Minute No. 439
Report - Standing Policy Committee on Property and Development – May 1, 2007

Item No. 6 Subdivision and Rezoning - 1530 Grant Avenue
File DASZ 45/2006

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the plan of subdivision under File DASZ 45/2006 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 45/2006 dated January 22, 2007, 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 45/2007 dated January 22, 2007, to an "RM-3A" Multiple-Family District, subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:
        i. That the total number of dwelling units shall not exceed ten (10).
        ii. That the maximum height of any buildings shall not exceed thirty seven (37) feet.
        iii. That the ratio of building height-to-building separation from the east edge of the public lane right-of-way that parallels the site on its east side shall not exceed a 45-degree angular plane.
        iv. That a minimum six (6) foot high lightproof fence shall be established along the entire length of the south property line and thereafter maintained to the satisfaction of the Director of Planning, Property, and Development, adjacent to the parking area.
        v. That vehicular access to the site via the public lane paralleling the site along its east side shall be restricted to emergency vehicles.

Report - Standing Policy Committee on Property and Development – May 1, 2007

COUNCIL DECISION (continued)

vi. That vehicular egress from the site via the public lane paralleling the site along its east side shall be restricted to northbound only and that directional signage be established indicating this restriction and thereafter maintained to the satisfaction of the Director of Planning, Property, and Development.

vii. That a minimum four (4) visitor parking surface parking spaces be established, identified by signage and maintained to the satisfaction of the Director of Planning, Property and Development

viii. That the building location, exterior wall heights, balcony locations, parking areas and vehicular circulation shall be established and maintained in substantial conformity with plans identified as Exhibit 19.

ix. That for the development of any building, accessory parking area or free-standing signage detailed plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and free-standing signage to City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit and thereafter maintained to the satisfaction of the Director of Planning, Property and Development.

4. 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 and the creation of additional sites, if applicable.

5. 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.

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

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 – May 1, 2007

COUNCIL DECISION (continued)

8. That the subdivision section of the by-law shall come into force and effect upon registration of the plan in the Winnipeg Land Titles Office.

9. 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.

10. 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.

11. 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 – May 1, 2007

DECISION MAKING HISTORY:

Moved by Councillor Swandel,
That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 9, 2007, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 1, 2007, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 16, 2007, the City Centre Community Committee concurred in the revised administrative recommendation dated April 10, 2007, with the following amendments, namely:

- Recommendation 3.A.iii
  Delete the words "property line" and replace with the words "edge of the public lane right-of-way that parallels the site on its east side"

- Insert a new recommendation 3.A.vii, namely:
  "vii. that a minimum four (4) visitor parking surface parking spaces be established, identified by signage and maintained to the satisfaction of the Director of Planning, Property and Development",

  and renumber the remaining recommendations.

- Recommendation 3.A.viii
  After the words "exterior wall heights" add the words "balcony locations",

and submitted its recommendation to the Standing Policy Committee on Property and Development.

Report - Standing Policy Committee on Property and Development – May 1, 2007

DECISION MAKING HISTORY (continued)

COMMUNITY COMMITTEE RECOMMENDATION (continued)

On February 27, 2007, the City Centre Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on April 16, 2007.

On January 30, 2007, the City Centre Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on February 27, 2007.

RE: **Subdivision and Rezoning – 1530 Grant Avenue**
File DASZ 45/2006 [c/r DAV 114256/2007D, DCU 158991/2006D]

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

Prepared by: **Josie Marques, Clerk,**
City Centre Community Committee

Report date: **April 20, 2007**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 16, 2007, the City Centre Community Committee concurred in the revised administrative recommendation dated April 10, 2007, as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 45/2006 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 45/2006, dated January 22, 2007, 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 45/2007, dated December 5, 2006, to an "RM-3A" Multiple-Family District, subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter, to provide for the following:
        i. that the total number of dwelling units shall not exceed ten (10);
        ii. that the maximum height of any buildings shall not exceed thirty seven (37) feet;
        iii. that the ratio of building height-to-building separation from the east ~~***property line***~~ ***edge of the public lane right-of-way that parallels the site on its east side*** shall not exceed a 45-degree angular plane;
        iv. that a minimum six (6)-foot high lightproof fence shall be established along the entire length of the south property line and thereafter maintained to the satisfaction of the Director of Planning, Property, and Development, adjacent to the parking area;
        v. that vehicular access to the site via the public lane paralleling the site along its east side shall be restricted to emergency vehicles;

