Minute No. 135
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 6, 2020

Item No. 6 **Subdivision and Rezoning – Northwest Corner directly east of the intersection of McPhillips Street and Murray Avenue (Old Kildonan Ward) File DASZ 24/2019 [c/r DAC 5/2019]**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and adopted the following:

1. That the subdivision under Development Application No. DASZ 24/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated October 15, 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 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 July 17, 2019 and attached as Schedule "B" to this report, with the following amendments:

        i. Delete Condition 1) b) under 'Servicing Conditions – Wastewater Sewers' in its entirety

        ii. Amend Condition 1) c) by deleting the word "oversizing"

        iii. Delete Condition 2) b) under 'Servicing Conditions – Water Mains' in its entirety and replace it with the following:

            "2) b). The Developer shall, prior to construction, enter into an agreement with the City to address the additional monitoring and maintenance requirements for the wastewater Sewer and watermains to be installed outside of the planned area, as determined by and to the satisfaction of the Director of Water and Waste."

        iv. Amend Condition 12) a) under 'Servicing Conditions – Share of Future Improvements' by deleting "Ferrier" and replacing with "McPhillips"

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 6, 2020

COUNCIL DECISION (continued):

v. Delete Conditions 12) b), c) and d) under 'Servicing Conditions – Share of Future Improvements', in their entirety

vi. Delete Condition 16) c) under 'Servicing Conditions – Two Means of Vehicle Access' in its entirety;

vii. Add the following new Condition under 'Servicing Conditions – Public Reserve':

"21) j) The Developer shall install at no expense to the City a play structure amenity to the satisfaction of the Director of Public Works."

viii. Add the following new Condition under 'Servicing Conditions':

"24) "The Developer shall, at no expense to the City, construct a 6 ft. high wood fence along the top of the snow dump berm as determined by and to the satisfaction of the Director of Public Works."

xi. Amend Condition 7) b) by deleting "Schedule 'C'" and replacing with 'Exhibit 12 – Revised Figure 5'

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R1-S" Residential Single-Family (Small) District, "R1-M" Residential Single-Family (Medium) District, "R2" Residential Two-Family District, "RMF-S" Residential Multi-Family District (Small) District, "RMF-M" Residential Multi-Family (Medium) District, "C2" Commercial Community District, and a "PR1" Parks And Recreation 1 District as shown on the map dated October 15, 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 to include the following conditions:

i. That, for the development of any building (except single-family and two-family dwellings) on the lands zoned "RMF-S", "RMF-M", and "C2" (except Lots 1 through 29 within Block 6) the following shall apply:

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 6, 2020

COUNCIL DECISION (continued):

a. That, the owner must submit plans showing the location and design of any and all proposed:

1. buildings
2. accessory parking areas
3. private approaches
4. garbage enclosures
5. lighting
6. fencing
7. landscaping; and
8. free-standing signage

on the Owner's land ("Works) to the City's Director of Planning, Property and Development ("Director") and the Lord Selkirk - West Kildonan 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.

b. That, for any proposed building on proposed Lot 20 Block 10 the following shall apply:

1. That, no building shall be less than 35 feet from any "R1" zoning district boundary.

2. That, no building within 60 feet from any "R1" zoning district boundary shall be greater than 35 feet in height.

3. That, a 6 foot tall privacy fence shall be constructed along the western perimeter of the lot.

4. That, a landscaped buffer at least ten (10) feet wide be constructed and maintained along the western limit of the lot.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 6, 2020

COUNCIL DECISION (continued):

c. That, the minimum net density for residential development on Lot 49 Block 1, and Lot 20 Block 10 of Schedule "A" shall be no less than 15 dwelling units per acre.

d. That, for any commercial development on proposed Lots 50 and 51 within Block 1 of Schedule "A", the following uses shall be deemed Conditional Uses:

1. Landscape or Garden Supplies;
2. Auto/Light Truck/ Motorcycle, Repair and Service;
3. Auto/Light Truck/ Motorcycle, Sales and Rental;
4. Auto Parts and Supplies, Sales;
5. Contractor's Establishment.

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 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.

6. 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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 6, 2020

COUNCIL DECISION (continued):

7. 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.

8. 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.

9. That the By-law will be repealed without coming into force 2 years after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with Recommendations 7 and 8 unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

10. 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.

11. 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 – January 6, 2020

DECISION MAKING HISTORY:

Moved by Councillor Mayes,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 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 January 6, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 12, 2019, the Lord Selkirk-West Kildonan 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. Delete Condition 1) b) under 'Servicing Conditions – Wastewater Sewers' in its entirety

  ii. Amend Condition 1) c) under 'Servicing Conditions – Wastewater Sewers' by deleting the word "oversizing"

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 6, 2020

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

iii. Delete Condition 2) b) under 'Servicing Conditions – Water Mains' in its entirety and replace it with the following:

"2) b). The Developer shall, prior to construction, enter into an agreement with the City to address the additional monitoring and maintenance requirements for the wastewater Sewer and watermains to be installed outside of the planned area, as determined by and to the satisfaction of the Director of Water and Waste."

iv. Amend Condition 12) a) under 'Servicing Conditions – Share of Future Improvements' by deleting "Ferrier" and replacing with "McPhillips"

v. Delete Conditions 12) b), c) and d) under 'Servicing Conditions – Share of Future Improvements', in their entirety

vi. Delete Condition 16) c) under 'Servicing Conditions – Two Means of Vehicle Access' in its entirety;

vii. Add the following new Condition under 'Servicing Conditions – Public Reserve':

"21) j) The Developer shall install at no expense to the City a play structure amenity to the satisfaction of the Director of Public Works."

viii. Add the following new Condition under 'Servicing Conditions':

"24) "The Developer shall, at no expense to the City, construct a 6 ft. high wood fence along the top of the snow dump berm as determined by and to the satisfaction of the Director of Public Works."

ix. Amend Condition 7) b) by deleting "Schedule 'C'" and replacing with 'Exhibit 12 – Revised Figure 5'

- In Recommendation 9, delete the first instance of "1 year" and replace with "2 years";

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 6, 2020

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

- In Recommendation 9, delete "1" and replace with "2";

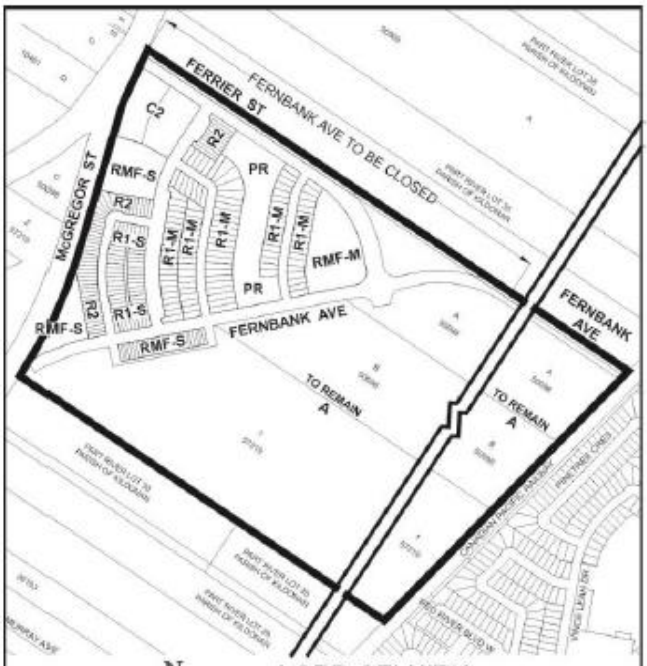
and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

On October 15, 2019, the Lord Selkirk-West Kildonan Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on November 12, 2019, at 5:00 p.m. in the Council Building at 510 Main Street.

PUBLIC HEARING SUMMARY

File:	DASZ 24/2019
Before:	Lord Selkirk-West Kildonan Community Committee Councillor Sharma, Chairperson Councillor Eadie Councillor Santos
Public Hearing:	October 15, 2019 Council Building, 510 Main Street
Applicant:	Ladco Company Ltd. (Michael Carruthers)

Subject:



LORD SELKIRK
WEST KILDONAN
COMMUNITY

APPLICANT: Ladco Company Limited
FILE: DASZ 24/2019
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 "A" AGRICULTURAL DISTRICT to an "R1-S" and "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT, "R2" RESIDENTIAL TWO-FAMILY DISTRICT, "RMF-S" AND "RMF-M" RESIDENTIAL MULTI-FAMILY DISTRICT, "C2" COMMERCIAL COMMUNITY DISTRICT AND "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate Phase 1 of a new neighbourhood by the creation of a new lot and block plan, public reserve land and public right-of-ways. **For information, phone Mr. R. Hayer, Planner at 204-986-7168.**

Premises Affected: Northwest Corner directly east of the intersection of McPhillips Street and Murray Avenue

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

Prepared by: P. Prinsloo, Senior Committee Clerk
Lord Selkirk-West Kildonan Community Committee

Report date: November 12, 2019

Community Committee Recommendation:

On November 12, 2019, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the subdivision under Development Application No. DASZ 24/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated October 15, 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 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 July 17, 2019 and attached as Schedule "B" to this report~~.~~ ***, with the following amendments:***

        i. Delete Condition 1) b) under 'Servicing Conditions – Wastewater Sewers' in its entirety

        ii. Amend Condition 1) c) under 'Servicing Conditions – Wastewater Sewers' by deleting the word "oversizing"

        iii. Delete Condition 2) b) under 'Servicing Conditions – Water Mains' in its entirety and replace it with the following:

            "2) b). The Developer shall, prior to construction, enter into an agreement with the City to address the additional monitoring and maintenance requirements for the wastewater Sewer and watermains to be installed outside of the planned area, as determined by and to the satisfaction of the Director of Water and Waste."

iv. Amend Condition 12) a) under 'Servicing Conditions – Share of Future Improvements' by deleting "Ferrier" and replacing with "McPhillips"

v. Delete Conditions 12) b), c) and d) under 'Servicing Conditions – Share of Future Improvements', in their entirety

vi. Delete Condition 16) c) under 'Servicing Conditions – Two Means of Vehicle Access' in its entirety;

vii. Add the following new Condition under 'Servicing Conditions – Public Reserve':

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viii. Add the following new Condition under 'Servicing Conditions':

"24) "The Developer shall, at no expense to the City, construct a 6 ft. high wood fence along the top of the snow dump berm as determined by and to the satisfaction of the Director of Public Works."

ix. Amend Condition 7) b) by deleting "Schedule 'C'" and replacing with 'Exhibit 12 – Revised Figure 5'

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R1-S" Residential Single-Family (Small) District, "R1-M" Residential Single-Family (Medium) District, "R2" Residential Two-Family District, "RMF-S" Residential Multi-Family District (Small) District, "RMF-M" Residential Multi-Family (Medium) District, "C2" Commercial Community District, and a "PR1" Parks And Recreation 1 District as shown on the map dated October 15, 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 to include the following conditions:

      i. That, for the development of any building (except single-family and two-family dwellings) on the lands zoned "RMF-S", "RMF-M", and "C2" (except Lots 1 through 29 within Block 6) the following shall apply:

a. That, the owner must submit plans showing the location and design of any and all proposed:

1. buildings
2. accessory parking areas
3. private approaches
4. garbage enclosures
5. lighting
6. fencing
7. landscaping; and
8. free-standing signage

on the Owner's land ("Works) to the City's Director of Planning, Property and Development ("Director") and the Lord Selkirk - West Kildonan 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.

b. That, for any proposed building on proposed Lot 20 Block 10 the following shall apply:

1. That, no building shall be less than 35 feet from any "R1" zoning district boundary.

2. That, no building within 60 feet from any "R1" zoning district boundary shall be greater than 35 feet in height.

3. That, a 6 foot tall privacy fence shall be constructed along the western perimeter of the lot.

4. That, a landscaped buffer at least ten (10) feet wide be constructed and maintained along the western limit of the lot.

c. That, the minimum net density for residential development on Lot 49 Block 1, and Lot 20 Block 10 of Schedule "A" shall be no less than 15 dwelling units per acre.

d. That, for any commercial development on proposed Lots 50 and 51 within Block 1 of Schedule "A", the following uses shall be deemed Conditional Uses:

1. Landscape or Garden Supplies;
2. Auto/Light Truck/ Motorcycle, Repair and Service;
3. Auto/Light Truck/ Motorcycle, Sales and Rental;
4. Auto Parts and Supplies, Sales;
5. Contractor's Establishment.

