Minutes – Executive Policy Committee – November 9, 2016

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 8, 2016

Item No. 9 Subdivision and Rezoning – 1500 Plessis Road (Transcona Ward) File DASZ 39/2016 [c/r DAV 152920/2016D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That the plan of subdivision under File DASZ 39/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" of File DASZ 39/2016 dated October 11, 2016, with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning a portion of the subject land shown on Schedule "A" of File DASZ 39/2016 dated October 11, 2016, to "CMU" Commercial Mixed Use District.

3. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City, in accordance with Council Approval of DASZ 39/2013, on February 26, 2014, Section II – Costs and Fees, Clause 10.

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

5. That, in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years of adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2) year period and Council approves the extension.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 8, 2016

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

7. That the 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 provided that the said effective date occurs within one year from the date the by-law is passed, failing which the by-law will expire and 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.

8. 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.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 8, 2016

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

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.

Carried

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On November 8, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On October 18, 2016, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Delete Recommendation 2.A. in its entirety.
- Add the following to Recommendation 3. after "as determined by the City":

  ", in accordance with Council Approval of DASZ 39/2013, on February 26, 2014, Section II – Costs and Fees, Clause 10.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 8, 2016

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

- Delete the following from Recommendation 7 "and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands".

and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

RE: **Subdivision and Rezoning – 1500 Plessis Road**
File DASZ 39/2016

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

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

Report date: **October 20, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On October 18, 2016, 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, Heritage and Downtown Development:

1. That the plan of subdivision under File DASZ 39/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" of File DASZ 39/2016 dated October 11, 2016, with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning a portion of the subject land shown on Schedule "A" of File DASZ 39/2016 dated October 11, 2016, to "CMU" Commercial Mixed Use District ~~*subject to the following condition:*~~

   ~~*A. That the future developer enter into a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following condition:*~~

      ~~*i. That the following principal uses shall be conditional principal uses:*~~
      - ~~*social service facility;*~~
      - ~~*college or university;*~~
      - ~~*place of worship;*~~
      - ~~*amusement enterprise, indoor;*~~
      - ~~*auditorium/concert hall/theatre/cinema;*~~
      - ~~*studio, radio/tv/motion picture broadcast and production;*~~
      - ~~*hostel;*~~
      - ~~*hotel or motel;*~~
      - ~~*animal hospital or veterinary clinic;*~~
      - ~~*kennel;*~~
      - ~~*call centre;*~~
      - ~~*auction room;*~~
      - ~~*landscape or garden supplies;*~~
      - ~~*supermarket;*~~
      - ~~*auto/light truck/motorcycle, repair and service;*~~

~~***- auto/light truck/motorcycle, sales and rental;***~~
~~***- auto parts and supplies, sales;***~~
~~***- fuel sales;***~~
~~***- parking, structured;***~~
~~***- parking, surface; and***~~
~~***- recycling collection centre.***~~

3. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City***, in accordance with Council Approval of DASZ 39/2013, on February 26, 2014, Section II – Costs and Fees, Clause 10.***

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

5. That, in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years of adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2) year period and Council approves the extension.

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

7. That the 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, failing which the by-law will expire and 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.

8. 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.

9. 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. This site is in the middle of the Transcona ward on Plessis Road which is a major regional street.
2. A lot of hard work has gone to get us to this point where we actually have Transcona Boulevard running through the site which was once a Public Works site.
3. The Joint Venture which was struck almost 3 years ago by Council was finally signed off this year and formalized. The Joint Venture makes it possible for us to not only do the remediation but also bring lands onto the tax roll that does not exist today. Millions of dollars will be coming to the City from taxes on this site.
4. This site was identified in OurWinnipeg as a redevelopment land.

