Agenda – Council – March 20, 2020

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 2, 2020

Item No. 5 Subdivision and Rezoning – 1454 Ravelston Avenue West (Transcona Ward)
File DASZ 39/2019

STANDING COMMITTEE RECOMMENDATION:

On March 10, 2020, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That the subdivision under Development Application No. DASZ 39/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated January 15, 2020, 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 conditions:

    A. That the developer be required to enter into a Development 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 November 20, 2019, and attached as Schedule "B" to this report, with the following amendments:

        i. Amend Conditions 1.b), 2.b), and 3.c), under 'Servicing Conditions', by deleting the words "prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office" and replacing with "on demand"

        ii. Delete Condition 2.c), under 'Costs and Fees' in its entirety

        iii. Amend Condition 3 under 'Costs and Fees' by adding the words "$2290.00/acre" immediately after "administration fee"

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "RMF-S" Residential Multi-Family (Small) District and a "R2" Residential Two-Family District as shown on the map dated January 15, 2020, 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:

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 2, 2020

STANDING COMMITTEE RECOMMENDATION (continued):

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

a. principal buildings
b. accessory parking areas
c. driveways
d. walkway
e. garbage enclosures
f. in-ground garbage and recycling containers
g. fencing
h. landscaping
i. 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.

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

A. A Development 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 Development Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the Director of Legal Services and City Solicitor to protect the interests of the City.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 2, 2020

STANDING COMMITTEE RECOMMENDATION (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 Development Application No. DASZ 39/2019, 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 and City Solicitor prepare and bring it directly to Council for enactment the By-law in accordance with the above.

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

9. That the zoning section of the By-law will 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 is 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 – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 2, 2020

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 10, 2020, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On March 2, 2020, 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 February 3, 2020, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- In Recommendation 1.A, delete the period after "Schedule "B" of this report", and replace with the following:

  ", with the following amendments:

  i. Amend Conditions 1.b), 2.b), and 3.c), under 'Servicing Conditions', by deleting the words "prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office" and replacing with "on demand"

  ii. Delete Condition 2.c), under 'Costs and Fees' in its entirety

  iii. Amend Condition 3 under 'Costs and Fees' by adding the words "$2290.00/acre" immediately after "administration fee"

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

PUBLIC HEARING SUMMARY

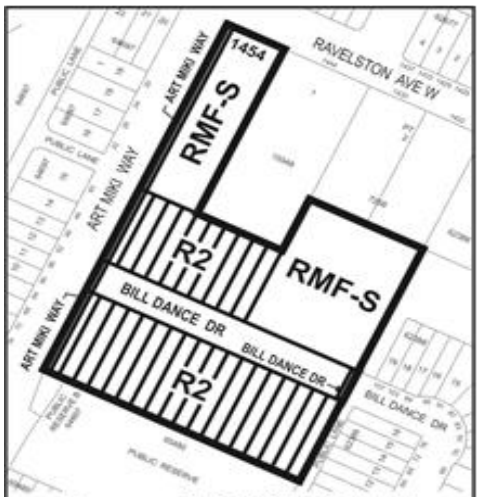
File: DASZ 39/2019

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

Public Hearing: February 3, 2020
Council Building, 510 Main Street

Applicant: Paramjit Shahi, Fairview Custom Homes Ltd.

Subject:



APPLICANT: Fairview Custom Homes Ltd.
FILE: DASZ 39/2019
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 "RR5" RURAL RESIDENTIAL 5 DISTRICT and an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT and an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to facilitate the establishment of residential building lots and the extension of a right-of-way. **For information, phone Mr. G. Doney, Planner at 204-986-2688.**

Premises Affected: 1454 Ravelston Avenue West

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

Prepared by: Tamara Pomanski, Committee Clerk
East Kildonan-Transcona Community Committee

Report date: February 5, 2020

Community Committee Recommendation:

On February 3, 2020, 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 subdivision under Development Application No. DASZ 39/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated January 15, 2020, 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 conditions:

    A. That the developer be required to enter into a Development 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 November 20, 2019, and attached as Schedule "B" to this report***, with the following amendments:***

        i. Amend Conditions 1.b), 2.b), and 3.c), under 'Servicing Conditions', by deleting the words "prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office" and replacing with "on demand"

        ii. Delete Condition 2.c), under 'Costs and Fees' in its entirety

        iii. Amend Condition 3 under 'Costs and Fees' by adding the words "$2290.00/acre" immediately after "administration fee"

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "RMF-S" Residential Multi-Family (Small) District and a "R2" Residential Two-Family District as shown on the map dated January 15, 2020, 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 of the Owner's Land zoned "RMF-S" Residential Multi-Family (Small) District, the owner must submit plans showing the location and design of any and all proposed:

a. principal buildings
b. accessory parking areas
c. driveways
d. walkways
e. garbage enclosures
f. in-ground garbage and recycling containers
g. fencing
h. landscaping
i. 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.

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

A. A Development 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 Development Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the Director of Legal Services and City Solicitor 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 Development Application No. DASZ 39/2019, 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 and City Solicitor prepare and bring it directly to Council for enactment the By-law in accordance with the above.

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

9. That the zoning section of the By-law will 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 is 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.

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

The East Kildonan-Transcona Community Committee provided the following supporting reasons for its recommendation:

1. I understand this area has been under such intense development, some good and some questionable, however the plan was set out many years ago and that is now being executed. I believe that there is good consultation and there is some good understanding from the proponents to work with the neighbourhood on this one. The two questionable areas of the RMFS are of such size that I think we can find a workable solution for the community, unlike some prior situations that we have had in that area and I think this is a low impact for the area.

