Agenda - Council - September 30, 2009

Report - Standing Policy Committee on Property and Development – September 8, 2009

Item No. 6 Subdivision and Rezoning – Lands east of Kenaston Boulevard between Bison Drive and North Town Road, Land north of North Town Road on either side of Bridgeland Drive North (St. Norbert Ward) File DASZ 3/2009 [c/r SPA 1/2009]

STANDING COMMITTEE RECOMMENDATION:

On September 23, 2009, 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 proposed under File DASZ 3/2009 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2009 dated June 30, 2009, 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 all the conditions outlined in Schedule "B", the Report of the Administrative Coordinating Group dated July 7, 2009, with the following amendments:

        i. That Recommendation 1 under section A. Plan Considerations be amended by inserting the words "and Bison Drive" after the words "Kenaston Boulevard" in the first line thereof.

        ii. That Recommendation 2 under section A. Plan Considerations be deleted in its entirety.

        iii. That Recommendation 5 under section C. Development Agreement Addendum be amended by inserting the words "public open space" after the words "responsible for the".

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning all of the subject land as shown on Schedule "A" for File DASZ 3/2009 dated June 30, 2009 to "PR1" Parks and Recreation 1 (Neighbourhood) District, "R1-M" Single-Family Residential District – Medium and "RMF-M" Residential Multi-Family District – Medium.

3. That the City-owned property shown shaded and identified as "Subject City Property" on Schedule "C" be declared surplus to the City's needs.

Report - Standing Policy Committee on Property and Development – September 8, 2009

4. That the Director of Planning, Property and Development be authorized to negotiate and approve the sale of the "Subject City Property", as shown shaded on Schedule "C" to the applicant for $1.00 on terms and conditions satisfactory to the Director of Planning, Property and Development and the City Solicitor/Manager of Legal Services in order to protect the interests of the City and to achieve the intent of the Standing Policy Committee on Property and Development.

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

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

7. 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.

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

9. 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.

10. 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

11. 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.

12. 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.

13. 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 – September 8, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 23, 2009, 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 September 8, 2009, 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 July 13, 2009, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- Amend Recommendation 1. A. by adding the following after the words "July 7, 2009", namely:

  "with the following amendments:

  i. That Recommendation 1 under section A. Plan Considerations be amended by inserting the words "and Bison Drive" after the words "Kenaston Boulevard" in the first line thereof.

  ii. That Recommendation 2 under section A. Plan Considerations be deleted in its entirety.

  iii. That Recommendation 5 under section C. Development Agreement Addendum be amended by inserting the words "public open space" after the words "responsible for the".

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

RE: **Subdivision and Rezoning – Lands east of Kenaston Boulevard between Bison Drive and North Town Road, Land north of North Town Road on either side of Bridgeland Drive North**
File DASZ 3/2009 [c/r SPA 1/2009]

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

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

Report date: **July 14, 2009**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 13, 2009, the Riel 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 3/2009 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2009 dated June 30, 2009, 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 all the conditions outlined in Schedule "B", the Report of the Administrative Coordinating Group dated July 7, 2009, ***with the following amendments:***

        i. That Recommendation 1 under section A. Plan Considerations be amended by inserting the words "and Bison Drive" after the words "Kenaston Boulevard" in the first line thereof.

        ii. That Recommendation 2 under section A. Plan Considerations be deleted in its entirety.

        iii. That Recommendation 5 under section C. Development Agreement Addendum be amended by inserting the words "public open space" after the words "responsible for the".

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning all of the subject land as shown on Schedule "A" for File DASZ 3/2009 dated June 30, 2009 to "PR1" Parks and Recreation 1 (Neighbourhood) District, "R1-M" Single-Family Residential District – Medium and "RMF-M" Residential Multi-Family District – Medium.

3. That the City-owned property shown shaded and identified as "Subject City Property" on Schedule "C" be declared surplus to the City's needs.

4. That the Director of Planning, Property and Development be authorized to negotiate and approve the sale of the "Subject City Property", as shown shaded on Schedule "C" to the applicant for $1.00 on terms and conditions satisfactory to the Director of Planning, Property and Development and the City Solicitor/Manager of Legal Services in order to protect the interests of the City and to achieve the intent of the Standing Policy Committee on Property and Development.

