Minute No. 194
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 18, 2021

Item No. 13 Subdivision and Rezoning – Glenbush Street (Charleswood-Tuxedo-Westwood Ward) File DASZ 22/2020 [c/r DAC 6/2020]

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 22/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated December 30, 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:

    A. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated November 18, 2020 and attached as Schedule "B" to this report, with the following amendments:

        i. In Section II – Servicing Costs, add the following new Condition:

            10) Public Reserve

            The Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 22/2020, or shall dedicate an equivalent amount of land in a future phase of the Ridgewood development, as determined by the City's Director of Planning, Property and Development.

    B. That the City enter into, execute and deliver with the developer a Servicing Agreement in accordance with recommendation 1. A., 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 – January 18, 2021

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 Servicing 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.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "RMF-M" Residential Multi-Family (Medium) District and a "PR-1" Parks and Recreation 1 (Neighbourhood) as shown on the map dated December 30, 2020, and attached as Schedule "A" to this report.

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 22/2020, or shall dedicate an equivalent amount of land in a future phase of the Ridgewood development, 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 Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

7. That the zoning section of the by-law will come into force and effect when the Plan is registered in the Winnipeg Land Titles Office.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 18, 2021

COUNCIL DECISION (continued):

8. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with recommendation 6 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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 18, 2021

DECISION MAKING HISTORY:

Moved by Councillor Gilroy,

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 20, 2021, 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 18, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 11, 2021, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- Delete Recommendation 1.A. in its entirety and replace with the following:

  "1.A. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated November 18, 2020 and attached as Schedule "B" to this report, with the following amendments:

  i. In Section II – Servicing Costs, add the following new Condition:

  10) <u>Public Reserve</u>

  The Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 18, 2021

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

> Application No. DASZ 22/2020, or shall dedicate an equivalent amount of land in a future phase of the Ridgewood development, as determined by the City's Director of Planning, Property and Development.

- In Recommendation 1.B., delete the words "an addendum to the Development Agreement File No. DASZ 53/2013" and replace with "a Servicing Agreement"

- In Recommendation 1.C., delete the words "Addendum Development Agreement" and replace with the words "Servicing Agreement"

- In Recommendation 3, add the following after "No. DASZ 22/2020":

  ", or shall dedicate an equivalent amount of land in a future phase of the Ridgewood development,"

- In Recommendation 6, delete the words "amending Addendum to the Development" and replace with the word "Servicing".

- In Recommendation 7, delete the words "by way of caveat against the lands described therein"

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

PUBLIC HEARING SUMMARY

File: DASZ 22/2020

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

Public Hearing: January 11, 2021
Council Building, 510 Main Street

Applicant: Landmark Planning & Design Inc.
(Jeff Pratte)

Subject:



APPLICANT: Landmark Planning & Design Inc. (Jeff Pratte)
FILE: DASZ 22/2020
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-E", "R1-L" and "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the creation of residential zoning lots and Public Reserve. **For information, phone Mr. R. Galson, Planner at 204-986-8645.**

Premises Affected: Glenbush Street

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

Prepared by: L. Cowan, Senior Committee Clerk
Assiniboia Community Committee

Report date: January 12, 2021

Community Committee Recommendation:

On January 11, 2021, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the subdivision under Development Application No. DASZ 22/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated December 30, 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:

   ~~***A. That the Developer be required to amend and enter into an addendum to the Development Agreement File No. DASZ 53/2013 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 November 18, 2020 and attached as Schedule "B" to this report.***~~

   A. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated November 18, 2020 and attached as Schedule "B" to this report, with the following amendments:

      i. In Section II – Servicing Costs, add the following new Condition:

         10) <u>Public Reserve</u>

         The Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 22/2020, or shall dedicate an equivalent amount of land in a future phase of the Ridgewood development, as determined by the City's Director of Planning, Property and Development.

B. That the City enter into, execute and deliver with the developer ***~~an addendum to the Development Agreement File No. DASZ 53/2013~~ a Servicing Agreement*** in accordance with recommendation 1. A., 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 ***~~Addendum Development Agreement~~ Servicing 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.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "RMF-M" Residential Multi-Family (Medium) District and a "PR-1" Parks and Recreation 1 (Neighbourhood) as shown on the map dated December 30, 2020, and attached as Schedule "A" to this report.

