Agenda - Executive Policy Committee - February 4, 2009

PUBLIC HEARINGS

Item No. 3 Subdivision and Rezoning - South Side of Dugald Road, west of Plessis Road (Phase 1b)
(St. Boniface Ward)
File DASZ 33/2008 [c/r EP-1.1(PW 5/2008)]

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

1. That the plan of subdivision under File DASZ 33/2008 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" dated January 28, 2009 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated January 27, 2009.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 33 /2008 dated January 28, 2009 to a "PR1 Parks and Recreation 1 (Neighbourhood) District"; and "RMU Residential Mixed Use District" subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

        i. That for the land zoned "RMU Commercial Mixed Use District"; the development of any building, and/or accessory parking area and/or signage, 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 signage, to the East Kildonan – Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development;

        ii. That for the land zoned "RMU Commercial Mixed Use District" be restricted as follows;

1. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire property, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit;

2. That no illuminated signage be erected on the south side of any buildings;

iii. That the Applicant shall erect one, 4 feet by 8 feet sign on the vacant subject property indicating the location and zoning of the residential mixed use property within twelve (12) months from the date that the said rezoning by-law is adopted by Council; and plans for the signs showing their location and design shall be submitted to Director of Planning, Property and Development for approval; and the signs shall be maintained to the satisfaction of the Director of Planning, Property and Development until such time as the land is either rezoned or developed as a commercial or residential land use;

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

4. That in the event the matter is not proceeded with expeditiously and the by-law is not passed 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 comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

9. 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.

Agenda - Executive Policy Committee - February 4, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 26, 2008, the Executive Policy Committee did not hear any representation on the application and adjourned the public hearing to its meeting on Wednesday, February 4, 2009 at 9:00 a.m., in the Council Building, 510 Main Street.

Agenda - Executive Policy Committee - February 4, 2009

File: DASZ 33/2008 [c/r EP-1.1(PW 5/2008)]

Applicant: Waterside Development Corporation (Bill McGarry)

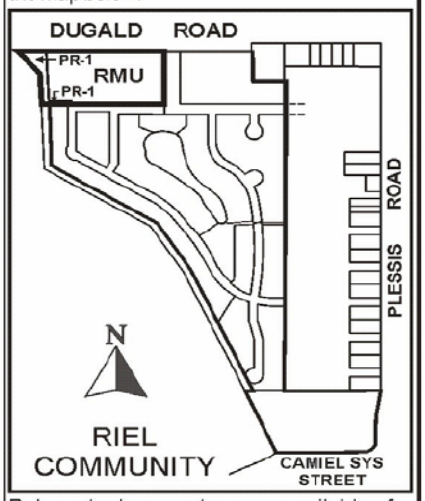
Subject:

Winnipeg

NOTICE OF PUBLIC HEARING
EXECUTIVE POLICY COMMITTEE

Date: Wednesday, November 26, 2008
Time: 9:00 a.m.
Location: Council Building, 510 Main Street
File: DASZ 33/2008
Applicant: Waterside Development Corporation (Bill McGarry)

TAKE NOTICE that the Executive Policy Committee will hold a public hearing to consider an application for the approval of a plan of subdivision and for a proposed zoning change to Winnipeg Zoning By-Law No. 200/2006 as follows and as shown outlined on the map below:



Relevant documents are available for inspection by contacting John Wintrup, Planner, Planning Property and Development Department, at 986-5102.

Persons wishing to make representation at the above hearing are requested to notify Jo-Ann Park, Manager of the Decision Making Process, Council Building, 510 Main Street, Winnipeg, R3B 1B9, telephone 986-3732, to assist in scheduling representations. Written submissions are requested in advance of the public hearing.

Simultaneous French/English translation will be available if requested.

Premises Affected: South Side of Dugald Road, west of Plessis Road (Phase 1b)

Exhibits Filed:

1. Revised Application dated October 23, 2008
2. Notification of Public Hearing dated November 3, 2008
3. Manitoba Status of Title 1922869
4. Letter of authorization dated June 20, 2008 from the Manager of Real Estate, City of Winnipeg, to Patrick Hamilton and/or Royal Lepage Stevenson Advisors or Waterside Development Ltd.
5. Misc. Plan No. 13179/3
6. Plans (2 pages)
7. Report from the Planning and Land Use Division dated November 20, 2008
8. Report from the Administrative Coordinating Group dated November 19, 2008
9. Inspection Report
10. Communication dated November 25, 2008 from McGowan Russell Group Inc., on behalf of the applicant, Waterside Development Corporation, requesting that the application be adjourned to February 2009
11. Notice of Adjournment dated November 26, 2008
12. Revised report from the Planning and Land Use Division dated January 28, 2009

The Winnipeg Public Service to advise that all statutory requirements with respect to this application have been complied with.

Moved by Councillor

That the reports of the Winnipeg Public Service be taken as read.

REPRESENTATIONS:

In Support:

In Opposition:

For Information:

For the City:

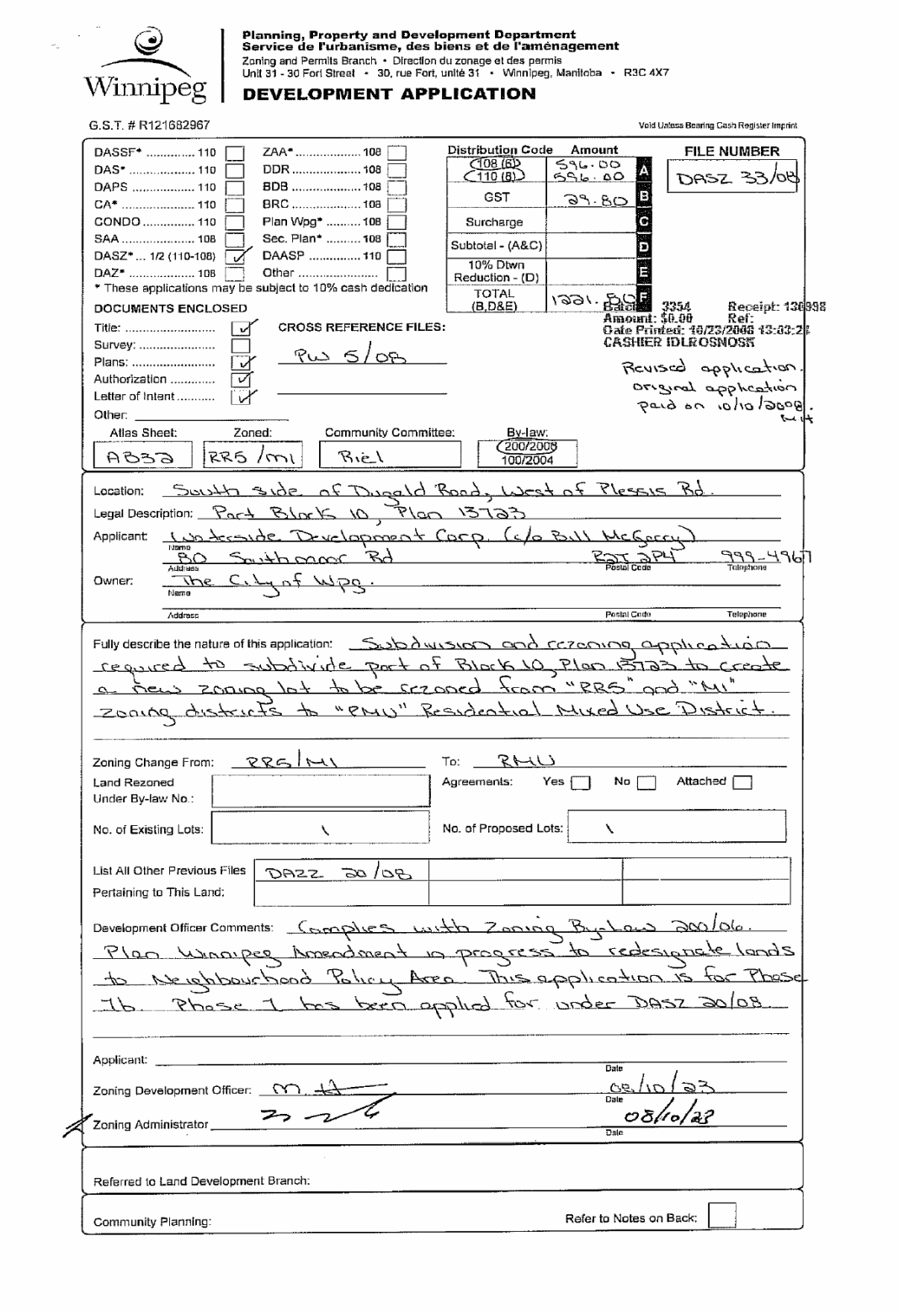
Moved by Councillor
That the receipt of public representations be concluded.

Moved by Councillor
That the recommendation of the Winnipeg Public Service be concurred in / not be concurred in and forwarded to Council.

Moved by Councillor
That the following supporting reasons be provided, namely:

Moved by Councillor
That the public hearing with respect to this application be concluded.

Exhibit "1" referred to in File DASZ 33/2008 [c/r EP-1.1(PW 5/2008)]



Winnipeg

Planning, Property and Development Department
Service de l'urbanisme, des biens et de l'aménagement
Zoning and Permits Branch • Direction du zonage et des permis
Unit 31 - 30 Fort Street • 30, rue Fort, unité 31 • Winnipeg, Manitoba • R3C 4X7

DEVELOPMENT APPLICATION

G.S.T. # R121682967

Void Unless Bearing Cash Register Imprint

DASSF* 110	☐	ZAA* 108	☐
DAS* 110	☐	DDR 108	☐
DAPS 110	☐	BDB 108	☐
CA* 110	☐	BRC 108	☐
CONDO 110	☐	Plan Wpg* 108	☐
SAA 108	☐	Sec. Plan* 108	☐
DASZ* ... 1/2 (110-108)	☑	DAASP 110	☐
DAZ* 108	☐	Other	☐

* These applications may be subject to 10% cash dedication

Distribution Code	Amount	
(108 (B)) 110 (B)	596.00 596.00	A
GST	39.80	B
Surcharge		C
Subtotal - (A&C)		D
10% Dtwn Reduction - (D)		E
TOTAL (B,D&E)	1231.80	F

FILE NUMBER DASZ 33/08

Batch: 3354 Receipt: 130998
Amount: $0.00 Ref:
Date Printed: 10/23/2008 13:03:27
CASHIER IDLROSNOSR

Revised application. original application paid on 10/10/2008. MH

DOCUMENTS ENCLOSED

Title: ..... ☑
Survey: ..... ☐
Plans: ..... ☑
Authorization ..... ☑
Letter of Intent ..... ☑
Other: _____

CROSS REFERENCE FILES: PW 5/08

Atlas Sheet:	Zoned:	Community Committee:	By-law:
AB32	RR5/M1	Riel	(200/2008) 100/2004

Location: South side of Dugald Road, West of Plessis Rd.
Legal Description: Part Block 10, Plan 13723
Applicant: (Name) Waterside Development Corp. (c/o Bill McGarry)
(Address) 80 Southmoor Bd (Postal Code) R2T 2P4 (Telephone) 999-4967
Owner: (Name) The City of Wpg.
(Address) (Postal Code) (Telephone)

Fully describe the nature of this application: Subdivision and rezoning application required to subdivide part of Block 10, Plan 13723 to create a new zoning lot to be rezoned from "RR5" and "M1" zoning districts to "RMU" Residential Mixed Use District.

Zoning Change From: RR5/M1 To: RMU
Land Rezoned Under By-law No.: _____ Agreements: Yes ☐ No ☐ Attached ☐
No. of Existing Lots: 1 No. of Proposed Lots: 1

List All Other Previous Files Pertaining to This Land: DAZZ 30/08

Development Officer Comments: Complies with Zoning By-law 200/06. Plan Winnipeg Amendment in progress to redesignate lands to Neighbourhood Policy Area. This application is for Phase 1b. Phase 1 has been applied for under DASZ 30/08.

Applicant: _____ Date
Zoning Development Officer: M. H. Date 08/10/23
Zoning Administrator: _____ Date 08/10/23

Referred to Land Development Branch:

Community Planning: Refer to Notes on Back: ☐

Exhibit "2" referred to in File DASZ 33/2008 [c/r EP-1.1(PW 5/2008)]

DATE: November 3, 2008

PLEASE BE ADVISED THAT YOUR APPLICATION HAS BEEN SCHEDULED FOR THE FOLLOWING PUBLIC HEARING AT THE DATE, TIME AND LOCATION AS INDICATED BELOW:

PUBLIC HEARING

EXECUTIVE POLICY COMMITTEE,
Council Building,
510 Main Street
on Wednesday, November 26, 2008
at 9:00 a.m.

_____
A. Savage
Ph: 986-5113
AS/ddg

cc: K. Lalor, Planner
S. Matile - Land Development Br.
Donna Beaton, Parks Planner
Applicant
Community Clerk
Ward Councillor - Vandal
File
D. Emerson - Public Works
F. Mazur - Water & Waste
B. Buyachok - Geomatics
Zoning Development Branch

Note: Check advertising sketch for any errors or omissions. If you require any changes, please contact me immediately.

I hereby acknowledge receipt of the notice for the public hearing outlined above.

_____.

Signed: _____

Mailed out on _____.

Signed: _____

NOTE: ***Cuts will appear in both newspapers on the Thursday, 14 days prior to the date of the meeting.***

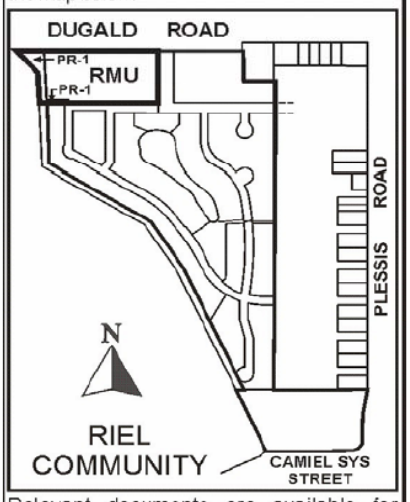
REVISED – TEXT CHANGED

Winnipeg

NOTICE OF PUBLIC HEARING
EXECUTIVE POLICY COMMITTEE

Date: Wednesday, November 26, 2008
Time: 9:00 a.m.
Location: Council Building, 510 Main Street
File: DASZ 33/2008
Applicant: Waterside Development Corporation (Bill McGarry)

TAKE NOTICE that the Executive Policy Committee will hold a public hearing to consider an application for the approval of a plan of subdivision and for a proposed zoning change to Winnipeg Zoning By-Law No. 200/2006 as follows and as shown outlined on the map below:



Relevant documents are available for inspection by contacting John Wintrup, Planner, Planning Property and Development Department, at 986-5102.

