Agenda – Executive Policy Committee – July 10, 2013

Moved by Councillor

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

ADDENDUM REPORTS

Item No. 17 Rezoning – 1200 Sturgeon Road
(St. Charles Ward)
File DAZ 212/2013 [c/r DAV 128076/2013D]

COMMUNITY COMMITTEE RECOMMENDATION:

On July 9, 2013, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the planned area as shown on Schedule "A" for File DAZ 212/13 dated June 19, 2013, to an "RMU" Residential Mixed Use District.

    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 July 2, 2013, which is Schedule "B" of this report.

    B. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter for each phase of the development, which Agreement shall contain the following conditions:

        i. That for the development of any building and/or accessory parking area within the lands, 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, exterior lighting and landscaping to the Director of Planning, Property and Development and the Assiniboia 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.

2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

3. That, in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

4. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

5. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the planned area, provided that the said effective date occurs within one year of the date by-law is passed.

6. 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.

DECISION MAKING HISTORY:

COMMUNITY COMMITTEE RECOMMENDATION:

On July 9, 2013, the Assiniboia 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: **Rezoning – 1200 Sturgeon Road**
File DAZ 212/2013

For submission to: **Executive Policy Committee**

Prepared by: **Danielle Caron, Committee Clerk**
Assiniboia Community Committee

Report date: **July 9, 2013**

COMMUNITY COMMITTEE RECOMMENDATION:

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4. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

5. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the planned area, provided that the said effective date occurs within one year of the date by-law is passed.

6. 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 Assiniboia Community Committee provided the following supporting reasons for its recommendation:

1. This is a terrific project for the St. Charles Ward and a project whose time has come.
2. There is a great need for people in the community to downsize and this would be a perfect place.
3. The community is growing substantially and there are future opportunities attached to Centreport.

PUBLIC HEARING SUMMARY

File: DAZ 212/2013

Before: Assiniboia Community Committee
Councillor Nordman, Chairperson
Councillor Fielding
Councillor Havixbeck

Public Hearing: July 9, 2013
Council Building, 510 Main Street

Applicant: TFG Lakewood Rentals Ltd.
(Richard Fulham)

Subject:



Premises Affected: 1200 Sturgeon Road

Exhibits Filed:

1. Application dated May 7, 2013
2. Notification of Public Hearing dated May 22, 2013
3. Manitoba Status of Title 2617031/1
4. Surveyor's Building Location Certificate and sketch dated November 30, 1999
5. Plans (7 pages)
6. Report from the Planning and Land Use Division dated June 19, 2013
7. Inspection Report
8. Plans (6 pages) submitted by Richard Fulham, TFG Lakewood Rentals Ltd., Applicant, at the public hearing
9. Audio Recording of representations

REPRESENTATIONS:

In Support:

Richard Fulham, TFG Lakewood Rentals, Ltd.
Dean Fletcher
Michael Michaelides
Barry Purdy

In Opposition:

Nil

For Information:

Nil

For the City:

Mr. K. Raban, Land Development Administrator, Planning, Property and Development Department
Mr. J. Veitch, Acting Principal Planner, Planning, Property and Development Department

Exhibit “6” referred to in File DAZ 212/2013

ADMINISTRATIVE REPORT

Title: DAZ 212/13 – 1200 Sturgeon Road

Issue: An application for consideration at the public hearing for a rezoning from an “A” Agricultural Zoning District to “RMU” Residential Mixed Use in order to construct two (2) multi-family Buildings (44 units each) with future consideration for non-accessory commercial uses on the subject site.

Critical Path: Assiniboia Community Committee as per the Development Procedures By-law and *The City of Winnipeg Charter.*

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	n/a	n/a	n/a

RECOMMENDATIONS

1. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the planned area as shown on Schedule “A” for File DAZ 212/13 dated June 19, 2013, to an “RMU” Residential Mixed Use District.

    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 July 2, 2013, which is Schedule “B” of this report.

    B. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter for each phase of the development, which Agreement shall contain the following conditions:

        i. That, for the development of any building, and/or accessory parking area within the lands 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, exterior lighting and landscaping to the Director of Planning, Property and Development and the Assiniboia 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.

2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.
3. That, in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is

applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

4. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.
5. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the planned area, provided that the said effective date occurs within one year of the date by-law is passed.
6. 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 seeks approval to rezone the subject property to 'RMU' Residential Mixed-Use to accommodate two (2) 5-storey Multi-Family dwellings (44 units each) with future consideration for non-accessory commercial uses.
- The applicant intends to retain the existing 2-storey office building on the site for personal storage and administration uses.
- The proposal requires two (2) applications that will be heard in concurrence;
    - DAZ 212/13
    - DAV 13 – 128076/D
- Rezoning applications 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 property will be rezoned to 'RMU' Residential Mixed Use and two Multi-family buildings may be established.

