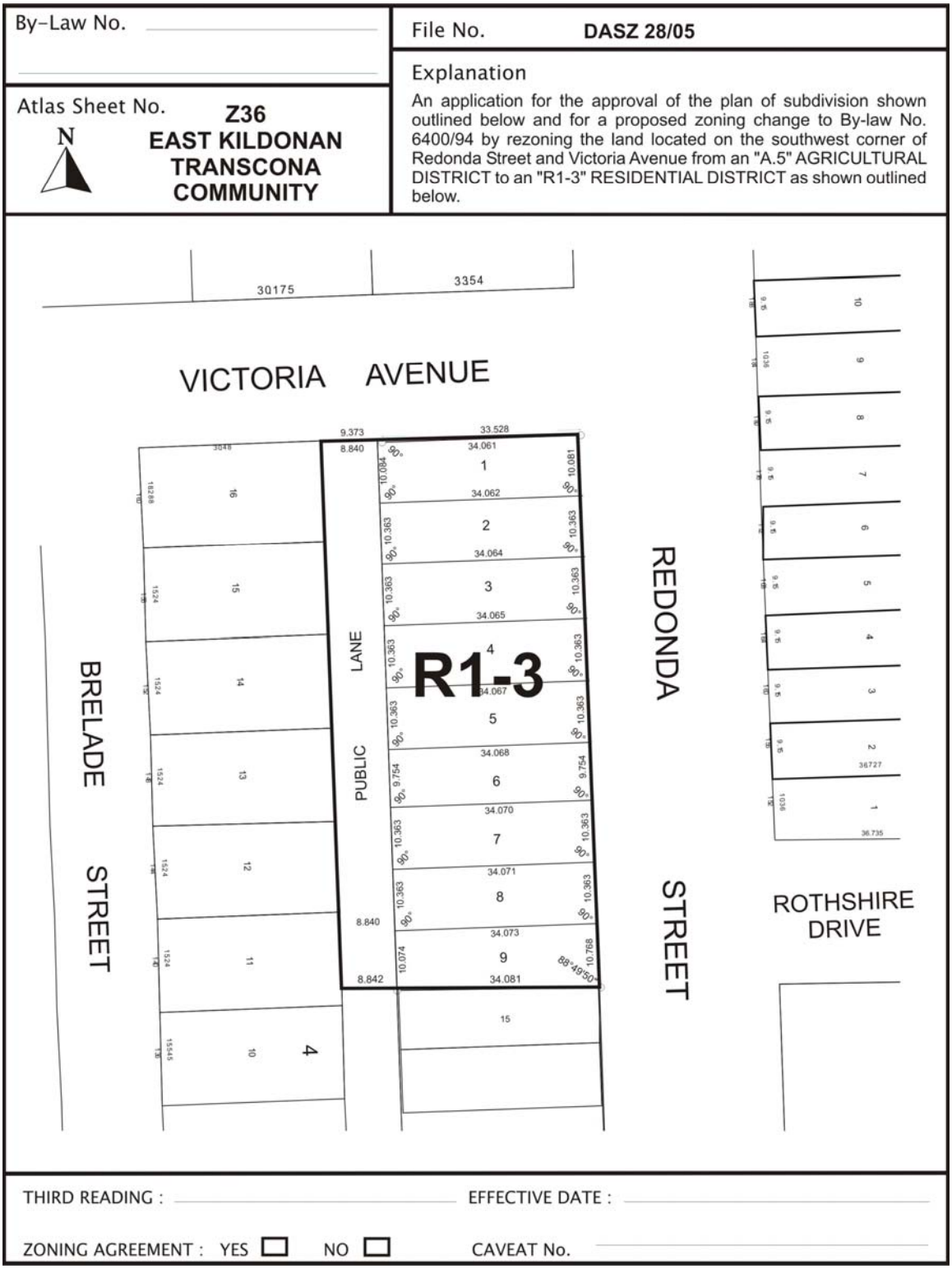



**Figure 1: Schedule "A" to the report to the East Kildonan - Transcona Community Committee for File No. DASZ 28/2005, dated August 8, 2005.**



