Agenda - Council - June 28, 2006

Report - Standing Policy Committee on Property and Development - June 6, 2006

Item No. 6 Subdivision and Rezoning - 210 St. Cross Street
File DASZ 10/2006 [c/r DAOC 2/2006]

STANDING COMMITTEE RECOMMENDATION:

On June 21, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submits the following to Council:

1. That the plan of subdivision proposed under File DASZ 10/2006 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File. DASZ 10/2006 dated May 4, 2006, for registration in the Winnipeg Land Titles Office.

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

3. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File. DASZ 10/2006 dated May 4, 2006, to a "PR2" Parks and Recreation District.

4. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

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

6. That the subdivision section of the by-law shall come into force and effect upon registration of the plan in the Winnipeg Land Titles Office.

7. That the zoning section of the by-law shall come into force and effect when the plan of subdivision has been registered in the Winnipeg Land Titles Office.

8. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

Report - Standing Policy Committee on Property and Development - June 6, 2006

9. 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.

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 - June 6, 2006

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 21, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 6, 2006, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 23, 2006, the Lord Selkirk-West Kildonan Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning - 210 St. Cross Street**
File DASZ 10/2006 [c/r DAV 129014/2006D]

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

Prepared by: **Diane Timmins, Clerk**
Lord Selkirk-West Kildonan Community Committee

Report date: **May 25, 2006**

COMMUNITY COMMITTEE RECOMMENDATION:

On May 23, 2006, the Lord Selkirk-West Kildonan 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 10/2006 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File. DASZ 10/2006 dated May 4, 2006, for registration in the Winnipeg Land Titles Office.

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

3. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File. DASZ 10/2006 dated May 4, 2006, to a "PR2" Parks and Recreation District.

4. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

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

6. That the subdivision section of the by-law shall come into force and effect upon registration of the plan in the Winnipeg Land Titles Office.

7. That the zoning section of the by-law shall come into force and effect when the plan of subdivision has been registered in the Winnipeg Land Titles Office.

8. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

9. That 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.

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 Lord Selkirk-West Kildonan Community Committee provided the following supporting reason for its recommendation:

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report from the Planning and Land Use Division dated May and in the report from the Administrative Coordinating Group dated May 4, 2006.

PUBLIC HEARING SUMMARY

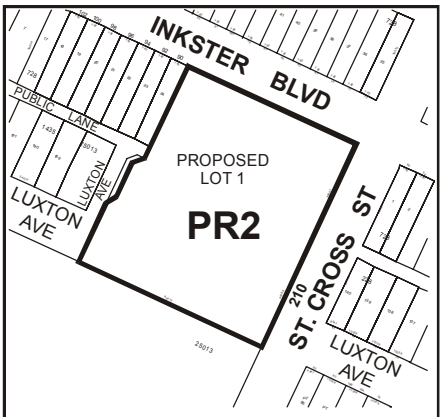
File: DASZ 10/2006 [c/r DAV 129014/2006D]

Before: Lord Selkirk-West Kildonan Community Committee
Councillor O'Shaughnessy, Chairperson
Councillor Lazarenko
Councillor Pagtakhan

Public Hearing: May 23, 2006
West Committee Room, Council Building
510 Main Street

Applicant: The City of Winnipeg (Ken McKim)

Subject:



LORD SELKIRK
WEST KILDONAN
COMMUNITY

APPLICANT : THE CITY OF WINNIPEG

FILE : DASZ 10/06

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 a "PR1" PARKS AND RECREATION DISTRICT and an "R2" RESIDENTIAL DISTRICT to a "PR2" PARKS AND RECREATION DISTRICT. **For information, phone Mr. M. Robinson, Planner at 986-3213.**

Premises Affected: 210 St. Cross Street

Exhibits Filed:

1. Application dated April 27, 2006
2. Notification of Public Hearing dated April 28, 2006
3. Certificate of Title 547292
4. Title Search(s) 1165308, 1360370, 1374652, 1374593, 1425547, 1764221, 1867440, 1894059, 1918001, 2032546, 2051902, 2101788
5. Plans (4 pages)
6. Site Plans (3 pages)
7. Report from the Planning and Land Use Division dated May 4, 2006
8. Inspection Report

