Minutes – Executive Policy Committee – February 19, 2014

REPORTS

Minute No. 159 Rezoning – Pembina Highway at Grandmont Boulevard (St. Norbert Ward) File DAZ 232/2013

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Riel Community Committee and recommended 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 232/2013 dated January 30, 2014 to a "PR1" (PDO-1 St. Norbert Neighbourhood Main Street) Parks and Recreation (Neighbourhood) 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 Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

4. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

DECISION MAKING HISTORY:

Moved by Deputy Mayor Swandel,

That the recommendation of the Riel Community Committee be concurred in and forwarded to Council.

Carried

COMMUNITY COMMITTEE RECOMMENDATION:

On February 10, 2014, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

RE: **Rezoning –Pembina Highway at Grandmont Boulevard**
File DAZ 232/2013

For submission to: **Executive Policy Committee**

Prepared by: **Rochelle Viray, Clerk**
Riel Community Committee

Report date: **February 12, 2014**

COMMUNITY COMMITTEE RECOMMENDATION:

On February 10, 2014, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

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 232/2013 dated January 30, 2014 to a "PR1" (PDO-1 St. Norbert Neighbourhood Main Street) Parks and Recreation (Neighbourhood) District.

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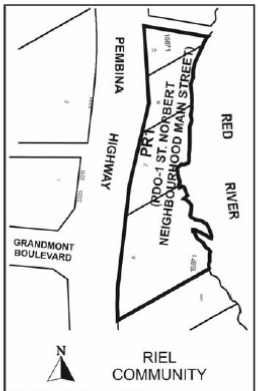
4. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

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

1. It is bringing land that will forever be more of a passive park, and having it rezoned is for the overall benefit of the community.

PUBLIC HEARING SUMMARY

File:	DAZ 232/2013
Before:	Riel Community Committee Councillor Mayes, Chairperson Councillor Swandel
Public Hearing:	February 10, 2014 Council Building, 510 Main Street
Applicant:	The City of Winnipeg, Planning, Property and Development (Donna Beaton)
Subject:	



APPLICANT : CITY OF WINNIPEG, PLANNING, PROPERTY AND DEVELOPMENT DEPARTMENT
FILE : DAZ 232/13
PROPOSAL : To rezone the land shown outlined above from an "RR5" RURAL RESIDENTIAL 5 (PDO-1 ST. NORBERT NEIGHBOURHOOD MAIN STREET) DISTRICT to a "PR1" PARKS AND RECREATION 1 (PDO-1 ST. NORBERT NEIGHBOURHOOD MAIN STREET) DISTRICT to facilitate the establishment of a park and multi-use trail. **For information, phone Mr. R. Kostiuk, Planner, at 204-986-7367.**
DEMANDEUR: VILLE DE WINNIPEG SERVICE DE L'URBANISME, DES BIENS ET DE L'AMÉNAGEMENT
N° DE RÉFÉRENCE : DAZ 232/13
PROJET : Rezonage des sols délinéés ci-dessus de sorte qu'ils passent de la catégorie RR5 (secteur résidentiel en milieu rural 5 – développement organisé de la rue principale du quartier de Saint-Norbert 1) à la catégorie PR1 (secteur des parcs et des loisirs 1 – développement organisé de la rue principale du quartier de Saint-Norbert) en vue de faciliter l'aménagement d'un parc et d'un sentier polyvalent. **Pour plus de renseignements, veuillez communiquer avec M. R. Kostiuk, urbaniste, au 204-986-7367.**

Premises Affected: Pembina Highway at Grandmont Boulevard

Exhibits Filed:

1. Application dated December 12, 2013
2. Notification of Public Hearing dated January 2, 2014
3. Manitoba Status of Titles 2201247/1, 2356049/1, 2379594/1 and 2453391/1
4. Report from the Urban Planning Division dated January 30, 2014
5. Inspection Report
6. Communication dated February 7, 2014, from David Kaisaris, Chair, St. Norbert BIZ, in support of the application
7. Communication dated February 10, 2014, from Normand Gousseau, in support of the application
8. Audio Recording of representations

