Minutes - Executive Policy Committee - March 18, 2003

Minute No. 179
Report - Standing Policy Committee on Property and Development - March 4, 2003

Item No. 6 **Proposed Plan of Subdivision - west side Melnick Road, south of Warde Avenue extension**
File DASZ 28/2001

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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 28/2001 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 28/2001 dated August 26, 2002, 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/1/95 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated August 16, 2002.

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

3. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 28/2001 dated August 26, 2002, to an "R1-4" Residential District.

4. That, in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (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.

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 - March 4, 2003

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. 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. 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.

Report - Standing Policy Committee on Property and Development - March 4, 2003

DECISION MAKING HISTORY:

Moved by Councillor Vandal,

That the recommendation of the Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On March 4, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee, and submitted its recommendation to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 10, 2003, the Riel Community Committee concurred in the administrative recommendation, and submitted its recommendation to the Standing Policy Committee on Property and Development.

Re: Proposed Plan of Subdivision - west side Melnick Road, south of Warde extension File DASZ 28/2001

For submission to: Standing Policy Committee on Property and Development

Prepared by: Marc Pittet, Clerk, Riel Community Committee

Report date: February 19, 2002

COMMUNITY COMMITTEE RECOMMENDATION:

The Riel Community Committee concurred in the administrative recommendation and recommends:

1. That the plan of subdivision proposed under File DASZ 28/2001 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 28/2001, dated August 26, 2002, 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/1/95 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated August 16, 2002.

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

3. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 28/2001 dated August 26, 2002, to an "R1-4" Residential District.

4. That, in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (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.

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. 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. 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.

The Riel Community Committee provided the following supporting reasons for its recommendations:

1. The Riel Community Committee agrees with the administrative comments contained in the report of the Manager of Planning and Land Use.

2. This subdivision is a continuation of the orderly development of Island Lakes and will not injuriously affect traffic in the existing neighbourhood.

REPORT SUMMARY

File: DASZ 28/2001

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

Public Hearing: February 10, 2003
St. Norbert Community Centre, 3450 Pembina Highway
January 14, 2003
Community Committee Chamber, 604 St. Mary's Road
December 10, 2002
Community Committee Chamber, 604 St. Mary's Road
November 12, 2002
Community Committee Chamber, 219 Provencher Blvd.
September 3, 2002
Community Committee Chamber, 604 St. Mary's Road

Applicant: Novamet Development Corporation (David Scutter)
647 - 167 Lombard Avenue
Winnipeg, MB R3B 0V3

Subject:



APPLICANT: NOVAMET DEVELOPMENT CORPORATION
FILE: DASZ 28/01
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council, and for a proposed zoning change to By-law No. 6400/94 by rezoning the land shown outlined above from an "A.5" AGRICULTURAL DISTRICT to an "R1-4" SINGLE-FAMILY DISTRICT as shown outlined above to allow for the creation of sites for single-family development and to consider a special rear yard setback along Warde Avenue. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : NOVAMET DEVELOPMENT CORPORATION
RÉFÉRENCE : DASZ 28/01
PROJET : Demande d'approbation par le Conseil du plan de lotissement relatif aux sols délinéés ci-dessus et proposition de modification de l'Arrêté n° 6400/94 visant à changer le zonage des sols délinéés ci-dessus qui passerait de la catégorie « A.5 » SECTEUR AGRICOLE à la catégorie « R1-4 » SECTEUR D'HABITATIONS UNIFAMILIALES, en vue de permettre le lotissement pour la construction d'habitations unifamiliales et pour examiner l'établissement d'une marge d'isolement arrière particulière le long de l'avenue Warde. **Pour plus de renseignements, communiquez avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected:	West side Melnick Road, south of Warde extension

Exhibits Filed:

1. Application dated October 17, 2001
2. Notification of Public Hearing to Applicant dated August 1, 2002
3. Manitoba Status of Titles 1663886, 1663887 and 1664088
4. Extract of Atlas Sheet AG31
5. Site Plan
6. Report from the Administrative Coordinating Group dated August 16, 2002
7. Report from the Manager of Planning and Land Use dated August 26, 2002
8. Communication dated September 3, 2002, from Eric Vogan, Land Development Manager, Novamet Development Corporation, requesting adjournment
9. Photograph(s) of the site and Inspection Notice

REPRESENTATIONS:

In Support:

Eric Vogan, Qualico Developments (Winnipeg) Ltd., 30 Speers Road, Winnipeg, Manitoba, R2J 1L9

In Opposition:

Brian Monkman, 15 Island Cove, Winnipeg, Manitoba, R3X 1E9
Lindsey Wilson, 35 Breakwater Cove, Winnipeg, Manitoba, R3X 1G4

For the City:

Kevin Lalor, Senior Planner, Planning, Property and Development

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS MADE AT THE PUBLIC HEARING:

September 3, 2002

No person appeared in support or in opposition to the application.

