Agenda – Council – September 27, 2012

Report – Standing Policy Committee on Property and Development – September 11, 2012

Item No. 2 Rezoning – North of Templeton between Ritchie Street and Pipeline Road (Old Kildonan Ward) File DAZ 219/2012

STANDING COMMITTEE RECOMMENDATION:

On September 19, 2012, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, and submits the following to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 219/2012 dated May 18, 2012 to a "PR2" Parks & Recreation District.

2. 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.

3. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

4. 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 11, 2012

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 19, 2012, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 11, 2012, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 10, 2012, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Delete Recommendation No. 2, and renumber the balance of Recommendations as Recommendations Nos. 2 to 4,

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

RE: **Rezoning - North of Templeton Between Ritchie Street and Pipeline Road**
File DAZ 219/2012

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

Prepared by: **Inga Skundberg, Committee Clerk**
Lord Selkirk-West Kildonan Community Committee

Report date: **July 11, 2012**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 10, 2012, the Lord Selkirk-West Kildonan 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 Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 219/2012 dated May 18, 2012 to a "PR2" Parks & Recreation District.

~~***2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.***~~

2. ~~***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.

3. ~~***4***~~ That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

4. ~~***5***~~ 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 Lord Selkirk-West Kildonan Community Committee provided the following supporting reason for its recommendation:

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated June 26, 2012.

PUBLIC HEARING SUMMARY

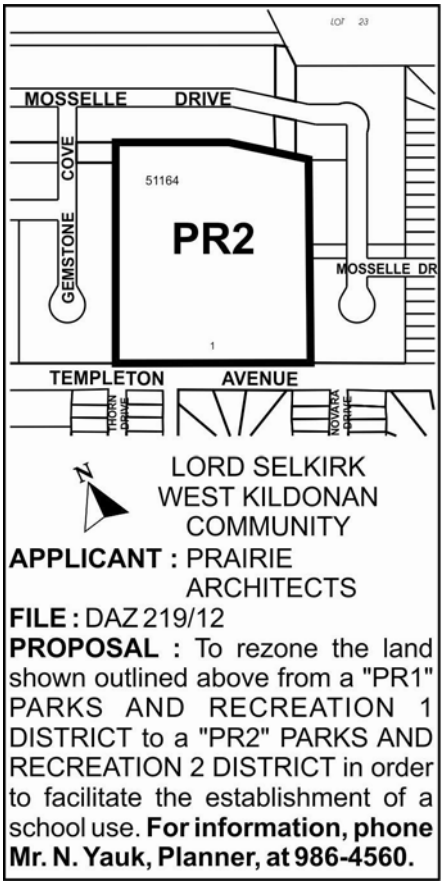
File: DAZ 219/2012

Before: Lord Selkirk-West Kildonan Community Committee
Councillor Sharma, Chairperson
Councillor Eadie
Councillor Pagtakhan

Public Hearing: July 10, 2012
West Committee Room
Council Building, 510 Main Street

Applicant: Prairie Architects (Jamie Kozak)

Subject:



Premises Affected: North of Templeton between Ritchie Street and Pipeline Road

Exhibits Filed: 1. Application dated May 18, 2012

2. Notification of Public Hearing dated May 25, 2012
3. Manitoba Status of Title 2525268
4. Letter of authorization dated April 26, 2012 from the Seven Oaks School Division to Prairie Architects Inc.
5. Plan
6. Report from the Planning and Land Use Division dated June 26, 2012
7. Inspection Report
8. Audio Recording of representations

REPRESENTATIONS:

In Support:

Paul Anderson
Dudley Thompson, Prairie Architects

In Opposition

Nil

For Information:

Nil

For the City:

Mr. N. Yauk, Planner, Planning, Property and Development Department

Exhibit "6" referred to in File DAZ 219/2012

ADMINISTRATIVE REPORT

Title: DAZ 219/2012 – Templeton Avenue b/w Ritchie & Pipeline

Issue: For consideration at the public hearing for a Rezoning for DAZ 219/2012 – Templeton Avenue b/w Ritchie & Pipeline

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

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	n/a	n/a	

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 219/2012 dated May 18, 2012 to a "PR2" Parks & Recreation District.

2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

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 rezoning by-law and forward the same to Council for all three (3) readings.

5. 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.