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 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 2years 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.

6. 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.

7. 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.

8. 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.

9. That the By-law will be repealed without coming into force ~~***1 year***~~ ***2 years*** after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 7 and 8 unless the developer applies for an extension of time before the expiration of the ~~***1***~~ ***2*** year period and Council approves the extension.

10. 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.

11. 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 Lord Selkirk-West Kildonan Community Committee provided the following supporting reasons for its recommendation:

1. Appreciate Mr. Jasper's comment on working with Ladco, again they were in my office in the very preliminary stages of creating this development and I always appreciate that because today I heard from someone that wanted a walk on motion to this committee – it does not work that way – we need to be working closely ahead of time to have the these things be successful.

2. I would like to congratulate them on this exciting new development in Precinct G, and I appreciate the variety of housing and housing stocks that they will be offering as North West Winnipeg is growing and the opportunities that are going to be provided to age in place, pedestrian friendly, community with sidewalks on every single street and that's something we are looking for, and I appreciate the communities you've created across the City of Winnipeg, quality communities, and that is what we are going to be seeing here, so congratulations and it is my pleasure to move the motion here today.

Exhibits Filed:

1. Application dated June 6, 2019
2. Notification of Public Hearing dated September 6, 2019
3. Manitoba Status of Title 2943159/1
4. Letter of authorization dated May 14, 2019, from LCLBRNOM Fernbank Ltd. to Michael Carruthers, Ladco Company Ltd.
5. Schedule of Lot Width and Area Calculations dated May 10. 2019
6. Plans (8 pages)
7. Report from the Urban Planning Division dated October 8, 2019
8. Inspection Report
9. Recording of Representations
10. Notice of Adjournment dated October 17, 2019
11. Recording of Representations of public hearing held on November 12, 2019
12. Revised Figure 5 to the Report of the Urban Planning Division dated October 8, 2019

REPRESENTATIONS:

In Support:

David Borger
Michael Carruthers
Sean Gallagher
Brendan Salakoh
Tyler Smith

In Opposition:

Nil

For Information:

Nil

For the City:

R. Hayer, Planner, Planning, Property and Development Department
C. Gagnon, Real Property Officer, Planning, Property and Development Department
D. Trenchard, Land Development Engineer, Planning, Property and Development Department
G. Jasper, Land Development Administrator, Planning Property and Development Department
Exhibit "7" referred to in File DASZ 24/2019

ADMINISTRATIVE REPORT

Title:	DASZ 24/2019 – North of Murray Avenue, East of McPhillips Street
Issue:	For consideration at the Public Hearing to subdivide and rezone the land from "A" Agricultural District to "R1-S" Residential Single-Family (Small), "R1-M" Residential Single-Family (Medium), "R2" Residential Two-Family, "RMF-S" Residential Multi-Family (Small), "RMF-M" Residential Multi-Family (Medium), "C2" Commercial Community, and a "PR1" Parks And Recreation 1 District.
Critical Path:	Lord Selkirk - West Kildonan Community Committee → Standing Policy Committee on Property and Development, Heritage and Downtown Development → Executive Policy Committee → Council as per the Development Procedures By-law and *The City of Winnipeg Charter.*

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 24/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated October 15, 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 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 July 17**,** 2019 and attached as Schedule "B" to this report.

2. That, the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land to an "R1-S" Residential Single-Family (Small) District, "R1-M" Residential Single-Family (Medium) District, "R2" Residential Two-Family District, "RMF-S" Residential Multi-Family District (Small) District, "RMF-M" Residential Multi-Family (Medium) District, "C2" Commercial Community District, and a "PR1" Parks And Recreation 1 District as shown on the map dated October 15, 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* to include the following conditions:

        i. That, for the development of any building (except single-family and two-family dwellings) on the lands zoned "RMF-S", "RMF-M", and "C2" (except Lots 1 through 29 within Block 6) the following shall apply:

            a. That, the owner must submit plans showing the location and design of any and all proposed:

                i. buildings;

                ii. accessory parking areas;

                iii. private approaches;

                iv. garbage enclosures;

                v. lighting;

                vi. fencing;

vii. landscaping; and

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on the Owner's land ("Works) to the City's Director of Planning, Property and Development ("Director") and the Lord Selkirk - West Kildonan 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.

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iv. That, a landscaped buffer at least ten (10) feet wide be constructed and maintained along the western limit of the lot.

c. That, the minimum net density for residential development on Lot 49 Block 1, and Lot 20 Block 10 of Schedule "A" shall be no less than 15 dwelling units per acre.

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v. Contractor's Establishment.

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 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.
6. 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 the By-law in accordance with the above.
7. 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.
8. 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.
9. 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 7 and 8 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.
10. 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.
11. That, the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

This report provides information, and makes recommendations, regarding the subject application (DASZ 24/2019) in terms of compliance with *OurWinnipeg*, the *Complete Communities Direction Strategy*, and the *Precinct 'G' Secondary Plan*. The subject application involves a proposed subdivision and rezoning on land located north of Murray Avenue and east of McPhillips Street (south of the McPhillips Snow Dump).

The area is covered by a Council approved Secondary Plan By-law (Precinct 'G') and zoned "A" Agricultural District.

The proposal calls for developing roughly 65 acres of the subject land and includes the opening of the Fernbank right-of-way, eastward to the CP Winnipeg Beach Rail Line, for the purposes of providing servicing connections for sewer, water and land drainage, but does not include a road

connection in the initial phase. Transportation access will be from McPhillips Street in the initial phase with future connections south to Murray Avenue and eastward across the rail line in later phases.

The applicant intends to rezone the land to the following zoning districts:

- "R1-S" Residential Single-Family (Small) District.
- "R1-M" Residential Single-Family (Medium) District.
- "R2" Residential Two-Family District.
- "RMF-S" Residential Multi-Family (Small) District.
- "RMF-M" Residential Multi-Family (Large) District.
- "C2" Commercial Community District.
- **"PR-1" Parks and Recreation District.**

The proposal would accommodate a variety of residential development, neighbourhood streets, and parks. The intended subdivision and rezoning of the land requires a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*

The Public Service recommends that the rezoning be approved subject to any conditions specified herein. 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 proposal can proceed.

HISTORY

Precinct G Secondary Plan By-law No. 5/2018:

On January 31, 2019, the Precinct G Secondary Plan received third reading and was approved by Council.

CONSULTATION

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	R. Hayer, MCP
Date:	October 8, 2019

File No. DASZ 24/2019

Attachments

- Appendix “A,” Planning Discussion
- Schedule “A,” of File DASZ 24/2019**,** Lord Selkirk - West Kildonan Community Committee, dated June 11, 2019**.**
- Schedule “B” Report Of The Administrative Coordinating Group – July 17, 2019, Proposed Subdivision And Rezoning Of Land Located North Of Murray Avenue, East Of McPhillips Street.
- Appendix “B,” Design Guidelines for Plan Approval DASZ 24/2019.

Appendix "A," Planning Discussion

DATE: October 8, 2019

FILE: **DASZ 24/2019**

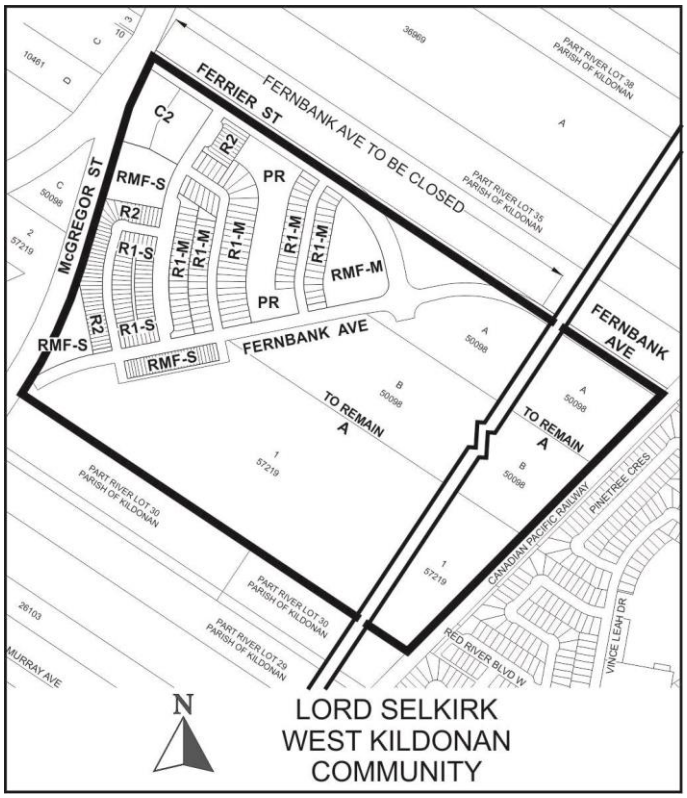
RELATED FILE:

COMMUNITY: Lord Selkirk - West Kildonan

NEIGHBOURHOOD #: 3.335 (Rosser – Old Kildonan)

SUBJECT: **P**roposed plan of subdivision and proposed rezoning from "A" Agricultural District to an "R1-S" Residential Single-Family (Small) District, "R1-M" Residential Single-Family (Medium) District, "R2" Residential Two-Family District, "RMF-S" Residential Multi-Family District (Small) District, "RMF-M" Residential Multi-Family (Medium) District, "C2" Commercial Community District, and a "PR1" Parks And Recreation 1 District

LOCATION: Land located north of Murray Avenue, east of McPhillips St.