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

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

7. 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.

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

9. 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.

10. 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

11. 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.

12. 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.

13. 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 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 of the Planning and Land Use Division dated July 7, 2009.

PUBLIC HEARING SUMMARY

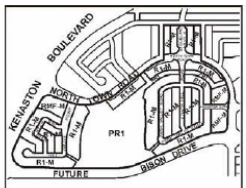
File: DASZ 3/2009 [c/r SPA 1/2009]

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

Public Hearing: July 13, 2009
Council Chamber, Council Building, 510 Main Street

Applicant: MMM Group Ltd. (Veronica Hicks)

Subject:



N
RIEL COMMUNITY

APPLICANT : MMM GROUP LTD.
FILE : DASZ 3/09
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. 200/2006 by rezoning the land shown outlined above from an "A" AGRICULTURAL DISTRICT, "PR1" PARKS & RECREATION 1 (NEIGHBOURHOOD) DISTRICT, "R1-M" & "R1-S" RESIDENTIAL SINGLE-FAMILY DISTRICT to a "PR1" PARKS & RECREATION 1 (NEIGHBOURHOOD) DISTRICT, "RMF-M" RESIDENTIAL MULTI-FAMILY DISTRICT and "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT. **For information, phone Mr. K. Kowalke, Planner at 986-5917.**
DEMANDEUR: MMM GROUP LTD.
N° DE RÉFÉRENCE : DALZ 3/09
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du Règlement municipal n° 200/2006 visant à changer le zonage des sols délinéés ci-dessus qui passeraient des catégories A (SECTEUR AGRICOLE), PR1 (SECTEUR DES PARCS ET DES LOISIRS 1 [SECTEUR RÉSIDENTIEL]), R1-M et R1-S (SECTEUR D'HABITATIONS UNIFAMILIALES) aux catégories PR1 (SECTEUR DES PARCS ET DES LOISIRS 1 [SECTEUR RÉSIDENTIEL]), RMF-M (SECTEUR D'HABITATIONS MULTIFAMILIALES) et R1-M (SECTEUR D'HABITATIONS UNIFAMILIALES). **Pour obtenir des renseignements, veuillez communiquer avec M. K. Kowalke, urbaniste, au 986-5917.**

Premises Affected: Lands east of Kenaston Boulevard between Bison Drive and North Town Road, Land north of North Town Road on either side of Bridgeland Drive North

Exhibits Filed:

1. Application dated February 5, 2009
2. Notification of Public Hearing dated April 21, 2009
3. Manitoba Status of Titles 2266266, 2267178, 2267179, 2267180, 2267181, 2267496, 2267497, 2267498, 2267499, 2267500, 2267501, 2267502, 2267509, 2267510, 2267511, 2267512, 2267513, 2267514, 2267769, 2267771, 2273132, 2294483
4. Letter of authorization dated January 13, 2009 from Dwayne Rewniak, Director of Land Development, The Manitoba Housing and Renewal Corporation to MMM Group Limited
5. Caveat No. 3549011 dated December 5, 2007
6. Plans (4 pages)
7. Report from the Planning and Land Use Division dated July 7, 2009
8. Inspection Report
9. Supporting Documentation submitted by Paul McNeil at the Public Hearing
10. Audio Recording of representations of public hearing held on July 13, 2009

REPRESENTATIONS:

In Support:

James Gallagher
Paul McNeil, MMM Group Limited

In Opposition

Nil

For the City:

Ms. S. Matile, Land Development Engineer, Planning, Property and Development Department
Mr. K. Kowalke, Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 3/2009 [c/r SPA 1/2009]

ADMINISTRATIVE REPORT

ISSUE: DASZ 3/09 Waverley West Northeast Neighbourhood Public Hearing

Critical Path: Riel Community Committee as per the Development Procedures By-law and *The City of Winnipeg Charter.*

AUTHORIZATION

Author	Department Head	CFO	CAO
Kurtis Kowalke Planner			

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 3/2009 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2009 dated June 30, 2009, 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 all the conditions outlined in Schedule "B", the Report of the Administrative Coordinating Group dated July 7, 2009.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning all of the subject land as shown on Schedule "A" for File DASZ 3/2009 dated June 30, 2009 to "PR1" Parks & Recreation 1 (Neighbourhood) District, "R1-M" Single-Family Residential District – Medium and "RMF-M" Residential Multi-Family District – Medium.

