**Agenda – Executive Policy Committee – February 13, 2018**

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 2, 2018**

**Item No. 3 Subdivision and Rezoning – 1462 Ravelston Avenue West; Block 7 Plan 60480; Lot 23 Block 1 Plan 60480 (Transcona Ward) File DASZ 16/2017 [c/r DAC 12/2016 and DAV 149871/2017D]**

STANDING COMMITTEE RECOMMENDATION:

On February 2, 2018, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and recommended to Council:

1. That the plan of subdivision under File DASZ 16/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "D" of File DASZ 16/2017 dated October 25, 2017, with such minor changes as may be required, and for 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 "C," the report of the Administrative Coordinating Group, with the following amendments:

        i. Add the following new Condition 5) under Plan Considerations:

            5) The developer shall, at no expense to the City, provide a 6 meter wide right-of-way from El-Tassi Drive to the northern limit of Parcel A Plan No. 53426, as determined and approved by the Director of Public Works.

        ii. Add the following new Condition 11)d) under Servicing Requirements:

            11)d) Prior to construction, the Developer shall, at no expense to the City, install and maintain development information signs showing the Planned Area and zoning information, approved by and to the satisfaction of the Director of Planning, Property and Development.

2. That Caveat 4808932 be withdrawn as it affects Blocks 5 to 8, Plan 60480 WLTO and Lot 23, Block 6, Plan 60480 WLTO.

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 2, 2018**

STANDING COMMITTEE RECOMMENDATION (continued):

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "D" of File DASZ 16/2017 dated October 25, 2017, to "R1-S" Residential Single-Family (Small), "R1-M" Residential Single-Family (Medium), "R2" Residential Two-Family, "RMF-M" Residential Multi-Family (Medium) and "PR1" Parks and Recreation 1 (Neighbourhood), subject to the following:

    A. That the applicant 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 those portions of the Owner's Land zoned "RMF-M" Residential Multi-Family (Medium), the Owner must submit plans showing the location and design of any and all proposed:
        - buildings,
        - parking areas and driveways,
        - garbage enclosures,
        - fencing,
        - exterior lighting,
        - landscaping,
        - walkways and bikeways,
        - bicycle parking facilities, and
        - free-standing signage

        on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the East Kildonan – Transcona Community Committee 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.

        ii. That, for those portions of the Owner's Land zoned "RMF-M" Residential Multi-Family (Medium), mobile signs and A-board signs shall not be permitted.

        iii. That the Owner shall, at no expense to the City, install fencing along the full extents of the lot line between proposed Lot 24, Block 1 of Schedule "B" of File DASZ 16/2017 and the abutting properties zoned "R2" Residential Two-Family.

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 2, 2018**

STANDING COMMITTEE RECOMMENDATION (continued):

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 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 registration of the Plan of Subdivision in the Winnipeg Land Titles Office and execution by the City of the Servicing Agreement.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one (1) 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 this one (1)-year period and Council approves the extension.

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

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

**Agenda – Executive Policy Committee – February 13, 2018**

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 2, 2018**

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On February 2, 2018, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 16, 2018, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- Delete "Schedule B" from Recommendation 1 and 3 and replace it with "Schedule D".

- Add the following after "Administrative Coordinating Group" in Recommendation 1. A.: ", with the following amendments:

    iii. Add the following new Condition 5) under Plan Considerations:

        5) The developer shall, at no expense to the City, provide a 6 meter wide right-of-way from El-Tassi Drive to the northern limit of Parcel A Plan No. 53426, as determined and approved by the Director of Public Works.

    iv. Add the following new Condition 11)d) under Servicing Requirements:

        11)d) Prior to construction, the Developer shall, at no expense to the City, install and maintain development information signs showing the Planned Area and zoning information, approved by and to the satisfaction of the Director of Planning, Property and Development."

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

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 2, 2018**

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

On December 19, 2017, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on January 16, 2018, at 6:30 p.m. in the Council Building, 510 Main Street.

On November 7/8, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on December 12, 2017, at 6:30 p.m. in the Council Building, 510 Main Street.

**RE:** **Subdivision and Rezoning – 1462 Ravelston Avenue West; Block 7 Plan 60480; Lot 23 Block 1 Plan 60480**
**File DASZ 16/2017**

**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, 2018**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 16, 2018, 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 proposed under File DASZ 16/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with ***Schedule "D"*** of File DASZ 16/2017 dated October 25, 2017, with such minor changes as may be required, and for 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 "C," the report of the Administrative Coordinating Group***, with the following amendments:***

        ***i. Add the following new Condition 5) under Plan Considerations:***

            ***5) The developer shall, at no expense to the City, provide a 6 meter wide right-of-way from El-Tassi Drive to the northern limit of Parcel A Plan No. 53426, as determined and approved by the Director of Public Works.***

        ***ii. Add the following new Condition 11)d) under Servicing Requirements:***

            ***11)d) Prior to construction, the Developer shall, at no expense to the City, install and maintain development information signs showing the Planned Area and zoning information, approved by and to the satisfaction of the Director of Planning, Property and Development.***

2. That Caveat 4808932 be withdrawn as it affects Blocks 5 to 8, Plan 60480 WLTO and Lot 23, Block 6, Plan 60480 WLTO.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on ***Schedule "D"*** of File DASZ 16/2017 dated October 25, 2017, to "R1-S" Residential Single-Family (Small), "R1-M" Residential Single-Family (Medium), "R2" Residential Two-Family, "RMF-M" Residential Multi-Family (Medium) and "PR1" Parks and Recreation 1 (Neighbourhood), subject to the following:

   A. That the applicant 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 those portions of the Owner's Land zoned "RMF-M" Residential Multi-Family (Medium), the Owner must submit plans showing the location and design of any and all proposed:
         - buildings,
         - parking areas and driveways,
         - garbage enclosures,
         - fencing,
         - exterior lighting,
         - landscaping,
         - walkways and bikeways,
         - bicycle parking facilities, and
         - free-standing signage

         on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the East Kildonan – Transcona Community Committee 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.

      ii. That, for those portions of the Owner's Land zoned "RMF-M" Residential Multi-Family (Medium), mobile signs and A-board signs shall not be permitted.

      iii. That the Owner shall, at no expense to the City, install fencing along the full extents of the lot line between proposed Lot 24, Block 1 of Schedule "B" of File DASZ 16/2017 and the abutting properties zoned "R2" Residential Two-Family.

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 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 registration of the Plan of Subdivision in the Winnipeg Land Titles Office and execution by the City of the Servicing Agreement.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one (1) 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 this one (1)-year period and Council approves the extension.

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

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

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

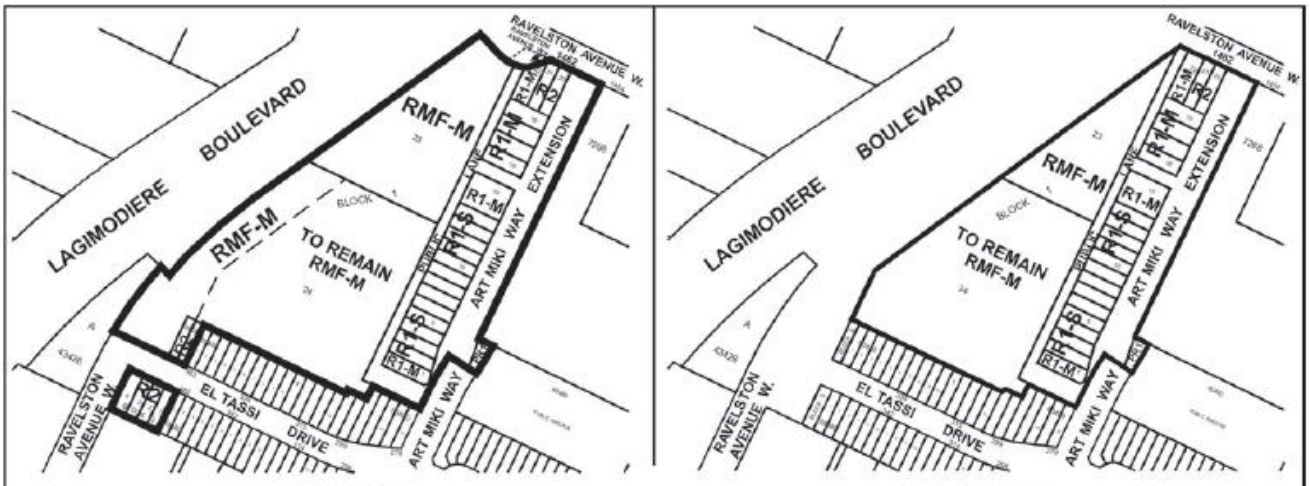
The East Kildonan-Transcona Community Committee provided the following supporting reason(s) for its recommendation:

1. This is consistent with the development we've been seeing in the Transcona West neighbourhoods.
2. There is a mix of single-family and multi-family homes.
3. This continues the orderly development of the area.

