REPORT OF THE FORMER COMMITTEE

ON PLANNING AND COMMUNITY SERVICES

DATED MAY 11, 1992

On motion of Councillor O'Shaughnessy, the Report of the former Committee on Planning and Community Services, dated May 11, 1992, was considered.

Subdivision and Rezoning of land bounded by the Perimeter Highway on the west, Charleswood Road on the east, the abandoned CNR Cabot Subdivision (Ridgewood Corridor) on the north and the CNR Mainline/Wilkes Avenue on the south - Assiniboine Park-Fort Garry Community
File DASZ 7/91

971 - 6. Your Committee on Planning and Community Services has been advised that an application has been received from Thompson, Dorfman, Sweatman, Barristers and Solicitors, 2200 - 201 Portage Avenue, Winnipeg, on behalf of Novamet Development Corporation for the approval of a plan of subdivision and related zoning changes to Zoning By-law No. 1800 by rezoning the subject lands from an "A" General Agricultural District to a "PR" Parks and Recreational District, an "R1-4" Single-Family District and an "R1-5" Single-Family District for a residential development consisting of approximately 550 single-family dwelling units, with 15.3 acres devoted to park space and a 6.4 acre stormwater retention pond.

The application area spans approximately 168 acres. The proposed zoning categories are "PR" Parks and Recreational District, "R1-4" Single-Family District, and "R1-5" Single-Family District. The revised plan under consideration (Proposal "B", Schedule "B") indicates traffic access from Dale Boulevard, Cullen Drive and the South Charleswood Parkway on the north, Wilkes Avenue on the south, and Charleswood Road on the east via Cardiff Avenue and a new east-west collector south of Cardiff Avenue.

Traffic signals are proposed at the intersections of the collector extensions of Dale Boulevard and Cullen Drive with the South Charleswood Parkway, and Wilkes Avenue with the extension of Cullen Drive to Wilkes Avenue. In terms of rail crossings, it is proposed that the new north-south collector replace Charleswood Road which would terminate in a cul-de-sac at the north limit of the tracks. Rail line crossing protection in the form of signals and gates would be provided.

The single-family residential zoning categories are as follows:

District	Minimum Lot Area (sq. ft.)	Minimum Lot Width (Feet)
R1-4	4,000	40
R1-5	5,000	50

The development will generate approximately 128 "R1-4" lots and 422 "R1-5" lots, for a total of 550 building lots. This is about 150 dwelling units less than the previous plan considered for these lands under File DASZ 21/85, which generated approximately 700 single-family and multi-family units.

Land use changes from earlier plans include the elimination of the commercial and multi-family residential sites, and the elementary school site. Students from the development will attend existing schools in Charleswood, some of which are experiencing declining enrollments.

The plan indicates a suggested concept for the single-family development of the private lands on the west side of Charleswood Road. It is proposed that Parks and Recreation lands acquired through dedication from this area combine with the parkland from the application area to form a centrally located 10 acre park to service the entire neighbourhood. Other open space includes passive recreation areas at the ends of the retention lake bays and lands to the north of the South Charleswood Parkway which will act as a buffer for the Westdale neighbourhood. Ultimately, it is intended for a park to be developed on these lands in conjunction with a prospective bike path located along the north side of the parkway.

Report of the Committee on Planning and Community Services dated May 11, 1992

This application was initially heard at the January 20, 1992 Assiniboine Park-Fort Garry Community Committee meeting, and was laid over for 6 weeks to permit a redesign of the subdivision as originally advertised (Proposal "A", Schedule "A") to enable the southerly extension of Dale Boulevard into the development area. Now, two inter-neighbourhood collectors, Cullen Drive and Dale Boulevard, provide direct access to the subdivision from the north.

The effect of the above redesign has been to de-emphasize the South Charleswood Parkway as a major intercity transportation route by eliminating the proposed interchange at the Perimeter Highway.

Under the revised plan, the South Charleswood Parkway is connected to the Perimeter Highway with a northbound ramp only. This will provide morning peak-hour traffic relief for the Dale Boulevard and Cullen Drive involving traffic heading across the river to Portage Avenue and beyond. It is not presently known whether the Provincial Department of Highways will support this limited connection. The Highways Department was initially opposed to any kind of Parkway/Perimeter connection due to the proximity of the Wilkes Avenue and Roblin Boulevard interchanges. The Streets and Transportation Department (in their report dated February 21, 1991 as shown on Appendix "A") is on record as opposing the revised plan.

