Agenda - Council - May 19, 2004

Report - Standing Policy Committee on Property and Development - April 27, 2004

Item No. 15 Rezoning - northwest corner of Dollard Boulevard and rue Jeanne D'Arc
File DAZ 210/2004

STANDING COMMITTEE RECOMMENDATION:

On May 12, 2004, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submits the following to Council:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 210/2004 dated March 15, 2004, to an "R1-3" Residential District.

2. That the ten percent (10%) dedication by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land be waived in this instance as Habitat Chez-Soi is a not-for-profit organization.

3. 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.

4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

5. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Agenda - Council - May 19, 2004

Report - Standing Policy Committee on Property and Development - April 27, 2004

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 12, 2004, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 27, 2004, 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.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 20, 2004, the Riel Community Committee concurred in the administrative recommendation with the following amendment, namely:

- Delete Recommendation 2 in its entirety and replace with the following:

    2. That the ten percent (10%) dedication by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land be waived in this instance as Habitat Chez-Soi is a not-for-profit organization,

and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: Rezoning - Northwest corner of Dollard Boulevard and rue Jeanne D'Arc
File DAZ 210/2004

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

Prepared by: Marc Pittet, Clerk, Riel Community Committee

Report date: April 21, 2004

COMMUNITY COMMITTEE RECOMMENDATION:

On April 20, 2004, the Riel Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for file DAZ 210/2004 dated March 15, 2004, to an "R1-3" Residential District.

~~***2. That the ten (10) percent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.***~~

2. That the ten percent (10%) dedication by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land be waived in this instance as Habitat Chez-Soi is a not-for-profit organization,

3. 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.

4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

5. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Note: The wording in bold and italics denotes amendments made by the Community Committee.

The Riel Community Committee provided the following supporting reasons 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 March 15, 2004.

2. There is a need for housing in St. Boniface.

3. La Verendrye Park is located in the immediate area and is large enough to support area residents.

PUBLIC HEARING SUMMARY

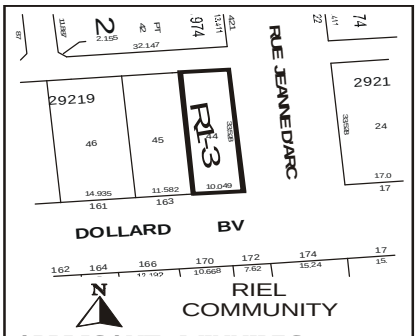
File: DAZ 210/2004

Before: Riel Community Committee
Councillor Vandal, Chairperson
Councillor Angus
Councillor Steeves

Public Hearing: April 20, 2004
Community Committee Chamber, 219 Provencher Boulevard
March 22, 2004
St. Norbert Community Centre, 3450 Pembina Highway

Applicant: Habitat for Humanity Inc.

Subject:



APPLICANT: WINNIPEG HABITAT FOR HUMANITY INC.
FILE: DAZ 210/04
PROPOSAL: To rezone the land shown outlined above from a "PR1" PARKS AND RECREATION DISTRICT to an "R1-3" RESIDENTIAL DISTRICT to allow for the construction of a single-family dwelling. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : HABITAT POUR L'HUMANITÉ
N° DE DOSSIER : DAZ 210/04
PROJET : Rezonage des sols délinées ci-dessus de sorte qu'ils passent de la catégorie PR1 (SECTEUR DES PARCS ET DES LOISIRS) à la catégorie R1-3 (SECTEUR RÉSIDENTIEL) afin de permettre la construction d'une habitation unifamiliale. **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: Northwest corner of Dollard Boulevard and Jeanne D'Arc

Exhibits Filed: 1. Application dated February 26, 2004
2. Notification of Public Hearing dated March 1, 2004
3. Manitoba Status of Title 1285818
4. Plan
5. Report from the Manager of Planning and Land Use dated March 15, 2004
6. Inspection Report
7. Presentation and Petition in opposition to the application purporting to contain the signatures of 277 area residents submitted by Scott Tinkler.

