Agenda - Council - March 21, 2007

Report - Standing Policy Committee on Property and Development - February 27, 2007

Item No. 11 Subdivision and Rezoning - Lands west of Waverley Street to Kenaston Boulevard between Bishop Grandin Boulevard and Cadboro Road
File DASZ 1/2007

STANDING COMMITTEE RECOMMENDATION:

On March 14, 2007, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee and submits the following to Council:

1. That the plan of subdivision proposed under File DASZ 1/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 1/2007 dated February 6, 2007, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer enter into an Addendum to the Waverley West Development Agreement AG 1/2006 to include all conditions outlined in the Report of the Administrative Coordinating Group dated January 30, 2007.

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

3. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 1/2007 dated February 6, 2007, to an "R1-4" Residential District, an "R1-3" Residential District and a " PR-1" 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 this 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 execution by the City of Winnipeg of the Development Agreement.

Report - Standing Policy Committee on Property and Development - February 27, 2007

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 the necessary City of Winnipeg Mylar approval signatures have not been secured within 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 - February 27, 2007

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 14, 2007, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 27, 2007, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 13, 2007, the Riel Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning - Lands west of Waverley Street to Kenaston Boulevard between Bishop Grandin Boulevard and Cadboro Road**
File DASZ 1/2007 [c/r DAV 108661/2007D]

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

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

Report date: **February 16, 2007**

COMMUNITY COMMITTEE RECOMMENDATION:

On February 13, 2007, the Riel 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 1/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 1/2007 dated February 6, 2007, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer enter into an Addendum to the Waverley West Development Agreement AG 1/06 to include all conditions outlined in the Report of the Administrative Coordinating Group dated January 30, 2007.

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

3. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 1/2007 dated February 6, 2007, to an "R1-4" Residential District, an "R1-3" Residential District and a " PR-1" Parks and Recreation District

4. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this 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 execution by the City of Winnipeg of the Development Agreement.

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

1. The Riel Community Committee agreed with the administrative comments contained in the report from the Planning and Land Use Division dated February 6, 2007 and in the report from the Administrative Coordinating Group dated January 30, 2007.

PUBLIC HEARING SUMMARY

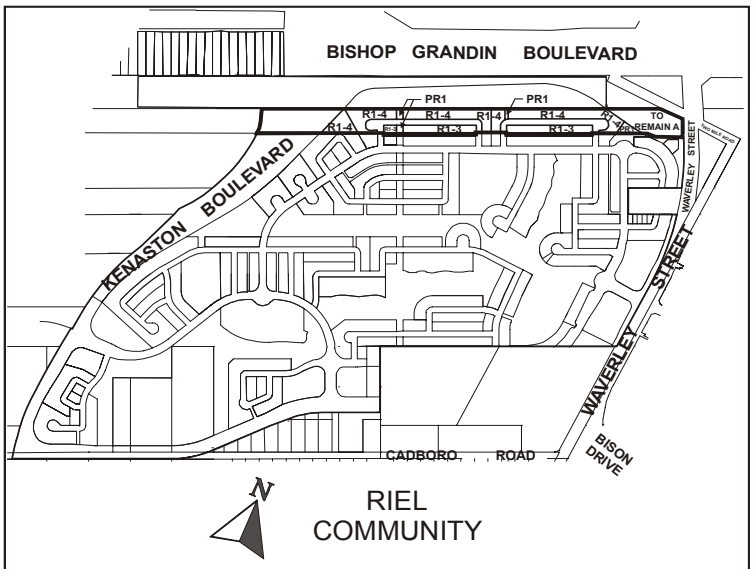
File: DASZ 1/2007 [c/r DAV 108661/2007D]

Before: Riel Community Committee
Councillor Vandal, Chairperson
Councillor Swandel

Public Hearing: February 13, 2007
Council Chamber
Council Building, 510 Main Street

Applicant: ND LEA Engineers and Planners (Veronica Hicks)

Subject:



APPLICANT : ND LEA ENGINEERS & PLANNERS
FILE: DASZ 1/07
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" AGRICULTURAL DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT, an "R1-3" RESIDENTIAL DISTRICT and an "R1-4" RESIDENTIAL DISTRICT. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : ND LEA ENGINEERS & PLANNERS
N° DE RÉFÉRENCE : DALZ 1/07
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du *Règlement municipal n° 6400/94* visant à changer le zonage des sols délinéés ci-dessus qui passeraient de la catégorie A (SECTEUR AGRICOLE) aux catégories PR1 (SECTEUR DES PARCS ET DES LOISIRS), R1-3 (SECTEUR RÉSIDENTIEL) et R1-4 (SECTEUR RÉSIDENTIEL). **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: Lands west of Waverley to Kenaston between Bishop Grandin and Cadboro

Exhibits Filed:

1. Application dated January 11, 2007
2. Notification of Public Hearing dated January 19, 2007
3. Manitoba Status of Title 1427872
4. Letter of authorization dated December 16, 2005 from The Manitoba Housing and Renewal Corporation to ND LEA
5. Plans (2 pages)
6. Report from the Planning and Land Use Division dated February 6, 2007
7. Report from the Administrative Coordinating Group dated January 30, 2007
8. Inspection Report
9. Communication dated February 13, 2007, from Leanne Arnason with respect to the application

REPRESENTATIONS:

In Support:

James Gallagher
Veronica Hicks, ND LEA Engineers and Planners
Paul McNeil, ND LEA Engineers and Planners
R. Walger

In Opposition:

Nil

For Information:

Leanne Arnason
Matt Dryburgh
Lloyd Kuczek

For the City:

Mr. K. Raban, Land Development Administrator, Planning, Property and Development Department
Mr. K. Lalor, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Paul McNeil and Veronica Hicks appeared in support of the application and gave a brief overview of the proposal. Mr. McNeil indicated concurrence in the recommendations contained in the administrative report from the Planning and Land Use Division dated February 6, 2007 and in the report from the Administrative Coordinating Group dated January 30, 2007.

Leanne Arnason appeared for information and read a communication, filed as Exhibit 9, into the record.

Exhibit "6" referred to in File DASZ 1/2007 [c/r DAV 108661/2007D]

In reply please refer to / Référence à rappeler:

Kevin Lalor
(204) 986-5069
Fax / Téléc. : (204) 986-3684

Date: February 6/07
File: DASZ 1 /07
Related Files: DAV 07 108661D

Subject: The purpose of the subject application is to rezone and subdivide the said lands from an "A" Agricultural District to " "R1-3" and " R1-4" Single Family Districts and a " PR-1" Parks and Recreational District to allow for the construction of approximately 110 single family dwellings.

Location: S.W. corner of Bishop Grandin Blvd. and Waverley Street

Legal Description: Part of OTM Lot 13 Parish of St. Vital, Duplicate Title No. 1427872

Applicant: ND LEA Engineers & Planners

Owner: The Manitoba Housing and Renewal Corporation

Recommendation: Approved with Conditions

SITE DESCRIPTION:

The land being rezoned and subdivided (22 acres in total) is part of a Neighbourhood Area Structure Plan that totals approximately 360 acres in the northeast corner of Waverley West. The area is bounded on the north by the Manitoba Hydro right-of-way and private and Bishop Grandin Boulevard. To the east is Waverley Street and an established residential neighbourhood area (Waverley Heights) generally zoned for R1-5.5 and R1-5 single family housing. To the west is the future extension of Kenaston Boulevard, and to the immediate south is a recently approved MHRC subdivision under File No. DASZ 1/06. access to the subject properties outlined in the current application will be via the street system already approved under the 1st phase of development for DASZ 1/06.