HISTORY

PRE-APPLICATION 08-154242 PA

- **November 2008** the current applicant applied for a pre-application for 1200 Sturgeon Road to solicit city department feedback on a proposed 42 unit multi-family dwelling by rezoning the site from "A" Agricultural District to "RMF-S" Residential Multi-Family-Small District.
- Some of the key City department comments forwarded to the applicant included:
    - *'That since there is no wastewater sewer nor any land drainage sewer fronting this property, the developer would be required to enter into a servicing agreement with the city to construct a wastewater sewer in Quail Ridge from Hollyburn Road to Saskatchewan Avenue and then in Saskatchewan from Quail Ridge to approximately the midpoint of their lot. This would be entirely at their cost.'*

- *'That the developer will be required to provide property for a 1.154m widening to the north-south Public Lane west of the subject site along full length of the subject site.*
- *'That noise attenuation will be required along the Sturgeon Road due to proposed future widening.*
- *'That to accommodate west bound turns into the proposed private approach on Saskatchewan Avenue, modifications to the median may be required, at the developers cost.*

PRE-APPLICATION 12-175677

- **November 2012** the current applicant subsequently applied for a pre-application for 1200 Sturgeon Road to solicit city department feedback on a proposed two 3-Storey apartment style condominiums (33 units each, 66 in total) by rezoning the site from "A" Agricultural District to "RMF-S" Residential Multi-Family-Small District or "RMU" Residential Mixed use.
- While some of the earlier comments/observations made in the pre-application in 2008 were reiterated, the following were some of the new comments forwarded to the applicant:
  - *'… the lot is largely undeveloped, quite large and should be able to accommodate the proposed development without seeking variances.'*
  - *That because the existing water main cannot provide adequate fire flow for the proposed development, the developer would have to reduce their fire flow requirements by the use of non-combustible material and the installation of sprinkler system.'*
  - *That the developer would likely be required to install a private fire hydrant in order to adequately protect this development.'*
  - *'That the design Architect may have to make modifications to the fire lanes by ensuring they get fire vehicles to within 50 feet of the principle entrance.'*
  - *'That grade B/C habitat is identified on the subject lands; there may be requirement for an Ecological Significant Natural Land Strategy, (ESNL) assessment at the formal rezoning application stage.*

CONSULTATION

In preparing this Report there was consultation with:
NA

SUBMITTED BY

Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	James Veitch
Date:	June 19, 2013
File No.	DAZ 212/2013

List of Schedules and Attachments

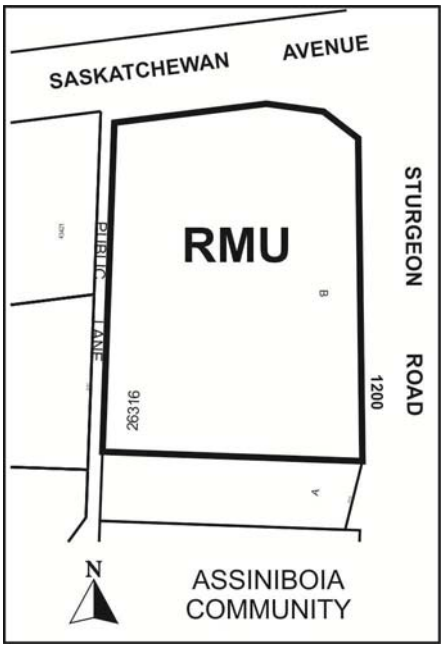
1. Appendix A – Planning Discussion
2. Schedule “A” for File No. DAZ 212/13
3. Schedule “B” Report of the Administrative Coordinating Group for File No. DAZ 212/13
4. Schedule “C”’ Pre-Application 12-175677 Feedback Letter to Applicant, December 5, 2012

APPENDIX 'A'

DATE: June 19, 2013
FILE: **DAZ 212/2013**
RELATED FILES: DAV 13-128076/D
COMMUNITY: Assiniboia Community
NEIGHBOURHOOD #: 2.212

SUBJECT: To rezone the subject land from "A" Agricultural District to an "RMU" Residential Mixed Use District

LOCATION: 1200 Sturgeon RD
LEGAL DESCRIPTION: PCL B PLAN 26316 11 ST JA



APPLICANT: Richard Fulham TFG LAKEWOOD RENTALS LTD.
424 LOGAN AVE UNIT 208
WINNIPEG MB R3A 0R4

OWNER: Richard Fulham TFG LAKEWOOD RENTALS LTD.
424 LOGAN AVE UNIT 208
WINNIPEG MB R3A 0R4

RECOMMENDATION: Approval with Conditions

SITE DESCRIPTION

- The subject property is currently zoned “A” Agricultural District located in the Heritage Park Neighbourhood of the St. Charles Ward.
- The site is occupied by an existing 2-storey office building facing Sturgeon Road.
- The subject property is 4 acres.
- Under the *Complete Communities Direction Strategy*, the subject site is located within the Area of Stability - Recent Communities Policy Area. The property is currently zoned “A” Agricultural district.



Figure 1: Aerial photograph showing subject property (flown 2012)

Surrounding Zoning and Land Use

North: Saskatchewan Avenue then “A” Agricultural District

South: “A” Agricultural District

East: Sturgeon Road then “M2” Manufacturing General

West: ‘RMF-S’ – Residential Multi-Family Small, (4-storey buildings)