REPRESENTATIONS:

In Support:

Normand Gousseau
David Kaisaris, Chair, St. Norbert BIZ
Robert Kostiuk

In Opposition

Nil

For Information:

Nil

For the City:

Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department
Mr. D. Clark, Planner, Planning, Property and Development Department

Exhibit "4" referred to in File DAZ 232/2013

ADMINISTRATIVE REPORT

Title: DAZ 232/13 – Pembina Highway at Grandmont Public Hearing

Issue: An application for consideration at the Public Hearing to rezone the land from RR5 to PR1 (PDO-1 St. Norbert Neighbourhood Main Street) for the maintenance of open space to be designated and used as a park.

Critical Path: Riel Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	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 232/2013 dated January 30,2014 to a "PR1" (PDO-1 St. Norbert Neighbourhood Main Street) Parks and Recreation (Neighbourhood) 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 Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

4. That the Director of Legal Services and City Solicitor 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 City is proposing to rezone the subject property from "RR5" Rural Residential 5 to "PR1" (PDO-1 St. Norbert Neighbourhood Main Street) Parks and Recreation

(Neighbourhood) for the purposes of maintaining open space and establishing a park with low-intensity development, such as, a scenic look-out area with a pathway connection.

- Rezonings require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Urban Planning Division are concurred in, the subject site will be rezoned from "RR5" to "PR1" (PDO-1 St. Norbert Neighbourhood Main Street).

HISTORY

St. Norbert Planned Development Overlay (PDO)

- On March 25 2008, the Standing Policy Committee on Property and Development requested that the Winnipeg Public Service initiate a preliminary review, analysis and recommendations with respect to a Secondary Plan for the South St. Norbert area bounded by the south Perimeter Highway, west of the Red River, east of the westerly City boundaries and out to the southern City boundaries. The Winnipeg Public Service responded to this request by undertaking a Background Study for the subject area, which was completed in November 2009.
- One of the conclusions and recommendations from the Background Study was that a Planned Development Overlay (PDO) District be established for St. Norbert's main street area.
- In January 2010, the City contracted with a consulting team to commence a community consultation process and prepare a PDO for the St. Norbert area. The team held a series of facilitated sessions and open houses with residents, business owners, property owners and key stakeholder groups in the community to develop a vision for the area, which could be reflected in the PDO.
- On July 21, 2010, Council adopted the St. Norbert PDO, which brought the PDO into force and effect. The PDO establishes an enabling framework to respect and reinforce the character of St. Norbert as a village centre. To accomplish this, new regulations in the PDO are implemented to shape how buildings and spaces in the St. Norbert PDO area can be developed.
- The subject property is located in Area 2 – Community Cultural Centre.

CONSULTATION

In preparing this report there was consultation with: Public Works

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by:	Devin Clark
Date:	January 30, 2014
File No.	DAZ 232/13

List of Schedules and Attachments

1. Appendix A – Planning Discussion
2. Schedule “A” Recommended File No. DAZ 232/13 Riel Community Committee, dated January 30, 2014.

APPENDIX 'A'

DATE: January 30, 2014

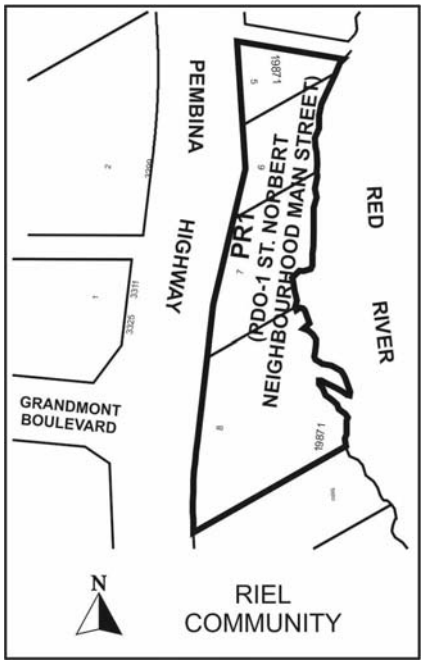
FILE: DAZ 232/13
RELATED FILES: N/A

COMMUNITY: Riel
NEIGHBOURHOOD #: 5.635

SUBJECT: To rezone the land from "RR5" Rural Residential 5 to "PR1" (PDO-1 St. Norbert Neighbourhood Main Street) Parks and Recreation (Neighbourhood)

LOCATION: Unaddressed land at Pembina Highway and Grandmont Blvd.

