Agenda – Council – September 27, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 19, 2017

Item No. 4 Subdivision and Rezoning – Skyline-Castlebrook (South Winnipeg – St. Norbert Ward) File DASZ 13/2017

STANDING COMMITTEE RECOMMENDATION:

On September 20, 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 following to Council:

1. That the plan of subdivision under File DASZ 13/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 13/2017 dated Month, Day, Year 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 Servicing Agreement with the City containing all the conditions outlined in Schedule 'B' the report of the Administrative Coordinating Group dated June 14, 2017, with the following amendment:

        i. Add the following new condition 4) c):

            4) <u>Pavement</u>

                c) That the developer shall, at no expense to the City, construct a 1.5 m wide Portland cement concrete sidewalk on the proposed public street, as to the satisfaction of the Director of Public Works (shown as Schedule "C").

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 13/2017 dated August 25, 2017 to an "R2" Residential Two-Family District, subject to the following:

    A. That the applicant enter into, execute and deliver a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

        i. That, the minimum side yard setback to any accessory structure shall not be less than two (2) feet.

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3. That the zoning agreement caveat under File No. DASZ 33/2012, be discharged.

4. That, in lieu of the dedication of land, the Developer shall provide cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

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

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

8. 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 and execution of the City of the Servicing Agreement.

9. 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 and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land provided that the said effective date occurs within one year from the date the by-law is passed.

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

11. 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.

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12. 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.

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DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 20, 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 September 19, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 11, 2017, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- Amend recommendation 1. A. by adding the following after "dated June 14, 2017":

  ", with the following amendment:

  i. Add the following new condition 4) c):

  4) <u>Pavement</u>

  c) That the developer shall, at no expense to the City, construct a 1.5 m wide Portland cement concrete sidewalk on the proposed public street, as to the satisfaction of the Director of Public Works (shown as Schedule "C")."

- Delete condition 2 in its entirety, and replace it with the following new condition 2:

  2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 13/2017 dated August 25, 2017 to an "R2" Residential Two-Family District, subject to the following:

Agenda – Council – September 27, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 19, 2017

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

A. That the applicant enter into, execute and deliver a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

i. That, the minimum side yard setback to any accessory structure shall not be less than two (2) feet.

- Add the following new recommendation 3, and renumber the remaining recommendations accordingly:

"3. That the zoning agreement caveat under File No. DASZ 33/2012, be discharged."

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

RE: **Subdivision and Rezoning - Lot 2 Skyline Drive and Lot 3 Castlebrook Drive (Block 1, Plan 58259)**
File DASZ 13/2017

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

Prepared by: **Rochelle Viray, Committee Clerk**
Riel Community Committee

Report date: **September 11, 2017**

COMMUNITY COMMITTEE RECOMMENDATION:

On September 11, 2017, the Riel 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 13/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 13/2017 dated Month, Day, Year 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 Servicing Agreement with the City containing all the conditions outlined in Schedule 'B' the report of the Administrative Coordinating Group dated June 14, 2017***, with the following amendment:***

        i. Add the following new condition 4) c):

        4) <u>Pavement</u>

            c) That the developer shall, at no expense to the City, construct a 1.5 m wide Portland cement concrete sidewalk on the proposed public street, as to the satisfaction of the Director of Public Works (shown as Schedule "C").

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 13/2017 dated August 25, 2017 to an "R2" Residential Two-Family District, subject to the following:

A. That the applicant enter into, execute and deliver a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

i. That, the minimum side yard setback to any accessory structure shall not be less than two (2) feet.

3. That the zoning agreement caveat under File No. DASZ 33/2012, be discharged.

4. ~~***3.***~~ That, in lieu of the dedication of land, the Developer shall provide cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

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

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

8. ~~***7.***~~ That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office and execution of the City of the Servicing Agreement.

9. ~~***8.***~~ 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 and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land provided that the said effective date occurs within one year from the date the by-law is passed.

10. ~~***9.***~~ That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

11. ~~***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.

