Minute No. 336
Report – Executive Policy Committee – April 11, 2012

Item No. 1 **Subdivision and Rezoning – 1139 St. Anne's Road (St. Vital Ward) File DASZ 1/2012 [c/r DAV 101621/2012D]**

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the plan of subdivision under File DASZ 1/2012 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 1/2012 dated March 19, 2012 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated March 26, 2012 which is Schedule "B" of this report.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 1/2012 dated March 19, 2012 to an "RMF-S" Multi-Family District and a "PR1" Parks 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 development of any building, and/or accessory parking area and/or signage within the lands zoned "RMF-S" Residential Multi-Family, 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 and the Riel 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.

Report – Executive Policy Committee – April 11, 2012

COUNCIL DECISION (continued):

ii. That the Developer and all successors in title to the lots in the rezoning shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the lots, private cross-access agreements with the owners of Parcel B Plan 45344, Parcel D Plan 45344, Parcel A Plan 49407, and Parcel C Plan 49407 so as to ensure access to the subject lands at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners must submit the agreements or easements to the City Solicitor for approval prior to execution.

iii. That, where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the WFPS.

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 two (2) years 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 the two (2)-year period and Council approves the extension.

5. That the Director of Legal Services and City Solicitor 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 Servicing Agreement.

Report – Executive Policy Committee – April 11, 2012

COUNCIL DECISION (continued):

7. That the zoning section of the by-law shall come into force and effect 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 (1) 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 (1) 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 an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

10. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Report – Executive Policy Committee – April 11, 2012

DECISION MAKING HISTORY:

Moved by His Worship Mayor Katz,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 11, 2012, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 2, 2012, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

RE: **Subdivision and Rezoning - 1139 St. Anne's Road**
File DASZ 1/2012

For submission to: **Executive Policy Committee**

Prepared by: **Marc Pittet, Senior Committee Clerk**
Riel Community Committee

Report date: **April 3, 2012**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 2, 2012, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommends to the Executive Policy Committee:

1. That the plan of subdivision under File DASZ 1/2012 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 1/2012 dated March 19, 2012 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated March 26, 2012 which is Schedule "B" of this report.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 1/2012 dated March 19, 2012 to an "RMF-S" Multi-Family District and a "PR1" Parks 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 development of any building, and/or accessory parking area and/or signage within the lands zoned "RMF-S" Residential Multi-Family, 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 and the Riel 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, the Developer and all successors in title to the lots in the rezoning shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the lots, private cross-access agreements with the owners of Parcel B Plan 45344, Parcel D Plan 45344, Parcel A Plan 49407, and Parcel C Plan 49407 so as to ensure access to the subject lands at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners must submit the agreements or easements to the City Solicitor for approval prior to execution.

iii. That, where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the WFPS.

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 two (2) years 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 the two (2)-year period and Council approves the extension.

5. That the Director of Legal Services and City Solicitor 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 Servicing Agreement.

7. That the zoning section of the by-law shall come into force and effect 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 (1) 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 (1) 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 an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

10. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

The Riel Community Committee provided the following supporting reasons for its recommendation:

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated March 19, 2012.

2. The proposed development is consistent with the neighbourhood, is of reasonable density and will benefit the community by expanding the Seine River Parkway.

PUBLIC HEARING SUMMARY

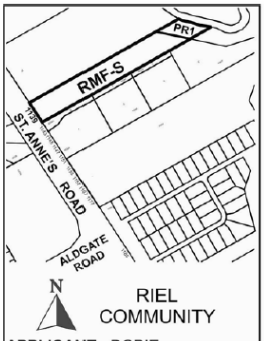
File: DASZ 1/2012

Before: Riel Community Committee
Councillor Swandel, Chairperson
Councillor Mayes

Public Hearing: April 2, 2012
Council Chamber
Council Building, 510 Main Street

Applicant: Dobie Properties Ltd.

