Agenda – Council – July 22, 2021

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 6, 2021

Item No. 2 Subdivision and Rezoning – 10 Oakleigh Place
(St. Vital Ward)
File DASZ 23/2021 [c/r DAV 127729/2021D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 14, 2021, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the following to Council:

1. That the subdivision under Development Application No. DASZ 23/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 7, 2021 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the developer be required to enter into a 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 June 7, 2021 and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject lands to an "RMF-S" Residential Multi-Family (Small) District as shown on the map dated June 7, 2021 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 subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

        i. That, the maximum number of dwelling units on the land shall not exceed four (4).

        ii. That the height shall be limited to a maximum of 30 feet.

        iii. That alcoves, bay windows, vestibules and similar building elements creating interior floor area shall be at least two feet from any side lot line, measured from the exterior finish of said building elements.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 6, 2021

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

a. buildings;
b. accessory parking areas;
c. private approaches;
d. garbage enclosures;
e. fencing;
f. landscaping; and
g. free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") 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 Servicing Agreement in accordance with Recommendation 1; and

   B. a Zoning Agreement in accordance with Recommendation 2,

   and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

4. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Servicing Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

5. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 23/2021, as determined by the City's Director of Planning, Property and Development.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 6, 2021

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

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 Servicing Agreement is fully executed and 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 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.

13. That the variance order for File No. DAV 21-127729/D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 23/2021.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 6, 2021

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 14, 2021, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 6, 2021, due to a tie vote, the Standing Policy Committee on Property and Development, Heritage and Downtown Development submitted the matter to Executive Policy Committee and Council without recommendation.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 21, 2021, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

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

  "1.A. That the Developer shall meet all conditions identified in Schedule "B" – Report of the Administrative Coordinating Group, dated June 7, 2021."

- In Recommendation 2.A.i. delete "four (4)" and replace with "two (2)"

- Delete Recommendation 3.A.in its entirety and renumber the remaining recommendation accordingly

- In Recommendation 4, delete the words "the Servicing Agreement,"

- In Recommendation 8, delete the words "Servicing Agreement is fully executed and"

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

PUBLIC HEARING SUMMARY

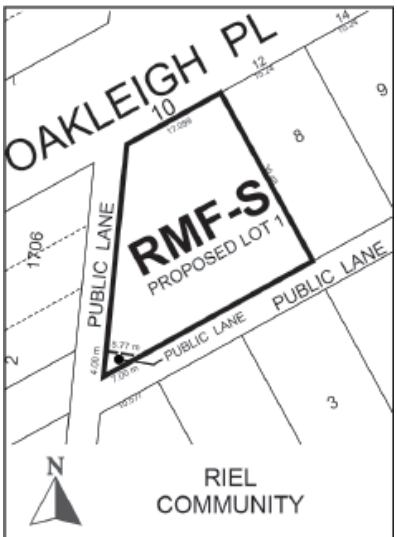
File: DASZ 23/2021

Before: Riel Community Committee
Councillor Allard, Chairperson
Councillor Chambers
Councillor Mayes

Public Hearing: June 21, 2021
Council Building, 510 Main Street

Applicant: Aura Projects & Developers Inc. (Amit Bindra)

Subject:



APPLICANT : Aura Projects & Developers Inc. (Amit Bindra)
FILE : DASZ 23/2021
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 "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to allow the establishment of a Multi-Family Dwelling use and to facilitate a road opening. **For information, phone S. Jerez, Planner at 204-986-7175.**

DEMANDEUR : Aura Projects & Developers Inc. (Amit Bindra)
N° DE DOSSIER : DALZ 23/2021
PROJET : Demande d'approbation par le conseil municipal du plan de lotissement indiqué ci-dessus et proposition de modification du *Zoning By-law No. 200/2006* (règlement municipal sur le zonage) visant à changer le zonage des sols délinéés ci-dessus qui passeraient de la catégorie R1-M (secteur d'habitations unifamiliales moyennes) à la catégorie RMF-S (secteur de petites habitations multifamiliales) afin de permettre l'aménagement d'une habitation multifamiliale et de faciliter l'ouverture d'une voie. **Pour obtenir des renseignements, veuillez appeler S. Jerez, urbaniste, au 204-986-7175.**

Premises Affected: 10 Oakleigh Place

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

Prepared by: Rebecca Ford, Committee Clerk
Riel Community Committee

Report date: June 22, 2021

Community Committee Recommendation:

On June 21, 2021, the Riel 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 23/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 7, 2021 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

   ~~***A. That the developer be required to enter into a 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 June 7, 2021 and attached as Schedule "B" to this report.***~~

   A. That the Developer shall meet all conditions identified in Schedule "B" – Report of the Administrative Coordinating Group, dated June 7, 2021.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject lands to an "RMF-S" Residential Multi-Family (Small) District as shown on the map dated June 7, 2021 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 subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

      i. That the maximum number of dwelling units on the land shall not exceed ~~***four (4)***~~ ***two (2).***

      ii. That the height shall be limited to a maximum of 30 feet.

      iii. That alcoves, bay windows, vestibules and similar building elements creating interior floor area shall be at least two feet from any side lot line, measured from the exterior finish of said building elements.

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

a. buildings
b. accessory parking areas
c. private approaches
d. garbage enclosures
e. fencing
f. landscaping
g. free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") 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 Servicing Agreement in accordance with Recommendation 1; and***~~

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

5. That in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 23/2021, 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 ~~***Servicing Agreement is fully executed and***~~ 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 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.

13. That the variance order for File No. DAV 21-127729/D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 23/2021.

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

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

1. This is certainly a nice-looking building. I wish we'd had this in some other places in terms of aesthetics, perhaps at Mager and some other streets.

