Minutes – Executive Policy Committee – December 5, 2012

Minute No. 68
Report – Standing Policy Committee on Property and Development – November 30, 2012

Item No. 2 Subdivision and Rezoning – 3373 Pembina Highway (St. Norbert Ward) File DASZ 21/2012 [c/r DAV 158277/2012D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

1. That the plan of subdivision proposed under File DASZ 21/2012 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 21/2012 dated October 26, 2012 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 21/2012 dated October 26, 2012 to an "RMF-S" (PDO-1 St. Norbert) Residential Multi-Family Small 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 no portion of a habitable room or space within a building shall be less than 49.2 feet (15 metres) from the western property line.

        ii. That the Developer shall construct a uniform 2.0-metre high fence abutting the CNR Letellier Subdivision to the satisfaction of the Director of Public Works and shall maintain this fencing to the satisfaction of the Director of Public Works.

        iii. That the maximum number of dwelling units on the land shall not exceed thirty (30).

3. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional parcels be paid to the City for the purchase of land for purposes of the City other than streets.

Report – Standing Policy Committee on Property and Development – November 30, 2012

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

5. 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.

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

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

8. 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.

9. 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.

10. 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.

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.

Minutes – Executive Policy Committee – December 5, 2012

Report – Standing Policy Committee on Property and Development – November 30, 2012

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On November 30, 2012, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 5, 2012, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Add the following new Recommendation:

  "2. A. iii. That the maximum number of dwelling units on the land shall not exceed thirty (30)",

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

RE: **Subdivision and Rezoning – 3373 Pembina Highway**
File DASZ 21/2012

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

Prepared by: **Visa Hutter, Senior Committee Clerk**
Riel Community Committee

Report date: **November 6, 2012**

COMMUNITY COMMITTEE RECOMMENDATION:

On November 5, 2012, the Riel 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 21/2012 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 21/2012 dated October 26, 2012 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 21/2012 dated October 26, 2012 to an "RMF-S" (PDO-1 St. Norbert) Residential Multi-Family Small 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 no portion of a habitable room or space within a building shall be less than 49.2 feet (15 metres) from the western property line.

        ii. That the Developer shall construct a uniform 2.0-metre high fence abutting the CNR Letellier Subdivision to the satisfaction of the Director of Public Works and shall maintain this fencing to the satisfaction of the Director of Public Works.

        iii. That the maximum number of dwelling units on the land shall not exceed thirty (30).

3. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional parcels be paid to the City for the purchase of land for purposes of the City other than streets.

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

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

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9. 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.

10. 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.

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.

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

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 September 11, 2012.

2. The Province of Manitoba has requested an increase to the speed limit, the Highway Traffic Board will be conducting a Public Hearing on this application. I have alerted a couple of the community groups of this upcoming hearing, there will be more discussions on this. I refer to the Traffic Engineers and rely on their skill and expertise. I don't believe decisions on traffic flow should be made by politicians, they are life safety issues, let the Engineers conduct a proper assessment and analysis to bring forward their expertise.

3. This is a high quality design for a low number of units, the high quality design makes it easy to approve.

PUBLIC HEARING SUMMARY

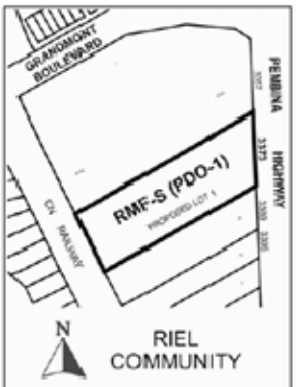
File: DASZ 21/2012

Before: Riel Community Committee
Councillor Swandel, Chairperson
Councillor Mayes
Councillor Vandal

Public Hearing: November 5, 2012
Council Building, 510 Main Street

Applicant: Nejmark Architect (Tat L. Cheam)

Subject:



APPLICANT : NEJMARK ARCHITECT
FILE : DASZ 21/12
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 (PDO-1 ST. NORBERT NEIGHBOURHOOD MAIN STREET) DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY (PDO-1 ST. NORBERT NEIGHBOURHOOD MAIN STREET) DISTRICT to allow for the construction of multi-family dwellings. **For information, phone Mr. R. Kostiuk, Planner, at 204-986-7367.**
DEMANDEUR : NEJMARK ARCHITECT
N° DE RÉFÉRENCE : DALZ 21/12
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 – DÉVELOPPEMENT ORGANISÉ DE LA RUE PRINCIPALE DU QUARTIER DE SAINT-NORBERT PDO-1) à la catégorie RMF-S (SECTEUR DE PETITES HABITATIONS MULTIFAMILIALES – DÉVELOPPEMENT ORGANISÉ DE LA RUE PRINCIPALE DU QUARTIER DE SAINT-NORBERT PDO-1) afin de permettre la construction d'habitations multifamiliales. **Pour plus de renseignements, veuillez communiquer avec M. R. Kostiuk, urbaniste, au 204-986-7367.**

Premises Affected: 3373 Pembina Highway

Exhibits Filed:

1. Application dated August 20, 2012
2. Notification of Public Hearing dated September 11, 2012
3. Manitoba Status of Titles 2610478/1, 2610479/1 and 2610481/1
4. Letter of authorization dated October 16, 2012 from 6403034 Manitoba Ltd. to Nejmark Architect
5. Surveyor's Building Location Certificate and sketch
6. Plans (5 pages)
7. Report from the Planning and Land Use Division dated October 26, 2012
8. Inspection Report
9. Audio Recording of representations

REPRESENTATIONS:

In Support:

Tat L. Cheam (Nejmark Architect)
Jared Devloo
Cameron Dobie
Don Reimer
Sidney Soronow

In Opposition:

Bill Loewen

For Information:

Nil

For the City:

Mr. M. Pittet, Manager of Land Development, Geomatics, and Land Information Services, Planning, Property and Development Department
Mr. K. Lalor, Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 21/2012

ADMINISTRATIVE REPORT

Title: DASZ 21/2012 – 3373 Pembina Highway Public Hearing

Issue: An application for consideration at the Public Hearing to subdivide the site into one (1) lot and rezone the land from RR5 to RMF-S.

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 21/2012 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 21/2012 dated October 26, 2012 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2, That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 21/2012 dated October 26, 2012 to an "RMF-S" (PDO-1 St. Norbert) Residential Multi-Family Small 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 no portion of a habitable room or space within a building shall be less than 49.2 feet (15 metres) from the western property line.

      ii) That the Developer shall construct a uniform 2.0-metre high fence abutting the CNR Letellier Subdivision to the satisfaction of the Director of Public Works and shall maintain this fencing to the satisfaction of the Director of Public Works.

3. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional parcels be paid to the City for the purchase of land for purposes of the City other than streets.

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5. 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.

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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

- The applicant is proposing to consolidate the site from three (3) lots into one (1) lot and rezone the property from “RR5” Rural Residential 5 to “RMF-S” Residential Multi-Family Small in order to construct a 30-unit multi-family development on the site.
- 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 consolidated into one lot and rezoned from RR5 to RMF-S.

HISTORY

St. Norbert Planned Development Overlay (PDO)

- On March 25 2008, the Standing Policy Committee on Property and Development requested that the Winnipeg Public Service initiate a preliminary review, analysis and recommendations with respect to a Secondary Plan for the South St. Norbert area bounded by the south Perimeter Highway, west of the Red River, east of the westerly City boundaries and out to the southern City boundaries. The Winnipeg Public Service responded to this request by undertaking a Background Study for the subject area, which was completed in November 2009.
- One of the conclusions and recommendations from the Background Study was that a Planned Development Overlay (PDO) District be established for St. Norbert's main street area.
- In January 2010, the City contracted with a consulting team to commence a community consultation process and prepare a PDO for the St. Norbert area. The team held a series of facilitated sessions and open houses with residents, business owners, property owners and key stakeholder groups in the community to develop a vision for the area, which could be reflected in the PDO.
- On July 21, 2010, Council adopted the St. Norbert PDO, which brought the PDO into force and effect. The PDO establishes an enabling framework to respect and reinforce the character of St. Norbert as a village centre. To accomplish this, new regulations in the PDO are implemented to shape how buildings and spaces in the St. Norbert PDO area can be developed.
- The subject property is located in the Village Centre Area 1a.

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. MCIP
Date:	October 26, 2012
File No.	DASZ 21/2012

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule "A" — Recommended File No. DASZ 21/2012 Riel Community Committee, dated October 26, 2012.

