Agenda - Council - December 19, 2007

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

Item No. 3 Subdivision and Rezoning – East and West Sides of Sunny Morning Road at Knowles Avenue (North Kildonan Ward) File DASZ 38/2007

STANDING COMMITTEE RECOMMENDATION:

On December 12, 2007, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan – Transcona Community Committee and submits the following to Council:

1. That the plan of subdivision proposed under File DASZ 38/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 38/2005 dated November 7, 2007, for registration in the Winnipeg Land Titles Office subject to the following:

   A. That the Developer be required to enter into an Addendum to Development Agreement AG 20/04 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated November 1, 2007.

2. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 38/2007 dated November 7, 2007, to a "R1-5" Residential District.

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

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 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.

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 - November 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 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 - November 27, 2007

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 12, 2007, the Executive Policy Committee concurred in the recommendation 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 November 27, 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 November 13, 2007, the East Kildonan – Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment, namely:

- Delete the word "R1-4" in the second line of Recommendation 2 and substitute therefore the word "R1-5"

and forwarded to the Standing Policy Committee on Property and Development.

Re: **Subdivision and Rezoning**
File DASZ 38/2007

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

Prepared by: **Carol Freeman, Senior Committee Clerk,**
East Kildonan-Transcona Community Committee

Report date: **November 16, 2007**

On November 13, 2007, the East Kildonan – Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 38/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 38/2005 dated November 7, 2007, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into an Addendum to Development Agreement AG 20/04 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated November 1, 2007.

2. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 38/2007 dated November 7, 2007, to a ***"R1-5"*** Residential District.

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

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 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.

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 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.

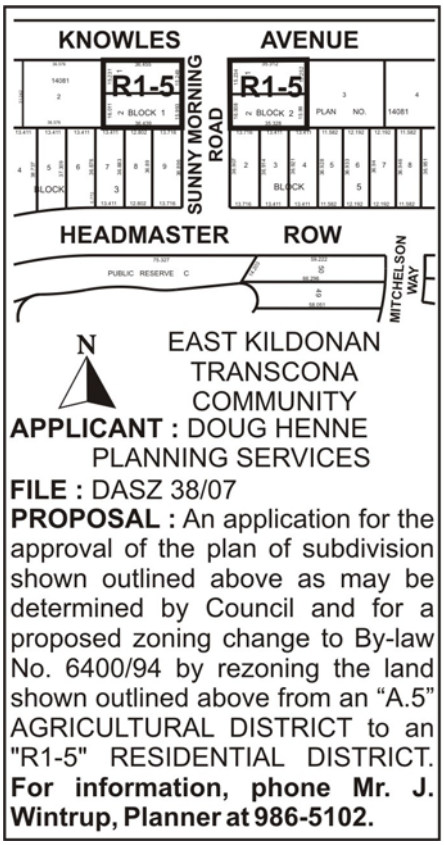
Note: The wording in bold and italics denotes amendments made by the Community Committee.

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

1. The application provides for the continued development of Arrowwood and is beneficial to North Kildonan.

2. The completion of Arrowwood through to Lagimodiere Boulevard will alleviate some of the traffic concerns.

PUBLIC HEARING SUMMARY

File:	DASZ 38/2007
Before:	East Kildonan-Transcona Community Committee Councillor Thomas, Chairperson Councillor Browaty
Public Hearing:	November 13, 2007 Community Committee Chambers, 755 Henderson Highway
File:	DASZ 38/2007
Applicant:	Doug Henne Planning Services (Doug Henne)
Subject:	
Premises Affected:	East and West Sides of Sunny Morning Road, at Knowles Avenue
Exhibits Filed:	1. Application dated October 3, 2007 2. Notification of Public Hearing dated October 10, 2007 3. Manitoba Status of Title Nos. 2181831 and 2181774