vi. that vehicular egress from the site via the public lane paralleling the site along its east side shall be restricted to north-bound only and that directional signage be established indicating this restriction and thereafter maintained to the satisfaction of the Director of Planning, Property, and Development;

vii. ***that a minimum 4 visitor parking surface parking spaces be established, identified by signage, and maintained to the satisfaction of the Director of Planning, Property and Development***

viii. that the building location, exterior wall heights, ***balcony locations***, parking areas, and vehicular circulation shall be established and maintained in substantial conformity with plans identified as Exhibit 19; and

ix. that for the development of any building, accessory parking area, or free-standing signage, detailed plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping, and free-standing signage to City Centre Community Committee and the Director of Planning, Property, and Development for plan approval prior to the issuance of any building or development permit and thereafter maintained to the satisfaction of the Director of Planning, Property, and Development.

4. 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 and the creation of additional sites, if applicable.

5. 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.

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

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.

8. That the subdivision section of the by-law shall come into force and effect upon registration of the plan in the Winnipeg Land Titles Office.

9. 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.

10. 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.

11. 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.

Note: The wording in bold and italics denotes amendments made by the Community Committee.

The City Centre Community Committee provided the following supporting reason(s) for its recommendation:

1. The applicant held an informational session for the area residents.

2. The application is in line with Plan Winnipeg.

3. The application will not hurt the neighbourhood.

PUBLIC HEARING SUMMARY

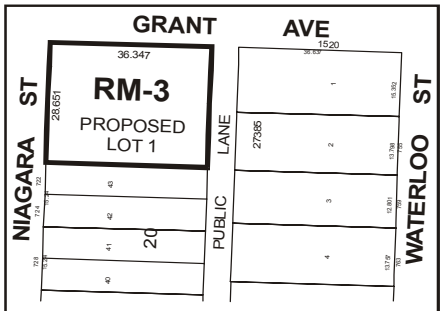
File: DASZ 45/2006 [c/r DAV 114256/2007D, DCU 158991/2006D]

Before: City Centre Community Committee
Councillor Gerbasi, Chairperson
Councillor Leipsic
Councillor Smith

Public Hearing: April 16, 2007
February 27, 2007
January 30, 2007
North Committee Room
Council Building, 510 Main Street

Applicant: Pre-Con Builders (Robin Lee)

Subject:



APPLICANT: PRE-CON BUILDERS
FILE : DASZ 45/06
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 a "C1" COMMERCIAL DISTRICT to an "RM-3" MULTIPLE-FAMILY DISTRICT. **For information, phone Mr. M. Sandhurst, Planner at 986-5066.**

Premises Affected: 1530 Grant Avenue

Exhibits Filed:

1. Application dated November 20, 2006
2. Notification of Public Hearing dated December 8, 2006
3. Manitoba Status of Title1234720
4. Letter of authorization dated November 9, 2006, from Shell Canada Products to 4953186 Manitoba Ltd.
5. Letter of authorization dated November 17, 2006 from 4953186 Manitoba Ltd. to Pre-Con Builders
6. Plans (5 pages)
7. Report from the Planning and Land Use Division dated January 22, 2007
8. Inspection Report
9. Communication dated January 25, 2007, from Sharon Kaplan in opposition to the application
10. Communication dated January 29, 2007, from Mrs. P. Cohen in opposition to the application
11. Communication dated January 29, 2007, from Nancy Enns and David Glavina in opposition to the application
12. Communication dated January 30, 2007, from Lisa Sheppard in opposition to the application.
13. Communication dated January 30, 2007, from Cheryl Metzler in opposition to the application
14. Communication dated January 30, 2007, from Christopher R. Rees, in opposition to the application
15. Supplementary Report from the Planning and Land Use Division dated February 21, 2007
16. Communication dated February 27, 2007, from Cheryl Metzler in opposition to the application.
17. Supplementary Report from the Planning and Land Use Division dated February 27, 2007
18. Communication dated February 8, 2007, from Jim Murphy in opposition to the application.
19. Revised Plans (6 pages)
20. Revised Report from the Planning and Land Use Division dated April 10, 2007
21. Communication dated April 15, 2007, from Paul Zimberg and Cheryl Metzler, in opposition to the application

