Minute No. 97
Report – Executive Policy Committee – January 20, 2016

Item No. 2 Subdivision and Rezoning – Bridgwater Trails Phase 3 (South Winnipeg - St. Norbert Ward) File DASZ 37/2015 [c/r DAV 157860/2015D]

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the plan of subdivision proposed under File DASZ 37/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 37/2015 dated December 16, 2015 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 37/2015 dated December 16, 2015, to a "R2" Residential Two-Family District.

3. That there shall be a minimum distance of 6.1 metres between the edge of the private approach flares between lots, for the side of the street where on-street parking is to be located, measured at the curb, to the satisfaction of the Director of Public Works. The Director of Public Works may reduce the above requirement, if he/she concludes that on-street parking and snow storage would not be unduly compromised by such a reduction.

4. That, lots 41 through 44 be consolidated into one zoning lot.

5. In lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

7. 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.

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

Report – Executive Policy Committee – January 20, 2016

COUNCIL DECISION (continued):

9. 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.

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

11. 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.

12. 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.

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

Report – Executive Policy Committee – January 20, 2016

DECISION MAKING HISTORY:

Moved by His Worship Mayor Bowman,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 20, 2016, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 11, 2016, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, forwarded the matter to the Executive Policy Committee.

RE: **Subdivision and Rezoning – Bridgwater Trails Phase 3**
File DASZ 37/2015

For submission to: **Executive Policy Committee**

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

Report date: **January 12, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 11, 2016, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the plan of subdivision proposed under File DASZ 37/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 37/2015 dated December 16, 2015 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 37/2015 dated December 16, 2015, to a "R2" Residential Two-Family District.

3. That there shall be a minimum distance of 6.1 metres between the edge of the private approach flares between lots, for the side of the street where on-street parking is to be located, measured at the curb, to the satisfaction of the Director of Public Works. The Director of Public Works may reduce the above requirement, if he/she concludes that on-street parking and snow storage would not be unduly compromised by such a reduction.

4. That, lots 41 through 44 be consolidated into one zoning lot.

5. In lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

7. 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.

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

9. 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.

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

11. 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.

12. 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.

13. 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.

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

1. Increasing density and that is a positive thing.
2. This is making use of the existing infrastructures.
3. It is providing a quality public realm that is similar to the recommendations in the report.
4. It is in keeping with the Complete Communities Direction Strategy.

PUBLIC HEARING SUMMARY

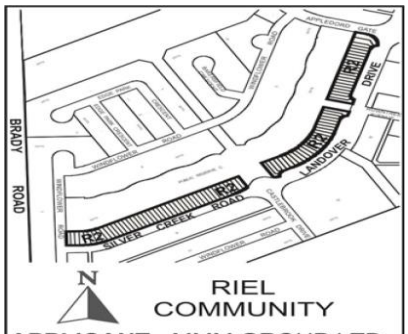
File: DASZ 37/2015

Before: Riel Community Committee
Councillor Allard, Chairperson
Councillor Lukes
Councillor Mayes

Public Hearing: January 11, 2016
Council Building, 510 Main Street

Applicant: MMM Group Ltd.

Subject:



APPLICANT : MMM GROUP LTD.
FILE : DASZ 37/15
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to facilitate Phase 3 of the Bridgewater Trails Neighbourhood Development by the creation of residential building lots for future development. **For information, phone Mr. R. Mahé, Planner, at 204-986-8631.**
DEMANDEUR : MMM GROUP LTD.
N° DE DOSSIER : DALZ 37/15
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 R1-M (secteur d'habitations unifamiliales moyennes) à la catégorie R2 (secteur résidentiel bifamilial) afin de faciliter la phase 3 de l'aménagement du quartier de voisinage de Bridgwater Trails par la création de lots d'immeubles résidentiels en vue d'aménagements futurs. **Pour plus de renseignements, communiquez avec M. R. Mahé, urbaniste, au 204-986-8631.**

Exhibits Filed:

1. Application dated November 6, 2015
2. Notification of Public Hearing dated December 3, 2015
3. Manitoba Status of Titles 2722261/1, 2722268/1, 2722269/1, 2800834/1, 2800840/1, 2800842/1, 2800843/1, 2800845/1, 2800846/1, 2800847/1, 2800849/1, 2800850/1, 2800851/1, 2800852/1, 2800853/1, 2800854/1, 2800855/1, 2800856/1, 2800857/1, 2800858/1, 2800860/1, 2800861/1, 2800862/1, 2800863/1, 2800864/1, 2800866/1, 2800871/1, 2800873/1, 2800875/1, 2800876/1, 2800877/1, 2800878/1, 2800879/1, 2800880/1, 2800881/1, 2800882/1, 2800883/1, 2800884/1, 2800885/1, 2800887/1, 2800888/1, 2800891/1, 2800892/1, 2800895/1, 2800896/1, 2800897/1, 2800898/1, 2800900/1, 2800901/1
4. Letter of authorization dated June 15, 2015 from Manitoba Housing to MMM Group Limited
5. Surveyor's Building Location Certificate and sketch
6. Lot Pair Widths and Areas
7. The City of Winnipeg By-Law No. 72/2013
8. a) Caveat 4482748/1
   b) Caveat 4482747/1
9. Plans (5 pages)
10. Revised Report from the Urban Planning Division dated December 14, 2015
11. Inspection Report.
12. Recording of Representations of public hearing held on January 11, 2016.

REPRESENTATIONS:

In Support:

Bryan Ward and Ryan Segal
James Gallagher

In Opposition

Nil

For Information:

Nil

For the City:

Mr. G. Jasper, Land Development Engineer, Planning, Property and Development
Mr. R. Mahé, Planner, Planning, Property and Development Department
Mrs. E. Finnigan, Planner, Planning, Property and Development Department

Exhibit "10" referred to in File DASZ 37/2015

REVISED ADMINISTRATIVE REPORT

Title: DASZ 37/2015 – Bridgwater Trails Phase 3

Issue: An application for consideration at the Public Hearing to rezone and subdivide an existing 46 single family lots (zoned R1-M) into 96 residential two-family lots (zoned R2).

Critical Path: Riel Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	N/A	N/A	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 37/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 37/2015 dated December 16, 2015 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 37/2015 dated December 16, 2015, to a "R2" Residential Two-Family District.

3. That there shall be a minimum distance of 6.1 metres between the edge of the private approach flares between lots, for the side of the street where on-street parking is to be located, measured at the curb, to the satisfaction of the Director of Public Works. The Director of Public Works may reduce the above requirement, if he/she concludes that on-street parking and snow storage would not be unduly compromised by such a reduction.

4. That, lots 41 through 44 be consolidated into one zoning lot.

5. In lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

7. 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.

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12. 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.

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

REASON FOR THE REPORT

- The applicant is proposing to rezone and subdivide an existing 46 single family lots (zoned R1-M) into 96 residential two-family lots (zoned R2).
- Subdivisions and re-zonings require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Urban Planning Division are concurred in, the subject site will be rezoned and subdivided in a manner consistent with the map provided in Schedule "A" of this report.

HISTORY

DASZ 8/2012

- On November 14, 2012, Council approved the rezoning and subdivision for the Waverley West – West Neighbourhood (Neighbourhood Plan Area "E"). The application rezoned and subdivided approximately 349 acres of land in order to create several blocks, streets, and lanes and rezone the property from "A" Agricultural to "R1-M" Residential Single-Family Medium; "RMF-M" Residential Multi-Family Medium; "RMF-L" Residential Multi-Family Large; "PR1" Parks and Recreation 1 (Neighbourhood) and "PR2" Parks and Recreation 2 (Community).

CONSULTATION

In preparing this report there was consultation with: N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Richard Mahé, MCIP
Date:	December 14, 2015
File No.	DASZ 37/2015

List of Schedules and Attachments

1. Appendix A Planning Discussion
2. Schedule “A” Recommended File No. DASZ 37/2015 Riel Community Committee, dated December 16, 2015

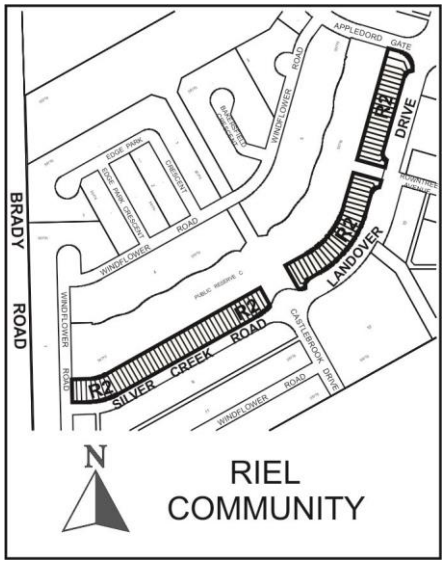
APPENDIX ‘A’

DATE: December 14, 2015

FILE: DASZ 37/2015
RELATED FILES: DAV 15-157860/D
COMMUNITY: Riel Community
NEIGHBOURHOOD #: 5.684 (Waverley West E)

SUBJECT: To rezone and subdivide an existing 46 unit single family lot subdivision into 96 two-family lots.