In all other respects, the design alternatives are essentially the same. The (Proposal "B") alternative does yield more housing on account of the reduced right-of-way necessary for the South Charleswood Parkway. Overall, the redesign results in an improved development layout which is better integrated with the existing Westdale neighbourhood whose schools and recreational and shopping facilities will be accessed by the new residents of Charleswood Park.

Urban development of the application area is supportable for the following reasons:

1. the lands are designated by Plan Winnipeg for suburban residential development;

2. the type of development proposed is entirely appropriate for lands and a long anticipated extension of the Westdale neighbourhood to the north;

3. the full range of municipal water, wastewater and land drainage services is available and sized to accommodate the development area, as installed by the Developers of Westdale and reflected in the value of the subject land;

4. traffic analyses undertaken by two engineering firms demonstrate that the existing Charleswood street system is just capable of accommodating traffic generated by 150 residential units prior to any extensive improvement in the regional road system;

5. as it is Council policy that new development in Charleswood entirely finance what have historically been regarded as City-wide transportation improvements, it is only logical that (revenue generating) development must precede such improvements;

6. in terms of capital costs the subject development is largely self-financing. The total development represents a private investment of well over fifteen million dollars. In addition to property tax revenue, the development will directly contribute two and a half million dollars for regional transportation improvements in Charleswood.

The initial Public Meeting was held before the Assiniboine Park-Fort Garry Community Committee on January 20, 1992 at which time Proposal "A" (Schedule "A") was reviewed.

The following persons appeared and/or registered in support of Proposal "A" (Schedule "A") on January 20, 1992:

Mr. R. A. L. Nugent, Thompson, Dorfman, Sweatman, 2200 - 201 Portage Avenue, Winnipeg, R3B 1Z9,
Mr. E. Dolhun, Novamet Development Corporation, 2070 - 360 Main Street, Winnipeg, R3C 3Z3,
Richard Tebinka, 111 - 93 Lombard Avenue, Winnipeg, R3B 3B1,
Mark A. Olson, 19 Optimist Way, Winnipeg, R2Y 2J5.

Report of the Committee on Planning and Community Services dated May 11, 1992

The following persons appeared and/or registered in opposition to Proposal "A" (Schedule "A"):

Richard A. F. Perry, 104 Bergman Crescent, Winnipeg, R3R 1Z7,
Dennis and Marilyn Schultz, 263 Cullen Drive, Winnipeg, R3R 1X4,
Chris Garner, 237 Cullen Drive, Winnipeg, R3R 1X4,
Pat Hurley, 202 Cullen Drive, Winnipeg, R3R 1P6,
Christopher Woo, 255 Cullen Drive, Winnipeg, R3R 1X4,
Tom Antonick, 210 Cullen Drive, Winnipeg, R3R 1P6,
M. Gail Wegert, 203 Cullen Drive, Winnipeg, R3R 1P5,
Hugh O'Hare, 267 Cullen Drive, Winnipeg, R3R 1X4,
Susan Gribben, 338 Thurso Street, Winnipeg, R3M 3C9,
Cheryl Knott, 90 Bergman Crescent, Winnipeg, R3R 1Z7,
Marcel Bertrand, 62 Bergman Crescent, Winnipeg, R3R 1Z7,
Walter and Donna Kennington, 283 Cullen Drive, Winnipeg, R3R 1X4,
James Hammel, 82 Bergman Crescent, Winnipeg, R3R 1Z7.

The following persons appeared for information purposes only for Proposal "A" (Schedule "A"):

Jim Fosh, 6P - 300 Roslyn Road, Winnipeg, R3L 0H4,
Annette Schiller, 1070 Charleswood Road, Winnipeg, R3S 1A2,
Rick Rosendahl, 1046 Charleswood Road, Winnipeg, R3S 1A2,
Leland Borschawa, 58 Braewood Place, Winnipeg, R3R 2T1,
D. Matkovich, 10 Braewood Place, Winnipeg, R3R 2T1,
Sharon Laggo, 947 Dale Boulevard, Winnipeg, R3R 2R1,
Len Van Roon, 1018 Charleswood Road, Winnipeg, R3S 1A2.