APPENDIX 'A'

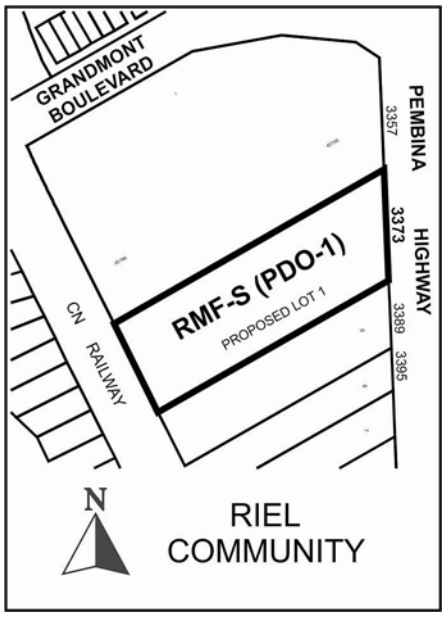
DATE: October 26, 2012

FILE: DASZ 21/2012
RELATED FILE(S): DAV 12-158277/D (c/r)

COMMUNITY: Riel
NEIGHBOURHOOD #: 5.625

SUBJECT: An application to consolidate 3 lots into 1 lot and rezone the site from RR5 to RMF-S.

LOCATION: 3373 Pembina Highway
LEGAL DESCRIPTION: LOT 10/11 PLAN 19689 85/89 ST N & LOT 1 PLAN 15926



APPLICANT: Tat-Liang Fabio Cheam (Nejmark Architect Inc.)
54 ADELAIDE ST UNIT 2
WINNIPEG MB R3V 0V7

OWNER: 6403034 MANITOBA LTD.
400 ST MARY AVE UNIT 210
WINNIPEG MB R3C 4K5

RECOMMENDATION: Approval with conditions

REPORT SUMMARY

- The applicant is proposing to consolidate the site from three (3) lots into one (1) lot and rezone the property from “RR5” Rural Residential 5 to “RMF-S” Residential Multi-Family Small in order to construct a 30-unit multi-family development on the site.
- The Urban Planning Division recommends supporting this application.

SITE DESCRIPTION

- The subject site is located on the west side of Pembina Highway between Grandmont Boulevard and Ducharme Avenue in the St. Norbert neighbourhood of the St. Norbert Ward.
- The property is approximately **80,000 square feet (1.84 acres) in area** and is currently vacant.
- The site is located along a Regional Mixed Use Corridor (Pembina Highway) under the Complete Communities Direction Strategy.
- The site is also located within area 1A (sub-area of the Village Center) under the St. Norbert Planned Development Overlay and is zoned “RR5” Rural Residential 5.



Figure 1: Aerial photograph of the subject site and surrounding area (2012)

SURROUNDING LAND USES AND ZONING (See Figure 2)

North: A gas station (Co-Op) zoned C3 and vacant land recently rezoned to C2 under DASZ 20/2011.

South: A 4 storey, 31-unit apartment and a 6-unit, single storey townhome zoned RMU.

East: Detached single-family homes zoned R1-E.

West: The CN Letellier Subdivision and detached single-family homes zoned R1-M.