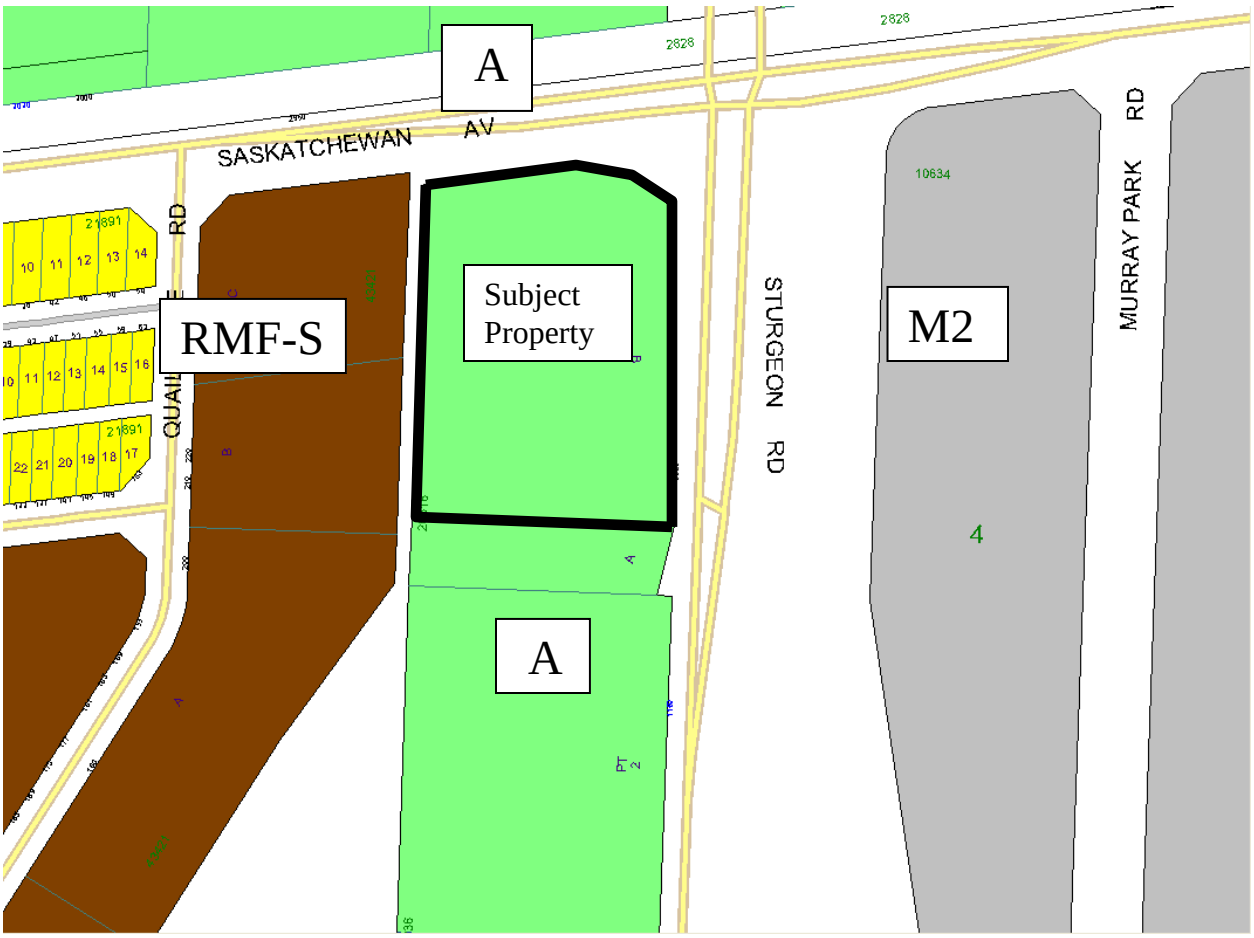


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the subject site from “A” Agricultural District to “RMU” Residential Mixed Use.
- The applicant intends to construct two (2) 5-storey multi-family buildings (44 units each) on the property in two phases.
- The applicant intends to keep the existing 2-storey office building on site for personal storage and administration uses.
- An associated Variance application, (DAV 13-128076/D) has been submitted to allow a reduced rear yard setback, insufficient landscaping and a fence height exceeding 4 feet in the required front yard.

ANALYSIS AND ISSUES

A. Policies:

COMPLETE COMMUNITIES DIRECTION STRATEGY:

- Under the *Complete Communities Direction Strategy* the proposed development is within the Areas of Stability – Recent Communities policy area. With regard to this proposal, the key policies guiding the development of Areas of Stability include:

- Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary 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.
- 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, townhouses.

. LAND USE BY-LAW:

Rezoning

- The lands are currently zoned 'A' Agricultural. Generally, the agricultural and park districts are intended to:
  a) provide rural and open land for agricultural purposes until such time as it is required for future urban development; and
  b) provide lands for active and passive recreation needs for all citizens.
- The applicant is proposing to rezone the lands to 'RMU' Residential Mixed Use.

The dimensional standards for both zoning districts are as follows:

CURRENT ZONING:

- *Agricultural (A) district*
  The A district is intended for general agricultural activities. Agricultural District requires:
  - Minimum lot width of 300 feet.
  - Minimum lot sizes of 40 acres
  - Side yards of 25 feet are required.
  - Front yard requirements are 100 feet; rear yard requirements are 25 feet.
  - Maximum building height is 30 feet.