4. Letter of authorization dated September 30, 2007 from North Grassie Properties Inc. to Doug Henne
5. Surveyor's Sketch showing Proposed Subdivision dated August 29, 2007
6. Development Lot Width and Area Calculations
. Zoning Development Information
7. Title Plot
8. Report from the Planning and Land Use Division dated November 7, 2007
9. Report from the Winnipeg Public Service Coordinating Group dated November 1, 2007
10. Inspection Report

REPRESENTATIONS:

In Support:

Susan Russell, McGowan, Russell

In Opposition:

Nil

For Information:

Nil

For the City:

John S. Wintrup, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

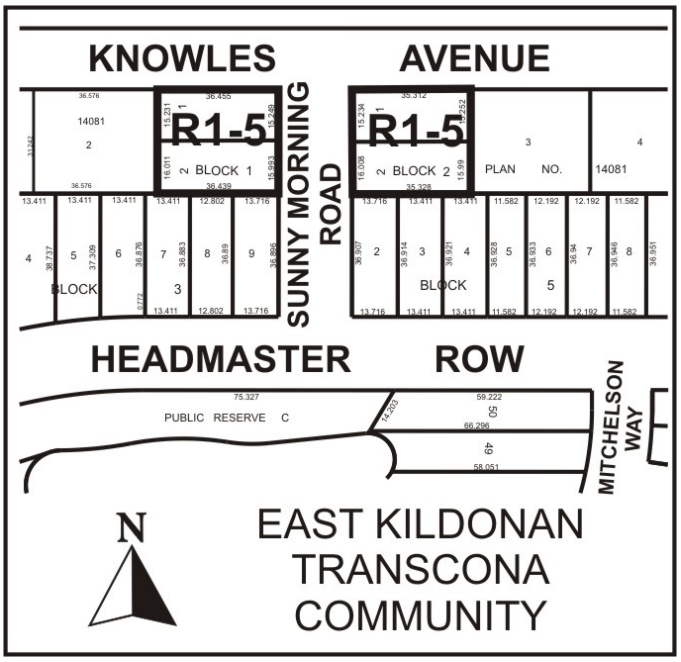
Susan Russell, appearing in support of the application, advised that the development was comprised of four small lots and provides for an extension of services to Knowles Avenue

Exhibit "8" referred to in File DASZ 38/2007

Planning, Property and Development Department Report

To the East Kildonan - Transcona Community Committee

Date: **November 7, 2007**
File: **DASZ 38/2007**
Related Files: **DASZ 20/04; DASZ 45/04; DASZ 53/05; DASZ 12/06**
Subject: **Rezone and subdivide property into 11 residential lots.**
Location: **Sunny Morning Road**



Applicant: **Doug Henne Planning Services**
Owner: **North Grassie Properties Inc.**

Recommendation: **Approval**

Report Summary:

- The Developer has acquired **11,186.00 square feet** and rights to **2,096.379 square feet** of land in order to subdivide the block around Tamarisk Cove into single family lots.

- An existing lot zoned "R1-3.5" fronting the north side of Headmaster will be consolidated and subdivided into the new lots.
- The rear yard of 674 Knowles Avenue, 2,096.379 square, will be rezoned at this time but not subdivided until a later date.

Site Description

The subject properties are **24,135.629 square feet** located north of Headmaster Row and south of Knowles on the east and west sides of Sunny Morning Way in the Springfield North neighbourhood of the North Kildonan Ward.

The subject properties are zoned "A-5" Rural. The land on the west side of Sunny Morning Cove is **12,257.26 square feet.** The land on the east side of Sunny Morning Cove is **11,878.36 square feet**. Adjacent properties include a residential dwelling to the east zoned "R1-5.5" Residential Districts; vacant land to the west zoned "R1-5.5"; and vacant lots zoned "R1-3.5" to the south fronting Headmaster Row. Surrounding lands include the Arrowwood Subdivision zoned for single family residential.