Persons wishing to make representation at the above hearing are requested to notify Jo-Ann Park, Manager of the Decision Making Process, Council Building, 510 Main Street, Winnipeg, R3B 1B9, telephone 986-3732, to assist in scheduling representations. Written submissions are requested in advance of the public hearing.

Simultaneous French/English translation will be available if requested.

Exhibit "3" referred to in File DASZ 33/2008 [c/r EP-1.1(PW 5/2008)]

DATE: 2008/05/27
TIME: 13:43

MANITOBA

STATUS OF TITLE

TITLE NO: 1922869
PAGE: 1

STATUS OF TITLE.....	ACCEPTED	PRODUCED FOR..	C BERG
ORIGINATING OFFICE.....	WINNIPEG	ADDRESS.....	
REGISTERING OFFICE.....	WINNIPEG		
REGISTRATION DATE.....	2002/12/17		
COMPLETION DATE.....	2003/01/15	PRODUCED BY...	C.BERG

LEGAL DESCRIPTION:

THE CITY OF WINNIPEG

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

BLOCKS 9 AND 10 PLAN 13723 WLTO
IN LOTS 159 TO 166 AND LOTS 195 TO 201 ROMAN CATHOLIC MISSION PROPERTY

ACTIVE TITLE CHARGES:

186813 WPG ACCEPTED — CAVEAT — REG'D: 1972/10/17
FROM/BY: GREATER WINNIPEG GAS CO.
TO:
CONSIDERATION: NOTES: AFF: PT WTN LTS PL 7983

ACCEPTED THIS 17TH DAY OF DECEMBER, 2002
BY W.KNIGHT FOR THE DISTRICT REGISTRAR OF
THE LAND TITLES DISTRICT OF WINNIPEG.

CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE SYSTEM ON 2008/05/27 OF TITLE NUMBER 1922869.
THIS IS NOT A DUPLICATE TITLE.

X_____
FOR THE DISTRICT REGISTRAR

********** END OF STATUS OF TITLE FOR TITLE 1922869 WPG **********

Exhibit "4" referred to in File DASZ 33/2008 [c/r EP-1.1(PW 5/2008)]

Winnipeg

Planning, Property & Development Department • Service de l'urbanisme, des biens et de l'aménagement

Real Estate Division • Division des biens immobiliers

In reply please refer to / Référence à rappeler :

Barry Lucyk
(204) 986-3241
Fax / Téléc. : (204) 944-8476

June 20, 2008

Mr. Patrick Hamilton
Royal Lepage Stevenson Advisors
276A Colony Street
Winnipeg, Manitoba
R3C 1W3

Dear Mr. Hamilton:

RE: PROPOSED SALE OF CITY PROPERTY – SOUTH SIDE OF DUGALD ROAD, WEST OF PLESSIS RD – WATERSIDE DEVELOPMENT CORP.
FILE: 4707B V2 (PLEASE QUOTE WHEN REPLYING)

Patrick Hamilton and/or Royal Lepage Stevenson Advisors or Waterside Development Ltd. are hereby authorized to make application within 3 months from the date of this letter, for any conditional uses, variances, rezonings, subdivisions or development on the Subject City Property as shown on the attached Misc. Plan No 13179/3, and are also authorized to include the City of Winnipeg lands shown on Misc. Plan No. 13179/3 as "To Be Rezoned PR" in a rezoning application from M1 – Manufacturing – Light to PR – Parks and Recreation. You will be responsible for any and all associated costs of such applications.

You should provide a copy of this letter to the Zoning and Permits Branch when making the applications.

The enactment of any approved change in use, variance, rezoning or subdivision on either City owned property is conditional upon the finalization of the sale of the Subject City Property.

Should you require further clarification regarding the above, please contact Barry Lucyk, Senior Negotiator, at 986-3241.

Yours truly,

Ray Klassen, Manager of Real Estate Division
Encl.
V:\barry\4707B NSCorridordugald\authorization letterjune20.doc

Exhibit “5” referred to in File DASZ 33/2008 [c/r EP-1.1(PW 5/2008)]

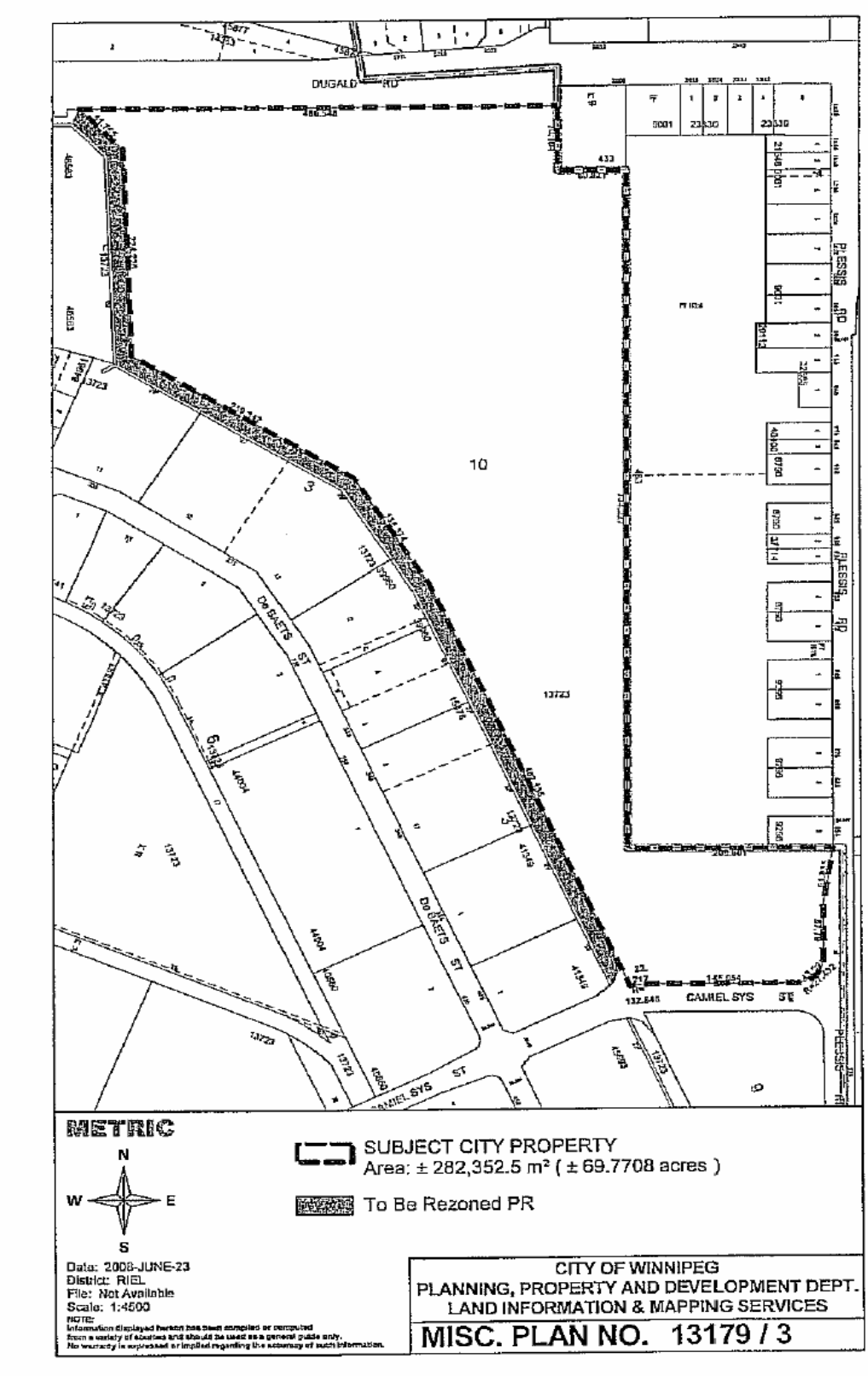
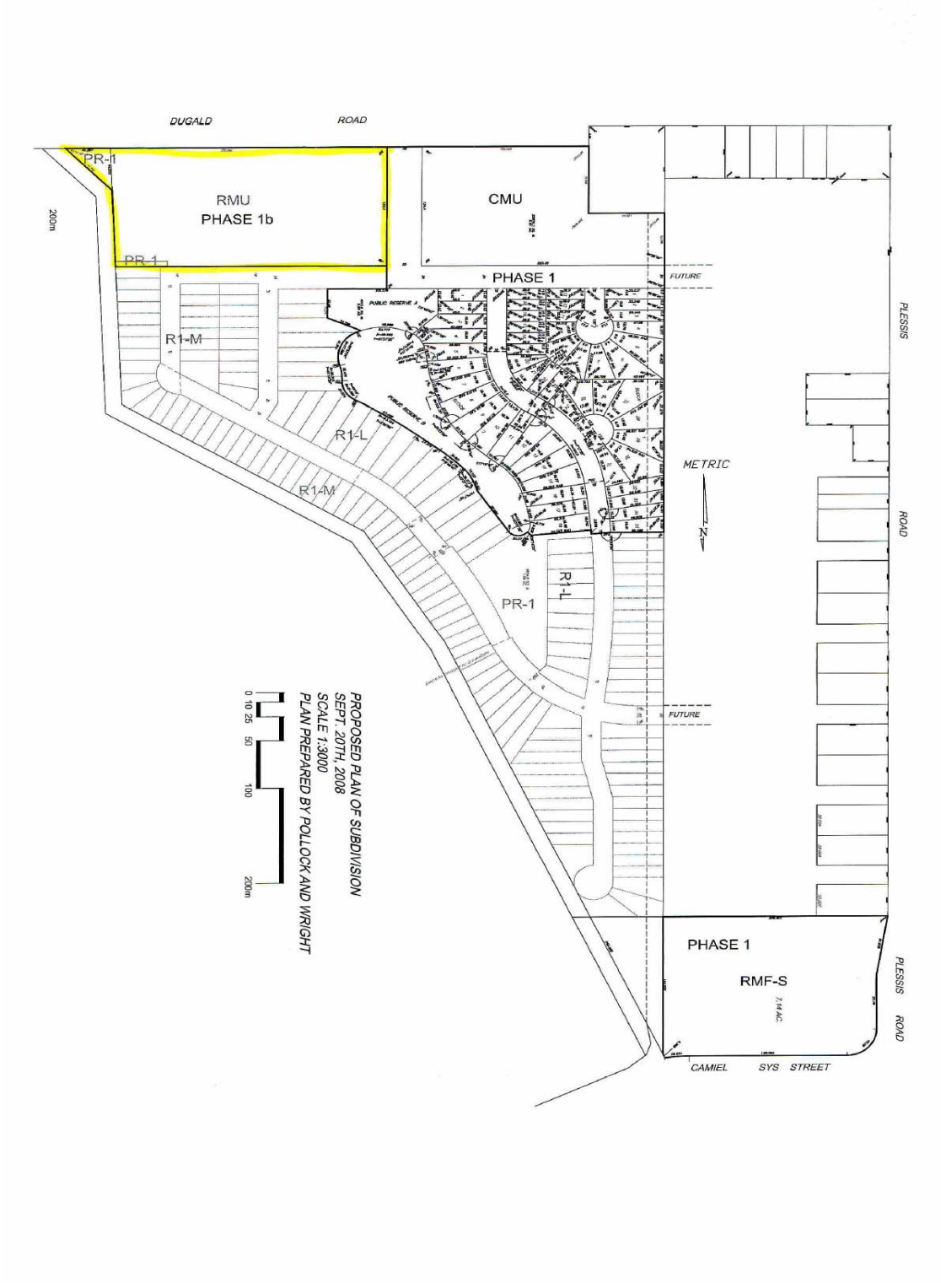


Exhibit “6” referred to in File DASZ 33/2008 [c/r EP-1.1(PW 5/2008)]



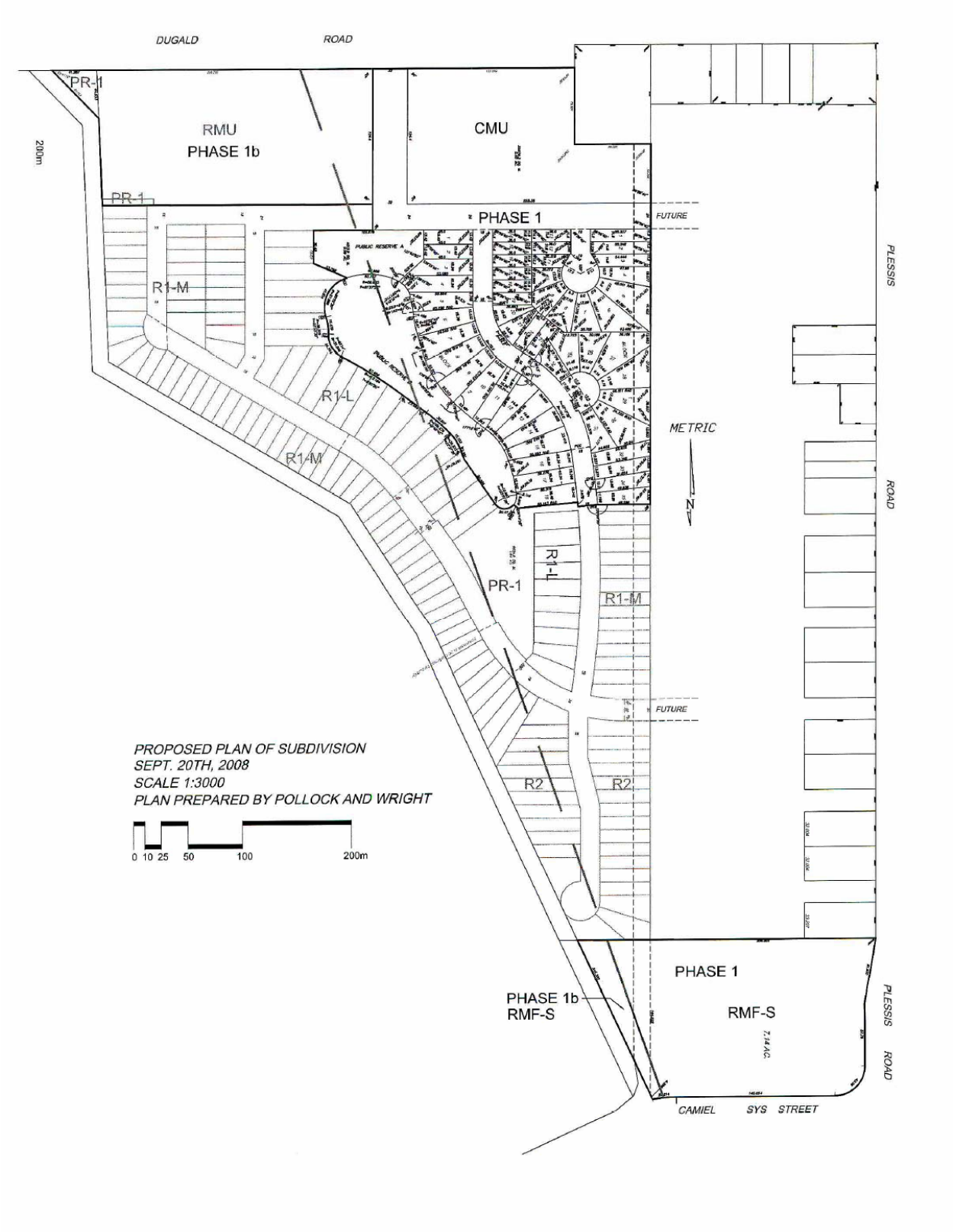

DUGALD ROAD
PR-1
RMU
PHASE 1b
CMU
200m
PR-1
PHASE 1
FUTURE
PLESSIS ROAD
R1-M
R1-L
R1-M
METRIC
N
R1-L
PR-1
R1-M
FUTURE
PROPOSED PLAN OF SUBDIVISION
SEPT. 20TH, 2008
SCALE 1:3000
PLAN PREPARED BY POLLOCK AND WRIGHT
0 10 25 50 100 200m
R2
R2
PHASE 1
PHASE 1b
RMF-S
RMF-S
7.14AC.
PLESSIS ROAD
CAMIEL SYS STREET