2. It's a nice-looking design, but it's a bit too big. Given the condition and the length of the street, given the condition of the laneway, at this stage I'll approve 2 units.

Exhibits Filed:

1. Application dated May 21, 2021
2. Notification of Public Hearing dated May 25, 2021
3. Manitoba Status of Title 3090652/1
4. Letter of authorization dated May 25, 2021 from Amit Bindra to Amit Bindra (Aura Projects & Developers Inc)
5. Plans (5 pages)
6. Communication from Janelle Bisson in opposition to the application
7. Report from the Urban Planning Division dated June 7, 2021
8. Inspection Report
9. Communication from Cheryl and Richard Andre in opposition to the application
10. Communication from Donald Laramée in support of the application
11. Communication from Robert Weaver in opposition to the application
12. Communication from Steve Sarens and Hilda Kroeker in opposition to the application
13. Petition in opposition to the application purporting to contain 29 signatures, submitted by Steve Sarens and Hilda Kroeker
14. Communication from Neil Denyer, Joy Denyer, Cara Denyer, Anne Denyer in opposition to the application
15. Communication from Kelly Sveinson in opposition to the application
16. Communication from Kate Sveinson in opposition to the application
17. Communication from Ginger James Normand in opposition to the application
18. Communication from Camille Bédard in opposition to the application
19. Communication from Lauren Lischka in opposition to the application
20. Communication from Eric Buss in opposition to the application

REPRESENTATIONS:

In Support:

Amit Bindra
Donald Laramée

In Opposition:

Cheryl Andre
Richard Andre
Richard Andrew
Camille Bédard
Janelle Bisson
Eric Buss
Anne Denyer
Cara Denyer
Joy Denyer
Neil Denier
Mikeal Desforges
Sarah Ditchfield
Diane Forrest
Hilda Kroeker
Kathryn Kroeker
Lauren Lischka
Ginger James Normand
Steve Sarens
Kate Sveinson
Kelly Sveinson
Jay Vanstone
Robert Weaver

For Information:

Nil

For the City:

E. Finnigan, Planner, Planning, Property and Development Department
J. Hildebrand, Planner, Planning Property and Development Department
S. Jerez, Planner, Planning Property and Development Department
D. Trenchard, Land Development Engineer, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 23/2021

ADMINISTRATIVE REPORT

Title: DASZ 23/2021 – 10 Oakleigh PL

Issue: For consideration at the public hearing for a subdivision and rezoning from an "R1-M" Residential Single-Family Medium District to an "RMF-S" Residential Multi-Family (Small) District in order to facilitate the establishment of a four (4) unit townhouse style multi-family dwelling use at 10 Oakleigh Place

Critical Path: Riel 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
S. Jerez, MCP	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 23/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 7, 2021 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:
   A. That the developer be required to enter into a 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 June 7, 2021 and attached as Schedule "B" to this report.
2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject lands to an "RMF-S" Residential Multi-Family (Small) District as shown on the map dated June 7, 2021 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 subsection 240(1) of The City of Winnipeg Charter in accordance with the following:
      i. That, the maximum number of dwelling units on the land shall not exceed four (4).
      ii. That the height shall be limited to a maximum of 30 feet.

iii. That alcoves, bay windows, vestibules and similar building elements creating interior floor area shall be at least two feet from any side lot line, measured from the exterior finish of said building elements.

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

a. buildings;

b. accessory parking areas;

c. private approaches;

d. garbage enclosures;

e. fencing;

f. landscaping; and

g. free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") 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 Servicing Agreement in accordance with recommendation 1; and

B. a Zoning Agreement in accordance with recommendation 2,

and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

4. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Servicing Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

5. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 23/2021, 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 Servicing Agreement is fully executed and 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 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.
13. That the variance order for File No. DAV 21-127729/D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 23/2021.

REASON FOR THE REPORT

- This report provides information and makes recommendations regarding the subject application's compliance with *The City of Winnipeg Charter*.
- 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 property may be rezoned and subdivided, subject to conditions.

HISTORY

N/A

CONSULTATION

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

OURWINNIPEG POLICY ALIGNMENT

01-1a OurWinnipeg's Approach to City Building

- **Direction 3: Promote compact urban form and manage the extension of municipal services for new growth:**
    - Support new developments that are contiguous with existing developments to minimize the spatial use of land and the extension of services.

01-1c Key Directions for Specific Areas – Areas of Stability

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

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #4: Facilitate Compact, Complete Development and Increase Density

- **Key Direction 4.2:** Ensure new areas of growth are designed according to the principles of Complete Communities.

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning & Design
Prepared by	Simi Jerez, MCP
Date:	June 7, 2021
File No.	DASZ 23/2021

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule "A" — Recommended File No. DASZ 23/2021 Riel Community Committee, dated June 7, 2021
3. Schedule "B" — Report of the Administrative Working Group – June 7, 2021

APPENDIX 'A'

DATE:	June 7, 2021
FILE:	**DASZ 23/2021**
RELATED FILES:	DAV 21-127729/D
COMMUNITY:	Riel Community
NEIGHBOURHOOD #:	5.516 – Varennes
SUBJECT:	To rezone the subject lands from an "R1-M" RESIDENTIAL SINGLE-FAMILY (SMALL) DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT for the construction of a Multi-Family Dwelling use. This application includes the subdivision of the southwest corner of the subject site for an expansion of the public lane.
LOCATION:	10 Oakleigh Place
LEGAL DESCRIPTION:	LOT 7 BLOCK 2 PLAN 1706 109 ST B