## PUBLIC HEARING SUMMARY

| | |
|---|---|
| File: | DASZ 16/2017 |
| Before: | East Kildonan-Transcona Community Committee<br>Councillor Schreyer, Chairperson<br>Councillor Browaty |
| Public Hearing: | January 16, 2018<br>December 19, 2017<br>November 7 and 8, 2017<br>Council Building, 510 Main Street |
| Applicant: | Robert Doolan, Waterside Development Corporation |

Subject:




**APPLICANT :** WATERSIDE DEVELOPMENT CORP.
**FILE :** DASZ 16/17
**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 above from an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT, "RR5" RURAL RESIDENTIAL 5 DISTRICT, and "C2" COMMERCIAL COMMUNITY DISTRICT to an "R1-S" RESIDENTIAL SINGLE-FAMILY (SMALL) DISTRICT, "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT, "R2" RESIDENTIAL TWO-FAMILY DISTRICT, "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT, and "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the continuation of the Starlight Village Neighbourhood lands by the creation of lots, public reserve land and public right-of-ways for future residential development. **For information, phone Mr. G. Doney, Planner, at 204-986-2688.**

Premises Affected: 1462 Ravelston Avenue West; Block 7 Plan 60480; Lot 23 Block 1 Plan 60480

Exhibits Filed:

1. Application dated August 9, 2017
2. Notification of Public Hearing dated September 29, 2017
3. Manitoba Status of Titles 2883146/1, 2883215/1, 2883216/1, 2883218/1, 2883219/1, 2883220/1
4. Letter of authorization dated July 19, 2017 from Waterside Development Corp. to Robert Doolan
5. Surveyor's Building Location Certificate and sketch dated June 28, 2017
6. Caveats 4808932/1, 4808933/1
7. Statutory Easement 4808934/1 between Waterside Development Corp. and The City of Winnipeg
8. Plans (2 pages)
9. Report from the Urban Planning Division dated October 25, 2017
10. Inspection Report
11. Recording of Representations of the public hearing held on November 7/8, 2017
12. Notice of Adjournment dated November 14, 2017
13. Notice of Meeting Date Change dated November 20, 2017
14. Recording of Representations of the public hearing held on December 19, 2017
15. Road Closing Options submitted by the Applicant at the hearing
16. Notice of Adjournment dated December 22, 2017
17. Recording of Representations
18. Proposed Plan of Subdivision and Rezoning – Option A1 submitted by the Applicant at the hearing
19. Proposed Ravelston Road Closing – Option A1 submitted by the Applicant at the hearing

REPRESENTATIONS:

In Support:

Bob Doolan
Bill McGarry
Ha Na Park
Susan Russell
Donna Thordarson
Robin Whiddon

In Opposition:

Nil

For Information:

Nil

For the City:

G. Jasper, Land Development Engineer, Planning, Property and Development Department
B. Buyachok, Real Property Officer, Planning, Property and Development Department
G. Doney, Senior Planner, Planning, Property and Development Department
R. Hayer, Planner, Planning, Property and Development Department
B. Neirinck, Manager of Engineering, Public Works Department
C. Desjardine, Traffic Assessment Engineer, Public Works Department

Exhibit "9" referred to in File DASZ 16/2017

# ADMINISTRATIVE REPORT

**Title:** DASZ 16/2017 – 1462 Ravelston Avenue West

**Issue**: Proposed Plan of Subdivision and Rezoning that would reconfigure and rezone five parcels of land, and parts of a public street proposed to be closed under DAC 12/2016, into:

- 13 "R1-S" Residential Single-Family (Small) lots;
- seven "R1-M" Residential Single-Family (Medium) lots;
- eight "R2" Residential Two-Family lots;
- two "RMF-M" Residential Multi-Family (Medium) lots;
- one public reserve zoned "PR1" Parks and Recreation 1 (Neighbourhood); and
- public right-of-ways, including a northerly extension of Art Miki Way to Ravelston Avenue West.

**Critical Path:** East Kildonan – Transcona Community Committee → Standing Policy Committee on Property and Development, Heritage and Downtown 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 16/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" of File DASZ 16/2017 dated October 25, 2017, with such minor changes as may be required, and for 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 "C," the report of the Administrative Coordinating Group.

2. That Caveat 4808932 be withdrawn as it affects Blocks 5 to 8, Plan 60480 WLTO and Lot 23, Block 6, Plan 60480 WLTO.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "B" of File DASZ 16/2017 dated October 25, 2017, to "R1-S" Residential Single-Family (Small), "R1-M" Residential Single-Family (Medium), "R2" Residential Two-Family, "RMF-M" Residential Multi-Family (Medium) and "PR1" Parks and Recreation 1 (Neighbourhood), subject to the following:

   A. That the applicant 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 those portions of the Owner's Land zoned "RMF-M" Residential Multi-Family (Medium), the Owner must submit plans showing the location and design of any and all proposed:
         - buildings,
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         - bicycle parking facilities, and
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         on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the East Kildonan – Transcona Community Committee 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.

      ii. That, for those portions of the Owner's Land zoned "RMF-M" Residential Multi-Family (Medium), mobile signs and A-board signs shall not be permitted.

      iii. That the Owner shall, at no expense to the City, install fencing along the full extents of the lot line between proposed Lot 24, Block 1 of Schedule "B" of File DASZ 16/2017 and the abutting properties zoned "R2" Residential Two-Family.

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 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 registration of the Plan of Subdivision in the Winnipeg Land Titles Office and execution by the City of the Servicing Agreement.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one (1) 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 this one (1)-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.

## REASONS FOR REPORT

This report describes the proposal and makes recommendations based on compliance with *OurWinnipeg* and *Complete Communities.* A public hearing is required as per *The Development Procedures By-law No. 160/2011* and *The City of Winnipeg Charter*, Section 249.

## IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the proposal can proceed in accordance with Schedule “B” of File DASZ 16/2017.

## CONSULTATION

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

## SUBMITTED BY

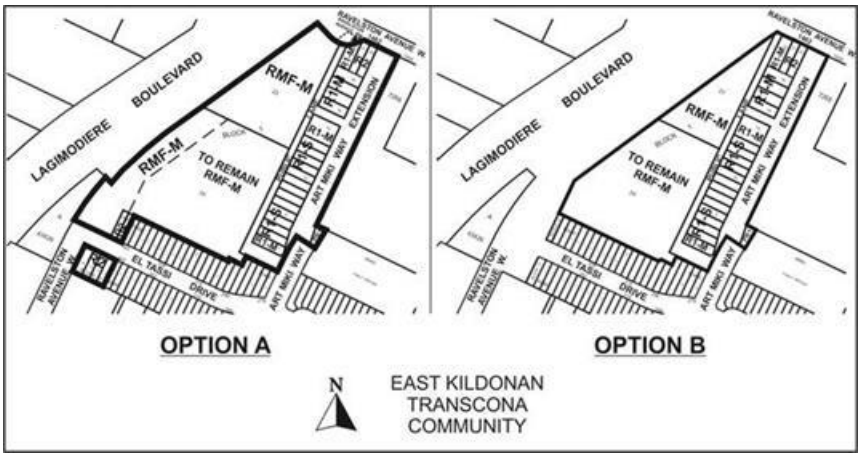
| | |
|---|---|
| Department | Planning, Property and Development |
| Division | Urban Planning |
| Prepared by: | Glen Doney |
| Date: | October 25, 2017 |
| File No. | DASZ 16/2017 |