Subject:



APPLICANT : DOBIE PROPERTIES LTD.
FILE : DASZ 1/12
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. 200/2006 by rezoning the land shown outlined above from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION 1 DISTRICT to allow for the construction of multiple-family dwellings. **For information, phone Mr. R. Kostiuk, Planner, at 986-7367.**
DEMANDEUR : DOBIE PROPERTIES LTD.
N° DE RÉFÉRENCE : DALZ 1/12
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du Règlement municipal no 200/2006 visant à changer le zonage des sols délinéés ci-dessus qui passeraient de la catégorie RR5 (SECTEUR RÉSIDENTIEL EN MILIEU RURAL 5) aux catégories RMF-S (SECTEUR DE PETITES HABITATIONS MULTIFAMILIALES et PR1 (SECTEUR DES PARCS ET DES LOISIRS 1) afin de permettre la construction d'habitations multifamiliales. **Pour plus de renseignements, veuillez communiquer avec M. R. Kostiuk, urbaniste, au 986-7367.**

Premises Affected: 1139 St. Anne's Road

Exhibits Filed:

1. Application dated January 10, 2011
2. Notification of Public Hearing dated March 5, 2012
3. Manitoba Status of Titles 13127581/1
4. Letter of authorization dated January 4, 2012 from Qualico Developments (Winnipeg) Ltd. to Dobie Properties Ltd.
5. Caveat No. 1863229 dated November 22, 1994
6. Plans (2 pages)
7. Report from the Planning and Land Use Division dated March 19, 2012
8. Inspection Report
9. Audio Recording of representations

REPRESENTATIONS:

In Support:

Cameron Dobie
Kelly Rempel
Eric Vogan

In Opposition

Nil

For Information:

Peter Fuchs

For the City:

Kim Raban, Land Development Administrator, Planning, Property and Development Department
Robert Kostiuk, Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 1/2012

ADMINISTRATIVE REPORT

Title: DASZ 1/2012 – 1139 St. Anne's Road Public Hearing

Issue: An application for consideration at the Public Hearing to rezone the site from RR5 to RMF-S and PR1 in order to develop a twenty (20) unit, townhouse-style condominium project and create parkland.

Critical Path: Riel Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	N/A	N/A	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 1/2012 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 1/2012 dated March 19, 2012 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated March 26, 2012 which is Schedule "B" of this report.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 1/2012 dated March 19, 2012 to an "RMF-S" Multi-Family District and a "PR1" Parks 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 development of any building, and/or accessory parking area and/or signage within the lands zoned "RMF-S" Residential Multi-Family, 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 and the Riel

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, the Developer and all successors in title to the lots in the rezoning shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the lots, private cross-access agreements with the owners of Parcel B Plan 45344, Parcel D Plan 45344, Parcel A Plan 49407, and Parcel C Plan 49407 so as to ensure access to the subject lands at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners must submit the agreements or easements to the City Solicitor for approval prior to execution.

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10. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

REASON FOR THE REPORT

- The applicant is proposing to subdivide the site into two lots and rezone the property from "RR5" Rural Residential 5 to "RMF-S" Residential Multi-Family Small and "PR1" Parks and Recreation 1 (Neighbourhood).
- The proposed RMF-S zoned lot will be used to develop a twenty (20) unit, townhouse-style condominium project. In total there will be five (5) townhouse blocks that consist of four (4) dwelling units within each block. The townhouse units will all have front driveway access to the existing paved shared access servicing the multi-family developments to the south.
- The proposed PR1-zoned lot will be transferred to the City for the continued development of the Seine River Parkway.
- Subdivisions and rezonings require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Urban Planning Division are concurred in, the subject site will be subdivided into two lots and rezoned to RMF-S and PR1. The rezoning and subdivision will permit the proposed multi-family development on the RMF-S lot and allow for the continued development of the Seine River Parkway on the PR1 zoned lot.

HISTORY

- N/A

CONSULTATION

In preparing this report there was consultation with: N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Robert Kostiuk
Date:	March 19, 2012
File No.	DASZ 1/2012

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule "A" — Recommended File No. DASZ 1/2012 Riel Community Committee, dated March 19, 2012.
3. Schedule "B" — Report of the Administrative Coordinating Group
4. Appendix B — Plan Approval Design Guidelines for DASZ 1/2012

APPENDIX 'A'

