Minutes – Executive Policy Committee – May 18, 2022

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – May 9, 2022

Item No. 10 Subdivision and Rezoning – South Side of Warde Avenue, West Side of Evelyne Reese Boulevard, East of CPR Emerson, North of Four Mile Road
(St. Vital Ward)
File DASZ 12/2022 [c/r DAC 1/2022]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That the plan of subdivision under Development Application No. DASZ 12/2022 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated April 1st, 2022 and attached as Schedule "A" and with the Proposed By-law attached as Appendix "B" to this report, with such 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 an addendum to Development Agreement File No. AG 21/14, 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 April 7th, 2022 and attached as Schedule "B" to this report, with the following amendments:

        i. In Section IV. Servicing Conditions:

            a. Amend Condition 2.a) by adding the word "Revised" immediately before the words "Schedule "C""

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R1-S" Residential Single-Family (Small) District, "R2" Residential Two-Family District, "RMF-S" Residential Multi-Family (Small) District, and "RMF-L" Residential Multi-Family (Large) District, as shown on the map dated April 1st, 2022 and included within Schedule "A", subject to the following conditions:

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – May 9, 2022

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

i. For those portions of the Owner's Land zoned "RMF-S" and "RMF-L" 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. lighting
   f. fencing
   g. landscaping and
   h. free-standing signage

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

ii. That excluding projections permitted under the Winnipeg Zoning By-Law, the maximum building height on Block 8 zoned 'RMF-L' must not exceed 70 feet (21.34 metres).

iii. That on Block 8 zoned 'RMF-L' no building shall be setback less than 20 feet (6.10 metres) from any 'R2' zoning district boundary.

iv. That for the lots zoned 'R1-S' on Block 5 and Block 6 the minimum front yard setback shall be 15 feet (4.57 metres).

v. That the Developer shall, at no expense whatsoever to the City, construct a uniform continuous fence to the satisfaction of the Director of Public Works, along the property line of all lots abutting the Public Walks. Said fence shall be located within private property, and established by caveat, against the title of each of these private lots, requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed to the satisfaction of the Director of Public Works.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – May 9, 2022

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

vi. That the Developer shall, at no expense to the City, construct a 2.0 metre in height berm centered along the rear property line with a 2.0 metre in height uniform noise attenuation fence on the property line, of the lots that abut Public Reserve land located immediately east of the CPR Emerson Subdivision to the satisfaction of the Director of Planning, Property, and Development and the Director of Public Works. Future owners of the individual building lots along this fencing shall be responsible for maintaining and/or repairing and/or replacing this fencing as originally constructed to the satisfaction of the Director of Public Works.

vii. That for any lot that abuts the Public Reserve land located immediately east of the CPR Emerson Subdivision, no portion of a habitable room or space within a building shall be located less than 30 metres from the easternmost property line of the CPR Emerson Subdivision.

viii. That where single-family or two-family residential lots back onto Warde Avenue, the said lots shall be established with minimum rear yards of 16 metres.

ix. That the Developer shall, at no expense to the City, construct within the rear yards of all one and two family lots abutting Warde Avenue, a uniform noise attenuation fence 2.0 metres in height, to the satisfaction of the Director of Public Works. Said fence shall be located within private property, and established by caveat, against the title of each of these private lots, requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed to the satisfaction of the Director of Public Works.

x. That the Developer shall, at no expense to the City, provide continuous chain link or other approved type of fencing along all properties abutting public reserve land. Said fence shall be located within private property, and established by caveat, against the title of each of these private lots, requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed to the satisfaction of the Director of Public Works.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – May 9, 2022

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

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

   A. An addendum to Development Agreement File No. AG 21/14, 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 Caveat No. 4683954/1 be discharged as it affects the subject plan area.

5. 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 to Development Agreement, File No. AG 21/14, 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.

6. 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 12/2022, as determined by the City's Director of Planning, Property and Development.

7. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at the next available Council meeting.

8. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of subdivision (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with recommendations 1 and 7 of this Report, and all associated ancillary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – May 9, 2022

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

9. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the "Fees") are not submitted within 2 years after the By-law has been given first reading unless the Developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.

10. That the subdivision section of the By-law will come into force when the addendum to Development Agreement File No. AG 21/14, is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

11. 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.

12. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 10 and 11 unless the Developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

13. 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.

14. 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 – May 9, 2022

DECISION MAKING HISTORY:

Moved by Councillor Gilroy,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be concurred in and forwarded to Council.

Yea:	Bowman, Allard, Browaty, Chambers, Gilroy, Rollins	6
Nay:		0

Carried

STANDING COMMITTEE RECOMMENDATION:

On May 9, 2022, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 26, 2022 the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- In Recommendation 1.A., delete the period after "Schedule "B" of this report", and replace with the following:

  ", with the following amendments:

  i. In Section IV. Servicing Conditions:

     a. Amend Condition 2.a) by adding the word "Revised" immediately before the words "Schedule "C""

- In Recommendation 2.A.iii, delete all words immediately after "R2' zoning district boundary"

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – May 9, 2022

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

- In Recommendation 2.A.viii., delete "17.5" and replace with "16"

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

PUBLIC HEARING SUMMARY

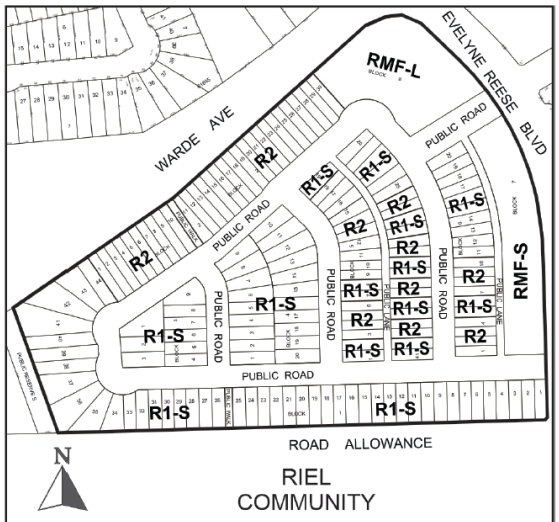
File: DASZ 12/2022

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

Public Hearing: April 26, 2022
Council Building, 510 Main Street

Applicant: Genstar Development Company (Marc Brown)

Subject:



APPLICANT : Genstar Development Company (Marc Brown)
FILE : DASZ 12/2022
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-S" and "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT, an "RMF-S" and "RMF-M" RESIDENTIAL MULTI-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION 1 DISTRICT to an "R1-S" RESIDENTIAL SINGLE-FAMILY DISTRICT, "R2" RESIDENTIAL TWO-FAMILY DISTRICT and "RMF-S" AND "RMF-L" RESIDENTIAL MULTI-FAMILY DISTRICT to facilitate the continuation of the Bonavista Neighbourhood by the creation of lots and public rights-of-way, for future residential development. **For information, phone E. Finnigan, Planner at 204-986-8602.**
DEMANDEUR : Genstar Development Company (Marc Brown)
N° DE DOSSIER : DALZ 12/2022
PROJET : Demande d'approbation par le conseil municipal du plan de lotissement délinéé 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 pour qu'ils passent des catégories R1-S et R1-M (secteur d'habitations unifamiliales), RMF-S et RMF-M (secteur d'habitations multifamiliales) et PR1 (secteur des parcs et des loisirs 1) aux catégories R1-S (secteur d'habitations unifamiliales), R2 (secteur d'habitations bifamiliales) et RMF-S et RMF-L (secteur d'habitations multifamiliales) afin de faciliter la continuation de l'établissement de l'arrondissement de Bonavista par la création de lots et d'emprises publiques en vue d'aménagements résidentiels futurs. **Pour obtenir des renseignements, veuillez appeler E. Finnigan, urbaniste, au 204-986-8602.**

Premises Affected:	South Side of Warde Avenue, West Side of Evelyne Reese Boulevard, East of CPR Emerson, North of Four Mile Road
For submission to:	The Standing Policy Committee on Property and Development, Heritage and Downtown Development
Prepared by:	Kate McMillan, Committee Clerk Riel Community Committee
Report date:	April 26, 2022

Community Committee Recommendation:

On April 26, 2022, the Riel 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 plan of subdivision under Development Application No. DASZ 12/2022 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated April 1st, 2022 and attached as Schedule "A" and with the Proposed By-law attached as Appendix "B" to this report, with such 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 an addendum to Development Agreement File No. AG 21/14, 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 April 7th, 2022 and attached as Schedule "B" to this report***, with the following amendments"***

        i. In 'Section IV. Servicing Conditions':

            a. Amend Condition 2.a) by adding the word "Revised" immediately before the words "Schedule "C""

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R1-S" Residential Single-Family (Small) District, "R2" Residential Two-Family District, "RMF-S" Residential Multi-Family (Small) District, and "RMF-L" Residential Multi-Family (Large) District, as shown on the map dated April 1st, 2022 and included within Schedule "A", subject to the following conditions:

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

        i. For those portions of the Owner's Land zoned "RMF-S" and "RMF-L" 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. lighting
f. fencing
g. landscaping and
h. free-standing signage

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

ii. That excluding projections permitted under the Winnipeg Zoning By-Law, the maximum building height on Block 8 zoned 'RMF-L' must not exceed 70 feet (21.34 metres).

iii. That on Block 8 zoned 'RMF-L' no building shall be setback less than 20 feet (6.10 metres) from any 'R2' zoning district boundary~~***, and that this setback shall increase by one foot (0.3048 metres) for each additional one foot (0.3048 metres) of height proposed for that portion of the building taller than 35 feet (10.67 metres).***~~

iv. That for the lots zoned 'R1-S' on Block 5 and Block 6 the minimum front yard setback shall be 15 feet (4.57 metres).

v. That the Developer shall, at no expense whatsoever to the City, construct a uniform continuous fence to the satisfaction of the Director of Public Works, along the property line of all lots abutting the Public Walks. Said fence shall be located within private property, and established by caveat, against the title of each of these private lots, requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed to the satisfaction of the Director of Public Works.

vi. That the Developer shall, at no expense to the City, construct a 2.0 metre in height berm centered along the rear property line with a 2.0 metre in height uniform noise attenuation fence on the property line, of the lots that abut Public Reserve land located immediately east of the CPR Emerson Subdivision to the satisfaction of the Director of Planning, Property, and Development and the Director of Public Works. Future owners of the individual building lots along this fencing shall be responsible for maintaining and/or repairing and/or replacing this fencing as originally constructed to the satisfaction of the Director of Public Works.

vii. That for any lot that abuts the Public Reserve land located immediately east of the CPR Emerson Subdivision, no portion of a habitable room or space within a building shall be located less than 30 metres from the easternmost property line of the CPR Emerson Subdivision.

viii. That where single-family or two-family residential lots back onto Warde Avenue, the said lots shall be established with minimum rear yards of ***16*** ~~***17.5***~~ metres.

ix. That the Developer shall, at no expense to the City, construct within the rear yards of all one and two family lots abutting Warde Avenue, a uniform noise attenuation fence 2.0 metres in height, to the satisfaction of the Director of Public Works. Said fence shall be located within private property, and established by caveat, against the title of each of these private lots, requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed to the satisfaction of the Director of Public Works.