REPRESENTATIONS:

In Support:

Judy Burns
Carolyn Derochielotz
Fred Heapley
Ken McKim
Aurelia Mogan

In Opposition:

Nil

For Information:

Jenny Somers
Johnny Pchajek
Teresa Stanger

For the City:

Mr. M. Robinson, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Ken McKim, Project Coordinator of the Building Communities Initiative, with the Planning, Property and Development Department, appeared in support of the application. He advised

Committee he was acting on behalf of the applicant, The City of Winnipeg, the Luxton Community Centre's Board and the residents of the neighbourhood. He stated the application was essentially for the expansion and enhancement of green space for the Community Centre. Mr. McKim indicated concurrence in the recommendations outlined in the report of the Planning and Land Use Division dated May 4, 2006 and gave an overview of the application as well as background information leading to the subject application. He stated the lane closure will address safety concerns by eliminating vehicular traffic in the area inasmuch as pedestrians will use the closed lane as a means of accessing the Community Centre and Luxton School. With approval of the application, the present hockey pen will be relocated from its existing location, which now conflicts with and overlaps the baseball diamond and soccer pitch, and will allow the complete redevelopment of the soccer field site. Mr. McKim also advised Committee that residents from St. Cross Street to Main Street were canvassed and that 90% of the residents supported the lane closure for the redevelopment of the Community Centre, as proposed. He also stated that the Luxton Community Centre's Board distributed leaflets to the area residents to advise them of the public hearings before Community Committee this evening. In answer to Committee's question, Mr. McKim responded he was not aware of any concerns of the residents first-hand. He also responded that the proposed lane widening to the west of the Community Centre will satisfy the requirements for Fire, Paramedic and Water and Waste in providing a larger turning radius for larger vehicles.

Jenny Somers, together with Johnny Pchajek and Teresa Stanger, indicated they were originally registered in opposition, but given that they just had their questions answered and their concern relative to the ability of fire trucks to get through addressed, they were withdrawing their opposition and wished to be registered for information only.

Exhibit "7" referred to in File DASZ 10/2006 [c/r DAV 129014/2006D]

Planning, Property and Development Department Report

To the Lord Selkirk-West Kildonan Community Committee

Date: **May 4, 2006**
File: **DASZ 10/06**
Related Files: **DAV 06-129014D**
Subject: **Application to subdivide and rezone lands from "R2" Two-Family Residential District and "PR1" Parks and Recreation District to "PR2" Parks and Recreation District to facilitate the expansion of a community centre.**

Location: **The southwest corner of St.Cross Street and Inkster Boulevard**



Applicant: **City of Winnipeg – Ken McKim**
Owner: **City of Winnipeg**

Recommendation: **Approval**

Report Summary:

- **The City of Winnipeg is requesting a consolidation and rezoning of the subject lands in order to proceed with Phase Two of the Luxton Community Centre field expansion, which involves construction of an outdoor hockey rink.**
- **There is a concurrent application to close a portion of the public lane between the subject properties (DAOC 2/2006) to facilitate the consolidation of lands**
- **The funding for this project was identified and priorized by area residents through a neighbourhood strategic planning process.**
- **The City worked collaboratively with the Board of the Luxton Community Centre to develop the plans for this facility**

Site Description

The subject property, which is currently zoned "PR1" Parks and Recreation District and "R2" Two-Family Residential District, is located at the intersection of Inkster Boulevard and St. Cross Street, in the Luxton neighbourhood of the Mynarski Ward.

North: Residences zoned "R2" Two-Family Residential District
South: Luxton School, zoned "PR1" Parks and Recreation District
East: Residences zoned "R2" Two-Family Residential
West: Residences zoned "R2" Two-Family Residential

Background

On April 6, 2000 the Standing Policy Committee on Property and Development concurred in the recommendations of the Lord Selkirk-West Kildonan Community Committtee that Phase Two of the Luxton Community Centre field expansion consisting of 90,88,86.5, and 86 Inkster Boulevard, be proceeded with subject to the identification of funding.

