**Minute No. 445**
**Report – Executive Policy Committee – July 15, 2020**

**Item No. 4** **Subdivision and Rezoning – North of Transcona Boulevard and West of Edward Schreyer Parkway (Transcona Ward) File DASZ 7/2020**

COUNCIL DECISION:

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

1. That the subdivision under Development Application No. DASZ 7/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 15, 2020, and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the developer be required to amend the Development Agreement to File No. DASZ 11/2013 (AG 11/2013) with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated May 6, 2020, and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMF-S" Residential Multi-Family (Small) District and an "R1-S" Residential Single-Family (Small) District as shown on the map dated June 15, 2020, and attached as Schedule "A" to this report, subject to the following conditions:

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

        i. For those portions of the Owner's Land zoned "RMF-S" Residential Multi-Family (Small) District, on which a single-family dwelling or a two-family dwelling is not proposed, the owner must submit plans showing the location and design of any and all proposed:

            a. Principal buildings
            b. Accessory parking areas
            c. Driveways

**Report – Executive Policy Committee – July 15, 2020**

COUNCIL DECISION (continued):

d. Walkways
e. Garbage enclosures
f. In-ground garbage and recycling containers
g. Fencing
h. Landscaping
i. Free-standing signage

on the Owner's Land ("Works) to the City's Director of Planning, Property and Development ("Director") and the East Kildonan – Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

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

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

5. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 7/2020, as determined by the City's Director of Planning, Property and Development.

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

**Report – Executive Policy Committee – July 15, 2020**

COUNCIL DECISION (continued):

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

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

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

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

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

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

**Report – Executive Policy Committee – July 15, 2020**

DECISION MAKING HISTORY:

Moved by His Worship Mayor Bowman,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 15, 2020, the Executive Policy Committee concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 24, 2020, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

## PUBLIC HEARING SUMMARY

**File:** DASZ 7/2020

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

**Public Hearing:** June 24, 2020
Council Building, 510 Main Street

**Applicant:** Marc Brown, Genstar Development Company

**Subject:**




**APPLICANT:** Genstar Development Company (Marc Brown)
**FILE:** DASZ 7/2020
**PROPOSAL:** An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an "R1-S" RESIDENTIAL SINGLE-FAMILY (SMALL) DISTRICT and an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to facilitate the establishment of residential lots to allow the construction of single-family and two-family dwellings. **For information, phone Mr. G. Doney Planner at 204-986-2688**

**Premises Affected:** North of Transcona Boulevard and West of Edward Schreyer Parkway

**For submission to:** The Executive Policy Committee

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

**Report date:** June 25, 2020

**Community Committee Recommendation:**

On June 24, 2020, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the subdivision under Development Application No. DASZ 7/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 15, 2020, and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the developer be required to amend the Development Agreement to File No. DASZ 11/2013 (AG 11/2013) with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated May 6, 2020, and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMF-S" Residential Multi-Family (Small) District and an "R1-S" Residential Single-Family (Small) District as shown on the map dated June 15, 2020, and attached as Schedule "A" to this report, subject to the following conditions:

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

        i. For those portions of the Owner's Land zoned "RMF-S" Residential Multi-Family (Small) District, on which a single-family dwelling or a two-family dwelling is not proposed, the owner must submit plans showing the location and design of any and all proposed:

            a. Principal buildings

b. Accessory parking areas
c. Driveways
d. Walkways
e. Garbage enclosures
f. In-ground garbage and recycling containers
g. Fencing
h. Landscaping
i. Free-standing signage

on the Owner's Land ("Works) to the City's Director of Planning, Property and Development ("Director") and the East Kildonan – Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

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

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

5. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 7/2020, as determined by the City's Director of Planning, Property and Development.