PROPOSED ZONING:

- *The Residential Mixed Use (RMU) district*
  The RMU district is intended to facilitate the development of primarily medium to higher-density residential development, though it also may contain limited small-scale commercial, institutional, recreational, and service facilities needed to support residential development. RMU Residential Mixed Use District requires:
  - Minimum lot sizes of 9,000 square feet.
  - Side yards of 5 feet are required. For multi-family dwellings, the side yards increase by 2 feet for every additional storey above the ground.
  - Front yard requirements are 20 feet; rear yard requirements are 25 feet.
  - Maximum building height is 100 feet

DEVELOPMENT PROPOSAL:
Residential Mixed Use

- The proposed development is going to be in two (2) phases, the applicant intends to develop phase 1 first.
- Two (2) residential multi-family buildings are being proposed; two 5-storey buildings with 44 units each including parking on the main floor.
- The existing office building to remain on site and be used for property management.
- The applicant is proposing to preserve existing trees north of property line fronting Saskatchewan Avenue.
- In addition to the interior first floor parking, the site design identified approximately 23 outdoor parking stalls for phase 1.
- The site design proposes insufficient landscaping (street edge, building foundation and parking lot interior) and over 4 feet fence in the required front yard.

ASSOCIATED VARIANCES:
The proposal to establish two (2) residential multi-family dwelling (44 units each) requires several variances to allow it conform to the proposed 'RMU' Residential Mixed dimensional standards of the Zoning By-law 200/06.

1. a rear yard of 5 feet (1.52 metres) instead of 25 feet (7.62 metres).
2. insufficient landscaping (street edge, building foundation and parking lot interior).
3. fence height exceeding 4 feet (1.22 metres) in the required front yard.

The associated variance application, DAV 13-128076/D will be considered in conjunction with the subject rezoning application at the same public hearing. A detailed discussion on the variances will be in the associated Planner's report.

PRE-APPLICATION 12-175677 COMMENTS:
Water & Waste Department
Water:

- Existing watermains cannot provide adequate fire flows.
- Reduce their fire flow requirements by the use of non-combustible construction materials and the installation of sprinkler systems.
- Developer to install a private fire hydrant on site.

Wastewater:

- There are no wastewater sewers fronting this property.
- Capacity exists in the wastewater sewer on Quail Ridge Road.
- Developer to enter into a servicing agreement with the City to construct a wastewater sewer entirely at developer cost.

Land Drainage:

- There are no land drainage sewers fronting this property.

- The developer to construct a land drainage sewer in Sturgeon Road from the existing 1200 mm stub approximately 1000 metres south, entirely at their cost.
- Or an alternative based on increasing the amount of on-site storage with very restricted outflow may be considered pending developer's engineer's report.

Public Works Department

- Developer to provide property for a 1.154m widening to the north-south Public Lane west of the subject site.
- Noise attenuation should be considered by the developer along this east property line to address traffic noise. This could be in the form of a wall 3m in height, or some combination of a noise attenuation berm, landscaping and wall/fence.
- Remove existing approach and repair the right of way off Sturgeon Road.

Based on the Pre-application comments from Water & Waste and Public Works highlighted above, the subject site has some significant servicing constraints in terms of fire protection, waste water and land drainage.

The developer will be required to submit a detailed engineering report(s) and enter into a servicing agreement to the satisfaction of the City of Winnipeg prior to development permits being issued.

It should be noted that Public Works has recently indicated that the existing undeveloped right of way for the rear lane adjacent to the west of the subject lands is not required and thus the right of way should be legally closed and incorporated into the development.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD:

- The subject site is located within the Recent Communities under the Complete Communities Direction Strategy. Policies guiding development in this area encourage intense and diverse development that is context sensitive. The proposed increase in density from Agricultural setting to a two (2) residential multi-family dwelling (44 units each) is thus consistent with this policy.
- The subject property is located at the intersection of two arterial streets with existing transit service on Saskatchewan,
- The subject property is surrounded immediately to the west by a multi-family development.
- Servicing constraints exist that the developer will have to solve to the satisfaction of the City of Winnipeg.

RECOMMENDED ZONING AGREEMENT

Plan Approval

- The Urban Planning Division is recommending that final plans be submitted to the Director of Planning, Property and Development and the Assiniboia Community Committee for the subject site 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 Assiniboia Community Committee to review final plans before development takes place for the proposed development and for any future developments on the site.
- The following guidelines should be used when evaluating future developments proposed on the Multi-family Mixed Use site:

- The site layout and building orientation should ensure that the buildings relate appropriately to the street and surrounding developments and create a cohesive visual identity for the neighbourhood.
- Parking areas should be located behind or beside principal buildings and should be well-screened with landscaping.
- Universally accessible connections should be linked to sidewalks.
- Outdoor recreation areas for the future residents; BBQ / Patios, pathways around the site, gazebos, children's play areas, bicycle parking, etc.
- Refuse storage areas and other building services should be internal to buildings or screened from view with appropriate fencing/landscaping.
- 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.
- Landscaping should enhance the overall development in key areas such as the development perimeter, corners, common areas, areas along pathways, and entryways.

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.
- There is some good B/C quality habitat existing on the subject site, the City Naturalist encourage the developer to retain as much of these natural areas as possible.
- The submitted drawings show significant portions of these natural areas, particularly against the north side of the site and Saskatchewan Avenue as being saved.
- 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:

- Increasing residential density and helping to achieve diverse development are key policies of *Our Winnipeg* and *Complete Communities Direction Strategy* that are fulfilled by this application.
- The subject site located at the north-west corner of the intersection of Saskatchewan Avenue and Sturgeon Road is a good location for multiple family development.
- The scale and form of the proposed multi-family dwelling units can be built in a manner that is consistent with the already established 'RMF-S' Multiple Family zoned properties to the west.

