Agenda - Council - January 26, 2005

Report - Standing Policy Committee on Property and Development - January 10, 2005

Item No. 10 Subdivision and Rezoning - Lopuck Bay east of Ravenhurst Street File DASZ 42/2004

STANDING COMMITTEE RECOMMENDATION:

On January 19, 2005, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submits the following to Council:

1. That the plan of subdivision proposed under File DASZ 42/2004 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 42/2004 dated November 15, 2004, for registration in the Winnipeg Land Titles Office.

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

3 That The Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 42/2004 dated November 15, 2004, to an "R1-4" Single Family District.

4. 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.

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

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

7. 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, 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.

Report - Standing Policy Committee on Property and Development - January 10, 2005

8. 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.

9. That in the event 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.

Report - Standing Policy Committee on Property and Development - January 10, 2005

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 19, 2005, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 10, 2005, the Standing Policy Committee on Property and 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 30, 2004, the East Kildonan-Transcona Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning - Lopuck Bay east of Ravenhurst Street**
File DASZ 42/2004 [c/r DAV 331983/2004A]

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

Prepared by: **Inga K. Skundberg, Clerk**
East Kildonan-Transcona Community Committee

Report date: **December 9, 2004**

COMMUNITY COMMITTEE RECOMMENDATION:

On November 30, 2004, the East Kildonan-Transcona Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File No. DASZ 42/2004 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 42/2004, dated November 15, 2004, for registration in the Winnipeg Land Titles Office.

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

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8. 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.

9. 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.

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

1. The subject application is a continuation of the existing plan of Canterbury Park.

PUBLIC HEARING SUMMARY

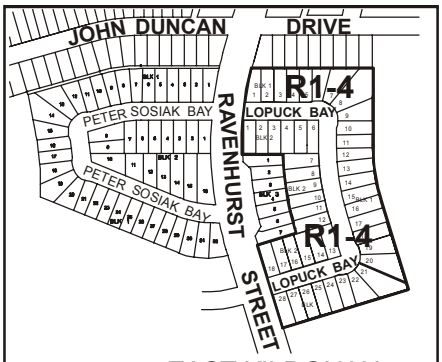
File: DASZ 42/2004 [c/r DAV 331983/2004A]

Before: East Kildonan-Transcona Community Committee
Councillor Wyatt, Chairperson
Councillor Lubosch
Councillor Thomas

Public Hearing: November 30, 2004
Community Committee Chamber
755 Henderson Highway

Applicant: Novamet Development Corporation (Lyne Jones)

Subject:



EAST KILDONAN
TRANSCONA
COMMUNITY

APPLICANT : NOVAMET DEVELOPMENT CORPORATION
FILE : DASZ 42/04
PROPOSAL : An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 6400/94 by rezoning the land shown outlined above from an "R1-5" SINGLE-FAMILY DISTRICT and an "R1-4" SINGLE-FAMILY DISTRICT to an "R1-4" SINGLE-FAMILY DISTRICT. **For information, phone Mr. J. Wintrup, Planner at 986-5102.**

Premises Affected: Lopuck Bay east of Ravenhurst Street

Exhibits Filed:

1. Application dated October 26, 2004
2. Notification of Public Hearing dated November 2, 2004
3. Manitoba Status of Title(s) 1666187, 1818342
4. Plan
5. Report from the Manager of Planning and Land Use dated November 15, 2004
6. Inspection Report

REPRESENTATIONS:

In Support:

Eric Vogan

In Opposition:

Nil

For Information:

Nil

For the City:

John Wintrup, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Eric Vogan appeared in support of the application and in support of the administrative report dated November 15, 2004. He advised that development of forty-six single-family lots is being proposed.

John Wintrup advised that dedication is not required to be paid on the subject application inasmuch as the developer paid land dedication as part of a previous development application.

