Minute No. 255
Report - Standing Policy Committee on Property and Development - January 30, 2007

Item No. 5 Subdivision and Rezoning - 1000 Pandora Avenue West
File DASZ 39/2006

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 proposed under File DASZ 39/2006 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with revised Schedule "B" for File DASZ 39/2006 dated January 15, 2007, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated December 20, 2006, with the following amendments:

        i. That the final sentence in the first paragraph be deleted in its entirety.

        ii. That the first sentence in the second paragraph be amended as follows, namely:

            "It is recommended that approval of the plan with a secondary street access to Hatcher Road be subject to the Developer entering into a Development Agreement".

        iii. That Recommendation 9 be amended by adding the following words after the words "walkway connection south thereof" and before the words "as determined by and to", namely:

            "and then southerly on the east side of the main road from the walkway through to Hatcher Road following the curvature of the design of the new road."

        iv. That Recommendation 12 be deleted and replaced with the following, namely:

Report - Standing Policy Committee on Property and Development - January 30, 2007

COUNCIL DECISION (continued):

"12. That the Developer shall ensure that one paved vehicular access is available at all times through the development of the proposed subdivision, and that after twenty-four (24) months, a total of two (2) paved vehicular accesses of concrete construction be available at all times to the satisfaction of the Director of Public Works."

v. That Recommendation 16.C. be added as follows, namely:

"16.c) That the Developer shall asphalt the walkway that exists between Hatcher Road through the open space zoned "PR-1" to Ranchgrove Bay and Cedargrove Crescent.

vi. That Recommendation 16.D. be added as follows, namely:

"16.d) That the Developer shall install two (2) ornamental lights, one in the existing Cedargrove / Ranchgrove open space at the junction of the two paths, and the second ornamental light in the existing walkway at the rear property line of 142 Hatcher Road."

vii. That Recommendation 16.E. be added as follows, namely:

"16.e) That the Developer shall provide drainage and sod both parks ie) the open space lands along the CNR Redditt railway tracks referred to in Misc. Plan 13055/1 as not being used for the secondary road, and the Cedargrove / Ranchgrove open space lands zoned "PR-1".

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

3. That the City-owned property shown in broken outline and identified as "Subject City Property to be Opened" on Misc. Plan No. 13055/1 be declared surplus to the City's needs.

4. That the Director of Planning, Property and Development be authorized to negotiate and approve the sale of the "Subject City Property to be Opened", as shown in broken outline on Misc. Plan No. 13055/1, to the applicant on terms and conditions satisfactory to the Director of Planning, Property and Development and the City Solicitor/Manager of Legal Services in order to protect the interests of the City and to achieve the intent of the Standing Policy Committee on Property and Development.

Report - Standing Policy Committee on Property and Development - January 30, 2007

COUNCIL DECISION (continued):

5. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on revised Schedule "B" for File DASZ 39/2006 dated January 15, 2007, to a "R1-3.5" Single Family Residential District and "PR1" Parks and Recreation District subject to the applicant entering into a zoning agreement pursuant to the following:

   A. That the Developer shall erect a uniform wood fence (2 metres in height) abutting the lands zoned "PR1" Parks and Recreation District to the satisfaction of the Director of Planning, Property and Development. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Planning, Property and Development.

   B. That the Developer shall erect a uniform wood fence (2 metres in height) abutting Pandora Avenue, and the CNR Reditt Subdivision to the satisfaction of the Director of Planning, Property and Development. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Planning, Property and Development.

   C. That site plans showing the Hatcher Road connection shall be submitted to the East Kildonan-Transcona Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit and thereafter to be maintained to the satisfaction of the Director of Planning, Property and Development.

6. 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.

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

8. 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.

Report - Standing Policy Committee on Property and Development - January 30, 2007

COUNCIL DECISION (continued):

9. 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.

10. 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.

11. 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.

12. 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 - January 30, 2007

DECISION MAKING HISTORY:

Moved by Councillor Swandel,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 14, 2007, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 30, 2007, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 15, 2007, the East Kildonan-Transcona Community Committee concurred in the administrative recommendation with the following amendments, namely:

Report of the Administrative Coordinating Group

- That the final sentence in the first paragraph be deleted in its entirety, namely:

  "It is also recommended that the Developer provide an 18m right-of-way on the east side of the proposed north-south street at a location to the satisfaction of the Director of Planning, Property and Development to accommodate the future development of the 2 privately-owned properties to the east."

- That the first sentence in the second paragraph be amended by deleting the word "either" before the word "Hatcher", and by deleting the words "or Cedargrove Crescent" after the words "Hatcher Road".

Report - Standing Policy Committee on Property and Development - January 30, 2007

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

- That Recommendation 9 be amended by adding the following words after the words "walkway connection south thereof" and before the words "as determined by and to", namely:

  "and than southerly on the east side of the main road from the walkway through to Hatcher Road following the curvature of the design of the new road."

- That Recommendation 12 be deleted and replaced with the following, namely:

  "12. That the Developer shall ensure that one paved vehicular access is available at all times through the development of the proposed subdivision, and that after 24 months, a total of two paved vehicular accesses of concrete construction be available at all times to the satisfaction of the Director of Public Works."

- That Recommendation 16.C. be added as follows, namely:

  "16.c) That the Developer shall asphalt the walkway that exists between Hatcher Road through the open space zoned "PR-1" to Ranchgrove Bay and Cedargrove Crescent.

- That Recommendation 16.D. be added as follows, namely:

  "16.d) That the Developer shall install two ornamental lights, one in the existing Cedargrove / Ranchgrove open space at the junction of the two paths, and the second ornamental light in the existing walkway at the rear property line of 142 Hatcher Road."

- That Recommendation 16.E. be added as follows, namely:

  "16.e) That the Developer shall provide drainage and sod both parks ie) the open space lands along the CNR Redditt railway tracks referred to in Misc. Plan 13055/1 as not being used for the secondary road, and the Cedargrove / Ranchgrove open space lands zoned "PR-1".

Report - Standing Policy Committee on Property and Development - January 30, 2007

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

Report from the Planning and Land Use Division

- That Recommendation 1 be amended by adding the word "revised" in front of the words "Schedule B" and change the date of the Schedule to "January 15, 2007".