LEGAL DESCRIPTION: Lot 5,6,7,8, PLAN 19871 WLTO



APPLICANT: City of Winnipeg, Planning Property and Development (Donna Beaton and Robert Kostiuk)
30 FORT ST UNIT 15
WINNIPEG MB R3C 4X7

OWNER: CITY-PARKS
C/O PLANNING PROPERTY & DEVELOPMENT SERV
65 GARRY ST WINNIPEG MB R3C 4K4

RECOMMENDATION: Approval

REPORT SUMMARY

- The applicant is proposing to rezone the site from “RR 5” Rural Residential 5 to “PR1” (PDO-1 St. Norbert Neighbourhood Main Street) Parks and Recreation for the purposes of preserving open space as a park land and the future development of a scenic look-out area with a pathway connection.
- The Urban Planning Division recommends supporting this application.

SITE DESCRIPTION

- The subject property is located on the east side of the intersection at Pembina Highway and Grandmont Blvd, in the Cloutier Drive neighbourhood of the St. Norbert ward.
- Under the Complete Communities Direction Strategy, the site located along Pembina Highway which is identified as a Regional Mixed Use Corridor.
- The site is also located within Area 2 – Community Cultural Centre Area under the St. Norbert Planned Development Overlay and is currently zoned “RR5” Rural Residential 5.

