Minute No. 428
Report - Standing Policy Committee on Property and Development - May 3, 2005

Item No. 1 Subdivision and Rezoning - west side of De Vries Avenue between Bonner Avenue and Knowles Avenue
File DASZ 20/2004 [c/r DAC 25/2004]

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the plan of subdivision under File DASZ 20/2004 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 20/2004 dated March 29, 2005, for registration in the Winnipeg Land Titles Office subject to the following:

   A. That the Developer further amend the plan as outlined in the report of the Administrative Coordinating Group dated March 23, 2005.

   B. 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 March 23, 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 20/2004 dated March 29, 2005, to an "R1-3.5" Single Family Residential District, a "R1-4" Single Family Residential District, a "RM-3" Multiple Family Residential District, a "C2" Commercial District and an "PR-1" Parks and Recreation District subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

   A. That, for the land zoned "RM-3" Multiple Family Residential District and the land zoned "C2" Commercial District, the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the East Kildonan-Transcona 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.

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COUNCIL DECISION (continued)

B. That the commercial land be restricted as follows:

i. The following uses shall NOT be permitted on the land:

a. automobile, including motorcycle: rental, sales, including accessory repair, service, installation of supplies/parts
b. automobile, including motorcycle: supplies/parts, sales
c. beer: sales
d. bingo parlour
e. bowling alley
f. bus station
g. contractors' establishment
h. exterminator
i. farm supplies: sales
j. fuel: sales kiosk
k. hotel, including motel, limited to guest rooms
l. liquor: sales
m. machinery/heavy equipment supplies and parts: sales, installation, service
n. mobile home park
o. motors or machines, recreational or utility, including power toboggans, outboard motors, lawn mowers: rental, sale, service
p. parking area, non-accessory
q. pawnshop
r. tattoo parlour
s. terminal for haulage, motor freight station, excluding an intermodal terminal
t. terminal for courier/delivery/ express service, cleaning service, key and lock service, security service, taxi, or similar service
u. tire: sales, service

That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire site, except that a mobile sign shall be permitted on

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COUNCIL DECISION (continued)

ii. the site for a period of thirty (30) days in association with a new occupancy permit.

iii. That no illuminated signage be erected on the north, south or east side of the building or the lot.

iv. That any free-standing use identification sign not exceed twenty-five (25) feet in height and a sign surface area in excess of 323 square feet.

v. That prior to the issuance of any occupancy permits all garbage containers be fully enclosed by a brick/concrete and/or wood barrier fence that is at least six (6) inches above the top of the garbage container, and thereafter maintained to the satisfaction of the Director of Planning, Property and Development.

vi. That the Applicant shall erect two, four (4) feet by eight (8) feet signs on the vacant subject property indicating the location and zoning of the commercial property, and plans for the signs showing their location and design shall be submitted to the East Kildonan-Transcona Community Committee for approval by July 30, 2005, and the signs shall be maintained to the satisfaction of the Director of Planning, Property and Development until such time as the land is either rezoned or developed as a commercial land use.

vii. That the southerly most twenty-five (25) feet of the property be used only for landscaping.

viii. That a landscaped setback of ten (10) feet be provided along Knowles Avenue.

ix. That a landscaped setback of twenty (20) feet be provided along the east property line.

x. That vehicular access to the site shall be prohibited from Knowles Avenue and any abutting public lane.

4. 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 increase in market value of the land and the creation of additional sites (if applicable).

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COUNCIL DECISION (continued)

5. 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.

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 Development 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 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.

9. That the Plan of Subdivision 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 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 that time.

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DECISION MAKING HISTORY:

Moved by Councillor De Smedt,

That the recommendation of the Standing Policy Committee on Property and Development be adopted.

Councillor Lubosch called for the yeas and nays, which were as follows:-

Yea: His Worship Mayor Katz, Councillors Eadie, Clement, De Smedt, Magnifico, Pagtakhan, Steeves, Swandel, and the Speaker Councillor O'Shaughnessy. 9

Nay: Councillors Benham, Gerbasi, Lubosch, Smith, Thomas and Wyatt 6

and the motion for adoption of the item was declared carried.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 11, 2005, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development (which did not concur in the recommendation of the East Kildonan-Transcona Community Committee) and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 3, 2005, the Standing Policy Committee on Property and Development did not concur in the recommendation of the East Kildonan-Transcona Community Committee and concurred in the administrative recommendation and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 5, 2005, the East Kildonan-Transcona Community Committee did not concur in the administrative recommendation, recommended that the application for subdivision and rezoning not be proceeded with and submitted its recommendation to the Standing Policy Committee on Property and Development.

On January 11, 2005, the East Kildonan-Transcona Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on April 5, 2005.

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DECISION MAKING HISTORY (continued)

On October 5, 2004, the East Kildonan-Transcona Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on January 11, 2005.

RE: **Subdivision and Rezoning - West Side of De Vries Avenue between Bonner Avenue and Knowles Avenue**
File DASZ 20/2004 [c/r DAV 134532/2004D, DAC 25/2004]

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

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

Report date: **April 24, 2005**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 5, 2005, the East Kildonan-Transcona Community Committee did not concur in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development that the application for subdivision and rezoning under File DASZ 20/2004 not be proceeded with.

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

1. North Kildonan does not have the traffic facilities to provide a safe way for automobiles to get around without the construction of Chief Peguis Trail.

2. The proposed opening of Headmaster Row to Lagimodiere Boulevard will further impact the traffic situation.

PUBLIC HEARING SUMMARY

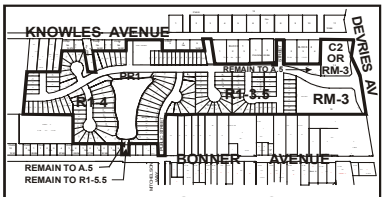
File: DASZ 20/2004 [c/r DAV 134532/2004D, DAC 25/2004]

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

Public Hearing: April 5, 2005
January 11, 2005
Helen Mayba Theatre
Miles Macdonell Collegiate
757 Roch Street
October 5, 2004
Community Committee Chamber
755 Henderson Highway

Applicant: Doug Henne Planning Services

Subject:



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EAST KILDONAN TRANSCONA COMMUNITY

APPLICANT : DOUG HENNE PLANNING SERVICES

FILE : DASZ 20/04

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 and an "R1-5.5" SINGLE-FAMILY DISTRICT to an "R1-3.5" SINGLE-FAMILY DISTRICT, an "R1-4" SINGLE-FAMILY DISTRICT, an "RM-3" MULTIPLE-FAMILY DISTRICT, "PR1" PARKS AND RECREATION DISTRICT and "C2" COMMERCIAL DISTRICT. **For information, phone Mr. J. Wintrup Planner at 986-5102.**

Premises Affected: west side of De Vries Avenue between Bonner Avenue and Knowles Avenue

Exhibits Filed:

1. Application dated June 7, 2004
2. Notification of Public Hearing dated September 8, 2004
3. Manitoba Status of Titles 1124045, 1067037, 1987267, 1987266, 1987263, 1987265, and Title Search 1532343
4. Letter of Consent dated December 11, 2003, from 74841 Manitoba Limited to North Grassie Properties Inc. or its Agent
5. Letter of authorization dated June 1, 2004, from North Grassie Properties Inc. to Doug Henne Planning Services
6. Plan
7. Report from the Manager of Planning and Land Use dated October 1, 2003
8. Report from the Administrative Coordinating Group dated September 27, 2004
9. Inspection Report
10. Communication dated October 5, 2004, from Rick and Sharon Boyd with respect to the application
11. Communication dated October 5, 2004, Victor and Christine Mikolayenko with respect to the application
12. Petition in opposition to the application (20 pages of signatures of area residents) submitted by Barry Olinkin
13. Communication dated December 13, 2004, from the applicant, Doug Henne, Doug Henne Planning Services, requesting that the application be adjourned
14. Notification of Public Hearing dated March 11, 2004
15. Revised Report from the Manager of Planning and Land Use dated March 29, 2005
16. Revised Report from the Administrative Coordinating Group dated March 23, 2005
17. Communication dated April 5, 2005, from Terry Kozak with respect to the application

18 Presentation dated April 5, 2005, from The Bonner Residents Committee with respect to the application submitted by June Shymko at the public hearing held on April 5, 2005

REPRESENTATIONS

In Support:

Doug Henne, Doug Henne
Planning Services
Norm Boyle
Don and Pat Guigueno
Ed and Hanna Hindle
Robert and Nikki Klos
Robert Linney
Mirko and Ethel Ljubic
Kelly Pickard
Dan Powell
John Schoofs
Randal Thomas
Leonard van Leeuwen

In Opposition:

Bruce and Nancy Adams
Peter Allerton
James Ashton
Florence Asante and Mary Barzey
Gaylynne Bergen
Doug Bird
Gina Boily
Brad Borgstrom
Rick and Sharon Boyd
Valerie Bumstead
Peter Celhar
Art and Patricia Cerkow
Debbie Chomiak
Bob and Kim Church
Doug Christie
Henry Claeys
Cathy Cox
Cynthia P. and Orest Cychmistruk
Rob Dilk and Shelly Eckert Dilk
Henni and Reg Dyck
Don Engel
Henry and Susan Enns
Rod and Tracy Falk
Yumi Falk
Lindsey Fuller
Ernie and Patricia Gagnon
Brian and Joyce Gainor
Miguel and Sheri Garrido
Kay, Robert and Stan Gigiel
Gerald and Penny Goosen
Livia and John Groppi
Steve Halabura
Gail and Glen Hammond
Annette and Randall Hay
Jim Hazell
Heinz and Anita Hindemith
Alvina and Rob Hlady
Michael Hodgkinson
Murray and Pat Hope
Raymon Houle
N.B. Ingram
Elly and Vic Janzen
Jeff and Paula Johnson
Marlene Jorgenson
Werner C. and Waltraut Jarschke
Fred Kaita
Carole Kenning
Betty Anne and Ken Kilbrie
Don King
R. and Sandra Klinck
Gord and Martina Korne
Peter Kotyk
Gary Kubinec
Ken and Marie Kuhn
Eugene and Mary Kyrzyk
Dean Lash
Adolf and Elfriede Laubstedt
Ryan Litton
Lawrence Lobay
Anne and W.L. Macbeth
Lena Mancluk
Helen and Wes Mark
Teresa Marsh
Cathy Martens
William Mazur
Heather McColl
Diana and Jim McEachern
Victor and Christine Mikolayenko
Reinhard Mohr
Walter Naherny
Sal Napolfone
Cam Neirinck
James Novasat
Paul Nyhof
Barry Olinkin
Judi Parry
Don and Gail Paul
Ken Peter
Jim Prokopowich
Bruck Prozyk
Kathy Pyper
Barbara Quinlan
Anita Quiring
Henry Quiring
Bill and Zelma Quiring
Carmine Racano
Sharon M. Raddatz
Gaylene D. Rathwell-Nemeth
Teri Reske
Darryl Robinson
William Sandulak
Guenter Schaub
Daniel Sernyk
Mike and Rosalie Shupenia
June and Nick Shymko
Richard Stefanic
Carol and Gary Stelter
Frankie and Nicole Foster-St. Bernard
Ted Stoesz
Ellery and Susanne Strell
Karen and Trevor Strome
Isabel Thornhill
Marvin Thorsteinson
Lawrence Traa
Andre Trudeau
Jordan, Karen, Leanne and Rick Veale
Larry and Karen Vince
Leonard Watts
A.S. and R.E. Willms
Hedy and Keith Witzky
Cathie and Fred Woodhall
Al Wozny
R.and N. Yackel
Helen Zacharias
Richard Zaric

For Information:

Guy Chartier
Frank Domareski
Violet Dudeck
Warren Earl
Les Gawinski
Peter H. Gsols
Lloyd Hiebert
Andrew Hretzay, Anson Developments
Douglas Jentsch
Elfriede Kehler
Christopher J. and Michele Kolba
Ingrid and Reynold Martens
Bonnie Mitchelson
G.E. O'Brien
Donn C. Poitras
Verna Prigroski
Wilf Regier
Victor Reimer
Allen Robinson
Louis Schoofs
Mike Shupenia
Susan Thomas
Donald and Beatrice Tymko
Arie Van Ry
Jo-Anne and Rick Wierzbicki
Greg and April Wozney
R. Zacharias

For the City:

Ernie Carriere, Land Development Engineer, Planning, Property and Development Department
John Wintrup, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

October 5, 2004

No representations were heard inasmuch as the East Kildonan-Transcona Community Committee adjourned the Public Hearing with respect to this application prior to opening representations.

January 11, 2005

No representations were heard inasmuch as the East Kildonan-Transcona Community Committee adjourned the Public Hearing with respect to this application prior to opening representations.

April 5, 2005

Doug Henne appeared in support of the application and summarized the changes to the application since the previous public hearing held on January 11, 2005, and requested amendments to the administrative recommendations.

Ed Hindle was heard with respect to the application and expressed concern regarding the volume of traffic, and questioned the connectors to Knowles and Bonner Avenues, and Headmaster Row.

Hanna Hindle was heard with respect to the application and expressed concern regarding the street connections and the impact traffic will have on the neighbourhood streets.

June Shymko, The Bonner Residents Committee, registered in opposition to the application and requested that the application be adjourned. She indicated that the Residents Committee agree to the development of the property between Bonner and Knowles, from Gateway to Lagimodiere, however, they have a number of concerns, and submitted a copy of their presentation, filed as Exhibit 18.

Doug Christie registered in opposition to the application and advised he is not opposed to the land development itself but is concerned with the closure of streets, and requested that they all be opened up.

Cathy Martens appeared in opposition to the application and advised that she is the mother of two children. She expressed concern about the traffic in general and about opening street access on Headmaster Row.

Henry Enns appeared in opposition to the application. He expressed concern regarding the traffic and indicated that the community has grown immensely in the last 50 years.

James Novasat appeared in opposition to the application and expressed concern regarding Headmaster Row and regarding drainage.

Ken Kilbrei appeared in opposition to the application and expressed concern regarding traffic.

Gaylynne Bergen appeared in opposition to the application and expressed concern regarding traffic, safety of the children, and grade levels and the size of the lots.

Bruce Prozyk appeared in opposition to the application, and advised that he lives just off of Headmaster Row. He expressed concern regarding traffic.

Vic Janzen registered in opposition to the application and advised that he is not in opposition to the development of the subject property but expressed concern regarding the quality of the development, such as the lot width sizes and the lack of green space.

Jim Prokopowich appeared in opposition to the application and expressed concern regarding traffic, and commented the application proposes to shift traffic from other streets onto Headmaster Row.

Miguel Garrido appeared in opposition to the application and advised that he lives on the corner of Headmaster Row and Peters. He expressed concern regarding the amount of traffic accessing Headmaster Row and for the safety of his children crossing the street.

Peter Allerton appeared in opposition to the application and advised that he has lived on Headmaster Row for 7 years and has seen a number of accidents outside of his house.

Cam Neirinck registered in opposition to the application and advised that he is not opposed to a good development but is opposed to the connection of Headmaster Row to Lagimodiere Boulevard.

Daniel Sernyk registered in opposition to the application and advised that he is opposed to the Headmaster Row problem and expressed concern regarding traffic.

Richard Stefanic appeared in opposition to the application and advised that the subject application will be packing the development like sardines in a can.

Brad Borgstrom appeared in opposition to the application and advised that is concerned with the timing and the density of the development, which he felt is inconsistent with the neighbourhood and not in character of the area. He expressed his opinion that the application will increase the traffic problems.

William Mazur appeared in opposition to the application and indicated that the traffic problems should be solved before the subject development proceeds.

Ken Kuhn appeared in opposition to the application and expressed his opinion that the subject application is overdeveloped and inappropriate. He expressed concern regarding the density of the development and regarding the amount of traffic that would travel down Headmaster Row to Lagimodiere Boulevard.

William Sandulak appeared in opposition to the application. He indicated that his largest concern is the connection of Headmaster Row to Lagimodiere Boulevard and that the proposal is not appropriate for the neighbourhood. He expressed concern regarding safety, traffic flow and speed, and the impact on property value., He expressed his opinion that the construction of Chief Peguis would help with the traffic situation.

Steve Halabura appeared in opposition to the application and expressed concern regarding the size of the lots and about water drainage.

James Ashton appeared in opposition to the application and advised that he has lived in the area for over 50 years. He indicated that he is not against development but does not feel it is a good idea to send traffic down Headmaster Row.

Paul Nyhof appeared in opposition to the application and expressed concern regarding traffic and about the developer's plans as it relates to housing stock.

Peter Kotyk appeared in opposition to the application and advised that he has lived on Bonner Avenue his entire life. He expressed concern regarding traffic and the size of lots proposed.

Ernie Gagnon appeared in opposition to the application. He expressed concern regarding the size of lots and the connection of Headmaster Row to Lagimodiere Boulevard.

Christopher Kolba appeared for information. He questioned the process for construction access and if there are architectural controls for the development, and expressed concern regarding lot sizes.

In rebuttal, Doug Henne indicated that the majority of concerns expressed were related to traffic, which he indicated existed prior to the subject application. He further indicated that the connection of Headmaster Row was a condition of the City Administration and not of his client. He purported that with the introduction of the proposed development, drainage concerns would be resolved, and advised that the houses that would be developed would be in the range of $200,000 and up.

Councillor Lubosch questioned the applicant if the proposed development would work if Headmaster Row was not extended to Lagimodiere Boulevard, to which Doug Henne responded in the affirmative.

Councillor Lubosch indicated that North Kildonan does not have the proper traffic devises in place and until Chief Peguis Trail is firmly committed to, he will not support a development of this scale in North Kildonan.