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

A. An addendum to Development Agreement File No. AG 21/14, 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 Caveat No. 4683954/1 be discharged as it affects the subject plan area.

5. 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 to Development Agreement, File No. AG 21/14, 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.

6. 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 12/2022, as determined by the City's Director of Planning, Property and Development.

7. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at the next available Council meeting.

8. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of subdivision (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with recommendations 1 and 7 of this Report, and all associated ancillary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading

9. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the "Fees") are not submitted within 2 years after the By-law has been given first reading unless the Developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.

10. That the subdivision section of the By-law will come into force when the addendum to Development Agreement File No. AG 21/14, is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

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13. 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.

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

1. The new development is nearing completion and is a good mix of multi family and various types of single family homes.

2. The changes from original proposal make sense here. We may still debate sidewalks more at subsequent committee meetings on this proposal, but for today we've come to a good compromise.

3. The apartment building height makes a lot of sense in the context of where this neighborhood is going.

4. The development on Warde, which someday for this continuous piece it'll be one with the bridge and it'll be a logical place for transit and therefore the densification.

Objections under the Charter:

Total number of **v**alid objections as per section 125(2) – 0

In accordance with section 236.1(1), the threshold for sufficient objection has not been met.

Exhibits Filed:

1. Application dated February 20, 2022
2. Notification of Public Hearing dated March 17, 2022
3. Manitoba Status of Titles 3096386/1, 3096385/1, 3096387/1, 3096388/1, 3096389/1, 3096390/1, 3096391/1, 3096392/1, 3096393/1, 3096394/1, 3096395/1, 3096396/1, 3096398/1, 3096397/1, 3096400/1, 3096399/1, 3096402/1, 3096401/1, 3096404/1, 3096403/1, 3096362/1, 3096361/1, 3096336/1, 3096335/1, 3096337/1, 3096338/1, 3096341/1, 3096343/1, 3096342/1, 3096344/1, 3096345/1, 3096346/1, 3096347/1, 3096348/1, 3096349/1, 3096350/1, 3096353/1, 3096352/1, 3096355/1, 3096357/1, 3096356/1, 3096358/1, 3096359/1, 3096360/1, 3096332/1, 3096333/1, 2821526/1, 2821524/1, 3052191/1, 2821521/1, 2821523/1, 2820844/1
4. Letter of authorization dated January 11, 2022 from Genstar Development Company (Dave Boles) to Genstar Development Company
5. Letter of authorization dated January 24, 2022 from Genstar Titleco Ltd. (David Boles) to Genstar Development Company
6. Letter of authorization dated February 1, 2022 from the City of Winnipeg (Marc Pittet) to Genstar Development Company
7. Caveats 4683951/1, 4683953/1, 4683954/1, 4689672/1, 4689673/1, 4859798/1
8. Plans (5 pages)
9. Report from the Urban Planning Division dated April 1, 2022
10. Inspection Report
11. Communication dated April 20, 2022 from Ty Ellis in support of the application

REPRESENTATIONS:

In Support:

Marc Brown

In Opposition:

Nil

For Information:

Nil

For the City:

E. Finnigan, Planner, Planning, Property and Development Department
D. Trenchard, Land Development Engineer, Planning, Property and Development Department

Exhibit “9” referred to in File DASZ /2022

ADMINISTRATIVE REPORT

Title: DASZ 12/2022 – Warde/Evelyne Reese

Issue: An application for consideration at the public hearing to subdivide and rezone approximately 23.37 acres of land in Bonavista.

Critical Path: Riel Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
E. Finnigan, MCP	n/a	n/a	

RECOMMENDATIONS

1. That the plan of subdivision under Development Application No. DASZ 12/2022 be approved for preparation as a plan of subdivision (the “Plan”) by a Manitoba Land Surveyor in accordance with the map dated April 1st, 2022 and attached as Schedule “A” and with the Proposed By-law attached as Appendix “B” to this report, with such changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

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2. That, the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an “R1-S” Residential Single-Family (Small) District, “R2” Residential Two-Family District, “RMF-S” Residential Multi-Family (Small) District, and "RMF-L" Residential Multi-Family (Large) District, as shown on the map dated April 1st, 2022 and included within Schedule “A”, subject to the following conditions:

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(a) buildings;

(b) accessory parking areas;

(c) private approaches;

(d) garbage enclosures;

(e) lighting;

(f) fencing;

(g) landscaping; and

(h) free-standing signage

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

ii. That, excluding projections permitted under the Winnipeg Zoning By-Law, the maximum building height on Block 8 zoned 'RMF-L' must not exceed 70 feet (21.34 metres).

iii. That, on Block 8 zoned 'RMF-L' no building shall be setback less than 20 feet (6.10 metres) from any 'R2' zoning district boundary, and that this setback shall increase by one foot (0.3048 metres) for each additional one foot (0.3048 metres) of height proposed for that portion of the building taller than 35 feet (10.67 metres).

iv. That, for the lots zoned 'R1-S' on Block 5 and Block 6 the minimum front yard setback shall be 15 feet (4.57 metres).

v. That the Developer shall, at no expense whatsoever to the City, construct a uniform continuous fence to the satisfaction of the Director of Public Works, along the property line of all lots abutting the Public Walks. Said fence shall be located within private property, and established by caveat, against the title of each of these private lots, requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed to the satisfaction of the Director of Public Works.

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vii. That, for any lot that abuts the Public Reserve land located immediately east of the CPR Emerson Subdivision, no portion of a habitable room or space within a building shall be located less than 30 metres from the easternmost property line of the CPR Emerson Subdivision.

viii. That, where single-family or two-family residential lots back onto Warde Avenue, the said lots shall be established with minimum rear yards of 17.5 metres;

ix. That, the Developer shall, at no expense to the City, construct within the rear yards of all one and two family lots abutting Warde Avenue, a uniform noise attenuation fence 2.0 metres in height, to the satisfaction of the Director of Public Works. Said fence shall be located within private property, and established by caveat, against the title of each of these private lots, requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed to the satisfaction of the Director of Public Works;

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

   (a) an addendum to Development Agreement File No. AG 21/14, 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 Caveat No. 4683954/1 be discharged as it affects the subject plan area.

5. 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 to Development Agreement, File No. AG 21/14, 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.

6. 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 12/2022, as determined by the City's Director of Planning, Property and Development.

7. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at the next available Council meeting.

8. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of subdivision (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with Recommendations 1 and 7 of this Report, and all associated ancillary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading

9. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the “Fees”) are not submitted within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.
10. That the subdivision section of the By-law will come into force when the addendum to Development Agreement File No. AG 21/14, is fully executed and the Plan is registered in the Winnipeg Land Titles Office.
11. 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.
12. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 10 and 11 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.
13. 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.
14. 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

- The applicant is proposing to subdivide and rezone the subject 23.37 acre site into 164 lots and 2 blocks zoned “R1-S” Residential Single-Family (Small) District, “R2” Residential Two-Family, “RMF-S” Residential Multi-Family (Small), and "RMF-L" Residential Multi-Family (Large) District. The application also includes opening several public right-of-ways.
- 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 site will be subdivided and rezoned consistent with the map provided in Schedule “A” of this report.

