

Minute No. 315

Report – Standing Policy Committee on Property and Development – March 2, 2023

**Item No. 7 Subdivision and Rezoning – 1350 Templeton Avenue and 477 Pipeline Road
 (Old Kildonan Ward)
 File DASZ 55/2022 [c/r DAV 228060/2022D]**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the subdivision under Development Application No. DASZ 55/2022 be approved for preparation as a plan of subdivision (the “Plan”) by a Manitoba Land Surveyor in accordance with the map dated January 31, 2023, and attached as Schedule “C” 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 conditions:
 - A. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated January 26, 2023, and attached as Schedule “B” to this report.
2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an “RMU” Residential Mixed-Use District, as shown on the map dated January 31, 2023, and included within Schedule “C”, subject to the following conditions:
 - A. That the Owner enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:
 - i. That the Owner must submit plans showing the location and design of any and all proposed:
 - a. buildings;
 - b. accessory parking areas;
 - c. driveways;
 - d. garbage enclosures;
 - e. fencing;
 - f. freestanding signage;

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COUNCIL DECISION (continued):

- g. fascia signage; and
- h. landscaping

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

3. That the City enter into, execute and deliver with the Developer:
 - A. a Servicing Agreement in accordance with Recommendation 1; and
 - B. a Zoning Agreement in accordance with Recommendation 2, and any such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").
4. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Servicing Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.
5. That in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 55/2022, as determined by the City's Director of Planning, Property and Development.
 - A. The share of dedication received from the above clause 5 for the Lord Selkirk-West Kildonan Community Committee Land Dedication Reserve Fund shall be fully allocated to Old Kildonan Ward.
6. 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.

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COUNCIL DECISION (continued):

7. 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 6 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.
8. 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.
9. That the subdivision section of the By-law will come into force when the Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.
10. 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.
11. 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 9 and 10 unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.
12. 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.
13. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.
14. That the Variance Order for related File DAV 228060/2022D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 55/2022.

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DECISION MAKING HISTORY:

Moved by Councillor Rollins,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 13, 2023, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On March 2, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 21, 2023, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- In Recommendation 2.A.i., add the words “Lord Selkirk-West Kildonan Community Committee and the” immediately before “Director”
- Add the following new Recommendation:

“5.A. The share of dedication received from the above clause 5 for the Lord Selkirk-West Kildonan Community Committee Land Dedication Reserve Fund shall be fully allocated to Old Kildonan Ward.”

and forwarded to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File: DASZ 55/2022

Before: Lord Selkirk-West Kildonan Community Committee
Councillor Eadie, Chairperson
Councillor Santos
Councillor Sharma

Public Hearing: February 21, 2023
Council Building, 510 Main Street

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

Subject:



Premises Affected: 1350 Templeton Avenue and 477 Pipeline Road

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

Prepared by: P. Prinsloo, Senior Committee Clerk
Lord Selkirk -West Kildonan Community Committee

Report date: February 22, 2023

Community Committee Recommendation:

On February 21, 2023, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development:

1. That the subdivision under Development Application No. DASZ 55/2022 be approved for preparation as a plan of subdivision (the “Plan”) by a Manitoba Land Surveyor in accordance with the map dated January 31, 2023, and attached as Schedule “C” 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 conditions:
 - A. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated January 26, 2023, and attached as Schedule “B” to this report.
2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an “RMU” Residential Mixed-Use District, as shown on the map dated January 31, 2023, and included within Schedule “C”, subject to the following conditions:
 - A. That the Owner enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:
 - i. That the Owner must submit plans showing the location and design of any and all proposed:
 - a. buildings;
 - b. accessory parking areas;
 - c. driveways;
 - d. garbage enclosures;
 - e. fencing;
 - f. freestanding signage;
 - g. fascia signage; and
 - h. landscaping

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

3. That the City enter into, execute and deliver with the Developer:
 - A. a Servicing Agreement in accordance with Recommendation 1; and
 - B. a Zoning Agreement in accordance with Recommendation 2, and any such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").
4. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Servicing Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.
5. That in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 55/2022, as determined by the City's Director of Planning, Property and Development.
 - A. ***The share of dedication received from the above clause 5 for the Lord Selkirk-West Kildonan Community Committee Land Dedication Reserve Fund shall be fully allocated to Old Kildonan Ward.***
6. 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.
7. 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 6 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.
8. 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.
9. That the subdivision section of the By-law will come into force when the Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.
 10. 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.
 11. 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 9 and 10 unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.
 12. 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.
 13. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.
 14. That the Variance Order for related File DAV 228060/2022D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 55/2022.

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

The Lord Selkirk-West Kildonan Community Committee provided the following supporting reasons for its recommendation:

1. This rezoning aligns with our City's vision for growth and development which was developed in collaboration with our residents and stakeholders; this project will create a number of jobs and stimulate our economy, both during construction and through ongoing employment opportunities. Local businesses will benefit from increased economic activity and our residents will have new options for climate.
2. Furthermore, this development will bring new amenities and services to our community and as well as enhancing our quality of life that will provide new housing options to alleviate the housing crisis that we are in our community and in Winnipeg, giving our residents more choices when it comes to finding a place to call home. I want to emphasize that the developer has worked closely with local stakeholders and to ensure that the projects meets our needs and values. They have listened to our concerns and that

of the community and has designed a project to be respectful of community needs. Overall, I am confident that this development will have a positive impact on our community and I look forward to working with them further as they finalize their plans during the plan approval process.