Exhibits Filed:

1. Application dated November 4, 2019
2. Notification of Public Hearing dated January 2, 2020
3. Manitoba Status of Title 2800721/1
4. Letter of authorization dated July 2, 2019 from Umesh Sharma and Adamo Rondinella, ADR Property Holdings Corp., to Fairview Custom Homes Ltd.
5. Surveyor's Building Location Certificate and sketch dated June 26, 2019
6. Report from the Urban Planning Division dated January 15, 2020
7. Inspection Report
8. Recording of Representations

REPRESENTATIONS:

In Support:

Ravan Khinva
Gagandeep Singh Rai
Michelle Richard
Yadwinder S. Sandhu
Paramjit Shahi
Artar Singh Sidhu
Russ Wyatt

In Opposition:

Frank Steding
Susan Steding

For Information:

Nil

For the City:

G. Doney, Senior Planner, Planning, Property and Development
G. Jasper, Land Development Administrator, Planning, Property and Development
D. Trenchard, Land Development Engineer, Planning, Property and Development

Exhibit "6" referred to in File DASZ 39/2019

ADMINISTRATIVE REPORT

Title: DASZ 39/2019, 1454 Ravelston Avenue West

Issue: Proposed Plan of Subdivision and Rezoning to Create 28 "R2" Residential Two-Family Lots, 2 "RMF-S" Residential Multi-Family (Small) Lots and a Westerly Extension of Bill Dance Drive; also Proposed is the Development of 14 Two-Family Dwellings

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
Glen Doney, RPP	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 39/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated January 15, 2020, 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 conditions:

   A. That the developer be required to enter into a Development 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 November 20, 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 a "RMF-S" Residential Multi-Family (Small) District and a "R2" Residential Two-Family District as shown on the map dated January 15, 2020, 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 of the Owner's Land zoned "RMF-S" Residential Multi-Family (Small) District, the owner must submit plans showing the location and design of any and all proposed:

         a) principal buildings;

b) accessory parking areas;
c) driveways;
d) walkways;
e) garbage enclosures;
f) in-ground garbage and recycling containers;
g) fencing;
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 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.

3. That the City enter into, execute and deliver with the Developer:
   a) a Development 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 Development 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 Development Application No. DASZ 39/2019, 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.

REASONS FOR REPORT

This report is required because a proposed plan of subdivision and rezoning requires a public hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*

IMPLICATIONS OF THE RECOMMENDATIONS

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

CONSULTATION

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

OURWINNIPEG POLICY ALIGNMENT

The proposed plan of subdivision and rezoning, and the proposed development align with *OurWinnipeg* because they are consistent with the Key Direction of *OurWinnipeg* that applies to the site. This Key Direction 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 application, and the proposed development are consistent with the aforementioned Key Direction because:

- the proposed lots would be similar to recently created lots in the area, in terms of size, width and zoning;
- the resulting development would add new dwelling units to the neighbourhood;
- the neighbourhood in which the site is located is being redeveloped into an area with the full range of municipal infrastructure; and

- the proposal includes extending Bill Dance Drive to Art Miki Way.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

One of the Strategic Opportunities in the *Winnipeg Climate Action Plan* states: "*Facilitate compact, complete development and increase density*."

The proposal aligns with this Strategic Opportunity and with the *Winnipeg Climate Action Plan* in general because:

- the neighbourhood in which the site is located is being redeveloped into an area with the full range of municipal infrastructure; and
- the proposal would facilitate a significant increase in the residential density of the neighbourhood.

SUBMITTED BY

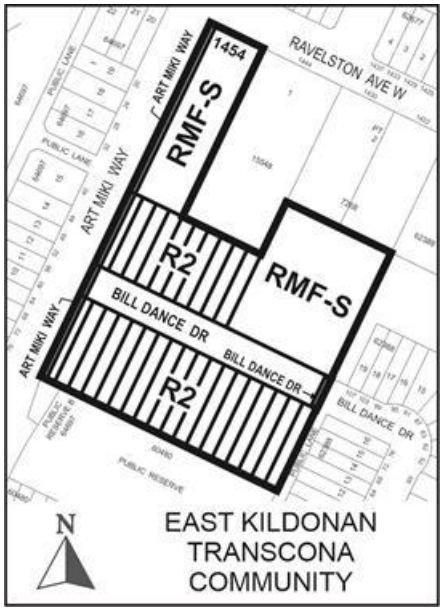
Department: Planning, Property and Development
Division: Urban Planning and Design
Prepared by: Glen Doney
Date: January 15, 2020,
File No. DASZ 39/2019

Attachments

- **Appendix "A," Planning Discussion**
- **Schedule "A," of File DASZ 39/2019, East Kildonan – Transcona Community Committee, dated**
  January 15, 2020
- **Schedule "B,"** Report of the Administrative Coordinating Group dated November 20, 2019

APPENDIX "A," PLANNING DISCUSSION

DATE:	January 15, 2020
FILE:	**DASZ 39/2019**
COMMUNITY:	East Kildonan – Transcona
NEIGHBOURHOOD #:	417 (Peguis)
SUBJECT:	Proposed Plan of Subdivision and Rezoning to Create 28 "R2" Residential Two-Family Lots, Two "RMF-S" Residential Multi-Family (Small) Lots and a Westerly Extension of Bill Dance Drive; also Proposed is the Development of 14 Two-Family Dwellings
LOCATION:	1454 Ravelston Avenue West
LEGAL DESCRIPTION:	Parcel 2, Plan 7268; excluding the easterly 200 ft. of the northerly 220 feet and Plan 15548