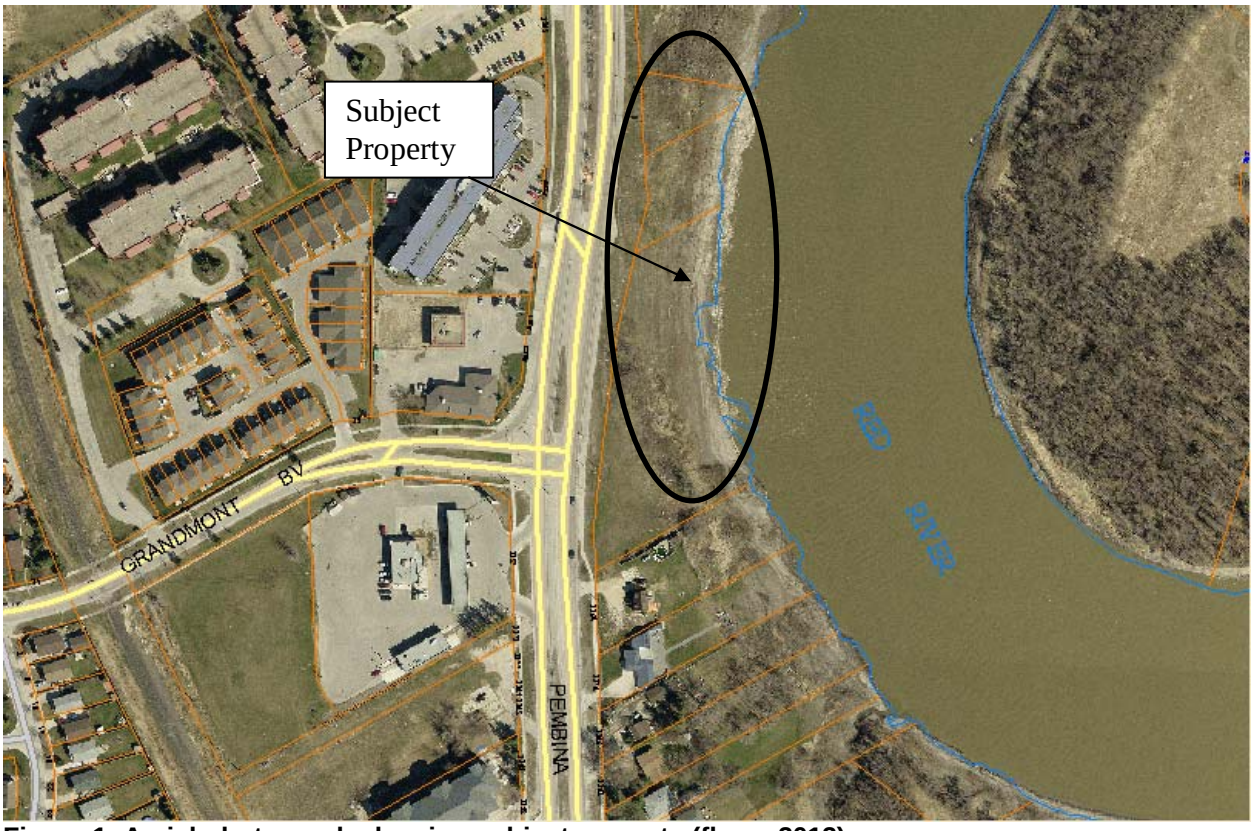


Figure 1: Aerial photograph showing subject property (flown 2012)

SURROUNDING LAND USES & ZONING (See Figure 2)

North: Vacant lot zoned “RR5” Rural Residential 5 acre.

South: Residential dwellings zoned “R1-E” Residential Single Family - Estate.

East: Red River

West: Pembina Highway, then commercial uses and multi family dwellings zoned “C2” Community Commercial and “RMF-M” Residential Multi Family – Medium.