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 22/2020***, or shall dedicate an equivalent amount of land in a future phase of the Ridgewood development,*** 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 ***~~amending Addendum to the Development~~ Servicing*** Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

7. That the zoning section of the by-law will come into force and effect when the Plan 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 is not registered in accordance with recommendation 6 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.

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

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

1. I believe the developer, over the years, has exhibited a working relationship that has been very mutually beneficial to the Friends of the Harte Trail, to the Harte Trail, and to residents of Charleswood. And for those reasons I'm happy to see that they have yet again, exhibited that relationship, and that care and attention to the Charleswood area and maintaining the character, as well as taking us into a new generation of home designs and such.

2. Further to that I support the motion because of the fact the public service has provided the suggested rewording, and they've done so in cooperation with the applicant, and I find this is probably the most efficient and effective way to have our developments proceed ahead.

Exhibits Filed:

1. Application dated October 7, 2020
2. Notification of Public Hearing dated December 1, 2020
3. Manitoba Status of Titles 1575920/1 and 2806961/1
4. Letter of authorization dated January 29, 2020 from Seekville Inc. (Adam Sharfe) to Qualico Developments (Winnipeg) Ltd. And Landmark Planning & Design
5. Letter of authorization dated September 3, 2020 from Qualico Developments (Winnipeg) Ltd. (Tara Reid) to Landmark Planning & Design
6. Surveyor's Plan dated August 6, 2019
7. Surveyor's Plan dated September 17, 2020
8. Schedule of City of Winnipeg Zoning Site Width and Area Calculations Qualico Communities Scotswood Meadows Subdivision dated August 14, 2019
9. Zoning Agreement DASZ 53/2013 Development Agreement (rezoning) The City of Winnipeg Charter Sections 240(1) and (2) By-law No. 45/2015
10. Caveat 4653130/1
11. Drawings of subject property (Map 1 and Map 2)
12. Report from the Urban Planning Division dated December 30, 2020
13. Inspection Report
14. Presentation dated January 11, 2021, in support of the application submitted by the Applicant at the public hearing

REPRESENTATIONS:

In Support:
Jeff Pratte
Bryan Ward

In Opposition:
Nil

For Information:
Ben McGillivary

For the City:
C. Gagnon, Real Property Officer, Planning, Property and Development Department
R. Galston, Urban Planner, Planning, Property and Development Department
D. Trenchard, Land Development Engineer, Planning, Property and Development Department

Exhibit "12" referred to in File DASZ 22/2020

ADMINISTRATIVE REPORT

Title: DASZ 22/2020 – Glenbush Street

Issue: For consideration at the public hearing for a subdivision and rezoning to create eight (8) single-family lots and one (1) public reserve lot, and to rezone the land to "R1-M" Residential-Single-Family (Medium) and "PR-1" Parks and Recreation 1 (Neighbourhood) zoning districts.

Critical Path: Assiniboia Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Galston, MCP	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 22/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated December 30, 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:

    A. That the Developer be required to amend and enter into an addendum to the Development Agreement File No. DASZ 53/2013 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 November 18, 2020 and attached as Schedule "B" to this report.

    B. That the City enter into, execute and deliver with the developer an addendum to the Development Agreement File No. DASZ 53/2013 in accordance with recommendation 1. A., 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 Addendum Development 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.

2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land to a "RMF-M" Residential Multi-Family (Medium) District and a "PR-1" Parks and Recreation 1 (Neighbourbood) as shown on the map dated December 30, 2020, and attached as Schedule "A" to this report.

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 22/2020 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 amending Addendum to the Development Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

7. That the zoning section of the by-law will come into force and effect when the Plan 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 is not registered in accordance with recommendation 6 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.

REASON FOR THE REPORT

- Subdivision and Rezoning applications require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.
- The Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Urban Planning Division are concurred in, the subject property may be subdivided and rezoned consistent with the map provided in Schedule "A" of this report.