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

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

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

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

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

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

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

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

1. As a Developer they have been doing a good job in the area to ensure that it's a high quality product that's being delivered. I'd like to see our grass be better maintained in the area, but that's a conversation for another day. It's a highly desirable area and you can see by the amount that it's grown in the last several years and continues to grow. People want to live in Transcona. It's a great community with lots of services in the area. We will see a lot more density and a lot more traffic in that core so I look forward to when those roads are completed, that Devonshire is pushed through. I know the people on the east side of the future Edward Schreyer parkway will be challenged when that's pushed through. We will endeavour to ensure that the neighbourhoods affected both positively and negatively by this growth have a voice and are supported as Transcona is a community and very neighbourly.

Exhibits Filed:

1. Application dated April 8, 2020
2. Notification of Public Hearing dated May 20, 2020
3. Manitoba Status of Titles 2816188/1, 2816189/1, 2816191/1, 2816206/1, 2816209/1, 2816210/1, 2816211/1, 2816214/1, 2816215/1, 2816217/1, 2816218/1
4. Surveyor's Building Location Certificate, sketch and proposed plan of subdivision dated January 16, 2019
5. Caveats 4672758/1, 4672759/1, 4672760/1
6. Statutory Easements 4672770/1, 4672771/1
7. Report from the Urban Planning Division dated June 15, 2020
8. Inspection Report

REPRESENTATIONS:

In Support:

Marc Brown

In Opposition:

Nil

For Information:

Nil

For the City:

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

Exhibit "7" referred to in File DASZ 7/2020

# ADMINISTRATIVE REPORT

**Title:** DASZ 7/2020 – North of Transcona Boulevard and West of Edward Schreyer Parkway

**Issue**: Proposed Plan of Subdivision and Rezoning to Create 257 "R1-S" Residential Single-Family (Small) Lots and 36 "RMF-S" Residential Multi-Family (Small) Lots (for future single-family and two-family dwellings)

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

## AUTHORIZATION

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

## RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 7/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 15, 2020, and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

   A. That the developer be required to amend the Development Agreement to File No. DASZ 11/2013 (AG 11/2013) with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated May 6, 2020, and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMF-S" Residential Multi-Family (Small) District and an "R1-S" Residential Single-Family (Small) District as shown on the map dated June 15, 2020, and attached as Schedule "A" to this report, subject to the following conditions:

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

i. For those portions of the Owner's Land zoned "RMF-S" Residential Multi-Family (Small) District, on which a single-family dwelling or a two-family dwelling is not proposed, the owner must submit plans showing the location and design of any and all proposed:

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

on the Owner's Land ("Works) to the City's Director of Planning, Property and Development ("Director") and the East Kildonan – Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

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

j) a Development Agreement Amendment in accordance with recommendation 1; and

k) 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 Amendment, 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.

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

## REASONS FOR REPORT

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

## IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning and Design Division are concurred in, the proposed plan of subdivision and rezoning can proceed in accordance with Schedule “A” to this report.

## HISTORY

On July 17, 2013, Council approved Schedule “B” to File DASZ 11/2013, subject to minor modifications to the proposed plan of subdivision. This proposed plan of subdivision and rezoning was subsequently created in accordance with By-Law No. 43/2014. This plan of subdivision and rezoning is shown below (Figure 1). The subject site of the current application (DASZ 7/2020) is also shown on Figure 1.

As per certain conditions of approval of DASZ 11/2013, the developer:

- entered into a development agreement that requires the developer to construct municipal infrastructure and other works in the subject site of DASZ 11/2013; and
- entered into a zoning agreement that requires the developer to
  - construct, within the rear yards of all one and two family lots abutting the future Edward Schreyer Parkway, a 1.2m berm in height with a uniform wooden fence 2.0m in height and
  - erect uniform continuous black chain-link fencing on properties backing onto park space, or where trails or play equipment is anticipated to be within 10 feet of a residential property line.

