Agenda - Council - July 18, 2007

Report - Standing Policy Committee on Property and Development - June 26, 2007

Item No. 7 Subdivision and Rezoning - 982 John Bruce Road East (St. Boniface Ward) File DASZ 17/2007

STANDING COMMITTEE RECOMMENDATION:

On July 11, 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 under File DASZ 17/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 17/2007 dated June 5, 2007, for registration in the Winnipeg Land Titles Office.

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

3 That the Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 17/2007 dated June 5, 2007, to an "R1-4" Residential District.

4. That a ten (10%) percent 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 and the creation of additional sites (if applicable).

5. 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.

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

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.

Report - Standing Policy Committee on Property and Development - June 26, 2007

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

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

Report - Standing Policy Committee on Property and Development - June 26, 2007

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 11, 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 June 26, 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 June 12, 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 - 982 John Bruce Road East**
File DASZ 17/2007

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

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

Report date: **June 14, 2007**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 12, 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 under File DASZ 17/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 17/2007 dated June 5, 2007, for registration in the Winnipeg Land Titles Office.

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

3 That the Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 17/2007 dated June 5, 2007, to an "R1-4" Residential District.

4. That a ten (10%) percent 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 and the creation of additional sites (if applicable).

5. 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.

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

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

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

9. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

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

The 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 June 5, 2007.

PUBLIC HEARING SUMMARY

File: DASZ 17/2007

Before: Riel Community Committee
Councillor Swandel, Chairperson
Councillor Steeves
Councillor Vandal

Public Hearing: June 12, 2007
Council Chamber, Council Building, 510 Main Street

Applicant: Ryan Sourisseau

Subject:



APPLICANT: RYAN SOURISSEAU
FILE: DASZ 17/07
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 "R1-20" RESIDENTIAL DISTRICT to an "R1-4" RESIDENTIAL DISTRICT. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : RYAN SOURISSEAU
N° DE RÉFÉRENCE : DALZ 17/07
PROJET : Demande visant à faire approuver par le Conseil le plan de lotissement indiqué ci-dessus et proposition de modification du Règlement municipal n° 6400/94 visant à faire changer le zonage des sols délinéés ci-dessus qui passeraient de la catégorie R1-20 (SECTEUR RÉSIDENTIEL) à la catégorie R1-4 (SECTEUR RÉSIDENTIEL). **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: 982 John Bruce Road East

Exhibits Filed:

1. Application dated May 1, 2007
2. Notification of Public Hearing dated May 9, 2007
3. Manitoba Status of Title 2033642
4. Surveyor's Building Location Certificate and sketch dated April 24, 2007
5. Report from the Planning and Land Use Division dated June 5, 2007
6. Inspection Report

REPRESENTATIONS:

In Support:

Ryan Sourisseau

In Opposition

Nil

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

The applicant, Ryan Sourisseau, appeared in support of the application.

Exhibit "5" referred to in File DASZ 17/2007

Winnipeg

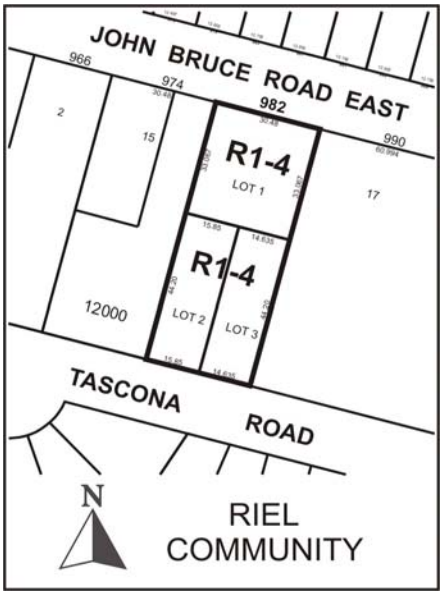
Planning, Property and Development Department Report

To the Riel Community Committee

Date: June 5/07
File: DASZ 17 /07
Related Files: NA

Subject: The purpose of the subject application is to rezone the subject property from an "R1-20" Residential category to an " R1-4" Single Family Residential category to permit the creation of one lot fronting onto John Bruce Road and at least two future lots fronting onto Tascona Road when and if that street r.o.w. is constructed.

