Agenda – Council – July 19, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 4, 2017

Item No. 1 Subdivision and Rezoning – Northwest Corner of Eric Street and Beliveau Road
(St. Vital Ward)
File DASZ 5/2017

STANDING COMMITTEE RECOMMENDATION:

On July 12, 2017, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That the plan of subdivision under File DASZ 5/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 5/2017 dated March 27, 2017, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 5/2017 dated March 27, 2017, to a "PR1" Parks and Recreation Neighbourhood District.

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

4. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years 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 the two (2)-year period and Council approves the extension.

5. That the Director of Legal Services and City Solicitor 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 the registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 4, 2017

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which 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 the one-year period and Council approves the extension.

9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

10. 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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 4, 2017

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 12, 2017, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 4, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 12, 2017, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

On May 1, 2017, the Riel Community Committee adjourned the public hearing to its meeting on June 12, 2017, at 5:00 p.m. in the Council Building at 510 Main Street.

RE: **Subdivision and Rezoning – Northwest Corner of Eric Street and Beliveau Road**
File DASZ 5/2017

For submission to: **The Standing Policy Committee on Property and Development, Heritage and Downtown Development**

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

Report date: **June 14, 2017**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 12, 2017, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the plan of subdivision under File DASZ 5/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 5/2017 dated March 27, 2017, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 5/2017 dated March 27, 2017, to a "PR1" Parks and Recreation Neighbourhood District.

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

4. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years 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 the two (2)-year period and Council approves the extension.

5. That the Director of Legal Services and City Solicitor 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 the registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which 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 the one-year period and Council approves the extension.

9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

10. 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 reasons for its recommendation:

1. We want to make use of a good resource in St. Vital.
2. We are not creating a green space; it is already a green space and is used that way.
3. We want to protect and preserve this valuable piece of habitat.

PUBLIC HEARING SUMMARY

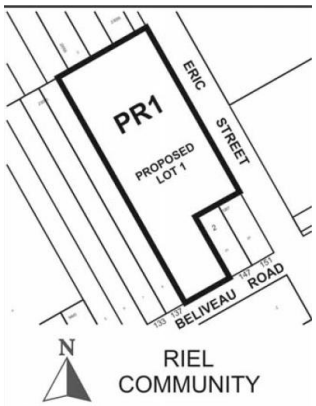
File: DASZ 5/2017

Before: Riel Community Committee
Councillor Mayes, Chairperson
Councillor Allard
Councillor Lukes

Public Hearing: June 12, 2017
May 1, 2017
Council Building, 510 Main Street

Applicant: The City of Winnipeg
Director of Planning, Property and Development

Subject:



APPLICANT: CITY OF WINNIPEG, PLANNING, PROPERTY AND DEVELOPMENT DEPARTMENT
FILE : DASZ 5/17
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. 200/2006 by rezoning the land shown outlined above from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to consolidate the lands into one (1) lot and maintain the existing Park use. **For information, phone Mr. R. Galston, Planner at 204-986-8645.**
DEMANDEUR : SERVICE DE L'URBANISME, DES BIENS ET DE L'AMÉNAGEMENT DE LA VILLE DE WINNIPEG
N° DE DOSSIER : DALZ 5/17
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du *Zoning By-law No. 200/2006* (règlement municipal sur le zonage) visant à modifier le zonage des sols délinéés ci-dessus qui passeraient de la catégorie R1-M (SECTEUR D'HABITATIONS UNIFAMILIALES MOYENNES) à la catégorie PR1 (SECTEUR DES PARCS ET DES LOISIRS 1 [QUARTIER]) afin de permettre le remembrement des terres pour former un seul lot et le maintien du parc existant. **Pour plus de renseignements, veuillez communiquer avec M. R. Galston, urbaniste, au 204-986-8645.**

Premises Affected: Northwest Corner of Eric Street and Beliveau Road

Exhibits Filed:

1. Application dated February 9, 2017
2. Notification of Public Hearing dated March 22, 2017
3. Manitoba Status of Titles 2386974/1, 1050850/1 Certificate of Titles 427898, 629165
4. Plans (3 pages)
5. Report from the Urban Planning Division dated March 27, 2017
6. Inspection Report
7. Notice of Adjournment dated May 5, 2017
8. Communication dated June 12, 2017, from Michele Kading in support of the application
9. Communication dated June 12, 2017, from Pam Lucenkiw in support of the application
10. Communication dated June 12, 2017, from Wilma Sotas in support of the application
11. Communication in opposition to the application submitted by Zenon Zalucky at the public hearing
12. Communication in support of the application submitted by Donna Beaton at the public hearing

REPRESENTATIONS:

In Support:

Li Pau
Michele Kading
Pam Lucenkiw
Wilma Sotas
Donna Beaton

In Opposition

John Finken
Nick Leskiw
Bill Leskiw
Zenon Zalucky

For Information:

Nil

For the City:

D. Beaton, Landscape Architect, Planner, Planning, Property and Development Department
R. Penner, City Naturalist, Public Works Department
R. Mahe, Planner, Planning, Property and Development Department
E. Finnigan, Planner, Planning, Property and Development Department
R. Hayer, Planner, Planning, Property and Development Department
S. Jerez, Planner, Planning, Property and Development Department
G. Jasper, Land Development Administrator, Planning, Property and Development Department

Exhibit "5" referred to in File DASZ 5/2017

ADMINISTRATIVE REPORT

Title: DASZ 5/2017 – NW corner of Eric Street and Beliveau Road

Issue: An application for consideration at the Public Hearing to consolidate thirteen (13) existing lots into one and rezone it to Parks and Recreation (PR-1)

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 plan of subdivision proposed under File DASZ 5/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 5/2017 dated March 27, 2017, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 5/2017 dated March 27, 2017, to a "PR1" Parks and Recreation Neighbourhood District.

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

4. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years 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 the two (2)-year period and Council approves the extension.

5. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

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7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which 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 the one-year period and Council approves the extension.

9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

10. 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 initiating the consolidation thirteen (13) existing lots into one (1) lot and rezoning the property to “PR1” Parks and Recreation to facilitate the maintenance of an existing park use.
- Subdivisions and 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 consolidated and rezoned consistent with the map provided in Schedule “A” of this report.

HISTORY

- On July 5, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee and directed the Winnipeg Public Service to apply to rezone the subject property and formally name the greenspace “Beliveau Forest.”

CONSULTATION

In preparing this report there was consultation with: N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Robert Galston
Date:	March 27, 2017
File No.	DASZ 5/2017

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule “A” — Recommended File No. DASZ 5/2017 Riel Community Committee, dated March 27, 2017

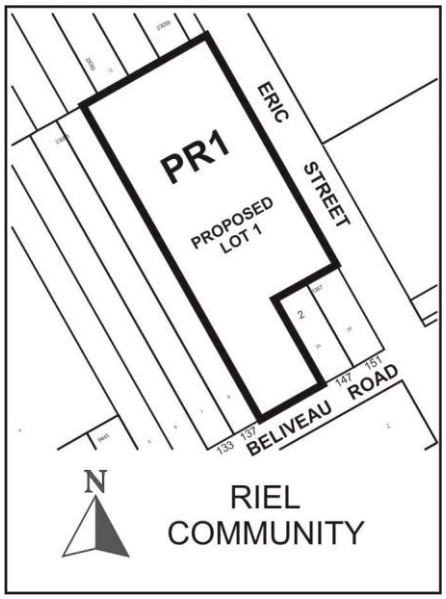
APPENDIX 'A'

DATE: March 27, 2017

FILE: DASZ 5/2017
RELATED FILES: N/A
COMMUNITY: Riel Community
NEIGHBOURHOOD #: 5.517

SUBJECT: To consolidate thirteen (13) lots into one (1) and rezone to PR1 to facilitate the establishment of a park.

LOCATION: Northwest corner of Eric Street and Beliveau Road (see map below)



APPLICANT: City of Winnipeg Planning, Property and Development Department (Joedi Prudent)
2nd Floor 65 Garry St
WINNIPEG MB R3C 4K4

OWNER: City of Winnipeg

RECOMMENDATION: Approval

SITE DESCRIPTION

- The subject property is located on Eric Street, in the Worthington Neighbourhood of the St. Vital Ward.
- The site is located within the Areas of Stability – Mature Communities Policy Area under the *Complete Communities Direction Strategy*. The property is currently zoned "R1-M" – Residential Single Family – Medium.
- The entire site is comprised of thirteen (13) existing lots owned by the City of Winnipeg, comprising a total lot area of 88,305 square feet (approximately two acres).
- The site is characterized as being heavily forested, and is accessible by informal, unpaved pedestrian pathways. There are no buildings on the site.

