**Agenda – Council – September 29, 2021**

**Report – Executive Policy Committee – September 21, 2021**

**Item No. 11 Rezoning – 150 and 154 Murray Rougeau Crescent (Transcona Ward) File DAZ 204/2021**

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 21, 2021, the Executive Policy Committee concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the following to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 204/2021 by rezoning the subject land to a "PR2" Parks and Recreation 2 (Community) District as shown on the map dated June 14, 2021 and attached as schedule "A" to this report.

2. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.

3. That, upon instruction from the Director of Planning, Property and Development, the City Solicitor/Director of Legal Services shall prepare and bring directly to Council for enactment the By-law in accordance with the above.

4. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

## Report – Executive Policy Committee – September 21, 2021

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 21, 2021, the Executive Policy Committee concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 7, 2021, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

## PUBLIC HEARING SUMMARY

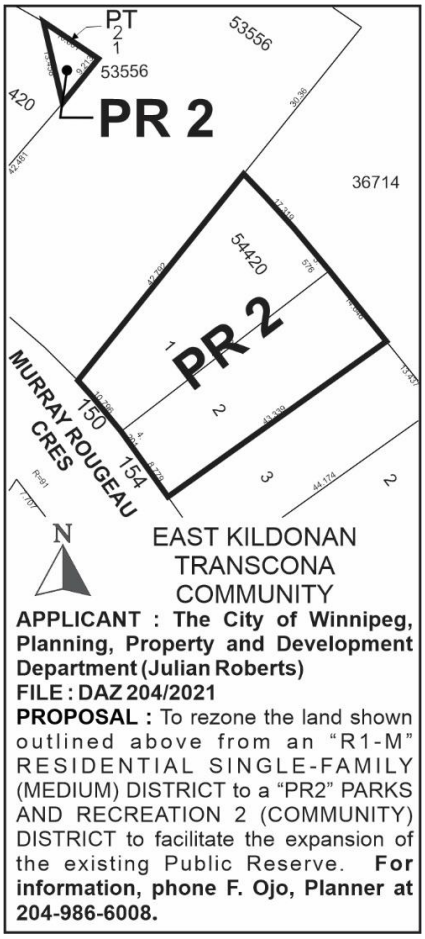
**File:** DAZ 204/2021

**Before:** East Kildonan-Transcona Community Committee
Councillor Nason, Chairperson
Councillor Browaty
Councillor Schreyer

**Public Hearing:** September 7, 2021
Council Building, 510 Main Street

**Applicant:** Planning, Property and Development Department (Joedi Pruden and Julian Roberts)
The City of Winnipeg
(Director of Planning, Property and Development)

**Subject:**




**Premises Affected:** 150 and 154 Murray Rougeau Crescent

**For submission to:** Executive Policy Committee

**Prepared by:** T. Pomanski, Committee Clerk
East Kildonan-Transcona Community Committee

**Report date:** September 7, 2021

**Community Committee Recommendation:**

On September 7, 2021, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 204/2021 by rezoning the subject land to a "PR2" Parks and Recreation 2 (Community) District as shown on the map dated June 14, 2021 and attached as schedule "A" to this report.

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3. That, upon instruction from the Director of Planning, Property and Development, the City Solicitor/Director of Legal Services shall prepare and bring directly to Council for enactment the By-law in accordance with the above.

4. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

The East Kildonan-Transcona Community Committee provided the following supporting reasons for its recommendation:

1. We have a challenge with taking care of our park space but this was pre-future casting of the need for additional park space and my predecessor was very in tune with having and reserving parks in Park City of Transcona. Now admittedly this window is very wide into and around Houston park, much more so than I would expect would normally be undertaken, but that was the decision of the day and I will support that decision of the day to maintain the greenspace.