Exhibit "15" referred to in File DASZ 20/2004 [c/r DAV 134532/2004D, DAC 25/2004]

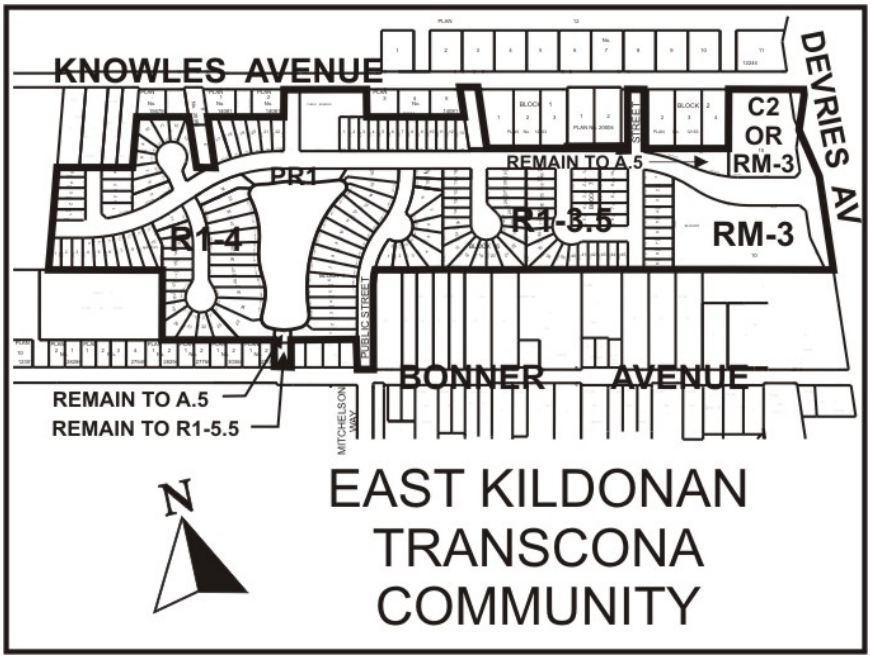
Winnipeg

Planning, Property and Development Department Report

To the East Kildonan - Transcona Community Committee

Date: **March 29, 2005**
File: **DASZ 20/04**
Related Files: **DASZ 45/04; DASZ 10/1990**
Subject: **Subdivide and rezone the land for single and multiple family dwellings, commercial land-uses and green open spaces.**

Location:



Applicant: **Doug Henne Planning Services**
Owner: **74841 Manitoba Limited**

Recommendation: **Approve with Conditions.**

Report Summary:

- A new subdivision plan has been submitted by the applicant in response to issues / concerns with the previous plan.
- The applicant intends to subdivide the subject property in order to construct 155 single family dwellings, and two lots for multiple family dwellings.
- Headmaster Row will be connected to Lagimodiere Blvd with traffic signals and Knowles Avenue will be terminated at De Vries Avenue.
- A 3.1 acre retention lake will be developed in the southwest corner of the proposed development.
- The Administration concerns are the proposed width of Headmaster Row and the location/size of the green space.

Site Description

The subject property is approximately 160 734 square metres (40 acres) located west of De Vries Avenue between Bonner and Knowles Avenues in the Springfield North neighbourhood of the North Kildonan Ward. The site is zoned "A-5" Rural District and "R1-5.5" Residential District. Adjacent lands include vacant land to the west designated "A-5" and single family dwellings zoned "R1-5.5". Surrounding lands include single family dwellings zoned "R1-5.5" and "A-5" to the south along Bonner Avenue and to the north along Knowles Avenue.

Background

DASZ 10/1990
The EKT CC recommended approval of a previous application, DASZ 10/1990, for single family dwellings on the subject lands on February 26, 1991 after four public hearings that included neighbourhood opposition and support. This application included a **2.77 acre retention lake** surrounded by parkland, **155 lots**, **"R1-4" zoning**, commercial zoning along Lagimodiere, and the extension of Headmaster Row from Gateway to Lagimodiere. The recommendation was adopted by Council on May 29, 1991. The applicant at that time, Kingsford Development Corporation, did not proceed with the approved plans. An extension of time was requested for this plan in September, 2001 and the request was not granted. This plan has subsequently expired.

DASZ 20/04
This application was made in June of 2004. The first design of the application was different than the plan submitted under DASZ 10/1990. The new plan proposed a **1.9 acre lake** with no open space, **192 lots, "R1-4" and "R1-3" zoning**, commercial and multiple zoning along Lagimodiere. The shape of the lake and the street pattern was significantly different.

A Public Hearing was scheduled for October 5, 2004. The Administration recommended at the Public Hearing that DASZ 20/04 be laid over to allow the applicant time to work with the City of Winnipeg to address outstanding issues with the subdivision plan. The East Kildonan – Transcona Community Committee subsequently adjourned the Public Hearing until January 11, 2005.

The applicant, along with the Administration, requested in January that the application be adjourned to a later date. This additional time was required to continue a thorough engineering study of the drainage requirements. A special committee for assessing drainage plans met in February to review the engineering study and accepted a three (3) acre retention lake. The applicant submitted a revised subdivision plan in March, 2005. Changes to the site plan have been significant enough to require a new notice advertising the Public Hearing.

Following is a summary of the issues raised by the Administration in the previous Planner's Report to the Transcona Community Committee Meeting held on October 5, 2005:

Retention Lake

1. The Developer's plan proposes a 1.9 acre storm water retention basin designed to service his lands only. This is inconsistent with the City's Policy of constructing regional land drainage systems, with a minimum 5.0 acre lake size, to the mutual benefit of the City and the community at large.

Street Pattern / Traffic

1. The subdivision plan needs to establish an 18.0m in width north-south street right-of-way connecting Knowles Avenue with the extension of Headmaster Row within 105m of De Vries Avenue. This will allow Knowles Avenue to be terminated at Lagimodiere, which is consistent with the *North Kildonan Traffic Study*.

2. The subdivision plan needs to minimize the number of private approaches servicing single-family development off residential collector streets (Headmaster Row and Mitchelson Way north of Headmaster Row).

3. Headmaster Row at Lagimodiere Boulevard needs to be aligned with the future public road on the east side of Lagimodiere Boulevard in the Kil-Cona area.

Following is a summary of the issues raised by the Public at an informal meeting on September 28, 2004:

Retention Lake

1. The location of the lake will not provide 'lakefront' views for existing properties on Bonner.
2. The lack of green space around the retention lake will not provide any benefits to the existing residents.

Street Pattern / Traffic

1. Construction trucks will have a negative impact on the physical condition of the adjacent streets.
2. Additional traffic will have a negative impact on surrounding roads.
3. Lack of Headmaster Row connection to Gateway Rd will cause problems.
4. The future connection of Headmaster Row to Gateway Rd will cause problems.
5. Headmaster Row needs to be connected from Gateway Rd to Lagimodiere as soon as possible.
6. A closure of Bonner Avenue at Lagimodiere should be considered by the City of Winnipeg and the Applicant.
7. Mitchelson Way should not be connected to Knowles Avenue.
8. Mitchelson Way should not be connected to Bonner Avenue.

Lot Sizes

1. The proposed lots are too small for the area.
2. The lots are not common anywhere else in Winnipeg and should not be in North Kildonan.
3. The lots should be 50 feet in width.
4. Tract and row houses will be constructed on the narrow lots that will de-value the existing properties.

Future Development

1. The future subdivision of the lots that front Bonner Avenue, east of Mitchelson Way will not be possible.

Description of the Proposed Development

The applicant intends to subdivide the subject property in order to construct **155 single family dwellings**, and **two lots for multiple family dwellings**. One of the proposed multiple family lots at the southwest corner of De Vries and Knowles Avenue is also being considered for "C2" Commercial.

The residential lots will range from 35 feet to 45 feet. Residential lots will front the north side of Headmaster Row. A **3.1 acre retention lake** will be developed in the southwest corner of the proposed development, west of the Mitchelson Way extension. A park is proposed just north of the lake between Knowles and Headmaster Row.

Analysis

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

ZONING

- The **"R1-5.5" Single Family Residential District** requires a minimum lot size of 5,500 square feet and a minimum lot width of 50 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.
- 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 **"RM-3" Multiple Family Residential District** will allow multiple family dwellings to a maximum height of 45 feet.
- A **"C2" Commercial District** has 104 Permitted Uses and 47 Conditional Uses that are generally orientated to a community wide market. Multiple Family uses are a conditional use requiring a public hearing.

TRANSPORTATION AND SITE ACCESS
The proposed street pattern is consistent with the *North Kildonan Traffic Study*. Knowles Avenue will be terminated with a paved cul-de-sac vehicular turnaround at De Vries. Headmaster Row will be connected to Lagimodiere Blvd with traffic signals. This new road will serve as a residential collector street. A connection to Gateway Road will also be provided: the adjoining land is subject to an application for residential development (**DASZ 45/04**). Mitchelson Way will be extended north from its present terminus at Bonner Avenue to the new Headmaster Row. Two new streets (not aligned with Mitchelson Way) will connect Knowles Avenue south to Headmaster Row.

COMPATIBILITY WITH SURROUNDING USES
The Administration supports single family residential uses on the subject site: the proposal represents a logical completion of the Springfield North residential community. The proposed commercial site at the southwest corner of De Vries and Lagimodiere is appropriate for some commercial businesses and/or multiple family uses given its location adjacent to Lagimodiere.

