Minutes – Executive Policy Committee – May 16, 2012

Minute No. 254
Report – Standing Policy Committee on Property and Development – May 8, 2012

Item No. 2 Subdivision and Rezoning – 15 Chester Street
(Elmwood-East Kildonan Ward)
File DASZ 47/2011 [c/r DAC 21/2011 and DAV 108153/2012D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submits the following to Council:

1. That the plan of subdivision proposed under File DASZ 47/2011 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" for File DASZ 47/2011 dated April 17, 2012 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 April 12, 2012.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "B" for File DASZ 47/2011 dated April 17, 2012, to a "R1-M" Residential Single Family district and an "R2" Residential Two Family district.

3. That the City-owned property adjacent to 888 McCalman, identified as "Subject City Property" on Misc Plan No. 14198 be declared surplus to the needs of the City.

4. That the Director of Planning, Property and Development be authorized to sell the "Subject City Property" on Misc Plan No. 14198 to the applicant in accordance with the terms of Clause 12 of the Administrative Coordinating Group report dated April 17, 2012, with all terms and conditions satisfactory to the Director of Planning, Property and Development and the City Solicitor/Manager of Legal Services.

5. That the net proceeds of sale of the City-owned property adjacent to 888 McCalman, identified as "Subject City Property" on Misc Plan No. 14198 be allocated to the East Elmwood Community Centre redevelopment.

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

Report – Standing Policy Committee on Property and Development – May 8, 2012

7. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two 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-year period and Council approves the extension.

8. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

9. 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.

10. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

11. 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 an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

12. 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.

Minutes – Executive Policy Committee – May 16, 2012

Report – Standing Policy Committee on Property and Development – May 8, 2012

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On May 8, 2012, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 24, 2012, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- Add the following Condition:
  5. That the net proceeds of sale of the City-owned property adjacent to 888 McCalman, identified as "Subject City Property" on Misc Plan No. 14198 be allocated to the East Elmwood Community Centre redevelopment,

and forwarded to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning – 15 Chester Street**
File DASZ 47/2011 [c/r DAC 21/2011 and DAV 108153/2012D]

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

Prepared by: **Carlos Gameiro, Senior Committee Clerk**
East Kildonan-Transcona Community Committee

Report date: **April 26, 2012**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 24, 2012, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 47/2011 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" for File DASZ 47/2011 dated April 17, 2012 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 April 12, 2012.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "B" for File DASZ 47/2011 dated April 17, 2012, to a "R1-M" Residential Single Family district and an "R2" Residential Two Family district.

3. That the City-owned property adjacent to 888 McCalman, identified as "Subject City Property" on Misc Plan No. 14198 be declared surplus to the needs of the City.

4. That the Director of Planning, Property and Development be authorized to sell the "Subject City Property" on Misc Plan No. 14198 to the applicant in accordance with the terms of Clause 12 of the Administrative Coordinating Group report dated April 17, 2012, with all terms and conditions satisfactory to the Director of Planning, Property and Development and the City Solicitor/Manager of Legal Services.

5. That the net proceeds of sale of the City-owned property adjacent to 888 McCalman, identified as "Subject City Property" on Misc Plan No. 14198 be allocated to the East Elmwood Community Centre redevelopment.

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

7. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two 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-year period and Council approves the extension.

8. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

9. 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.

10. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

11. 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 an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

12. 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.

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

The East Kildonan-Transcona Community Committee provided the following supporting reasons for its recommendation:

1. The building had been sitting vacant for a number of years and the area residents did not want to see this redeveloped as commercial lands. This residential development is a good fit and improves the area.

PUBLIC HEARING SUMMARY

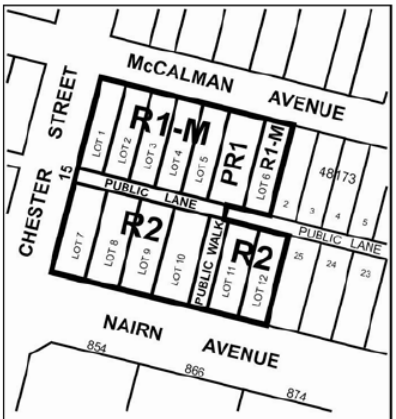
File: DASZ 47/2011

Before: East Kildonan-Transcona Community Committee
Councillor Browaty, Chairperson
Councillor Steen
Councillor Wyatt

Public Hearing: April 24, 2012
Transcona Legion
117 Regent Avenue East

Applicant: Ron Dacombe, Habitat for Humanity

Subject:



EAST KILDONAN TRANSCONA COMMUNITY

APPLICANT : HABITAT FOR HUMANITY WINNIPEG

FILE : DASZ 47/11

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 "PR2" PARKS AND RECREATION 2 (Community) DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT, an "R2" RESIDENTIAL TWO-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION 1 (Neighbourhood) DISTRICT to allow for the establishment of residential building lots for future construction. **For information, phone Mr. M. Pyl, Planner, at 986-5595.**

Premises Affected: 15 Chester Street

Exhibits Filed:

1. Application dated February 16, 2012
2. Notification of Public Hearing dated February 24, 2012
3. Manitoba Status of Titles 2341393 and 2551438
4. Letter of authorization dated January 20, 2012 from The City of Winnipeg to Sandy Hopkins, Winnipeg Habitat for Humanity
5. Caveat Number 3933233
6. Plans (2 pages)
7. Report from the Planning and Land Use Division dated April 17, 2012
8. Inspection Report

REPRESENTATIONS:

In Support:

Ron Dacombe, Habitat for Humanity
Linda Peters
Joe & Estelle Melnick

In Opposition

Nil

For Information:

Shawn Nason

For the City:

Mr. M. Pyl, Planner, Planning, Property and Development Department

ADMINISTRATIVE REPORT

Title: DASZ 47/11 – 15 Chester

Issue: For consideration at the public hearing to create additional residential lots

Critical Path: East Kildonan-Transcona Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	n/a	n/a	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 47/2011 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" for File DASZ 47/2011 dated April 17, 2012 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 April 12, 2012.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "B" for File DASZ 47/2011 dated April 17, 2012, to a "R1-M" Residential Single Family district and an "R2" Residential Two Family district.

3. That the City-owned property adjacent to 888 McCalman, identified as "Subject City Property" on Misc Plan No. 14198 be declared surplus to the needs of the City.

4. Subject to the approval of Recommendation 3 above, that the Director of Planning, Property and Development be authorized to sell the "Subject City Property" on Misc Plan No. 14198 to the applicant in accordance with the terms of Clause 12 of the Administrative Coordinating Group report dated April 17, 2012, with all terms and conditions satisfactory to the Director of Planning, Property and Development and the City Solicitor/Manager of Legal Services.

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

6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two 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-year period and Council approves the extension.

7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

8. 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.

9. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

10. 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 an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

11. 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

- Habitat for Humanity intends to expand a previous development by creating six lots zoned “R1-M” along McCalman and six lots zoned “R2” along Nairn. They intend to build single family dwellings on the “R1-M” lots and duplexes on the “R2” lots.
- The proposed development will require the demolition of Sir Sam Steele School. It was removed from the Buildings Conservation List by the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management in September, 2011.
- The subject property is currently zoned “PR2” Parks and Recreation 2 (Community) district.
- Council approval is required to declare the City-owned property adjacent to 888 McCalman, identified as “Subject City Property” on Misc Plan No. 14198 surplus to the needs of the City.
- Approval of at least two-thirds of the members of Council, in accordance with Section 156(2) of The City of Winnipeg Act, is required to declare the subject City property designated or acquired for Park or Cemetery purposes surplus to the City’s needs.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the subject property will be rezoned.

There are no regulatory or human resource implications associated with the report.

The City’s standard terms and conditions of sale of the “Subject City Property” will include provisions to protect the City’s interests in the event that environmental contamination is discovered.

There are no direct financial implications associated with this recommendation.

CONSULTATION

In preparing this report there was consultation with:

N/A

SUBMITTED BY

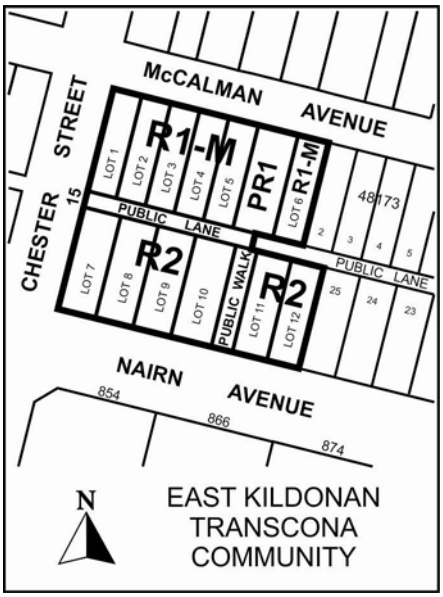
Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Michael Pyl
Date:	April 17, 2012
File No.	DASZ 47/11

APPENDIX 'A'

DATE: April 17, 2012
FILE: DASZ 47/11
RELATED FILES:
COMMUNITY: East Kildonan-Transcona
NEIGHBOURHOOD #: 4.405

SUBJECT: To rezone the subject properties from "PR2" Parks and Recreation 2 (Community) district to "R1" Residential Single Family and "R2" Residential Two Family districts to create lots for residential development

LOCATION: 15 Chester



APPLICANT: Ron Dacombe
Habitat for Humanity
60 Archibald St
Winnipeg MB R2J 0V8

OWNER: Winnipeg Habitat for Humanity Inc.
60 Archibald St
Winnipeg MB R2J 0V8

City of Winnipeg

RECOMMENDATION: Approval

REPORT SUMMARY

- Habitat for Humanity intends to expand a previous development by creating six lots zoned "R1-M" along McCalman and six lots zoned "R2" along Nairn. They intend to build single family dwellings on the "R1-M" lots and duplexes on the "R2" lots.

- The proposed development will require the demolition of Sir Sam Steele School. It was removed from the Buildings Conservation List by the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management in September, 2011.
- The subject property is currently zoned “PR2” Parks and Recreation 2 (Community) district.