**Exhibits Filed:**

1. Application dated June 10, 2021
2. Notification of Public Hearing dated July 22, 2021
3. Manitoba Status of Titles 2667082/1, 2667083/1, 2667204/1
4. Letter of authorization dated March 8, 2021 from Novamet Development Corporation to the City of Winnipeg
5. Plan of Public Reserve to be Opened
6. Report from the Urban Planning Division dated August 16, 2021
7. Inspection Report
8. Revised Report from the Urban Planning Division dated September 2, 2021
9. Recording of Representations

REPRESENTATIONS:

In Support:

Lyne Jones

In Opposition:

Nil

For Information:

Nil

For the City:

F. Ojo, Planner, Planning, Property and Development Department
G. Doney, Senior Planner, Planning, Property and Development Department

Exhibit “8” referred to in File DAZ 204/2021

# REVISED ADMINISTRATIVE REPORT

**Title:** DAZ 204/2021 – 150 & 154 Murray Rougeau Crescent and Roll # 09010456900

**Issue:** An application for consideration at the public hearing to rezone three “R1-M” Residential Single-Family (Medium) District lots to a “PR2” Parks and Recreation 2 (Community) District for future consolidation with adjacent City Public Reserve.

**Critical Path:** East Kildonan – Transcona 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 |
|---|---|---|---|
| Femi Ojo, MCIP, RPP | N/A | N/A | |

## RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 204/2021 by rezoning the subject land to a “PR2” Parks and Recreation 2 (Community) District as shown on the map dated June 14, 2021 and attached as schedule “A” to this report.
2. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the “By-law”) is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.
3. That, upon instruction from the Director of Planning, Property and Development, the City Solicitor/Director of Legal Services shall prepare and bring directly to Council for enactment the By-law in accordance with the above.
4. That the proper Officers of the City be authorised to do all things necessary to implement the intent of the foregoing.

## REASON FOR THE REPORT

- The applicant is proposing to rezone three “R1-M” Single-Family Residential (Medium) District lots to a “PR2” Parks and Recreation Community District.
- The intent is to consolidate the proposed “PR2” Parks and Recreation lands with adjacent City Public Reserve. The process of consolidation will be through a future plan of Public Reserve.
- Rezoning applications 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 rezoning for DAZ 204/2021 will be approved.

## HISTORY

**February 25, 2021 –** Council concurred in the recommendation of Standing Policy Committee on Property and Development, Heritage & Downtown Development and approved the acquisition of the Murray Rougeau Park Lots, identified as “Subject Property” on Miscellaneous Plan 14674/2 (attached as Schedule A).

Novamet Development Corporation (“Novamet”) is the owner and developer of land located adjacent to Ronald Houston Park within the Transcona neighbourhood of Canterbury Park. Several years ago, Novamet submitted an application to develop Phases 9 and 10 of Canterbury Park (DASZ 25/2011), which was approved by Council on September 28, 2011. A further subdivision of Phases 9 and 10 was approved through DASSF 538/2012.

During the circulation of DASSF 538/2012 in 2012, the Ward Councillor identified a concern that the ‘window’ from the street to Ronald Houston Park did not align with DASZ 25/2011. As such, Novamet agreed to sell the City two residential lots (150 and 154 Murray Rougeau Crescent) for a nominal fee to create a larger ‘window’ to the park from the street. Novamet also agreed to sell a small triangular lot – Roll 09010456900. The three Novamet properties are collectively called the “Subject Property” and are identified on Miscellaneous Plan 14674/2 (attached as Schedule A).

On September 17, 2013, the purchase agreement between the City and Novamet was signed. Following the execution of that agreement, Novamet provided the City with a Letter of Authorization to allow the City to apply for a DASZ as the sale was contingent

on the City consolidating and rezoning the Subject Property. Council approved the aforementioned subdivision and rezoning (DASZ 16/2014) on December 10, 2014.

In 2016, the City attempted to register the subdivision at the Winnipeg Land Titles Office but was advised that the submitted plan would not create a Public Reserve as intended. To comply with the terms of the sale and Council approval, the City would have to re-apply for a DAZ and register a Plan of Public Reserve, not the Plan of Subdivision as per DASZ 16/2014.