Attachments

- **Appendix "A," Planning Discussion**
- **Schedule "A," of File DASZ 16/2017, East Kildonan – Transcona Community Committee, dated October 25, 2017**
- **Schedule "B," of File DASZ 16/2017, East Kildonan – Transcona Community Committee, dated October 25, 2017**
- **Schedule "C," Report of the Administrative Coordinating Group**

APPENDIX "A," PLANNING **DISCUSSION**

| | |
|---|---|
| **DATE:** | October 25, 2017 |
| **FILE:** | **DASZ 16/2017** |
| **RELATED FILE:** | DAV 17-149871D |
| **COMMUNITY:** | East Kildonan – Transcona |
| **NEIGHBOURHOOD #:** | 4.417 (Peguis) |
| **SUBJECT:** | Proposed Plan of Subdivision and Rezoning (Option A) that would reconfigure and rezone five parcels of land, and parts of a public street proposed to be closed under DAC 12/2016, into<br>- 13 "R1-S" Residential Single-Family (Small) lots;<br>- seven "R1-M" Residential Single-Family (Medium) lots;<br>- eight "R2" Residential Two-Family lots;<br>- two "RMF-M" Residential Multi-Family (Medium) lots;<br>- one public reserve zoned "PR1" Parks and Recreation 1 (Neighbourhood) and<br>- public right-of-ways, including a northerly extension of the Art Miki Way Right-of-Way to Ravelston Avenue West. |
| **LOCATION:** | 1462 Ravelston Avenue West |
| **LEGAL DESCRIPTION:** | Blocks 5 to 8 of Plan 60480, Lot 23 of Block 1 of Plan 60480 and subject lands of DAC 12/2016 |




| | |
|---|---|
| **APPLICANT:** | Waterside Development Corp. (Robert Doolan)<br>3615 Roblin Blvd.<br>Winnipeg<br>R3R 0C6 |
| **OWNERS:** | Waterside Development Corp. |
| **RECOMMENDATION:** | **Approval of Option B**, subject to conditions |

SITE DESCRIPTION

The subject site, identified on Figures 1 and 2 of this attachment:

- consists of
  - one parcel of land south of El Tassi Drive and four parcels of land north of El Tassi Drive and
  - two areas of land that are part of a public street right-of-way, proposed to be closed under File DAC 12/2016;
- is in a Recent Communities Policy Area, which is a type of Areas of Stability Policy Area of *OurWinnipeg* and *Complete Communities*;
- is in the Almey-Ravelston Special Planning Area and a Residential Mixed-Use Policy Area of the *Transcona West Area Structure Plan*;
- is in the Peguis Neighbourhood and the Transcona Ward; and
- is subject to a zoning agreement created under DASZ 3/2016.

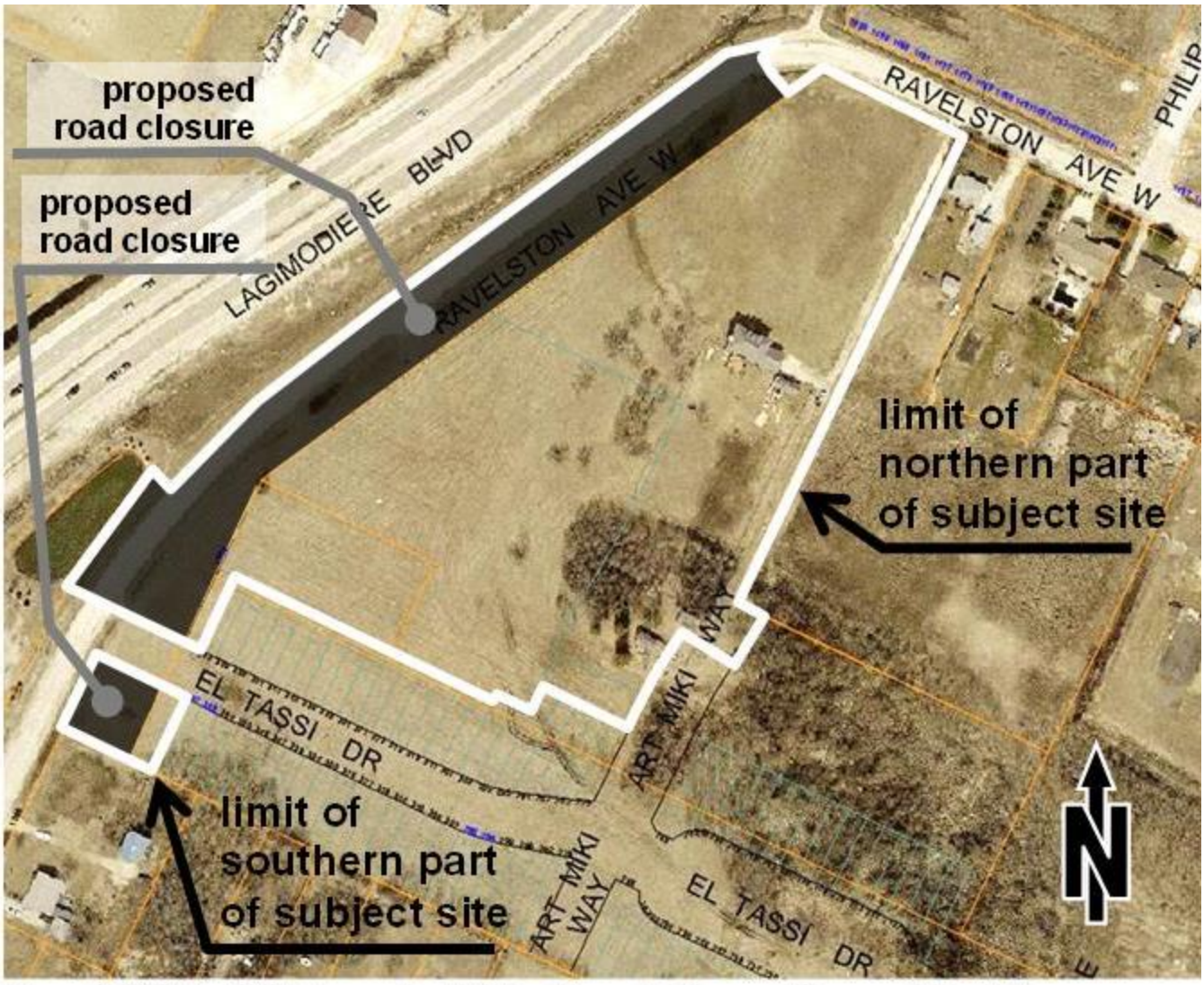



*Figure 1: 2016 Aerial Photography, Existing Property Lines and Proposed Road Closure*

Regarding the parcels of land that are part of the subject site:

- the parcel south of Eltassi Drive is in a “R2” Residential Two-Family District and undeveloped; and
- the parcels north of Eltassi Drive, together, overlap four zoning districts – “R1-L” Residential Single-Family (Large), “RR5” Rural Residential 5, “RMF-M” Resdential Multi-Family (Medium) and “PR1” Parks and Recreation 1 (Neighbourhood) – and contain a single-family dwelling.

**SURROUNDING LAND USE AND ZONING**

Figure 1 and 2 also show aspects of the site context.