Objections under the Charter:

Total number of valid 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 November 24, 2022
2. Notification of Public Hearing dated January 13, 2023
3. Manitoba Status of Title(s) 3179781/1 and 3179800/1
4. Letter of authorization dated June 7, 2022 from 10052091 Manitoba Ltd. (Satral Sidhu and Paul Jhand) to Landmark Planning and Design Inc.
5. Surveyor's Building Location Certificate and sketch dated June 8, 2022
6. Plans (16 pages)
7. Report from the Urban Planning Division dated January 25, 2023
8. Inspection Report
9. Presentation dated February 21, 2023, from Choi Ho in support of the application

REPRESENTATIONS:

In Support:

Choi Ho

Jeff Pratte

In Opposition:

Nil

For Information:

Nil

For the City:

R. Hayer, Planner, Planning, Property and Development Department

S. Costello, Planner, Planning, Property and Development Department

G. Jasper, Land Development Administrator, Planning, Property and Development Department

K. Kowalyk, Land Development Engineer, Planning, Property and Development Department

Exhibit “7” referred to in File DASZ 55/2022

ADMINISTRATIVE REPORT

Title: DASZ 55/2022 - 1350 Templeton Avenue and 477 Pipeline Road

Issue: For consideration at the public hearing to subdivide and rezone the subject lands from “R1-E” Residential Single-Family Estate to “RMU” Residential Mixed-Use

Critical Path: Lord Selkirk-West Kildonan Community Committee - Standing Policy Committee on Property and Development - Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Hayer, RPP, MCIP	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 55/2022 be approved for preparation as a plan of subdivision (the “Plan”) by a Manitoba Land Surveyor in accordance with the map dated January 31, 2023, and attached as Schedule “C” 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 conditions:
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- d. garbage enclosures;
- e. fencing;
- f. freestanding signage;
- g. fascia signage; and
- h. landscaping

on the Owner's Land ("Works") to the Director of Planning, Property and Development 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.

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13. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.
14. That the Variance order for related File No. DAV 22-228060\D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File No. DASZ 55/2022.

REASON FOR THE REPORT

- The applicant intends to subdivide and rezone the land to an “RMU” Residential Mixed-Use District in order to facilitate the construction of three (3) buildings that would contain a mix of residential and commercial uses.
- 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.

HISTORY

SPA 1/2022: On September 22, 2022, Council gave third reading to By-law No. 30/2022 to re-designate the subject property to a “Higher Density Residential” policy area.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Winnipeg Public Service are concurred in, the proposal can proceed.

CONSULTATION

This Report has been prepared in consultation with: N/A

OURWINNIPEG POLICY ALIGNMENT

Objective 1: *Responsibly plan, prioritize and accommodate growth in areas that best support Complete Communities principles, to achieve this Plan's sustainable development goals. Facilitate growth and change strategically within Winnipeg's unique Transformative Areas and Established Neighbourhoods, to enhance the ability of the urban environment to contribute towards this Plan's goals.*

Objective 2: *Integrate resilient land use, transportation and infrastructure planning, and investments. Ensure that land use, transportation, and infrastructure planning are aligned to provide the conditions for compact, complete and connected communities, supported by sustainable transportation options and municipal infrastructure capacity.*

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity No. 4: Facilitate Compact, Complete Development and Increase Density.

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 and Design
Prepared by: R. Hayer, RPP, MCIP
Date: January 25, 2023
File No: DASZ 55/2022

List of Schedules and Appendices

Schedule A – Planning Discussion
Schedule B – Report of the Administrative Coordinating Group Re: Proposed Subdivision and Rezoning on land located at 1350 Templeton Avenue and 477 Pipeline Road
Schedule C – Proposed Plan of Subdivision and Rezoning for file no. DASZ 55/2022.
Appendix A – Stakeholder and Public Engagement Report
Appendix B – Proposed By-law

SCHEDULE 'A'

DATE: January 31, 2022
FILE: **DASZ 55/2022**
RELATED FILES: DAV 22-228060D
COMMUNITY: Lord Selkirk – West Kildonan Committee
NEIGHBOURHOOD #: 3.326 (Leila North)

SUBJECT: For a Subdivision and Rezoning from “R1-E” Residential Single-Family Estate to “RMU” Residential Mixed-Use.
LOCATION 1350 Templeton Avenue and 477 Pipeline Road
LEGAL DESCRIPTION E 100F OF N 217.8F LOT 7 PLAN 3708 19 K



APPLICANT: Jeff Pratte (Landmark Planning & Design Inc.)
298 Waterfront Dr
Winnipeg, MB R3B0G5

OWNER: 10052091 MANITOBA LTD.
1350 Templeton Ave
Winnipeg, MB R2P 2T1

SITE DESCRIPTION

- The subject property is located at the southeast corner of Templeton Avenue and Pipeline Road, in the Leila North neighbourhood of the Old Kildonan Ward.
- The site is comprised of 1350 Templeton Avenue which contains a single-family dwelling and 477 Pipeline Road which is vacant and undeveloped.
- The site is approximately 5.40 acres in land area and is currently zoned “R1-E” Residential Single-Family (Estate) District under the Winnipeg Zoning By-law.
- As per the *Complete Communities Direction Strategy 2.0*, the subject site is in a Recent Community policy area.
- Under the *Precinct “E” - Precinct Plan*, the site is designated under the “Higher Density Residential” policy area. The Precinct Plan was amended under SPA 1/2022 to re-designate the property as it was previously in a “Medium Density Residential” policy area.

