Agenda - Council - June 23, 2004

Report - Standing Policy Committee on Property and Development - June 8, 2004

Item No. 18 Rezoning - land located on Wisteria Way, Danford Drive, Endcliffe Place, Frog Plain Way and Murray Avenue
File DAZ 215/2004

STANDING COMMITTEE RECOMMENDATION:

On June 16, 2004, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan 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 outlined on Schedule "A" for File DAZ 215/2004 dated March 30, 2004, to a "R1-3.5" Single Family District and "PR-1" Parks and Recreation District.

2. 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.

3. 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.

4. 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.

Report - Standing Policy Committee on Property and Development - June 8, 2004

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 16, 2004, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 8, 2004, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 20, 2004, the Lord Selkirk-West Kildonan Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Rezoning - land located on Wisteria Way, Danford Drive, Endcliffe Place, Frog Plain Way and Murray Avenue**
File DAZ 215/2004

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

Prepared by: **Diane Timmins, Clerk,**
Lord Selkirk-West Kildonan Community Committee

Report date: **April 26, 2004**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 20, 2004, the Lord Selkirk-West Kildonan 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 outlined on Schedule "A", for File DAZ 215/2004, dated, March 30, 2004, to a "R1-3.5" Single Family District and "PR-1" Parks and Recreation District.

2. 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.

3. 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.

4. 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 Act.

The Lord Selkirk-West Kildonan Community Committee provided the following supporting reason for its recommendation:

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report from the Manager of Planning and Land Use dated March 30, 2004.

PUBLIC HEARING SUMMARY

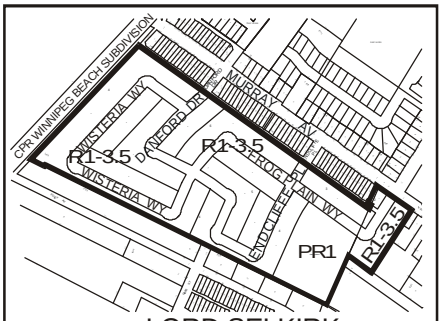
File: DAZ 215/2004

Before: Lord Selkirk-West Kildonan Community Committee
Councillor Pagtakhan, Chairperson
Councillor Lazarenko
Councillor O'Shaughnessy

Public Hearing: April 20, 2004
Council Chamber, Council Building
510 Main Street

Applicant: Novamet Development Corporation (Lyne B. Jones)

Subject:



LORD SELKIRK
WEST KILDONAN
COMMUNITY

APPLICANT : NOVAMET DEVELOPMENT CORPORATION

FILE : DAZ 215/04

PROPOSAL : To rezone the shown outlined above from an "R1-4" SINGLE-FAMILY DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT"and an R1-3.5" SINGLE-FAMILY DISTRICT and to allow for residential development. **For information, phone Mr. J. Wintrup, Planner at 986-5102.**

Premises Affected: Wisteria Way, Danford Drive, Endcliffe Place, Frog Plain Way and Murray Avenue

Exhibits Filed:
1. Application dated March 1, 2004
2. Notification of Public Hearing dated March 25, 2004

3. Manitoba Status of Titles 1887196, 1887197, 1887198, 1887199, 1887200, 1887201, 1887202, 1887203, 1887204, 1887205, 1887207, 1887208, and 1887209
4. Site Plan
5. Report from the Manager of Planning and Land Use dated March 30, 2004
6. Inspection Report

REPRESENTATIONS:

In Support:

Andrew Hretzay
Eric Vogan, Novamet Development Corporation

In Opposition:

Nil

For Information:

Michele Kading

For the City:

John Wintrup, Planner, Planning, Property and Development Department
Ernest Carriere, Land Development Engineer, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS MADE AT THE PUBLIC HEARING

Eric Vogan, on behalf of Novamet Development Corporation, appeared in support of the application and indicated concurrence in the recommendations outlined in the report of the Manager of Planning and Land Use dated March 30, 2004.

Michele Kading, appearing for informational purposes, questioned what steps would be taken to ensure that during the construction process, the wetland area would not be disturbed. In this connection, Councillor O'Shaughnessy, Old Kildonan Ward, undertook to have this concern

communicated to the City Naturalist and requested the Clerk to forward a communication in this regard.