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division
Report Prepared By: James Veitch
PPD File # DAZ 212/13

APPENDIX "B"

Schedule "A" for File No. DAZ 212/2013, Assiniboia Community Committee, dated June 19, 2013

By-Law No. _____

File No. **DAZ 212/13**

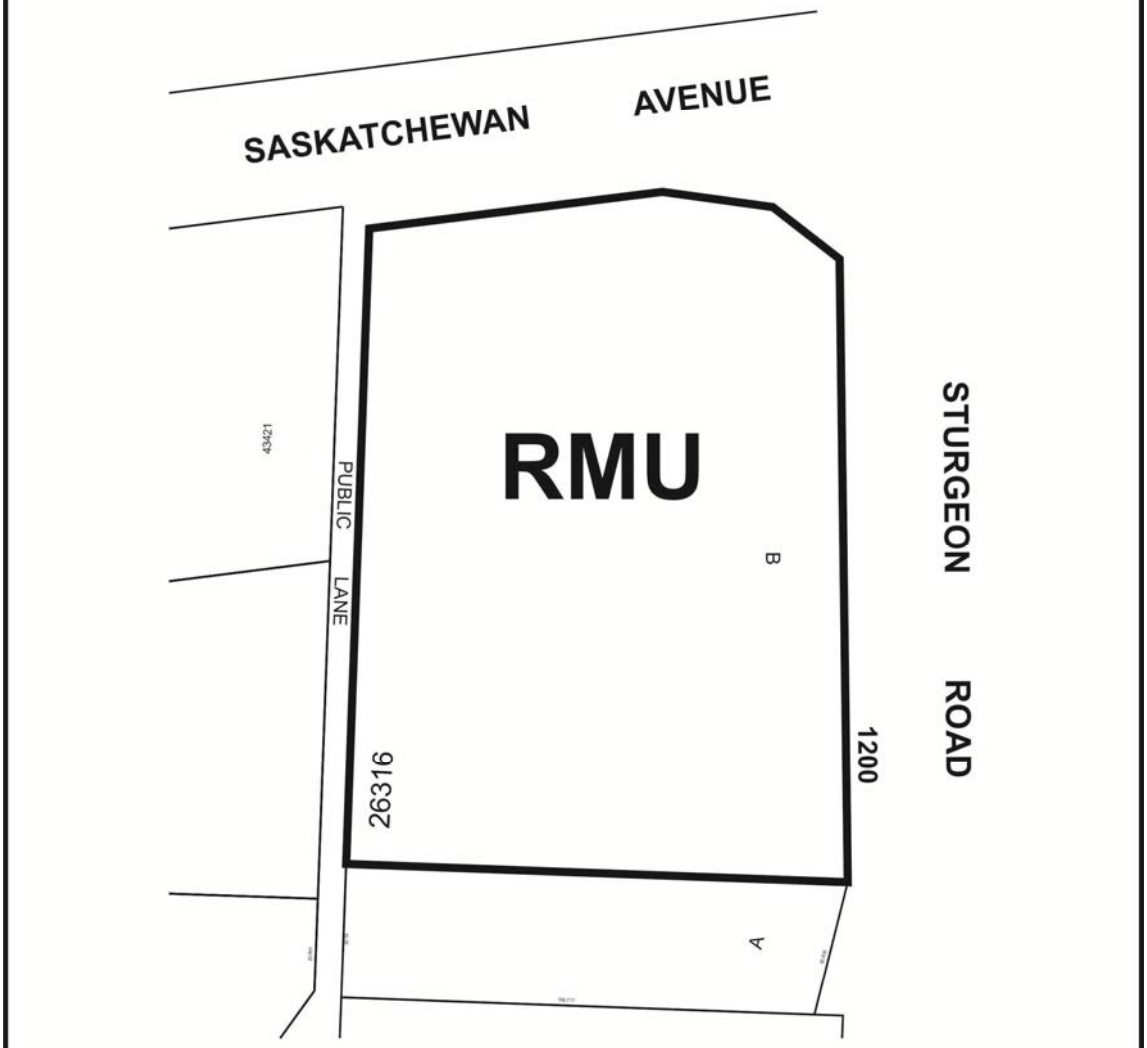
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Y14 ASSINIBOIA COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 1200 Sturgeon Road from an "A" AGRICULTURAL DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT to allow for the construction of a multiple family dwelling and the future establishment of non-accessory commercial uses as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – July 2, 2013

RE: PROPOSED REZONING OF LAND LOCATED ON THE SOUTHWEST CORNER OF STURGEON ROAD AND SASKATCHEWAN AVENUE – 1200 STURGEON ROAD - DAZ 212/2013

It is recommended that the approval of DAZ 212/2013, if granted, be subject to the applicant entering into a Servicing Agreement addressing the following items:

A. Engineering Reports and Servicing Criteria

1. The Developer shall, at no expense to the City, submit a servicing report, prepared by a municipal engineer, which will include fire flow analysis, land drainage storage requirements, and expected wastewater flows, for approval by the Director of Water and Waste.

B. Agreement Conditions

1. The Developer shall, at no expense to the City, install all watermains, wastewater sewers and land drainage sewers, as determined by the servicing report required to service the proposed development all to the satisfaction of the Director of Water and Waste.