Further to that, as part of a neighborhood strategic planning process that took place in 2002, the need for an outdoor skating rink was recognized by area residents. Funding for this project was identified and prioritized as part of the plan and subsequently, the Administration has taken steps to facilitate the construction of this project.

Description of the Proposed Development

The City of Winnipeg is requesting a consolidation and rezoning of the subject lands in order to proceed with Phase Two of the Luxton Community Centre field expansion, which involves construction of an outdoor hockey rink. As part of the land consolidation, the City is requesting that a portion of the public lane between the subject lands be closed. (DAOC 2/2006).

In light of the fact that the "PR2" District is characterized by parks and community centres with more active recreational uses, "PR2" has been identified as the most appropriate zoning district for these lands.

Analysis

The proposed expansion of the Community Centre will provide overall benefit to the area by offering more recreational opportunities within the community. The desire to improve the range

of activities offered at the Luxton Community Centre and the enhancement of recreational opportunities in the community were identified as key priorities in the 2002 neighbourhood strategic planning process.

Plan Winnipeg
The subject lands are in a Neighbourhood Policy Area, which is intended to include a residential mix together with a variety of educational, recreational, institutional, commercial and possibly industrial uses, at a scale and density compatible with each other. Thus, the proposed rezoning conforms with Plan Winnipeg.

Compatibility with existing neighbourhood and surrounding uses
The community centre has been a part of the neighbourhood for many years. The incremental expansion of the facility to the north, while creating some additional parking pressure on the streets and some general noise, must be weighed against the value of the investment of the community and the benefit of enhanced recreational opportunities for residents of the neighbourhood. Everything that can be done to mitigate the impact of lighting and noise on adjacent residents was considered during the planning process and has been incorporated into the plans.

Site Plan
Noise
Noise will be mitigated via the planting of coniferous trees along the north property line. Additionally, the players' boxes will be located on the north (Inkster) side of the hockey pen in order to direct sound southwards, away from the residences

Lighting
Lighting for the rink is intended to shine directly on the ice surface, with the topography of the hockey pen at or marginally higher than the street elevation.

Parking
Observation and experience would seem to indicate that the overwhelming number of participant families at the community centre appear to walk to the site given its immediate proximity to their residences. However, future parking and an extension of the lane through to Inkster Blvd, if necessary, could be achieved through the acquisition of 1-2 additional properties.

Recommendation

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

- **This project was identified and prioritized by area residents through a neighbourhood strategic planning process.**
- **The proposed expansion of the Community Centre will provide overall benefit to the area by offering more recreational opportunities within the community.**
- **The consolidation and rezoning will allow for an orderly expansion of the existing Community Centre**
- **The Luxton neighbourhood is in a deficit situation with regards to open space**

- **Measures have been taken to mitigate the impact of lighting and noise on adjacent residents**

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division
Report Prepared by: Michael Robinson, AICP
PPD File #

Recommended Conditions of Approval

I. That the plan of subdivision proposed under File No. DASZ 10/06 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 10/06, attached hereto and dated May 4, 2006, for registration in the Winnipeg Land Titles Office.

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

III 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 10/06, attached hereto and dated May 4, 2006, to a "PR2" Parks and Recreation District.

IV. 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.

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

VI. That the subdivision section of the by-law shall come into force and effect upon registration of the plan in the Winnipeg Land Titles Office.

VII. 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.

VIII. 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.

IX. 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.

X. 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.

Schedule "A"

By-Law No. _____

File No. **DASZ 10/06**

Atlas Sheet No. **W26**

N

LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land located at 210 St. Cross Street from a "PR1" PARKS AND RECREATION DISTRICT and an "R2" RESIDENTIAL DISTRICT to a "PR2" PARKS AND RECREATION DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____



Figure 1: Aerial Photo (Flown in 2005)