Exhibit "7" referred to in File DASZ 33/2008 [c/r EP-1.1(PW 5/2008)]

RE: DASZ 33 / 2008 - SOUTH SIDE OF DUGALD, WEST OF PLESSIS ROAD

FOR SUBMISSION TO: EXECUTIVE POLICY COMMITTEE

ORIGINAL REPORT SIGNED BY: Director of Planning, Property, and Development

REPORT DATE: November 20, 2008

RECOMMENDATION:

1. That the plan of subdivision under File DASZ 33/2008 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" dated November 19, 2008 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated November 19, 2008.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 33 /2008 dated November 19, 2008 to a "PR1 Parks and Recreation 1 (Neighbourhood) District"; and "RMU Residential Mixed Use District" subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

        i. That for the land zoned "RMU Commercial Mixed Use District"; the development of any building, and/or accessory parking area and/or signage, 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 signage, to the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development;

        ii. That for the land zoned "RMU Commercial Mixed Use District" be restricted as follows;

1. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire property, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit;

2. That no illuminated signage be erected on the south side of any buildings;

iii. That the Applicant shall erect one, 4 feet by 8 feet sign on the vacant subject property indicating the location and zoning of the residential mixed use property within twelve (12) months from the date that the said rezoning by-law is adopted by Council; and plans for the signs showing their location and design shall be submitted to Director of Planning, Property and Development for approval; and the signs shall be maintained to the satisfaction of the Director of Planning, Property and Development until such time as the land is either rezoned or developed as a commercial or residential land use;

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

4. That in the event the matter is not proceeded with expeditiously and the by-law is not passed 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 comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

9. 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 Summary

Key Issues:

- Waterside Development Corporation has made concurrent rezoning applications (DASZ 20/08, DASZ 33/08) as the first two phases to permit the establishment of a residential / commercial development on the triangular area of City lands south of Dugald, north of Camiel Sys and west of Plessis Road.
- The westerly portion of the City Lands is designated Industrial Policy Area, zoned M1 – Manufacturing Light District, and is subject to a Plan Winnipeg Amendment (PW 5/08).
- DASZ 33/2008 requires the Plan Winnipeg amendment as these lands are designated Industrial Policy Area; however, it is contemplated that the entire portion of City lands be developed as an aggregate – a comprehensive planned neighbourhood.
- This application is for the creation of 9.05 acre mixed use, residential / commercial lot along Dugald Road; and a 0.22 acre triangle corner on the west side.
- The Public Service supports residential developments as this will represent a logical completion and extension of the residential community between Plessis Road and the St. Boniface Industrial Park.

Implications of the Recommendation(s):

General Implications

(X) None

( ) For the organization overall and/or for other departments

( ) For the community and/or organizations external to the City

( ) Involves a multi-year contract

Comment(s):

Policy Implications

(X) No

( ) Yes

Comment(s):

Regulatory Implications

(X) None

( ) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s):

Environmental Implications

(X) No

( ) Yes

Comment(s):

Human Resources Implications

(X) No

( ) Yes

Comment(s):

Financial Implications

(X) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s):

Report

REASON FOR THE REPORT:

Pursuant to the City of Winnipeg Charter, Executive Policy Committee is the designated hearing body responsible for Plan Winnipeg.

Sections 227 and 278 of the City of Winnipeg Charter provide that hearings required in respect to an amendment to Plan Winnipeg may be combined with another hearing.

Since the proposed amendment (By-law 149/2008) is running concurrently with an application for rezoning and subdivision (DASZ 20/08 and DASZ 33/2008), Executive Policy Committee will consider the Plan Winnipeg amendment and subdivision and rezoning together, at the November 26, 2008 public hearing.

HISTORY:
The lands are City-owned properties acquired in 1979 for the North/South Transportation Corridor Project.

The lands were intended to accommodate the Bradley Street Alignment – the eastern leg of the Inner Ring/Loop Route connecting Chief Peguis Trail to the north and the Trans-Canada Highway and Bishop Grandin Boulevard to the south – as shown on the Recommended Transportation System Plate of Plan Winnipeg Towards 2010.

The Bradley Street Alignment was altered in 2001 as part of the Plan Winnipeg process, shifting the Inner Ring / Loop Route onto Plessis Road and Plan Winnipeg 2020 Policy Plate C (Transportation Concept Plan) was adopted illustrating the revised alignment.

On April 26, 2006, Council adopted the recommendation of the Executive Policy Committee declaring that all the land south of Pandora Ave West that formed part of the North/South Transportation Corridor be surplus to the City's requirements

On May 2, 2006, the Standing Policy Committee on Property and Development directed the Planning, Property and Development Department to proceed to tender/sell the City-owned properties outlined in Schedule C - Misc. Plan No. 13179.

On June 20, 2008, Waterside Development Corporation was authorized to make application by the City of Winnipeg for development of the Bradley Street alignment lands, south of Dugald Road, north of Camiel Sys Street.

On October 10, 2008, Waterside Development Corporation made concurrent rezoning applications (DASZ 20/08, DASZ 33/08) as the first two phases to permit the

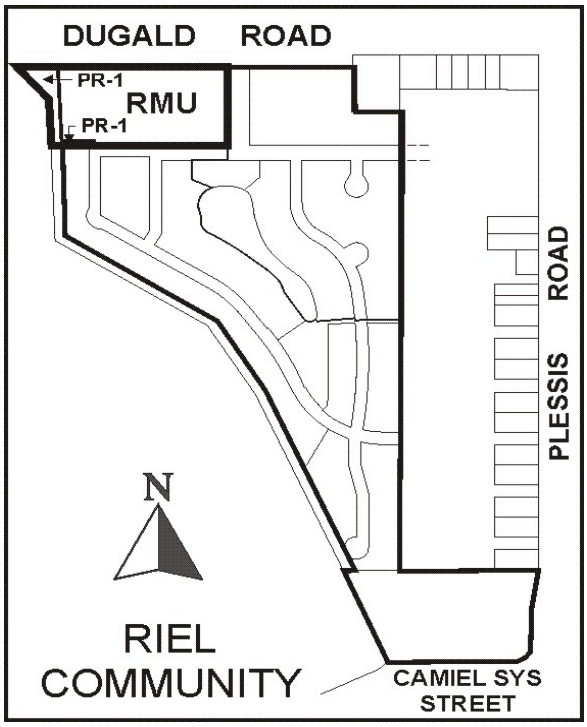
establishment of a residential / commercial development the triangular area of City lands south of Dugald, north of Camiel Sys Street and west of Plessis Road.

DASZ 33/2008 is for approximately 9 acres of the land along Dugald Road, just east of the new Winnipeg Police Service's Station, zoned M1 and designated Industrial Policy Area under Plan Winnipeg to be rezoned RMU. These lands are included in a Plan Winnipeg amendment to re-designate from the current Industrial Policy Area to a Neighbourhood Policy Area to facilitate residential development (PW 5/08).

DASZ 20/2008 does not require the Plan Winnipeg amendment as these lands are designated Neighbourhood Policy Area; however, it is contemplated that the entire portion of City lands be developed as an aggregate – a comprehensive planned neighbourhood – the Plan Winnipeg Amendment will facilitate this application as well.

DISCUSSION:

FILE:	DASZ 33/2008
LOCATION:	South of Dugald, West of Plessis
RELATED FILES:	DASZ 20/2008; PW 5/2008
LEGAL DESCRIPTION:	Blocks 9 and 10 Plan 13723 WLTO in Lots 159 and 166 and Lots 195 to 201 RCMP
APPLICANT:	Waterside Development Corporation (Bill McGarry)
OWNER:	City of Winnipeg



Site Description

Location: Dugald Road, south side, west of Plessis Road, in the St. Boniface Industrial Park Neighbourhood, St.Boniface Ward, Riel Community Committee.

Size: 69.77 acres

Zoning: M1 Manufacturing Light (approximately 27.34 acres)

RR5 Rural Residential 5 (approximately 42.34 acres)

Plan Winnipeg: Industrial Policy Area (approximately 27.34 acres)

Neighbourhood Policy Area (approximately 42.34 acres)

Surrounding land uses and zoning:

North: across Dugald Road, are industrial zoned lands subject to Plan Winnipeg Amendment to Neighbourhood Policy Area (PW 4/08)

South: across Camiel Sys, is vacant City-owned property zoned RR5 Rural Residential 5

East: 28.9 acres of vacant privately owned lands zoned "R1"

West: St. Boniface Industrial Park zoned M1

Description of the Proposed Development

- This application is for the creation of 9.05 acre mixed use, residential / commercial lot along Dugald Road that would allow 789 dwelling units.
- A 0.22 acre triangle corner of open green space on the west side and a small pathway on the south side will be rezoned PR1 under this application.
- A concept plan has been provided to indicate how the entire 70 acres of land will be developed under future subdivision / rezoning applications for single family dwellings and open green space.

Development Analysis and Issues

PLAN WINNIPEG

The proposed concept does not comply with Plan Winnipeg in that a residential rezoning is not allowed in Industrial Policy Areas. The westerly portion of the 70 acres of the City Lands is designated Industrial Policy Area and zoned M1 – Manufacturing Light District - they are subject to a Plan Winnipeg Amendment (PW 5/08).

ZONING

- **PR1 Parks and Recreation 1 (Neighbourhood) Distric**t is intended for sites that are generally passive neighbourhood and community parks and facilities with predominantly pedestrian and cyclist access.
    - These sites may provide unstructured drop-in play and recreation opportunities, including play structures, passive parks, plazas and natural areas.
    - Generally, no parking facilities are associated with these uses.
    - These parks and open spaces typically occur in a residential neighbourhood or riverbank context and are generally accessed by residential streets.

- **RMU Commercial Mixed Use District** is intended to facilitate the development of primarily medium- to higher-density residential development, though it also may contain limited small-scale commercial, institutional, recreational, and service facilities needed to support residential development.
    - The area, site, or building should retain a predominantly residential character.
    - Development in the RMU district should facilitate and encourage pedestrian travel between residential and nonresidential uses.
    - This district is often adjacent and incidental to a town centre, neighbourhood commercial centre, or other type of mixed use or major employment centre.
    - There is a front yard requirement of 20 feet & rear yard requirement of 25 feet and the maximum building height is 100 feet.
    - The minimum lot area per dwelling unit is 500 square feet per dwelling unit.
    - The size of the lot, 394,463 square feet at a density of 500 square feet per dwelling unit would allow 789 dwelling units.

TRANSPORTATION AND SITE ACCESS

Access to Dugald Road will be limited for the proposed RMU and CMU lots along this major arterial road.

PATHWAYS / OPEN GREEN SPACE

- The Public Service prefers a public walkway on lands zoned PR1, south of the RMU property, be created in subsequent applications that is 50 feet in width to ensure a safe, accessible pathway be built that connects this neighbourhood with a future pathway along the southside of Dugald Road.
- The Public Service supports the portion of City owned land that is 50 foot width on the west end being retained by the City of Winnipeg and zoned PR1 in order to facilitate a pathway connecting Dugald Road to the new residential community.

LAND DEDICATION

The open green space provided in the concurrent applications and the concept plan total only 3.15 acres / 4.5 percent whereas 5.6 acres would meet the 8 percent land requirement. Therefore the applicant will be required to pay land dedication or provide additional land for open green space. The Public Service prefers additional open green space be provided as outlined under “Pathways / Open Green Space”.

Recommendation

The Public Service supports residential developments on the former North South Transportation Corridor lands as this will provide infill housing and represent a logical completion of a residential community between Plessis Road and the St. Boniface Industrial Park.

The Public Service is recommending that a 50 foot wide strip of land the City of Winnipeg owns between the proposed RMU lot and the St. Boniface Industrial Park be retained for future pathway use.

The Public Service is recommending that site plan approval for the multiple family buildings and potential commercial buildings along Dugald be reviewed by the Director of Planning, Property and Development. A guideline of design approval is provided in Appendix A.

The Public Service is recommending that signage, especially illuminated, be restricted on the south side of the RMU property to ensure future residents south of this property are not negatively affected.

Financial Impact Statement Date: November 19, 2008

Project Name:

DASZ 33 / 2008 SOUTH OF DUGALD, WEST OF PLESSIS ROAD

COMMENTS:

There are no financial implications associated with the recommendations contained in this report.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:
N/A

External Consultation With:
N/A

THIS REPORT SUBMITTED BY:

Planning, Property, and Development Department
Planning and Land Use Division
Prepared by: John S Wintrup
PPD File No. DASZ 33/08

Attachments:
1. Schedule “A” for File No. DASZ 33/08, Executive Policy Committee, dated November 19, 2008
2. Schedule “B” – Administrative Coordinating Group Report File No. AG 33/08, dated November 19, 2008.
3. Schedule “C” – Misc. Plan No. 13179
4. Figure 1 – Existing Land-Uses for subject property and Surrounding Area
5. Figure 2 – Existing Zoning for subject property and Surrounding Area.
6. Appendix A – Design Guidelines for Plan Approval

O:\Reports Directive\Planning and Land Use\Urban Planning Reports\2008 Reports\DASZ08 33 S Dugald W Plessis N Camiel Sys (St Boniface Industrial).doc

SCHEDULE "A" to the report to the Executive Policy Committee for File DASZ 33/2008, dated November 19, 2008.