Exhibit "5" referred to in File DASZ 42/2004 [c/r DAV 331983/2004A]

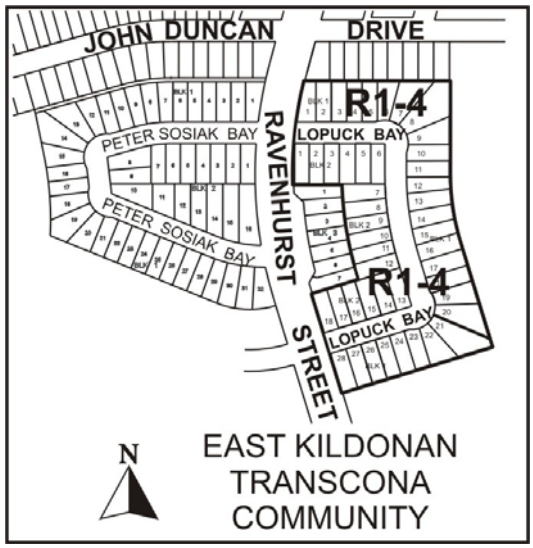
Winnipeg

Planning, Property and Development Department Report

To the East Kildonan – Transcona Community Committee

Date: November 15, 2004
File: DASZ 42/2004
Related Files: DASZ 42/1987; DAV 04-331983/A
Subject: Rezone from "R1-5" Residential District to an "R1-4" Residential District to create 46 single family lots.

Location: Lopuck Bay, east of Ravenhurst Street
Legal Description: Lot 1 Block 1, Lot 1 and 2 Block 2



Applicant: Novamet Development Corporation – Lyne Jones
Owner: same as above

Recommendation: Approve

Report Summary:

- The applicant is proposing to develop forty-six (46) single family residential lots.
- The proposed use and zoning is consistent with the surrounding single family residential previously approved for Canterbury Park.

Site Description

The subject property is located on the east side of Ravenhurst Avenue, south of John Duncan Drive in the Canterbury Park neighbourhood of the Transcona Ward. The site is zoned "R1-5" Residential District and is vacant. Adjacent properties are zoned "R1-4" with single family dwellings to the north and west. Lands to the east are vacant and will be a Public Reserve.

Background

Council approved in principle an application under DASZ 42/1987 by Novamet Development Corporation to subdivide and rezone approximately 240 acres of land located south of Kildare Avenue East and east of Redonda Street for 1300 single family dwellings. Canterbury Park was initially approved in phases, with various R1 zones, because of the large land area contained within the limits of the subdivision area. The Developer indicated that the level of demand for single family housing would dictate the development of each phase over time.

The Developer, due to unfavourable market conditions, has developed parts of Canterbury Park contrary to the approved staging plan. Phases and parts of phases that are easily accessed and serviced have been developed with Council's approval. This has allowed for housing to occur along the north section of Canterbury Park in Phases 1, 4, and 2. These phases have been renamed as Phases 1(a) – (f) and Phase 2(f).

Table 1: Canterbury Park Development by Phase and Year

Phase	Street Location	Year	Number of Lots	Zoning
1a	George Marshall WY Rothshire	1989	146	R1-3 R1-3.5 R1-4
1b	John Duncan Ravenhurst ST George Marshall PL	1989	104	R1-3 R1-3.5 R1-4
1c	Chadwick CR	2001	20	R1-4
1d	Redonda ST	2001	13	R1-3
1e	William Gibson John Duncan Sherbo CV	2001	40	R1-4
1f	William Gibson John Duncan Edmund Gale	2003	57	R1-4
2f	Peter Sosiak BY	2004	55	R1-4

1g	Lopuck BY	2004	46	R1-4
	Total Number of Lots = 481			

The Developer recently extended Ravenhurst Street from John Duncan Drive south to Pandora Avenue. This extension was originally a part of Phases 1b, 2 and 3.

Description of the Proposed Development

The proposed rezoning and subdivision is part of the original Phase 3 that was identified as R1-5 lots. This phase is now labelled Phase 1(g) as Lopuck BY with R1-4 zoning. Lopuck BY is an 'U' shaped bay with two connections to Ravenhurst Street, south of John Duncan Drive and directly east of Peter Sosiak BY.

The applicant is proposing to develop forty-six (46) single family residential lots. The lots widths will range from 38 feet to 47 feet. The lot areas will range from 4,300 square feet to 5,500 square feet. A tolerance is required for proposed lot 10 for a lot width of 38 feet instead of the minimum 40 feet.

Analysis

The proposed concept complies with Plan Winnipeg in that a residential rezoning is allowed in Neighbourhood Policy Areas. The development of smaller lots supports compact urban form.

The Developer has previously entered into a Development Agreement (AG 42/1987), and paid land dedication as part of the original application (DASZ 42/1987). Thus, these items are not applicable (Land dedication not required to be paid on this application).