- That Recommendation 3 be amended by changing the Misc. Plan No. to "13055/1".

- That Recommendation 4 be amended by changing the Misc. Plan No. to "13055/1".

- That Recommendation 5 be amended by substituting the words "Schedule A" with the words "revised Schedule B" and change the date of the Schedule to "January 15, 2007".

- That Recommendation 5.C. be added as follows, namely:

    "5.C. That site plans showing the Hatcher Road connection shall be submitted to the East Kildonan-Transcona Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit; and thereafter to be maintained to the satisfaction of the Director of Planning, Property and Development."

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

RE: **Subdivision and Rezoning - 1000 Pandora Avenue West**
File DASZ 39/2006

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

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

Report date: **January 24, 2007**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 15, 2007, the East Kildonan-Transcona Community Committee concurred in the administrative recommendation, as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 39/2006 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with ***revised*** Schedule "B" for File DASZ 39/2006 dated ~~***January 9, 2007***~~ ***January 15, 2007***, for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated December 20, 2006, ***with the following amendments***:

      i. That the final sentence in the first paragraph be deleted in its entirety, namely:

      ~~***"It is also recommended that the Developer provide an 18m right-of-way on the east side of the proposed north-south street at a location to the satisfaction of the Director of Planning, Property and Development to accommodate the future development of the 2 privately-owned properties to the east."***~~

      ii. That the first sentence in the second paragraph be amended as follows, namely:

      "It is recommended that approval of the plan with a secondary street access to ~~***either***~~ ***Hatcher Road*** ~~***or Cedgargrove Crescent***~~ ***be subject to the Developer entering into a Development Agreement".***

iii. That Recommendation 9 be amended by adding the following words after the words "walkway connection south thereof" and before the words "as determined by and to", namely:

"and than southerly on the east side of the main road from the walkway through to Hatcher Road following the curvature of the design of the new road."

iv. That Recommendation 12 be deleted and replaced with the following, namely:

"12. That the Developer shall ensure that one paved vehicular access is available at all times through the development of the proposed subdivision, and that after 24 months, a total of two paved vehicular accesses of concrete construction be available at all times to the satisfaction of the Director of Public Works."

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vi. That Recommendation 16.D. be added as follows, namely:

"16.d) That the Developer shall install two ornamental lights, one in the existing Cedargrove / Ranchgrove open space at the junction of the two paths, and the second ornamental light in the existing walkway at the rear property line of 142 Hatcher Road."

vii. That Recommendation 16.E. be added as follows, namely:

"16.e) That the Developer shall provide drainage and sod both parks ie) the open space lands along the CNR Redditt railway tracks referred to in Misc. Plan 13055/1 as not being used for the secondary road, and the Cedargrove / Ranchgrove open space lands zoned "PR-1".

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

3. That Council declare the City-owned property shown in broken outline and identified as "Subject City Property to be Opened" on Misc. Plan No. ~~***13055***~~ ***13055/1*** as surplus to the City's needs.

4. That the Director of Planning, Property and Development be authorized to negotiate and approve the sale of the "Subject City Property to be Opened" as shown in broken outline on Misc. Plan No. ~~***13055***~~ ***13055/1***, to the applicant on terms and conditions satisfactory to the Director of Planning, Property and Development and the City Solicitor/Manager of Legal Services in order to protect the interests of the City and to achieve the intent of the Standing Policy Committee on Property and Development.

5. That The Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on ~~***Schedule "A"***~~ ***revised Schedule "B***" for File DASZ 39/2006 dated ~~***January 9, 2007***~~ ***January 15, 2007***, to a "R1-3.5" Single Family Residential District and "PR1" Parks and Recreation District subject to the applicant entering into a zoning agreement pursuant to the following:

   A. That the Developer shall erect a uniform wood fence (2 metres in height) abutting the lands zoned "PR1" Parks and Recreation District to the satisfaction of the Director of Planning, Property and Development. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Planning, Property and Development.

   B. That the Developer shall erect a uniform wood fence (2 metres in height) abutting Pandora Avenue, and the CNR Reditt Subdivision to the satisfaction of the Director of Planning, Property and Development. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Planning, Property and Development.

   C. That site plans showing the Hatcher Road connection shall be submitted to the East Kildonan-Transcona Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit; and thereafter to be maintained to the satisfaction of the Director of Planning, Property and Development.

6. 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.

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

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

Note: The wording in bold and italics denotes amendments made by the Community Committee.

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

1. The subject property was part of the Bradley Street alignment previously designated for the North-South Transportation Corridor and is vacant land.

2. The application is consistent with Plan Winnipeg and existing development in the area.

3. The proposal will ensure that the subject property remains residential and developed with single-family houses.

4. The applicant consulted with the community, and the proposed development respects the existing trail system and parks in the area.

5. The proposal addresses emergency service needs for better access to Hatcher Road and to Pandora Avenue West.

PUBLIC HEARING SUMMARY

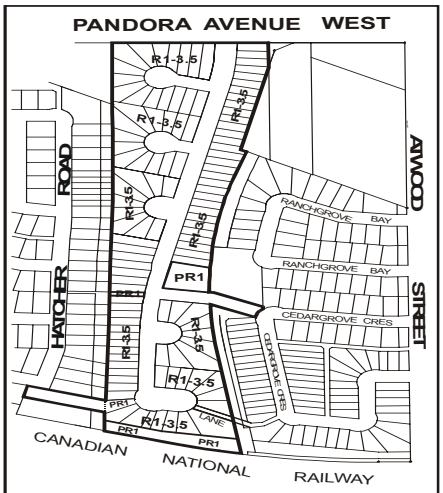
File: DASZ 39/2006

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

Public Hearing: January 15, 2007
Community Committee Chambers, 755 Henderson Highway

Applicant: Waterside Development Corporation
(Bill McGarry)

Subject:



APPLICANT : WATERSIDE DEVELOPMENT CORP.
FILE : DASZ 39/06
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 an "A.5" AGRICULTURAL DISTRICT and an "M1" INDUSTRIAL DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT and an "R1-3.5" RESIDENTIAL DISTRICT and to consider a special rear yard set back along the CNR right-of-way. **For information, phone Mr. J. Wintrup, Planner at 986-5102.**