**North:** Ravelston Avenue West and Lagimodière Boulevard, and the site of Council approved

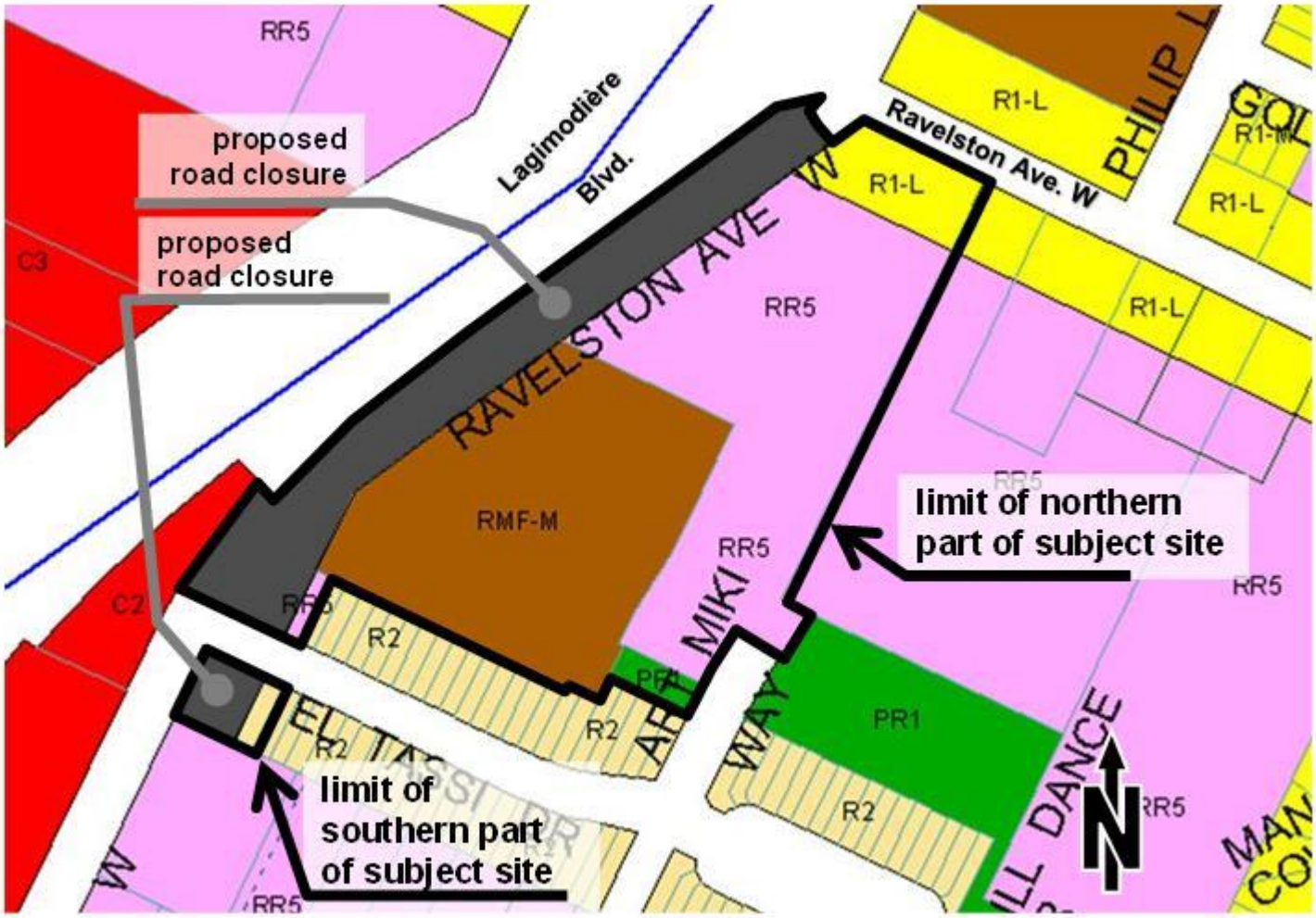



*Figure 2: Existing Zoning and Lot Lines, and Proposed Road Closure*

DASZ 7/2016 which includes rezoning to “R2.”

**South:** "R2" Residential Two-Family lots on which two-family dwellings are to be built (one unit per lot), the northern terminus of Art Miki Way and the site of Council approved DASZ 8/2017 which includes rezoning to "R1-M."

**East:** public reserve and a single-family dwelling on a 4.8 acre parcel in a "RR5" Rural Residential 5 District and a "R1-L" Residential Single-Family (Large) District.

**West:** Ravelston Avenue W, Lagimodière Boulevard and a retention pond on private property.

**DESCRIPTION OF THE PROPOSED, AND THE RECOMMENDED, SUBDIVISION AND REZONING**

The proposed plan of subdivision and rezoning is shown on Figures 3 and 4 of this attachment and on Schedule "A" of File DASZ 16/2017. It is referred to as Option A. This option is dependent on the road closure proposed under File DAC 12/2016 proceeding.

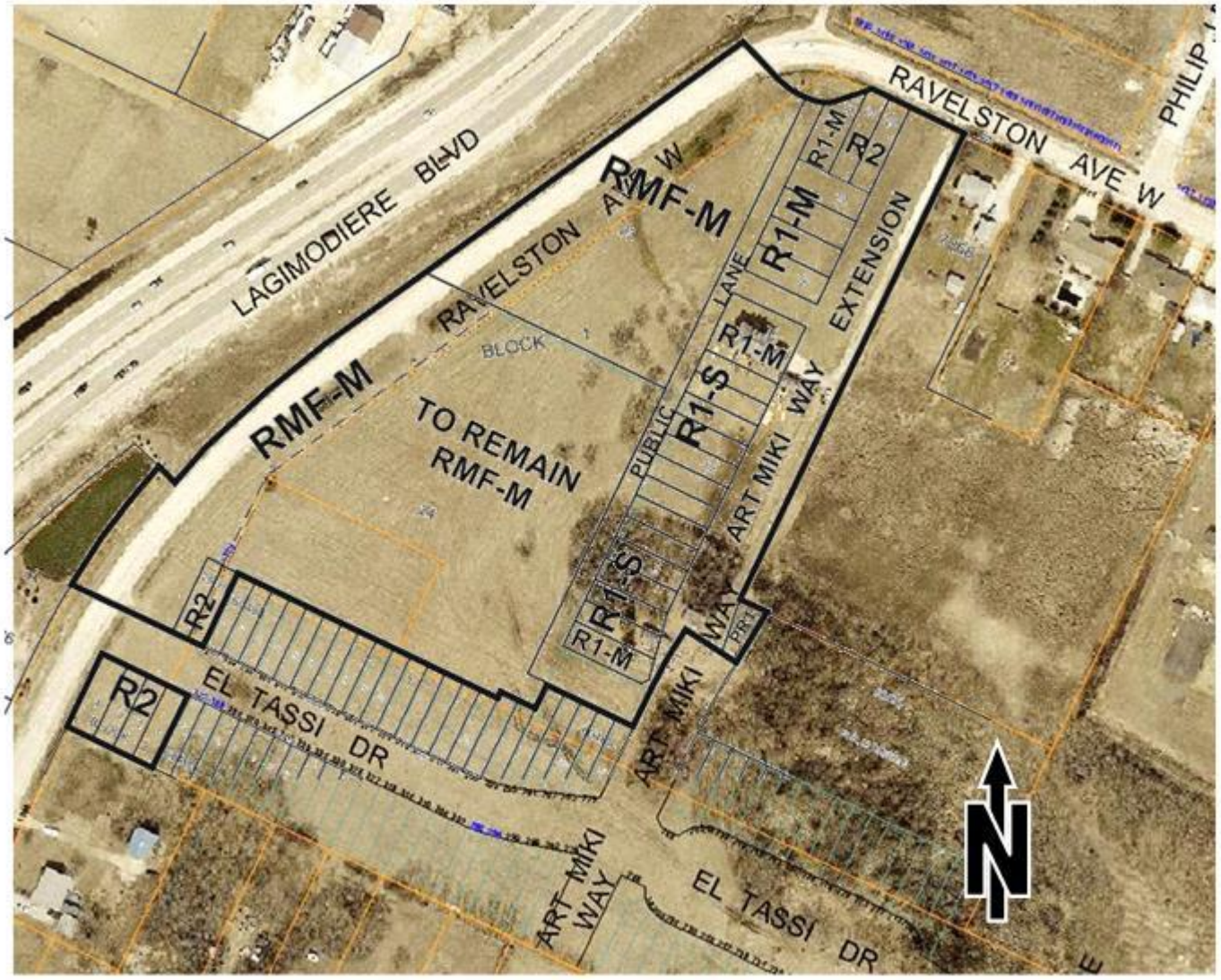



*Figure 3: Proposed DASZ (Option A), 2017 Aerial Photography, Existing Property Lines*

The recommended plan of subdivision is shown on Figures 5 and 6 of this attachment and on Schedule “B” of File DASZ 16/2017. It is referred to as Option B. It does not include the lands proposed to be closed under File DAC 12/2016.

