Agenda - Council - October 22, 2003

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

Item No. 10 Rezoning - North St. Boniface
File DAZ 228/2003

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 DAZ 228/2003 dated September 1, 2003, to an"R1-3.5" Single Family Residential District and an "RM-1" Multiple Family 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 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 Riel Community Committee and submitted the matter to Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 8, 2003, the Riel Community Committee concurred in the administrative recommendation, and submitted its recommendation to the Standing Policy Committee on Property and Development**.**

Re: **Rezoning - North St. Boniface**
File DAZ 228/2003

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

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

Report date: **September 15, 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 Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 228/2003 dated September 1, 2003, to a "R1-3.5" Single Family Residential District and an "RM-1" Multiple Family 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 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 Riel Community Committee provided the following supporting reason for its recommendation:

1. That the Riel Community Committee agreed with the administrative comments contained in the report from the Manager of Planning and Land Use dated September 1, 2003.

PUBLIC HEARING SUMMARY

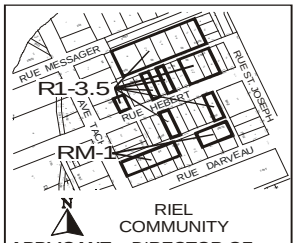
File: DAZ 228/2003

Before: Riel Community Committee
Councillor Angus, Chairperson
Councillor Vandal

Public Hearing: September 8, 2003
St. Norbert Community Centre, 3450 Pembina Highway

Applicant: City of Winnipeg
Director of Planning, Property and Development Department
65 Garry Street
Winnipeg, MB R3C 4K4

Subject:



APPLICANT : DIRECTOR OF PLANNING, PROPERTY AND DEVELOPMENT
FILE : DAZ 228/03
APPLICANT: DIRECTOR OF PLANNING, PROPERTY AND DEVELOPMENT
FILE: DAZ 228/03
PROPOSAL: A proposed zoning change to By-law No. 6400/94 by rezoning the land shown outlined above from an "R2" TWO-FAMILY DISTRICT and an "R2-T" TRANSITIONAL DISTRICT to an "R1-3.5" SINGLE-FAMILY DISTRICT and an "RM-1" MULTIPLE-FAMILY DISTRICT to permit new residential development. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : DIRECTEUR DU SERVICE DE L'URBANISME, DES BIENS ET DE L'AMÉNAGEMENT
N° DE RÉFÉRENCE : DAZ 228/03
PROJET : Modification du *Règlement municipal n° 6400/94* en vue du rezonage du bien-fonds délinéé ci-dessus de sorte qu'il passe des catégories R2 (SECTEUR D'HABITATIONS BIFAMILIALES) et R2-T (SECTEUR DE TRANSITION) aux catégories R1-3.5 (SECTEUR D'HABITATIONS UNIFAMILIALES) et RM-1 (SECTEUR D'HABITATIONS MULTIFAMILIALES) afin de permettre le lotissement résidentiel. **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: North St. Boniface

Exhibits Filed:

1. Application dated August 19, 2003
2. Notification of Public Hearing to Applicant dated August 5, 2003
3. Manitoba Status of Titles 1309918; 1309940; 1309941; 1309942; 1309943; 1309945; 1309947; 1309952; 1309951; 1309956; 1311592; 1402589; 1402590; 1402591; 1311592 and 1872764
4. Manitoba Certificate of Titles 396325 and442121
5. Extract of Atlas Sheet Z26
6. Site Plan
7. Report from the Manager of Planning and Land Use dated September 1, 2003
8. Photographs of the site and Inspection Notice

REPRESENTATIONS:

In Support:

Ed Dolhun
Roland Marcoux

In Opposition:

Terry Wachniak

For Information:

Angele A. Joyal
Richard and Kim Zebiere

For the City:

Kevin Lalor, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS MADE AT THE PUBLIC HEARING:

The applicant, Ed Dolhun, appeared on behalf of the City of Winnipeg in support of the application and gave a brief overview of the proposal.

In response to questions from Councillor Angus, Mr. Dolhun stated that the City of Winnipeg has acquired the majority of the land in question by way of tax sales and that the proposed zoning designations would be consistent with existing housing in the area. Mr. Dolhun further stated that said land would eventually be sold publicly. Mr. Dolhun explained that property near the proposed transit corridor would likely be developed as condominium attached housing. Mr. Dolhun stated that it was hoped that the funds derived from the sale of the lands in question would be used to finish infrastructure work in the area.