Premises Affected: 1000 Pandora Avenue West

Exhibits Filed:

1. Application dated October 6, 2006
2. Notification of Public Hearing dated December 18, 2006
3. Title Search 1203804
4. Letter of authorization dated October 6, 2006, from the Manager of Real Estate, City of Winnipeg, to Waterside Development Corporation.
5. Title Plot
6. Aerial Photo
7. Plans (2 pages)
8. Report from the Planning and Land Use Division dated January 9, 2007
9. Report from the Administrative Coordinating Group dated December 20, 2006
10. Inspection Report

REPRESENTATIONS:

In Support:
Albert G. Degner, Pollock and Wright Land Surveyors
Bill McGarry, Waterside Development Corporation
Donna Thordasson

In Opposition
Nil

For Information:
Douglas C. Black

For the City:
Mr. E. Carriere, Land Development Engineer, Planning, Property and Development Department
Mr. J. Wintrup, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Albert G. Degner, Pollock and Wright Land Surveyors, appeared on behalf of Bill McGarry, Waterside Development Corporation, in support of the application. He advised that although he is not opposed to a secondary street access to Hatcher Road (Option "A'), the proposed north south street would be the main road, not Hatcher Road.

Albert Degner requested the following amendments to the recommendations contained in the Administrative Coordinating Group Report dated December 20, 2006, namely:

- The recommendation that the Developer provide an 18metre right-of-way on the east side of the proposed north-south street to accommodate the future development of the two privately-owned properties to the east be deleted.

- That Condition No. 12 with respect to the requirement to pave two means of vehicular access through all stages of development of the proposed subdivision be amended by deleting the word "paved" and substituting it with the words "all weather", which would enable any temporary roadways to be constructed a granular surface.

Albert Degner indicated that if the subdivision were staged or phased-in, the property from Pandora Avenue West would be developed from the north to the south.

Ernie Carriere, Land Development Engineer, Planning, Property and Development Department, indicated that the recommended conditions of the Administrative Coordinating Group are standard and that the Administration is requesting a proper design for the secondary access which would negate the need for any turn-around.

With respect to a possible phasing-in of the proposed development, Councillor Wyatt questioned if the applicant would be supportive of a time-frame requirement to install two paved accesses and that a temporary in/out access be constructed to facilitate the development. In addition, he questioned if the applicant would support the installation of a sidewalk from Pandora Avenue West to the first walkway connection, asphalt the walkway that currently exists from Hatcher Road to Ranchgrove Bay and Cedargrove Crescent, and, the installation of lights, to which Albert Degner responded in the affirmative.

Councillor Wyatt indicated that he would like to see the walkway continued to Hatcher Road through the east side of the north-south street inasmuch as the north-south roadway he proposes be continued to Hatcher Road.

Albert Degner indicated that these requirements would be acceptable.

Exhibit "8" referred to in File DASZ 39/2006

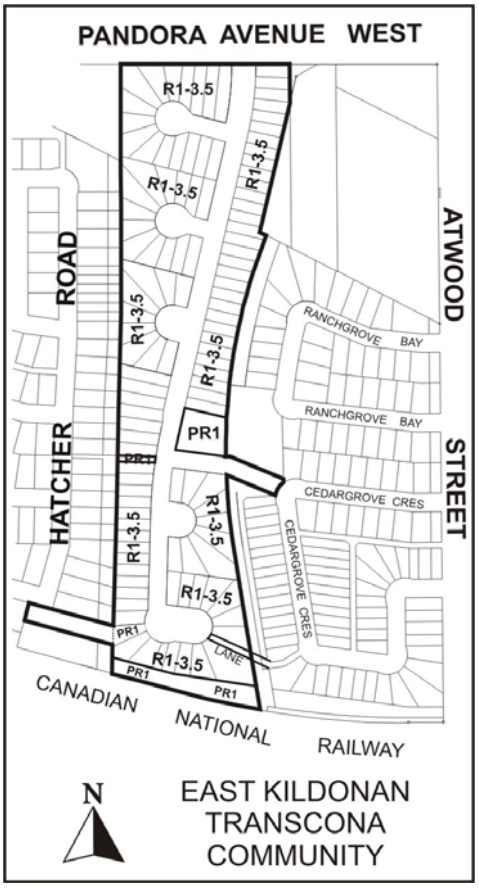
Winnipeg

Planning, Property and Development Department Report

To the East Kildonan - Transcona Community Committee

Date: **January 9, 2007**
File: **DASZ 39/06**
Subject: **Rezone and subdivide property into residential lots.**

Location: **1000 Pandora Avenue**



Applicant: **Waterside Development Corp (Bill McGarry)**
Owner: **City of Winnipeg**

Recommendation: Approve

Report Summary:

- The subject land was part of the Bradley Street alignment previously designated for the North – South Transportation Corridor.
- The applicant intends to rezone and subdivide the subject property to facilitate the construction of + **100 single family** residential dwellings.
- A secondary access to an adjoining, existing right-of-way is required for reasons of public safety, neighbourhood interconnectivity and convenience.
- The Division is recommending the secondary road connection should be to Hatcher Road (south leg) as extended through the open space along the CNR Reditt rail tracks.

Site Description

The subject property is **20.065 acres** located on the south side of Pandora Avenue W, west of Hatcher Road and east of Atwood Street in the Mission Gardens neighbourhood of the Transcona Ward. The site is zoned "A-5" Agricultural and "M1" Industrial Districts with a single family dwelling located along Pandora Avenue. Adjacent properties include residential dwellings to the east and west zoned "R1-5" Single Family and "R2" Two Family Residential Districts.

Background

Plan Winnipeg Amendment: North South Transcona Route (PW 4/2004)

- The **North-South Transcona Route** is an eastern section of the Inner Ring Route, serving as a connection between Chief Peguis Trail, the Trans-Canada Highway and Bishop Grandin Boulevard.
- In 1992 the Streets and Transportation Department and the Parks and Recreation Department jointly prepared a review of alignment alternatives for the Committee of Works and Operations and the Committee of Protection, Parks and Culture.
- The report recommended that the route remain on a straight north-south alignment through the City-owned land that had been acquired directly adjacent to Bradley Street. In June of 1993 the above-described alignment was shown on the Recommended Transportation System Plate of Plan Winnipeg Toward 2010.
- On December 12, 2001 in Plan Winnipeg 2020 Vision, the portion of the route south of Ravelston Avenue West was eliminated and the route was redirected eastward to Plessis Road via Ravelston Avenue West. A review of the transportation impacts of this revised alignment was not completed.