Background

DASZ 20/04 Arrowwood

This application was made in June of 2004. The Division recommended in October, 2004 at a Public Hearing that DASZ 20/04 be laid over to allow the developer time to work with the City of Winnipeg to generate a revised plan due to issues surrounding lake size, street pattern, street location, etc. DASZ 20/04 went to a Public Hearing in February of 2005 and was approved by Council on May 18, 2005.

Description of the Proposed Development

The Developer of Arrow wood would like to subdivide the blocks of land on both sides of Sunny Morning Way between Headmaster and Knowles Avenue into single family lots.

Each block of land currently flanking Sunny Morning Road will be subdivided into two (2) lots for a total of 4 lots fronting Sunny Morning Road. The lots will be 50 and 52 feet on the east side and 50 and 52 feet on the west side of Sunny Morning Road. Services will be extended northwards from Headmaster Row to the terminus of Knowles Avenue / Sunny Morning Road.

Analysis

PLAN WINNIPEG

The proposed concept complies with Plan Winnipeg in that a residential rezoning is allowed in Neighbourhood Policy Areas. The proposed development also achieves the Plan Winnipeg policy of intensifying residential density through infill development.

ZONING

- The **"R1-5.5" Single Family Residential District** requires a minimum lot size of 5,500 square feet and a minimum lot width of 50 feet. A side yard of 5 feet is required.

- The **"R1-4" Single Family Residential District** will require a minimum lot size of 4,000 square feet and minimum lot width of 40 feet.
- 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.

COMPATIBILITY WITH SURROUNDING USES
The application is consistent with the approved plan of subdivision for Arrow wood and the concept plan drafted at the time of DASZ 20/2004.

LAND USE BY-LAW ISSUES
The proposed zoning category is consistent with a number of residential subdivisions in Winnipeg such as Eaglemere, Amber Trails, Canterbury Park, Whyte Ridge and Riverbend South. The range of lot sizes will permit the construction of a variety of new single family dwellings that will diversify the housing stock and provide residents with different housing options.

SITE DESIGN ISSUES
The lots are fronting Sunny Morning Road where a full range of services will be installed. This will ensure services are extended north to the Sunny Morning / Knowles Avenue intersection, which will assist in facilitating the future extension of services down Knowles Avenue by others.

LAND DEDICATION
Finally, it should be noted that dedication of land for public open space or payment of cash in lieu thereof is applicable to the subject properties as this requirement was not satisfied through the Arrow wood Development Agreement AG 20/04 between the City and North Grassie Properties Ltd. The payment of land dedication is incorporated into the addendum to the Development Agreement.

Recommendation

The Planning and Land Use Division recommends approval of the proposed rezoning and subdivision for the following reasons:

- The plan of subdivision will complement the approved plan for Arrow wood.
- The proposed subdivision will ensure a full range of municipal services are extended to Knowles Avenue, facilitating future extension of services along Knowles Avenue.
- The development represents a logical completion of Sunny Morning Road.

Recommended Conditions of Approval

1. That the plan of subdivision proposed under File DASZ 38/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 38/2005 dated November 7, 2007, for registration in the Winnipeg Land Titles Office subject to the following:

A. That the Developer be required to enter into an Addendum to Development Agreement AG 20/04 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated November 1, 2007.

2. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 38/2007 dated November 7, 2007, to a "R1-4" Residential District.

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

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 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.

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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.

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

Report Prepared by: John S. Wintrup
PPD File # .419

Schedule "A"