By-Law No. _____

File No. **DASZ 33/08**

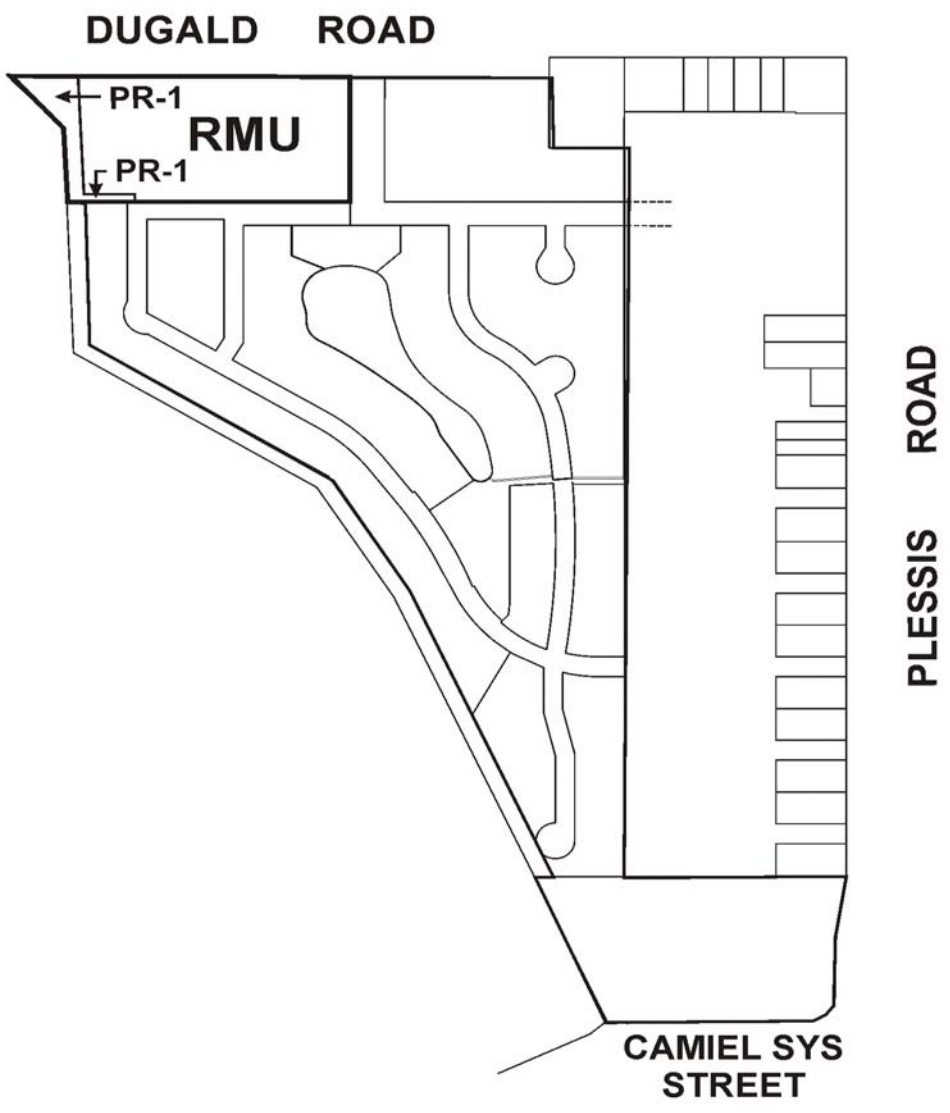
Atlas Sheet No.

N

AA32
RIEL
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located south of Dugald Road, west of Plessis Road from an "M1" MANUFACTURING LIGHT INDUSTRIAL DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE "C" – MISC. Plan 13179

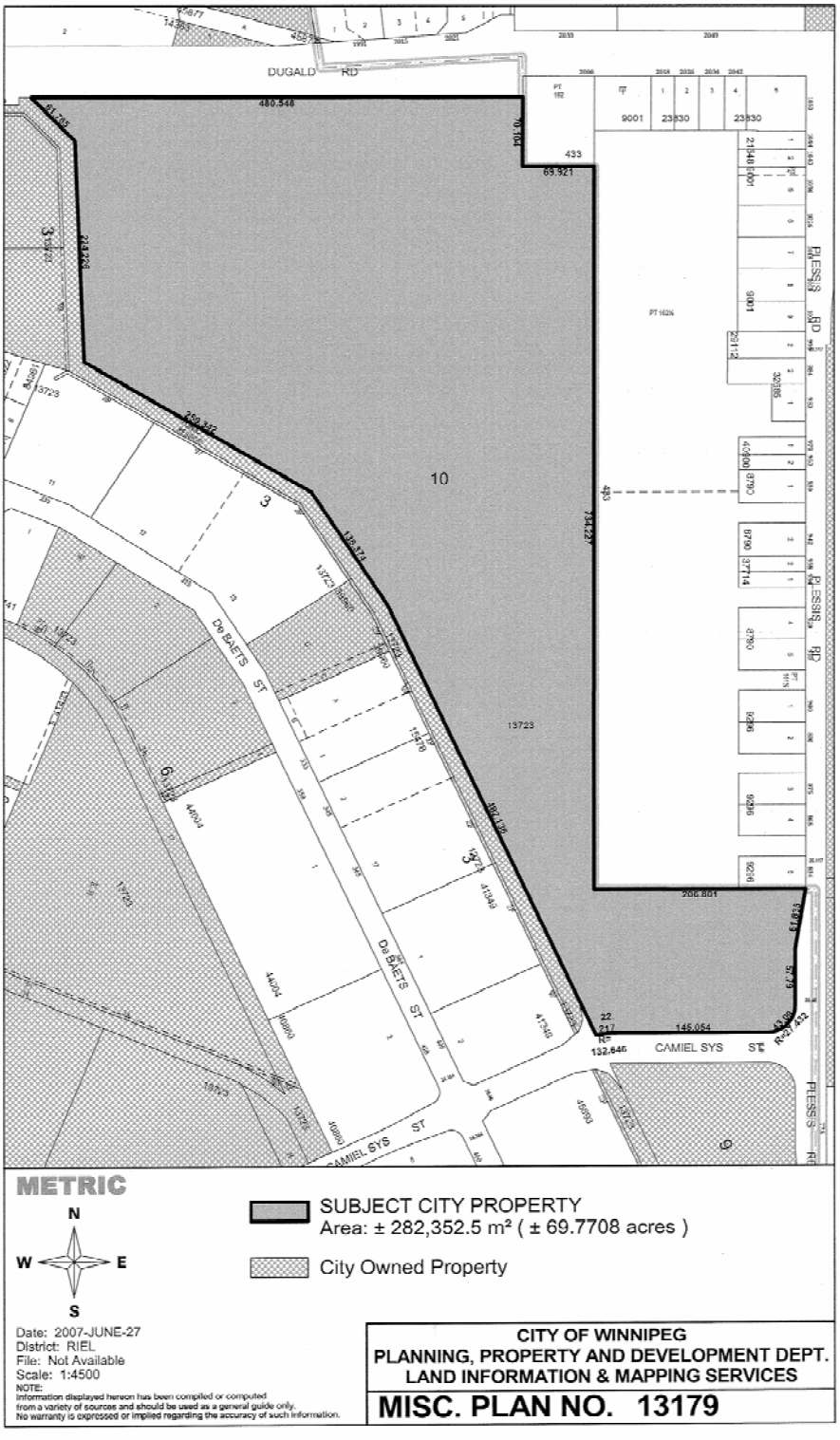


FIGURE 1 - ***Existing Land-Uses for subject property and Surrounding Area.***

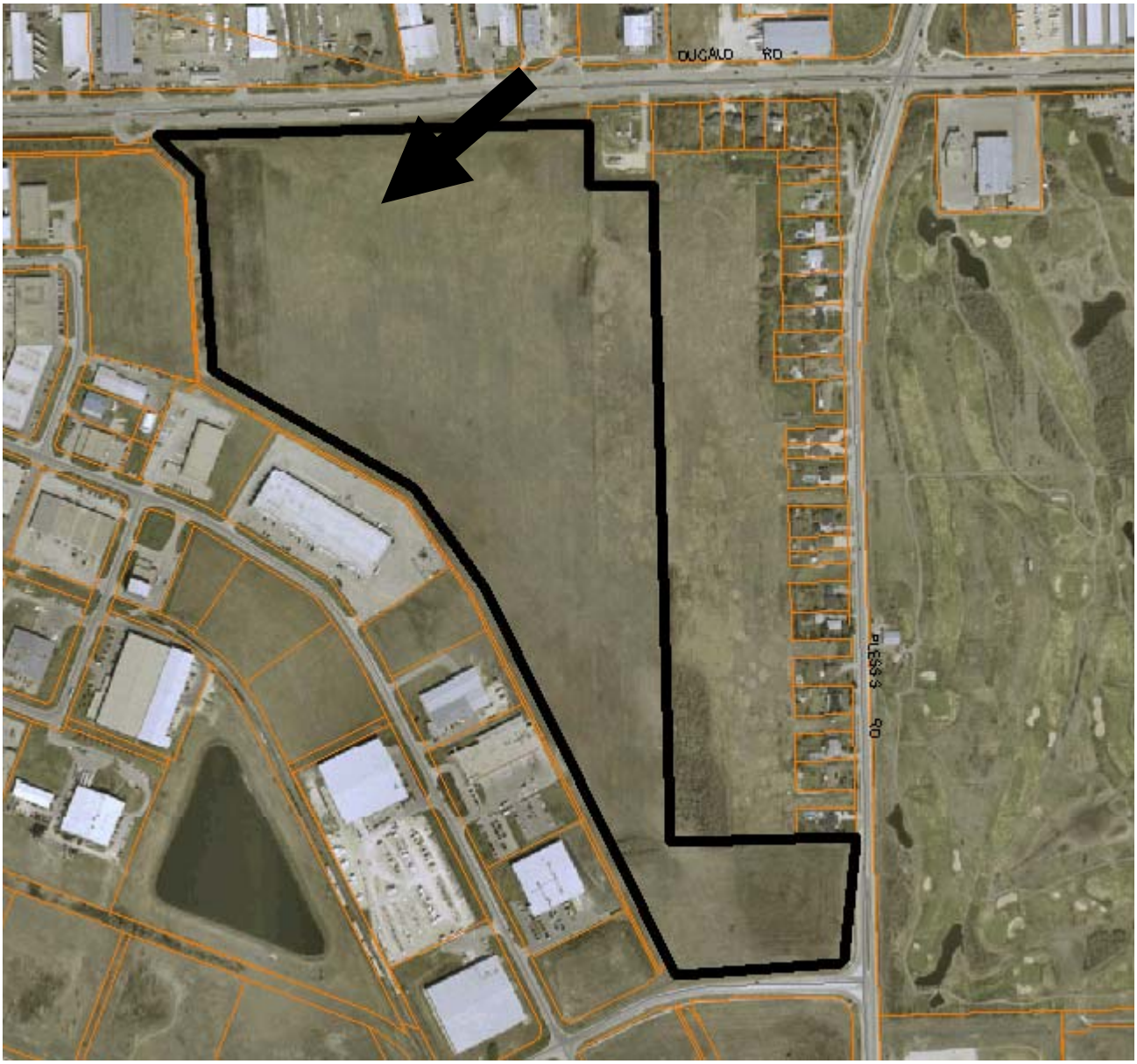
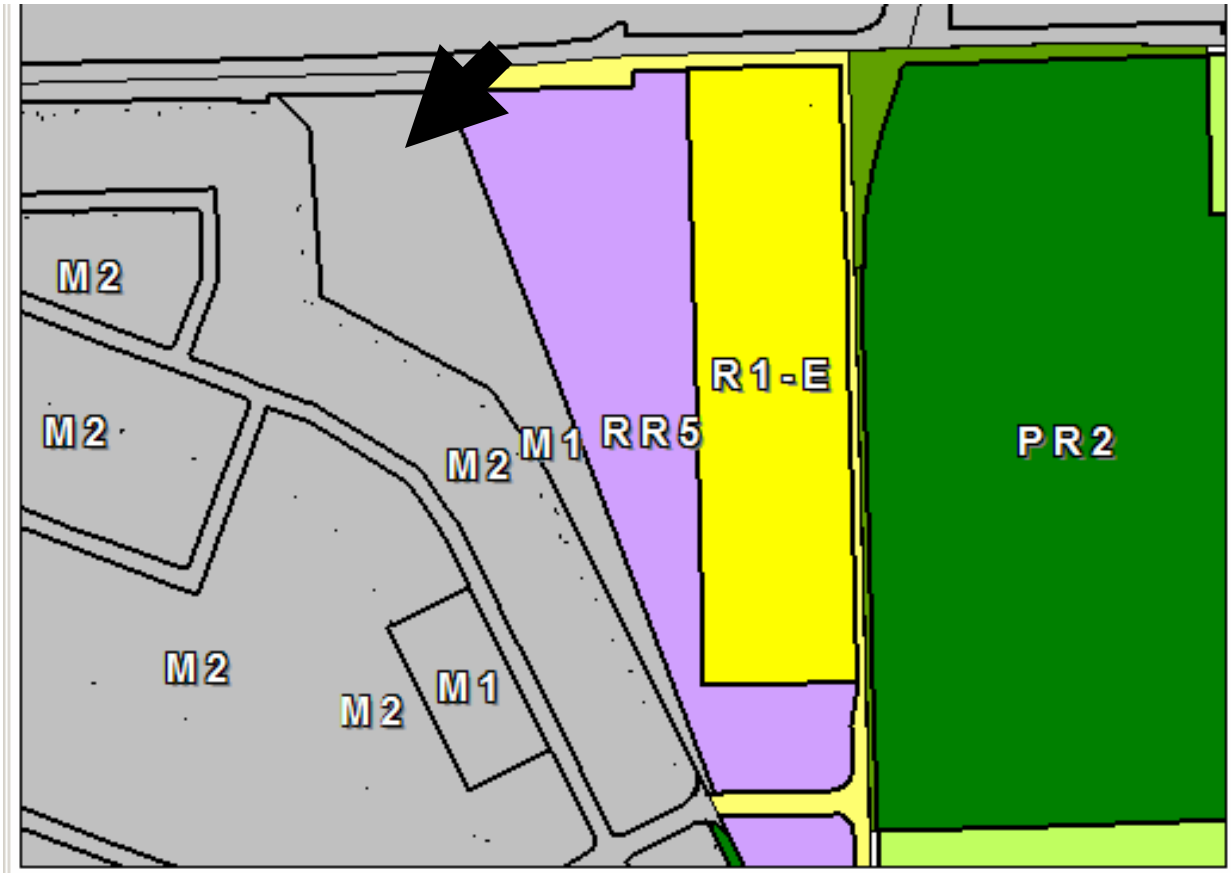


FIGURE 2 - ***Existing Zoning for subject property and Surrounding Area.***



APPENDIX "A"- *Design Guidelines for RMU, CMU and RMF properties in DASZ 20/08 and DASZ 33/08*

Purpose: To be used as guidelines when reviewing the final plan submittals for multiple family and/or commercial buildings south of Dugald, north of Camiel Sys, west of Plessis Road.

