**Agenda - Executive Policy Committee – March 18, 2015**

**Report - Standing Policy Committee on Property and Development – March 10, 2015**

**Item No. 3 Subdivision and Rezoning – 1286, 1290 & 1294 Ravelston Avenue West (Transcona Ward)**
**File DASZ 32/2014 [c/r DAV 164440/2014D]**

STANDING COMMITTEE RECOMMENDATION:

On March 10, 2015, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, as amended, and submitted the following to Council:

1. That the plan of subdivision under File DASZ 32/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 32/2014 dated February 11, 2015 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 Servicing Agreement with the City of Winnipeg containing all the conditions outlined in the report of the Administrative Coordinating Group dated January 21, 2015.

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 32/2014 dated February 11, 2015, to "R1-L" and "RMU" Residential Districts subject to the following:

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

        i. That, for the development of any building, and/or accessory parking area and/or signage within the lands zoned "RMU" Residential Multi-Family, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, and landscaping to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

**Report - Standing Policy Committee on Property and Development – March 10, 2015**

ii. That the maximum building height on the subject property shall be limited to 60 feet. In addition, building(s) in the subject area shall be located closer to Peguis Street and away from R1-L and R1-M zoned lots, with the stepping back of building heights from Peguis Street. At a minimum, no portion of any building should be intersected by any line commencing six feet above the shared property line with the R1-M and R1-L zoned districts and extending upwards by 45 degrees toward said building.

iii. That a landscape strip of 30 feet shall be provided adjacent to the shared property line with R1-M and R1-L zoned districts.

iv. That there shall be no billboard signs and mobile signs on the entire RMU site.

3. That the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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 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.

6. That the Director of Legal Services and City Solicitor be request 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 execution by the City of Winnipeg of the Servicing Agreement.

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 year from the date the by-law is passed.

**Report - Standing Policy Committee on Property and Development – March 10, 2015**

9. 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.

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.

**Agenda - Executive Policy Committee – March 18, 2015**

**Report - Standing Policy Committee on Property and Development – March 10, 2015**

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On March 10, 2015, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee with the following amendment:

- Delete Recommendation 3 in its entirety and replace it with the following:

    3. That the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 19, 2015, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments:

- Add the following to Recommendation 2.A.ii. after "60 feet.":

    "In addition, building(s) in the subject area shall be located closer to Peguis Street and away from R1-L and R1-M zoned lots, with the stepping back of building heights from Peguis Street. At a minimum, no portion of any building should be intersected by any line commencing six feet above the shared property line with the R1-M and R1-L zoned districts and extending upwards by 45 degrees toward said building."

- Amend Recommendation 2.A.iii. by deleting "20 feet" and replacing it with "30 feet".

- Add the following new Recommendation 2.A.iv.:

    "2.A.iv. That there shall be no billboard signs and mobile signs on the entire RMU site."

**Report - Standing Policy Committee on Property and Development – March 10, 2015**

DECISION MAKING HISTORY: (continued)

COMMUNITY COMMITTEE RECOMMENDATION (continued):

- Delete Recommendation 3 in its entirety and replace with the following:

    "3. That in lieu of the requirement for land dedication, a sum of money be paid to the City, calculated as ten percent ( 10%) of the appraised value of the Development Application, as determined by the City."

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

Pursuant to The Municipal Conflict of Interest Act, Councillor Wyatt advised that he would refrain from entering the discussion and voting on the matter, because of a potential conflict with business interests or a financial interest, and left the meeting.

**RE:** **Subdivision and Rezoning – 1286, 1290 & 1294 Ravelston Avenue West File DASZ 32/2014**

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

**Prepared by:** **Andrew Poitras, Senior Committee Clerk**
**East Kildonan-Transcona Community Committee**

**Report date:** **February 23, 2015**

COMMUNITY COMMITTEE RECOMMENDATION:

On February 19, 2015, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision under File DASZ 32/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 32/2014 dated February 11, 2015 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 Servicing Agreement with the City of Winnipeg containing all the conditions outlined in the report of the Administrative Coordinating Group dated February 21, 2015.

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 32/2014 dated February 11, 2015, to "R1-L" and "RMU" Residential Districts subject to the following:

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

        i. That, for the development of any building, and/or accessory parking area and/or signage within the lands zoned "RMU" Residential Multi-Family, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, and landscaping to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That the maximum building height on the subject property shall be limited to 60 feet. ***In addition, building(s) in the subject area shall be located closer to Peguis Street and away from R1-L and R1-M zoned lots, with the stepping back of building heights from Peguis Street. At a minimum, no portion of any building should be intersected by any line commencing six feet above the shared property line with the R1-M and R1-L zoned districts and extending upwards by 45 degrees toward said building.***

iii. That a landscape strip of ***30 feet*** shall be provided adjacent to the shared property line with R1-M and R1-L zoned districts.

***iv. That there shall be no billboard signs and mobile signs on the entire RMU site.***

***3. That in lieu of the requirement for land dedication, a sum of money be paid to the City, calculated as ten percent ( 10%) of the appraised value of the Development Application, as determined by the City.***

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 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.

6. That the Director of Legal Services and City Solicitor be request 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 execution by the City of Winnipeg of the Servicing Agreement.