APPLICANT:	Fairview Custom Homes Ltd. (Paramjit Shahi) 1246 Comdale Ave. Winniepg, MB R3T 2R4
OWNERS:	Umesh Kumar Sharma and ADR Property Holdings Corp.
RECOMMENDATION:	Approval Subject to Conditions

SITE DESCRIPTION

The subject site, identified on Figures 1 and 2:

- is at 1454 Ravelston Avenue West, between Art Miki Way and Bill Dance Drive;
- is in the Peguis Neighbourhood and the Transcona Ward;
- is an irregular shape;
- is 210,465 square feet;
- contains a single-family dwelling that is near Ravelston Avenue West;
- is mostly zoned “RR5” Rural Residential 5 and partly zoned “R1-L” Residential Single-Family (Large);
- is the Almey – Ravelston Special Planning Area and a Proposed Residential Mixed-Use Policy Area of the *Transcona West Area Structure Plan*; and
- is in a Recent Communities Policy Area of *OurWinnipeg* and *Complete Communities*.



Figure 1: 2018 Aerial Photography

SURROUNDING LAND USE AND ZONING

The area in which the site is located is shown on Figures 1 and 2:

North: Ravelston Avenue West and single-family dwellings zoned “R1-L” Residential Single-Family (Large) and “RR5” Rural Residential 5 and, north of Ravelston West, “R2” Residential Two-Family lots on which side-by-side two-family dwellings are being built (one dwelling unit per lot).

East: a “RMF-M” Residential Multi-Family (Medium) Lot on which multi-family dwellings are being built, also a public lane, a control strip, the western terminus of Bill Dance Drive and “R2” lots on which side-by-side two-family dwellings are being built (one dwelling unit per lot).

South: a public reserve zoned “PR1” Parks and Recreation 1 (Neighbourhood).

West: a control strip then Art Miki Way, in which a collector road, a sidewalk and a path are to be built and, beyond that, lots zoned “R1-S” and lots zoned “R1-M.”

Also of note are:

- that the site is in an area being redeveloped into a neighbourhood with the full range of municipal infrastructure (an urban standard roadway, and piped water, wastewater and land drainage); and
- that the proposed lots would be similar to recently created lots in the area, in terms of size, width and zoning.

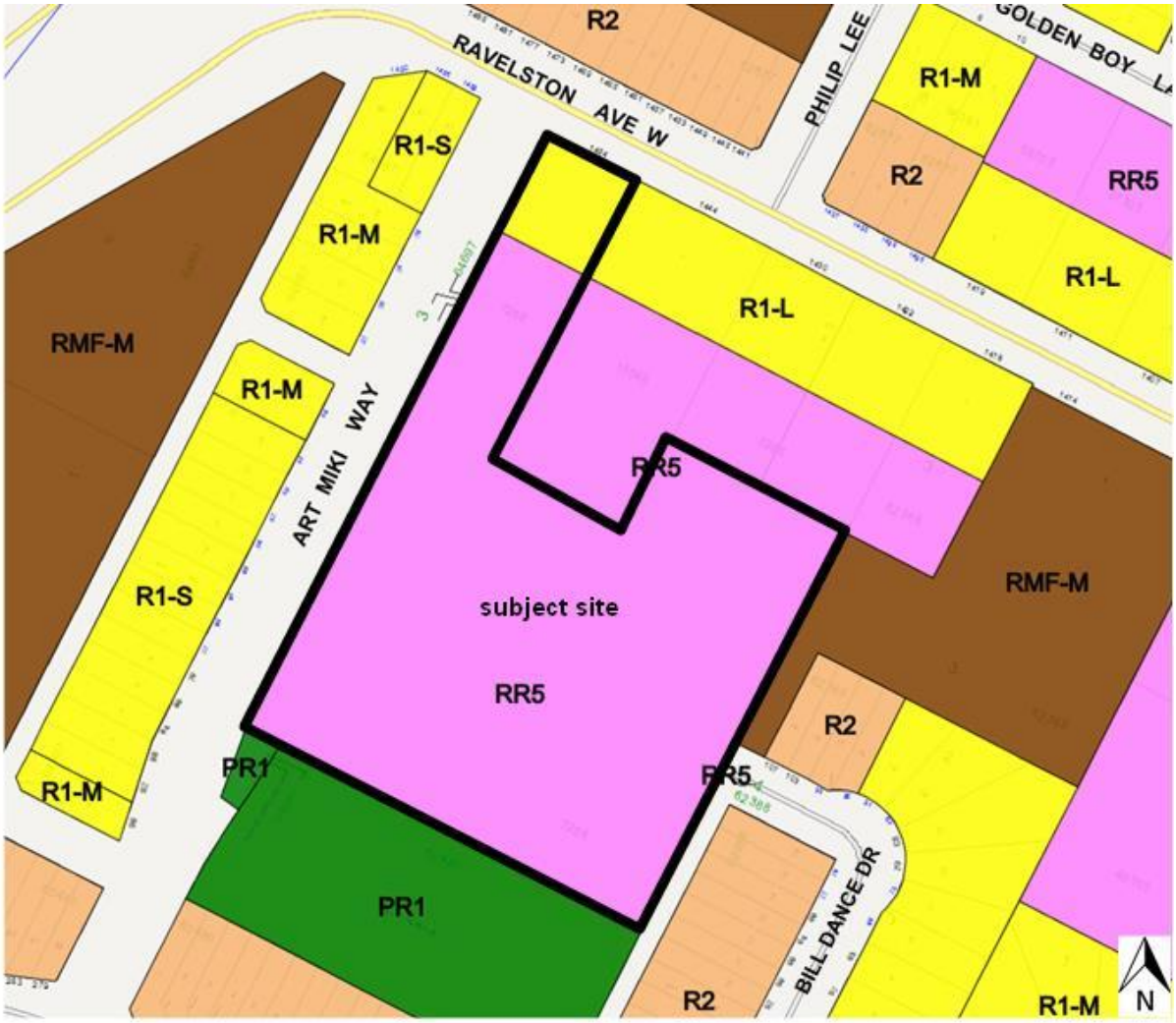


Figure 2: Existing Zoning

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposal includes creating a plan of subdivision that would:

- add the westerly control strip to the Art Miki Way Public Street right-of-way and the easterly control strip to the Bill Dance Drive Public Street right-of-way;
- extend Bill Dance Drive west to Art Miki Way,
- create 18 25-foot-wide lots (3877 square feet) along the south side of the westerly extension of Bill Dance Drive that would back onto the aforementioned public reserve;
- create 10 25-foot-wide lots (3455 square feet) and one 200 foot wide lot (47,643 square feet) along the north side of the westerly extension of Bill Dance Drive and
- create one lot at the southeast corner of Art Miki and Ravelston West (32,000 square feet);

The proposal also includes:

- rezoning the proposed 25 foot-wide lots to “R2” Residential Two-Family and the other proposed lots to “RMF-S” Residential Multi-Family Small);
- developing 14 side-by-side two-family dwellings on the 28 lots that would be zoned “R2” (one dwelling unit per “R2” lot);
- extending water and sewer mains and an urban roadway from Bill Dance Drive to Art Miki Way; and
- contributing to the cost of the infrastructure being built in Art Miki Way by another developer.

Development of the proposed “RMF-S” Residential Multi-Family (Small) Lots is not proposed at this time.

Variances are not required to accommodate this proposal.

MUNICIPAL INFRASTRUCTURE

As stated in the Administrative Coordinating Group Report, (Schedule B to this report), the Developer shall:

- construct and install all wastewater sewers, water mains and land drainage sewers required to service the Planned Area and adjacent lands as indicated by the servicing report; and
- construct concrete pavements, 7.5 metres in width, and all related works, including but not limited to ornamental street lighting, boulevard landscaping and land drainage facilities, in the proposed Bill Dance Drive extension between the existing Bill Dance Drive and Art Miki Way.

COLLABORATION

The proponents consulted the Urban Planning and Design Division and modified their proposal in accordance with the feedback from the Division. The modified proposal is the subject of this report.

ANALYSIS AND ISSUES

OURWINNIPEG AND COMPLETE COMMUNITIES

OurWinnipeg is the City’s development plan and Complete Communities is a “Direction Strategy” of OurWinnipeg that provides additional directions and policies on land use and development in the city.

The Areas of Stability sections of *OurWinnipeg* and *Complete Communities* contain the Key Direction that applies to the Recent Communities policy area. It states:

> *Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg’s changing population.*

Direction 1 of Section 04 of *Complete Communities* contains several policies that pertain to the proposal. They state:

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

The proposed plan of subdivision and rezoning application, and the proposed two-family dwellings are consistent with the aforementioned Key Direction and policies, and with *OurWinnipeg* and *Complete Communities* in general, because:

- the "R2" Residential Two-Family Zoning District limits building height to only 35 feet and requires conditional use approval of proposed multi-family dwellings;
- the "RMF-S" Residential Multi-Family (Small) Zoning District limits building height to only 35 feet and residential density to at least 1250 square feet of site area per dwelling unit (maximum of 34.85 dwelling units per acre);
- side-by-side two-family dwellings are being built north and east of the site;
- multi-family dwellings are being built east of the site;
- the site is in an area being redeveloped into a neighbourhood with the full range of municipal infrastructure;
- the proposed two-family dwellings and the future development of the proposed multi-family lots will increase the supply and diversity of new housing in the neighbourhood; and
- the proposed lots would be similar to recently created lots in the area, in terms of size, width and zoning; and
- the proposal includes extending Bill Dance Drive to Art Miki Way.

TRANSCONA WEST AREA STRUCTURE PLAN

Section 5.2.2(2) of the *Transcona West Area Structure Plan* pertains to any proposed plan of subdivision in the Special Planning Area of this plan. It states:

> *Any application for subdivision shall be accompanied by a concept plan that demonstrates how the subdivision may be integrated into the re-subdivision of adjacent and surrounding parcels in order to ensure that the future potential for adjacent subdivision is not compromised.*

Given that the proposal includes extending Bill Dance Drive to Art Miki Way, the proposal will not compromise the potential for other properties to be subdivided. Therefore, Urban Planning and Design did not require the applicant to include a concept plan.

Section 5.4.2 of the *Transcona West Area Structure Plan* pertains to any property in the Residential Mixed Use policy area of this plan. It states:

> *A significant use of land within Residential Mixed Use Areas will incorporate low, medium and higher density residential uses*.

Therefore, the proposed "R2" Residential Two-Family lots and the proposed "RMF-S" Residential Multi-Family (Small) lots are consistent with this policy.

