REPORT OF THE

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

DATED MAY 3, 1994

On motion of Councillor O'Shaughnessy, the Report of the Committee on Planning and Community Services, dated May 3, 1994, was considered clause by clause.

Moved by Councillor O'Shaughnessy,
That the Consent Agenda, Clauses 1,2,3 and 4 be adopted.

Carried.

Her Worship the Mayor and Councillors:

Citizen Membership on the Winnipeg Public Library Board and Library Advisory Committee
Files GC-7 and L-11 (Vol. 11)

737 - 1. Your Committee on Planning and Community Services has been advised that on April 19, 1994, the Assiniboia Community Committee raised concerns relative to membership on the Winnipeg Public Library Board and Library Advisory Committees.

The Acting City Solicitor, has advised that the intent of By-law No. 4334/86, being a By-law of the City of Winnipeg in respect to the Winnipeg Public Library Board and Library Advisory Committees of the City of Winnipeg, is that citizen members shall be members residing in both the City and Ward from which they are appointed, but that the by-law should be more clearly defined to reflect this intent.

Community Committee therefore recommended that the Law Department be directed to amend By-law No. 4334/86 to more clearly define that citizen membership on both the Winnipeg Public Library Board and the Library Advisory Committees shall require residents to be from the City of Winnipeg and to reside in the Ward from which they are appointed.

Your Committee on Planning and Community Services concurs with the recommendation of the Assiniboia Community Committee and therefore recommends:

I. That the draft by-law amending By-law No. 4334/86 be approved to more clearly define that citizen membership on both the Winnipeg Public Library Board and the Library Advisory Committees shall require residents to be from the City of Winnipeg and to reside in the Ward from which they are appointed.

II. That the Proper Officers of the City be authorized to do all things necessary to affect the intent of the foregoing.

Adopted by consent.

Rezoning - 231 Goulet Street - Riel Community
File DAZ 222/93
(c/r DAV 1031/93D)

738 - 2. Your Committee on Planning and Community Services has been advised that an application has been received from Bergen-Letkemann Apartments Ltd., c/o R. Simpson, 1110 Henderson Highway, Winnipeg R2G 1L1, to amend the St. Boniface Town Planning Scheme 1957 from an "R4B" Planned Building Group District to allow for the construction of a twelve (12) storey apartment building on the westerly portion of the land, said building to contain one hundred sixty-two (162) dwelling units.

A related variance application under File DAV 1031/93D for inadequate yards, useable open space and parking was withdrawn by the applicant at the Riel Community Committee meeting of March 14, 1993.

This application is the fifth attempt to construct a high-rise apartment block on the usable open space appurtenant to 231 Goulet Street. Although these applications have not proposed identical buildings, in terms of height and density,

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they have all proposed the rezoning of the land to the highest "R4B" District available, with variances to allow bulk beyond the scale contemplated in the "R4B-Five" regulations and to permit inadequate parking. A proposal which is based upon variances of usable open space regulations and parking requirements is clearly overdevelopment.

The reasons submitted under File DAZ 253/81 recommending the rejection of the proposal remain applicable:

Firstly: the proposal would be constructed on what is supposed to be the usable open space for the existing apartment block. Unless a zoning change is approved, no additional bulk is permitted on the land, and the bulk of the existing building (which is already out of scale with the adjacent neighbourhood) was permitted only because of the provision of that usable open space. Any increase in floor area ratio by rezoning the site would have serious implications for all other "R3B" and "R4B" sites throughout the City having large areas of usable open space appurtenant to high-rise buildings.

Secondly: the proposed density (369 dwelling units on a site of 678,825 ft.²) is one unit per 183 ft.² of site area, which is higher than the density permitted under the Downtown Zoning By-law. This density would be inconsistent with adjacent development, and totally incompatible with the adjacent neighbourhood. The proposed high density is not supported by adequate parking (under File DAV 1031/93, it is proposed to allow a shortfall of 166 parking spaces) which must inevitably cause significant problems for the adjacent neighbourhood. That neighbourhood has only recently been redesigned to alleviate parking problems caused by the St. Boniface Hospital.

Thirdly: The proposal is out of scale with the adjacent neighbourhood (limited to a height of 2½ storeys) and its location to the south of that neighbourhood would result in significant shadow problems.

There remains no justification whatsoever for the construction of new high-rise buildings on usable open space provided to permit existing high-rise buildings.

A Public Hearing was held before the Riel Community Committee on March 14, 1994.