**Figure 1: Existing Land-Uses for subject property and Surrounding Area.**

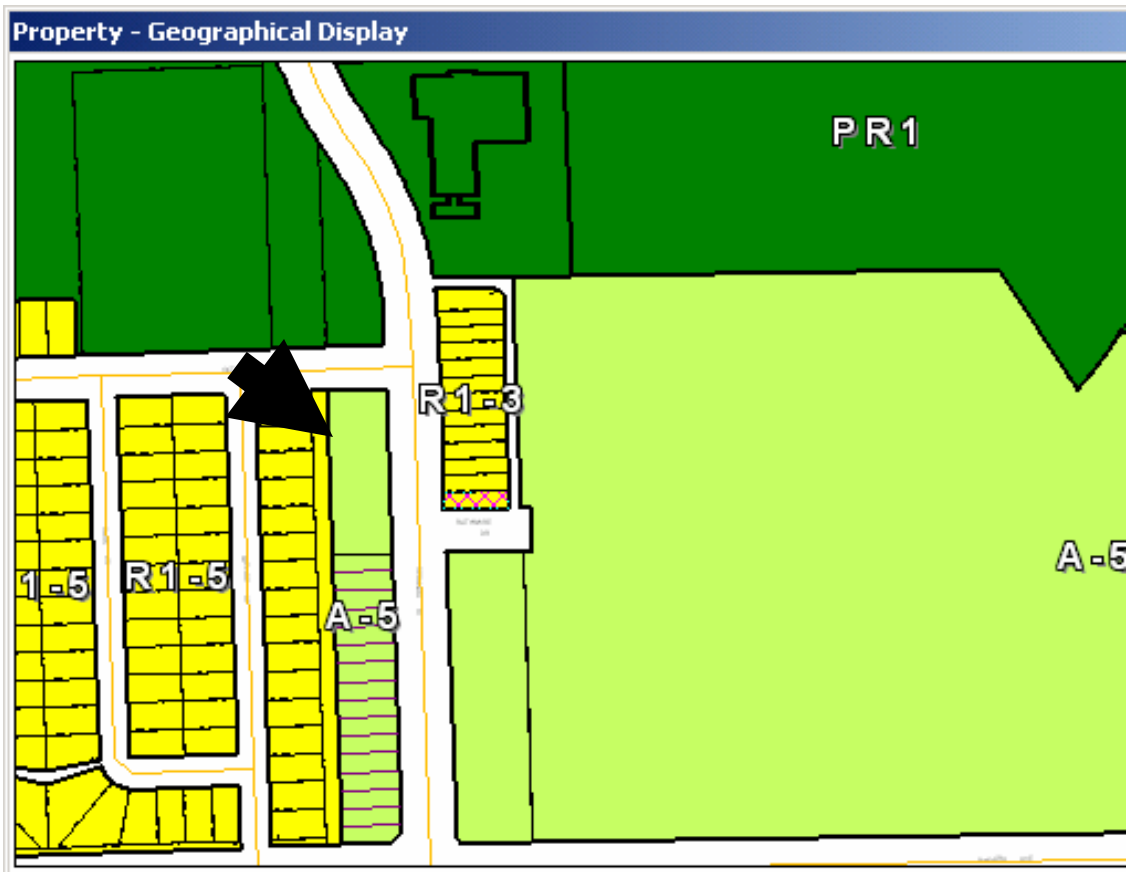



**Figure 2: Existing Zoning for subject property and Surrounding Area.**

Exhibit "6" referred to in File DASZ 28/2005

**Re: Proposed subdivision and rezoning of land located at the southwest corner of Redonda Street and Victoria Avenue - DASZ 28/05**

An application has been submitted by Novamet Development Corporation to subdivide and rezone land located at the southwest corner of Redonda Street and Victoria Avenue.

It is recommended that approval of this application be subject to the Developer entering into a Servicing Agreement as follows:

1. The Developer shall pay its share of the cost of the land drainage sewer extension, the catch basin and lead installed by others and benefiting the proposed subdivision as determined by the Director of Water and Waste.

2. The Developer shall provide a lot grading plan prepared by a municipal engineer and shall grant easements as may be necessitated by the design.

3. The Developer shall, at no expense to the City, install separate water and wastewater lot line connections to serve each lot within the proposed subdivision.

4. The Developer shall, at no expense to the City, construct portland cement concrete pavement to a width of 5.0m and a thickness of 150mm and all related works in the proposed lane, all as determined by and to the satisfaction of the Director of Public Works.

5. The Developer shall, at no expense to the City, construct a portland cement concrete sidewalk to a width of 1.5m by 100mm in thickness on the west side of Redonda Street abutting the proposed subdivision and on the south side of Victoria Avenue from the east side of Brelade Street to Redonda Street, all as determined by and to the satisfaction of the Director of Public Works.

6. The Developer shall, at no expense to the City, provide underground electrical and telephone services to serve the proposed subdivision and will pay the full cost to convert any existing overhead services within the proposed subdivision to underground.

7. The Developer is to pay all costs associated with the installation and/or relocation of street lights and other utilities made necessary as a result of or required to accommodate works, which are required by the Developer to serve the proposed subdivision, as determined by and to the satisfaction of the Director of Public Works.

8. The Developer shall be responsible to control and to initiate the clean up of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction. The clean up of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

9. The Developer shall ensure that construction traffic uses access routes as determined by the Director of Public Works. The Developer shall maintain, at no expense to the City, the access routes in a clean, dust free and safe condition, free of dropped and tracked-on mud, and shall undertake regular scarping and sweeping of streets until building construction, including landscaping is complete, all as determined by and to the satisfaction of the Director of Public Works.

10. The Developer shall pay $1,650.00 to defray the City's administration costs associated with the preparation and implementation of the Servicing Agreement.

11. The Developer shall pay the full cost of engineering services provided by or on behalf of the City in connection with the installation of services required to serve the proposed subdivision.

**"Original signed by E.L. Carrière"**
Land Development Engineer

**"Original signed by K.T. Raban"**
Water and Waste Department

*"Original signed by R.J. Hartmann"*
Public Works Department
Transportation Division