Proposed Plan of Subdivision and Rezoning – land located on the south side of Inkster Boulevard, east of Brookside Boulevard – Lord Selkirk-West Kildonan Community

File DASZ 7/2001

3. The Standing Policy Committee on Property and Development has been advised that an application has been received from Steele Management (Maurice Steele), 121 Girton Boulevard, Winnipeg, for approval of a plan of subdivision and related zoning change to Winnipeg Zoning By-law No. 6400/94, by rezoning the subject lands from an "A1" Agricultural District to a "C3-1" Commercial District to facilitate future Highway Commercial Development.

Site Area
The overall site area totals 17.54 acres.

Existing Land Use and Zoning
The land is currently vacant and zoned "A-5" Agricultural.

Surrounding Land Use and Zoning
North: Lands north of Inkster Boulevard are zoned "M2" Industrial and are partially developed.
South: Lands to the south of Lucas Avenue are zoned "C3-1" Commercial and "M1" Industrial and are partially developed.
East: To the east is a developed residential subdivision zoned "R1-3.5" Residential.
West: Adjacent lands along Brookside Boulevard are a combination of "A-5" Agricultural (vacant) and "C3-1" Commercial (developed).

The applicants propose to rezone the subject "A-5" Agricultural lands to a "C3-1" Commercial category and consolidate those lands with an existing "C3-1" parcel with frontage on Brookside Boulevard. A tenant is as yet undetermined but in all likelihood the site will be developed for highway commercial (possible truck terminal) uses.

Under Plan Winnipeg, the subject lands are designated for industrial/commercial development and therefore the subject application is in full compliance.

The subject parcel lies east of Brookside Boulevard between Lucas Avenue and Inkster Boulevard. It is approximately 17 acres in size, is zoned Agricultural and is currently vacant. The applicant proposes to rezone the subject lands to a "C3-1" Highway Commercial category and consolidate it with an existing "C3-1" Commercial parcel lying adjacent to Brookside Boulevard. What the applicants propose to use the land for has not been disclosed. However most of the zoned "C3-1" land along Brookside Boulevard and Oak Point Highway has been developed for trucking businesses/terminals. The area is designated Industrial under Plan Winnipeg and has good access to major trucking routes and the Winnipeg International Airport. The Planning and Land Use Division of the Planning, Property and Development Department supports the proposed rezoning and subdivision, but past experience has demonstrated that some minimum conditions have to be imposed to mitigate the impact of future development on existing residences. In this case, there are numerous dwellings lying immediately adjacent to the east. As outlined in the proposed Zoning Agreement, the Planning, Property and Development Department recommends minimum building setbacks and extensive landscaping in the

proposed buffer area along the east boundary of the subject site. The proposed conditions are deemed to be the minimum required to protect existing residential homeowners from future on site development. Given the overall size of the subject lands being rezoned, the conditions are not deemed to be prohibitive or overly restrictive.

On November 6, 2001, a public hearing was held before the Lord Selkirk-West Kildonan Community Committee. Two persons appeared in support of the application and one person was registered in opposition thereto. The Community Committee recommended that the proposed subdivision and rezoning application be approved for the reason that the additional conditions of approval it recommended (as outlined in Recommendations I.A.1, I.A.2, and III.F) will afford the area residents a higher level of protection from any future commercial development of the subject property.

The Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and recommends:

I. That the plan of subdivision proposed under File DASZ 7/2001 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 7/01 dated October 30, 2001, for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated October 3, 2001, including the following additional conditions, namely:

      1. That no drainage from the subject property onto Barnham Crescent be permitted.
      2. That all parking areas within the subject property, including aisleways and driveways, be paved.

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

III. That the Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 7/2001 dated October 30, 2001, to a "C3-1" Commercial District, subject to the applicant entering into a Zoning Agreement with the City pursuant to
Section 591(1) of The City of Winnipeg Act to apply to the subject site and to contiguous land owned or leased by the applicant to include the following conditions:

   A. That a 100-foot separation space/buffer area be maintained between the west boundary of the residential lots lying adjacent to the east and any proposed new buildings on the subject site.

   B. That the aforementioned buffer area shall not be used for parking, display area, storage of materials or refuse or processing of any kind.

   C. That there is to be extensive landscaping (coniferous trees a minimum of six (6) feet high) along the east boundary of the subject buffer zone.

D. That there shall be no approaches to or from the subject site to either Inkster Boulevard or Lucas Avenue within 200 feet of the adjacent residential boundary to the east.

E. That final plans indicating building locations and detail of approaches, parking areas, landscaping location of garbage enclosures, exterior lighting and signage be submitted to and approved by the Planning, Property and Development Department (Planning and Land Use Division) and the Lord Selkirk-West Kildonan Community Committee.

F. That the following "C3-1" Commercial District uses listed as permitted under Zoning By-law No. 6400/94, be deemed to be conditional uses, namely:
- Amusement Enterprises, outdoor and indoor: miniature golf courses, go-kart trucks, roller staking outlets
- Automobile Cleaning, Sales, Repair
- Building Materials Sales
- Stone Sales
- Tire Sales
- Truck, trailer rental sales
- Wood Products Manufacture.

IV. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

V. 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 Council extends that time.

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

VII. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Servicing Agreement.

VIII. 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 when the Zoning Agreement has been filed by caveat as a first charge 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.

IX. 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.

X. 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.

Schedule "A" referred to in Clause 3 of the Report of the Standing Policy Committee on Property and Development dated November 20, 2001