REPRESENTATIONS:

In Support

Wayne Sage
Stefanie Allard
Lucienne Boucher
Rita Bourgeois
Johanne Cayer
Jules Chartier
Antoine Coudiere
Father Gerard Dionne
Jacques Gagnon
Lynne Guertin
Richard Loiselle
Denis Remillard
Lynne Rochon
Robert Roy
Michèle Sala Pastora
Maurice Vielfaure

In Opposition

Bernard Campeau
P. Scott Tinkler

For the City:

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

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

April 20, 2004

Wayne Sage, Project Manager, Habitat for Humanity, provided an overview of the proposal and indicated concurrence in the recommendations contained in the administrative report from the Manager of Planning and Land Use dated March 15, 2004, with the following exception:

- Mr. Sage requested that the ten (10) percent dedication based on the increase in the market value of the land be waived in this instance as Habitat Chez-Soi is a not-for-profit organization

Lynne Rochon, President, Habitat Chez-Soi, appeared in support of the application. Ms. Rochon acknowledged the City of Winnipeg Administration and the Old St. Boniface Resident's Association for their assistance and support for this humanitarian effort that will be a benefit to the community. Ms. Rochon further stated that Habitat Chez-Soi would do its best to select a worthy family and that the home would be built in character with existing homes in the area.

Jacques Gagnon, Vice President, Old St. Boniface Resident's Association, appeared in support of the application. Mr. Gagnon explained that his Association and twenty (20) representatives from the area completed a summit on housing in Old St. Boniface and one of the conclusions was that an effort should be made to attract young families to the area. Mr. Gagnon stated that this project falls within the vision of the Old St. Boniface Resident's Association and his organization is fully supportive of Habitat Chez-Soi's efforts. In response to a question from Councillor Steeves, Mr. Gagnon advised that Habitat Chez-Soi would be selecting a family for the proposed home.

Michèle Sala Pastora appeared in support of the application.

Robert Roy appeared in support of the application and indicated that he lived near three (3) homes constructed by Habitat Chez-Soi and that said homes and the families living within them were pleasant additions to the community.

Bernard Campeau appeared in opposition to the application. Mr. Campeau stated that he was not opposed to Habitat for Humanity as he had personally raised money for the organization. Mr. Campeau explained that he was opposed to the application as it would result in a reduction of green space in his community. Mr. Campeau stated that Councillor Vandal had indicated to him that the direction in which the City of Winnipeg was headed was to develop larger parks for economic reasons. Mr. Campeau further stated that Jeanne D'arc Park is one of the most economically feasible in the City of Winnipeg and asked City Council to rescind its motion to declare it surplus and instead provide Habitat Chez-Soi with five (5) existing housing lots in North St. Boniface.

Councillor Vandal stated that La Verendrye Park is located less than one (1) block away and the City of Winnipeg has recently purchased new swing sets for said park. Councillor Vandal further stated that the Old St. Boniface Resident's Association has indicated that the City of Winnipeg should centralize recreation services in the area. In response to a question from Councillor Vandal, Mr. Campeau indicated that a plan to centralize recreation services made sense in theory but that area residents were overwhelmingly opposed to the elimination of Jeanne D'arc Park.

In response to questions from Councillor Steeves, Mr. Campeau stated that area residents preferred Jeanne D'arc Park to La Verendrye Park as it was smaller and kids were much safer away from the higher traffic volumes.

Scott Tinkler appeared in opposition to the application. Mr. Tinkler stated that he and his wife are both supportive of Habitat Chez-Soi but are opposed to the loss of green space near their home that would result should the application proceed. Mr. Tinkler read a presentation/petition into the record, filed as Exhibit 7.

In response to a question from Councillor Steeves, Mr. Tinkler stated that he did not like taking his daughter to La Verendrye Park due to high traffic, poor lighting and vagrants who frequent the park. In response to a question from Councillor Steeves, Mr. Tinkler stated that the City of Winnipeg should have consulted with area residents prior to declaring Jeanne D'arc Park surplus. In response to a question from Councillor Vandal, Mr. Tinkler iterated that he had not been consulted nor received any notice regarding the sale of the park.

