Agenda - Council - December 17, 2003

Report - Standing Policy Committee on Property and Development - December 2, 2003

Item No. 15 Subdivision and Rezoning - 571 St. Anne's Road
File DASZ 27/2003

STANDING COMMITTEE RECOMMENDATION:

On December 10, 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 plan of subdivision proposed under File DASZ 27/2003 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 27/2003, dated September 30, 2003, for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated September 25, 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 27/2003, dated September 30, 2003, to a "RM-4" Multiple Family District and a "PR-1" Parks and Recreation District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to apply to the subject site to include the following conditions:

    A. That final plans including but not limited to building locations, building profile details (including elevations), approaches, parking stalls, landscaping, fencing, lighting details and garbage enclosure locations be submitted to and approved by the Riel Community Committee and the Director of Planning, Property and Development prior to the issuance of any building permits.

    B. That the most easterly proposed four (4) storey residential component of the overall seven (7) proposed interconnected sections be deleted from the plan. The aforementioned four (4) storey most easterly residential component could be incorporated into the remaining proposed residential sections closest to St. Anne's Road.

Report - Standing Policy Committee on Property and Development - December 2, 2003

C. That the overall total density be restricted to a total of one-hundred and sixty-five suites (165) suites.

4. 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.

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 Servicing 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, and the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office against those lands provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the expiry is subsequently approved by Council.

8. That 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.

Report - Standing Policy Committee on Property and Development - December 2, 2003

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 10, 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 December 2, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

Further, the Standing Policy Committee on Property and Development referred the recommendation of the Riel Community Committee that the Administration be directed, prior to the commencement of construction on the subject property (i.e. prior to March 31, 2004), to take the following action and report back, namely:

1. Meet with all interested parties to identify additional public reserve land in the developable portion of the site, above the flood prone area, to serve as a suitable location for a future interpretive centre.

2. Endeavor to identify a source of funding for the acquisition of any public reserve suitable for an interpretive centre,

to the Administration.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 25, 2003, the Riel Community Committee concurred in the administrative recommendation, and submitted its recommendations to the Standing Policy Committee on Property and Development.

On November 25, 2003, the Riel Community Committee further recommended to the Standing Policy Committee on Property and Development that the Administration be directed, prior to the commencement of construction on the subject property (i.e. prior to March 31, 2004), to take the following action and report back to the Standing Policy Committee on Property and Development, namely:

Report - Standing Policy Committee on Property and Development - December 2, 2003

DECISION MAKING HISTORY (continued):

1. Meet with all interested parties to identify additional public reserve land in the developable portion of the site, above the flood prone area, to serve as a suitable location for a future interpretive centre.

2. Endeavor to identify a source of funding for the acquisition of any public reserve suitable for an interpretive centre.

Re: Subdivision and Rezoning - 571 St. Anne's Road
File DASZ 27/2003 [c/r DAV 324482/2003D]

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

Prepared by: Marc Pittet, Clerk,
Riel Community Committee

Report date: November 27, 2003

COMMUNITY COMMITTEE RECOMMENDATION:

On November 25, 2003, 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 27/2003 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 27/2003, dated September 30, 2003, for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated September 25, 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 27/2003, dated September 30, 2003, to a "RM-4" Multiple Family District and a "PR-1" Parks and Recreation District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to apply to the subject site to include the following conditions:

    A. That final plans including but not limited to building locations, building profile details (including elevations), approaches, parking stalls, landscaping, fencing, lighting details, garbage enclosure locations be submitted to and approved by the Riel Community Committee and the Director of the Planning, Property and Development prior to the issuance of any building permits.

B. That the most easterly proposed four (4) storey residential component of the overall seven (7) proposed interconnected sections be deleted from the plan. The aforementioned four (4) storey most easterly residential component could be incorporated into the remaining proposed residential sections closest to St. Anne's Road.

C. That the overall total density be restricted to a total of one-hundred and sixty-five suites (165) suites.

4. 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.

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 Servicing 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, and the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office against those lands provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the expiry is subsequently approved by Council.

8. That 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.

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 from the Manager of Planning and Land Use dated September 30, 2003 and in the report from the Administrative Coordinating Group dated September 25, 2003.

