Minute No. 439
Report – Executive Policy Committee – July 9, 2019

Item No. 13 Subdivision and Rezoning – 50 Barnes Street
(Waverley West Ward)
File DASZ 14/2019 [c/r DCU 124263/2019D and DAV 124276/2019D]

COUNCIL DECISION:

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

1. That the plan of subdivision under Development Application No. DASZ 14/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 20, 2019 and attached as Schedule "A" to this report, 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 a Servicing Agreement with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated May 22, 2019 and attached as Schedule "B" to this report.

2. That, the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMF-L" – Residential Multi-Family (Large) District and an "RMF-S" – Residential Multi-Family (Small) District, as shown on the map dated June 20, 2019, and attached as Schedule "A" to this report subject to the following conditions:

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

        i. For those portions on the Owner's Land zoned "RMF-L" Residential Multi-Family (Large), the Owner must submit plans showing the location and design of any and all proposed:

            a. Buildings;
            b. Accessory parking areas;
            c. Private approaches;

Report – Executive Policy Committee – July 9, 2019

COUNCIL DECISION (continued):

d. Garbage enclosures;
e. Bicycle enclosures;
f. Fencing;
g. Lighting;
h. Landscaping; and
i. Free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the Assiniboia 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 the maximum height of any building on the portion of the Owner's Land zoned "RMF-L" Residential Multi-Family (Large) must not exceed 46 feet, not including any parapets or other permitted projections.

iii. That the maximum density of the portion of the Owner's Land zoned "RMF-L" Residential Multi-Family (Large) must not be less than one (1) dwelling per 540 square feet of lot area.

3. That the City enter into, execute and deliver with the Developer:

A. a Servicing Agreement in accordance with recommendation 1; and

B. a Zoning Agreement in accordance with recommendation 2,

and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

4. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Servicing Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

Report – Executive Policy Committee – July 9, 2019

COUNCIL DECISION (continued):

5. That, in lieu of the dedication of land, the Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of the Development Application No. DASZ 14/2019, as determined by the City's Director of Planning, Property and Development.

6. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

7. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment of the By-law in accordance with the above.

8. That the subdivision section of the by-law shall come into force when the Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

9. That the zoning section of the by-law shall come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

10. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 8 and 9 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

11. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law in enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

12. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Executive Policy Committee – July 9, 2019

DECISION MAKING HISTORY:

Moved by His Worship Mayor Bowman,
That the recommendation of the Executive Policy Committee be adopted.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 9, 2019, the Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 2, 2019, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

PUBLIC HEARING SUMMARY

File: DASZ 14/2019

Before: Assiniboia Community Committee
Councillor Lukes, Chairperson
Councillor Gillingham
Councillor Klein

Public Hearing: July 2, 2019
Council Building, 510 Main Street

Applicant: 10009749 Manitoba Ltd. (Alan Redmond)

Subject:



APPLICANT: 10009749 Manitoba Ltd.
FILE: DASZ 14/2019
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-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to a "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to allow for the establishment of two lots and to facilitate the construction of a Multi-Family Dwelling use and the maintenance of the Place of Worship use.
For information, phone Mr. R. Galston, Planner at 204-986-8645.

Premises Affected: 50 Barnes Street

For submission to: The Executive Policy Committee

Prepared by: Leah Cowan, Senior Committee Clerk
Assiniboia Community Committee

Report date: July 3, 2019

Community Committee Recommendation:

On July 2, 2019, the Assiniboia 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 under Development Application No. DASZ 14/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 20, 2019 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

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2. That, the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMF-L" – Residential Multi-Family (Large) District and an "RMF-S" – Residential Multi-Family (Small) District, as shown on the map dated June 20, 2019, and attached as Schedule "A" to this report subject to the following conditions:

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            a. Buildings;
            b. Accessory parking areas;
            c. Private approaches;

d. Garbage enclosures;
e. Bicycle enclosures;
f. Fencing;
g. Lighting;
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i. Free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the Assiniboia 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 the maximum height of any building on the portion of the Owner's Land zoned "RMF-L" Residential Multi-Family (Large) must not exceed 46 feet, not including any parapets or other permitted projections.

iii. That the maximum density of the portion of the Owner's Land zoned "RMF-L" Residential Multi-Family (Large) must not be less than one (1) dwelling per 540 square feet of lot area.

3. That the City enter into, execute and deliver with the Developer:

A. a Servicing Agreement in accordance with recommendation 1; and

B. a Zoning Agreement in accordance with recommendation 2,

and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

4. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Servicing Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

5. That, in lieu of the dedication of land, the Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of the Development Application No. DASZ 14/2019, as determined by the City's Director of Planning, Property and Development.

6. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

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12. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

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

1. This is a very good use of space.

2. This project is in high demand in the neighbourhood.

3. This project is well designed for the area and will provide a great service to the community and to the church.

Exhibits Filed:

1. Application dated April 15, 2019
2. Notification of Public Hearing dated May 29, 2019
3. Manitoba Status of Title 2632003/1
4. Letter of authorization dated April 5, 2019 from Grace Communion International Canada to Alan Redmond (10009749 Manitoba Ltd.)
5. Surveyor's Building Location Certificate and sketch dated February 8, 2019
6. Plans (15 pages)
7. Report from the Urban Planning Division dated June 20, 2019
8. Inspection Report
9. Recording of Representations

REPRESENTATIONS:

In Support:

Mark Bilinski
Rick Hofer
Anton Lialkou
Fletcher Noonan

In Opposition

Nil

For Information:

Nil

For the City:

R. Galston, Urban Planner, Planning, Property and Development Department
F. Ojo, Urban Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 14/2019

ADMINISTRATIVE REPORT

Title: DASZ 14/2019 – 50 Barnes Street

Issue: Proposed Plan of Subdivision and Rezoning to subdivide the subject property into two (2) lots; and rezone proposed Lot 2 to an "RMF-L" Residential Multi-Family (Large) district.

Critical Path: Assiniboia 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, RPP	n/a	n/a	

RECOMMENDATIONS

1. That the plan of subdivision under Development Application No. DASZ 14/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 20, 2019 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

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and all proposed:

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b. Accessory parking areas;

c. Private approaches;

d. Garbage enclosures;

e. Bicycle enclosures;

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12. That the property officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

- The applicant is proposing to subdivide one (1) existing lot into two (2) lots in a proposed Plan of Subdivision, and rezone the proposed Lot to an "RMF-L" – Residential Multi-Family (Large) District.
- The intent is to construct on proposed Lot 2 a residential multi-family dwelling.
- This report provides information, and makes recommendations, regarding the subject application (DASZ 14/2019) in terms of compliance with *OurWinnipeg* and the *Complete Communities Direction Strategy.*
- This report is available to the public, City Council and committees of Council.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the application to subdivide and rezone the subject land will be approved.

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Robert Galston, MCP
Date:	June 20, 2019
File No.	DASZ 14/2019

Attachments

Appendix "A,"	**Planning Discussion**
Schedule "A,"	**File** DASZ 8/2019**,** Lord Selkirk - West Kildonan **Community Committee, dated** June 20, 2019**.**
Schedule "B,"	**Report of the Administrative Coordinating Group Re: Proposed subdivision and rezoning on land located at 50 Barnes Street – File No. DASZ 14/2019**

Appendix "A," Planning Discussion

DATE:	June 20, 2019
FILE:	**DASZ 14/2019**
RELATED FILES:	DCU 19-124236/D DAV 19-124276/D
COMMUNITY:	Assiniboia
NEIGHBOURHOOD #:	5.637 (Fairfield Park)
SUBJECT:	**P**roposed plan of subdivision and proposed rezoning that would: • Subdivide one one (1) lots into two (2) lots; and • Rezone proposed Lot 2 to an "RMF-L" Residential Multi-Family (Large) District.
LOCATION:	50 Barnes Street
LEGAL DESCRIPTION:	SP LOT 4 PLAN 21995 WLTO IN RL 124 ST N AND IN RL 1 AND 2 ST V



APPLICANT:	Alan Redmond (10009749 Manitoba Ltd.) 50 Barnes Street Winnipeg, MB R3T 4Z7

OWNER: Grace Communion International Canada
50 Barnes Street
Winnipeg, MB
R3T 4Z7

RECOMMENDATION: Approval

SITE DESCRIPTION

- The subject property is located on the west side of Barnes Street, between Bison Drive and Lee Boulevard, in the Fairfield Park Neighbourhood of the Waverley West Ward.
- The subject site has a total land area of approximately 2.0 acres. A one-storey church building with a floor area of approximately 17,400 square feet is currently located on the site.
- As per *OurWinnipeg*, the subject property is located in an Area of Stability – Mature Community in the *Complete Communities Direction Strategy* Urban Structure Map.
- As per *Winnipeg Zoning By-law 200/2006*, the subject property is currently zoned “RMF-S” – Residential Multi-Family (Small).