REASONS FOR THE RECOMMENDATIONS

The Urban Planning and Design Division recommends approval because the proposal complies with *OurWinnipeg*, *Complete Communities* and the *Transcona West Area Structure Plan.*

In order to ensure that the future development of the proposed "RMF-S" Residential Multi-Family (Small) lots will comply with *OurWinnipeg*, *Complete Communities* and the *Transcona West Area Structure Plan*, the Division recommends a zoning agreement be entered into in accordance with the following:

For those portions of the Owner's Land zoned "RMF-S" Residential Multi-Family (Small), the owner must submit plans showing the location and design of any and all proposed:

a) principal buildings;

b) accessory parking areas;

c) driveways;

d) walkways;

e) garbage enclosures;

f) in-ground garbage and recycling containers;

g) fencing;

h) landscaping; and

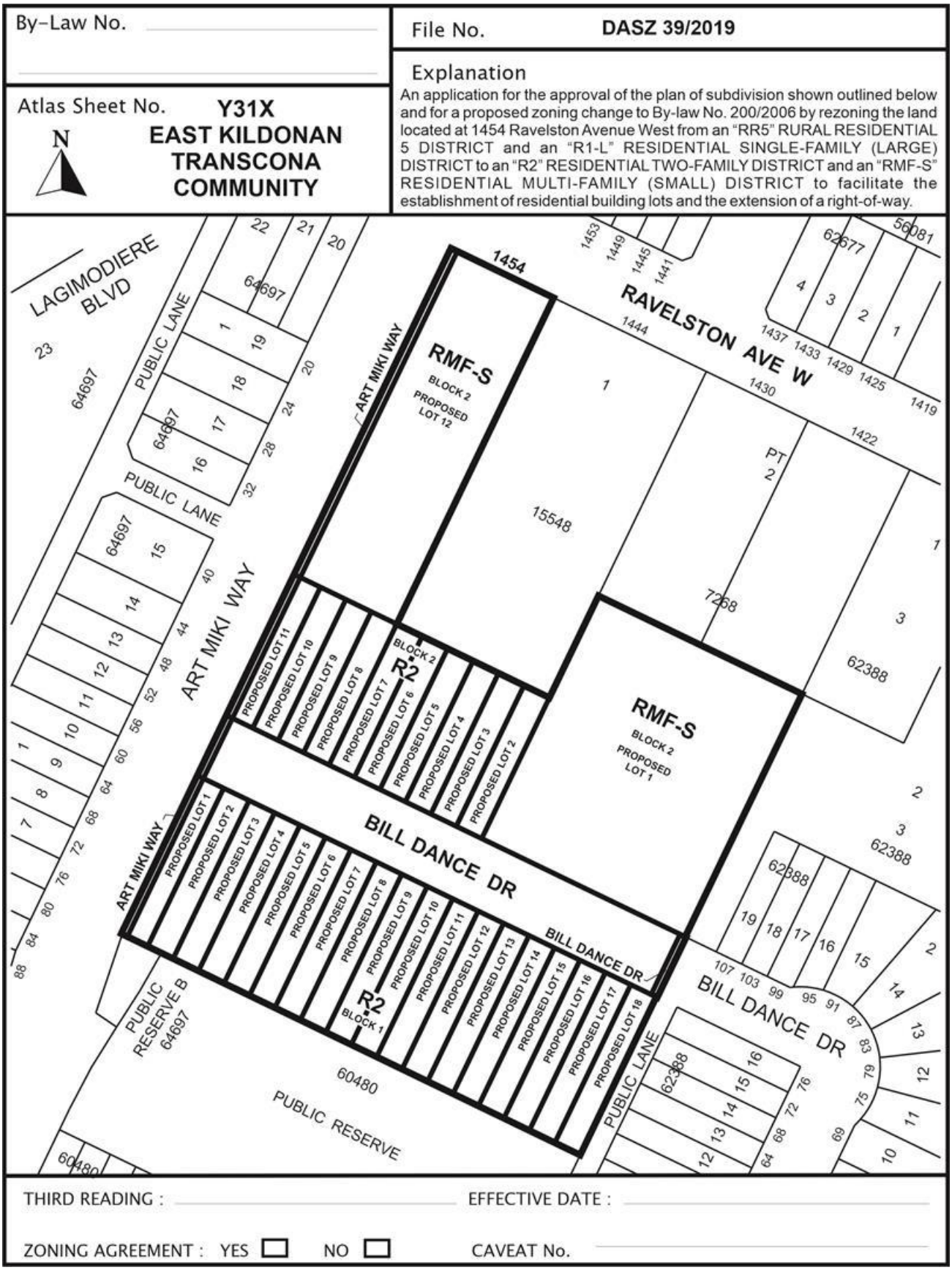
i) free-standing signage

on the Owner's Land ("Works) to the City's Director of Planning, Property and Development ("Director") and the 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.

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

Report Prepared by: Glen Doney
PPD File #: DASZ 39/2019

SCHEDULE "A" OF FILE DASZ 39/2019, East Kildonan – Transcona Community



Committee, dated January 15, 2020

SCHEDULE "B"
REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – November 20, 2019

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 1454 RAVELSTON AVENUE WEST

It is recommended that approval of DASZ 39/2019, if granted, be subject to the applicant entering into a Development Agreement and address the following items, where applicable:

Plan Considerations

1) The Developer shall, at no expense whatsoever to the City, legally open the existing 0.3m control strip separating the Planned Area from Bill Dance Drive for the length of the Planned Area abutting Bill Dance Drive.

2) The Developer shall, at no expense whatsoever to the City, legally open the existing 0.3m control strip separating the Planned Area from Art Miki Way for the length of the Planned Area abutting Art Miki Way.