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 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 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 East Kildonan-Transcona Community Committee provided the following supporting reason(s) for its recommendation:

1. It's exciting to see this part of Transcona become part of the City of Winnipeg.
2. Land drainage has been a challenge in area and exciting to see this come on line.
3. The market is such that multifamily makes sense in this case along Ravelston Avenue.
4. It's good to see multiple property owners come together to take old rural lots and replacing it with urban development.

**PUBLIC HEARING SUMMARY**

| | |
|---|---|
| File: | DASZ 32/2014 |
| Before: | East Kildonan-Transcona Community Committee<br>Councillor Schreyer, Chairperson<br>Councillor Browaty |
| Public Hearing: | February 19, 2015<br>Council Building, 510 Main Street |
| Applicant: | Richard Wintrup and Associates (John Wintrup) |
| Subject: | |




**APPLICANT :** RICHARD WINTRUP & ASSOCIATES
**FILE :** DASZ 32/14
**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 "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT and an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT and an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT to allow for the construction of a multi-family dwelling. **For information, phone Mr. R. Mahé, Planner, at 204-986-8631.**

| | | |
|---|---|---|
| Premises Affected: | 1286, 1290 & 1294 Ravelston Avenue West | |
| Exhibits Filed: | 1. | Application dated October 30, 2014 |
| | 2. | Notification of Public Hearing dated December 15, 2014 |
| | 3. | Manitoba Status of Titles 2401769/1, 2401775/1 and 2401780/1<br>Title Searches 2244677/1 and 2244678/1 |
| | 4a. | Letter of authorization dated October 1, 2014 from Frank and Josephine Florentino to Richard Wintrup and Associates |
| | 4b. | Letter of authorization dated September 24, 2014 from Walter and Trevor Chmilowsky to Richard Wintrup and Associates |
| | 4c. | Letter of authorization dated September 24, 2014 from Walter, Trevor and Wayne Chmilowsky to Richard Wintrup and Associates |
| | 5. | Surveyor's Building Location Certificate and sketch dated October 15, 2014 |
| | 6. | Drawing of subject property/lots (4 pages) |
| | 7. | Plans (8 pages) |
| | 8. | Report from the Urban Planning Division dated February 11, 2015 |
| | 9. | Inspection Report |
| | 10. | Audio Recording of representations |

REPRESENTATIONS:

In Support:

John Wintrup

In Opposition

Susan Russell

For Information:

Nil

For the City:

Mr. J. Veitch, Planner, Planning, Property and Development Department
Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department

Exhibit “8” referred to in File DASZ 32/2014

# ADMINISTRATIVE REPORT

**Title:** DASZ 32/2014 – 1286-1290-1294 Ravelston

**Issue:** Subdivide out 1294 Ravelston Avenue West and consolidate and rezone the remaining lands to RMU

**Critical Path:** East Kildonan - Transcona 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 |
|---|---|---|---|
| B. Smith | N/A | N/A | |

## RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 32/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule “A” for File DASZ 32/2014 dated February 11, 2015 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 Servicing Agreement with the City of Winnipeg containing all the conditions outlined in the report of the Administrative Coordinating Group dated February 21, 2015.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule “A” for File DASZ 32/2014 dated February 11, 2015, to “R1-L” and “RMU” Residential Districts subject to the following:

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

        i. That, for the development of any building, and/or accessory parking area and/or signage within the lands zoned “RMU” Residential Multi-Family, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, and landscaping to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That the maximum building height on the subject property shall be limited to 60 feet.

iii. That a landscape strip of 20 feet shall be provided adjacent to the shared property line with R1-M and R1-L zoned districts.

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 lots, 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.

5. 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.

6. That the Director of Legal Services and City Solicitor be request 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 execution by the City of Winnipeg of the Servicing Agreement.

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 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 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.

## REASON FOR THE REPORT

- The applicant is proposing to subdivide out 1294 Ravelston Avenue West and consolidate and rezone the remaining lands to RMU.
- 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 rezoned and subdivided consistent with the map provided in Schedule "A" of this report.

## CONSULTATION

In preparing this report there was consultation with: Public Works, Parks and Water and Waste

## SUBMITTED BY

| | |
|---|---|
| Department | Planning, Property and Development |
| Division | Urban Planning |
| Prepared by: | Richard Mahé, MCIP |
| Date: | February 11, 2015 |
| File No. | DASZ 32/2014 |

**List of Schedules and Attachments**

1. Appendix A — Planning Discussion
2. Schedule "A" — Recommended File No. DASZ 32/2014 East Kildonan - Transcona Community Committee, dated February 11, 2015

**APPENDIX 'A'**

**DATE:** **February 11, 2015**

**FILE:** **DASZ 32/2014**
**RELATED FILES:** DAV 14-164440/D
**COMMUNITY:** East Kildonan-Transcona Community
**NEIGHBOURHOOD #:** 4.417

**SUBJECT:** To subdivide out 1294 Ravelston Avenue West and consolidate and rezone the remaining lands to RMU

**LOCATION:** 1286-1290-1294 Ravelston Av West (see map below)




**APPLICANT:** John Wintrup
Richard Wintrup & Associates
139 Roslyn Rd unit 301
WINNIPEG MB R3L 0G7

**OWNER:** Wolodymir, Trevor and Wayne Chmilosky / Josephine and Frank Fiorentino

**RECOMMENDATION:** Approval with Conditions

**SITE DESCRIPTION**

- The subject properties are located on the southwest corner of Ravelston Av W and Peguis Street in the Peguis neighbourhood of the Transcona ward.
- The lands are currently mixed zoned R1-L and RR5.
- 1294 Ravelston Ave W – occupied by a 2,772 sq ft single family dwelling. The lot area is approximately 66,481 sq ft.
- 1290 Ravelston Ave W – vacant lands. The lot area is approximately 46,371 sq ft.
- 1286 Ravelston Ave W – occupied by a one & a half story 1,008 sq ft single family dwelling. The lot area is approximately 106,370 sq ft.
- The total lot area for redevelopment is approximately 205,426 square feet.