Wayne Sage returned in rebuttal. Mr. Sage stated that the application would stand on its merit and that Habitat Chez-Soi was having a difficult time securing lots in the City of Winnipeg. In response to a question from Councillor Angus, Mr. Sage indicated that Habitat Chez-Soi should have consulted with area residents prior to making this application. Mr. Sage stated that Habitat Chez-Soi was hoping to begin construction on this home in July, 2004, and that his organization would be organizing a "meet and greet" for area residents to meet the family that will be selected to live there.

March 22, 2004

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

Exhibit "6" referred to in File DAZ 210/2004

Winnipeg

Planning, Property & Development Department · Service de l'urbanisme, des biens et de l'aménagement

Planning and Land Use Division • Division de l'urbanisme et de l'usage des sols

In reply please refer to / Référence à rappeler :

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

File No. DAZ 210/04 March 15, 2004
Our c/f CP 500 (. 515)

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

Dear Mr. Marc Pittet:

REZONING
Location : Northwest corner Jeanne D'Arc/ Dollard
Riel Community Committee
File No. DAZ 210 /04

An application has been received from Habitat Chez-Soi, to amend By-Law No. 6400/94 by rezoning the land shown below from a " PR-1" Parks and Recreational District to a " R1-3" Residential District to allow for the construction of a single family dwelling.

RELATED FILES: DAV04110262D

SITE DESCRIPTION:

Site Area:
Overall site area totals approximately 3572 sq. ft. There is 33' of frontage along Rue Dollard.

Existing Land Use and Zoning:
The area being rezoned is currently vacant and zoned for Public Reserve purposes.

Surrounding Land Use and Zoning:

North: The properties to the north reflect a mix single family, two family and some tri-plexes, all zoned R2-T Residential.
South: The land to the south is similarly zoned R2-T Residential and occupied with a similar mix of established single family and low density multiple.
East: Land to the east is zoned R2-T Residential and occupied with largely single family homes.
West: To the west of the adjacent lane are established single family dwellings zoned R2-T and several larger tri-plexes and four -plexes.

DEVELOPMENT DESCRIPTION:

Quite simply put, the applicant (Habitat Chez-Soi) wishes to purchase the subject surplus parcel from the City of Winnipeg for the sum of one dollar for the expressed purpose of constructing a single family dwelling.

PLAN WINNIPEG:

The application is not in conflict with Plan Winnipeg policy. The site falls within a designated Neighbourhood Policy Area which allows for residential development.

ADMINISTRATIVE COMMENTS:

On February 5/04, the City's Standing Policy Committee on Property and Development recommended to Council that the Administration be instructed to transfer the subject property to Habitat Chez –Soi for the sum of one dollar subject to Habitat's initiating an application to rezone the subject property to an appropriate residential use prior to commencing development of the property. It was further indicated that further to Councils policy on the sale of City lands to non profit organizations, title to the property will revert back to the City should construction not commence prior to the expiration of a thirty six (36) month period following enactment of the zoning by-law. It is the view of this Branch that the most appropriate use of this relatively small parcel of land would be for single family development. It would constitute infill development which is consistant with both Plan Winnipeg Policy and the objectives identified by St. Boniface Residents Groups.

RECOMMENDATION:

I. That By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 210/04, attached hereto and dated March 15, 2004, to a "R1-3" Residential District.