Councillor Angus stated that a station was required for the proposed rapid transit corridor and that he was not prepared to sacrifice land that may be required for said station. Mr. Dolhun replied that it was his belief that the proposed station was to be located along St. Joseph Street.

Roland Marcoux, President, Old Saint Boniface Residents Association, appeared in support of the application. Mr. Marcoux spoke of the recent "At the Heart of Developing Old Saint Boniface Housing Summit" held on November 23, 2002, and indicated that his organization was supportive of the City of Winnipeg's development plan for the area.

Richard Zebiere appeared for information with respect to the application and stated that he has been a resident of the area for a number of years and that he was supportive of rezoning the lands for the development of single-family housing.

Angele A. Joyal appeared for information purposes.

Terry Wachniak appeared in opposition to the application and stated that the issue at hand was not a community issue but a citywide park issue. Mr. Wachniak also stated that the entire area north of the highland should be parkland. Mr. Wachniak further stated that many of the existing properties have caveats registered against them as the City of Winnipeg had been planning to turn the entire area into parkland and had spent in excess of $900,000.00 to acquire land in the area. Mr. Wachniak stated that in 1986, the City had been willing to sell some of the property in question to Alain Hogue for $1.00 as the cost of installing services makes developing this area cost prohibitive but that area residents had rallied against this development and defeated it.

Mr. Wachniak indicated that the development of the properties in question would cost significant tax dollars and that the citizens of the City of Winnipeg should not be responsible for shouldering this burden. Mr. Wachniak reiterated that the lands in question should be parkland accessible to all citizens of the City of Winnipeg as riverbank parkland is at a premium and the City of Winnipeg should acquire or retain as much of this as possible.

Mr. Dolhun returned in rebuttal. Mr. Dolhun reiterated that the intent is to sell the City-owned lots at market prices and use the money recovered to enhance the area infrastructure. Councillor Angus asked if the caveats on the existing homes in the area have been lifted to which Mr. Dolhun responded that they had been approximately ten (10) years ago.

Councillor Vandal stated that when he was first elected to City Council, one of his campaign platforms was to turn the area in question into a residential development and attract more people to reside in St. Boniface.

Exhibit “7” referred to in File DAZ 228/2003

In reply please refer to / Référence à rappeler :

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

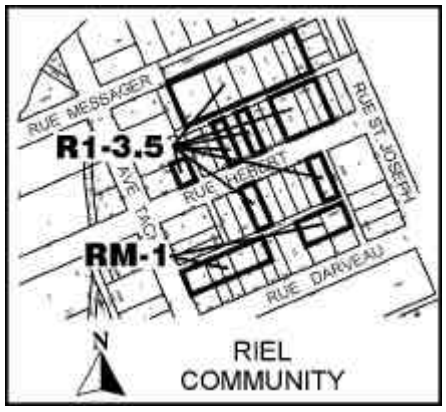
File No. DAZ 228/03 Sept.1, 2003
Our c/f CP 500 (. 501)

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

Dear : Mr. Pittet

REZONING
Location : Properties located in the area bounded by Rue Messager, Rue St. Joseph, Rue Taché, & Rue Darveau
Riel Community Committee
File No. DAZ 228 /03

An application has been received from the City of Winnipeg, to amend By-Law No. 6400/94 by rezoning the lands shown below from an “ R2” Residential Two Family District and a “ R2-T” Transitional District to an “ R1-3.5” Single Family District and an “ RM-1” Multiple Family District to allow for the future redevelopment of the subject area into a combination of single family and low density multiple family housing.



RELATED FILES:

SITE DESCRIPTION:

Site Area:

The land being rezoned is not a single well defined parcel but a total of nine(9) separate parcels ranging in size from 4000 sq. ft. in area to over an acre in area. In total, they collectively account for almost half the residential land between Rue St. Joseph and Rue Tache , north of Rue Darveau.

Existing Land Use and Zoning:

All of the subject City properties, with the exception of three along the north side of Rue Hebert, remain vacant. All of the subject properties are currently zoned R2 – Residential Two Family with the exception of a [arge parcel on the south side of Rue Messager which is zoned R2-T Residential Transitional.

