Agenda - Council - April 23, 2008

Report - Standing Policy Committee on Property and Development - March 25, 2008

Item No. 12 Subdivision - Southeast corner of Aldgate Road and Paddington Road (St. Norbert Ward)
File DAS 5/2008

STANDING COMMITTEE RECOMMENDATION:

On April 9, 2008, the Executive Policy Committee concurred in the recommendation 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 DAS 5/2008 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DAS 5/2008 dated March 10, 2008, 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 31/84 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated March 5, 2008.

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

3. 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.

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

5. 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.

6. 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.

Report - Standing Policy Committee on Property and Development - March 25, 2008

7. 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.

8. 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 - March 25, 2008

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 9, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On March 25, 2008, 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 March 17, 2008, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Subdivision - Southeast corner of Aldgate Road and Paddington Road File DAS 5/2008**

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

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

Report date: **March 18, 2008**

COMMUNITY COMMITTEE RECOMMENDATION:

On March 17, 2008, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision under File DAS 5/2008 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DAS 5/2008 dated March 10, 2008, 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 31/84 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated March 5, 2008.

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

3. 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.

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

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6. 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.

7. 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.

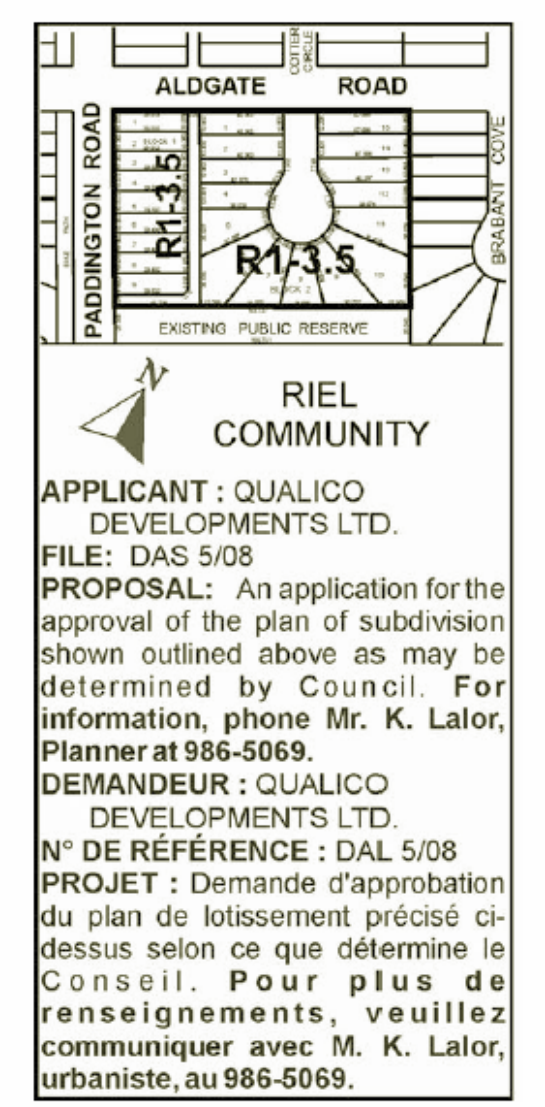
8. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of the City of Winnipeg Charter.

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

1. The proposed subdivision is in character with the surrounding area.

PUBLIC HEARING SUMMARY

File:	DAS 5/2008
Before:	Riel Community Committee Councillor Steeves, Chairperson Councillor Swandel Councillor Vandal
Public Hearing:	March 17, 2008 Council Chamber, Council Building 510 Main Street
Applicant:	Qualico Developments Ltd. (Felicia Michie)
Subject:	



Premises Affected: Southeast corner of Aldgate Road and Paddington Road

Exhibits Filed:

1. Application dated January 25, 2008
2. Notification of Public Hearing dated February 8, 2008
3. Manitoba Status of Title 2059006
4. Site Plan
5. Plan
6. Report from the Planning and Land Use Division dated March 10, 2008
7. Report from the Administrative Coordinating Group dated March 5, 2008
8. Inspection Report
9. Audio Recording of representations

REPRESENTATIONS:

In Support:

Eric Vogan

In Opposition

Daniel Zaborniak

For the City:

Kevin Lalor, Senior Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DAS 5/2008

Re: PROPOSED SUBDIVISION ON LAND LOCATED ON ALDGATE ROAD BETWEEN EASTCOTE DRIVE AND HIGHBURY ROAD

FOR SUBMISSION TO THE CHAIRPERSON AND MEMBERS OF THE RIEL COMMUNITY COMMITTEE

E.L. Carrière
Chairman
Administrative Coordinating Group

March 5, 2008

RE: PROPOSED SUBDIVISION ON LAND LOCATED ON ALDGATE ROAD BETWEEN EASTCOTE DRIVE AND HIGHBURY ROAD – DAS 5/08

An application has been submitted by the Qualico Development Ltd. to subdivide land located on Aldgate Road between Eastcote Drive and Highbury Road. The subject land was covered as a possible school site under an Addendum to Development Agreement AG 31/84 for DASZ 6/02.