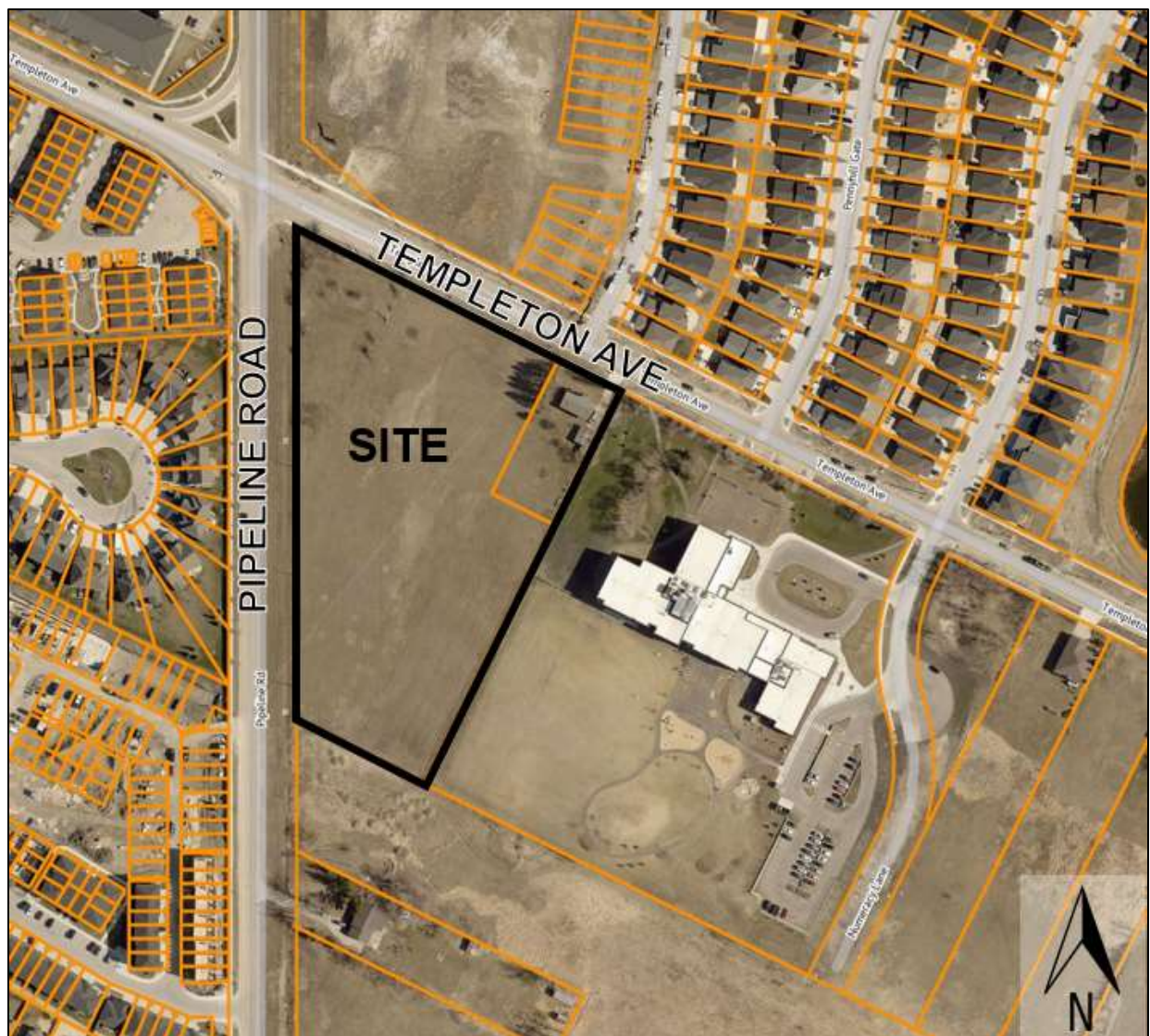


Figure 1: Aerial Photo of Subject Site and Surrounding Uses (flown 2021)

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Dafoe Boulevard; then residential dwellings zoned “R1-L” Residential Single-Family (Large).

South: Carruthers Avenue and Wiginton Street intersection; then residential dwellings zoned “R1-M” Residential Single-Family (Medium) that are located to the west of Wiginton Street, and the École Lansdowne School zoned “PR-2” Parks and Recreation (Active) district that is located to the east of Wiginton Street.

East: Cottingham Street; then residential dwellings zoned “R1-L” Residential Single-Family (Large).

West: McPhillips Street; then commercial uses zoned “C2” Commercial Community and “C3” Commercial Corridor.



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant proposes to consolidate the properties into a proposed Lot 1, open property as right-of-way, and rezone proposed Lot 1 to an "RMU" Residential Mixed-Use District
- The proposed development involves the construction of three buildings with a mix of residential and commercial spaces (253 dwelling units total):
 - Building "A" would be a 6-storey mixed-use structure, with +/- 20,000 sq. ft. of commercial space on the ground floor and 105 residential units on the upper floors.
 - Building "B" would be a 5-storey mixed-use structure, with +/- 10,000 sq. ft. commercial space on the ground floor and 40 residential units on the upper floors.
 - Building "C" would be a 6-storey residential structure with 108 multi-family dwelling units.
- The proposal includes the establishment of accessory parking areas that would contain 424 parking stalls, with 159 located underground.
- Vehicle access to the site would be from Templeton Avenue and a right-in/right-out approach from Pipeline Road. Ramps to the underground parking would be located at the rear of the buildings.
- A variance is required to accommodate certain aspects of the proposed development, which has been applied for under file no. DAV 22-228060\D. The related Administrative Report provides an analysis of the proposed variance.

COLLABORATION:***With Administration:***

- The applicant submitted a pre-application in early 2020 to gauge support and obtain feedback from the Winnipeg Public Service regarding the proposed rezoning.
- Based on the feedback received in the pre-application, the applicant made substantial changes to the proposed development, including changes to the site plan layout and the proposed principal uses.
- The pre-application also identified a requirement for a Secondary Plan Amendment, which the applicant applied for and was approved in 2022 (file SPA 1/2022).

With the Public:

- The applicant conducted three rounds of stakeholder engagement and held two meetings with the Seven Oaks School Division for public consultation.
- The first round of engagement involved a stakeholder meeting in September 2020 at the Garden City Community Centre.
- The second round of engagement was a virtual open house event held via Zoom in March 2022.
- The third round of engagement was another virtual open house event in May 2022.

ANALYSIS AND ISSUES**COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0:**

- As per the *Complete Communities Direction Strategy 2.0*, the subject site is in a Recent Community policy area. Key applicable policies include the following:
 - *1.5 Support up to mid-rise residential development in Established Neighbourhoods that is compatible with neighbourhood context.*
 - *2.21 Site design should take cues from the character of the neighbourhood or street and should mitigate the potential for land use conflict with adjacent properties that have different scales, densities and uses. Parking location (motor vehicle and bicycle), vehicular access, servicing elements, building placement and landscaping treatment will be important design elements to ensure context-sensitive design.*
 - *2.22 Create or reinforce compact, pedestrian-oriented urban development patterns by ensuring the siting, form and scale of new development has a strong relationship to the street, public spaces and amenities in a way that is consistent with neighbourhood context.*

PRECINCT 'E' PRECINCT PLAN BY-LAW NO. 97/2014:

- Under the *Precinct "E" - Precinct Plan*, the site is designated under the "Higher Density Residential" policy area. Key applicable policies include the following:
 - *Mid-rise apartment uses up to a maximum of eight storeys may be considered through the development application process provided the scale and design of the proposed development is compatible with surrounding existing and planned land uses, and there is existing or planned infrastructure to accommodate the proposed use*
 - *It is expected that these areas will develop to approximately 24.7 units per gross developable hectare (10.0 units per gross developable acre) or greater.*
 - *Local scale commercial uses should be permitted on the main of floor buildings within this policy area.*
 - *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.*
 - *On-site amenity features such as benches, walking paths, and treed areas should be provided to meet active and passive recreation/leisure needs of residents.*
 - *Convenient pedestrian connections to all land uses on the site as well as off-site connections shall be provided.*
 - *Multi-family housing units should be located to allow for transit servicing to be provided at a walking distance of no more than 200 meters.*

CONCLUSION:

The proposed subdivision and rezoning would generally comply with CCDS 2.0 and the *Precinct 'E' Precinct Plan* and would generally be compatible with the surrounding area. Key supporting reasons are as follows:

- The proposed subdivision is intended to consolidate the subject properties into a single lot in a plan of subdivision as well as to open property required to widen the adjacent Pipeline Road right-of-way.
- The proposed rezoning is intended to facilitate a development that would feature 5-6 storey buildings, which are in line with the Precinct Plan's height restrictions for this policy area as well as meet the minimum density requirements.
- The site is located at an intersection that contains compatible uses and zoning districts. The intersection features an undeveloped site zoned "RMF-L" Residential Multi-Family (Large) at the northeast corner, a 4-storey multi-family building on land zoned "RMF-M" Residential Multi-Family (Medium) at the northwest corner, and a 3-storey bare-land condo development on land zoned "RMF-S" Residential Multi-Family (Small) at the southwest corner. As well, the site is next to the École Templeton (school). Therefore, the proposed rezoning is generally compatible with the surrounding area.
- Also, of note, a 6-storey building was approved by the LSWK-CC for construction on the "RMF-L" parcel located across the street to the north. The land to the south of the site is expected to feature multi-family housing units, although the land is currently undeveloped and is expected to be the subject of an upcoming development application. Therefore, the eventual planned development would also generally be compatible with the planned and existing context.
- The commercial uses on the main floor will complement the surrounding area, especially given the nearby density and the proximity to the adjacent school. On-site amenities will be provided, including a corner plaza and other amenities such as a central greenspace, addressing the active and passive recreation/leisure needs of residents as directed by the Precinct Plan.
- The overall design takes cues from the surrounding suburban area and includes building massing and setbacks that are compatible with the neighbourhood. The development features direct and attractive pedestrian connections, including to transit stops on Templeton Avenue and Pipeline Road immediately adjacent to the subject site.
- Underground parking ramps are placed behind buildings. Building "A" flanks Pipeline Road with a ground-level plaza, while Buildings B and C have attractive and direct sidewalk linkages to future public sidewalks on Pipeline Road, including landscaping along walkways and entry points. These elements of the proposed development promote a pedestrian-oriented form of urban development in a manner that is consistent with the neighbourhood context.
- The ACG report attached to this report indicates that the necessary infrastructure will be installed as a condition of approval.

CONDITIONS OF APPROVAL:***Zoning Agreement:***

A Zoning Agreement is recommended as a condition of approval, which would require a Plan Approval application to be approved by the Director of Planning, Property and Development and the Lord Selkirk-West Kildonan Community Committee prior to the issuance of any permits.

Servicing Agreement:

A Servicing Agreement is recommended as a condition of approval and is attached as Schedule “B” to this report.

Land Dedication:

As a condition of rezoning or subdivision of a parcel of land, a developer is required to contribute a portion of the land to be developed to the City of Winnipeg for park purposes. The amount of land is not less than 10 percent. In the case of this subdivision and rezoning application, the Public Service is recommending that the developer provide cash in lieu of a dedication of land for the increased value of the subject site as a result of the subdivision and rezoning.

REASONS FOR RECOMMENDATIONS

The Urban Planning Division supports the subdivision and rezoning for the following reasons:

- Subject to the recommended conditions of approval, the proposed subdivision and rezoning would be consistent with *OurWinnipeg*, the *Complete Communities Direction Strategy 2.0*, the *Precinct ‘E’ Precinct Plan*, and generally compatible with the surrounding area.

This Report Submitted by:

Planning, Property and Development Department

Urban Planning and Design Division

Report Prepared by: R. Hayer, RPP, MCIP

DASZ File Number: DASZ 55/2022

SCHEDULE B**REPORT OF THE ADMINISTRATIVE COORDINATING GROUP****RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED AT 1350
TEMPLETON AVENUE AND 477 PIPELINE ROAD**

It is recommended that approval of DASZ 55/2022, if granted, be subject to the applicant entering into a Servicing Agreement containing the following conditions:

Section I – General Comments

- 1) The Public Works Department wishes to advise that a median opening will not be permitted on Pipeline Road to serve the Planned Area, if and when Pipeline Road is constructed with a divided pavement in the future.

Section II – Plan Considerations

- 1) The Developer shall, at no expense to the City, legally open property for a 2.825m widening of the Pipeline Road right-of-way abutting the Planned Area, to the satisfaction of the Director of Public Works.
- 2) The Developer shall, at no expense to the City, legally open property required for a right-of-way corner cut in the southeast corner of the intersection of the Pipeline Road and Templeton Avenue, as shown conceptually in Schedule “C”, to the satisfaction of the Director of Public Works.

Section III – Engineering Studies

- 1) The Developer shall provide an updated comprehensive servicing report, prepared by a qualified municipal engineer, which shall outline the provision of wastewater sewers required to service the Planned Area and adjacent lands, as determined by and to the satisfaction of the Director of Water and Waste.

Section IV - Servicing Conditions

- 1) **Water Mains**

The Developer shall pay to the City, in cash, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the water mains installed by others in Pipeline Road and Templeton Avenue, as determined by and to the satisfaction of the Director of Public Works.

- 2) **Wastewater Sewers**

- a) The Developer shall, at no expense to the City, construct and install all wastewater sewers required to serve the Planned Area and adjacent lands as indicated by the servicing report, to the satisfaction of the Director of Water and Waste.

