Agenda - Council - July 23, 2003

Report - Standing Policy Committee on Property and Development - July 3, 2003

Item No. 1 Subdivision and Rezoning - Promenade Brunet, north and south sides west of Drake Boulevard
File DASZ 6/2003

STANDING COMMITTEE RECOMMENDATION:

On July 16, 2003, 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 6/2003 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 6/2003, dated June 5, 2003, 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 DASZ 16/94 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 5, 2003.

2. That Caveat No. 2783684 as it affects Lot 16, Block 3, Plan 41026 can be withdrawn.

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

4. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule " A" for File DASZ 6/2003, dated June 5, 2003, to an " R1-4" Residential District.

5. 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 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.

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

Report - Standing Policy Committee on Property and Development - July 3, 2003

7. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the addendum to the Development Agreement.

8. 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.

9. 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.

10. 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 - July 3, 2003

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 16, 2003, 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 July 3, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 17, 2003, the Riel Community Committee concurred in the administrative recommendation and submitted the matter to the Standing Policy Committee on Property and Development.

Re: **Proposed Plan of Subdivision and Zoning Change Report - Promenade Brunet, north and south sides west of Drake Boulevard File DASZ 6/2003**

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

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

Report date: **June 25, 2003**

COMMUNITY COMMITTEE RECOMMENDATION:

The Riel Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 6/2003 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 6/2003, dated June 5, 2003, 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 DASZ 16/94 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 5, 2003.

2. That Caveat No. 2783684, as it affects Lot 16, Block 3, Plan 41026, can be withdrawn.

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

4. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule " A" for File DASZ 6/2003, dated June 5, 2003, to an " R1-4" Residential District.

5. 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 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.

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

7. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the addendum to the Development Agreement.

8. 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.

9. 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.

10. 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.

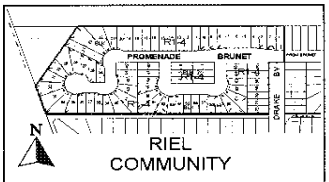
The Riel Community Committee provided the following supporting reason for its recommendation:

1. The Riel Community Committee agrees with the administrative comments contained in the report of the Manager of Planning and Land Use dated June 5, 2003.

REPORT SUMMARY

File:	DASZ 6/2003
Before:	Riel Community Committee Councillor Vandal, Chairperson Councillor Steeves
Public Hearing:	June 17, 2003 Community Committee Chamber, 219 Provencher Boulevard
Applicant:	Doug Henne Planning Services 917 Simpson Avenue Winnipeg, MB R2K 1S5

Subject:



APPLICANT: DOUG HENNE PLANNING SERVICES
FILE: DASZ 6/03
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 a "PR1" PARKS AND RECREATION DISTRICT and an "RM-4" MULTIPLE-FAMILY DISTRICT to an "R1-4" SINGLE-FAMILY DISTRICT to allow for the creation of sites for single-family development and to consider the special rear yard setback along the Canadian Pacific Railway. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : DOUG HENNE PLANNING SERVICES
RÉFÉRENCE : DALZ 6/03
PROJET : Demande d'approbation par le Conseil du plan de lotissement relatif aux sols délinéés ci-dessus et proposition de modification du *Règlement municipal n° 6400/94* visant à changer le zonage des sols délinéés ci-dessus qui passerait des catégories « PR1 » SECTEUR DES PARCS ET DES LOISIRS et « RM-4 » SECTEUR D'HABITATIONS MULTIFAMILIALES à la catégorie « R1-4 » SECTEUR D'HABITATIONS UNIFAMILIALES, en vue de permettre le lotissement pour la construction d'habitations unifamiliales et l'étude du recul spécial de la marge arrière le long de la voie du Canadien Pacifique. **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: Promenade Brunet, north and south sides west of Drake Boulevard

Exhibits Filed:

1. Application dated April 16, 2003
2. Notification of Public Hearing to Applicant dated May 8, 2003
3. Manitoba Status of Titles 1098412, 1908413, 1908416, 1908423 and 1908527
4. Extract of Atlas Sheet AB29
5. Site Plan
6. Report from the Manager of Planning and Land Use dated June 5, 2003
7. Report from the Administrative Coordinating Group dated June 2, 2003
8. Photograph(s) of the site and Inspection Notice

REPRESENTATIONS:

In Support:

Norm Boyle
Doug Henne, Doug Henne Planning Services

In Opposition:

Nil

For the City:

Kevin Lalor, Acting Coordinator, Urban Planning Branch, Planning, Property and Development

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS MADE AT THE PUBLIC HEARING:

The applicant, Doug Henne, appeared in support of the application and gave a brief overview of the proposal.