APPLICANT: Ladco Company Limited (Michael Carruthers)
40 Lakewood Boulevard
Winnipeg, MB
R2J 2M6

OWNER: LCLBRNOM Fernbank LTD.
40 Lakewood Boulevard
Winnipeg, MB
R2J 2M6

RECOMMENDATION: Approval with Conditions

SITE DESCRIPTION

- The subject site is located on the east side of McPhillips Street, in the area south of a City of Winnipeg Snow Disposal Site (snow dump) and north of Murray Avenue in the Rosser-Old Kildonan neighbourhood and the Old Kildonan Ward.
- The land is currently vacant and zoned “A” Agricultural District.
- The lands being considered for subdivision and rezoning under the subject application represent an area of approximately 65 acres of the total 246 acre parcel. The residual lands would remain zoned “A” Agricultural District.
- Under *OurWinnipeg* and *Complete Communities*, the property is within the “Transformative Areas – New Communities” policy area and located in Precinct ‘G’.
- Under the *Precinct ‘G’ Secondary Plan*, the property is within the ‘Low Density Residential’, ‘Medium Density Residential’, and ‘Commercial and Mixed-Use’ policy areas.

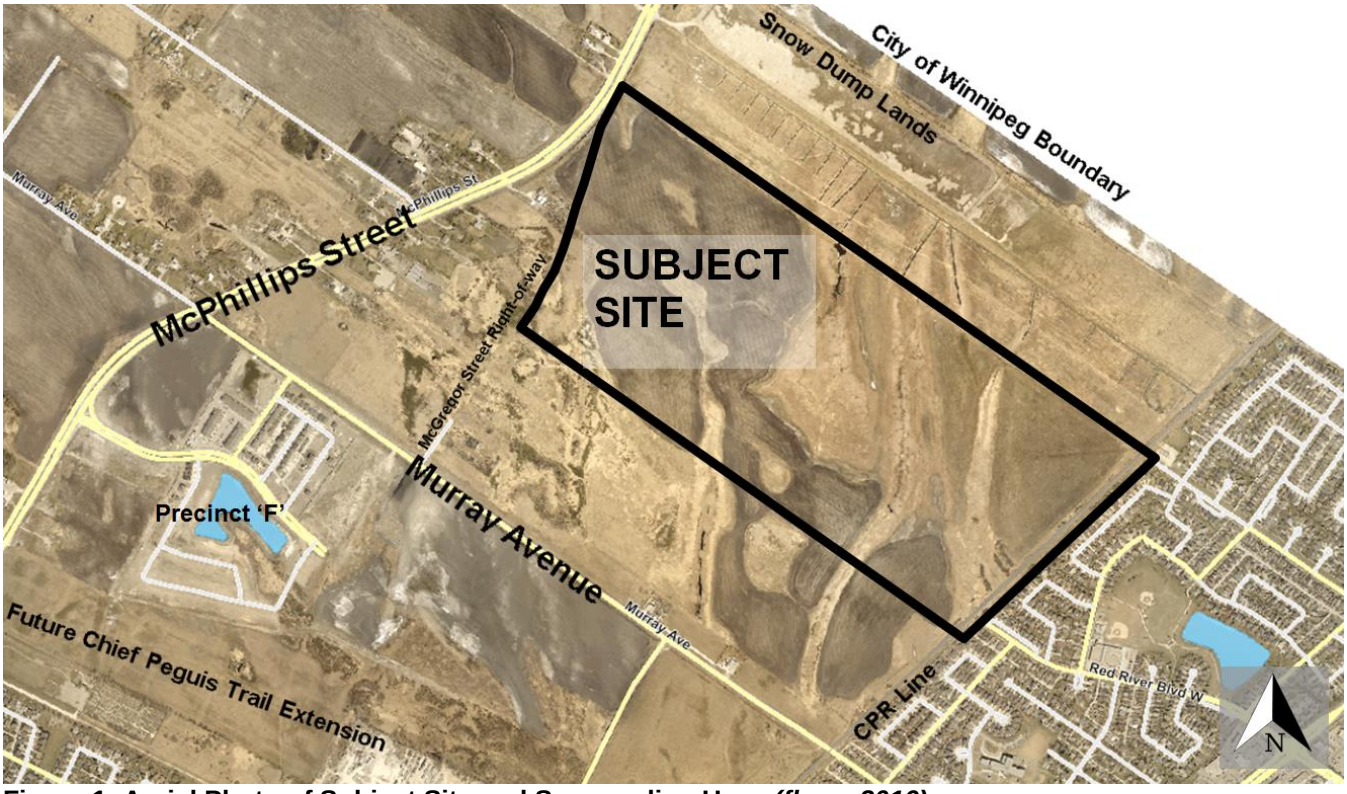


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2016)*

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

North: Vacant lands zoned “A” Agricultural District; then City of Winnipeg McPhillips Street Snow Disposal Site zoned “A” Agricultural District and “C2” Commercial Community District.

South: Vacant lands zoned “A” Agricultural District; then Murray Avenue.

East: Canadian Pacific Railway (CPR) Line; then single-family dwellings zoned “R1-M” Residential Single-Family (Medium) District.

West: McPhillips Street; then lands zoned “A” Agricultural District and located in Precinct ‘D’.

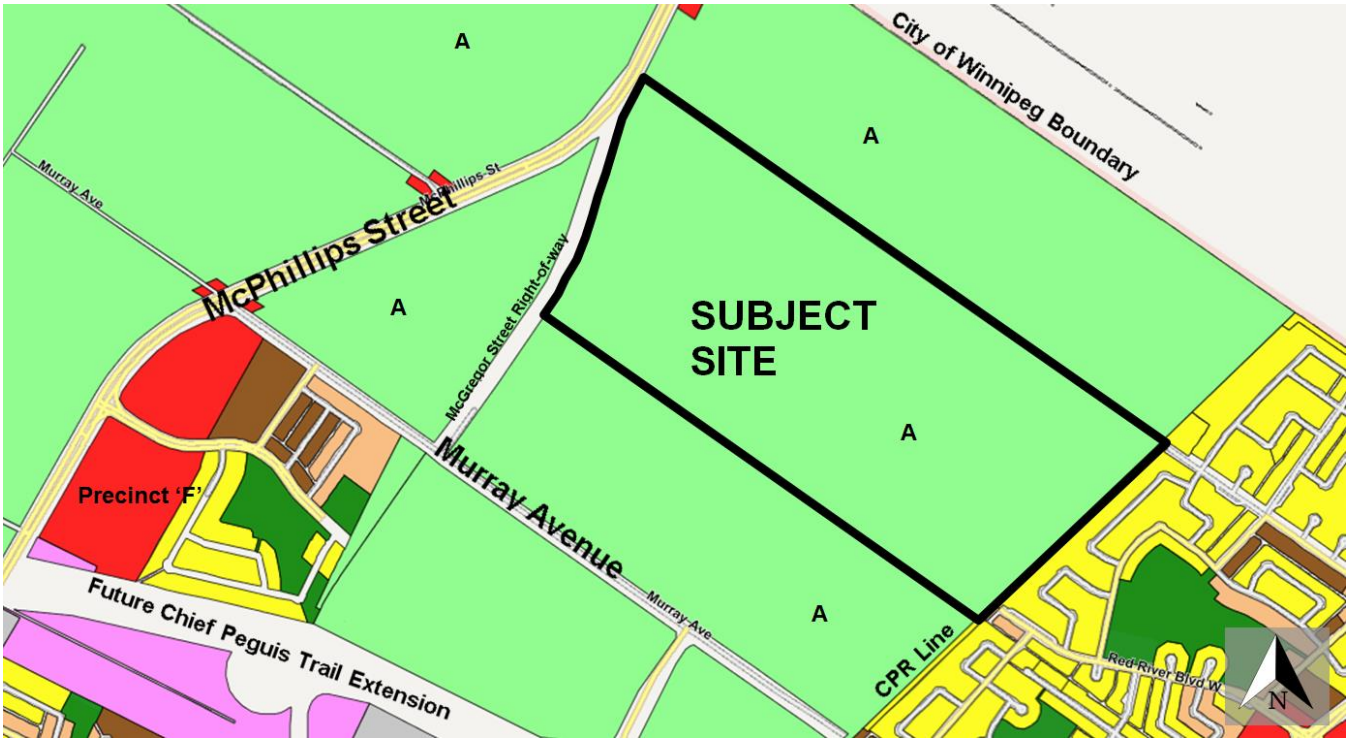


Figure 2: Existing zoning of the subject site and surrounding area.

DESCRIPTION OF THE PROPOSED SUBDIVISION AND REZONING

The applicant intends to rezone the property to the following zoning districts:

- “R1-M” Residential Single-Family (Medium) District.
- “R2” Residential Two-Family District.
- “RMF-S” Residential Multi-Family (Small) District.
- “RMF-M” Residential Multi-Family (Medium) District.
- “C2” Commercial Community District
- “PR-1” Parks and Recreation District.

Combined, the proposed development would provide a mix of Single-Family dwellings, Semi-Detached dwellings, Townhouse style dwellings, Multi-Family sites, Commercial sites, and Parks. In total, the application proposes the establishment of:

- 162 Single-Family lots of various sizes;
- 58 Semi-Detached Two-Family dwellings;
- 29 Townhouse-style Multi-Family units;
- 9.0 acres of lands for future Multi-Family development; and
- 4.38 acres of lands for future commercial development.

Collaboration:

With respect to the subject application, collaborative planning between the Applicant and the Urban Planning Division resulted in a number of changes to the development plans. For example:

- Re-orienting a number of single-family lots to front onto Fernbank Avenue (Block 5) to support a more pedestrian oriented streetscape.
- Changing the proposed zoning for Lot 49 Block 1 to "RMF-S" Residential Multi-Family (Small) instead of "RMF-M" Residential Multi-Family Medium to ensure a suitable transition in zoning between single-family lots and more intensive commercial zoning categories.
- Building consensus around the Zoning Agreement conditions.

Figure 3 below shows a drawing of the proposed development and has been submitted by the applicant.



Figure 3: Proposed development, image provided by applicant.

ANALYSIS AND ISSUES

OurWinnipeg and the Complete Communities Direction Strategy:

Under *OurWinnipeg* and *Complete Communities* the proposed development is within the "New Communities" Policy Area (Precinct 'G'). Per *OurWinnipeg,* the Key Direction for New Communities is the following:

- *New Communities will continue to play an important role in accommodating the city's projected population growth. These communities will be planned as complete from the outset and will continue to achieve a high standard of sustainability in planning, design, construction and management.*

Per *Complete Communities,* key policies include the following:

- *New Communities will be established through a planning process.*
- *New Communities will increase opportunities to live, work, learn and play in the same neighbourhood.*
- *New Communities will be developed with complete streets, enabling safe and convenient spaces for pedestrians, bicyclists, public transit ridership and motorists to promote physical activity, health and active transportation.*

A Planning Process has occurred and the Precinct 'G' Secondary Plan has been adopted by Council as By-law 5/2018.

Precinct 'G' Secondary Plan:

On January 31, 2019, the Precinct G Secondary Plan received third reading and was approved by Council. The vision for Precinct G is for the area to be developed to become a vibrant suburban community offering a variety of housing options and amenities accessible to people of various ages and incomes. Residents of the community will have access to both local and regional community services, recreational amenities, services, shopping and employment opportunities.

Apartments, townhouses and other forms of multi-family housing will be strategically located to maximize the number of residents in proximity to community and commercial amenities, including transit connections and parks. The Precinct 'G' land-use policy map is shown on Figure 5.

