**Minute No. 396**
**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 16, 2020**

**Item No. 11 Subdivision and Rezoning – 1610, 1614, 1618, 1622, and 1626 Ravelston Avenue West (Transcona Ward)**
**File DASZ 46/2019**

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 46/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated April 9, 2020, and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to "R2" Residential Two-Family District as shown on the map dated April 9, 2020, and attached as Schedule "A" to this report, subject to the following conditions:

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

        i. That an opaque wall or fence, at least six feet in height, be erected along the entire eastern limit (the rear property line) of all the proposed lots, to the satisfaction of the Director of the Planning, Property and Development Department; and

        ii. That the aforementioned wall or fence be maintained to the satisfaction of said Director.

    B. That the City enter into, execute and deliver with the Developer a Zoning Agreement in accordance with recommendation 2A, 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").

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 16, 2020**

COUNCIL DECISION (continued):

C. 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 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.

3. That in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 46/2019, as determined by the City's Director of Planning, Property and Development.

4. 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.

5. 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.

6. That the subdivision section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

7. 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.

8. 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 6 and 7 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

9. 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.

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 16, 2020**

COUNCIL DECISION (continued):

10. 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 – June 16, 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 June 18, 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 June 16, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 4, 2020, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

## PUBLIC HEARING SUMMARY

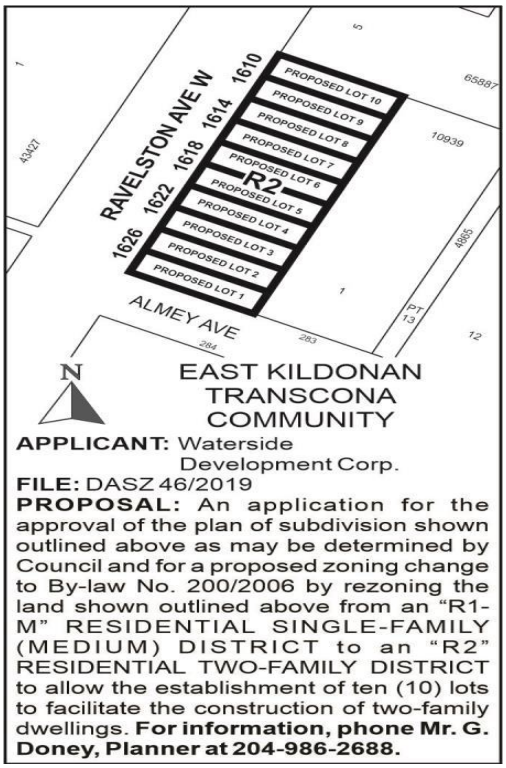
**File:** DASZ 46/2019

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

**Public Hearing:** June 4, 2020
Council Building, 510 Main Street

**Applicant:** Robert Doolan, Waterside Development Corp.

**Subject:**




**Premises Affected:** 1610, 1614, 1618, 1622, 1626 Ravelston Avenue West

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

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

**Report date:** June 5, 2020

**Community Committee Recommendation:**

On June 4, 2020, the East Kildonan-Transcona 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 46/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated April 9, 2020, and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to "R2" Residential Two-Family District as shown on the map dated April 9, 2020, and attached as Schedule "A" to this report, subject to the following conditions:

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

        i. That an opaque wall or fence, at least six feet in height, be erected along the entire eastern limit (the rear property line) of all the proposed lots, to the satisfaction of the Director of the Planning, Property and Development Department; and

        ii. That the aforementioned wall or fence be maintained to the satisfaction of said Director.

    B. That the City enter into, execute and deliver with the Developer a Zoning Agreement in accordance with recommendation 2A, 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").

    C. 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 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.

3. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 46/2019, as determined by the City's Director of Planning, Property and Development.

4. 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.

5. 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.

6. That the subdivision section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

7. 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.

8. 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 6 and 7 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

9. 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.