CONSULTATION

In preparing this Report there was consultation with: N/A

OURWINNIPEG POLICY ALIGNMENT

The proposed development aligns with *OurWinnipeg* Section 01, Direction 3: *"Promote Compact Urban Form and Manage the Extension of Municipal Services for New Growth."*

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The proposed development would align with the following Key Direction in the Winnipeg Climate Action Plan: *"Ensure New Areas of Growth are Designed According to the Principles of Complete Communities."*

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Robert Galston, MCP
Date:	December 30, 2020
File No.	DASZ 22/2020

List of Schedules and Attachments

1.	Appendix “A”	Planning Discussion
2.	Schedule “A”	File No. DASZ 22/2020, Assiniboia Community Committee, Dated December 30, 2020
3.	Schedule “B”	Report of the Administrative Coordinating Group Re: Proposed Subdivision and Rezoning of Land Located North on the South Side of Glenbush Street, North of Ridgewood Avenue, including Ridgewood Avenue

APPENDIX 'A'

DATE: December 30, 2020
FILE: **DASZ 22/2020**
RELATED FILES: na
COMMUNITY: Assiniboia Community
NEIGHBOURHOOD #: 2.633 (Betsworth)

SUBJECT: For consideration at the public hearing for a subdivision and rezoning to create eight (8) single-family lots and one (1) public reserve lot, and to rezone the land to "R1-M" Residential Single-Family (Medium) and "PR-1" Parks and Recreation 1 (Neighbourhood) zoning districts.

LOCATION: Glenbush Street
LEGAL DESCRIPTION: Firstly: Lots 27, 28, 29, 31, 34 and 37 Plan 8964 in RL 56 to 58 Parish of St Charles
Secondly: SP Lots 23 and 24 Plan 202911 in RL 55 to 60 Parish of St Charles
Block 5 Plan 58270 in RL, 55, 56 and 57 Parish of St Charles



APPLICANT: Landmark Planning and Design Inc. (Jeff Pratte)
298 Waterfront Drive
Winnipeg, Manitoba R3B 0G5

OWNERS: Qualico Developments (Winnipeg) Ltd.
1 Dr. David Friesen Drive
Winnipeg, Manitoba R3X 0G8

RECOMMENDATION: Approval

HISTORY

Ridgewood South Precinct Plan (By-law No. 62/2013)

On October 23, 2013, Council adopted the *Ridgewood South Precinct Plan* (By-law No.62/2013) with amendments as recommended by the Assiniboia Community Committee.

DISCUSSION

SITE DESCRIPTION

- The subject property is located on the south side of Glenbush Avenue, in the Betsworth Neighbourhood of the Charleswood – Tuxedo – Westwood Ward.
- The southerly area of the subject site is currently an undeveloped portion of public right-of-way known as Ridgewood Avenue.
- The subject site has a total area of approximately 2.2 acres. It is currently vacant.
- The subject site is currently zoned a mix of “R1-E” Residential Single-Family (Estate), “R1-L” Residential Single-Family (Large), and “R1-M” Residential Single-Family (Medium). The public right-of-way portion of the subject site is currently not zoned.
- The subject property is located within the Areas of Transformation – New Communities area of the *Complete Communities Direction Strategy* Urban Structure Map.