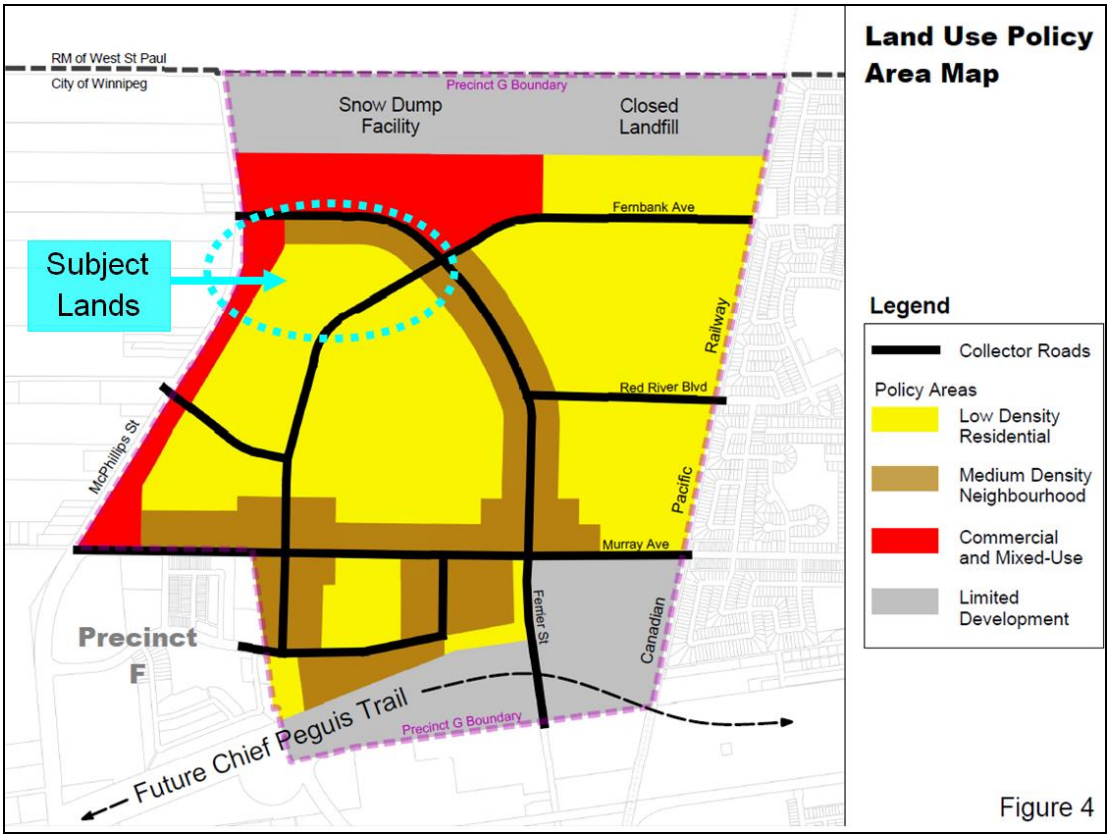


Figure 4: Precinct 'G' Land Use Policy Map.

Precinct 'G' Land Use Policies:

The land use concept consists of a series of Policy Areas that define the future land use pattern of Precinct G. The plan requires applications to achieve a certain amount of Net Density depending on the applicable land use policy.

Low Density Residential:

- Single-family dwellings, two-family dwellings, and ground-oriented townhouses shall be the predominant use of land. Higher density multi-family residential developments may be considered on corners, along collectors, or adjacent to Medium Density Neighbourhood Policy Areas.
- Ground-oriented multi-family dwellings should not exceed the lesser of 3 storeys or 35 feet in height. Ground-oriented multi-family dwellings should be supported by a public lane for vehicular access unless the development proponent can address issues associated with snow storage, on-street parking, sidewalk access, and lighting to the satisfaction of the City.
- The minimum Net Density should be 7 units per acre over the entirety of the Low Density Residential Policy Areas.
- Residential development located within 300 metres from the existing snow dump may be approved if:
    - it is set back a minimum of 200 metres from the existing snow dump; and
    - the developer constructs a 6 foot tall wood sound attenuation fence on top of the existing berm along the southern perimeter of the City of Winnipeg McPhillips Snow Dump Site, at no expense to the City of Winnipeg, to the satisfaction of the Director of Public Works.

Medium Density Residential:

- Multi-family and two-family residential developments shall be the predominant uses of land. Medium Density Neighbourhood Policy Areas shall achieve a minimum net density of 15 units per acre. Single-family housing is discouraged, but may be accommodated when it has been demonstrated that a net density of 15 units per acre can be achieved.
- Medium Density Neighbourhood Policy Areas shall be connected to the walking and cycling network.
- Suitable transitions between single-family and multi-family housing types shall be encouraged, in order to protect privacy and maintain compatibility. Design considerations may include setbacks, landscaping buffers, building orientation, and building massing.
- Larger multi-family developments should be located adjacent to a collector road to allow for effective use of public transit.
- Residential development located within 300 metres from the existing snow dump may be approved if:

- it is set back a minimum of 200 metres from the existing snow dump; and
- the developer constructs a 6 foot tall wood sound attenuation fence on top of the existing berm along the southern perimeter of the City of Winnipeg McPhillips Snow Dump Site, at no expense to the City of Winnipeg, to the satisfaction of the Director of Public Works.

Commercial Mixed Use:

- Suitable buffers and/or design considerations shall be provided between Commercial and Mixed-Use Policy Areas and Low Density Residential Policy Areas. Buffers and/or design considerations may include setbacks, building massing, landscaping or other mitigative measures.
- New single-family dwellings shall not be permitted in the Commercial and Mixed Use Policy Areas.

Parks and Open Space:

- The location, size and configuration of the parks and open spaces will be determined at the Development Application stage in accordance with the following:
  - a minimum of one neighbourhood-scale small park (0.5 acre minimum) should be provided per sub-area and a minimum of one large (15 or more acres) or two smaller (7 or more acres) community-scale park(s) shall be provided for organized sports;
  - size, orientation, configuration and location of parks shall be appropriate for the intended use;
  - parks should be distributed to achieve a 400 metre walking distance to most residences;
  - community-scale parks should generally be located on a collector street; and
  - neighbourhood parks should generally be located on local streets.
- The preservation of high quality existing natural areas (as identified in biological inventories and current natural area assessments) for parkland dedication purposes shall be considered.

Transportation Policies:

- Design solutions for residential lots to address snow storage, on-street parking, sidewalk access and lighting.
- Future rail crossings will be considered at Red River Boulevard and Fernbank Avenue, as well as changes to the existing rail crossing at Murray Avenue through consultation with the appropriate rail company.
- Sidewalks are required on local streets connecting to medium density policy areas.
- To enable the safe and effective movement of people and goods within the Precinct

- Provide convenient connections and multiple choices to origin/destination points within the community.
- Provide pathway connections between streets, to assist in meeting transit coverage requirements and promote connectivity.
- Ensure the ability of Transit stops can be provided within 400 metres of most dwellings.

- Where the size of a residential lot or a series of contiguous residential lots may result in difficulties with respect to snow storage, on-street parking, sidewalk access and lighting, design solutions may be required to address these matters.

Phasing Policies:

- The phasing constraints outlined in Section 6.1 of the Secondary Plan can be revised subject to detailed technical analysis to the satisfaction of the Director of Water and Waste (City of Winnipeg). Road-related phasing criteria may be considered.

City of Winnipeg Zoning By-Law 200/2006:

The following zoning districts are proposed, which would accommodate single family homes, duplexes, row houses, apartments, commercial uses, and parks:

- **"R1-S" (Small) and "R1-M" (Medium) Residential Single-Family Districts** are intended to accommodate primarily single-family residential development in lower-density neighbourhoods.
- **"R2" Residential Two-Family District** is intended to accommodate the development of single and two-family, limited multi-family units in lower density neighbourhoods units.
- **"RMF-S" (Small) and "RMF-M" (Medium) Residential Multi-Family Districts** are intended to accommodate the development of multi-family units in neighbourhoods of various densities.
- **"C2" Commercial Community District** is intended to accommodate more intensive commercial sites that do not have a local or neighbourhood orientation. The district is intended to include attractive commercial, institutional, recreational, and service facilities needed to support the surrounding neighbourhoods and broader community.
- **"PR1" Parks and Recreation 1 (Neighbourhood) District** is intended for sites that are generally passive neighbourhood and community parks and facilities with predominantly pedestrian and cyclist access.

Zoning District and Designation	Minimum Lot Area (Sq. Ft.) [Notes a, e] *amended 95/2014*	Minimum Lot Width (Ft.) (Note e) *amended 95/2014*	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Side Yard (Ft.) [Note b]	Minimum Reverse Corner Street Side Yard (Ft.)	Maximum Height of Bldg. (Ft.)	Maximum Lot Coverage (%)
Principal Residential Structure								
R1-Medium	3,500	25	15 [note c & d]	25	4	4	35	45
R1-Small	2,500	25	15 [note c & d]	25	3 each, or 2 & 4	4	35	45
R2	5,000 (2,500 per dwelling unit for two-family; 800 per dwelling unit for multi-family)	25	20	25	4	10	35	NA

NOTES:

a. Where the lot is serviced by a private sewage disposal system with a septic field, the minimum lot area is that required by the *Sewer By-law* (7070/97) or that shown in dimensional standards table, whichever is greater. In other cases where residential uses are not served by municipal water and/or sewer, the minimum lot area is 11,000 sq. ft.

b. Where the width of the lot is less than 40 feet, the side yards may be reduced to 10% of the width of the lot but must not be less than 3 feet for principal residential structures
amended 95/2014

c. Portions of the front façade that do not include garages or carports must have a minimum front yard of 15 feet; where a driveway leads from the street to a garage or carport located on the front facade of the house, such driveway must be a minimum of 18 feet in length, unless the provisions of subsection 140(2), *Auto Courts*, apply. Driveway length is measured between the garage door or the edge of the carport closest to the street and the front property line.

d. If the house has rear access to a public lane and does not have a driveway providing access from the public street to a garage or carport, the minimum front yard is 10 feet, unless the provisions of subsection 140(3), *Loop Lanes*, apply.

e. Section 138, Special Boundary Conditions, applies to the minimum lot area and lot width for the subdivision of new lots in all R1 and R2 zoning districts
added 95/2014

Table 1: Single- and Two Family Zoning District Dimensional Standards.

Zoning District and Designation	Minimum Lot Area (Sq. Ft.)	Minimum Lot Area Per Dwelling Unit (Sq. Ft.)	Minimum/ Maximum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Interior Side Yard (Ft.)	Minimum/ Maximum Corner Side Yard (Ft.)	Principal Building Separation (Ft.) [note a]	Minimum/ Maximum Building Height (Ft.)
Multi-Family Residential Structures								
RMF-M	9,000	800	25 / NA	25	8 **[note b]**	20/ NA	8	NA / 60
RMF-S	9,000	1,250	20 / NA	25	4	5 / NA	8	NA / 35

NOTES:

a. For buildings taller than 35 ft, the principal building separation distance must be 50% of the height of the taller building to a maximum of 25 feet.

b. In the RMF-M, RMF-L, and RMU zoning districts, where a building is more than one storey in height, the required interior side yard increases by 2 feet for each storey above the ground floor to a maximum of 20 feet.

c. In the TOD zoning district, up to 50% of the length of the ground floor façade of any building, to a maximum continuous length of 25 feet, may have a maximum yard of 15 feet for the purpose of accommodating an otherwise approved public space, plaza, outdoor dining/drinking area or other pedestrian amenity.