LAND USE BY-LAW ISSUES
The proposed zoning categories are consistent with residential subdivisions in Winnipeg such as Eaglemere, Amber Trails, Canterbury Park, Whyte Ridge and Riverbend South. A number of developers have stated today's main market is willing to purchase the 35 - 48 foot wide lots, and a minority of the market is willing to purchase 50 foot wide lots. There are a large number of 50 foot wide lots in the North Kildonan area and there is also a large number of 35 - 45 foot wide lots. The 35-45 foot wide lots dominate the area east of Gateway Road, south of McIvor, north of Sun Valley. The range of lot sizes permit the construction of a variety of new single family dwellings that diversify the housing stock and provide residents with different housing options.

SITE DESIGN ISSUES
The Administration's previous issues surrounding the initial subdivision have been resolved:

- The applicant will be constructing a 3.1 acre retention lake that has been deemed suitable to provide drainage for the subject property and surrounding area.
- The new Headmaster Row extension has been properly aligned on the west side of Lagimodiere to accommodate the proposed street on the east side of Lagimodiere Boulevard from the Kil-Cona area.
- A 18.0m in width north-south street right-of-way connecting Knowles Avenue with the extension of Headmaster Row within 105m of De Vries Avenue has been implemented along with an additional north-south right-of-way further west along Knowles.
- The number of dwellings fronting Headmaster Row has been reduced from 68 to 29 by altering the route of Headmaster Row and enlarging the lake.

The Administration has only (2) two main issues in response to the new site plan:

1. **Width of Headmaster Row extension from Gateway Road to Lagimodiere Boulevard.** The applicant is proposing 20 metres whereas Public Works requires a 22.0 metre right-of-way for a residential collector street.

2. **Location and Size of open green space.** A larger open green space needs to be provided at a better suited location.

    a. The proposed park location has street frontage on three sides. The Administration discourages parks in new subdivisions with significant amounts of street frontage, since this increases the City's improvement costs for park services (sewer, road, water, etc.), which could otherwise be transferred to the Land Dedication Reserve.
    b. The Administration has analysed the current and proposed park space in this area. A two (2) acre passive neighbourhood park is required and located at the east end of this proposed development.
    c. The park proposed in this development is only approximately one (1) acre in size. The City avoids the establishment of neighbourhood parks less that 2 acres in size due to their increased maintenance costs.
    d. The proposed park is located on the west side of the subdivision whereas the multi-family units are on the east. The residents of multi-family are generally more likely to use the park.
    e. The proposed park is in close proximity to the Gateway Community Club lands. This new residential neighbourhood requires its own local green space that is located away from the programmed spaces.

PUBLIC INPUT
The applicant met with the adjacent property owners immediately after the October Public Hearing to discuss their concerns. The proposed new subdivision plan addresses some of their concerns:

- An application has been received for the south west corner of Gateway and Knowles Avenue that will allow the Headmaster Row connection to be made from Gateway in conjunction with this application.
- The application for the adjacent property includes 50 foot wide lots.
- The new north-south connections to Knowles Avenue from Headmaster Way will not be aligned with the Mitchelson Way extension.
- Additional green open space has been provided on the north side of the lake adjacent to Headmaster Way.

The Administration also met with residents regarding the future subdivision of properties on the north side of Bonner between Mitchelson Way and De Vries. The Administration provided the following: an analysis of their land holdings using air photos and zoning memorandums revealed that the location of existing residential dwellings would not preclude the future development of their rear properties as proposed by the developer's concept plan. The lot lengths are approximately 370 feet. This would allow two, 100 foot deep lots fronting a new 60 foot wide street leaving 110 foot deep lots fronting Bonner. The majority of the houses would be left with at least a 25 foot rear yard that is required under the Zoning By-law. One house, 749 Bonner, would be left with approximately a 23 foot rear yard, which is 2 feet less than the required Zoning By-Law. This amount would be considered minor and a variance most likely granted.

Recommendation

The Administration recommends approval of the application subject to amendments.

1. Headmaster Row should be constructed to a minimum width of 22 metres as recommended by the City of Winnipeg Public Works Department. This width is the standard width for a residential collector street.

2. The proposed Public Reserve on the north side of Headmaster Row and south side of Knowles Avenue should be re-located to the south side of Headmaster Row at Block 6 and/or 7. This location is much better suited for a green open space: it can be expanded south in the future when further development occurs in this area; it is close to the multi-family dwellings on De Vries; it can be placed behind residential lots limiting street frontage; and it is well spaced between Gateway CC lands to the west and Kil-Cona Park to the east.

The Administration is also recommending that the proposed "C2" Commercial District be approved subject to a number of conditions that will ensure the future commercial development is compatible with the adjacent residential neighbourhood. The conditions required to mitigate any negative impacts are:

- site plan approval for landscaping, fencing, buildings, and signage;
- list of prohibited uses especially those that generate significant negative sounds, sights, and smells;
- free standing signage allowed to a maximum height of 25 feet to ensure free standing signs do not impact the new residents;
- no mobile signs;
- signage be restricted from the north, south, west sides of the building to ensure adjacent residents are not negatively impacted;
- building and parking area lighting be shielded away from adjacent residents;
- landscaping required in yards against the right-of-ways since this is a prominent entrance to a residential community and a gateway into the City of Winnipeg;
- restrict access from Knowles Avenue to encourage the use of Headmaster Row as the collector street;
- Signage should be erected on the site to indicate the future commercial nature of the land-use to the potential new residents in the nearby neighbourhood.

Recommended Conditions of Approval

1. That the plan of subdivision proposed under File No. **DASZ 20/04** be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. **DASZ 20/04,** attached hereto and dated **March 29, 2005**, for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer further amend the plan as outlined in the report of the Administrative Coordinating Group dated March 23, 2005;

   B. 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 March 23, 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 20/04,** attached hereto and dated **March 29, 2005**, to an ""R1-3.5" Single Family Residential District, a "R1-4" Single Family Residential District, a "RM-3" Multiple Family Residential District; a "C2" Commercial District, and an "PR-1" Parks and Recreation District subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

A. That for the land zoned "RM-3" Multiple Family Residential District; and the land zoned "C2" Commercial District the development of any building, and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the East Kildonan - Transcona 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 the commercial land be restricted as follows;

i. The following uses shall NOT be permitted on the land:

a AUTOMOBILE, including motorcycle: RENTAL, SALES, including accessory REPAIR, SERVICE, INSTALLATION OF SUPPLIES/PARTS
b AUTOMOBILE, including motorcycle: SUPPLIES/PARTS, SALES
c BEER: SALES
d BINGO PARLOUR
e BOWLING ALLEY
f BUS STATION
g CONTRACTORS' ESTABLISHMENT
h EXTERMINATOR
i FARM SUPPLIES: SALES
j FUEL: SALES kiosk
k HOTEL, including MOTEL, limited to guest rooms
l LIQUOR: SALES
m MACHINERY/HEAVY EQUIPMENT SUPPLIES and PARTS:SALES, INSTALLATION, SERVICE
n MOBILE HOME PARK
o MOTORS or MACHINES, RECREATIONAL or UTILITY, including power toboggans, outboard motors, lawn mowers: RENTAL, SALE, SERVICE
p PARKING AREA, non-accessory
q PAWNSHOP
r TATTOO PARLOUR
s TERMINAL for HAULAGE, MOTOR FREIGHT STATION, excluding an intermodal terminal
t TERMINAL for COURIER/DELIVERY/ EXPRESS SERVICE, CLEANING SERVICE, KEY AND LOCK SERVICE, SECURITY SERVICE, TAXI, or similar service
u TIRE: SALES, SERVICE

ii. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire site, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit;

iii. That no illuminated signage be erected on the north, south or east side of the building or the lot;

iv. That any free-standing use identification sign not exceed twenty-five (25) feet in height and a sign surface area in excess of 323 square feet;

v. That, prior to the issuance of any occupancy permits, all garbage containers be fully enclosed by a brick/concrete, and/or wood barrier fence that is at least 6 inches above the top of the garbage container, and thereafter maintained to the satisfaction of the Director of Planning, Property and Development;

vi. That the Applicant shall erect two, 4 feet by 8 feet signs on the vacant subject property indicating the location and zoning of the commercial property; and plans for the signs showing their location and design shall be submitted to the East Kildonan - Transcona Community Committee for approval by July 30, 2005; and the signs shall be maintained to the satisfaction of the Director of Planning, Property and Development until such time as the land is either rezoned or developed as a commercial land use;

vii. That the southerly most 25 feet of the property be used only for landscaping;

viii. That a landscaped setback of 10 feet be provided along Knowles Avenue;

ix. That a landscaped setback of 20 feet be provided along the east property line;

x. Vehicular access to the site shall be prohibited from Knowles Avenue and any abutting public lane.

4. 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 increase in market value of the land and the creation of additional sites, (if applicable).

5. 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.

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 Development 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, 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**.

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. 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.