DAC 12/2016

The proposed road closure under File DAC 12/2016 is shown on Figures 1 and 2. The northerly area proposed to be closed would encompass the part of the Ravelston Avenue West roadway that would not be needed when Art Miki Way is extended north.

The report on DAC 12/2016 states that the Public Works Department objects to the proposed road closure. The report recommends rejection of the proposed closure.

Urban Planning supports this recommendation and nots the following:

- If the proposed road closure is rejected, the subject site of the proposed plan of subdivision and rezoning (DASZ 16/2017) would be as shown in Option B. It would only

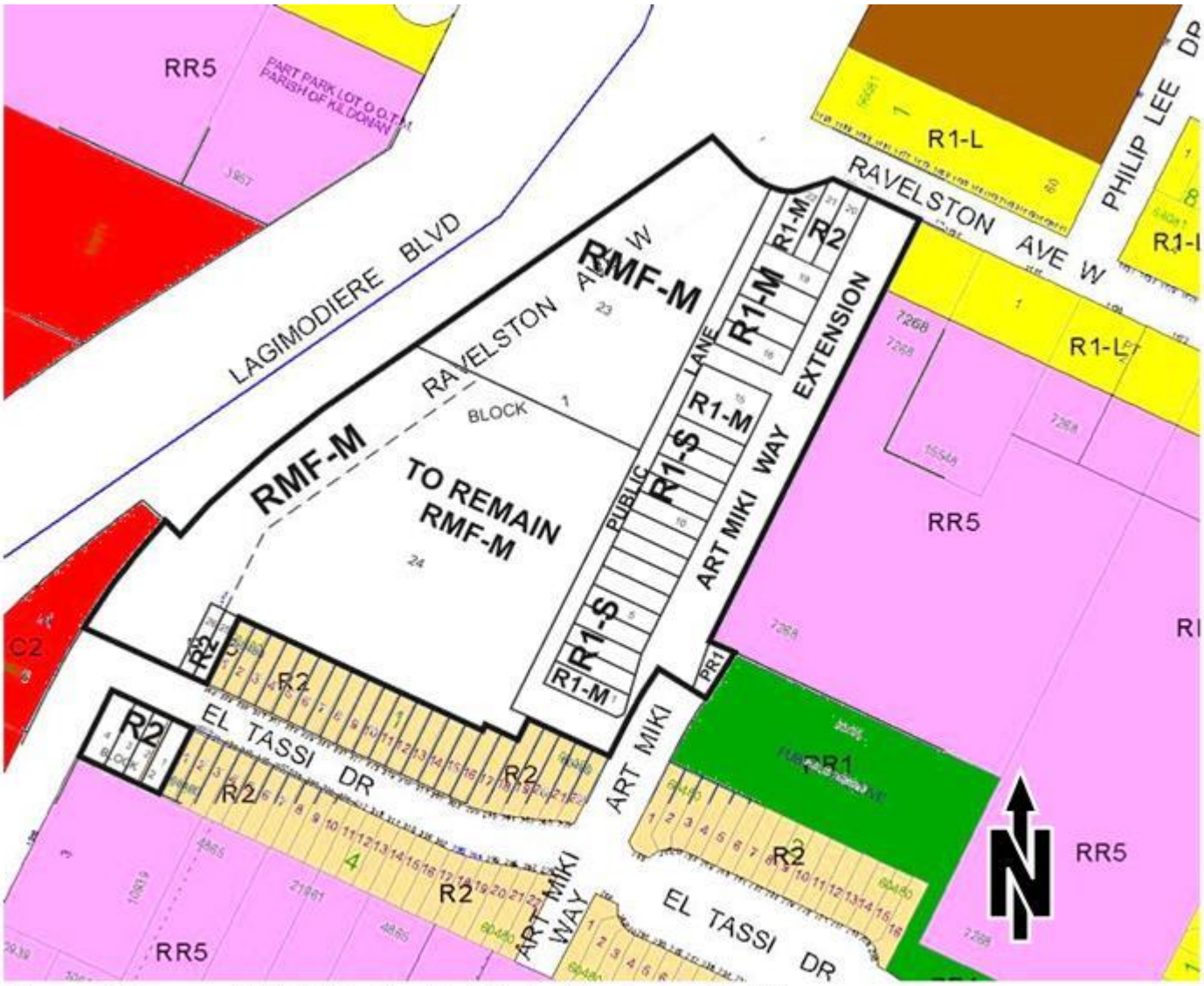



*Figure 4: Proposed DASZ (Option A), Existing Zoning and Lot Lines*

consist of the five parcels of land described legally as Blocks 5 to 8 of Plan 60480 WLTO and Lot 23 of Block 1 of Plan 60480 WLTO

- The rejection of the proposed road closure would also necessitate modifying the proposed plan of subdivision and rezoning. This modified version is referred to as Option B. It is shown on Schedule "B" of DASZ 16/2017, and Figures 5 and 6 of this attachment.

"RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) LOTS

- Two lots are proposed.
- These lots are not being developed at this time.
- The maximum residential density in the "RMF-M" District is 54.45 dwelling units per acre (800 square feet of lot area per dwelling unit) and the maximum building height is 60 feet.
- Under Option A,

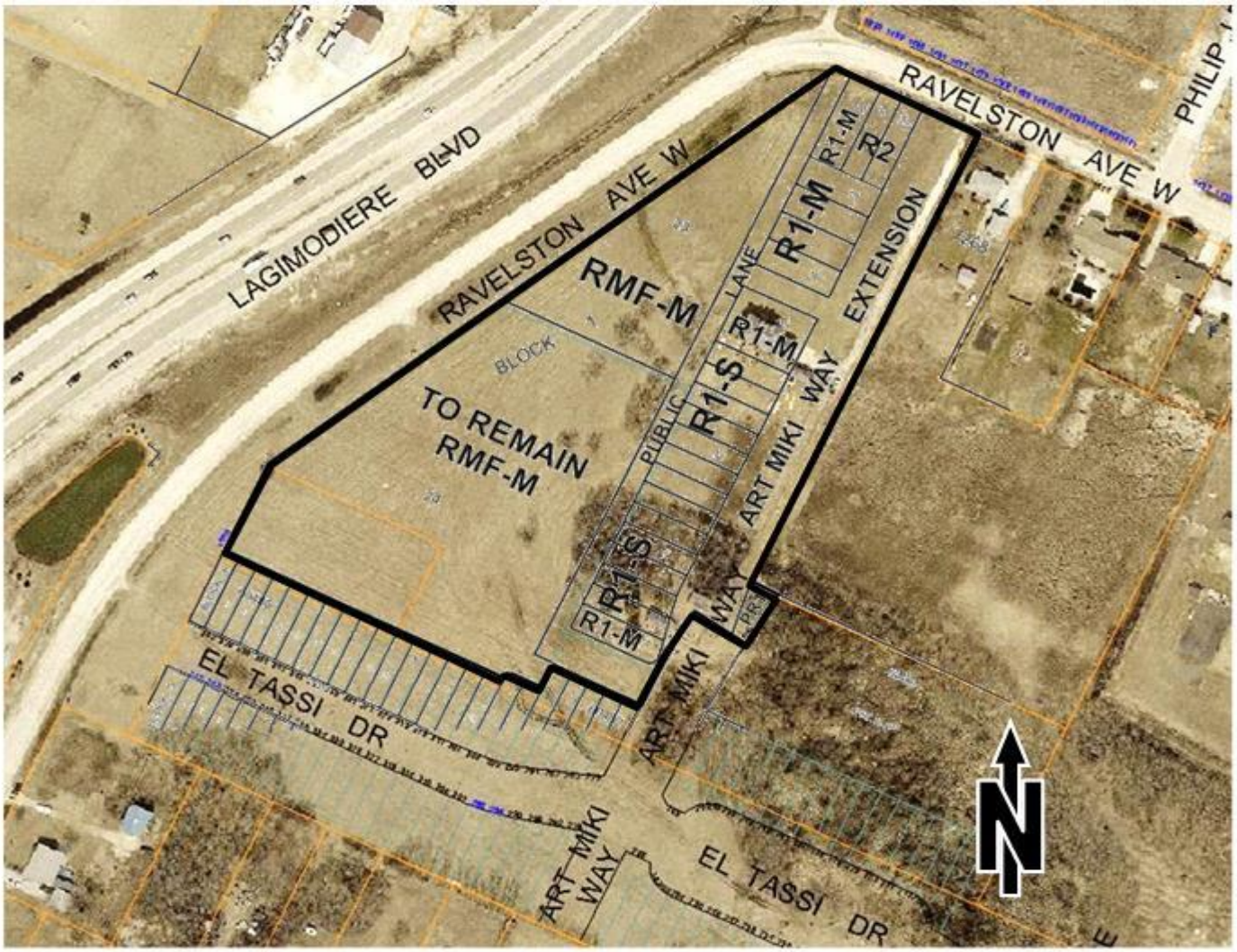



*Figure 5: Modified DASZ (Option B), Aerial Photography and Existing Property Lines*