**Figure 1: Site map of subject property and surrounding neighbourhood (2014)**

**SURROUNDING LAND USES AND ZONING**

**North:** A split zoned RR5 and R1-L 10 acre lot that is operating as a greenhouse.

**South:** Vacant lands that will be the Starlite development (DASZ 11/2011) and contain RMF-L zoned lands (see figure 3 below)

**East:** Devonshire Village and RMF-M zoned sites.

**West:** Vacant lands that will be the Starlite development (DASZ 11/2011) and contain single family lots zoned R1-M and multi-family lot zoned RMF-M (see figure 3 below)




**Figure 2: Zoning (2015)**




**Figure 3: Starlite Development (DASZ 11/2011)**

**DESCRIPTION OF THE PROPOSED DEVELOPMENT**

- The applicant is proposing to subdivide out 1294 Ravelston Avenue West and consolidate and rezone the remaining lands to RMU.
- The applicant intends to remove the house on 1286 Ravelston Avenue West. However, the applicant has been silent on whether they will remove the 2 stucco garages that are on the site.
- The applicant intends to maintain the existing house on 1294 Ravelston Avenue West and the approximately remaining rear 526.85 feet is being sold for redevelopment.
- However, the applicant has expressed that the proposed site plan is just a “concept”, representing one of many development scenarios.
- In this development scenario, the applicant appears to be developing 336 dwelling units in a building that is approximately 9 stories (92 feet).
- Accompanying this rezoning and subdivision application is a variance application (DAV 14-170156D) for the following:
    - for the establishment of an accessory parking area to permit as follows:
        1. a front yard of 25 feet (7.62 metres) instead of 46 feet (14.02 metres);
        2. no buffering of a parking area located within 20 feet (6.1 metres) of a side or rear lot line adjacent to a residential district;
    - for the construction of a fence to permit a height of 6 feet (1.83 metres) instead of 4 feet (1.22 metres) in the required front yard.

PARKING

- In this site plan scenario, the applicant appears to be meeting the parking requirements as per the zoning by-law.

VEHICULAR ACCESS

- In this site plan, the applicant is showing one approach onto Peguis Street and another approach onto Ravelston Avenue West.

GARBAGE/RECYCLING COLLLECTION

- In this site plan, the applicant appears to be showing garbage collection internal to the building. If the applicant is intending this development to have municipal collection services instead of private collection services, they will need to meet the standards of the Water and Waste Department.

BUILDING DESIGN

- The applicant has not provided elevations.

BUILDING LOCATION

- The building is set back from both Peguis Street and Ravelston Avenue West. In setting back the building in the manner that is shown in the site plan, it locates the building closer to the remaining single family home at 1294 Ravelston Avenue West and the R1-M zoned lots abuting the property to the west in the Starlite Subdivision (see figure 3 above). This proximity to the existing and proposed single family homes should be considered more thoroughly at Plan Approval stage once the applicant provides actual plans of development instead of a development scenario.

PEDESTRIAN CONNECTIONS

- In this site plan, the applicant is not providing pedestrian connections as per section 206.1 of the zoning by-law. If the applicant whishes to bring this forward for Plan Approval, they would be required to either comply with the requirements in the zoning by-law or apply for apply for a variance.