PUBLIC HEARING SUMMARY

File:	DASZ 39/2016
Before:	East Kildonan-Transcona Community Committee Councillor Browaty, Chairperson Councillor Schreyer Councillor Wyatt
Public Hearing:	October 20, 2016 Council Building, 510 Main Street
Applicant:	McGowan Russell Group Inc. (Susan Russell)
Subject:	



Premises Affected:	1500 Plessis Road

Exhibits Filed:

1. Application dated August 16, 2016
2. Notification of Public Hearing dated August 18, 2016
3. Manitoba Status of Title 1877138/1
4 Letter of authorization dated July 3, 2016 from The City of Winnipeg and EdgeCorp Development Ltd. to McGowan Russell
5. Agreement dated February 17, 2016 between the City of Winnipeg and EdgeCorp Developments Ltd.
6. Plans (2 pages)
7. Report from the Urban Planning Division dated October 11, 2016
8. Inspection Report
9. Recommended Amendments submitted by the Applicant at the public hearing
10. Presentation in support of the application submitted by the Applicant at the public hearing
11. Recording of Representations of public hearing held on October 18, 2016

REPRESENTATIONS:

In Support:

Susan Russell
Sean Connelly
Keith Merkel
Robert Unger

In Opposition:

Nil

For Information:

Nil

For the City:

G. Doney, Senior Planner, Planning, Property and Development Department
G. Jasper, Land Development Administrator, Planning, Property and Development Department

Exhibit "6" referred to in File DASZ 39/2016

ADMINISTRATIVE REPORT

Title: DASZ 39/2016, 1500 Plessis Rd.

Issue: proposed plan of subdivision and rezoning that would create 10 lots:
- seven of which would remain approved for rezoning to "RMU" Residential Mixed-Use (as per DASZ 39/2013); and
- five of which would be rezoned to "CMU" Commercial Mixed-Use

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 39/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" of File DASZ 39/2016 dated October 11, 2016, with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning a portion of the subject land shown on Schedule "A" of File DASZ 39/2016 dated October 11, 2016, to "CMU" Commercial Mixed Use District subject to the following condition:

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

      i. That the following principal uses shall be conditional principal uses:
         - social service facility;
         - college or university;
         - place of worship;
         - amusement enterprise, indoor;
         - auditorium/concert hall/theatre/cinema;
         - studio, radio/tv/motion picture broadcast and production;
         - hostel;
         - hotel or motel;
         - animal hospital or veterinary clinic;

- kennel;
- call centre;
- auction room;
- landscape or garden supplies;
- supermarket;
- auto/light truck/motorcycle, repair and service;
- auto/light truck/motorcycle, sales and rental;
- auto parts and supplies, sales;
- fuel sales;
- parking, structured;
- parking, surface; and
- recycling collection centre.

3. That, in lieu of the dedication of land, 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 (2) years of adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2) year period and Council approves the extension.

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

7. That the 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, failing which the by-law will expire and 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.

8. 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.

9. 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

This report provides information, and makes recommendations, regarding the subject application (DASZ 39/2016), in terms of compliance with *OurWinnipeg*, *Complete Communities* and the *Transcona Yards Industrial Area Redevelopment Plan.*

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the process of creating the plan of subdivision and rezoning the subject site can proceed.

HISTORY

Council minutes state that, on February 26, 2014, "Council concurred in the recommendation of the Standing Policy Committee on Property and Development, as amended by the Executive Policy Committee, and approved the proposed plan of subdivision and rezoning under File DASZ 39/2013…"

This approval included Clauses 6 and 7 that state:

6. *That the subdivision section of the by-law shall come into force and effect upon registration by the City of Winnipeg of the Development Agreement.*
7. *That the zoning section of the by-law shall come into force and effect when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.*

On April 27, 2016, Council concurred in Executive Policy Committee's recommendation and amended this approval by replacing these clauses with the following:

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

This amendment was done under File ZAA 2/2016. It was required because the City owns the subject site and cannot enter into an agreement with itself.

CONSULTATION

The City's Administrative Coordinating Group was consulted in the preparation of this report.