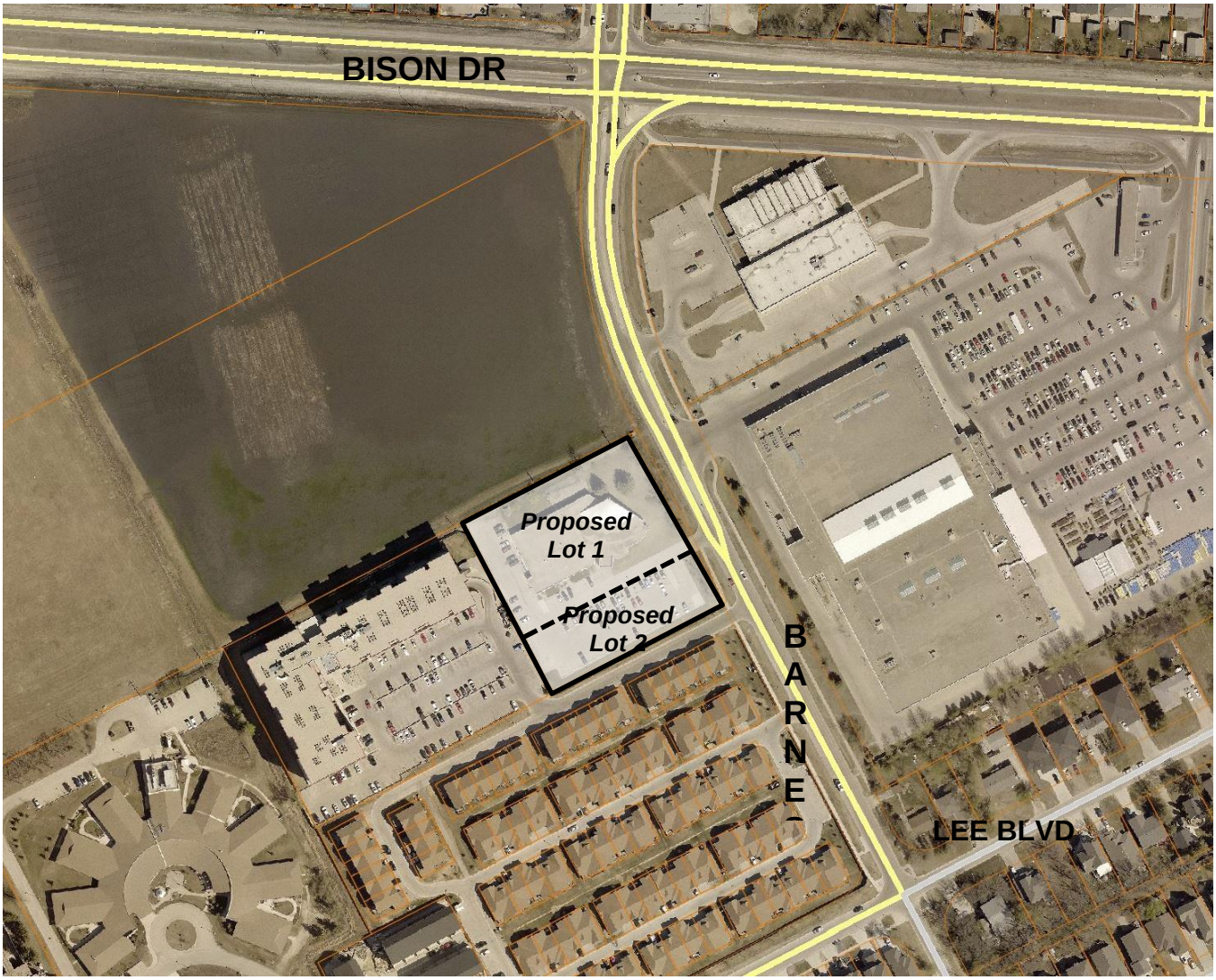


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2018)*

SITE CONTEX SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Vacant land zoned "RR5" – Rural Residential 5.

South: Townhouse-style residential uses zoned "RMF-S" – Residential Multi-Family (Small).

East: Barnes Street, then a supermarket use zoned "C3" – Commercial Corridor.

West: Multi-family residential uses zoned "RMF-L" – Residential Multi-Family (Large).

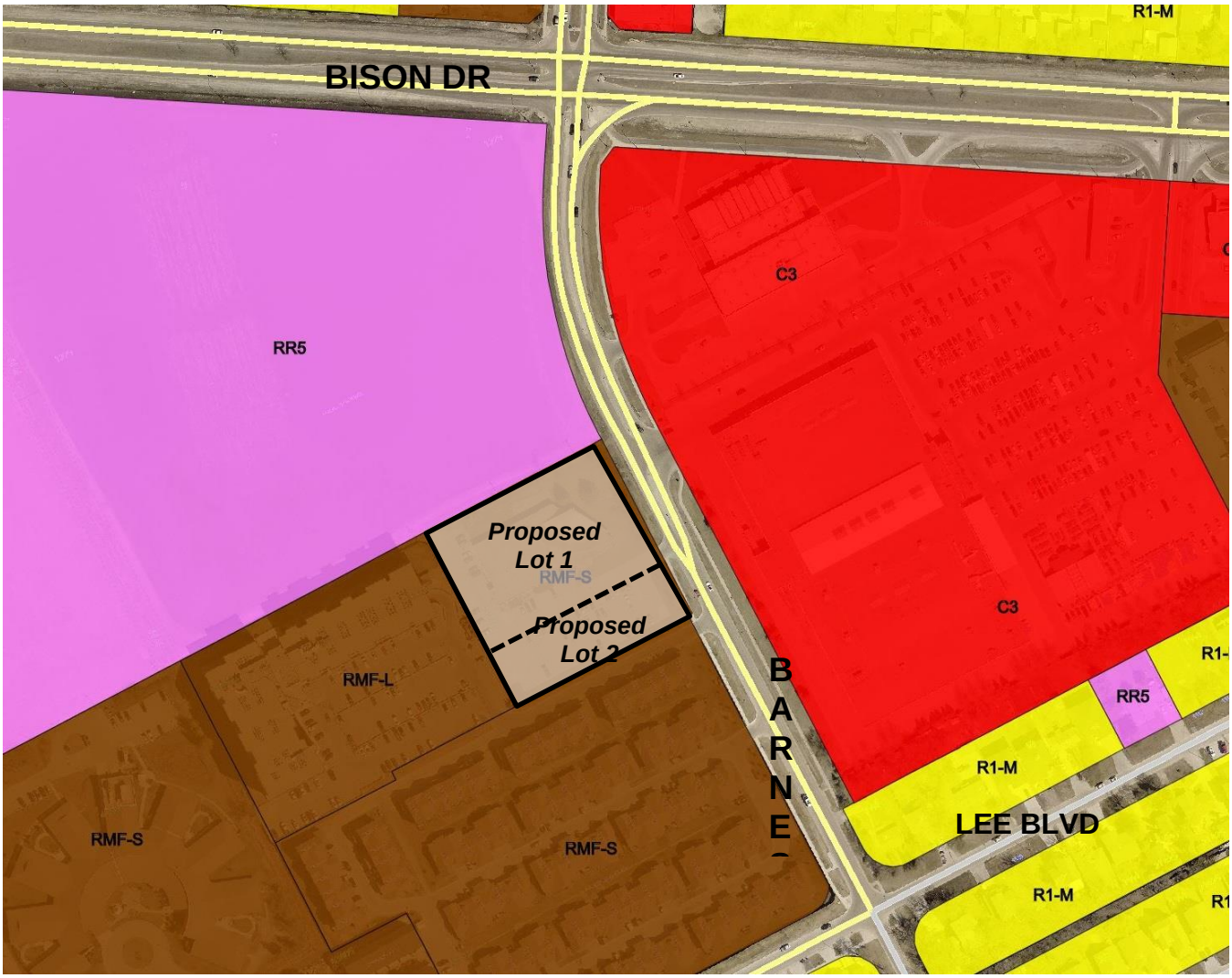


Figure 2: Existing zoning of the subject site and surrounding area.

DESCRIPTION OF THE PROPOSED SUBDIVISION AND REZONING

The applicant is proposing to subdivide the existing property into two (2) lots, Lot 1 and Lot 2.

Lot 1

- The proposed Lot 1 is to have a lot area of 60,113 square feet.
- The applicant is proposing to keep the existing church building and maintain it as a place of worship use.
- The property will remain in the RMF-S" – Residential Multi-Family (Small) zoning district.

Lot 2

- The proposed Lot 2 is to have a lot area of 28,314 square feet.
- The applicant is proposing to construct a four-storey multi-family dwelling containing a total of 52 dwelling units. This would create a residential density of one (1) dwelling for each 545 square feet of lot area.
- The proposed 52 dwelling units are intended to be condominium units, which will be a mix of one- and two-bedroom units.
- The proposed Lot 2 will be rezoned to the "RMF-L" – Residential Multi-Family (Large) zoning district.

Associated Variance and Conditional Use

- The proposed development is the subject of an additional two (2) concurrent applications for:
    - A Variance under file no. DAV 19-108017/D to accommodate aspects of the development including reduced yard and parking requirements. A report on the proposed variances has been submitted to the Assiniboia Community Committee for consideration.
    - A Conditional Use under file no. DCU 19-124263/C to maintain a place of worship use. A report on the proposed conditional use has been submitted to the Assiniboia Community Committee for consideration.
- Please see the associated Variance and Conditional Use reports for discussion of these applications.

Site and Building Design

- Preliminary plans of development have been submitted with the subject application; including site plans, building elevations, and cross section drawings.
- As noted above, the applicant intends to retain the existing church building and place of worship use on the proposed Lot 1.
- On the proposed Lot 2, the multi-family building is to have a maximum height of 45.5 feet, with the main pedestrian entrance facing and oriented to Barnes Street, directly accessible to the public sidewalk.