- the proposed southerly “RMF-M” lot would be 5.16 acres, thus up to 280 dwelling units would be permitted and
- the proposed northerly “RMF-M” lot would be 2.39 acres, thus up to 130 dwelling units would be permitted;

- Under Option B,
  - the recommended southerly “RMF-M” lot would be 3.63 acres, and so up to 180 dwelling units would be permitted and
  - the recommended southerly “RMF-M” lot would be 1.27 acres, and so up to 69 dwelling units would be permitted;
- Motor-vehicle access to the proposed southerly “RMF-M” lot could be from El Tassi Drive or from the proposed public lane.
- Motor-vehicle access to the proposed northerly “RMF-M” lot could be from Ravelston Avenue West or from the proposed public lane.

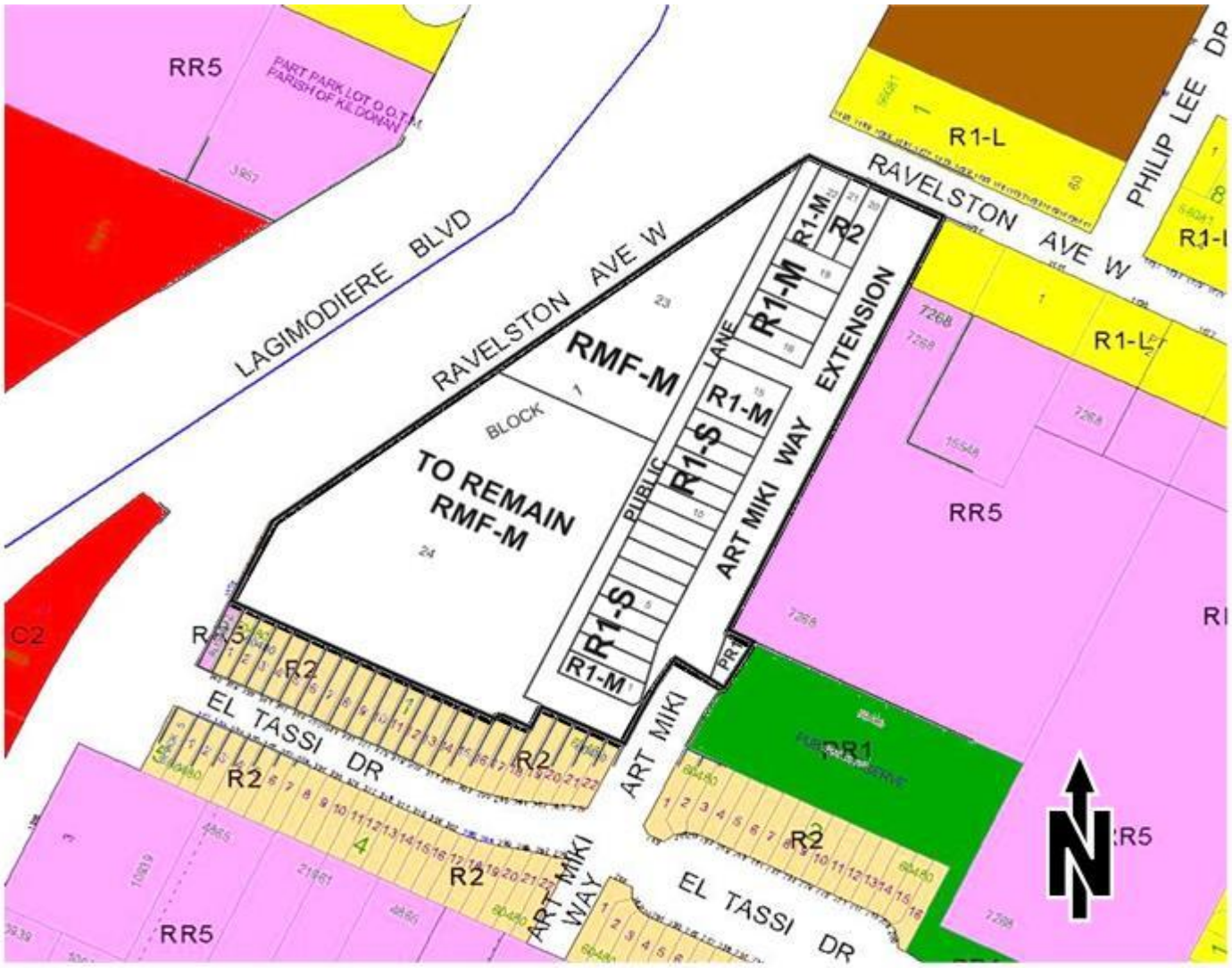



*Figure 6: Modified DASZ (Option B), Existing Zoning and Lot Lines*

“R2” RESIDENTIAL TWO-FAMILY LOTS

- Under Option A eight lots would be created.
- Under Option B two lots would be created.
- The maximum building height in the “R2” District is 35 feet.
- Under Option A, the narrowest lots would be 25 feet wide and the smallest ones would be 2624 square feet.
- Under Option B, the narrowest lots would be 30.0 feet wide and the smallest ones would be 3883 square feet.
- The intention is to construct two-unit side-by-sides such that each unit is on its own lot, except that the party wall would be centred on the shared side lot line.

“R1-M” RESIDENITAL SINGLE-FAMILY (MEDIUM) LOTS

- Seven lots would be created under Option A and under Option B.
- The maximum building height in the “R1-M” District is 35 feet.
- The narrowest lots would be 37.2 feet wide and the smallest ones would be 4202 square feet.
- One of the lots would encompass the existing dwelling to remain and would require front- and rear- yard variances, which are the subject of the administrative report on Variance Application 17-149871D.

“R1-S” RESIDENTIAL SINGLE-FAMILY (SMALL) LOTS

- Thirteen lots would be created under Option A and under Option B.
- The maximum building height in the “R1-S” District is 35 feet.
- The narrowest lots would be 30.0 feet wide and the smallest ones would be 3152 square feet.

PUBLIC RESERVE

Regarding the proposed public reserve, it would be the same under both options. It would be 2183 square feet, zoned “PR-1” Parks and Recreation 1 (Neighbourhood) and would be abutting the public reserve created under DASZ 3/2016.

PUBLIC STREETS

Option A and Option B are the same with-respect-to the proposed northerly extension of Art Miki Way. A collector road and sidewalks/paths would be constructed in this right-of-way and would extend from El Tassi Drive to Ravelston Avenue West to the north. As a result, part of the existing Ravelston Avenue West roadway that is west of the subject site would not be needed.

## ANALYSIS AND ISSUES

OURWINNIPEG

*OurWinnipeg* is the City's development plan. The Key Direction of *OurWinnipeg* regarding Areas of Stability 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 (Option A), and the modified version (Option B) would facilitate development on the subject site that would include:

- single-, two- and multi-family dwellings;
- a collector road connecting El Tassi Drive to Ravelston Avenue West, sidewalks/paths and public lanes; and
- water, wastewater and land drainage works.

The resulting development would comply with the aforementioned Key Direction because:

- the maximum building height in the "RMF-M" District is 60 feet;
- a zoning agreement, requiring plan approval of any proposed development on the "RMF-M" lots, can be a condition of approval of the subject application (DASZ 16/2017);
- the maximum building height in the "R2" and "R1" Districts is 35 feet;
- a variety of new housing would be added to the area; and
- the proposed transportation infrastructure would improve the local transportation network for all modes of travel.