APPLICANT:	Aura Projects and Developers Inc. 11 Brookstone Pl Winnipeg, MB R3Y 0C4
OWNER:	10052895 MANITOBA INC. 11 Brookstone Pl Winnipeg, MB R3Y 0C4
RECOMMENDATION:	Approval with Conditions

SITE DESCRIPTION

- The subject property is located on the south side of Oakleigh Place between St. Mary's Road and St. Anne's Road, in the Varennes neighbourhood of the St Vital ward.
- The subject site is 9,055 square feet and is currently occupied by a one storey 1,364 square foot single family dwelling built in 1924.
- The site is located in close proximity to both St. Mary's Road and St. Anne's Road. Both streets are identified in the *Complete Communities Direction Strategy* as Regional Mixed Use Corridors, located within the Old St. Vital Biz District.
- The site is in the Areas of Stability – Mature Communities policy area under the *Complete Communities Direction Strategy*. The property is zoned "R1-M" Residential Single-Family Medium.



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

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Oakleigh Place, then single family dwelling uses zoned "R1-M" Residential Single-family Medium.

South: Public lane, then single family dwelling uses zoned "R1-M" Residential Single-family Medium.

East: Single family dwelling uses zoned "R1-M" Residential Single-family Medium.

West: Public lane, then single-family, two-family and multi-family (11-unit) uses zoned "RMF-S" Residential Multi-Family Small, then St. Mary's Road.

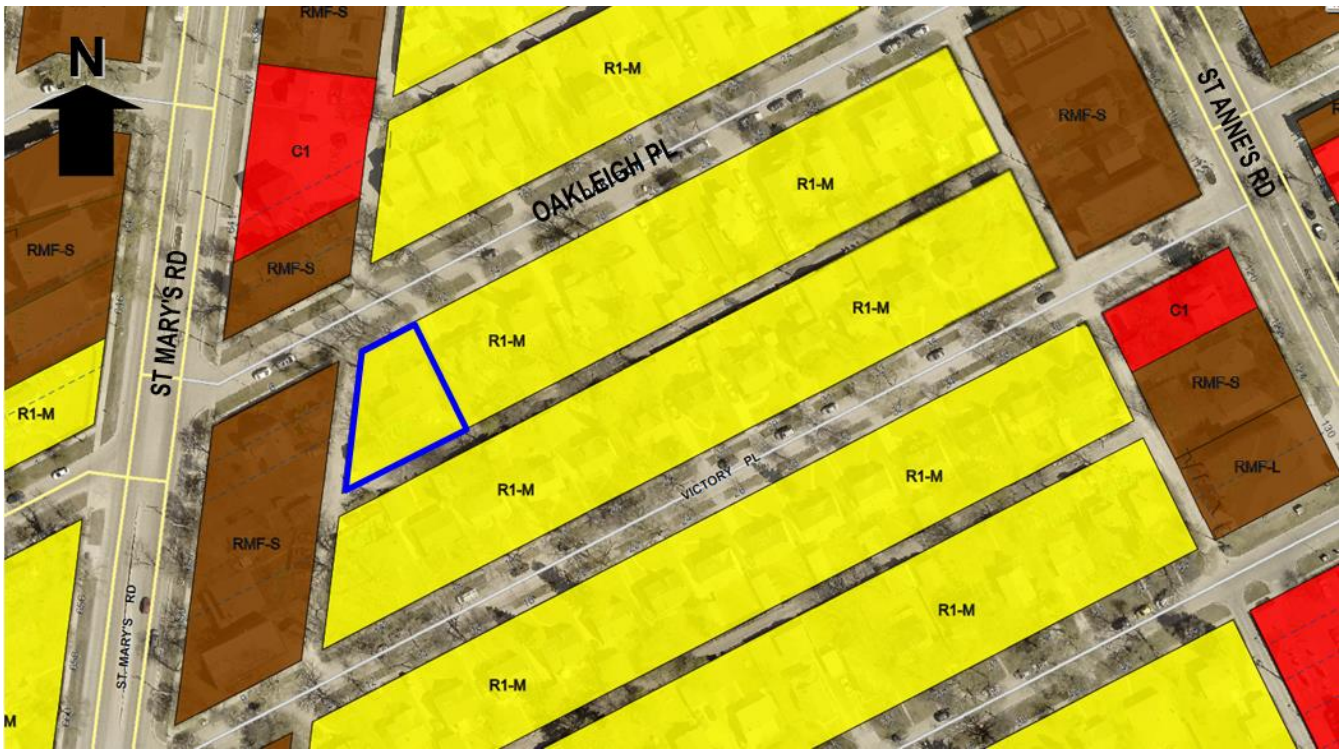


Figure 2: Zoning of the Site and Surrounding Area

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the subject site from “R1-M” Residential Single-Family Medium district to an "RMF-S" Residential Multi-Family (Small) District in order to demolish the existing single family dwelling and develop a four (4) unit multi-family dwelling use.
- This application includes the subdivision of the southwest corner of the lot to accommodate a corner expansion of the lane as the subject site is located at the junction of the north-south and east-west public lanes.
- The proposed two storey four (4) unit townhouse style multi-family building will be 28 feet 10.5 inches in height to the roof peak (approximately 26 feet to the mid-roof line).
- Each of the proposed 4 units will have separate entrances located on both the front (north) and rear (south) façades.
- Each of the proposed units will have three (3) bedrooms.
- The applicant is proposing to establish six (6) parking spaces, to be accessed directly from the public lanes (four from the south lane and two from the west lane), including two accessible stalls.
- A site plan with landscaping, floor plans, elevations and a colour rendering have been provided.
- The applicant has a concurrent variance application (DAV 21-127729/D) to permit a minor reduction in the required lot area (resulting from the requirement for corner cut from the lot for the lane), an accessory parking area having no west side yard, and insufficient buffering to the proposed parking area. Please see associated Planner’s reports for more information.