Parking and Vehicle Access

- The applicant proposes to provide vehicular access from an existing private approach from Barnes Street. This existing private approach is located in the proposed Lot 1. Access to the proposed Lot 2 will be from this approach through a cross-access agreement with Lot 1.
- On proposed Lot 1, the applicant will be providing a total of 78 accessory parking stalls for the place of worship use. This number of parking stalls meets the amount of accessory parking required for the existing place of worship use under the Winnipeg Zoning By-law, which requires 77 accessory parking spaces.
- To accommodate the required accessory parking on proposed Lot 1, the existing parking area on the south side of the church building will be expanded to the west, north, and east side of the building. (Currently, the required accessory parking for the existing place of worship use is located on the proposed Lot 2.)
- On proposed Lot 2, the applicant proposes to provide a total of 63 accessory parking stalls for the multi-family development. For multi-family dwellings, the Zoning By-law requires a total of 78 parking stalls be required. As such, a variance for a reduced amount of parking stalls is
- Of these proposed 63 parking stalls, 44 stalls are to be located underground, beneath the proposed building. The remaining 19 parking stalls are to be located in a surface parking area on the north side of the proposed building.
- Access to the parking areas on proposed Lot 2 are to be from a drive aisle located on the proposed Lot 1, through a cross-access agreement, as noted above. The underground parking area on proposed Lot 2 is to be taken from a bi-directional ramp at the rear (west side) of the building.
- On proposed Lot 1, the applicant proposed to provide a total of eight (8) bicycle parking spaces to service the existing church building. This meets the Zoning By-law requirement for bicycle parking spaces, which is eight (8) spaces.
- On proposed Lot 2, the applicant proposed to provide a total of 82 bicycle parking stalls to service the proposed multi-family building. This exceeds the Zoning By-law requirement for bicycle parking spaces, which is eight (8) spaces. Plans submitted show that of these 82 bicycle parking spaces:
    - 30 are proposed to be located in secure bicycle parking rooms on the main floor of the proposed building;
    - 44 are to be located in the underground parking area; and,
    - the remaining eight (8) are to be located at a rack near the main entrance to the building.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- The *Complete Communities Direction Strategy* is one of four direction strategies supporting *OurWinnipeg*, the city's long-range development plan, and has statutory

authority as a secondary plan. The strategy guides land use and development in Winnipeg.

- The subject property is classified as an "Area of Stability – Recent Community" in *Complete Communities*' Urban Structure map. Areas of Stability will accommodate low to moderate density infill development to support more efficient use of land, infrastructure, and services as well as enhance housing choice and affordability. With regard to this proposal, the key policies guiding the development of Areas of Stability include:
    - 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.
    - Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.
    - Encourage intensification to occur at centres and along corridors.
    - Focus housing growth to areas that have municipal service capacity to support intensification, in addition to commercial and recreational amenities.
    - Support Complete Communities by ensuring diverse and high quality housing stock.
    - In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses.
    - Provide opportunities to increase multi-modal connectivity when redevelopment occurs.
- While the subject property is located in the Areas of Stability – Recent Communities under *Complete Communities'* Urban Structure map, the subject property is located in what may be considered a Transformative Area – Neighbourhood Mixed-Use Centre policy area in *Complete Communities*. Neighbourhood Mixed-Use Centres function as key strategic areas in neighbourhoods which provide a mix of uses, allowing for further intensification of these uses over time, while serving as vibrant gathering spaces that support the daily activities of local residents.
- With regard to this proposal, key policies guiding the development of Neighbourhood Mixed-Use Centres include:
    - Recognize and establish neighbourhood centres in areas that are well connected by corridors, and present the best opportunities for mid to high frequency transit.
    - Promote neighbourhood mixed-use centres as attractive, pedestrian-friendly places.
    - Encourage moderate intensification through the development of a mix of uses and a broad range of ground-oriented and mid density housing.

SUBDIVISION

- The subject property is currently one lot on the same title. As noted above, subdivision is required in order to create two (2) lots, Lot 1 and Lot 2, in order to accommodate both a new multi-family development and the existing place of worship use under separate titles.

REZONING

- As noted above, the applicant is proposing to rezone the proposed Lot 2 to "RMF-L" – Residential Multi-Family (Large) in order to accommodate the proposed multi-family dwelling.
- The proposed 'RMF-L' Residential Multi-Family (Large) district is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities.
- The minimum lot area in the "RMF-L" zoning district is 20,000 square feet, while the minimum lot area for both the "RMF-S" and "RMF-M" – Residential Multi-Family (Medium) zoning districts, is 9,000 square feet.
- The minimum lot area per dwelling for "RMF-L" zoning districts is 400 square feet, while for the "RMF-M" zoning districts, the minimum lot area per dwelling is 800 square feet. Given that the proposed lot area per dwelling on Lot 2 is 545 square feet (which is calculated by dividing the lot area of 28,314 square feet, by the 52 proposed units), the "RMF-L" zoning is required in order to accommodate the proposed development.
- As such, the proposed development's residential density could not be accommodated by the existing "RMF-S" zoning district or the "RMF-M" zoning district, and a rezoning to "RMF-L" is required.
- The dimensional standards for "RMF-L" zoning districts are as follows:
    - A minimum front yard of 25 feet;
    - A minimum rear yard of 25 feet;
    - A minimum side yard of four (4) feet;
    - A maximum building height of 150 feet;
    - A minimum lot area of 20,000 square feet, and a minimum lot area per dwelling of 400 square feet.
- As noted above, the "RMF-S" – Residential Multi-Family (Small) zoning district is proposed to be maintained on proposed Lot 1, which accommodates a place of worship use as a conditional use (see concurrent conditional use application under file no. DCU 19-124263/C).

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- The proposed subdivision and rezoning will enable a multi-family development which is considered compatible with the surrounding area, which is characterized by a mix of residential uses, including multi-family dwellings.

- Additionally, the proposed development does not create a foreseeable adverse impact on the future development of the vacant land to the north of the subject property, which is currently zoned “RR5” – Rural Residential 5.
- The proposed multi-family dwelling is located approximately 59 feet from the existing townhouse dwellings located to the south.
- Given the distance of the adjacent townhouses (59.1 feet), and the proposed height of the building (45.5 feet), the proposed building does not have a significant impact on the townhouse units to the south.
- Additionally, plans submitted by the applicant show planted trees in the south side yard and a lightproof fence on the south property line, which will provide additional buffering from the townhouse properties.
- The subject property is located across the street from commercial uses zoned “C3” – Commercial Corridor. Established commercial operations include a major supermarket chain, Superstore. As such, the subject property is within walking distance of a significant commercial amenity.

PUBLIC CONSULTATION

- The applicant has communicated to the Urban Planning Division that a public open house was held with regard to the proposed development of the subject property. Printed invitations to this open house were delivered to the mailboxes of every residence to the south of the subject property. However, no one from the public attended this open house event.

TRANSIT AND CYCLING

- Transit stops are located within a five-minute walk (approximately 400 metres) of the subject property, including the following:
    - A stop approximately 308 feet (94 metres) away, with limited (express) service on Barnes Street near Lee Boulevard;
    - A stop approximately 558 feet (170 metres) away, with regular service on Bison Drive.
- The subject property also has a walking distance of approximately 2,428 (740 metres) from the nearest transit stop on Pembina Highway (Pembina and Bison Drive), which is a high-frequency transit corridor where a number of transit routes feed into the southwest rapid transit corridor.
- As noted above, the proposed development provides a high degree of accommodation of bicycle as a main transportation method, such as by locating secure bicycle parking facilities on the main floor of the proposed building, as well as in the underground parking area.

CONDITIONS OF APPROVAL

Servicing Agreement

- Per the report of the Administrative Coordination Group (Schedule "B" of this report), conditions in the servicing agreement include a requirement that the applicant construct an extension of the public sidewalk on the west side of Barnes Street along the remaining frontage of the subject property.
- The construction of a public sidewalk along the entire width of the subject property will help facilitate a future completed sidewalk connection on the west side of Barnes Street from Bison Drive to Lee Boulevard. This will be in addition to a sidewalk on the east side of the street from Bison Drive to Lee Boulevard.

Zoning Agreement

- The public service is recommending that the applicant enter into a Zoning Agreement with the City which requires a plan approval review by the Assiniboia Community Committee and the Director of Planning, Property and Development. Plan approval is a condition that is typically recommended for by the Public Service for rezoning applications.
- The intent is to allow for a review of final plans with regards to design and operation of the site before building permits can be issued.

Land Dedication

- As a condition of rezoning or subdivision of a parcel of land, a developer is required to contribute a portion of the land to be developed to the City of Winnipeg for parks purposes. The amount of land is not less than 10%.
- In the case of the subject proposed subdivision and rezoning, the Property, Planning and Development is recommending that the developer provide 'cash in lieu' of a dedication of land.