- b) If the wastewater sewer noted in clause a) are installed by others, the Developer shall pay to the City, in cash, on demand, their share of the wastewater sewer, as determined by and to the satisfaction of the Director of Water and Waste.
- c) The Developer shall pay to the City, in cash, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the wastewater sewers installed by others in Templeton Avenue, as determined by and to the satisfaction of the Director of Public Works.

3) Land Drainage Sewers

The Developer shall pay to the City, in cash, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the land drainage sewers installed by others in Pipeline Road, as determined by and to the satisfaction of the Director of Public Works.

4) Regional Land Drainage Facilities

The Developer shall pay to the City, in cash, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the cost of the regional land drainage system (regional TSR and Leila Trunk User Charge), as determined by and to the satisfaction of the Director of Water and Waste.

5) Templeton Avenue

The Developer shall pay to the City, in cash, prior to the release of subdivision mylars for registration in the Land Titles Office, their share of the cost of services previously installed or to be installed by others in Templeton Avenue, including but not necessarily limited to intersection works at Pipeline Road, concrete pavements, a concrete sidewalk on the south side of Templeton Avenue, boulevard landscaping, ornamental street lighting and land drainage sewers, all as determined by and to the satisfaction of the Director of Public Works.

6) Pipeline Road Improvements

- a) The Developer shall pay to the City, in cash, on demand, their share of the cost (on an area basis, for the amount attributable to the Planned Area out of the total Precinct “E” area), to construct:
 - i. An 8.3m wide by 200mm thick Portland cement concrete pavement in Pipeline Road between Leila Avenue and Templeton Avenue, including median treatment;
 - ii. Northbound left turn storage lane;
 - iii. Northbound right-turn cutoff lane;
 - iv. An appropriate transition north of Templeton Avenue;
 - v. Ornamental street lighting;
 - vi. Boulevard landscaping; and,

vii. Land drainage sewers.

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

b) Alternatively, the City may choose the Developer construct some of the above works.

7) Sidewalks/Multi-use Pathways

a) The Developer shall, at no expense to the City, construct a 3.5m wide asphalt pathway and all related works, on the standard alignment, 0.3m from property line, on the east side of Pipeline Road between Templeton Avenue and the south limit of the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

b) Alternatively, the Developer shall pay all costs associated with the above works (at Public Works discretion), all as determined by and to the satisfaction of the Director of Public Works.

8) Boulevards

a) The Developer shall, at no expense to the City, sod and plant trees on all boulevards within the Planned Area fronting on Court Avenue, all in accordance with City specifications and guidelines and, where required, with concept plans prepared by the Developer and submitted to, and approved by, the Director of Public Works.

b) The Developer shall, at no expense to the City, maintain the sod for a period of one year and the trees for a period of two years, in accordance with specifications approved by the Director of Public Works.

9) Utilities

a) The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the Planned Area and will pay the full cost to convert any existing overhead services within the Planned Area to underground to the satisfaction of the Director of Public Works.

b) The Developer shall pay all costs associated with the relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to be constructed by the Developer to serve the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

10) Construction Traffic

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

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

11) Litter and Refuse Control and Clean-Up

- a) The Developer shall, at no expense to the City, and of its own volition, initiate and control the regular cleanup of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction, as determined by and to the satisfaction of the Director of Public Works.
- b) The cleanup of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

12) Survey Monuments

- a) Subsequent to completion of the Planned Area, as determined by the Director of Planning, Property and Development, the Developer shall pay the full costs of having all survey monuments within the Planned Area verified and/or restored by a Manitoba Land Surveyor and shall prepare a Plan of Survey Perpetuating Certain Monuments, confirming the position of all the survey monumentation within the Planned Area, for filing in the Winnipeg Land Titles Office.
- b) In certain circumstances where all the survey monuments within the Planned Area have been found or restored to their original positions, upon approval by the Director of Planning, Property and Development, the requirements for Plan of Survey Perpetuating Certain Monuments may be waived.

Section 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.
- c) The Developer shall pay to the City, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the cost of consulting fees

for the preparation of the Court Avenue Precinct Plan (Precinct E), as determined by and to the satisfaction of the Director of Planning, Property and Development.

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 55/2022
January 26, 2023

"Original Signed by D. Trenchard"

D. Trenchard, P. Eng.
Land Development Branch
Planning, Property and Development Department

"Original Signed by M. Gajda"

M. Gajda, P. Eng.
Engineering Division
Water and Waste Department

"Original Signed by C. Desjardine"