The following persons appeared and/or registered in support of the application:

Martin Bergen, 36 Appleton Street, Winnipeg, MB R2G 1K5
Florence Hince, 649-261 Goulet Street, Winnipeg, MB R2H 0S3
Arthur Prescott, 1004-231 Goulet Street, Winnipeg, MB R2H 0S1
Gerard J. and Marie J. Prenovault, 1603-231 Goulet Street, Winnipeg, MB R2H 0S1
Robert Simpson, 9 O'Meara Street, Winnipeg, MB R2W 3Z1
Therese Vincent, 209-231 Goulet Street, Winnipeg, MB R2H 0S1
Doreen Vandal, 415-291 Goulet Street, Winnipeg, MB R2H 0S4
Bruce Tourond, 415-291 Goulet Street, Winnipeg, MB R2H 0S4
F. Desrochers, 228-135 Niakwa Road, Winnipeg, MB R2M 5K2
Art Jacques, 810-231 Goulet Street, Winnipeg, MB R2H 0S1
Eileen Roy, 202-291 Goulet Street, Winnipeg, MB R2H 0S4
B. Cing Mars, 1403-231 Goulet Street, Winnipeg, MB R2H 0S1
Gerard Siane, 505-231 Goulet Street, Winnipeg, MB R2H 0S1
Gertrude Bauche, 1610-231 Goulet Street, Winnipeg, MB R2H 0S1
Marguerite Labelle, 1006-231 Goulet Street, Winnipeg, MB R2H 0S1
Yvette Ducharme, 1005-231 Goulet Street, Winnipeg, MB R2H 0S1
E. J. Bauche, 1610-231 Goulet Street, Winnipeg, MB R2H 0S1
Evelyne Prescott, 640-261 Goulet Street, Winnipeg, MB R2H 0S3
Helene Dauphinais, 403-231 Goulet Street, Winnipeg, MB R2H 0S1
Jeanne Ross, 510-291 Goulet Street, Winnipeg, MB R2H 0S4
Michel Ouimet, 1511-231 Goulet Street, Winnipeg, MB R2H 0S1
Eveline Theoret, 174 Dollard Boulevard, Winnipeg, MB R2H 0M2
Margo Lavoie, 206-231 Goulet Street, Winnipeg, MB R2H 0S1
Marcel Theoret, 174 Dollard Boulevard, Winnipeg, MB R2H 0M2
Armand Vincent, 811-231 Goulet Street, Winnipeg, MB R2H 0S1
G. Delaquis, 1201-231 Goulet Street, Winnipeg, MB R2H 0S1
Verna Vermander, 1408-231 Goulet Street, Winnipeg, MB R2H 0S1
Flore Toupin, 702-231 Goulet Street, Winnipeg, MB R2H 0S1
Anita Cormier, 1204-231 Goulet Street, Winnipeg, MB R2H 0S1
Renee-France Labossiere, 432 rue St. Jean-Baptiste, Winnipeg, MB R2H 2X7
Alma Stanbra, 1114-231 Goulet Street, Winnipeg, MB R2H 0S1
Noella Langill, 703-231 Goulet Street, Winnipeg, MB R2H 0S1