3. That the City-owned property shown shaded and identified as "Subject City Property" on Schedule "C" be declared surplus to the City's needs.

4. That the Director of Planning, Property and Development be authorized to negotiate and approve the sale of the "Subject City Property", as shown shaded on Schedule "C" to the applicant for $1.00 on terms and conditions satisfactory to the Director of Planning, Property and Development and the City Solicitor/Manager of Legal Services in order to protect the interests of the City and to achieve the intent of the Standing Policy Committee on Property and Development.

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

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

7. 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.

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

9. 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.

10. 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

11. 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.

12. 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.

13. 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.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, it will enable the redevelopment of the City-owned former landfill site with the addition of housing and an active recreational open space for the Waverley West Northeast Neighbourhood (Bridgwater Forest).

HISTORY

On December 6, 2006, City Council approved the subdivision and rezoning of a portion of the subject lands from an "A.5" Agricultural District to an "R1-3" Residential District, an "R1-4" Residential District, an "RM-3" Multiple-Family District and a "PR1" Parks and Recreation District, in conjunction with the adoption of the Waverley West Northeast Neighbourhood Area Plan.

On January 13, 2009, the City of Winnipeg Planning, Property and Development Department (Real Estate Division) authorized the applicant to include the City owned former landfill site with this application on condition of the sale of the site to Manitoba Housing and Renewal Corporation.

MMM Group, on behalf of MHRC, submitted an application to amend the Waverley West Northeast Neighbourhood Area Plan and to subdivide and rezoned the subject lands on January 21, 2009.

CONSULTATION

In preparing this Report there was consultation with:

Public Works Department
Transit Department
Water and Waste Department

SUBMITTED BY

Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by	Kurtis Kowalke
Date:	June 30, 2009
File No.	DASZ 3 / 09

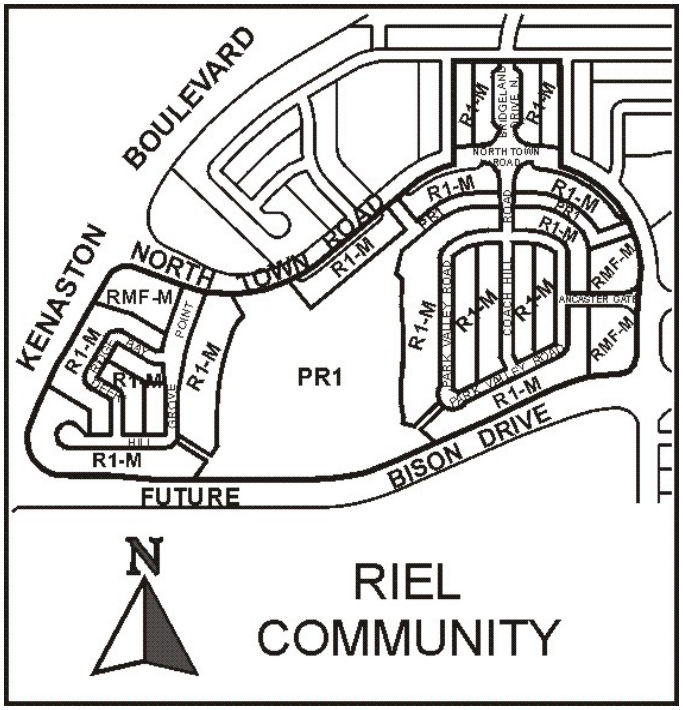
Appendix A – Analysis
Schedule A – for File No. DASZ 3/09, Riel Community Committee, dated June 30, 2009
Schedule B – Administrative Coordinating Group Report File No. AG 3/09, dated July 7, 2009.
Schedule C – Misc Plan 8739/1 Subject City Property