DEVELOPMENT DESCRIPTION:

The application is a straight forward consolidation of the two properties and a rezoning to two different types of single family housing category (R1-3 & R1-4) which are identical to the zoning categories already approved for adjoining lands already approved under DASZ1/06. The requested R1-3 zoning will allow for an additional 40 single family dwelling units, while the R1-4 areas will accommodate an additional 70 dwelling units. Proposed new streets and proposed PR-1 areas connect directly to already approved street linkages and PR sites identifies under DASZ 1/06. Land dedication has already been addressed under the previous aforementioned plan.

BACKGROUND:

In 2005 Council adopted an amendment to Plan Winnipeg to designate the entire Waverley West area (west of Waverley and south of Bishop Grandin) as a Neighbourhood Policy Area .

On July 26, 2006 Council adopted the Waverley West Area Structure Plan and on September 27, 2006 Council gave first reading to By-law 210/2006 to adopt the Waverley West Northeast Neighbourhood Area Structure Plan as a Secondary Plan and directed that the Riel Community Committee conduct a public hearing respecting the proposed by-law and plan.

Simultaneous with the processing of the afore noted Structure Plan, a rezoning and subdivision application was initiated by ND LEA Engineers & Planners (on behalf of MHRC) , specifically for the Waverley West Northeast Neighbourhood. That application, DASZ 1/06 was made on January 12 /2006 and approved in the fall of 2006. Subsequently MHRC has acquired the adjoining Van Wallegham lands to the immediate north which as part of the subject application are to be consolidated with the existing lands already owned by MHRC to the south.

PLAN WINNIPEG:

The subject proposal for residential development is in complete compliance with the Policies of Plan Winnipeg.

ADMINISTRATIVE COMMENTS:

The Planning, Property and Development Department fully supports the proposed consolidation and rezoning for single family development. The acquisition and consolidation completes what is the northern most component of the 1st phase of MHRC 'S development and also allows for the eventual extension of Kenaston Blvd. South of Bishop Grandin Blvd. The proposed lot sizes are entirely compatible with neighbouring properties and in full compliance with Plan Winnipeg Policy. It should be further noted that there is an accompanying variance to allow reduced front yards fro 20' to 15'. The intent of that is , in part , to allow some flexibility regarding innovative housing design (front porches etc.)

RECOMMENDATION:

I. That the plan of subdivision proposed under File No. DASZ 1/07 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 1/07, attached hereto and dated February 6/07, for registration in the Winnipeg Land Titles Office subject to the following :

A. That the Developer enter into an Addendum to the Waverley West Development Agreement AG 1/06 to include all conditions outlined in the Report of The Administrative Coordinating Group dated January 30/2007.

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

III. That Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 1/07, attached hereto and dated February 6/07, to a "R1-4"Residential District, a "R1-3" Residential District and a " PR-1" Parks and Recreation District .

IV. That, in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this 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 execution by the City of Winnipeg of the Development Agreement.

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 24 months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