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

Report Prepared by: John S. Wintrup
PPD File # .419

Schedule "A"

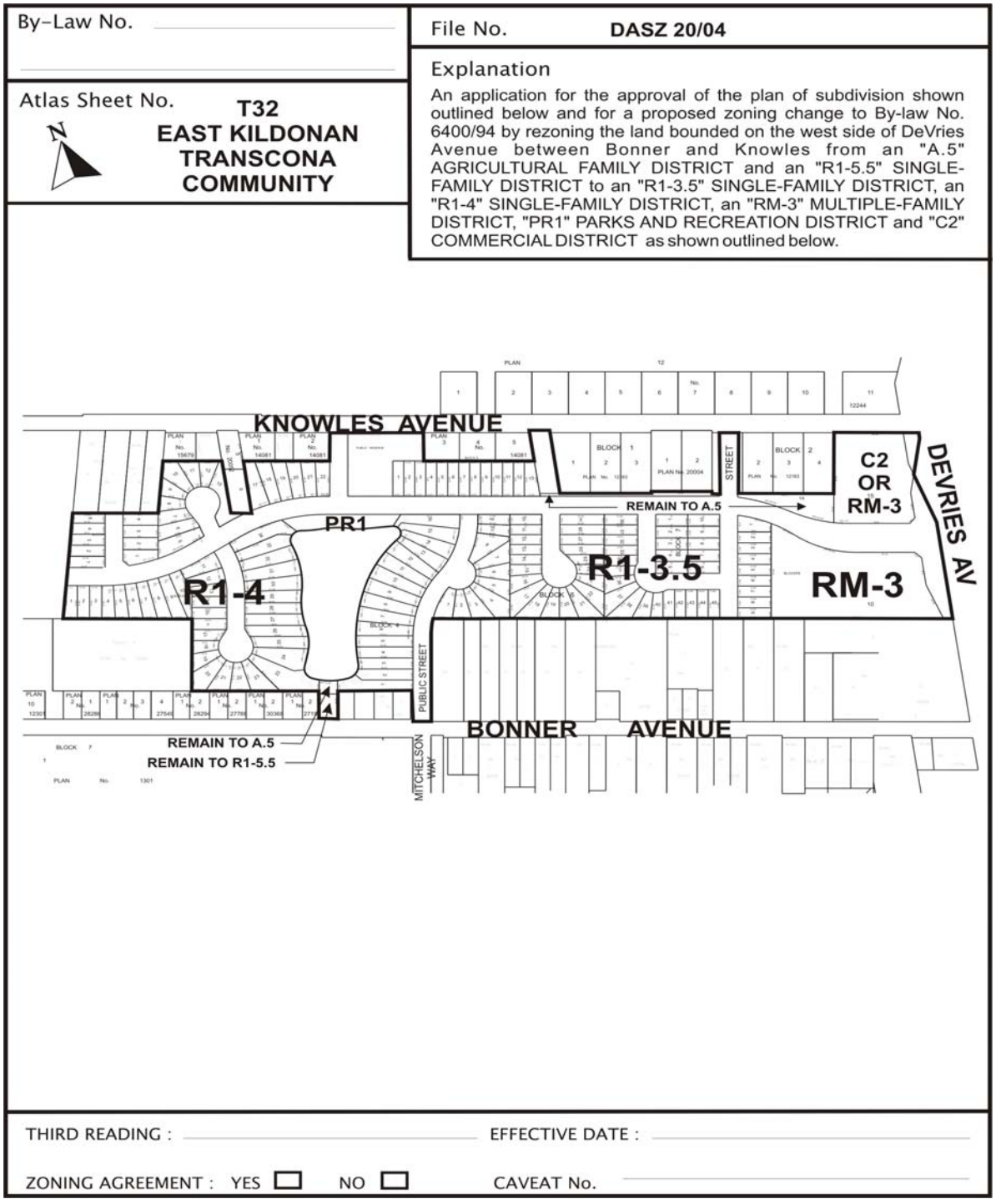


Figure 1: Schedule "A" to the report to the East Kildonan -Transcona Community Committee for File No. DASZ 20/04, dated March 29, 2005.

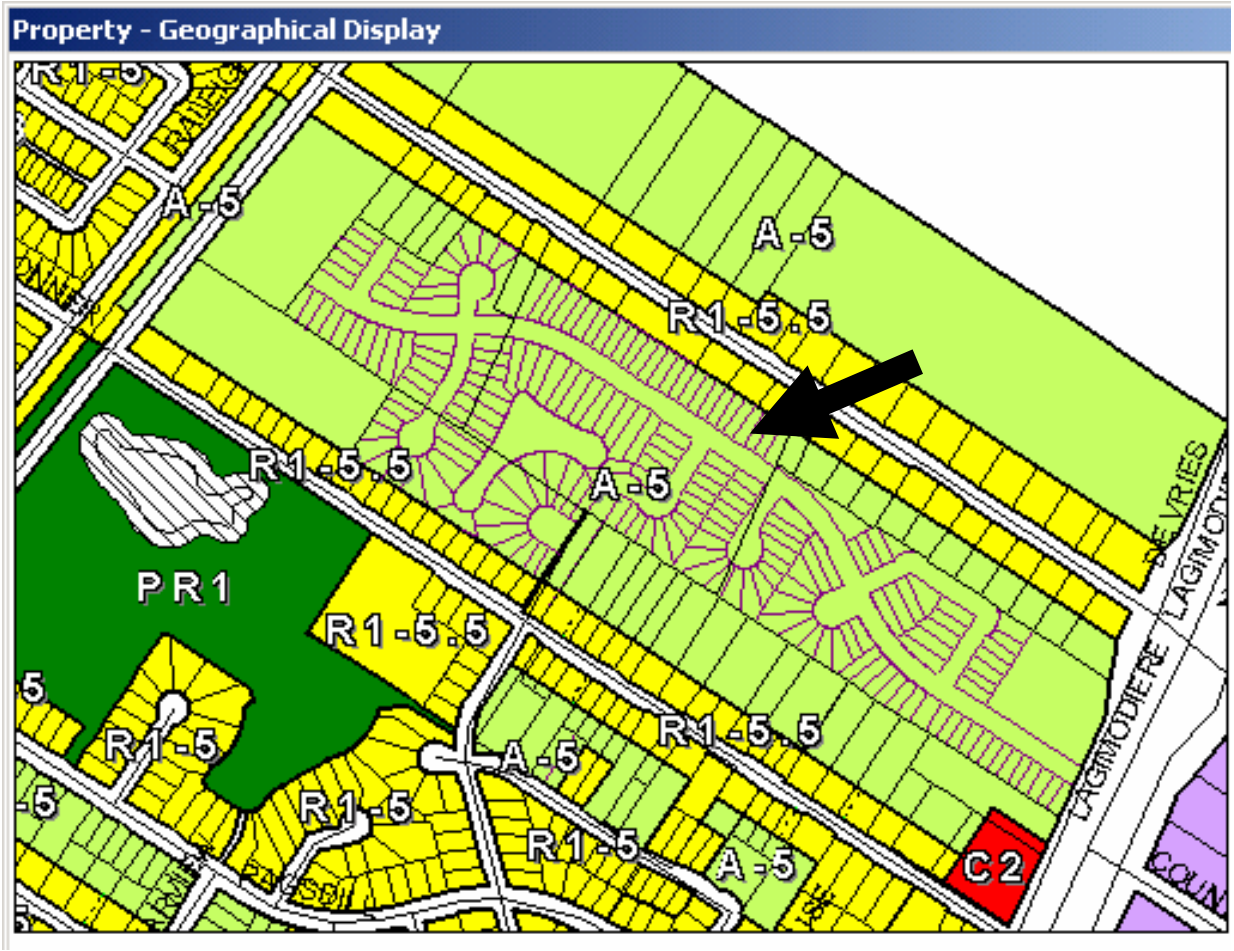


Figure 2: Existing Zoning for subject property and Surrounding Area.



Figure 3: Existing Land-Uses for subject property and Surrounding Area.

Exhibit "16" referred to in File DASZ 20/2004 [c/r DAV 134532/2004D, DAC 25/2004]

Re: Proposed subdivision and rezoning on land located on the west side of DeVries Avenue between Knowles and Bonner Avenues – DASZ 20/04

The above referenced development application was initially scheduled for a public hearing on October 5, 2004, but was laid over. The initial plan featured a lake of approximately 1.9 acres and one (1) street connection to Knowles Avenue. In a report to the East Kildonan-Transcona Community Committee dated September 27, 2004, the Administrative Coordinating Group recommended that application DASZ 20/04 not be approved due to the size of the lake and a number of other street layout deficiencies.

The size of the lake has been reviewed by a Joint UDI/City Advisory Committee and has now been increased to approximately 3 acres to accommodate the drainage of the balance of the lands north of Bonner Avenue to the City Limits. The plan has also been amended with respect to street connections to Knowles and other street layout details.