The revised Plan Proposal "B" (Schedule "B") was advertised and held before the Assiniboine Park-Fort Garry Community Committee on March 2, 1992 at which time this new proposal was reviewed.

The following persons appeared and/or registered in support of Proposal "B" (Schedule "B"), on March 2, 1992:

Ross A. L. Nugent, Thompson, Dorfman, Sweatman, 2200 - 201 Portage Avenue, Winnipeg, R3B 1Z9,
W. John Rae, Novamet Development Corporation, 2070 - 360 Main Street, Winnipeg, R3C 3Z3,
Hugh O'Hare, 267 Cullen Drive, Winnipeg, R3R 1X4,
Mark Olson, 19 Optimist Way, Winnipeg, R2Y 2J5,
Chris Garner, 237 Cullen Drive, Winnipeg, R3R 1X4,
Dennis Schultz, 263 Cullen Drive, Winnipeg, R3R 1X4,
M. Gail Wegert, 203 Cullen Drive, Winnipeg, R3R 1P5,
Tom Antonick, 210 Cullen Drive, Winnipeg, R3R 1P6,
Tim Milne, 78 Bergman Crescent, Winnipeg, R3R 1Z7,
Richard Tebinka, DS Lea Consultants, 111 - 93 Lombard Avenue, Winnipeg, R3B 3B1,
Peter Washchyshyn, DS Lea Consultants, 111 - 93 Lombard Avenue, Winnipeg, R3B 3B1,
Bill Kotar, 238 Cullen Drive, Winnipeg, R3R 1X5,
Mike Seavers, 1074 Charleswood Road, Winnipeg, R3S 1A2.

The following persons appeared and/or registered in opposition to Proposal "B" (Schedule "B"):

D. K. Wild, 987 Charleswood Road, Winnipeg, R3S 1A1,
Murray Hiebert, 1115 Charleswood Road, Winnipeg, R3S 1A1,
Robert A. Ruiters, 932 Dale Boulevard, Winnipeg, R3R 2H9,
Chris Woo, 255 Cullen Drive, Winnipeg, R3R 1X4,
Gordon E. Campbell, 927 Dale Boulevard, Winnipeg, R3R 2H7,
Scott R. Willems, 915 Dale Boulevard, Winnipeg, R3R 2H7.

The following persons appeared and/or registered for information purposes only on Proposal "B" (Schedule "B"):

Jim Fosh, 6P - 300 Roslyn Road, Winnipeg, R3L 0H4,
Marc Tremblay, 926 Dale Boulevard, Winnipeg, R3R 2H9,
James Hammel, 82 Bergman Crescent, Winnipeg, R3R 1Z7,
J. P. Krecsy, 130 Shepton Bay, Winnipeg, R3R 2E9.

Report of the Committee on Planning and Community Services dated May 11, 1992

Upon conclusion of public representations the Assiniboine Park-Fort Garry Community Committee recommended that the proposed subdivision/rezoning application (Proposal "B", Schedule "B") be approved for the following reasons:

1. This property is within the Urban Limit Line.

2. The subdivision outlined under Proposal "B" is an appropriate development for the area.

3. Residents from the surrounding area have expressed support for the development.

4. The subdivision will provide an expanded tax base for the City and will also create jobs in the City.

Your Committee on Planning and Community Services concurs with the recommendations of the Assiniboine Park-Fort Garry Community Committee and recommends:

I. That the Plan of Subdivision proposed under File No. DASZ 7/91 be approved for preparation as a Plan of Subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" dated April 29, 1992, for registration in the Winnipeg Land Titles Office subject to:

   A. The plan being amended by the Developer as follows:

      1. Right-of-way for the South Charleswood Parkway from Dale Boulevard to the east limit of the proposed subdivision shall be established with a minimum width of 55.0 metres; 60.0 metres if a bicycle path is to be included with the proposed right-of-way.

      2. Right-of-way for the right turn on-ramp to the Perimeter Highway from Dale Boulevard west shall be established with a minimum width of 37.0 metres.