Given the aforementioned, the City has now submitted a rezoning application under File DAZ 209/21 to facilitate the registration of the acquired lands as a Public Reserve.

## CONSULTATION

In preparing this report there was consultation with:

- Parks and Recreation Division
- Land Development Branch
- Real Estate Division

## OURWINNIPEG POLICY ALIGNMENT

07 Parks, Places and Open Spaces – Key Direction:

- Focus the future efforts for acquisition, design, development, operation, use and promotion of our parks and open spaces within the context of the City's Complete Communities Direction Strategy.

## WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #7: Community climate resiliency.

- 7.3: Preserve and manage parks and natural areas to support climate change mitigation.

## SUBMITTED BY

| | |
|---|---|
| Department | Planning, Property and Development |
| Division | Urban Planning Division |
| Prepared by: | Femi Ojo, MCIP, RPP |
| Date: | September 2, 2021 |
| File No. | DAZ 204/2021 |

### List of Schedules and Attachments

1. Appendix A – Planning Discussion
2. Schedule "A" for File No. DAZ 204/21

**APPENDIX 'A'**

**DATE:** September 2, 2021

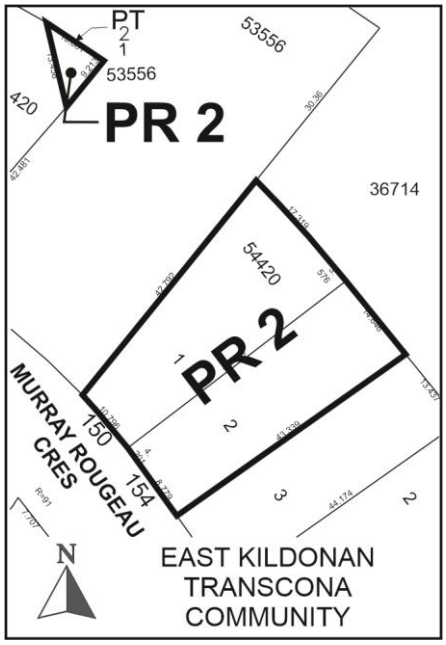
**FILE:** **DAZ 204/2021**
**RELATED FILES:** N/A

**COMMUNITY:** East Kildonan - Transcona
**NEIGHBOURHOOD #:** 4.414 (Canterbury Park)

**SUBJECT:** To rezone the subject land from "R1-M" Single-Family (Medium) District to a "PR2" Parks and Recreation 2 (Community) District.

**LOCATION:** 150 & 154 Murray Rougeau Crescent and Roll # 09010456900

**LEGAL DESCRIPTION:** LOT 1 BLOCK 2 PLAN 54420 WLTO IN NW ¼ 3-11-4 EPM
LOT 2 BLOCK 2 PLAN54420 WLTO IN NW ¼ 3-11-4 EPM
LOT 2 BLOCK 1 PLAN 53556 WLTO EXC PLAN 54420 WLTO IN ¼ 3-11-4 EPM




**APPLICANT:** City of Winnipeg (Julian Roberts)
65 Garry Street, 2nd Floor
Winnipeg, MB R3C 4K4

**OWNER:** Novamet Development Corporation
1 Dr, David Friesen Drive
Winnipeg, MB, R3X 0GB

**RECOMMENDATION:** Approval

**SITE DESCRIPTION**

- The subject property is located on the north side of Murray Rouge Crescent, in the Cantebury Park neighbourhood of the Transcona Ward.
- The subject site is comprised of two residential zoning lot and a small portion of 138 Murray Rougeau Crescent.
- Under the *Complete Communities Direction Strategy*, the subject site falls under Area of Stability – Mature Communities and zoned “R1-M” Residential Single-family district.