REPRESENTATIONS:

In Support:

Robin Lee, Pre-Con Builders
Myles Kraut
Jim Jaworski
Wayne Imrie

In Opposition

Kim Campbell
Mrs. P. Cohen
Nancy Enns and David Glavina
Cheryl and Kevin Friday
Irving Halprin
Kelly and Laura Happychuk
Sharon Kaplan
Cheryl Metzler
James and Kristine Murphy
Peter Nunn
Jocelyn and Anthony Radawiec
Christopher R. Rees, Absolute AugoGuard Inc.
Walter Roberson
Dan and Lisa Shepherd
Anthony Stepronsky
Paul Zimberg

For Information:

Cory Metcalfe

For the City:

Mr. M. Sandhurst, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

January 30, 2007

No representations were heard inasmuch as the City Centre Community Committee adjourned the Public Hearing with respect to this application prior to opening representations.

February 27, 2007

No representations were heard inasmuch as the City Centre Community Committee adjourned the Public Hearing with respect to this application prior to opening representations.

April 16, 1007

The applicant, Robin Lee, Pre-Con Builders, accompanied by Myles Kraut, gave a brief overview on the proposal. Mr. Lee stated that he had held an informational meeting for the area residents and modified his plans to address the concerns raised by reducing the number of units by one, lowering the height of the building by three feet, and increasing the parking stalls by three. In response to committee's questions on privacy issues, he stated that a privacy fence would be erected on Niagara Street.

Wayne Imrie appeared in support of the application. Mr. Imrie stated he originally had concerns with parking, but after reviewing the plans thinks the proposal will enhance the area.

Walter Robinson appeared in opposition to the application. Mr. Robinson stated concerns with the development lacking green space and being out of line with the neighbourhood. He also stated the lack of need for high density developments in Winnipeg.

Paul Zimberg appeared in opposition to the application. Mr. Zimber stated concerns with the height and density of the building being out of character for the neighbourhood and the resulting impact on area residents.

In rebuttal Mr. Lee stated there is a landscape plan and the height and density of the building had been reduced. He further stated the development fits in with the neighbourhood as Grant Avenue is a major roadway with commercial businesses.

Exhibit "20" referred to in File DASZ 45/2006 [c/r DAV 114256/2007D, DCU 158991/2006D]

Winnipeg

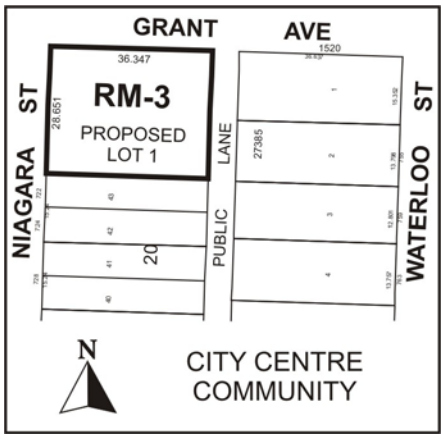
Planning, Property and Development Department Report

To City Centre Community Committee

REVISED REPORT
Based on plans submitted March 28, 2007

Date: April 10, 2007
File: **DASZ 45/06**
Related Files: DCU 06-158991/D, DAV 07-114256/D
Subject: To subdivide the land shown below to create one lot and to rezone from "C1" Commercial District to "RM-3" Multiple-Family District.

Location: 1530 Grant Avenue
Legal Description: Lot 44/45 Block 20 Plan 1222 and Lot 39 Plan 27385



Applicant: Pre-Con Builders
Owner: Shell Canada & 4953186 Manitoba Limited

Recommendation: *Approved with conditions*

Site Description

The subject site is located at the south east corner of Grant Avenue and Niagara Street. The vacant, approximately 120-foot wide (at Grant) by 94-foot (at Niagara) site is zoned "C1" Commercial District. Previous use of the site was for fuel sales and automotive service.

Adjacent uses are single-family to the south and, across the public lane, east (zoned "R1-4A" Single-Family District); multiple-family to the west, across Niagara Street (zoned "RM-1A" Multiple-Family District); and commercial and single-family to the north, across Grant Avenue (zoned "C1" and "R1-4A").



Subject site: aerial photo flown 2005.