SITE DESCRIPTION

- The subject property is located at the northeast corner of Nairn Av and Chester St in the East Elmwood neighbourhood of the Elmwood-East Kildonan ward.
- The subject property is 1.2 acres in area with approximately 235 ft. of frontage along Chester and 175 ft. along McCalman Av. It is the former Sir Sam Steele School site. The property is L-shaped and is zoned “PR2” Parks and Recreation 2 (Community) district.
- Adjacent properties include single family dwellings to the west across Chester zoned “R1-S” Residential Single Family district, single family dwellings to the north across McCalman zoned “R1-M” district, single family dwellings to the east zoned “R2” Residential Two Family district, and commercial properties to the south across Nairn zoned “C3” Commercial Corridor district.



Figure 1: Site map of subject property and surrounding neighbourhood

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- In a previous application, the applicant, Habitat for Humanity, created 24 residential lots along McCalman and Nairn Avs east of Chester St. They are proposing to extend this development to create six lots zoned “R1-M” along McCalman and six lots zoned “R2” along Nairn. The applicant intends to build single family dwellings on the “R1-M” lots and duplexes on the “R2” lots.
- The proposed development will require the demolition of Sir Sam Steele School. It was removed from the Buildings Conservation List by the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management in September, 2011.
- The proposed development will require the reconfiguration of the existing back lane. Currently, it runs east-west, emptying out onto McCalman at the edge of the subject property. It is proposed that the back lane will be extended through to Chester St. Note however that wastewater and land drainage sewers currently run through this portion of the back lane.
- In the previous application, a 31 ft. wide lot fronting McCalman immediately east of the back lane was designated as a “peanut park” at Community Committee. The applicant is proposing a slight relocation of this park to include the land currently serving as a back lane as well as a portion of

the Sir Sam Steele School site. This park will be 39 ft. wide and 4,378 sq. ft. in area, and will be zoned “PR1”.

- Adjacent to this park across the proposed extension of the back lane, the applicant is proposing a public walkway connecting Nairn Av to the lane.

BACKGROUND

DASZ 10/2008

- On July 16, 2008, Council approved a subdivision and rezoning application that created 24 residential lots zoned “R1-M” and “R2”, with one of the lots being dedicated for park space.
- The lots fronting McCalman were 31 ft. wide, while the lots fronting Nairn were 40 ft. wide.
- Its approval was subject to a Community Committee amendment that required the development of Lot 1 as a “peanut park”.
- This application was held in concurrence with a variance application (DAV 08-110655D) to vary the zoning by-law to allow for the establishment of Lots 1 to 15 to permit lot widths of 31 ft. instead of 40 ft. and lot areas of 3,407 sq. ft. instead of 4,648 sq. ft., the construction of 15 single family dwellings with side yards of 3 ft. instead of 4 ft., and to allow for the construction of 10 two-family dwellings to provide lot areas of 4,396 sq. ft. instead of 5,000 sq. ft.
- The application preserved Sir Sam Steele School; it created lots immediately to the east of the subject property.
- Habitat for Humanity was the applicant.

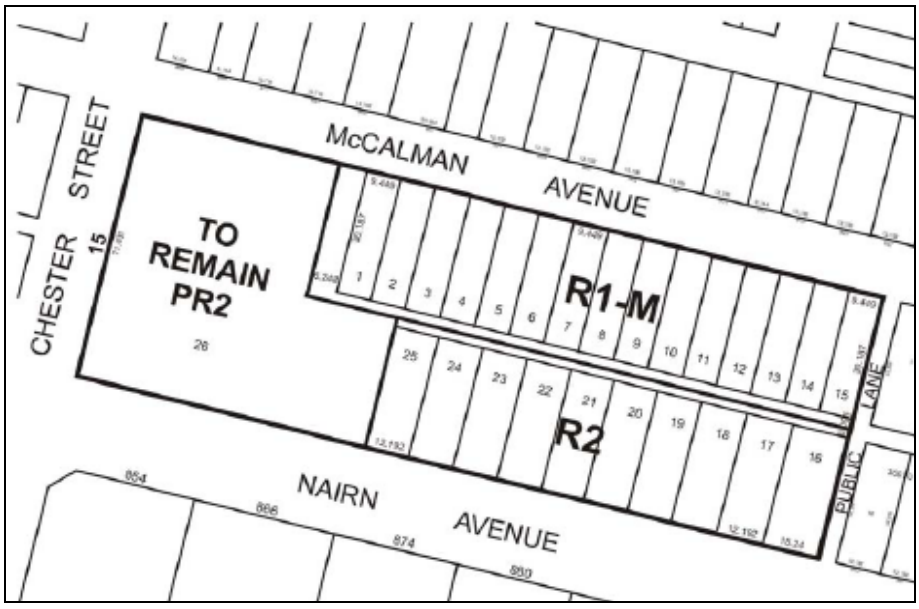


Figure 2: Adcut for DASZ 10/2008

DAZ 211/2009

- On December 7, 2009, the East Kildonan-Transcona Community Committee recommended rejection of a proposed rezoning from “PR2” to “C2” to enable the establishment of an educational and training facility for newcomers. The Community Committee cited the following reasons for their recommendation:
    - There has not been sufficient effort to get a proper plan in place.

    - There needs to be a proper plan for the building so the amount of required parking can be determined.
    - The nature of the application is to help immigrants develop expertise as plumbers and electricians, particularly in relation to the regulations that govern these trades. The applicant had made it clear they need to better familiarize themselves with these regulations.
- On December 9, 2009, the applicant withdrew the application.