C. Desjardine, M. Sc., P. Eng.
Transportation Division
Public Works Department

SCHEDULE "C" FOR FILE NO. DASZ 55/2022, LORD SELKIRK COMMUNITY COMMITTEE, JANUARY 31, 2023

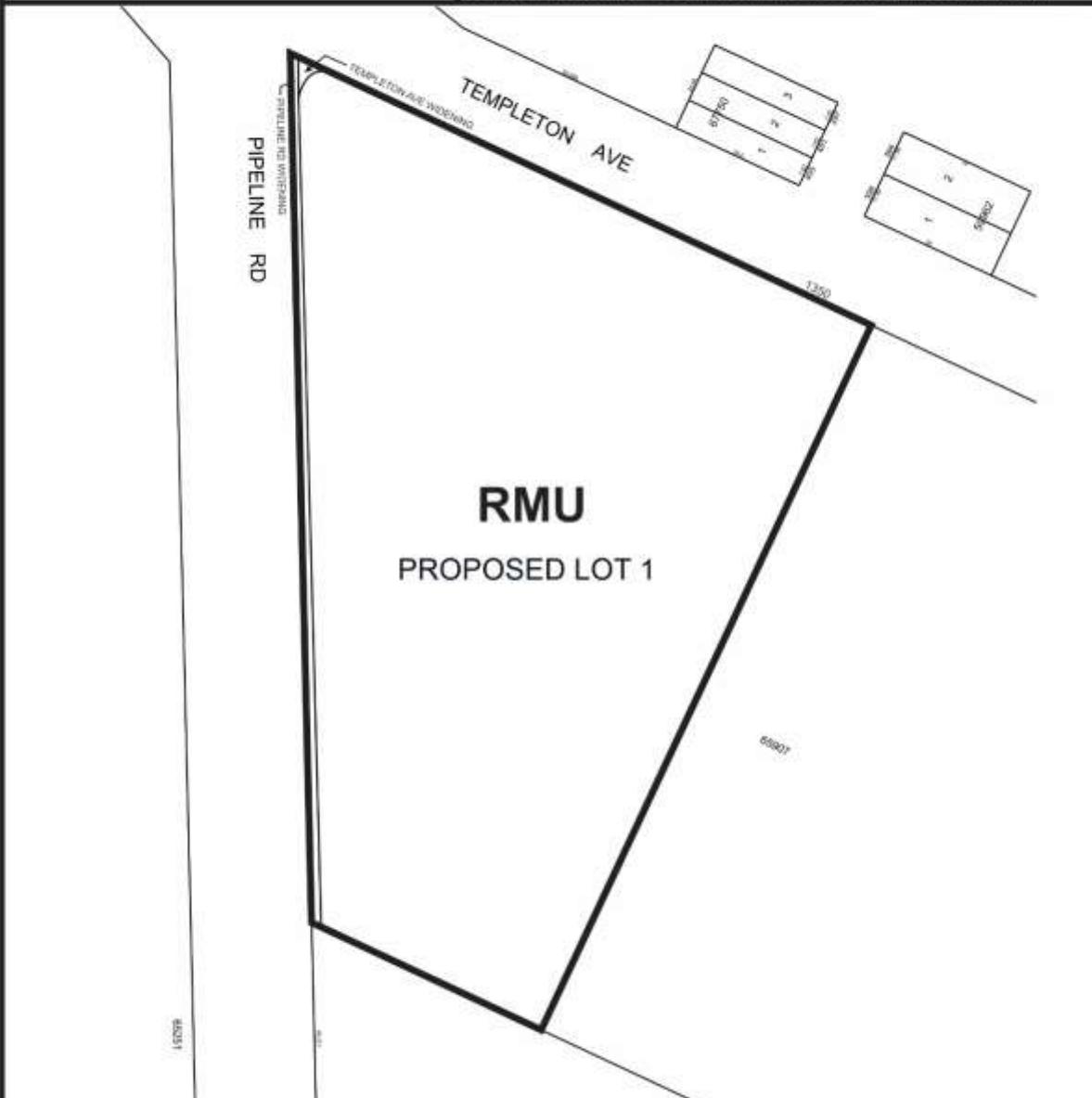
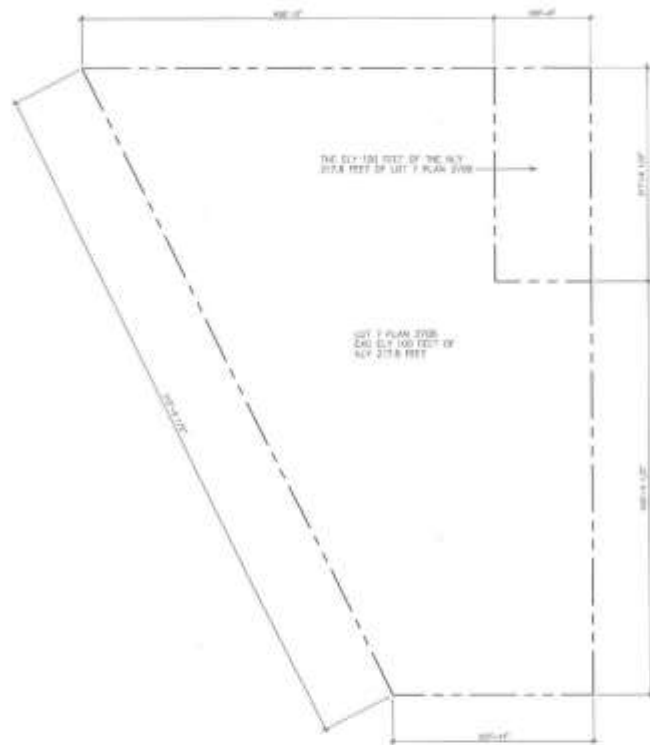
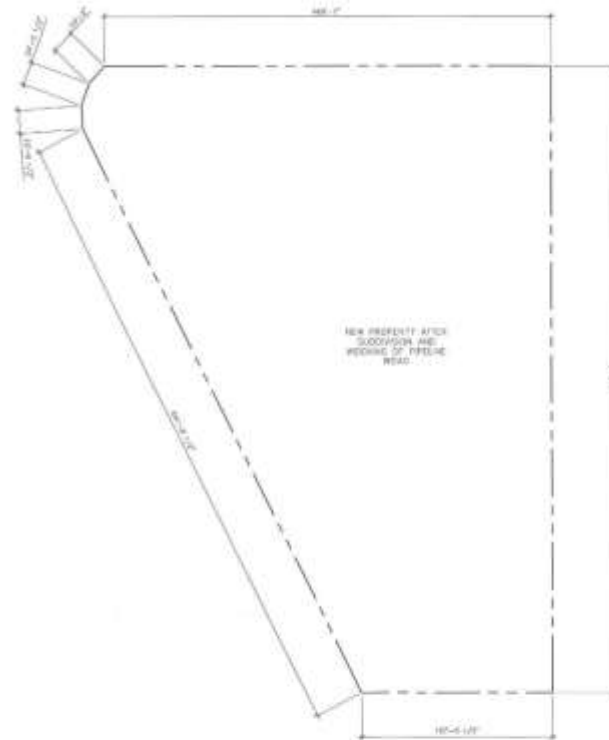
By-Law No. _____ Atlas Sheet No. R23  N LORD SELKIRK WEST KILDONAN COMMUNITY	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 5px;">File No. DASZ 55/2022</td> <td style="padding: 5px;"> Explanation An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 1350 Templeton Avenue and 477 Pipeline Road from an "R1-E" RESIDENTIAL SINGLE-FAMILY (ESTATE) DISTRICT to an "RMU" RESIDENTIAL MIXED-USE DISTRICT to facilitate the consolidation of land, the widening of rights-of-way and the construction of mixed-use residential and commercial development. </td> </tr> </table>	File No. DASZ 55/2022	Explanation An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 1350 Templeton Avenue and 477 Pipeline Road from an "R1-E" RESIDENTIAL SINGLE-FAMILY (ESTATE) DISTRICT to an "RMU" RESIDENTIAL MIXED-USE DISTRICT to facilitate the consolidation of land, the widening of rights-of-way and the construction of mixed-use residential and commercial development.
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THIRD READING : _____ EFFECTIVE DATE : _____ ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____			