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Agnes Giasson, 714-231 Goulet Street, Winnipeg, MB R2H 0S1
G. Bourget, 1601-231 Goulet Street, Winnipeg, MB R2H 0S1
Yvette Laurencelle, 458 rue Valade, Winnipeg, MB R2H 2G3
Mariette Gervais, 16 Oustic Avenue, Winnipeg, MB R2M 1N2
Ernest Gervais, 16 Oustic Avenue, Winnipeg, MB R2M 1N2
Therese Rainville, 1211-231 Goulet Street, Winnipeg, MB R2H 0S1
J. St. Gondeau, 101-231 Goulet Street, Winnipeg, MB R2H 0S1
A. N. Gerard, 409-231 Goulet Street, Winnipeg, MB R2H 0S1
Severe Vincent, 209-231 Goulet Street, Winnipeg, MB R2H 0S1
Louis Vincent, 1209-231 Goulet Street, Winnipeg, MB R2H 0S1
Joan Yenchyn, 107-231 Goulet Street, Winnipeg, MB R2H 0S1
Irene Ducharme, 227 Goulet Street, Winnipeg, MB R2H 0S4
C. Rivard, 106-231 Goulet Street, Winnipeg, MB R2H 0S1
Alfred Vandal, 710-231 Goulet Street, Winnipeg, MB R2H 0S1
Evelyn Ouimet, 1511-231 Goulet Street, Winnipeg, MB R2H 0S1
Adrienne Paul, 1508-231 Goulet Street, Winnipeg, MB R2H 0S1
Dorothe Dunik, 805-231 Goulet Street, Winnipeg, MB R2H 0S1
Hortense Bourgoin, 410-231 Goulet Street, Winnipeg, MB R2H 0S1
Gilberte Vergnano, 610-231 Goulet Street, Winnipeg, MB R2H 0S1
Angele Dupuis, 508-231 Goulet Street, Winnipeg, MB R2H 0S1
Eveline Champagne, 431 Louis Riel Street, Winnipeg, MB R2H 2G6
Annette Pelletier, 1106-231 Goulet Street, Winnipeg, MB R2H 0S1
Germaine Bruneau, 401-231 Goulet Street, Winnipeg, MB R2H 0S1
Anna Pellerin, 1605-231 Goulet Street, Winnipeg, MB R2H 0S1
Celine Pauwels, 1105-231 Goulet Street, Winnipeg, MB R2H 0S1
Therese Bruneau, 445-261 Goulet Street, Winnipeg, MB R2H 0S3
Marie Dupuis, 705-231 Goulet Street, Winnipeg, MB R2H 0S1
Laurette Potvin, 111-231 Goulet Street, Winnipeg, MB R2H 0S1
Armande Saurette, 605-231 Goulet Street, Winnipeg, MB R2H 0S1
Mariette Jutras, 1101-231 Goulet Street, Winnipeg, MB R2H 0S1
Therese Bohemier, 1612-231 Goulet Street, Winnipeg, MB R2H 0S1
J. Huyghe, 340-231 Goulet Street, Winnipeg, MB R2H 0S1
Edna Guilbert, 542-261 Goulet Street, Winnipeg, MB R2H 0S4
Therese Courcelle, 1208-231 Goulet Street, Winnipeg, MB R2H 0S1
Jeanne Boivin, 1401-231 Goulet Street, Winnipeg, MB R2H 0S1
Marie Ange Ayotte, 1103-231 Goulet Street, Winnipeg, MB R2H 0S1
Solange Martin, 620-200 rue Masson, Winnipeg, MB R2H 3G1
Lucienne Durand, 1506-231 Goulet Street, Winnipeg, MB R2H 0S1
Irene Legros, 268 Speers Road, Winnipeg, MB R2J 1M7
M. Hebert, 810-270 Roslyn Road, Winnipeg, MB R3L 0H3
Aurele Bourrier, 372 rue Des Meurons, Winnipeg, MB R2H 2N7
Claire Bourrier, 372 rue Des Meurons, Winnipeg, MB R2H 2N7
E. Berthelette, 212-231 Goulet Street, Winnipeg, MB R2H 0S1
Jean-Pierre Soulodre, 503-231 Goulet Street, Winnipeg, MB R2H 0S1
L. Lanthier, 704-231 Goulet Street, Winnipeg, MB R2H 0S1
Roger Courrege, 253 Bertrand Avenue, Winnipeg, MB R2M 0N8
Berthe Ayotte, 1514-231 Goulet Street, Winnipeg, MB R2H 0S1
Mary Lagae, 104-291 Goulet Street, Winnipeg, MB R2H 0S4
Gisele Lagae, 442 Ritchot Street, Winnipeg, MB R2H 2X1
Paul and Yvonne Boulet, 1003-231 Goulet Street, Winnipeg, MB R2H 0S1
Yvonne Senecal, 203-3563 Portage Avenue, Winnipeg, MB R3K 2E1
R. Trudeau, 154 rue Des Meurons, Winnipeg, MB R2H 2M5
E. Morin-Pelchat, 1510-231 Goulet Street, Winnipeg, MB R2H 0S1
Bertha Alyea, 10-271 Traverse Avenue, Winnipeg, MB R2H 2H4
Herve Pelchat, 1510-231 Goulet Street, Winnipeg, MB R2H 0S1
Cecile Saurette, 309-291 Goulet Street, Winnipeg, MB R2H 0S4
Simonne Hebert, 610-291 Goulet Street, Winnipeg, MB R2H 0S4
Terry Fiola, 810-231 Goulet Street, Winnipeg, MB R2H 0S1
Lenore Didychuk, 904-231 Goulet Street, Winnipeg, MB R2H 0S1
Amedee Carriere, 1812-231 Goulet Street, Winnipeg, MB R2H 0S1
Cecile Boulet, 1010-231 Goulet Street, Winnipeg, MB R2H 0S1
Irene Fabas, 1410-231 Goulet Street, Winnipeg, MB R2H 0S1
Marie Anna Grenier, 208 Thomas Berry Street, Winnipeg, MB R2H 0R1

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N. Ricard, 200 rue Masson, Winnipeg, MB R2H 3G1
J. Gillis, 308-231 Goulet Street, Winnipeg, MB R2H 0S1
Rose Zeghers, 447-261 Goulet Street, Winnipeg, MB R2H 0S3
Yvonne Laurendeau, 1403-231 Goulet Street, Winnipeg, MB R2H 0S1
Lorraine Boisvert, 611-231 Goulet Street, Winnipeg, MB R2H 0S1
Julien Philippot, 506-231 Goulet Street, Winnipeg, MB R2H 0S1
R. Audette, 510-231 Goulet Street, Winnipeg, MB R2H 0S1
A. Berthelette, 212-231 Goulet Street, Winnipeg, MB R2H 0S1
Diana Prescott, 1004-231 Goulet Street, Winnipeg, MB R2H 0S1
H. Green, 603-231 Goulet Street, Winnipeg, MB R2H 0S1
Gabrielle Dupas, 1505-231 Goulet Street, Winnipeg, MB R2H 0S1
Elaine Vincent, 1108-231 Goulet Street, Winnipeg, MB R2H 0S1