PUBLIC HEARING SUMMARY

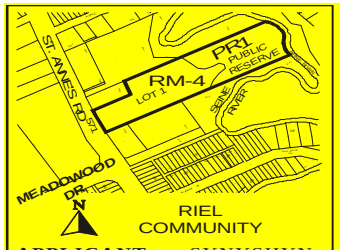
File: DASZ 27/2003 [c/r DAV 324482/2003D]

Before: Riel Community Committee
Councillor Steeves, Chairperson
Councillor Vandal

Public Hearing: November 25, 2003
Community Committee Chamber, 604 St. Mary's Road
November 3, 2003
Community Committee Chamber, 604 St. Mary's Road
October 7, 2003
Community Committee Chamber, 219 Provencher Boulevard

Applicant: Synyshyn Architecture

Subject:



APPLICANT: SYNYSHYN ARCHITECTURE
FILE: DASZ 27/03
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 "R1-20" SINGLE-FAMILY DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT and an "RM-4" MULTIPLE-FAMILY DISTRICT to allow for the construction of multiple-family development (Senior Citizens). **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : SYNYSHYN ARCHITECTURE
N° DE RÉFÉRENCE : DASZ 27/03
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 R1-20 (SECTEUR D'HABITATIONS UNIFAMILIALES) aux catégories PR1 (SECTEUR DES PARCS ET DES LOISIRS) et RM-4 (SECTEUR D'HABITATIONS MULTIFAMILIALES), en vue de permettre le lotissement pour la construction d'habitations multifamiliales (pour personnes âgées). **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: 571 St. Anne's Road

Exhibits Filed:

1. Application dated August 13, 2003
2. Notification of Public Hearing to Applicant dated September 9, 2003
3. Manitoba Status of Title 1433841
4. Letter of authorization dated May 30, 2003, from ARLD Investments Ltd.
5. Extract of Atlas Sheet AG 28
6. Site Plans (5 pages)
7. Report from the Manager of Planning and Land Use dated September 30, 2003
8. Report from the Administrative Coordinating Group dated September 25, 2003
9. Inspection Report
10. Proposed site map submitted by David Chartrand at the Public Hearing on November 25, 2003.

REPRESENTATIONS:

In Support:

John Synyshyn
Jeannine and Maurice Aubin
Margaret Bissett
Ed Boldt
William S. Boulton
John and Louise Braun
Fred Budzey
Roy Buffington
Paul Cancade
Mary Cessford
Joan Chaboyer
Simone Delveaux
Eileen Desrochers
Richard Desrochers
Bruce Dolking
Maureen Doyle
Waltraud and Marcos Droguett
Marc and Barbara Drouin
Ed Dulko
Beryl Eakin
Bernice and Steve Fedoriw
Arthur Ferguson
Barbara Furnish
Rene Gauthier

Stephen Kirch
Charles Kunze
Norman and Laurette Labossiere
Paul and Laverne Lucko
Terry MacKay
Elizabeth MacKay
Edith Millar
David Mollins
Anne Hryhor Mosquin
Edward Myslicki and Yvette Leperre
Joan Neelon
Alec and Cecile Panteluk
Shirley Porteous
Greg Schmidt
David Schultz
Edward Sikkal and J.A. Watkins
Joe and Lorraine Stefanec
Steven Synyshyn
Jeanne Tusa
Sylvia Valentin
David Wolinksy

In Opposition:

Robert Allard
Will Barmeier
Al Benoit
Marguerite Bourgeois
Jean-Pierre Brunet
David Chartrand
Terry and Margot Clark
David J. Danyluk
Gabriel Dufault
Jules Legal
Paula Legal
Lorna Miner
Darryl Montgomery
Ben Sawchuk
Jonathon Soptiuk
Harold Thwaites
David D. Venema
David Watson

For Information:

Andrew Carrier
Charles Kunze
Jake & Lena Froese
Gabriel Gosselin
Sandra Swift Murray
Denise A. Normandin
Angeline Pritchard
Greg Schmidt
Harold Thwaites
Sheila Thwaites

For the City:

Kevin Lalor, Senior Planner, Planning, Property and Development Department
Kevin Nixon, Park Strategic Planner, Planning, Property and Development

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS MADE AT THE PUBLIC HEARING

October 7, 2003
No representations were heard inasmuch as the Riel Community Committee adjourned the Public Hearing with respect to this application prior to opening representations.

November 4, 2003
David Wolinsky, President, C. O. F. Haven Inc. (COF) and John Synyshyn, Synyshyn Architecture, appeared in support of the application. Mr. Wolinsky explained that COF is a not-for-profit corporation providing affordable and comfortable housing for senior citizens. Mr. Wolinsky stated that this would be the first new building for his organization in twenty (20) years as they have been waiting for a site that they considered suitable for development. Mr. Wolinsky also stated that that he understands the need to preserve history but that there should be room for compromise and that we must also be concerned about the needs of the living. He further stated that all of the complexes operated by COF have a waiting list of three (3) years and that Meadowood Manor has a waiting list of five (5) years.