Table 2: Multi-Family Zoning District Dimensional Standards.

Zoning District	Minimum/ Maximum Front Yard (Ft.) [note a]	Minimum Rear Yard (Ft.) (note b) *amended 95/2014*	Minimum Interior Side Yard (Ft.) [note b]	Minimum Corner Side Yard (Ft.)	Maximum Height of Building. (Ft.)	Maximum Floor Area Ratio
Non-Residential Structures						
C2	0 / NA	25 [note c]	0	0	49	3.0
Single-family residential structures must meet the requirements of the R1-M zoning district						
Two-family residential structures must meet the requirements of the R2 zoning district						
Multi-family residential structures in the C1 district must meet the requirements of the RMF-S zoning district; Multi-family residential structures in the C2, CMU or EI districts must meet the requirements of the RMF-M zoning district.						

NOTES:

a. Where a maximum front yard requirement applies, a minimum of 50 percent of the ground floor front façade of the principal structure must meet the maximum front yard requirement; other portions of the front façade may be located further from the street. (See Illustration 16.)

b. Where a side or rear lot line in a commercial or institutional zoning district abuts a side or rear lot line of an R1 or R2 zoning district, a yard of 10 feet must be provided along the side or rear lot line in the commercial or institutional zoning district. The 10 foot side yard must be landscaped pursuant to sections 188 through 193, *Landscaping and Buffering*, and must not be used for parking or loading areas, storage of refuse or materials, or commercial activities of any kind.

c. No rear yard is required for lots in the C2 district located in the Urban Infill Areas on Map 1 in Schedule C *amended 148/2016*

d. Principal buildings must be located 125 feet from the zoning district boundary of any residential zoning district, and 50 feet from any other zoning district boundary. Secondary "liner" or "pad site" buildings that are not the principal building on a site must comply with yards applicable to the C3 district. Fuel sales kiosks must be located at least 50 feet from each property boundary.

e. Maximum FAR is increased to 6.0 if the property is located within 400 meters of a transit stop served by regular daily service.

f. Maximum front yard in the C1 district applies only in Urban Infill Areas as identified on Map 1 in Schedule C. *amended 148/2016*

g. A minimum front yard of 10 feet must be provided to open parking or loading areas and to queuing spaces. *added 148/2016*

Table 3:Commercial Zoning District Dimensional Standards.

Compatibility with the Surrounding Area

North:

- Lands to the north fall within the Precinct 'G' Plan and will be subject to a future DASZ application (approval through City Council) and will be required to comply with the applicable land use policies.
- Also to the north is the City of Winnipeg McPhillips Snow Dump Site. The Snow Dump lands are designated "Limited Development" policy area. New development within the Limited Development Policy Area is restricted to uses related to public infrastructure, operations and/or maintenance.
- Under the Precinct 'G" Plan Land Use Policies, development within 200 metres of the Snow Dump Site is prohibited. Development within 300 meters can be accommodated, provided that the Developer constructs a 6 foot tall wood sound attenuation fence on top of the existing berm along the southern perimeter of the Snow Dump site. The inclusion of this clause is included so that the Snow Dump does not become incompatible with

future development on the subject lands

South:

- The lands south of the precinct also fall within the Precinct 'G' Plan and will be subject to a future DASZ application (approval through City Council).

East:

- The lands east of the precinct also fall within the Precinct 'G' Plan and will be subject to a future DASZ application (approval through City Council).

West:

- To the west of the subject lands McPhillips Street. West of McPhillips Street is Precinct 'D', which falls within the New Communities Policy Area of *Complete Communities.* A Planning Process has not occurred and there is no Precinct Plan in place for development of lands within Precinct 'D' at this time.

Zoning Agreement Considerations:

The following sections describe the recommended Zoning Agreement conditions. These conditions are to implement the Precinct 'G' Secondary Plan policies and ensure compatibility with the future context.

Plan Approval

- The Administration recommends that final plans be submitted to the Director of Planning, Property and Development and Lord Selkirk - West Kildonan Community Committee for review prior to the issuance of a development permit on the site.
- Plan Approval would apply to Lots 49 to 51 Block 1, Lot 20 Block 10, and Block 11, which are proposed for rezoning to "RMF-S" Residential Multi-Family (Small), "RMF-M" Residential Multi-Family (Large) and "C2" Commercial-Community District. It would not apply for the development of any single- or two-family dwellings constructed on those lands.
- The inclusion of this clause will allow the Urban Planning Division and the Lord Selkirk - West Kildonan Community Committee to review final plans before development takes place on the subject site, and for any future developments on the Parcels. Evaluation should be guided by the design guidelines under Appendix B to this report. Please not the design guidelines would not be included within the Zoning Agreement, rather they are included to articulate design expectations for all stakeholders.

Building Heights and Setbacks for Multi-Family Development:

- The Administration recommends a minimum setback of 35 feet for any multi-family building adjacent to single-family homes. It is also recommended that, if development on the land results in buildings taller than 35 feet, the minimum setback would increase to 60 feet. In addition, it is recommended that the Developer construct a 6-foot high wood fence abutting the westerly property line of the multi-family site and a 10 foot wide landscape buffer.

- The recommended clause is included to address the issue of privacy for immediate neighbours and ensure suitable transitions between single- and two- family and multi-family housing. This clause will ensure that buildings taller than the maximum height permitted for single-family dwellings are located further away, while buildings of similar heights would be permitted smaller yards.
- The Zoning Agreement clause would apply to Lot 20 Block 10, which is the only lot being proposed for rezoning to "RMF-M" Residential Multi-Family (Medium).

Minimum Net Density Requirements:

- The Administration recommends a minimum net density requirement for Lot 49, Block 1, and Lot 20 Block 10, proposed for rezoning to Multi-Family districts and located within the Medium Density policy area.
- Maximum will be guided by the zoning district.

Commercial Lots:

- To ensure that future development on the commercial lands does not become incompatible with the area, which is proposed to include single- and two- family dwellings, it is recommended that more intensive commercial uses be deemed Conditional Uses.
- The Conditional Use process allows the Developer flexibility while also ensuring that future development proposals can be properly evaluated by the Urban Planning Division and any necessary conditions of approval related specifically to a future development can be considered in a public and transparent manner.
- The uses recommended to be deemed Conditional are such that typically have longer hours of operation, more impact on adjacent properties in terms of noise and light, signage, and may generate unique circulation patterns that need to be evaluated by the Administration.
- The following uses are included to be deemed Conditional:
    - Landscape or Garden Supplies;
    - Auto/Light Truck/ Motorcycle, Repair and Service;
    - Auto/Light Truck/ Motorcycle, Sales and Rental;
    - Auto Parts and Supplies, Sales;
    - Contractor's Establishment.

Key Comments Provided by Other Civic Departments

- It is noted that the subject DASZ application (24/2019) has been reviewed by civic departments through the Administrative Coordinating Group (ACG).
- This review process is used to determine developer obligations such as servicing requirements, land dedication and other considerations.
- The ACG Report, the contents of which will make up the development agreement can be found in Schedule B.

Sidewalks:

- The location of recommended sidewalks and/or multi-use pathways is described in the ACG report and would be required to be constructed to the satisfaction of the Director of Public Works.
- Figure 5 shows the location of recommend sidewalks and multi-use paths.

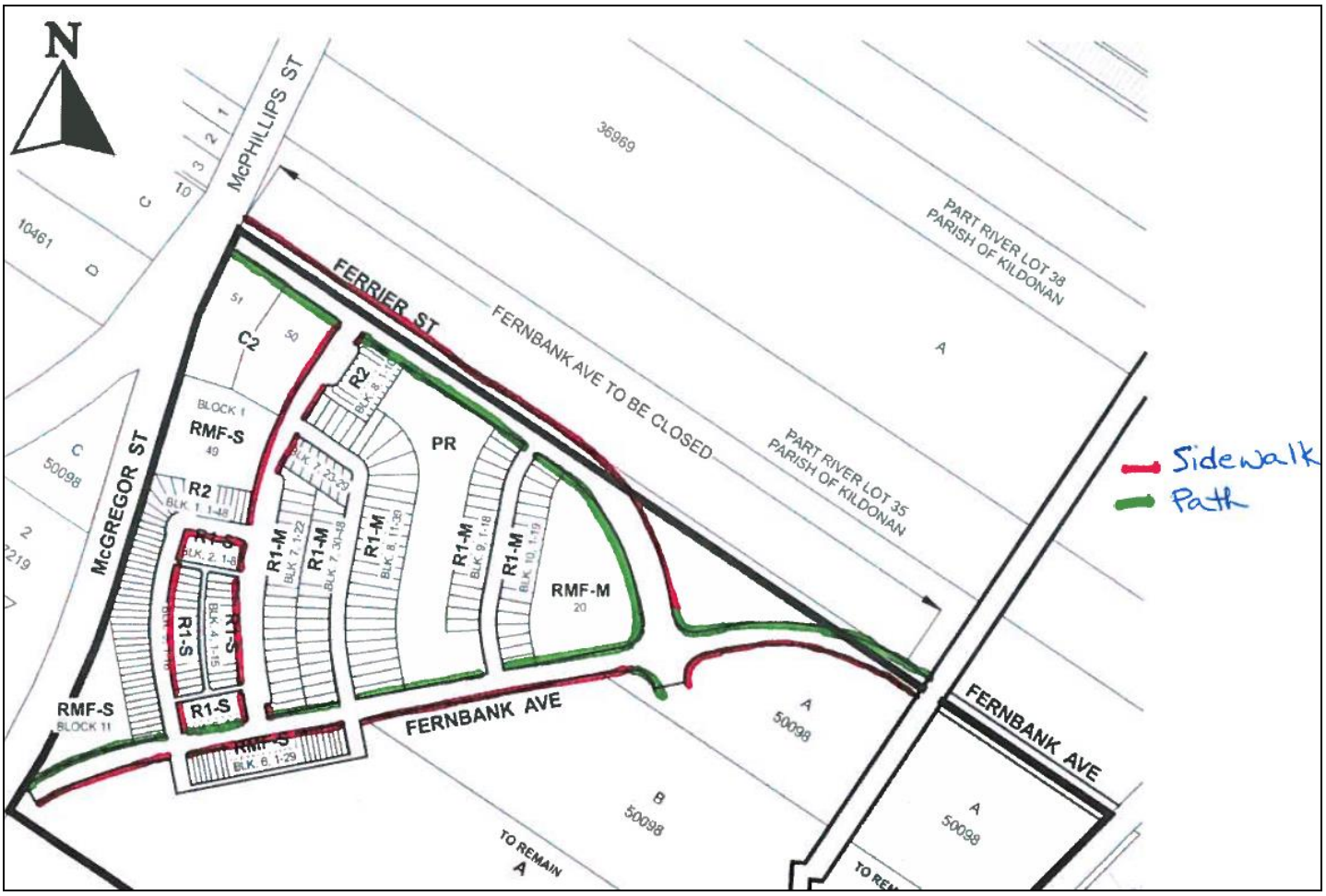


Figure 5: Location of recommended Sidewalks and Paths, provided by the Public Works Department.