- On July 17, 2002 Council adopted the following recommendations of the Standing Policy Committee on Public Works:
    - That the portion of the Transcona North-South Route south of Ravelston Avenue West be cancelled.
    - That the properties acquired and/or retained for the Transcona North-South Route south of Ravelston Avenue West be designated as follows:
        - Ravelston Avenue West, south to Regent Avenue be declared Parks and Open Space.
        - Regent Avenue, south to Pandora Avenue be declared surplus.
- On March 11, 2003 the Standing Policy Committee on Public Works requested a review of the North South Transcona Route Alignment.
- In January 2004, EPC recommended that the route be realigned to the **Bradley Street Alignment** and that Plan Winnipeg be amended to reflect the revised alignment (**Figure 4**).
- The **Bradley Street Alignment is preferred** based on route location and efficiency; neighbourhood impact; environmental impact; safety; property requirements and capital costs.
- On November 25th, 2004, the Executive Policy Committee (EPC) held a public hearing to give consideration to realigning the North-South Transcona Route from Plessis Road to Bradley Street.
    - Several residents of the Mission Gardens area made representation at the hearing requesting adjournment to provide for a more comprehensive public dialogue on the impacts of the proposed realignment.
- EPC adjourned the hearing directing Public Works to conduct a more thorough traffic and cost analysis of route options prior to consideration being given to reconvening the hearing.
- Council on February 22, 2006 moved that the **Plan Winnipeg Amendment** for the **Bradley Street Alignment** not be proceeded with at this time.
- Waterside Development Corporation was authorized to make application on October 6, 2006 by the City of Winnipeg for a single family residential development for the Bradley Street alignment lands, south of Pandora Avenue.
- The **North-South Transcona Route** in Plan Winnipeg 2020's *Policy Plate C - Transportation Concept Plan* is currently aligned along Ravelston Avenue West, joining Plessis Rd at the intersection of Plessis Rd and Ravelston Ave.

Description of the Proposed Development

The applicant intends to rezone and subdivide the subject property to facilitate the construction of + **100 single family** residential dwellings. The existing Ranchgrove open space of 1.36 acres will be expanded to **1.64 acres** of open space. The lots will range in size from 35 feet to 45 feet in width.

Analysis

PLAN WINNIPEG

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

ZONING

- 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.

PUBLIC INPUT

On Monday, **January 8, 2007** at 7:00 pm at the Transcona Canad Inns, a Public Open house was hosted by the Developer to solicit feedback. Residents were notified by flyers in mail boxes along Ranchgrove Bay and Cedargrove Crescent, as well as the east side of Hatcher Road backing onto the subject property; and the south and north sides of Hatcher Road adjacent to the CNR Reditt rail tracks. At the open house three different road networks were presented:

- *Option 'A'* - Hatcher Road (south leg) is extended through the open space along the CNR Reditt rail tracks to the proposed street in the subdivision (**Figure 5**).

- *Option 'B'* - Cedargrove Cr (north leg) is extended through the open space (widening the existing rear public lane) to the proposed street in the subdivision. Rear public lane connected to the south leg of Cedargrove Cr (**Figure 6**).

- *Option 'C'* - Option A and Option B but the street connections are over sized public lanes of 25 foot ROW instead of the standard 20 foot ROW with the exception of the lane connected to the south leg of Cedargrove Cr.

At least 32 people were counted in the room, and 17 people were willing to fill out an exit survey. Four were residents from Cedargrove, five residents from Ranchgrove, seven residents from Hatcher, and (1) one from Atwood. The results of the survey question, what option do you prefer, are the following:

Option A	*Yes 4*	*No 13*
Option B	*Yes 7*	*No 10*
Option C	*Yes 1*	*No 16*

On the second part of the survey, option or no option, the residents (some liking multiple options) indicated the following:

Option A	*6*
Option B	*5*
Option C	*1*
No option	*4*
No to all options	*2*

The residents who lived along Hatcher Road preferred 'Option B'. The residents who lived along Cedargrove, and Ranchgrove preferred Option 'A'. One resident along Cedargrove indicated they opposed the rear public lane connected to the south leg of Cedargrove. Two Hatcher Road residents indicated they opposed all three options. Two residents on Ranchgrove, one resident along Hatcher and one along Cedar indicate no preference to any of the options.

Option 'C' was clearly not endorsed by any of the residents. Both Options 'A' and 'B' received stronger support and opposition. Only a few residents – 6.25 percent of attendees – opposed the entire development.

TRANSPORTATION AND SITE ACCESS
The Planning and Land-use Division in consultation with Public Works and the WFPS views the proposed subdivision with +100 residential dwellings with only one ingress / egress; and/or with secondary accesses via public lanes as ***negatively***.

The length of a cul-de-sacs are generally limited to 10 – 15 houses, approximately 75 metres. A cul-de-sac over 800 metres in length is not considered good subdivision planning or design for reasons of public safety, neighbourhood interconnectivity and convenience.

Lane connections are not considered adequate as a means of providing a secondary access. Fire apparatus and emergency vehicles have difficultly in negotiating the narrow confines of rear public lanes especially during the winter months. Blocked lanes by household goods, and on-coming traffic also hinder emergency vehicles in rear public lanes. The River East Transcona School Division has also advised their school buses will not serve residential areas if it does not have adequate secondary access.

Option 'A'

- Hatcher Road (south leg) extended through the park along the CNR Reditt rail tracks to the proposed street in the subdivision is considered the best plan of subdivision.

- Option 'A' road configuration is considered safe to facilitate fire trucks, school buses etc. The secondary access is a permanent right-of-way at the standard width of a road at the extreme south end of the development. Option 'A' yields 114 lots.

Option 'B'

- Cedargrove Cr (north leg) is extended through the open space (widening the existing rear public lane) to the proposed street in the subdivision. Rear public lane connected to the south leg of Cedargrove Cr.