Exhibit “6” referred to in File DASZ 55/2022



EXISTING PROPERTY LINES



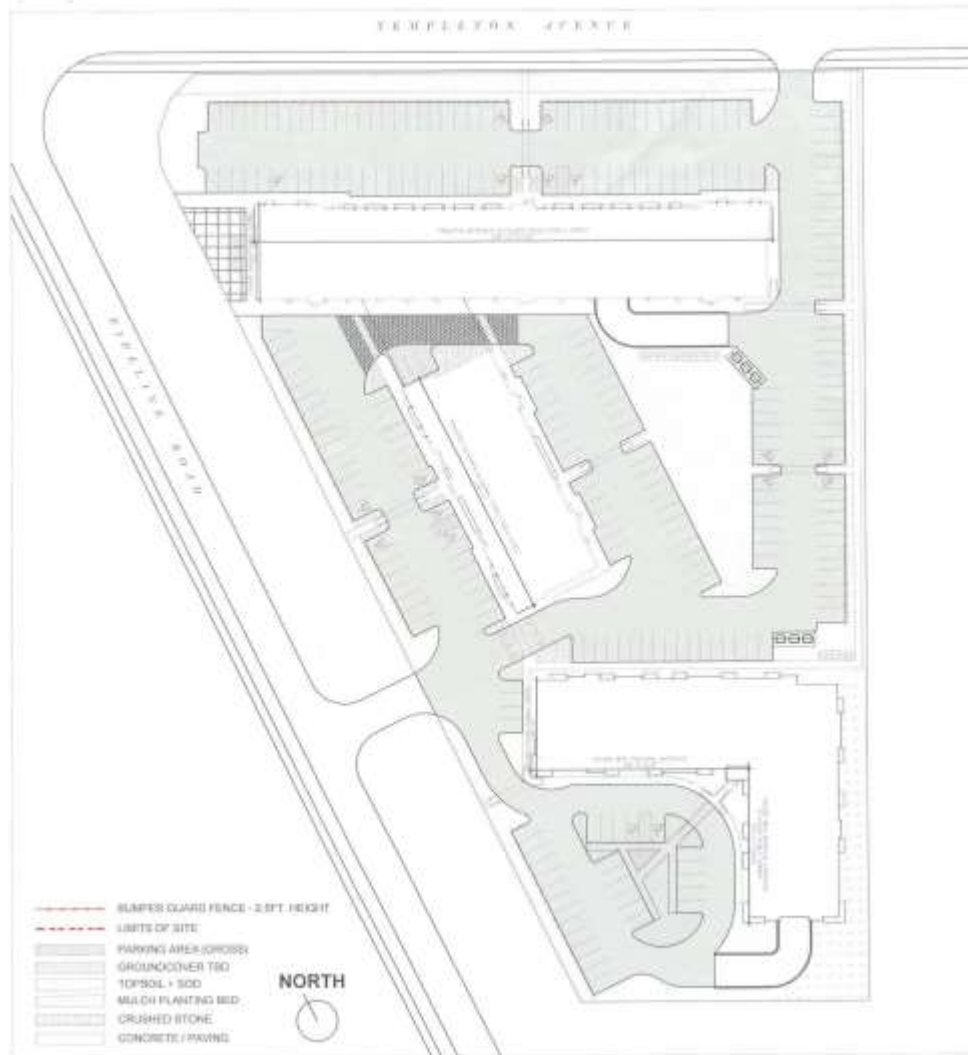
PROPERTY LINES
AFTER SUBDIVISION AND WIDENING



PIPELINE AND TEMPLETON
WINNIPEG, MB
PLAN OF SUBDIVISION
SCALE: 1" = 80'-0"
DATE: 06.21.2022







PROJECT NOTES:

Section 190 (2) Street Edge Landscaping			
PIPELINE ROAD	Required	Proposed	
Trees Required	1/30 feet	23	23
Shrubs Required	1/20 feet	102	144
Actual Length (ft)	871.5		
TEMPLETON AVENUE			
	Required	Proposed	
Trees Required	1/30 feet	17	24
Shrubs Required	1/20 feet	75	98
Actual Length (ft)	496.77		

Section 190 (3) Building Foundation Landscaping			
BUILDING A			
	Required	Proposed	
Trees Required	0	0	0
Shrubs Required	1/30 feet	43	96
Actual Length (ft)	421.5		
BUILDING B			
	Required	Proposed	
Trees Required	0	0	0
Shrubs Required	1/10 feet	17	85
Perennial Grasses			54
Actual Length (ft)	174		
BUILDING C			
	Required	Proposed	
Trees Required	0	0	0
Shrubs Required	1/30 feet	32	91
Perennial Grasses			0
Actual Length (ft)	323		

Section 190 (8) Parking Lot Interior Landscaping			
	Required	Proposed	
Trees Required	1/300 sqft	17	23
Shrubs Required	1/100 sqft	55	135
Perennial Grasses			47
Gross Area (sqft)	102000.00		
5% Area (sqft)	5100.00		

SITE TOTALS			
	Required	Proposed	Difference
Trees	55	95	39
Shrubs	315	734	419
Perennial Grasses	0	61	61

ADDITIONAL NOTES:

- Total soft-scape area: 47,690 sqft (approx. 20% of site area)
- Plants provided are in excess of ZBL requirements
 - Additional 30 trees
 - Additional 415 shrubs

1	EXISTING SITE PLAN	2022-10-01	145
2	EXISTING SITE PLAN	2022-10-01	145
3	EXISTING SITE PLAN	2022-10-01	145
4	EXISTING SITE PLAN	2022-10-01	145
5	EXISTING SITE PLAN	2022-10-01	145