APPENDIX 'A'

File: **DASZ 3/2009**
Related Files: SP 4/05, SP 5/05, SPA 1/09, DASZ 1/06

Subject: To subdivide and rezone areas shown outlined below from "A" Agricultural District, "PR1" Parks & Recreation 1 (Neighbourhood) District, "R1-M" & "R1-S" Single-Family Residential District and "RMF-M" Residential Multi-Family District to "PR1" Parks & Recreation 1 (Neighbourhood) District, "R1-M" Single-Family Residential District – Medium and "RMF-M" Residential Multi-Family District – Medium.

Location: Waverley West Northeast Neighbourhood (Bridgwater Forest) east of Kenaston Boulevard between Bison Drive & North Town Road



Applicant: Veronica Hicks, MMM Group Ltd.
Suite 111 – 93 Lombard Avenue
R3B 3B1

Owner: Manitoba Housing and Renewal Corporation
City of Winnipeg

1.0 Site Description
The Waverley West Northeast Neighbourhood Area is located in the northeast portion of Waverley West, south of Bishop Grandin Boulevard and west of Waverley Street. It comprises approximately 145 hectares (360 acres) of land. The proposed subdivision and rezoning affects

areas south of North Town Road only. Adjacent areas north of North Town Road are currently undeveloped, but are comprised of parks and recreation zoning and single-family and multi-family residential zoning. Lands south and west of the planned area represent future phases of Waverley West for which detailed neighbourhood plans have not yet been completed.



Figure 1: Air photo of subject lands and surrounding areas

2.0 Description of the Proposed Development

- The proponent has made an offer to purchase the former landfill site from the City of Winnipeg (currently zoned "A" Agricultural) for $1.00 and to excavate, remediate and redevelop the site at no cost to the City of Winnipeg.
- The area currently zoned "A" would be rezoned "PR1" Parks & Recreation and "R1-M" Single-Family Residential.
- Surrounding areas that had been subdivided and rezoned under File No. DASZ 1/06 would be reorganized to rationalize drainage, circulation and land uses to tie into the redevelopment of the former landfill.

3.0 Analysis

3.1 SECONDARY PLAN

The guiding principles of the Waverley West Northeast Neighbourhood Plan are:

- Creation of a cohesive and diverse neighbourhood
- Development of an efficient, multi-modal transportation system
- Protection of existing natural areas
- Compatibility and connectivity with existing and future neighbourhoods

- Creation of an innovative and unique neighbourhood design
- Greater use of alternative energy sources
- Access to a wide choice of housing alternatives

3.2 RESIDENTIAL AREAS

- The Northeast Neighbourhood Plan provides for the development of a residential neighbourhood at predominantly low densities with limited higher density residential on the east, next the Waverley Street entrance, and the west, adjacent to the future Town Centre neighbourhood.
- This application proposes the development of 112 more "R1-M" Single-Family Residential – Medium lots within the Plan area.
- This application also includes a slight reduction in multi-family zoned areas and the elimination of the "R1-S" zoning that was originally proposed to occur along Bridgeland Drive North.

3.3 NEIGHBOURHOOD NODES

- The purpose of Neighbourhood Nodes is to provide a transit focus and meeting place for the surrounding Residential Area. Connectivity of the Neighbourhood Node to the surrounding neighbourhood will be achieved through the convergence of roads and pathways on the node. A Neighbourhood Node should be complementary to the surrounding neighbourhood while maintaining a distinct and identifiable character. A Neighbourhood Node shall contain any combination of the following:
    - i) a transit stop;
    - ii) a concentration of housing which may include multi-unit residential;
    - iii) a park;
    - iv) a school;
    - v) a pathway connection;
    - vi) institutional, recreational, community, local commercial, or other uses determined to be transit-supportive.
- This application eliminates the multi-family zoning from one of the Neighbourhood Nodes. It also eliminates the only "R1-S" Single-Family Residential – Small District within the neighbourhood area under this application. The question remains as to what combination of elements will create the "*distinct and identifiable character*" that defines a Node under the plan, or whether this Node is effectively lost.
- The two other Neighbourhood Nodes and Key Focal Point are unaffected by this application.