2. The Developer shall, at no expense to the City, construct a portland cement concrete sidewalk to a width of 1.5m by 100mm in thickness on the south side of Saskatchewan Avenue from Quail Ridge Road to Sturgeon Road as determined by and to the satisfaction of the Director of Public Works.

3. The Developer shall, pay to the City in cash, its share of the cost of the following Services previously installed or to be installed in Saskatchewan Avenue along the full length of the subject property abutting the south side of Saskatchewan Avenue;

   a) an 8.3m in width by 200mm in thickness portland cement concrete pavement and all related works;

   b) street lighting in the south boulevard;

   c) landscaping in the south boulevard;

   all as determined by the Director of Public Works. (2013 rate = $413.00 per frontage foot x 300.9 frontage feet).

4. The Developer shall pay to the City, in cash, on demand, the cost to install a portland cement concrete sidewalk to a width of 1.5m in width by 100mm in thickness on the west side of Sturgeon Road, along the full length of the subject property, as determined by the Director of Public Works. (2013 rate = $50.00 per frontage foot x 523.5 frontage feet).

5. The Developer shall, at no expense to the City, take access to the subject property off of Saskatchewan Avenue and locate their approach at the west limit of the subject property. No access shall be permitted off Sturgeon Road. All as determined by, and to the satisfaction of, the Director of Public Works.

6. The Developer shall, at no expense to the City;

    a. remove the existing private approach to Sturgeon Road and restore the shoulder and ditch, and
    b. remove the existing centre median opening in Sturgeon Road serving the private approach and restore the shoulders and centre median area to a grassed swale/ditch.

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

7. The Developer shall pay all costs associated with the installation and/or relocation of street lights and other utilities made necessary as a result of or required to accommodate works, which are required by the Developer to serve the proposed subdivision, as determined by and to the satisfaction of the Director of Public Works.
8. The Developer shall, at no expense to the City, provide underground electrical and telephone services to serve the proposed subdivision and will pay the full cost to convert any existing overhead services within the proposed subdivision to underground.
9. The Developer shall 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 buildings, until substantial completion of all construction. The cleanup 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 any costs in remedying the situation to the satisfaction of the Director of Public Works.

10. The Developer shall ensure that construction traffic uses access 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 and safe condition, free of dropped and tracked-on mud, and shall undertake regular scraping and sweeping of streets until building construction, including landscaping is complete, all as determined by and to the satisfaction of the Director of Public Works.

11. The Developer shall pay the full cost of all design services, including preliminary engineering studies, servicing reports, servicing criteria, construction drawings and specifications, and grading and landscaping plans and specifications, to be provided by Consultants approved by the City, for the design of the municipal services and associated works required to serve the Planned Area;

12. The Developer shall pay the full cost of construction and landscaping supervision services provided by or on behalf of the City for field inspection, preparation of progress estimates, provision of as-built drawings by March 31 of the year following substantial performance of the

work, and all other consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

13. 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.

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 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. DAZ 212/2013
July 2, 2013

[Original Signed by; G.V. Jasper, P.Eng.]
G.V. Jasper, P. Eng.,
Land Development Branch

[Original Signed by; C.J. Desjardine, M.Sc., P.Eng.]
C.J. Desjardine, M.Sc., P. Eng.
Public Works Department, Transportation Division

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

SCHEDULE C

PRE-APPLICATION FEEDBACK LETTER – DECEMBER 3, 2012

RE: PRE-APPLICATION 12-175677 1200 STURGEON ROAD, DECEMBER 3, 2012

James Veitch, M.Land.Arch.
(204) 986-7728
Fax / Téléc. : (204) 986-7524

December 3, 2012

Richard Fulham / Melissa Fehr
Lakewood Rentals Ltd.
208-424 Logan Avenue
Winnipeg, MB. R3A 0R4

Re: Pre-Application No. 12-175677 000 00 PA (1200 Sturgeon Road)

Dear Ms. Fehr:

Thank you for your submittal of the pre-application for the above noted property. As you are aware, as part of the pre-application process, the City provides applicants initial feedback on their development proposal. The goal of this process is to identify outstanding issues prior to a formal application and any subsequent public hearing.

Pursuant to the above, I have the following comments to provide to you, organized by City Departments. These comments were largely based on the circulation of your Letter of Intent and Concept Plan that was submitted November 8th, 2012.

Proposal Details

Location:	1200 Sturgeon Road
Size:	4.0 +/- acres
Development:	Two – 3 storey Multi-Family Dwelling buildings 33 units each (total 66 units) w/ separate office use and potential future daycare on site
OurWinnipeg:	Area of Stability, Recent Community
Secondary Plan:	NA
Zoning By-law:	'A' Agriculture

(Note: the Zoning and Permits Department has completed a Zoning Analysis for both the 'RMU' and 'RMF-S' Zoning categories, attached as **Appendix 1**.)

Planning, Property, and Development

Current Zoning

The subject property is zoned 'A' Agricultural
'The Agricultural (A) district is intended for general agricultural activities.'
The proposed multiple family project including an existing onsite office use and potential future daycare use will require a rezoning to either 'RMF-S' Residential Multiple Family Small or 'RMU' Residential Mixed Use.