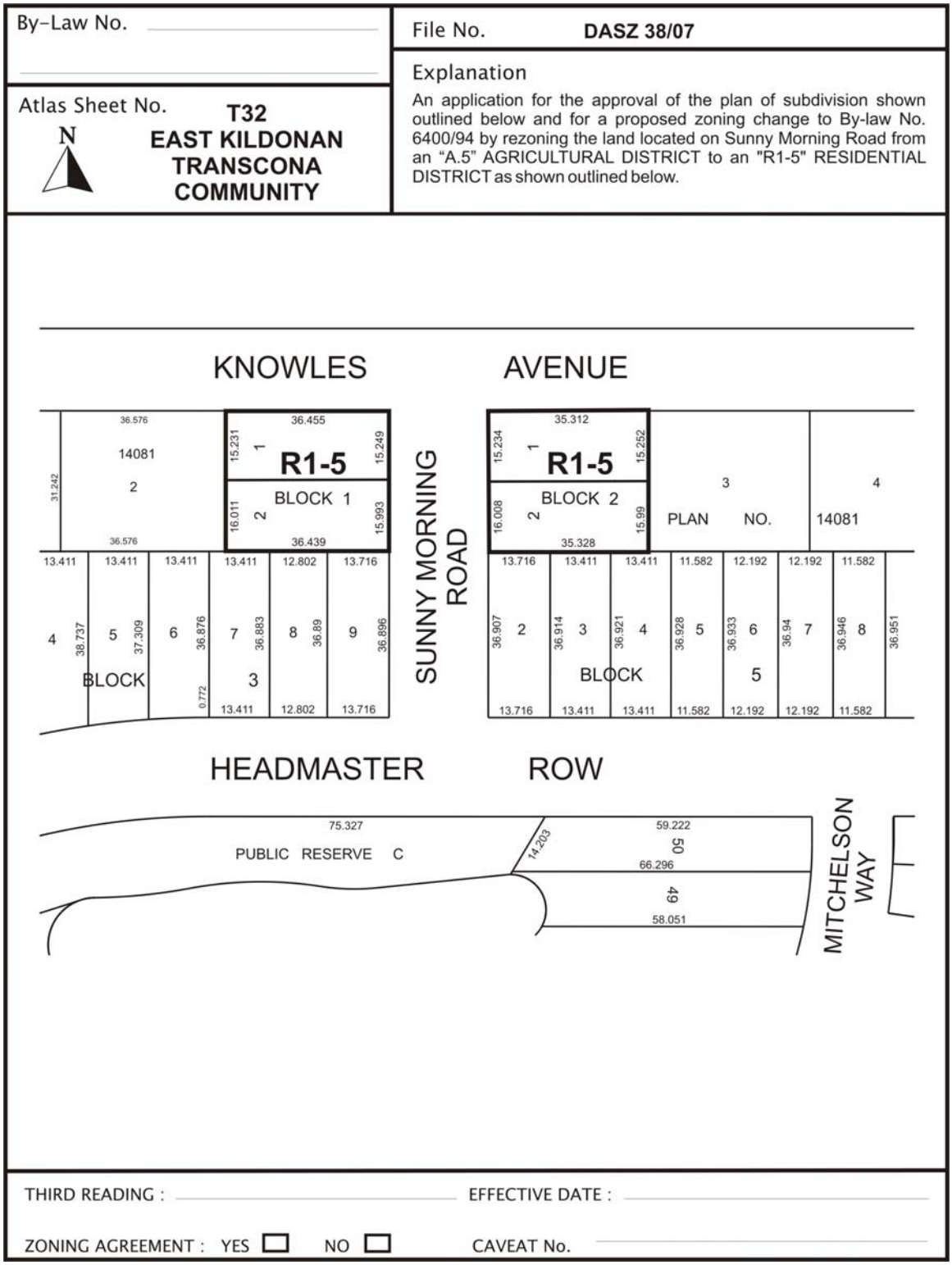

Figure 1: Schedule "A" to the report to the East Kildonan - Transcona Community Committee for File DASZ 38/2007, dated November 7, 2007.