DAV 12-108153D

- In concurrence with this application, the applicant has also applied to vary the Special Boundary Conditions of the zoning by-law for the establishment of 6 residential building lots as follows:
    - Proposed Lots 1 to 6 to permit:
        - Lot widths of 31 ft. instead of 47.78 ft.
        - Lot areas of 3,338 sq. ft. instead of 5,252 sq. ft.
- To vary the Special Boundary Conditions and the "R2" dimensional standards of the zoning by-law as follows:
    - Proposed Lots 7 to 12:
        - To permit lot areas ranging from 4,251 sq. ft. to 4,334 sq. ft. instead of 5,000 sq. ft.
        - For the construction of 6 two family dwellings to permit a lot area per dwelling unit ranging from 2,126 sq. ft. to 2,167 sq. ft. instead of 2,500 sq. ft.

Other

- On September 28, 2011, the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management removed Sir Sam Steele School from the Buildings Conservation List as per the Historical Buildings By-law No. 1474/77. A demolition permit may be issued at such time as the owner has prepared a firm development proposal and has made a formal application for a building permit.
- Sir Sam Steele School was built in 1921. It ceased operation as a school in the late 1970s, but was used in various other capacities until 2005. It has since been vacant.
- On November 25, 1997, Council added the school to the Buildings Conservation List as a Grade III structure based on age, architectural and historical significance. Grade III buildings are identified as moderately significant heritage examples worthy of listing where suitable exterior alterations and modifications may be permitted and there is usually no restriction on interior alterations.

ANALYSIS AND ISSUES

OurWinnipeg and Complete Communities Direction Strategy

- The Complete Communities Direction Strategy is one of four direction strategies supporting OurWinnipeg, the city's new long-range development plan, and is intended to gain statutory authority as a secondary plan. The strategy is intended to serve as a "playbook" to guide land use and development in Winnipeg. It received third reading at City Council on July 20, 2011, and became effective on August 17, 2011.
- According to the Complete Communities Urban Structure Map, Nairn Av is designated as a "Regional Mixed Use Corridor". While corridors such as Nairn serve as major transportation routes, they serve the additional purpose of accommodating a mix of uses, functioning as vibrant urban places for Winnipeggers to live, work, and play. Through their residential, employment, and

commercial intensification, people will be able to access a greater number of goods and services with one trip. Supporting Direction and Enabling Strategies include:

  - Focus a broad mix of residential, employment, and retail development within strategic locations along corridors.

- Adjacent to Nairn Av, the East Elmwood neighbourhood would be considered an “Area of Stability”. Primarily understood as the residential areas where the majority of Winnipeggers currently live, Areas of Stability will accommodate low to moderate density infill development to support more efficient use of land, infrastructure, and services as well as enhance housing choice and affordability. Infill in areas of stability will be supported with the intent of creating more complete communities. Direction and Enabling Strategies include:
  - Support low to moderate change in low density neighbourhoods through development and redevelopment that is complementary to the existing scale, character, and built form.
  - Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
  - Encourage intensification to occur at centres and along corridors.
  - Support Complete Communities by ensuring diverse and high quality housing stock.
  - In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, and townhouses.

Zoning

- The Parks and Recreation 2 (PR2) district is intended for sites that include community recreation facilities and parks that are accessed by a mix of pedestrian and vehicular traffic. These sites may provide active programs and activities, including community centres, hockey pens, arenas, indoor soccer, wading pools, spray parks, skateboard parks and athletic fields. Parking facilities ranging from 10 to 100 stalls may be associated with these uses. These parks and facilities typically occur along collector streets.
- The Residential Single-Family (R1) district is intended to accommodate primarily single-family residential development in lower-density neighbourhoods.
- The Residential Two-Family (R2) district is intended to accommodate the development of single- and two-family units and where appropriate limited multi-family units in lower-density neighbourhoods.
- The Parks and Recreation 1 (PR1) district 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, there are no parking facilities 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.