Two-Means of Vehicle Access:

- Public Works recommends that the Developer construct Fernbank Avenue to Murray Avenue as a secondary separate means of access due to concerns with the divided roadway within Ferrier Street at McPhillips Street being considered as two separate means of access.
- The proposed development includes 249 housing units and three multi-family sites. Although to meet the requirement for two access/ egress routes, a divided collector street is proposed; it is the position of the Public Service that a divided collector street does not adequately address the requirement for a second alternate route.
- If the divided collector street were to become obstructed, the WFPS would be unable to provide timely emergency services to the occupants of the development. The potential for an incident to shut down the immediately adjacent roadway is still significant. An incident along the divided collector street with a large vehicle, a tree fall, a hazardous goods, significant snowfall with drifting all, under the proposed plan, could have the potential to temporarily isolate the community from emergency response capacity of any sort. In addition if Northbound McPhillips Street in the vicinity of Fernbank Avenue were to be closed for any reason the result would be the same.
- Consideration needs to be given to the unique fire hazard buildings under construction pose. Buildings under construction are susceptible to fire extension from adjacent property. Winnipeg has experienced a number of fires in single-family homes under construction that have spread to adjacent homes. Winnipeg also has experience with the loss of multiple apartment blocks and row housing while under construction due to fire extension beyond the building of origin. Any delay in response to a fire within a development with buildings under construction may result in disproportionate amount of preventable damage involving not only the structure the fire originated within but also those nearby.
- In regard to paramedical services, response and travel time may have a significant impact on the patient outcome because some critical medical interventions conducted in the field are very time sensitive.

REASONS FOR THE RECOMMENDATIONS

The Urban Planning Division recommends approval because the proposed plan of subdivision and rezoning are consistent with *OurWinnipeg* and *Complete Communities*, the Precinct 'G' Secondary Plan and compatible with the surrounding area.

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

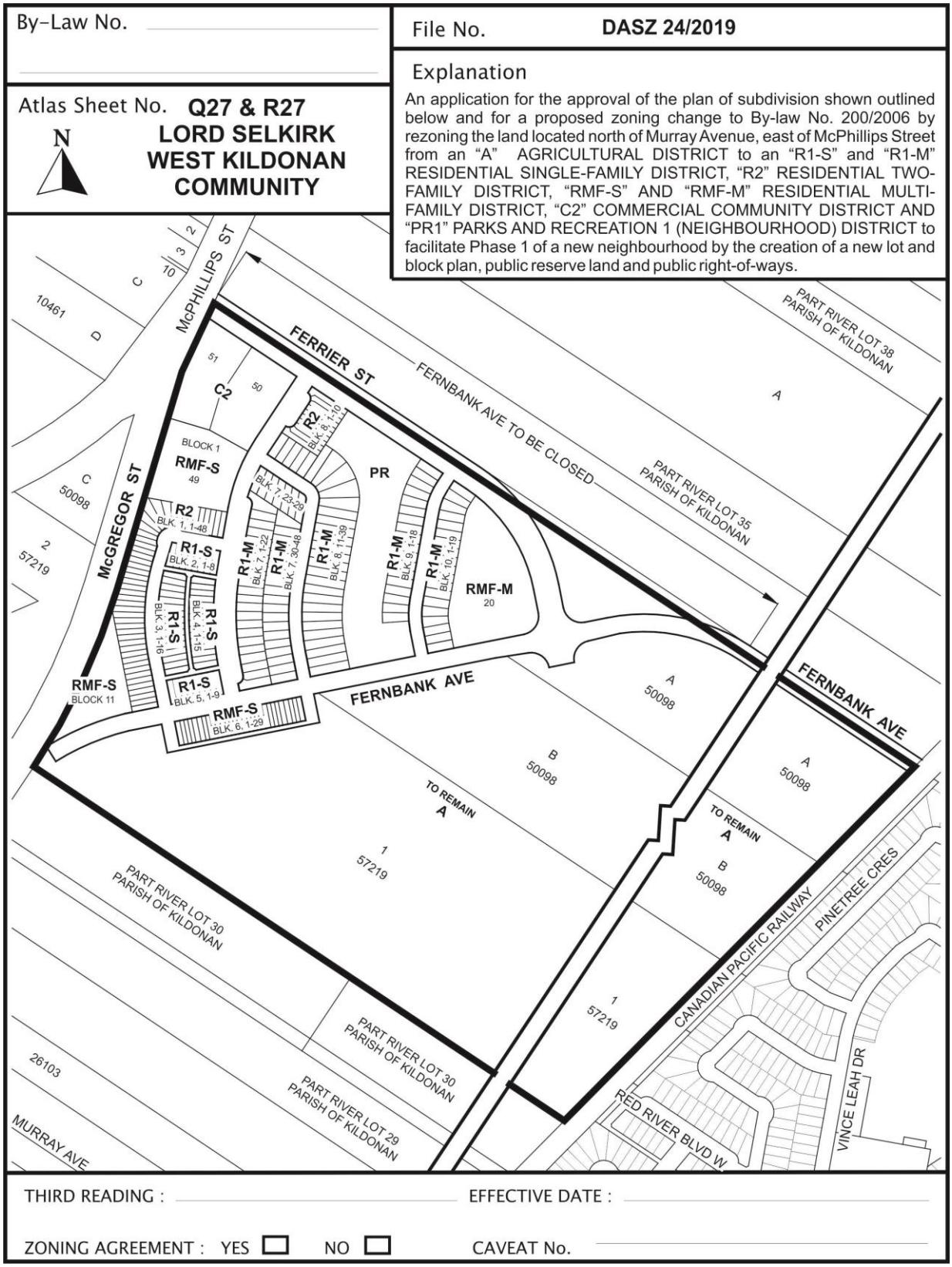
Report Prepared by:
R. Hayer, MCP

PPD File #:

DASZ 24/2019

Schedule "A" of File DASZ 24/2019, Lord Selkirk - West Kildonan Community Committee,

October 15, 2019


By-Law No.
File No. DASZ 24/2019
Explanation
An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located north of Murray Avenue, east of McPhillips Street from an "A" AGRICULTURAL DISTRICT to an "R1-S" and "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT, "R2" RESIDENTIAL TWO-FAMILY DISTRICT, "RMF-S" AND "RMF-M" RESIDENTIAL MULTI-FAMILY DISTRICT, "C2" COMMERCIAL COMMUNITY DISTRICT AND "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate Phase 1 of a new neighbourhood by the creation of a new lot and block plan, public reserve land and public right-of-ways.
Atlas Sheet No. Q27 & R27
LORD SELKIRK
WEST KILDONAN
COMMUNITY
N
McPHILLIPS ST
FERRIER ST
FERNBANK AVE TO BE CLOSED
PART RIVER LOT 38 PARISH OF KILDONAN
PART RIVER LOT 35 PARISH OF KILDONAN
McGREGOR ST
FERNBANK AVE
PINETREE CRES
CANADIAN PACIFIC RAILWAY
VINCE LEAH DR
RED RIVER BLVD W
MURRAY AVE
PART RIVER LOT 30 PARISH OF KILDONAN
PART RIVER LOT 29 PARISH OF KILDONAN
C2
RMF-S
BLOCK 1
49
RMF-S
BLOCK 11
R2
BLK. 1, 1-48
R2
BLK. 8, 1-10
R1-S
BLK. 2, 1-8
R1-S
BLK. 3, 1-16
R1-S
BLK. 4, 1-15
R1-S
BLK. 5, 1-9
RMF-S
BLK. 6, 1-29
R1-M
BLK. 7, 1-22
R1-M
BLK. 7, 23-29
R1-M
BLK. 7, 30-48
R1-M
BLK. 8, 11-39
R1-M
BLK. 9, 1-18
R1-M
BLK. 10, 1-19
PR
RMF-M
20
TO REMAIN A
TO REMAIN A
THIRD READING :
EFFECTIVE DATE :
ZONING AGREEMENT : YES NO
CAVEAT No.

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP – July 17, 2019

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED NORTH OF MURRAY AVENUE, EAST OF McPHILLIPS STREET

It is recommended that the approval of DASZ 24/2019, if granted, be subject to the applicant entering into a Development Agreement and address the following items where applicable:

General Comments

The Public Works Department wishes to advise that McPhillips Street is classified as a regional street and within the vicinity of the proposed development, contains a speed limit of 80 km/h with approximately 18,000 vehicles per day (2018). If a major incident were to occur at this intersection, residents may not be able to enter or leave the area. Therefore, it is recommended that an additional access to the Planned Area be provided by the Developer.

Plan Considerations

1) The Developer shall, at no expense to the City, legally open property required for a 3.0m x 3.0m corner cut at public lane intersections, as determined by and to the satisfaction of the Director of Public Works.

2) The Developer shall, at no expense to the City, dedicate and legally open property for right-of-way corner cuts measuring 2.0m x 2.0m at each corner of the intersection of two streets measuring 22.0m in width or greater, to the satisfaction of the Director of Public Works.

3) The Developer shall, at no expense to the City, dedicate and legally open property for right-of-way corner cuts measuring 3.0m x 3.0m at each corner of any intersection where the angle is less than 80°, to the satisfaction of the Director of Public Works.

4) Public Walks are to be established with a right-of-way width of 6.0m, as determined by and to the satisfaction of the Director of Public Works.

5) Public Lanes are to be established with a right-of-way width of 6.25m in public lanes serving single or two family residential development and 7.25m in public lanes serving multi-family residential and commercial development, as determined by and to the satisfaction of the Director of Public Works.

6) Intersections of local streets within the Planned Area are to be designed such that the angle of intersection is no less than 70°, as measured in the quadrant with the acute angle.

7) Where two local residential streets intersect with a residential collector street on opposite sides of said collector, the centerlines of the local streets are to be aligned to be coincident with one another at their intersection with the collector or be offset by a minimum of 45.0m along the collector.

8) Where local residential streets are aligned to curve within 20.0m of their intersection with a residential collector street, such curves are to have a minimum centerline radius of 60.0m.

9) The Developer shall, at no expense to the City, legally open property required to accommodate a roundabout at the intersection of Fernbank Avenue and Ferrier Street, as determined by and to the satisfaction of the Director of Public Works.

10) The Developer shall submit a draft copy of the Legal Plan of Survey to the Public Works Department with appropriate construction details for review and approval by the Public Works Department.

Engineering Reports and Servicing Criteria

1) The Developer shall submit a comprehensive servicing report, prepared by a qualified municipal engineer, outlining the provision of underground services for the Planned Area and adjacent lands. The report shall include an engineer's estimate of the cost to construct the regional land drainage facilities in order to determine the trunk service rate and trunk user charge.