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Glen Doney
Date	October 11, 2016
File No.	DASZ 39/2016

Attachments

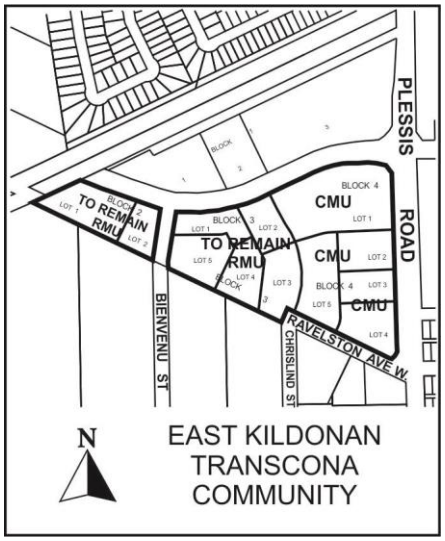
Appendix “A,” Planning Discussion

Schedule “A” of File DASZ 39/2016, East Kildonan – Transcona Community Committee, dated October 11, 2016

Schedule “B,” Report of The Administrative Coordinating Group, dated August 10, 2016.

APPENDIX "A," Planning Discussion

DATE:	October 11, 2016
FILE:	DASZ 39/2016
RELATED FILE:	DAV 16-152920D
COMMUNITY:	East Kildonan - Transcona
NEIGHBOURHOOD #:	4.433
SUBJECT:	proposed plan of subdivision and rezoning that would create 12 lots: • seven of which would remain approved for rezoning to "RMU" Residential Mixed-Use (as per DASZ 39/2013); and • five which would be rezoned to "CMU" Commercial Mixed-Use
LEGAL DESCRIPTION:	Part Lots 86 to 90, Parish of Kildonan



APPLICANT:	Susan Russell, McGowan Russell 825 St. Joseph St. Winnipeg, MB R2H 3A8
OWNERS:	City of Winnipeg
RECOMMENDATION:	Approval with Conditions

SITE CHARACTERISTICS AND CONTEXT

The site, identified on Figures 1 and 2, is:

- along the west side of Plessis Road and immediately north of Ravelston Avenue West;
- in the Regent Neighbourhood and the Transcona Ward;
- triangular shaped and approximately 40 acres;
- the former site of a Water and Waste yard and offices;

- in an “M1” Manufacturing Light District of Zoning By-law 200/2006, a Residential Mixed Use policy area of the *Transcona Yards Industrial Area Redevelopment Plan* and a Major Redevelopment Site of *OurWinnipeg* and *Complete Communities*; and
- in an area approved to become Blocks 2 and 3 and be rezoned to “RMU” as per DASZ 39/2013 (approved by Council on February 26, 2014).

Also of note are:

- that one of the conditions of Council’s approval of DASZ 39/2013 is that a zoning agreement

