Minutes - Executive Policy Committee - May 5, 2004

REPORTS

Minute No. 324 **Appeal - Development Procedures By-law No. 5893/92 - Transcona Alliance Church**
File EP-1

EXECUTIVE POLICY COMMITTEE DECISION:

The Executive Policy Committee denied the appeal and refused the application from the Transcona Alliance Church for the following reason:

1. The decision of the Planning, Property and Development Department was concurred in, namely, since the Transcona Alliance Church is proposing to develop their facility without providing municipal services, any application for a development permit made with respect to the project would be deemed to be contrary to Plan Winnipeg Policy.

DECISION MAKING HISTORY:

The Transcona Alliance Church submitted a communication dated February 23, 2004, appealing the February 2, 2004 decision of the Planning, Property and Development Department to refuse without a hearing a development permit from the Transcona Alliance Church inasmuch as the application made is deemed to be contrary to Plan Winnipeg Policy as the proposal is to develop their facility without providing municipal services.

The Transcona Alliance Church submitted a presentation dated May 5, 2004, in support of their appeal against the decision of the Director of Planning, Property and Development to refuse a development permit.

Moved by Councillor Eadie,

That the appeal be denied and the application from the Transcona Alliance Church be refused for the following reason:

1. The decision of the Planning, Property and Development Department was concurred in, namely, since the Transcona Alliance Church is proposing to develop their facility without providing municipal services, any application for a development permit made with respect to the project would be deemed to be contrary to Plan Winnipeg Policy.

Carried

In reply please refer to: Martin Grady, Senior Planner

(204) 986-7731
Fax / Téléc. : (204) 986-3228

February 2, 2004

Mr. Kyle Blaquiere
C/O Wolfrom Eng. Ltd.
345 Wardlaw Avenue
Winnipeg, Mb.
R3L 0L5

Dear Sir:

RE: PROPOSED TRANSCONA ALLIANCE CHURCH
PANDORA AVENUE AND RAVENHURST ST.

With reference to our meeting of January 20, 2004 with yourself and Mr. Doug Smart of the Alliance Church, Ms. Jacquie East, Councilor Wyatt and Councilor Vandal, the following represents the position of the Planning and Land use Division with respect to the proposed church site.

Background

The subject lands are located in Transcona at the intersection of Pandora Avenue and Ravenhurst Street and are comprised of approximately 70 acres. The site is unserviced and vacant with nearest City services some 2 kilometers away.

Proposed Church Use

Based upon the information provided by the Alliance Church, the proposed facility would provide a number of other community services in addition to religious assembly. These include various youth programs, classes, recreational activities etc. and that the facility would operate virtually 7 days a week with significant numbers of people attending.

With the absence of City services, the Church is proposing to provide sewer and water services from a private source. This would involve the use of a water well and a holding tank pump out for sewage.

Existing Zoning

The lands are currently zoned “A.5” Agricultural District with church uses listed as a “Conditional Use”. Conditional uses in any zoning district within the Land Use Bylaw are uses

that may be appropriate for a particular site provided that any issues associated with the proposed development can be adequately addressed.

These issues normally include matters related to the development itself as it is proposed on the site and also impacts that might occur "off-site" in the surrounding existing community. Conditional uses are distinguished from "Permitted Uses" in the Land Use Bylaw in that they require a more stringent examination of planning and site development issues through an application process and they may or may not be approved based upon this analysis.

A Development Permit for a Conditional Use would be required to establish the church on the subject lands and this would be either granted or denied based upon the consideration of all relevant issues including conformity of the proposal to Plan Winnipeg.

Plan Winnipeg Policy

Plan Winnipeg is the primary planning policy document that guides all land use, development and planning matters within the City of Winnipeg.

Pursuant to Section 275(1) and (2) of the City of Winnipeg Charter, development applications for zoning changes, subdivision, conditional uses or variances must conform to Plan Winnipeg. The Charter recognizes the importance of Plan Winnipeg by requiring the refusal of applications for development without a hearing if they to not conform to the provisions of Plan Winnipeg.

Plan Winnipeg identifies the subject lands as being located in a "Neighbourhood Policy Area" and defines Neighbourhood Policy Areas as "areas including a residential mix together with a variety of educational, recreational, institutional, commercial and possibly industrial uses, at a scale and density compatible with each other."

Proposals for development must conform to those policies in the plan that guide development in Neighbourhood Policy Areas. Section 3B-02 within Plan Winnipeg provides, among other things, that developments in Neighbourhood Policy Areas must provide a full range of municipal infrastructure and that detailed secondary plans for future neighbourhoods should be prepared.

Summary

The Planning and Land Use Division has considered the proposed church use on the subject site with regard to the relevant policies of Plan Winnipeg and has concluded that any development at this location, including the development of a church, must provide a full range of municipal infrastructure. This would include, sewer and water connections.

In addition, Plan Winnipeg also requires new development within Neighbourhood Policy Areas to be guided by a Secondary Plan. The subject lands are of a significant size that would warrant a more detailed planning exercise to ensure that proposed development is integrated with the surrounding existing community and that the extension of roads and services occurs in an efficient, cost effective manner.

Since the Transcona Alliance Church is proposing to develop their facility without providing municipal services, any application for a development permit made with respect to the project would be deemed to be contrary to Plan Winnipeg Policy. As such, pursuant to the Winnipeg Charter, the application would be refused without a hearing.

I trust this provides you with the information you need and should you have questions, please contact myself.

Yours truly,

Martin Grady,
Senior Planner