Minutes - Executive Policy Committee - September 17, 2003

Minute No. 362
Report - Standing Policy Committee on Property and Development - September 4, 2003

Item No. 11 Subdivision and Rezoning - Island Lakes - Pamela Road
File DASZ 16/2003 [c/r DAC 14/2003]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee (as amended) and submits the following to Council:

1. That the plan of subdivision proposed under File DASZ 16/2003 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 16/2003 dated July15, 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 the Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 30, 2003.

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

3. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 16/2003 dated July 15, 2003, to an "R1-3.5" and "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 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.

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.

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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. That 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.

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DECISION MAKING HISTORY:

Moved by Councillor Vandal,

That the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee (as amended) be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On September 4, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee as amended, namely:

- Amend Recommendation 3 by adding the words "and "R1-4"" after the words "to an "R1-3.5"",

and submitted the matter to Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 22, 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 and Zoning Change Report - Island Lakes - Pamela Road
File DASZ 16/2003 [c/r DAC 14/2003]

For submission to: Standing Policy Committee on Property and Development

Prepared by: Marc Pittet, Clerk, Riel Community Committee

Report date: August 14, 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 16/2003 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 16/2003, dated July15, 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 the Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 30, 2003;

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 16/2003 dated July 15, 2003, to an "R1-3.5" 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 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.

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 reason for its recommendation:

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

REPORT SUMMARY

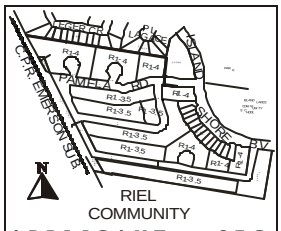
File: DASZ 16/2003 [c/r DAC 14/2003]

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

Public Hearing: July 22, 2003
Community Committee Chamber, 604 St. Mary's Road

Applicant: SEG Engineering Inc. (Gregg Davey)
200 Taché Avenue
Winnipeg, MB R2H 1A7

Subject:



APPLICANT: SEG ENGINEERING INC.
FILE: DASZ 16/03
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 an "R1-4" SINGLE-FAMILY DISTRICT to an "R1-3.5" SINGLE-FAMILY DISTRICT and an "R1-4" SINGLE-FAMILY DISTRICT to allow for residential development. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : SEG ENGINEERING INC.
N° DE RÉFÉRENCE : DALZ 16/03
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 de la catégorie R1-4 (SECTEUR D'HABITATIONS UNIFAMILIALES) à R1-3,5 (SECTEUR D'HABITATIONS UNIFAMILIALES) et à R1-4 (SECTEUR D'HABITATIONS UNIFAMILIALES), en vue de permettre le lotissement résidentiel. **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: Island Lakes - Pamela Road

Exhibits Filed:

1. Application dated June 10, 2003
2. Notification of Public Hearing to Applicant dated June 17, 2003
3. Manitoba Status of Titles 1359686, 1663839, 1663842, 1663843, 1663844, 1663845, 1663846, 1663847, 1663848, 1663849 and 1663850
4. Letter of Authorization from Magdolna Dormer to SEG Engineering Inc. dated April 24, 2003
5. Letter of Authorization from the Land Development Manager, Novamet Development Corporation to SEG Engineering Inc. dated May 13, 2003
6. Extract of Atlas Sheet AG30
7. Plans (2 pages)
8. Report from the Acting Manager of Planning and Land Use dated July 15, 2003
9. Report from the Administrative Coordinating Group dated June 30, 2003
10. Photograph(s) of the site and Inspection Notice

REPRESENTATIONS:

In Support:

Ian McKinnon
Eric Vogan

In Opposition:

Nil

For Information:

Lorne Robinson

For the City:

Kevin Lalor, Senior Planner, Planning, Property and Development
Ernest Carrière, Land Development Engineer, Planning, Property and Development

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS MADE AT THE PUBLIC HEARING:

Ian McKinnon, SEG Engineering Inc. and Eric Vogan, Novamet Development Corporation, appeared in support of the application. Mr. McKinnon provided a brief overview of the application and stated that he concurred with the recommendations contained in the report of the Manger of Planning and Land Use.

In reply please refer to / Référence à rappeler :

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

File No. DASZ 16/03 July 15, 2003
Our c/f CP 500 (.)