Mr. Wolinsky stated that the Board of COF consists of volunteers and that COF has spent between sixty and seventy-five thousand ($60,000.00 and $75,000.00) dollars on feasibility studies relative to this site. Mr. Wolinsky iterated that this property has been on the market for quite some time and that those organizations who oppose this development do not have the funds to purchase it. Mr. Wolinsky stated that COF would be prepared to honour the historical

significance of the property and provide access to Save Our Seine Environment Inc. (SOS) Mr. Wolinsky further stated that he is prepared to work with the community but, should this application not proceed, he is not aware of any other developable property in St. Vital that would meet their standards. Mr. Synyshyn next explained his role in the application as the architect.

Councillor Steeves read the development description from the Report of the Manager of Planning and Land Use dated September 30, 2003, and asked the applicants if they had been in contact with Meadowood Manor to discuss their plans for this site. Mr. Wolinsky responded that the facility they are proposing will not be assisted-living but will be located next to one of the finest assisted-living facilities in Winnipeg, Meadowood Manor. He stated that a daycare may be established in the proposed facility that would allow seniors to participate and interact with children.

In response to a question from Councillor Steeves, the Senior Planner responded that, should this application be approved, the western portion of the lot would be designated "RM-4" Multiple Family District and the eastern portion of the lot, approximately forty-five (45%) percent of said lot, would be transferred to the City as public reserve and designated "PR-1" Parks and Recreation District.

Councillor Vandal asked if the applicants were aware that the City of Winnipeg was recommending that the most easterly projection of the proposed structure be removed and the lost dwelling space be added to the remaining residential components closer to St. Anne's Road. The applicants indicated that they were aware of this request.

In response to questions from Councillor Vandal, Mr. Synyshyn responded that there would not be public access to the "Old Mill" site from St. Anne's Road as access will be allowed via a proposed pathway from John Bruce Road and via canoe.

Charles Kunze, accompanied by Greg Schmidt, appeared in support of the application. Mr. Kunze stated that the proposed development would be adjacent to Meadowood Manor and that Meadowood Manor was supportive of the development. Mr. Schmidt indicated that Meadowood Manor has been interested in this property being developed for some time and that the proposed type of seniors housing would be welcome as it is complimentary to the services offered by Meadowood Manor. He further stated that there is a need for this type of housing in St. Vital.

Terry MacKay, Property Manager, COF, appeared in support of the application. Mr. MacKay stated that he receives numerous calls daily from seniors who want to move closer to their families and that there is a great demand for seniors housing in south St. Vital. Mr. MacKay explained that providing seniors the opportunity to live closer to their families creates a better support system allowing them to remain more independent thus easing the burden on our health care system.

Richard Desrochers appeared in support of the application. Mr. Desrochers indicated that he is a volunteer on COF's Board and that said Board has identified a need for a development such as this in the St. Vital area.

Steve Synyshyn appeared for informational purposes. He asked if the applicant had investigated the security of the site and the accessibility to services from the site. At the end of his presentation, Mr. Synyshyn asked to be listed in support of the application.

Dave Danyluk, SOS, appeared in opposition to the application. Mr. Danyluk stated that it was unfortunate that one not-for-profit organization has been forced to object to the actions of another in protest of a development very similar to one proposed in 1975 that was, at that time, defeated by the Community. Mr. Danyluk cited Plan Winnipeg and stressed references to the City of Winnipeg's commitment to promoting long-term protection of heritage sites. Mr. Danyluk asked if the City had considered designating this property as a heritage site. Mr. Danyluk stated that the applicants should have realized that this property is an important heritage site and perhaps they were not aware of the significance of this property when they submitted their application. Mr. Danyluk further stated that SOS had requested, in writing, to meet with the applicant and that the applicant had not responded to their communication.

Mr. Danyluk stated that Community Committee does not have the ability to assess the value of this historical site nor can it designate it a heritage site. He also stated that to deny proper access to the mill site is wrong and that Riel House is not an adequate representation of Louis Riel and this site should be preserved for future generations.

Mr. Danyluk asked if the applicant had considered developing the property across the street. Mr. Danyluk stated that it would be in the public's better interest to build across the street, despite the increased cost of the land. Mr. Danyluk stated that future tenants of the proposed development would likely not appreciate citizens and busloads of children accessing their property and that SOS was not supportive of allowing senior's housing to be built on this lot.
Councillor Vandal stated that the site was historically significant but asked if the site was a de facto historical site as per the Provincial or Federal Governments to which Mr. Danyluk answered that it was not. Councillor Vandal asked whose job it was to let the Federal and Provincial Governments know about sites like this one to which Mr. Danyluk replied it was the job of local elected officials.