The Urban Planning Division is supportive of either zoning designation you wish to pursue. Based on the plans submitted there will likely be some variances involved with either zoning category pertaining to yard setbacks and potentially heights of buildings. Variances can be supported in cases where the applicants can demonstrate an injurious effect placed on the development by the Zoning By-law. In this case the lot is largely undeveloped, quite large and should be able to accommodate the proposed development without seeking variances.

Urban Planning Division
The information below outlines the general development components we expect to be addressed. This will give your design team a good head start on determining key issues / stakeholders, etc. and the best possible layout, fit and function of the site – while meeting the policies of the City's Development Plan '*OurWinnipeg'* and the '*Complete Communities Direction Strategy'*. (Link: http://winnipeg.ca/interhom/CityHall/OurWinnipeg/)

From a land use perspective, we feel a multiple family project including some supportive office and associated daycare will work at this location with the understanding that your development would align with *OurWinnipeg / Complete Communities* for development in Areas of Stability.

Applicable Policies from Complete Communities Areas of Stability / Recent Community:
04 Areas of Stability
'Infill in areas of stability will be supported with the intent of creating more complete communities.' P.78

'Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.' P.80

'Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.' P.80

'Support Complete Communities by ensuring diverse and high quality housing stock.' P.80

'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, townhouses.' P.80

'Provide opportunities to increase multi-modal connectivity when redevelopment occurs.' P.80

'Where intensification/densification of housing occurs, ensure that the types of open space - passive, active, and plazas - respond to community needs.' P.81

04 Areas of Stability > Recent Communities
'Improve the sustainability of recent residential neighbourhoods by promoting better walking, cycling and transit access to retail, employment and community facilities.' P.89

Site Layout
Your site layout submitted consists of a storm water retention basin, two building phases, surface parking, an existing storage / office building and landscaping. We recommend looking at the site as a whole and how it will function with residents and visitors arriving, visiting, parking, and walking to the units – with a vision of day to day life at Fulham Estates.

We will want to see the site development include areas of shared public open space for the new residents. Small green spaces, plazas and other recreational amenities so the new residents do not have to leave the site and drive somewhere to enjoy nature, have a picnic throw a ball or walk a dog/jog, children's play space.

The orientation and the long linear layout of the parking areas may not be the best solution for the site creating an excess of hard surface with unusable left over spaces and long walks to the units. The parking area could be consolidated into smaller 'pods' improving the site aesthetic and experience, breaking up the expanse of asphalt while providing convenient access to the units.

The required front yard, (Sturgeon Road) is 25 feet and the required rear yard (west property line) is 20 feet in both the 'RMF-S' and 'RMU' zones. Your submitted layout would require variances to those yards, we would recommend adjusting the Phase 1 and Phase 2 building locations to avoid variances, while at the same time reducing noise impacts and providing additional opportunities for usable outdoor green space and landscaping.

Site Access
Public Works has commented on the private approaches in their section below, please review for more detail. They have determined the over-sized existing approach on Sturgeon Road to the office is non-conforming, does not meet City standards and was never granted a permit. This approach will have to be removed, the right of way repaired to the satisfaction of the Director of Public Works. Access to the existing office / storage will have to be taken from within the site itself.

Existing Office / Storage Use
Current Aerial photography, (2012) shows the existing storage use on the site including the access and parking off Sturgeon Road. The Office and personal storage use can stay with the rezoning; however the existing outdoor area will have to be cleaned up as part of the site development process. As well, consistent with the comments earlier and from Public Works below the City will require the existing approach to be closed and the right of way repaired to the satisfaction of the Director of Public Works.

Public Pathways / Active Transportation
Your plans do not illustrate any sort of walkways / pathways or programmed open space for the new residents and visitors using the site. Please consider allowing for all modes of circulation throughout your site; pathways, sidewalks and trails should connect your development to the adjacent public network, transit stops, and the neighbourhood.

The site should be connected to Saskatchewan by public walkways, as per Transit's comments below. There should be easy convenient access for people arriving to the site by bus or bicycle from both Sturgeon and Saskatchewan and to the front doors of the multiple family buildings.

Bicycle Parking / Long Term Bike Storage
Outdoor bicycle racks as well as lockable long term bike storage for residents should be provided on site adjacent to all main entrances as well as within the building in the case of long term bike storage.

Landscaping
Saving as many of the existing onsite trees as possible is a good strategy; they provide an instant mature landscape that will benefit the entire project. It should be noted that Part 5 Section 191 in the Zoning By-law allows a landscaping credit for saving existing trees on site.

The proposed tree planting along Sturgeon Road appears to be off site within the Sturgeon Road right of way. Landscaping should be kept on site, moving the building back to the required yards will allow more room for onsite landscaping.
The Zoning analysis included as Appendix 1 shows some deficiencies in your proposed landscaping that would require variances if left as is. The site landscaping should be enhanced to avoid any variances.

Lighting
Although there is no lighting shown at this time we will require a lighting plan with fixture schedules to ensure all lighting is full cut-off downward directed and that there is no impact on adjacent properties.

Plan Approval
If the project goes forward with a rezoning application the Urban Planning Division will recommend that a typical Plan approval clause be attached as one of the conditions of approval. This will allow the Planning department and the developers design team to collaborate further on the design details of the site.