Description of the Proposed Development

The applicant proposes to consolidate the three lots into a single holding and rezone the site to "RM-3A" Multiple-Family District to accommodate a 4-storey, 10-unit multiple-family development. Dwellings are to be located on the 2nd-, 3rd-, and 4th-floors above enclosed, slightly submerged parking. The proposed building is designed to front Grant Avenue, with vehicular access to surface parking (8 spaces) and enclosed parking (10 spaces) via the existing private approach at Niagara Street and egress via a the public lane along the east side of the property.

Conditional use application is necessary in order to exceed the maximum density of 35 dwelling units per acre permitted under Area II provisions of the *Airport Vicinity Development Plan* (the subject of DCU 06-158991/D). In addition, the applicant requests that building and parking area yards be varied (the subject of DAV 07-114256/D).

Analysis

This portion of South River Heights is designated "Neighbourhood" under Plan Winnipeg. This designation accommodates a range of residential forms and densities, along with commercial, institutional, and parks & recreation uses. The broader neighbourhood is characterized by a variety of uses, though low-density residential is predominant. The specific location has demonstrated drive-by commercial (the former fuel sales and automotive service), retail, personal services, restaurant, office, and multiple-family development. The variety and intensity of development reflect the site's location along a regional street.

The subdivision component of the application is necessary in order to consolidate the three existing lots into one approximately 11,300 square foot lot. The rezoning component is necessary in order to accommodate the 10-unit multiple-family building. While the site has a history of intensive commercial development and is located along a regional street, it is important to consider the impacts of the proposed 4-storey multiple-family development on its immediate neighbours—in particular, the building's height, massing, and setbacks from property lines.

It should be noted, the recently submitted plans (dated March 28/07)—based on residents' inputs at the developer-arranged February 17, 2007 public meeting—propose a number of changes to the initial plans (dated November 6/06). These changes include:

- 10 dwelling units (reduction from 11 dwelling units);
- 80-foot long wall paralleling Grant Avenue, with 10-foot setback (reduction from 110-foot long wall, increase from 5-foot setback);
- 52-foot long walls minus 8-foot "notch" (effectively reducing wall length to 44 feet) paralleling Niagara Street and the public lane, with 10-foot setback (reduction from 60-foot long wall paralleling public lane, increase from 5-foot setback);
- 32-foot setback from south property line (increase from 32-foot setback);
- additional 7-foot 4th-floor setback from Niagara Street and the public lane;
- 36-foot building height (reduction from 40-foot building height);
- 8 external and 10 internal parking spaces (increase from 2 external, decrease from 11 internal);
- 8 external parking spaces providing no setback to south property line (formerly 20-foot to 30-foot landscape area paralleling south property line).

The applicant has made efforts to design and orient the building in order to maximize the building's distance from the south property line and reduce the effects of the 4th-floor. The south wall—containing the enclosed parking area and the 2nd-, 3rd-, and 4th-floor dwellings—is located approximately 32 feet from the south property line. By locating the proposed building within 10 feet of the Grant Avenue (north) property line, the result is a more urban streetscape along a

regional street and a more considerate relationship with its most immediate neighbour. The trade-off for this approach appears to be long building walls (approximately 80 feet along Grant; approximately 50 feet along Niagara; approximately 50 feet along the public lane) in close proximity to the north, west, and east property lines (approximately 10 feet). The approximately 52-foot long wall paralleling the public lane is located approximately 9.5 feet from the east property line. Coupled with the public lane width (approximately 20 feet), this results in a 36-foot high wall within 29.5 feet of single-family properties backing on this same lane (1520 Grant Avenue and 755 Waterloo Street). [For comparison purposes, the maximum building height in "R1-4A" Single-Family District is 30 feet; the minimum rear yard is 25 feet; the minimum side yard is 4 feet.]

A 4-storey building with an approximately 52-foot long wall, located approximately 29.5 feet from a shared residential property line will have an impact on the neighbouring properties—certainly moreso than would be the case with a 3-storey building (permitted as-of-right in single-family districts) with similar dimensions and a similar proximity. To determine if the impacts of the proposed 4-storey building are reasonable, the key is to establish a guideline (or package of guidelines) that provides the basis for decision-making. The yard requirements under *Winnipeg Zoning By-Law* #6400/94 provide the basis for considering multiple-family infill in mature residential neighbourhoods. Unfortunately, strict adherence to them—particularly with corner lots such as the subject site—does not guarantee successful or considerate development. Increasingly commonplace in other jurisdictions are infill guidelines for multiple-family developments in mature, urban neighbourhoods.

