Agenda – Council – April 25, 2024

Report – Standing Policy Committee on Property and Development – April 11, 2024

Item No. 18 Subdivision and Rezoning – North of Hurst Way/Asquith Avenue, west of Beaumont Street (River Heights-Fort Garry Ward) File DASZ 35/2023

STANDING COMMITTEE RECOMMENDATION:

On April 16, 2024, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the subdivision proposed under Development Application No. DASZ 35/2023 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated April 4, 2024 and attached as Schedule "A" to this report, with such minor changes as may be required, for registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the developer be required to enter into a Development 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 March 3, 2024 and attached as Schedule "B" to this report, with the following amendment:

        i. In Section IV – Servicing Conditions, add the following new Condition:

            "21) c) The Developer shall ensure that construction traffic uses access from Waverley Street."

2. That the Parker Lands Planned Development Overlay 2 (the "PDO-2 – Parker Lands"), attached as Appendix "C" to this report, be approved, subject to the following amendments:

    A. clarify that the underlying TOD district does not apply in respect of public reserve lands by replacing paragraph 1 with the following:

        "The purpose of the PDO-2 PARKER LANDS (the "PDO-2") is to support the redevelopment of the Parker Lands as a Major Redevelopment Site in a manner consistent with the Parker Lands Secondary Plan (Policy Number PD-024) with an underlying TOD zoning designation on all lands other than public reserve lands"

Report – Standing Policy Committee on Property and Development – April 11, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

B. deal with railway proximity requirements by way of zoning agreements and remove any reference to railway safety as follows:

   i. delete the definitions for, and any other reference to, “Crash Berms”, “Crash Wall”, “Development Viability Assessment”, “Safety barriers” and “Safety barrier measures”; and

   ii. delete paragraphs 67 to 72 in their entirety;

C. clarify how density is to be distributed by replacing paragraph 31 with the following:

   The maximum density for residential and residential-related uses for the PDO-2 Area is 1,918 dwelling units, subject to the following:

   i. 1,575 of the dwelling units shall be multi-family residential and multi-family mixed use located within the Townhomes Area and the High Density Multi-Family Area; and

   ii. the majority of those multi-family residential and multi-family mixed use buildings should contain 50 to 90 dwelling units and range in height from 6 to 22 stories, with the majority of those buildings being between 6 and 8 stories in height

D. clarify how building heights are to be distributed by replacing paragraph 60(5) with the following:

   maximum building height of

   i. 225 feet along the eastern limit of the High Density Multi-Family Area, gradually decreasing to a maximum building height of 120 feet along the western limit of the High Density Multi-Family Area; and

   ii. 120 feet along the eastern limit of the Townhomes Area, gradually decreasing to a maximum building height of 75 feet along the western limit of the Townhomes Area

Report – Standing Policy Committee on Property and Development – April 11, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

E. amend the Design Standards and plan approval process as follows:

i. replace the definition of "Development Design Standards Assessment" with the following to remove any reference to process:

"Development Design Standards Assessment" means a report prepared by an accredited design professional that confirms that a proposed site plan complies with the design standards set out in the PDO-2 Parker Lands

ii. replace the definition of "Development Design Standards Completion" with the following to remove any reference to process:

"Development Design Standards Completion Report" means a report prepared by an accredited design professional that confirms that the completed site complies with the design standards set out in the PDO-2 Parker Lands

iii. replace paragraph 79 with the following to remove any reference to process:

The design standards in this PDO-2 applies in respect of the following within the PDO-2 Area:

a. buildings and building sites;

b. landscaping and buffering between buildings and units of land;

c. the establishment and maintenance of parking and loading facilities;

d. the use and placement of exterior lightening on land and the exterior of buildings; and

e. location and design of access points from a street.

Report – Standing Policy Committee on Property and Development – April 11, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

iv. replace paragraph 82 as follows to remove the exemption from plan approval, to clarify that the plan approval process in the Development Procedures By-law will apply, and to delegate authority to the Director of Planning, Property and Development to approve site plans:

Prior to the issuance of a development permit or building permit for a site within the PDO-2 Area, the owner of the site must submit for approval in accordance with the Development Procedures By-law a site plan showing the location and design of the following site features:

a. buildings or structures;
b. accessory and non-accessory parking areas;
c. driveways and private accesses;
d. garbage and recycling enclosures;
e. loading areas;
f. bicycle parking;
g. fencing and landscaping;
h. exterior lighting; and
i. any other exterior site feature, including signage, lot grading, and safety barrier measures, as applicable.