Location: 982 John Bruce Road
Legal Description: Lot 16, Plan 12000 WLTO IN RL 122 PARISH OF ST. BONIFACE



Applicant: Ryan Sourisseau

Owner: same as above

Recommendation: Approved with Conditions

Site Description

The overall property in question has a 100' of frontage and 253' of depth for an overall area of 25,300 sq. ft. An existing one story dwelling occupies the front half of the property which is zoned "R1-20" Residential Single Family. There are also accessory buildings (shed, garage) and an in-ground pool to the rear of the existing residence.

Surrounding Land Use & Zoning :

North :
To the north is an established single family residential subdivision fronting onto John Bruce Road and zoned "R1-4" Residential.

East :
To the east are several single family dwellings occupying the south side of John Bruce Road on large lots similarly zoned "R1-20" Residential. It should be noted that just east of the subject property, John Bruce Road effectively terminates as a street and does not extend east of the existing railway r.o.w.

South :
To the south is a future unopened r.o.w. identified as Tascona Road which is part of the ongoing Royal Wood Phase II housing development. Those immediate adjoining lands are zoned "R1-20" Residential and are currently vacant.

West:
To the west as far as Shorehill Drive are several large single family lots occupied by several dwellings fronting onto John Bruce Road



4084

Description of the Proposed Development:

The applicant proposes to subdivide his property into three lots, the largest of which have 100' of width and 108 ' of depth and will front onto John Bruce Road. That lot will be occupied by the existing dwelling and garage. The remaining area at the rear will be subdivided into two lots, one of which will have a width of 48' and the other will have a width of 52'. Each will have equivalent depths of 148' and will eventually be accessed via Tascona Drive, a future street in the Royalwood Subdivision. The lot on John Bruce already has an approach; the two rear lots will not be issued building permits or approaches until Tascona is fully installed and the owners have contributed their share of the installation of services. The existing pool at the rear of the property is to be filled in.

Plan Winnipeg:

The subject land lies within the Neighbourhood Policy Area which allows for single family development proposals.

Analysis

The Planning and Land Use Division supports the proposal for several reasons. First of all, the proposed lot sizes are very much in character with existing and proposed new subdivisions in Royal Wood Phase I and Phase II as well as along John Bruce Road from Wildfire Road in the east to Wilmington Drive in the west. In 2006, a two lot subdivision was created and rezoned to an "R1-4" residential category on the adjoining lot at 974 John Bruce Road under file DASZ 44/06. Secondly, the creation of new infill housing at a reasonable density is consistent with Plan Winnipeg Policy . And finally, no building permits will be issued for proposed lots 2 & 3 until such time as Tascona Road is installed as a public right-of-way and the future owners of the aforementioned lots have paid their share of the subject infrastructure costs.

Recommendation

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

- The proposed zoning is consistent with adjoining land uses and in compliance with Plan Winnipeg Policy to create new infill housing.

Recommended Conditions of Approval

I. That the plan of subdivision proposed under File No. DASZ 17/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 17/2007, attached hereto and dated June 5/2007, for registration in the Winnipeg Land Titles Office .

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

III That the Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 17/2007, attached hereto and dated June 5/2007, to an "R1-4" Residential District.

IV. That a ten (10) percent 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 and the creation of additional sites, (if applicable).