- Creates a cul-de-sac 200 metres in length with 38 houses with the secondary access being a rear public lane, which is not considered good subdivision planning or design for reasons of public safety, neighbourhood interconnectivity and convenience. Option 'B' yields 113 lots.

SITE DESIGN ISSUES

The applicant is providing a 6.0 metre wide pathway to connect to the existing Hatcher Road pathway that is 32 metres south of Rougeau Ave, and aligned with the proposed park on the east side of the street.

The Division is recommending the Developer shall, at no expense to the City, construct a concrete sidewalk on the west side of the proposed north-south street from Pandora Avenue to the proposed PR1 walkway connection.

The Division is recommending that at an opening be provided at lots 103 and 104 for a future road connection to the lands to the east. The lands to the east include: 2.9 acres of under-developed land, and 2.68 acres of land with a 3,661 sq. ft church. Both parcels are zoned "M1" Industrial, however, the configuration and location is conducive to residential development and a secondary street access will be required: not providing this street access now will most likely preclude the future development of these under-developed lands.

Recommendation

It is understood that the Bradley Street Alignment is the preferred North-South transportation route based on location and efficiency; neighbourhood impact; environmental impact; safety; property requirements and capital costs.

The Planning and Land-Use Division also supports a residential proposal on the Bradley Street Alignment lands that will provide infill housing and represents a logical completion of the Mission Gardens residential community.

The Planning and Land-Use Division is recommending Option 'A': the secondary road connection should be to Hatcher Road (south leg) as extended through the open space along the CNR Reditt rail tracks. This is identified as '*Schedule B*'.

The recommendation are:

- Accommodate a road to connect the proposed subdivision through the Hatcher Road south open space.
- Declare the Hatcher Road open space 'surplus'.

- Maintain the existing open space adjacent to Cedargrove and Ranchgrove.
- Remove pathway and/or rear public lane between lots 48 and 49.
- Remove two lots on the east side of the development, lots 103 and 104, to facilitate future road access to the vacant lands to the east of the subdivision.
- Establish a 'PR1' Parks and Recreation District adjacent to the CNR Reditt to act as a buffer instead of a special rear yard setback.
- Dedicate land as public open space as which shall be deemed to be full compensation for the existing parks and buffers being opened as public rights-of-way.
- Construct wood barrier fencing adjacent to all the PR1 lands (including the lands abutting the pathway and CNR Reditt) and Pandora Avenue.

Recommended Conditions of Approval

1. That the plan of subdivision proposed under File No. **DASZ 39/06** be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with **Schedule "B"** for File No. **DASZ 39/06,** attached hereto and dated **January 9, 2007**, for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated **December 20, 2006.**

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

3. That Council declare the City owned property shown in broken outline and identified as "Subject City Property to be Opened" shown on Misc. Plan No. 13055 as surplus to the City's needs.

4. That the Director of Planning, Property and Development be authorized to negotiate and approve the sale of the "Subject City Property to be Opened" as shown in broken outline on Misc. Plan No. 13055, to the applicant on terms and conditions satisfactory to the Director of Planning, Property and Development and the City Solicitor/Manager of Legal Services in order to protect the interests of the City and to achieve the intent of the Standing Policy Committee on Property and Development.

5. 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 39/2006** attached hereto and dated **January 9, 2007**, to a **"R1-3.5" Single Family Residential District and "PR1" Parks and Recreation District** subject to the applicant entering into a zoning agreement pursuant to the following:

   A. That the Developer shall erect a uniform wood fence (2 metre in height) abutting the lands zoned "PR1" Parks and Recreation District to the satisfaction of the Director of Planning, Property and Development. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Planning, Property and Development.

   B. That the Developer shall erect a uniform wood fence (2 metre in height) abutting Pandora Avenue, and the CNR Reditt Subdivision to the satisfaction of the Director of Planning, Property and Development. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Planning, Property and Development.

6. 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.

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

8. 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.

9. 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.**

10. 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.

11. 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.

12. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

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

Report Prepared by: John S. Wintrup
PPD File # DASZ 39/2006

Revised Schedule "B" to the report to the East Kildonan - Transcona Community Committee for File No. DASZ 39/06, dated January 15, 2007

REVISED SCHEDULE "B"

By-Law No. .....

File No. **DASZ 39/06**

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 1000 Pandora Avenue from an "A.5" AGRICULTURAL DISTRICT and an "M1" INDUSTRIAL DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT and an "R1-3.5" RESIDENTIAL DISTRICT and to consider a special rear yard set back along the CNR right-of-way as shown outlined below.

Atlas Sheet No. **AA32**

N

EAST KILDONAN TRANSCONA COMMUNITY



THIRD READING : ..... EFFECTIVE DATE : .....

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. .....