The Director of Planning, Property and Development is authorized to approve a site plan submitted in accordance with the PDO-2 Parker Lands.

v. amend paragraph 83 section to require submission of a Development Design Standards Assessment at or prior to submission of administrative plan approval and to require submission of a Development Design Standards Completion Report within 6 months following final building inspection; and

vi. amend paragraph 84 to allow for enforcement by the City if a Development Design Standards Completion report is not submitted within 6 months following final building inspection;

F. clarify that where a lot abuts a railway right-of-way, the minimum rear yard setbacks in the PDO do not apply, by:

Report – Standing Policy Committee on Property and Development – April 11, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

i. replacing paragraph 57(2) with the following:

minimum rear yard of 20 feet, except where the lot abuts a railway right-of-way

ii. replacing paragraph 58(6) with the following:

minimum rear yard of 20 feet, except where the lot abuts a railway right-of-way

iii. replacing paragraph 59(5) with the following:

minimum rear yard of 10 feet, except where the lot abuts a railway right-of-way

iv. replacing paragraph 60(2) with the following:

minimum rear yard of 5 feet, except where the lot abuts a railway right-of-way

G. such other changes to wording and format considered by the City Solicitor and Director of Legal Services as necessary to improve clarity, enforceability, consistency and readability but that do not change intent or effect.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended in accordance with the proposed by-law attached as Appendix "B" to this report by

A. adding the PDO-2 – Parker Lands, as amended in accordance with recommendation 2; and

B. rezoning the subject land to a "TOD (PDO-2 Parker Lands)" Transit Oriented Development (Parker Lands Planned Development Overlay 2) zoning district and a "PR1 (PDO-2 Parker Lands)" Parks and Recreation 1 (Neighbourhood) (Parker Lands Planned Development Overlay 2) zoning district, as shown on the map dated April 4, 2024 and attached as Schedule "A" to this report, subject to the condition that the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

Report – Standing Policy Committee on Property and Development – April 11, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

i. The Developer shall construct, at no expense to the City, a uniform fence 1.83 metres in height within private property along the entire property line, within the planned area, abutting the Canadian National Railway Company property, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

ii. That on Block 10; Block 14, Lots 1-3; and Block 15, Lots 1-3, the developer shall, at no expense to the City, provide safety measures from the CN Rivers Subdivision consisting of any one of the following three measures:

1. Berm, fencing, and setback:

A. a 2.5 metre in height berm, measured from grade at the property line, with side slopes not steeper than 2.5 to 1. The berm shall be constructed entirely within the developer's property along the entire mutual property line of the development site and the CN Rivers Subdivision. The berm should be compacted to 95% modified proctor. The berm shall be built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the berm as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

B. a 3 metre in height uniform noise attenuation fence built on top of the entire length of the berm referred to in condition 3.B.ii.1. a, and built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the noise attenuation fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

Report – Standing Policy Committee on Property and Development – April 11, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

C. a minimum setback of 30 meters to any portion of a habitable room or space within a building from the southern edge of the CNR southern most rail line.

2. Crash wall and setback:

A. a minimum 2.13 metre in height crash wall, measured from the top of the rail elevation, that faces the CN Rivers Subdivision. The crash wall shall be constructed entirely within the developer's property along the entire length of the principal building facing the CN Rivers Subdivision. The crash wall shall be no less than 0.45 metres thick and shall be of solid, heavy construction.

B. the Developer shall build the crash wall to the satisfaction of the Director of Planning, Property, and Development. The Developer must proceed in accordance with section 3.6.1.3 of the FCM/RAC Guidelines for New Development in Proximity to Railway Operations (2013), including, without limitation, undertaking and submitting the detailed written study referred to in that section of the Guidelines for approval by the Director of Planning, Property and Development before building the crash wall.

C. the Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the crash wall as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

D. a minimum setback of 30 meters to any portion of a habitable room or space within a building from the southern edge of the CNR southern most rail line.

Report – Standing Policy Committee on Property and Development – April 11, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

i. The minimum setback in 4. above may be measured as a combination of the horizontal and vertical distances equal to 30 metres if the crash wall is incorporated into the entire height of a low occupancy podium below a residential structure.

iii. That on Blocks 22 and 23, the developer shall, at no expense to the City, provide safety measures from the CN Rivers Subdivision

1. a 2.5 metre in height berm, measured from grade at the property line, with side slopes not steeper than 2.5 to 1. The berm shall be constructed entirely within the developer's property along the entire mutual property line of the development site and the CN Rivers Subdivision. The berm should be compacted to 95% modified proctor. The berm shall be built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the berm as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

Report – Standing Policy Committee on Property and Development – April 11, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

2. a 3 metre in height uniform noise attenuation fence built on top of the entire length of the berm referred to in condition 3.B.ii.1. a, and built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the noise attenuation fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

iv. *Deleted*

3. Development Viability Assessment

A. That prior to issuance of building permits, a certified professional engineer's report be submitted to the Director that addresses rail proximity and safety issues in a sufficient alternative manner to the FCM guidelines, and that the construction of any mitigation measure be completed as required to the satisfaction of the Director of Planning, property and Development.