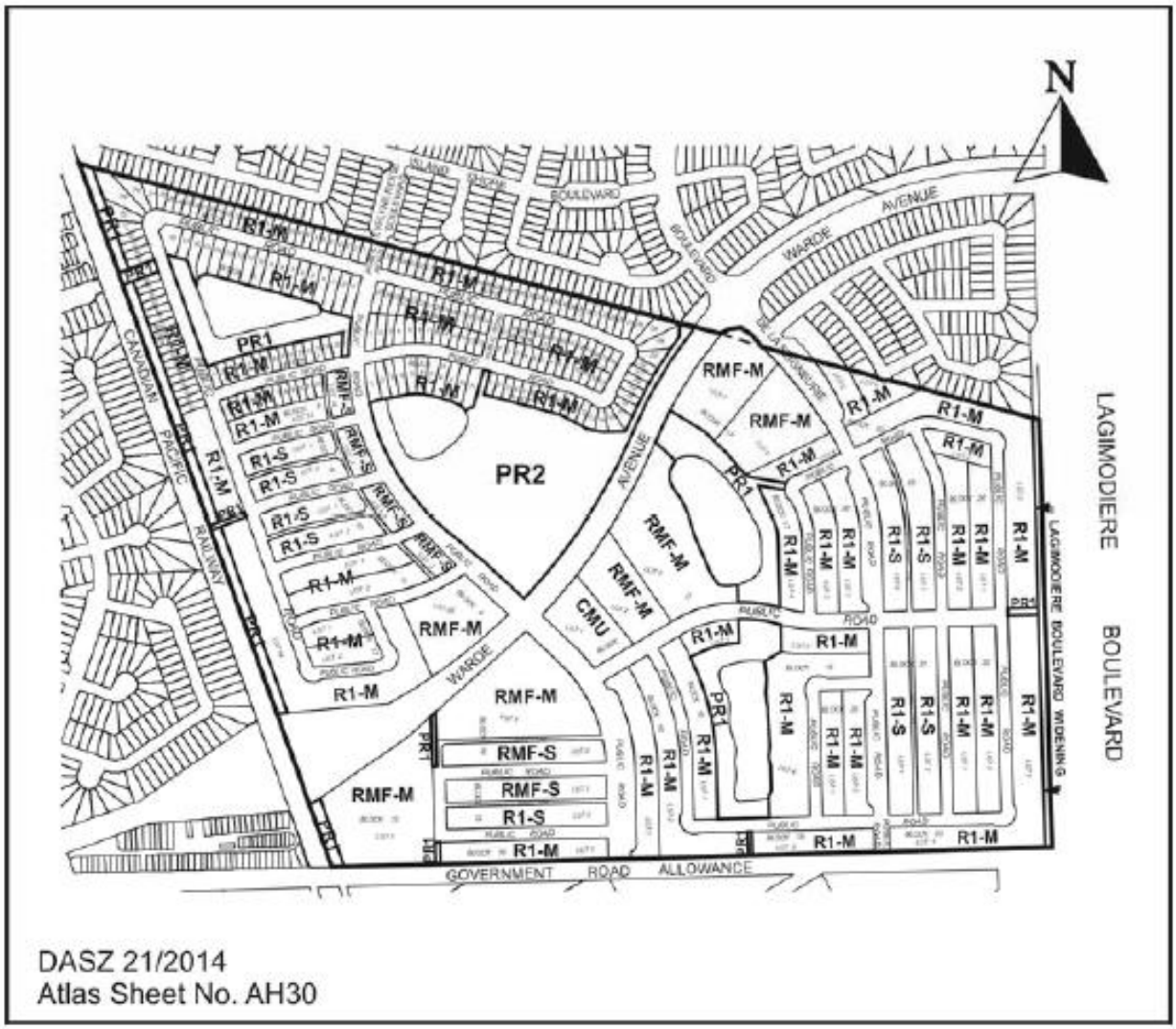
HISTORY

Precinct K – Precinct Plan (By-Law 48/2014)

- *On July 16, 2014, Council passed By-law 48/2014 adopting a Secondary Plan for the area identified as Precinct K under the Complete Communities Direction Strategy. The plan guides development in the Precinct K area.*

DASZ 21/2014 (By-law 67/2015)

- Under DASZ 21/2014 (By-law 67/2015), approximately 243.31 acres of land located at the northwest corner of Melnick Road, Lagimodiere Boulevard and Four Mile Road was rezoned from “RR5” Rural Residential 5 and “R1-M” Residential Single-Family Medium to “R1-S” Residential Single-Family Small; “R1-M”; “RMF-S” Residential Multi-Family Small; “RMF-M” Residential Multi-Family Medium; “CMU” Commercial Mixed-Use; “PR1” Parks and Recreation 1 (Neighbourhood); and “PR2” Parks and Recreation 2 (Community). By-law 67/2015 regarding the subdivision and rezoning was passed by Council on June 17, 2015.



CONSULTATION

In preparing this report there was internal consultation with:

- Administrative Coordinating Group (ACG)

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 proposal would align with the following Key Direction in the Winnipeg Climate Action Plan:

4.2 Ensure New Areas of Growth are Designed According to the Principles of Complete Communities.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the PRS and it was determined that the PRS is not applicable to this specific report.

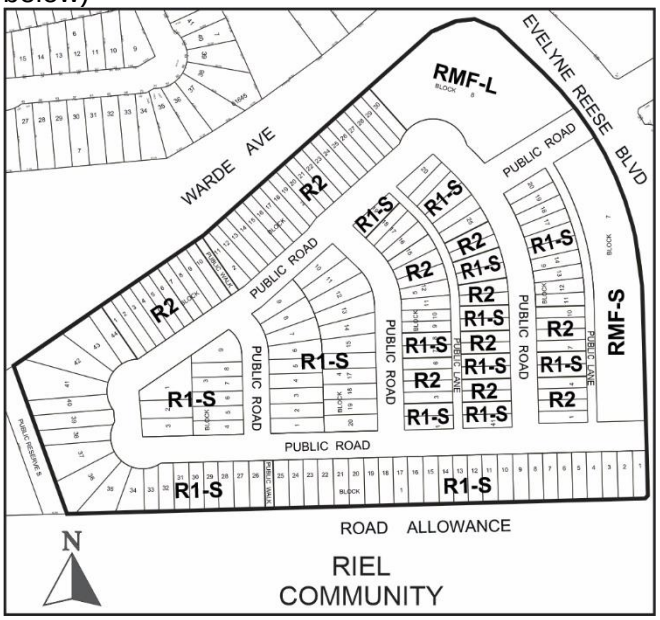
SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Elise Finnigan, MA Planning
Date:	April 1st, 2022
File No.	DASZ 12/2022

1. Appendix A — Planning Discussion.
2. Appendix B — Proposed By-law.
3. Schedule "A" — Recommended File No. DASZ 12/2022 Riel Community Committee, dated April 1st, 2022.
4. Schedule "B" — Report of the Administrative Working Group – April 7th, 2022.
5. Schedule "C" — Sidewalk schedule.

APPENDIX 'A'

FILE:	**DASZ 12/2022**
RELATED FILES:	DASZ 21/2014; DAC 1/2022
COMMUNITY:	Riel Committee
NEIGHBOURHOOD #:	5.557 - Fraipont (Bonavista) Neighbourhood
SUBJECT:	To subdivide and rezone approximately 23.37 acres of land in Bonavista.
LOCATION:	South of Warde Avenue and west of Evelyne Reese (see map below)



APPLICANT:	Marc Brown (Genstar Development Company) 1371 Kenaston Blvd Winnipeg, MB R3P 2T5
OWNERS:	Genstar Titleco Ltd 1371 Kenaston Blvd Winnipeg, MB R3P 2T5 City of Winnipeg 2nd Floor, 65 Garry Street Winnipeg, MB R3C 4K4
RECOMMENDATION:	Approval with conditions

SITE DESCRIPTION

- The subject plan area is located south of Warde Avenue, east of Evelyne Reese Blvd, west of the CPR Emerson Rail Line, and north of Four Mile Road in the Fraipont (Bonavista) neighbourhood of the St. Vital Ward.

- The plan area is approximately **23.37 acres in area** and is vacant.
- The site is zoned “R1-S” Residential Single-Family (Small) District, “R1-M” Residential Single-Family (Medium), “RMF-S” Residential Multi-Family (Small), "RMF-M" Residential Multi-Family (Medium) District, and “PR1” Parks and Recreation 1 (Neighbourhood).
- The site is located within Precinct ‘K’ under the *Complete Communities Direction Strategy*.
- The site is also located within the Higher Density Residential Policy Area and Lower Density Residential Policy Area under the ***Precinct ‘K’ – Precinct Plan***.

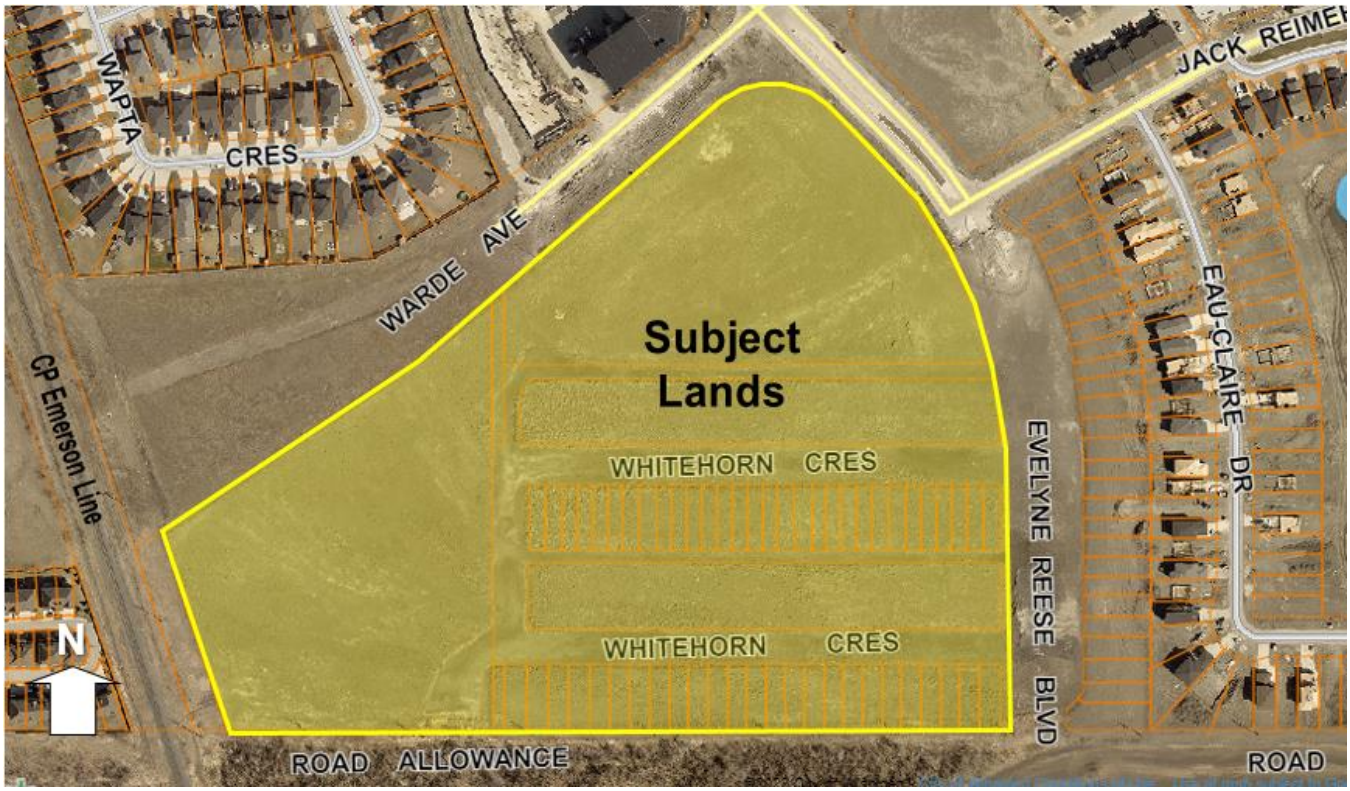


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2021)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Warde Avenue and residential uses zoned Residential Single Family Medium (‘R1-M’) and Residential Multi-Family Medium (‘RMF-M’).