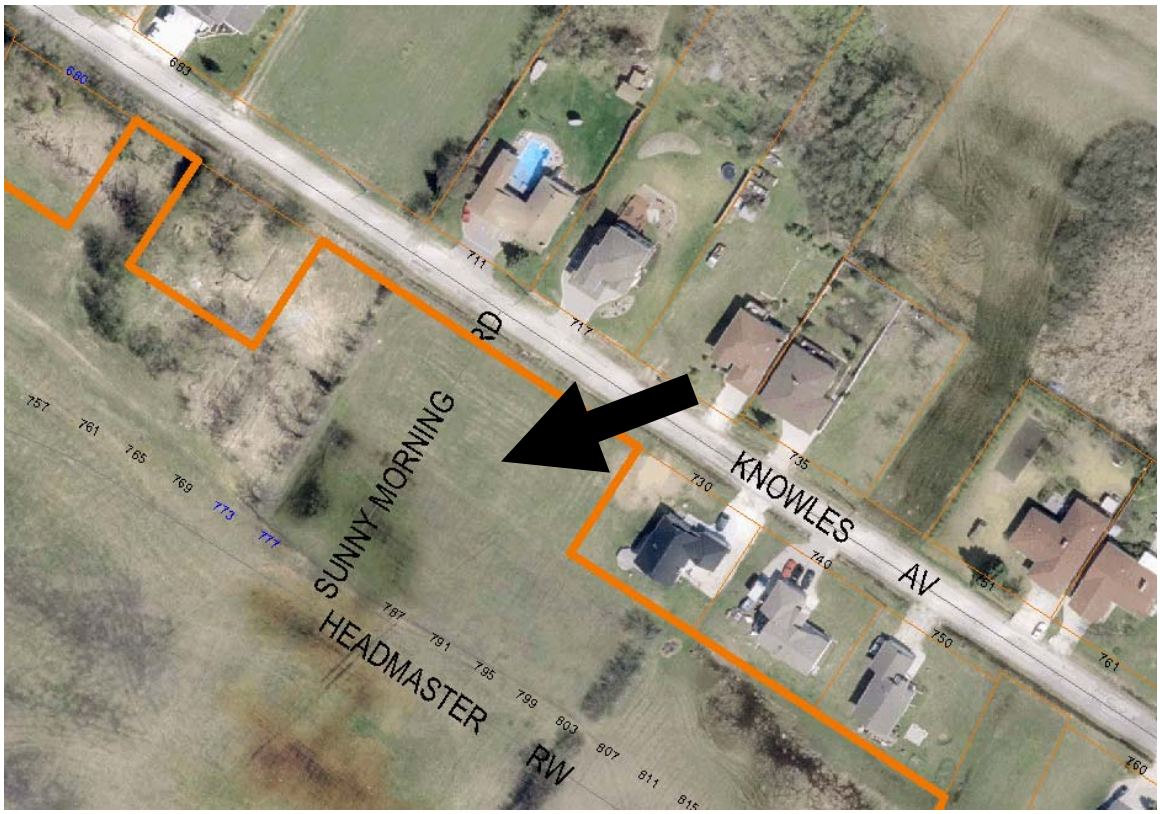

Figure 2: Existing Land-Uses for subject property and Surrounding Area.