Engineering Reports and Servicing Criteria

1) The Developer shall submit an updated comprehensive servicing report, prepared by a qualified municipal engineer, outlining the provision of underground services for the Planned Area and adjacent lands.

Servicing Conditions

1) Wastewater Sewers

   a. The Developer shall, at no expense whatsoever to the City, construct and install all wastewater sewers required to service the Planned Area and adjacent lands as indicated by the servicing report, to the satisfaction of the Director of Water and Waste.

   b. 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 wastewater sewer installed by others in Ravelston Avenue West and Art Miki Way, as determined by and to the satisfaction of the Director of Water and Waste.

2) Water Mains

   a. The Developer shall, at no expense whatsoever to the City, construct and install all water mains required to service the Planned Area and adjacent lands as indicated by the servicing report, to the satisfaction of the Director of Water and Waste.

   b. 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 water mains installed by others in Ravelston Avenue West and Art Miki Way, as determined by and to the satisfaction of the Director of Water and Waste.

3) Land Drainage Sewers

a. The Developer shall, at no expense whatsoever to the City, construct and install all land drainage sewers required to service the Planned Area and adjacent lands as indicated by the servicing report, to the satisfaction of the Director of Water and Waste.

b. 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 system, as determined by and to the satisfaction of the Director of Water and Waste.

c. 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 land drainage sewers installed by others in Ravelston Avenue West and Art Miki Way, as determined by and to the satisfaction of the Director of Water and Waste.

4) Lot Line Service Connections

a. The Developer shall, at no expense whatsoever to the City, construct and install wastewater and water building services from the wastewater sewers and water mains to service all single-family and two-family 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 the private sewer service for each single- family and two-family lot remains plugged from installation until the foundation excavation has been backfilled and the roof of the dwelling has been sheathed, after which the private sewer service pipe may be connected to the wastewater system, and the Developer will 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, to the satisfaction of the Director of Water and Waste, any water service pipe or private sewer service pipe determined by the Director of Water and Waste to be defective within one year following the date the water to the lot serviced by that water service pipe or private sewer service pipe is turned on by the City for domestic use, and shall pay to the City any and all costs incurred by the City associated with any such defect.

5) Lot Grading

a. The Developer shall, at no expense whatsoever to the City and prior to the issuance of any building permit in respect of the Planned Area, provide a lot grading plan, prepared by a municipal engineer, for the Planned Area, and construct all drainage works necessitated by the lot grading plan of record to the satisfaction of the Director of Water and Waste.

b. Prior to the issuance of any building permits in respect of the Planned Area, the Developer shall, at no expense whatsoever to the City, construct all swales, catchbasins and leads required to provide lot drainage within the Planned Area.

c. Upon registration of the approved subdivision mylars in the Land Titles Office, the Developer shall, at no expense whatsoever to the City, grant to the City and register easements in respect of all swales, catchbasins and leads for lot drainage within the Planned Area.

6) Pavements

a. The Developer shall, at no expense whatsoever to the City, construct 150mm thick Portland cement concrete pavements, 7.5m in width, and all related works, including but not limited to ornamental street lighting, boulevard landscaping and land drainage facilities, in the proposed Bill Dance Drive extension between the existing Bill Dance Drive and Art Miki Way, all as determined by and to the satisfaction of the Director of Public Works.

7) Art Miki Way

a. The Developer shall pay to the City, in cash, on demand, their share of the cost of services previously installed or to be installed by others in Art Miki Way, along the full length of the Planned Area abutting Art Miki Way, including but not limited to Portland cement concrete pavement, a multi-use pathway on the east side of Art Miki Way, boulevard landscaping, ornamental street lighting and land drainage sewer, and all related works, all as determined by and to the satisfaction of the Director of Public Works.

8) Ravelston Avenue West

a. The Developer shall pay to the City, in cash, on demand, their share of the cost of services previously installed or to be installed by others in Ravelston Avenue West, along the full length of the Planned Area abutting Ravelston Avenue West, including but not limited to Portland cement concrete pavement, a sidewalk or multi-use pathway on the south side of Ravelston Avenue West, boulevard landscaping, ornamental street lighting and land drainage sewer, and all related works, all as determined by and to the satisfaction of the Director of Public Works.

9) Private Approaches

a. Private approaches serving R2 lots shall be adjoined and there shall be 6.1m between the edge of the private approach flares between lots, measured at the curb, as determined by and to the satisfaction of the Director of Public Works.

b. The RMF-S sites are to be designed to limit the number of private approaches to/from the sites, to the satisfaction of the Director of Public Works.

10) Temporary Dead-End Streets

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

11) Boulevards

a. The Developer shall, at no expense whatsoever to the City, sod and plant trees on all boulevards within and fronting on the Planned Area, all in accordance with City specifications and guidelines and, where required, with concept plans prepared by the Developer and submitted to and approved by the Director of Public Works, to the satisfaction of the Director of Public Works.

b. The Developer shall, at no expense whatsoever to the City, maintain the sod for a period of one year and trees for a period of two years, in accordance with specifications approved by the Director of Public Works.

12) Signage

a. Prior to construction, the Developer shall, at no expense whatsoever to the City, obtain approval of and install, and subsequently maintain, at the entrances to the Planned Area, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, sidewalks, public walks, active transportation facilities, community mailbox sites, all proposed parks, storm water retention facilities, natural tree stands, multi-family sites, collector and arterial streets, Lagimodiere Boulevard and the Canadian Pacific Railway subdivision, all with the approval of and to the satisfaction of the Director of Planning, Property and Development.