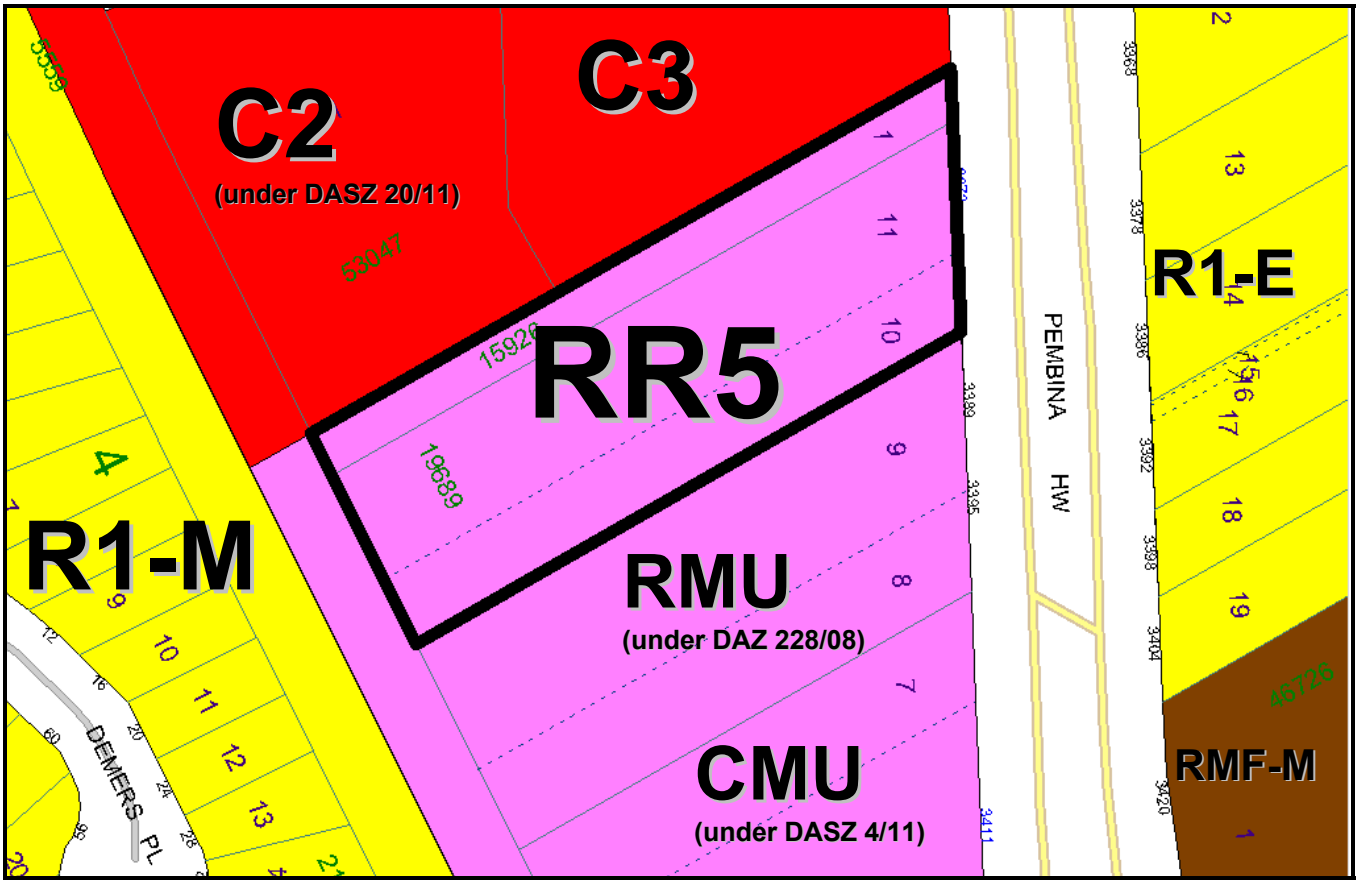


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to consolidate the site from three (3) lots into one (1) lot and rezone the property from "RR5" Rural Residential 5 to "RMF-S" Residential Multi-Family Small.
- The applicant would like to build a thirty (30) unit townhome development on the site. Each unit would be two storeys tall with a mansard roof, which gives the townhomes the appearance of being three storeys tall. The height of the units – as measured from finished grade to the top of the roof – will be approximately 32 feet.
- All of the units will be set back from the eastern property line along Pembina Highway by at least 40 feet and therefore do not require any front yard variances. The units will also be set back from the western (rear) property line by at least 50 feet.

- The development is organized by a central drive aisle that extends to Pembina Highway with the units on the north and south sides of the aisle. A total of 60 parking spaces are provided on site. The parking requirement for a 30-unit multi-family development in the RMF zone is 45 parking stalls. Visitor parking will be located in the western portion of the site.
- The applicant has proposed a building design that complies with the design standards of the St. Norbert Planned Development Overlay. The proposed building incorporates several features required by the PDO, including: integrated planters, and arcade or arch, and outside patios. The building design also includes quoins, dormers, and a mansard roof, which are required under the St. Norbert Urban Design Guidelines. Decorative metal guard rails are also included throughout the upper storeys of the units; however, these guard rails are not required under the PDO or design guidelines.
- The proposed materials of the building include: a metal roof, stone veneer columns, and acrylic stucco. Acrylic stucco is the predominant exterior finishing material for the building.
- A variance to one of the regulations of the St. Norbert Planned Development Overlay is required as the portion of the proposed building exceeding twenty-five (25) feet in height is not set back from the front building façade by ten (10) feet (see DAV 12-158277/D).

