Agenda – Council – October 28, 2021

Report – Executive Policy Committee – October 20, 2021

Item No. 9 Subdivision and Rezoning – Zimmerman Drive – Southeastern-Most Area (Charleswood-Tuxedo-Westwood Ward) File DASZ 25/2021 [c/r DAV 161767/2021D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 20, 2021, the Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee and submitted the following to Council:

1. That the subdivision under Development Application No. DASZ 25/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated September 16, 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 an addendum to Development Agreement File No. AG 50/13 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 September 13, 2021 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. AG 50/13 in accordance with recommendation 1.A. and such other agreements as determined necessary by the Director of Legal Services and City Solicitor 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 to negotiate and approve the terms and conditions of the addendum to Development Agreement File No. AG 50/13, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the Director of Legal Services and City Solicitor to protect the interest of the City.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R2" Residential Two-Family District as shown on the map dated September 16, 2021 and attached as Schedule "A" to this report.

Report – Executive Policy Committee – October 20, 2021

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

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 25/2021, 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 the plan of subdivision (the "Plan") as prepared by the Manitoba Land Surveyor in accordance with Recommendation 1. is not submitted to the City for preparation of 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 and 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 addendum to the Development Agreement File No. AG 50/13 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 when the Plan is registered in the Winnipeg Land Titles Office.

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

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

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

Report – Executive Policy Committee – October 20, 2021

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 20, 2021, the Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On October 5, 2021, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

PUBLIC HEARING SUMMARY

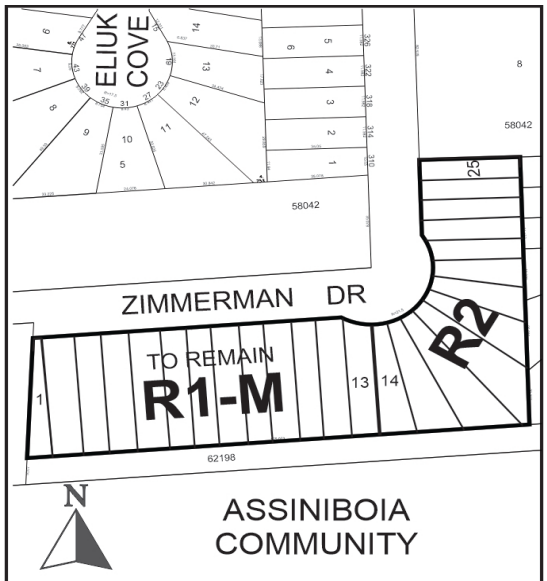
File: DASZ 25/2021

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

Public Hearing: October 5, 2021
Council Building, 510 Main Street

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

Subject:



APPLICANT : Landmark Planning & Design Inc. (Jeff Pratte)
FILE : DASZ 25/2021
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 "R2" RESIDENTIAL TWO-FAMILY DISTRICT to facilitate the establishment of residential building lots. **For information, phone Mr. R. Galston, Planner at 204-986-8645.**

Premises Affected: Zimmerman Drive

For submission to: Executive Policy Committee

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

Report date: October 6, 2021

Community Committee Recommendation:

On October 5, 2021, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the subdivision under Development Application No. DASZ 25/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated September 16, 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 an addendum to Development Agreement File No. AG 50/13 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 September 13, 2021 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. AG 50/13 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 to negotiate and approve the terms and conditions of the addendum to Development Agreement File No. AG 50/13, 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 interest of the City.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R2" Residential Two-Family District as shown on the map dated September 16, 2021 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 25/2021, 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 the plan of subdivision (the "Plan") as prepared by the Manitoba Land Surveyor in accordance with Recommendation 1. is not submitted to the City for preparation of 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 addendum to the Development Agreement File No. AG 50/13 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 when the Plan is registered in the Winnipeg Land Titles Office.

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

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

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

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

1. The development does concur with the public service's request and the plan for the area that was approved some time ago.