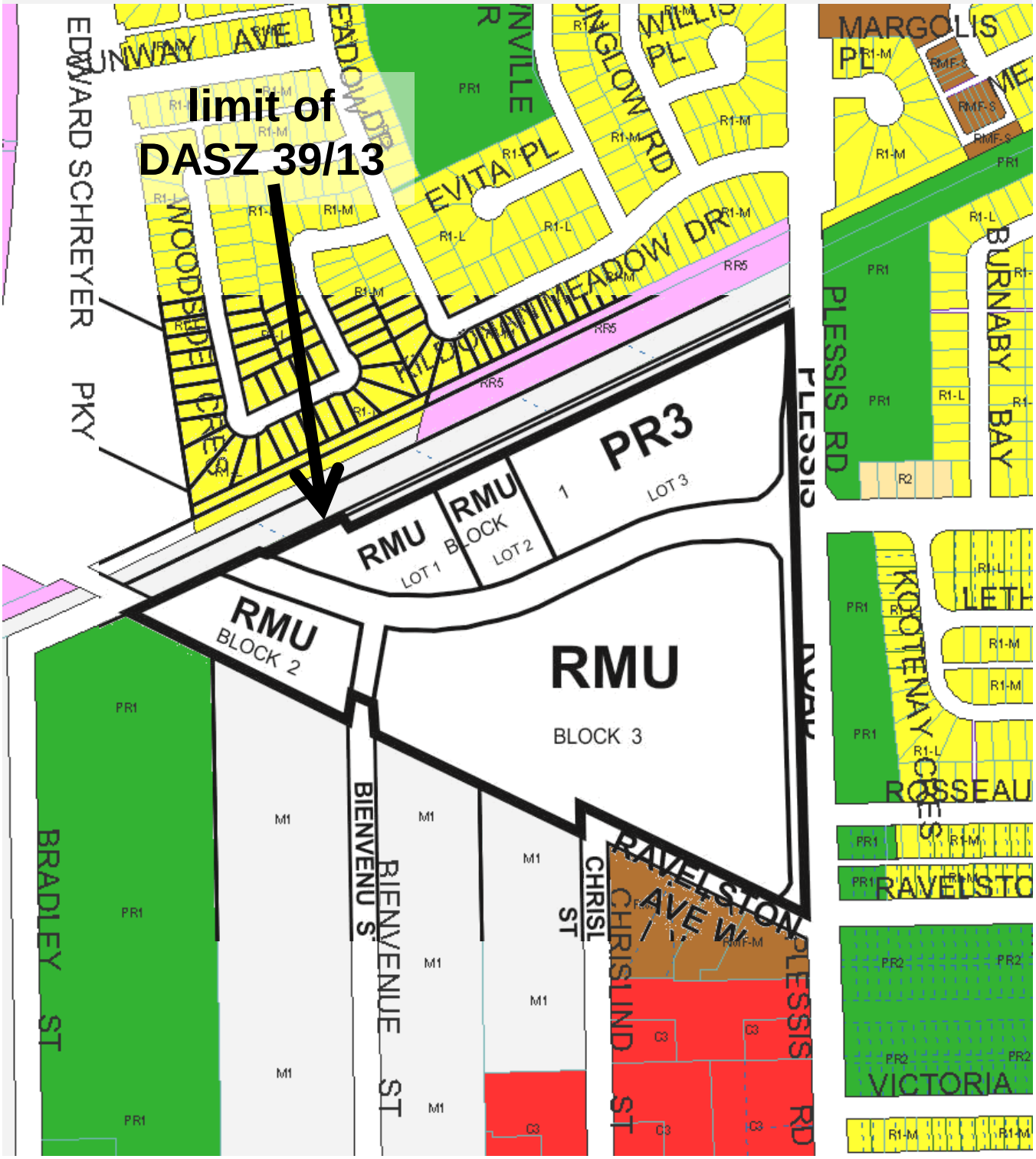
Figure 1: 2016 Aerial Photography & Assessed Land Areas **North↑**



be entered into requiring plan approval of any proposed development of any lot or block that is to be created under DASZ 39/2013; and

- that a rapid transit station may be built in or near the site as part of the Eastern Rapid Transit Corridor project.

Figure 2: Existing Zoning and Existing Lots; and Approved DASZ 39/2013 **North↑**



Figures 1 and 2 also show the site context. They show:

- that a rail line right-of-way (ROW) is the site's northern limit, Plessis Road is its eastern limit and Ravelston Avenue West is its southern limit until such time as DASZ 39/2013 creates Blocks 2 and 3 from parts of the Ravelston Avenue West right-of-way and abutting property to the north;
- that residential uses in "R1" Districts are north of the aforementioned rail line ROW;
- that fairly small parks in "PR1" Districts are east of Plessis Road and residential uses in "R1" Districts beyond those parks; and
- that, south of Ravelston Avenue West are:
    - a park in a "PR1" district,
    - under utilized commercial and industrial lands and other industrial land in "M1" Districts,
    - a site in an "RMF" District on which a multi-family dwelling is being built; and
    - a vacant site in an "RMF" District.

DESCRIPTION OF THE PROPOSED SUBDIVISION AND REZONING

The current proposal would modify DASZ 39/2013, which was approved by Council on February 26, 2014. The plan of subdivision that was approved under that application has not yet been registered in the Land Titles Office and so the associated rezoning has not come into force.