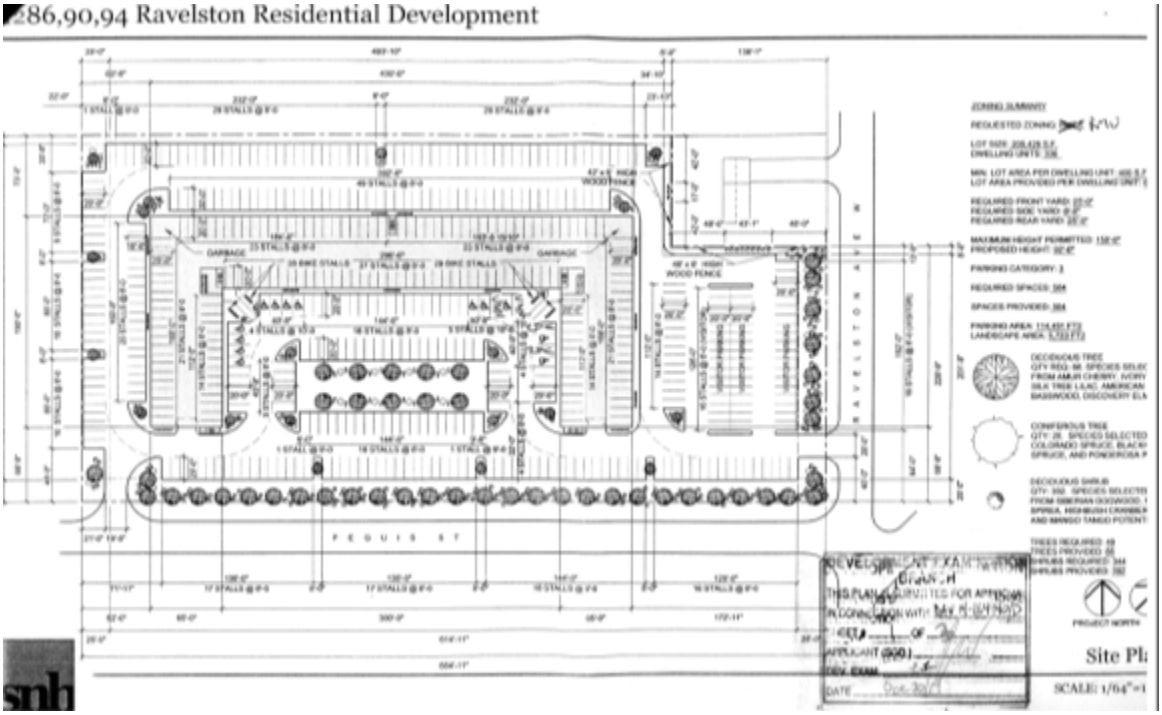



**Figure 4: Proposed Site Plan**

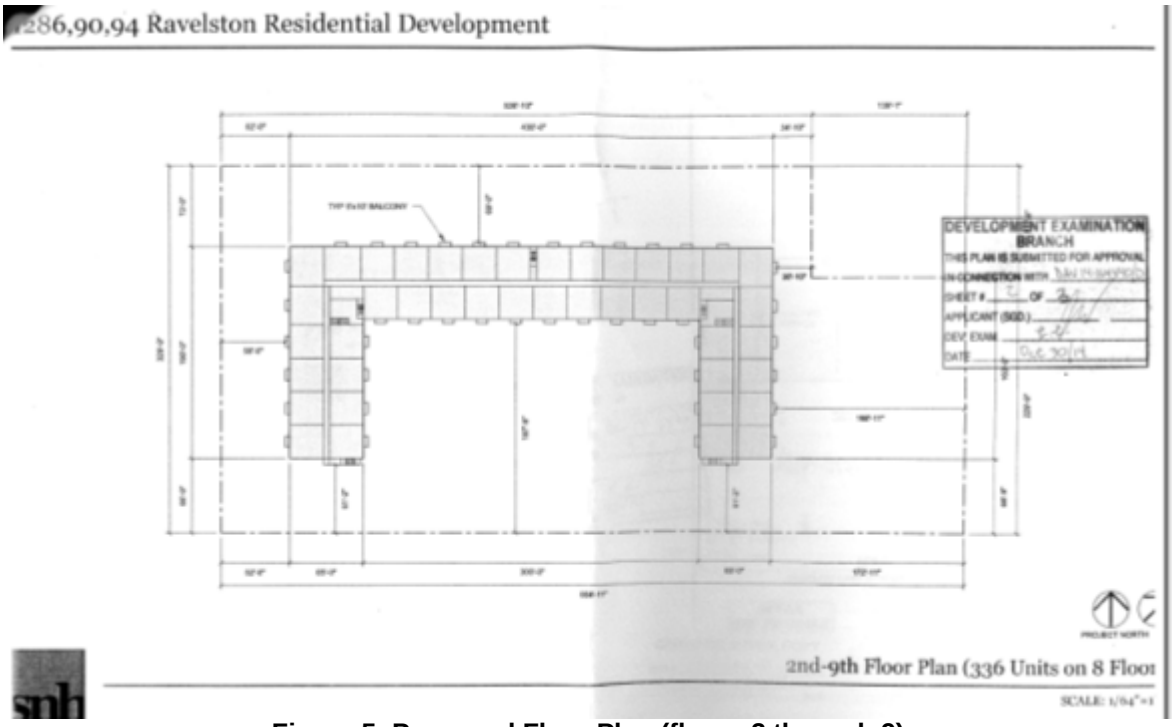



**Figure 5: Proposed Floor Plan (floors 2 through 9)**

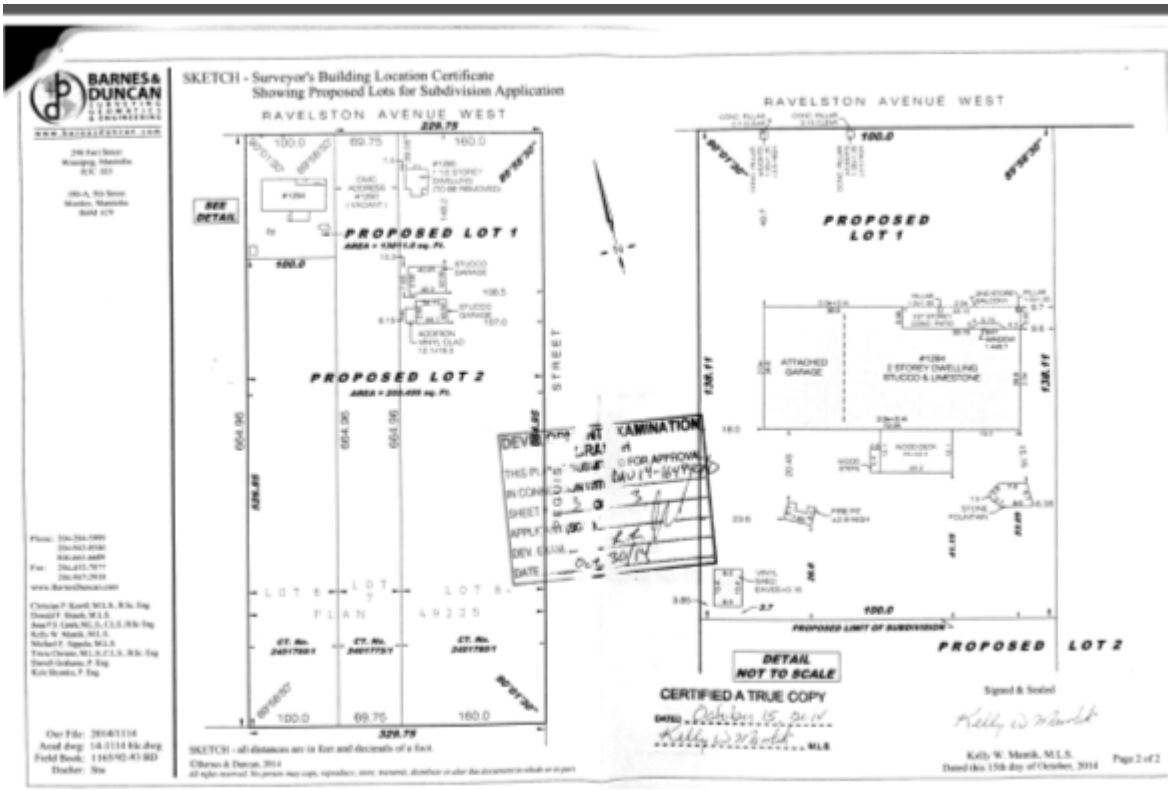



**Figure 6: Building Location Certificate**




**Figure 7: Title Plot**

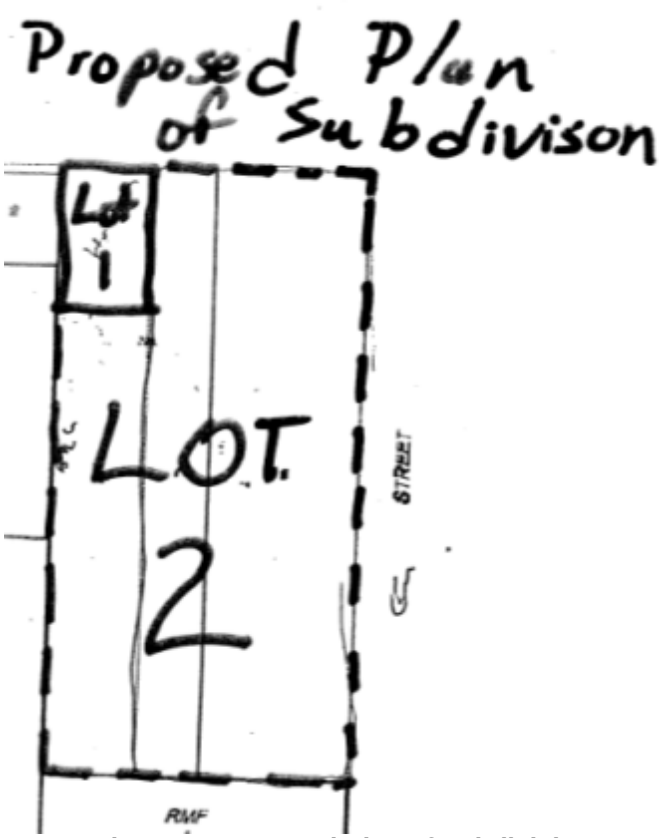



**Figure 8: Proposed Plan of Subdivision**

**ANALYSIS AND ISSUES**

COMPLETE COMMUNITIES

- Under the *Complete Communities Direction Strategy* the proposed development is within the Areas of Stability – Recent Communities policy area. Key relevant policies guiding development within 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.
    - Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.
    - Provide opportunities to increase multi-modal connectivity when redevelopment occurs.

TRANSCONA WEST AREA STRUCTURE PLAN

- Under the *Transcona West Area Structure Plan* (By-law 215/2006) the proposed development is located within the Proposed Residential Mixed Use Area within the Almey-Ravelston Special Planning Area. Key relevant policies guiding development within the includes:

5.2 Almey-Ravelston Special Planning Area

- 5.2.2 (1) (b) Proposed commercial uses within the Special Planning Area shall be of a local commercial or community commercial type as defined by the plan.
- 5.2.2 (2) Subdivision
    - (a) the rezoning and subdivision of land within the Special Planning Area will be considered by the Community Committee thorugh the Development Application process in accordance with the following additional requirements:
        - (i) any application for subdivision shall be accompanied by a Concept Plan that demonstrates how the subdivision may be integrated into the re-subdivision of adjacent and surrounding parcels in order to ensure that the future potential for adjacent subdivision is not compromised.
        - (ii) all proposed parcels must be serviceable by a full range of municipal services including access to a fully developed public roadway