3.4 PARKS AND OPEN SPACE

- Policies in the Parks and Open Space section provide for the dedication of park land to achieve several functions including on-site drainage, passive and active recreation and active transportation networks. Green spaces shall be connected to one another through a neighbourhood greenway system that facilitates a generally uninterrupted network of habitats and/or pathways.
- The original Northeast Neighbourhood Plan included an over-dedication of public space. Although the amended land use plan reduces the public space dedication from 86 to 69

acres, it still represents an over-dedication of public space for the Northeast Neighbourhood (above the required 8% of developable land). Therefore, there is no cash-in-lieu requirement for public space dedication.

- 18 of the original 86 acres of public space allotment was the City owned landfill site, which remained zoned "A" Agricultural. The actual amount of land to be zoned for Parks & Recreation will remain effectively unchanged from what was approved under DASZ 1/06.
- No funds had ever been identified to redevelop the landfill for passive open space, which would involve either minimal excavation and capping or the more costly complete excavation and clean-up being proposed. As part of this application, the developer has committed to complete remediation of the former landfill in exchange for the land.
- The applicant has agreed to develop approximately 10 acres of the "PR" zoned land at the former landfill site as a major active recreation space that can accommodate two soccer fields and a baseball diamond with available parking in the immediate vicinity on-street and off-street for over 150 cars.
- The original parkway system approved under DASZ 1/06 was comprised of trails that seamlessly linked the lakes, forest stands, and other public open spaces. This application results in a long segment of pathway that now goes through the middle of a residential area rather than through park space. However, the path does satisfy the policies for paths and parkways in the Neighbourhood Plan and has its own 60 foot wide green corridor.

3.5 DEVELOPMENT DENSITY

- Plan Winnipeg encourages the development of new residential areas to be "compact" in order to reduce land consumption and overall servicing and maintenance costs. Higher residential densities in suburban areas also improves the efficiency of transit routes by exposing a greater potential ridership to the transit route.
- Policies in the Northeast Neighbourhood Area Structure Plan are designed to provide opportunities to increase the overall density of residential areas. Higher density residential areas will generally be located near the Town Centre, or along bus routes, with the exception of a site at the Waverley Street entrance to the plan area. There are also provisions for flexibility in the application of density ranges as the area develops.
- While this application increases the overall density of the Neighbourhood in terms of estimated number of dwellings, the net density of the residential areas decreases as a result of increased "R1-M" zoned areas and a slight decrease in "R1-S" and "RMF-M" zoned areas.
- The applicant refers to changes in market conditions (no detailed data available) related to the viability of higher amounts of multi-family residential development.
- The applicant notes that the future Town Centre Neighbourhood to the west will accommodate a significant proportion of the multi-family market. The mixed-used concept for that area will demand a significant residential density for its viability.

3.6 SERVICING AND PHASING

- Part of the former landfill site is being used for the Winnipeg Police shooting range until mid-2011.
- The eastern half of the site can be excavated prior to 2011 without interrupting the operation of the shooting range. Manitoba Housing and Renewal Corporation is prepared

to coordinate with the Winnipeg Police Service to ensure safety and to minimize the likelihood of conflicting activities.

- Excavation of the east half of the site will enable the development of the Lake 3 retention pond, which is needed before any site grading can take place for Phase 3 of the Northeast Neighbourhood in 2010. (See Figure 2 – Construction Phasing.)
- Phase 3 includes the Kenaston Boulevard extension between Bishop Grandin and North Town Road. The existing development agreement, as amended at Council in December, requires the construction of the second vehicular access by the end of 2010. That same development agreement amendment limits the number of building permits that can be released for this neighbourhood to 500 before the second access is in place.
- Phase 1 (parts A, B and C) includes approximately 470 building lots. Phase 2 will include approximately 250 building lots. Therefore, very little development of Phase 2 will be possible until the main transportation link through Phase 3 is complete.
- To date, 136 building permits have been issued for this neighbourhood (all in Phase 1).
- Other servicing recommendations of the Administrative Coordinating Group are found attached as Schedule B.