13) Street Name Signs

The Developer shall, at no expense whatsoever 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 and to the satisfaction of the Director of Public Works.

14) Utilities

a. The Developer shall, at no expense whatsoever to the City, cause to be installed ornamental street lights in all streets within the Planned Area, to the satisfaction of the Director of Public Works.

b. The Developer shall, at no expense whatsoever to the City, cause underground electrical and telephone services to be installed to serve the Planned Area and pay the full cost to convert any existing overhead services within the Planned Area to underground to the satisfaction of the Director of Public Works.

c. 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.

15) Construction Traffic

a. The Developer shall, at no expense whatsoever to the City, ensure that construction traffic uses access routes determined by the Director of Public Works.

b. The Developer shall, at no expense whatsoever to the City, maintain the said access routes in a clean, dust-free condition, free of dropped and tracked-on mud; and shall undertake the regular cleaning, scraping and sweeping of those

access routes and all streets until building construction within the Planned Area, including landscaping, is complete, all as determined by and to the satisfaction of the Director of Public Works.

16) Litter and Refuse Control and Clean-Up

a. The Developer shall, at no expense whatsoever 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.

17) 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 restored as required 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. Where the Director of Planning, Property and Development determines that all the survey monuments within the Planned Area have been found or restored to their original positions, the Director of Planning, Property and Development may waive the requirements for Plan of Survey Perpetuating Certain Monuments under clause (a).

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;

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.

c) The Developer shall pay to the City its share of the cost of Consulting Fees for the Preparation of Precinct G, as determined and approved by the Director of Property and Development. – delete under Professional Fees clause 2 C in its entirety

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:

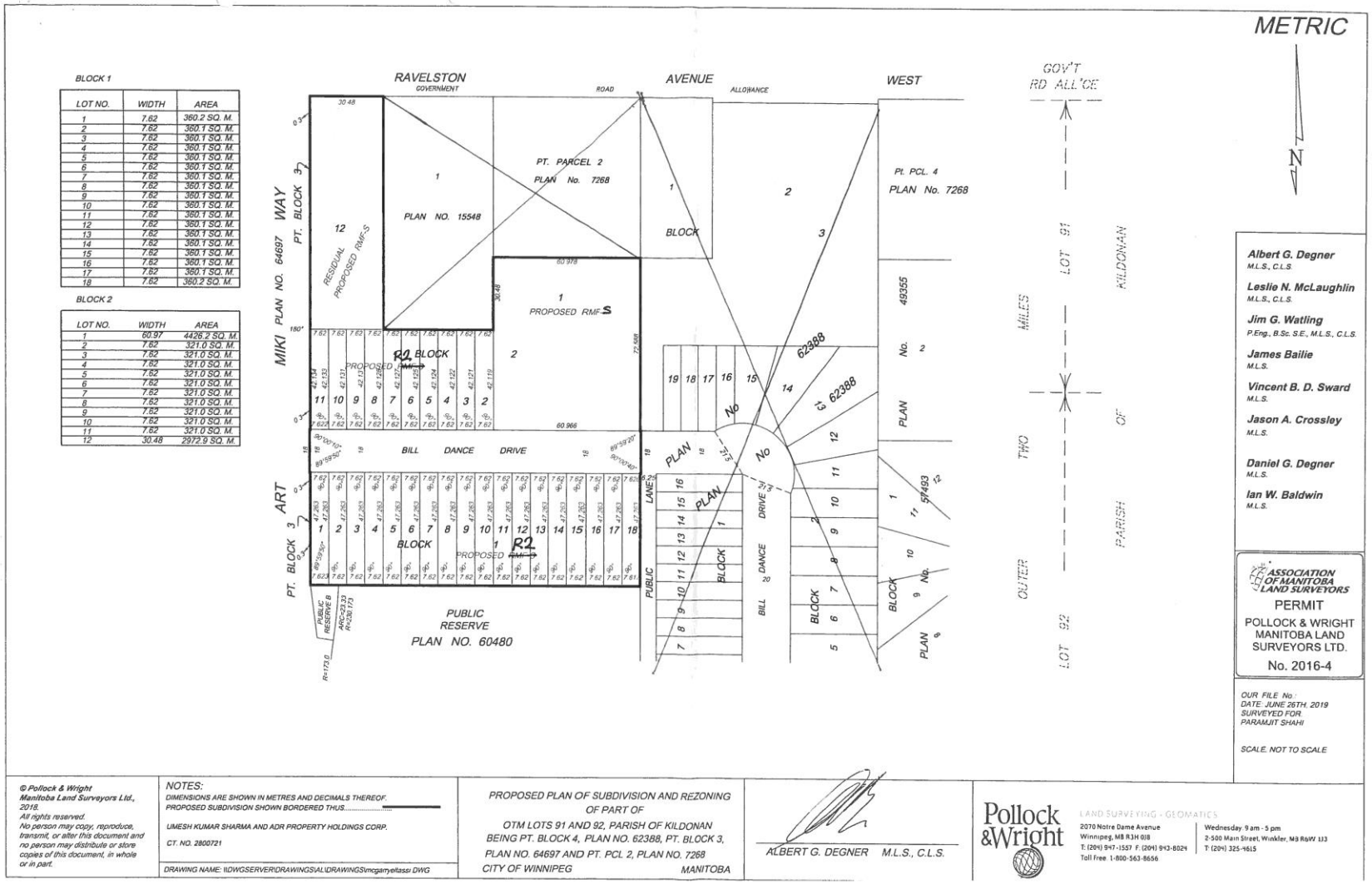
Administrative Co-ordinating Group
File No. DASZ 39/2019
January 16, 2020