The following persons appeared and/or registered in opposition thereto:

Maurice Laberge, 207 Thomas Berry Street, Winnipeg, MB R2H 0R9
Nigel Fortlage, 206A Dollard Boulevard, Winnipeg, MB R2H 0M5
G. Hewitt, 604 St. Mary's Road, Winnipeg, MB R2M 3L5
Gilbert Laberge, 467 rue St. Jean-Baptiste, Winnipeg, MB R2H 2X6
Monique Mulaire, 378 place Gaboury, Winnipeg, MB R2H 0L4
Jerry Kondi, 214 Thomas Berry Street, Winnipeg, MB R2H 0R1
Doris Kondi, 214 Thomas Berry Street, Winnipeg, MB R2H OR1
Robin Wiens, 439 rue Ritchot, Winnipeg, MB R2H 2W9
Gretchen Peutert, 23 Arden Avenue, Winnipeg, MB R2M 2J7
Margret Thomas, 212 Thomas Berry Street, Winnipeg, MB R2H 0R1
Ken Peutert, 212 Thomas Berry Street, Winnipeg, MB R2H 0R1
David Waters, 259 Ashworth Street, Winnipeg, MB R2N 1T2
Roger DuFresne, 218 Thomas Berry Street, Winnipeg, MB R2H 0R1
M. Saquet, 261 Thomas Berry Street, Winnipeg, MB R2H 0R2
Garry Steadman, 220 Thomas Berry Street, Winnipeg, MB R2H 0R1
Marcia Wiebe, 220 Thomas Berry Street, Winnipeg, MB R2H 0R1
Hubert Verrier, 217 Thomas Berry Street, Winnipeg, MB R2H 0P9
W. Carpenter, 247 Thomas Berry Street, Winnipeg, MB R2H 0R1
K. Carpenter, 242 Thomas Berry Street, Winnipeg, MB R2H 0R3
Kevin Law, 203-505 rue Ritchot, Winnipeg, MB R2H 2X2
Marie Jacques, 175 Kisil Bay, Winnipeg, MB R2K 3E7
Mike and Debbie Anderson, 216 Thomas Berry Street, Winnipeg, MB R2H 0R1
Louise Hawley, 7 Alumni Place, Winnipeg, MB R3T 4C5
Lisa DuFresne, 218 Thomas Berry Street, Winnipeg, MB R2H 0R1
Pat DuFresne, 218 Thomas Berry Street, Winnipeg, MB R2H 0R1
Patrick Jacques, 175 Kisil Bay, Winnipeg, MB R2K 3E7
Kimberly Friesen, 526 Novavista Drive, Winnipeg, MB R2N 2L5
Chris Benhamou, 456 rue Aulneau, Winnipeg, MB R2H 2V2
Dan Vardel, 740 Tache Avenue, Winnipeg, MB R2H 2C2
Ivan Hiebert, 370 Washington Avenue, Winnipeg, MB R2K 1L6
E. J. Gaboury, 62 Roslyn Road, Winnipeg, MB R3L 0K4
Annette Girardin, 194 Thomas Berry Street, Winnipeg, MB R2H 0R1

The Riel Community Committee recommended that the proposed zoning change **BE NOT PROCEEDED WITH** for the following reasons:

1. There is substantial resident opposition to this application.

2. This proposal represents overdevelopment of the property and is not in conformity with Plan Winnipeg and the development by-law.

3. The proposed density would be inconsistent with adjacent development and would be totally incompatible with the adjacent neighbourhood.

4. The proposal is out of scale with the adjacent neighbourhood (limited to a height of 2½ storeys) and its location to the south of that neighbourhood would result in significant shadow problems.
5. The applicant should have prior consultation with the area residents in an effort to ascertain the type of development they would support prior to the submission of a development application for the land.

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Your Committee on Planning and Community Services concurs in the recommendation of the Riel Community Committee and recommends:

I. That the proposed zoning change to amend The St. Boniface Town Planning Scheme 1957 by rezoning land under File DAZ 222/93 from an "R4B" Planned Building Group District to an "R4B-Five" Planned Building Group District **BE NOT PROCEEDED WITH.**

Adopted by consent.

Proposed Subdivision and Rezoning of land located on rue Youville and Bertrand Street between rue Des Meurons and the Seine River - Riel Community
File DASZ 11/92

739 - 3. Your Committee on Planning and Community Services has been advised that on January 27, 1993, City Council gave approval in principle to File DASZ 11/92 subject to, among other things, that the matter of the Developer's requested amendments to certain clauses of the report of the Administrative Coordinating Group dated August 31, 1992 be resolved prior to third reading of the by-law for rezoning and subdivision.

Following are the administration's recommendations with respect to the developer's proposed revisions to certain clauses in the report of the Administrative Coordinating Group:

Clause No. 5 a)

The developer wishes to minimize its financing costs by accelerating the timing of the payment of all, or part of, the cost recoveries which will be due the corporation.