2) The Developer shall submit, to the satisfaction of the Director of Water and Waste, servicing criteria sheets for water, wastewater and land drainage facilities, including plans showing the current and ultimate service areas.

Servicing Conditions

1) Wastewater Sewers

   a) The Developer shall, at no expense to the City, construct and install all wastewater sewers required to serve 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 maintenance costs for off-site wastewater sewers between the Planned Area and the existing Riverbend community in advance of the full

servicing of the same lands, as determined by and to the satisfaction of the Director of Water and Waste.

c) The City shall, in accordance with the Development Agreement Parameters, endeavor to recover from the benefitting owners and reimburse the Developer for the costs of oversizing wastewater sewers to provide capacity for adjacent lands, as determined by the Director of Water and Waste.

2) Water Mains

a) The Developer shall, at no expense to the City, construct and install all water mains required to serve the Planned Area 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 maintenance costs for off-site water mains between the Planned Area and the existing Riverbend community in advance of the full servicing of the same lands, as determined by and to the satisfaction of the Director of Water and Waste.

3) Land Drainage

a) The Developer shall, at no expense to the City, construct and install all land drainage sewers and stormwater retention facilities (including a piped outfall) required to serve the Planned Area as indicated by the servicing report, to the satisfaction of the Director of Water and Waste.

b) The Developer shall, in accordance with the Development Agreement Parameters, dedicate all land and provide all easements necessary to accommodate the required stormwater retention and land drainage facilities, as determined by and to the satisfaction of the Director of Water and Waste.

c) The Developer shall pay their share of the cost of the regional land drainage system. The regional land drainage facilities constructed by the Developer (including the value of the land for the stormwater retention basins) shall be credited against this charge.

d) The City shall, in accordance with the Development Agreement Parameters, endeavor to recover from the benefitting owners and reimburse the Developer for the costs of oversizing land drainage sewers to provide capacity for adjacent lands, 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 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 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 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 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 to the City, construct 150mm and 200mm thick Portland cement concrete pavements, 7.5m, 8.0m, and 10.0m in width, and all related works, including but not limited to ornamental street lighting, boulevard landscaping and land drainage facilities, in all streets within the Planned Area, all as determined by and to the satisfaction of the Director of Public Works.

(b) The Developer shall, at no expense to the City, construct 150mm thick Portland cement concrete pavements, 5.0m in width for public lanes serving single or two family developments, and 6.0m in width for public lanes serving multi-family residential and commercial developments, and all related works, including but not limited to land drainage facilities, in all Public Lanes within the Planned Area, all as determined by and to the satisfaction of the Director of Public Works.

7) Sidewalks/Pathways

(a) The Developer shall, at no expense to the City, construct 3.5m wide asphalt multi-use pathways and/or 1.5m wide by 100mm thick Portland cement concrete sidewalks and all related works, on the standard alignment, 0.3m from the property line, along both sides of all streets within the Planned Area with rights-of-way measuring 22.0m in width or greater, as conceptually shown on the attached Schedule "C", to the satisfaction of the Director of Public Works.

(b) The Developer shall, at no expense to the City, construct 100mm thick Portland cement concrete sidewalks, 1.5m in width, and all related works, on the standard alignment, 0.3m from the property line, as conceptually shown on the attached Schedule "C", as determined by and to the satisfaction of the Director of Public Works.

(c) The Developer shall construct sidewalks/multi-use pathways concurrently with the pavements with which the share the right-of-way, as determined by and to the satisfaction of the Director of Public Works.

8) Roundabout

The Developer shall, at no expense to the City, construct a roundabout and all related works, at the intersection of Fernbank Avenue and Ferrier Street, as determined by and to the satisfaction of the Director of Public Works.

9) Intersection Works at McPhillips Street and Ferrier Street

The Developer shall, at no expense to the City, construct Portland cement concrete pavements, and all related works, including but not limited to:

(i) southbound left-turn storage lane and upstream transition

(ii) northbound right-turn deceleration lane and upstream transition

(iii) northbound right-turn acceleration lane and downstream transition

(iv) median opening

(v) right-turn channelization in the southeast and northeast corners of the intersection of McPhillips Street and Ferrier Street and all related works on McPhillips Street at and in the vicinity of its intersection with Ferrier Street and on Ferrier Street at and in the vicinity of its intersection with McPhillips Street;

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

10) Regional Street Charges

(a) The Developer shall pay to the City, in cash, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the cost of the following services to be installed in McPhillips Street along the full length of the Planned Area abutting the east side of McPhillips Street:

(i) An 4.0m wide by 200mm thick Portland cement concrete lane of pavement and all related works;

(ii) A 1.5m by 100mm thick Portland cement concrete sidewalk;

(iii) Street lighting in the east boulevard;

(iv) Landscaping in the east boulevard;

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

11) Traffic Control Signal

The Developer shall pay to the City, in cash, on demand, their share of the costs associated with the installation of traffic control signals and all related works (including but not limited to pedestrian and vehicular actuation and interconnection to adjacent traffic control signals, countdown and audible pedestrian signals) at the intersection of Ferrier Street and McPhillips Street, as determined by and to the satisfaction of the Director of Public Works.

12) Share of Future Improvements

(a) The Developer shall pay to the City, in cash, on demand, their share of the costs associated with the installation of traffic control signals and all related works (including but not limited to pedestrian and vehicular actuation and interconnection to adjacent traffic control signals, countdown and audible pedestrian signals) at the intersection of Ferrier Street and Murray Avenue, as determined by and to the satisfaction of the Director of Public Works.

(b) The Developer shall pay to the City, in cash, on demand, their share of the costs associated with the installation of traffic control signals (if required) and all related works (including but not limited to pedestrian and vehicular actuation and interconnection to adjacent traffic control signals, countdown and audible pedestrian signals) at the intersection of Murray Avenue and the extension of Fernbank Avenue, as determined by and to the satisfaction of the Director of Public Works.

(c) The Developer shall pay to the City, in cash, on demand, their share of the costs of the intersection improvements at the following intersections:

(i) Main Street and Fernbank Avenue;

(ii) McPhillips Street and Fernbank Avenue;

(iii) McPhillips Street and Balgona Road;

(iv) Ferrier Street and Murray Avenue;

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

(d) The Developer shall pay to the City, in cash, on demand, their share of the costs associated with the construction of the future connection of Ferrier Street to Chief Peguis Trail (including but not limited to traffic control structures), as determined by and to the satisfaction of the Director of Public Works.

13) Temporary Dead-End Streets

(a) The Developer shall, at no expense to the City, construct a paved cul-de-sac-style vehicle turnaround at the terminus of each temporarily dead-ended street within the Planned Area, and provide any rights-of-way or easements necessary to accommodate same, all as determined by and to the satisfaction of the Director of Public Works.

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

14) Boulevards

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

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

15) Private Approaches

(a) There shall be no private approaches serving single family or two family residential development off residential collector streets (i.e. rights-of-way measuring 22.0m or greater in width).

(b) There shall be no private approaches to McPhillips Street.

16) Two Means of Vehicle Access

(a) The Developer shall, at no expense to the City, ensure that two means of paved vehicular access are available at all times to each stage of development of the Planned Area, to the satisfaction of the Director of Public Works.

(b) The Developer shall, at no expense to the City, construct temporary paved roadways, and provide easements or rights-of-way in respect of same, as required to satisfy the Developer's obligation under clause (a).

(c) The Developer shall, at no expense to the City, construct Fernbank Avenue to Murray Avenue as a separate secondary means of access.

17) Construction Traffic

The Developer shall, at no expense to the City

(a) ensure that construction traffic uses access routes determined by the Director of Public Works;

(b) maintain those access routes in a clean, dust-free condition, free of dropped and tracked-on mud; and

(c) undertake the regular cleaning, including, but not limited to scraping and sweeping, of those access routes and all streets within the Planned Area, until building construction, including landscaping, is complete,

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

18) Signage

(a) Prior to construction, the Developer shall, at no expense 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, McPhillips Street, Murray Avenue, and the future Chief Peguis Trail, all proposed arterial and collector streets, sidewalks, public walks, active transportation facilities, all proposed parks, storm water retention facilities, natural tree stands, community mailbox sites, multi-family sites, and commercial sites; all with the approval of and to the satisfaction of the Director of Planning, Property and Development.

(b) The Developer shall, at no expense to the City, supply and install trail network signage and trail related traffic signage, on pathways and active transportation corridors, consistent with standards and specifications applied to similar citywide networks, or an alternative standard proposed by the Developer, as determined by, and to the satisfaction of, the Directors of Public Works and Planning, Property, and Development.

19) Street Name Signs

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

20) Utilities

(a) The Developer shall, at no expense 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) Developer shall, at no expense 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.

21) Public Reserve

(a) The Developer shall dedicate as Public Reserve at least 8% of the land contained within the overall development area and shall, at no expense to the City, undertake landscape improvements and pay its share of the cost of services in streets abutting the dedicated land all in accordance with plans and specifications approved by the Director of Public Works. If the Developer is unable to dedicate a full 8% of the land, the Developer shall dedicate an amount of land satisfactory to the Directors of Public Works and Planning, Property, and Development, and compensate the City for any shortfalls in the amount of land, servicing and improvements not provided, based on the prevailing rate at the time of construction, by the provision of an equivalent value of additional site amenities in the Public Reserves within the Planned Area, as approved by the Directors of Public Works and Planning Property and Development. Alternatively, the Developer may choose to accrue the dedication from this phase with dedication of Public Reserves for future phases of the development, with compensation tabulated as necessary within the final phase of development.

(b) Landscape improvements of the Public Reserve lands shall be done in accordance with plans and specifications provided by the Developer and approved, prior to the commencement of construction, by the Director of Public Works. The scope of landscaping shall include grading, sodding, land drainage, irrigation and construction of paths in accordance with Parks standards.

(c) If the City deems that the provision of irrigation or water service to the Public Reserve is not required, the Developer shall provide compensation in the form of site amenities of predetermined equivalent value.

(d) Both parties acknowledge that the City will not compensate the Developer for the provision of excess serviced frontage beyond what they were required to provide.

(e) The Developer shall, at no expense to the City, provide continuous fencing for properties abutting public reserve land. The fencing shall be located within private property and established by caveat to be the responsibility thereafter of the private property owner.

(f) Public Reserve development should be undertaken by the time the build out has reached 80% and completed before reaching 100%, unless an extension of time has been previously approved, in writing, by the Director of Public Works.

(g) The Developer shall assume responsibility for all Public Reserve sites until they are developed, and throughout the maintenance period until Final Acceptance Certificate for Parks has been issued by the Director of Public Works.

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

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

22) Litter and Refuse Control and Clean-Up

(a) The Developer shall, at no expense to the City, and of its own volition, initiate and control the regular cleanup of litter and refuse related to construction and development of the Planned Area, 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.

23) Survey Monuments

(a) Subsequent to completion of the Planned Area, as determined by the Director of Planning, Property and Development, the Developer shall pay the full costs of having all survey monuments within the Planned Area verified and/or restored by a Manitoba Land Surveyor and shall prepare a Plan of Survey Perpetuating Certain Monuments, confirming the position of all the survey monumentation within the Planned Area, for filing in The Property Registry.