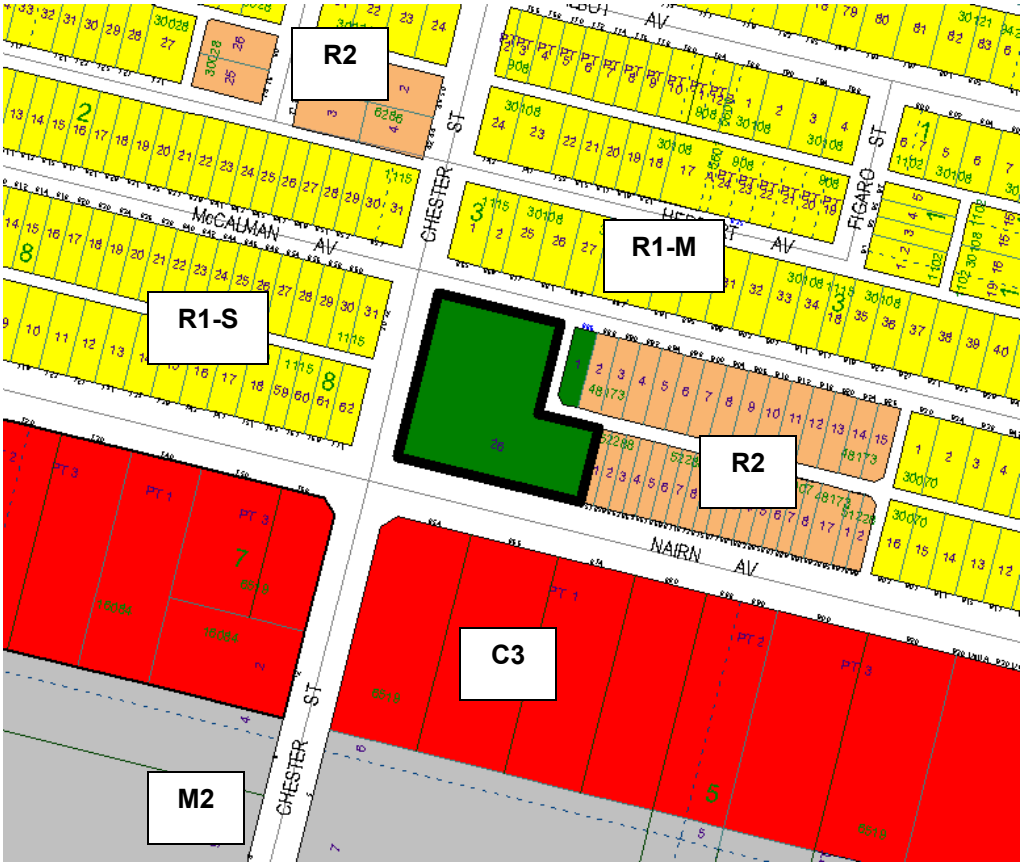


Figure 3: Zoning map of subject property and surrounding neighbourhood

- Section 148 of the zoning by-law prescribes dimensional standards for the "C2" district.

	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Front Yard (ft.)	Min. Rear Yard (ft.)	Min. Side Yard (ft.)	Min. Reverse Corner Street Side Yard (ft.)	Max. Height of Building (ft.)	Max. Lot Coverage (%)
R1-M	3,500	25	15	25	4	4	35	45
R2	5,000*	25	20	25	4	10	35	NA
* - 2,500 per dwelling unit for two-family; 800 per dwelling unit for multi-family.								

Figure 4: Dimensional standards for the "R1-M" and "R2" districts

Parks planning

- Park along McCalman
  - In DASZ 10/2008, Habitat for Humanity proposed the creation of 15 single family lots along McCalman; the Administration was supportive of this. However, at the public hearing, the East Kildonan-Transcona Community Committee required that proposed Lot 1 be developed as a "peanut park" zoned "PR-2".

- The City of Winnipeg's parks planner and parks services have indicated that they would prefer not to have any land dedicated for park space given that the resulting park size is so small, and would prefer cash-in-lieu instead. This includes the existing "PR1" land that was created as per DASZ 10/2008. In this instance, the land designated "PR1" would be split, where half would be consolidated with Lot 5 and the other consolidated into Lot 6.
- In consultation with the applicant, they have indicated this would be preferable to them as well.
- If the Community Committee would prefer to see the maintenance of a "peanut park" along McCalman, it is recommended that an additional lot be taken to enlarge it and to make it more useable. In consultation with the applicant, they have indicated that, in this scenario, they would prefer Lot 6 to be consolidated with the proposed "PR1" property.

- Public walkway
  - The applicant has indicated the inclusion of a "public walkway" along the block adjacent to Nairn Av.
  - Upon review, the Administration would prefer that this not be established for a number of reasons:
    - It is impractical – the end of the block is only 170 ft. (approximately) away.
    - It is potentially unsafe - given that development is not oriented towards it, it does not provide very much natural surveillance. It also requires crossing an active public lane.
  - In this scenario, this additional land will be spread through Lots 7 to 12.

Site design issues

- The only concern the Urban Planning Division has relating to site design is the possibility of the applicant replicating the exact same house design on each property. This would create a repetitious look along the streetscape. The applicant should be encouraged to have a variety of façade designs to deter the possibility of monotony on the streetscape.

Compatibility with the surrounding neighbourhood

- The Urban Planning Division is broadly supportive of infill development, as it minimizes the spatial use of land and provides a wider range of housing options in the neighbourhood.
- While further discussion is given to lot sizes in the concurrent variance report, the proposed development is consistent with the previous DASZ 10/2008 as well as the surrounding lots on neighbouring blocks.