5.4 Residential Mixed Use Areas

- 5.4.2 (1) (a) (i) a significant use of land within the Residential Mixed Use Areas will incorporate low, medium and higher density residential areas.
- 5.4.2 (1) (a) (ii) in order to create a cohesive shopping, living and leisure environment
    - (A) institutional, office, recreational or public uses that complement and support the area may be allowed,
    - (B) local, retail or community-scale commercial uses and services that are compatible with higher residential densities may also be allowed, and
    - (C) regional scale commercial or office and services are not considered complementary to Residential Mixed Use Area neighbourhoods outside the area identified in Plan Winnipeg as Regional Commercial and Mixed Use Concentration.
- 5.4.2 (2) (b) Residential Mixed Use Areas shall be served by a network of streets, sidewalks and paths that provide pedestrian access to transit stops that may be within 200 metres of all development in the Area.
- 5.4.2 (3) Design of Residential Mixed Use Areas
    - (a) these areas shall contain as part of their design, a well-defined pedestrian-oriented component that emphasizes the following components:
        - (i) a highly visible and accessible location;
        - (ii) internal pedestrian routes to buildings and amenities;
        - (iii) safe and accessible pedestrian connections to other uses on the site.
    - (b) in conjunction with the initial Development Application in the Residential Mixed Use Areas, a design concept for the entire site shall be submitted showin the overall design in relation subsection 4(a)
- 5.4.2 (4) Suggested Criteria for Residential Mixed Use Areas Design Concepts
    - (a) The Residential Mixed Use Area Concept should:
        - (i) provide for compatible interface treatment with adjacent developments

- (iii) contain a visually appealing site design and landscape treatment particularly when visible from roads with higher volumes of traffic
- (vi) be suitably integrated with any residential, institutional, recreational and public uses within or adjacent to the site
- (vii) connect to local pedestrian trails and be conveniently and directly accessible to pedestrians both within and adjacent to the site
- (ix) contain parking areas that area designed to maximize direct access to adjacent uses while not visually overwhelm the landscape. Methods by which this can be implemented included, but are not limited to the following:
    - (A) appropriate landscaping through earth berms, tree/shrub planting, and/or fencing
    - (B) on-street parking
    - (C) parking areas between or behind buildings
- (x) locate identification signage that reduces the impact on the adjacent residential areas

PROPOSED ZONING DISTRICT

*R1-L – Residential Single-Family Large*

- The residential single family district is intended to accommodate primarily single family residential development in lower density areas

*RMU – Residential Mixed Use*

- The RMU district is intended to accommodate development of primarily medium to higher density residential development though it may also contain limited small-scale commercial, institutional, recreational, and service facilities needed to support residential development. The area, site or building should retain a predominantly residential character. Development in the RMU district should facilitate pedestrian travel between residential and non-residential uses.
- The dimensional standards for the RMU zoning district include:
    - Minimum lot area per dwelling unit of 500 square feet
    - Minimum front yard of 20 feet
    - Minimum rear yard of 25 feet
    - Minimum interior side yard of 5 feet and an additional 2 feet for every storey above the main floor
    - Minimum corner yard of 20 feet
    - Maximum building height of 100 feet.

ANALYSIS OF THE DASZ AND COMPATIBILITY WITH THE SURROUNDING DEVELOPMENT

- The applicant is proposing to develop a RMU site that has the potential to have approximately 410 residential units. The applicant has only shown a development with 336 units, but as they have indicated, this is only a concept.
- The applicant is also proposing in this concept a building height of 92 feet. The maximum height permitted within this zoning category is 100 feet.
- The site is adjacent to: a two-storey condominium project across Peguis Street to the east; a vacant RMF-L zoned site to the south; a vacant RMF-M zoned site to the west and a R1-M zoned cul-de-sac to the west; and a single-family home to the northwest (which forms part of this application).
- Given the proximity to the adjacent single family dwellings stepping back of building heights should be considered in the west and northwest portion of the site. Additionally, given the surrounding context and that the maximum height allowed in the adjoining developments to the proposed single family lots is 60 feet, the proposed development should be limited in height to mitigate the visual impact on adjacent properties. The Urban Planning Division recommends limiting the height of buildings on this site to 60 feet.

TRANSPORTATION & CIRCULATION

- The Public Service is requesting that land be made available for road widening on Ravelston and Peguis as per the ACG Report below (see Schedule B).

SERVICING

- It should be noted that the development of the land included under this development application relies on the future services to be constructed by the adjacent Starlite Subdivision (under DASZ 11/2011) including the stormwater retention basin (SRB) and outfall trunk sewer.
- This proposed development cannot proceed until this infrastructure has been constructed, or this Developer constructs, at no expense to the City, alternative infrastructure designed by a qualified municipal engineer to the satisfaction of the Director of Water and Waste.

LAND DEDICATION

- The Public Service is requesting cash-in-lieu for this application.

**RECOMMENDED ZONING AGREEMENT**

*Landscaping Buffer*

- The Public Service is recommending that a landscape buffer of 20 feet shall be provided adjacent to the shared property line with R1-M and R1-L zoned districts.

*Building Height Restrictions*

- The Public Service is recommending that the maximum building height on the subject property shall be limited to 60 feet.

*Plan Approval*

- The Public Service is recommending that final plans be submitted to the Director of Planning, Property and Development and EKT Community Committee for review prior to the issuance of a development permit on the lot. The inclusion of this clause will allow the Urban Planning Division and the EKT Community Committee to review final plans before development takes place on the site.

- This is of particular importance because it is felt that the development scenario as shown does not meet the intent of the Transcona West Areas Structure Plan in terms of the design concepts discussed under Section 5.4 Residential Mixed Use Areas.

- Pedestrian connections in particular will need to be further assessed at Plan Approval stage to ensure that they meet the intent of the zoning by-law and that a variance application is not required.