Landmark
Planning & Design Inc.
2140 Woodland Drive
Winning, Maryland 21156
Tel: 410-413-4000

PROJECT:

447 Pipeline Road DASZ
Winning, Maryland

DRAWING TITLE:

LANDSCAPE PLAN
ZONING REVIEW

DATE: 2022-10-01

SCALE: 3/8" = 1'-0"

DRAWN BY: MEE

PLOTTED ON:

PROJECT NO.: 20013

DRAWING REF:

**NOT FOR
CONSTRUCTION**



All plant materials are to meet the following minimum size requirements:

Deciduous Trees:	2.5 inch caliper
Coniferous Trees:	6 feet in height
Shrubs:	20 Gal nursery grade stock

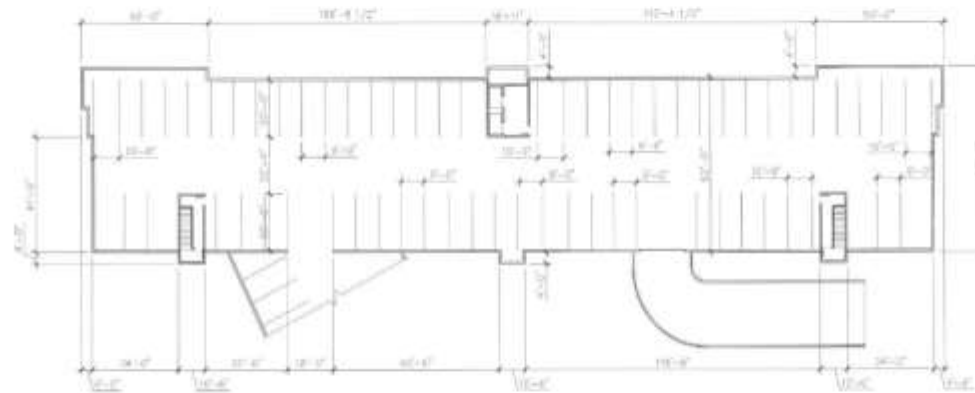
Landmark 220 Westwood Drive
Shirley, Montana 59260
Tel: 404-433-0000

DRAWING TITLE:
PLANTING PLAN

DATE: 2022-11-09
SCALE: 3/8" = 1'-0"
DRAWN BY: MEE
PLOTTED ON:

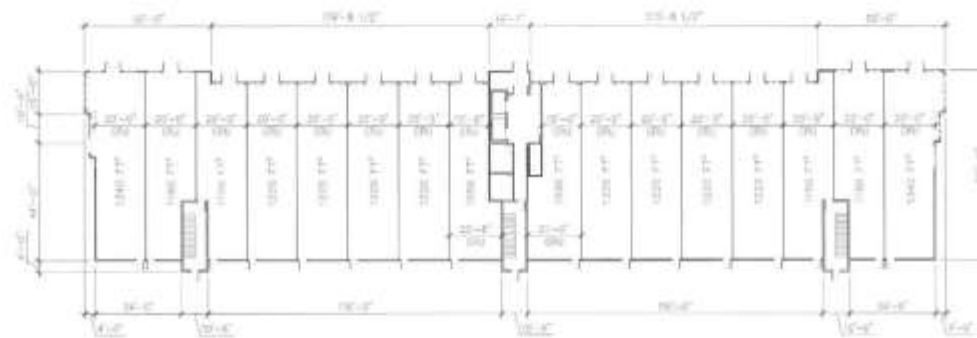
PROJECT NO. 2372
DRAWING REF.

**NOT FOR
CONSTRUCTION**



BUILDING A
PIPELINE & TEMPLETON
BASEMENT FLOOR PLAN
SCALE: 1/32" = 1'-0"
DATE: 11.15.2022





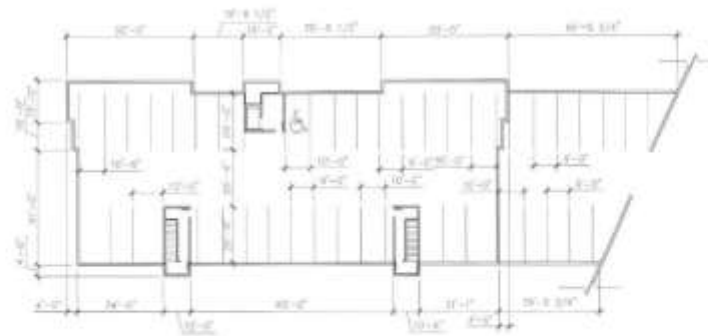
BUILDING A
PIPELINE & TEMPLETON
MAIN FLOOR PLAN
SCALE: 1/32" = 1'-0"
DATE: 07.27.2022





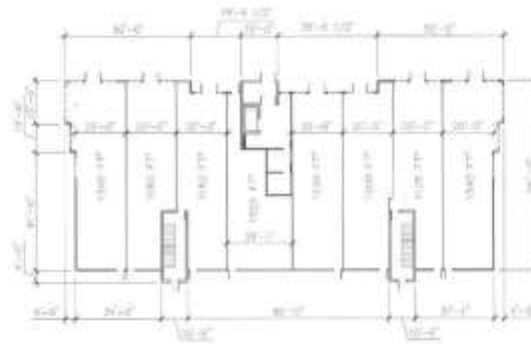
BUILDING A
PIPELINE & TEMPLETON
TYPICAL FLOOR PLAN (2ND-6TH)
SCALE 1/32" = 1'-0"
DATE: 06.01.2022





BUILDING B
PIPELINE & TEMPLETON
BASEMENT FLOOR PLAN
SCALE: 1/32" = 1'-0"
DATE: 07.26.2022





BUILDING B
PIPELINE & TEMPLETON
MAIN FLOOR PLAN
SCALE: 1/32" = 1'-0"
DATE: 07.27.2022





BUILDING B
PIPELINE & TEMPLETON
TYPICAL FLOOR PLAN (2ND-5TH)
SCALE: 1/32" = 1'-0"
DATE: 06.01.2022





BUILDING C
PIPELINE & TEMPLETON
MAIN FLOOR PLAN
 SCALE: 1/32" = 1'-0"
 DATE: 06/01/2022