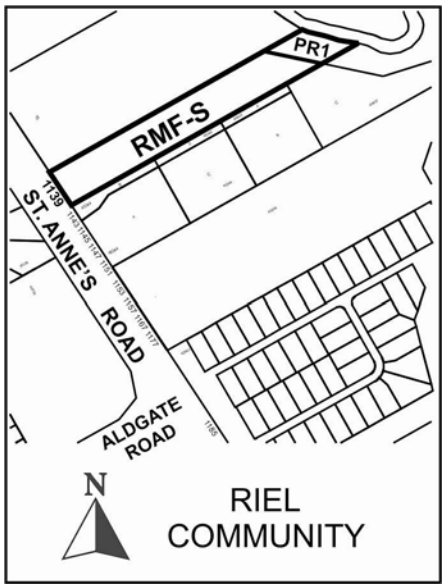
DATE: March 19, 2012

FILE: DASZ 1/2012
RELATED FILES: DAV 12-101621/D (c/r)

COMMUNITY: Riel
NEIGHBOURHOOD #: 5.530

SUBJECT: To rezone the land from "RR5" Rural Residential 5 to "RMF-S" Residential Multi-Family Small and "PR1" Parks and Recreation 1 in order to develop a twenty (20) unit, townhouse-style condominium project and create parkland.

LOCATION: 1139 St Anne's RD
LEGAL DESCRIPTION: LOT 1 PLAN 9668 137 ST N



APPLICANT: Cam Dobie Dobie Properties Ltd.
N - 390 Provencher Blvd
Winnipeg MB R2H 0H1

OWNER: QUALICO DEVELPOMENTS (WINNIPEG) LTD.
1 DR. DAVID FRIESEN DR
WINNIPEG MB R3X 0G8

RECOMMENDATION: Approval with Conditions

REPORT SUMMARY

- The applicant is proposing to subdivide the site into two lots and rezone the property from “RR5” Rural Residential 5 to “RMF-S” Residential Multi-Family Small and “PR1” Parks and Recreation 1 (Neighbourhood).
- The proposed RMF-S zoned lot will be used to develop a twenty (20) unit, townhouse-style condominium project. In total there will be five (5) townhouse blocks that consist of four (4) dwelling units within each block. The townhouse units will all have front driveway access to the existing paved shared access servicing the multi-family developments to the south.
- The Urban Planning Division recommends supporting this application.

SITE DESCRIPTION

- The subject site is located on the east side of St. Anne’s Road between Warde Avenue and Creek Bend Road in the Dakota Crossing neighbourhood of the St. Vital Ward.
- The site is vacant and approximately **78,408 square feet (1.8 acres) in area.**
- There is Riverbottom Forest towards the eastern extent of the site. The City of Winnipeg Naturalist Services classifies the Riverbottom Forest as Grade “B” Habitat. There is also a mix of mature trees and shrubs that straddle the full extent of the northern property line.
- There is a 7.5 metre (25 feet) wide easement along the entire length of the south property line that widens to include the entire eastern 26 metres (85 feet) of the property. This easement is required for the City to access the land drainage pipe that goes through the property to the Seine River. Buildings or structures are not permitted to be constructed within the easement, but paving or fences are permitted with the Director of Water and Waste’s authorization.
- The site is located along a Mixed Use Corridor (St. Anne’s Road) under the Complete Communities Direction Strategy and is zoned “RR5” Rural Residential 5.



Figure 1: Aerial photograph showing approximate area of the subject site and surrounding area (2009)

SURROUNDING LAND USES AND ZONING (See Figure 2)

North: A school (Centre scolaire Léo-Rémillard) zoned RR5.

South: Multi-family developments zoned RMF-S.

East: The Seine River.

West: St. Anne's Road and detached single-family homes zoned R1-M.