RECOMMENDATION

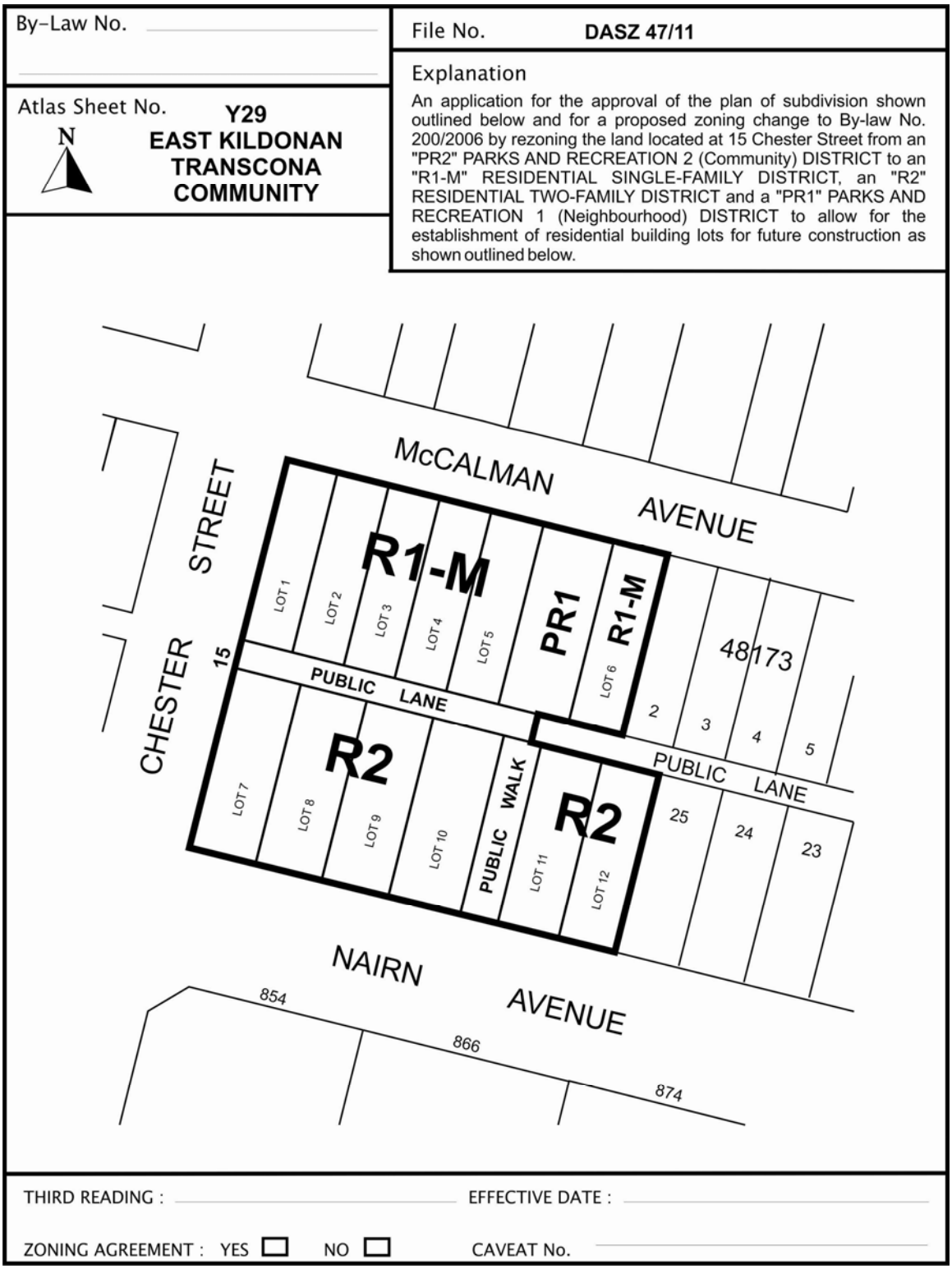
The Urban Planning Division is supportive of the proposed development, as it is consistent with both the previous DASZ 10/2008 as well as other surrounding residential lots.

The Urban Planning Division prefers that the applicant not provide a public park, providing cash-in-lieu instead. As a result, it recommends that this development move forward in accordance with Schedule "B" below. If Community Committee does prefer the provision of a park, it should be enlarged to make the space more practical, as illustrated in Schedule "C". In all scenarios, it is recommended that the applicant not provide a public walkway.

This Report Submitted by: Michael Pyl
Planning, Property and Development Department
Urban Planning Division
Report Prepared by: PPD File # DASZ 47/2011

APPENDIX 'B'

Schedule "A" for File No. DASZ 47/11, East Kildonan-Transcona Community Committee, dated April 17, 2012.



Schedule "B"

By-Law No. _____

Atlas Sheet No. **Y29**

N

EAST KILDONAN TRANSCONA COMMUNITY

File No. **DASZ 47/11**

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 15 Chester Street from an "PR2" PARKS AND RECREATION 2 (Community) DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT and an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to allow for the establishment of residential building lots for future construction as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule “C”

