FOR SUBMISSION TO THE
CITY OF WINNIPEG
EXECUTIVE POLICY COMMITTEE
FOR THE PUBLIC HEARING TO CONSIDER THE PLAN WINNIPEG AMENDMENT
UNDER BY-LAW 46/2005

Purpose of Application:
To re-designate the subject lands from an Industrial Policy Area to a Neighbourhood Policy Area.

Site location:
North side of Swailes Avenue between Birchbark Bay and Ferrier Street, south of the former Bergen Cut-Off.

Reasons in support of amendment:
The report of the Planning, Property and Development Department has clearly set forth the foremost rationalization in support of the amendment under consideration. The City of Winnipeg's Residential Land Supply Study has identified the impending depletion of serviced residential lots in this quadrant within 1.5 to 2 years whereas it is desirable to have a 5 year supply of serviced lots available within any given year, or available for servicing within one construction season. Coincidentally, according to the Winnipeg Industrial Inventory and Industrial Market Review, prepared for the Planning, Property and Development Department by UMA Engineering Ltd. in the spring of 2002, there is an over-abundance of vacant and reserve industrial land available in the north-west quadrant of the City projected to meet the demand for at least the next one hundred years. Any argument to the effect that this amendment represents the loss of precious industrial land inventory would obviously be unfounded.

Single family residential development has recently crept up to the southerly boundary of the subject site, rendering it almost inconceivable that any application to rezone it from its present A.5 Agricultural category to an industrial zoning category could succeed. The property has been on the market for a number of years now, even preceding the aforementioned residential build-up, with obviously no takers. In addition to the site access issues pointed out by your administration, it's questionable whether or not these lands were ever viable for industrial use

My client recognized that, in spite of area residents being in support at the time, a similiar re-designation of the subject parcel was rejected by the Municipal Board in its 1990 recommendation to the Minister of Urban Affairs out of concern for its juxtaposition with the existing industrial land use to the north. It was also my client's understanding that the singular most significant source of opposition which drove that rejection came from that industrial user, Con-force Structures Ltd., 2500 Ferrier Street. It was for that reason that we contacted the management at Con-force to discuss this current attempt at an amendment.

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In meeting with Mr. Bob Dunn, General Manager, Con-force Structures Ltd., it was made genuinely clear that his company was fully appreciative of the pressures on Cities and developers to accommodate urban growth, and thus could no longer remain in opposition to its happening even so near their door-step. They have expressed their open support for this amendment and the accompanying subdivision/rezoning proposals provided that we agreed to work in concert with their company to alleviate or minimize the potential negative impact some aspects of their operation might impose on the future residents of the subject area. In response we have proposed a berm and solid fence noise/dust attenuation barrier be constructed along the most northerly portion of the bank of lots abutting the Bergen Cut-off, which we understand has been met with their acceptance. They in turn, will adjust some of their exterior plant activities to reduce operational noise generation, as well as apply dust inhibitors on a more regular basis. My client has dealt with house builders who have addressed sites similiar to this one in special ways. The homes have been built on piles to help dampen ground vibration from occasional heavy truck traffic, and beefed-up insulation and higher grade windows along rear walls have been installed to counteract noise penetration within the dwellings' habitable space. These measures go a long way to reducing any discomfort or nuisance factor to levels comparable or better than countless residences backing or fronting onto major thoroughfares or rail rights-of-way found elsewhere throughout the City.

In conclusion, it is hoped that your committee will agree that there is a current demand for single family building lots in this sector of the City which will fail to be met in the near future if more serviced sites are not produced in a timely fashion. The subject amendment would open the door to over one hundred such sites which would be a significant contribution toward meeting that demand.

Respectfully submitted by:

Doug Henne,
on behalf of North Grassie Properties Inc.

April 12, 2005

FOR SUBMISSION TO
THE CITY OF WINNIPEG
EXECUTIVE POLICY COMMITTEE
FOR THE PUBLIC HEARING TO CONSIDER THE PROPOSED REZONING & SUBDIVISION - NORTH OF SWAILES AVENUE, EAST OF BIRCHBARK BAY - DASZ 53/04

Purpose of application:
To rezone the land south of the former CPR Bergen Cut-off, east of Birchbark Bay from an "A.5" Agricultural District to an "R1-3.5" and/or an "R1-4" Residential District, and to approve the related plan of subdivision in order to create new public streets and lots for the construction of 117 single family detached dwellings.

Response to recommendations of the Planning, Property and Development Department:
The discussion, analysis and recommendations of the Department`s report concerning this matter prepared by its planner, Mr. David Marsh, as well as the recommendations of the Administrative Coordinating Group, prepared by its chairman, Mr. Ernie Carriere, have been thoroughly reviewed and are found to be generally acceptable to my client North Grassie Properties Inc.. Two items in particular however, are not agreeable to my client and therefore require further comment.