Water and Waste Department
WATER
It appears that they are planning to construct 3-storey walk-up condominiums using standard wood-frame construction. If this assumption is correct, then the existing watermains cannot provide adequate fire flows. Further, since the existing watermains are already at the maximum standard size (300mm), the system capacity cannot realistically be improved at this location. Thus, based on the available fire flows, the developer would have to reduce their fire flow requirements by the use of non-combustible construction materials and the installation of sprinkler systems. Further, the developer would likely be required to install a private fire hydrant in order to adequately protect this development.

WASTEWATER
There are no wastewater sewers fronting this property. However, it appears that there is capacity in the wastewater sewer on Quail Ridge Road for the proposed development. The developer would be required to enter into a servicing agreement with the City to construct a wastewater sewer in Quail Ridge Road from Hollyburn Road to Saskatchewan Avenue and then in Saskatchewan from Quail Ridge to approximately the midpoint of their lot. This would be entirely at their cost.

LAND DRAINAGE
There are no land drainage sewers fronting this property. Further, there isn't adequate capacity in the land drainage sewers on Quail Ridge Road and Saskatchewan Avenue for the proposed development. Therefore, in order to provide land drainage service, the developer would be required to construct a land drainage sewer in Sturgeon Road from the existing 1200 mm stub at Woodgreen Place. Woodgreen Place is about 1000 metres south of this property. This would be entirely at their cost. However, we would be willing to look at an alternative based on increasing the amount of on-site storage with very restricted outflow into the existing land drainage system in the Quail Ridge subdivision to the west. The developer's engineer would be required to provide analysis and a servicing report for our review and approval demonstrating if and how this could work. If this alternative proves to be feasible, the developer would be required to extend the existing land drainage sewer in Saskatchewan Avenue, at no expense to the City, in order to provide an outfall for the storage facilities.

Public Works Department
The Developer will be required to provide property for a 1.154m widening to the north-south Public Lane west of the subject site along the full length of the subject site. Future City of Winnipeg transportation plans include the widening of Sturgeon Road to 4-6 lanes.

There will be increasing traffic noise along primarily Sturgeon when the Silver Avenue Corridor is constructed in the future and as Centreport develops to the north. Although Public Works typically does not require it for multiple family developments, noise attenuation should be considered by the developer along this east property line to address traffic noise. This could be in the form of a wall 3m in height, or some combination of a noise attenuation berm, landscaping and wall/fence.

Based on the long-term plans for Sturgeon Road, including a grade separated intersection at Sturgeon Road and Silver Avenue, the proposed new private approach on Sturgeon Road to the subject site should be considered temporary. This access would be eliminated in the event of the future road widening.

The existing approach to the existing Office off Sturgeon Road does not look to conform to City Standards and it was likely established illegally. Currently visitors are parking in the approach and backing onto Sturgeon Road. Public Works will require this approach to be removed. Access to the Office use will be required from within the site. The owners will be responsible for repairing the right of way to the satisfaction of the Director of Public Works.

To accommodate westbound left turns into the proposed private approach on Saskatchewan Avenue, modifications to the median may be required, at the Developer's cost. As an alternative to an approach on Saskatchewan Avenue, the Developer could consider taking access from the north-south Public Lane west of the subject property. However, this would also involve modifications to the median if westbound left turns are desired. As this is an unimproved lane, the Developer would be responsible for constructing the Public Lane to City standards including a temporary turn-around at the south terminus of the lane.

Winnipeg Transit

Winnipeg Transit does not have any comments or concerns about the multiple family aspect of the development. The property is currently served by a pair of transit stops directly adjacent to the property at the corner of Saskatchewan & Sturgeon, although only Route 83 operates there. It offers 7-day-a-week service, with all day service on weekdays and more limited operating hours on Saturdays and Sundays.

The plan as shown would be much improved if there were sidewalks leading from inside the development out to where the bus stops are located on Saskatchewan Avenue.

Plan Examination - Winnipeg Fire Paramedic Services

We would not have objections to the re-zoning. The design architect may have to make modifications the Fire Lanes to ensure they get our vehicles to within 50' of the principle entrance. Onsite hydrants will also be required.

Fire Lanes and water supply for firefighting shall be provided to all proposed properties in conformance with the applicable codes, and to the satisfaction of the Fire Chief.

In addition any necessary reviews from a WFPS perspective would be assessed at the permit stage and more detailed plans would need to be provided at that point.

City Naturalist

Grade B/C habitat is identified on the subject lands, there may be the requirement for an Ecologically Significant Natural Lands Strategy, (ESNL) assessment at the formal rezoning application stage.

Parks and Recreation

Preliminary comments include;

Likely there will likely be no park dedication; Parks will recommend the condition of 'cash in lieu' for this application, consistent with the recommendations for the recent senior's development to the north.

Concluding Remarks

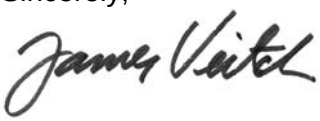
Once again thank you very much for your submission, it is understood that the proposed development plan is still in a conceptual phase and that the comments provided herein are based as such. As a result, many of these comments received by City of Winnipeg departments are somewhat general in nature.

If you decide to proceed with a formal application, new information may surface requiring additional conditions and obligations placed on the development.

More detailed site plans, building elevations, landscaping and construction details will be required for departments to adequately assess the proposed development and attach necessary conditions.

Please feel free to contact me if you have any questions.

Sincerely,



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