Agenda - Council - October 22, 2003

Report - Standing Policy Committee on Property and Development - September 30, 2003

Item No. 8 Rezoning - 145 Burrows Avenue and 148 Alfred Avenue
File DAZ 224/2003

STANDING COMMITTEE RECOMMENDATION:

On October 15, 2003, 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. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File No. DAZ 224/2003 dated September 8, 2003, to a "PR1" Parks and 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 this 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 same to Council for all three 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 30, 2003

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 15, 2003, 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 30, 2003, 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 Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 16, 2003, the Lord Selkirk-West Kildonan Community Committee concurred in the administrative recommendation, and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Rezoning - 145 Burrows Avenue and 148 Alfred Avenue**
File DAZ 224/2003

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

Prepared by: **Diane Timmins, Clerk,**
Lord Selkirk-West Kildonan Community Committee

Report date: **September 23, 2003**

COMMUNITY COMMITTEE RECOMMENDATION:

The Lord Selkirk-West Kildonan Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File No. DAZ 224/2003 dated September 8, 2003, to a "PR1" Parks and 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 this 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 same to Council for all three 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.

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 Manager of Planning and Land Use dated September 8, 2003.

PUBLIC HEARING SUMMARY

File: DAZ 224/2003

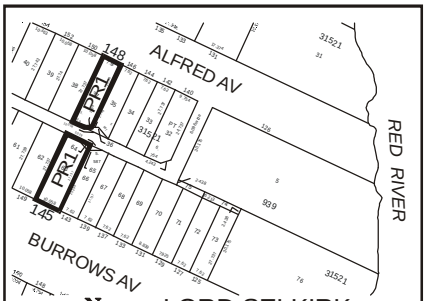
Before: Lord Selkirk-West Kildonan Community Committee
Councillor Pagtakhan, Chairperson
Councillor Lazarenko

Public Hearing: September 16, 2003
Community Committee Chamber, 1760 Main Street

File: DAZ 224/2003

Applicant: City of Winnipeg
Planning Property and Development Department (Kevin Nixon)

Subject:



APPLICANT : CITY OF WINNIPEG
FILE : DAZ 224/03
PROPOSAL : To rezone the land shown outlined above from an "R2" TWO-FAMILY DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT to allow for the establishment of a public walkway.
For information, phone Mr. D. Marsh, Planner at 986-5549.

Premises Affected: 145 Burrows Avenue and 148 Alfred Avenue

Exhibits Filed:

1. Application dated July 16, 2003
2. Notification of Public Hearing to Applicant dated August 5, 2003
3. Title Searches 1374205 and 1602630
4. Plan showing the location of the proposed public walkway
5. Report from the Manager of Planning and Land Use dated September 8, 2003
6. Photograph(s) of the site and Inspection Notice

REPRESENTATIONS:

In Support:

Kevin Nixon, Planner, Planning, Property and Development Department, on behalf of The City of Winnipeg

In Opposition:

Dan East

For the City:

David Marsh, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Kevin Nixon, Planner, appearing on behalf of the applicant, The City of Winnipeg, in support of the application, gave an overview of the proposed rezoning. He noted that since 1993, the City has been attempting to acquire riverbank properties to connect two segments of the City's North Winnipeg Parkway riverside trail, which runs from the Forks to Kildonan Park. Mr. Nixon stated that while it would be preferable to have a riverside parkway alignment, the subject properties have become available for purchase, and if the City exercises its option to purchase, the subject properties would serve as an alternative route for a future public walkway to connect parks and open space areas to the north and south.

Dan East, appearing in opposition to the application, advised Committee that he is the owner of the rental property located at 149 Burrows Avenue beside one of the subject properties, 145 Burrows Avenue. Mr. East indicated that although he is not opposed to the proposed public walkway, he had the following concerns, namely:

1. The proposed public walkway is to be constructed in the middle of a residential area. In this connection, Mr. East stated it would be more appropriate to have the pathway located at the end of the street along the riverside rather than in the middle of a residential block.