The first item concerns the matter of recommendation No. III. of the planner`s report wherein the rezoning of the land would be limited to a "R1-4" Residential District. This would have the effect of eliminating all lots having less than forty foot (40`) lot widths as discussed under the ***Analysis*** heading of his report. The planner suggests that the densities and development patterns of the surrounding area are more comparable to an "R1-4" Residential District. Although the recent subdivisions to the south of the site have indeed been approved for "R1-4" and "R1-4.5", they merely abut this proposal back to back with essentially identical pie-shaped lots and are not interconnected via public streets in any direct way. The report also acknowledges the existence of a fairly substantial "R2" Residential development (Birchbark Bay) immediately to the west, with its density and lot sizes considered atypical for the area. Atypical or not, the development does exist, and it is argued that some lot sizes in the intermediary "R1-3.5" range between that and the development to the south would not be unwarranted. Of the thirty (30) lots falling into this category, it should be noted that twenty-five of them will back onto the Bergen Cut-Off, and will provide lot areas in the range of 4,750 square feet each, well above even the minimum "R1-4.5" requirement. The remaining five (5) lots will back onto the future McGregor Street extension to the east, and due to their substantial 145 foot depths, will provide even larger lot areas in the range of 5,230 square feet each, exceeding even minimum "R1-5" standards.
The thirty (30) lots in question only represent about one quarter of the total subdivision, and although their elimination followed by adjustments as pointed out by the planner would result in a net reduction of four to six lots or 5 per cent, that`s an unnecessary reduction of four to six lots to the City`s tax base. At the same time, the land which would have been occupied by those four to six lots would need to be absorbed or distributed among the remaining lots which are in no need of the additional space. My client is endeavouring to meet the current market wherein new home builders and buyers are demanding a range of lot widths, all of which are still capable of accommodating essentially high-value homes. And it`s important to note again, that when the lot areas as a whole are factored in, this development would be on par with any "R1-4.5" development as the numbers above illustrate.

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Clause 8. of the Administrative Coordinating Group recommendations requires my client to construct a cement sidewalk on the west side of the proposed street extending northerly from Swailes Avenue, on the south side of the east/west portion of the proposed street and along the west side of the easterly north/south proposed street. It may be noted that under Clause 4. of those recommendations, it is required that a 7.5m wide, 150mm thick portland cement concrete pavement be installed within that street, which is consistent with only what is commonly referred to as a local street standard. While sidewalks are usually a requirement within collector or regional streets, especially where bus service is supplied, that is not the case here. While sidewalks exist within and up to the terminus of Swailes Avenue, which has been constructed to a collector street standard, the rationale for the continuance of that sidewalk even on only one side of the street throughout what is basically a side street within this development is questionable. A compromise position which would see the sidewalk constructed within the west side of the proposed street extending northerly from Swailes Avenue would be acceptable. This would connect with the terminus of the existing sidewalk on the north side of Swailes Avenue.

Informal public meeting:

In an effort to share as much information and respond to questions that might arise beforehand, an informal meeting was conducted on Thursday evening, April 7, 2005, at 7:00 pm in the Garden City Canad Inn at 2500 Mcphillips Street. Approximately two hundred & twenty (220) letters and copies of the plan were hand delivered to residents of the homes in the immediate area considered most likely to be interested in one or more aspects of the proposal. Two representatives of Con-force Structures Ltd. were in attendance to field any questions concerning their operation, as were two representatives of the Planning, Property and Development Department, who were there to observe and provide technical information in connection with the process.

Although fewer than twenty residents chose to attend, a number of concerns of some importance were expressed by a some of those residents. One homeowner made reference to existing drainage problems in and behind his property to the west of this proposal, and was anxious that the subdivision would not exacerbate the situation. He was assured that the City`s water and waste personnel would require that the drainage scheme for not only this subdivision, but the surrounding area would be addressed. Another resident echoed hers and others` advance telephone discussions lamenting that there would be no park facilities provided for new and existing neighbourhood children. While it was pointed out that the City`s current parks policy discourages the establishment of new parks less than two acres in size, and that the parks planners had deemed this a strategically unsuitable location for such a park, she was left dissatisfied that at least a tot lot of some proportions was not being accommodated.

The most common complaint noted involved the question of additional traffic loads on Swailes Avenue to Sinclair Street, and at the other end, the future link-up with Beecher Avenue as the easterly north/south leg of the street is envisaged to eventually extend through an adjoining proposal to Beecher Avenue. It is highly likely that your Executive Policy Committee will hear and receive submissions specifically opposed to this proposal from that standpoint. Nevertheless, it should not be forgotten that both Swailes Avenue and Sinclair Street provide collector street pavement widths, and thus will be functioning for the purpose to which they were built. Beecher Avenue on the other hand is only a local street. However, the location at which the future link-up of the north/south leg will intersect is estimated to be a mere two hundred feet or so from the future extension of McGregor Street. Before the McGregor Street intersection is built, eastbound traffic exiting onto Beecher Avenue will likely flow to via Ferrier Street to Templeton Avenue affecting a few homes at the east end of Beecher Avenue on an interim basis.

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Conclusion:
I would ask that your Executive Policy Committee concur in the recommendations contained within the reports of the Property and Development Department and the Administrative Coordinating Group except for the following amendments:

A. That Clause III. of the Planner`s report dated April 6, 2005 be amended to provide for the rezoning of the land to an "R1-3.5" Residential District.

B. That Clause 8. of the Administrative Coordinating Group report dated March 29, 2005 be amended to read:
"The Developer shall, at no expense to the City, construct a portland cement concrete sidewalk to a width of 1.5m by 100mm in thickness on the west side of the proposed street extending northerly from Swailes Avenue to the first intersection north thereof, as determined by and to the satisfaction of the Director of Public Works.

Respectfully submitted by:

Doug Henne,
on behalf of North Grassie Properties Inc.

April 12, 2005