Infill development guidelines provide the means to distinguish quality developments that are scaled and designed in such a way to enhance neighbourhoods, from those that risk harming neighbourhoods (i.e."add to the neighbourhood, don't borrow from it"). Planning & Land Use Division has recently prepared a discussion paper regarding guidelines utilized in other cities—with detailed assessments of Ottawa's, Toronto's, and Seattle's guidelines. This paper is intended to form the basis for initiation of an infill guidelines project that is to culminate in infill guidelines for Winnipeg's own mature neighbourhoods.

Ottawa aims particularly to guide medium-density infill in predominantly low-density neighbourhoods. One of a number of guidelines is the ratio of building height-to-building separation. Due to the lower-density target neighbourhoods, this ratio equates to a 45-degree angular plane measured from the shared property line to the top of the proposed infill building. This guideline is well-suited to neighbourhoods equivalent to River Heights, Fort Garry, Sturgeon Creek. The proposed multiple-family building at 1530 Grant Avenue provides an angular plan of approximately 45-degrees measured from the south property line. The angular plane from the west property line of 1520 Grant Avenue had been (in the plans submitted November 6/06) approximately 55-degrees. In a more urban context, such as Osborne Village, the 55-degree angular plane is appropriate.

Although the subject site is located along a regional street, has a history of non-local commercial use, is surrounded by a variety of residential densities and commercial uses, and is appropriate for multiple-family development, the context suggested the 4-storey, 11-unit building in the initial configuration (plans submitted November 6/06) on a site of this dimension would not be a good fit. The revised configuration (plans submitted March 28/07) addresses the majority of concerns identified and meets conditions recommended by Planning & Land Use Division: reduced building height (one dimension) combined with increased setbacks to the public lane (a second dimension) plus additional 4th-floor setback results in a building only 6 feet higher than that allowed in single-family districts and an angular plane of less than 45-degrees measured from the west property line of 1520 Grant Avenue. Combined with the reduced building wall length paralleling the public lane (the third dimension), there has been a substantial reduction in building massing and considerable effort expended to minimize offsite impacts of this development. The addition of six parking surface parking spaces, with vehicular egress via the public lane has increased the total parking allotment (from 13 spaces to 18 spaces), but has necessitated vehicular egress from the site via the public lane and has eliminated the substantial landscape area between the proposed building and the south property line.

Although Planning & Land Use Division recommends approval of the subdivision and rezoning, conditions of the Zoning Agreement are included in order to ensure multiple-family development at this location is a positive contribution to South River Heights and that the development is a good fit.

Recommendation
Planning and Land Use Division recommends approval for the following reasons:

- The proposal to rezone to accommodate multiple-family development is consistent with *Plan Winnipeg*;
- The proposal, subject to recommended conditions, is considerate of its neighbours and provides additional housing choice in a desirable neighbourhood.

Recommended Conditions of Approval

I. That the plan of subdivision proposed under File No. DASZ 45/06 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 45/06, attached hereto and dated January 22, 2007, 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 45/07, attached hereto and dated December 5, 2006, to an "RM-3A" Multiple-Family District, subject to the following:

A. That the applicant enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter, to provide for the following:

i. that the total number of dwelling units shall not exceed 10;
ii. that the maximum height of any buildings shall not exceed 37 feet;
iii. that the ratio of building height-to-building separation from the east property line shall not exceed a 45-degree angular plane;
iv. that a minimum 6-foot high lightproof fence shall be established along the entire length of the south property line and thereafter maintained to the satisfaction of the Director of Planning, Property, & Development, adjacent to the parking area;
v. that vehicular access to the site via the public lane paralleling the site along its east side shall be restricted to emergency vehicles;
vi. that vehicular egress from the site via the public lane paralleling the site along its east side shall be restricted to north-bound only and that directional signage be established indicating this restriction and thereafter maintained to the satisfaction of the Director of Planning, Property, & Development;
vii. that the building location, exterior wall heights, parking areas, and vehicular circulation shall be established and maintained in substantial conformity with plans identified as Exhibit ___, dated March 28, 2007; and
viii. that for the development of any building, accessory parking area, or free-standing signage, detailed plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping, and free-standing signage to City Centre Community Committee and the Director of Planning, Property, & Development for plan approval prior to the issuance of any building or development permit and thereafter maintained to the satisfaction of the Director of Planning, Property, & Development.