It is recommended that the Developer further amend the plan as follows:

A. By relocating the park to a location on the south side of Headmaster Row, east of the extension of Mitchelson Way.
B. The Headmaster Row extension from Gateway Road to Lagimodiere Boulevard is to be established as a residential collector street to the satisfaction of the Director of Public Works. It is to be established with a 22.0m right-of-way.
C. Headmaster Row east of Gateway Road is to be established with a 27.0m in width right-of-way for a distance of 60.0m east of the intersection and is to be tapered from 27.0m to 22.0m through an additional 50.0m east thereof. The tapered section is to be symmetric about the centreline of the right-of-way.
D. The subdivision is to be designed to minimize the number of private approaches servicing single or two family residential development off residential collector streets (i.e. rights-of-way measuring 22.0m or greater in width). No private approaches serving single and two family residential development will be permitted off DeVries Avenue.
E. The street connection to Knowles Avenue, west of the extension of Mitchelson Way is to be established to a width of 22m to accommodate a collector road.

It is recommended that approval of the amended plan be subject to the Developer entering into a Development Agreement with the City as follows:

1. The Developer shall, at no expense to the City, construct watermains required to serve the proposed subdivision and adjacent lands as determined by and to the satisfaction of the Director of Water and Waste. The City will reimburse the Developer for any oversizing as determined by the Director of Water and Waste.

2. The Developer shall, at no expense to the City, construct wastewater sewers required to serve the proposed subdivision and adjacent land including an oversized wastewater sewer from the intersection of Bonner Avenue and Mitchelson Way through the

subdivision to Knowles Avenue as determined by and to the satisfaction of the Director of Water and Waste. The City will reimburse the Developer for any oversizing as determined by the Director of Water and Waste.

3. a) The Developer shall, at no expense to the City, construct land drainage sewers including a stormwater retention basin as determined by and to the satisfaction of the Director of Water and Waste. The Developer shall comply with the recommendations of the report of the Joint City/UDI Advisory Committee as approved by the City, and the submission requirements of the City-adopted Criteria for Stormwater Management, dated February 22, 2001.

   b) The Developer shall pay its share of the cost of the Regional Land Drainage System (2005 rate = $16,391.00/acre). The cost of constructing the stormwater retention basin and interconnecting pipe and the value of the land being purchased by the City for the stormwater retention basin at the rate of $20,000.00/acre will be credited against the Developer's share of the Land Drainage Regional System. The City will reimburse the Developer for the difference in the Developer's share of the Regional Land Drainage System and the credits described in this paragraph.

4. 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 to the satisfaction of the Director of Water and Waste.

5. The Developer shall, at no expense to the City, construct portland cement concrete pavements to widths of 7.5m, 8.0m and 150mm and 200mm in thickness in all streets within the Planned Area and all related works including, but not necessarily limited to ornamental street lighting and boulevard landscaping all as determined by and to the satisfaction of the Director of Public Works.

6. The Developer shall, at no expense to the City, construct a 1.5m in width by 100mm in thickness portland cement concrete sidewalk along both sides of all streets with rights-of-way measuring 22.0m in width or greater within the Planned Area i.e. Headmaster Row and the collector road between Headmaster Row and Knowles Avenue and along one side of Mitchelson Way between Bonner Avenue and Headmaster Row as determined by and to the satisfaction of the Director of Public Works. The sidewalks shall be constructed at the same time as the concrete street pavements.

7. a) The Developer shall pay its share of the cost of the following improvements at and in the vicinity of the intersection of Lagimodiere Boulevard and Headmaster Row on an area basis with the total contributing area being the currently undeveloped lands bounded by Gateway Road, DeVries Avenue, Bonner Avenue and the north City Limit as determined by the Director of Public Works:

   i) a street connection, channelization and turnouts between Lagimodiere Boulevard, and DeVries Avenue and Norris Road;
   ii) a median opening and northbound left turn deceleration and storage lane;
   iii) a southbound right turn deceleration lane;
   iv) a realignment of DeVries Avenue to the north and south of Headmaster Row;

v) 50% of the costs of the installation of traffic control signals and all related works at the intersection of Headmaster Row and Lagimodiere Boulevard including, but not necessarily limited to, pedestrian and vehicular actuation, interconnection to adjacent traffic control signals and audible pedestrian signals;
vi) the removal of the street connections between Lagimodiere Boulevard and DeVries Avenue and Norris Road and the removal of the median opening and auxiliary traffic lanes on Lagimodiere Boulevard all at the intersection of Lagimodiere Boulevard and Knowles Avenue; the removal of the Knowles Avenue connection to DeVries Avenue and the construction of a cul-de-sac turnaround at the resulting dead-end;
vii) 50% of the costs of advance permanent street name signs on Lagimodiere Boulevard, north and south of Headmaster Row;
viii) all related works, including but not necessarily limited to, any necessary land drainage works, street lighting and landscaping;

all as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall finance and construct or pay the costs of the following improvements at and in the vicinity of the intersection of Lagimodiere Boulevard and Headmaster Row:

i) a street connection, channelization and turnouts between Lagimodiere Boulevard, and DeVries Avenue and Norris Road;
ii) a median opening and northbound left turn deceleration and storage lane;
iii) a southbound right turn deceleration lane;
iv) a realignment of DeVries Avenue to the north and south of Headmaster Row;
v) the installation of traffic control signals and all related works at the intersection of headmaster Row and Lagimodiere Boulevard including, but not necessarily limited to, pedestrian and vehicular actuation, interconnection to adjacent traffic control signals and audible pedestrian signals;
vi) the removal of the street connections between Lagimodiere Boulevard and DeVries Avenue and Norris Road and the removal of the median opening and auxiliary traffic lanes on Lagimodiere Boulevard all at the intersection of Lagimodiere Boulevard and Knowles Avenue; the removal of the Knowles Avenue connection to DeVries Avenue and the construction of a cul-de-sac turnaround at the resulting dead-end;
vii) the installation of advance permanent street name signs on Lagimodiere Boulevard, north and south of Headmaster Row;
viii) all related works, including, but not necessarily limited to, any necessary land drainage works, street lighting and landscaping;

all as determined by and to the satisfaction of the Director of Public Works.

c) The Developer's share of the cost of improvements as determined in a) above shall be off-set against the cost of services to be constructed or paid for pursuant to b) above and the City shall reimburse the Developer for the difference as certified by the Director of Public Works as it collects from the benefiting lands in accordance with the City's Development Agreement Parameters prevailing at the time of reimbursement.

8. The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the proposed subdivision to the satisfaction of the Director of Public Works.

9. The Developer shall pay all costs associated with the relocation of streetlights and other utilities made necessary as a result of or required to accommodate works, which are to be constructed by the Developer to serve the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

10. The Developer shall, at no expense to the City, cause to be installed standard reflectorized permanent street name signs to be installed at all new street intersections being created as a result of the subdivision.

11. The Developer shall, at no expense to the City, ensure that construction traffic uses 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 condition, free of dropped and tracked-on mud, and shall undertake regular cleaning of streets until building construction, including landscaping is complete, all as determined by and to the satisfaction of the Director of Public Works.

12. The Developer is to provide two paved means of vehicular access to each stage of development within the Planned Area at all times, to the satisfaction of the Director of Public Works. This may require the construction of temporary streets and the provision of right-of-way or easements therefore.

13. The Developer is to construct paved cul-de-sac vehicular turnarounds at the terminus of each temporarily dead-ended street and provide any necessary right-of-way or easements therefore, all as determined by and to the satisfaction of the Director of Public Works.

14. The Developer shall, at no expense to the City, 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 houses, until 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 all costs in remedying the situation to the satisfaction of the Director of Public Works.

15. The Developer shall install signs at the entrances to the subdivision, upon which is displayed a plan of the subdivision showing thereon the locations of all proposed sidewalks, community mail boxes, storm water retention basin, park, commercial and multiple family sites also to be shown are the Headmaster Row connection to Lagimodiere Boulevard and the severing of the Knowles Avenue connection to DeVries Avenue/Lagimodiere Boulevard as well as all collector and arterial streets.

16. The Developer shall dedicate a park of approximately two acres on the south side of Headmaster Row east of the extension of Mitchelson Way at a location determined by the Director of Planning, Property and Development. The Developer shall, in addition, pay cash to satisfy the 8% public open space dedication requirement including servicing and landscaping in accordance with City policy. The cash payment may take into account the value of Lot 1, Plan 12163 which City-owned lot fronting onto Knowles Avenue is being used by the Developer for street purposes.

17. The Developer shall pay $1,200.00 per acre to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

18. 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.