RECOMMENDATION

The Urban Planning Division recommends approval because the proposed development is:

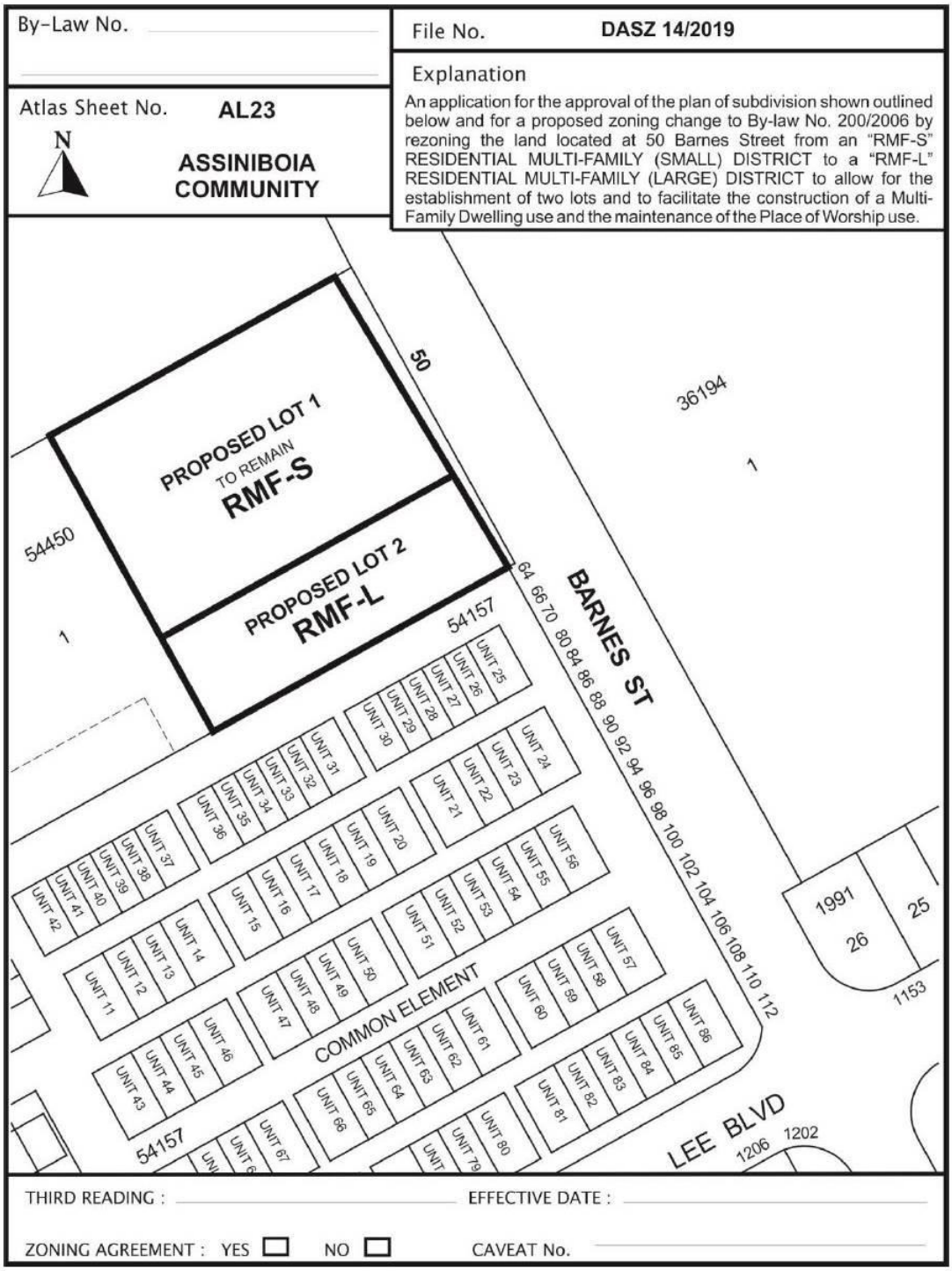
- Consistent with policies in the *Complete Communities Direction Strategy*.
- Consistent and compatible with the established neighbourhood and the surrounding area where there is a mix of uses, including multi-family dwellings, townhouse dwellings, and commercial uses.
- Designed with a high degree of quality and is oriented primarily to the public street.
- Designed and situated in a manner that it will not have a significant adverse impact on the adjacent townhouse dwellings to the south of the subject property.
- Will provide an extension of the sidewalk on the west side of Barnes Street, per the servicing agreement, thereby improving the pedestrian environment in the area.

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

Report Prepared by:
Robert Galston, MCP

PPD File #: DASZ 14/2019

Schedule "A" of File DASZ 14/2019, Assiniboia Community Committee, dated June 20, 2019



Schedule "B" of File DASZ 14/2019, Assiniboia Community Committee, dated Month 22, 2019

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 50 BARNES STREET

It is recommended that the approval of DASZ 14/2019, if granted, be subject to the applicant entering into a Servicing Agreement and address the following items where applicable:

Plan Considerations

1) The Developer shall, at no expense to the City, legally open the City property abutting the Planned Area to widen the Barnes Street right-of-way.

2) The Developer, and all successors in title to the lots in the subdivision, shall enter into, and register at the Winnipeg Land Titles Office (WLTO) under Section 76 of the Real Property Act and maintain in perpetuity by way of instrument (right of way agreement, easement agreement, or declaration) against the titles to the lots, a private cross-access agreement with the owners of the other lots so as to ensure vehicular access to every lot at all times, via streets or internal roads.

Servicing Conditions

1) Water Mains

   (a) The Developer shall pay to the City, prior to release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the cost of the existing water main installed by the City and/or others in Barnes Street, as determined by and to the satisfaction of the Director of Water and Waste.

   (b) The share of the cost of services outlined in a) shall be considered satisfied if evidence of appropriate previous payment associated with the connection to this water main is provided to and accepted by the City of Winnipeg.

2) Land Drainage Sewers

   (a) The Developer shall pay to the City, prior to release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the cost of the existing land drainage lateral sewer installed by the City and/or others in Barnes Street, as determined by and to the satisfaction of the Director of Water and Waste.

   (b) The share of the cost of services outlined in a) shall be considered satisfied if evidence of appropriate previous payment associated with the connection to this land drainage lateral sewer is provided to and accepted by the City of Winnipeg.

3) Land Drainage Trunk Charges

The Developer shall pay to the City, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the regional land drainage service charge (TSR).

4) Payment for Barnes Street Surface Improvements

The Developer shall pay to the City, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the cost of services previously installed by the City and/or others along the full length of the Planned Area abutting Barnes Street, including but not limited to:

a) Portland cement concrete pavements and all related works,
b) A 1.5m wide by 100mm thick Portland cement concrete sidewalk
c) ornamental street lighting,
d) boulevard landscaping,

all as determined by and to the satisfaction of the Director of Public Works.

5) Sidewalk

The Developer shall, at no expense to the City, construct a 1.5m wide by 100mm thick Portland cement concrete sidewalk and all related works, on an alignment as determined by the Director of Public Works, on the west side of Barnes Street abutting the Planned area, where no sidewalk currently exists, all as determined by and to the satisfaction of the Director of Public Works.

6) Private Approaches

The Developer shall note that the proposed subdivision results in the existing approach becoming a non-conforming private approach under the Private Access By-Law. The Developer will need to submit an application for approval of the non-conforming private approach. Private approaches require separate application to the Public Works Department; However Public Works does not have authority to approve non-conforming private approaches. Review is required by the Standing Policy Committee on Infrastructure Renewal and 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 this 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, parklands, parkways and associated works required to serve the Planned Area;

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

b) installation and acceptance of municipal services, and all associated works to serve the Planned Area.

3) Administration Fees

The Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, an administration fee plus applicable GST to help defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

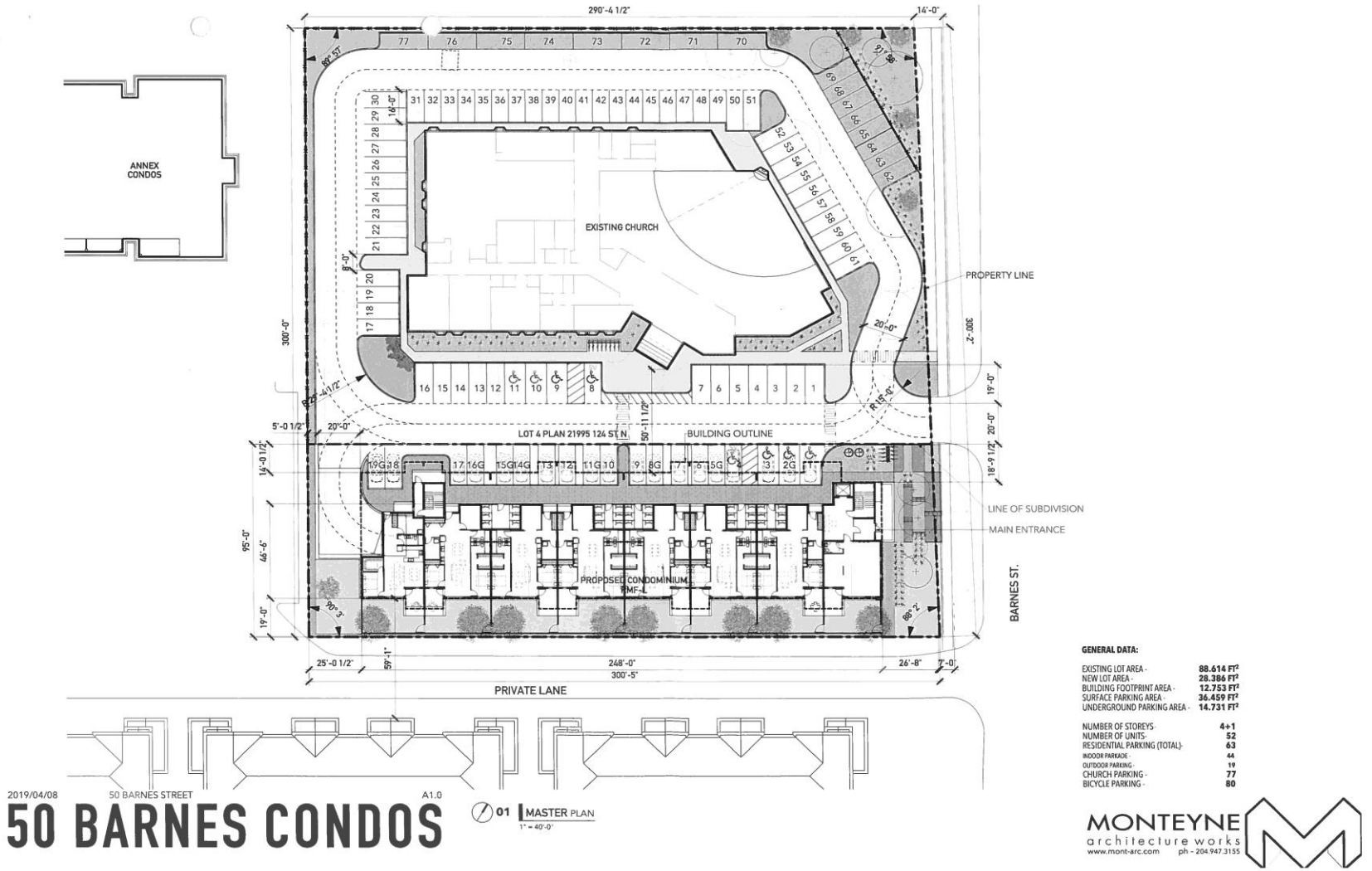
Administrative Co-ordinating Group
File No. DASZ 14/2019
June 20, 2019

