Minute No. 207
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 7, 2017

Item No. 1 Subdivision and Rezoning – 1414 Ravelston Avenue West (Transcona Ward)
File DASZ 24/2016 [c/r DAV 136122/2016D]

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development Committee and adopted the following:

1. That the plan of subdivision under File DASZ 24/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 24/2016 dated January 9, 2017, 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, execute and deliver a Development Agreement with the City containing all the conditions outlined in Schedule "B", the report of the Administrative Coordinating Group, with the following amendments:

        i. Delete the condition under Development Limits.
        ii. Delete condition 4 from Plan Considerations.
        iii. Delete condition 6 from Servicing Requirements.
        iv. Add the following new conditions to Servicing Requirements:

            15. The Developer shall, at no expense to the City, supply and install bollards along the proposed public lane adjacent to the PR1 lands, as approved by and to the satisfaction of the Director of Public Works.

            16. The Developer shall, at no expense to the City, extend the proposed public lane to El Tassi Drive as a temporary connection, as determined by and to the satisfaction of the Director of Public Works.

                When the public lane extension is no longer required, the developer shall, at no expense to the City, remove and replace the pavement with sod, as determined by and to the satisfaction of the Director of Public Works.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 7, 2017

COUNCIL DECISION (continued):

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 24/2016 dated January 9, 2017, to a "R1-M" Residential Single-Family (Medium) District, a "R2" Residential Two-Family District and a "RMF-M" Residential Multi-Family (Medium) District, subject to the following:

    A. That the applicant to enter into, execute and deliver 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 freestanding signage on proposed Block 3 of Schedule "A" for DASZ 24/2016, 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, landscaping, lighting, bicycle parking and freestanding signage 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 there shall be no mobile signs, or A-board signs on the entire site, except that a mobile sign shall be permitted on the site for a period of up to thirty (30) days in association with a new occupancy permit.

        iii. That the maximum building height on any lot or block zoned "RMF" Residential Multi-Family District shall be 40 feet.

        iv. *Deleted*

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. Credit should be given for the over-dedication provided under file DASZ 3/2016.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 7, 2017

COUNCIL DECISION (continued):

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 requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

8. 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 subject land 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 approve the extension.

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 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 – February 7, 2017

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 15, 2017, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 7, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, with the following amendment:

- Delete recommendation 1.A.iv. in its entirety and replace it with the following:

  "1.A.iv.Add the following new conditions to Servicing Requirements:

  15. The Developer shall, at no expense to the City, supply and install bollards along the proposed public lane adjacent to the PR1 lands, as approved by and to the satisfaction of the Director of Public Works.

  16. The Developer shall, at no expense to the City, extend the proposed public lane to El Tassi Drive as a temporary connection, as determined by and to the satisfaction of the Director of Public Works.

  When the public lane extension is no longer required, the developer shall, at no expense to the City, remove and replace the pavement with sod, as determined by and to the satisfaction of the Director of Public Works."

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 7, 2017

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION:

On January 16, 2017, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments:

- Add the following to recommendation 1.A. after "Administrative Coordinating Group":

  ", with the following amendments:

  i. Delete the condition under Development Limits.
  ii. Delete condition 4 from Plan Considerations.
  iii. Delete condition 6 from Servicing Requirements.
  iv. Add the following new condition to Servicing Requirements:

  15. The Developer shall, at no expense to the City, supply and install Steel Bollards along the proposed public lane adjacent to the PR1 lands through to the northern limit of lot 16 as approved by and to the satisfaction of the Director of Public Works. In addition, the bollards to be installed along the east/west portion of the public lane shall be "breakaway type Bollards", acceptable to the Director of Public Works."

- Delete recommendation 2.A.iv. in its entirety.
- Add the following to the end of recommendation 3.:

  "Credit should be given for the over-dedication provided under file DASZ 3/2016."

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

RE: **Subdivision and Rezoning – 1414 Ravelston Avenue West**
File DASZ 24/2016

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: **January 18, 2017**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 16, 2017, 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 24/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 24/2016 dated January 9, 2017, 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, execute and deliver a Development Agreement with the City containing all the conditions outlined in Schedule "B", the report of the Administrative Coordinating Group***, with the following amendments:***

        i. Delete the condition under Development Limits.
        ii. Delete condition 4 from Plan Considerations.
        iii. Delete condition 6 from Servicing Requirements.
        iv. Add the following new condition to Servicing Requirements:

            15. The Developer shall, at no expense to the City, supply and install Steel Bollards along the proposed public lane adjacent to the PR1 lands through to the northern limit of lot 16 as approved by and to the satisfaction of the Director of Public Works. In addition, the bollards to be installed along the east/west portion of the public lane shall be "breakaway type Bollards", acceptable to the Director of Public Works."

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 24/2016 dated January 9, 2017, to a "R1-M" Residential Single-Family (Medium) District, a "R2" Residential Two-Family District and a "RMF-M" Residential Multi-Family (Medium) District, subject to the following:

   A. That the applicant to enter into, execute and deliver 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 freestanding signage on proposed Block 3 of Schedule "A" for DASZ 24/2016, 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, landscaping, lighting, bicycle parking and freestanding signage 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 there shall be no mobile signs, or A-board signs on the entire site, except that a mobile sign shall be permitted on the site for a period of up to thirty (30) days in association with a new occupancy permit.

      iii. That the maximum building height on any lot or block zoned "RMF" Residential Multi-Family District shall be 40 feet.

      ~~***iv. That, for any proposed lot abutting one or more public lanes, any private approach to that lot shall be from a public lane.***~~

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. ***Credit should be given for the over-dedication provided under file DASZ 3/2016.***

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 requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

8. 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 subject land 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 approve the extension.