**RECOMMENDATION**

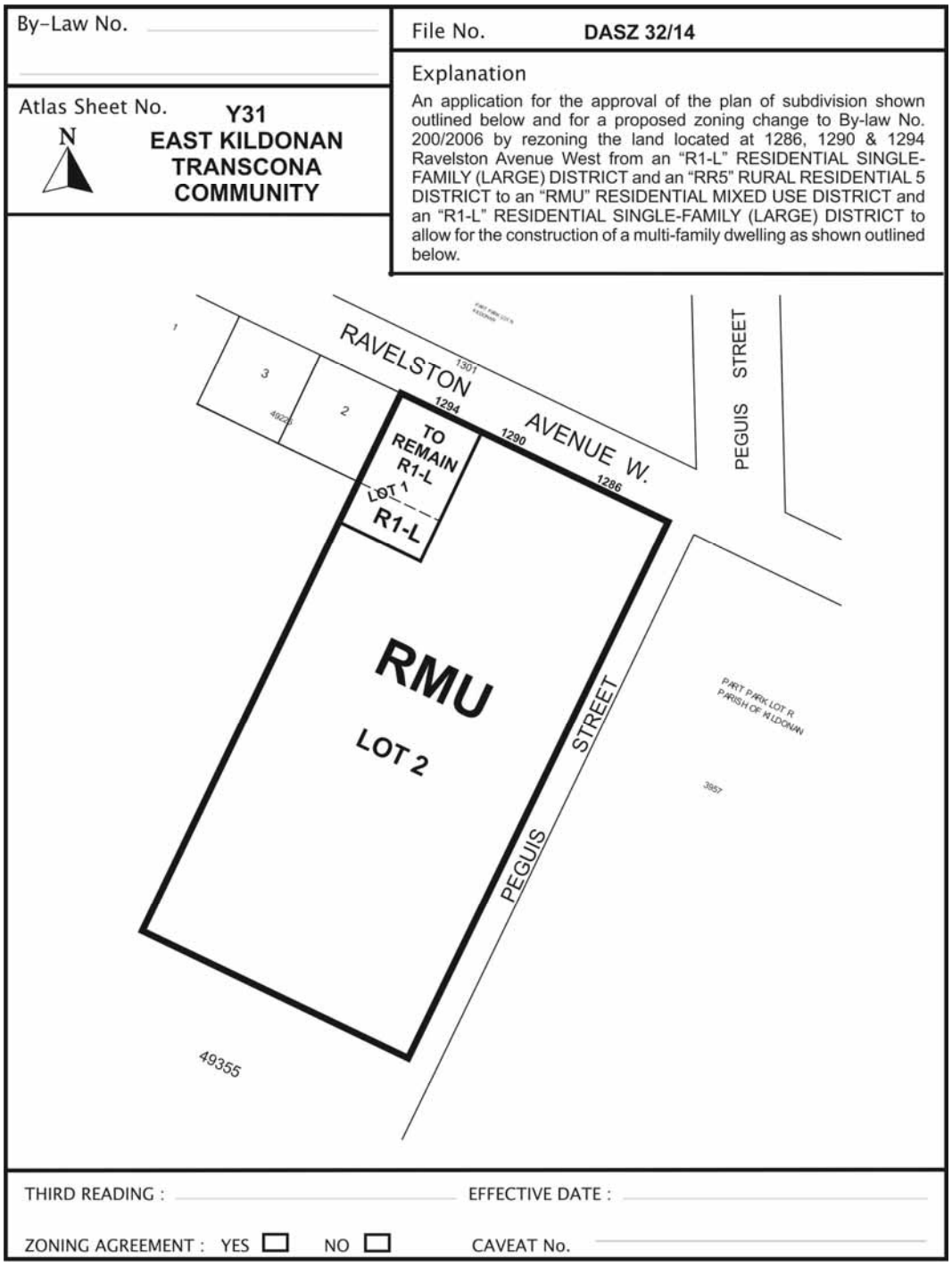
The Urban Planning Division recommends approval for the following reasons:

- The proposed development is consistent with the policies of the Complete Communities Direction Strategy and the Transcona West Area Structure Plan.

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

Report Prepared By: Richard Mahé, MCIP
PPD File # DASZ 36/2014

Schedule “A” for File No. DASZ 36/2014, East Kildonan - Transcona Community Committee, dated February 11, 2015



## SCHEDULE B

### REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – February 21, 2014

**RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED AT 1289,1290 & 1294 RAVELSTON – DASZ 32/2014**

It is recommended that the approval of DASZ 32/2014, if granted, be subject to the applicant entering into a Servicing Agreement addressing the following items:

### A. PLAN CONSIDERATIONS

1. The Developer shall, at no expense to the City, transfer and legally open, property required for the widening of the Ravelston Avenue West right-of-way abutting the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

2. The Developer shall, at no expense to the City, transfer and legally open, property required for a 2.134m widening of the Peguis Street right-of-way abutting the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

3. The Developer shall, at no expense to the City, transfer and legally open, property required for a corner cut in the south-west corner of the intersection of Peguis Street and Ravelston Avenue West, as determined by and to the satisfaction of the Director of Public Works.

### B. ENGINEERING REPORTS AND SERVICING CRITERIA

The Developer shall, provide, to the satisfaction of the Director of Water and Waste, an updated servicing report, prepared by a qualified municipal engineer, that describes the underground services required to support the proposed development and adjacent land in the Starlite Subdivision (DASZ 11/2111).