Lighting

A. Night lighting and security lighting shall be shielded to ensure that there is no off-site glare or skyward illumination for the adjacent single family dwellings to the south of the new east / west road.
B. Parking lot and landscape lighting shall be low to the ground, to reduce glare and illuminate all pedestrian walkways.
C. Within 50 ft. of the property boundary, light fixtures shall be full cutoff.
D. All other outdoor lighting fixtures may be semi-cutoff or full-cutoff
E. Location and type of lighting should be submitted in a lighting plan.

Buffering

That a minimum 25 foot separation space/buffer be provided along the south property lines of the CMU and RMU Parcels across the new east / west street from the future residential dwellings.

Parking

A. To the maximum extent possible, parking areas should be internalized in building groupings and oriented away from street frontages.
B. Consider breaking up large parking areas into smaller blocks of parking with landscape islands.
C. Consider separating parking areas from each other by a landscape strip +10 feet in width.
D. Parking areas abutting the right of way should be set back from the property line with enough space for soft berming and landscaping around the perimeter to provide screening and an attractive visual presentation for the property
E. Parking areas abutting the building should be set back a minimum of 10 feet with berming or hedging to screen headlight glare.

Site Planning

Consider setting aside an area of common open space on the Multiple Family lot that can be easily accessed by building residents and that provides a focal point for the residents to interact, and adds to the overall quality of life for residents. It should be purposefully integrated into the overall design of the development and not merely residual areas left over after the buildings and parking lot are sited.

Common open space can include gardens, courtyards, recreation, or play areas and may include some of the following features:

- Seasonal planting areas
- Large, flowering trees
- Seating
- Pedestrian scaled lighting
- Gazebos or other decorative shelters
- Play structures for children
- On-site recreation amenities

Building Design

A. Provide a distinctive, quality, architectural character and style that give character to each building, allowing some similar theme / design to run through each building but also marking each individually.
B. New buildings should respect the context of adjacent residential neighbourhoods including the height, scale, mass, form, and character of surrounding development
C. Front doors / entrances should be clearly marked with distinct design elements such as porticoes, benches, canopies, etc.
D. Masonry used to enhance the façade of buildings.

Pedestrian Connections

A. Consider providing pedestrian connections from each building entrance to an internal sidewalk system which connects to the external sidewalk system.
B. Where these sidewalks cross a parking lot, connections should be marked through the use of a change in paving materials and height as a signal to motorists that they should slow down upon approaching.

Corner and entryways

A gate way feature of landscaping and/or architectural element is recommended to anchor the corner of Dugald and the new north / south street as a significant entrance into the proposed subdivision to assist in creating a neighbourhood identity.

Screening

A. Mixture of deciduous and coniferous trees is recommended along the property lines adjoining the new right-of-ways internal to the subdivision plan. This is especially important along the west side of the proposed CMU and east side of the proposed RMU, where the proposed building is oriented parallel to the main street into the new residential community and could potential house a number of commercial uses.
B. Mixture of deciduous and coniferous trees is recommended along the east property line of the CMU to provide some visual separation against Manitoba Hydro's major gas pipeline utility to the east.
C. Mixture of deciduous and coniferous trees is recommended along the west property line of the RMU to provide some visual separation Winnipeg Police Service Station and St. Boniface Industrial Park to the west.

D. Mixture of deciduous and coniferous trees is recommended along the south property line of the RMF-S to provide some visual separation against Camiel Sys Street.
E. Mixture of deciduous and coniferous trees and berming is recommended along the west property line of the RMF-S to provide some visual separation against St. Boniface Industrial Park.
F. Mixture of deciduous and coniferous trees and berming is recommended along the east property line of the RMF-S to provide some visual separation against Plessis Road.

Exhibit "8" referred to in File DASZ 33/2008 [c/r EP-1.1(PW 5/2008)]

SCHEDULE B - REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP

RE: Proposed Subdivision and Rezoning of land south of Dugald Road, west of Plessis Road – Waterside Development Corp. - Phase 1B

Application DASZ 33/08 has been submitted by Waterside Development Corp. to subdivide and rezone Phase 1B of the land south of Dugald Road, west of Plessis Road.

It is recommended that the approval of DASZ 33/08 be subject to the following:

A. Plan Considerations

1. The applicant providing a plan of subdivision for the entire parcel of land under consideration (identified under Misc Plan #13179), showing the extent of public reserve (PR) lands (ideally at least 8% of the total area), which shall include a reasonably central active park space, subject to approval of the Director of Planning and Land Use.

2. The overall plan including a widening, to the south, of the east-west strip of Public Reserve at the south limit of the lands under DASZ 33/08 (Phase 1B), to provide a more significant and visible entrance to this linear park parcel.

3. The plan being amended to include the east-west roadway south of the Planned Area to the first intersection west of the north-south collector roadway in order to accommodate all-directional access to the proposed RMU site.

B. Servicing Report

The preparation and submission of a comprehensive servicing report, prepared by a qualified municipal engineer, including Servicing Criteria Sheets and plans showing the service areas, which addresses the underground servicing of the entire parcel as well as the adjacent lands to the east, and demonstrates that the existing systems can adequately meet the needs of the proposed development and adjacent lands, and that the proposed land drainage/stormwater retention system can meet the more stringent design standards imposed on this area.

C. Development Agreement

The Developer entering into a Development Agreement with the City for applications DASZ 20/08 and DASZ 33/08, with the following conditions pertaining to application DASZ 33/08:

1. That the Developer construct all watermains, wastewater sewers, land drainage sewers, and water and wastewater sewer lot line connections required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water & Waste.

2. That the Developer pay to the City the Regional Street charges for the frontage of the planned area along Dugald Road currently zoned RR-5.

3. That no private approaches will be permitted off Dugald Road to serve the Planned Area.

4. That the Developer cause underground electrical and telephone services to be installed to serve the proposed subdivision, to the satisfaction of the Director of Public Works.

5. That the Developer pay all costs associated with the relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to be constructed by the Developer to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Public Works.

6. That the Developer initiate, control, and pay all costs associated with the regular clean-up of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of houses, until completion of all construction, all as determined by, and to the satisfaction of, the Director of Public Works.

7. That the Developer ensure that construction traffic uses access routes determined by the Director of Public Works; maintain those access routes, at no expense to the City, in a clean, dust-free condition, free of dropped and tracked-on mud; and undertake the regular cleaning of streets – all until building construction, including landscaping, is complete, and all as determined by, and to the satisfaction of, the Director of Public Works.

8. That, should the Developer proceed with DASZ 33/08 prior to DASZ 20/08, prior to the issuance of building permits for DASZ 33/08, the Developer finance and construct, in the proposed north-south roadway which abuts the Planned Area to the east and intersects with Dugald Road, two 8.0-m-wide by 200-mm-thick portland cement concrete pavements and all related works, including, but not limited to, drainage works, sidewalks on both sides, street lighting, and boulevard landscaping.

9. That any private approach to the Planned Area on the north-south collector roadway be limited to right-in/right-out for purposes of safe and efficient traffic operations.

10. That the Developer finance and construct a 10.0-m-wide by 200-mm-thick Portland cement concrete pavement and all related works in the proposed east-west roadway south of the proposed RMU site from the north-south collector street to the first intersection to the west, including, but not limited to sidewalks on both sides, street lighting, boulevard landscaping, and drainage works.

11. That, should the Developer proceed with DASZ 33/08 prior to DASZ 20/08, prior to the issuance of building permits for DASZ 33/08, the Developer finance and construct all works associated with the new intersection of Dugald Road and the north-south roadway abutting the Planned Area to the east, including eastbound and westbound turning lanes, channelization, and a median opening.

12. That the Developer pay all costs associated with the installation of traffic-control signals at the intersection of Dugald Road and the new north-south roadway and all related works, including, but not limited to, pedestrian and vehicle actuation and interconnection with the adjacent signalized intersections, when, and as determined by, the Director of Public Works.

13. That, should the Developer proceed with DASZ 33/08 prior to DASZ 20/08, the Developer cause ornamental street lighting to be installed in the proposed north-south roadway which abuts the Planned Area to the east and intersects with Dugald Road.

14. That, should the Developer proceed with DASZ 33/08 prior to DASZ 20/08, the Developer cause to be installed standard, reflectorized, permanent street-name signs at all new street intersections being created as a result of the subdivision.

15. That, should the Developer proceed with DASZ 33/08 prior to DASZ 20/08, the Developer construct a cul-de-sac-type vehicle turnaround at the terminus of any temporarily dead-ended street as determined by, and to the satisfaction of, the Director of Public Works.

16. That, should the Developer proceed with DASZ 33/08 prior to DASZ 20/08, the Developer erect and maintain barricades and signing across the full width of any temporarily dead-ended street, immediately upon completion of the paving or when building construction has begun, whichever is sooner, as determined by, and to the satisfaction of, the Director of Public Works.

17. That the Developer pay the full cost of engineering services provided by or on behalf of the City in connection with the installation of services required to serve the Planned Area.

18. That the Developer pay $1,200.00 plus GST per acre to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

19. That the Developer dedicate to the City as public open space at least 8% of the land contained within the overall development area, landscape the dedicated land, and pay its share of the cost of services in streets abutting the dedicated land, in accordance with City policy, and as determined by, and to the satisfaction of, the Directors of Public Works and Property, Planning & Development. If the Developer is unable to dedicate a full 8% of the land, the Developer shall dedicate an amount of land satisfactory to the Directors of Public Works and Property, Planning & Development, pay to the City the value of the difference between 8% of the land and the land actually dedicated, the value of the servicing of the land not dedicated, and the value of the landscaping of the land not dedicated.

20. That the Developer, at no expense to the City, construct a 1.8-m-wide asphaltic concrete path from Dugald Road to the street south of the RMU parcel.

21. That the Developer assume responsibility for the maintenance of all park sites until they are developed and turned over to the City for maintenance.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 33/08
November 19, 2008

"original signed by S.M. Matile"
S. M. Matile, P. Eng., Chair
Land Development Branch

"original signed by D. Emerson"
D. Emerson, P. Eng.
Public Works Department, Transportation Division

"original signed by F. Mazur"
F. Mazur, P. Eng.
Water & Waste Department

Exhibit "9" referred to in File DASZ 33/2008 [c/r EP-1.1(PW 5/2008)]

Winnipeg

Planning, Property & Development Department
Service de l'urbanisme, des biens et de l'aménagement
Main Floor, 65 Garry Street • 65, rue Garry, rez-de-chaussée
• Winnipeg • Manitoba R3C 4K4

"A" referred to in the Affidavit of Ron Laubmann sworn before me this 25th day of November A.D. 2008

A COMMISSIONER FOR OATHS IN AND FOR THE PROVINCE OF MANITOBA. MY COMMISSION EXPIRES 08/05/24

Exhibit "A"

INSPECTION REPORT

INSPECTION DECLARATION OF PUBLIC NOTICE FOR:

File Number	:	DASZ 20/08 / DASZ 33/08
Date of Public Hearing	:	Wednesday, November 26, 2008 at 9:00 a.m.
Applicant - name	:	Waterside Development Corp. (Attn: Bill McGarry)
- phone	:	999-4967
Posters - to be erected	:	1 Enhanced Poster
Posters - erected by	:	Applicant X City of Winni

PREMISES: South side of Dugald Road, west of Plessis Road

1. City posted premises on: ✓
   Number of Posters erected: ✓
   (delete where not applicable)
2. Premises Inspected on: November 21, 200
   Number of Posters on premises: 1
3. Premises Inspected on: N/R
   Number of Posters on premises: ✓

I, Ron Laubmann, Development Application Inspector of the City of Winnipeg, in the Province of Manitoba, do solemnly declare that I did on the 21st day of November, A.D. 20 08, post/inspect the posting of the public notice as stated above, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

Declared before me at Winnipeg)
in the Province of Manitoba this)
25th day of November A.D. 2008.)
)
)