COLLABORATION

- The applicant has worked collaboratively with the Public Service to provide a mutually agreeable site plan and design.

ANALYSIS AND ISSUES

OURWINNIPEG AND COMPLETE COMMUNITIES DIRECTION STRATEGY

- The *Complete Communities Direction Strategy* is one of four direction strategies supporting *OurWinnipeg*, the city's long-range development plan, 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 Stability – Mature Community" in *Complete Communities*' Urban Structure map. Areas of Stability will accommodate low to moderate density infill development to support more efficient use of land, infrastructure, and services as well as enhance housing choice and affordability.
- With regard to this proposal, the key policies guiding the development of Areas of Stability include:
    - Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form.
    - Promote the form of buildings and spaces that are sensitive to the community context and that address the transition between new and existing development.
    - 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.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

"R1-M" Residential Single-Family Medium District

- The intent of the "R1-M" zoning district is to accommodate primarily single-family residential development in lower-density areas.
- The R1-M district requires: a minimum lot width of 25 feet, a minimum lot area of 3,500 square feet, side yards of 4 feet, a front yard of 15 feet, and a rear yard of 25 feet. The maximum building height is 35 feet.

"RMF-S" Residential Multi-Family Small District

- The RMF-S zoning district is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities.
- The RMF-S district requires: a minimum lot area of 9,000 square feet, minimum lot area per dwelling unit of 1,250 square feet, minimum front yard of 20 feet, a minimum rear yard of 25 feet, a minimum interior side yard of 4 feet, and a minimum corner side yard of 5 feet. The maximum building height is 35 feet.

Reason for Rezoning and Subdivision

- The applicant is required to rezone the site from "R1-M" in order to develop a four (4) unit multi-family building.

- The Public Service requested that the applicant undertake a subdivision to provide land at the southwest corner of the site to facilitate a minor widening of the public right of way at the point where the north-south and east-west lanes intersect.

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- The subject site is located in the Areas of Stability - Recent Communities policy area under the *Complete Communities Direction Strategy*. As stated above, this policy area supports infill development that is context sensitive and complementary to the existing scale, character and built form of the neighbourhood.
- As part of analyzing whether a project is "complementary" to existing development, the Urban Planning Division takes into consideration such things as land use, building heights, built-form, density, setbacks, parking, site access, and landscaping/buffering.
- The subject property is located in an area zoned "R1-M" Residential Single-family Medium and characterized by single-family housing, with a mix of single-family, two-family and multi-family dwellings located along the adjacent corridor.
- The subject site is located on a transitional lot at the west end of the block, at the corner of Oakleigh Place and the public lane serving the St. Mary's Road Regional Mixed Use Corridor, which is well serviced by Winnipeg Transit and a mix of commercial uses and residential scale.
- As a result of its location, it is atypical of the block in its irregular shape and larger lot size.
- From the perspective of scale and built form, the proposed four-plex will be approximately 26 feet in height to the mid-roof line, which is below the maximum permitted height of 35 feet in both the "R1" and "RMF-S" zoning districts. In addition, the applicant is proposing and east side yard of 4 feet from the proposed four-plex to the east side property line shared with the neighbouring dwelling.
- The proposal to develop a multi-family project on the subject property bridges the existing development in the area, providing a modest increase in density and a suitable transition between the existing scale. form, character and development on the street to the scale and uses along the St. Mary's Road Regional Mixed Use Corridor. Rezoning the subject property from 'R1-M' to "RMF-S" for the creation of a four (4) unit townhouse style multi-family dwelling use fits the land use context of the existing development surrounding the subject site.

CONDITIONS OF APPROVAL

- The Urban Planning Division is recommending Substantial Conformance with the drawings submitted as a condition of approval. Should the proposed drawings be altered, Plan Approval by the Director of Planning, Property and Development will be required prior to the issuance of building permits and prior to the commencement of any new construction.
- In light of the close proximity of this development to neighbouring residences and to ensure quality and context sensitive development, the Urban Planning and Design Division is recommending conditions of approval associated with restricting height and side yard projections included to help ensure future development complements the majority of the homes in the area.

LAND DEDICATION

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg. As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed, or cash in lieu, to the City for parks purposes. For DASZ 23/2021, cash in lieu is being requested towards land dedication.

RECOMMENDATION

The Urban Planning Division recommends **approval** as the subject rezoning and subdivision is consistent with the intent of the policies in the *Complete Communities Direction Strategy* by promoting a mix of housing type and tenure in a context sensitive manner in Areas of Stability in order to meet the full life-cycle of housing needs within the community.