### C. AGREEMENT CONDITIONS – SERVICING

1. Restriction of Servicing

   Development of the land included under this development application relies on the future services to be constructed by the adjacent Starlite Subdivision (under DASZ 11/2011) including the stormwater retention basin (SRB) and outfall trunk sewer. This proposed development cannot proceed until this infrastructure has been constructed, or this Developer constructs, at no expense to the City, alternative infrastructure designed by a qualified municipal engineer to the satisfaction of the Director of Water and Waste.

2. Wastewater Sewers

   The Developer shall prior to the release of mylars, pay to the City their share of the cost of the watermains constructed, or to be constructed, by others as determined by the Director of Water and Waste.

3. Watermains

   The Developer shall prior to the release of mylars, pay to the City their share of the cost of the wastewater sewers constructed, or to be constructed, by others as determined by the Director of Water and Waste.

4. Land Drainage

   a) The Developer shall prior to the release of mylars, pay to the City their share of the cost of the land drainage wastewater sewers constructed, or to be constructed, by others as determined by the Director of Water and Waste.

   b) The Developer shall, at no expense to the City, construct and install land drainage sewers required to serve the Planned Area as indicated by the servicing report, all to the satisfaction of the Director of Water and Waste.

5. Kildare Trunk User Charge

   The Developer shall prior to the release of mylars, pay for their share of the Kildare Avenue Trunk User Rate at the 2014 rate of $559.30/acre.

6. Regional Land Drainage Charges

   The Developer shall prior to the release of mylars, pay for their share of the Regional Land Drainage System (TSR) to be determined by the Director of Water and Waste.

7. Lot Grading

   a) Upon registration of the approved plan of subdivision mylars in the Land Titles Office, the Developer shall, at no expense to the City, provide to the City all easements the City considers necessary with respect to the installation, construction, maintenance, and replacement of swales, catchbasins, and leads for drainage of the Planned Area.

   b) Prior to the issuance of building permits, the Developer shall, at no expense to the City:

      i. Submit to the City, for approval, a lot grading plan for the Planned Area, prepared by a municipal engineer; and

      ii. Construct all swales, catchbasins, and leads necessitated by the approved lot grading plan

8. Ravelston Avenue West

The Developer shall, pay to the City, in cash, on demand, their share of the costs of the following services to be installed in Ravelston Avenue West, by others, along the full length of the subject property abutting Ravelston Avenue West:

a) A 7.5m in width by 200mm in thickness Portland cement concrete lane of pavement and all related works
b) Street lighting in the south boulevard
c) Landscaping in the south boulevard
d) A 1.5m in width by 100mm in thickness Portland cement concrete sidewalk
e) Land drainage sewer

all as determined by the Director of Public Works.

9. Peguis Street

The Developer shall, pay to the City, in cash, on demand, the costs of the following services to be installed in Peguis Street, by others, along the full length of the subject property abutting Peguis Street:

a) 8.3m in width asphalt pavement and all related works, including but not limited to the relocation of any bus stops and all associated works
b) Street lighting in the west boulevard
c) Landscaping in the west boulevard
d) Asphalt pathway on the west side of Peguis Street
e) Land drainage sewer

all as determined by the Director of Public Works.

10. Construction Traffic

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. Utilities

a) The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the proposed subdivision and will pay the full cost to convert any existing overhead services within the proposed subdivision to underground to the satisfaction of the Director of Public Works.

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

12. Litter and Refuse Control and Clean-Up

a) The Developer shall, at no expense to the City, and of its own volition, initiate and control the regular 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, as determined by and to the satisfaction of the Director of Public Works.

b) 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.

13. Boulevards

a) The Developer shall, at no expense to the City, sod, and plant trees on, all boulevards within and fronting on the Planned Area, all in accordance with City specifications and guidelines and, where required, with concept plans prepared by the Developer and submitted to, and approved by, the Director of Public Works.

b) The Developer shall, at no expense to the City, maintain the sod for a period of one year and the trees for a period of two years, in accordance with specifications approved by the Director of Public Works.

14. Survey Monuments

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, shall have them replaced by a Manitoba Land Surveyor. The Developer shall ensure that the Manitoba Land Surveyor provides the Director of Planning, Property and Development with a certificate stating that all survey monuments within the Planned Area have been verified and/or replaced, as the case may be.

## D. AGREEMENT CONDITIONS – COSTS AND FEES

1. By-laws and Approvals

The Developer shall pay all of its and the City's costs, fees, and expenses associated with the preparation and attainment of approval for registration of the Zoning By-law(s) and plan(s) of subdivision, including all Municipal Board, Land Titles Office and other fees and expenses, all survey, engineering and advertising fees and costs, and all expenses incidental to the preparation of the Agreement and the physical development of the Planned Area.

2. Professional Fees

a) 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 Consulting Engineer(s) approved by the City, for the design of the municipal services, and associated works required to serve the Planned Area;

b) 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 engineering consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

3. Administration Fees

The Developer shall, prior to the release of the subdivision mylars for registration in the Land Titles Office, pay to the City, $1200.00/acre (minimum $1650.00) of the planned area to help 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 32/2014
February 10, 2015

"*Original Signed by G. Jasper"*
G.V. Jasper P. Eng.,
Land Development Branch

"*Original Signed by M. Gajda"*
M. Gajda, P. Eng.
Water & Waste Department

"*Original Signed by C. Desjardine"*
C.J. Desjardine P. Eng.
Public Works Department

GJ/gj