2. Its's good to hear that the development group is willing to look at new ways, trying new ways, the driveways will be interesting and something to see, it's innovation.

3. And I hope we can continue to work together at addressing the traffic concerns in the area.

Exhibits Filed:

1. Application dated September 22, 2021
2. Notification of Public Hearing dated August 23, 2021
3. Manitoba Status of Title 2932153/1
4. Letter of authorization dated May 26, 2021 from Ridgewood West Land Corp. (Tara Reid) to Landmark Planning and Design
5. Schedule of City of Winnipeg Zoning Site Widths and Areas, Qualico Ridgewood West Phase 3B, Zimmerman Drive, SF & Duplex DASZ, dated May 27, 2021
6. Plan of Proposed Subdivision dated May 27, 2021
7. Caveat 4914042/1
8. Zoning Agreement DASZ 47/2015 Development Agreement (rezoning) The City of Winnipeg Charter Sections 240(1) and (2) By-law No. 82/2016
9. Plan of proposed subdivision dated April 16, 2021
10. Plan of proposed subdivision dated Mach 15, 2021
11. Plan (1 page)
12. Report from the Urban Planning Division dated September 16, 2021
13. Inspection Report
14. Presentation titled "DASZ 25/2021 & Variance DAV 21-161767/D Residential Subdivision of R1-M and R1-2 Building Lots", submitted by the Applicant in support of application
15. Recording of Representations

REPRESENTATIONS:

In Support:

Jeff Pratte
Bryan Warde

In Opposition:

Nil

For Information:

Nil

For the City:

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 25/2021

ADMINISTRATIVE REPORT

Title: DASZ 25/2021 – Zimmerman Drive

Issue: For consideration at the Public Hearing for an application to subdivide approximately 2.4 acres of land and rezone a portion of the land to an "R2" Residential Two-Family District, in order to facilitate the establishment of 25 residential lots.

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

AUTHORIZATION

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

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 25/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated September 16, 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 an addendum to Development Agreement File No. AG 50/13 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 September 13, 2021 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. AG 50/13 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 to negotiate and approve the terms and conditions of the addendum to Development Agreement File No. AG 50/13, 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 interest of the City.

2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land to an “R2” Residential Two-Family District as shown on the map dated September 16, 2021 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 25/2021, 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 the plan of subdivision (the “Plan”) as prepared by the Manitoba Land Surveyor in accordance with Recommendation 1. is not submitted to the City for preparation of 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 addendum to the Development Agreement File No. AG 50/13 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 when the Plan is registered in the Winnipeg Land Titles Office.
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 recommendations 6 and 7 unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.
9. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.
10. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

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	R. Galston, MCP
Date:	September 16, 2021
File No.	DASZ 25/2021

List of Schedules and Attachments

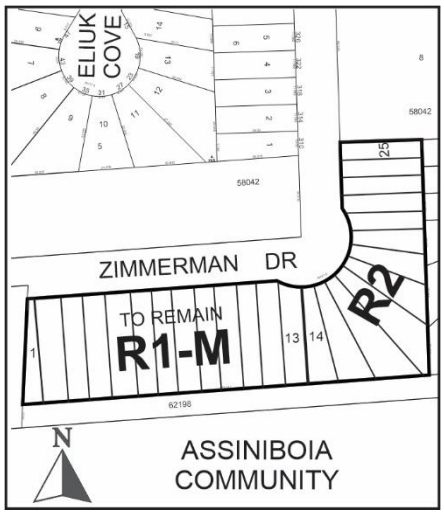
- Appendix "A," Planning Discussion
- Schedule "A," of File DASZ 25/2021**,** Assiniboia Community Committee, dated September 16, 2021
- Schedule "B," Report of the Administrative Co-ordinating group, dated September 13, 2021 Re: Proposed Subdivision and Rezoning of Land Located South-East of Zimmerman Drive, South of Couture Crescent

APPENDIX 'A'

DATE: September 16, 2021
FILE: **DASZ 25/2021**
RELATED FILES: DAV 21-161767/D
COMMUNITY: Assiniboia Community
NEIGHBOURHOOD #: 2.649 (Ridgewood South)

SUBJECT: For consideration at the public hearing for an application to subdivide approximately 2.4 acres of land and rezone a portion of the land to an "R2" Residential Two-Family district, in order to facilitate the establishment of 25 residential lots.