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

Report Prepared by: Simi Jerez, MCP
PPD File #: DASZ 23/2021

Schedule "A" for File No. DASZ 23/2021, Riel Committee, dated June 7, 2021

By–Law No. _____

File No. **DASZ 23/2021**

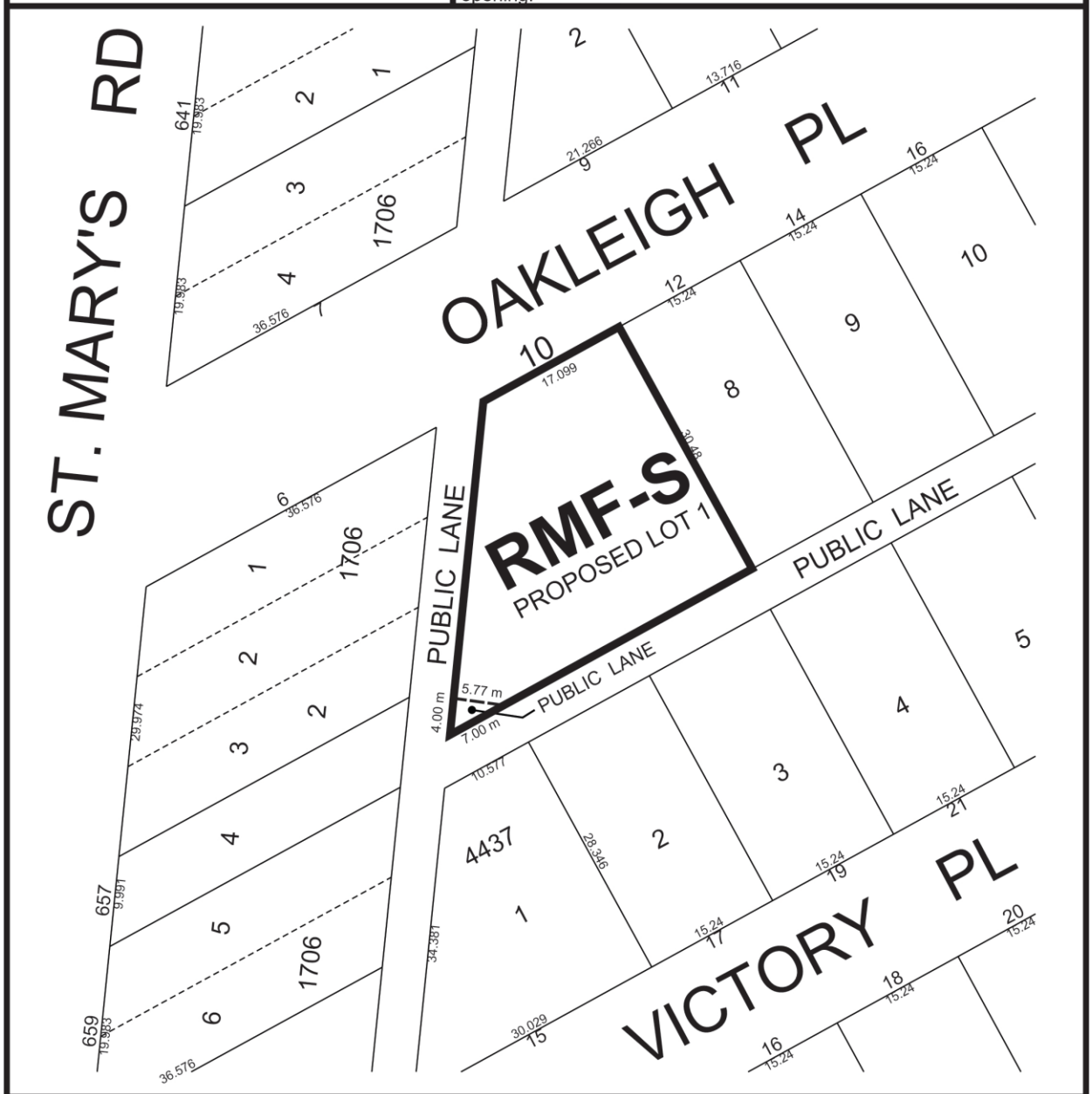
Atlas Sheet No. **AD27**

N

RIEL COMMUNITY

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 at 10 Oakleigh Place from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to allow the establishment of a Multi-Family Dwelling use and to facilitate a road opening.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP – June 7, 2021

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 10 OAKLEIGH PLACE

It is recommended that approval of DASZ 23/2021, if granted, be subject to the applicant entering into a Servicing Agreement, if required, containing the following conditions:

Section I – General Comments

The Water and Waste Department's analysis indicates that the water distribution system servicing the Planned Area does not have adequate fire flow capacity to support the proposed development, assuming wood framed construction.

Section II – Plan Considerations

1) The Developer shall, at no expense to the City, legally open property required for a 4.0m x 7.0m corner cut at the intersection of the two Public Lanes adjacent to the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

Section III - Servicing Conditions

1) Combined Sewer District

The proposed development is located in a combined sewer district; the sum of the wastewater and land drainage runoff peak discharge from the proposed development cannot exceed the allowable discharge rate:

i. The allowable discharge rate will be the sum of the existing peak wastewater and the peak land drainage discharged.

ii. The peak land drainage discharged from the site must be based on a c-value of 0.35, with a 5 year rainfall event applied.

iii. The existing and proposed peak wastewater discharge must be estimated using the Wastewater Flow Estimation guidelines found on the City of Winnipeg website (http://winnipeg.ca/waterandwaste/dept/wastewaterFlow.stm), unless otherwise approved.

2) Water Mains

a) The Developer shall, at no expense to the City, install a hydrant connected to the 300mm water main on St. Mary's Road, as determined by and to the satisfaction of the Director of Water and Waste.

b) Alternatively to item a) above, the Developer shall modify the development plans to not exceed the existing available fire flow capacity and coverage, as determined by and to the satisfaction of the Director of Water and Waste.

3) 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.

4) 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.

5) 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.

6) Survey Monuments

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

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

Section IV – 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 agreements 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 Servicing Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 23/2021
June 7, 2021

"*Original Signed by D. Trenchard"*
D. Trenchard, P. Eng.
Land Development Branch
Planning, Property and Development Department

"*Original Signed by M. Gajda"*
M. Gajda, P. Eng.
Engineering Division
Water and Waste Department

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

Exhibit “5” referred to in File DASZ 23/2021



All architectural renderings depicted or otherwise described herein are proposed and conceptual only, and are based upon preliminary development plans, which are subject to revisions and other changes. They should not be relied upon as representations of the final design.