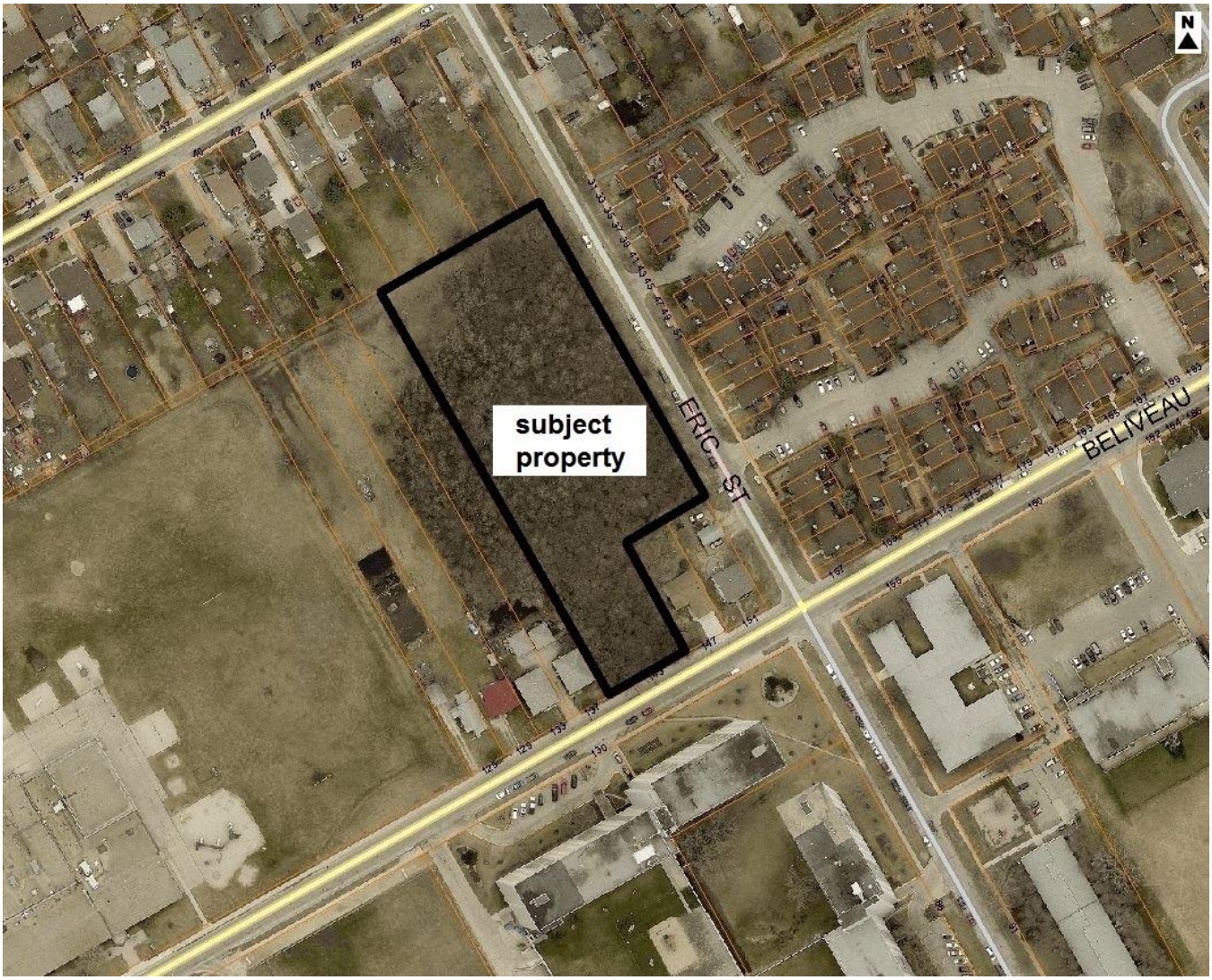


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2016)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Residential uses zoned “R1-M” – Residential Single-Family Medium

South: Beliveau Road, then residential uses zoned “RMF-L” – Residential Multi-Family Large

East: Eric Street, then residential uses zoned “RMF-S” – Residential Multi-Family Small

West: Residential uses zoned “R1-M” – Residential Single-Family Medium



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is intending to consolidate thirteen (13) existing lots into one property and rezone the land from the R1-M zoning district to the PR1 zoning district.
- The purpose of the application is to facilitate the maintenance of an existing park use, and to name this park site “Beliveau Forest.”

- As the subject property is proposed to remain vacant, there are no plans of development submitted.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *Complete Communities Direction Strategy,* parks and open spaces contribute to healthy and active living, elevating environmental and cultural values while promoting a positive urban image. Key relevant policies guiding development of Parks, Places and Open Spaces include:
    - Support city and neighbourhood character by creating dynamic parks that attract residents and meet a diverse range of community needs.
    - Support community wellness and active/healthy living by providing varied recreation spaces incorporating opportunities that are both passive and active, a broad spectrum of possible uses and degrees of social interaction and engagement.
    - Provide a well-managed urban forest that contributes to air, water, environmental and aesthetic quality.
    - Promote and expand biodiversity consistent with the local natural ecosystem, not only within the urban forest and designated 'natural areas' but in all Parks, Places and Open Spaces.
    - Select park sites in ways that maximize the conservation, protection and integration of existing natural features.
- As such, the proposed rezoning and establishment of a public park for this property fits within the Complete Communities vision of varied recreation spaces that provide opportunities for passive recreational uses for neighbourhood residents, including residents living in multi-family developments on adjacent properties.
- Further, the proposed establishment of a public park would contribute to the natural ecosystem as a unique amenity as a small urban forest, in a location that is accessible to the surrounding neighbourhood.