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 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 is a continuation of what was envisioned in the Transcona West Area Structure Plan to allow for residential development in the area with a mix of both residential, low density, medium density and higher density. This application reflects all three of those.
2. The application has R1-M, R2 which is low density multi-family semi-detached homes and it also has an RMF-M lot fronting Ravelston Avenue West which would allow for multi-family development.
3. It's keeping with the area which is changing so much but in an orderly fashion.
4. This allows for housing transitions to occur. Folks are moving from older homes into smaller multi-family, R2 type homes. This allows neighbourhoods to transition and renew and allows for affordable homes to go onto the market.
5. Those who will move here will be a 15-20 minute commute to downtown and hopefully less with future rapid transit. This makes these lands convenient.

PUBLIC HEARING SUMMARY

File: DASZ 24/2016

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

Public Hearing: January 16, 2017
Council Building, 510 Main Street

Applicant: McGowan Russell Group Inc.

Subject:



Premises Affected: 1414 Ravelston Avenue West

Exhibits Filed:

1. Application dated July 12, 2016
2. Notification of Public Hearing dated November 24, 2016
3. Manitoba Status of Title 1905409/1
4. Letter of authorization dated February 4, 2016 from Marie Antoinette Noni Kopczewski and Michael John James Bodnar to Waterside Development Corp.
5. Letter of authorization dated March 31, 2016 from Waterside Development Corp. to McGowan Russell Group Inc.
6. Conceptual Development Plan (4 pages)
7. Report from the Urban Planning Division dated January 9, 2017
8. Inspection Report
9. Recording of Representations of public hearing held on January 16, 2017

REPRESENTATIONS:

In Support:

Susan Russell

In Opposition

Nil

For Information:

Nil

For the City:

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

Exhibit "7" referred to in File DASZ 24/2016

ADMINISTRATIVE REPORT

Title: DASZ 24/2016, 1414 Ravelston Avenue West

Issue: proposed plan of subdivision and rezoning to create a variety of residential lots, a public street and a public lane

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 24/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 24/2016 dated January 9, 2017, 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, execute and deliver a Development Agreement with the City containing all the conditions outlined in Schedule "B", the report of the Administrative Coordinating Group.

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 24/2016 dated January 9, 2017, to a "R1-M" Residential Single-Family (Medium) District, a "R2" Residential Two-Family District and a "RMF-M" Residential Multi-Family (Medium) District, subject to the following:

   A. That the applicant to enter into, execute and deliver 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 freestanding signage on proposed Block 3 of Schedule "A" for DASZ 24/2016, 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, landscaping, lighting, bicycle parking and freestanding signage 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 there shall be no mobile signs, or A-board signs on the entire site, except that a mobile sign shall be permitted on the site for a period of up to thirty (30) days in association with a new occupancy permit.

iii. That the maximum building height on any lot or block zoned "RMF" Residential Multi-Family District shall be 40 feet.

iv. That, for any proposed lot abutting one or more public lanes, any private approach to that lot shall be from a public lane.

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 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 requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

8. 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 subject land 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 approve the extension.

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 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 describes the proposed subdivision and rezoning and the associated development and makes recommendations based on compliance with *OurWinnipeg*, *Complete Communities* and the *Transcona West Area Structure Plan.*

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, and the associated variances are obtained, the proposed plan of subdivision and rezoning can proceed.

However, the associated development would be limited because Schedule "B", the report of the Administrative Coordinating Group, states that the proposed public road and the proposed public lane shall be constructed to a maximum length of 105 metres (measured to the northern limit of the El TAssi Drive Public Right-of-Way) until a secondary access has been constructed.

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: January 9, 2017
File No: DASZ 24/2016

Attachments

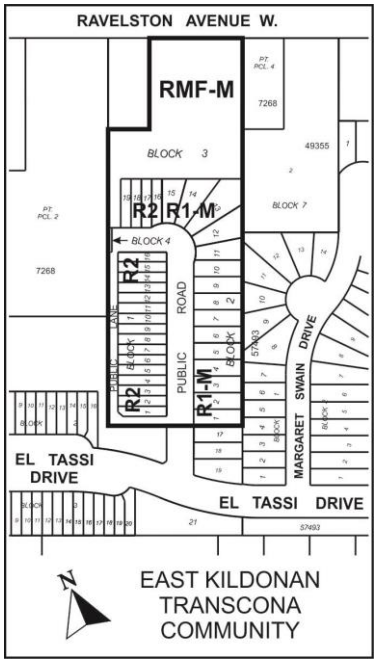
Appendix "A," Planning Discussion

Schedule "A" for File DASZ 24/2016, East Kildonan – Transcona Community Committee, dated January 9, 2017

Schedule "B," Report of The Administrative Coordinating Group

Appendix "A," Planning Discussion

DATE:	January 9, 2017
FILE:	DASZ 24/2016
RELATED FILE:	DAV 16-136122D
COMMUNITY:	East Kildonan - Transcona
NEIGHBOURHOOD #:	4.417
SUBJECT:	proposed plan of subdivision and rezoning to create: - 15 "R1-M" Residential Single-Family (Medium) lots; - 20 "R2" Residential Two-Family lots; - one "RMF-M" Residential Multi-Family (Medium) lot; - one public street; and - one public lane
LOCATION:	1414 Ravelston Avenue W
LEGAL DESCRIPTION:	Parcel 3, Plan 7268 WLTO, excl. northerly 220' of westerly



APPLICANT:	Susan Russell, McGowan Russell 825 St. Joseph St. Winnipeg, MB R2H 3A8
OWNERS:	Marie Kopczewski and Michael Bodnar
RECOMMENDATION:	Approval with Conditions

SITE DESCRIPTION

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

- in the Peguis Neighbourhood and the Transcona Ward;
- approximately 6.5 acres;
- encompassing a single-family dwelling and part of a grove of Aspens;
- mostly in an “RR5” Rural Residential 5 District and partly in an “R1-L” Residential Single-