Clause 5 a) requires the developer to install land drainage sewers and an outfall to the Seine River to service its land. These works must, however, be sized to accommodate land drainage for a larger area. Preliminary estimates reveal that the cost of the land drainage sewer system within Stage 1 of the proposed subdivision will be about $81,000.00. The oversize portion of this system is estimated to cost $26,000.00.

Clause 5 a) states that "the City shall reimburse the developer for the City's share of oversized services, including engineering costs, through its capital budget process, subject to Council approval and/or as the City collects through subsequent development agreements with the benefitting private owners." Pursuant to the terms of Development Agreement AG 202/93 with Villa Tache Inc. for its development at Bertrand Street and rue Des Meurons, Villa Tache Inc. has paid the City $23,130.36 as its share of the subject land drainage system.

Consequently, the oversizing costs to be incurred by the St. Boniface Development Corporation will be paid to the Corporation upon a Substantial Completion Certificate being issued for the land drainage system which it will construct.

It is therefore recommended that Clause 5 a) not be amended.

Clause No. 16

The developer proposes that the administration charge be applied to the development area after the area of land to be purchased by the City for the Seine River waterway has been deducted from the gross subdivision area.

Since the City is purchasing these lands, it is recommended that the developer's proposal be accepted and that Clause 16 be amended by adding the following sentence to the clause:

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"This charge shall be calculated on the basis of the gross area of the development minus the area of land to be purchased by the City for the Seine River waterway."

The developer has proposed that the word "landscaping" in the first and third lines be replaced with the word "sodding".

It is recommended that the developer's proposal be accepted and that Clause 20 be amended accordingly. It is also recommended that this clause be further amended to provide the City with an easement to provide the City with access to the dyke if it is to be situated on private property. The present Clause 20 should therefore be replaced with the following new Clause 20:

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"20. The developer shall pay the full cost of constructing and sodding any dyke or berm that may be required within the Planned Area. If the dyke or berm is located within public property, construction/design and sodding of the dyke or berm shall be in accordance with plans and specifications approved by the Commissioner of Works and Operations and Commissioner of Protection, Parks and Culture, respectively. If the dyke or berm is located within private property, it shall be constructed in accordance with plans and specifications approved by the Commissioner of Works and Operations and, in addition, the developer shall provide the City with easements to allow the City access to the dyke if and when necessary."

Clause No. 21

The developer has proposed that "the developer shall provide confirmation from the Province of Manitoba that the Province shall be responsible for the costs, to a maximum of $50,000.00, of removing all unacceptable and hazardous debris located within the parkland dedication and Seine River waterway lands to be acquired by the City, when determined by and to the satisfaction of the Commissioner of Works and Operations and the Commissioner of Protection, Parks and Culture."

This proposal caps the clean-up costs at $50,000.00 and does not address the removal of debris from the proposed lots. The probable result of any cap on clean-up costs would be the necessity for the City to pay for a portion of the costs, or to leave part of the hazardous material in place with potential liability on the City which has a statutory obligation not to approve residential subdivision of land unless, in the bonafide opinion of Council, it is suitable for residential use. Debris left on or adjacent to the residential lots will create an obvious hazard to children and others.

It is therefore recommended that existing Clause 21 be deleted and replaced with the following new Clause 21:

"21. Prior to the issuance of any building permit for construction within the Planned Area, the developer shall remove, or cause the Province of Manitoba to remove, without cost to the City and to the satisfaction of the Commissioners of Protection, Parks and Works and Operations, hazardous and otherwise unacceptable surface and underground debris within the Planned Area including the open space dedication and the land to be purchased by the City for the Seine River waterway."

Clause No. 27

The developer has proposed that the land dedication being provided in conjunction with this application, i.e. 37.5% of the net subdivision area, be considered sufficient to satisfy the dedication requirements for any future applications for subdivision and/or rezoning which the developer may submit for the lands.

The minimum statutory dedication requirement for File DASZ 11/92 is 0.93 acres, but it has been recommended that the developer provide a dedication of 3.50 acres which is 37.5% of the net development area. Should future development applications be received from the St. Boniface Development Corporation for the lands, it is recommended that the dedication received under File DASZ 11/92 be considered sufficient to satisfy the dedication requirements for these possible future applications. It must be understood, however, that there is no way that the free vote of councillors at a future date can be fettered by a contract entered into today. There is therefore no way of guaranteeing how a future vote will go and what land dedication requirements, if any, will be imposed by Council on the St. Boniface Development Corporation or some other future developer. The administration can, however, recommend that the 37.5% dedication to be received under File DASZ 11/92 is considered sufficient to satisfy dedication required under possible future applications submitted by the St. Boniface Development Corporation.