In reply please refer to / Référence à rappeler :

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

File No. DASZ 6/03 June 5, 2003
Our c/f CP 500 (.511)

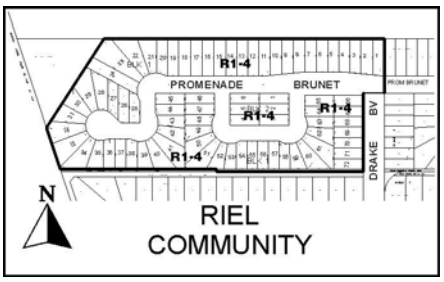
Marc Pittet
Riel Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear: Mr. Pittet

SUBDIVISION AND REZONING
Land located: Promenade Brunet, west of Drake Ave.
Riel Community
File No. DASZ 6 /03

An application has been received from Doug Henne Planning Services 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 "RM4" Multiple Family District and a " PR-1" Parks & Recreation District to a " R1-4" Residential District to facilitate development of seventy eight (78) new residential lots.

RELATED FILES:



SITE DESCRIPTION:

Site Area:

Approximately 10-12 acres in total.

Existing Land Use and Zoning:

The lands being rezoned are in part zoned for RM4 Multiple Family development and in part zoned for a PR buffer area. The area still remains vacant at this time.

Surrounding Land Use and Zoning:

North: To the north is a CPR right-of –way and transfer yard zoned M3 Industrial.
South: To the south is a fully developed two family residential sudivision zoned RM-L Multiple Family.
East: To the east is a zoned R1-4 single family subdivision currently under development.
West: To the west is a railway and adjoining Archibald are zoned R2 Two Family dwellings.

DEVELOPMENT DESCRIPTION:

The applicant proposes to rezone a parcel at the center of the subdivision from its currently zoned RM-4 Multiple Family and PR designations to an R1-4 Single Family designation. The previously designed subdivision under DASZ 16/94 is then to be reconfigured in order to accommodate a total of 78 single family lots to the west of Drake Ave.

PLAN WINNIPEG:

A number of years ago, a Plan Winnipeg amendment changed the designation of the subject area from an Industrial Policy Area to a Neighbourhood Policy Area. The Neighbourhood designation allows for the development of residential single family homes.

ADMINISTRATIVE COMMENTS:

In 1994, Ladco made application for a plan of subdivision and related rezoning which included the subject lands and additional lands to the east of Drake. The subdivision at that time encompassed 26 acres and had a Multiple Family and Public Reserve component at the southwest corner of Promenade Brunet and Drake Boulevard. New ownership has acquired the land west of Drake and wishes to delete the current Multiple family area and the PR buffer strip which was initially intended to separate the multiple family parcel from the existing residences to the south. In its place , they intend to reconfigure the subdivision and create more single family housing(a total of 78 dwelling units). Hence the requirement for both a new subdivision and rezoning application. The Planning and Land Use Division fully supports the proposed changes. The neighbouring community supported the original Plan Amendment and development proposal and will presumably regard the creation of additional single family housing units as an improvement over the original application.

RECOMMENDATION:

I. That the plan of subdivision proposed under File No. DASZ 6/03 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule " A" for File No. DASZ 6/03, attached hereto and dated June 5/03, 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 DASZ 16/94 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 5/03.

II. That Caveat No. 2783684 as it affects Lot 16, Block 3, Plan 41026 can be withdrawn.

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

IV. That Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule " A" for File No. DASZ 6/03, attached hereto and dated June 5/03, to an " R1-4" Residential District .