Councillor Steeves stated that the land in question is privately held and already zoned residential and that the proposal was to divide the land almost in half and set aside the portion of the lot with historical significance as public reserve. Councillor Steeves asked Mr. Danyluk if he considered this development a win win situation, to which Mr. Danyluk replied that this development would prohibit the construction of an interpretive centre on this location. Councillor Steeves stated that, regardless of what was decided with respect to this application, an entrance to Bois Des Esprits will be established providing access to the land behind the proposed development via a trail along the Seine River.

Gabriel Dufault, President, Union nationale métisse St-Joseph du Manitoba, appeared in opposition to the application. Mr. Dufault stated that his organization was not opposed to development and are planning to construct a senior's home in North St. Boniface. Mr. Dufault also stated that he had written a letter to Mr. Wolinski requesting to meet with him but has not received a response. Mr. Dufault referenced documents in his possession from Parks Canada

with details on the mill site. Mr. Dufault stated that many historical sites have been already been destroyed by developments, such as Chalet St. Norbert and The Forks which were both built on cemeteries, and he did not want to see the same thing happen to the mill site. Mr. Dufault requested that the application be laid over to allow the stakeholders an opportunity to meet.

Councillor Vandal stated that the City of Winnipeg has applied to the Minister of Heritage to designate the birthplace of Louis Riel a National Historic Site and that Riel House is already well established. Councillor Vandal questioned if there was a point where the Federal Government may determine that we have recognized Louis Riel enough. Mr. Dufault stated that by dedication, we are recognizing the contribution Louis Riel made in the founding of Manitoba and that he grew up on the lot in question, not where Riel House is currently located.

Jules Legal, SOS, appeared in opposition to the application and read from a presentation describing the Riel Mill site. Mr. Legal stated that the site is a priceless resource and cited a number of studies detailing the historical significance of the mill site. Mr. Legal stated that SOS is trying to preserve as much of the eighty-one (81) acres of the area known as Bois des Esprits as possible to construct an interpretive centre where the Métis culture would be able to celebrate their history. Mr. Legal asked if the property in question would be preserved or if the Métis culture would be relegated to occupying a small corner in the proposed two hundred million ($200,000,000.00) dollar museum at the Forks.

Councillor Vandal asked if Mr. Legal had been involved when the City of Winnipeg had made application to designate the birthplace of Louis Riel a National Site and if he considered the mill site more important that the site were Riel was born. Mr. Legal replied that both sites merited historical designation .

David Chartrand, President, Manitoba Métis Federation (MMF), appeared in opposition t the application and spoke of the history of the Métis people, of Louis Riel and of his respect for seniors. Mr. Chartrand stated that he did not want this application to be about seniors or the Métis people and that his organization supported COF. Mr. Chartrand spoke of the Métis culture and their recent recognition as “a people” by the Supreme Court of Canada. Mr. Chartrand stated that it was his belief that there will be a commitment from the Federal Government to build a national museum in Manitoba honouring the Métis people and that the site in question could prove to be very important in the near future. In response to a question from Councillor Vandal, Mr. Chartrand stated that he has not spoken about this particular site with any other levels of government.

Jonathon Soptiuk appeared in opposition to the application. Mr. Soptiuk stated that he had walked through this area as a kid and had been kicked out by seniors and managers of neighbouring complexes. Mr. Soptiuk further stated that a senior’s complex would not benefit the youth of the City of Winnipeg and access to the mill site would be impeded if seniors housing was developed in this location.

Harold Thwaites, SOS, appeared in opposition to the application. Mr. Thwaites stated that the applicant has indicated that he was willing to meet with SOS and the MMF but questioned why

the applicant had not responded to correspondence from said organizations. Mr. Thwaites also asked if the applicant had investigated purchasing the property across the street.

David Watson, SOS, appeared in opposition to the application. Mr. Watson indicated that that there are a lot of at risk youth in the City of Winnipeg and that community is trying to be m ore "kid-friendly". Mr. Watson stated that if he were a teacher at Victor Wyatt School, he would take his students across the street to visit Bois des Esprits.

David Wolinsky and John Synyshyn returned in rebuttal. Mr. Wolinksi stated that they had investigated purchasing the property across the street but that said property would cost approximately fifty (50%) percent more and that there is a matter between the owners and a Métis organization that is currently before the court. Mr. Wolinski further stated that David Mullens, on COF's behalf, had met with SOS earlier this year. Mr. Wolinski stated that they did not meet again with SOS after having received their latest correspondence as they felt that they could never arrive at an agreement as SOS would never support building a seniors complex on this property.