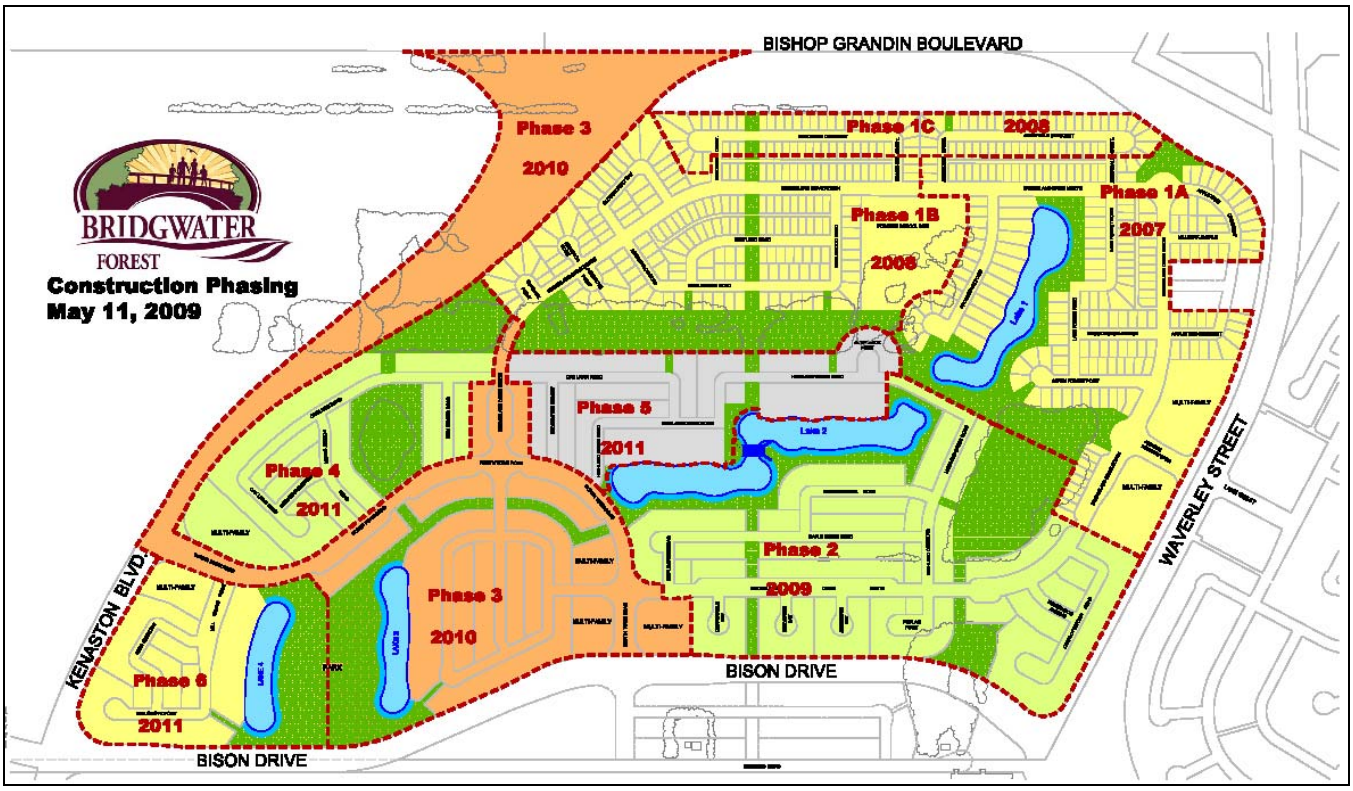


Figure 2: Construction phasing

4.0 Recommendation

The Planning and Land Use Division recommends approval.

- The policies and intent of both the Northeast Area Structure Plan and the overall Waverley West Area Structure Plan are satisfied.

