Agenda – Council – December 16, 2021

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – December 2, 2021

Item No. 6 750 Bonner Avenue Subdivision and Rezoning – Proposed Amendment
(North Kildonan Ward)
File DASZ 20/2021

STANDING COMMITTEE RECOMMENDATION:

On December 8, 2021, 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 decision of Council dated September 29, 2021, wherein Council concurred in the recommendations of Item No. 14 of the Report of the Executive Policy Committee dated September 21, 2021, be amended by adding the following new Recommendation 2 and renumber the remaining recommendations accordingly:

   "2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R1-L" Residential Single-Family (Large) District as shown on the map dated May 14, 2021 and attached as Schedule "B" to this report."

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

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DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 8, 2021, 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 December 2, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 22, 2021, the East Kildonan-Transcona Community Committee passed the following motion:

WHEREAS the City received an application to subdivide and rezone land located at 750 Bonner Avenue ("DASZ 20/2021");

AND WHEREAS the Winnipeg Public Service prepared an Administrative Report in respect of DASZ 20/2021 and recommended, among other things, that Council approve the plan of subdivision and rezoning of DASZ 20/2021 as per Schedule "B" subject to the developer meeting all the terms and conditions as outlined in Schedule "C" the report of the Administrative Coordinating Group dated, July 28, 2021;

AND WHEREAS on September 7, 2021, the East Kildonan-Transcona Community Committee (the "Community Committee") recommended that Council approve DASZ 20/2021 without recommending approval of the subdivision and rezoning of DASZ 20/2021 as per Schedule "B";

AND WHEREAS on September 29, 2021, Council concurred in the recommendations of the Community Committee and approved DASZ 20/2021 without approving the subdivision and rezoning of DASZ 20/2021 as per Schedule "B";

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

AND WHEREAS the intention of the Community Committee was to approve the subdivision and rezoning of DASZ 20/2021 as per Schedule "B";

AND WHEREAS the Winnipeg Public Service confirms that a recommendation was omitted in error from the Administrative Report;

THEREFORE BE IT RESOLVED that the decision of Council dated September 29, 2021, wherein Council concurred in the recommendations of Item No. 14 of the Report of the Executive Policy Committee dated September 21, 2021, be amended by adding the following new Recommendation 2 and renumber the remaining recommendations accordingly:

"2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R1-L" Residential Single-Family (Large) District as shown on the map dated May 14, 2021 and attached as Schedule "B" to this report."

and forwarded to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

COUNCIL DECISION:

On September 29, 2021, Council concurred in the recommendation of the Executive Policy Committee, and adopted the following:

1. That the subdivision under Development Application No. DASZ 20/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated August 10, 2021 and attached as Schedule "B" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Developer shall meet all the terms and conditions as outlined in Schedule "C", the report of the Administrative Coordinating Group, dated July 28, 2021, to the satisfaction of the Director of Planning, Property and Development.

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DECISION MAKING HISTORY (continued):

COUNCIL DECISION (continued):

3. That in lieu of the dedication of land, the Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 20/2021, as determined by the City's Director of Planning, Property and Development.

4. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the plan of subdivision (the "Plan") as prepared by a Manitoba Land Surveyor in accordance with Recommendation 1 is not submitted to the City for preparation of 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.

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

6. That the subdivision section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

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

8. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with Recommendation 6 unless the Developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

9. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the Developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

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