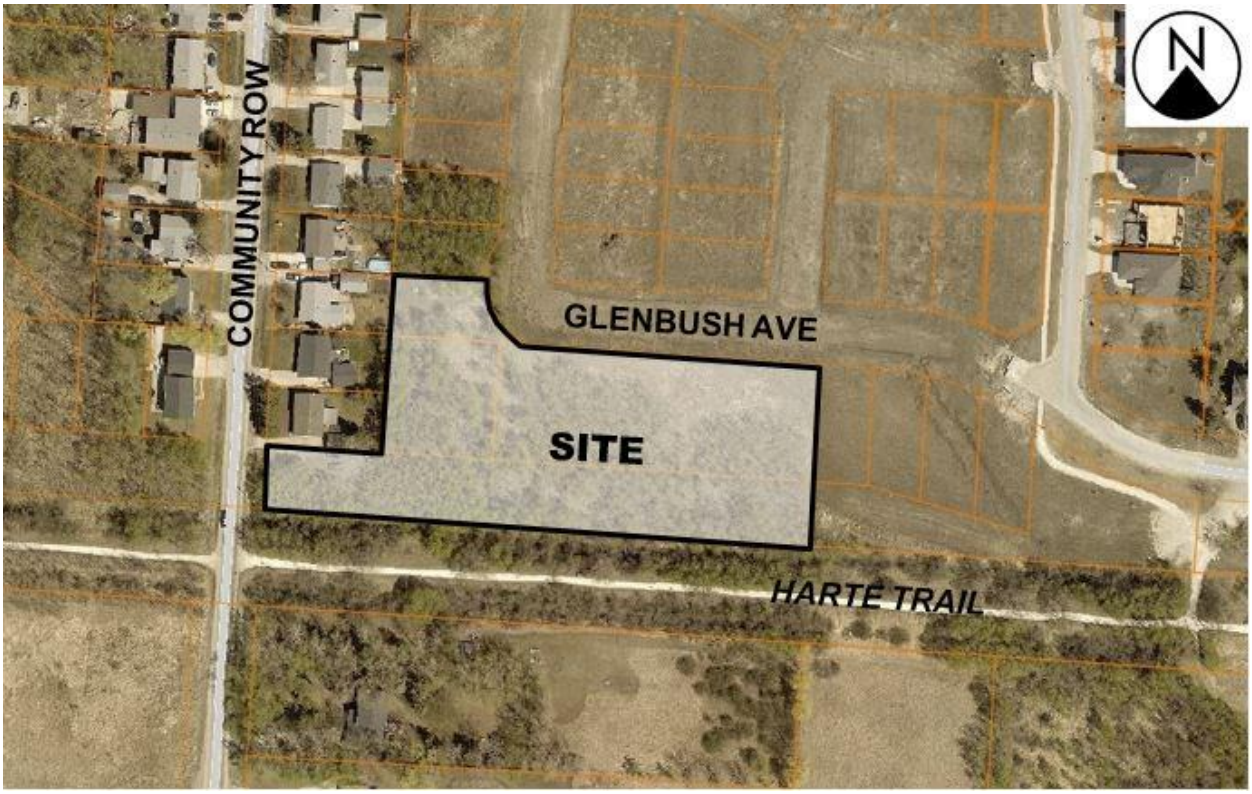


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2018)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: A mix of single-family residential uses and vacant land zoned “R1-M” Residential Single-Family (Medium).

South: An active transportation corridor (Harte Trail) zoned a mix of “R1-E” Residential Single-Family (Estate) and “A” Agricultural.

East: Vacant land zoned a mix of “R1-M” Residential Single-Family (Medium) and “PR1” Parks and Recreation.

West: Single-family residential uses fronting onto Community Row zoned “R1-L” Residential Single-Family (Large).



Figure 2: Zoning of the Site and Surrounding Area

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to create a total of eight (8) single-family residential lots. Each of the proposed lots is to take access from Glenbush Street.
- The proposed eight (8) single-family lots will be rezoned to “R1-M” Residential Single-Family (Medium).
- The applicant proposes to close the public right-of-way (Ridgewood Avenue) at the southerly portion of the subject site and zone the land “PR-1” Parks and Recreation 1 (Neighbourhood). The closure of this public right-of-way is the is the subject of an associated street closing application under file no. DAC 6/2020.
- The area of the subject site to be zoned “PR-1” is to be designated as a public reserve, and thereby maintained by the City of Winnipeg.
- No building plans or design drawings have been submitted with this application.

COLLABORATION

- The applicant engaged in conversations with the Public Service in early 2020, in order to discuss the proposal.
- In a letter of intent submitted by the applicant, it is stated that public consultation was undertaken between June and August, 2020. This public consultation included an online engagement website and comment forum, which adjacent residents were notified of via

mail. Additionally, the applicant reached out to the Friends of the Harte Trail, a local community group.

- The applicant communicates that no negative feedback was received through the public consultation process, but that area residents and Friends of the Harte Trail board members were instead inquisitive about the development and provided generally positive feedback.