COMPLETE COMMUNITIES

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

Section 04 of *Complete Communities* pertains to the Areas of Stability policy area. Several policies under Direction 1 of Section 04 pertain to the proposal. They are stated below:

> *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.*
>
> *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 previously stated, the proposed plan of subdivision and rezoning would facilitate development on the subject site that would include:

- single-, two- and multi-family dwellings;
- a collector road connecting El Tassi Drive to Ravelston Avenue West, sidewalks/paths and public lanes; and
- water, wastewater and land drainage works.

The resulting development would comply with the aforementioned policies of Section 04 of *Complete Communities* because:

- buildings in the “RMF-M” District are limited to a height of 60 feet;
- a zoning agreement, requiring plan approval of any proposed development on the “RMF-M” lots, can be a condition of approval of the subject application (DASZ 16/2017);
- buildings in the “R2” and “R1” Districts are limited to a height of 35 feet;
- a variety of new housing would be added to the area; and
- the proposed transportation infrastructure would improve the local transportation network for all modes of travel.

The resulting development would also comply with the Key Direction of *Complete Communities* that applies to the Areas of Stability policy area because it is the same as the Key Direction of *OurWinnipeg* that applies to the Areas of Stability policy area

**REASONS FOR THE RECOMMENDATIONS**

The Urban Planning Division recommends approval of Schedule “B” of DASZ 16/2017, subject to the Zoning Agreement described above being entered into because:

- with the Zoning Agreement, the proposal complies with the aforementioned Key Directions and policies of *OurWinnipeg* and *Complete Communities*; and
- Option B (shown on Schedule “B” of DASZ 16/2017) is consistent with the recommendation in the Administrative Report on DAC 12/2016.

Urban Planning also recommends discharging the existing zoning agreement, created under DASZ 3/2017, because a new zoning agreement is recommended. The new zoning agreement would include the fencing requirement of the existing zoning agreement.

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

Report Prepared by:
Glen Doney

PPD File #:
DASZ 16/2017

**SCHEDULE "A" OF FILE DASZ 16/2017, East Kildonan – Transcona Community Committee, dated October 25, 2017**

By-Law No. _____

File No. **DASZ 16/17**

Atlas Sheet No. **Y31**

N

**EAST KILDONAN TRANSCONA COMMUNITY**

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located east of Lagimodiere Boulevard, north of El Tassi Drive from an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT, "RR5" RURAL RESIDENTIAL 5 DISTRICT, "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT, and "C2" COMMERCIAL COMMUNITY DISTRICT to an "R1-S" RESIDENTIAL SINGLE-FAMILY (SMALL) DISTRICT, "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT, "R2" RESIDENTIAL TWO-FAMILY DISTRICT, "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT, and "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the continuation of the Starlight Village Neighbourhood lands by the creation of lots, public reserve land and public right-of-ways for future residential development as shown outlined below.

**OPTION A**




THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

**SCHEDULE "B" OF FILE DASZ 16, 2017, East Kildonan – Transcona Community Committee, dated October 25, 2017**

By-Law No. _____

File No. **DASZ 16/17**

Atlas Sheet No. **Y31**

N

**EAST KILDONAN TRANSCONA COMMUNITY**

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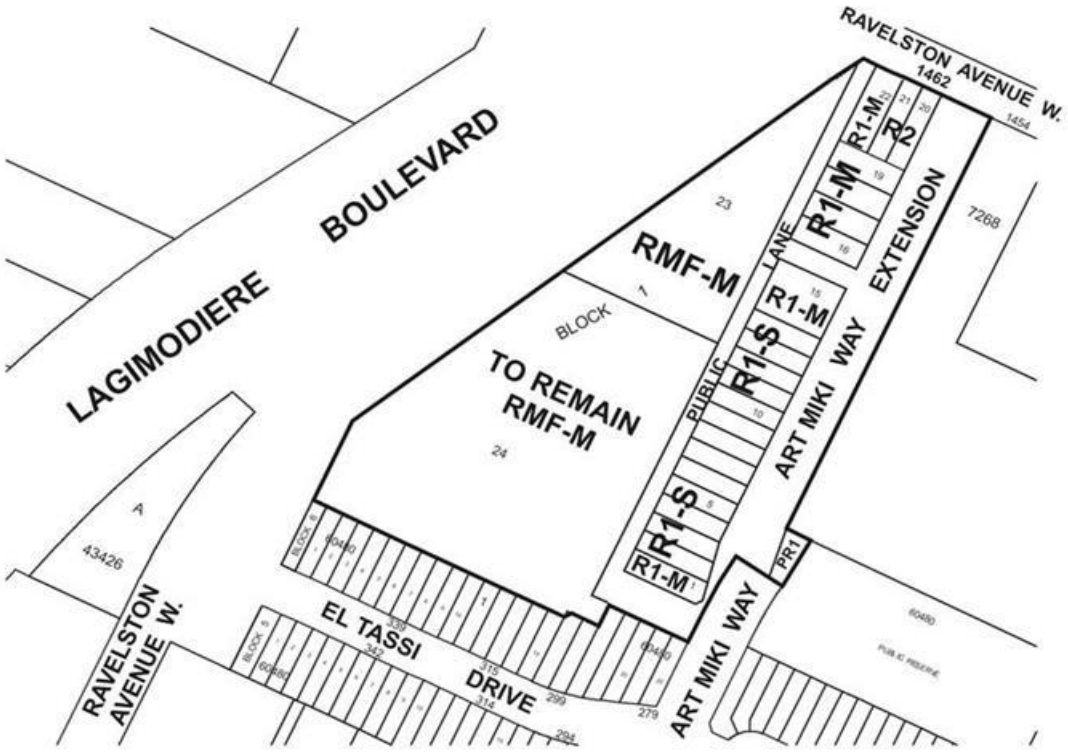
# OPTION B




THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

**SCHEDULE "C"**
**REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP**

**RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED EAST OF RAVELSTON AVENUE WEST AND NORTH OF EL TASSIS DRIVE – DASZ 16/2017**

It is recommended that the approval of DASZ 16/2017, if granted, be subject to the applicant entering into a Servicing Agreement to address the following items:

**Plan Considerations**

1) The Developer shall, at no expense to the City, legally open property for right-of-way for the cul-de-sac at the west end of Ravelston Avenue West, to the satisfaction of the Director of Public Works.
2) The Developer shall, at no expense to the City, legally open property for right-of-way for the proposed extension of Art Miki Way, to contain a minimum right-of-way width of 24.0m, as determined by and to the satisfaction of the Director of Public Works.
3) The Developer shall, at no expense to the City, legally open property for right-of-way for the proposed public lane, to contain a right-of-way width of 7.25m, as determined by and to the satisfaction of the Director of Public Works.
4) The Developer shall, at no expense to the City, legally open property for 3.0mx3.0m corner cuts at all locations where the proposed public lanes intersect, as determined by and to the satisfaction of the Director of Public Works.

**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) Lot Line Services

a) The Developer shall, at no expense to the City, construct and install wastewater and water building services from the wastewater sewer and watermain, to service all lots within the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

b) The Developer shall ensure that each sewer service remains plugged from installation until the foundation excavation has been backfilled and the roof of the dwelling has been sheathed, after which the house sewer may be connected. The Developer hereby agrees to indemnify the City against all actions, claims, demands, damages, losses, and costs, including legal and court costs, suffered or incurred by the City arising out of any failure to do so.

c) The Developer shall replace or repair any water or sewer service found to be defective within one year following the date the water is turned on for domestic use, and shall pay the City any cost incurred by the City arising out of any such defect.