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

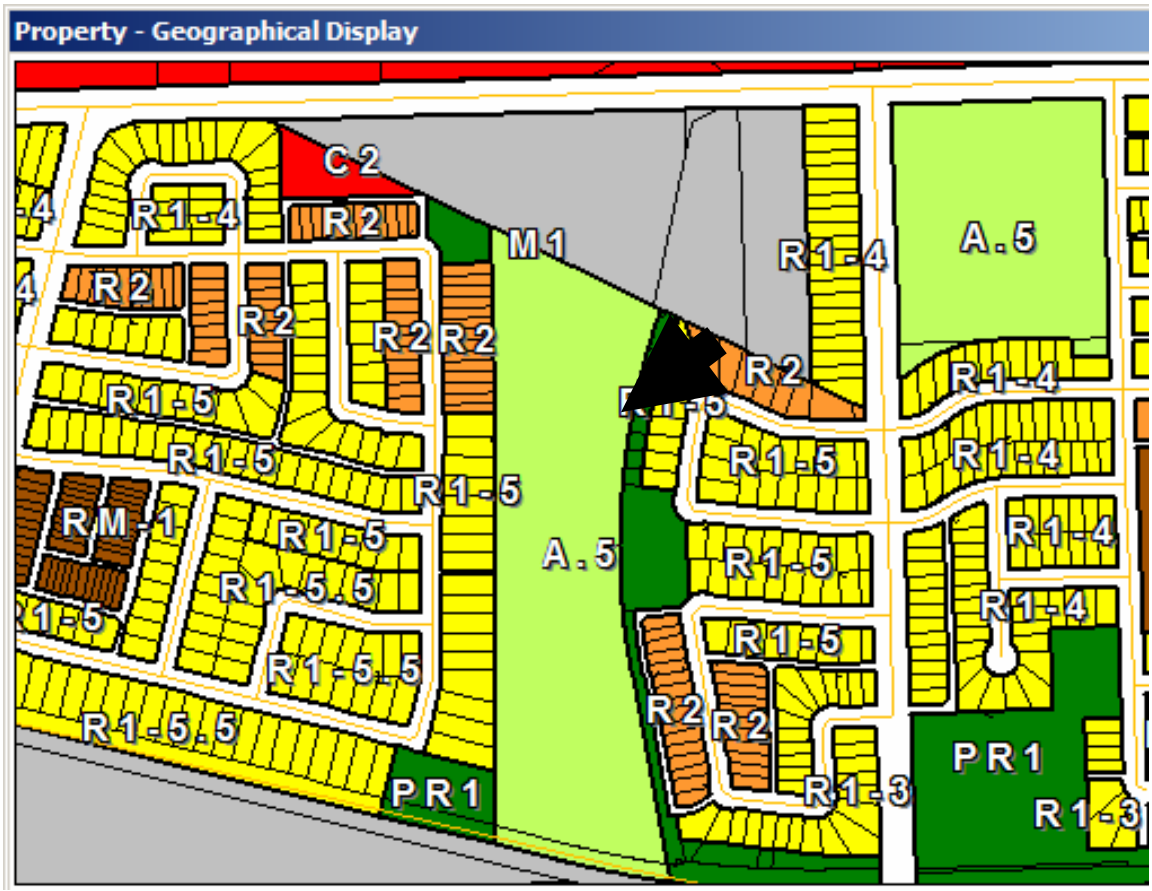


Figure 2: Existing Zoning