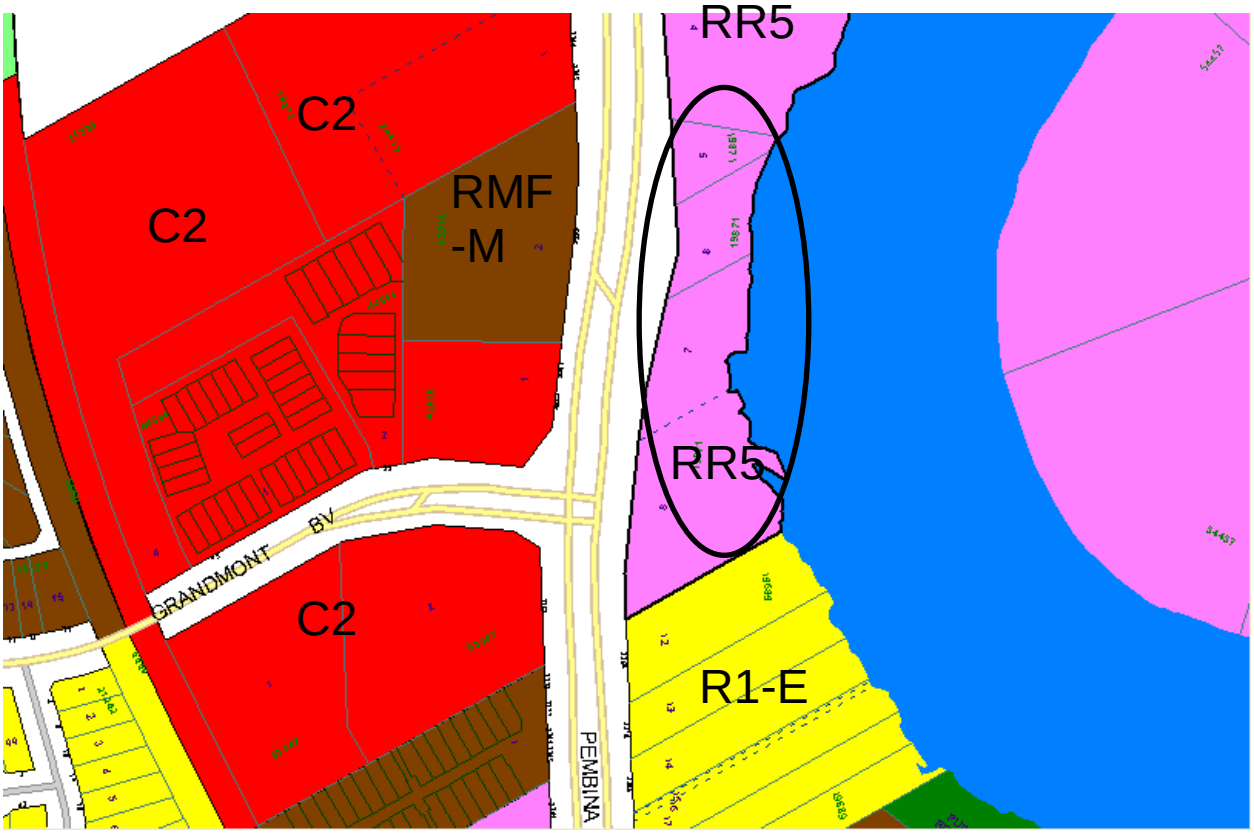


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the property from “RR5” Rural Residential 5 to “PR1” (PDO-1 St. Norbert Neighbourhood Main Street) Parks and Recreation (Neighbourhood) for the purposes of establishing a park space. A scenic look-out area with a pathway that leads to it is contemplated for the park. The maintenance of this space as a park also preserves a view corridor to the Red River.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- The site is located on a Regional Mixed Use Corridor (Pembina Highway). The key relevant policies guiding the development of Regional Mixed Use Corridors under the *Complete Communities Direction Strategy* includes:
    - Promote high-quality plazas, parks and streetscapes as focal points and networks that are connected to the greater community.
    - Encourage the development of recreation and community service facilities in these areas in a way that respects the desired form and character of the centre or corridor.

ZONING

"RR5" Rural Residential 5 District

- The RR5 district is intended to provide areas for large-lot rural residential development along with limited agricultural uses. The RR5 district requires: a minimum lot width of 25 feet, a minimum lot area of 5 acres, side yards of 25 feet, a front yard of 25 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 30%.

"PR1" Parks and Recreation 1 (Neighbourhood)

- The Parks and Recreation 1 (PR1) district is intended for sites that are generally passive neighbourhood and community parks and facilities with predominantly pedestrian and cyclist access. These sites may provide unstructured drop-in play and recreation opportunities, including play structures, passive parks, plazas and natural areas. Generally, there are no parking facilities associated with these uses. These parks and open spaces typically occur in a residential neighbourhood or riverbank context and are generally accessed by residential streets.

LAND USE BY-LAW

Rezoning

- The "RR5" zoning district is intended for rural, single-family residential development with a minimum lot area of five acres. The applicant is proposing to rezone the land, which is currently vacant, from "RR5" to "PR1"in order to maintain the open space as a park. The site offers views to the river and the intent is to maintain this space as a view corridor with minimal park amenities, such as benches (for a look-out area) and a pathway.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The St. Norbert PDO includes purpose and intent statements to help provide an idea as to what is envisioned for the area. The subject property falls within the Area 2 – Community Cultural Centre Area of the plan. The key purpose and intent statement of this area is:

To encourage and maintain development that respects and enhances the cultural significance of St Norbert and complements the commercial activity in the Village Centre Area, by:

(a) Maintaining and enhancing the prominent role and presence of institutional uses and heritage buildings in the area;
(b) Maintaining the rural country character and community focus of the area.

- In the context of the intent statement above, and bearing in mind the community input that helped go into the St. Norbert PDO (as discussed in the History Section); the proposed rezoning of the land from RR5 to PR1 is appropriate.
- The proposed rezoning designates the land as a space for modest recreational activities.
- It should be noted that the Public Works Department is supportive of the rezoning to facilitate the provision of a multi-use trail and scenic overlook on the property and that departmental jurisdiction for this parcel be changed from Streets to PP&D in order to be consistent with the adjacent City-owned parcels.