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

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

The Riel Community Committee provided the following supporting reasons for its recommendation:

1. This is a positive project that is moving to increasing the density.

2. Snow removal issues are being worked on, and this is adjusting to accommodate winter snow removal.

PUBLIC HEARING SUMMARY

File:	DASZ 13/2017
Before:	Riel Community Committee Councillor Mayes, Chairperson Councillor Allard Councillor Lukes
Public Hearing:	September 11, 2017 Council Building, 510 Main Street
Applicant:	Ladco Company Limited (Tyler Smith)
Subject:	

APPLICANT : LADCO COMPANY LTD.
FILE : DASZ 13/17
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 "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to an "R2" RESIDENTIAL *TWO-FAMILY* DISTRICT to facilitate the continuation of the Prairie Pointe Development by the creation of lots and public right-of-ways for future residential development. **For information, phone Ms. S. Jerez, Planner at 204-986-7175.**
DEMANDEUR : LADCO COMPANY LTD.
N° DE DOSSIER : DALZ 13/17
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du *Zoning By-law No. 200/2006* (règlement municipal sur le zonage) visant à changer le zonage des sols délinéés ci-dessus qui passeraient de la catégorie RMF-M (secteur d'habitations multifamiliales moyennes) à la catégorie R2 (secteur résidentiel bifamilial) afin de faciliter la continuation de l'aménagement du quartier de Prairie Pointe par la création de lots et d'emprises publiques en vue d'un lotissement résidentiel futur. **Pour plus de renseignements, veuillez communiquer avec Mme. S. Jerez, urbaniste, au 204-986-7175.**

Premises Affected:	Lot 2 Skyline Drive and Lot 3 Castlebrook Drive (Block 1, Plan 58259)

Exhibits Filed:

1. Application dated May 18, 2017
2. Notification of Public Hearing dated July 25, 2017
3. Manitoba Status of Titles 2811506/1 and 2811507/1
4. Letter of authorization dated March 23, 2017 from Ladco Company Limited to Tyler Smith
5. Surveyor's Building Location Certificate and sketch dated February 21, 2017
6. Caveat 4665166
7. Report from the Urban Planning Division dated August 25, 2017
8. Inspection Report

REPRESENTATIONS:

In Support:

Tyler Smith
Michael Carruthers
Spencer Curtis

In Opposition

Nil

For Information:

Nil

For the City:

G. Jasper, Land Development Administrator, Planning, Property and Development Department
R. Mahé, Planner, Planning, Property and Development Department
E. Finnigan, Planner, Planning, Property and Development Department
S. Jerez, Planner, Planning, Property and Development Department

Exhibit "6" referred to in File DASZ 13/2017

ADMINISTRATIVE REPORT

Title: DASZ 13/2017 – Skyline-Castlebrook

Issue: For consideration at the public hearing for subdivision and rezoning for the establishment of 52 two-family residential lots at Skyline and Castlebrook.

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

AUTHORIZATION

Author	Division Head	Department Head	CFO	CAO
Simi Jerez	B. Smith	n/a	n/a	

RECOMMENDATIONS

1. That the plan of subdivision under File DASZ 13/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 13/2017 dated Month, Day, Year 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 Servicing Agreement with the City containing all the conditions outlined in Schedule 'B' the report of the Administrative Coordinating Group dated June 14, 2017.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 13/2017 dated August 25, 2017 to an "R2" Residential Two-Family District, subject to the following:

   A. That the applicant enter into, execute and deliver a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

      i. Lots with access to parking taken from a public lane must maintain a minimum of two (2) feet from a parking pad or garage to lot lines.

      ii. The Owner must submit plans showing the location and design of any and all proposed:

         - buildings;
         - accessory parking areas;
         - private approaches;
         - garbage enclosures;
         - fencing;

- screening and landscaping; and
- free-standing signage

on the Owner's Land ("Works") to the Riel Community Committee and City's Director of Planning, Property and Development ("Director") for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

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

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

7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office and execution of the City of the Servicing Agreement.