ANALYSIS AND ISSUES

- Under the Complete Communities Direction Strategy the proposed development is located along a Mixed-Use Corridor (Pembina Highway). 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%.

"RMF-S" Residential Multi-Family Small

- The RMF-S zone is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities. The dimensional standards for multi-family structures in the RMF-S zone are: a minimum front yard of 20 feet; a minimum rear yard of 25 feet; a minimum side yard of 4 feet and, a maximum building height of 35 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 1,250 square feet.

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 construct a multi-family development on the site.

Variance

- Section 4(4)(b) of the St. Norbert PDO requires that all buildings in the Village Centre area with a height above 25 feet must be set back from the front building façade at a distance equal to or greater than 10 feet. The applicant is not including this setback (see DAV 12-158277/D).

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The Complete Communities Direction Strategy encourages the intensification of land uses along major corridors such as Pembina Highway. As such, the proposed development complies with the Complete Communities Direction Strategy.
- The St. Norbert PDO includes purpose and intent statements to help provide an idea as to what is envisioned for the area. The subject property is located in the Village Centre (Area 1a). The Village Centre is intended to be a vibrant commercial and mixed use focal point in the community and distinguish Pembina Highway as St. Norbert's main street. Key purpose and intent statements include:
    - To respect and reinforce the character of St. Norbert's Neighbourhood Main Street.
    - To enable St. Norbert's Village Centre Area to create and maintain a focal point for vibrancy and life in the community by:
        (a) Preserving and enhancing the heritage character of St. Norbert;
        (b) Celebrating St. Norbert as the south entrance to Winnipeg;
        (c) Intensifying development, progressively from south to north along Pembina Highway, while maintaining a small town scale;
        (d) Distinguishing Pembina Highway south of the Perimeter as St. Norbert's main street;
        (e) Maintaining and enhancing Pembina Highway as a public street that encourages pedestrian activity.

- In the context of the intent statements above, and bearing in mind the community input that helped go into the St. Norbert PDO (as discussed in the History Section), the proposed rezoning of the land from RR5 to RMF-S is appropriate.
- The proposed development adheres to most of the requirements of the St. Norbert PDO, including the maximum height – which is 60 feet, but the developer is only proposing a building height of 32 feet – and design requirements. Parking is predominantly located behind or within the building, while an active street-front presence is maintained through the use of building articulation, an outdoor patio area and patio doors for the easternmost (Pembina-facing) units. The variance required is explained in the associated variance application (DAV 12-158277/D).
- The proposed development helps enhance Pembina Highway as a public street that encourages pedestrian activity, and helps intensifies development in the St. Norbert area in order to distinguish Pembina Highway south of the Perimeter as St. Norbert's main street.
- It should be noted that design review is required for all development (including landscaping) in the St. Norbert PDO area.

RECOMMENDED ZONING AGREEMENT

Setback from Rail Line Right-Of-Way

- Since about 2008/2009, the Urban Planning Division has been recommending setbacks from rail right-of-ways that are consistent with those identified in *The Proximity Guidelines and Best Practices* (2007) report, which was prepared for the Federation of Canadian Municipalities and the Railway Association of Canada.
- The report lists measures to reduce issues and potential issues associated with rail uses that may impact neighbouring developments. Specifically, the report lists ways to try and reduce the potential impact of derailments, noise, vibration, and safety issues associated rail use predominantly through setbacks, berming, and fencing.
- Recommended setbacks are associated with the type of rail line neighbouring the development. In this case, the neighbouring Letellier Subdivision is a Spur Line. The recommended setback from Spur Lines is 15 metres (49.2 feet).
- The Division is recommending that no portion of a habitable room or space within a building shall be less than 49.2 feet (15 metres) from the west property line. Habitable room or space is defined within Zoning By-Law 200/2006. The recommended setback would allow for portions of developments, such as stairwells, to be within the setback.
- The Division is also recommending that the developer erect and maintain a uniform 2.0 metre tall barrier fence along the Letellier Subdivision, or the western property line of the subject property.

LAND DEDICATION

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.
- The amount of land is not less than 10%.
- The developer is to provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.
- The City is requesting cash in lieu for this application.