2. There will be a greater incidence of vandalism and graffiti in the area.

3. There will be an increase in pedestrian traffic in the area.

4. The potential devaluation of his property with the proposed public walkway.

Mr. East requested that in the event this application is approved, that the City consider putting up a fence to block/separate his property from the proposed walkway.

In rebuttal, Mr. Nixon stated he did not agree that bringing more pedestrian traffic into the area would necessarily be a negative thing and that in all probability, more people would make the area more secure. Mr. Nixon confirmed that approval of this application would mean more landscaping of the subject properties and be an enhancement to the area.

Exhibit "5" for File DAZ 224/2003

In reply please refer to / Référence à rappeler :

David Marsh, AICP
(204) 986-5549
Fax / Téléc. : (204) 986-7524

File No. DAZ 224/03 September 8th, 2003
Our c/f CP 300 (.311)

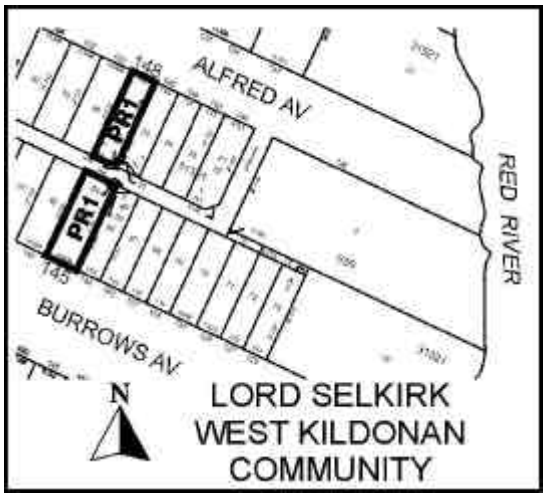
Ms. Diane Timmins, Community Clerk
Lord Selkirk – West Kildonan Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear Ms. Timmins:

REZONING
145 Burrows Avenue & 158 Alfred Avenue
Lord Selkirk – West Kildonan Community Committee
File No. DAZ 224/03

An application has been received from the City of Winnipeg, to amend By-Law No. 6400/94 by rezoning the land shown below from a "R2" Residential District to a/an "PR1" Parks & Recreation District to allow for the establishment of a public walkway.

RELATED FILES: N/A



SITE DESCRIPTION:

Site Area, Existing Land Use, and Zoning:

The subject properties are currently zoned R2 Residential, and are occupied by residential buildings. The 145 Burrows Avenue property is approximately 3,000 square feet in size, while the 148 Alfred Avenue property is approximately 2,300 square feet in size.

Surrounding Land Use and Zoning:

North: Detached residential buildings (R2), then Alfred Ave, detached residential (R2) and parkland (PR1)
South: Detached residential buildings (R2), then Burrows Ave, detached residential (R2)
East: Detached residential buildings (R2), then the Red River
West: Detached residential buildings (R2), then commercial buildings (C1.5), Main Street

DEVELOPMENT DESCRIPTION:

The applicant, the City of Winnipeg, is proposing to rezone the subject properties and demolish the existing detached residential homes in order to construct a public walkway. The walkway is required to connect parks and open space areas to the north and south of the subject sites.

According to the applicant's representative, Kevin Nixon, the subject properties are required in order to connect two segments of the city's North Winnipeg Parkway riverside trail. The City has been attempting to acquire riverbank properties in this section of the planned parkway since 1993, and unsuccessful efforts in acquiring riverbank properties at 123 Burrows and 126 Alfred Avenues has resulted in the City pursuing alternative solutions. Rezoning the properties at 145 Burrows and 148 Alfred Avenues to PR1 Parks and Recreation and developing them with a 6' to 10' wide path and landscaping will allow the sections of the North Winnipeg Parkway to be connected in close proximity to the river where direct riverbank access has proven unfeasible. Moreover, the alternative parkway alignment proposed with this rezoning application will directly link the parkway with Aberdeen Playground, a park which is a component of the North Winnipeg Parkway and is located immediately across the street from 148 Alfred Avenue.