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It is therefore recommended that existing Clause 27 be deleted and replaced with the following new Clause 27 which corresponds with Schedule "B" as approved by Council on January 6, 1993:

"27. The developer shall dedicate approximately 3.50 acres of land for Seine River parkway purposes, representing 37.5% of the net area of the development application, which has been calculated in the following manner:

Gross Area: 12.55 Acres

Less Seine River Waterway Land: 3.24 Acres
(To be purchased by the City)

Net Area: 9.31 Acres

Proposed Seine River Parkway Land 3.50 Acres (37.5%)

(The Land Development Department agrees that, in the event that the developer submits future development applications for the lands, it will support the Developer's position that all dedication requirements have been satisfied by the 3.50 acre dedication provided as a condition of approval of this application and that the developer be relieved of any additional land or cash in lieu of land dedication.)"

Clause No. 28

In order that the report of the Administrative Coordinating Group corresponds with the alternative plan approved by Council on January 27, 1993, i.e. Schedule "B" dated January 6, 1993, it is recommended that Clause 28 be amended by adding the following sentence to the clause:

"Within any future St. Boniface Development Corporation development application areas located to the west of DASZ 11/92, the developer shall be responsible for the installation of up to a maximum of 17 metres of services in road allowances located adjacent to future parkland dedication or walkways; as determined by and to the satisfaction of the Commissioner of Protection, Parks and Culture."

Clause No. 29

In order that the report of the Administrative Coordinating Group correspond with the alternative plan approved by Council on January 27, 1993, i.e. Schedule "B" dated January 6, 1993, it is recommended that Clause 29 be deleted and replaced with the following new Clause 29:

"29. The developer shall, at no expense to the City, sod up to a maximum of 0.75 acres of Seine River Parkway land and install a 2.5 metres wide granular surface pathway in the "Walkway", in accordance with plans and construction specifications approved, prior to installation, by the Commissioner of Protection, Parks and Culture. The developer shall be responsible for maintenance of the landscaping improvements for a period of one year."

Clause No. 30

After further evaluation of Clause 30, the developer has advised that this clause need not be amended.

On April 18, 1994, the Riel Community Committee considered and concurred in the above administrative recommendations.

Your Committee on Planning and Community Services therefore recommends:

I. That clauses 16, 20, 21, 27, 28 and 29 of the report of the Administrative Coordinating Group dated August 31, 1992 be revised to reflect in whole or in part certain changes proposed by the St. Boniface Development Corporation (the developer).

II. That the Proper Officers of the City of Winnipeg be authorized to do all things necessary to effect the intent of the foregoing recommendation.

Adopted by consent.

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

Subdivision and Rezoning - land located at 2270 St. Mary's Road, west side between Normand Park Drive and Burland Avenue - Riel Community
File DASZ 1/94 (c/r DAV 26/94D)

740 - 4. Your Committee on Planning and Community Services has been advised that an application has been received from Scatliff & Associates, 90 Albert Street, Winnipeg R3B 1G2, for approval of a plan of subdivision and related zoning change to The St. Vital Town Planning Scheme 1951 by rezoning the subject lands from an "A1" Agricultural District to an "R1-5.5" One-Family District, an "R1-5" One-Family District and an "R3" Multiple-Family District to allow the construction of multiple-family dwellings.

The following is a site description and the surrounding land use/zoning:

Site A :proposed to be rezoned "R3":
is an irregular site of vacant land approximately 55 metres x 131 metres [180.4 ft. x 429.8 feet] with a site area of approximately 7200 m^2 [77,500 $ft.^2$]

Site B: proposed to be rezoned "R1-5":
is a triangle of vacant land 9.4 metres x 9.2 metres to be consolidated with Lot 1, Block 3, Plan 20,166 in order to complete a regular lot fronting Redview Drive

Site C: proposed to be rezoned "R1-5.5":
is an irregular parcel of vacant land 20.1 metres x 18.97 metres to be consolidated with Lot 1, Block 2, Plan 23,187 in order to complete a regular lot fronting Redview Drive

North: low-density housing
zoned "R1-5"

East: multiple-family housing
zoned "R3B-One"

West: low-density housing
zoned "R1-5" and "R1-5.5"

South: multiple-family housing
zoned "R3B-One"

A related variance application was applied for under File DAV 26/94, for accessory parking area, garbage container, fence located in the front yard and a variance for a rear yard.

It is proposed to build a 15 unit multiple-family development with 6 one-storey duplexes and 1 one-storey triplex.

The site was acquired for construction of a church, and is the last large vacant parcel in the Normand Park neighbourhood. The width of the site does not allow a cul-de-sac for one-family dwellings, which would be most compatible with Kara Cove and Henry Pehrson Cove on the north.

The proposed semi-detached one-storey units provide the most compatible multiple-family development adjacent to existing one-family dwellings, with a density of one unit per 5,100 $ft.^2$ of site area. The proposed use is considered to be less intense than a church. The consolidation of parcels on Redview Drive will allow construction of one-family dwelling to complete the east frontage of that street.

