Agenda - Council - November 23, 2005

Report - Standing Policy Committee on Property and Development – November 1, 2005

Item No. 4 Rezoning - south side of Provencher Boulevard, west of Dawson Road North
File DAZ 240/2005

STANDING COMMITTEE RECOMMENDATION:

On November 16, 2005, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee, as amended, and submits the following to Council:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 240/2005 dated October 11, 2005, to an "M3" Industrial District.

2. That a ten percent (10%) dedication be made by payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

3. 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 the twenty-four (24) month period and the extension is subsequently approved by Council.

4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

5. 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 – November 1, 2005

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 16, 2005, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee, as amended, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 1, 2005, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee with the following amendments, namely:

- That a new recommendation be added as No. 2:

  "2. That a ten percent (10%) dedication be made by payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land."

- That the balance of the recommendations be renumbered accordingly,

and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On October 18, 2005, the Riel Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Rezoning - south side of Provencher Boulevard, west of Dawson Road north**
File DAZ 240/2005

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

Prepared by: **Marc A. Pittet, Clerk**
Riel Community Committee

Report date: **October 19, 2005**

COMMUNITY COMMITTEE RECOMMENDATION:

On October 18, 2005, the Riel Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 240/2005 dated October 11, 2005, to an "M3" Industrial District.

2. 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 the twenty-four (24) month period and the extension is subsequently approved by Council.

3. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

4. 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 Riel Community Committee provided the following supporting reason for its recommendation:

1. The Riel Community Committee agreed with the administrative comments contained in the report from the Manager of Planning and Land Use dated October 11, 2005.

PUBLIC HEARING SUMMARY

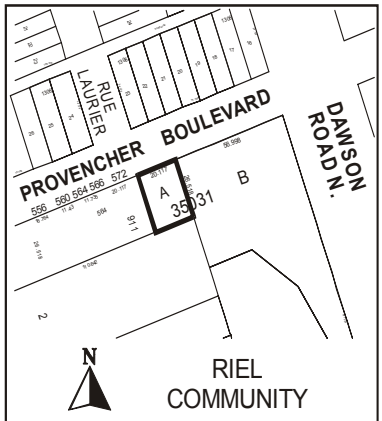
File: DAZ 240/2005

Before: Riel Community Committee
Councillor Steeves, Chairperson
Councillor Magnifico
Councillor Swandel

Public Hearing: October 18, 2005
Community Committee Chamber, 604 St. Mary's Road

Applicant: The City of Winnipeg

Subject:



RIEL COMMUNITY

APPLICANT: THE CITY OF WINNIPEG
FILE: DAZ 240/05
PROPOSAL: To rezone the land shown outlined above from a "PR1" PARKS AND RECREATION DISTRICT to an "M3" INDUSTRIAL DISTRICT. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : VILLE DE WINNIPEG
N° DE RÉFÉRENCE : DAZ 240/05
PROJET : Rezonage des sols délinées ci-dessus de sorte qu'ils passent de la catégorie PR1 (SECTEUR DES PARCS ET DES LOISIRS) à la catégorie M3 (SECTEUR INDUSTRIEL). **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: south side of Provencher Boulevard, west of Dawson Road North
4050

Exhibits Filed:

1. Application dated September 7, 2005
2. Notification of Public Hearing dated September 19, 2005
3. Manitoba Status of Titles 1524363, 1524364, 1542367
4. Drawing of subject property
5. Report from the Manager of Planning and Land Use dated October 11, 2005
6. Inspection Report

REPRESENTATIONS:

In Support:

Nil

In Opposition

Nil

For the City:

Kevin Lalor, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

No persons registered with respect to the application.

Exhibit "5" referred to in File DAZ 240/2005

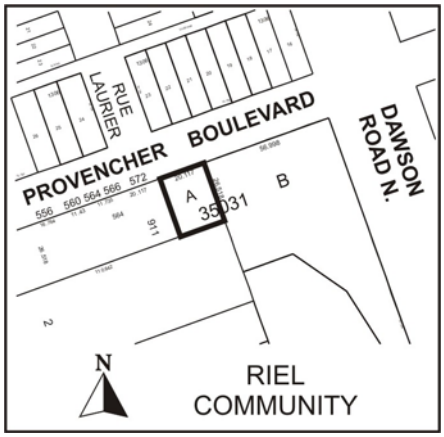
Winnipeg

Planning, Property and Development Department Report

To the Riel Community Committee

Date: October 11/05
File: DAZ 240 /05
Related Files: NA
Subject: To rezone the subject parcel from a " PR-1" Parks and Recreational District to a " M3" Industrial District.

Location: South side of Provencher Blvd., West of Dawson Road
Legal Description: Parcel A Plan 35031



Applicant: The City of Winnipeg
Owner: City of Winnipeg

Recommendation: (Approved with Conditions)

Site Description

The subject property lies east of the CNR Railway lines on the south side of Boulevard Provencher. It is approximately 5600 sq. ft. in area, vacant and zoned 'PR-1' Parks and Recreational District. It lies immediately adjacent to a much larger vacant parcel of City owned land zoned 'M3' Industrial. There are a number of adjoining parcels to the east and north, some vacant and some under lease and being utilized, which similarly remain owned by the City of Winnipeg. Two large private businesses, National Containers & Recycling Co. and Marion Trucking occupy and own much of the remaining land to the west and east. There are also a number of homes (occupied and zoned M3 Industrial) which form a small isolated residential pocket immediately adjacent at the corner of Provencher Blvd. and McTavish St.