In rebuttal, Mr. Vogan stated the developer would erect a snow fence immediately around the wetland area in an effort to protect same during the construction process.

Exhibit “5” referred to in File DAZ 215/2004

In reply please refer to / Référence à rappeler :

John S. Wintrup
(204) 986-5102
Fax / Téléc. : (204) 986-3684

File No. DAZ 215/04 March 30, 2004
Our c/f CP 500 (.323)

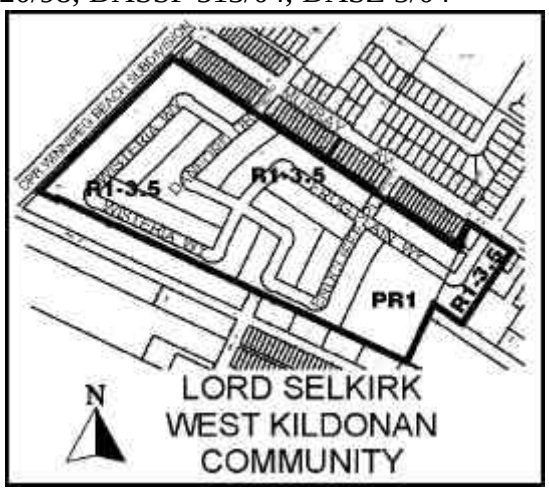
Ms. Diane Timmins, Community Clerk
Lord Selkirk - West Kildonan Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear Ms. Diane Timmins:

REZONING
Wisteria Way Danford Drive
Endcliffe Place Frog Plan Way
Lord Selkirk - West Kildonan Community Committee
File No. DAZ 215/04

An application has been received from Novamet Development Corporation (Lynn Jones) to amend By-Law No. 6400/94 by rezoning the land shown below from a “R1-4” Single Family District to an “R1-3.5” Single Family District and “PR-1” Parks and Recreation to allow for residential development.

RELATED FILES: DASZ 20/98; DASSF 513/04; DASZ 5/04



SITE DESCRIPTION:

Site Area: The site area is approximately 35 acres.

Existing Land Use and Zoning: Vacant land designated "R1-4" Residential District.

Surrounding Land Use and Zoning:

North: Side-by-sides; zoned "RM-1".
South: Single-family dwellings, vacant; zoned "R1-20" and "M2" (proposed Chief Pequis Trail Kildonan Corridor extension west of Main Street).
East: Mostly vacant; zoned "R1-20"
West: Winnipeg Beach CPR Rail line, vacant; zoned "A"

DEVELOPMENT DESCRIPTION:

The applicant intends to rezone the subject property from a "R1-4" Single Family District to a "R1-3.5" Single Family District in order to construct single family residential dwellings.

The "R1-3.5" zoning category requires a minimum lot width of 35 feet and lot area of 3,500 square feet. The "R1-4" zoning requires a minimum lot width of 40 feet and lot area of 4,000 square feet. This latter zoning category permits approximately 179 lots to be subdivided on the 35 acres.

The applicant desires the "R1-3.5" zoning to accommodate a few smaller lot sizes and provide some flexibility for the builders in constructing different house types / sizes without the need for a variance. The applicant feels there will only be a few additional lots than what is now permitted. The applicant has recently submitted an application for a Short Form Subdivision for Phase 1 in anticipation of the "R1-3.5" zoning category. There will be 81 lots with only 20 lots being less than 40 feet and 6 lots being more than 47 feet. The average lot size will be 40 feet. No lot is smaller than 38 feet.

The "PR-1" Parks and Recreation zoning category is for the public reserve that was previously set aside during the original application. This land is approximately 3.88 acres of wetland in the southeast corner of the site. It has a historic significance and is a habitat for the boreal chorus frogs.

Land dedication was fully satisfied under File No. DASZ 20/98, thus will not be charged under this application.

PLAN WINNIPEG:

The proposed concept complies with Plan Winnipeg in that a residential rezoning is allowed in Neighbourhood Policy Areas.

ADMINISTRATIVE COMMENTS:

The Department supports single family residential uses on the subject lands. The proposed use is consistent with the surrounding residential uses. The applicant intends to construct a variety of new single family dwellings that will diversify the housing stock and provide residents with different options.