South: Four Mile Road right-of-way and vacant farm land zoned Rural Residential 5 (‘RR5’).

East: Evelyne Reese Boulevard, then residential lots zoned Residential Single Family Medium (‘R1-M’) and a vacant lot zoned Commercial Mixed Use (‘CMU’).

West: Public Reserve zoned Parks and Recreation 1 Neighbourhood (‘PR1’) and the CP Emerson Rail Line.



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide and rezone the subject 23.37 acre site from “R1-S” Residential Single-Family (Small) District, “R1-M” Residential Single-Family (Medium), “RMF-S” Residential Multi-Family (Small), "RMF-M" Residential Multi-Family (Medium) District, and “PR1” Parks and Recreation 1 (Neighbourhood) into164 lots and 2 blocks zoned “R1-S” Residential Single-Family (Small) District, “R2” Residential Two-Family, “RMF-S” Residential Multi-Family (Small), and "RMF-L" Residential Multi-Family (Large) District.
- The lands were previously subdivided and rezoned under DASZ 21/2014. The applicant indicates in the letter of intent that a redesign of the subdivision is being proposed due to evolving development and land use considerations in the area as well as changes in the local housing market.
- In total the applicant is proposing 164 lots and 2 blocks as follows:
    - 104 lots zoned Residential Single-Family Small ‘R1-S’;
    - 60 lots zoned Residential Two-Family ‘R2’ proposed for semi-detached dwelling units;
    - 1 block zoned Residential Multi-Family (Small) ‘RMF-S’; and
    - 1 block zoned Residential Multi-Family (Large) ‘RMF-L’.
- The applicant is projecting the plan area will contain approximately 104 single family dwellings and 60 semi-detached dwelling units. The applicant’s projection for the total number of multi-family residential units is 247, however, this number is solely based on the maximum permitted densities under the Zoning By-law. The applicant acknowledges the

actual number will likely be lower as the projection does not account for parking, design, as well as the type and cost of construction.

- The application also involves opening several public right-of-ways including several new local streets, two public lanes, and two public walks. Two access points to the plan area are proposed off Evelyne Reese Boulevard.
- There is an associated Closing application (DAC 1/2022) that is required in order to close the right-of-ways previously opened under DASZ 21/2014 (see report for DAC 1/2022 for further details).

COLLABORATION

With the Public Service

- **The Urban Planning Division and Design Division** has been in communication with the applicant about the proposed development since an initial meeting in November 2021 as well as via subsequent emails and additional meetings in which the details of the proposal were discussed including changes to the location of the public walks and a requirement for sidewalks.

With the Public

- The applicant indicated public consultation was not undertaken as part of the subject application as they did not think it was necessary noting the density is not intensifying with the proposal and the plan is consistent with the secondary plan as well as the existing development / land use pattern in the area.

ANALYSIS AND ISSUES

OURWINNIPEG AND COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under *OurWinnipeg* and the *Complete Communities Direction Strategy* the proposed development is located within the New Communities policy area that is identified as Precinct "K." Section 03-4 of Complete Communities, and Section 01 A of OurWinnipeg (the City's development plan) state: "New Communities are large undeveloped land areas identified for future urban development and are not currently served by a full range of municipal services."
- As per *OurWinnipeg* and the *Complete Communities Direction Strategy*, New Communities and Precincts require an approved planning process to be implemented prior to intensification and development of the Precinct.
- Key directions and policies guiding the development of New Communities are as follows:
    - New Communities will be developed in a sustainable manner.
        - *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.
        - *New Communities will be developed with Complete Streets (See Sustainable Transportation), enabling safe and convenient spaces for pedestrians, bicyclists, public transit ridership and motorists to promote physical activity, health and active transportation.*

- New Communities will increase opportunities to live, work, learn and play in the same neighbourhood.
    - *Promote the design of all streets to maximize connectivity, visual appeal, amenity space and safety where practical and cost effective.*

PRECINCT K - PRECINCT PLAN (By-Law 48/2014)

- The subject lands are located in the Higher Density Residential policy area and the Lower Density Residential policy area under the *Precinct K Precinct Plan*. Policies guiding development in the Higher Density Residential policy area are as follows:
    - *Multi-family uses such as villas, townhomes, row houses and multi-story apartment buildings shall be the predominant style of development in higher density residential areas.*
    - *Along with multiple-family residential, other land uses encouraged in this policy area include institutional, small scale commercial, and lower density residential uses where appropriate.*
    - *Generally, higher density multiple-family residential development should be located adjacent to arterial and collector streets or adjacent to Mixed Use policy areas.*
    - *Where multiple-family zoning is located adjacent to single-family zoning, the design and siting of multiple-family development will reflect a transition in building massing and setbacks to represent a transition between densities.*
    - *Multi-family buildings should be oriented to the public street where possible with minimal setbacks from the street.*
    - *Large expanses of blank walls are discouraged. Balconies, windows, architectural details and façade treatments should be used to ensure visual interest.*
    - *Surface parking lots should include landscaping and trees around the perimeter of the lot to provide visual interest, and shade trees and landscaping should be provided between rows of parking stalls.*
- Policies guiding development in the Lower Density Residential policy area are as follows:
    - *Single-family uses shall be the predominant land use, allowing for single-family detached housing, townhomes and duplexes.*
    - *Institutional, recreational, open space, and other similar and accessory uses to the above, may be allowed within the Lower Density Residential Area, where determined to be compatible and appropriate.*

CITY OF WINNIPEG ZONING BY-LAW 200/2006

CURRENT ZONING:

Currently, the lands are zoned “R1-S” Residential Single-Family (Small) District, “R1-M” Residential Single-Family (Medium), “RMF-S” Residential Multi-Family (Small), "RMF-M" Residential Multi-Family (Medium) District, and “PR1” Parks and Recreation 1 (Neighbourhood).

PROPOSED ZONING:

The applicant is proposing to rezone the site to:

- *Residential Single Family Small ('R1-S')* - The R1-S district requires: a minimum lot width of 25 feet, a minimum lot area of 2,500 square feet, side yards of 3 feet, a front yard of 15 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 45%.
- *Residential Two Family ('R2')* - The R2 district is intended to accommodate the development of single- and two-family units and where appropriate limited multi-family units in lower-density areas.
- *Residential Multi-Family Small District ('RMF-S') and Residential Multi-Family Large District ('RMF-L')* - The RMF districts are intended to accommodate the development of multi-family units in areas with medium to high residential densities.

Reason for the Subdivision and Rezoning

The applicant is proposing to rezone the land from R1-M, R1-S, RMF-S, RMF-M, and PR1 to R1-S, R2, RMF-S, and RMF-L in order to create a fully-serviced residential subdivision that is part of the Bonavista development.

COMPATIBILITY WITH SECONDARY PLAN AND SURROUNDING NEIGHBOURHOOD

- The proposal to locate primarily single- and two-family housing along the local streets and multi-family residential dwellings along the existing collector streets is consistent with existing development.
- The proposal to locate R1-S and R2 zoned lots in and around the portion of the planned area identified as the Lower Density Residential policy area is consistent with the Lower Density Residential policies of the Precinct K Secondary Plan. The proposed location of the RMF-S and RMF-L zoning in the Higher Density Residential policy area is also consistent with the policies guiding development in this area under the Precinct K Secondary Plan.
- The proposed design of the subdivision with two blocks including public lanes coupled with the recommended sidewalks and public walkways helps in meeting several guiding principles of the Precinct K Secondary Plan, including the notion of encouraging walkability and interconnectivity to promote active lifestyles in new neighbourhoods.
- It is also important to note the proposal does not include a single cul-de-sac which aligns with policy 4.6.2(c) of the Internal Transportation Network Design policies of the Precinct K Secondary Plan which provides the following direction in the design of internal road networks:

  Convenient and safe connections and multiple route choices to origin/destination points within the neighbourhood. To ensure an interconnected street pattern, new neighbourhoods are encouraged to include interconnected streets, which incorporates slight bends and numerous intersections, while minimizing the use of cul-de-sacs.

RECOMMENDED ZONING AGREEMENT

Most of the conditions recommended in the zoning agreement are the same as many of the conditions included in the original zoning agreement approved under DASZ 21/2014. There

are, however, some unique aspects to the subject application that require some new conditions outlined as follows:

Plan Approval

Building elevations and landscaping plans were not included in the subject application for the multi-family or commercially-zoned land. The Urban Planning Division is recommending that final plans be submitted to the Director of Planning, Property and Development and Riel Community Committee for the RMF-S, RMF-M and CMU zoned lots for review prior to the issuance of a development permit on the site. The inclusion of this clause will allow the Urban Planning Division and the Riel Community Committee to review final plans before development takes place for the proposed development and for any future developments on the site.

Policies regarding the design of both the multi-family residential sites and the commercial sites are included in the Precinct K Secondary Plan (see sections 3.1.4.2 & 3.2.2). Individual site plans will be evaluated using the policies included in the relevant sections of the plan.

Height for RMF-L lot

The maximum building height permitted in the RMF-L zone is 150 feet. To ensure the project is compatible with the heights of both existing and future development in the surrounding area and noting the lot zoned RMF-L directly abuts lots zoned R2 where semi-detached dwellings are proposed, the Public Service is recommending that the maximum height of any building on the site be restricted to 70 feet.