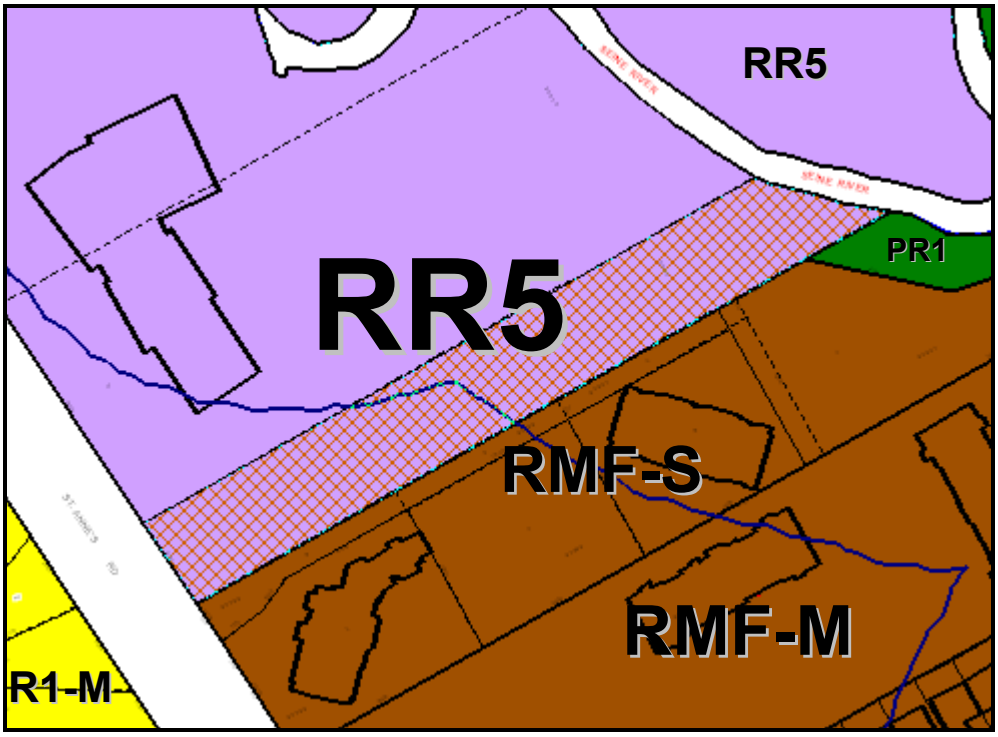


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide the site into two lots and rezone the property from “RR5” Rural Residential 5 to “RMF-S” Residential Multi-Family Small and “PR1” Parks and Recreation 1 (Neighbourhood).
- The proposed RMF-S zoned lot will be used to develop a twenty (20) unit, townhouse-style condominium project. In total there will be five (5) townhouse blocks that consist of four (4) dwelling units within each block. The townhouse units will all have front driveway access to the existing paved shared access servicing the multi-family developments to the south.
- The proposed PR1-zoned lot will be transferred to the City for the continued development of the Seine River Parkway.
- A variance application (DAV 12-101621/D) is required because the applicant is proposing to not have the parking areas for the site connected to a lane or street. Vehicular access to the townhomes will be from the existing paved access south of the site.

ANALYSIS AND ISSUES

- Under the Complete Communities Direction Strategy the proposed development is located along a Mixed-Use Corridor (St. Anne's Road). Key relevant policies guiding development along Mixed Use Corridors include:
    - Provide a mix of employment, higher-density residential opportunities, retail and service uses that support the needs of and respect the context of adjacent communities.
    - Support a range of housing opportunities in terms of type, tenure, unit size.
    - Promote the highest levels of intensification at significant intersections. Between each centre, lower intensities of commercial, residential and mixed use development are appropriate.
    - Support active uses (such as retail and services) at street level and office and housing on the upper levels of multi-storey developments.
    - Promote high-quality plazas, parks and streetscapes as focal points and networks that are connected to the greater community.
    - Support development in accordance with Universal Design and Crime Prevention Through Environmental Design (CPTED) policies.
    - Promote innovative parking strategies and high intensity developments, including locating parking lots to the rear of developments, encouraging the development of underground parking or parking structures and encouraging the preservation and/or planting of trees and other types of vegetation within and around surface parking lots.

ZONING

"RR5" Rural Residential 5 District

- The RR5 district is intended to provide areas for large-lot rural residential development along with limited agricultural uses. The RR5 district requires: a minimum lot width of 25 feet, a minimum lot area of 5 acres, side yards of 25 feet, a front yard of 25 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 30%.

"R1-M" Residential Single-Family Medium District

- The R1-M district requires: a minimum lot width of 25 feet, a minimum lot area of 3,500 square feet, side yards of 4 feet, a front yard of 15 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 45%.

LAND USE BY-LAW

Rezoning

- The RR5 zoning district is intended for rural, single-family residential development with a minimum lot area of five acres. The applicant is proposing to rezone the land from RR5 to RMF-S in order to develop multi-family buildings on the site.