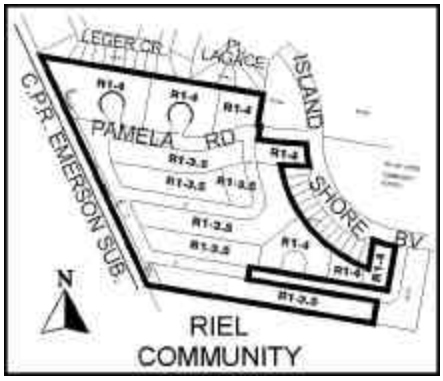
Mr. Marc Pittet
Riel Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear: Mr. Pittet

SUBDIVISION AND REZONING
Land located: Island Lakes, South of Leger Crescent, East of C.P.R Emerson Line
Riel Community
File No. DASZ 16/03

An application has been received from SEG Engineering Inc. 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 " R1-4" Residential District to a " R1-3.5" Residential District to allow for approximately 146 future residential single family dwelling units.

RELATED FILES:



SITE DESCRIPTION:

Site Area:

Overall area encompasses approximately 24.17 acres.

Existing Land Use and Zoning:

The land in question is currently vacant and zoned , in the most part, R1-4 Single Family Residential.

Surrounding Land Use and Zoning:

North: Developed single family lots zoned R1-4 .
South: Vacant lands zoned A-5 Agricultural.
East: Lands in the process of being developed zoned R1-4 Residential.
West: Lands immediately west of the C. P. R. Emerson Line are predominately zoned R1- 4 Residential but there are small pockets of RM-2 Multiple Family and PR-2 Public Reserve. Those lands are currently vacant but in the process of being developed.

DEVELOPMENT DESCRIPTION:

Under DASZ 1/95, the subject properties for the most part had been previously subdivided and zoned to an R1-4 residential category. The design and layout of the previous subdivision was in part a reflection of the fact that some of the land central to the area was not at that time owned by Novamet. Subsequently those remaining lands adjoining the C. P. R. right-of way have been acquired and consolidated with the original properties. The current owners have now reconfigured the original proposal with a revised street layout and a conversion of much of the R1-4 residential category to an R1-3.5 category. The new plan calls for only a few lots to actually have flankage on the C. P. R. right-of way. Most of the land adjoining the rail line will be maintained as buffer area. The Developer, is also required, at no expense to the City , to construct within the Planned Area abutting the CPR Emerson Subdivision, a uniform fence 2.0 m in height as determined by and to the satisfaction of the Director of Public Works. Under DAC 14/03 portions of previously approved roads under DASZ 1/95 are to be closed in conjunction with the new subdivision layout. Approximately 146 single-family lots are proposed under the new plan.

PLAN WINNIPEG:

The subject are a falls within a designated Neighbourhood Policy Area under Plan Winnipeg. An application for residential development can therefore, procedurally , be made.

ADMINISTRATIVE COMMENTS:

The proposed revisions are , in our view, an improvement over the original proposal given that all of the lands adjoining the C.P.R. rail line are now within the plan. The closure of Pamela Road and the redesign of the internal street system makes for a more efficient and

innovative development proposal. The establishment of R-3.5 zoning allows for more flexability in the design of the subdivision and ultimately most of the lots will probably end up being in the 40' wide range anyway. That appears to be the trend and and the proposed R1-3.5 zoning is certainly not inconsistent with similarly zoned areas throughout Island Lakes. It is recommended that your Committee endorse the subject application subject to the conditions outlined in the ACG Report.

RECOMMENDATION:

I. That the plan of subdivision proposed under File No. DASZ 16/03 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule " A" for File No. DASZ 16/03, attached hereto and dated July15/03, for registration in the Winnipeg Land Titles Office, subject to the following:

A. That the Developer be required to enter into an addendum to the Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 30/03;

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 16/03, attached hereto and dated July 15/03, to an " R1-3.5" 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 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 .

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.