for subject property and Surrounding Area.

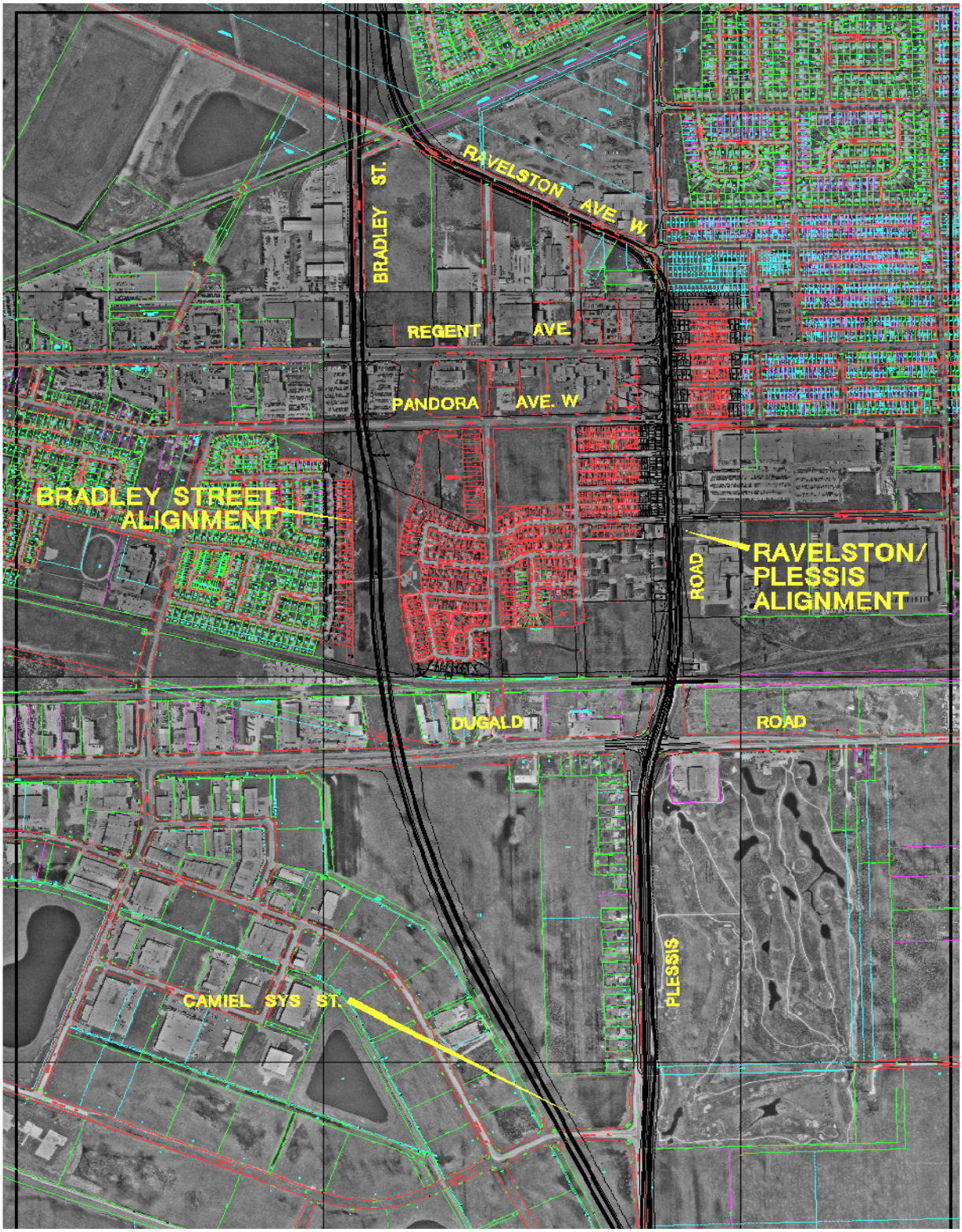
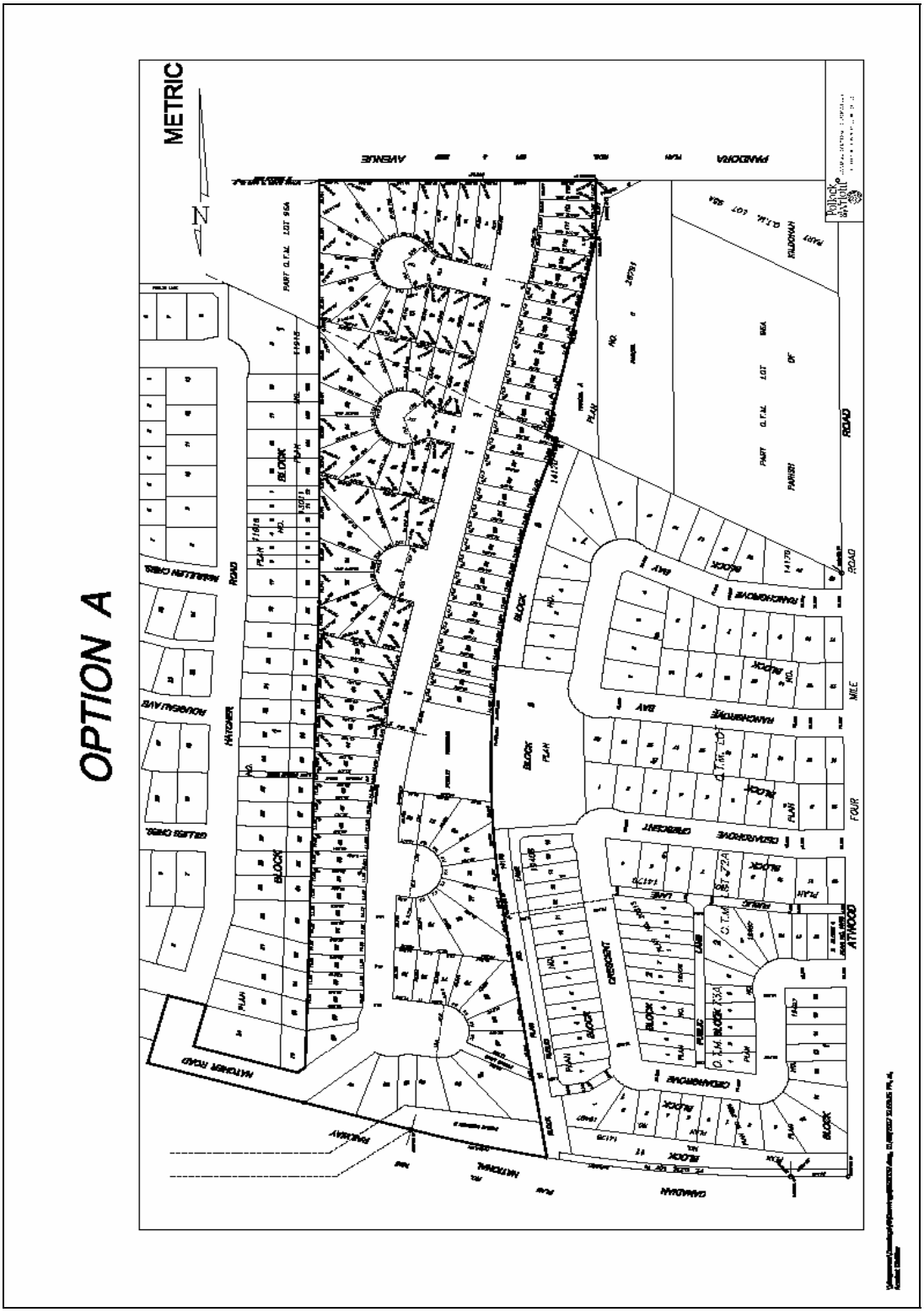