Side Yard Setback RMF-L lot

In the Higher Density Residential policy area under the *Precinct K Precinct Plan* one of the policies guiding development states:

Where multiple-family zoning is located adjacent to single-family zoning, the design and siting of multiple-family development will reflect a transition in building massing and setbacks to represent a transition between densities.

The proposed lot zoned RMF-L directly abuts lots zoned R2 where low rise semi-detached dwellings are proposed. In order to ensure future development on the RMF-L property relates appropriately to the abutting R2 lot, the Urban Planning Division is recommending that a minimum side yard setback of 20 feet be maintained for a 35 foot tall building and that this setback will increase by one foot for each additional foot of height proposed for that portion of the building taller than 35 feet (see Figure 3 for example of setback).



Figure 3: Existing Multi-family residential development directly abutting a two-storey single-family home with a 23 foot side yard setback to the portion of the building 35 feet tall and a greater setback (i.e., approximately 40 feet) for the portion of the building 55 feet tall.

Front Yard Setback for R1-S Lots Abutting Lane

On Blocks 5 and 6 with a public lane, the applicant is proposing a combination of lots zoned 'R1-S' and 'R2'. There is the potential for quite uneven frontages along these blocks as the minimum front yard setback for 'R2' lots is 20 feet whereas the minimum front yard setback for 'R1-S' lots abutting a lane is 10 feet. In order to ensure a more consistent front yard setback along Blocks 5 and 6, the Urban Planning Division is recommending a minimum front yard setback of 15 feet for the lots zoned 'R1-S'.

RECOMMENDED ADDENDUM TO DEVELOPMENT AGREEMENT

Sidewalks

- Per the report of the Administrative Coordination Group (Schedule "B" of this report), the Public Service is recommending sidewalks be included along the local streets in the subject planned area as identified in Schedule "C". Under the original Development Agreement for DASZ 21/2014 approved by Council on September 24th, 2014, the Public Service did not recommend sidewalks on local streets. Since the approval of DASZ 21/2014 Council approved the *Winnipeg Pedestrian and Cycling Strategies* on July 15th, 2015 and the *Winnipeg Climate Action Plan* on September 20th, 2018.

- The *Winnipeg Pedestrian and Cycling Strategies* (WPCS) provide a vision and roadmap for the future of walking and cycling in Winnipeg. The *WPCS* include the following Directions/Actions related to sidewalks in New Developments:

- **Strategic Direction 1: Improve Connectivity - 1A Expand and Enhance the Pedestrian Network**

  i. Update sidewalk requirements for new developments in consultation with relevant stakeholders.

  vi. Seek strategic opportunities to implement new sidewalks through partnerships, other capital projects and programs and development opportunities on non-regional roads.

- **Strategic Direction 5: Improve Vibrancy - 5A Land Development and Site Design**

  ii. Work with the development industry and other stakeholders to support the practical implication of walkable and cyclable communities.

  x. Ensure that an internal street and pathway network within the development site together provide an acceptable level of pedestrian and cycling connectivity.

  xi. Achieve pedestrian and cycling connections from new development site to surrounding existing and anticipated networks.

- The *WPCS* also include suggested sidewalk requirements based on different street typologies and land uses (see Figure 4).

Table 4.4:
Suggested Sidewalk Requirements for Winnipeg

Road Class	Land Use	Sidewalk Requirement	Number of Sidewalks
Public Lane	All	No	None
Local	Residential	Yes, if adjacent land use is a school	2
		Yes, and on both sides of the street if, • Adjacent land use includes multi-family dwellings and commercial sites • Connectivity is needed to a transit stop, including access from the frontage road to the bus stop • Connectivity is needed to recreational areas • There is a potential safety problem related to pedestrians	1 (at least) 2
		No, for cul-de-sacs	None
	Commercial	Yes, and on both sides of the street if, • Connectivity is needed to transit stops • There is a potential safety problem related to pedestrians	1 (at least)
	Industrial	Yes, and on both sides of the street if, • Connectivity is needed to transit stops • There is a potential safety problem related to pedestrians	1 (at least)
Collector	Residential	Yes	2
	Commercial	Yes	2
	Industrial	Yes	1 (at least)
Arterial	All	Yes	2
Expressway	All	No	As required

Figure 4: Suggested Sidewalk Requirements per the *Winnipeg Pedestrian and Cycling Strategies*.

- In the case of the subject proposal the Public Service is recommending sidewalks be included on the local streets as identified in Schedule 'C' noting:

    - The future transit stop will be located near the intersection of Warde Avenue and Evelyne Reese Boulevard;

    - Fraipont Park is located at the northeast corner of the Warde Avenue/Evelyne Reese intersection;

    - There are pedestrian safety concerns noting the proposed length of the two local streets running east/west in the planned area coupled with several narrow lots with driveways backing into the streets presents numerous points for potential conflict between vehicular traffic and pedestrians;

    - The only commercial uses within walking distance to the subject lands will be located at the southeast corner of the Warde Avenue/Evelyne Reese intersection on the property zoned Commercial Mixed Use 'CMU'.

- It is also noted that under the *Winnipeg Climate Action Plan* there is a commitment to achieve the following transportation mode share targets by 2030:

    - 50% - Auto-Driver;

    - 21% - Auto-Passenger;

    - 15% - Public Transit;

    - 14% - Walking/Cycling.

    Providing pedestrians and transit users with the infrastructure to safely commute to local transit stops as well as local amenities and commercial uses is one way to help achieve the transportation mode share targets.

- For the reasons noted above, the Public Service is recommending sidewalks be included along the local streets in the subject planned area as identified in Schedule 'C'.

Public Walkways

- Per the report of the Administrative Coordination Group (Schedule 'B' of this report), the Public Service is recommending two Public Walkways be included in the planned area as identified in Schedule 'A'. The proposed locations for the Public Walkways were chosen to provide better connectivity for pedestrians travelling westbound along Warde Avenue (which will eventually include sidewalks and connect to St. Anne's Road) as well as pedestrians accessing the future southerly portion of the precinct and the future active transportation pathway that has been identified to run along the Emerson line.

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 for parks purposes.

- The amount of land is not less than 10%.

- The developer is to provide land or ‘cash in lieu’ as determined by the Planning, Property and Development Department.

- The Public Service is requesting cash in lieu for this application.

RECOMMENDATION

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

- The proposed subdivision and rezoning is consistent with the policies of the Precinct K Secondary Plan.
- The proposed subdivision and rezoning represents a logical connection to existing approved subdivisions within the Bonavista neighbourhood.
- The proposed design of the subdivision with two blocks including public lanes coupled with the recommended sidewalks and public walkways helps in meeting several guiding principles of the Precinct K Secondary Plan, including the notion of encouraging walkability and interconnectivity to promote active lifestyles in new neighbourhoods.

This Report Submitted by: Elise Finnigan
Planning, Property and Development Department
Urban Planning Division
Report Prepared by: PPD File # DASZ 12/2022

Schedule “A” for File No. DASZ 12/2022, Riel Community Committee, dated April 1st, 2022.