Surrounding Land Use and Zoning:

North: To the north is Fort Gibraltar with related park facilities, zoned PR-1 Parks and Recreational.
South: To the south is the future transit corridor and the existing C.N.R. Highline.
East: To the east is Whittier Park, zoned PR-1 Parks and Recreational.
West: To the west is a City operations yard and several single family residences, all zoned M2 industrial.

DEVELOPMENT DESCRIPTION:

In accordance with the mandate issued by City Council on two occasions (March of 1995 & July of 2002) and a similar mandate from a residents advisory/steering committee established in 1996, the City is taking the first step towards disposing of its properties north of the Highline in an orderly and phased fashion and in accordance with the guidelines established by Council , the community and the policies outlined in the North St. Boniface Secondary Plan. All of the engineering and financial analysis has been done and now with the completion of the combined sewer relief work this past spring and a commitment from Council of approximately $450,000.00 from the Building Communities Program towards initial infrastructure improvements, the City can move ahead with the first phase of the aforementioned process. Development is still , as yet in the early stages, but the first step is to remove the R2 and R2-T zonings which are currently in place and replace them with a single family zoning corresponding to the single family zoning already in place(R1-3.5) on other City and private holdings. Having identified a small area adjacent to the future transit corridor which is deemed to most suitable for low density Multiple Family development, that area must also be rezoned to the appropriate category. It should be noted that while R1-3.5 has a minimum lot width of 35 feet and a minimum lot area requirement of 3500 sq.feet, most future lots will , in all likelihood exceed that minimum. The RM-1 Multiple zoning category is one of the the lowest density multiple categories in the bulk regulations, requiring a minimum 2000 sq. feet of lot area per building unit.

PLAN WINNIPEG:

The area, in its entirety, falls within a designated Neighbourhood Policy Area under Plan Winnipeg. Neighbourhood Policy Areas permit both single and multiple family development. The application is therefore complying in all respects.

ADMINISTRATIVE COMMENTS:

On July 17th, 2002, council adopted the Report of the Executive Policy Committee dated July 10th , 2002, regarding the above area. That report made a number of recommendations, including 1) that redevelopment of the subject area be allowed to occur but that densities be limited to principally single family with the possibility of some low to medium density housing along the north side of Rue Darveau 2) that money be set aside (ultimately $450.000.00 to facilitate the development in its early stages 3) that the City establish and maintain urban design controls over development as it occurs. Subsequently the City's Real Estate Dept. prepared a Proposed Action Plan to implement Council's Directives. In addition, the Real Estate Dept. and the Planning and Land Use Division collaborated to prepare a preliminary Conceptual Development/ Subdivision/ Zoning Plan which , it was hoped reflected both Community's and Council's wishes. Numerous public forums, initiated by the area Councillor, were held with residents of the area, as well as with representatives of and members of La Societe - Franco Manitobaine, the North St. Boniface Resident's Association, and the Festival du Voyageur. Although the discussions for the redevelopment of the subject area were varied and far ranging in scope, the general consensus ultimately appeared to support new residential growth and to continue with the suggested Conceptual Plan, allowing for variations of housing types, styles and densities to be determined by further representations at the future Community Committee Public Hearings. The proposed rezonings, in our view, are completely consistant with the mandate issued to us. But more than that, the subject application eliminates(on City lands at least) the current and outdated zoning categories which do not reflect the housing character of the area.

RECOMMENDATION:

I. That By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 228/03, attached hereto and dated Sept.1 2003, to a " R1-3.5" Single Family Residential District and an " RM-1" Multiple Family District .

II. 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 .

III. That the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

IV. That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Final

Yours truly,

C. Knoll
Manager of Planning and Land Use

Kevin Lalor
Per: Acting Coordinator, Urban & Neighbourhood Planning
Riel Community
986-5069

/jc

By-Law No. _____

File No. **DAZ 228/03**

Atlas Sheet No. **Z26**

RIEL COMMUNITY

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Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the lands shown outlined below, bounded by Rue Messager, Rue St. Joseph, Rue Darveau and Av Tache, from an "R2" TWO-FAMILY DISTRICT and an "R2-T" TRANSITIONAL DISTRICT to an "R1-3.5" SINGLE-FAMILY DISTRICT and an "RM-1" MULTIPLE-FAMILY DISTRICT as shown outlined below.



Schedule " A" for File No. DAZ 228/03, Riel Community Committee, dated Sept.1/03

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____