REASON FOR THE REPORT

The applicant is proposing to construct a school on the subject site. The property's current zoning designation, "PR1" Parks & Recreation District does not accommodate a school. The applicant is proposing to rezone the property to a "PR2" Parks & Recreation District as it does accommodate a school.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, the property will be rezoned.

CONSULTATION

In preparing this Report there was consultation with:

N/A

SUBMITTED BY

Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Noah Yauk, MCP
Date:	June 26, 2012
File No.	DAZ 219/2012

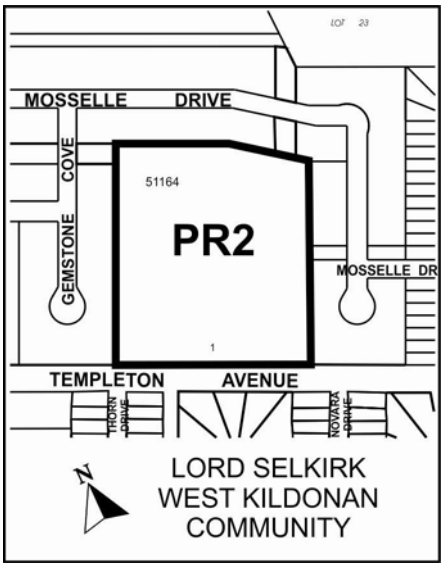
APPENDIX 'A'

Date: June 26, 2012
FILE: DAZ 219/2012
RELATED FILES:
COMMUNITY: Lord Selkirk/ West Kildonan Community
NEIGHBOURHOOD #: 3.337

SUBJECT: To rezone the subject land from a "PR1" Parks & Recreation District to a "PR2" Parks & Recreation District.

LOCATION: Templeton Avenue b/w Ritchie & Pipeline

LEGAL DESCRIPTION: Lot 1, Plan 51164



APPLICANT: Jamie Kozak (Prairie Architects)