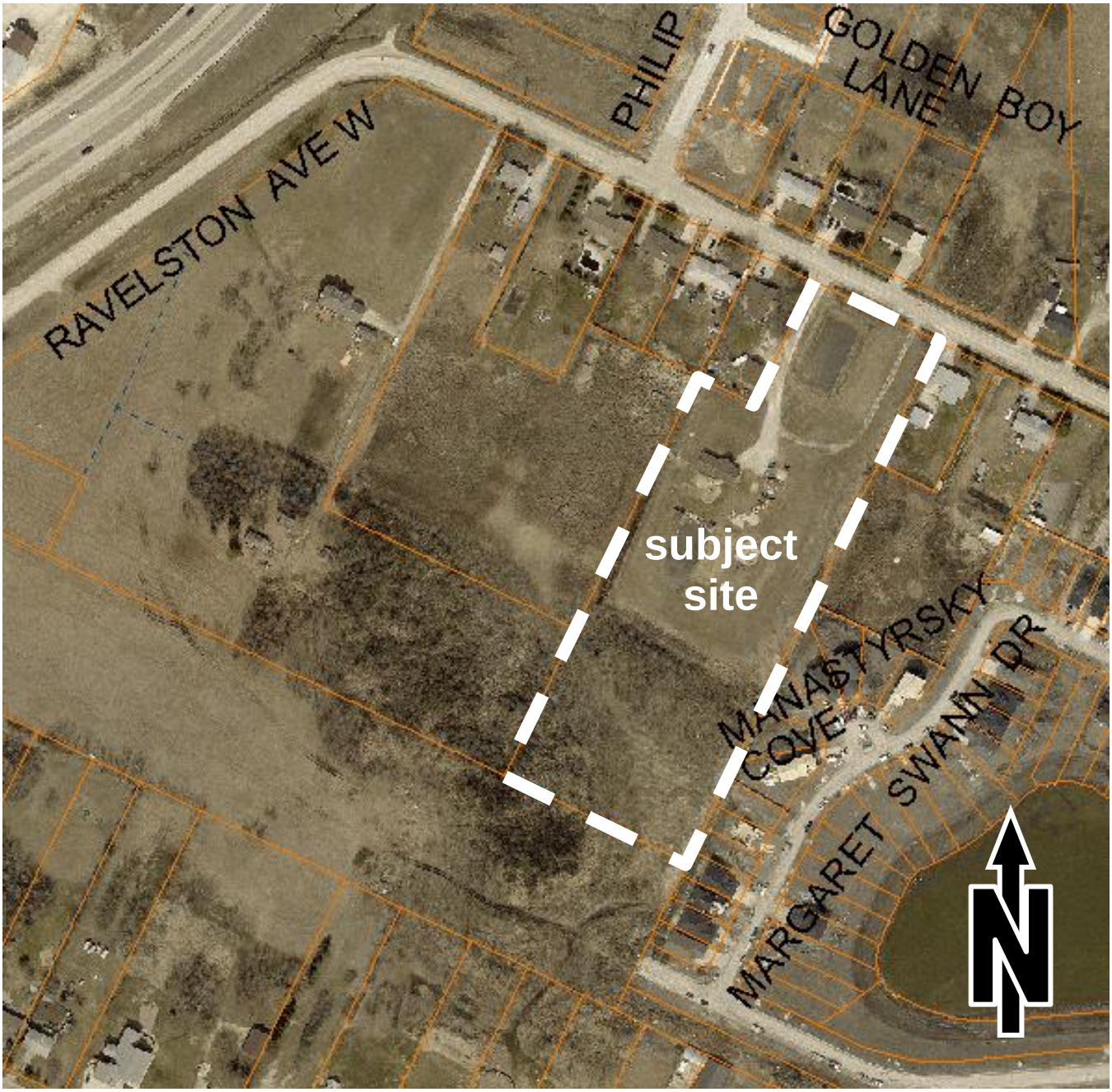


Figure 1: Subject Site and Context, 2016 Aerial Photography

Family Large District of Zoning By-law 200/2006;

- in an Areas of Stability policy area of *OurWinnipeg* and *Complete Communities*; and
- in the Almey – Ravelston Special Planning Area, mostly in a Residential Mixed-Use policy area, and partly in a Natural Areas policy area, of the *Transcona West Area Structure Plan* (Transcona West Plan).

SITE CONTEXT

The site context is also shown on Figures 1 and 2. Figure 2 shows that the site is abutting the site of DASZ 3/2016, which was approved by by-law on July 13, 2016.

Immediately west of the site are:

- a 0.5 acre parcel partly zoned "R1-L" Residential Single-Family Large and partly zoned