RECOMMENDATION:

A. That By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 215/04, attached hereto and dated, March 30, 2004, to a "R1-3.5" Single Family District and "PR-1" Parks and Recreation District.

B. 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.**

C. That the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

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

Final

Yours truly,

C. Knoll
Manager of Planning and Land Use

_____

Per: John S. Wintrup, Planner
Lord Selkirk - West Kildonan Community
986-5102

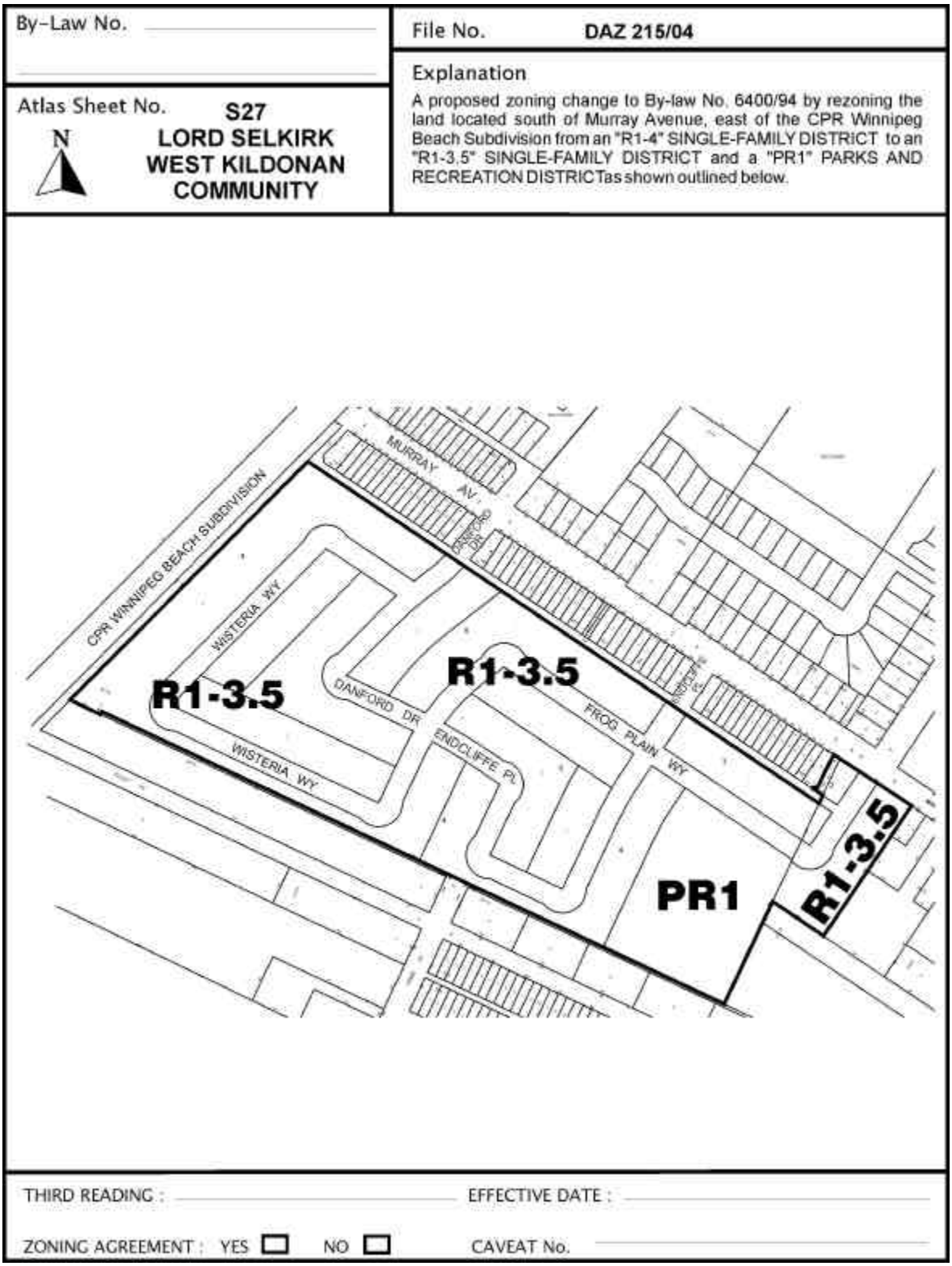


Figure 1: Schedule "A" to the report to the Lord Selkirk - West Kildonan Community Committee for File No. DAZ 215/04, dated March 30, 2004.