10 OAKLEIGH PLACE FOUR-PLEX

WINNIPEG, MB

ARCHITECTURAL SHEET INDEX

A-1	SITE PLAN
A-2	FRONT & REAR ELEVATIONS
A-3	SIDE ELEVATIONS
A-4	MAIN FLOOR PLAN
A-5	LOWER LEVEL FLOOR PLAN

TOTAL Sq.Ft. / FLOOR

MAIN FLOOR:	689
SECOND FLOOR:	678

AMIT BINDRA
PHONE: 204.293.8899

DESIGN & DRAFTING BY:
WPG DRAFTING & DESIGN
EMAIL: ralph@wpgdraftingdesign.com
WEB: www.wpgdraftingdesign.com
PHONE: 204.894.5352

10 OAKLEIGH PLACE

WINNIPEG, MB.

TITLE SHEET

REV.	DESCRIPTION	DATE
A	ISSUED FOR CLIENT REVIEW	# / 12.2020

THIS DRAWING ARE THE PROPRIETARY WORK PRODUCT OF WPG DRAFTING & DESIGN. THE USE OF THIS DRAWING AND CONCEPTS CONTAINED HEREIN IS FOR THE EXCLUSIVE BENEFIT OF WPG DRAFTING & DESIGN AS PROJECTED. THIS DRAWING IS INTENDED ON 1 FOR THE BUILDING PERMIT & CONSTRUCTION OF 10 OAK. PLH PLACE, WINNIPEG, AND IT IS NOT AUTHORIZED TO OBTAIN ADDITIONAL BUILDING PERMIT ON ANY OTHER SITE

Sheet Size : 11 x 17

Date MARCH 15, 2021

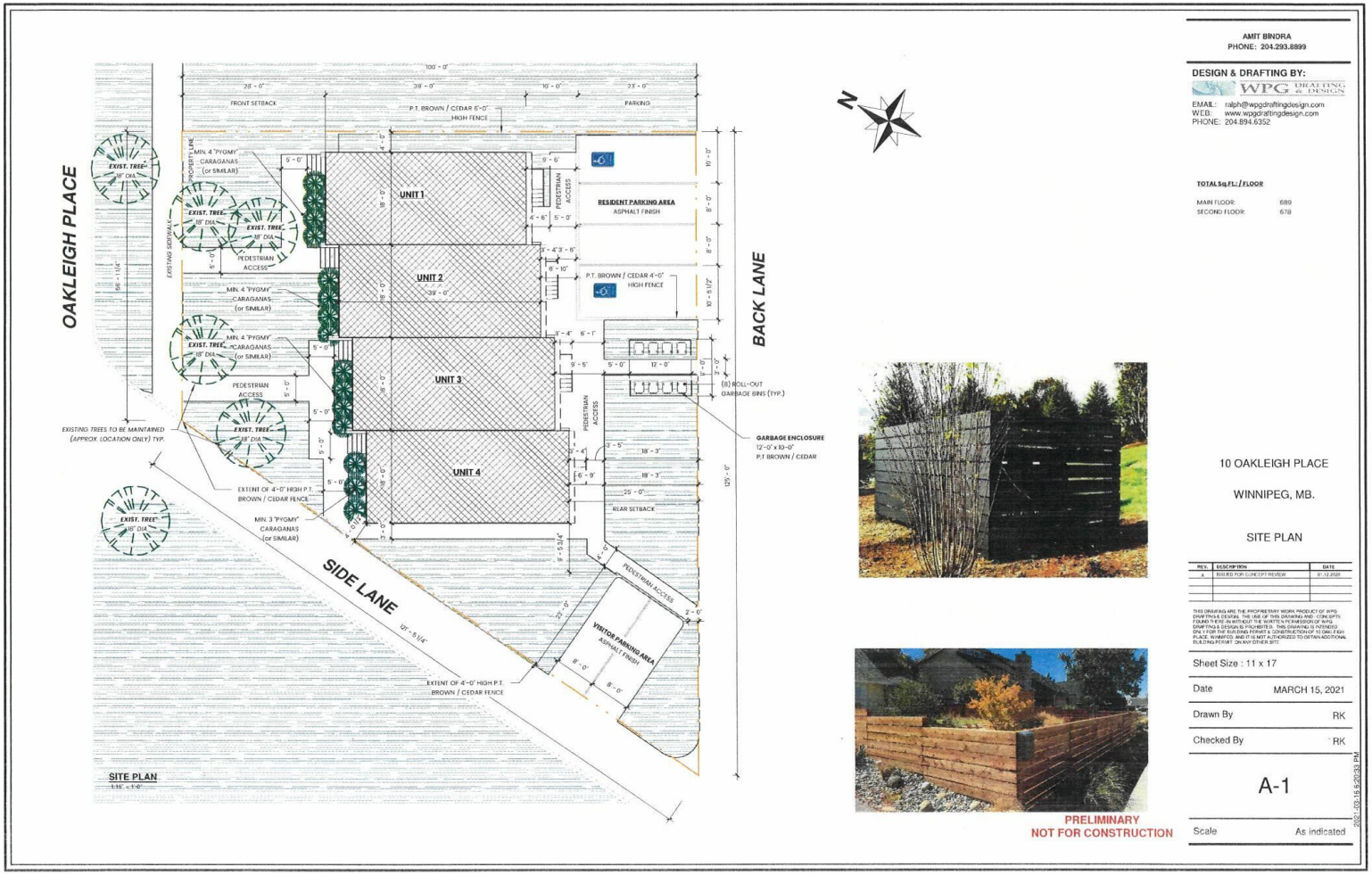
Drawn By RK

Checked By RK

A-0

Scale 1 1/2" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION



AMIT BINDRA
PHONE: 204.293.8899

DESIGN & DRAFTING BY:
WPG DRAFTING & DESIGN
EMAIL: ralph@wpgdraftingdesign.com
WEB: www.wpgdraftingdesign.com
PHONE: 204.894.6352

TOTAL Sq.FT. / FLOOR

MAIN FLOOR:	689
SECOND FLOOR:	678

10 OAKLEIGH PLACE

WINNIPEG, MB.