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

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

1. I've said this on a few of these items in that area, the Transcona West plan that has undertaken so much density. It's been a plan that has been on the books for many many years and it is something that will go forward and we are getting close to the end. Most of the spaces have been allocated and developed. The remaining residents that were long standing residents are still pained because they still remember that it was more of a rural feel to the area back to the days when we had drive-ins of the Starlight Drive-In. It is a challenge in the area and I do understand that. I will look at it when these things come forward. I will look at the actual plans for when the building comes, I will be looking to that to ensure that the concerns of the adjoining property owner are reflected, that they are safe, that they do have a fence, that the site is clean and that noise is kept to a minimum to minimize the disruption of the neighbourhood.

Exhibits Filed:

1. Application dated December 31, 2019
2. Notification of Public Hearing dated February 6, 2020
3. Manitoba Status of Title(s) 3024433/1, 3024434/1, 3024436/1, 3024437/1, 3024438/1
4. Surveyor's Building Location Certificate and sketch dated November 29, 2019
5. Statutory Easement between Waterside Development Corp. and the City of Winnipeg
6. Drawing of subject property
7. Report from the Urban Planning Division dated April 9, 2020
8. Inspection Report
9. Communication dated May 21, 2020, from Anni Giesbrecht in opposition to the application
10. Recording of Representations

REPRESENTATIONS:

In Support:

Robert Doolan
Bill McGarry

In Opposition:

Anni Giesbrecht

For Information:
Nil

For the City:

G. Doney, Senior Planner, Planning, Property and Development

Exhibit "7" referred to in File DASZ 46/2019

# ADMINISTRATIVE REPORT

**Title:** DASZ 46/2019, 1610, 1614, 1618, 1622 & 1626 Ravelston Avenue West

**Issue**: Proposed Plan of Subdivision and Rezoning to Create Ten "R2" Residential Two-Family Lots, from Five "R1-M" Residential Single-Family (Medium) Lots

**Critical Path:** East Kildonan – Transcona Community Committee → Standing Policy Committee on Property and Development, Heritage and Downtown Development → Executive Policy Committee → Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*

## AUTHORIZATION

| Author | Department Head | CFO | CAO |
|---|---|---|---|
| Glen Doney, RPP | n/a | n/a | |

## RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 46/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated April 9, 2020, and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to "R2" Residential Two-Family District as shown on the map dated April 9, 2020, and attached as Schedule "A" to this report, subject to the following conditions:

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

      i. That an opaque wall or fence, at least six feet in height, be erected along the entire eastern limit (the rear property line) of all the proposed lots, to the satisfaction of the Director of the Planning, Property and Development Department; and

      ii. That the aforementioned wall or fence be maintained to the satisfaction of said Director.

B. That the City enter into, execute and deliver with the Developer a Zoning Agreement in accordance with recommendation 2A, 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").

C. 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 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.

3. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 46/2019, as determined by the City's Director of Planning, Property and Development.

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

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

## REASONS FOR REPORT

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

## IMPLICATIONS OF THE RECOMMENDATIONS

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

## HISTORY

Prior to the completion of DASZ 31/2016 (which is described below) the site was one undeveloped lot that was partly zoned “R1-L” Residential Single-Family (Large) District and partly zoned “RR5” Rural Residential 5 District.

On November 16, 2016, Council approved a proposed plan of subdivision and rezoning (DASZ 31/2016) pertaining to the current subject site. Approval of this application led to the creation of the five “R1-M” Residential Single-Family (Medium) lots that make up the current subject site. The applicant of DASZ 31/2016 was Waterside Development Corp. which is the same applicant of the application that is the subject of this report (DASZ 49/2019).