8. 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 and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land 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 (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

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

REASON FOR THE REPORT

- Rezoning applications require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the property may be rezoned and subdivided, subject to conditions.

HISTORY

Waverley West Southwest Neighbourhood Area Structure Plan (By-Law 4/2013)

- On June 26, 2013, Council adopted the Waverley West Southwest Neighbourhood Area Structure Plan under By-Law No. 4/2013. This area structure plan guides development in the Southwest Neighbourhood.

DASZ 33/2012 (By-law 68/2013)

- Under DASZ 33/2012 (By-law 68/2013), over 600 acres of land in the Waverley West Southwest Neighbourhood was rezoned from "A" Agricultural to "R1-M" Residential Single-Family Medium; "RMF-S" Residential Multi-Family Small; "RMF-M" Residential Multi-Family Medium; "C3" Commercial Corridor; and, "PR1" Parks and Recreation 1 (Neighbourhood). By-law 68/2013 regarding the subdivision and rezoning was passed by Council on June 26, 2013.
- The subject site was approved for rezoning to "RMF-S" Residential Multi-Family Medium.
- A zoning agreement was included as a condition of approval for DASZ 33/2012. Among the conditions included was the requirement for plan approval for the multi-family zoned lands:

  i) That, for the development of any building, and/or accessory parking area and/or signage within the lands zoned "RMF-S" or "RMF-M" Residential Multi-Family, or "C3" Commercial, 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 and signage to the Director of Planning, Property and Development and the Riel 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.

CONSULTATION

In preparing this Report there was internal consultation with: N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Simi Jerez
Date:	August 25, 2017
File No.	DAZ 13/2017

List of Schedules and Attachments

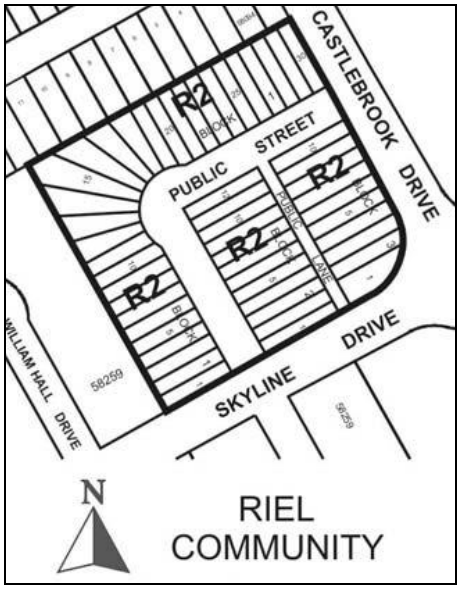
1. Appendix A — Planning Discussion
2. Schedule “A” — Recommended File No. DASZ 13/2017 Riel Community Committee, dated August 25, 2017
3. Schedule “B” — Report of the Administrative Working Group – June 14, 2017

APPENDIX 'A'

DATE: August 25, 2017
FILE: DASZ 13/2017
RELATED FILES:
COMMUNITY: Riel Community
NEIGHBOURHOOD #: 5.683 - South Pointe West

SUBJECT: To rezone the land from an "A" Agricultural District to an "R2" Residential Two-Family District.

LOCATION: Skyline Drive and Castlebrook Drive
LEGAL DESCRIPTION: LOT 2 BLOCK 1 PLAN 58259; LOT 3 BLOCK 1 PLAN 58259



APPLICANT: Ladco Company Ltd. (Tyler Smith)
200-40 Lakewood Blvd
Winnipeg , Manitoba R2J 2M6

OWNER: Ladco Company Ltd.
200-40 Lakewood Blvd
Winnipeg , Manitoba R2J 2M6

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject site is located at the northwest corner of Skyline Drive and Castlebrook Drive, in the South Pointe West neighbourhood in the Waverley West Plan Area D (Southwest Neighbourhood) of the St. Norbert Ward.
- The site currently vacant and is made up of 2 lots totaling 4.67 (203,425 square feet) acres in area.
- The lots are located within the Residential Land Use Policy Area of the Waverley West Southwest Neighbourhood Area Structure Plan and were approved for rezoning to “RMF-M” Residential Multi-Family Medium under DASZ 33/2012.