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 20/04
March 23, 2005

"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

Exhibit "7" referred to in File DASZ 20/2004 [c/r DAV 134532/2004D, DAC 25/2004]

In reply please refer to / Référence à rappeler : **John S. Wintrup**
(204) 986-5102
Fax / Téléc. : (204) 986-3684

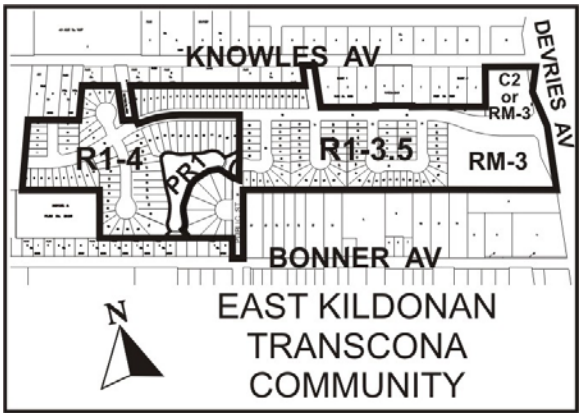
File No. DASZ 20/04 October 1, 2004
Our c/f CP 500 (.419)

Ms. Inga Skundberg, Community Clerk
East Kildonan – Transcona Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear Ms. Skundberg:

SUBDIVISION AND REZONING
W.Side of DeVries between Bonner and Knowles Avenue
DASZ 20/04
East Kildonan - Transcona Community Committee
File No. DASZ 20/04

An application has been received from Doug Henne Planning Services for approval of a plan of subdivision and related zoning change to amend By-Law No. 6400/94 by rezoning the land shown below from an "A-5" Agricultural District and an "R1-5.5" Single Family Residential Distinct to an "R1-3.5" Single Family Residential District, "R1-4" Single Family Residential District, "RM-3" Multiple Family District, "PR-1" Parks and Recreation District and "C2" Commercial District.



SITE DESCRIPTION:

Site Area: The site area is approximately 160734.115 square metres (39.718 acres). The site has frontage along DeVries and Knowles Avenues. A proposed street connection has a presence on Bonner Avenue.

Existing Land Use and Zoning: Vacant land zoned "A-5" Agricultural District and "R1-5.5" Single Family Residential.

Surrounding Land Use and Zoning:

North: Single family dwellings zoned "A-5" Agricultural District and "R1-5.5" Residential.
South: Single family dwellings zoned "A-5" Agricultural District and "R1-5.5" Residential; Commercial land zoned "C2".
East: Lagimodiere Blvd.
West: Vacant land zoned "A-5" Agricultural District and "R1-5.5" Single Family Residential.

DEVELOPMENT DESCRIPTION:

The applicant intends to subdivide the subject property in order to construct 192 single family dwellings, and two lots for multiple family dwellings. One of the proposed multiple family lots at the southwest corner of DeVries and Knowles Avenue is also being considered for "C2" Commercial.

Headmaster Row will be connected to Lagimodiere Blvd. This new road will serve as a residential collector street. A connection to Gateway Road is not provided at this time since the adjoining land is not part of this application. Mitchelson Way will be extended north from its present location at Bonner Avenue to the new Headmaster Row. Cul-de-sac's and horseshoe bays will be extended from Headmaster. The residential lots will range from 35 feet to 40 feet. Residential lots will front the north side of Headmaster Row. An 1.9 acre, 'L' shaped retention lake will be developed in the southwest corner of the proposed development, west of the Mitchelson Way extension. Residential houses almost completely encircle the lake with a small park area on the south and east sides.

PLAN WINNIPEG:

The proposed concept complies with Plan Winnipeg in that a residential rezoning is allowed in Neighbourhood Policy Areas. The development constitutes infill development and supports compact urban form.

ADMINISTRATIVE COMMENTS:

The EKT CC recommended approval of a previous application for single family dwellings for a large portion of the subject lands, DASZ 10/1990, on February 26, 1991 after four public hearings on the matter. The recommendation was adopted by Council on May 29, 1991. The applicant at that time, Kingsford Development Corporation, did not proceed with the approved plans. An extension of time was requested for this plan in September, 2001 and the request was not granted. This plan has subsequently expired.

The applicant made this recent application in June of this year. The application is different than the previous application made under DASZ 10/1990 in terms of street patterns and location of retention lake. It has also been modified somewhat since June but many issues identified by the Administration have not resulted in amending the plan to the satisfaction of the Administration. Also, the applicant did not provide a concept plan with this application showing how his proposal will accommodate the future development of the Bonner Avenue and Knowles Avenue back lands east of Mitchelson Way.

The applicant met informally with the adjacent residents on September 28, 2004 and a number of issues / concerns were expressed regarding this application. The applicant supplied a concept plan to the residents for the future development of the surrounding lands, however, the plan reviewed by the residents was different then the plan reviewed by the Administration in terms of internal street patterns.

The Planning and Land-use Division is of the opinion that residential housing is the best land-use for the subject property. The Department supports single family residential use on the subject site: the proposal is compatible with the adjacent surrounding residential neighbourhood and represents a logical completion of the Springfield North community. Currently, there is a steady demand for housing in the East Kildonan – Transcona Community. Eaglemere Phase II, and some smaller subdivisions (such as the Tompkins Bay / St. Moritz, John Hyuda, Robson Street) have accommodated this demand but are nearing completion. Residential growth in the North East quadrant of the city will only be accommodated in Canterbury Park in the immediate near future. The requested zoning of "R1-3.5" will result in a minimum lot width of 35 feet, and "R1-4" will result in a minimum lot width of 40 feet for future proposed lots. These lot sizes are consistent with a number of recently approved residential subdivisions in Winnipeg such as Eaglemere Phase II, Amber Trails, Canterbury Park, and Riverbend South. The lot sizes will permit the construction of a variety of new single family dwellings that will diversify the housing stock and provide residents with different housing options in the Springfield North Community.

However, a number of issues and concerns have been identified regarding the site plan. The Administrative Coordinating Group is recommending the application not be approved. Solutions have not been discussed and possible design changes have not been fully explored. Significant changes, such as the ones already suggested by the applicant in the plan shown to the residents, may require a re-advertisement. Therefore, it is recommended that **the application be laid over**

in order for the applicant time to work with the City of Winnipeg to generate a revised plan and meet with the residents to discuss a revised plan.

I S S U E S / C O N C E R N S

Street Pattern / Traffic

Residents

9. Construction trucks will have a negative impact on the physical condition of the adjacent streets.
10. Additional traffic will have a negative impact on surrounding roads.
11. Timing of Headmaster Row connection to Gateway Rd.
12. Closure of Bonner Avenue associated with this application.
13. The proposed location of the Knowles Avenue connection to the future Headmaster Row is not suitable.
14. Elimination of a Knowles / Bonner connection.

Administration

4. Amending the plan to establish an 18.0m in width north-south street right-of-way connecting Knowles Avenue with the extension of Headmaster Row within 105m of DeVries Avenue in order to severe the Knowles Avenue intersection Avenue in conjunction with the implementation of this subdivision.

5. The subdivision is to be designed to minimize the number of private approaches servicing single-family development off collector streets i.e. Headmaster Row and Mitchelson Way north of Headmaster Row.

6. Headmaster Row at Lagimodiere Boulevard is to be aligned to be coincident with the property on the east side of Lagimodiere Boulevard which is to accommodate the proposed street on the east side of Lagimodiere Boulevard from the Kil-Cona area.

Retention Lake

Residents

3. Location of the lake does not provide ‘lakefront’ views for existing properties on Bonner.
4. Lack of green space around retention lake.

Administration

1. The Developer's plan shows a proposed 1.9 acre storm water retention basin designed to service his lands only. This is inconsistent with the City's Policy of constructing regional land drainage systems, with a minimum 5.0 acre lake size, to the mutual benefit of the City and the community at large.

RECOMMENDATION:

A. That, the application be laid over in order for the applicant time to work with the City of Winnipeg to generate a revised plan, and meet with the residents to discuss this revised plan.