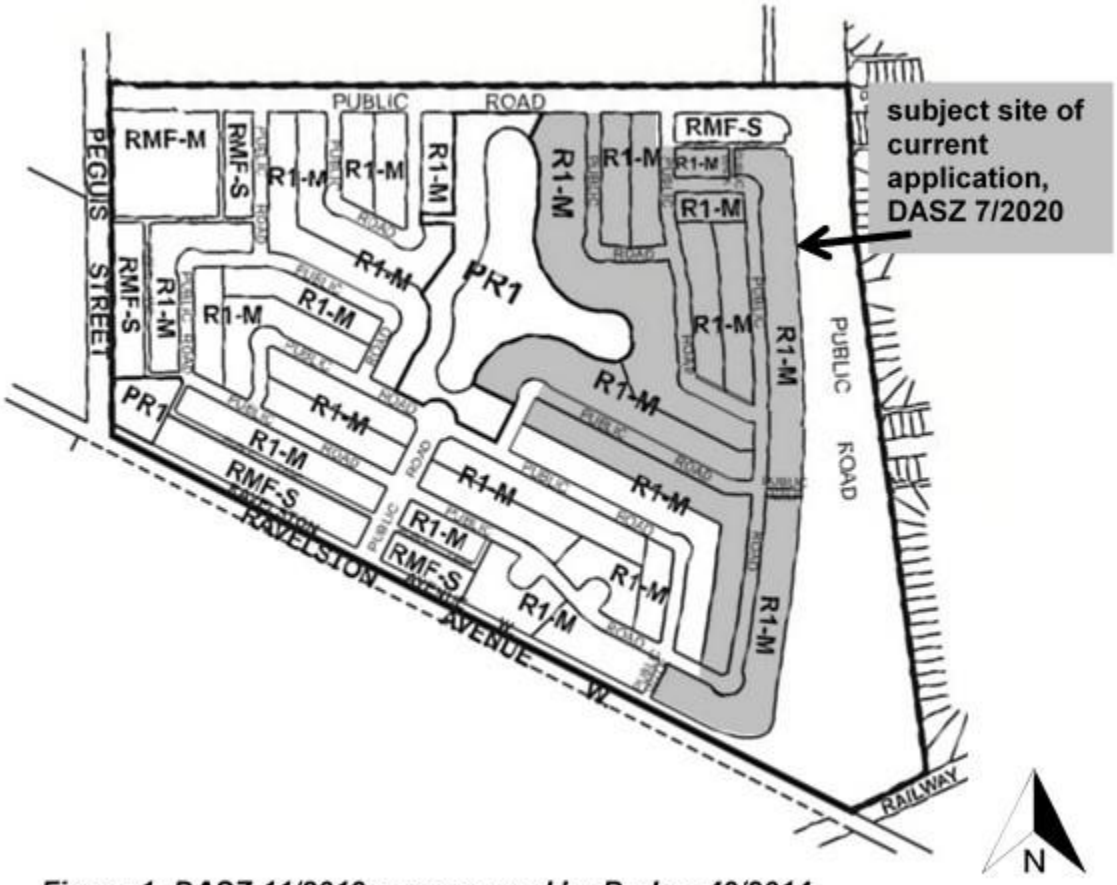



***Figure 1: DASZ 11/2013, as approved by By-law 43/2014***

## CONSULTATION

The Administrative Co-ordinating Group was consulted in the preparation of this report.

## OURWINNIPEG POLICY ALIGNMENT

The proposed plan of subdivision 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, 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 zoning, size and width;
- the resulting development would add new single-family and two-family dwellings to the neighbourhood;
- the neighbourhood in which the site is located is being developed into an area with the full range of municipal infrastructure; and
- a zoning agreement, requiring plan approval of any development proposed on the "RMF-S" Residential Multi-Family (Small) lots, other than single-family and two-family dwellings, is a recommended condition of approval of the subject application.