By-Law No. _____

File No. **DASZ 12/2022**

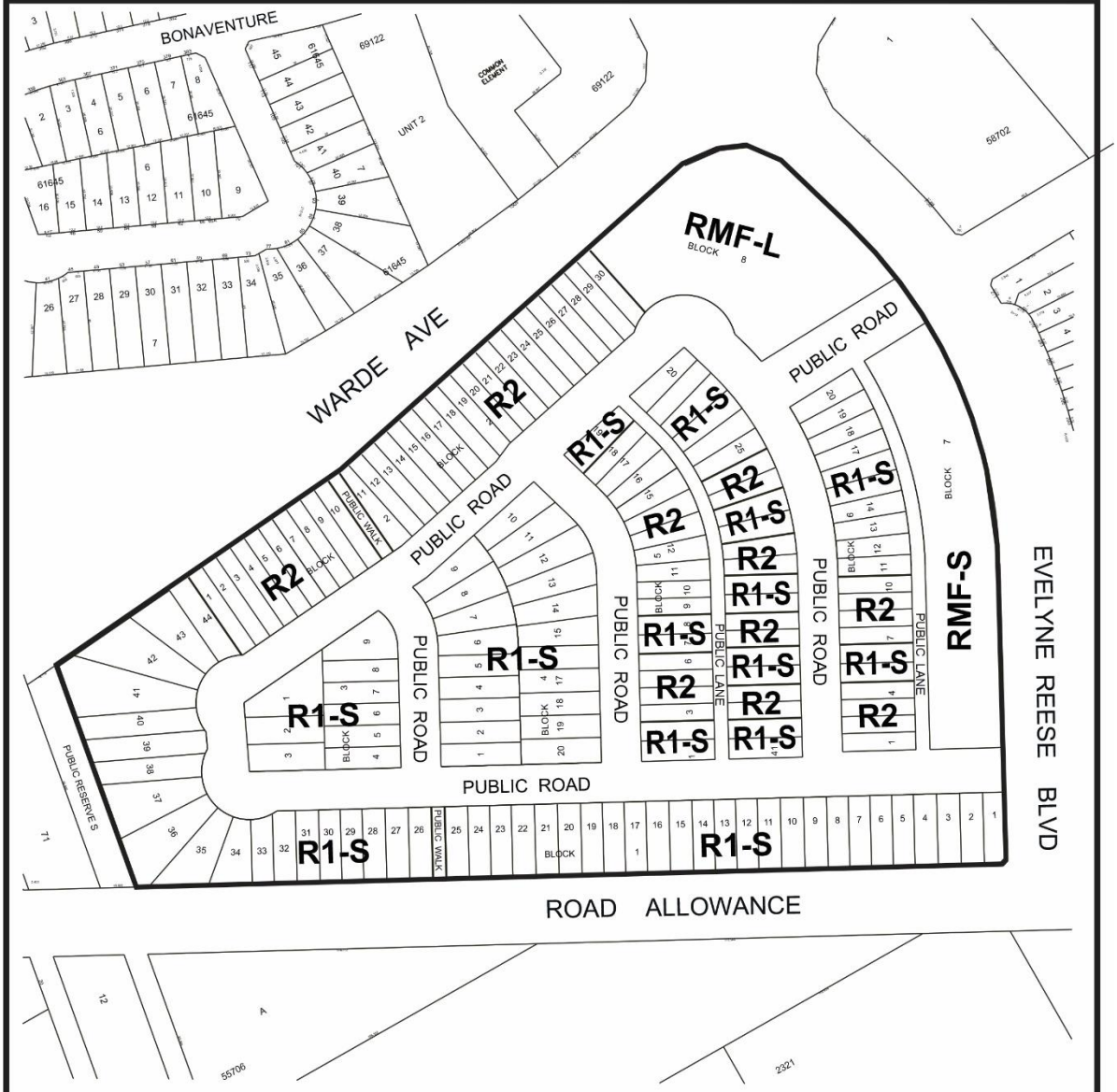
Atlas Sheet No. **AH30**

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 south of Warde Avenue, West of Evelyne Reese Boulevard from an "R1-S" and "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT, an "RMF-S" and "RMF-M" RESIDENTIAL MULTI-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION 1 DISTRICT to an "R1-S" RESIDENTIAL SINGLE-FAMILY DISTRICT, "R2" RESIDENTIAL TWO-FAMILY DISTRICT and "RMF-S" AND "RMF-L" RESIDENTIAL MULTI-FAMILY DISTRICT to facilitate the continuation of the Bonavista Neighbourhood by the creation of lots and public rights-of-way, for future residential development.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED SOUTH OF WARDE AVENUE, WEST OF EVELYNE REESE BOULEVARD, EAST OF CPR EMERSON AND NORTH OF FOUR MILE ROAD

The above noted application was reviewed by ACG and determined to be within the Planned Area of the Bonavista lands under development (DASZ 21/2014). Therefore, this application is subject to the terms and conditions as outlined under Development Agreement AG 21/14.

It is recommended that approval of DASZ 12/2022 if granted, be subject to the applicant entering into an Addendum to Development Agreement AG 21/14 containing the following conditions:

Section I – General Comments

1) The Water and Waste Department wishes to advise that a lot grading plan should be submitted as soon as possible in order to determine if easements are required.

Section II – Plan Considerations

1) Public Walks are to be established with a right-of-way width of 6.0m, as determined by and to the satisfaction of the Director of Public Works.

2) The Developer shall, at no expense to the City, grant a 6.0m wide easement, centered on the proposed 150mm water main located in Block 8, to the satisfaction of the Director of Water and Waste.

3) The Developer shall re-designate the Parcels identified as Public Reserve at the north and south limits of the development, located between Lots 10 and 11, Block 2 and Lots 25 and 26, Block 1 as Public Walkways, as determined by and to the satisfaction of the Director of Public Works.

Section III – Engineering Studies

1) The Developer shall, at no expense to the City, conduct geotechnical investigations in accordance with the City's "Guidelines for Site Investigation Requirements for Public Works Street Projects" and develop pavement designs, all to the satisfaction of the Director of Public Works.

Section IV - Servicing Conditions

1) Public Walks

a) The Developer shall, at no expense whatsoever to the City, construct a 1.5m wide by 100mm thick Portland cement concrete sidewalk within the Public Walks, and landscape the remainder to include:

i) sodding on both sides of the sidewalk;

ii) fencing within private property, along the side property lines;

iii) bollards with appropriate sidewalk opening at both street ends of the Public Walk;

all as determined by and to the satisfaction of the Director of Public Works.

b) The Developer is to permit the City to file a caveat against the title of each of these proposed lots abutting the Public Walk requiring the owners to maintain and/or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

2) Sidewalks

a) The Developer shall, at no expense to the City, construct a 1.5m and/or 1.8m wide by 100mm thick Portland cement concrete sidewalks, on the standard alignment, 0.3m from the property line, and/or an alignment as determined by the Public Works Department, conceptually shown on the attached Schedule “C”, all as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall grant to the City, at no expense to the City, any snow storage easements as may be necessitated by the sidewalk alignment, as determined by and to the satisfaction of the Director of Public Works.

c) The Developer shall construct all sidewalks concurrently with the pavements with which they share the right-of-way, as determined by and to the satisfaction of the Director of Public Works.

Section V – 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 12/2022
April 7, 2022

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

"*Original Signed by S. Whitehouse"*
S. Whitehouse, M.C.P.
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 “8” referred to in File DASZ 12/2022

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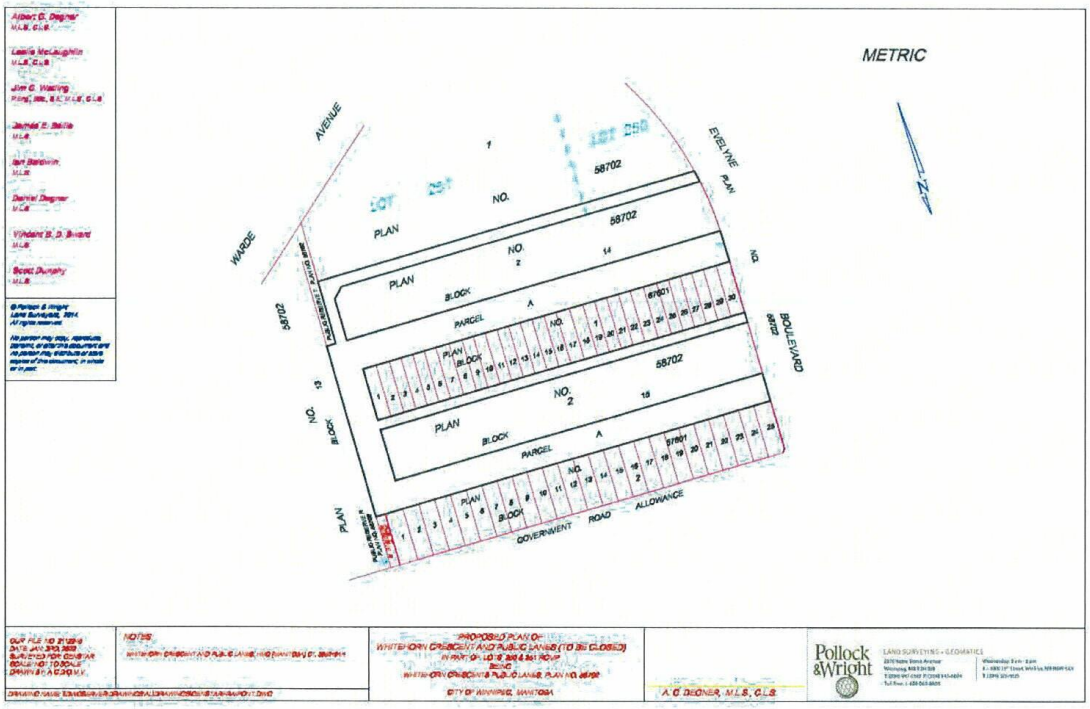

Real Estate and Land Development Division
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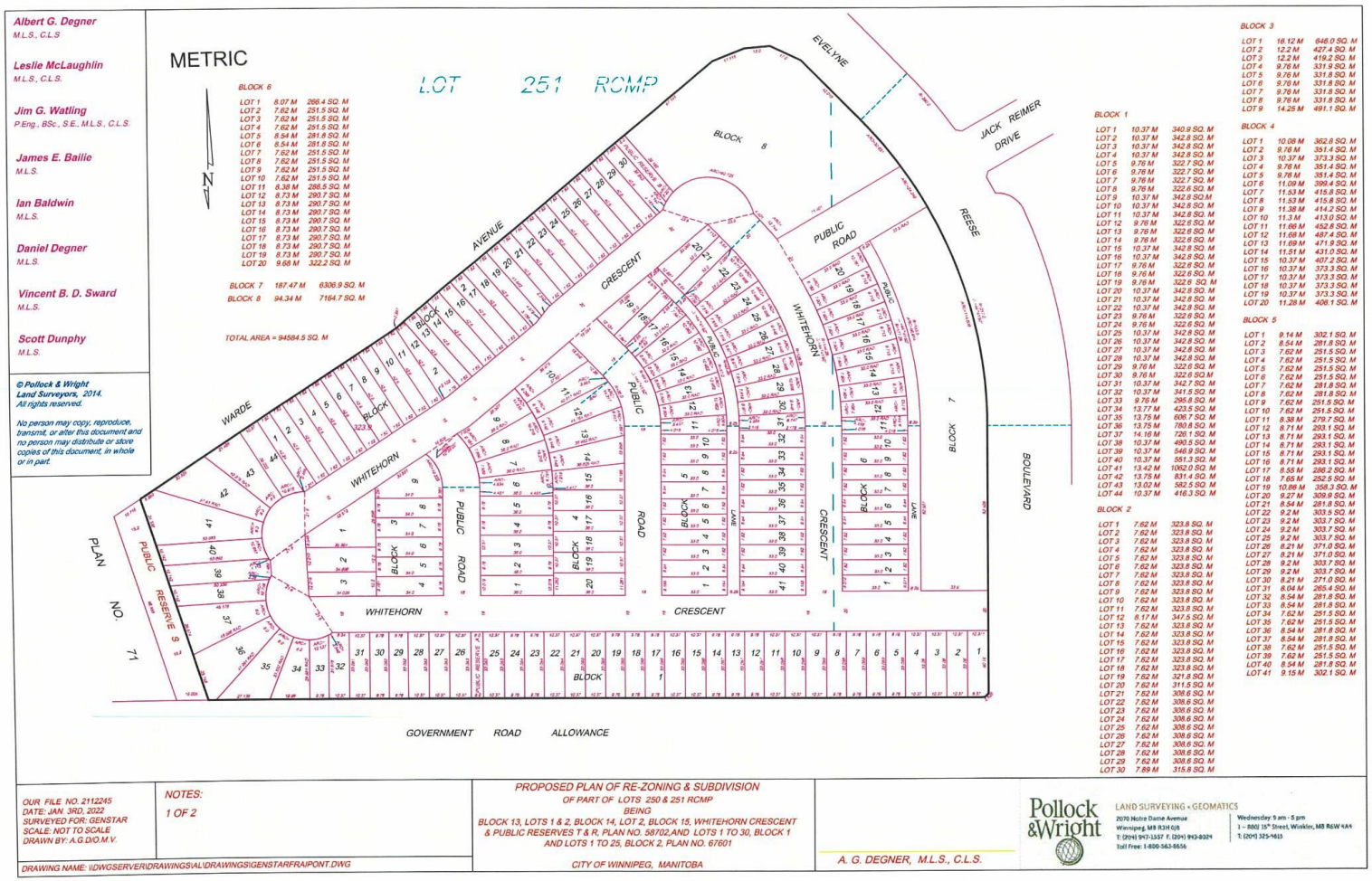