PLAN WINNIPEG:

The subject property falls within a designated Neighbourhood Policy Area under Plan Winnipeg, which allows for mixed use, commercial, residential, and parks & recreation development; thus, the proposed rezoning is in conformance with Plan Winnipeg 2020.

ADMINISTRATIVE COMMENTS:

The proposed zoning designation of "PR1" Parks & Recreation and the proposed use is in general compatible with the adjacent residential properties. While a riverside parkway alignment is the preferred route, the applicant's efforts since 1993 to obtain such an alignment has indicated

that this is not possible, and that an alternative route is required. The Planning & Land Use Division has no objections to the proposed rezoning.

RECOMMENDATION:

1. That By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 224/03, attached hereto and dated September 8th, 2003, to a "PR1" Parks and Recreation District.

2. 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 this 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 same to Council for all three 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.

Yours truly,

C. Knoll
Manager of Planning and Land Use

_____

Per: David Marsh, AICP
Planner
Lord Selkirk – West Kildonan Community
986-5549

By–Law No. _____

File No. **DAZ 224/03**

Atlas Sheet No. **X25**

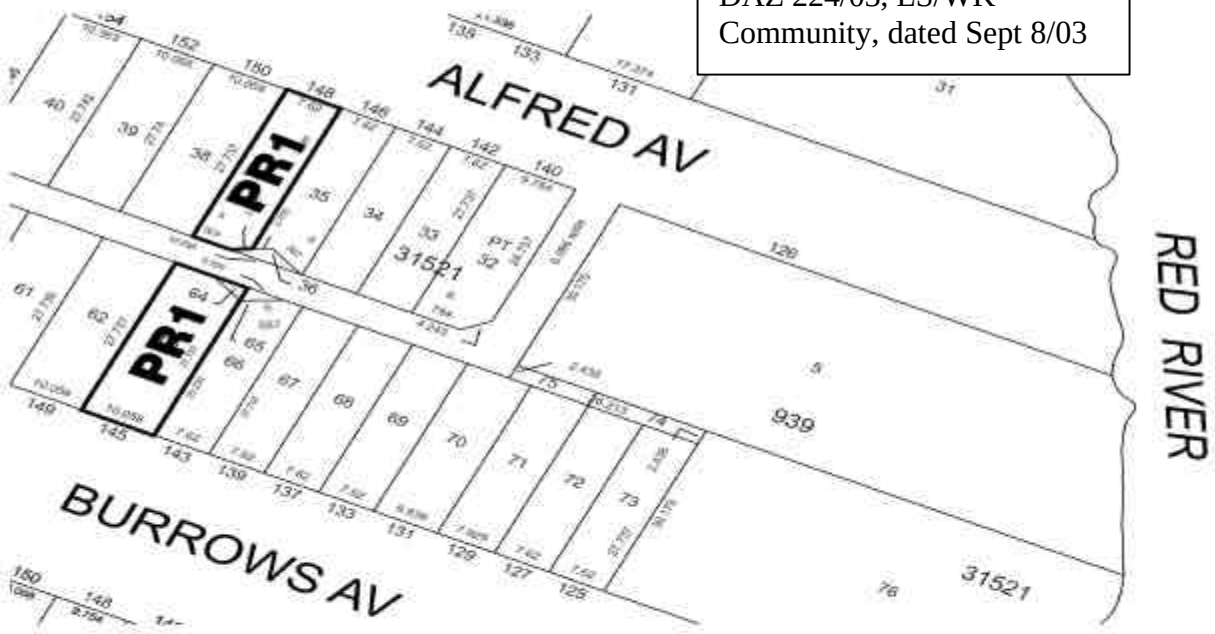
N

LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located at 145 Burrows Avenue and 148 Alfred Avenue from an "R2" TWO-FAMILY DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT as shown outlined below.

Schedule "A" for File No. DAZ 224/03, LS/WK Community, dated Sept 8/03



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____