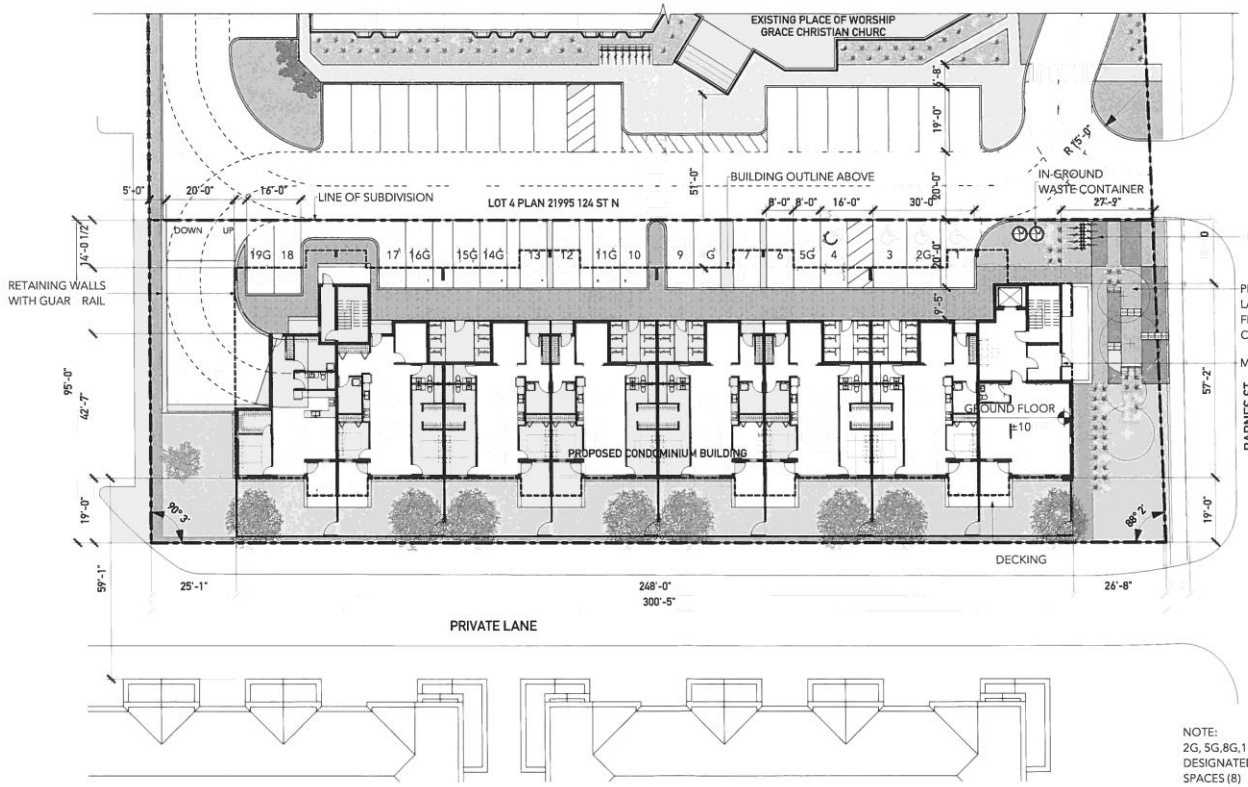
"*Original Signed by D. Trenchard"*
D. Trenchard, P. Eng.
Land Development Branch

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

"*Original Signed by C. Desjardine"*
C. Desjardine, M. Sc., P. Eng.
Public Works Department

Exhibit "6" referred to in File DASZ 14/2019





NOTE:
2G, 5G,8G,11G,14G,15G,16G,19G - DESIGNATED GUEST PARKING SPACES (8)

CONDOMINIUM PROPERTY DATA:

NEW LOT AREA	**28.386 FT²**
BUILDING FOOTPRINT AREA	**12.753 FT²**
SURFACE PARKING AREA	**4.582 FT²**
LANDSCAPING -	**8.050 FT²**

2019/04/08 50 BARNES STREET A1.1

50 BARNES CONDOS

01 SITE PLAN: CONDOMINIUM
1" = 30'-0"

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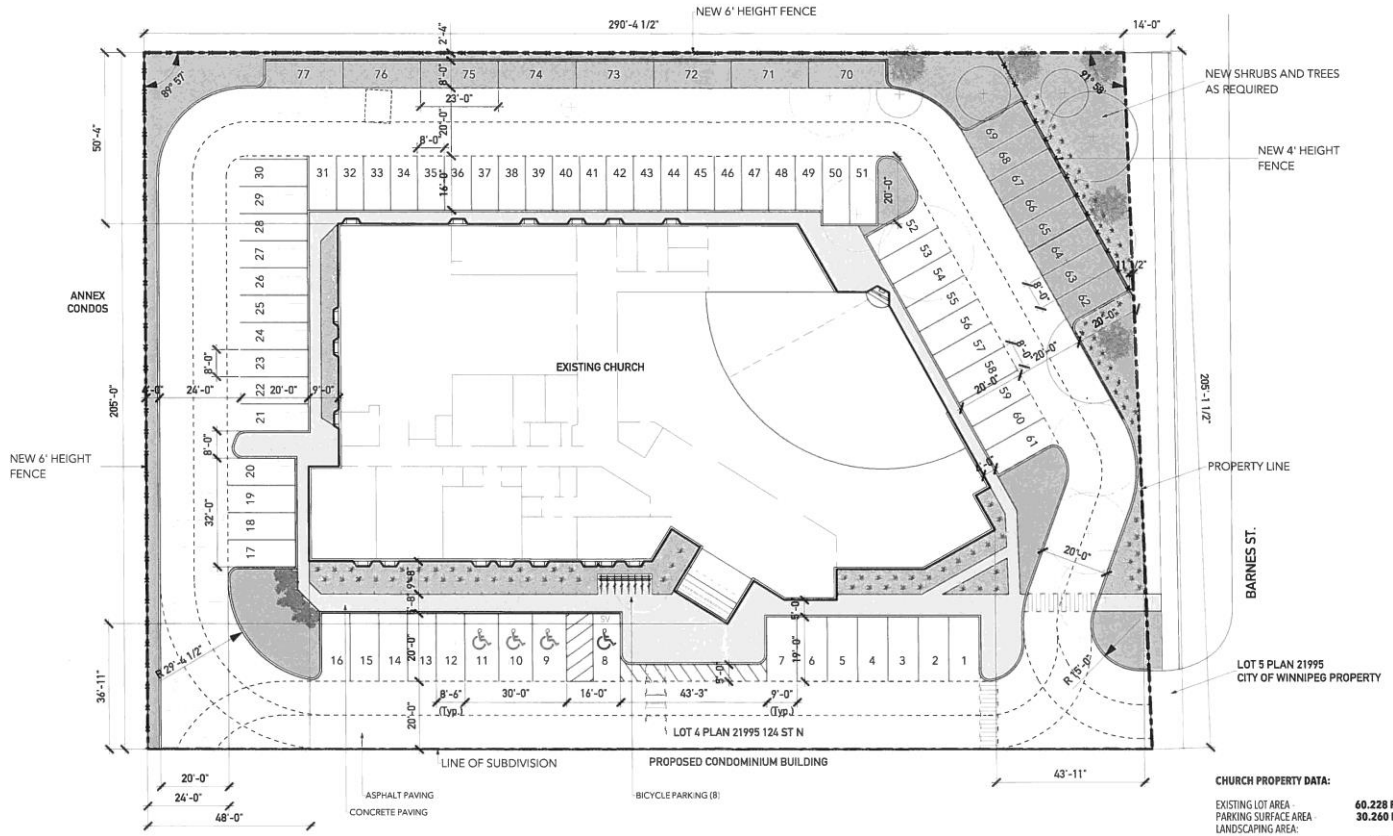

CHURCH PROPERTY DATA:

EXISTING LOT AREA	60.228 FT²
PARKING SURFACE AREA	30.260 FT²
LANDSCAPING AREA:	
REQUIRED (5%)	1.513 FT²
PROPOSED	11.200 FT²
BUILDING FOOTPRINT AREA	17.925 FT²