SITE PLAN

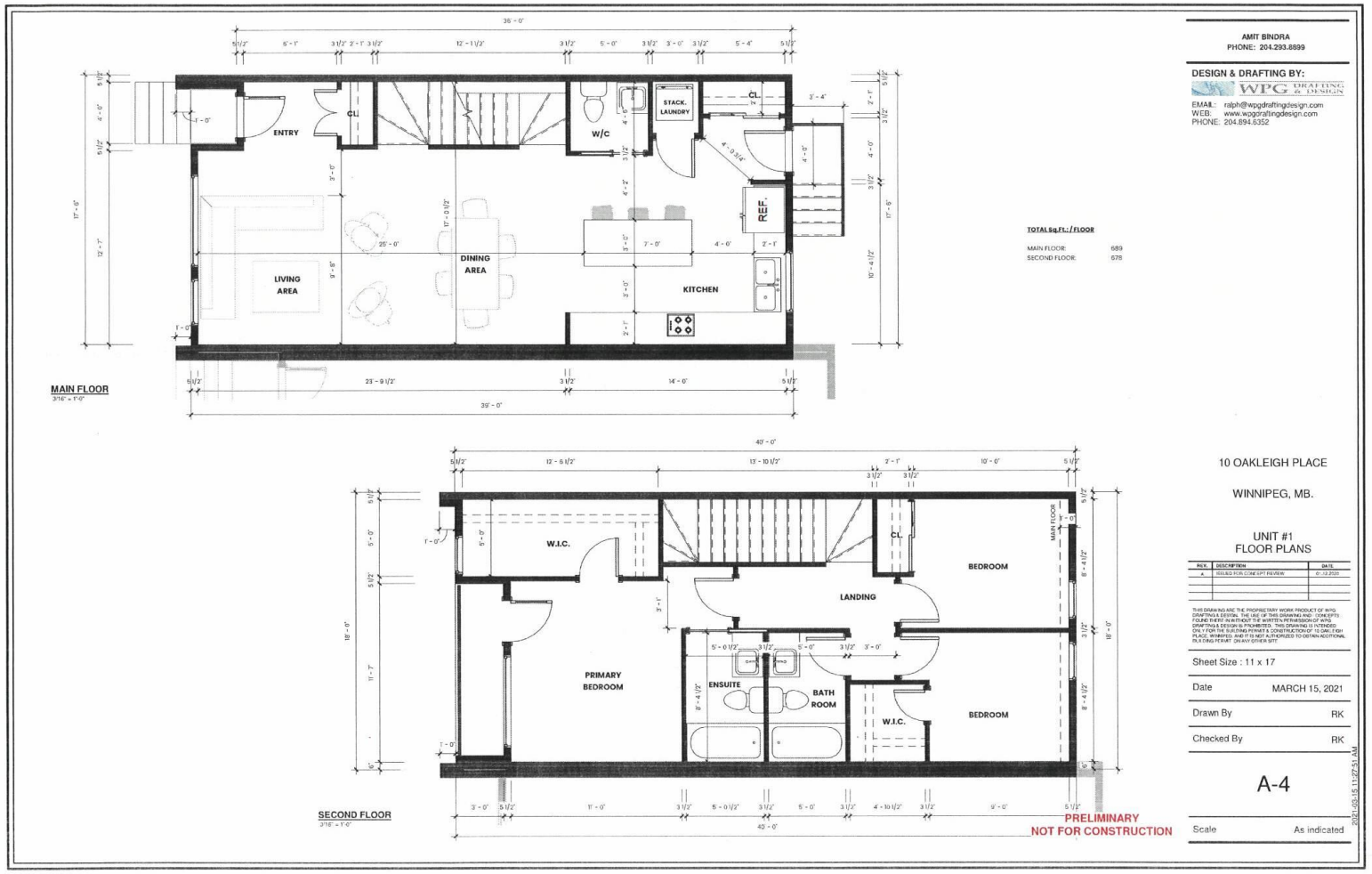
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A	ISSUED FOR CONCEPT REVIEW	21.12.2020