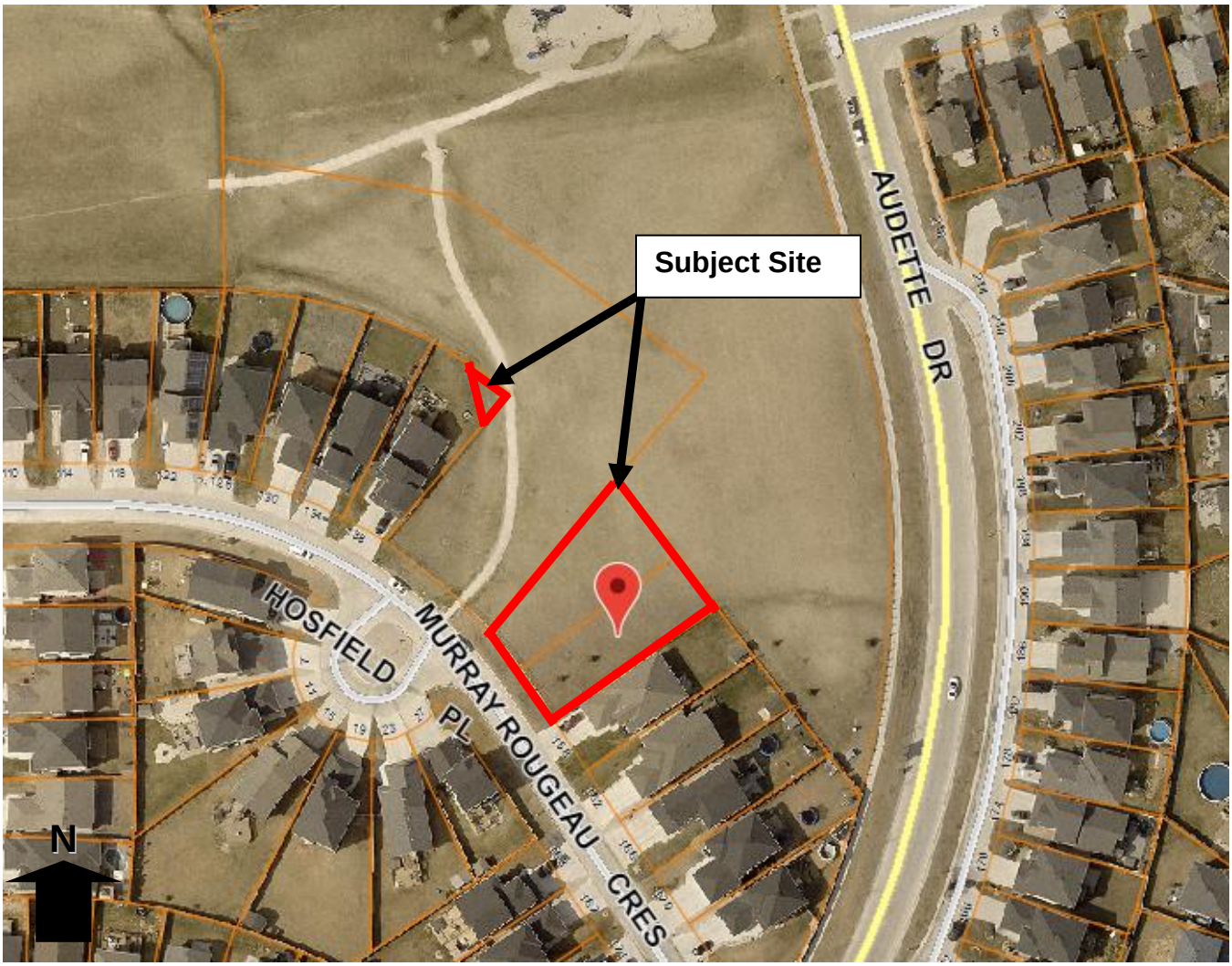



**Figure 1: Aerial photograph showing subject property (flown 2018)**

**SURROUNDING LAND USES & ZONING (See Figure 2)**

**North:** Land zoned “PR2” Parks and Recreation (Community) District.

**South:** Murray Rougeau Crescent, then residences zoned “R1-M” Residential Single-Family (Medium) District.

**East:** Residences zoned “R1-M” Residential Single-Family District.

**West:** Land zoned “PR2” Parks and Recreation (Community) District.

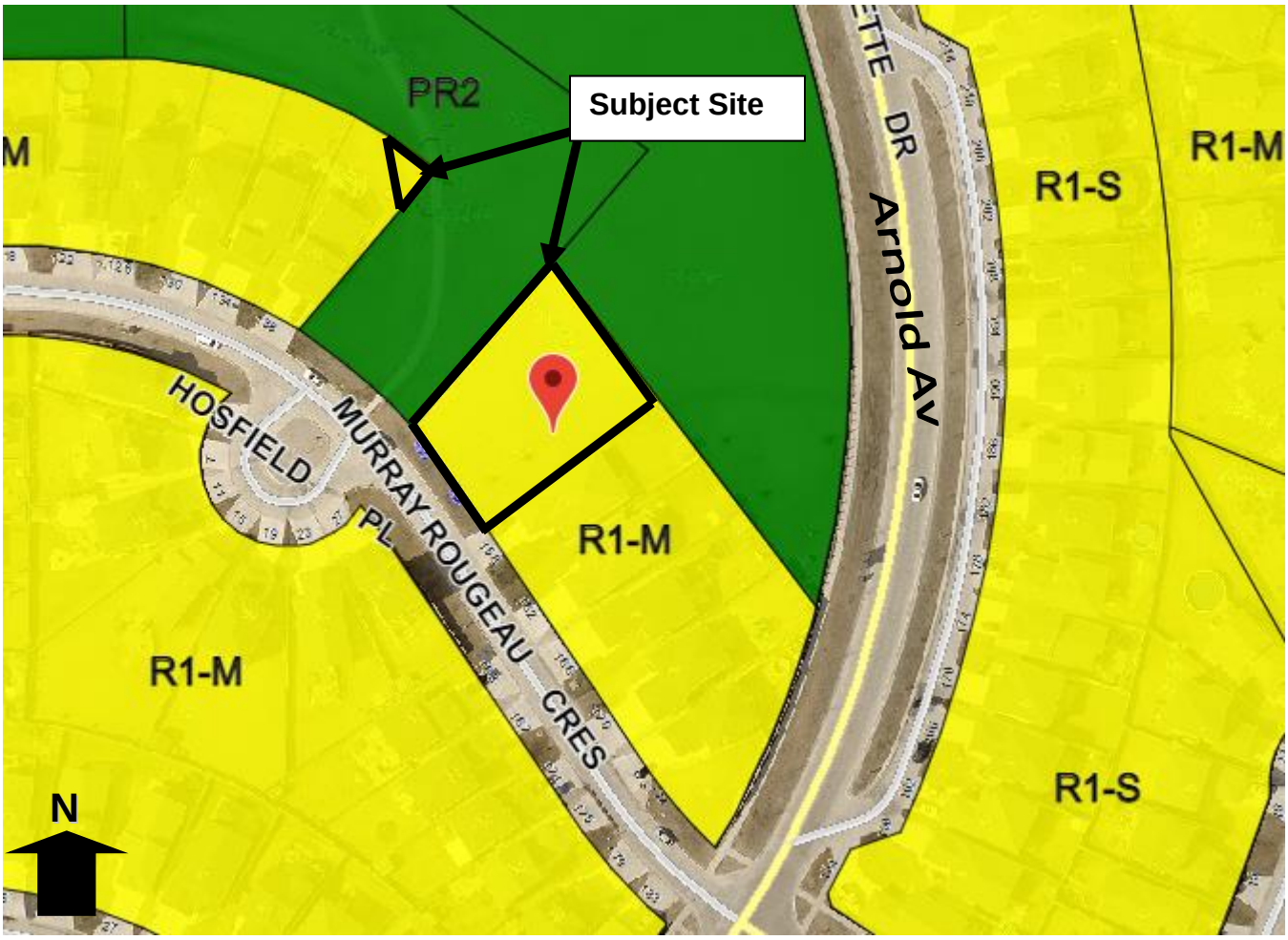



**Figure 2: Zoning of the surrounding area.**

**DESCRIPTION OF THE PROPOSED DEVELOPMENT**

- The applicant is proposing to rezone the property from “R1-M” Residential Single-Family District to “PR2” Parks and Recreation (Community) District for consolidation with adjacent Public Reserve.
- There are no other applications (variances and conditional uses) associated with the rezoning application.