Figure 1: Air photo of the location of subject property and surrounding area (2016)

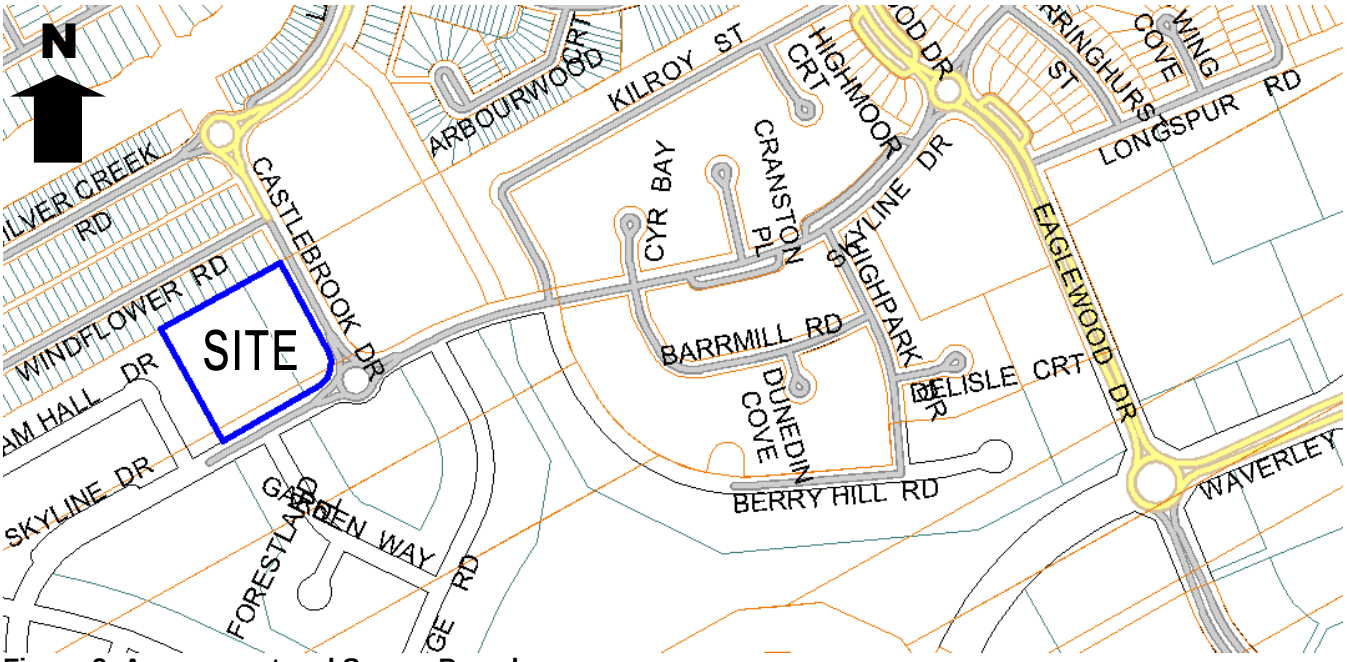


Figure 2: Assessment and Survey Parcels

North: Vacant land zoned "R1-M" Residential Single-family Medium).

South: Skyline Drive; then vacant lands zoned “A” Agriculture, and Public reserve land zoned PR-1 under DASZ 33/2012.

East: Castlebrook Drive; then vacant lands zoned “A” Agriculture.

West: Vacant lands zoned “A” Agriculture.