      3. The proposed right turn on-ramp to the Perimeter Highway shall have a minimum centreline radius of 170 metres.

      4. The Developer shall provide property for right-of-way corner cuts at the intersections of Dale Boulevard and Cullen Drive with the South Charleswood Parkway, as determined by and to the satisfaction of the Commissioner of Works and Operations.

      5. The extension of Cullen Drive requires a 32.0 metre right-of-way containing 4-lane divided roadways with transition sections between the South Charleswood Parkway and Cardiff Avenue and between Dale Boulevard and Wilkes Avenue, and a 10 metre wide pavement between Cardiff Avenue and Dale Boulevard.

      6. The most northerly east-west street east of the proposed extension of Cullen Drive shall be established as a standard 22.0 metre wide local collector street to contain a 10 metre wide and 200 millimeter thick pavement.

      7. The Developer shall provide property for right-of-way corner cuts where and as determined by the Commissioner of Works and Operations.

      8. Streets with rights-of-way measuring 22.0 metres in width shall have a minimum centre line radius of 170 metres at curves in their alignment. Adjacent curves are to be separated by tangent sections with a minimum length of 60.0 metres.

      9. Intersections of local street within the Planned Area shall be designed such that the angle of intersection is no less than 70 degrees as measured in the quadrant with the acute angle.

      10. Right-of-way being established to accommodate frontage roads along collector streets shall be designed to the satisfaction of the Commissioner of Works and Operations.

      11. Street right-of-way shall be widened by 2 metres where required to accommodate land drainage sewers of a diameter greater than 525 millimeters.

Report of the Committee on Planning and Community Services dated May 11, 1992

B. There shall be no private approaches serving development off Dale Boulevard and Cullen Drive except where frontage roads are provided, or off the South Charleswood Parkway.

C. The applicant entering into a Development Agreement with the City containing therein all the conditions outlined in Schedule "C" of the Administrative Co-ordinating Group dated February 17, 1992, subject to the following amendments:

1. Delete the second paragraph on page 3 of the report of the Administrative Co-ordinating Group, dated February 17, 1992 and replace with the following:

   "Construction of Phase I of the subdivision shall be contingent on the City constructing the South Charleswood Parkway between the Perimeter Highway and Charleswood Road utilizing funds accrued through assessment of the Charleswood Transportation Levy. Phase I of the subdivision shall be limited to 150 lots until the South Charleswood Parkway has been completed east of Charleswood Road. As Part of Phase I the Developer shall undertake the following works:

   a) Cause Charleswood Road to be closed from the CNR-Rivers Subdivision to Wilkes Avenue;

   b) Remove the CNR Rivers Subdivision/Charleswood Road crossing;

   c) Construct Cullen Drive to Wilkes Avenue;

   d) Construct Dale Boulevard between Cullen Drive and Charleswood Road;

   e) Construct Dale Boulevard from the existing pavement in Westdale south as required into the subdivision."

2. Amend Development Agreement provision 9.b) to read as follows:

   "9.b) The Developer shall install pavement, interlocking paving stones or sod in all median dividers and frontage road medians and interlocking stone in all cul-de-sac islands, as determined by and to the satisfaction of the General Manager of Parks and Recreation and the Commissioner of Works and Operations."

3. Amend Development Agreement provision 12. by deleting in the second and third line the words "as determined by the Committee on Finance and Administration".

4. Delete Development Agreement provision 13. in its entirety.

5. Amend Development Agreement provision 14. a) ii) to read as follows:

   "14. a) ii) On the south side of the South Charleswood Parkway from Dale Boulevard to the east limit of the proposed subdivision. The cost of this sidewalk shall be credited against the Developer's share of the Charleswood Transportation Levy;".

6. Amend Development Agreement provision 16. by changing the second sentence as follows: "The Developer's share of the cost of traffic control signals at Dale Boulevard shall be determined on a proportionate area basis for the area bounded by the South Charleswood Parkway on the north, the Perimeter Highway on the west, Wilkes Avenue on the south and the Charleswood Road frontages on the east. The cost of traffic control signals at Cullen Drive shall be credited against the Developer's share of the Charleswood Transportation Levy."

7. Amend Development Agreement provision 18. a) by adding at the end of the sentence the following: "Unless the cost of these works has already been paid by way of local improvement assessments or otherwise."