II. That the a 10 per cent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

III. 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.

IV. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

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

Final

Yours truly,

Chris Knoll
Manager of Planning and Land Use

Per: Kevin Lalor, Senior Planner,

(Riel Community)
986-5069

KL/jc

By-Law No. _____

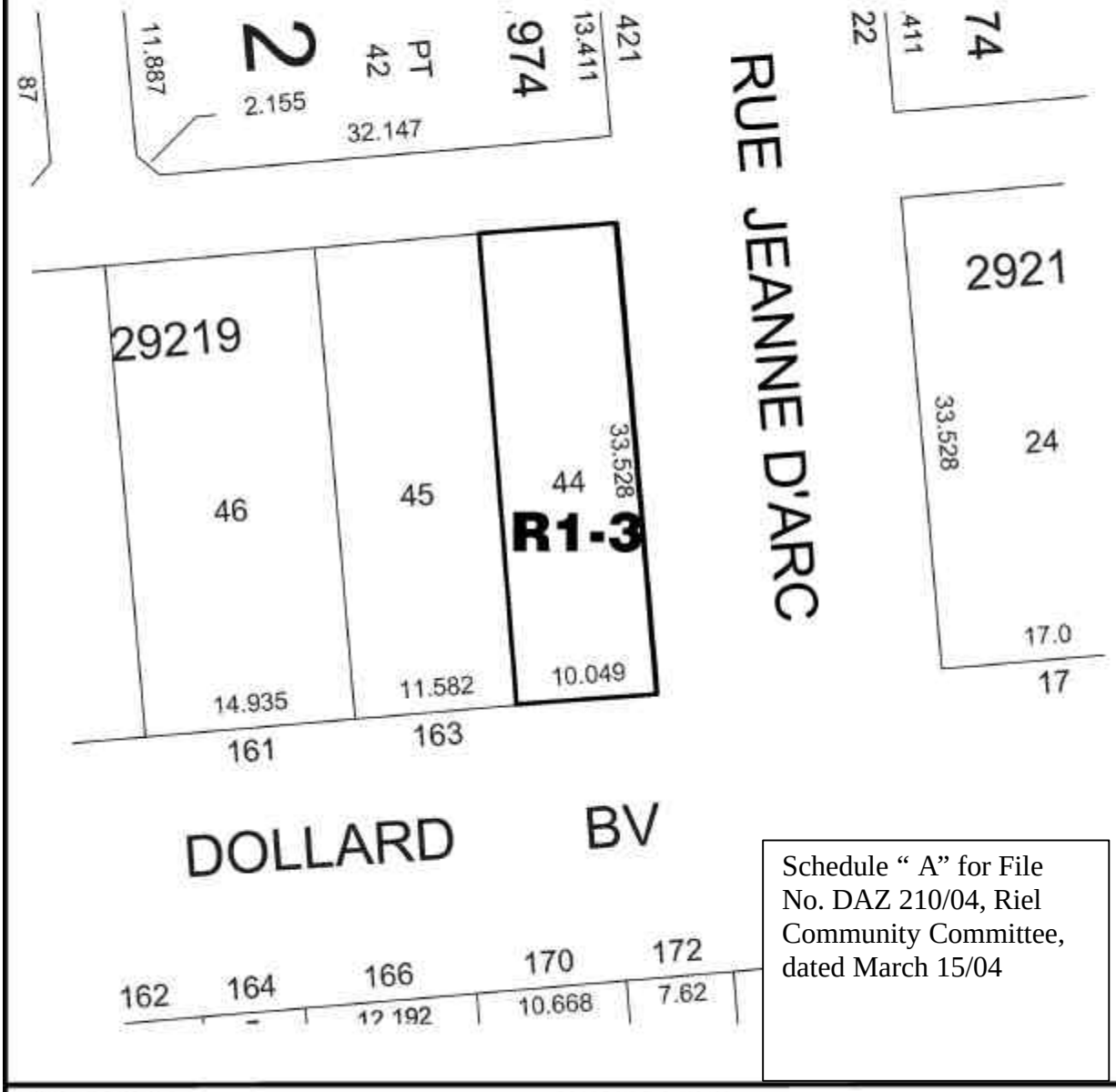
File No. **DAZ 210/04**

Atlas Sheet No. **AA26 RIEL COMMUNITY**

N

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located on the northwest corner of Dollard Avenue and rue Jeanne D'Arc from a "PR1" PARKS AND RECREATION DISTRICT to an "R1-3" SINGLE-FAMILY DISTRICT as shown outlined below.



Schedule " A" for File No. DAZ 210/04, Riel Community Committee, dated March 15/04

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

6164