ANALYSIS AND ISSUES

OURWINNIPEG AND COMPLETE COMMUNITIES DIRECTION STRATEGY

- *OurWinnipeg* is the City's long-range development plan. The Key Direction of *OurWinnipeg* regarding New Communities states:
    - New Communities will continue to play an important role in accommodating the city's projected population growth. These New 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.
- The *Complete Communities Direction Strategy* is one of four direction strategies supporting *OurWinnipeg* and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- The subject property is classified as an "Area of Transformation – New Community" in *Complete Communities'* Urban Structure map. Key policies guiding development within New Communities include:
    - *Only approve new development when a full range of municipal services, as defined in OurWinnipeg, can be provided in an environmentally sound, economical and timely manner.*
    - *Only approve new development when there is a reasonable relationship between the supply of land and projected demand.*
    - *Support new development that is adjacent to, and compatible with, existing development and which is designed to minimize the spatial use of land.*
    - *Encourage greater choices in housing type, density, style and tenure.*
    - *Promote the design of all streets to maximize connectivity, visual appeal, amenity space and safety where practical and cost effective.*
    - *Balance the provision (scale, distribution and design) of parks and open space with density, demographics and distance.*
    - *Promote and expand biodiversity and 'green' principles consistent with the local natural ecosystems to all Parks, Place and Open Spaces, beyond the expected environments of the urban forest and designated 'natural areas'.*

RIDGEWOOD SOUTH PRECINCT PLAN (By-law No. 62/2013)

- Under the *Ridgewood South Precinct Plan*, the subject property is located in the Low Density Residential Area, in Sub-Area 1. The purpose of the Low Density Residential

Area is to provide opportunities for a range of lower density residential development with opportunities for multi-family residential development allowed in select locations. Public parks and trails will be interspersed throughout Low Density Residential Areas to service the recreational needs of residents and the greater Charleswood community.

- Policies guiding development in the Low Density Residential Area are:

  6.1.2.1 Single family homes shall be the predominant use of land within the low density residential areas, except within approximately 50 metres of a collector road or where a property abuts a public lane, in which case multi-family units are allowed to a maximum of six attached units.

  6.1.2.2 Multi-family uses in low density residential areas shall be ground-entry only and should be designed in a street-oriented fashion.

  6.1.2.3 Residential areas should be development with neighbourhood character features through the implementation of tools such as architectural and neighbourhood design standards where feasible.

  6.1.2.4 For single family residential units in Sub-Areas 1-5 and 7, the density for the combined total of these areas shall be a minimum of 4.0 units per gross developed acre.

  6.1.2.8 Alternative housing forms including special needs housing, institutional uses, recreational uses, public uses, local commercial uses, secondary suites, and other similar and accessory uses may be allowed.

  6.1.2.9 Parks, natural areas and open spaces shall be provided in residential areas to meet active and passive recreational needs of residents and visitors.

  6.1.2.10 The residential area shall be served by public transit and include bus stops within 400m (1,213 feet) of most homes.

- The proposed subdivision and rezoning meet the objectives and policies guiding development in the Low Density Residential Policy Area of the *Ridgewood South Precinct Plan.*

SUBDIVISION

- As noted above, the subject site is currently made up of three (3) lots and one undeveloped portion of public right-of-way (Ridgewood Avenue). Subdivision is required in order to establish a total of eight (8) building lots and one public reserve lot on the subject site.

REZONING

- As noted above, the subject site is currently zoned a mix of “R1-M” Residential Single-Family (Medium), “R1-L” Residential Single-Family (Large), and “R1-E” Residential Single-Family (Estate). An undeveloped public right-of-way is also located in the subject site.
- Per the Winnipeg Zoning By-law, the intent of any “R1” zoning district is to accommodate primarily single-family residential development in lower-density areas.

- As noted above, the applicant intends to rezone the subject site to the "R1-M" zoning districts.
- Under the Winnipeg Zoning By-law, the difference between the "R1-M," "R1-L," and "R1-E" zoning district is the dimensional standards for each district. Differences in dimensional standards for "R1-M," "R1-L," and "R1-L" districts include the following:
    - Lot size:
        - "R1-M" – 3,500 square feet
        - "R1-L" – 5,500 square feet
        - "R1-E" – 20,000 square feet
    - Lot coverage:
        - "R1-M" – 45 percent
        - "R1-L" – 40 percent
        - "R1-E" – 30 percent
- Given that the proposed eight (8) residential lot are no less than 6,700 square feet in area, the "R1-M" zoning district is considered an appropriate zoning district for the proposed residential lots.
- The "PR-1" 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. These parks and open spaces typically occur in a residential neighbourhood or riverbank context and are generally accessed by residential streets.