Recommendation

The Department recommends approval of the application. The Department supports single family residential uses on the subject lands. The proposed use and zoning is consistent with the surrounding single family residential uses previously approved for Canterbury Park. The proposed zoning designation will further add single family dwellings in the neighbourhood and accommodate the growing demand for housing in the East Kildonan – Transcona community. Phase 1(g) can be considered orderly development since it is contiguous of the previous phases (2f to the west and 1f to the north). Overall, the development is consistent with the spirit of the original proposal approved by Council.

Recommended Conditions of Approval

I. That the plan of subdivision proposed under File No. DASZ 42/2004 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 42/2004, attached hereto and dated November 15, 2004, for registration in the Winnipeg Land Titles Office.

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

III That The Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 42/2004, attached hereto and dated November 15, 2004, to an "R1-4" Single Family District.

V. 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.

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

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

VIII. 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, **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.**

IX. 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.

X. 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.

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division

Report Prepared by: John S. Wintrup
PPD File # 4.414

Schedule "A"

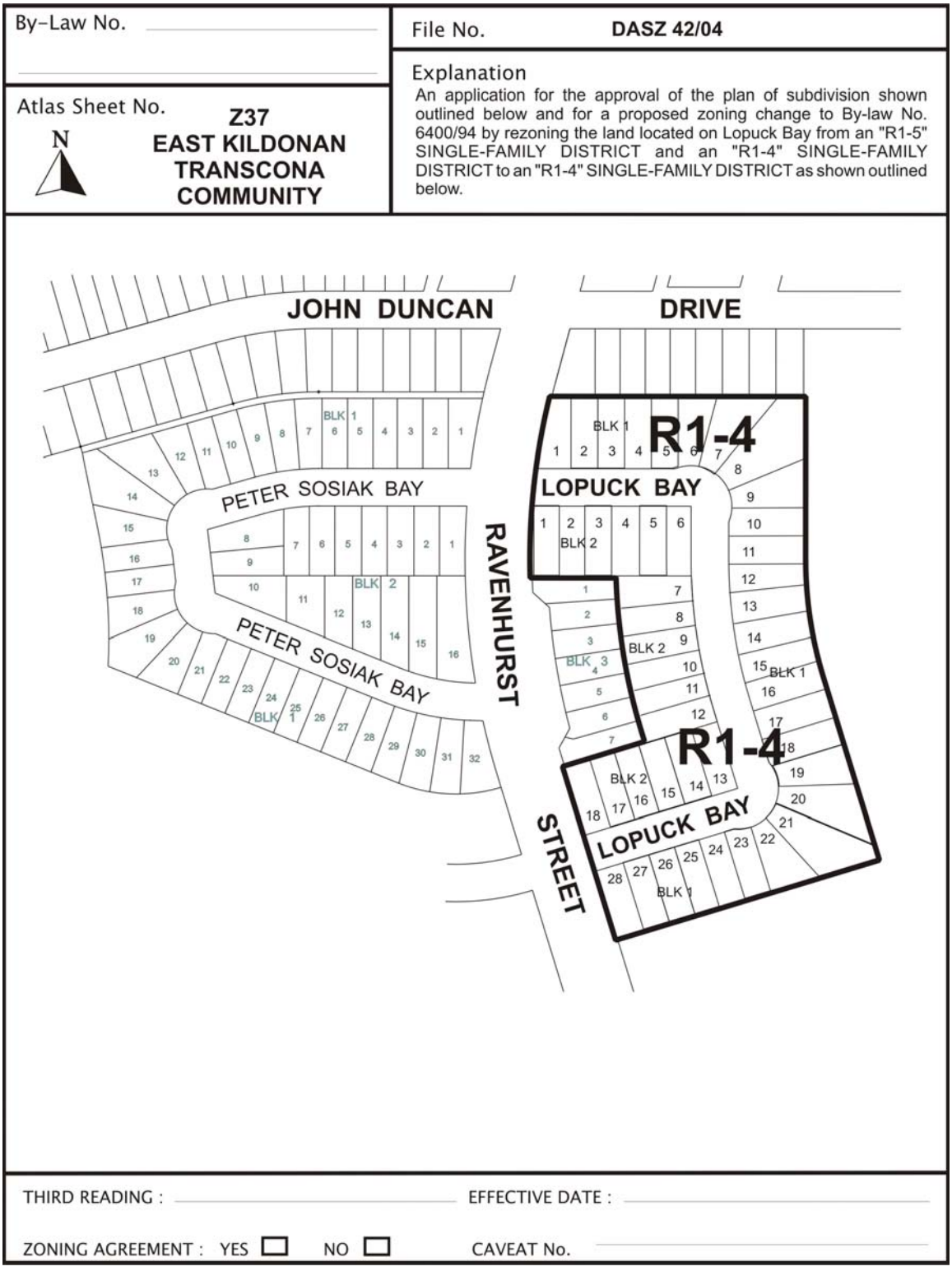


Figure 1: Schedule "A" to the report to the East Kildonan -Transcona Community Committee for File No. DASZ 42/2004, dated November 15, 2004.



Figure 2: Existing Land-Uses for subject property and Surrounding Area.

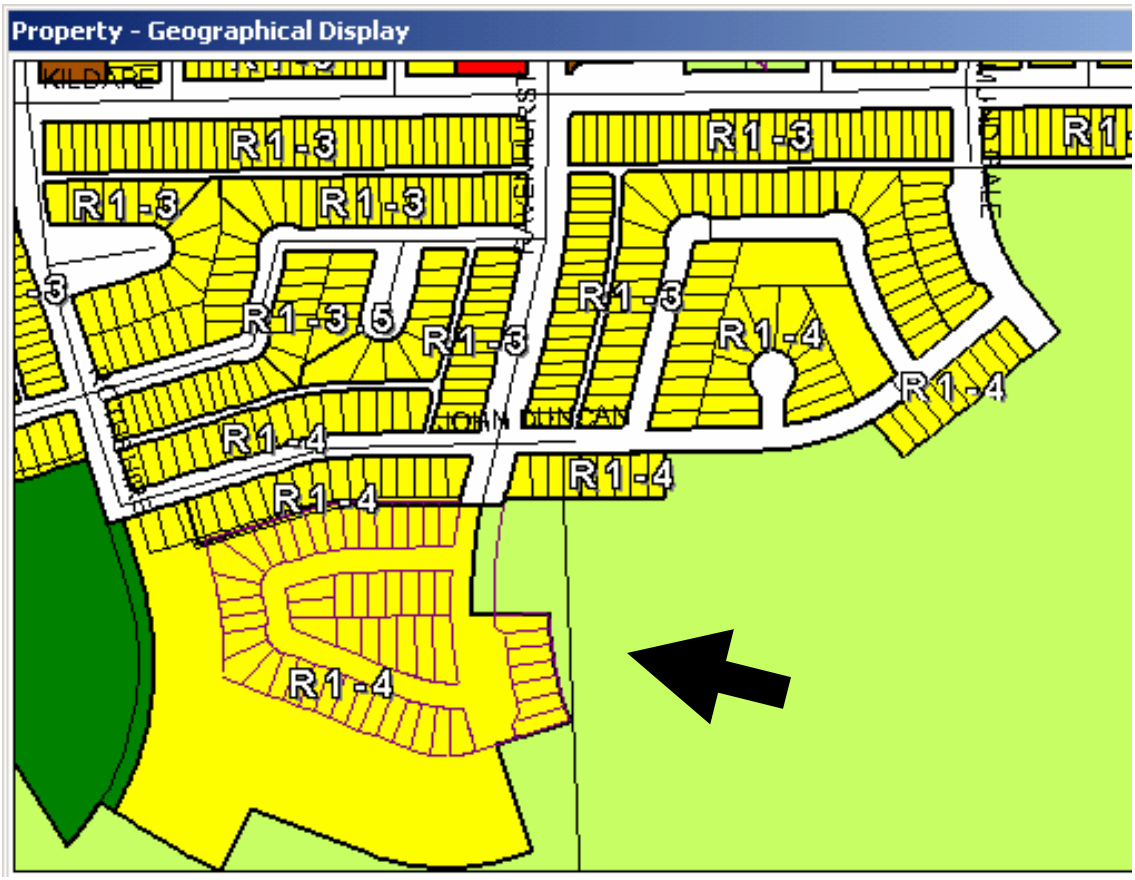


Figure 3: Existing Zoning for subject property and Surrounding Area.