LOCATION: Zimmerman Drive
LEGAL DESCRIPTION: PT OTM LOTS 69/70 ST C SHEWN AS PUBLIC WORKS & OUTLINED IN BROWN ON PL 7066 LYING N OF PL 5110 & E OF RD PL 7066
BLOCK 17 PLAN 58042 62/70 ST C



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

OWNERS: Ridgewood West Land Corporation
1 Dr. David Friesen Drive
Winnipeg, MB R3X 0G8

RECOMMENDATION: Approval

HISTORY

DASZ 50/2013

On February 26, 2014, Council concurred in the recommendation of the Standing Policy Committee on Property and Development concerning the subdivision and rezoning of approximately 177 acres of the Ridgewood South Area, including the subject property.

Council adopted the following:

- That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "D" for File DASZ 50/2013 dated February 4, 2014" to an "R1-M" Single-Family Medium District, an "RMF-S" Residential Multi-Family Small District, and a "PR1" Parks and Recreation 1 District, subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter for each phase of the development, which Agreement shall contain the following conditions:

        i. That, for the development of any building, and/or accessory parking area within the lands zoned "RMF-S" Residential Multi-Family plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, exterior lighting and landscaping to the Director of Planning, Property and Development and the Assiniboia Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

        ii. That the Developer shall, at no expense to the City, construct completely within the rear yards of all residentially zoned lots abutting the CNR Rivers Main Line rail right-of-way, a minimum 2.5 height berm with a uniform acoustical fence 2.0m in height, to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title of each of these proposed lots abutting the CNR Rivers Main Line rail right-of-way requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

        iii. That a minimum rear yard of 28.04m shall be provided within the rear yards of the residentially zoned lots abutting the CNR Rivers Main Line rail right-of-way measured from the northern boundary of the existing right-of-way (Plan 5110) to the nearest wall of any principal building, with the understanding that the height of the berm will be increased as provided in the Proximity Guidelines and Best Practices.

        iv. That the Developer shall, at no expense to the City, construct within the Planned Area abutting the Canadian National Railway (CNR) Rivers Subdivision, a uniform fence 2.0m in height, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title of the proposed lot abutting the CNR Rivers Subdivision requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

v. That the Developer shall, at no expense to the City, construct within the rear yards of all one and two family lots abutting the West Perimeter Highway, a 2.0m to 2.5m high noise attenuation fence, as determined by, and to the satisfaction of, the Director of Public Works, and permit the City to file a caveat against the title of each such lot, requiring the owner(s) to maintain and/or repair the fence as originally constructed, to the satisfaction of the Director of Public Works.

DASZ 47/2015

On April 27, 2016, Council concurred in the recommendation of the Executive Policy Committee concerning the subdivision and rezoning of land in the Ridgewood South Neighbourhood adjacent to the Harte Trail, which includes the subject property:

Council adopted the following:

1. That the plan of subdivision under File DASZ 47/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 47/2015 dated March 8, 2016 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Development Agreement amendment to DASZ 50/2013 containing all the conditions outlined in Schedule 'B' the report of the Administrative Coordinating Group dated February 10, 2016.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 47/2015 dated March 8, 2016 to the "PR1" Parks and Recreation (Neighbourhood) zoning district, subject to the following:

    A. That Caveat No. 4635443/1 be partially discharged, that the obligations required under DASZ 50/2013 be waived, and that lands contained within Area 1 of the Ridgewood South Precinct Plan enter into a new Zoning Agreement.