(b) In certain circumstances where all the survey monuments within the Planned Area have been found or restored to their original positions, upon approval by the Director of Planning, Property and Development, the requirements for Plan of Survey Perpetuating Certain Monuments may be waived.

COSTS AND FEES

1) By-laws and Approvals

The Developer shall pay all of its and the City's costs, fees, and expenses associated with the preparation and attainment of approval for registration of the Zoning By-law(s) and plan(s) of subdivision, including all Municipal Board, Land Titles Office and other fees and expenses, all survey, engineering and advertising fees and costs, and all expenses incidental to the preparation of 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 City shall reimburse the Developer for consulting fees paid for the preparation of Precinct G in excess of the Developer's share as and when the fees are collected through other development agreements.

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 24/2019
October 8, 2019

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

"Original Signed By C.J. Desjardine"
C.J. Desjardine, M.Sc., P. Eng.
Public Works Department, Transportation Division

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

"Original Signed By D. Beaton"
D. Beaton, M.L.Arch.
Parks & Urban Design Division

Appendix B: Design Guidelines for Plan Approval under DASZ 24/2019

The purpose of this section is to provide design performance guidelines in the review process that are based upon sound land use planning principles and best practices, relying on the positive experience in other North American cities, to assess the site designs for new developments in Precinct 'G' under DASZ 24/2019.

The intent of using Site Plan Guidelines and Review in the approval process is to promote, encourage, and develop the positive aspects of a project while ensuring the negative impacts are sufficiently mitigated. The site plan review and approval process provides proponents the opportunity to show how public space interacts with the private development, and to demonstrate how the proposal achieves or exceeds the following goals:

- Ensure that the pedestrian and cycling environment is safe, accessible, comfortable, convenient and attractive;
- Ensure the vehicular environment for both public and private transportation is well integrated with the pedestrian environment;
- Respect the existing context, including current uses, scale and functions of adjacent land-uses and streets;
- Strengthen the continuity of the Planned Area and the site's development by using elements and/or adding new elements that unify and connect individual areas and buildings;
- Utilize the architectural elements of the building(s) in a sensitive and cohesive manner (i.e.: facades, roofs, entrances, landscaping, signage, and lighting) to enhance the development. .

The Design Principles and General Design Guidelines identified below provide guidance on achieving these goals. These design principles and guidelines will be used when reviewing the final site plans as part of the approval process for Development Applications as required as a condition under the Zoning Agreement.

A. General Design Principles and Detailed Design Guidelines

The Director of Planning, Property and Development will use the design principles and guidelines to assess site design when reviewing the final plan submitted as required under the Zoning Agreement for the Planned Area.

General Design Principles embody the values and goals a redevelopment scheme should strive for in its urban design. The General Design Principles are the 'broad brush', large scale conceptual recommendations made for guiding major commercial and multi-family residential developments. The Detailed Design Guidelines and Considerations provide more specific recommendations and strategies. The principles, guidelines and considerations are anchored to several *OurWinnipeg* policies.

These policies essentially strive to ensure that development sites are designed to address the needs of its users in a sustainable manner.

General Design Guidelines:

- Create a safe and comfortable pedestrian environment.
    - Apply Universal Design Guidelines.
    - Promote Active Transportation.
    - Ensure the principles of Crime Prevention Through Environmental Design (CPTED) are applied.
    - Ensure safe and convenient access to transit facilities.
    - Protect pedestrians from adverse environmental elements.

Detailed Design Considerations:

- Sidewalks
    - Size according to their intended use and place in the overall scheme.
    - Create direct, comfortable and safe pedestrian routes leading to front entrances of buildings from parking areas, transit stops, public sidewalks, and other pedestrian destinations.
    - Sidewalks need to impart a sense of permanence. They should be lined by trees, high-quality landscaping, and high-quality materials.
- Parking lots
    - Ensure the parking lot design program includes pedestrian safety, comfort and amenity as key priorities.
    - Provide a pedestrian route between main buildings and the public sidewalk that is uninterrupted by surface parking and driveways.
    - Provide shade and high-quality landscaping in surface parking areas.
    - Position parking rows perpendicular to main building entrances to assist safe pedestrian movement toward the building.
    - Limit the length of parking rows to a maximum of 20-30 contiguous spaces. Longer rows should include landscaped breaks, e.g. islands with shade trees for all season to ensure pedestrian safety.
    - Divide large surface parking areas both visually and functionally into smaller parking courts through the use of landscaped islands and protected pedestrian pathways.
    - Edge treatments along public streets and other public spaces should visually screen parked vehicles but not completely obstruct views into and out of the parking lot for the purpose of supporting pedestrian safety and security.
- Pedestrian Crossings

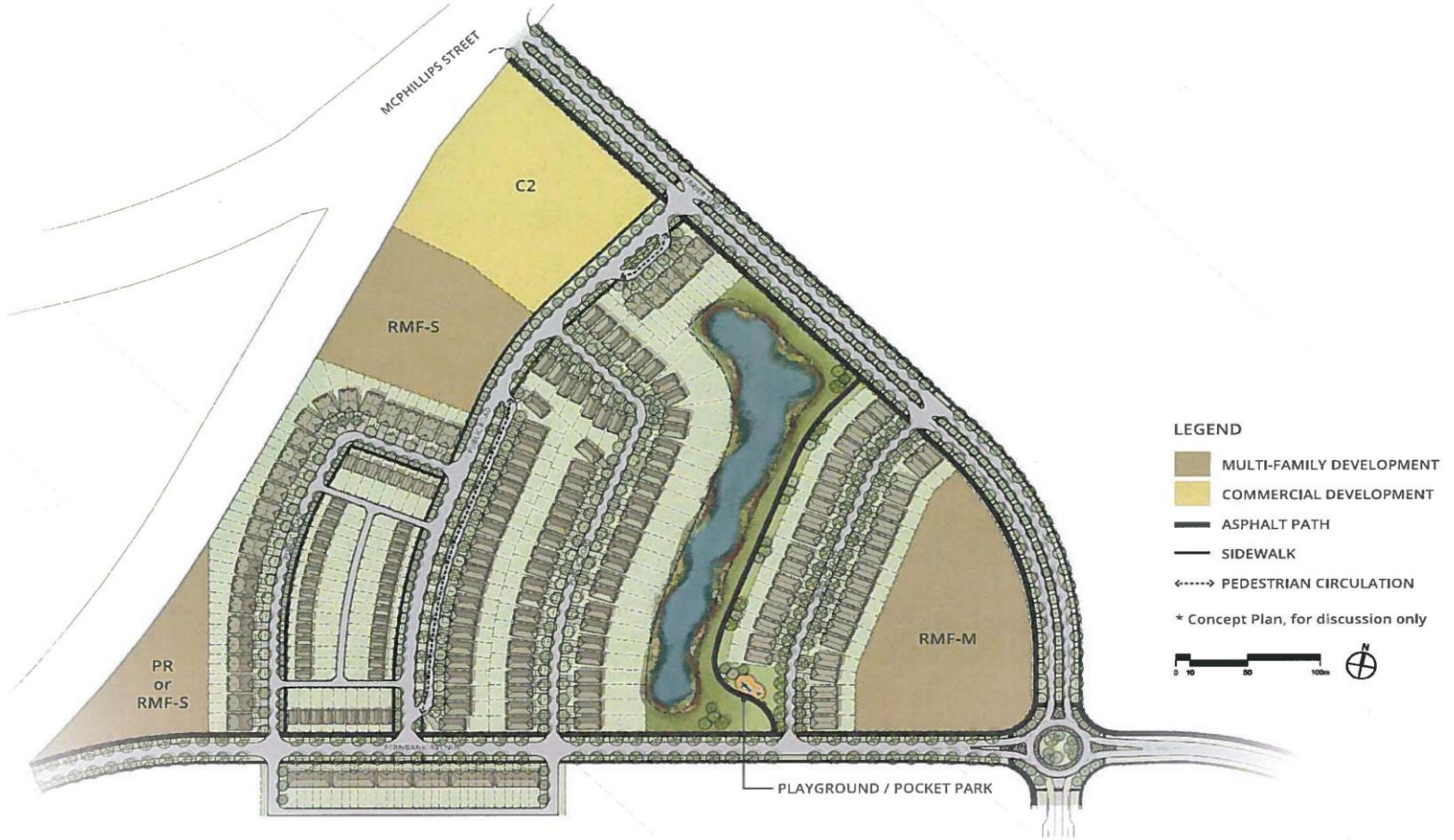
  - Consider installing ‘tables’ (rolled curbs bordering slightly elevated crossings) at major internal pedestrian routes across drive aisles to serve as a traffic calming feature and provide uninterrupted pedestrian connection.
  - Where pedestrian routes cross street access driveways and other major drive aisles, clearly mark crossings and provide unobstructed sight distance for pedestrians and vehicles.

- Signage
  - Use thematic signage in a consistent way finding system to direct pedestrians to different buildings.
- Lighting
  - Select different luminaries with a coordinated appearance to light pedestrian pathways, parking spaces, drive aisles, building and site entrances and other relevant parking lot features.
  - Install lighting that is appropriately scaled to its purpose, i.e. avoid over lighting.
  - Consider providing pedestrian scale lighting, such as bollards or lower scale pole fixtures, along pedestrian routes.
- Transit
  - Ensure transit facilities are near and relate to building exits and entrances, and key on-site pedestrian routes.
  - Explore opportunities for incorporating transit stops into buildings for the purpose of creating weather protection for transit users.
- Building Design – as it impacts the pedestrian environment:
  - Preliminary thought should be given to locating potential uses with associated outdoor areas (such as balconies or patios) where they will receive maximum exposure to sunshine and protection from wind.
  - Buildings and streets should be oriented to provide maximum protection from prevailing winds (streets oriented east/west, buildings situated to buffer wind) and maximum exposure to sunshine in winter to improve pedestrian comfort.
  - Encourage open and inviting building facades at street and 2nd storey level to enhance the convenience, comfort and enjoyment of pedestrian experiences and enhance interactions between public and private space.
  - Locate refuse storage areas and other building services internal to buildings or screened from view with appropriate fencing/landscaping.
  - Direct access to buildings from street level.
- Universal Design
  - Ensure the City of Winnipeg Universal Design Standard is used to guide barrier free design on public lands and encourage application of these standards on private exterior and interior spaces.

- In particular, ensure all pedestrian routes (interior and exterior) are inclusive and incorporate a consistent way finding system through
    - signage and site design (i.e. zoned sidewalk concept - furniture zone at back of curb, pedestrian circulation zone/clear path of travel, building frontage zone); and
    - sidewalks that utilize colour and textural contrasting bands defining pedestrian circulation zone and building entries.

Exhibit "6" referred to in File DASZ 24/2019




MCPHILLIPS STREET
C2
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or
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PLAYGROUND / POCKET PARK
LEGEND
MULTI-FAMILY DEVELOPMENT
COMMERCIAL DEVELOPMENT
ASPHALT PATH
SIDEWALK
PEDESTRIAN CIRCULATION
* Concept Plan, for discussion only
FERNBANK STAGE 1 2019/05/17
LADCO COMPANY LIMITED
SCATLIFF + MILLER + MURRAY