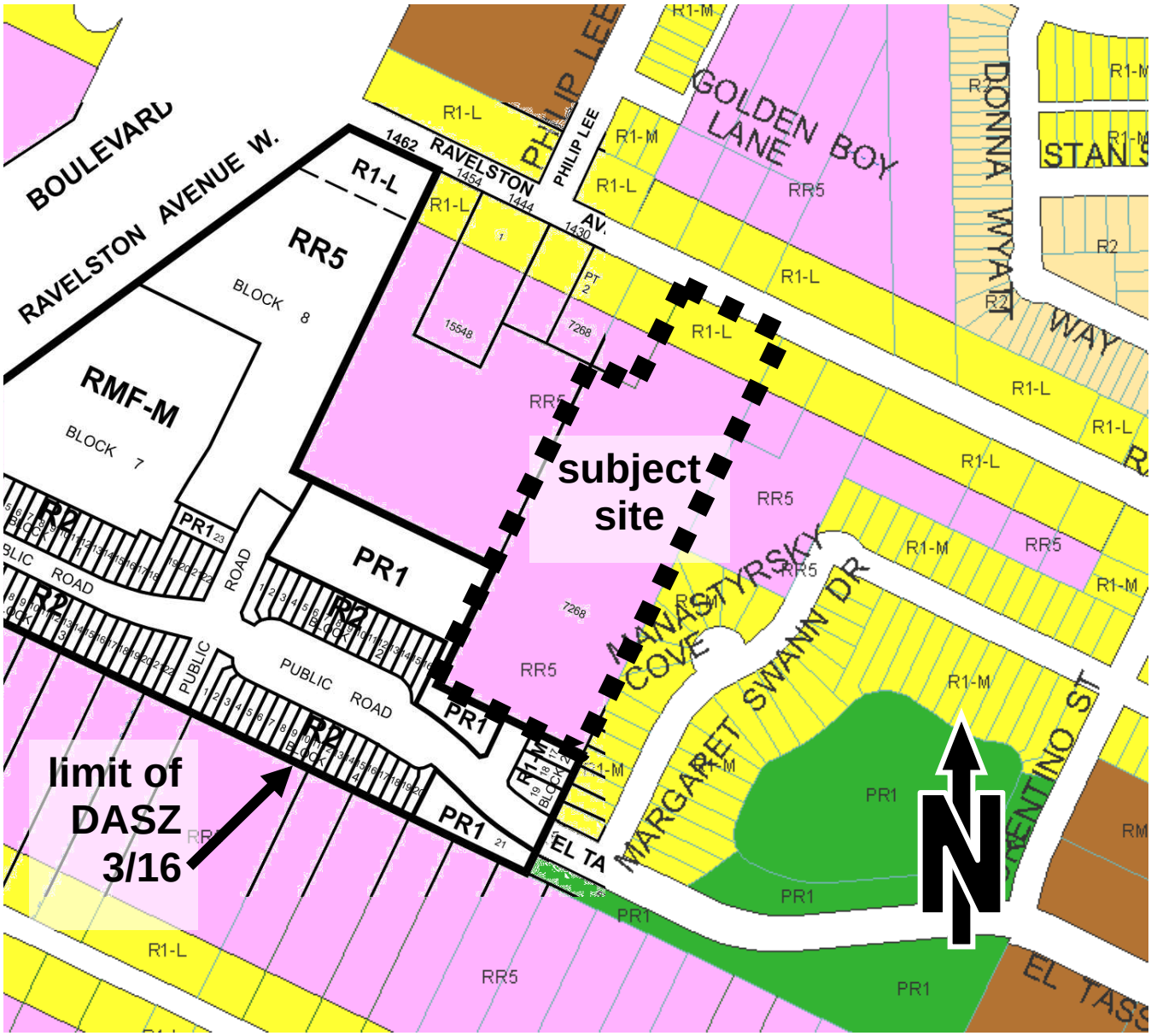


Figure 2: Subject Site and Context, Existing and Approved Zoning and Plans

"RR5" Rural Residential 5, which encompasses a single-family dwelling;

- a 4.8 acre parcel partly zoned "R1-L" Residential Single-Family Large and partly zoned "RR5" Rural Residential 5, which encompasses a single-family dwelling; and
- a portion of the site of DASZ 3/2016 that is to become a public reserve zoned "PR1" Parks and Recreation 1.

Immediately south of the site are:

- another portion of the site of DASZ 3/2016 that is to become a public reserve zoned "PR1" Parks and Recreation 1;
- a portion of the site of DASZ 3/2016 that is to become a public street; and
- a portion of the site of DASZ 3/2016 that is to become an "R1-M" Residential Single-Family (Medium) Lot.

Immediately east of the site are:

- lots zoned "R1-M" Residential Single-Family (Medium) on which single-family dwellings are being built;
- a 2.0 acre parcel partly zoned "R1-L" Residential Single-Family Large and partly zoned "RR5" Rural Residential 5, which encompasses a single-family dwelling; and
- a 0.5 acre parcel partly zoned "R1-L" Residential Single-Family Large and partly zoned "RR5" Rural Residential 5, which encompasses a single-family dwelling.

North of the site, across Ravelston Avenue West, are other parcels partly zoned "R1-L" Residential Single-Family Large and partly zoned "RR5" Rural Residential 5, which each encompass a single-family dwelling. Some of these parcels are proposed to be subdivided and rezoned (under File DASZ 35/2016) into "R2" Residential Two-Family lots and "R1" Residential Single-Family lots. The proposal includes developing two-family dwellings on pairs of "R2" lots and developing or retaining single-family dwellings the "R1" lots.

DESCRIPTION OF THE PROPOSED SUBDIVISION AND REZONING

As shown on Figure 3 and Schedule "A" to this report, the proposed plan of subdivision and rezoning would create:

- one public street, one public lane and a control strip;
- 15 lots zoned "R1-M" Residential Single-Family (Medium), abutting the proposed public street;
- 20 lots zoned "R2" Residential Two-Family, also abutting the proposed public street; and
- one block zoned "RMF-M" Residential Multi-Family (Medium) that would abut Ravelston Aenue West.

The proposed plan of subdivision (dated November 24, 2016) that was submitted by the applicant shows:

- that the proposed public street would extend north, from a 20 metre-wide public street proposed under DASZ 3/2016, a distance of approximately 128 metres (420 feet); and
- that the proposed public street would then turn west and extend up to a control strip along the western limit of the site.

Table 1 shows the principal use regulations of the "R1," "R2," and "RMF," Districts of Zoning By-law 200/2006. All three types of "R1" Districts (small, medium and large) have the same use regulations and the same is true for all three types of "RMF" Districts (small, medium and large).