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

Report Prepared by: Kevin Lalor
PPD File # 5651

By-Law No. _____

File No. **DASZ 1/07**

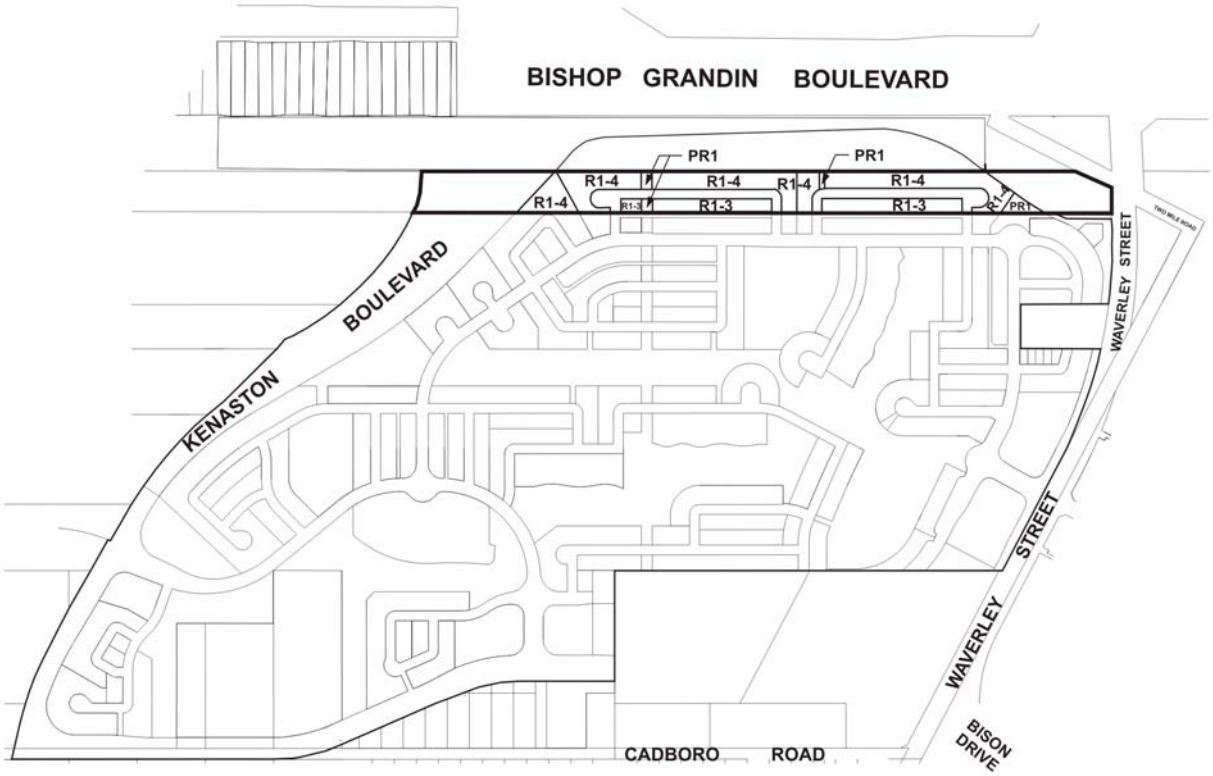
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COMMUNITY

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 on south of Bishop Grandin Boulevard between Waverley Street and Kenaston Boulevard from an "A" AGRICULTURAL DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT, an "R1-3" RESIDENTIAL DISTRICT and an "R1-4" RESIDENTIAL DISTRICT as shown outlined below.



Schedule "A" for File No. DASZ 1/07, Riel Community Committee, dated February 6/07

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Exhibit "7" referred to in File DASZ 1/2007 [c/r DAV 108661/2007D]

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED SOUTH OF BISHOP GRANDIN BOULEVARD BETWEEN WAVERLEY STREET AND KENASTON BOULEVARD - DASZ 1/07

An application has been submitted by ND Lea Engineers and Planners on behalf of Manitoba Housing and Renewal Corporation (MHRC) to subdivide and rezone land located south of Bishop Grandin Boulevard between Waverley Street and Kenaston Boulevard. The subject land is located immediately north and adjacent to MHRC's land approved under DASZ 1/06 and covered under Development Agreement AG 1/06.

It is recommended that approval of this application be subject to the Developer entering into an Addendum to the Waverley West Development Agreement AG 1/06 as follows:

1. By attaching to AG 1/06, a copy of the plan of subdivision approved under DASZ 1/07;
2. By attaching to AG 1/06, a copy of a servicing drawing showing the specific servicing required to serve the land within DASZ 1/07;
3. By adding a clause that the land within DASZ 1/07 will be subject to all the cost sharing provisions, open space dedication calculations, payment of administration fees, etc. stipulated in AG 1/06;
4. By adding a clause requiring the Developer to transfer to the City at no expense to the City on six months notice, all land within DASZ 1/07 required for right-of-way at the intersection of Waverley Street and Bishop Grandin Boulevard.

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 1/07
January 30, 2007

(original signed by E.L. Carrière, P.Eng.)

_____
Land Development Engineer

(original signed by R.J. Hartmann, P.Eng.)

_____
Public Works Department

(original signed by T.S. Josephson, P.Eng.)

_____
Water and Waste Department
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