2019/04/08 50 BARNES STREET A1.2

50 BARNES CONDOS

01 SITE PLAN: CHURCH
1" = 30'-0"

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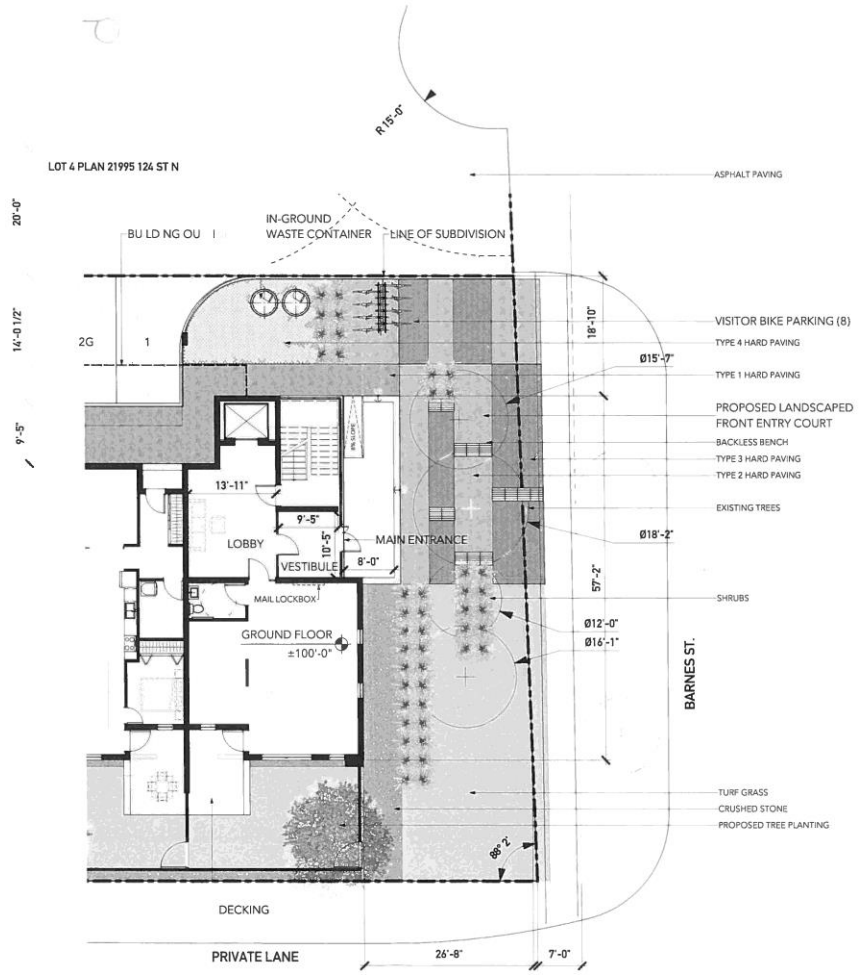

2019/04/08 50 BARNES STREET A1.3

50 BARNES CONDOS

01 MAIN ENTRANCE BLOW-UP PLAN
1/16" = 1'-0"

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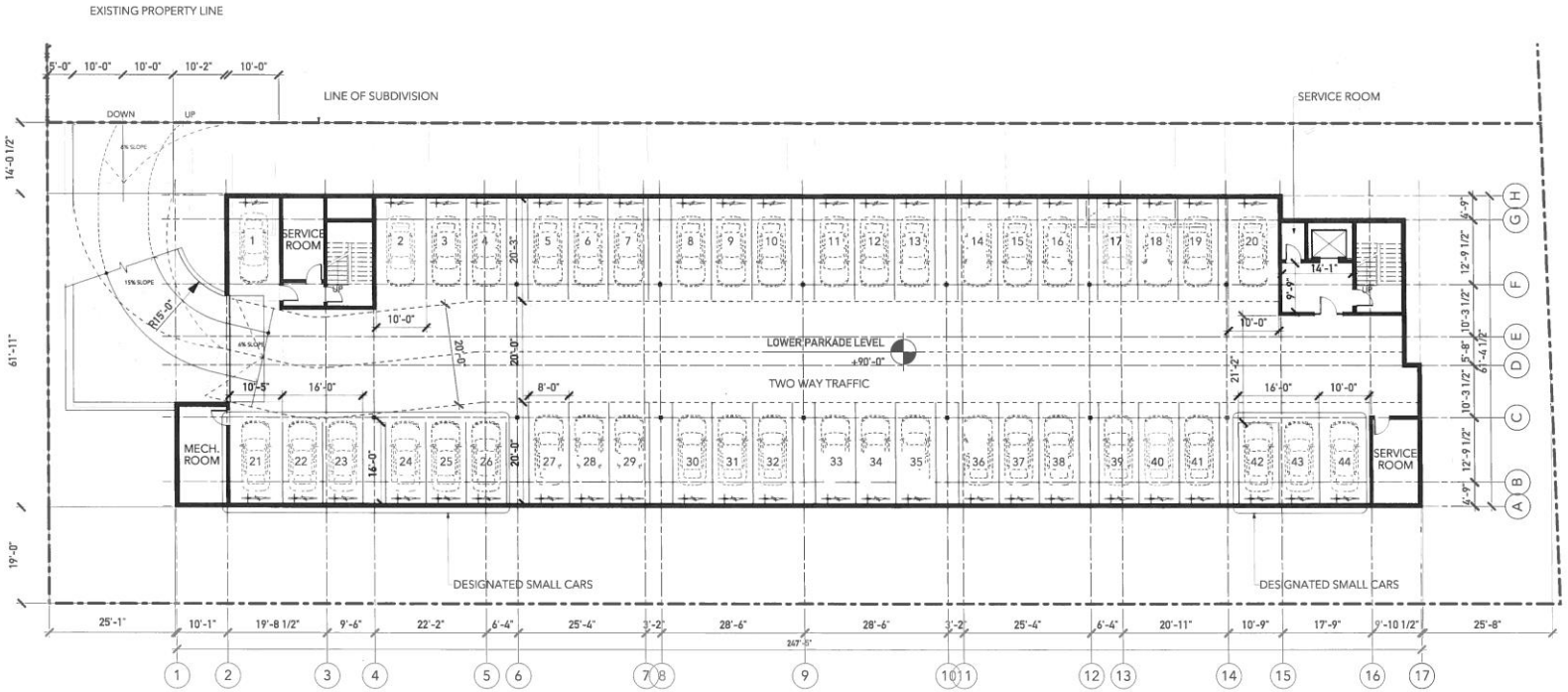

2019/04/08 50 BARNES STREET A2.0

50 BARNES CONDOS

01 LOWER PARKADE PLAN
1" = 20'-0"

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01 SOUTH ELEVATION
1/16" = 1'-0"



02 NORTH ELEVATION
1/16" = 1'-0"

2019/04/08 50 BARNES STREET A4.0

50 BARNES CONDOS

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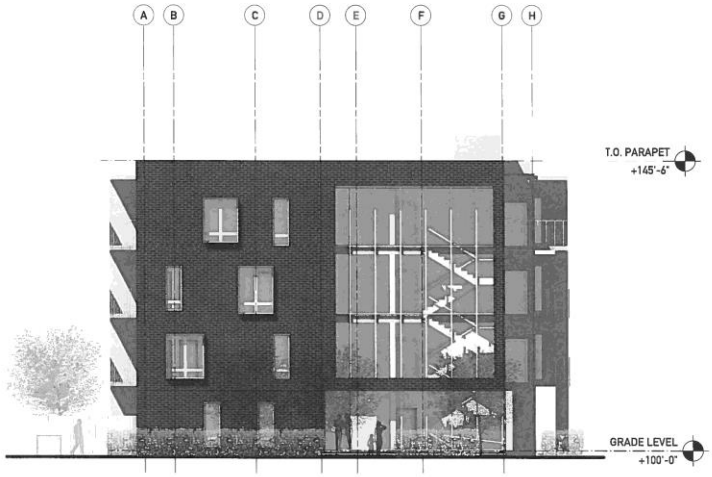
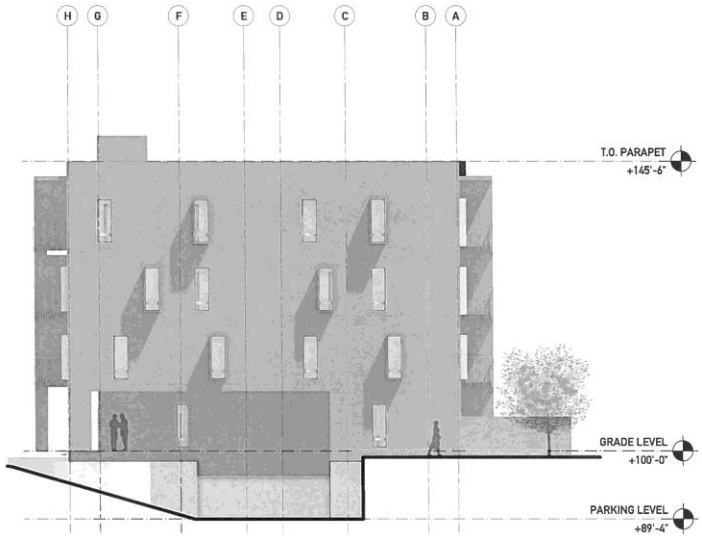