Description of the Proposed Development

The subject property lies in the midst of the largest remaining heavy industrial area in the City of Winnipeg. It is not needed as a public reserve area and has been declared surplus to the City's needs. Its value lies in its eventual consolidation with adjoining industrial properties and its forming a part of a larger industrial development. In order to do that however, it must procedurally be rezoned . There is some indication that the subject property in conjunction with the large City owned land lying immediately adjacent to the east might be acquired by Marion Trucking and allow for the expansion of their existing operation.

Analysis

Under Plan Winnipeg, the overall area in question is a designated Industrial Area. Therefore the proposed rezoning is in complete compliance with the proposed future use of the land. As previously outlined, the land in question, is not suitable for use as an open space public reserve site and better serves everyone's interests as part of a larger industrial parcel.

Recommendation

The Planning and Land Use Division recommends approval for the following reasons:

- The City has declared the subject parcel surplus to the City's needs given that 1) it is not needed as public open space, 2) it is contrary to Plan Winnipeg Policy as it falls within a designated Industrial Area and 3) it should be consolidated with adjoining industrial parcels and sold as 'M3' Heavy Industrial land .

Recommended Conditions of Approval

I. That The Winnipeg Zoning By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 240 /05, attached hereto and dated October 11, 2005, to a "M3" Industrial District.

II. 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.

III. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

IV. 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: (Kevin Lalor)
PPD File # (.502)

By-Law No. _____

File No. **DAZ 240/05**

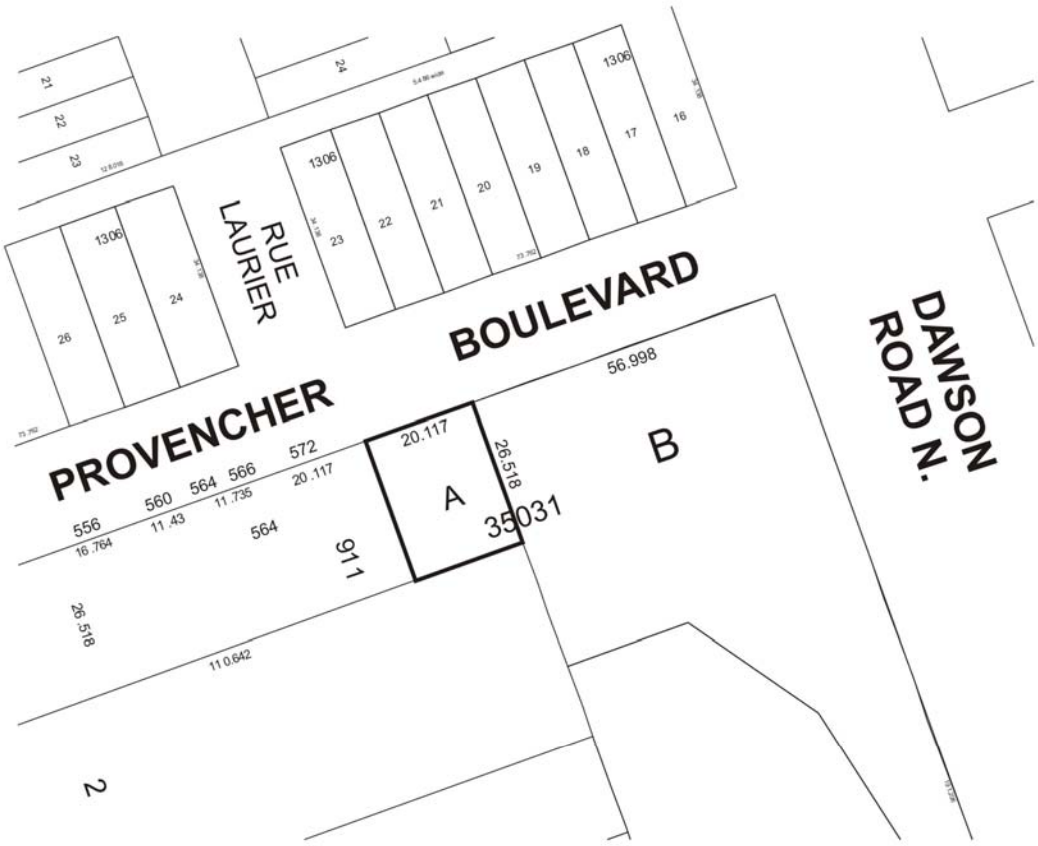
Atlas Sheet No.

N

Z27
RIEL
COMMUNITY

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located on the south side of Provencher Boulevard, west of Dawson Road from a "PR1" PARKS AND RECREATION DISTRICT to an "M3" INDUSTRIAL DISTRICT as shown outlined below.



Schedule "A" for File No. DAZ 240/05, Riel Community Committee, dated October 11/05

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____