RECOMMENDATION

The Urban Planning Division recommends **approval** for the following reasons:

- The proposal is consistent with the policies of the Complete Communities Direction Strategy and the St. Norbert Planned Development Overlay.
- The notion of rezoning the site to PR1 is supported by the Parks policies within the Complete Communities Direction Strategy, which encourage the maintenance and protection of public access to the City's riverbank lands.
- The proposed rezoning helps maintain uses along Pembina Highway that encourage modest recreational activities while maintaining a view corridor to the Red River.

This Report Submitted by:

Planning, Property and Development Department
Urban Planning Division

Report Prepared By: Devin Clark
PPD File # DAZ 232/13

Schedule "A" for File No. DAZ 232/2013, Riel Community Committee, dated January 30, 2014

By-Law No. _____

File No. **DAZ 232/13**

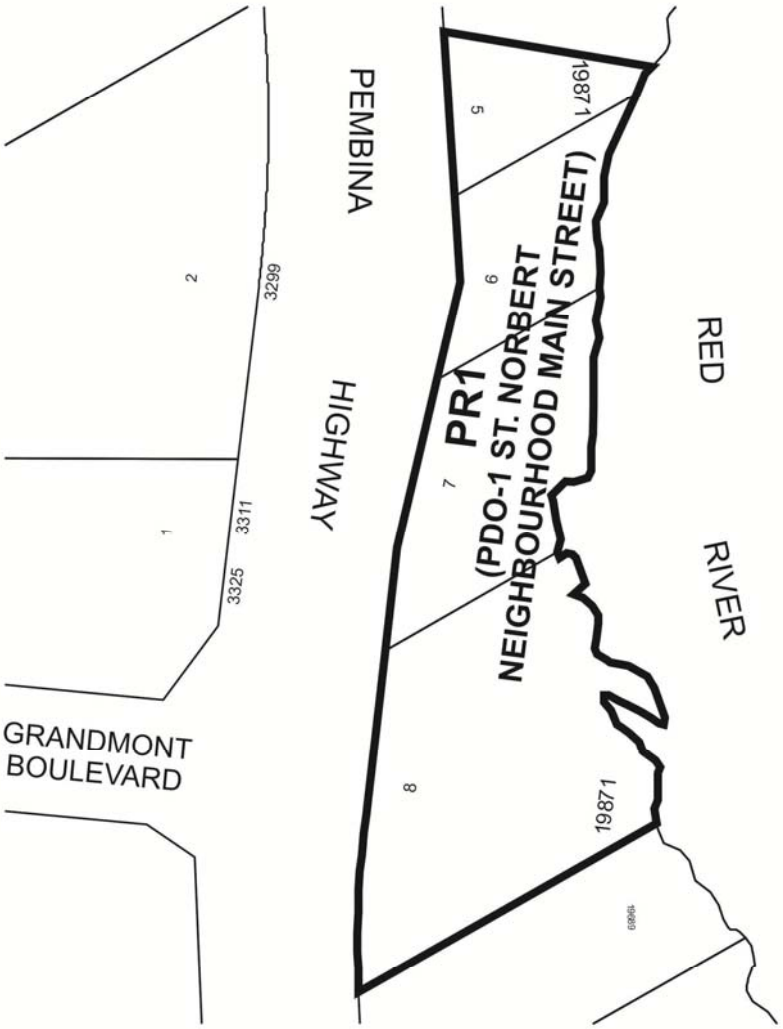
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COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located on the east side of Pembina Highway & the Red River at Grandmont Boulevard from an "RR5" RURAL RESIDENTIAL 5 (PDO-1 ST. NORBERT NEIGHBOURHOOD MAIN STREET) DISTRICT to a "PR1" PARKS AND RECREATION 1 (PDO-1 ST. NORBERT NEIGHBOURHOOD MAIN STREET) DISTRICT to facilitate the establishment of a park and multi-use trail as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____