Proposed Plan of Subdivision and Rezoning - land located at 765/775 Kimberly Avenue
File DASZ 12/2002
[c/r DASSF 526/99]

5. The Standing Policy Committee on Property and Development has been advised that an application has been received from A & S Homes (Vince Spezzano), 1 - 25 Scurfield Boulevard, Winnipeg, for approval of a plan of subdivision and related zoning change to amend Winnipeg Zoning By-law No. 6400/94 by rezoning the subject lands from a "R1-20" Residential District to a "RM-2" Residential District to allow for the construction of a three-storey 54-unit multiple family dwelling with an accessory parking structure.

The applicant intends to consolidate eight (8) existing lots into one (1) lot and rezone the subject property from "R1-20" Residential District to "RM-2" Multiple Family District for the purpose of constructing a multiple family residential building with an accessory parking structure on 2.175 acres of vacant land. Two buildings will be constructed to house 54 units: one building (Building A) will be constructed parallel to Blantyre Avenue and one (Building B) along Kimberly Avenue. Both buildings will be three storeys (40 feet) in height. Building A will be the larger structure in terms of frontage on Blantyre Avenue (247 feet) and Gross Floor Space (42,265 square feet). Building B will have a frontage of 167 feet on Kimberly Avenue and a Gross Floor Space of 26,940 square feet.

On June 11, 2002, the East Kildonan-Transcona Community Committee held a public hearing to consider the subject subdivision and rezoning application. Six people registered in support of the application, one registered in opposition thereto, and one registered for information thereon.

The East Kildonan-Transcona Community Committee concurred in the recommendation contained in the report dated May 22, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed rezoning for the following reasons:

1. The applicant held a meeting for the benefit of affected property owners to ensure that the proposed development would be compatible with the existing neighbourhood.

2. It is not an option to leave the subject property vacant.

On June 27, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Plan of Subdivision and Zoning Change Report dated June 14, 2002, from the East Kildonan-Transcona Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 12/2002 dated May 22, 2002, to "RM-2" Multiple Family Residential District, subject to the applicant entering into a zoning agreement subject to the following:

   A. That the principal access to the development be restricted to Kimberly Avenue.

   B. That for the development any building or accessory parking area, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, and landscaping to the East Kildonan-Transcona Community Committee for plan approval prior to the issuance of any building or development permit.

II. That the plan of subdivision proposed under File DASZ 12/2002 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 12/2002 dated May 22, 2002, for registration in the Winnipeg Land Titles Office.

III. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

IV. That the Developer shall transfer to the City and legally open, at no expense to the City, property required for a 3.048 metre widening of the Blantyre Avenue right-of-way along the frontage of existing Lot 17, Plan 21135 where the right-of-way has not previously been widened.

V. That Caveat 2414293 be withdrawn as it affects Lot 2, Plan 37561.

VI. That the Developer be required to enter into a Servicing Agreement with the City containing the following condition:

A. The Developer shall, at no expense to the City, construct a 1.5 m in width by 100 millimetres in thickness portland cement concrete sidewalk along the south side of Blantyre Avenue from the east terminus of the existing sidewalk to the east limit of the planned areas as determined by and to the satisfaction of the Director of Public Works.

VII. 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.

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

IX. 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.

X. 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.

Attachment “A” referred to in Clause 5 of the Report of the Standing Policy Committee on Property and Development dated June 27, 2002

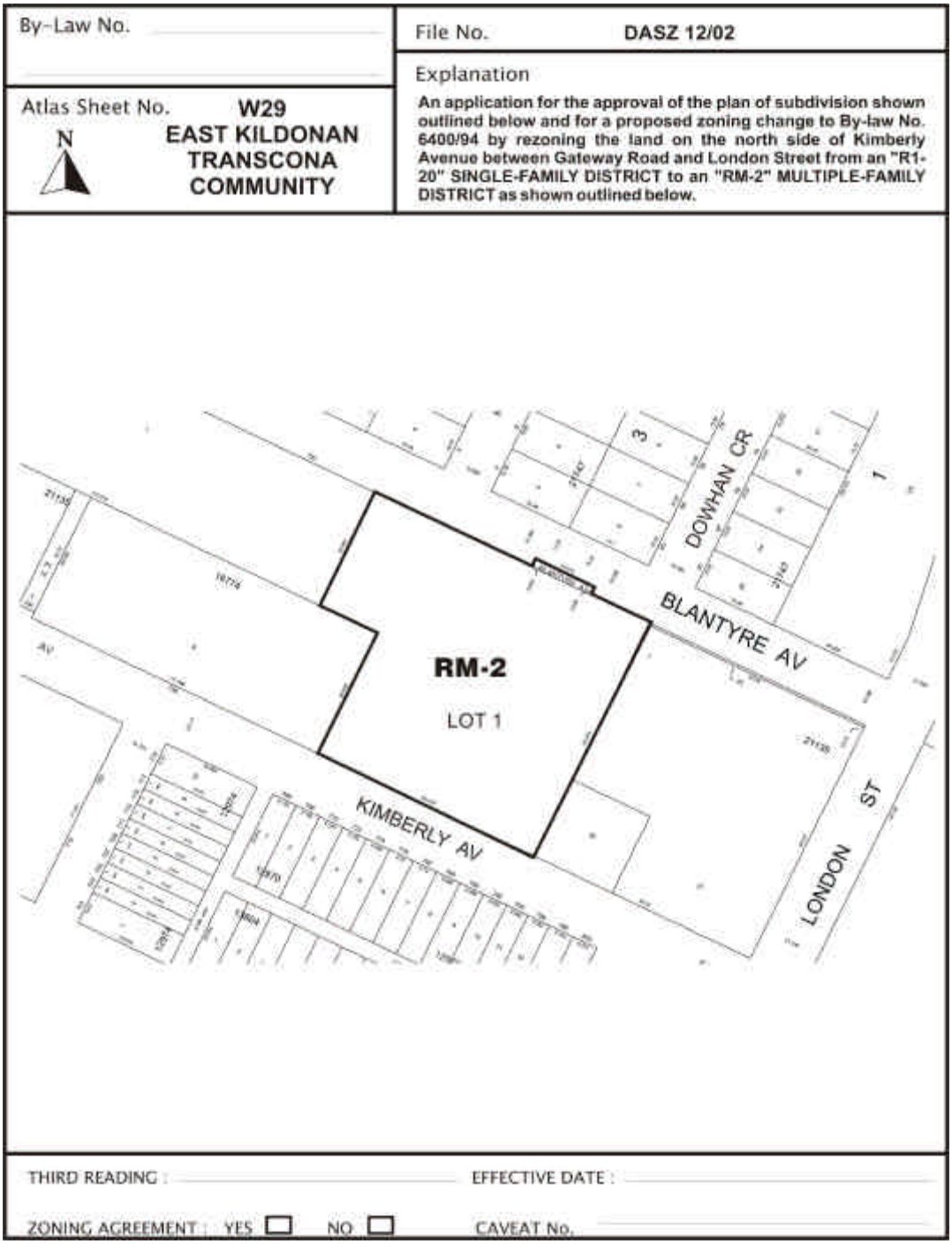

Figure 1: Schedule "A" to the report to the East Kildonan-Transcona Community Committee for File No. DASZ 12/02, dated May 22, 2002.