One of the conditions of approval of DASZ 31/2016 was that a service agreement be entered into. This agreement requires Waterside Development Corp.:

- to, at no expense to the City, construct and install a wastewater sewer in Ravelston Avenue West or pay their share of the wastewater sewer constructed by others to the satisfaction of the Director of Water and Waste;
- to, at no expense to the City, construct and install a watermain in Ravelston Avenue West or pay their share of the watermain constructed by others to the satisfaction of the Director of Water and Waste;
- to pay their share of the following charges:
  - the regional stormwater management facilities and
  - Cal Gardner Drive land drainage sewer oversizing;
- to, at no expense to the City, provide to the City all easements the City considers necessary with respect to the installation, construction, maintenance, and replacement of swales, catchbasins, and leads for drainage of the Planned Area;
- to submit to the City, for approval, a lot grading plan for the Planned Area, prepared by a municipal engineer;
- to construct all swales, catchbasins, and leads necessitated by the approved lot grading plan;

- to pay to the City, on demand, the Developer's share of the following services in Ravelston Avenue West from Almey Avenue to the future El Tassi Drive:
  - a 7.5m wide by 150mm thick Portland cement concrete lane of pavement and all related works,
  - street lighting,
  - landscaping on both sides,
  - a 1.5 metre wide by 100mm thick Portland cement concrete sidewalk on the east side of Ravelston Avenue West, if required and
  - a 3.5 metre wide multi-use pathway on the west side of Ravelston Avenue West, if required.

## CONSULTATION

The aforementioned servicing agreement (created under DASZ 31/2016) currently applies to the subject site. Therefore, an Administrative Co-ordinating Group Report was not needed for the subject application (DASZ 46/019).

## OURWINNIPEG POLICY ALIGNMENT

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

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

The proposed plan of subdivision and rezoning application, and the proposed development are consistent with the aforementioned Key Direction because:

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

## WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

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

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

## SUBMITTED BY

| | |
|---|---|
| Department: | Planning, Property and Development |
| Division: | Urban Planning and Design |
| Prepared by: | Glen Doney, RPP, MCIP |
| Date: | April 9, 2020 |
| File No. | DASZ 46/2019 |

Attachments

- **Appendix "A," Planning Discussion**
- **Schedule "A," of File DASZ 46/2019, East Kildonan – Transcona Community Committee, dated**
  April 9, 2020

APPENDIX "A," PLANNING DISCUSSION

**DATE:** April 9, 2020

**FILE:** **DASZ 46/2019**

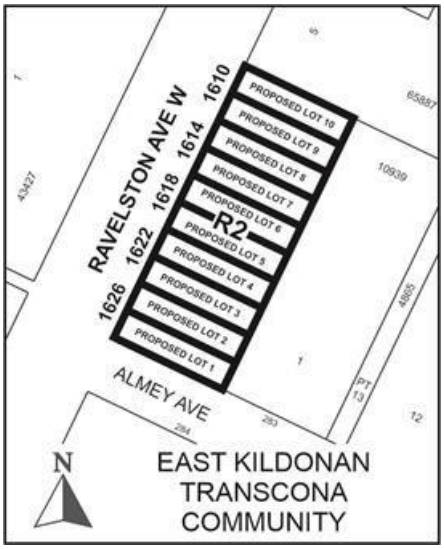
**COMMUNITY:** East Kildonan – Transcona

**NEIGHBOURHOOD #:** 417 (Peguis)

**SUBJECT:** Proposed Plan of Subdivision and Rezoning to Create Ten "R2" Residential Two-Family Lots, from Five "R1-M" Residential Single-Family (Medium) Lots

**LOCATION:** East Side Ravelston Avenue West, 1610 to 1626

**LEGAL DESCRIPTION:** Lots 1 to 5, Plan 65513




**APPLICANT:** Waterside Development Corp. (Robert Doolan)
3605 Roblin Blvd.
Winnipeg, MB
R3R 0C6

**OWNERS:** Waterside Development Corp.

**RECOMMENDATION:** Approval Subject to Conditions

SITE DESCRIPTION

The subject site, identified on Figures 1 and 2:

- is at the northeast corner of Ravelston Avenue West and Almey Avenue, at 1610 to 1626 Ravelston West;
- is in the Peguis Neighbourhood and the Transcona Ward;
- is 250 feet wide and 100 feet deep;
- consists of five lots zoned “R1-M” Residential Single-Family (Medium);
- is the Almey – Ravelston Special Planning Area and a Proposed Residential Mixed-Use Policy Area of the *Transcona West Area Structure Plan*; and
- is in a Recent Communities Policy Area of *OurWinnipeg* and *Complete Communities*.