The current proposal, shown on Schedule "A" of DASZ 39/2016, is to:

- subdivide Block 2 of DASZ 39/2013 into two lots (which have been approved for rezoning to "RMU" under DASZ 39/2013);
- subdivide Block 3 of DASZ 39/2013 into two blocks, comprised of five lots each (which have also been approved for rezoning to "RMU" under DASZ 39/2013); and
- to rezone the easterly proposed block, which is shown as Block 4 on Schedule "A" of DASZ 39/2016, to "CMU."

It is of note that one of the proposed lots – proposed Lot 4, Block 3 of Schedule "A" of DASZ 39/2016 – would not abut a public street.

The proposal cannot proceed without approval of DASZ 39/2016 as well as Variance Application DAV 16-152920D. The variance application is needed to accommodate the proposed lot that would not abut a public street. A report on this variance application has been submitted.

ANALYSIS AND ISSUES

OurWinnipeg* and *Complete Communities

OurWinnipeg is the City's development plan and *Complete Communities* is a "Direction Strategy" of *OurWinnipeg* that provides additional directions and policies on land use and development in the city.

The Key Direction of *OurWinnipeg* and *Complete Communities* that pertains to Major Redevelopment Sites states:

Major redevelopment sites will provide transformative opportunities for the development of complete communities with significant residential and employment densities and attractive urban design, capitalizing on vacant or underutilized sites within the existing urban fabric.

Directions 2 and 4 of Section 3 of *Complete Communities* state, respectively:

Capitalize on the proximity of major redevelopment sites to rapid transit and high frequency transit.

Major redevelopment sites will provide for complete communities with significant levels of mixed use, high density development, with strong urban design and attractive parks, places and open spaces.

The zoning agreement approved under DASZ 39/2013 will apply to the proposed lots when the City no longer has any form of ownership of them. The plan approval clause of this zoning agreement will be one means of ensuring that development proposals will comply with *OurWinnipeg* and *Complete Communities.*

The maximum height limit of principal buildings in the "CMU" District is 60 feet, which would accommodate medium-density transit-oriented-development up to five storeys.

TOD is characterized in-part by concentrating active uses, such as restaurants, retail sales and retail services, on the ground floor because these uses can enhance the pedestrian environment in the public streets, plazas and other outdoor places. More generally, TOD is pedestrian-oriented and compact. The City's *Transit-Oriented Development Handbook* (http://winnipeg.ca/ppd/planning/TOD/pdf/Handbook.pdf) identifies six types of TOD. Figure 3 of this report contains a table from the TOD Handbook that describes these TOD types.

It is also of note that a wide range of non-residential uses are permitted uses in the "CMU" District. Some of these uses should be conditional uses because their establishment and operations may not be consistent with TOD characteristics. However, some of these permitted uses are also permitted uses in the "RMU" District and so, because the site was approved for rezoning to "RMU," those uses should remain permitted uses. Therefore, the permitted

Figure 3: TOD Handbook's TOD Types

TOD Zones:

TOD TYPE	Urban Centre	Urban Neighbourhood	Town Centre	Neighbourhood Medium Density	Neighbourhood Low Density	High Frequency Transit Corridor
Land Use Mix	Office Centre Urban Entertainment Multiple Family Retail	Residential Retail Class B Commercial	Office Centre Urban Entertainment Multiple Family Retail	Residential Neighourhood Retail Local Office	Residential Neighourhood Retail	Office Centre Urban Entertainment Multiple Family Retail
Net Housing Density*	124-371 units per hectare (50-150 units per acre)	99-247 units per hectare (40-100 units per acre)	86-247 units per hectare (35-100 units per acre)	49-124 units per hectare (20-50 units per acre)	25-49 units per hectare (10-20 units per acre)	62-148 units per hectare (25-60 units per acre)
Regional Connectivity	High, Hub of regional system	Medium access to downtown, Sub regional hub	High access to downtown, Sub regional hub	Medium access to suburban centre, Access to downtown	Low	High access to downtown, Sub regional hub
Frequencies	5 - 15 minutes	5 - 15 minutes	5 - 15 minutes	15 - 30 minutes	20 - 30 minutes	5 - 15 minutes