## 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: | June 15, 2020 |
| File No. | DASZ 7/2020 |

Attachments

- **Appendix "A," Planning Discussion**
- **Schedule "A," of File DASZ 7/2020, East Kildonan – Transcona Community Committee, dated**
  June 15, 2020

APPENDIX "A," PLANNING DISCUSSION

**DATE:** June 15, 2020

**FILE:** **DASZ 7/2020**

**COMMUNITY:** East Kildonan – Transcona

**NEIGHBOURHOOD #:** 417 (Peguis)

**SUBJECT:** Proposed Plan of Subdivision and Rezoning to Create 257 "R1-S" Residential Single-Family (Small) Lots and 36 "RMF-S" Residential Multi-Family (Small) Lots (for future single-family and two-family dwellings)

**LOCATION:** North of Transcona Boulevard and West of Edward Schreyer Parkway

**LEGAL DESCRIPTION:** Plan 58356: Lots 5 – 7, Block 5; Lots 1 & 2, Block 7; Lots 1 & 2, Block 9; Lot 1, Block 6; Lots 1 – 3, Block 8




**APPLICANT:** Genstar Titleco Ltd., Marc Brown
1371 Kenaston Blvd.
Winnipeg, MB
R3P 2T5

**OWNERS:** Genstar Titleco Ltd.

**RECOMMENDATION:** Approval Subject to Conditions

SITE DESCRIPTION

The subject site, identified on Figures 1, 2 and 3:

- is between Devonshire Drive West and Transcona Boulevard;
- is west of Edward Schreyer Parkway, which is undeveloped;
- is in the Peguis Neighbourhood and the Transcona Ward;
- is approximately 33 acres (not including existing public streets or public reserves);
- consists of 11 existing lots zoned “R1-M” Residential Single-Family (Medium);
- is in located within the Proposed Low Density Residential Policy Area of the *Transcona West Area Structure Plan*; and
- is located within a Recent Communities Policy Area of *OurWinnipeg* and *Complete Communities*.