V. 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 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.

VI. That the City Solicitor be requested to prepare the necessary by-law in accordance with the above.

VII. 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.

VIII. 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.

IX. 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.

X. 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,

C. Knoll
Acting Manager of Planning and Land Use

Kevin Lalor
Per: Acting Coordinator, Urban Planning Br.
Riel Community
986-5069

/jc

By-Law No. _____

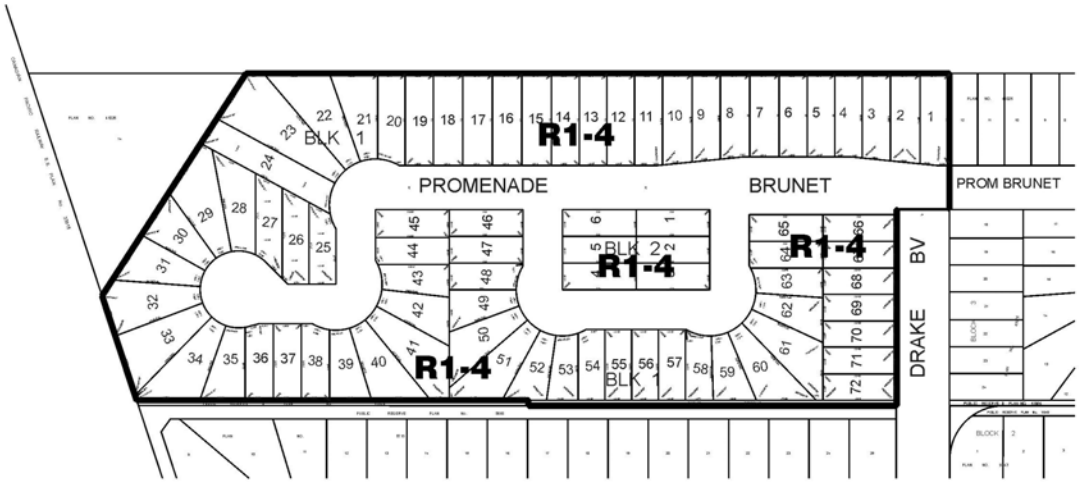
File No. **DASZ 6/03**

Atlas Sheet No. **AB29 RIEL COMMUNITY**

N

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law 6400/94 by rezoning the land located on the south side of Promenade Brunet, west of Drake Boulevard from a "PR1" PARKS AND RECREATION DISTRICT and an "RM-4" MULTIPLE-FAMILY DISTRICT to an "R1-4" SINGLE-FAMILY DISTRICT as shown outlined below.



Schedule " A " for File No. DASZ 6/03, Riel Community Committee, dated June 5/03

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Re: Proposed subdivision and rezoning of land located on the north and south sides of Promenade Brunet, west of Drake Boulevard – DASZ 6/03

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

"Original signed by E.L. Carrière"
E.L. Carrière
Chairman
Administrative Coordinating Group

June 2, 2003

Re: Proposed subdivision and rezoning on land located on the north and south sides of Promenade Brunet, west of Drake Boulevard – DASZ 6/03

An application has been submitted by Doug Henne Planning Services to subdivide and rezone land located on the north and south sides of Promenade Brunet, west of Drake Boulevard. The land is covered under the terms of Development Agreement AG 16/94. The Developer is proposing to reconfigure the layout of the existing subdivision lying west of Drake Boulevard by redesignating the present multiple-family site and related City-owned buffer to single-family.

It is recommended that approval of this application be subject to the following conditions:

1. The Developer shall provide right-of-way for Promenade Brunet between approximately Drake Boulevard and the first intersection to the west thereof as determined by the Director of Public Works;
2. The Developer shall enter into an addendum to Development Agreement AG 16/94 as follows:
    a) By adding to Development Agreement AG 16/94, a copy of the plan covered under DASZ 6/03.
    b) By adding to Development Agreement AG 16/94, a copy of conceptual servicing drawings identifying the specific requirements for the land covered under DASZ 6/03 including the construction of concrete pavement in Promenade Brunet between approximately Drake Boulevard and the first intersection to the west thereof to widths and with appropriate transitions as determined by and to the satisfaction of the Director of Public Works and including the construction of twinned watermains in Promenade Brunet as determined by and to the satisfaction of the Director of Water and Waste.
    c) By adding a clause whereby the Developer shall purchase Lot 17, Block 1, Plan 41026 from the City in accordance with terms and conditions approved by the City's Standing Policy Committee on Property and Development or authority delegated by Standing Policy Committee on Property and Development.
    d) By adding a clause whereby the Developer shall pay cash in lieu of open space dedication attributable to Lot 17, Block 1, Plan 40126.
    e) By adding a clause whereby the Developer shall pay the administration fee ($1,200.00/acre) attributable to Lot 17, Block 1, Plan 41026.

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 6/03
June 2, 2003