- The removal of the landfill and development of active recreation space will provide a positive net benefit to the neighbourhood.
- Secondary changes resulting from this amendment will impact some aspects of neighbourhood character (notably: residential diversity, design of the parkway and neighbourhood nodes).
- As subsequent phases of Waverley West are developed, the local mix of residential densities, park space and public amenities is expected to balance out (without creating a deficit within any one neighbourhood) in accordance with the policies of the overall Waverley West Area Structure Plan.

Schedule "A" for File No. DASZ 3/09, Riel Community Committee, June 30, 2009

By-Law No. _____

File No. **DASZ 3/09**

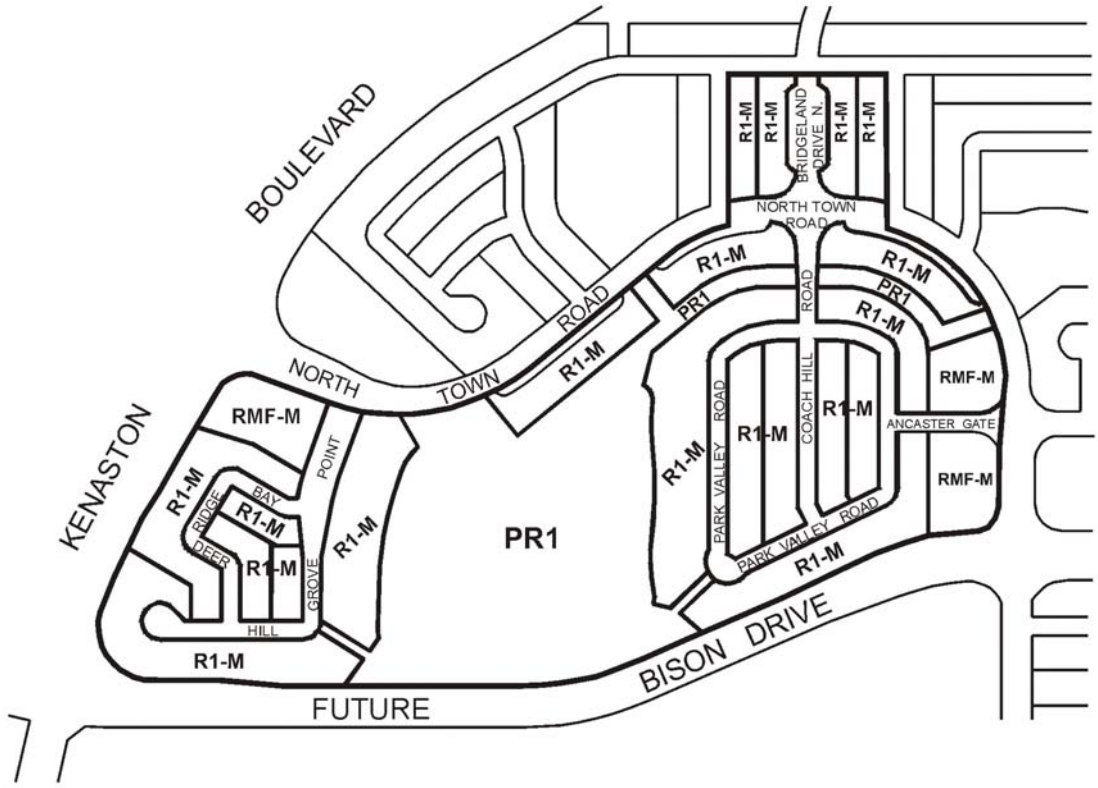
Atlas Sheet No.

N

AL21 RIEL COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located on east of Kenaston Boulevard between Bison Drive & North Town Road from an "A" AGRICULTURAL DISTRICT, "PR1" PARKS & RECREATION 1 (NEIGHBOURHOOD) DISTRICT, "R1-M" & "R1-S" RESIDENTIAL SINGLE-FAMILY DISTRICT to a "PR1" PARKS & RECREATION 1 (NEIGHBOURHOOD) DISTRICT, "RMF-M" RESIDENTIAL MULTI-FAMILY DISTRICT and "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B - REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP

RE: DASZ 3/09: PROPOSED SUBDIVISION AND REZONING OF LAND SOUTH AND WEST OF NORTH TOWN ROAD, BETWEEN THE FUTURE KENASTON BOULEVARD AND BISON DRIVE, AND LAND NORTH OF NORTH TOWN ROAD BETWEEN ERIN WOODS ROAD AND BEDDINGTON STREET - BRIDGWATER FOREST (FORMERLY WAVERLEY WEST) PHASE 3

Application DASZ 3/09 represents a change in the plan for a part of the Planned Area for Waverley West Phase 1, for which Developer MHRC entered into Development Agreement AG 1/06 with the City of Winnipeg.