    B. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions:

        i. That the Developer shall, at no expense to the City, construct completely within the rear yards of all residentially zoned lots abutting lands which have been zoned as "PR-1" and which abut the Canadian National Railway (CNR) Rivers Main Line rail right-of-way, a minimum 2.5m in height berm with a uniform acoustical fence 2.0m in height, to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title of each of these proposed lots abutting the CNR Rivers Main Line rail right-of-way requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

        ii. That a minimum rear yard of 18.04m shall be provided within the rear yards of the residentially zoned lots abutting lands which have been zoned as "PR-1" and which abut the CNR Rivers Main Line rail right-of-way measured from the northern boundary of the existing right-of-way (Deposit No. 840/2014 and Deposit No. 841/2014) to the nearest wall of any principal building, with the understanding that the height of the berm

will be increased as provided in the Proximity Guidelines and Best Practices.

3. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.
4. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.
5. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.
6. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.
7. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.
8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.
9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.
10. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.
11. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

DISCUSSION

SITE DESCRIPTION

- The subject property is located on the future Zimmerman Drive, south of Couture Crescent, in the Ridgewood South Neighbourhood of the Charleswood – Tuxedo – Westwood Ward.
- The subject property has a total land area is approximately 2.4 acres, and is currently vacant.
- The subject property is currently zoned “R1-M” Residential Single-Family (Medium).

- The subject property is identified as a New Community within the Transformative Areas of the *Complete Communities Direction Strategy* Urban Structure Map. It is also located within the Low Density Residential Area under the *Ridgewood South Precinct Plan*.



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

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: **Zimmerman Drive, then v**acant land zoned "R1-M" Residential Single-Family (Medium) district and "RMF-S" Residential Multi-Family (Small) district.

South: Public reserve land, then a railway corridor zoned "A" Agricultural District.

East: Vacant land zoned "R1-M" Residential Single-Family (Medium) district.

West: Vacant land zoned "A" Agricultural district.



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide one (1) lot currently zoned “R1-M” Residential Single-Family Medium to create a total of 25 residential building lots.
- Of these 25 new lots, the applicant proposes:
- 13 lots that will be zoned “R1-M” Residential Single-Family (Medium) to accommodate detached single-family dwellings;
- 12 lots that will be zoned “R2” Residential Two-Family to accommodate two-family dwellings (side-by-side duplexes).
- Access to the proposed residential properties is to be taken from Zimmerman Drive. Design drawings have not been submitted for the proposed dwellings.

Associated Variance Application

- The proposed development requires a Variance create one (1) lot with a width and area less than the Zoning By-law requirement. Please refer to the Administrative Reports for file DAV 21-161767/D for discussion of this Variance.

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 majority of the site is located within the Low-Density Residential Area, with the exception of the portion that is being proposed as "R2" Residential Two-Family housing. This portion of the site is considered as forming part of the outer limit of the Medium Density Residential Area.
- 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.
- Relevant 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.

    6.1.2.4 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.

Medium Density Residential Area Policies

The purpose of the Medium Density Residential Areas is to provide opportunities for a range of medium density residential developments located at neighbourhood nodes adjacent to collector roads and transit service routes. These areas will be connected to the linear greenway network to serve the recreational needs of residents.

Relevant policies guiding development in the Medium Density Residential Area are:

6.2.2.1 Higher density housing (e.g. typically 2-6 storeys) shall be incorporated into the development of these areas.

6.2.2.4 Each building design and site plan should address the issue of privacy for immediate neighbours through measures such as building mass, building orientation and landscaping.

- It should be noted that a two-family dwelling is considered a “multi-family residential use” per the definition within the plan.
- The proposal meets the objectives and policies guiding development in the Low-Density Residential Policy Area and Medium-Density Residential Policy Area of the Ridgewood South Precinct Plan.

