**Proposed Plan of Subdivision and Rezoning - land located at 1184 St. Anne's Road**

**File DASZ 25/2001**

2. The Standing Policy Committee on Property and Development has been advised that an application has been received from Terra Firma Estates Ltd. (Alan Adams), 4th Floor, 200 Portage Avenue, Winnipeg, for approval of a plan of subdivision and related zoning change to Zoning By-law No. 6400/94 by rezoning the subject lands from an "A-5" Agricultural District to an "RM-2" Multiple-Family District and a "PR1" Parks and Recreation District for purposes of developing a six building condominium project.

The applicants propose to rezone the land in question after which they will construct six (6) three-storey condominium structures with a total of 151 units. The most easterly portion of the site is to be set aside as public open space and for Seine River waterway purposes.

On December 11, 2001 and March 12, 2002, the Riel Community Committee held public hearings to consider the subject subdivision and rezoning application. Four persons appeared in support of the application, one person registered in opposition thereto, and three persons registered for information thereon.

The Riel Community Committee concurred in part with the recommendations contained in the report dated December 3, 2001, from the Manager of Planning and Land Use, Planning Property and Development Department. The Community Committee recommended approval of the proposed subdivision and rezoning for the following reason:

1. The Riel Community Committee agreed with the administrative comments contained in the report dated December 3, 2001 from the Manager of Planning and Land Use.

On April 2, 2002, the Standing Policy Committee on Property and Development considered and concurred in the recommendations contained in the Subdivision and Zoning Change Report dated March 19, 2002, from the Riel Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That the plan of subdivision proposed under File DASZ 25/2001 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 25/2001 dated December 3, 2001, for registration in the Winnipeg Land Titles Office, subject to the following:

A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated November 26, 2001, with the following amendments:

1. That Clause 6 be deleted in its entirety and replaced with the following:
"6. The Developer shall dedicate approximately 0.76 acres of land adjacent to the waterway lands as public open space, the area of which is more than ten (10) per cent of the developable land."

2. That a new Clause 8 be added as follows:
   "8. At the Developer's option, the costs identified in Clauses 1 and 4 (a) may be paid to the City by way of annual payments. The costs would be based on the rates prevailing at the time the payments begin and amortized over a period of up to ten (10) years including interest and a one percent (1%) per annum handling charge."

3. That a new Clause 9 be added as follows:
   "9. The Developer shall erect and maintain an information sign at the front of the property which highlights the proposed Seine River Corridor Trail; said sign is to be maintained until such time as the trail is constructed. The Developer's own site plans shall show the proposed Seine River Trail and signs shall be installed in the location of the proposed trail stating "Proposed Trail".

4. That a new Clause 10 be added as follows:
   "10. The Developer shall submit to the City, a copy of the condominium agreement for said development, which is to include a description of the proposed Seine River Trail and also indicate that said trail will be accessible to the general public."

II. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

III. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 25/2001 dated December 3, 2001, to an "RM-2" Multiple-Family District and a "PR1" Parks and Recreation District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to apply to the subject site to include the following conditions:

   A. That the maximum number of dwelling units on site be restricted to 132.

   B. That the maximum height of any structure on site be three-storeys.

   C. That a minimum setback of sixteen (16) metres be established for all residential development abutting St. Anne's Road.

IV. 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 Council extends that time.

V. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

VI. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Servicing Agreement.

VII. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and when the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office against those lands provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

VIII. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

IX. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Copies of the documents referred to in the above clause are on file in the office of the City Clerk.

Attachment "A" referred to in Clause 2 of the Report of the Standing Policy Committee on Property and Development dated April 2, 2002