*Figure 1: 2018 Aerial Photography and Existing Assessment Parcels*

**SURROUNDING LAND USE AND ZONING**

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

**North:** On September 27, 2017, Council approved a proposed plan of subdivision and rezoning (DASZ 8/2017) that will create five “R1-M” Residential Single-Family lots from this property.

**East:** Single-family dwelling on a property zoned “R1-L” Residential Single-Family (Large) and “RR5” Rural Residential 5.

**South:** Almey Avenue then a single-family dwelling zoned “R1-L” Residential Single-Family (Large) and “RR5” Rural Residential 5.

**West:** Ravelston Avenue West then a credit union zoned “C2” Commercial Corridor.

Also of note are:

- that the site is in an area being redeveloped into a neighbourhood with the full range of municipal infrastructure (an urban standard roadway, and piped water, wastewater and land drainage); and
- that “R2” Residential Two-Family lots, 25 feet wide and 105 feet deep, each containing one dwelling unit of a two-family dwelling are along El Tassi Drive near Ravelston Avenue West.

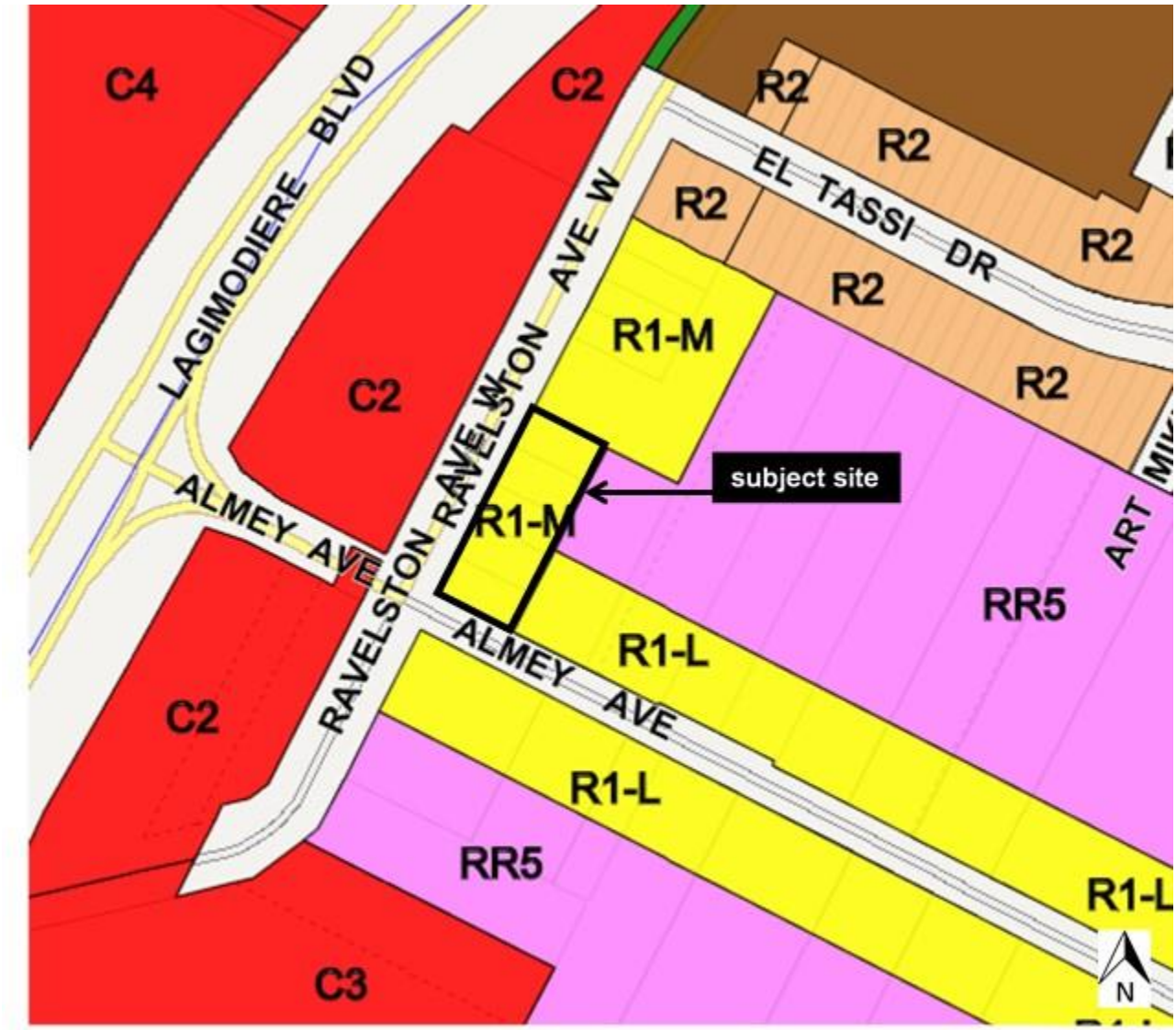



*Figure 2: Existing Zoning*

**DESCRIPTION OF THE PROPOSED DEVELOPMENT**

The proposal includes a proposed plan of subdivision that would create 10 identical lots and a rezoning of these lots to the "R2" Residential Two-Family Zoning District.

Plans of development have not been submitted. However, the letter of intent states:

- that five two-family dwellings are to be built;
- that all of the two family dwellings would be side-by-sides; and
- that each dwelling unit would be on one lot.

COLLABORATION

The proponents consulted the Urban Planning and Design Division before proceeding with the application. The Division informed them that the proposal is consistent with *OurWinnipeg*, *Complete Communities* and the *Transcona West Area Structure Plan.*

**ANALYSIS AND ISSUES**

OURWINNIPEG AND COMPLETE COMMUNITIES

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

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

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

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

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

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