4) 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 land drainage service charge (TSR)

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

All as determined by the Director of Water and Waste

5) 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

6) Pavement

a) The Developer shall, at no expense to the City, construct Portland cement concrete pavements, 10.0m wide by 200mm thick in Art Miki Way, and all related works including, but not necessarily limited to ornamental street lighting, boulevard landscaping and land drainage sewer, 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, 6.0m wide by 150mm thick in the proposed public lane and all related works including, but not limited to, boulevard landscaping and drainage works, all as determined by, and to the satisfaction of, the Director of Public 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 the north leg of Ravelston Avenue West, or alternatively construct the following services in the north leg of Ravelston Avenue West, along the full length of the subject property abutting the north leg of Ravelston Avenue West:

a) A 7.5m wide by 150 thick Portland cement concrete lane of pavement and all related works
b) Street lighting in the south boulevard
c) Landscaping in the south boulevard
d) Land drainage sewer

all as determined by the Director of Public Works.

8) Sidewalks/Multi-use Pathways

a) The Developer shall, at no expense to the City, construct a 1.5m wide by 100mm thick Portland cement concrete sidewalk on the standard alignment, 0.3m off of the property line, along both sides of all streets within the Planned Area with rights-of-way measuring 22.0m in width or greater except where multi-use pathways/pedestrian and cycling facilities are to be constructed, as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall construct all sidewalks/multi-use pathways concurrently with the pavements with which they share the right-of-way.

9) 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.

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 / Additional Signage

a) 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.
b) The Developer shall, at no expense to the City, cause to be installed "No Stopping Anytime" signage on both sides of the proposed east-west public lanes between Art Miki Way and the north-south public lane, as determined by and to the satisfaction of the Director of Public Works.
c) The Developer shall, at no expense to the City, cause to be installed signage indicating the property addresses at the intersections of Art Miki Way and the east-west public lanes, as determined by and to the satisfaction of the Director of Public Works.

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.

15) Public Reserve

a) The Developer shall dedicate as Public Reserve at least 8% of the land contained within the limits of the development application not previously covered by development application DASZ 3/16. The developer shall, at no expense to the City, undertake landscape improvements and pay its share of the cost of services in streets abutting the dedicated land all in accordance with plans and specifications approved by the Director of Public Works. If the Developer is unable to dedicate a full 8% of the land, the Developer shall dedicate an amount of land satisfactory to the Directors of Public Works and Property, Planning & Development, and compensate the City for any shortfalls in the amount of land, servicing and improvements not provided, at the then current values, by payment of cash, or, by the provision of an equivalent value of additional site amenities in the Public Reserves within the neighbourhood, as approved by the Directors of Public Works and Planning Property and Development. Previous accrual of dedication shall be reconciled under this application.

b) Landscape improvements of the Public Reserve land shall be done concurrent with improvements on the adjacent larger Public Reserve, established under DASZ 3/16. The scope of landscaping shall be consistent with and supplement the work being done on the adjacent larger park space, and all work shall be done in accordance with plans and specifications provided by the Developer and approved, prior to the commencement of construction, by the Director of Public Works.

c) The Developer shall, at no expense to the City, provide continuous fencing for properties abutting public reserve land, consistent with fencing style being implemented under DASZ 3/16. The fencing shall be located within private property and established by caveat to be the responsibility thereafter of the private property owner.

d) The Developer shall assume responsibility for all Public Reserve sites until

they are developed, and throughout the maintenance period until Final Acceptance Certificate for Parks has been issued by the Director of Public Works.

e) The Developer shall, at no expense to the City, maintain Public Reserve improvements, in accordance with specifications approved by the Director of Public Works, for a period of two years following the issuance of a Construction Completion Certificate. The City reserves the right to impose longer maintenance terms for amenities and features, such as naturalized areas, that the Director of Public Works deems to be beyond the standard scope of public reserve improvements.

f) Securities for Public Reserve improvements may be reduced following the issuance of a Construction Completion Certificate and site inspection and approval by the City, but shall not be released in full until Final Acceptance has been issued and as-built drawings have been received and accepted as complete by the Director of Public Works.

**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 Servicing Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 16/2017

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

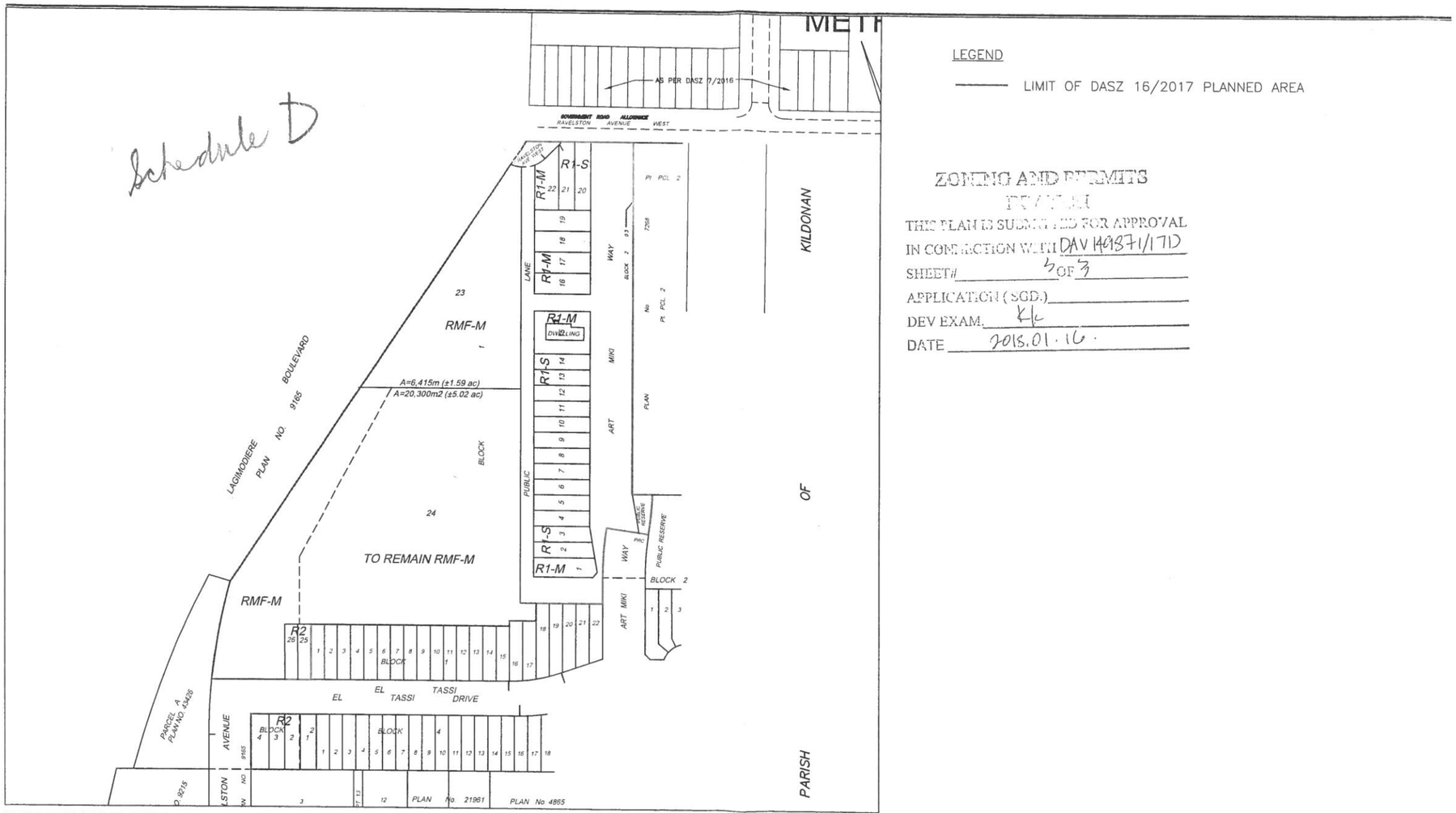
"*Original Signed by M. Gajda"*
M. Gajda, P. Eng.
Water & Waste Department

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

*"Original signed by D.Beaton, M.L.Arch"*
D. Beaton, M.L.Arch.
Parks, Riverbanks, & Community Initiatives Branch

GJ/gj

**Schedule "D"**




WATERSIDE DEVELOPMENT

PROPOSED PLAN OF SUBDIVISION & REZONING
ASSOCIATED WITH DASZ 16/2017

JANUARY 16, 2018
SCALE 1:2000

0 10 25 50 100m

NORTH