Mr. Wolinksi stated that his organization would not support a project that would be a detriment to the community or desecrate land. Mr. Wolinksi also stated that the construction of senior's housing on the subject property would benefit the City's youth and society at large by showing that we care about our elders. Mr. Wolinski further stated that the property in question is already zoned for development without a change in zoning. Mr. Wolinski iterated that his option to purchase will expire at the end of the year and that the owner has already been waiting for almost a year.

In response to a question from Councillor Vandal, Mr. Wolinski indicated that he was willing to meet with the organizations opposing the application. Councillor Vandal stated that it was his intention to move a motion adjourning the application to December to provide an opportunity for the applicant to meet with the Manitoba Métis Federation and SOS.

November 25, 2003

David Wolinski, President, COF, appeared in support of the application. Mr. Wolinski stated that, due to time constraints, the application should be approved, as submitted, with the understanding that the proposal may be amended in the near future if an equitable solution can be arrived at in future discussions with the other interested parties. Mr. Wolinski also stated that COF would not begin construction in the next few months to provide interested parties with the opportunity to meet to discuss alternate plans that could involve the construction of an interpretive centre on the subject property. Mr. Wolinski further stated that COF would endeavor to make this happen even if it meant massaging the footprint of the proposed development, provided enough space remained for parking. Mr. Wolinski further stated that the Riel mill site should be preserved and that the City will have to make a commitment to assist in the construction of an interpretive centre for this to become a reality. Mr. Wolinski indicated that, in the report of the Administrative Group dated September 25, 2003, the administration was

requesting the construction of signage identifying the Seine River Trail and that the installation of said signage would not be practical.

In response to a question from Councillor Vandal, Mr. Wolinski advised that approval of the application subject to further analysis of the Planning, Property and Development Department would not be acceptable as he would have to know, should a solution not be arrived at despite the best efforts of everyone involved, that the application would proceed.

David Danyluk and Jules Legal, SOS, appeared with respect to the application. Mr. Legal stated that in meetings with COF, it was determined that an interpretive centre could be build on the subject property and that there must be vehicular access to the property. Mr. Legal also stated that the exact footprint of the interpretative centre and seniors housing has not been determined as of yet and that, ideally, he would have preferred to set the entire property aside for the construction of an interpretive centre. Mr. Legal explained that what has been arrived at is not a perfect solution but he was pleased that all interested parties have met in the middle. Mr. Legal iterated that SOS would like to see a caveat attached to this development that would protect the interests of all interested parties as many of the issues will take time to resolve. Mr. Legal also stated that the City would be required to make important decisions, possibly involving the commitment of money to this project.

David Danyluk spoke of the commemoration of Louis Riel and discussed a recently issued government plan for Riel House. He explained that Riel House can only accommodate fifteen (15) visitors at once and that an interpretive centre was required to expand tourism. Mr. Danyluk stated that SOS is aware of the housing shortage in the City of Winnipeg and that developments such as this will assist in alleviating this problem. Mr. Danyluk spoke of Bois Des Esprits and that, to protect it, visits must be managed and an interpretive centre would vital in this respect. Mr. Danyluk stated that, to commemorate this property as a national historic site, a letter of support would be required from the owner and that he was confident that COF would provide such a letter. Mr. Danyluk stated that SOS was supportive of the development with the understanding that the City would be providing assistance to ensure that a solution would be arrived at to satisfy all parties.

In response to a question from Councillor Steeves, Mr. Danyluk stated that SOS would not be able to provide funding to assist with the purchase of lands required for the construction of an interpretive centre.

Gabriel Dufault, President, Union nationale métisse St-Joseph du Manitoba, appeared with respect to the application. Mr. Dufault stated that he was pleased with the discussions that had taken place over the past week and that his organization would support the application conditional upon a caveat being placed on the application that would allow for further discussion to take place with respect to the land required for the construction of an interpretive centre.

David Chartrand, President, MMF, appeared with respect to the application. Mr. Chartrand thanked Committee for the opportunity to meet with the applicant and other interested parties. Mr. Chartrand stated that many questions could not be answered with respect to access, concerns

from area residents, the exact location of the proposed interpretive centre, etc… and that creativity will be required from everyone involved. Mr. Chartrand stated that he was supportive of the application should a caveat be added that would provide interested parties with the required time to arrive a solution. Mr. Chartrand submitted a map, filed as Exhibit 10, displaying how the subject property could be developed. Mr. Chartrand stated that his organization had money and would support the development of this site and that he would lobby the Federal and Provincial Governments for their support as well.

In response to a question from Councillor Vandal, Mr. Chartrand stated that he has not spoken with other levels of government in this regard but that he would be raising it at the Premiere's Economic Advisory Board.