By-Law No. _____

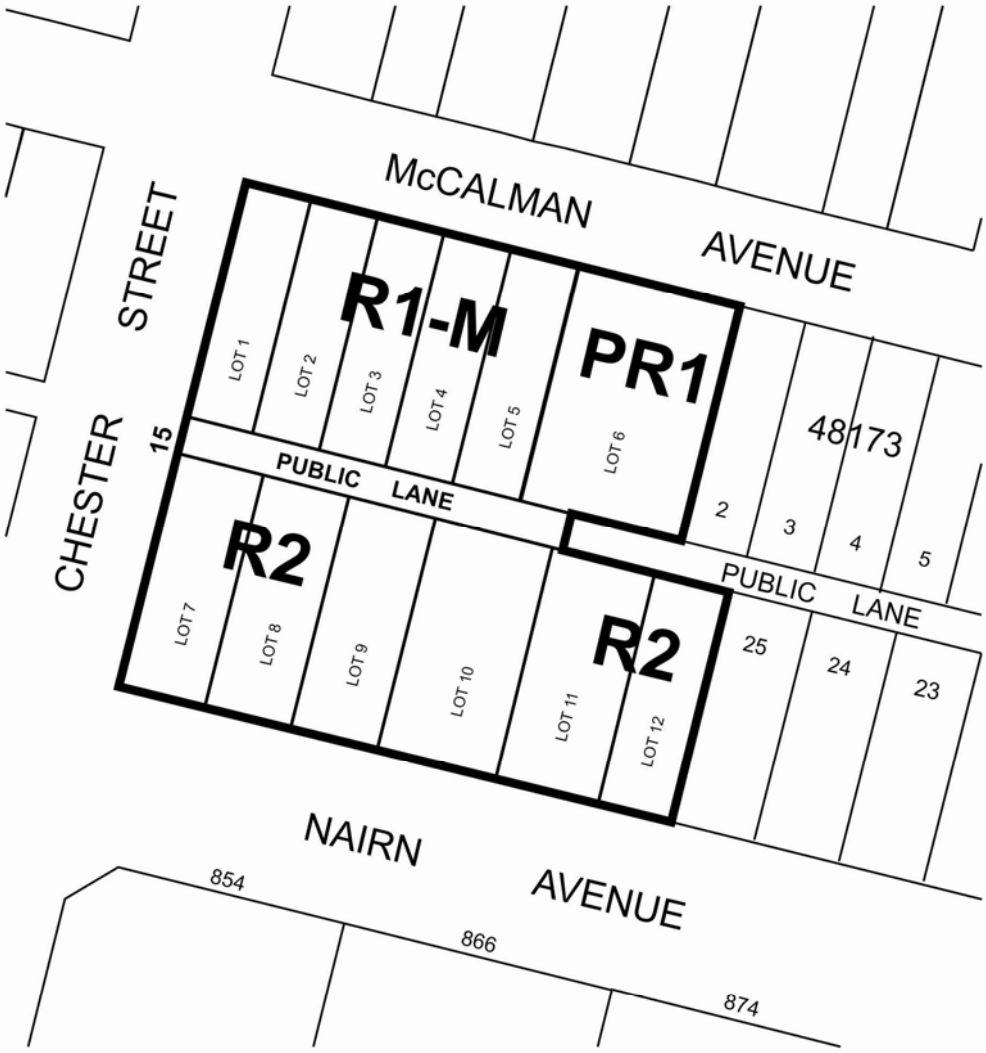
File No. **DASZ 47/11**

Atlas Sheet No. **Y29**

EAST KILDONAN TRANSCONA 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 at 15 Chester Street from an "PR2" PARKS AND RECREATION 2 (Community) DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT, an "R2" RESIDENTIAL TWO-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION 1 (Neighbourhood) DISTRICT to allow for the establishment of residential building lots for future construction as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule “D”

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – April 12, 2012

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED AT 15 CHESTER STREET- DASZ 47/2011

It is recommended that the approval of DASZ 47/2011, if granted, be subject to the applicant entering into a Development Agreement with the City of Winnipeg, containing the following conditions:

A. Plan Considerations

1. The developer amending its plan in order to eliminate the proposed public walk between proposed lots 10 & 11, all in accordance with Schedule “B”.

2. The developer amending its plan in order to eliminate Public Reserve lands previously approved under DASZ 10/2008, therein referred to as Lot 1, thereby providing no park lands within the former or current planned area, all in accordance with Schedule “B”.

3. The developer making a DAC (closing) application to the City, to close the existing north-south public lane for incorporation into the adjacent lot, all in accordance with Schedule “B”.

B. Servicing Requirements and Payments

1. The applicant shall, at no expense to the City construct water and wastewater lot line connections from the mains in the street to each lot within the subdivision.

2. The applicant may, at his option, and at no expense to the City, construct a wastewater sewer within the proposed public lane extension to provide service for this development.

3. The applicant shall at no expense to the City, grant a 6m wide easement within the proposed public lane closing as determined by and to the satisfaction of the Director of Water and Waste.

4. The applicant shall provide a lot grading plan prepared by a municipal engineer, shall grant any easements and, if required, shall construct, at no expense to the City any catchbasins and leads as may be necessitated by the design.

5. The Developer shall, at no expense to the City, construct portland cement concrete pavement to a width of 5.0m by 150mm in thickness in the proposed public lane, the centerline is to be coincident with the centerline of the existing public lane pavement to the east, and all related works all as determined by and to the satisfaction of the Director of Public Works.

6. The Developer shall, at no expense to the City, remove the existing street turn-out for the Public Lane proposed to be closed and restore the curb, boulevard and sidewalk,

and all related works all as determined by and to the satisfaction of the Director of Public Works.

7. The Developer shall pay all costs associated with the relocation of streetlights and other utilities made necessary as a result of or required to accommodate works, which are to be constructed by the Developer to serve the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

8. The Developer shall, at no expense to the City, be responsible to control and to initiate the cleanup 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. The clean up of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming all costs in remedying the situation to the satisfaction of the Director of Public Works.

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

10. 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 and Development with a certificate that all survey monuments within the Planned Area have been verified and/or replaced.