03 EAST ELEVATION
1/16" = 1'-0"



04 WEST ELEVATION
1/16" = 1'-0"

2019/04/08 50 BARNES STREET A4.1

50 BARNES CONDOS

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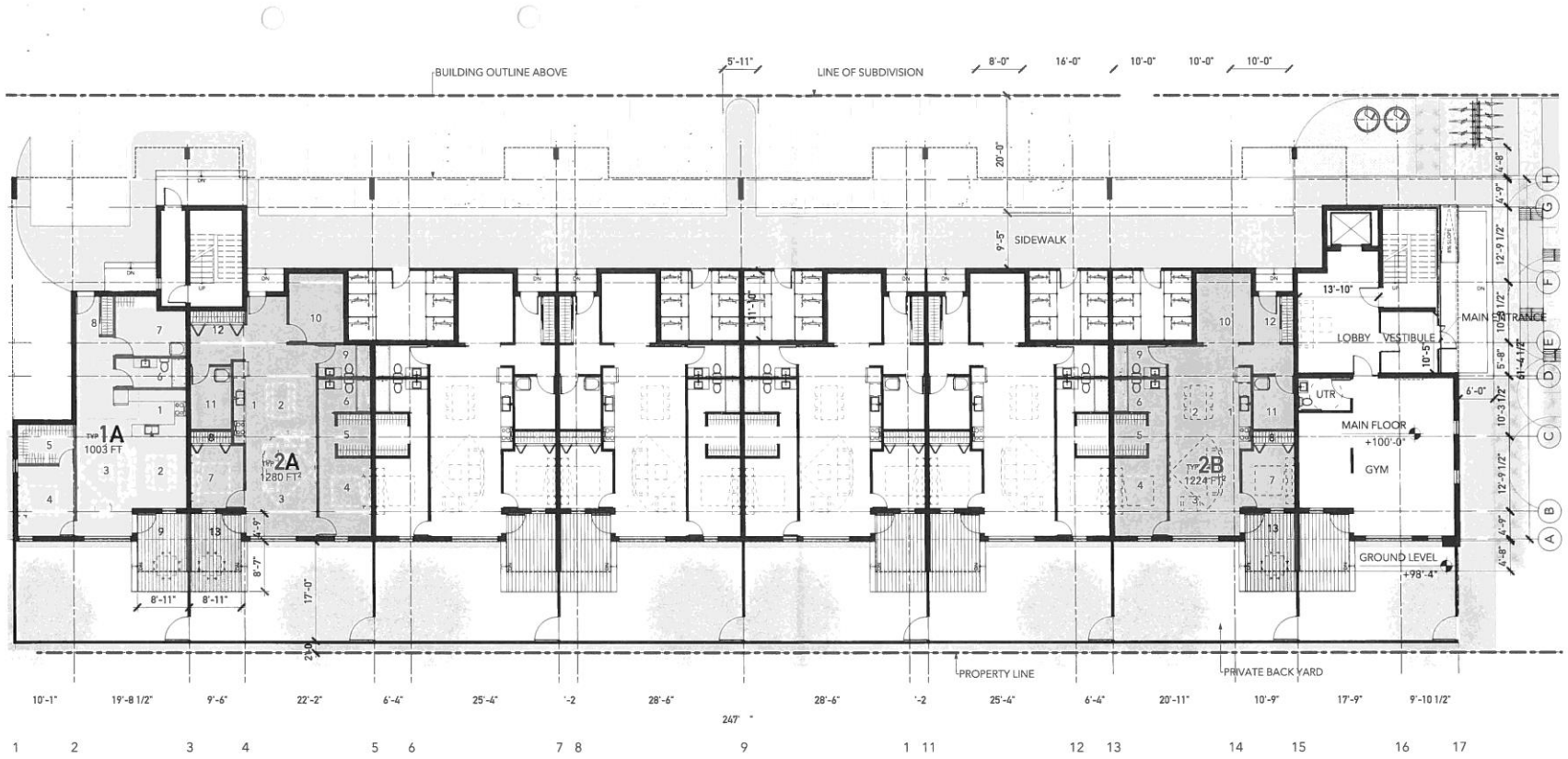

1A TYPICAL:

1. KITCHEN
2. DINING AREA
3. LIVING AREA
4. MASTER BEDROOM
5. WALK-IN CLOSET
6. BATHROOM
7. WALK-IN CLOSET/LAUNDRY
8. CLOSET
9. TERRACE

2A, 2B TYPICAL:

1. KITCHEN
2. DINING AREA
3. LIVING AREA
4. MASTER BEDROOM
5. WALK-IN CLOSET
6. MASTER BATHROOM
7. BEDROOM
8. CLOSET
9. BATHROOM
10. DEN
11. WALK-IN CLOSET/LAUNDRY
12. CLOSET
13. TERRACE

2019/04/08 50 BARNES STREET A2.1

50 BARNES CONDOS

01 GROUND FLOOR PLAN
1/16" = 1'-0"

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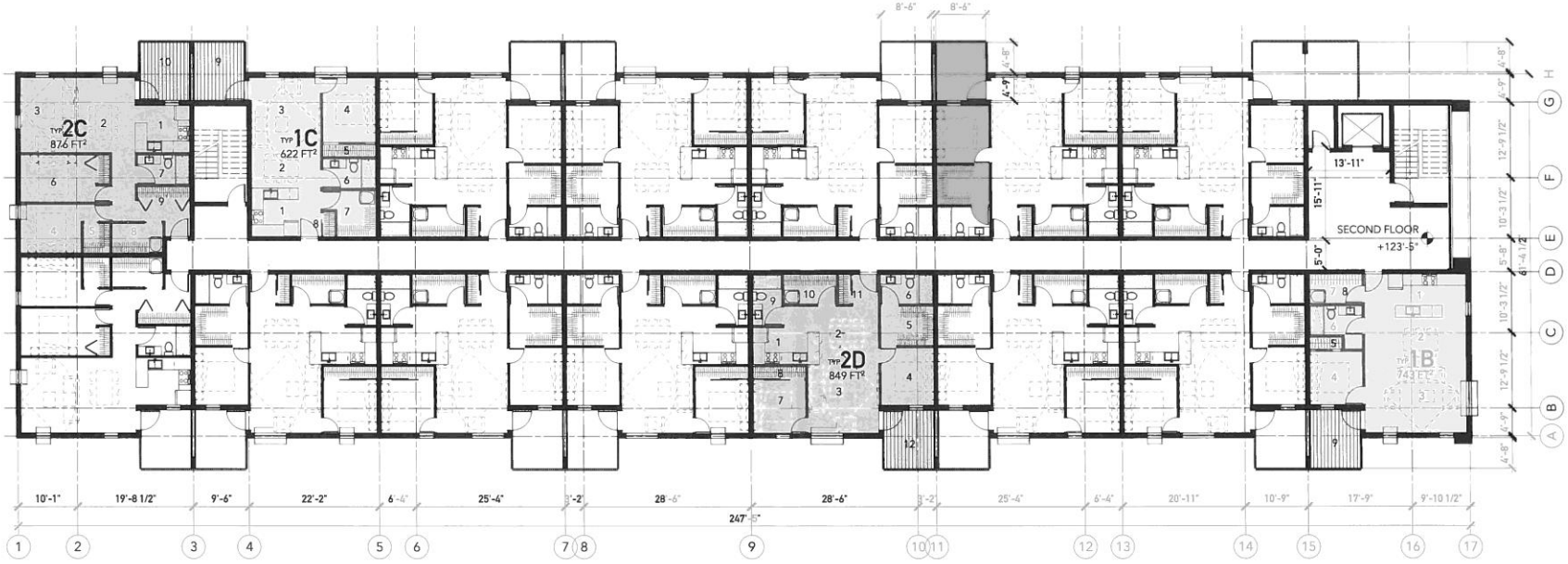

1B, 1C TYPICAL:

1. KITCHEN
2. DINING AREA
3. LIVING AREA
4. MASTER BEDROOM
5. MASTER CLOSET
6. BATHROOM
7. WALK-IN CLOSET/LAUNDRY
8. CLOSET
9. BALCONY

2C TYPICAL:

1. KITCHEN
2. DINING AREA
3. LIVING AREA
4. MASTER BEDROOM
5. MASTER CLOSET
6. BEDROOM
7. BATHROOM
8. WALK-IN CLOSET/LAUNDRY
9. CLOSET
10. BALCONY

2D TYPICAL:

1. KITCHEN
2. DINING AREA
3. LIVING AREA
4. MASTER BEDROOM
5. WALK-IN CLOSET
6. MASTER BATHROOM
7. BEDROOM
8. CLOSET
9. BATHROOM
10. WALK-IN CLOSET/LAUNDRY
11. CLOSET
12. BALCONY

2019/04/08 50 BARNES STREET A2.2

50 BARNES CONDOS

01 | SECOND, THIRD, FOURTH FLOOR PLANS
1/16" = 1'-0"