COMPATIBILITY WITH THE SURROUNDING AREA:

- As noted above, the subject application proposes rezoning the site to create 13 lots that are zoned “R1-M” Residential Single-Family (Medium), and 12 lots that are zoned “R2” Residential Two-Family.
- With regard to the proposed “R2” lots, these lots are to be located at the northerly and easterly portion of the subject site, closer to Couture Crescent, and adjacent to a property at the southeast corner of Couture Crescent and Zimmerman Drive, which is

zoned “RMF-S” Residential Multi-Family (Small).

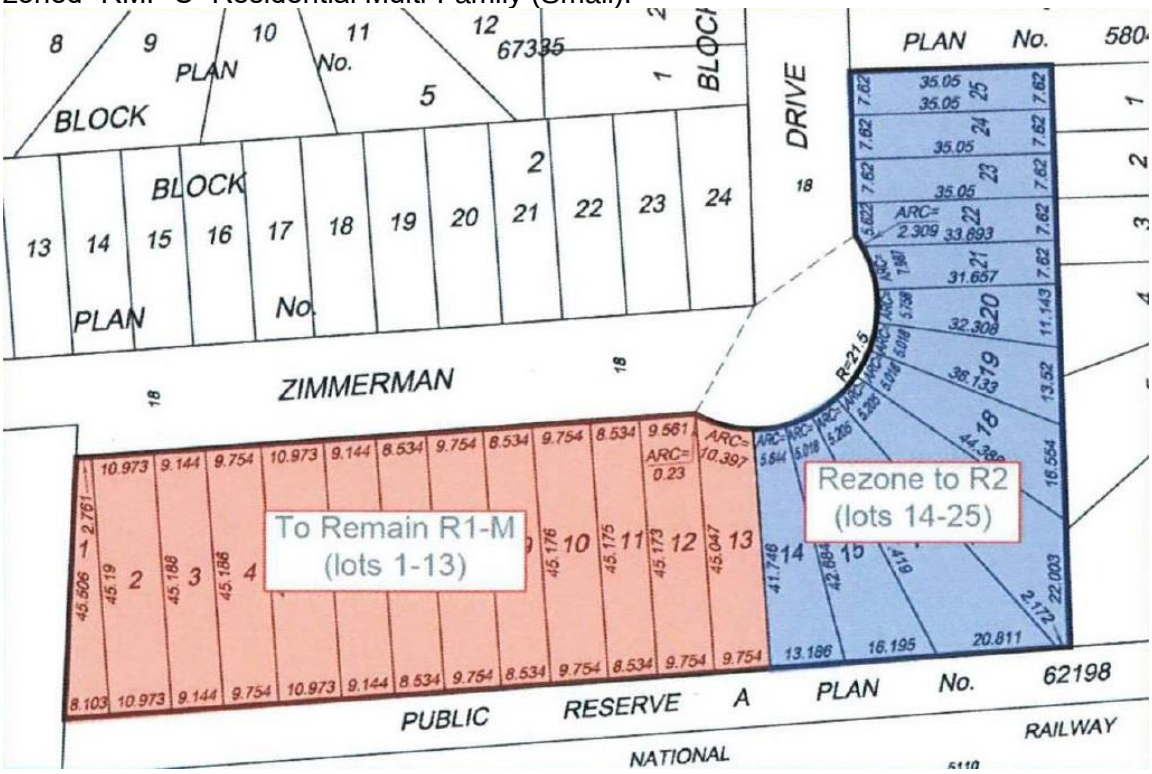


Figure 3: Site plan showing the proposed “R2” and “R1-M” lots.

- Additionally, the applicant has communicated that the future side-by-side duplex dwellings on the proposed “R2” lots will have a front yard setback of ranging between 20 feet and 22 feet. This will be similar to the front yard setbacks of the future single-family dwellings on the proposed “R1-M” lots elsewhere on the subject property.
- The housing type (side-by-side duplex), setbacks and location of the proposed “R2” lots provide a suitable transition between the lands zoned “RMF-S” and “R1-M.”
- As such, the proposed single-family and two-family residential lots are unlikely to create any compatibility issues, and the proposed development can be considered compatible with the surrounding area.