**Figure 3: Miscellaneous plan 14674/2 (Schedule A)**

## ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *Complete Communities Direction Strategy,* the proposed development is within the Areas of Stability – Recent Communities policy area. Key policies guiding development within Areas of Stability include:
    - *Promote a quality public realm with a high level of accessibility to community services and amenities and opportunity for gathering and social interaction.*

- *Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.*

- As mentioned earlier, the Canterbury Park subdivision was approved by Council in 2011 under file DASZ 25/2011. It was however discovered during a further subdivision of phases 9 and 10 through DASSF 538/2012 that the proposed subdivision did not align with DASZ 25/2011. This application is bringing the Canterbury Park Neighbourhood subdivision into conformance with the previously approved plan under DASZ 25/2011.
- Given that the subject rezoning application will facilitate the expansion of an existing Public Reserve, the rezoning of the subject property from “R1-M” to “PR2” is considered consistent with the aforementioned policies as it creates a place for gathering and social interaction within the neighbourhood.

ZONING AND LAND USE BY-LAW 200/2006

Existing Zoning

- **R1 Residential Single-Family -** is intended to accommodate primarily single-family residential development in lower-density areas.

Proposed Zoning

- **PR2 Parks and Recreation (Community) -** is intended for sites that include community recreation facilities and parks that are accessed by a mix of pedestrian and vehicular traffic. These sites may provide active programs and activities, including community centres, hockey pen, arenas, indoor soccer, wading pools, spray parks, skateboard parks and athletic fields. These parks and facilities typically occur along collector streets.

*Rezoning (DAZ 204/2021)*

- The applicant is proposing to rezone the land from “R1-M” to “PR2” to facilitate the expansion of an existing Public Reserve.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The *Complete Communities Direction Strategy* promotes the form of building and spaces that are sensitive to the community context. The expansion of an existing Public Reserve through this rezoning application will facilitate opportunities for gathering and social interaction.
- The City is acquiring some single-family lands, which will be consolidated with the existing Public Reserve (zoned “PR2”) shown in Figure 2. The proposed

rezoning will ensure that that the acquired lands are appropriately zoned prior to being designated as a Park.

- It is also important to note that there are no variances associated with this application.
- Given the aforementioned, the Urban Planning Division believes that the proposed rezoning and the consolidation of the proposed “PR2” land to the existing Public Reserve will facilitate access to more recreational activities in the neighbourhood.
- There is nothing to suggest that the proposed rezoning will cause any adverse effect on existing uses within the immediate vicinity.
- It is therefore recommended that the rezoning application be approved.

LAND DEDICATION

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.
- Given that the City of Winnipeg is the applicant and the fact that the intent is to facilitate the expansion of an existing Public Reserve (a Park); no land dedication is required for this application.

**RECOMMENDATION**

The Urban Planning Division recommends approval for the following reasons:

- The application is consistent with policies in the *Complete Communities Direction Strategy* given that it will facilitate the expansion of a Public Reserve, which will provide opportunities for gathering and social interaction.
- There is nothing to suggest that the proposed rezoning will negatively affect other uses within the immediate vicinity. Parks and Recreation Districts are generally compatible with residential uses.
- This application will bring the Canterbury Park Neighbourhood subdivision into conformance with the previously approved plan under DASZ 25/2011.

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division
Report Prepared By: Femi Ojo, MCIP, RPP
PPD File # DAZ 204/2021

**Schedule "A" for File No. DAZ 204/2021, East Kildonan - Transcona, dated June 14, 2021**