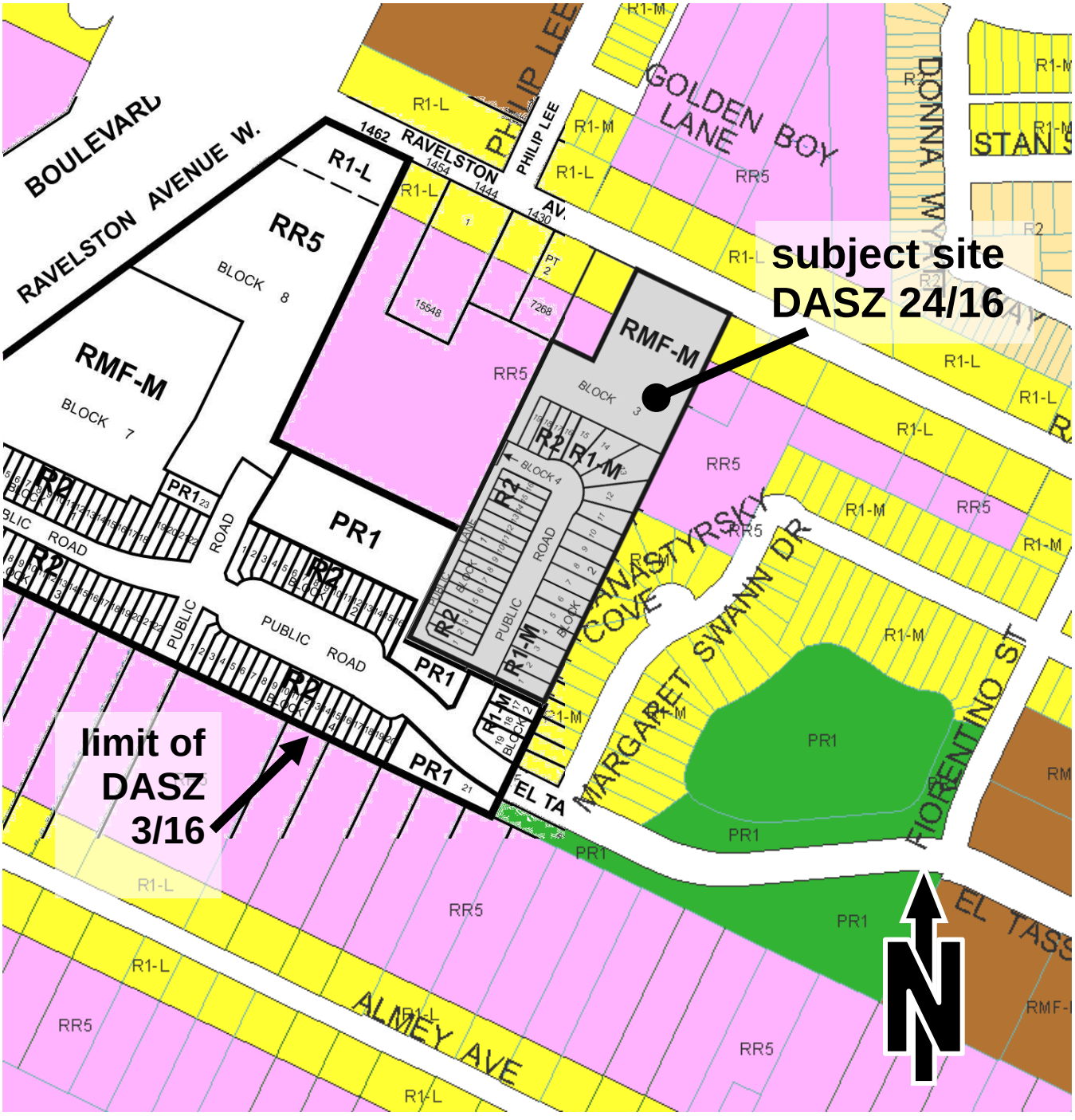


Figure 3: Subject Site, Proposed DASZ and Context, Existing and Approved Zoning

Regarding dimensional standards, it is of note:

- that, in the "R1-M" Residential Single-Family (Medium) and "R2" Residential Two-Family districts, the building height maximum is 35 feet;
- that, in the "R1-M" and "R2" Districts, the Special Boundary Conditions require minimum lot areas and lot widths based on the average of nearby lots or a minimum lot width of 35 feet, whichever is greater;
- that, in the "RMF-M" Residential Multi-Family District, the maximum residential density is 54.45 dwelling units per acre of site area (stated in the zoning by-law as a minimum 800 square feet of site area per dwelling unit); and
- that, in the "RMF-M" District, the building height maximum is 60 feet.

Variances to the Special Boundary Conditions are required to establish the "R1-M" lots and the "R2" lots. Application has been made under File DAV 16-136122. A report on that application has been submitted.

Table 1: R1, R2, & RMF Principal-Use Regulations, including care home use specific standard

P = permitted, C = conditional, N = not permitted	zoning district		
principal use	R1	R2	RMF
dwelling, live-work	N	C	C
dwelling, multi-family	N	C	P
dwelling, single-family detached	P	P	P
dwelling, two-family	N	P	P
assisted living facility	N	N	P
care home – see *	P	P	P
dormitory	N	N	C
single room occupancy	N	N	P
neighbourhood rehabilitation home	C	C	C
day care centre	C	C	C
community/recreation centre	C	C	C
library	C	C	C
protection and emergency services	N	N	P
college or university	N	N	C
elementary or junior high school	C	C	C
senior high school	C	C	C
park/plaza/square/playground	P	P	P
place of worship	C	C	C
transit station	N	N	C
utility facility, minor	P	P	P
boat dock, public	N	N	C
cemetery, mausoleum, columbarium	N	N	N
community gardens	P	P	P
gallery/museum	N	N	N
* Care home use specific standard: maximum 6 residents.			

DESCRIPTION OF THE PROPOSED DEVELOPMENT

Ten two family dwellings are to be built on the 20 proposed "R2" Residential Two-Family lots such that each dwelling unit would be on one "R2" lot.

Fifteen single-family dwellings are to be built on the 15 proposed "R1-M" Residential Single-Family lots.

The development of the proposed "RMF-M" lot has not yet been planned.

Figure 4 of this report shows the public streets to be created under DASZ 3/2016. It shows that a local public street would extend north from El Tassi Drive and end at the southern limit of the subject site. Figure 4 also shows that the subject application (DASZ 24/2016) would extend that local public street northward, then westward. It also shows that a public lane would also be created under DASZ 24/2016.