RECOMMENDATION

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

- The proposal is consistent with the policies of the Complete Communities Direction Strategy and is consistent with the St. Norbert Planned Development Overlay.
- The proposed development helps enhance Pembina Highway as a public street that encourages pedestrian activity, and helps intensifies development in the St. Norbert area in order to distinguish Pembina Highway south of the Perimeter as St. Norbert's main street.
- The rezoning to RMF-S is consistent and compatible with the surrounding properties, which are already zoned for either multi-family or commercial development along the east side of Pembina Highway.

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

Report Prepared By: Robert Kostiuk, MCIP
PPD File # DASZ 21/2012

Schedule "A" for File No. DASZ 21/2012, Riel Community Committee, dated October 26, 2012

By-Law No. _____

File No. **DASZ 21/12**

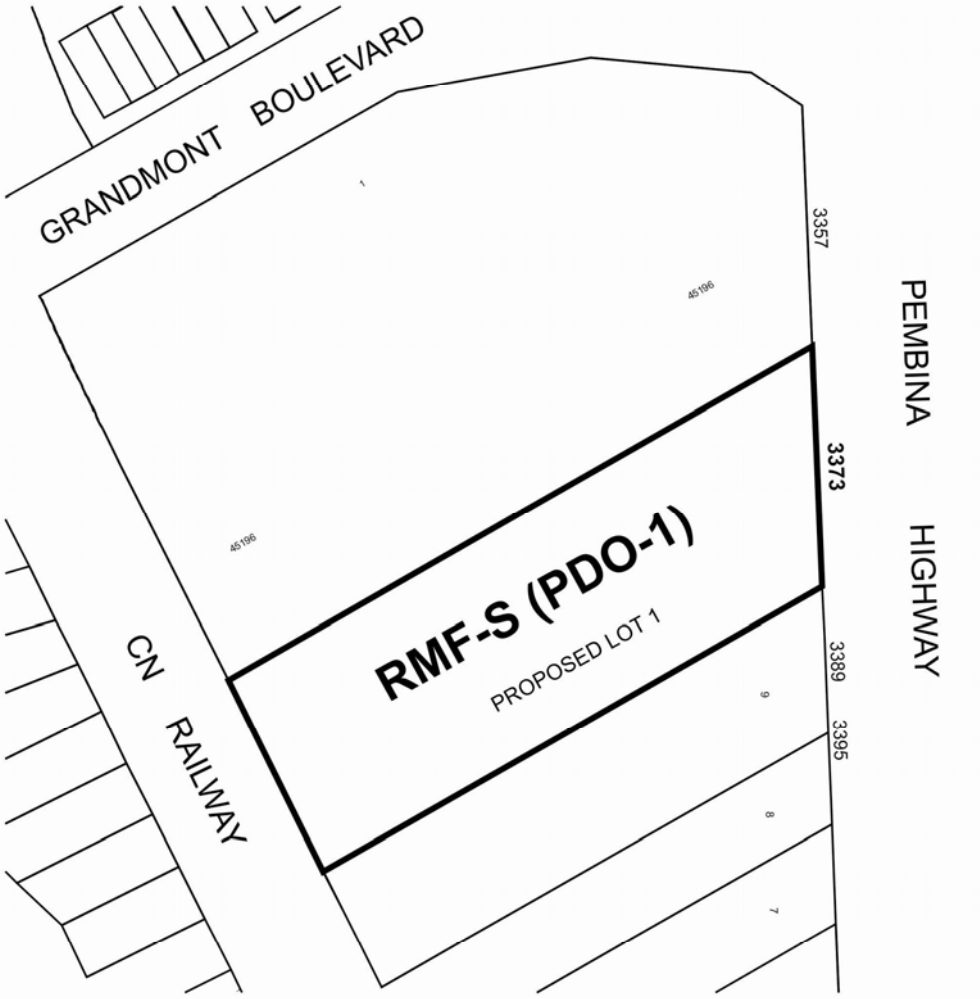
Atlas Sheet No.

N

AO23
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 at 3373 Pembina Highway from an "RR5" RURAL RESIDENTIAL 5 (PDO-1 ST. NORBERT NEIGHBOURHOOD MAIN STREET) DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY (PDO-1 ST. NORBERT NEIGHBOURHOOD MAIN STREET) DISTRICT to allow for the construction of multi-family dwellings as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____