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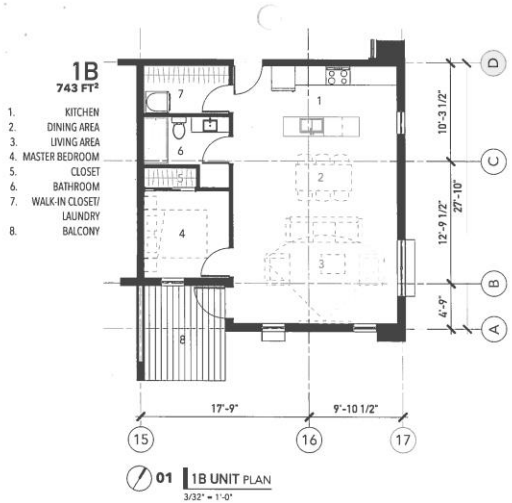
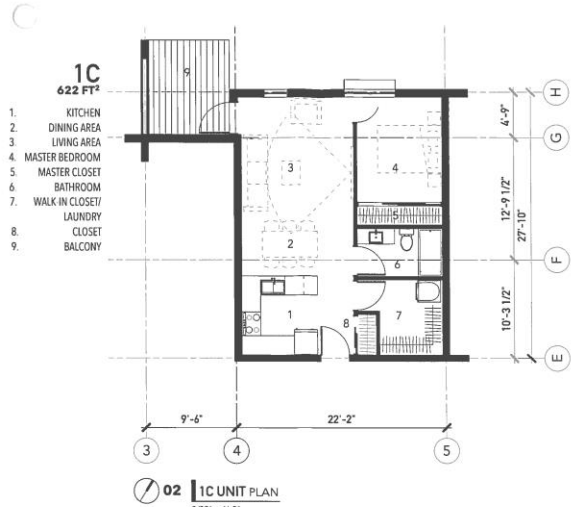
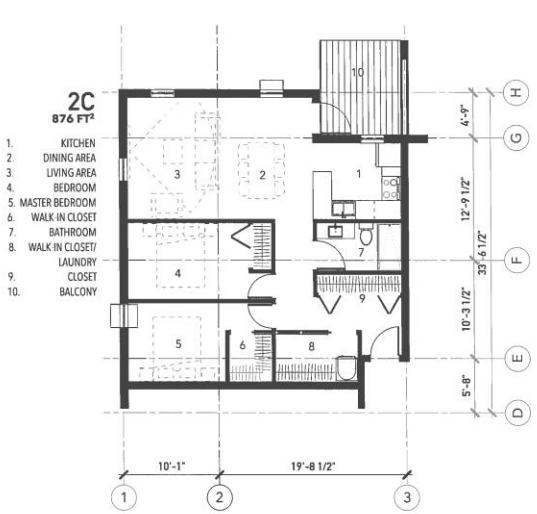


01 1B UNIT PLAN
3/32" = 1'-0"



02 1C UNIT PLAN
3/32" = 1'-0"



03 2C UNIT PLAN
3/32" = 1'-0"



04 2D UNIT PLAN
3/32" = 1'-0"

2019/04/08 50 BARNES STREET A2.4

50 BARNES CONDOS

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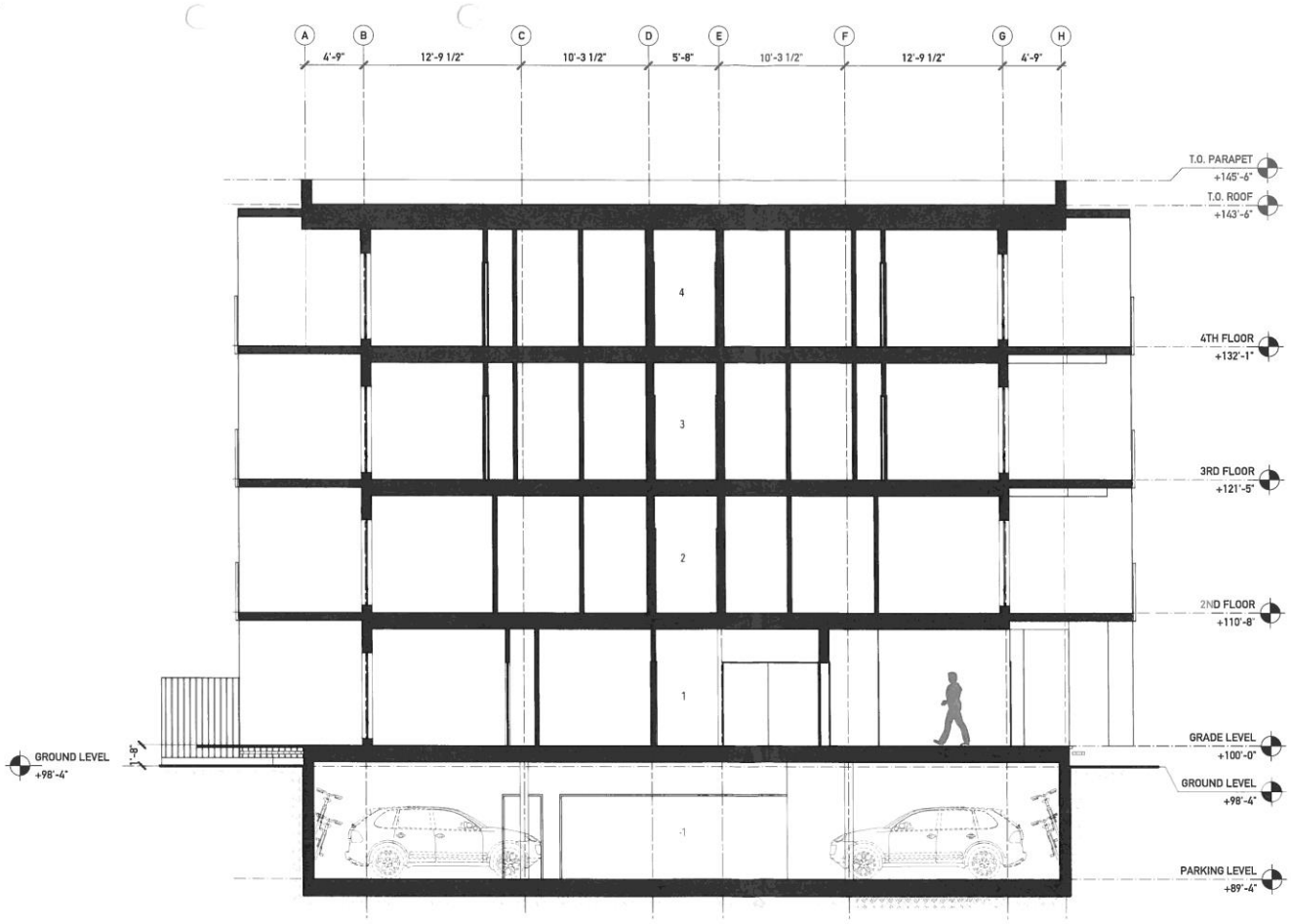

2019/04/08 50 BARNES STREET A3.0

50 BARNES CONDOS

01 CROSS SECTION
1/8" = 1'-0"

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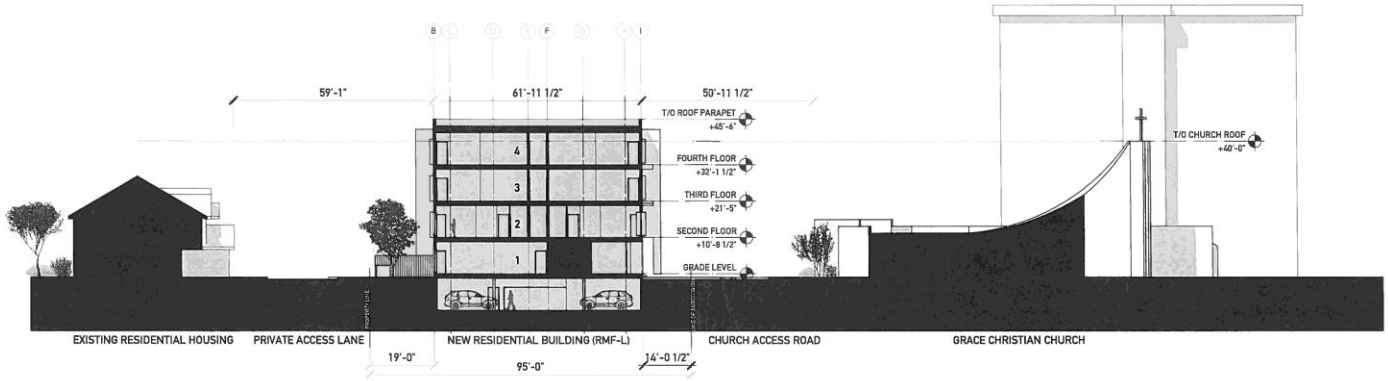

2019/04/08 50 BARNES STREET A3.1

50 BARNES CONDOS

01 STREET SECTION
1" = 30'-0"

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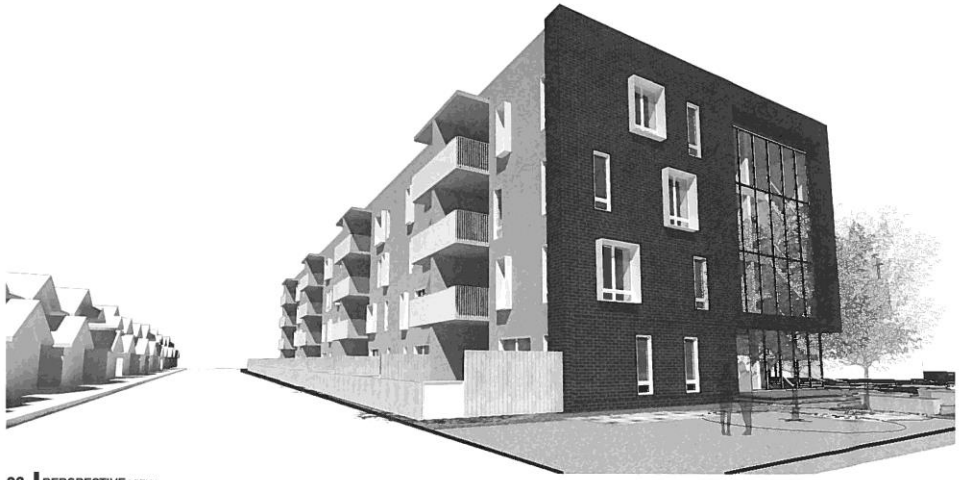
01 PERSPECTIVE VIEW



02 PERSPECTIVE VIEW



03 PERSPECTIVE VIEW

2019/04/08 50 BARNES STREET A5.1

50 BARNES CONDOS

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04 PERSPECTIVE VIEW



05 PERSPECTIVE VIEW

2019/04/08 50 BARNES STREET A5.2

50 BARNES CONDOS

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