ZONING

- The current zoning for the subject site is "R1" Residential Single Family. This zoning district is intended to accommodate primarily single-family residential development in lower-density areas.
- The applicant is proposing to re-zone the subject site to the "PR1" Parks and Recreation 1 district. The intent of this zoning district is to accommodate sites which 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.

RECOMMENDATION

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

- The proposed zoning district is consistent with the policies of the *Complete Communities Direction Strategy*;
- The establishment of a public park at the subject property would preserve a unique natural feature within the neighbourhood.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division

Report Prepared By: Robert Galston
PPD File # DASZ 5/2017

Schedule "A" for File No. DASZ 5/2017, Riel Committee, dated March 27, 2017

By-Law No. _____

File No. **DASZ 5/17**

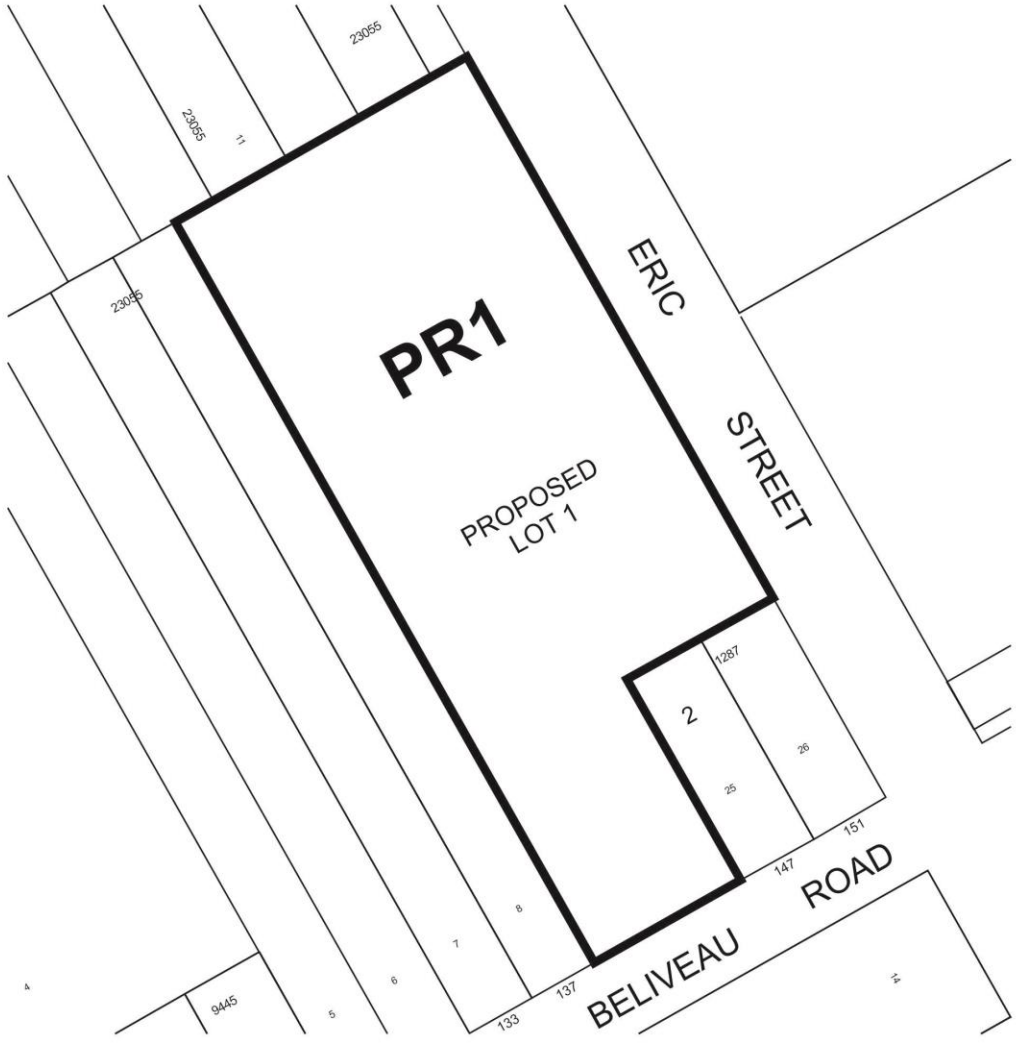
Atlas Sheet No.

N

AG27
RIEL
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located on the west side of Eric Street and north of Beliveau Road from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to consolidate the lands into one (1) lot and maintain the existing Park use as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____