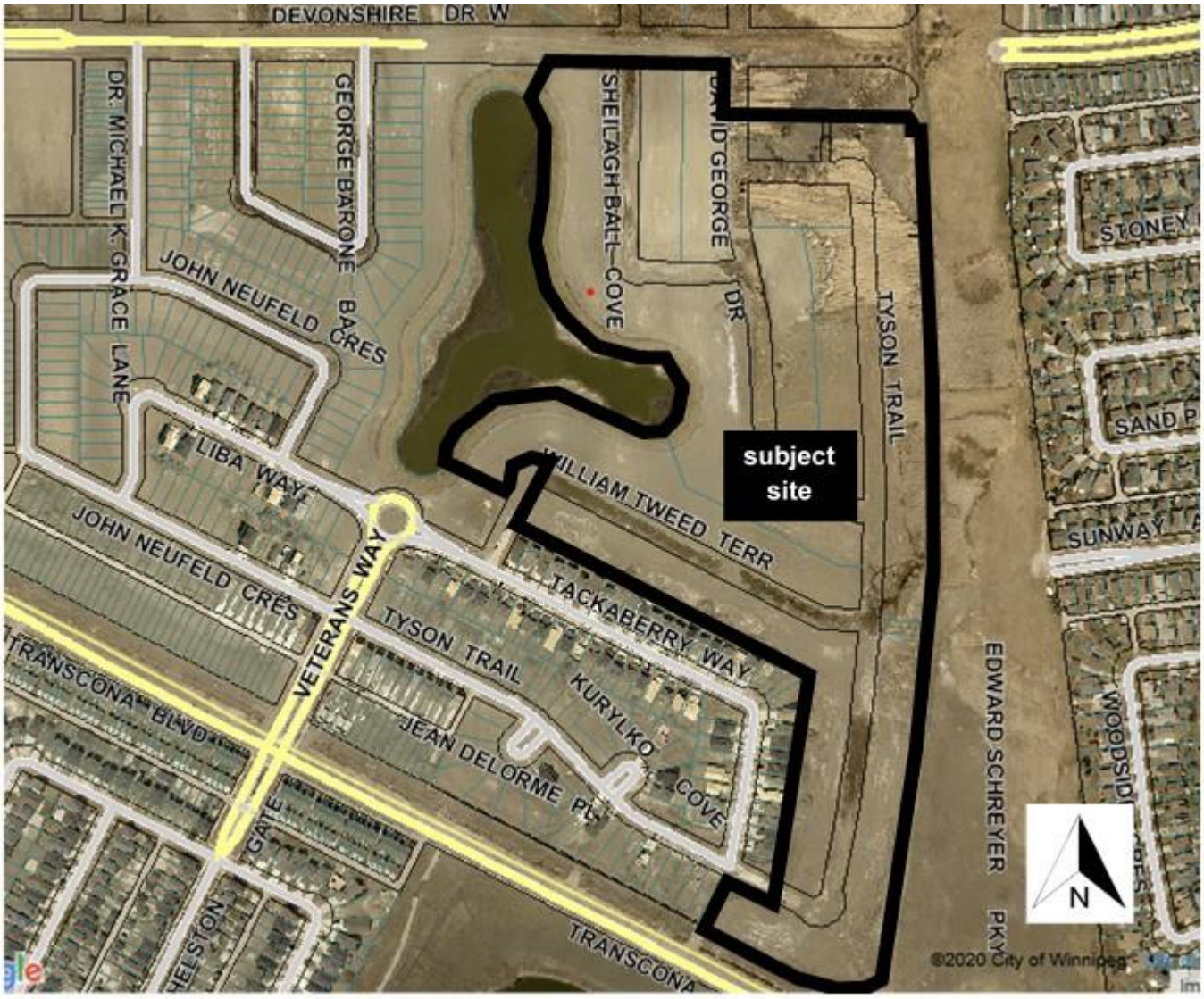



***Figure 2: 2018 Aerial Photography & Existing Lot Lines***

**SURROUNDING LAND USE AND ZONING**

The area in which the site is located is shown on Figures 1, 2 and 3:

**North:** Devonshire Drive W then undeveloped parcels of land zoned “R1-M” Residential Single-Family (Medium), “PR1” Parks and Recreation 1, and “RMF-S” Residential Multi-Family (Small) and undeveloped public streets.

**East:** undeveloped public street – Edward Schreyer Parkway (a future expressway).

**South:** Transcona Boulevard then a storm water retention basin zoned “RR5” Rural Residential 5.

**West:** a public street; a public reserve zoned “PR1” which to be developed into a park; and a public reserve containing a storm-water retention basin, zoned “PR1.”




*Figure 3: Existing Zoning*

**DESCRIPTION OF THE PROPOSED DEVELOPMENT**

The proposal includes a new plan of subdivision and a rezoning, that would create:

- 257 "R1-S" Residential Single-Family (Small) lots; and
- 36 "RMF-S" Residential Multi-Family (Small) lots.

As per the applicant's letter of intent, single-family dwellings would be built on the "R1" lots. Side-by-side two-family dwellings would be built on the "RMF" lots. Each lot would contain one dwelling unit of a side-by-side two-family dwelling. The party wall of each two-family would be centred on the shared lot line.

**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, 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 zoning, size and width;
- the resulting development would add new single-family and two-family dwellings to the neighbourhood;
- the neighbourhood in which the site is located is being developed into an area with the full range of municipal infrastructure; and
- a zoning agreement, requiring plan approval of any development proposed on the "RMF-S" Residential Multi-Family (Small) lots, other than single-family and two-family dwellings, is a recommended condition of approval of the subject application.

TRANSCONA WEST AREA STRUCTURE PLAN

As previously stated, the subject site is in the Proposed Low Density Residential Policy Area of the *Transcona West Area Structure Plan*. (Figure 4 shows the key portion of Map 3 of the *Transcona West Area Structure Plan.* Transcona Boulevard was previously named Kildare Avenue West when this Area Structure Plan was approved.)