It is recommended that approval of DAS 5/08 be subject to the Developer entering into a further Addendum to Development Agreement AG 31/84 as follows:

a) By attaching a plan to AG 31/84 showing the Subdivision approved under DAS 5/08, and
b) By attaching a plan to AG 31/84 showing the specific servicing requirements for the land covered under DAS 5/08

It is also recommended that dedication of land for public open space not be applicable to DAS 5/08 as dedication for the subject land was fully satisfied under the Addendum to AG 31/84 for DASZ 6/02.

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 5/08
March 5, 2008

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

"original signed by R. Hartmann"
Public Works Department

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

ELC/cm

2182

Exhibit "6" referred to in File DAS 5/2008

Winnipeg

Planning, Property and Development Department Report

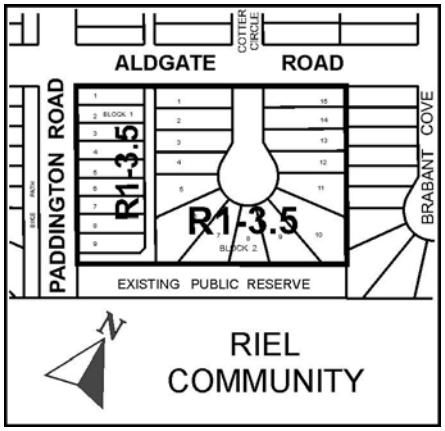
To the Riel Community Committee

Date: March 10/2008
File: DAS 5 /08
Related Files: DAV 08-104374/A

Subject: The land is currently zoned " R1-M" single family (R1-3.5 under the old zoning by-law 6400/94) . The applicant proposes to subdivide it to create twenty –four new single family lots.

Location: S.E. corner of Aldgate Road & Paddington Road

Legal Description: Lot 4, Block 2 Plan 3351



Applicant: Qualico Developments

Owner: Same as above

Recommendation: Approved with conditions

Site Description:



Background:

The original development plan for River Park South was submitted and endorsed in principle under File Number DASZ 31/ 84. Subsequently a street lay-out, parcel plan and zoning application was submitted and approved by your Committee under DASZ 6/2002. All that remained was the specific lot plan which is the purpose of the subject application. Under DASZ 6/02, all of the lands south of Aldgate Road owned by Qualico Developments were rezoned to an " R1-3.5" Single Family Residential category and the properties on the north side of Aldgate Road were , by in large, zoned to an " R1-4" Single Family Residential category. The new zoning classification under the new by-law 200/2006 for both R1-3.5 and R1-4 is R1-M Single Family Residential. The R1-M category allows for a minimum lot size of 3500 sq. ft.

Description of the Proposed Development:

While, as mentioned, the minimum lot area for R1-M zoning under the new by-law is 3500 sq. ft., most of the nine (9) proposed lots in Block 1 of the plan are in the 4400 –4600 sq. ft. range.

In Block 2, the fifteen proposed lots range in area from 6200 sq. ft. to several which are over 10,000 sq. ft in area because of their configuration. A twenty (20) foot wide lane separates the two parcels. As shown, all fifteen lots in Block 2 will front onto and be accessed via a cul-de – sac. All nine lots in Block 1 will front onto Paddinton Road but will be have vehicular access off of a proposed lane. There are designated bike paths on the west side of Paddington which are zoned PR-1 Parks & Recreation and a strip of PR-1 land lying adjacent to the south which will likely form part of a larger public reserve area in the future when Qualico Developments acquires those lands. There is no dedication required under the current application given that that was addressed previously under the original DASZ 31/84.

Analysis:

The subject parcel is one of the few remaining areas in River Park South , particularly along Aldgate Road , left to be infilled with residential housing units. Eventually, the lands immediately abutting the Perimeter Highway will also be acquired by Qualico and further development will occur in those areas. Provision has been made in the already approved subdivisions for future access to these areas. The Planning Department , is of the view, that the proposed lotting plan is in character with the existing neighbourhood and that the proposed twenty –four lots are equivalent to and in many cases, exceed the size of lots already constructed along Cotter Circle and Zylema Cove. It therefore recommends that the plan of subdivision ,as submitted, be endorsed by your Committee.