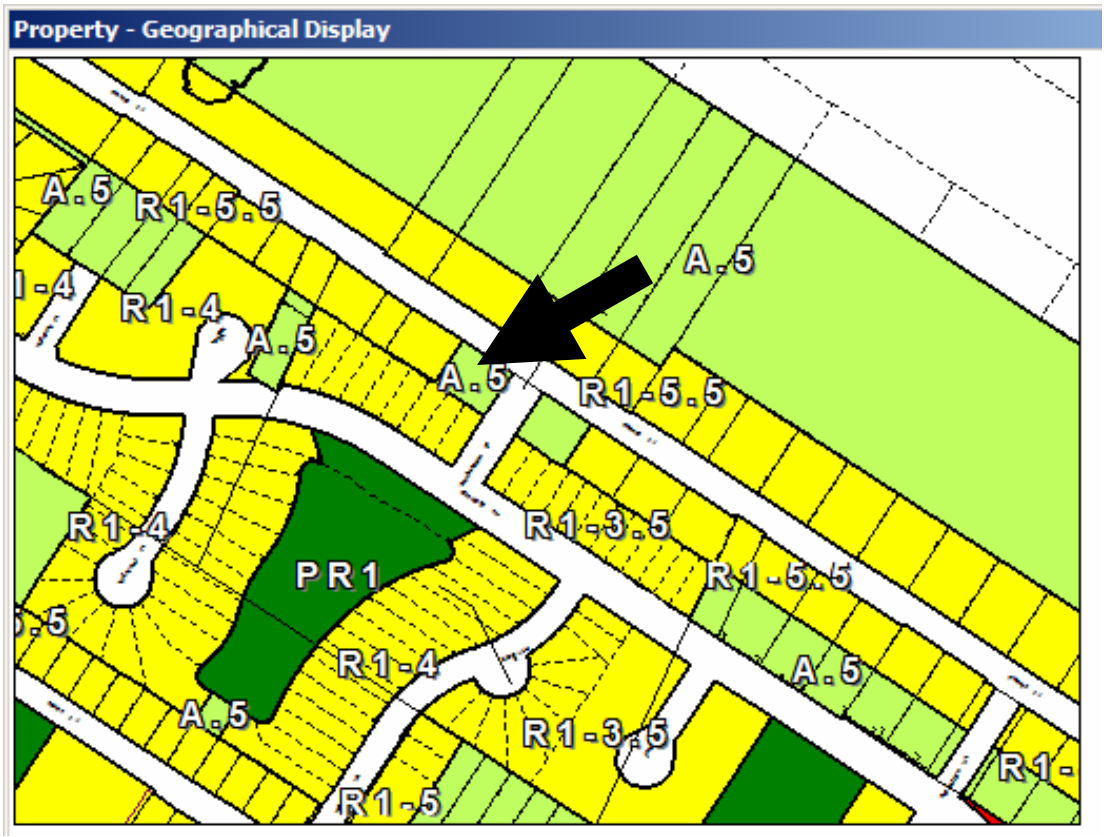

Figure 3: Existing Zoning for subject property and Surrounding Area.