Section 6.1.2(1)(a) of the *Transcona West Area Structure Plan* states:

> *The required residential density to be achieved within the low density residential areas shall be a minimum of 10.0 units per gross developable hectare (4 units per gross developable acre) and a maximum of 17.3 units per gross developable hectare (7.0 units per gross developable acre).*

The low density residential policy area that the subject site is in is 131.2 acres. It is bounded by:

- to the east by the Edward Schreyer Parkway right of way; and
- the centre lines of the following public street right-of-ways –
  - Devonshire Drive West,
  - Peguis Street and

- Transcona Boulevard (formerly Kildare Avenue West).




***Figure 4: Part of Map 3 of the Transcona West Area Structure Plan***

The applicant has stated that 750 dwelling units are planned to be built in the portion of this policy area that is not zoned “RMF-M” Residential Multi-Family (Medium). The portion zoned “RMF-M” is 180,259 square feet. Therefore, up to 225 dwelling units are allowed here. This means that the residential density in this policy area could be as high as 7.43 dwelling units per gross developable acre.

Although this is more than the maximum allowed by the *Transcona West Area Structure Plan*, it can be offset in a future phase of development north of Devonshire Drive West. Also of note is that the actual number of dwelling units that would be built on the portion zoned “RMF-M” is not known at this time. It could be less than 225 units. The applicant has been informed of this density balancing that will be required as future development applications for this Low Density Residential Policy Area.

Therefore, the proposed plan of subdivision and rezoning, and the proposed development comply with the *Transcona West Area Structure Plan*.