Development Application Inspector

A COMMISSIONER FOR OATHS IN AND FOR THE PROVINCE OF MANITOBA. MY COMMISSION EXPIRES 08/05/24

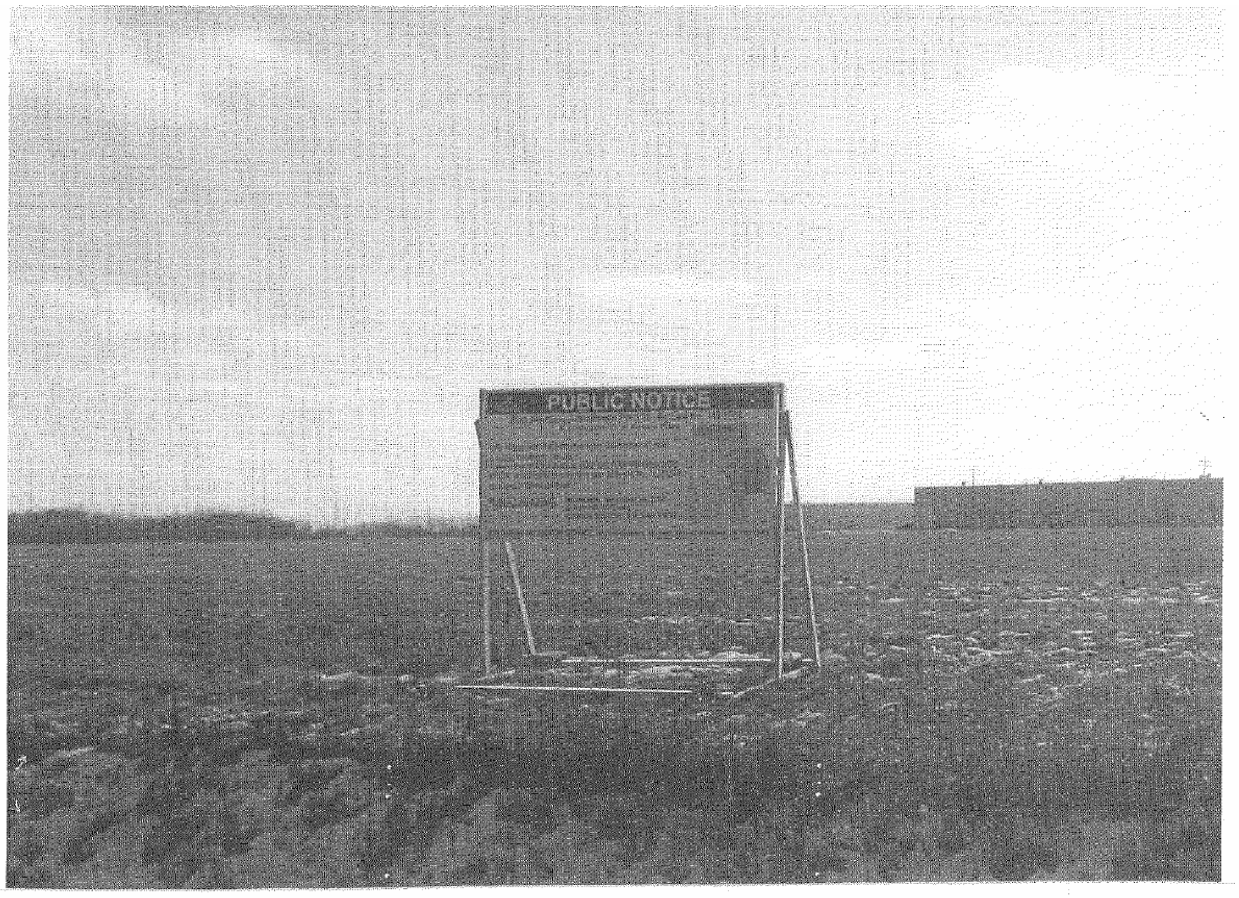

PUBLIC NOTICE

Exhibit "10" referred to in File DASZ 33/2008 [c/r EP-1.1(PW 5/2008)]



November 25, 2008

City of Winnipeg
City Clerk's Department
Council Building, 510 Main Street
Winnipeg, Manitoba R3B 1B9

ATTENTION: MS. JO-ANN PARK, MANAGER OF THE DECISION-MAKING PROCESS

Dear Ms. Park:

RE: DASZ 20/2008 AND DASZ 33/2008 – SOUTH SIDE OF DUGALD, WEST OF PLESSIS ROAD

Given that the agenda for the public hearing was published on Friday, November 21, 2008, our first opportunity to view the Planner's Report and ACG Report was Monday morning. The applicant would like additional time to allow for review and analysis of the engineering requirements.

On behalf of Waterside Development Corporation, we respectfully request adjournment to February 2009.

Yours truly

MCGOWAN RUSSELL GROUP INC.

S. Russell

Susan Russell, M.A.L.A., C.S.L.A.
President

Strategic Planning • Landscape Architecture • Urban Design
200 - 120 Fort St. Winnipeg, MB, R3C 1C7 • Telephone (204) 956-0396 • Fax (204) 956-1265 • info@mcgowanrussell.com
McGowan Russell Group Inc.

Exhibit "11" referred to in File DASZ 33/2008 [c/r EP-1.1(PW 5/2008)]

Winnipeg

City Clerk's Department • Bureau du greffier

November 26, 2008

Files EP-1.1 (PW 5/2008), DASZ 20/2008 and DASZ 33/2008

TO WHOM IT MAY CONCERN

Application for Plan Winnipeg Amendment - St. Boniface Industrial Park and Applications for Subdivision and Rezoning - South Side of Dugald Road, west of Plessis Road (Phases 1 and 1b)

On November 26, 2008, the Executive Policy Committee considered a request from McGowan Russell Group Inc., on behalf of the applicant, Waterside Development Corporation, that the Subdivision and Rezoning applications under Files DASZ 20/2008 and DASZ 33/2008 be adjourned to February 2009.

Accordingly, Executive Policy Committee adjourned the public hearings in the above connection to its meeting to be held on February 4, 2009, at 9:00 a.m. in the Council Building, 510 Main Street.

Additional information on this matter can be accessed via the City Clerk's Department Decision Making Information System at www.winnipeg.ca/CLKDMIS in Committee's Minute documents.

JPark

Jo-Ann Park
Manager of the Decision Making Process
Telephone 986-3732

Embrace the Spirit • Vivez l'esprit

Council Building, 510 Main Street • Immeuble du Conseil, 510, rue Main • Winnipeg • Manitoba R3B 1B9
tel/tél. (204) 986-2171 • fax/télec. (204) 947-3452 •website: Winnipeg.ca

Exhibit "12" referred to in File DASZ 33/2008 [c/r EP-1.1(PW 5/2008)]

RE: DASZ 33 / 2008 - SOUTH SIDE OF DUGALD, WEST OF PLESSIS ROAD

FOR SUBMISSION TO: EXECUTIVE POLICY COMMITTEE

ORIGINAL REPORT SIGNED BY: Director of Planning, Property, and Development

REPORT DATE: January 28, 2009

RECOMMENDATION:

1. That the plan of subdivision under File DASZ 33/2008 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" dated January 28, 2009 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated January 27, 2009.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 33 /2008 dated January 28, 2009 to a "PR1 Parks and Recreation 1 (Neighbourhood) District"; and "RMU Residential Mixed Use District" subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

        i. That for the land zoned "RMU Commercial Mixed Use District"; the development of any building, and/or accessory parking area and/or signage, 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 signage, to the East Kildonan – Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development;

        ii. That for the land zoned "RMU Commercial Mixed Use District" be restricted as follows;

1. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire property, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit;

2. That no illuminated signage be erected on the south side of any buildings;

iii. That the Applicant shall erect one, 4 feet by 8 feet sign on the vacant subject property indicating the location and zoning of the residential mixed use property within twelve (12) months from the date that the said rezoning by-law is adopted by Council; and plans for the signs showing their location and design shall be submitted to Director of Planning, Property and Development for approval; and the signs shall be maintained to the satisfaction of the Director of Planning, Property and Development until such time as the land is either rezoned or developed as a commercial or residential land use;

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

4. That in the event the matter is not proceeded with expeditiously and the by-law is not passed 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 comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

9. 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 Summary

Key Issues:

- Waterside Development Corporation has made concurrent rezoning applications (DASZ 20/08, DASZ 33/08) as the first two phases to permit the establishment of a residential / commercial development on the triangular area of City lands south of Dugald, north of Camiel Sys and west of Plessis Road.
- The westerly portion of the City Lands is designated Industrial Policy Area, zoned M1 – Manufacturing Light District, and is subject to a Plan Winnipeg Amendment (PW 5/08).
- DASZ 33/2008 requires the Plan Winnipeg amendment as these lands are designated Industrial Policy Area; however, it is contemplated that the entire portion of City lands be developed as an aggregate – a comprehensive planned neighbourhood.
- This application is for the creation of 9.05 acre mixed use, residential / commercial lot along Dugald Road; and a 0.22 acre triangle corner on the west side.
- The Public Service supports residential developments as this will represent a logical completion and extension of the residential community between Plessis Road and the St. Boniface Industrial Park.

Implications of the Recommendation(s):

General Implications

(X) None

( ) For the organization overall and/or for other departments

( ) For the community and/or organizations external to the City

( ) Involves a multi-year contract

Comment(s):

Policy Implications

(X) No

( ) Yes

Comment(s):

Regulatory Implications

(X) None

( ) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s):

Environmental Implications

(X) No

( ) Yes

Comment(s):

Human Resources Implications

(X) No

( ) Yes

Comment(s):

Financial Implications

(X) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s):

Report

REASON FOR THE REPORT:

Pursuant to the City of Winnipeg Charter, Executive Policy Committee is the designated hearing body responsible for Plan Winnipeg.

Sections 227 and 278 of the City of Winnipeg Charter provide that hearings required in respect to an amendment to Plan Winnipeg may be combined with another hearing.

Since the proposed amendment (By-law 149/2008) is running concurrently with an application for rezoning and subdivision (DASZ 20/08 and DASZ 33/2008), Executive Policy Committee will consider the Plan Winnipeg amendment and subdivision and rezoning together, at the February 4, 2009 public hearing.

DASZ 20/2008 does not require the Plan Winnipeg amendment as these lands are designated Neighbourhood Policy Area; however, it is contemplated that the entire portion of City lands be developed as an aggregate – a comprehensive planned neighbourhood – the Plan Winnipeg Amendment will facilitate this application as well.

DASZ 33/2008 is for approximately 9 acres of the land along Dugald Road, just east of the new Winnipeg Police Service's Station, zoned M1 and designated Industrial Policy Area under Plan Winnipeg to be rezoned RMU. These lands are included in a Plan Winnipeg amendment to re-designate from the current Industrial Policy Area to a Neighbourhood Policy Area to facilitate residential development (PW 5/08).

HISTORY:

The lands are City-owned properties acquired in 1979 for the North / South Transportation Corridor Project.

The lands were intended to accommodate the Bradley Street Alignment – the eastern leg of the Inner Ring/Loop Route connecting Chief Peguis Trail to the north and the Trans-Canada Highway and Bishop Grandin Boulevard to the south – as shown on the Recommended Transportation System Plate of Plan Winnipeg Towards 2010.

The Bradley Street Alignment was altered in 2001 as part of the Plan Winnipeg process, shifting the Inner Ring / Loop Route onto Plessis Road and Plan Winnipeg 2020 Policy Plate C (Transportation Concept Plan) was adopted illustrating the revised alignment.

On April 26, 2006, Council adopted the recommendation of the Executive Policy Committee declaring that all the land south of Pandora Ave West that formed part of the North/South Transportation Corridor be surplus to the City's requirements

On May 2, 2006, the Standing Policy Committee on Property and Development directed the Planning, Property and Development Department to proceed to tender/sell the City-owned properties outlined in Schedule C - Misc. Plan No. 13179.

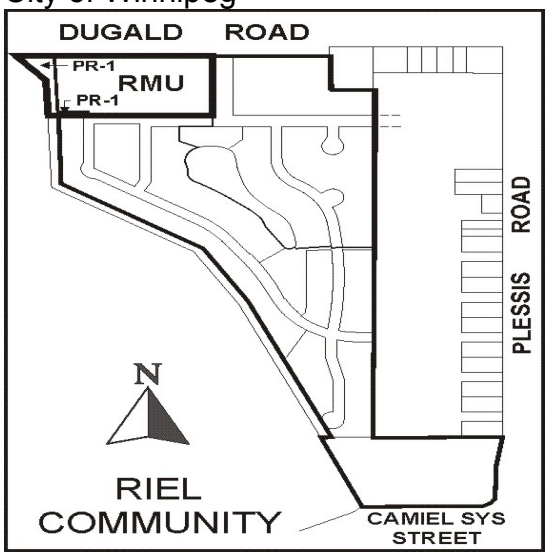
On June 20, 2008, Waterside Development Corporation was authorized to make application by the City of Winnipeg for development of the Bradley Street alignment lands, south of Dugald Road, north of Camiel Sys Street.

On October 10, 2008, Waterside Development Corporation made concurrent rezoning applications (DASZ 20/08, DASZ 33/08) as the first two phases to permit the establishment of a residential / commercial development the triangular area of City lands south of Dugald, north of Camiel Sys Street and west of Plessis Road.

On November 26, 2008, the Executive Policy Committee did not hear any representation on the application and adjourned the public hearing to its meeting on Wednesday, February 4, 2009 at 9:00 a.m., in the Council Building, 510 Main Street.

DISCUSSION:

FILE:	DASZ 33/2008
LOCATION:	South of Dugald, West of Plessis
RELATED FILES:	DASZ 20/2008; PW 5/2008
LEGAL DESCRIPTION:	Blocks 9 and 10 Plan 13723 WLTO in Lots 159 and 166 and Lots 195 to 201 RCMP
APPLICANT:	Waterside Development Corporation (Bill McGarry)
OWNER:	City of Winnipeg



Site Description

Location: Dugald Road, south side, west of Plessis Road, in the St. Boniface Industrial Park Neighbourhood, St. Boniface Ward, Riel Community Committee.

Size: 69.77 acres

Zoning: M1 Manufacturing Light (approximately 27.34 acres)

RR5 Rural Residential 5 (approximately 42.34 acres)

Plan Winnipeg: Industrial Policy Area (approximately 27.34 acres)

Neighbourhood Policy Area (approximately 42.34 acres)

Surrounding land uses and zoning:

North: across Dugald Road, are industrial zoned lands subject to Plan Winnipeg Amendment to Neighbourhood Policy Area (PW 4/08)

South: across Camiel Sys, is vacant City-owned property zoned RR5 Rural Residential 5

East: 28.9 acres of vacant privately owned lands zoned "R1"

West: St. Boniface Industrial Park zoned M1

Description of the Proposed Development

- This application is for the creation of 9.05 acre mixed use, residential / commercial lot along Dugald Road that would allow 789 dwelling units.
- A 0.22 acre triangle corner of open green space on the west side and a small pathway on the south side will be rezoned PR1 under this application.
- A concept plan has been provided to indicate how the entire 70 acres of land will be developed under future subdivision / rezoning applications for single family dwellings and open green space.

Development Analysis and Issues

PLAN WINNIPEG

The proposed concept does not comply with Plan Winnipeg in that a residential rezoning is not allowed in Industrial Policy Areas. The westerly portion of the 70 acres of the City Lands is designated Industrial Policy Area and zoned M1 – Manufacturing Light District - they are subject to a Plan Winnipeg Amendment (PW 5/08).

ZONING

- **PR1 Parks and Recreation 1 (Neighbourhood) Distric**t is intended for sites that are generally passive neighbourhood and community parks and facilities with predominantly pedestrian and cyclist access.
    - These sites may provide unstructured drop-in play and recreation opportunities, including play structures, passive parks, plazas and natural areas.
    - Generally, no parking facilities are associated with these uses.
    - These parks and open spaces typically occur in a residential neighbourhood or riverbank context and are generally accessed by residential streets.