- the "R2" Residential Two-Family Zoning District limits building height to only 35 feet and multi-family dwellings are a conditional use in this zoning district;
- side-by-side two-family dwellings are being developed along El Tassi Drive, close to the subject site;

- the site is in an area being redeveloped into a neighbourhood with the full range of municipal infrastructure;
- the proposed two-family dwellings will increase the supply and diversity of new housing in the neighbourhood;
- the proposed lots would be the same width, nearly the same depth (100 feet instead of 105 feet) and used the same way as lots along El Tassi Drive near Ravelston Avenue West; and
- the recommended zoning agreement would require an opaque wall or fence, at least six feet in height, to be erected along the entire eastern limit of all the proposed lots, which would increase the proposed development's compatibility with the property to the immediate east.

TRANSCONA WEST AREA STRUCTURE PLAN

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

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

Given that the proposed plan of subdivision would only create 10 lots from five existing lots, the proposal will not compromise the potential for other properties to be subdivided. Therefore, the Urban Planning and Design Division did not require the applicant to include a concept plan.

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

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

Therefore, the proposed "R2" Residential Two-Family lots are consistent with this policy.

**REASONS FOR THE RECOMMENDATIONS**

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

RECOMMENDED ZONING AGREEMENT

The aforementioned recommended zoning agreement states:

1) That an opaque wall or fence, at least six feet in height, be erected along the entire eastern limit (the rear property line) of all the proposed lots, to the satisfaction of the Director of the Planning, Property and Development Department; and
2) That the aforementioned wall or fence be maintained to the satisfaction of said Director.

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

Report Prepared by: Glen Doney, RPP, MCIP
PPD File #: DASZ 46/2019

**SCHEDULE "A" OF FILE DASZ 46/2019, East Kildonan – Transcona Community Committee, dated April 9, 2020**