* Net densities, ie. the buildable area after the street right-of-way has been subtracted.

principal-uses that should be conditional principal-uses (on the properties proposed to be rezoned to “CMU”) are:

- social service facility;
- college or university;
- place of worship;
- amusement enterprise, indoor;
- auditorium/concert hall/theatre/cinema;
- studio, radio/tv/motion picture broadcast and production;
- hostel;
- hotel or motel;
- animal hospital or veterinary clinic;
- kennel;
- call centre;
- auction room;
- landscape or garden supplies;
- supermarket;
- auto/light truck/motorcycle, repair and service;
- auto/light truck/motorcycle, sales and rental;
- auto parts and supplies, sales;
- fuel sales;
- parking, structured;
- parking, surface; and
- recycling collection centre.

Given the plan approval requirement in the existing zoning agreement, the proposal would comply with *OurWinnipeg* and *Complete Communities* if it is approved subject to the recommended zoning agreement (that would make some permitted uses conditional uses).

Transcona Yards Industrial Area Redevelopment Plan

This plan, which was approved as a secondary plan, states under 5.4.2: “*a significant use of land within Residential Mixed Use Areas will incorporate low, medium and higher density residential uses*” and that *“regional scale commercial or office and services are not considered complementary to Residential Mixed Use Area neighbourhoods.”*

In the “CMU” District, use specific standards limit the gross floor area of retail sales uses and supermarkets to 40,000 square feet and 55,000 square feet, respectively.

Given these use specific standards, the proposal would comply with the *Transcona Yards Industrial Area Redevelopment Plan i*f it is approved subject to the recommended zoning agreement (that would make some permitted uses conditional uses).

REASONS FOR THE RECOMMENDATIONS

The Urban Planning Division recommends approval subject to the recommended conditions, because the proposed plan of subdivision and rezoning would be consistent with *OurWinnipeg*, *Complete Communities* and the *Transcona West Area Structure Plan* if approved with those conditions.

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

Report Prepared by:
Glen Doney

PPD File #:
DASZ 39/2016

Schedule "A" for File DASZ 23/2016, East Kildonan – Transcona Community Committee, dated October 11, 2016