- **RMU Commercial Mixed Use District** is intended to facilitate the development of primarily medium- to higher-density residential development, though it also may contain limited small-scale commercial, institutional, recreational, and service facilities needed to support residential development.
    - The area, site, or building should retain a predominantly residential character.
    - Development in the RMU district should facilitate and encourage pedestrian travel between residential and nonresidential uses.
    - This district is often adjacent and incidental to a town centre, neighbourhood commercial centre, or other type of mixed use or major employment centre.
    - There is a front yard requirement of 20 feet & rear yard requirement of 25 feet and the maximum building height is 100 feet.
    - The minimum lot area per dwelling unit is 500 square feet per dwelling unit.
    - The size of the lot, 394,463 square feet at a density of 500 square feet per dwelling unit would allow 789 dwelling units.

TRANSPORTATION AND SITE ACCESS

Access to Dugald Road will be limited for the proposed RMU and CMU lots along this major arterial road.

PATHWAYS / OPEN GREEN SPACE

- The Public Service prefers a public walkway on lands zoned PR1, south of the RMU property, be created in subsequent applications that is 50 feet in width to ensure a safe, accessible pathway be built that connects this neighbourhood with a future pathway along the southside of Dugald Road.
- The Public Service supports the portion of City owned land that is 50 foot width on the west end being retained by the City of Winnipeg and zoned PR1 in order to facilitate a pathway connecting Dugald Road to the new residential community.

LAND DEDICATION

The Developer will be required to dedicate to the City as public open space at least 8% of the land contained within the overall development area, landscape the dedicated land, and pay its share of the cost of services in streets abutting the dedicated land, in accordance with City policy, and as determined by, and to the satisfaction of, the Directors of Public Works and Property, Planning & Development.

If the Developer is unable to dedicate a full 8% of the land, the Developer shall dedicate an amount of land satisfactory to the Directors of Public Works and Property, Planning & Development, pay to the City the value of the difference between 8% of the land and the land actually dedicated, the value of the servicing of the land not dedicated, and the value of the landscaping of the land not dedicated.

Recommendation

The Public Service supports residential developments on the former North South Transportation Corridor lands as this will provide infill housing and represent a logical completion of a residential community between Plessis Road and the St. Boniface Industrial Park.

The Public Service is recommending that a 50 foot wide strip of land the City of Winnipeg owns between the proposed RMU lot and the St. Boniface Industrial Park be retained for future pathway use.

The Public Service is recommending that site plan approval for the multiple family buildings and potential commercial buildings along Dugald be reviewed by the East Kildonan – Transcona Community Committee and the Director of Planning, Property and Development. A guideline of design approval is provided in Appendix A.

The Public Service is recommending that signage, especially illuminated, be restricted on the south side of the RMU property to ensure future residents south of this property are not negatively affected.

Financial Impact Statement Date: January 28, 2009

Project Name:

DASZ 33 / 2008 - SOUTH SIDE OF DUGALD, WEST OF PLESSIS ROAD

COMMENTS:

There are no financial implications associated with the recommendations contained in this report.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:
N/A

External Consultation With:
N/A

THIS REPORT SUBMITTED BY:

Planning, Property, and Development Department
Planning and Land Use Division
Prepared by: John S Wintrup
PPD File No. DASZ 33/08

Attachments:
1. Schedule “A” for File No. DASZ 33/08, Executive Policy Committee, dated January 28, 2009
2. Schedule “B” – Administrative Coordinating Group Report File No. AG 33/08, dated November 19, 2008.
3. Schedule “C” – Misc. Plan No. 13179
4. Figure 1 – Existing Land-Uses for subject property and Surrounding Area
5. Figure 2 – Existing Zoning for subject property and Surrounding Area.
6. Appendix A – Design Guidelines for Plan Approval

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SCHEDULE "A" to the report to the Executive Policy Committee for File DASZ 33/2008, dated January 28, 2009

By–Law No. _____

File No. **DASZ 33/08**

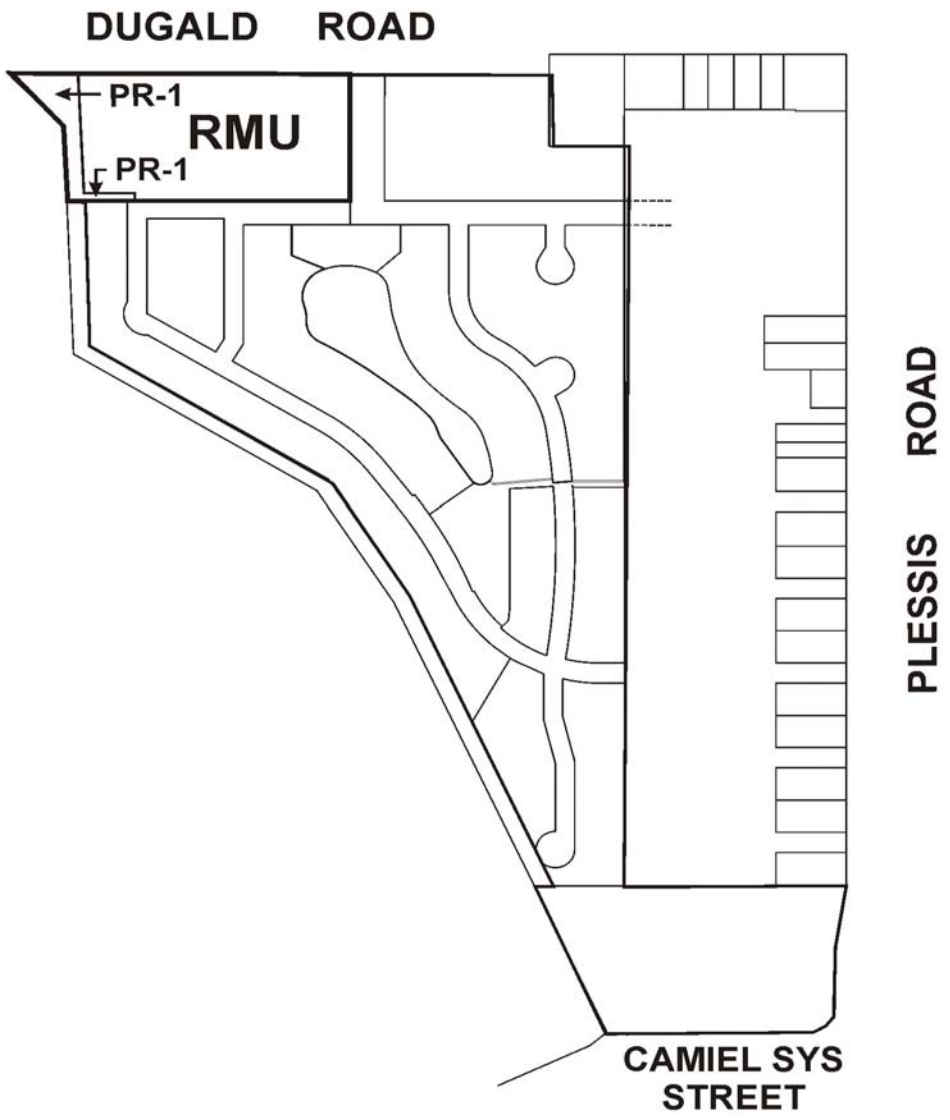
Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located south of Dugald Road, west of Plessis Road from an "M1" MANUFACTURING LIGHT INDUSTRIAL DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT as shown outlined below.

Atlas Sheet No.

N

AA32
RIEL
COMMUNITY



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B - REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP

RE: Proposed Subdivision and Rezoning of land south of Dugald Road, west of Plessis Road – Waterside Development Corp. - Phase 1B

Application DASZ 33/08 has been submitted by Waterside Development Corp. to subdivide and rezone Phase 1B of the land south of Dugald Road, west of Plessis Road.

It is recommended that the approval of DASZ 33/08 be subject to the following:

A. Plan Considerations

1. The applicant providing a plan of subdivision for the entire parcel of land under consideration (identified under Misc Plan #13179), showing the extent of public reserve (PR) lands (ideally at least 8% of the total area), which shall include a reasonably central active park space, subject to approval of the Director of Planning and Land Use.

2. The applicant providing a 3-m widening to the Public Reserve south of the RMU lands, and modifying that Public Reserve by a) extending it eastward to align with the east line of the westernmost north-south street (to provide a more significant and visible entrance), and b) providing triangular transitions at its east limit and across the 90-degree corner at its west limit.

3. The plan being amended to include the east-west roadway south of the Planned Area to the first intersection west of the north-south collector roadway in order to accommodate all-directional access to the proposed RMU site.

B. Servicing Report

The preparation and submission of a comprehensive servicing report, prepared by a qualified municipal engineer, including Servicing Criteria Sheets and plans showing the service areas, which addresses the underground servicing of the entire parcel as well as the adjacent lands to the east, and demonstrates that the existing systems can adequately meet the needs of the proposed development and adjacent lands, and that the proposed land drainage/stormwater retention system can meet the more stringent design standards imposed on this area.

C. Development Agreement

The Developer entering into a Development Agreement with the City for applications DASZ 20/08 and DASZ 33/08, with the following conditions pertaining to application DASZ 33/08:

1. That the Developer construct all watermains, wastewater sewers, land drainage sewers, and water and wastewater sewer lot line connections required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water & Waste.

2. That the Developer provide a lot grading and drainage plan, prepared by a municipal engineer or landscape architect, for lands within or affecting public reserve/park lands within the Planned Area, to the satisfaction of the Parks, Riverbanks and Community Initiatives Branch, to ensure conformity with long-term park development plans

3. That no private approaches will be permitted off Dugald Road to serve the Planned Area.

4. That the Developer cause underground electrical and telephone services to be installed to serve the proposed subdivision, to the satisfaction of the Director of Public Works.

5. That the Developer pay all costs associated with the relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to be constructed by the Developer to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Public Works.

6. That the Developer initiate, control, and pay all costs associated with the regular clean-up of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of houses, until completion of all construction, all as determined by, and to the satisfaction of, the Director of Public Works.

7. That the Developer ensure that construction traffic uses access routes determined by the Director of Public Works; maintain those access routes, at no expense to the City, in a clean, dust-free condition, free of dropped and tracked-on mud; and undertake the regular cleaning of streets – all until building construction, including landscaping, is complete, and all as determined by, and to the satisfaction of, the Director of Public Works.

8. That, should the Developer proceed with DASZ 33/08 prior to DASZ 20/08, prior to the issuance of building permits for DASZ 33/08, the Developer finance and construct, in the proposed north-south roadway which abuts the Planned Area to

the east and intersects with Dugald Road, two 8.0-m-wide by 200-mm-thick portland cement concrete pavements and all related works, including, but not limited to, drainage works, sidewalks on both sides, street lighting, and boulevard landscaping.

9. That any private approach to the Planned Area on the north-south collector roadway be limited to right-in/right-out for purposes of safe and efficient traffic operations.

10. That the Developer finance and construct a 10.0-m-wide by 200-mm-thick Portland cement concrete pavement and all related works in the proposed east-west roadway south of the proposed RMU site from the north-south collector street to the first intersection to the west, including, but not limited to sidewalks on both sides, street lighting, boulevard landscaping, and drainage works.

11. That, should the Developer proceed with DASZ 33/08 prior to DASZ 20/08, prior to the issuance of building permits for DASZ 33/08, the Developer finance and construct all works associated with the new intersection of Dugald Road and the north-south roadway abutting the Planned Area to the east, including eastbound and westbound turning lanes, channelization, and a median opening.

12. That the Developer pay all costs associated with the installation of traffic-control signals at the intersection of Dugald Road and the new north-south roadway and all related works, including, but not limited to, pedestrian and vehicle actuation and interconnection with the adjacent signalized intersections, when, and as determined by, the Director of Public Works.

13. That, should the Developer proceed with DASZ 33/08 prior to DASZ 20/08, the Developer cause ornamental street lighting to be installed in the proposed north-south roadway which abuts the Planned Area to the east and intersects with Dugald Road.

14. That, should the Developer proceed with DASZ 33/08 prior to DASZ 20/08, the Developer cause to be installed standard, reflectorized, permanent street-name signs at all new street intersections being created as a result of the subdivision.

15. That, should the Developer proceed with DASZ 33/08 prior to DASZ 20/08, the Developer construct a cul-de-sac-type vehicle turnaround at the terminus of any temporarily dead-ended street as determined by, and to the satisfaction of, the Director of Public Works.

16. That, should the Developer proceed with DASZ 33/08 prior to DASZ 20/08, the Developer erect and maintain barricades and signing across the full width of any temporarily dead-ended street, immediately upon completion of the paving or

when building construction has begun, whichever is sooner, as determined by, and to the satisfaction of, the Director of Public Works.

17. That the Developer pay the full cost of engineering services provided by or on behalf of the City in connection with the installation of services required to serve the Planned Area.

18. That the Developer pay $1,200.00 plus GST per acre to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

19. That the Developer dedicate to the City as public open space at least 8% of the land contained within the overall development area, landscape the dedicated land, and pay its share of the cost of services in streets abutting the dedicated land, in accordance with City policy, and as determined by, and to the satisfaction of, the Directors of Public Works and Property, Planning & Development. If the Developer is unable to dedicate a full 8% of the land, the Developer shall dedicate an amount of land satisfactory to the Directors of Public Works and Property, Planning & Development, pay to the City the value of the difference between 8% of the land and the land actually dedicated, the value of the servicing of the land not dedicated, and the value of the landscaping of the land not dedicated.

20. That the Developer, at no expense to the City, construct a 1.8-m-wide asphaltic concrete path from Dugald Road to the street south of the RMU parcel.