BLOCK 6

LOT 1	6.07 M	266.4 SQ. M
LOT 2	7.62 M	251.5 SQ. M
LOT 3	7.62 M	251.5 SQ. M
LOT 4	7.62 M	251.5 SQ. M
LOT 5	8.54 M	281.8 SQ. M
LOT 6	8.54 M	281.8 SQ. M
LOT 7	7.62 M	251.5 SQ. M
LOT 8	7.62 M	251.5 SQ. M
LOT 9	7.62 M	251.5 SQ. M
LOT 10	7.62 M	251.5 SQ. M
LOT 11	8.38 M	288.5 SQ. M
LOT 12	8.73 M	290.7 SQ. M
LOT 13	8.73 M	290.7 SQ. M
LOT 14	8.73 M	290.7 SQ. M
LOT 15	8.73 M	290.7 SQ. M
LOT 16	8.73 M	290.7 SQ. M
LOT 17	8.73 M	290.7 SQ. M
LOT 18	8.73 M	290.7 SQ. M
LOT 19	8.73 M	290.7 SQ. M
LOT 20	9.68 M	322.2 SQ. M
BLOCK 7	187.47 M	6306.9 SQ. M
BLOCK 8	94.34 M	7164.7 SQ. M

TOTAL AREA = 94584.5 SQ. M

BLOCK 1

LOT 1	10.37 M	340.9 SQ. M
LOT 2	10.37 M	342.8 SQ. M
LOT 3	10.37 M	342.8 SQ. M
LOT 4	10.37 M	342.8 SQ. M
LOT 5	9.76 M	322.7 SQ. M
LOT 6	9.76 M	322.7 SQ. M
LOT 7	9.76 M	322.7 SQ. M
LOT 8	9.76 M	322.6 SQ. M
LOT 9	10.37 M	342.8 SQ.M
LOT 10	10.37 M	342.8 SQ. M
LOT 11	10.37 M	342.8 SQ. M
LOT 12	9.76 M	322.6 SQ. M
LOT 13	9.76 M	322.6 SQ. M
LOT 14	9.76 M	322.6 SQ. M
LOT 15	10.37 M	342.8 SQ. M
LOT 16	10.37 M	342.8 SQ. M
LOT 17	9.76 M	322.6 SQ. M
LOT 18	9.76 M	322.6 SQ. M
LOT 19	9.76 M	322.6 SQ. M
LOT 20	10.37 M	342.8 SQ. M
LOT 21	10.37 M	342.8 SQ. M
LOT 22	10.37 M	342.8 SQ. M
LOT 23	9.76 M	322.6 SQ. M
LOT 24	9.76 M	322.6 SQ. M
LOT 25	10.37 M	342.8 SQ. M
LOT 26	10.37 M	342.8 SQ. M
LOT 27	10.37 M	342.8 SQ. M
LOT 28	10.37 M	342.8 SQ. M
LOT 29	9.76 M	322.6 SQ. M
LOT 30	9.76 M	322.6 SQ.M
LOT 31	10.37 M	342.7 SQ. M
LOT 32	10.37 M	341.5 SQ. M
LOT 33	9.76 M	286.8 SQ. M
LOT 34	13.77 M	423.5 SQ. M
LOT 35	13.75 M	606.7 SQ. M
LOT 36	13.75 M	780.8 SQ. M
LOT 37	14.16 M	726.1 SQ. M
LOT 38	10.37 M	490.5 SQ. M
LOT 39	10.37 M	546.9 SQ. M
LOT 40	10.37 M	551.3 SQ. M
LOT 41	13.42 M	1062.0 SQ. M
LOT 42	13.75 M	831.4 SQ. M
LOT 43	13.02 M	582.5 SQ. M
LOT 44	10.37 M	416.3 SQ. M

BLOCK 2

LOT 1	7.62 M	323.8 SQ. M
LOT 2	7.62 M	323.8 SQ. M
LOT 3	7.62 M	323.8 SQ. M
LOT 4	7.62 M	323.8 SQ. M
LOT 5	7.62 M	323.8 SQ. M
LOT 6	7.62 M	323.8 SQ. M
LOT 7	7.62 M	323.8 SQ. M
LOT 8	7.62 M	323.8 SQ. M
LOT 9	7.62 M	323.8 SQ. M
LOT 10	7.62 M	323.8 SQ. M
LOT 11	7.62 M	323.8 SQ. M
LOT 12	8.17 M	347.5 SQ. M
LOT 13	7.62 M	323.8 SQ. M
LOT 14	7.62 M	323.8 SQ. M
LOT 15	7.62 M	323.8 SQ. M
LOT 16	7.62 M	323.8 SQ. M
LOT 17	7.62 M	323.8 SQ. M
LOT 18	7.62 M	323.8 SQ. M
LOT 19	7.62 M	321.8 SQ. M
LOT 20	7.62 M	311.5 SQ. M
LOT 21	7.62 M	308.6 SQ. M
LOT 22	7.62 M	308.6 SQ. M
LOT 23	7.62 M	308.6 SQ. M
LOT 24	7.62 M	308.6 SQ. M
LOT 25	7.62 M	308.6 SQ. M
LOT 26	7.62 M	308.6 SQ. M
LOT 27	7.62 M	308.6 SQ. M
LOT 28	7.62 M	308.6 SQ. M
LOT 29	7.62 M	308.6 SQ. M
LOT 30	7.89 M	315.8 SQ. M

BLOCK 3

LOT 1	16.12 M	646.0 SQ. M
LOT 2	12.2 M	427.4 SQ. M
LOT 3	12.2 M	419.2 SQ. M
LOT 4	9.76 M	331.9 SQ. M
LOT 5	9.76 M	331.8 SQ. M
LOT 6	9.76 M	331.8 SQ. M
LOT 7	9.76 M	331.8 SQ. M
LOT 8	9.76 M	331.8 SQ. M
LOT 9	14.25 M	491.1 SQ. M

BLOCK 4

LOT 1	10.08 M	362.8 SQ. M
LOT 2	9.76 M	351.4 SQ. M
LOT 3	10.37 M	373.3 SQ. M
LOT 4	9.76 M	351.4 SQ. M
LOT 5	9.76 M	351.4 SQ. M
LOT 6	11.09 M	399.4 SQ. M
LOT 7	11.53 M	415.8 SQ. M
LOT 8	11.53 M	415.8 SQ. M
LOT 9	11.38 M	414.2 SQ. M
LOT 10	11.3 M	413.0 SQ. M
LOT 11	11.66 M	452.8 SQ. M
LOT 12	11.68 M	487.4 SQ. M
LOT 13	11.69 M	471.9 SQ. M
LOT 14	11.51 M	431.0 SQ. M
LOT 15	10.37 M	407.2 SQ. M
LOT 16	10.37 M	373.3 SQ. M
LOT 17	10.37 M	373.3 SQ. M
LOT 18	10.37 M	373.3 SQ. M
LOT 19	10.37 M	373.3 SQ. M
LOT 20	11.28 M	406.1 SQ. M

BLOCK 5

LOT 1	9.14 M	302.1 SQ. M
LOT 2	8.54 M	281.8 SQ. M
LOT 3	7.62 M	251.5 SQ. M
LOT 4	7.62 M	251.5 SQ. M
LOT 5	7.62 M	251.5 SQ. M
LOT 6	7.62 M	251.5 SQ. M
LOT 7	7.62 M	281.8 SQ. M
LOT 8	7.62 M	281.8 SQ. M
LOT 9	7.62 M	251.5 SQ. M
LOT 10	7.62 M	251.5 SQ. M
LOT 11	8.38 M	279.7 SQ. M
LOT 12	8.71 M	293.1 SQ. M
LOT 13	8.71 M	293.1 SQ. M
LOT 14	8.71 M	293.1 SQ. M
LOT 15	8.71 M	293.1 SQ. M
LOT 16	8.71 M	293.1 SQ. M
LOT 17	8.55 M	286.2 SQ. M
LOT 18	7.65 M	252.5 SQ. M
LOT 19	10.88 M	358.3 SQ. M
LOT 20	9.27 M	309.9 SQ. M
LOT 21	8.54 M	281.8 SQ. M
LOT 22	9.2 M	303.5 SQ. M
LOT 23	9.2 M	303.7 SQ. M
LOT 24	9.2 M	303.7 SQ. M
LOT 25	9.2 M	303.7 SQ. M
LOT 26	8.21 M	371.0 SQ. M
LOT 27	8.21 M	371.0 SQ. M
LOT 28	9.2 M	303.7 SQ. M
LOT 29	9.2 M	303.7 SQ. M
LOT 30	8.21 M	271.0 SQ. M
LOT 31	8.04 M	265.4 SQ. M
LOT 32	8.54 M	281.8 SQ. M
LOT 33	8.54 M	281.8 SQ. M
LOT 34	7.62 M	251.5 SQ. M
LOT 35	7.62 M	251.5 SQ. M
LOT 36	8.54 M	281.8 SQ. M
LOT 37	8.54 M	281.8 SQ. M
LOT 38	7.62 M	251.5 SQ. M
LOT 39	7.62 M	251.5 SQ. M
LOT 40	8.54 M	281.8 SQ. M
LOT 41	9.15 M	302.1 SQ. M