11. In lieu of dedication of land for public open space, the Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, 10% of the appraised increased in value of the land plus the creation of additional lot.

12. As compensation for the recommended elimination of previously dedicated 305.5 m2 Park Land, the developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, 10% of the appraised increased in value of the Park parcel based on the 2008 valuations. It is further noted that the Dedication Clauses did not form part of the AG 10/08, but that at the time, a cash payment was made by the developer for the associated under-dedication.

13. The Developer shall pay the full cost of engineering services provided by or on behalf of the City in connection with the installation of, and provision of as-built drawings by March 31 of the year following substantial performance showing, the services required to serve the Planned Area.

14. The Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, $1,200.00 plus GST per acre of the Planned Area (minimum $1,650.00) to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 47/2011
April 12, 2012

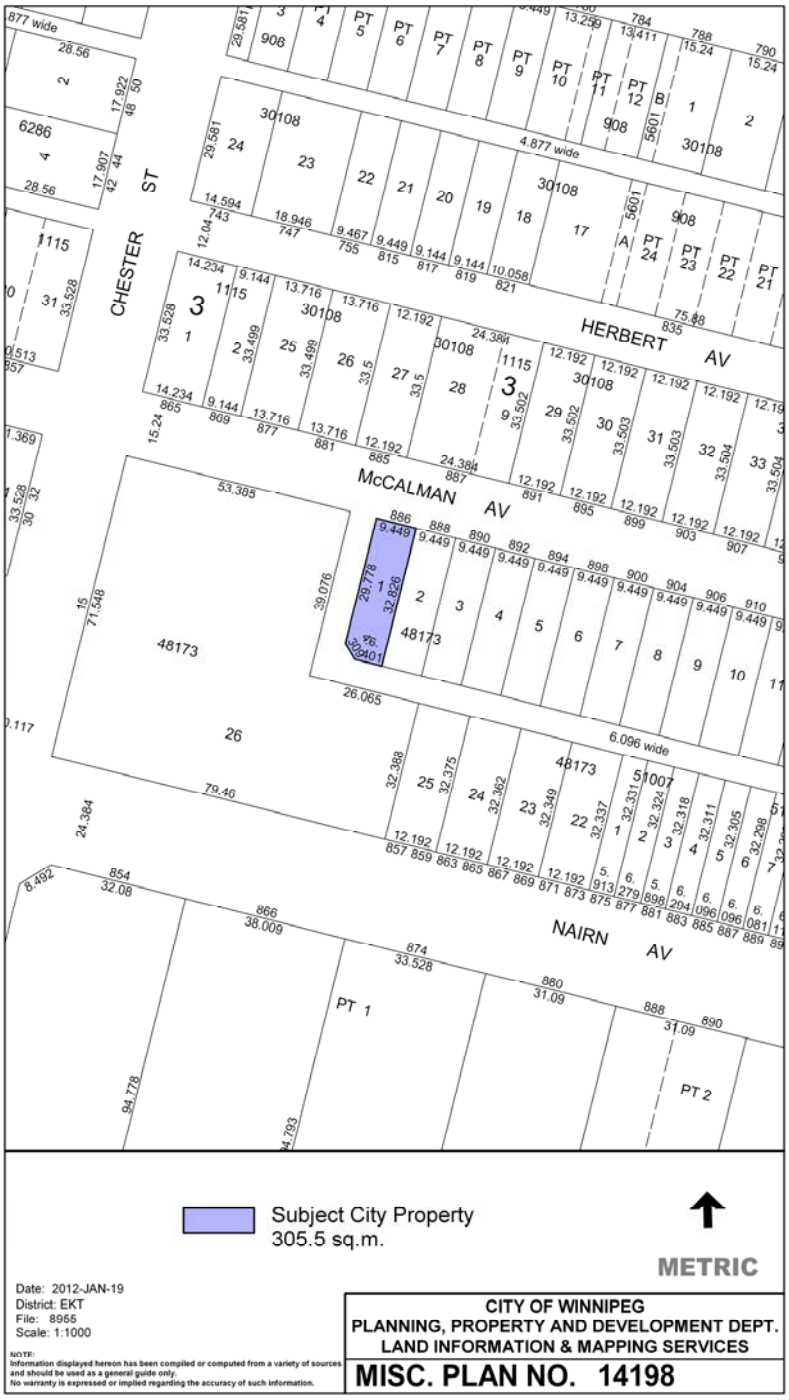
[Original Signed by K.T. Raban, P.Eng.]
K.T. Raban, P. Eng.
Land Development Branch

[Original Signed by R.J. Hartmann, P.Eng.]
R. J. Hartmann, P. Eng.
Public Works Department, Transportation Division

[Original Signed by F.C. Mazur, P.Eng.]
F. C. Mazur, P. Eng.
Water & Waste Department

[Original Signed by D. Beaton]
D. Beaton, MLArch.
Parks, Riverbanks, & Community Initiatives Branch

Schedule “E”


CHESTER ST
HERBERT AV
McCALMAN AV
NAIRN AV
4.877 wide
6.096 wide
Subject City Property
305.5 sq.m.
METRIC
Date: 2012-JAN-19
District: EKT
File: 8955
Scale: 1:1000
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only.
No warranty is expressed or implied regarding the accuracy of such information.
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 14198