21. That the Developer assume responsibility for the maintenance of all park sites until they are developed and turned over to the City for maintenance.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 33/08
January 27, 2009

"original signed by S. Matile"
S. Matile, P. Eng., Chair
Land Development Branch

"original signed by R. Hartmann"
R. Hartmann, P. Eng.
Public Works Department, Transportation Division

"original signed by F. Mazur"
F. Mazur, P. Eng.
Water & Waste Department

"original signed by D. Beaton"
D. Beaton, MLArch
Riverbanks, Parks, & Community Initiatives Branch

SCHEDULE "C" – MISC. Plan 13179

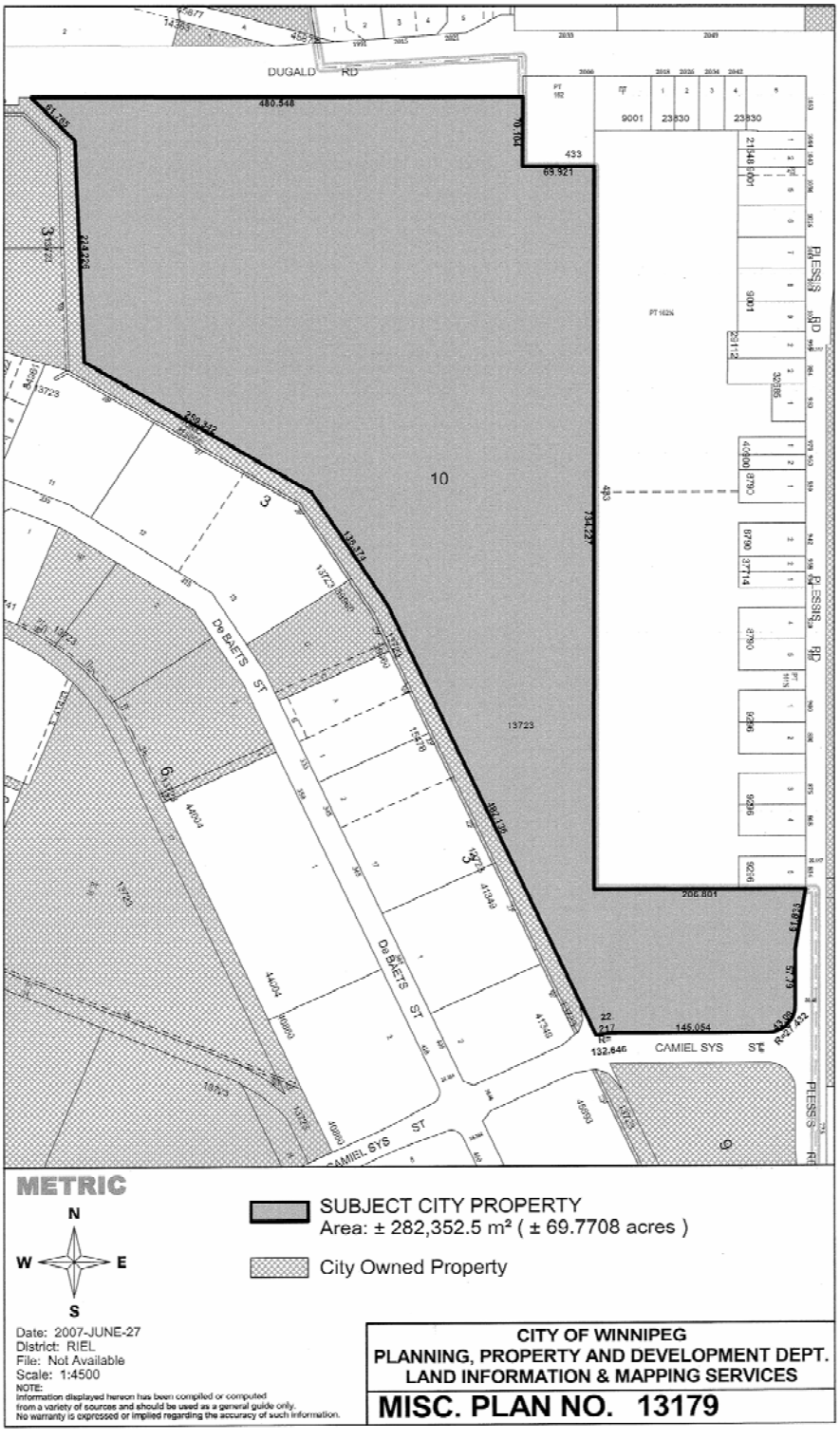


FIGURE 1 - ***Existing Land-Uses for subject property and Surrounding Area.***

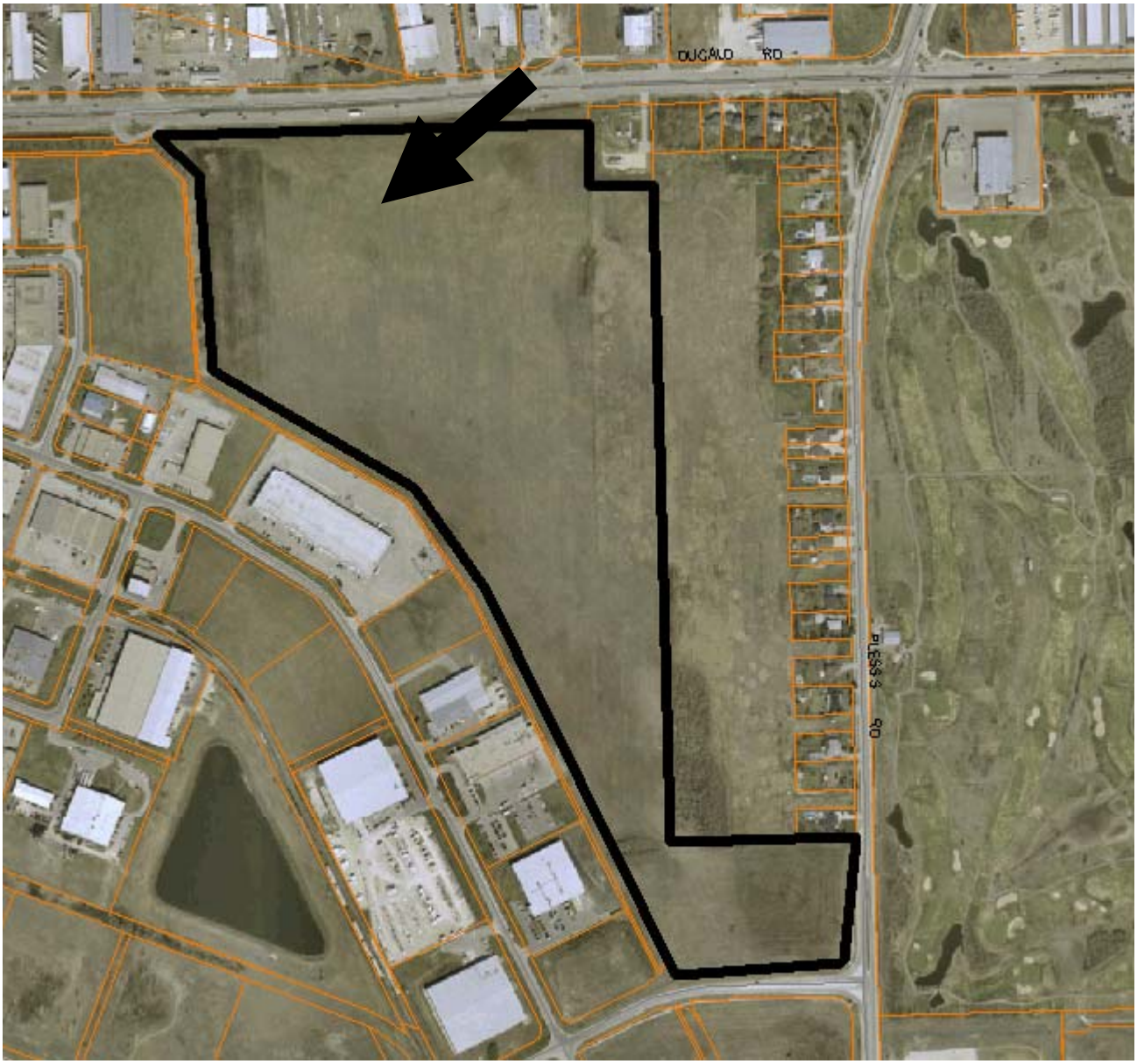
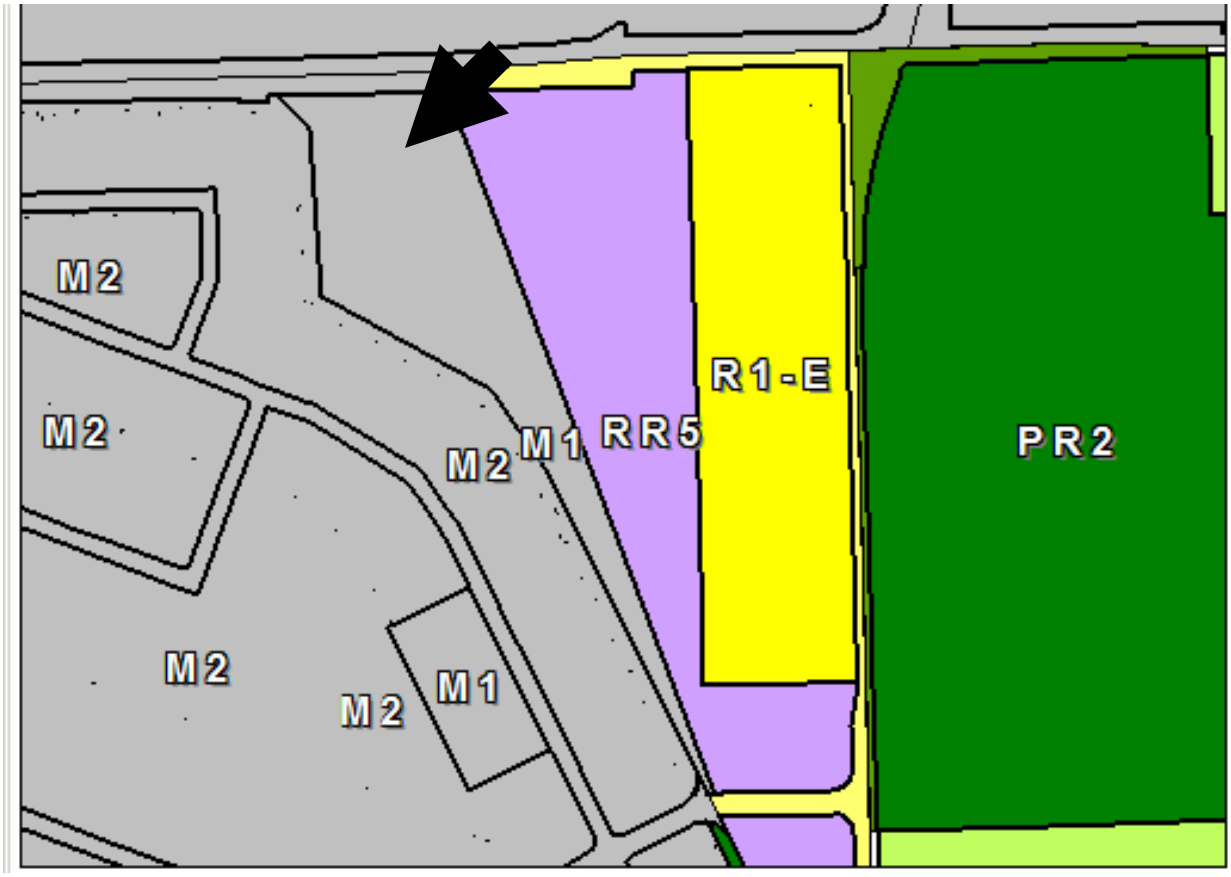


FIGURE 2 - ***Existing Zoning for subject property and Surrounding Area.***



APPENDIX "A"- ***Design Guidelines for RMU, CMU and RMF properties in DASZ 20/08 and DASZ 33/08***

Purpose: To be used as guidelines when reviewing the final plan submittals for multiple family and/or commercial buildings south of Dugald, north of Camiel Sys, west of Plessis Road.

Lighting

A. Night lighting and security lighting shall be shielded to ensure that there is no off-site glare or skyward illumination for the adjacent single family dwellings to the south of the new east / west road.
B. Parking lot and landscape lighting shall be low to the ground, to reduce glare and illuminate all pedestrian walkways.
C. Within 50 ft. of the property boundary, light fixtures shall be full cutoff.
D. All other outdoor lighting fixtures may be semi-cutoff or full-cutoff
E. Location and type of lighting should be submitted in a lighting plan.

Buffering

That a minimum 25 foot separation space/buffer be provided along the south property lines of the CMU and RMU Parcels across the new east / west street from the future residential dwellings.

Parking

A. To the maximum extent possible, parking areas should be internalized in building groupings and oriented away from street frontages.
B. Consider breaking up large parking areas into smaller blocks of parking with landscape islands.
C. Consider separating parking areas from each other by a landscape strip +10 feet in width.
D. Parking areas abutting the right of way should be set back from the property line with enough space for soft berming and landscaping around the perimeter to provide screening and an attractive visual presentation for the property
E. Parking areas abutting the building should be set back a minimum of 10 feet with berming or hedging to screen headlight glare.

Site Planning

Consider setting aside an area of common open space on the Multiple Family lot that can be easily accessed by building residents and that provides a focal point for the residents to interact, and adds to the overall quality of life for residents. It should be purposefully integrated into the overall design of the development and not merely residual areas left over after the buildings and parking lot are sited.

Common open space can include gardens, courtyards, recreation, or play areas and may include some of the following features:

- Seasonal planting areas

- Large, flowering trees
- Seating
- Pedestrian scaled lighting
- Gazebos or other decorative shelters
- Play structures for children
- On-site recreation amenities

Building Design

A. Provide a distinctive, quality, architectural character and style that give character to each building, allowing some similar theme / design to run through each building but also marking each individually.
B. New buildings should respect the context of adjacent residential neighbourhoods including the height, scale, mass, form, and character of surrounding development
C. Front doors / entrances should be clearly marked with distinct design elements such as porticoes, benches, canopies, etc.
D. Masonry used to enhance the façade of buildings.

Pedestrian Connections

A. Consider providing pedestrian connections from each building entrance to an internal sidewalk system which connects to the external sidewalk system.
B. Where these sidewalks cross a parking lot, connections should be marked through the use of a change in paving materials and height as a signal to motorists that they should slow down upon approaching.

Corner and entryways

A gate way feature of landscaping and/or architectural element is recommended to anchor the corner of Dugald and the new north / south street as a significant entrance into the proposed subdivision to assist in creating a neighbourhood identity.

Screening

A. Mixture of deciduous and coniferous trees is recommended along the property lines adjoining the new right-of-ways internal to the subdivision plan. This is especially important along the west side of the proposed CMU and east side of the proposed RMU, where the proposed building is oriented parallel to the main street into the new residential community and could potential house a number of commercial uses.
B. Mixture of deciduous and coniferous trees is recommended along the east property line of the CMU to provide some visual separation against Manitoba Hydro's major gas pipeline utility to the east.
C. Mixture of deciduous and coniferous trees is recommended along the west property line of the RMU to provide some visual separation Winnipeg Police Service Station and St. Boniface Industrial Park to the west.

D. Mixture of deciduous and coniferous trees is recommended along the south property line of the RMF-S to provide some visual separation against Camiel Sys Street.
E. Mixture of deciduous and coniferous trees and berming is recommended along the west property line of the RMF-S to provide some visual separation against St. Boniface Industrial Park.
F. Mixture of deciduous and coniferous trees and berming is recommended along the east property line of the RMF-S to provide some visual separation against Plessis Road.