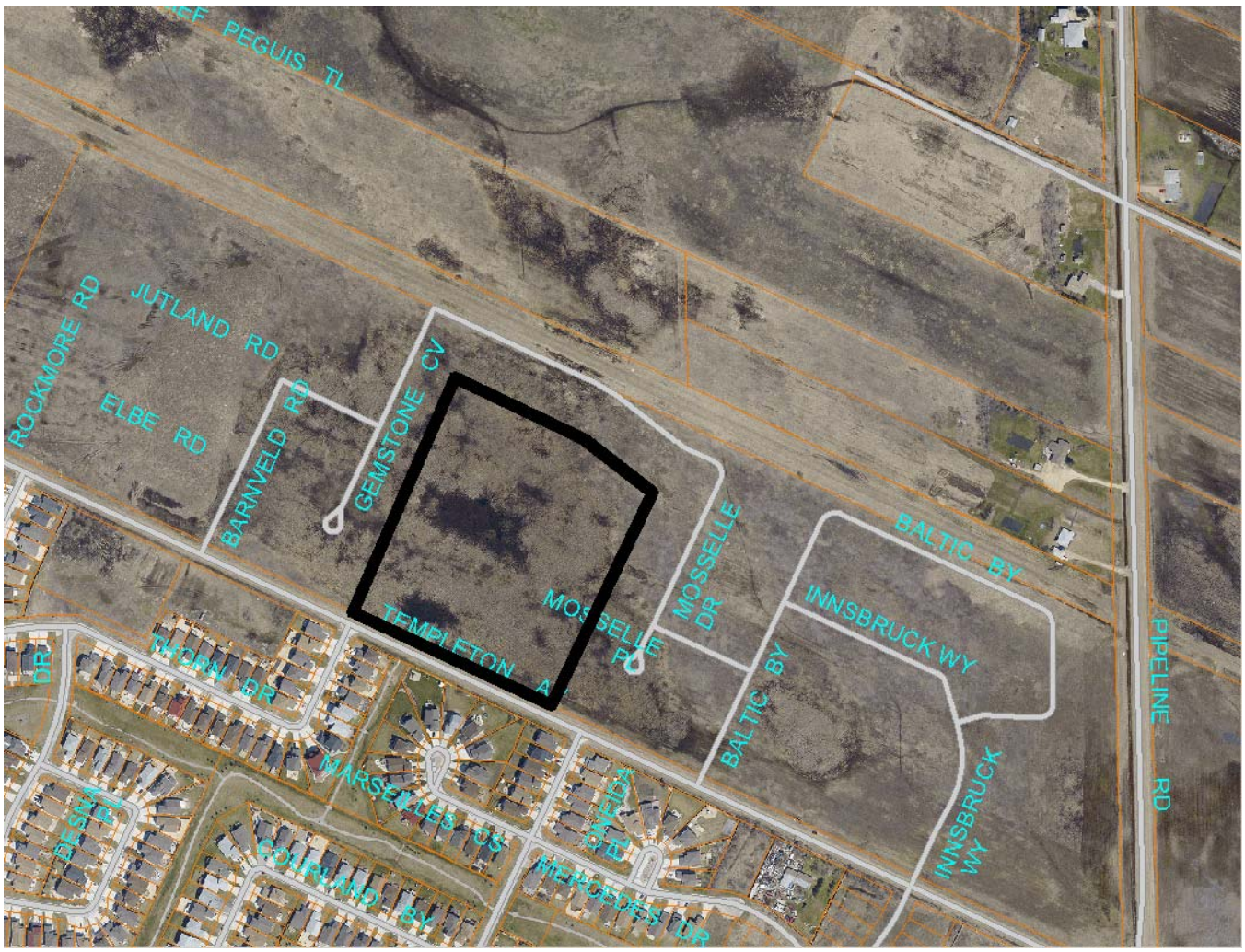
OWNER: The Seven Oaks School Division

RECOMMENDATION: Approval

SITE DESCRIPTION

The subject property, which is zoned "PR1" Parks & Recreation District, is located on the north side of Templeton Avenue between Thorn Drive and Novara Drive, in the Amber Trails neighbourhood of the Old Kildonan ward.

North: Planned, but undeveloped residential properties zoned “R1-M” Residential District fronting on Moselle Drive
South: Templeton Avenue, then residences zoned R1-M” Residential District
East: Planned, but undeveloped residential properties zoned “R1-M” Residential District fronting on Moselle Place
West: Planned, but undeveloped residential properties zoned “R1-M” Residential District fronting on Gemstone Cove



Subject Site and Surrounding Land Uses (Flown 2009)

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to rezone the property to “PR2” Parks & Recreation District to accommodate a school.

BACKGROUND
The subject property is within phase 12 of the Amber Trails development. Prior to the developer finalizing their plans for this phase, the School Division approached the City about securing land

that was originally intended as a large park space north of Templeton, for School use. Though the School Division owned land off Leila, these lands were not in the right location for another school. Additionally, recent trends within the school division and PSFB (Public Schools Finance Board), determined that larger school properties were needed.

The City of Winnipeg agreed to give up the originally anticipated park site with the understanding that the open space area would be connected to and accessible to the community at large as the neighbourhood recreation space. It was also rationalized that providing the school division access to this land, facilitated a three property land swap between the School Division, Genstar Development and a private property owner, that benefitted the orderly development of the community as it gave the developer access to private land key to finally complete the northerly extension of Strasbourg, which had previously been unattainable.

ANALYSIS AND ISSUES

A. Policies

*O*urWinnipeg (Complete Communities Direction Strategy)

The subject property is located within the Areas of Stability Policy Area of *Complete Communities* and is distinguished as a *Recent Community*. "Recent Communities are areas that were planned after 1950… [and] are primarily residential areas and contain a mix of low and medium density housing with nearby retail amenities" (p.86)

Key relevant policies guiding development within Areas of Stability include:

- Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form.
- Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
- Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.
- Ensure that existing public open spaces meet the neighbourhood's current and future requirements.

The residential nature of Recent Communities supports a variety of compatible community uses, such as schools. The subject application simply accommodates the school in a different location within the development.

B. Compatibility

The subject site is bounded on three sides by residentially zoned properties that have not yet been developed. The proposed site fronts onto Templeton Avenue which is an appropriate street for a school as it can handle traffic volumes associated with a school.

C. Zoning

It is noted that the site plan submitted with the application is conceptual in nature. The proposed development will have to meet all requirements of zoning by-law 200/2006 for the "PR2" Parks & Recreation District. This includes the following standards:

- a minimum front yard of 20 feet,
- minimum side yards of 10 feet,
- a minimum rear yard of 25 feet,

- the provision of queuing spaces for the loading and unloading of passengers to accommodate 3 school buses and 5 passenger vehicles,
- the provision of minimum parking requirements whereby 1 space is provided for each 2 faculty members plus 1 for each 4 employees, plus one for each 10 students for senior high schools.