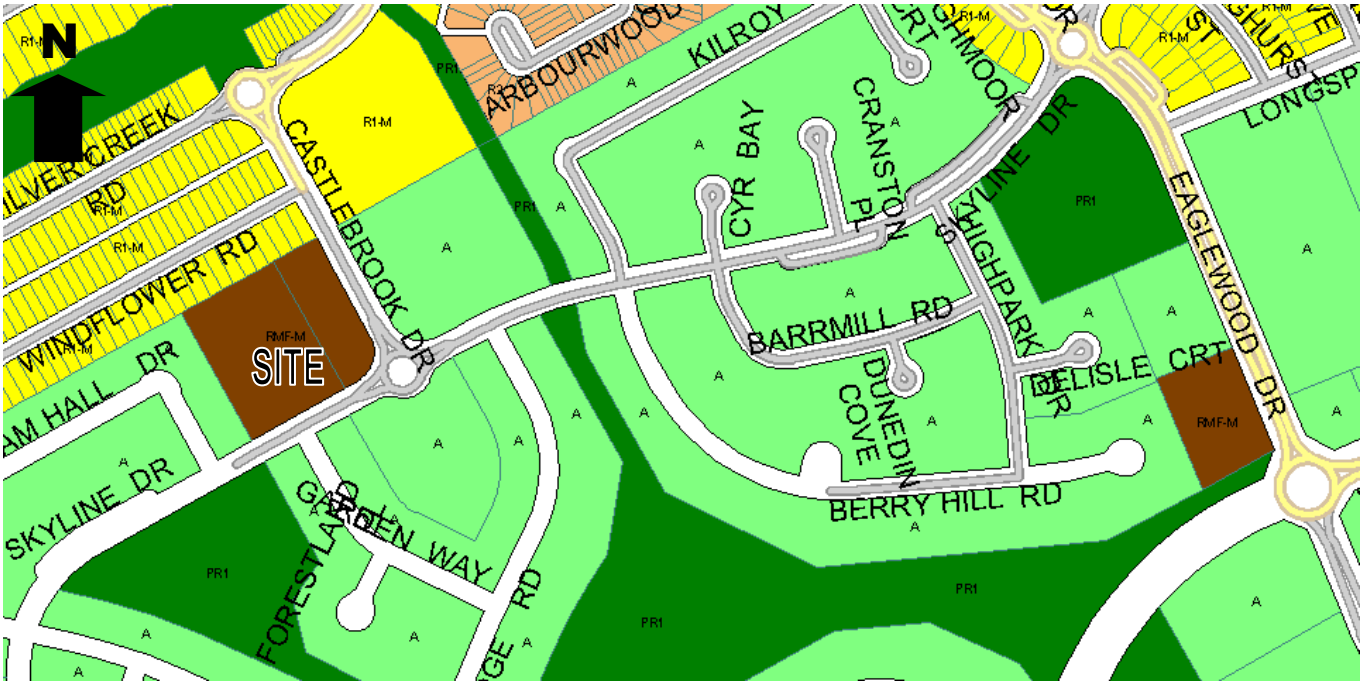


Figure 3: Zoning Context

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the subject site from “RMF-M” Residential Multi-Family Medium to “R2” Residential Two-family to establish fifty-two (52) duplex lots.
- The proposed development consists of 30 lots on Block 3 for 30 duplex units with attached garages and front drives, and 22 lots on Block 2 for 22 duplex units with parking to be accessed from a back lane.
- The Block 3 lots are typically 24 feet in width 2832 square feet in area. The Block 2 lots range in width from 21.2 to 24 feet and range in area from 2,819.6 square feet to 3192 square feet.
- The development will be accessed from a new road connected to both Skyline Drive and Castlebrook Drive. The proposed development will require a road opening.

ANALYSIS AND ISSUES

WAVERLEY WEST SOUTHWEST NEIGHBOURHOOD AREA STRUCTURE PLAN

- The subject site is located within Residential Land Use Policy Area of the Waverley West Southwest Neighbourhood Area Structure Plan. The Residential Land Use policies are as follows:

  5.1.1 Composition

  (1) Single-family Residential shall be the predominant land use.