In response to a further question from Councillor Vandal, Mr. Chartrand stated that he would invest money on this site but his investment would depend on the level of participation from the other levels of government.

Mr. Wolinski returned in rebuttal. Mr. Wolinski stated that COF would not accept a caveat being placed on the property unless the City would guarantee to purchase the property should an arrangement not be arrived at and should a caveat without said provision be added, the application would not proceed. Mr. Wolinski also stated that he was confident an agreement will be arrived at to configure the land and, when the money becomes available, an interpretive centre will be constructed on the subject property. Mr. Wolinski further stated that he would be willing to work with interested parties in the hopes of arriving at a solution and would be willing to delay construction on the site for three (3) or four (4) months to facilitate this.

In response to a question from Councillor Vandal, Mr. Wolinski replied that there would not be room on the subject site for vehicular access to the mill site from St. Anne's road. Mr. Wolinski further stated that his organization would not have a problem with a pedestrian access via their development provided it would not interfere with the use of the property.

Exhibit “7” referred to in File DASZ 27/2003

In reply please refer to / Référence à rappeler :

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

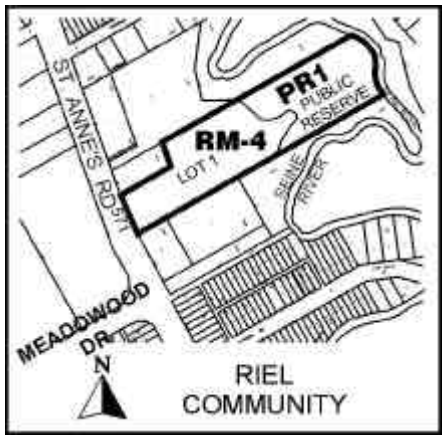
File No. DASZ 27/03 Sept.30, 2003
Our c/f CP 500 (. 554)

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

Dear: Mr. Pittet

SUBDIVISION AND REZONING
Land located : 571 St. Annes Rd.
Riel Community
File No. DASZ 27/03

An application has been received from Synyshyn Architecture 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 “ R1-20” Residential District to an “ RM-4” Multiple Family District and a “ PR-1” Parks & Recreational District to allow for a 165 unit seniors housing project.



RELATED FILES: DAV03-324482D

SITE DESCRIPTION:

Site Area:

Total overall area is approximately 6.2 acres, 3.42 acres of which is proposed to be developed for housing and accessory parking areas.

Existing Land Use and Zoning:

The subject property is vacant and zoned R1-20 Residential. It extends from St. Anne's Rd. through to the Seine River, a distance of over almost a 1000 feet.

Surrounding Land Use and Zoning:

North: Immediately adjacent to the north is a commercial business, TTF Income Consultants, recently rezoned to a C1 Commercial category. North of that is a Manitoba Housing and Renewal Housing project zoned RM-L Multiple Family. There are a total of 42 dwelling units in that complex.
South: Immediately adjacent to the south is a multi- storey Seniors Living/ Personal Care Facility, zoned RM-3, with a total of 89 dwelling units and 88 beds in the nursing care area.
East: To the east is the Seine River and beyond that is the Royalwood Phase 1 single family subdivision.
West: To the west are zoned C2 Commercial lands currently being developed for multiple family housing.

DEVELOPMENT DESCRIPTION:

The applicants , on behalf of C.O.F. Haven Inc. , is a private non- profit organization that's soul purpose is to provide affordable independent housing for seniors aged 55 and older in the low to moderate income range. The design of the subject project is based on a village concept. The development consists of a series of seven interconnected buildings(4-storeys in height) with similar facades, aligned loosely around a central entrance and courtyard. In the proposed project , there will be a total of 165 suites; 123 one bedroom and 42 two bedroom. The site will accommodate 150 parking stalls, including 50 covered parking stalls and 20 visitor stalls. Access to the property will be via St. Annes Road. Almost a third to a half of the property constitutes waterway requirement and land dedication. The remaining 3.42 acres constitutes the developable area.

PLAN WINNIPEG:

The lands in question fall within a Neighbourhood Policy Area which permits residential development at the densities proposed. There is no conflict with Plan Winnipeg Policy.