RECOMMENDATIONS
The Winnipeg Public Service **recommends that the application be approved** for the following reasons:

1) The application is consistent with the Amber Trails Conceptual Master Plan
2) The proposed school is compatible with the policies of Complete Communities.
3) The proposed school is compatible with neighbouring land uses.

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

Report Prepared by: Noah Yauk, MCP
PPD File # DAZ 219/2012

APPENDIX "B"
Schedule "A" for File No. DAZ 219/2012, Lord Selkirk/ West Kildonan Community Committee, dated May 18, 2012

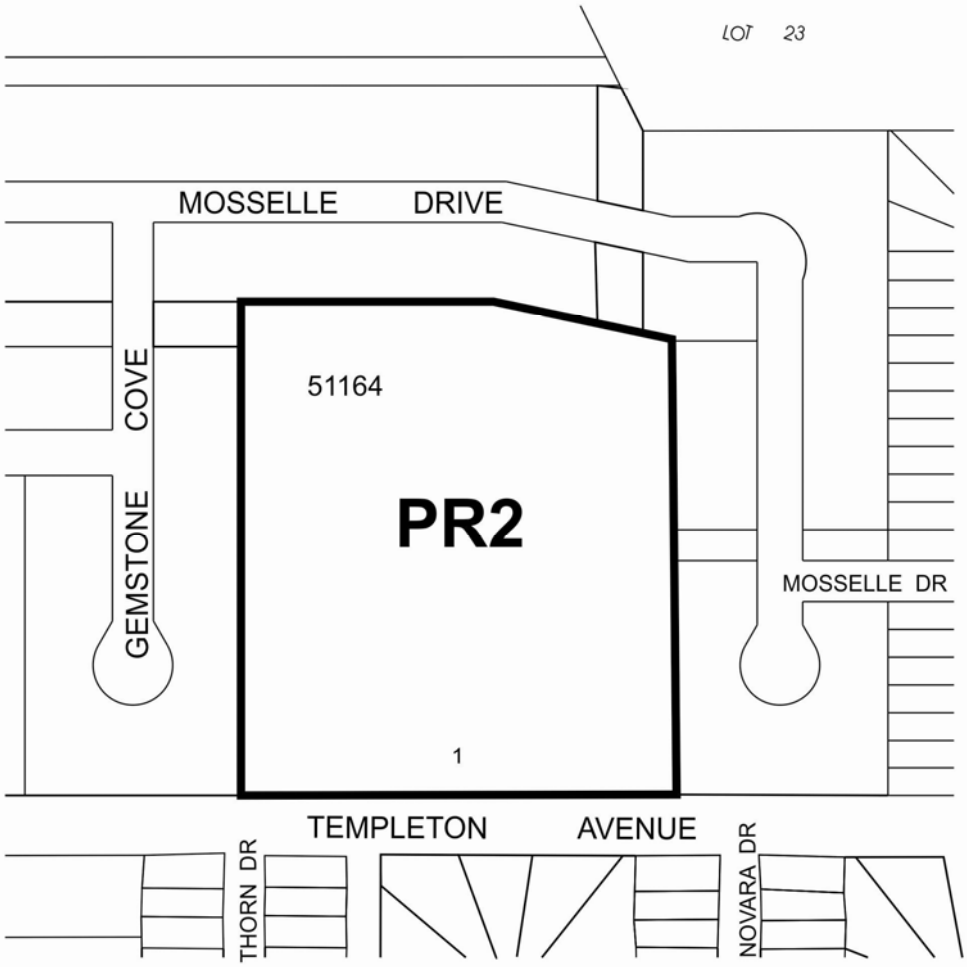
By-Law No. _____

File No. **DAZ 219/12**

Atlas Sheet No. **R22**
LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located on the north of Templeton Avenue between Ritchie Street & Pipeline Road from a "PR1" PARKS AND RECREATION 1 DISTRICT to a "PR2" PARKS AND RECREATION 2 DISTRICT in order to facilitate the establishment of a school use as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____