Figure 3: North South Transportation Corridor Route Alignment Options.


OPTION A
METRIC
N
ROAD
BLOCK
PLAN
PART
PARISH
AVENUE
ROAD
ROAD
ROAD

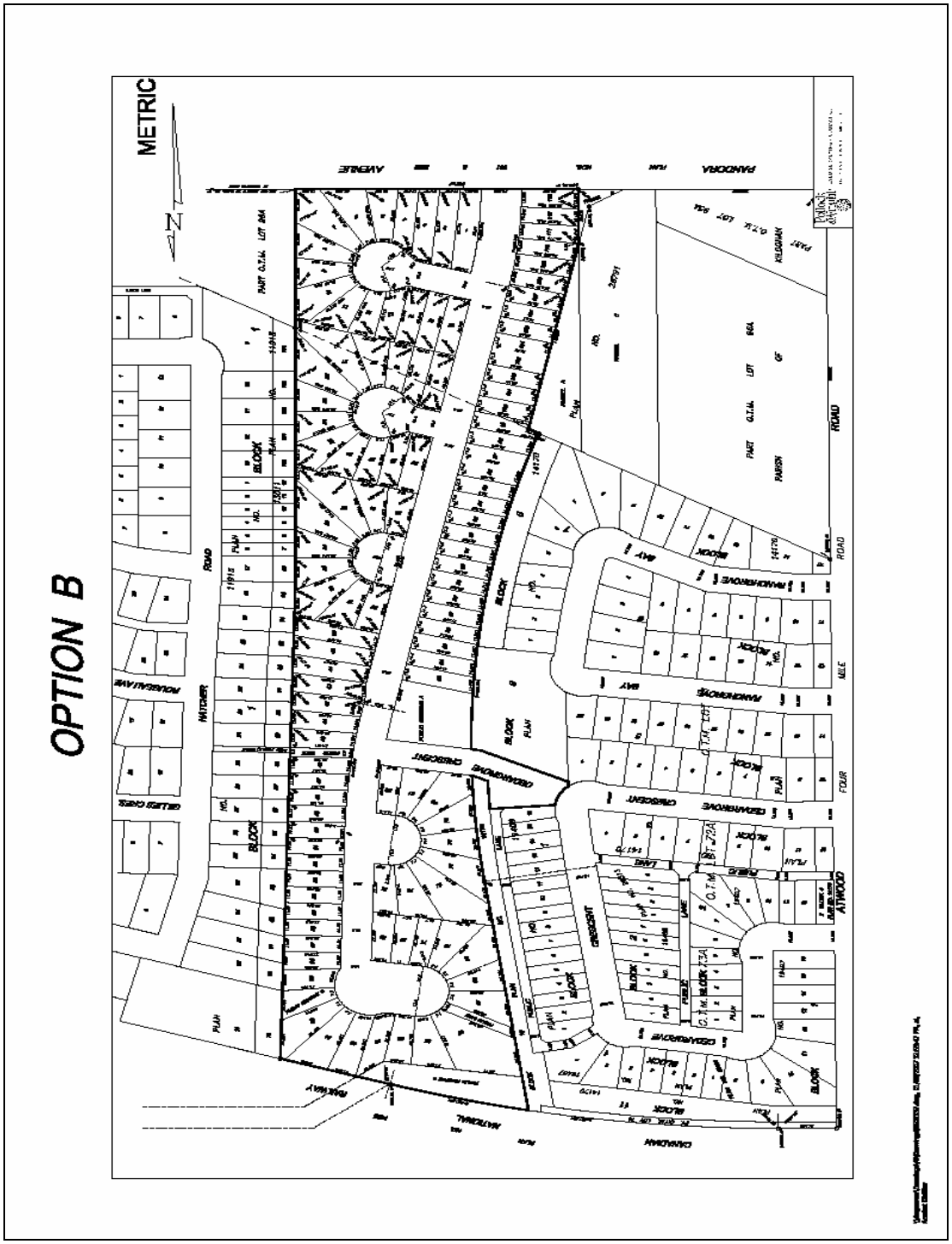


Figure 5: Schedule "C" to the report to the East Kildonan - Transcona Community Committee for File No. DASZ 39/06, dated January 9, 2007.



Figure 6: Misc. Plan No. 13055/1 to the report to the East Kildonan - Transcona Community Committee for File No. DASZ 39/06, dated January 15, 2007.

Exhibit "9" referred to in File DASZ 39/2006

Re: Proposed subdivision and rezoning of land located at 1000 Pandora Avenue West – DASZ 39/06

An application has been submitted by Waterside Development Corp. to subdivide and rezone land located at 1000 Pandora Avenue West. It is recommended that the Developer provide a comprehensive servicing report prepared by a qualified Municipal Engineer which will outline the provision of underground services for the proposed subdivision including Servicing Criteria sheets for water, wastewater and land drainage facilities. It is also recommended that the Developer provide an 18m right-of-way on the east side of the proposed north-south street at a location to the satisfaction of the Director of Planning, Property and Development to accommodate the future development of the 2 privately-owned properties to the east.

It is recommended that approval of the plan with a secondary street access to either Hatcher Road or Cedargrove Crescent be subject to the Developer entering into a Development Agreement as follows: (In the event that the secondary street access is to Hatcher Road, the proposed lot identified as PR1 shall be replaced by an 18.0m right-of-way to accommodate said street access and the proposed lane connection to the south leg of Cedargrove Crescent shall be replaced with a public walkway at that location).

1. The Developer shall, at no expense to the City, construct all watermains (looped), wastewater sewers and land drainage sewers required to serve the proposed subdivision to the satisfaction of the Director of Water and Waste.

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

3. The Developer shall install separate water and wastewater lot line connections to serve each lot within the proposed subdivision.

4. The Developer shall, at no expense to the City, construct portland cement concrete pavement to a width of 7.5m and a thickness of 150mm in all streets within the proposed subdivision, and all related works including, but not necessarily limited to boulevard landscaping and ornamental street lighting, all as determined by and to the satisfaction of the Director of Public Works.

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

   b) There are to be no private approaches serving single-family residential development within the proposed subdivision off Pandora Avenue West.

6. The Developer shall, at no expense to the City, cause to be installed standard reflectorized permanent street name signs at each new intersection within or adjacent to the proposed subdivision, as determined by the Director of Public Works.

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

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

9. The Developer shall, at no expense to the City, construct a portland cement concrete sidewalk to a width of 1.5m by 100mm in thickness on the west side of the proposed north-south street from Pandora Avenue to the proposed PR1 walkway connection south thereof, as determined by and to the satisfaction of the Director of Public Works.

10. a) The Developer shall, at no expense to the City, construct within the rear or side yards of all single family lots abutting Pandora Avenue West, a uniform noise attenuation fence 2.0m in height, to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title of each of these proposed lots abutting Pandora Avenue West requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

    b) The Developer shall, at no expense to the City, construct within the Planned Area abutting the CNR Reddit Subdivision a uniform fence 2.0m in height, as determined by and to the satisfaction of the Director of Public Works. Said fence is intended to ensure that "pedestrian trepass" to the tracks does not become a consequence of the subject development, thereby jeopardizing existing and/or future anti-whistling regulations along the subject railway line.

11. The Developer shall, at no expense to the City, construct a cul-de-sac type vehicle turnaround at the terminus of each temporarily dead-ended street and provide any right-of-way or easements necessary to accommodate same, all as determined by and to the satisfaction of he Director of Public Works.

12. The Developer shall ensure that two paved means of vehicular access are available at all times through all stages of development of the proposed subdivision to the satisfaction of the Director of Public Works. This may require the construction of temporary roadways and the provision of easements or right-of-way therefore.

13. The Developer shall, at no expense to the City, erect and maintain barricades and signing across the full width of any temporarily dead-ended streets, due to phasing of development, immediately upon completion of the paving or when house construction has begun, whichever is sooner, as determined by and to the satisfaction of the Director of Public Works.

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

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

16. a) The Developer shall dedicate land as public open space as determined by the Director of Planning, Property and Development which dedication shall be deemed to be full compensation for the existing parks and buffers being opened as public rights-of-way. (B.A.C.M. Ltd pursuant to the terms of the Mission Gardens Development Agreement AG 9/73 had fully satisfied the 10% public open space dedication requirement which agreement AG 9/73 included the lands now covered under DASZ 39/06)

    b) The Developer shall, at no expense to the City, construct a 5m in width sidewalk within any walkways within the proposed subdivision including sodding between the sidewalk and the private property lines all as determined by and to the satisfaction of the Director of Public Works.

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 development.

THIS REPORT SUBMITTED BY:
Administrative Coordinating Group
File No. AG 39/06
December 20, 2006

["Original signed by E.L. Carriere"]
Land Development Engineer
["Original signed by T.S. Josephson"]
Water and Waste Department
["Original signed by R.J. Hartmann"]
Public Works Department, Transportation Division