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PROPOSED PLAN OF RE-ZONING & SUBDIVISION
OF PART OF LOTS 250 & 251 RCMP
BEING
BLOCK 13, LOTS 1 & 2, BLOCK 14, LOT 2, BLOCK 15, WHITEHORN CRESCENT
& PUBLIC RESERVES T & R, PLAN NO. 58702 AND LOTS 1 TO 30, BLOCK 1
AND LOTS 1 TO 25, BLOCK 2, PLAN NO. 67601

CITY OF WINNIPEG, MANITOBA

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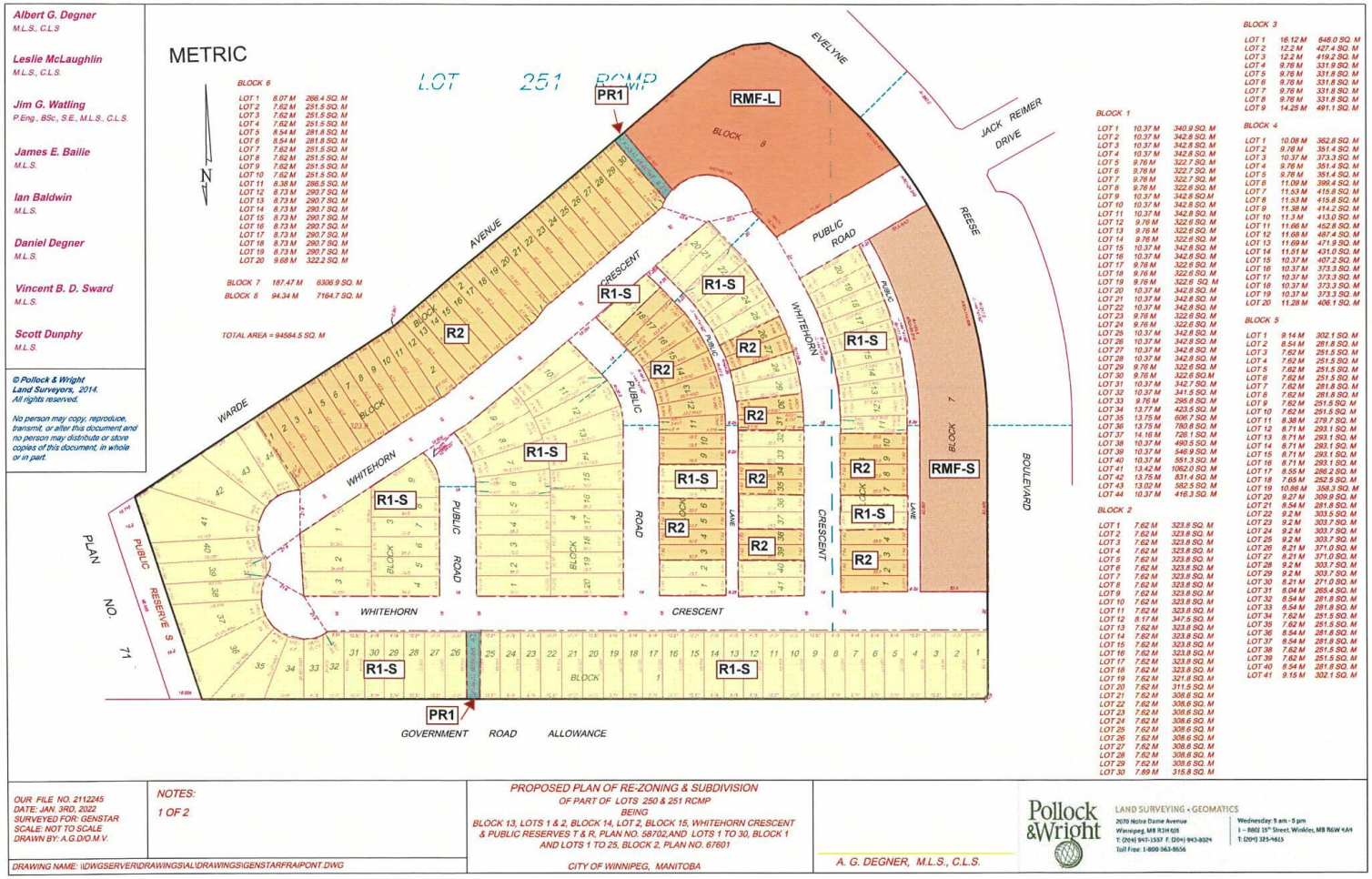

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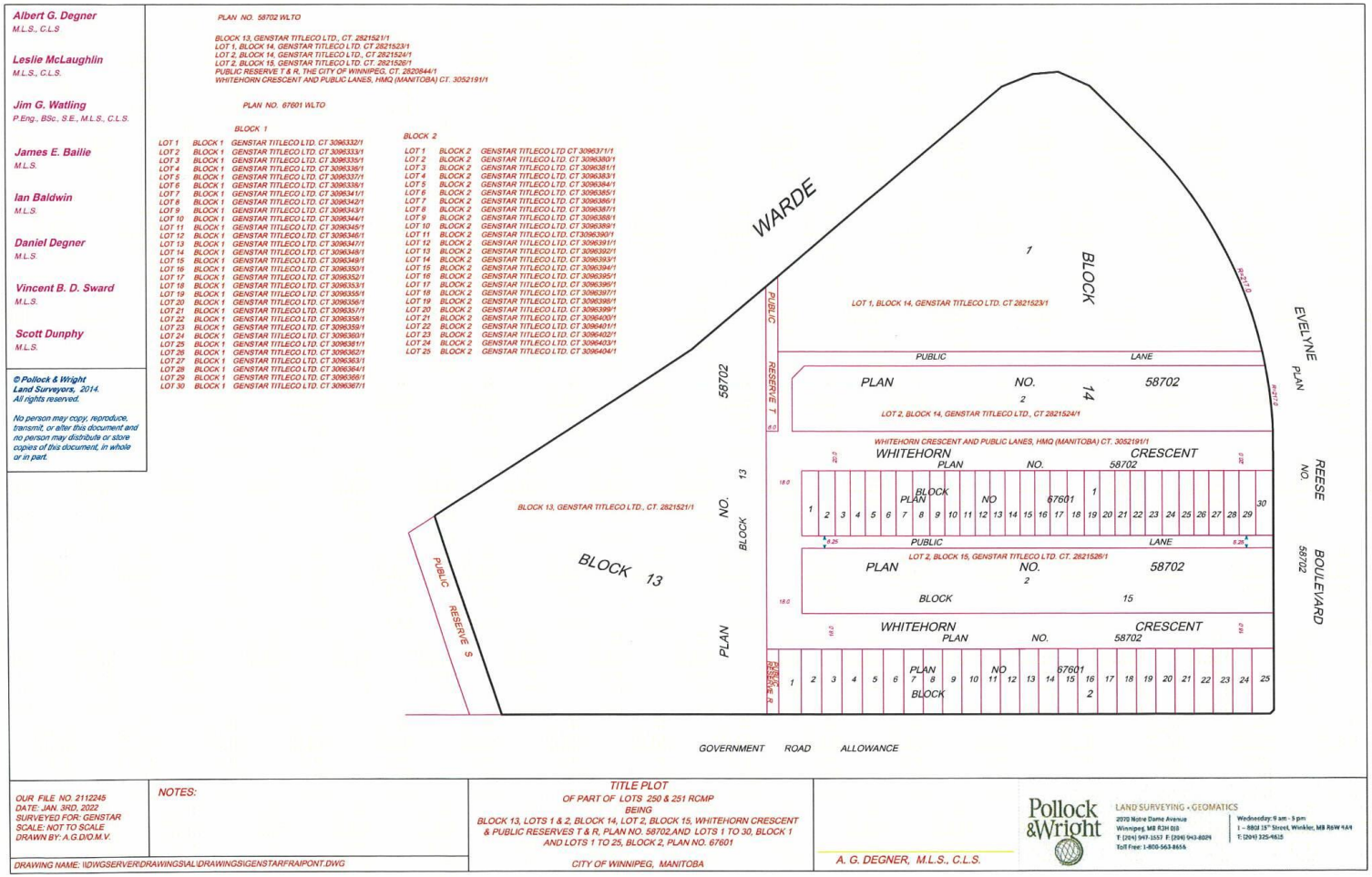

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TITLE PLOT
OF PART OF LOTS 250 & 251 RCMP
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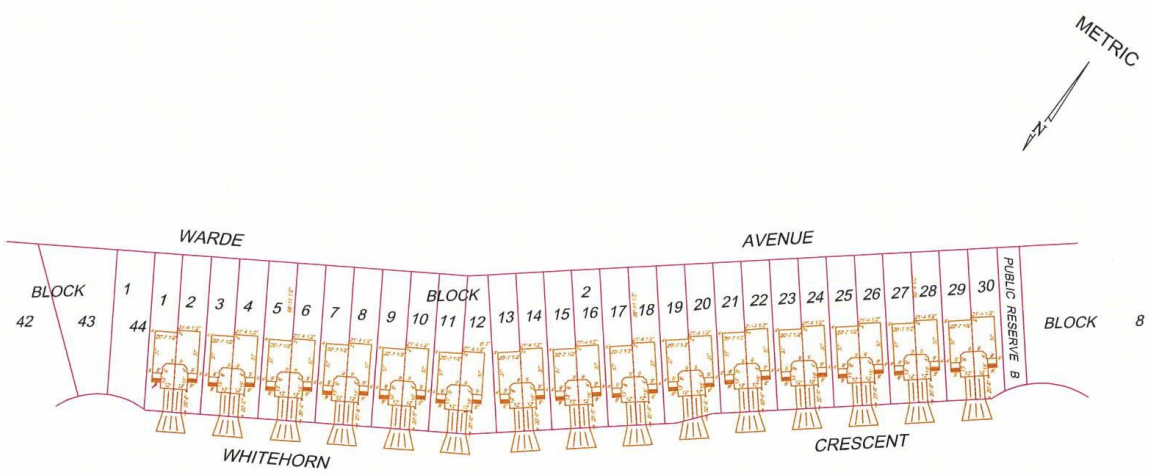

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