By-Law No. _____

File No. **DASZ 39/16**

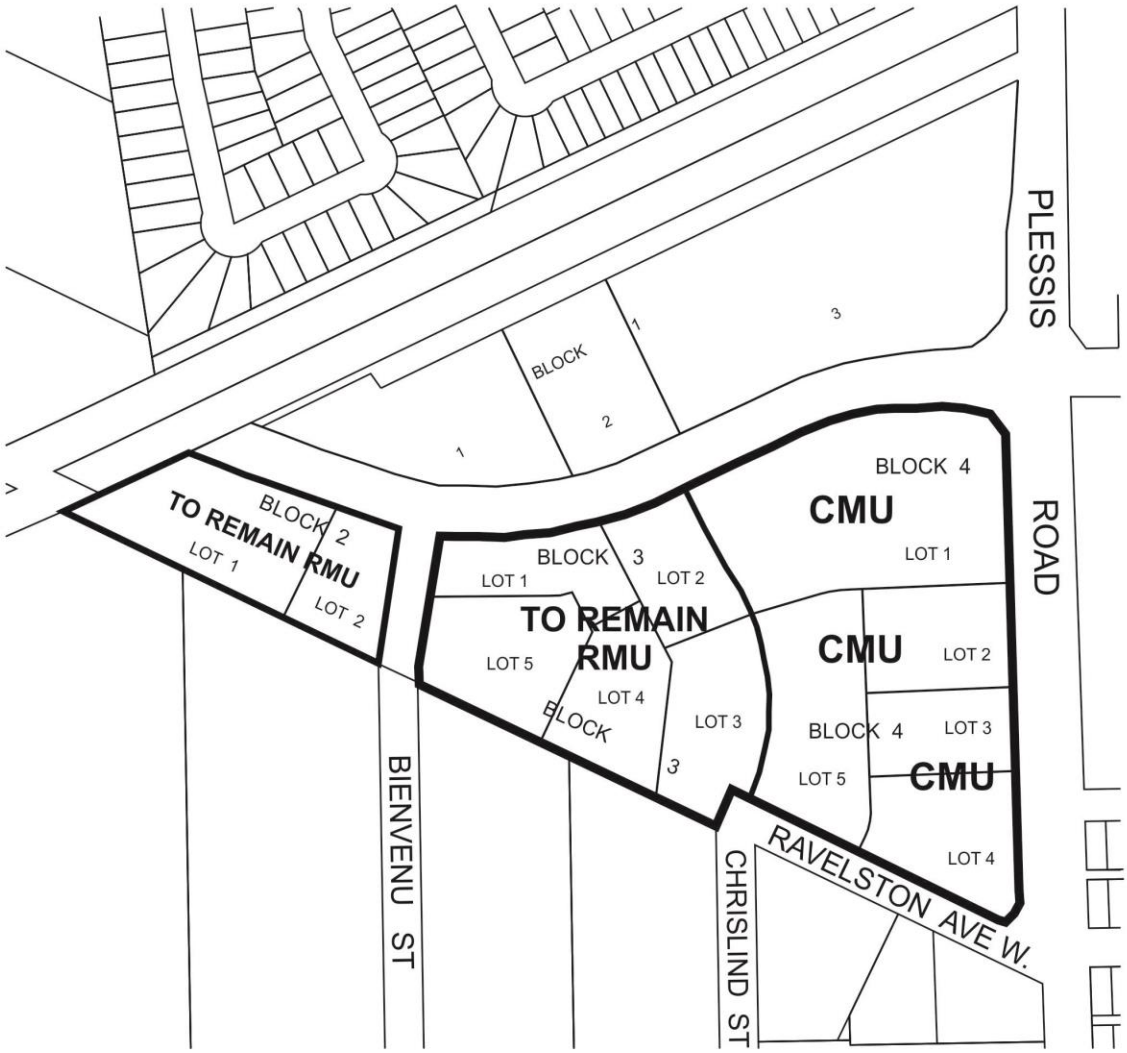
Atlas Sheet No. **Z33**

N

EAST KILDONAN TRANSCONA COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 1500 Plessis Road from an "RMU" RESIDENTIAL MIXED USE DISTRICT to a "CMU" COMMERCIAL MIXED USE DISTRICT to facilitate the establishment of twelve (12) lots plan for future development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE "B"

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP (ACG) – August 10, 2016

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED AT 1500 PLESSIS ROAD – DASZ 39/16

The above noted application was reviewed by the ACG Group on August 10, 2016. The application was determined to be within the planned area of the rezoning and subdivision application DASZ 39/2013) and therefore this application is subject to the terms and conditions as outlined in the Development Agreement for AG 39/2013, with the following additional comments:

Water and Waste Department:

The Developer shall enter into a private joint services agreement for the lots within the proposed development.

Public Works Department:

The Developer shall enter into a private cross-access easement agreement for the proposed lots within Block 2 and a private cross-access easement agreement for the proposed lots within Block 3 and Block 4, and shall register the Agreements at the Winnipeg Land Titles Office (WLTO) under Section 76 of the Real Property Act. The Developer can contact the Public Works Department directly for the terms of the agreements. The cross-access agreements shall be reviewed and approved by the Public Works Department prior to registration at WLTO.

The Public Works Department also wishes to advise that the private approaches will require separate application to the Public Works Department. The proposed site plan appears to include non-conforming private approaches under the Private Access Bylaw. Please note that the Public Works Department does not have authority to approve non-conforming private approaches and that approval is required by the Standing Policy Committee on Infrastructure Renewal and Public Works.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 39/16
October 7, 2016

"*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