Report of the Committee on Planning and Community Services dated May 11, 1992

8. Amend Development Agreement provision 19. a) by adding in the first line, after the words $5,000/km/annum "for 2 years beginning with the first year of construction".

9. Amend Development Agreement provision 23. a) by deleting in the first line the words "endeavour to".

10. Amend Development Agreement by adding a new provision 23. g) as follows:

"23. g) The Developer shall, at no expense to the City, install full right-of-way width barricades at the south terminus of the existing pavements on Dale Boulevard and Cullen Drive prior to the start of any construction. The barricades all include all necessary signing and shall remain in place until house building is substantially complete as determined by the Commissioner of Works and Operations."

II. That the Director of Planning and the Director of Land Surveys and Real Estate be authorized to certify any documents in connection herewith.

III. That the City Solicitor be requested to prepare the necessary subdivision by-law upon submission by the applicant of a sworn Plan of Subdivision in accordance with Recommendation I. above.

IV. That Zoning By-law No. 1800 be amended as follows:

A. By rezoning the subject lands as shown on Schedule "B" for File No. DASZ 7/91 dated April 29, 1992, to a "PR" Parks and Recreational District, "R1-4" Single-Family Residential District, and a "R1-5" Single-Family Residential District, and;

B. By adding thereto the following special yards:

1. For lots backing onto the Perimeter Highway, a minimum rear yard to principal dwelling of 38.0 metres/125 feet.

2. For lots backing onto the CN Mainline, a minimum rear yard to principal dwelling of 48.0 metres/157 feet.

3. For lots adjoining the stormwater retention lake, the following rear yard setbacks:

a. minimum 25.9 metres/85 feet to any principal building;

b. minimum 19.8 metres/65 feet to any detached accessory building;

c. minimum 12.8 metres/42 feet to any temporary structure or swimming pool.

4. For all "R1-4" lots, a minimum front yard of 4.6 metres/15 feet. For all "R1-5" lots, a minimum front yard of 6.1 metres/20 feet.

C. That the applicant enter into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to provide for the following:

1. That caveats be registered against the titles of lots abutting the CNR Rivers Subdivision advising the owners that their property is adjacent to the Mainline of the CNR Railway.

V. That the City Solicitor be requested to prepare the necessary Rezoning By-law in accordance with the above.

VI. That the Subdivision/Rezoning(s) By-law shall become effective when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and the Development Agreement has been executed, except that the rezoning of the lands affected by the Zoning Agreement shall not come into force and effect until the Zoning Agreement has been filed by caveat as a first charge at the Winnipeg Land Titles office against said lands.

VII. That the Proper Officers of the City be authorized to execute all necessary agreements.

Report of the Committee on Planning and Community Services dated May 11, 1992

VIII. That, in the event this application is not proceeded with expeditiously and the by-law is not enacted within 60 months after the adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

IX. That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Council on November 25, 1992 granted an extension of time for consideration of the subject matter.

Council on December 15, 1993, granted the Executive Policy Committee an extension of time of 120 days to deal with the subject matter.

On October 5, 1994, the Executive Policy Committee referred the matter back to the Committee on Planning and Community Services, whereupon the matter was laid over until the September 5, 1995 meeting of the Committee on Planning and Community Services, or until such time as TransPlan 2010 was to be adopted by Council.

On January 28, 1998, Council granted a further extension of time of 60 days inasmuch as it was anticipated that TransPlan 2010 would be completed in the near future.

On March 25, 1998, Council granted a further extension of time of 90 days, inasmuch as TransPlan 2010 was nearing completion.

On June 24, 1998, Council granted a further extension of time of 180 days for consideration of this matter.

On July 7, 1998 the Standing Policy Committee on Public Works considered the matter and recommended that Proposal "B" be adopted, as recommended by the former Assiniboine Park-Fort Gary Community Committee and the former Committee on Planning and Community Services.

For the information of Council the Executive Policy Committee has concurred in the recommendation of the Standing Policy Committee on Public Works.

Copy of attachments referred to in the above clause are on file in the office of the City Clerk.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

The Speaker called Deputy Mayor Eadie to the Chair in order to participate in the debate.

The motion for the adoption of the clause was put and declared carried.

The Speaker here resumed the Chair.