ANALYSIS AND ISSUES

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 *Transcona West Area Structure Plan* is a local area plan with a planning area that includes the subject site.

OurWinnipeg

The Key Direction of *OurWinnipeg* that applies to the Areas of Stability policy area states*: "Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population."*

The proposed plan of subdivision and rezoning would facilitate single- and two-family developments and a multi-family development. This would result in an increase in supply of a variety of housing types. It would also result in a moderately-dense residential development that would be more transit supportive than low density residential development.

In order to foster a high quality development, the proposal should only proceed if:

- development of the proposed "RMF-M" Residential Mulit-Family (Medium) lot (proposed Block 3 of Schedule "A" to DASZ 24/2016) is required to be consistent with plans approved by the Director of Planning, Property and Development and the East Kildonan – Transcona Community Committee;
- development the proposed "RMF-M" Residential Mulit-Family (Medium) lot is required to be maintained to the satisfaction of the Director of Planning, Property and Development;
- signage is restricted; and
- motor-vehicle access to any proposed lot abutting a public lane is only allowed from the public lane.

Restricting signage would reduce the potential for visual clutter and prohibiting front approaches to lots abutting a public lane would result in a higher quality pedestrian environment in the proposed public street.

With the aforementioned requirements and restrictions, the subject application (DASZ 24/2016) and the proposed and anticipated development would comply with the Areas of Stability Key Direction and, therefore, with *OurWinnipeg* in general.

Complete Communities

Six of the policies of Direction 1 of Section 04 of *Complete Communities* apply directly to the proposed subdivision and rezoning and associated development. These policies state:

> *Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complementary to the existing scale, character and built form.*
>
> *Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.*
>
> *Focus housing growth to areas that have municipal service capacity to support intensification, in addition to commercial and recreational amenities.*
>
> *Support Complete Communities by ensuring diverse and high quality housing stock.*
>
> *In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses.*
>
> *Support the subdivision of a parcel of land into two or more lots when it is done in a context sensitive manner.*

As stated under "Site Context," the properties next to or near the site:

- contain a single-family dwelling;
- are in an "R1" District, an "R2" District or partly in both of these districts (which have a maximum building height requirement of 35 feet);
- are in an area where a proposed plan of subdivision and rezoning to "R1" or "R2" was approved by Council (DASZ 3/2016);
- are in an area where a proposed plan of subdivision and rezoning to "R1" or "R2" have not yet been considered by Council (DASZ 35/2016); or
- are near an area approved to become a public reserve zoned "PR-1."

Table 1, under "Description of the Proposed Subdivision and Rezoning" above, shows that the principal uses that are permitted uses in the "R1," "R2" or "RMF" District are compatible with the site context and, therefore, the use regulations of these districts comply with the applicable policies quoted above.

However, the 60 foot maximum building height requirement of the "RMF-M" Residential Multi-Family (Medium) District is not complementary to or sensitive to the site context. This means

that the proposed rezoning to “RMF-M” is not consistent with the first and second policies quoted above. If the building height maximum is reduced to 40 feet on the proposed “RMF-M” lot, and the aforementioned requirements and restrictions regarding plan approval, maintenance and signage are also applied to the proposed “RMF-M” lot, the proposed rezoning would comply with all of the policies quoted above.

Lastly, the Key Direction of *Complete Communities* and the Key Direction of *OurWinnipeg* that apply to the Areas of Stability policy area are the same, indicating that the proposal would comply with *Complete Communities* in general if the aforementioned requirements and restrictions will apply to the subject site.

Transcona West Area Structure Plan

The Almey – Ravelston Special Planning Area, 5.2.2(2)(a)(i) of the Transcona West Plan states:

> *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*

The concept plan that was submitted as part of the application that is the subject of this report, which is reproduced on Figure 4, shows:

- a collector road being extended north to Ravelston Avenue West from within the subject lands of DASZ 3/2016; and

- the local road proposed under the subject application (DASZ 24/2016), being extended west, through the 4.8 acre property, to the aforementioned collector road.