VII. 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.

VIII. 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.

IX. 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. _____

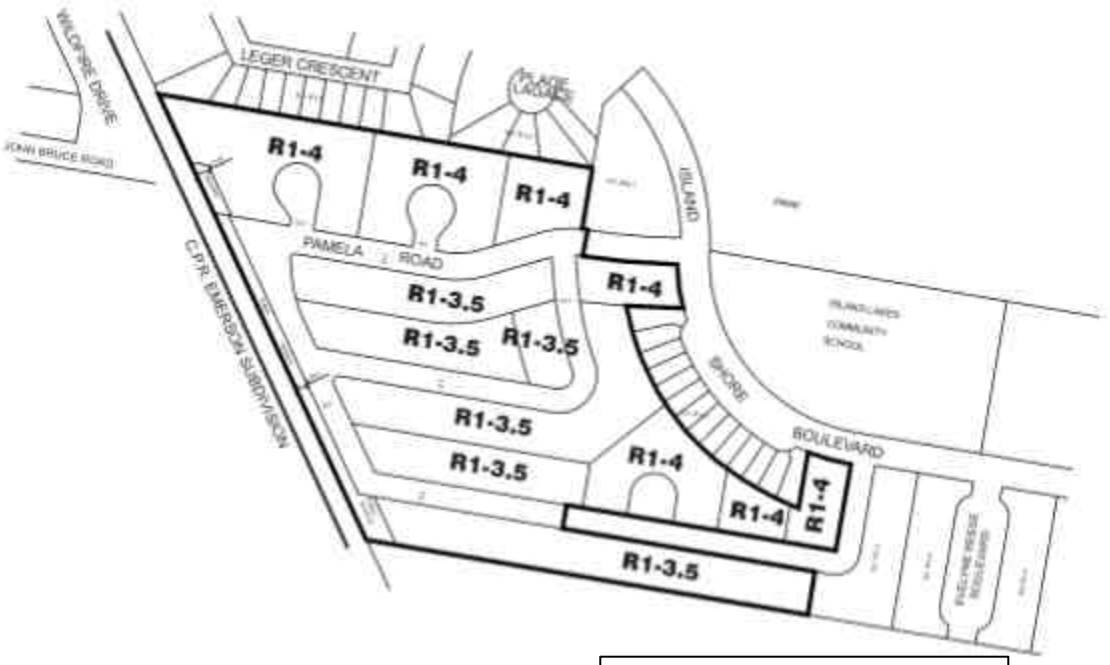
File No. **DASZ 16/03**

Atlas Sheet No. **AG30 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 No. 6400/94 by rezoning the land located on the west side of Island Shore Boulevard from an "R1-4" SINGLE-FAMILY DISTRICT to an "R1-4" SINGLE-FAMILY DISTRICT and an "R1-3.5" SINGLE-FAMILY DISTRICT as shown outlined below.



Schedule " A" for File No. DASZ 16/03, Riel Community Committee, dated July 15/03

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Re: Proposed subdivision and rezoning on land located west of Island Shore Boulevard – DASZ 16/03

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

ORIGINAL SIGNED BY E. L. CARRIERE, P. ENG.

E.L. Carrière
Chairman
Administrative Coordinating Group

June 30, 2003

Re: Proposed subdivision and rezoning on land located west of Island Shore Boulevard – DASZ 16/03

An application has been submitted by SEG Engineering Inc. to subdivide and rezone land located west of Island Shore Boulevard. The proposal is to rearrange the streets lying west of Island Shore Boulevard including 1100 John Bruce Road. The land except for 1100 John Bruce Road is covered under the terms of Development Agreement AG 1/95 between the City and Novamet Development Corporation.

It is recommended that the Applicant amend the plan by deleting the proposed buffer strip along the CPR Emerson Subdivision south of the relocated Pamela Road.

It is also recommended that approval of the amended plan be subject to the Developer entering into an Addendum to Development Agreement AG 1/95 as follows:

1. By attaching to AG 1/95 a copy of the plan of subdivision approved under DASZ 16/03;
2. By attaching to AG 1/95 a copy of a conceptual drawing showing the servicing for the land covered under DASZ 16/03 including the relocation of the existing watermain in Pamela Road and the construction of a concrete sidewalk on the north side of Pamela Road from Island Shore Boulevard connecting to the pedestrian crossing of the CPR Emerson Subdivision at John Bruce Road East.
3. By adding a clause to AG 1/95 whereby the Developer shall construct a uniform fence 2.0m in height along the east limit of the CPR Emerson Subdivision right-of-way as determined by and to the satisfaction of the Director of Public Works. This fence is to tie-in as required to any existing fencing installed at the walkway crossing of the CPR Emerson Subdivision. Where private lots are planned to abut the railway line the subject fence is to be within the rear yard of said lots and the Developer is to permit the City to file a caveat against the title of each lot abutting the CPR Emerson Subdivision requiring the owner to maintain and/or repair the fence as originally constructed, to the satisfaction of the Director of Public Works.
4. By adding a clause to AG 1/95 whereby the Developer shall pay cash in lieu of dedication of land for public open space attributable to 1100 John Bruce Road in accordance with City policy.
5. By adding a clause to AG 1/95 whereby the Developer shall pay $1,200.00 per acre to defray the City's administration and related costs associated with the preparation and implementation of the addendum to AG 1/95. (As most of the land within DASZ 16/03 is already covered under AG 1/95, only the area of 1100 John Bruce Road will be subject to this charge.)
6. By adding a clause to AG 1/95 whereby the Developer shall pay the Seine River Waterway Acquisition Charge ($145.00/acre) attributable to 1100 John Bruce Road.

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 16/03

June 30, 2003

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ORIGINAL SIGNED BY E. L. CARRIERE, P. ENG.

Land Development Engineer

ORIGINAL SIGNED BY R. J. HARTMANN

Public Works Department
Transportation Division

ORIGINAL SIGNED BY F. MAZUR.

Water and Waste Department