V. 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.

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 zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

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

IX. In the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

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

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

Report Prepared by: Kevin Lalor
PPD File # .555

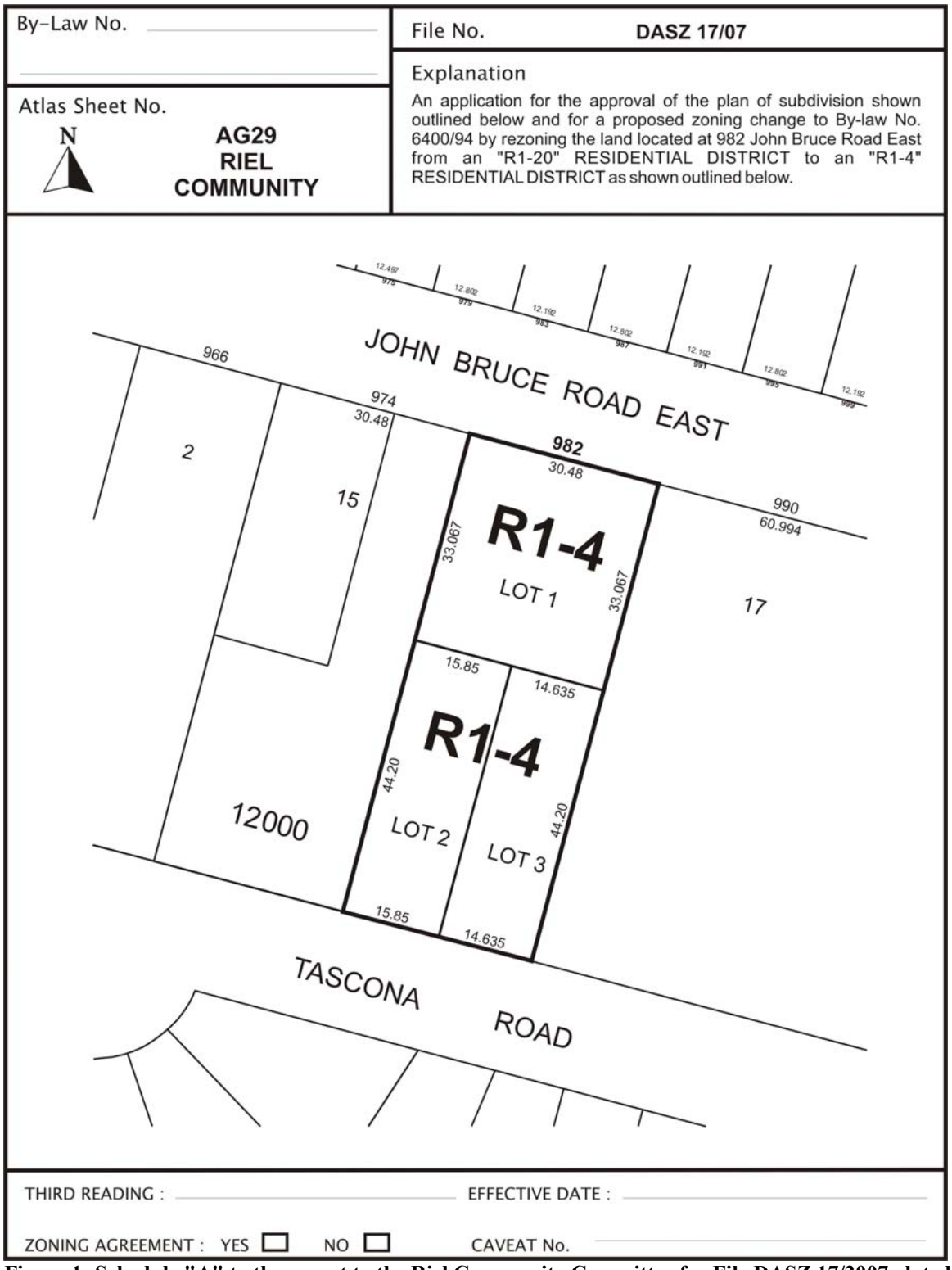


Figure 1: Schedule "A" to the report to the Riel Community Committee for File DASZ 17/2007, dated June 5, 2007.