  (2) Multiple-family Residential, including higher density Multiple-family Residential, Community Scale Commercial, Local Commercial, Non-Retail Commercial, Institutional, Recreational and other compatible uses shall be permitted in the vicinity of Neighbourhood Nodes and the primary commercial area (see also section 5.3).

  (3) Multiple-family Residential (including Higher Density Multiple-family Residential), Local Commercial, Non-Retail Commercial, Institutional, Recreational and other compatible uses shall be permitted adjacent to Waverley Street. Multiple-family Residential, including higher density Multiple family Residential, shall be permitted adjacent to the Perimeter Highway.

  (4) Where Residential is located adjacent to the perimeter highway, other buffering tools such as berming, landscaping and fencing shall be implemented.

  (5) The general categories of uses identified under section 5.1.1 may be refined through the Development Application process.

- The Waverley West Southwest Neighbourhood Area Structure Plan establishes a target density range to ensure that residential development occurs within an acceptable range that is compatible with the adjacent neighbourhoods; meets the needs of the housing market; and reduces the spatial consumption of land and servicing costs. The density range for single family and multi-family residential uses are addressed as follows:

  5.2.1 Range

  (1) The Residential density shall be a minimum of 14.8 units per Gross Developable Hectare (6.0 units per Gross Developable Acre) and a maximum of 22.2 units per Gross Developable Hectare (9.0 units per Gross Developable Acre).

(2) Multiple-family Residential shall be overall, a minimum of 37.1 units per Gross Developable Hectare (15.0 units per Gross Developable Acre).

- The site is located within in Neighbourhood Node 3 of the Waverly West Southwest Neighbourhood Area. The Waverley West Southwest Neighbourhood Area Structure Plan states that neighbourhood nodes are intended to act as focal points for the area where multiple-family residential, local commercial, institution, recreational, school and other suitable uses can be located. Relevant policies with regard to Neighbourhood Nodes include the following:

  5.3.1 Composition

  (2) The composition of Neighbourhood Nodes shall be refined and addressed through the Development Application process.

  5.3.2 Design

  (1) The Neighbourhood Nodes should be complimentary to the surrounding area while maintaining a distinct and identifiable character. The Unique Character of each node as outlined arising from the mix of uses at each node […] can be supplemented by distinct landscaping, signage or design features at each node.

- Neighbourhood Node 3 is intended to bring together a number of components including residential land uses, a potential K-8 school site, the Greenway System, a roundabout and two collector roads, one of which provides a second roadway linkage to the Bridgwater Trails neighbourhood.

ZONING BY-LAW 200/2006

"RMF-M" Residential Multi-Family Medium

- The RMF-M zone is intended to accommodate the development of multi-family units in areas with medium to high residential densities. The dimensional standards for multifamily structures in the RMF-M zone are: a minimum front yard of 25 feet; a minimum rear yard of 25 feet; a minimum side yard of 8 feet, and, a maximum building height of 60 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 800 square feet.

"R2" Residential Two-Family District

- The R2 district is intended to accommodate the development of single and two-family units and where appropriate limited multi-family units in lower density neighbourhoods. The R2 district requires: a minimum lot width of 25 feet, a minimum lot area of 5,000 square feet (2,500 per dwelling unit for two-family dwellings), 4 foot side yards, a front yard of 20 feet, and a rear yard of 25 feet. The maximum building height is 35 feet.

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- Under the Waverley West Southwest Neighbourhood Area Structure Plan the subject lots are located in the Residential Land Use Policy Area. Policies guiding development in the Residential Land Use Policy Area state that single-family residential shall be the predominant land use. Multiple-family residential and other land uses shall be permitted in the vicinity of neighbourhood nodes, the primary commercial area, and adjacent to Waverley Street and the Perimeter Highway.