Variance

- Section 172(3)(a) of the Zoning By-law requires accessory off-street parking areas to have driveway access from a public street or lane. The applicant is proposing to access the parking areas for the townhomes from the private access located immediately south of the property through a cross access agreement.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The Complete Communities Direction Strategy encourages the intensification of land for multi-family uses along major corridors such as St. Anne's Road.
- The proposed multi-family development is located beside existing multi-family developments zoned RMF-S. Furthermore, most of the land from the subject property to the St. Anne's Road and Creek Bend Road intersection is zoned multi-family and developed as such.
- The proposed shared vehicular access is an efficient use of land. Public Works has confirmed that there are no traffic or circulation concerns associated with the shared access from a traffic engineering perspective, even if all of the land south of the access was built to its full capacity under the RMF-S zoning (which would allow for a total of 131 units).

RECOMMENDED ZONING AGREEMENT

Plan Approval

- Building elevations and landscaping plans were not included in the subject application. As such, the Urban Planning Division is recommending that final plans be submitted to the Director of Planning, Property and Development and Riel Community Committee for review prior to the issuance of a development permit on the site. The inclusion of this clause will allow the Urban Planning Division and the Riel Community Committee to review final plans before development takes place on the site for the proposed development and for any future developments on the site.
- General design guidelines for future plan approvals have been included in Appendix B.

Cross Access Agreement

- A cross access agreement is required for the subject application and associated variance. The Urban Planning Division is recommending that a cross access agreement be entered into with the owners of Parcel B Plan 45344, Parcel D Plan 45344, Parcel A Plan 49407, and Parcel C Plan 49407 through the zoning agreement.

Building Numbering

- The Division is recommending to include a clause that relates to addressing the buildings on the site in order to make it easier for WFPS to respond to emergency calls that may arise.

FLOOD PROTECTION & WATERWAY REQUIREMENT

- *Any new development in the Floodway or Floodway Fringe area is regulated by The City of Winnipeg Charter Designated Floodway Fringe Area Regulation 266/91.*
- *Development on the site will require a Waterways Permit from the Director of Planning, Property, & Development.*
- *The City of Winnipeg Water and Waste Department has determined the Flood Protection Level to be the 229.5 metre contour along the eastern portion of the property.*
- *As outlined in Schedule "B" of the Report of the Administrative Coordinating Group, the developer is to submit a plan of subdivision showing the location of the 229.5 metre contour and sell all land below this contour to the City. The land purchased by the City is to be zoned "PR1" Parks and Recreation 1 to help form the Seine River Parkway.*
- *Since the 1980's, the City of Winnipeg has, as a matter of policy, purchased land (most often through development or servicing agreements included in subdivisions and/or rezonings) below the Flood Protection Level to help form the Seine River Parkway and to provide for a long-term economical drainage outlet for the City's southeast quadrant (see Minutes of City Council, January 19th, 1983 Report of the Executive Policy Committee: Seine River Park Study File PR-7.21).*
- *Purchasing land for drainage flow is also consistent with the City of Winnipeg Development Agreement Parameters (Section 22: Rivers and Creeks).*

LAND DEDICATION

- Land dedication for this application is identified in the Report of the ACG (see Schedule B, Section 4).

RECOMMENDATION

The Urban Planning Division recommends **approval** for the following reasons:

- The proposed rezoning and subdivision application is consistent with the Complete Communities Direction Strategy.
- The proposed multi-family development is located beside existing multi-family developments zoned RMF-S.
- The proposed shared vehicular access is an efficient use of land.

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

Report Prepared By: Robert Kostiuk, MCIP
PPD File # DASZ 1/2012

Schedule "A" for File No. DASZ 1/2012, Riel Community Committee, dated March 19, 2012

By-Law No. _____

File No. **DASZ 1/12**

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 at 1139 St. Anne's Road from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION 1 DISTRICT to allow for the construction of multiple-family dwellings as shown outlined below.

Atlas Sheet No.