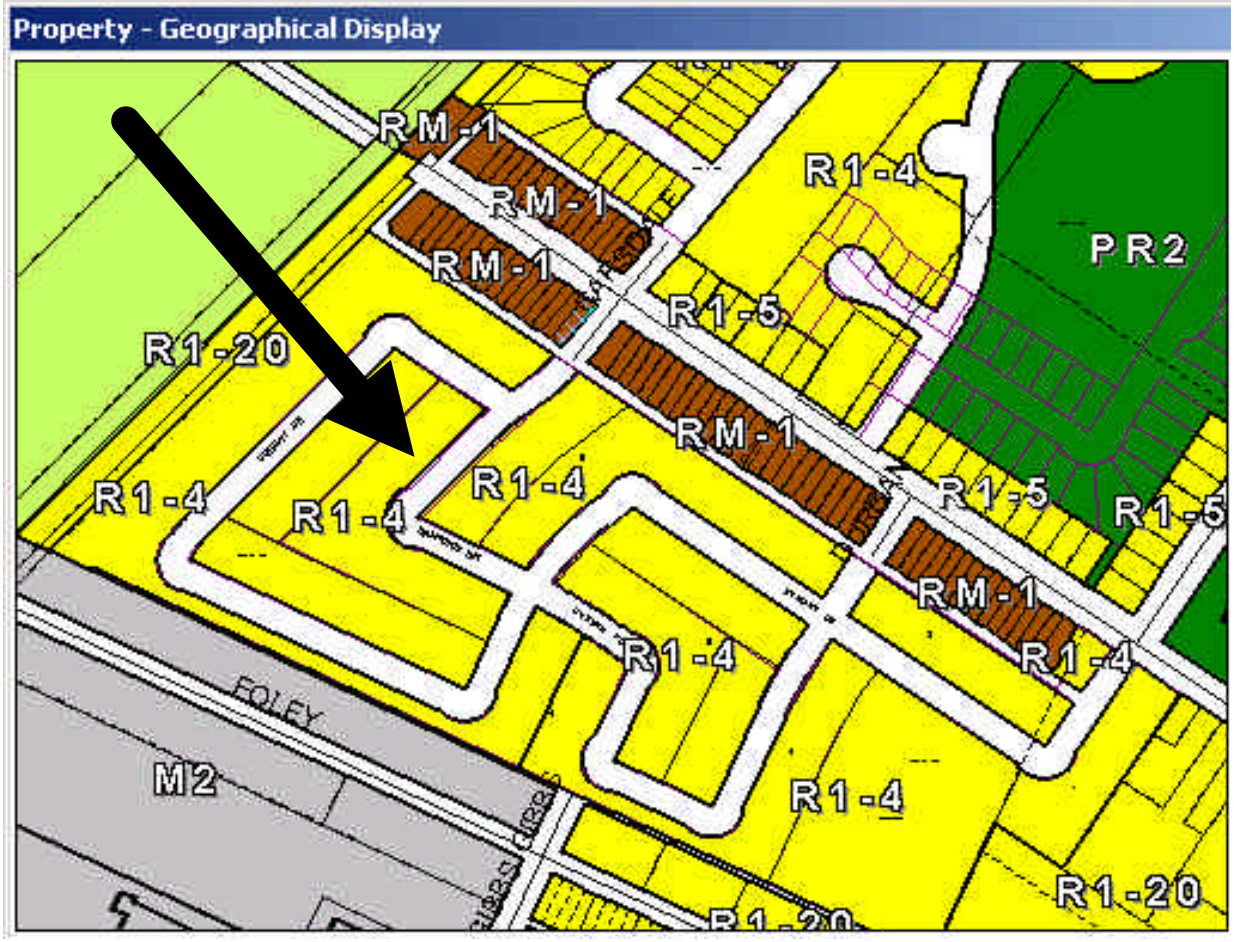


Figure 2: Existing Zoning for subject property and Surrounding Area.



Figure 3: Existing Land-Uses for subject property and Surrounding Area.