- The residential density proposed is 11.13 units per developable acre at 52 units, which will exceed the required minimum of 42.03 units. The proposed development modestly increases the density in a form that is compatible with single-family development, which is the predominant land use in the vicinity of the lots.
- Neighbourhood Nodes are intended to act as focal points for the area. The Public Service encourages lots serviced by a back lane and fronting on a collector road as they create a more active street front which contributes towards establishing the intersection as a focal point for the area and improving the corridor.
- All of the lots being rezoned to R2 are within 400 metres of the collector road (Landover Drive) where Transit service will be provided to the neighbourhood.

RECOMMENDED CONDITIONS

- The Public Service recommends including a condition in the zoning agreement to ensure that back lane parking for the duplexes are developed to permit 2 feet from a parking pad or garage to lot lines in order to help accommodate areas for snow storage.
- Plan approval by the Riel Community Committee is recommended as a condition of approval in order to review the site configuration, landscaping, parking, cladding materials and colour renderings/elevations proposed to ensure the development complements the character and intent of the Neighbourhood Node. It is also recommended to ensure that the houses have some distinguishing characteristics that set them apart from one another avoiding a “cookie cutter” style of development.

RECOMMENDATION

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

- The subject rezoning complies with the Residential Land Use policies of the Waverley West Southwest Neighbourhood Area Structure Plan.
- The proposed development modestly increases the density in a form that is compatible with single-family development, which is the predominant land use in the vicinity of the lots.
- All of the lots being rezoned to R2 are within 400 metres of the collector road (Landover Drive) where Transit service will be provided to the neighbourhood.

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

Report Prepared by: Simi Jerez
PPD File #: DASZ 13/2017

Schedule "A" for File No. DASZ 13/2017, Riel Committee, dated August 25, 2017

By-Law No. _____

File No. **DASZ 13/17**

Atlas Sheet No.

N

AN19
RIEL
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located in the Prairie Pointe Development, at the northwest corner of Skyline Drive and Castlebrook Drive, from an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to facilitate the creation of lots and public right-of-ways 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 – June 14, 2017

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT THE NW CORNER OF SKYLINE DRIVE AND CASTLEBROOK DRIVE – DASZ 13/2017

The above noted application was reviewed by the ACG Group on June 14, 2017. The application was determined to be within the Planned Area of the Prairie Pointe Neighborhood lands (stage 2) under development (DASZ 33/2012) and therefore this application is subject to the terms and conditions as outlined in the Development Agreement for AG 33/2012, amended as follows:

It is recommended that the approval of DASZ 13/2017, if granted, be subject to the applicant entering into a Development Agreement amendment to AG 33/2012 addressing the following items:

1) Lot Grading Plan

   The applicant should submit a lot grading plan as soon as possible in order to determine if easements are required.

2) Private Approaches

   Private approaches serving all R2 zoning lots within Block 1 shall be joint use and there shall be a minimum of 6.1 metres between the edge of the private approach flares between lots, measured at the curb, to the satisfaction of the Director of Public Works.

3) Plan Considerations

   a) The proposed public street is to be established with an 18.0m wide right-of-way (20.0m if the land drainage sewer is 525mm in diameter or greater), to the satisfaction of the Director of Public Works.

   b) The proposed public lane is to be established with a 6.25m wide right-of-way, to the satisfaction of the Director of Public Works.

   c) The centrelines of the proposed public street and Garden Way shall be coincident, to the satisfaction of the Director of Public Works.

4) 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 street within the Planned Area, 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 in the proposed public lane within the Planned Area, and all related works, as determined by and to the satisfaction of the Director of Public Works.

5) Street Name Signs

The Developer shall, at no expense to the City, cause to be installed standard reflectorized permanent street name signs at each new intersection within or adjacent to the Planned Area, as determined by the Director of Public Works.

6) 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.

7) 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.

8) 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.

9) 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.

10) Temporary Dead-End Street

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.

11) 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, the administration fee applicable to this area as described under AG 13/12.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 13/2017
September 5, 2017

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SCHEDULE “C” – for file DASZ 13/2017