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COMMUNITY



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

SCHEDULE B - REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP

RE: PROPOSED SUBDIVISION OF LAND AT 1139 ST. ANNE'S ROAD - DASZ 1/2012

It is recommended that the approval of DASZ 1/2012, if granted, be subject to the applicant entering into a Servicing Agreement with the City of Winnipeg, containing the following conditions:

1. The Developer shall sell to the City, for Seine River Waterway purposes, at a price not to exceed $15,000.00 per acre, all land within the Planned Area lying below geodetic elevation 229.5 m, in accordance with the City's Seine River Waterway policy.

2. The Developer shall retain the services of a Manitoba Land Surveyor to prepare a Plan of Subdivision of the Planned Area delineating the 229.5-m contour and have it submitted for registration.

3. The Developer shall pay the Seine River Waterway Land Acquisition Charge ($145.00/acre) for all land within the Planned Area above geodetic elevation 229.5 m.

4. The Developer shall dedicate, to the City, 10% of the land within the Planned Area, above and adjacent to the 229.5-m elevation contour as public open space, the specific configuration of which shall be as determined by the Director of Planning, Property and Development and as necessary to preserve and protect the greatest extent of existing riverbank habitat.

5. The developer shall demarcate the property line between the residential property and Public reserve with bollard fencing to the satisfaction of the Director of Planning, Property and Development. Said fencing to be located within the residential property and maintained thereafter by the property owner, as established by caveat.

6. The Developer's site plan shall show the proposed Seine River Greenway and Trail and if the proposed development is to be a condominium, the Developer shall submit, to the City, a copy of the condominium agreement for the development, which shall include a reference to the Seine River Trail and identify that this trail is to be accessible to the general public.

7. The Developer shall, prior to the release of subdivision mylars, pay its share of the cost of the Seine River Trail, and associated works, previously constructed by others within the dedicated public open space.

8. The Developer shall grant easements to the City for all purposes with respect to the trail, to the satisfaction of the Director of Planning, Property & Development.

9. Following completion of all major construction works, the Developer shall, at its cost, have the locations of the survey monuments within the Planned Area verified and, where the survey monuments have been disturbed, moved, covered, mutilated, or destroyed, have them replaced by a Manitoba Land Surveyor, who shall provide the Director of Planning, Property & Development with a certificate that all survey monuments within the Planned Area have been verified and/or replaced.

10. The Developer shall pay to the City $1,200.00 plus GST per acre (minimum $1650.00) to defray the City's administration and related costs associated with the preparation and implementation of the Servicing Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 1/2012
March 26, 2012

"original signed by K.T. Raban, P. Eng."
K.T. Raban, P. Eng.,
Land Development Branch

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

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

/ktr

APPENDIX 'B' **Design Guidelines**

Plan Approval Design Guidelines for DASZ 1/2012 – 1139 St. Anne's Road

1. Site Planning

1.1 The site layout and building orientation should ensure that the buildings relate appropriately to the street (St. Anne's Road) and surrounding developments and create a cohesive visual identity for the neighbourhood.

1.2 Site design should consider opportunities for enhancing personal security and safety by incorporating Crime Prevention Through Environmental Design (CPTED) principles.

1.3 Parking areas should be well-screened with landscaping or an active development along the street-front.

1.4 Locate refuse storage areas and other building services internal to buildings or screened from view with appropriate fencing/landscaping.

1.5 Universally accessible connections should be linked to the existing sidewalk along St. Anne's Road.

2. Building Orientation and Design

2.1 The building façade facing St. Anne's Road should be well-articulated and should avoid featureless building massing.

2.2 The overall design should be made up of a distinctive, quality, architectural character and style that also avoids monotonous and featureless building massing and design.

2.3 Ensure detailed design supports the identity and quality of the place through good design; quality building materials, sustainable materials; and commitment to long-term maintenance.

2.4 Minimize blank walls – use landscaping, aesthetic characters (such as projections and offsets), change in cladding material, glass, etc. to break up tracts of continuous blank walls.

3. Landscaping

3.1 Landscaping shall be provided to enhance the overall development in key areas such as the development perimeter, corners, common areas, areas along pathways, and entryways.

3.2 High-quality landscaping is required along the front of the development (i.e. along St. Anne's Road) and along the side and rear yards. It is preferred that existing trees along the north and west property lines be preserved as much as possible and that the remaining required plantings of trees be of a similar species.

4. Fencing

4.1 Any proposed fencing should be composed of high quality materials.