November 12, 2002

No person appeared in support or in opposition to the application.

December 10, 2002

No person appeared in support or in opposition to the application.

January 14, 2003

No person appeared in support or in opposition to the application.

February 10, 2003

Eric Vogan, Qualico Developments (Winnipeg) Inc., appeared in support of the application. Mr. Vogan indicated that he concurred with the comments contained in the report of the Manager of Planning and Land Use and that he was aware that the construction of a berm along Highway 59 would be required. He indicated that construction of the development, should this application be approved, would commence in 2006 or 2007.

Brian Monkman, Private Citizen, appeared in opposition to the application. Mr. Monkman indicated that, in 1990, a public meeting was held with Councillor Evelyn Reese, Rick Frost, Lorne Reynolds and various members of the City of Winnipeg Administration. At said meeting the road configuration at the south end of Island Lakes was developed with input from the area Councillor, the Administration and local residents. Mr. Monkman asked Committee why it was possible for the current Committee to amend what was agreed upon by all of the stakeholders in 1990. Mr. Monkman indicated that the Developer's proposed road configuration would increase traffic on De La Seigneurie Boulevard and adversely affect area residents.

Councillor Vandal stated that the City of Winnipeg Administration did not concur with Mr. Monkman's assessment of the impacts this development would have on local traffic. The Senior Planner explained that, eventually, a new road will be built that will connect St. Anne's Road to Lagimodiere and that the majority of traffic from the newly developed areas will take this new route. Mr. Monkman refuted this and indicated that people would be accustomed to travelling

down De La Seigneurie and would continue to do so even after the proposed roadway would be created.

Lindsey Wilson, Private Citizen, appeared in opposition to the application. Mr. Wilson asked if it would be possible to ensure that there is a right only turn off of Lagimodiere from the new development. Councillor Vandal indicated that many transportation issues will need to be reflected on in the next few years and that he would be making a motion asking the administration to look into these issues.

Mr. Vogan returned in rebuttal. Councillor Angus asked how Committee could safeguard against subsequent subdivisions significantly increasing traffic on existing roads. Mr. Vogan indicated that their concept was to develop smaller streets that would feed into collector streets and that traffic would flow smoothly. He indicated that the new Warde Avenue extension should be comprised of four lanes as this would assuredly accommodate the traffic generated by any further development. Mr. Vogan stated the City of Winnipeg may want to develop a secondary plan for the area.

In reply please refer to / Référence à rappeler :

(204) 986-5069
Fax / Téléc. : (204) 986-3684

File No. DASZ 28/01 August 26, 2002
Our c/f CP 500 (.531)

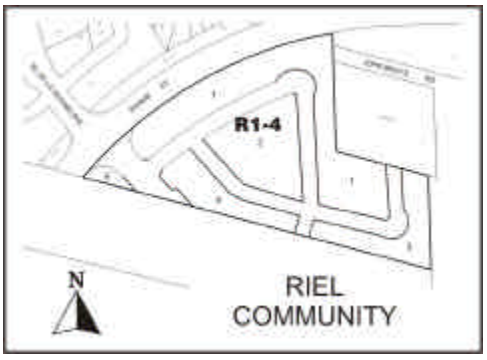
Mr. Marc Pittet
Riel Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear: Mr. Pittet

SUBDIVISION AND REZONING
Land located : South of the intersection of Warde extension & De La Seigneurie(Island Lakes)
Riel Community
File No. DASZ 28 /01

An application has been received from Novamet Corp. for approval of a plan of subdivision and related zoning change to Zoning By-Law No. 6400/94 by rezoning the subject lands from an "A-5" Agricultural District to a "R1-4" Residential District in order to allow for the creation of new single family lots.