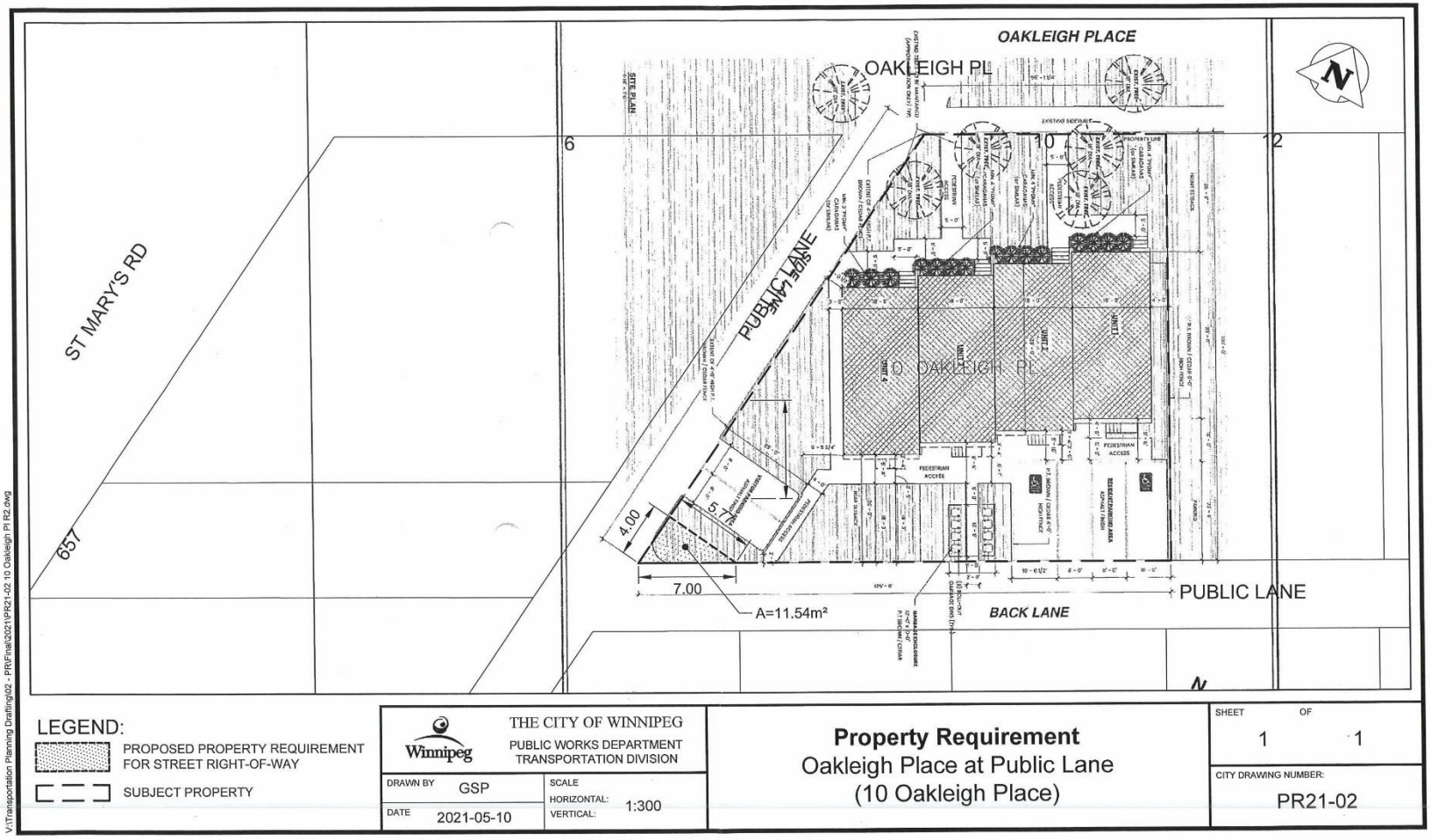
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Sheet Size : 11 x 17	
Date	MARCH 15, 2021
Drawn By	RK
Checked By	RK
	A-1
Scale	As indicated

PRELIMINARY
NOT FOR CONSTRUCTION


FRONT ELEVATION
1/8" = 1'-0"
BACK LANE
1/8" = 1'-0"
PRELIMINARY
NOT FOR CONSTRUCTION
AMIT BINDRA
PHONE: 204.293.8899
DESIGN & DRAFTING BY:
WPG DRAFTING & DESIGN
EMAIL: ralph@wpgdraftingdesign.com
WEB: www.wpgdraftingdesign.com
PHONE: 204.894.6352
10 OAKLEIGH PLACE
WINNIPEG, MB.
FRONT & REAR ELEVATION
REV. DESCRIPTION DATE
A ISSUED FOR CONCEPT REVIEW 11.12.2020
Sheet Size : 11 x 17
Date MARCH 15, 2021
Drawn By RK
Checked By RK
A-2
Scale 1/8" = 1'-0"


MAIN FLOOR
3/16" = 1'-0"
ENTRY
CL.
W/C
STACK. LAUNDRY
CL.
REF.
LIVING AREA
DINING AREA
KITCHEN
SECOND FLOOR
3/16" = 1'-0"
W.I.C.
PRIMARY BEDROOM
ENSUITE
BATH ROOM
W.I.C.
LANDING
CL.
BEDROOM
BEDROOM
MAIN FLOOR
TOTAL Sq.Ft. / FLOOR
MAIN FLOOR: 689
SECOND FLOOR: 678
AMIT BINDRA
PHONE: 204.293.8899
DESIGN & DRAFTING BY:
WPG DRAFTING & DESIGN
EMAIL: ralph@wpgdraftingdesign.com
WEB: www.wpgdraftingdesign.com
PHONE: 204.894.6352
10 OAKLEIGH PLACE
WINNIPEG, MB.
UNIT #1
FLOOR PLANS
REV. DESCRIPTION DATE
A ISSUED FOR CONCEPT REVIEW 01.12.2021
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Sheet Size : 11 x 17
Date MARCH 15, 2021
Drawn By RK
Checked By RK
A-4
Scale As indicated
PRELIMINARY
NOT FOR CONSTRUCTION



LEGEND:

PROPOSED PROPERTY REQUIREMENT FOR STREET RIGHT-OF-WAY

SUBJECT PROPERTY

THE CITY OF WINNIPEG
PUBLIC WORKS DEPARTMENT
TRANSPORTATION DIVISION

DRAWN BY: GSP
DATE: 2021-05-10
SCALE
HORIZONTAL:
VERTICAL: 1:300

Property Requirement
Oakleigh Place at Public Lane
(10 Oakleigh Place)

SHEET 1 OF 1

CITY DRAWING NUMBER: PR21-02

V:\Transportation Planning Drafting\02 - PR\Final\2021\PR21-02 10 Oakleigh Pl R2.dwg