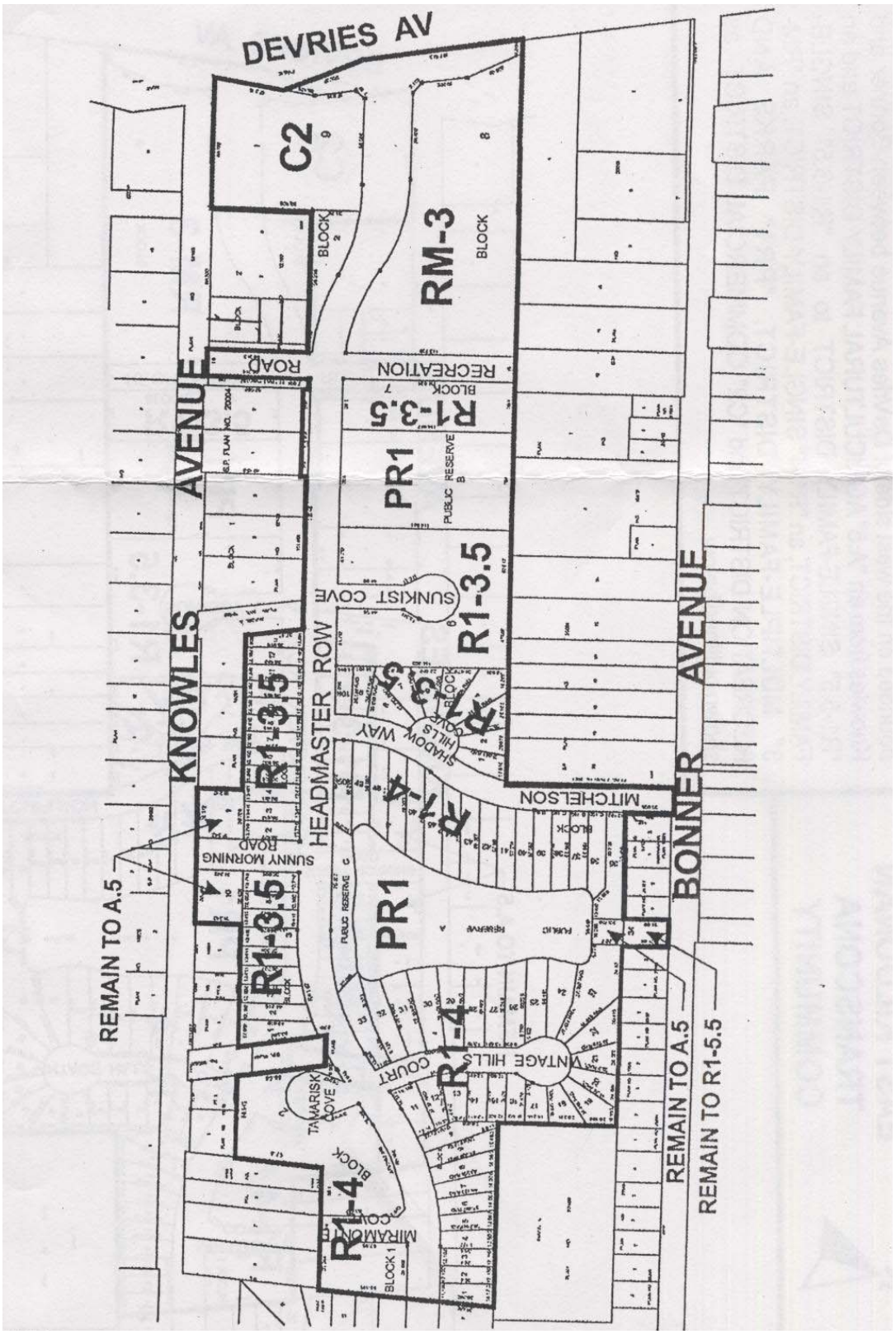

Figure 4: Plan for Arrowwood Subdivision.

Exhibit "9" referred to in File DASZ 38/2007

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT THE SOUTHTHEAST AND SOUTHWEST CORNERS OF THE INTERSECTION OF SUNNY MORNING ROAD AND KNOWLES AVENUE – DASZ 38/07

FOR SUBMISSION TO THE CHAIRPERSON AND MEMBERS OF THE EAST KILDONAN – TRANSCONA COMMUNITY COMMITTEE

(original signed by E.L. Carrière, P.Eng.)
E.L. Carrière
Chairman
Administrative Coordinating Group

November 1, 2007

3064

RE: PROPOSED SUBDIVSION AND REZONING OF LAND LOCATED AT THE NORTHEAST AND NORTHWEST CORNERS OF THE INTERSECTION OF SUNNY MORNING ROAD AND KNOWLES AVENUE – DASZ 38/07

An application has been submitted by Doug Henne Planning Services on behalf of North Grassie Properties Inc. to subdivide and rezone land located at the southeast and southwest corners of the intersection of Sunny Morning Road and Knowles Avenue. The services in Sunny Morning Road are being installed by North Grassie Properties Inc. under the terms of the Arrowwood Development Agreement AG 20/04.

It is therefore recommended that approval of DASZ 38/07 be subject to the Developer entering into an Addendum to Development Agreement AG 20/04 as follows:

a) By attaching to Development Agreement AG 20/04 a copy of the plan of subdivision approved under DASZ 38/07;

b) By adding clauses to Development Agreement AG 20/04 making the land covered by DASZ 38/07 subject to payment of land drainage trunk and sub-trunk charges, cash in lieu of dedication of land for public open space and an administration fee of $525.00.

"original signed by E.L. Carrière"
Land Development Engineer

"original signed by T. Josephson"
Water & Waste Department

"original signed by R. Hartmann"
Public Works Department