RELATED FILES:



SITE DESCRIPTION:

Site Area:

The overall area totals approximately eighteen(18) acres.

Existing Land Use and Zoning:

The subject lands are currently zoned A-5 Agricultural and are vacant.

Surrounding Land Use and Zoning:

North: To the north is a developed residential subdivision zoned R1-4.
South: To the south are vacant lands zoned A-5 Agricultural.
East: To the eastis a privately owned parcel with a dwelling on it zoned A-5 Agricultural.
West: To the west the lands are zoned R1-4 . Some single family development has occurred recently.

DEVELOPMENT DESCRIPTION:

The applicants propose to rezone and subdivide this next phase of Island Lakes into approximately 88 new residential lots ranging in width from 40-45 feet. Primary access will be via Boulevard De La Seigneurie. Provision has been made for future access to the south and east.

PLAN WINNIPEG:

The area is designated as a Neighbourhood Policy Area under Plan Winnipeg which does allow for new single family residential development. The subject application therefore fully complies with Plan Winnipeg guidelines.

ADMINISTRATIVE COMMENTS:

The subject application has been in the works for some time and there have been some minor modifications made to the design of the original plan. However generally speaking, the proposal remains the same. The new phase will allow for the creation of approximately 88 new single family lots, similar in size to and in most ways consistant with lots lying adjacent to the east and west. Provision has been made for future access to the east and south in advance of future phases of development. The Planning and Land Use Division supports the proposed rezoning and future subdivsion subject to the conditions outlined in the report of the Administrative Coordinating Group.

RECOMMENDATION:

I. That the plan of subdivision proposed under File No. DASZ 28/01 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule “A” for File No. DASZ 28/01, attached hereto and dated August 26/02, 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/1/95 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated August 16/02.

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

III. That Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 28/01, attached hereto and dated August 26/02, to an "R1-4" Residential District .

IV. That, in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (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.

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 execution by the City of Winnipeg of the Development Agreement.

V11. 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.

V111. 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.

1X. In the event that the necessary City of Winnipeg mylar approval signatures have not been secured within 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.

Final

Yours truly,

V. Buckley
Manager of Planning and Land Use

Per: Kevin Lalor
Senior Planner
Riel Community
986-5069

Schedule “ A” for File
DASZ 28/01, Riel
Community Committee,
August 26/02

Re: Proposed subdivision and rezoning of land located on the west side of Lagimodiere Boulevard, south of Warde Avenue - DASZ 28/01

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

E. L. Carrière
Chairman
Administrative Coordinating Group

August 16, 2002

Re: Proposed subdivision and rezoning of land located on the west side of Lagimodiere Boulevard, south of Warde Avenue – DASZ 28/01

An application has been submitted by Novamet Development Corporation to subdivide and rezone land located on the west side of Lagimodiere Boulevard, south of Warde Avenue.

It is recommended that the Developer amend its plan by providing a 20.0m widening to the Lagimodiere Boulevard (Melnick Road) right-of-way.

As the subject land is adjacent to the portion of Island Lakes covered under Development Agreement AG 1/95, it is recommended that approval of DASZ 28/01 amended as per the above paragraph be subject to the Developer entering into an Addendum to Development Agreement AG 1/95 as follows:

1. By attaching the plan of subdivision approved under DASZ 28/01;

2. By attaching a plan showing the specific servicing requirements for the land covered under DASZ 28/01 including watermain looping;

3. By adding a clause that the Developer shall pay $1,200.00/acre for the land covered under DASZ 28/01 to defray the City's administration and related costs associated with the preparation and implementation of the Addendum to Development Agreement AG 1/95;

4. By adding a clause that the Developer shall pay the Seine River Waterway Land Acquisition charge applicable to the land covered under DASZ 28/01;

5. By adding a clause that the Developer shall pay cash in lieu of dedication of land for public open space including landscaping and services in accordance with the City's Development Agreement Parameters.

6. By adding a clause that the Developer shall, at no expense to the City, construct within the 20m widening along Lagimodiere Boulevard/Melnick Road a continuous berm and all related works including but not necessarily limited to sodding and landscaping in accordance with plans and specifications approved by the Director of Public Works.

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 28/01
August 16, 2002

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_____
Land Development Engineer

_____
Public Works Department
Transportation Division

_____
Water and Waste Department