CONSISTENCY WITH AREA SECONDARY PLAN

- The proposal is consistent with policies for Areas of Transformation – New Communities under the *Complete Communities Direction Strategy*, and with policies for the Low Density Residential Policy Areas of the *Ridgewood South Precinct Plan*, in that it provides new single-family residential uses, and in that it maintains the amount of designated passive green space in the area in a manner that enhances the natural environment along the Harte Trail.

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- The subject property is currently surrounded by existing single-family residential properties and vacant land zoned for single-family residential uses.
- As such, the Urban Planning Division considers the proposed subdivision and rezoning to be designed in a manner that is compatible with the surrounding residential area. Additionally, it maintains and designates as public reserve green space that is adjacent to the Harte Trail, an important active transportation amenity within the Ridgewood South area.

CONDITIONS OF APPROVAL

Development Agreement

- The Winnipeg Public Service recommends that the developer enter into a Servicing Agreement with the City of Winnipeg, in order to address issues relating to municipal services and infrastructure within the planned area. These issues are discussed in the Report of the Administrative Coordinating Group (ACG), which is attached to this report as Schedule "B."

Land Dedication

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

RECOMMENDATION

The Urban Planning Division recommends **approval** for the following reasons:

- The subject subdivision and rezoning complies with policies for New Communities under the *Complete Communities Direction Strategy*, and with policies in the *Ridgewood South Precinct Plan*.
- The proposed single-family residential uses are compatible with existing and permitted future residential land uses in the vicinity of the subject site.
- The proposed public reserve area maintains and designates existing green space and enhances the natural environment along the Harte Trail.

This Report Submitted by: Robert Galston, MCP
Planning, Property and Development Department
Urban Planning Division

PPD File #: DASZ 22/2020

Schedule "A" for File DASZ 22/2020, Assiniboia Community Committee, dated December 30, 2020