LOCATION: Bridgwater Trails Phase 3 (see map below)



APPLICANT: MMM Group
111-93 Lombard Ave
Winnipeg MB R3B 3B1

OWNER(S): Manitoba Housing and Renewal Corporation
2707 -83 Garry Street
Winnipeg, MB

RECOMMENDATION: Approval with Conditions

SITE DESCRIPTION

- The subject property is Phase 3 of the Bridgwater Trail neighbourhood. The land was originally rezoned and subdivided to create 46 single family lots zoned R1-M in 2012 on Silver Creek Road and Landover Drive.
- The land is currently vacant.
- The site is located within the Low Density Residential policy area within the Waverley West West Area Structure Plan.

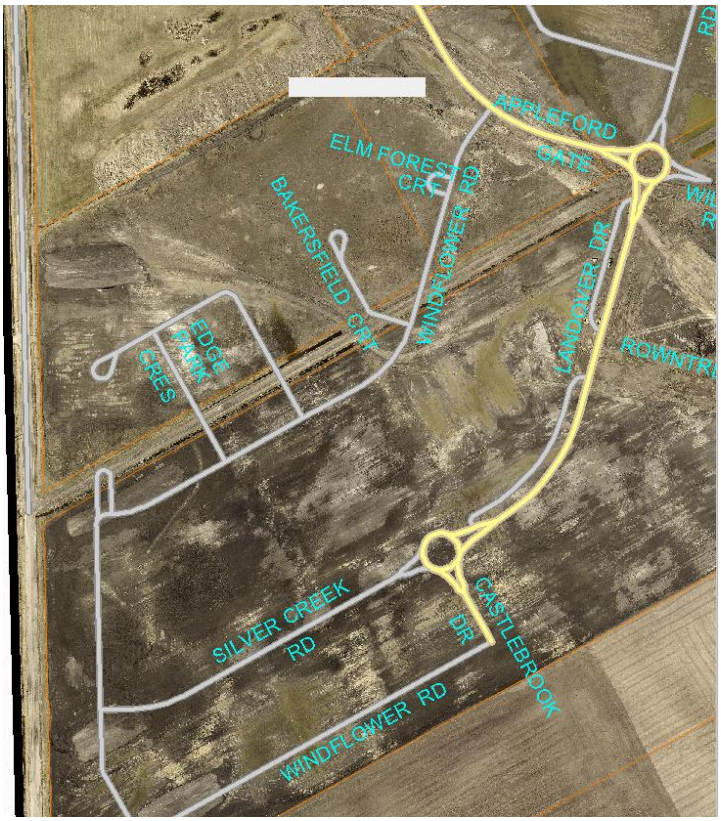


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2014)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: vacant land zoned R1-M

South: vacant land zoned R1-M

East: vacant land zoned R1-M

West: vacant land zoned R1-M

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to change the existing zoning from R1-M to R2 to allow for the construction of two-family homes and to further subdivide the lots which were previously subdivided under DASSF 584/2014.

- Variances are also requested for lot areas and side yards.
- The subdivision and rezoning will allow each unit of the proposed two-family homes to be built no a separately titled lot and avoid the need for future short form subdivision applications. The two-family buildings will be built with a party wall and shared driveway that follows a shared property line.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *Complete Communities Direction Strategy* the proposed development is within the Areas of Stability – Recent Communities policy area. Key relevant policies guiding development within Areas of Stability include:
    - Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form.
    - Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
    - Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.
    - 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 Complete Communities by ensuring a diverse and high quality housing stock.

WAVERLEY WEST WEST AREA STRUCTURE PLAN

- The Waverley West West Area Structure Plan provides the overall planning guidance for the development of Bridgwater Trails (Neighbourhood E). The subject lands are located within the Low Density Residential policy area. The purpose of the Low Density Residential area is to provide for lower density residential development (generally single-family residential).
- The density target to be achieved in the Lower Density Residential Area is 4-6 units per gross developable acre.
- The specific residential design will be determined through the development application process.
- Section 5.1.1 of the Plan addresses the composition of the Lower Density Residential policy area. Relevant policies include the following:
    - (1) Ground-oriented, single-family uses shall be the predominant land use, allowing for single-family attached and detached housing, townhouses and duplexes.

- Section 5.1.2 of the Plan speaks to the context around how to increase density through design. Relevant policies include the following:
    - (2)(v) Maximize density by minimizing front yard setbacks and lot widths subject to market demand and required City of Winnipeg approvals.