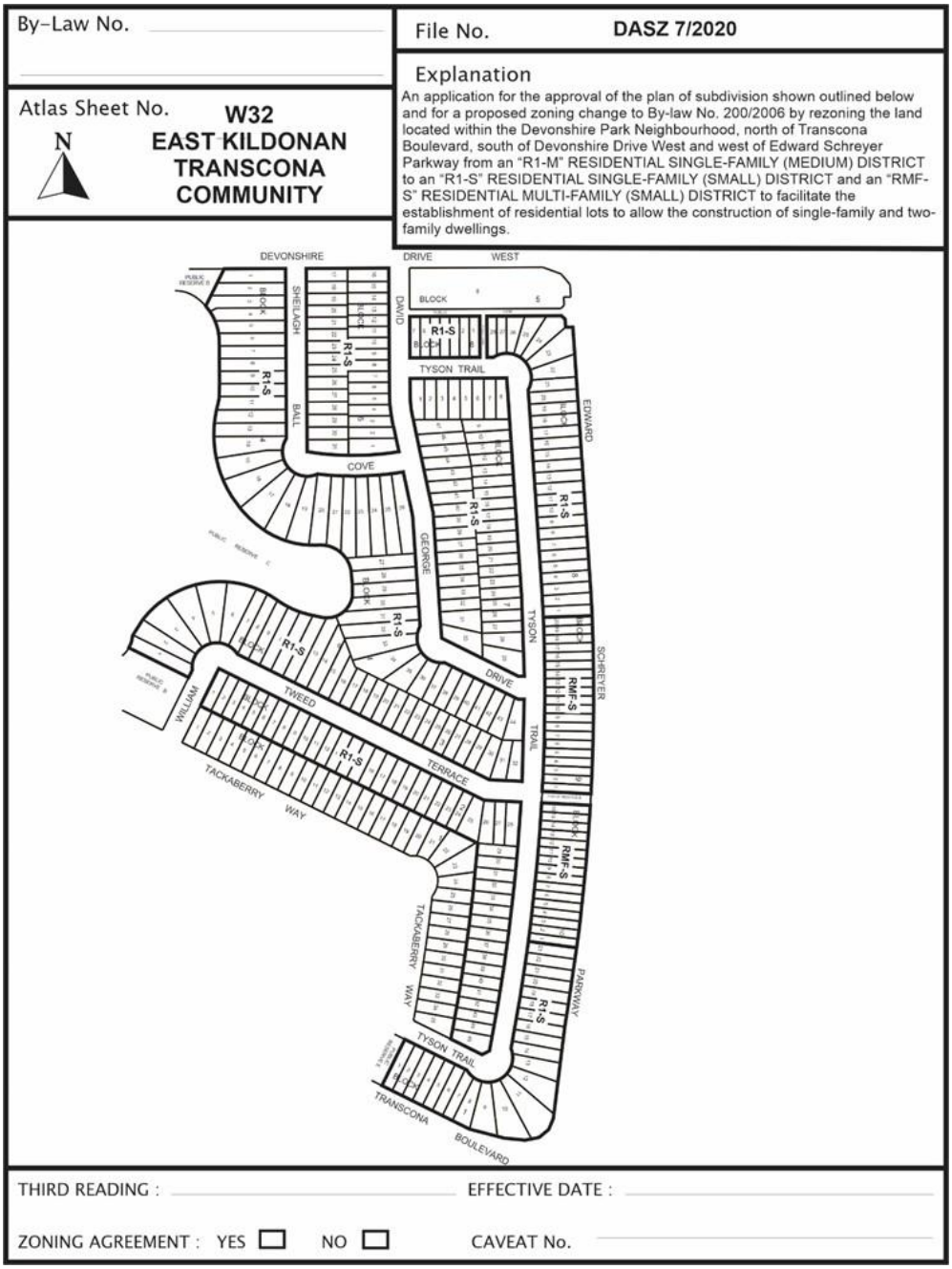
REASONS FOR THE RECOMMENDATIONS

The Urban Planning and Design Division recommends approval of Schedule “B” to this report because the proposed plan of subdivision and the rezoning shown in Schedule “B” comply with *OurWinnipeg*, *Complete Communities* and the *Transcona West Area Structure Plan.*

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

Report Prepared by: Glen Doney, RPP, MCIP
PPD File #: DASZ 7/2020

**SCHEDULE "A" OF FILE DASZ 7/2020, East Kildonan – Transcona Community Committee, dated June 15, 2020**



**SCHEDULE "B," REPORT OF THE ADMINISTRATIVE COORDINATING GROUP – May 6, 2020**

**RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED NORTH OF TRANSCONA BOULEVARD, SOUTH OF DEVONSHIRE DRIVE, WEST OF EDWARD SCHREYER PARKWAY**

The above noted application was reviewed by the Administrative Coordinating Group (ACG) on May 6, 2020. The application was determined to be within the Planned Area of the Devonshire Park lands under development (DASZ 11/2013) and therefore the application is subject to the terms and conditions as outlined in the Development Agreement Amendment for AG 11/13 and all amendments and addendums thereto.
It is recommended that the approval of DASZ 7/2020, if granted, be subject to the applicant entering into a Development Agreement Amendment addressing the following items, where applicable:

**Section I – Plan Considerations**

1) The Developer shall, at no expense whatsoever to the City, legally open property required for 3.0m x 3.0m corner cuts on each corner where two Public Lanes intersect, to the satisfaction of the Director of Public Works.

**Section II – Servicing Considerations**

1) Berm & Fencing Along Edward Schreyer Parkway

   (a) The Developer shall, at no expense to the City, construct within the rear yards of all single-family and two-family lots abutting the future Edward Schreyer Parkway, a uniform wooden fence 2.0m in height, complete with a berm of minimum height of 1.2m, centered on the property line of the residential lots, to the satisfaction of the Director of Public Works.

   (b) The Developer shall permit the City to file a caveat against the title of each of these proposed lots abutting the future Edward Schreyer Parkway requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

**Section III – 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.

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 Amendment.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 7/2020
June 1, 2020

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Exhibit "4" referred to in File DASZ 7/2020