By-Law No. _____

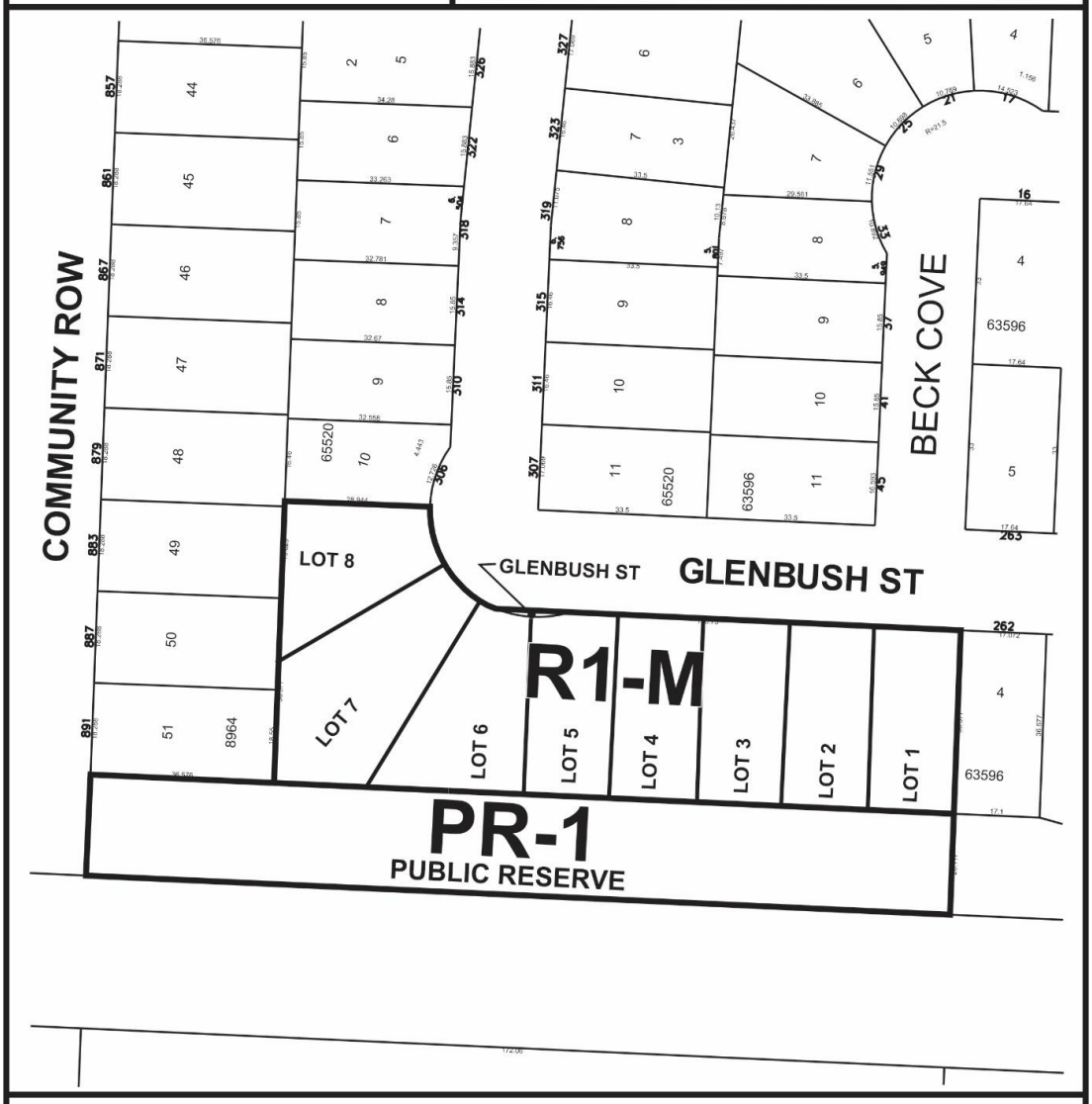
File No. **DASZ 22/2020**

Atlas Sheet No. **AE13 ASSINIBOIA COMMUNITY**

N

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 on Glenbush Street, north of Ridgewood Avenue, including Ridgewood Avenue, from an "R1-E", "R1-L" and "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the creation of residential zoning lots and Public Reserve.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP – November 18, 2020

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED ON THE SOUTH SIDE OF GLENBUSH STREET, NORTH OF RIDGEWOOD AVENUE, INCLUDING RIDGEWOOD AVENUE

It is recommended that approval of DASZ 22/2020, if granted, be subject to the applicant addressing the following and entering into a Servicing Agreement, if required:

Section I – Plan Considerations

The Developer shall, at no expense to the City, grant a 2.4m wide easement required for the 300mm land drainage sewer pipe and catch basin along the east property line of proposed Lot 6.

Section II - Servicing Costs

1) Share of Services in Glenbush Street

The Developer shall pay to the City, in cash, prior to release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of underground services and surface works previously installed by others, for the full length of the Planned Area abutting the south side of Glenbush Street, all as determined by and to the satisfaction of the Director of the Director of Public Works and the Director of Water and Waste.

2) Ridgewood Transportation Levy

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 Ridgewood Transportation Levy, as determined by and to the satisfaction of the Director of Public Works.

3) Regional Land Drainage System

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 regional land drainage system, 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 execution of the servicing agreement, provide a lot grading plan, prepared by a municipal engineer, for the Planned Area, to the satisfaction of the Director of Water and Waste.

b) The Developer shall, at no expense to the City, construct all drainage works necessitated by the lot grading plan of record to the satisfaction of the Director of Water and Waste.

c) 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.

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

Utilities

a) The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the Planned Area and will 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.

b) 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.

6) Construction Traffic

a) The Developer shall ensure that construction traffic uses access routes as determined by the Director of Public Works.

b) The Developer shall maintain, at no expense to the City, the access routes in a clean, dust free and safe condition, free of dropped and tracked-on mud, and shall undertake regular scraping and sweeping of streets until building construction, including landscaping is complete, all as determined by and to the satisfaction of the Director of Public Works.

7) 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 from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction, as determined by and to the satisfaction of the Director of Public Works.

b) The cleanup of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

8) Survey Monuments

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

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

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 to the City, in cash, its share of the cost of consulting fees for the preparation of the Precinct Plan, as determined by the Director of Planning, Property and Development.

b) 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;

c) 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.

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 22/2020
December 23, 2020

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Planning, Property and Development Department

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