IV. That a ten (10) percent 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 and the creation of additional sites, if applicable.

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 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.

VIII. That the subdivision section of the by-law shall come into force and effect upon registration of the plan in the Winnipeg Land Titles Office.

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.

XI. 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.

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

Report Prepared by: M. Sandhurst
PPD File # DASZ 45/06

Schedule "A"

By-Law No.

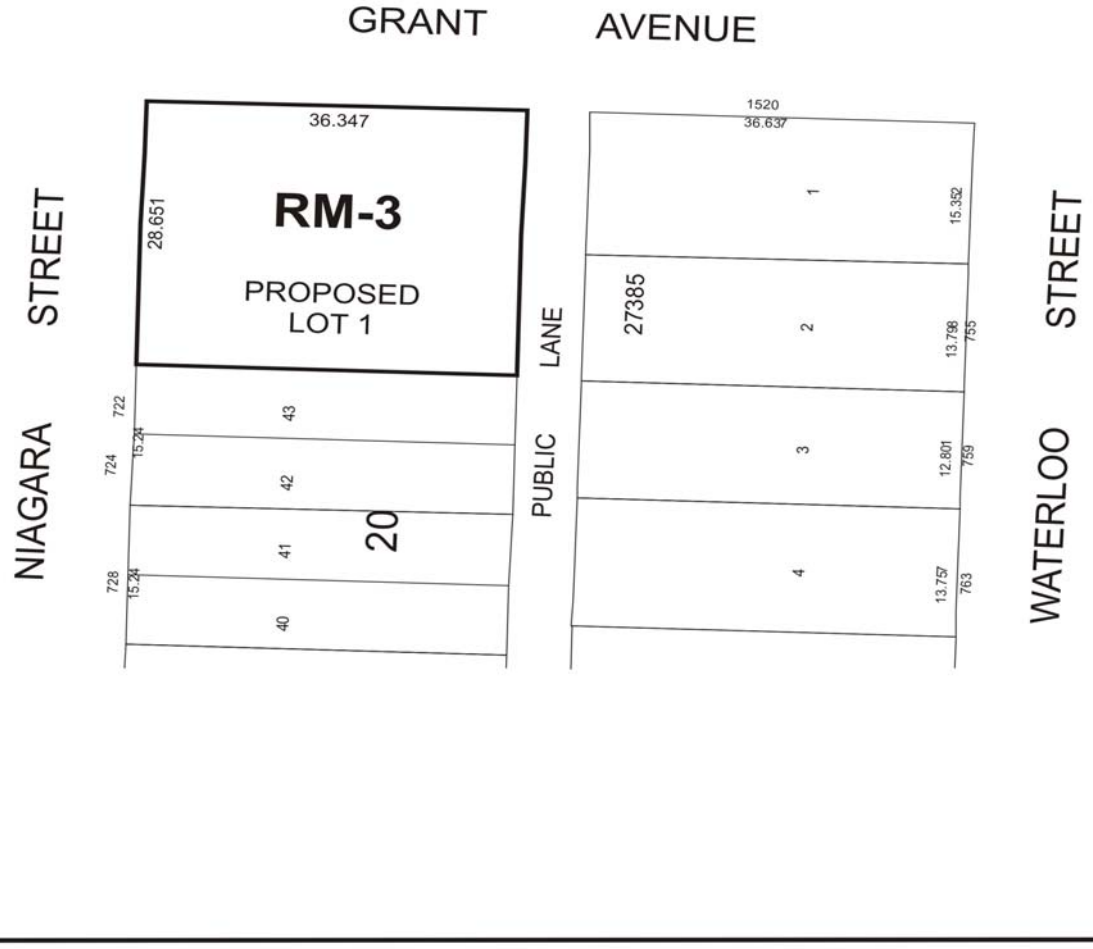
File No. **DASZ 45/06**

Atlas Sheet No. **AE21 CITY CENTRE COMMUNITY**

N

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land located at 1530 Grant Avenue from a "C1" COMMERCIAL DISTRICT to an "RM-3" MULTIPLE-FAMILY DISTRICT as shown outlined below.



THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.

Schedule "A" to the report to City Centre Community Committee for file # DASZ 45/06 dated January 22, 2007.