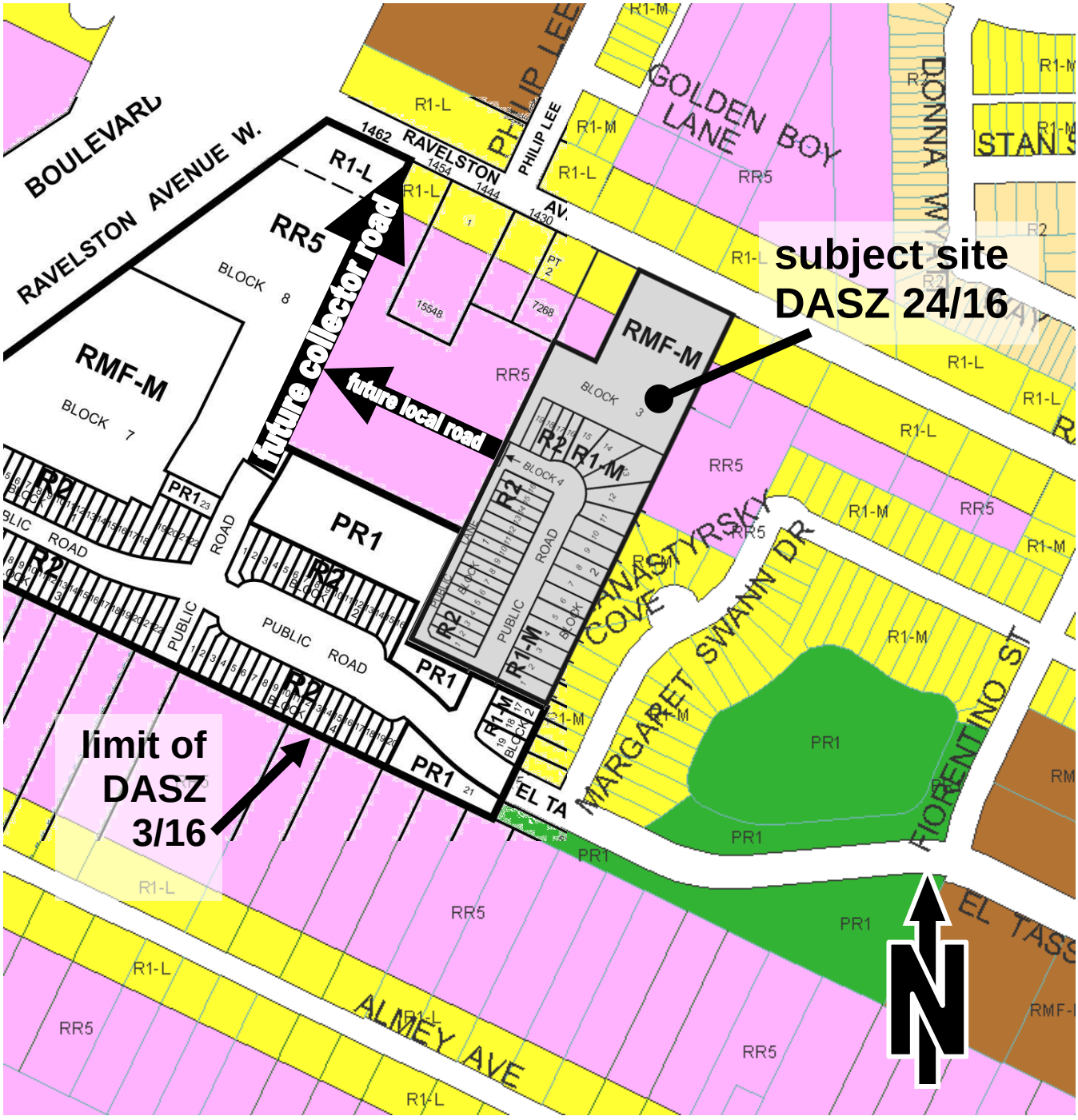


Figure 4: Future Roads and Proposed DASZ, Existing and Approved Zoning and

Figure 4 shows that part of the future collector road and part of the future local road would be established from portions of the 4.8 acre property immediately west of the subject site. This property is not owned by the owners of the subject site. Therefore, the concept plan cannot be implemented without the consent of the owners of the 4.8 acre property. Regardless, the concept plan shows that the new lots that would result from its implementation would be suitable for development (because they would abut a public street and be an adequate size and shape).

It is of particular note that Schedule "B" states that the public street and public lane proposed under the subject application shall be constructed to a maximum length of 105 metres until a secondary access is constructed. (This distance is measured from the northern limit of the El Tassi Drive Public Right-of-Way.) Limiting the length of the dead-end road is to ensure the future dwellings will not be far from the single point of access (El Tassi Drive). Limiting the length of the future road and back lane will also ensure a certain degree of flexibility in locating the future secondary access.

Regarding the Residential Mixed Use policy area:

- 5.4.2(1)(a)(i) of the Transcona West Plan states: *"a significant use of land within Residential Mixed Use Areas will incorporate low, (Medium) and higher density residential uses*";
- 5.4.2(3) of the Transcona West Plan states
  - that Residential Mixed Use 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*" and
  - that, "*in conjunction with the initial Development Application in the Residential Mixed Use Areas, a design concept for the entire site shall be submitted showing the overall design in relation to*" the above; and
- 5.4.2(4) of the Transcona West Plan provides criteria that the design concept should meet.

The plan approval requirement can be used to ensure the proposed "RMF-M" block would be developed in accordance with the Transcona West Plan.

Lastly, it is of note that the Natural Areas policies state how land can be acquired but do not state how the Natural Areas policy area can be used or developed. This indicates that limiting the use to habitat retention is not mandatory.

REASONS FOR THE RECOMMENDATIONS

The Urban Planning Division recommends approval because, subject to the aforementioned requirements and restrictions, the proposed plan of subdivision, rezoning and development would be consistent with *OurWinnipeg*, *Complete Communities* and the *Transcona West Area Structure Plan.*

The recommended requirements and restrictions can be implemented by means of a zoning agreement, which is recommended as a condition of approval by the Urban Planning Division.

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

Report Prepared by:
Glen Doney

PPD File #:
DASZ 24/2016

Schedule "A" for File DASZ 24/2016, East Kildonan – Transcona Community Committee, dated January 9, 2017