Revised plans submitted by the applicant illustrate a set-back from St. Mary's Road of only 17 metres, where the Streets and Transportation Department has recommended a minimum of 17.5 metres for noise attenuation. An attached garage is proposed to be located in this set-back.

A Public Hearing was held before the Riel Community Committee on March 14, 1994.

The following person appeared and registered in support of the application:

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Michael Scatliff, 90 Albert Street, Winnipeg, MB R3G 1G2

No one appeared in opposition thereto.

The Riel Community Committee recommended that:

1. The proposed subdivision and rezoning be approved for the following reasons:

    1) The proposed semi-detached one-storey unit is considered to be the most compatible multiple-family development adjacent to existing one-family dwellings.

    2) Inasmuch as the site was acquired for the construction of a church, the proposed use is considered to be less intense than a church.

    3) There was no opposition to the application.

2. The proposed subdivision and rezoning be approved subject to a number of conditions all of which have been incorporated within the following recommendation.

Your Committee on Planning and Community Services concurs in the recommendation of the Riel Community Committee and recommends:

I. That the plan of subdivision proposed under File DASZ 1/94 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor as outlined on Schedule "A" for File DASZ 1/94, dated April 21, 1994, 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 therein all the conditions outlined in the report of the Administrative Coordinating Group dated February 9, 1994.

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

III. That The St. Vital Town Planning Scheme 1951 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 1/94 dated April 21, 1994, to an "R3" Multiple-Family District, an "R1-5" One-Family District and an "R1-5.5" One-Family 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 "R3" Multiple-Family District site to include the following conditions:

    (1) that not more than fifteen dwelling units be erected or located on the land;

    (2) that no building or structure (including free-standing signs and fencing), parking or loading area, or landscaping be erected or located on the land except in accordance with plans approved by the Riel Community Committee and the Commissioner of Planning and Community Services;

    (3) that no building on the land exceed two storeys in height;

    (4) that a 10% dedication be made by payment of a sum of money to the City in lieu of the requirement for land for open space, park and recreational use based on the increase in market value of the "R3" land.

IV. That The St. Vital Town Planning Scheme 1951 be amended to establish the following special alignments:

    (i) a set back of 17.5 metres from St. Mary's Road to any dwelling unit; but not including an attached garage.

V. That the City Solicitor 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 the execution by The City of Winnipeg of the Development Agreement.

Report of the Committee on Planning and Community Services dated May 3, 1994

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 except that the "R3" Multiple-Family District applying to the residual lot shall come into force and effect when the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office against those lands.

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

IX. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within 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.

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

Adopted by consent.

(See Minute No. 741 for attachment)

741 - Schedule "A" referred to in Clause 4 of the Report of the Committee on Planning and Community Services dated May 3, 1994

By-Law No. _____

_____

FILE No. DASZ : 1 / 94

EXPLANATION:

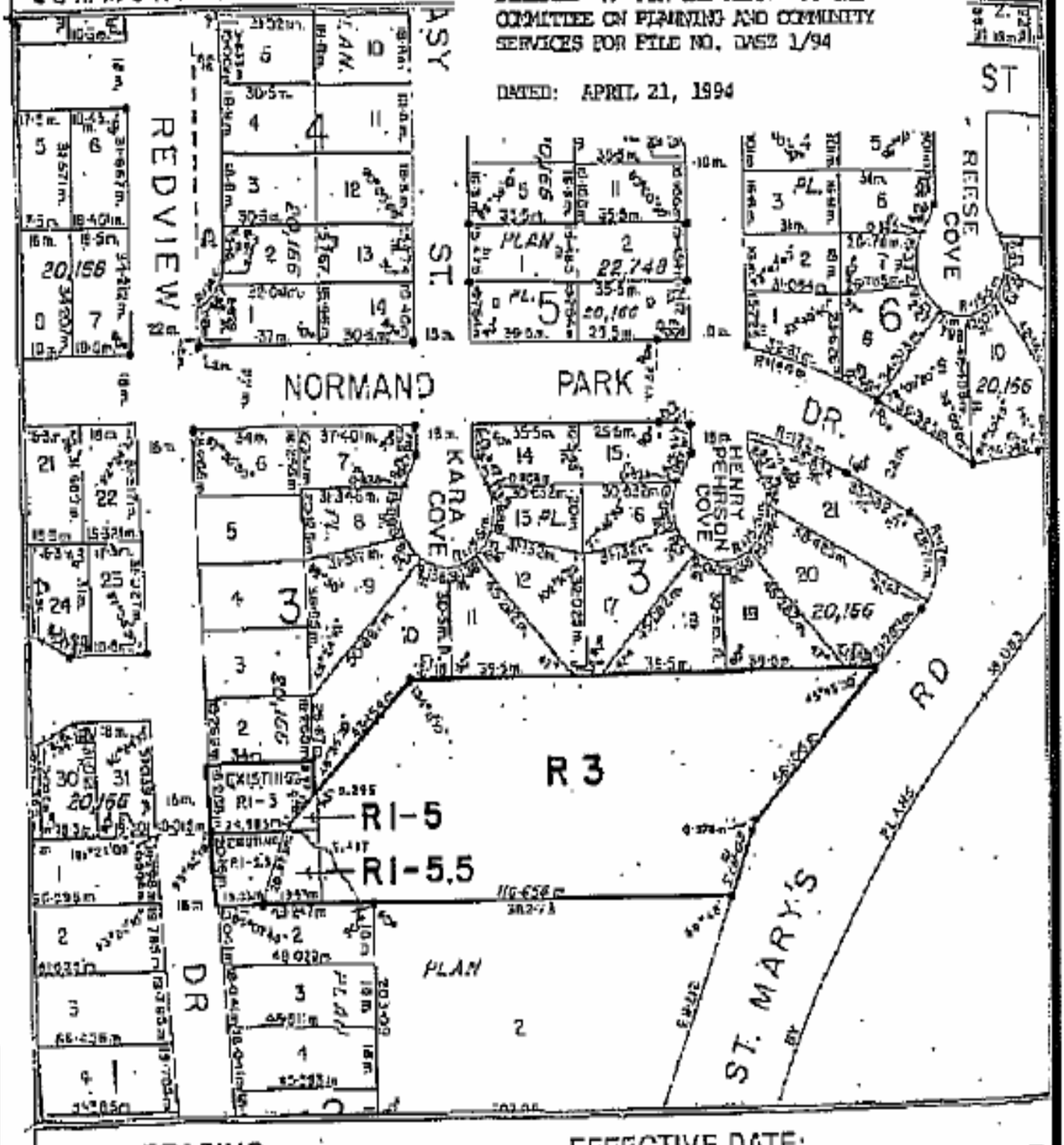
A proposal to subdivide the land at 2270 St. Mary's Road, on the west side between Normand Park Drive and Dutland Avenue and amend the St. Vital Town Planning Scheme 1951 by rezoning the land shown outlined below from an "A1" AGRICULTURAL DISTRICT to an "R1-5.5" ONE-FAMILY DISTRICT an "R1-5" ONE-FAMILY DISTRICT and an "R3" MULTIPLE-FAMILY DISTRICT.

ATLAS SHEET No. AL 26

RIEL COMMUNITY

SCHEDULE "A" FOR THE REPORT TO THE COMMITTEE ON PLANNING AND COMMUNITY SERVICES FOR FILE NO. DASZ 1/94

DATED: APRIL 21, 1994



THIRD READING: _____ EFFECTIVE DATE: _____

ZONING AGREEMENT: YES ☐ NO ☐ CAVEAT No. _____

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

MOTIONS

Moved by Councillor Boychuk,
Seconded by Councillor Reese,
742 - THAT the policy for appointment to Boards and Commissions be amended to ensure that citizen members reside within The City of Winnipeg and/or ward affected.

Automatic Referral to Executive Policy Committee in accordance with Rule 16.1 of the Procedure By-law

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

743 - On motion of Councillor O'Shaughnessy, the following By-laws were read a first, second and third time, the rule being suspended for the third reading of each by-law, and were passed and ordered to be signed and sealed, namely:

By-law No. 6408/94, a By-law of the City of Winnipeg to amend Zoning By-law No. 16502 for the enactment of a zoning change at 1240 Portage Avenue, in the City Centre Community. File DAZ 248/92

By-law No. 6409/94, a By-law of the City of Winnipeg to amend The St. Boniface Town Planning Scheme 1957 for the enactment of a zoning change at 99 Horace Street, in the Riel Community File DAZ 246/92

By-law No. 6410/94, a By-law of the City of Winnipeg to amend Zoning By-law No. 16502 for the enactment of a zoning change at 875 Corydon Avenue, in the City Centre Community File DAZ 200/94

By-law No. 6411/94, a By-law of the City of Winnipeg to amend By-law No. 4334/86, being "The Library Board By-law Files L-11 (Vol. 11) and GC-7

By-law No. 6412/94, a By-law of the City of Winnipeg to amend the St. Vital Town Planning Scheme 1951 for the enactment of a zoning change on land located at the north-west corner of Charlotte Road and Brentwood Avenue, in the Riel Community
File DASZ 14/93

By-law No. 6413/94, a By-law of the City of Winnipeg to amend Zoning By-law No. 1800 for the enactment of a zoning change on land located south of Vialoux Drive, east of Wexford Street, in the Assiniboia Community. File DASZ 22/93

On motion of Councillor O'Shaughnessy, the rule was suspended and By-law No. 6417/94, a By-law of the City of Winnipeg to amend The St. Boniface Town Planning Scheme 1957 for the enactment of a zoning change at 138 Aubert Street in the Riel Community, was read a first, second and third time, the rule being suspended for the third reading, and was passed and ordered to be signed and sealed.
File DAZ 231/91