MHRC intends to purchase and remediate the old Cadboro Road landfill, and incorporate it into (and therefore modify) the plan for the Waverley West Northeast Neighbourhood (Bridgwater Forest). A Secondary Plan Amendment is required, due to the proposed reduction in public open space, and to changes in the allotments of lower-density and higher-density residential within a reconfigured neighbourhood land use plan.

It is recommended that the approval of DASZ 3/09 be subject to the following:

A. Plan Considerations

1. Single- and two-family residential lots which back onto Kenaston Boulevard shall be of sufficient depth to provide the minimum rear-yard set-back required to achieve the City's Motor Vehicle Noise Policies and Guidelines sound-level limit of 65 dBA in the typical outdoor recreation area of those lots, and the Zoning Agreement covering these lots shall stipulate this minimum rear yard.

2. Single- and two-family residential lots which back onto Bison Drive shall be of sufficient depth to provide a minimum rear-yard set back of 17.5 m, and the Zoning Agreement covering these lots shall stipulate this minimum 17.5-m rear yard requirement.

B. Engineering Servicing Report and Landfill Remediation

1. The updating, at the Developer's expense, of the engineering servicing report for the area, by a qualified engineering consultant, to reflect the proposed changes.

2. The Developer's entry into an agreement with the City, specifying the terms and conditions regarding the removal of the landfill material and remediation of the former landfill site.

C. Development Agreement Addendum

The applicant entering into an addendum to Development Agreement AG 1/06 with the City, containing the following requirements:

1. There shall be no private approaches serving single- or two-family residential development off residential collector streets (except where frontage roads are provided), or off Bison Drive.

2. The acknowledgement that the addition of the former City-owned landfill site has increased the Planned Area by 18.2 acres and resulted in the consolidation of some of the former linear park into a larger active open area; that this reconfiguration of the park space south of North Town Road increases the park area by approximately 4.3 acres (more than the 8% land dedication normally required); and that the City will accept this over-dedication as compensation for the loss of 'potential' recreation area (the former landfill site) and will not provide credit for the incremental over-dedication.

3. The acknowledgement that there is an overall over-dedication of land, including landscaping and the provision of serviced frontage, within the Planned Area, and that the City may take this over-dedication into consideration when open-space requirements for future Developer neighbourhoods are determined.

4. The Developer shall, at no expense to the City, landscape the public open space to a standard consistent with the level of development established in previous phases of its Waverley West/Bridgwater Forest development, all in accordance with plans and specifications provided by the Developer and approved, prior to the commencement of construction, by the Director of Planning, Property & Development. The scope of landscaping is expected to include, at a minimum, asphalt paths, planting, site furnishings, play equipment, and the development of at least one athletic field.

5. That the Developer shall be responsible for the site until it is officially inspected and accepted by the City.

6. That the Developer be required to pay the full cost of engineering services provided by or on behalf of the City in connection with the installation of services required to serve the addition to the Planned Area.

7. That the Developer be required to pay $1,200.00 plus GST per acre of addition to the Planned Area to defray the City's administration and related costs associated with the preparation and implementation of the Addendum to the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 3/09

July 7, 2009

"original signed by S. M. Matile"
S. M. Matile, P. Eng., Chair
Land Development Branch

"original signed by R.J. Hartmann"
R. J. Hartmann, P. Eng.
Public Works Department, Transportation Division

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F. C. Mazur, P. Eng.
Water & Waste Department

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D. Beaton, MLArch
Parks, Riverbanks, & Community Initiatives Branch

Schedule "C" for File No. DASZ 3/09, Riel Community Committee, June 30, 2009