RECOMMENDATION

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

- The subject subdivision and rezoning complies with the policies of the *Ridgewood South Precinct Plan*.
- The proposed development is compatible with land uses in the vicinity of the proposed lots.

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

Report Prepared by: R. Galston, MCP
PPD File #: DASZ 25/2021

Schedule "A" for File DASZ 25/2021, Assiniboia Community Committee, dated September 16, 2021

By-Law No. _____

File No. **DASZ 25/2021**

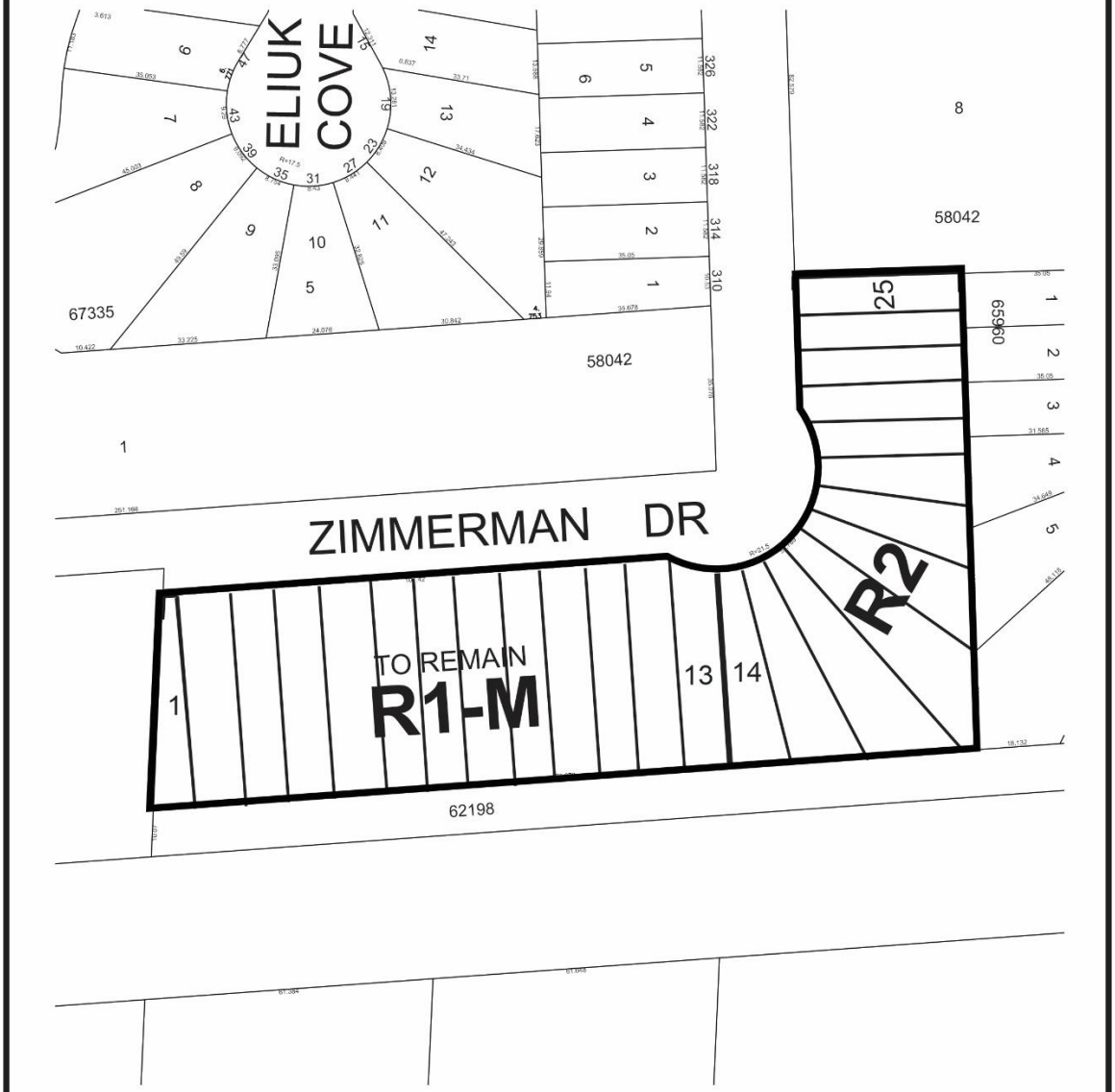
Atlas Sheet No. **AF11**

N

ASSINIBOIA 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 on the south-east side of Zimmerman Drive, south of Couture Crescent from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to facilitate the establishment of residential building lots.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED SOUTH-EAST OF ZIMMERMAN DRIVE, SOUTH OF COUTURE CRESCENT

The above noted application was reviewed by ACG and determined to be within the Planned Area of the Ridgewood West lands under development (DASZ 50/2013). Therefore, this application is subject to the terms and conditions as outlined under Development Agreement AG 50/13 and all addendums thereto.

It is recommended that approval of DASZ 25/2021, if granted, be subject to the applicant entering into an Addendum to Development Agreement AG 50/13 containing the following conditions:

Section I – General Comments

1) The Public Works Department wishes to advise that they have permitted 0.75m flares as an alternative treatment for narrow lots. Any other proposed flares will need to be discussed with their Department.

Section II - Servicing Conditions

1) Fencing

The Developer shall, at no expense to the City:

a) Construct within the PR lands abutting the Canadian National Railway (CNR) Rivers Subdivision, a uniform chain link fence 2.0m in height, which thereafter shall become the responsibility of the City to maintain. Said fence is intended to ensure that pedestrian trespass to the tracks does not become a consequence of the subject development, thereby causing safety issues and jeopardizing existing and or future anti-whistling regulations along the subject railway lines;

b) Construct within the rear yards of all single family and two-family residential lots abutting the West Perimeter Highway, a 2.0 m to 2.5 m height noise attenuation fence and permit the City to file a caveat against the title of the proposed lots requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed;