ADMINISTRATIVE COMMENTS:

From a land use perspective , the proposed rezoning and use is quite consistant with existing multiple family developments already in place along the east side of St. Annes Rd. Note:

677 St. Annes(100 units, zoned RM-3), 679/681 St. Annes Rd.(120 units, zoned RM-2), 693 St. Annes Rd.(130 units, zoned RM-2), 1185 St.Annes Rd. (151 units, zoned RM-2). The site in this instance is large, a thousand feet in depth , encompassing 6.2 acres. The developers, C.O.F. Haven Inc. propose to construct a multi -tenant seniors(55plus) housing complex on the western half of the site. Seven interconnected buildings(each 4 storeys in height) are proposed with a total of 165 suites. The area to be developed totals 3.42 acres , the remainder to be obtained by the City as dedication or obtained as waterway requirement. Again from a planning perspective, the densities, building heights, approaches and parking appear to be satisfactory and this Dept is prepared to endorse the proposal with one recommended change. At really only one point on the site does the most easterly portion of the proposed complex come within a hundred feet of the Seine River. Because of the proposed property acquisition by the City combined with the dedicated lands, the project by in large is between 300-400 feet from the river over much of the site. That is well in excess of the standard buffer existing on other multiple family sites abutting the Seine. However, recognising the importance placed on a reasonable separation between the two distinct uses, by the Save Our Seine River Environment Inc., the City is recommending that the most easterly projection of the proposed structure be removed and the lost dwelling space be added to the remaining residential components closer to St. Annes Rd. It is suggested that final plan approval be subject to approval by the Riel Community Committee prior to the issuance of building permits. It should be noted that spokespeople for Save Our Seine River Environment Inc. have indicated that, in their point of view, the subject lands in their entirety constitute the most important heritage site remaining in Winnipeg and therefore should not be developed for housing. They have indicated that they will oppose the subject application on the grounds that the lands in question constitute the last remaining historical remnant of the old Riel Family river lot and mill site. It will probably be their position that the lands in question should be purchased collectively by the City, Province and Federal Governments and preserved as a historic resource.

RECOMMENDATION:

I. That the plan of subdivision proposed under File No. DASZ 27/03 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule " A" for File No. DASZ 27/03, attached hereto and dated Sept.30/03, for registration in the Winnipeg Land Titles Office, subject to the following;

   A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated Sept.25/03.

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 27/03, attached hereto and dated Sept.30/03, to an " RM-4" Multiple Family District and an " PR-1" Parks and Recreation District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 240 (1)

of The City of Winnipeg Charter to apply to the subject site to include the following conditions:

A. That final plans indicating building locations, building profile details(including elevations), approaches, parking stalls, landscaping, fencing, lighting details, garbage enclosure locations etc. be submitted to and approved by the Riel Community Committee and the Director of Planning and Land Use Division prior to the issuance of any building permits.
B. That the most easterly proposed four storey residential component of the overall seven proposed interconnected sections be deleted from the plan. If the developer elects to do so those dwelling units can be incorporated into the remaining proposed residential sections closed to St. Annes Road.
C. That the overall total density be restricted to a total of 165 suites.

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.

VII. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Servicing Agreement.

IX. 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, and the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office against those lands provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council unless an extension of time is applied for prior to the expiry of of this twenty four(24) month period and the expiry is subsequently approved by Council.