"*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.J. Desjardine"
C.J. Desjardine, M.Sc., P. Eng.
Public Works Department, Transportation Division

Exhibit “5” referred to in File DASZ 39/2019



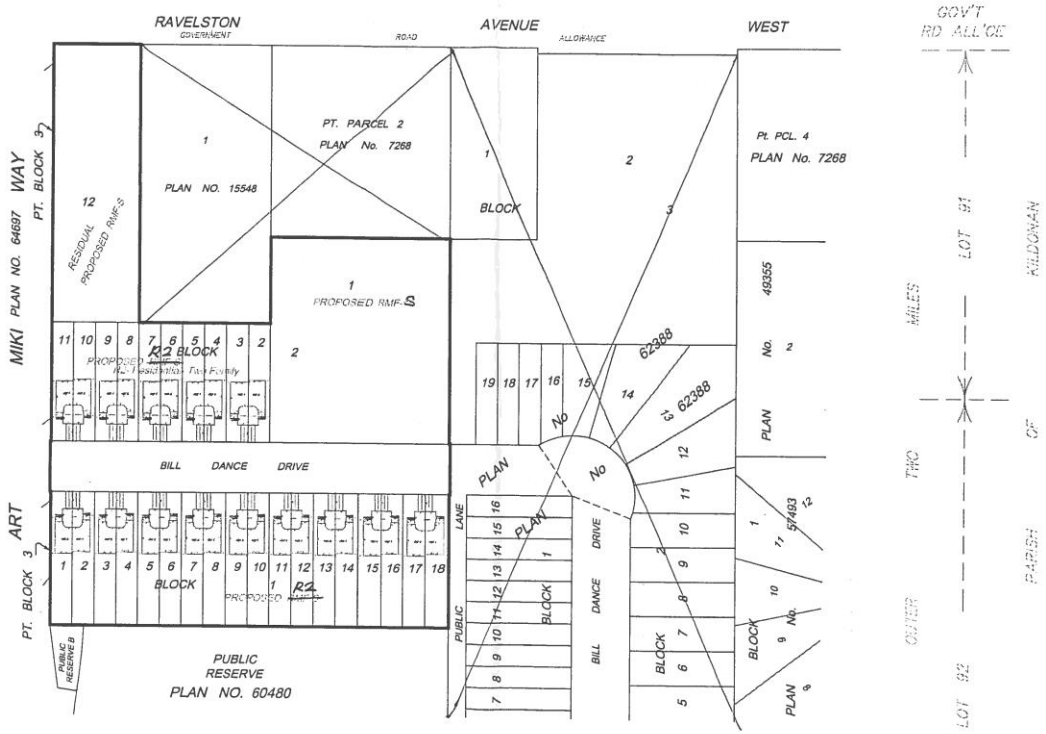
METRIC

BLOCK 1

LOT NO.	WIDTH	AREA
1	7.62	360.2 SQ. M.
2	7.62	360.1 SQ. M.
3	7.62	360.1 SQ. M.
4	7.62	360.1 SQ. M.
5	7.62	360.1 SQ. M.
6	7.62	360.1 SQ. M.
7	7.62	360.1 SQ. M.
8	7.62	360.1 SQ. M.
9	7.62	360.1 SQ. M.
10	7.62	360.1 SQ. M.
11	7.62	360.1 SQ. M.
12	7.62	360.1 SQ. M.
13	7.62	360.1 SQ. M.
14	7.62	360.1 SQ. M.
15	7.62	360.1 SQ. M.
16	7.62	360.1 SQ. M.
17	7.62	360.1 SQ. M.
18	7.62	360.2 SQ. M.

BLOCK 2

LOT NO.	WIDTH	AREA
1	60.97	4426.2 SQ. M.
2	7.62	321.0 SQ. M.
3	7.62	321.0 SQ. M.
4	7.62	321.0 SQ. M.
5	7.62	321.0 SQ. M.
6	7.62	321.0 SQ. M.
7	7.62	321.0 SQ. M.
8	7.62	321.0 SQ. M.
9	7.62	321.0 SQ. M.
10	7.62	321.0 SQ. M.
11	7.62	321.0 SQ. M.
12	30.48	2972.9 SQ. M.



DIMENSIONS ARE SHOWN IN METRES AND DECIMALS THEREOF.

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Leslie N. McLaughlin
M.L.S., C.L.S.

Jim G. Watling
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ASSOCIATION OF MANITOBA LAND SURVEYORS
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OUR FILE No.:
DATE: JUNE 26TH, 2019
SURVEYED FOR:
PARAMJIT SHAHI

SCALE: NOT TO SCALE

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NOTES:
DIMENSIONS ARE SHOWN IN METRES AND DECIMALS THEREOF.
PROPOSED SUBDIVISION SHOWN BORDERED THUS.....

UMESH KUMAR SHARMA AND ADR PROPERTY HOLDINGS CORP.

CT. NO. 2800721

DRAWING NAME: \\DWGSERVER\DRAWINGS\AL\DRAWINGS\mogarryelissa.DWG

PROPOSED PLAN OF SUBDIVISION AND REZONING OF PART OF
OTM LOTS 91 AND 92, PARISH OF KILDONAN
BEING PT. BLOCK 4, PLAN NO. 62388, PT. BLOCK 3, PLAN NO. 64697 AND PT. PCL 2, PLAN NO. 7268
CITY OF WINNIPEG MANITOBA

ALBERT G. DEGNER M.L.S., C.L.S.

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