By-Law No. _____

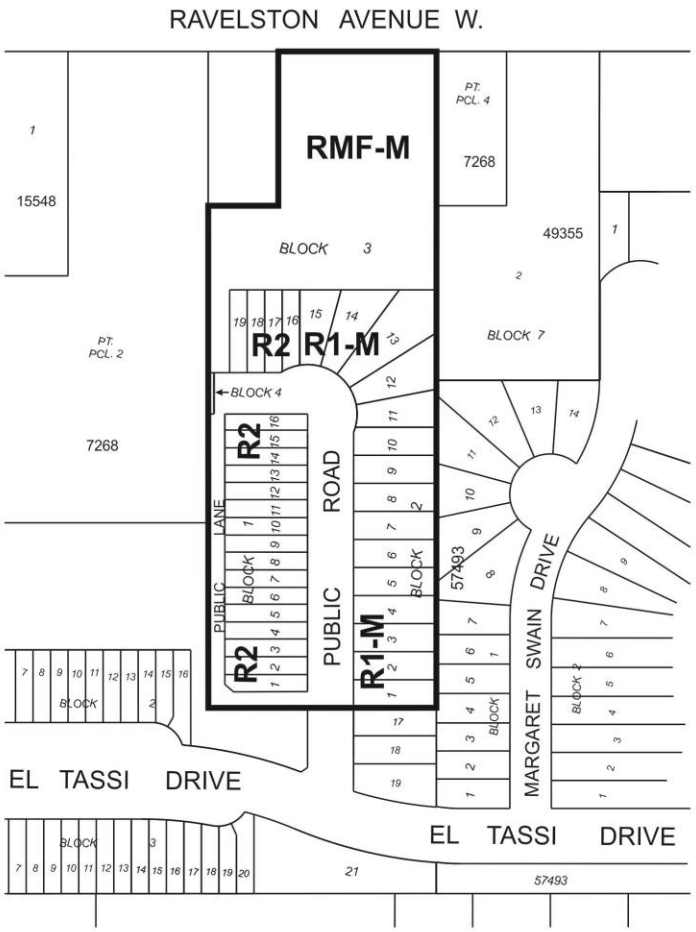
File No. **DASZ 24/16**

Atlas Sheet No. **Y31**

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 1414 Ravelston Avenue West from an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT and an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT, "R2" RESIDENTIAL TWO-FAMILY DISTRICT and "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to facilitate the continuation of the Starlite Village Phase 3 Neighbourhod Plan by the creation of lots, public right-of-way for future residential development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 1414 RAVELSTON AVENUE WEST – STARLIGHT VILLAGE PHASE 3– DASZ 24/2016

It is recommended that the approval of DASZ 24/2016, if granted, be subject to the applicant entering into a Development Agreement to address the following items:

Development Limits

The Developer shall be limited to constructing the proposed Public Road and the proposed Public Lane to a maximum of 105m in length prior to a secondary access being constructed.

Plan Considerations

1) The Developer shall, at no expense to the City, legally open property required for a 0.942m widening of the Ravelston Avenue West right-of-way abutting the Planned Area, to the satisfaction of the Director of Public Works.

2) The Developer shall, at no expense to the City, provide right-of-way width of 18.0m for the proposed Public Road (20.0m wide if the land drainage sewer is 525mm in diameter or greater), to the satisfaction of the Director of Public Works.

3) The Developer shall, at no expense to the City, provide right-of-way width of 6.25m for the proposed Public Lane serving single or two-family residential development, with a 3.0m x 3.0m corner cut at the intersection of the two public lanes, to the satisfaction of the Director of Public Works.

4) The Developer shall, at no expense to the City, legally open property required for a future east-west Public Walk with a right-of-way width of 6.00m, in the vicinity of block 2, lots 12 and 13 between the proposed public road to the east limit of the Planned Area, exact location to be determined by and to the satisfaction of the Director of Public Works.

SERVICING REPORTS

The Developer shall:

1) provide an updated rational method spreadsheet and land drainage figure, prepared by a qualified municipal engineer, which shall demonstrate the adequate land drainage servicing for the planned area and adjacent lands; and
2) provide appropriate documentation demonstrating adequate water servicing, as necessary, for the proposed phase of development

SERVICING REQUIREMENTS

1) Wastewater Sewers

   The Developer shall, at no expense to the City, construct and install all wastewater sewers required to service the site to the satisfaction of the Director of Water and Waste.

2) Watermains

   The Developer shall, at no expense to the City, construct and install all watermains required to service the site to the satisfaction of the Director of Water and Waste.

3) Land Drainage Charges

   The Developer shall, prior to the release of mylars, pay their share of the following charges:

   a) pay their share of the regional stormwater management facilities

   b) pay their share of the Kildare Truck User Charge.

   c) Pay their share for oversizing of Land Drainage sewers constructed or to be constructed, if required, under AG 11/11 and AG 3/16.

   All as determined by the Director of Water and Waste

4) 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

5) Pavement

a) The Developer shall, at no expense to the City, construct Portland cement concrete pavements, 7.5m wide by 150mm thick in the proposed Public Road and all related works including, but not necessarily limited to ornamental street lighting, boulevard landscaping and land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, construct Portland cement concrete pavements, 5.0m wide by 150mm thick, and all related works in the proposed Public Lane, as determined by and to the satisfaction of the Director of Public Works.

6) Public Walk

The Developer shall, pay to the City, in cash, on demand, the costs to construct a 1.5m wide by 100mm thick Portland cement concrete sidewalk and landscape the remainder to include sodding on both sides of the sidewalk, fencing along the side property lines and post and chain fencing, with appropriate sidewalk opening at both street ends of the Public Walk, all as determined by and to the satisfaction of the Director of Public Works. Or alternatively, at the City's option, the Developer shall, at no expense to the City, construct the above works.

7) Ravelston Avenue West

The Developer shall, pay to the City, in cash, on demand, its 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
c) Landscaping
d) A 1.5m wide by 100mm thick Portland cement concrete sidewalk
e) Land drainage sewer

all as determined by the Director of Public Works.

8) Temporary Dead-End Streets

a) The Developer shall, at no expense to the City, construct a paved cul-de-sac-style vehicle turnaround at the terminus of each temporarily dead-ended street within the Planned Area, and provide to the City any rights-of-way or easements necessary to accommodate same, all as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, erect and maintain barricades and signage, across the full width of any streets which are temporarily dead-ended due to phasing of development, immediately upon completion of the paving or when house construction has begun, whichever is sooner, as determined by and to the satisfaction of the Director of Public Works.

9) 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.

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) Street Name Signs

The Developer shall, at no expense to the City, cause to be installed standard reflectorized permanent street name signs to be installed at all new street intersections being created as a result of the subdivision.

12) 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.

13) 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.

14) Survey Monuments

a) Subsequent to completion of the Planned Area, as determined by the Director of Planning, Property and Development, the Developer shall pay the full costs of having all survey monuments within the Planned Area verified and/or restored by a Manitoba Land Surveyor and shall prepare a Plan of Survey Perpetuating Certain Monuments, confirming the position of all the survey monumentation within the Planned Area, for filing in The Property Registry.

b) In certain circumstances where all the survey monuments within the Planned Area have been found or restored to their original positions, upon approval by the Director of Planning, Property and Development, the requirements for Plan of Survey Perpetuating Certain Monuments may be waived.

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, $2138.00/acre 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 24/2016

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

"*Original Signed by M. Gajda"*
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Public Works Department

GJ/gj