X. 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.

XI. 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
Manager of Planning and Land Use

Kevin Lalor
Per Senior Planner
Riel Community
986-5069

/jc

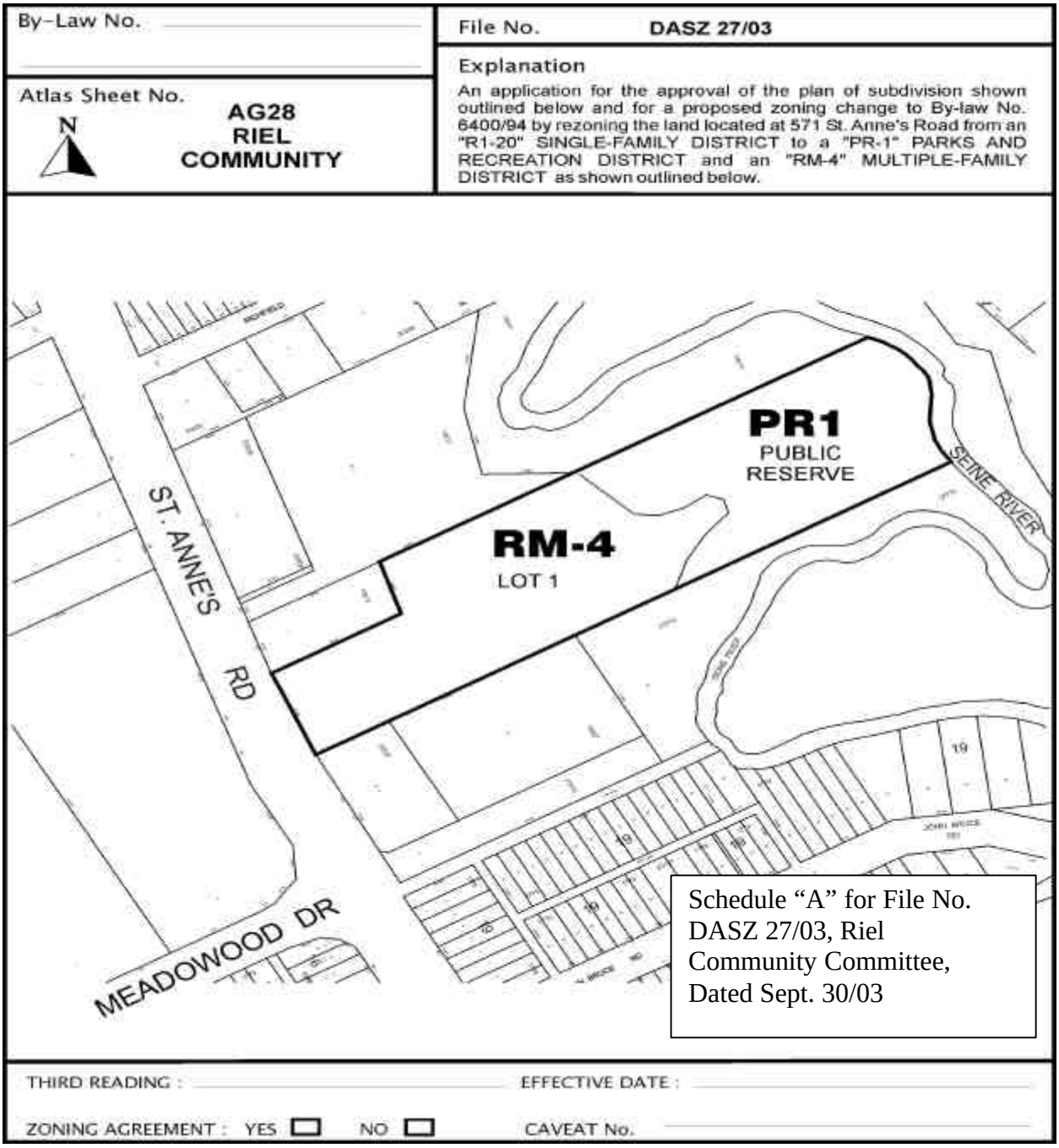


Exhibit "8" referred to in File DASZ 27/2003

Re: Proposed subdivision and rezoning of land located at 571 St. Anne's Road – DASZ 27/03

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

September 25, 2003

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 571 ST. ANNE'S ROAD – DASZ 27/03

An application has been submitted by Synyshyn Architecture to subdivide and rezone land located at 571 St. Anne's Road.

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

1. The Developer shall submit a plan of subdivision showing the location of the 229.50m contour and the area of the subject property below this contour. The plan of subdivision shall also delineate approximately 0.38 acres above the 229.50m contour for the Seine River Pathway.

2. The Developer shall enter into a Servicing Agreement as follows:

a) The Developer shall sell to the City for the Seine River Waterway at a price not to exceed $15,000.00/acre the land lying below the 229.50m contour.

b) The Developer shall dedicate approximately 0.38 acres of land above the 229.50m contour as public open space.

c) The Developer shall pay the Seine River Waterway acquisition charge ($145.00/acre) applicable to the proposed development.

d) The Developer shall pay on demand, on an area basis, its share of the cost of the following services previously installed by the City in St. Anne's Road along the full frontage of the proposed development:

i) a 4.0m in width by 200mm in thickness portland cement concrete pavement and related works;

ii) a 1.5m in width by 100mm in thickness portland cement concrete sidewalk in the east boulevard;

iii) street lighting in the east boulevard;

iv) landscaping in the east boulevard.

Based on the 2003 rates that share on an area basis is $15,926.00/acre.

e) The Developer shall pay $1,650.00 plus 7% G.S.T. to defray the City administration and related costs associated with the preparation and implementation of the servicing agreement.

f) The Developer shall erect and maintain an information sign at the front of the property which highlights the proposed Seine River Corridor Trail, said sign to be maintained until such time as the trail is constructed. The Developer's own site plans shall show the proposed Seine River Trail and signs shall be installed in the location of the proposed trail stating "Proposed Trail".

g) The Developer shall, at no expense to the City, construct the Seine River Trail adjacent to the proposed development prior to the issuance of any occupancy permits.

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 27/03
September 25, 2003

"Original signed by E.L. Carrière"
Land Development Engineer

"Original signed by K.T. Raban"
Water and Waste Department

"Original signed by R.J. Hartmann"
Public Works Department
Transportation Division