Final

Yours truly,

C. Knoll
Manager of Planning and Land Use

_____

Per: John S. Wintrup, Planner
East Kildonan - Transcona Community
986-5102

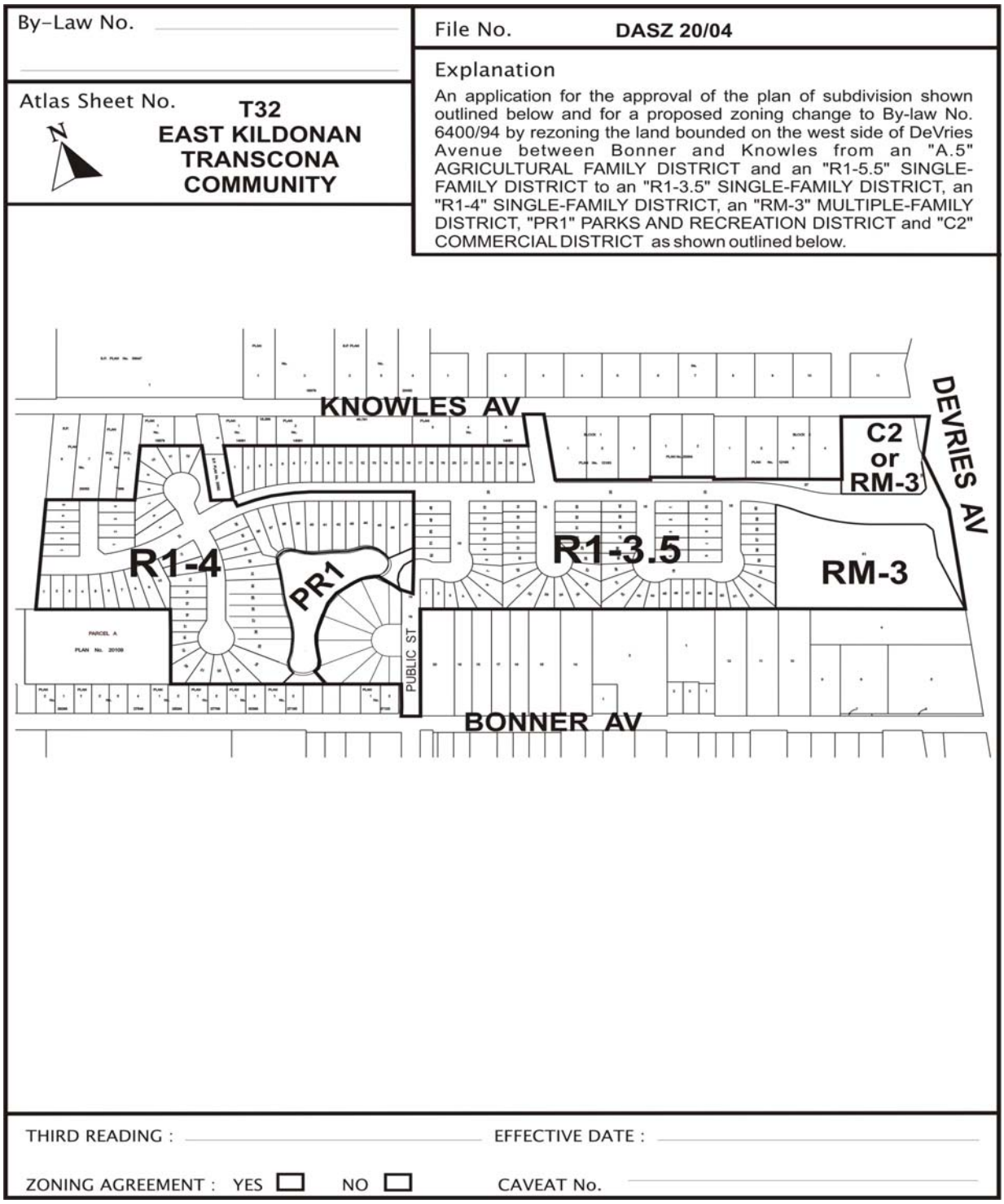


Figure 4: Schedule "A" to the report to the East Kildonan -Transcona Community Committee for File No. DASZ 20/04, dated October 01, 2004.

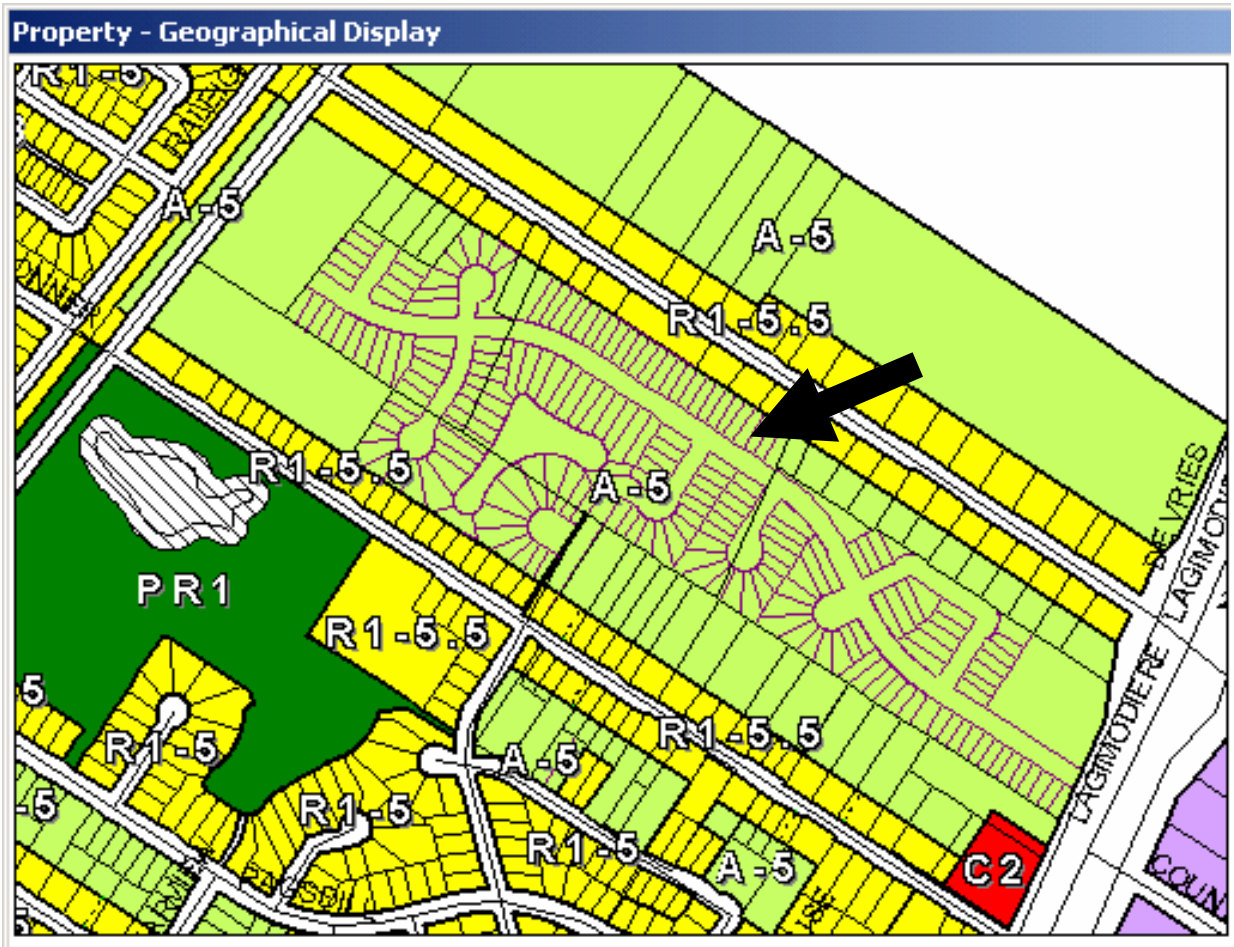


Figure 5: Existing Zoning for subject property and Surrounding Area.



Figure 6: Existing Land-Uses for subject property and Surrounding Area.

Exhibit "8" referred to in File DASZ 20/2004 [c/r DAV 134532/2004D]

Re: Proposed subdivision and rezoning on land located on the west side of DeVries Avenue between Knowles and Bonner Avenues – DASZ 20/04

The Developer's plan shows a proposed 1.9 acre stormwater retention basin designed to service his lands only. This is inconsistent with the City's Policy of constructing regional land drainage systems, with a minimum 5.0 acre lake size, to the mutual benefit of the City and the community at large.

In 1975 Council approved the report "Stormwater Management by use of Impoundments" which included engineering guidelines that impoundment systems be of the permanent lake type having not less than five (5) acres of water surface. In 1993 Council adopted a revised set of design standards to focus on weed and algae problems, and on April 25, 2001 Council adopted Criteria for Stormwater Management that would provide a flexible set of criteria to allow developers and their consultants to propose unique and innovative alternative stormwater management facilities. The design standards for stormwater retention basins adopted by Council on July 22, 1993 form part of the baseline requirements against which alternative proposals are evaluated.

1. It is recommended that the applicant amend his plan to make provision for a minimum 5.0 acre stormwater retention basin to service all the lands bounded by Gateway Road to the west, Bonner Avenue to the south, DeVries Avenue to the east and the North City Limit consistent with the City's regional land drainage plan for this area.

2. It is also recommended that the applicant amend the plan as follows:

   a) By establishing an 18.0m in width north-south street right-of-way connecting Knowles Avenue with the extension of Headmaster Row within 105m of DeVries Avenue to the satisfaction of the Director of Public Works. This is necessary since it is proposed that Knowles Avenue be severed from DeVries Avenue in conjunction with the implementation of this subdivision.
   b) The subdivision is to be designed to minimize the number of private approaches servicing single-family development off collector streets i.e. Headmaster Row and Mitchelson Way north of Headmaster Row.
   c) Headmaster Row at Lagimodiere Boulevard is to be aligned to be coincident with the property on the east side of Lagimodiere Boulevard which is to accommodate the proposed street on the east side of Lagimodiere Boulevard from the Kil-Cona area.

3. It is further recommended that the applicant provide a plan showing how his proposal will accommodate the development of the Bonner Avenue and Knowles Avenue back lands east of Mitchelson Way.

4. It is therefore recommended that DASZ 20/04 not be approved.

THIS REPORT SUBMITTED BY:
Administrative Coordinating Group
File No. AG 20/04
September 27, 2004
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EAST KILDONAN-TRANSCONA COMMUNITY COMMITTEE
September 27, 2004
AG 20/04 Page 3

"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
o in File DASZ 20/2004 [c/r DAV 134532/2004D, DAC 25/2004]