Recommendation:

The Planning and Land Use Division recommends approval for the following reason:

- The proposed subdivision lots are consistant in size with the existing neighbourhood and the plan is and orderly extension of and in accordance with the overall development plan for the entire area.

<u>Recommended Conditions of Approval:</u>

I. That the plan of subdivision proposed under File No. DAS 5/08 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DAS 5/08, attached hereto and dated March 10/08, 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 31/84 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated March 5/2008.

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

3. 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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5. 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.

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7. 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.

8. 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 # .530

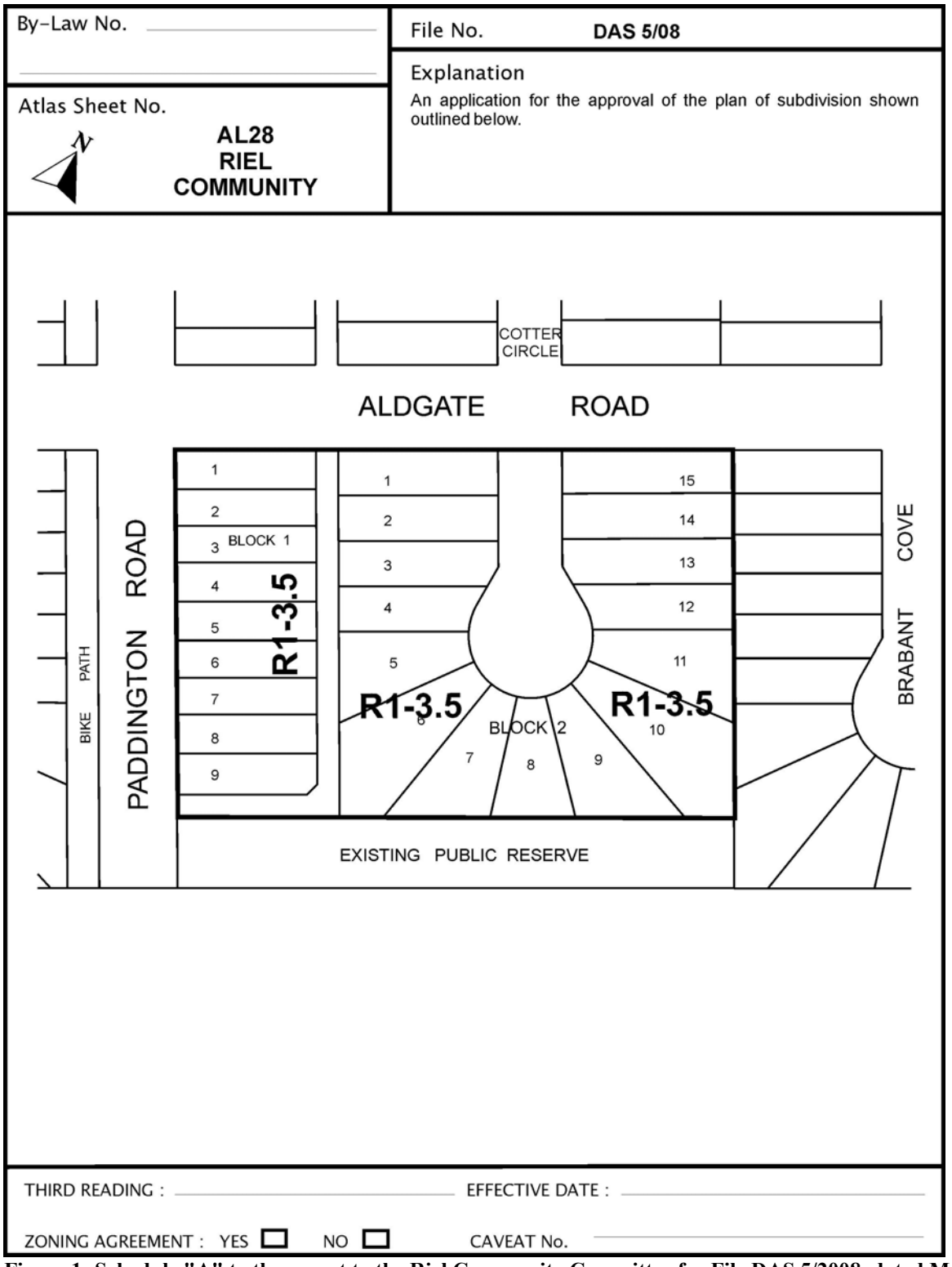

Figure 1: Schedule "A" to the report to the Riel Community Committee for File DAS 5/2008, dated March 10/2008