ZONING

- The Residential Two-Family (R2) zoning district is intended to accommodate the development of single- and two-family units and where appropriate limited multi-family units in lower-density areas. Residential units are permitted at densities as set out in Part 5 of the zoning by-law (By-law 200/2006).

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- The subject site is located within the Low Density Residential policy area, which supports residential two-family uses, as proposed by this applicant.
- The residential two-family dwellings proposed by the applicant will be similar in scale and massing to the single-family dwellings on adjacent streets.

PUBLIC WORKS

- The Public Works Department has reviewed the proposed subdivision and rezoning on land located in Bridgwater Trails Phase 3 Neighbourhood Area, north side of Silver Creek and Landover Drive (DASZ 37/2015) and has the following comments and recommendations:
    - The Public Works Department has safety concerns associated with establishing private approaches in close proximity of the roundabout (lots 41 through 44 west of Castlebrook Drive). The Public Works Department suggests that these lots should be consolidated.
    - That the proposed lot widths should provide a minimum distance of 6.1m between the edge of the private approach flares between the two-family lots, adjacent the boulevard and measured along the curb, to the satisfaction of the Director of Public Works. This is to accommodate snow storage and on-street parking and is consistent with the minimum parking space dimensions as per the City of Winnipeg's Zoning By-Law.

RECOMMENDATION
The Urban Planning Division recommends approval because the proposed development is consistent with the policies of the Complete Communities Direction Strategy and the Waverley West West Area Structure Plan.

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

Report Prepared By: Richard Mahé, MCIP
PPD File # DASZ 37/2015

Schedule "A" for File No. DASZ 37/2015, Riel Committee, dated December 14, 2015

By-Law No.

File No. **DASZ 37/15**

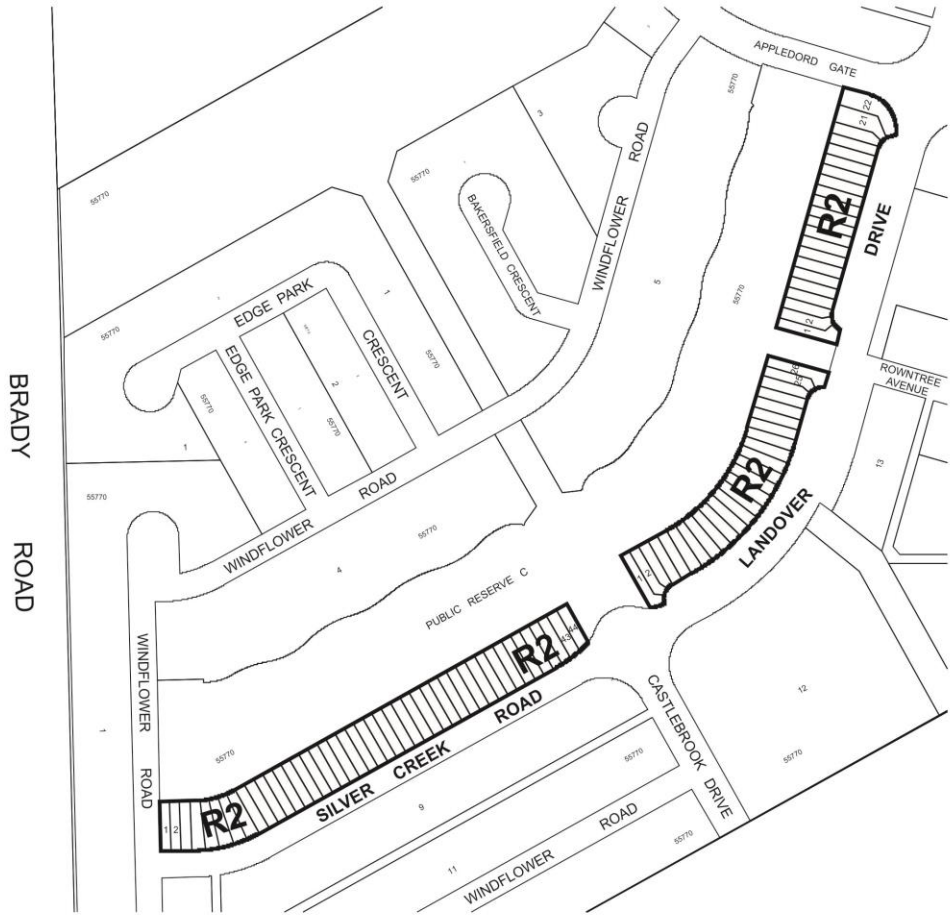
Atlas Sheet No.

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 Bridgewater Trails Neighbourhood Development area from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to facilitate Phase 3 by the creation of residential building lots for future development as shown outlined below.



THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.