c) Construct fencing within the rear yards of all lots abutting Public Reserve B as shown on Schedule “B-3” (Public Reserve “B”). The Developer may install bollard style fencing, with bollards installed at the corner of each lot with an additional 3 bollards installed along the length of each lot, equally space, in satisfaction of the obligation imposed by this clause; and

d) Construct fencing within all residential lots abutting Public Reserve, to the satisfaction of the Director of Planning, Property and Development, and permit the City to file a caveat against the title of the proposed lots requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed.

Section III – Costs and Fees

1) By-laws and Approvals

The Developer shall pay all of its and the City's costs, fees, and expenses associated with the preparation and attainment of approval for registration of the Zoning By-law(s) and plan(s) of subdivision, including all Municipal Board, Land Titles Office and other fees and expenses, all survey, engineering and advertising fees and costs, and all expenses incidental to the preparation of this Agreement and the physical development of the Planned Area.

2) Professional Fees

a) The Developer shall pay the full cost of all design services, including preliminary engineering studies, servicing reports, servicing criteria, construction drawings and specifications, and grading and landscaping plans and specifications, to be provided by Consulting Engineer(s) approved by the City, for the design of the municipal services, parklands, parkways and associated works required to serve the Planned Area;

b) The Developer shall pay the full cost of construction and landscaping supervision services provided by or on behalf of the City for field inspection, preparation of progress estimates, provision of as-built drawings by March 31 of the year following substantial performance of the work, and all other engineering consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

3) Administration Fees

The Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, an administration fee plus applicable GST to help defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 25/2021
Sept 13, 2021

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

"*Original Signed by D. Beaton"*
D. Beaton, M.L. Arch.
Urban Planning and Design Division
Planning, Property and Development Department

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

Exhibit “11” referred to in File DASZ 25/2021