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

A. a Development Agreement in accordance with Recommendation 1; and

B. a Zoning Agreement in accordance with Recommendation 3,

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").

5. That authority be delegated to the Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Development 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.

Report – Standing Policy Committee on Property and Development – April 11, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

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 (the "By-law") and bring same directly to Council by way of communication for first reading.

7. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with recommendation 1 and has paid the Dedication and all other associated ancillary fees (the "Fees"), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

8. That Development Application No. DASZ 35/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not submitted the Plan and paid all associated ancillary fees (the "Fees") within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.

9. That the subdivision section of the By-law will come into force when the Development 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 following 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 that 1 year period and Council approves the extension.

12. That Development Application No. DASZ 35/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City within 1 year following the date on which the By-law is enacted, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

Report – Standing Policy Committee on Property and Development – April 11, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

13. 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 – April 11, 2024

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 16, 2024, 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 April 11, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 4, 2024, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

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

  ", with the following amendment:

  i. In Section IV – Servicing Conditions, add the following new Condition:

  "21) c) The Developer shall ensure that construction traffic uses access from Waverley Street."

- In Recommendation 3.B.ii replace the word "two" with "three"

- In Recommendation 3.B ii.1.C., delete the words "north property line abutting the CN Rivers Subdivision" and replace with "southern edge of the CNR southern most rail line"

- In Recommendation 3.B.ii.2.D delete the words "north property line abutting the CN Rivers Subdivision" and replace with "southern edge of the CNR southern most rail line"

- Delete Recommendation 3.B.ii.2.D.iv in its entirety

Report – Standing Policy Committee on Property and Development – April 11, 2024

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

- Add the following new Recommendation 3.B.ii.3:

  "3.B.ii.3. Development Viability Assessment

  A. That prior to issuance of building permits, a certified professional engineer's report be submitted to the Director that addresses rail proximity and safety issues in a sufficient alternative manner to the FCM guidelines, and that the construction of any mitigation measure be completed as required to the satisfaction of the Director of Planning, property and Development."

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

PUBLIC HEARING SUMMARY

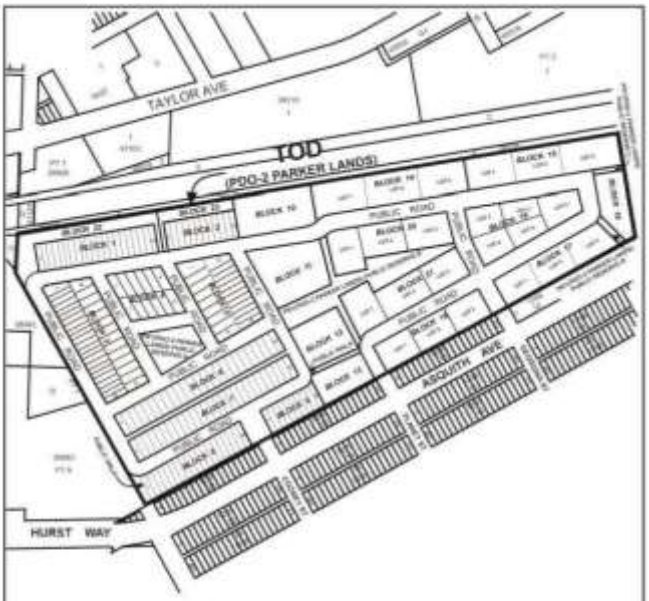
File: DASZ 35/2023

Before: City Centre Community Committee
Councillor Rollins, Chairperson
Councillor Orlikow

Public Hearing: April 4, 2024
Council Building, 510 Main Street

Applicant: Andrew Marquess

Subject:



APPLICANT : Andrew Marquess
FILE : DASZ 35/2023
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 "M1" MANUFACTURING LIGHT DISTRICT and an "M2" MANUFACTURING GENERAL DISTRICT to a "TOD PDO-2 PARKER LANDS" TRANSIT ORIENTED DEVELOPMENT DISTRICT and a "PR1 PDO-2 PARKER LANDS" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the establishment of the Fulton Grove Neighbourhood by the establishment of lots/blocks, with single-family, two-family and multi-family residential uses, as well as mixed-use (commercial and residential) uses, public reserve land and public rights-of-way. **For information, phone A. Ross Planner at 204-986-5235**

Premises Affected: North of Hurst Way/Asquith Avenue, west of Beaumont Street

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

Prepared by: K. Dolski, Senior Committee Clerk
City Centre Community Committee

Report date: April 8, 2024

Community Committee Recommendation:

On April 4, 2024, the City Centre 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 proposed under Development Application No. DASZ 35/2023 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated April 4, 2024 and attached as Schedule "A" to this report, with such minor changes as may be required, for registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the developer be required to enter into a Development 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 March 3, 2024 and attached as Schedule "B" to this report, ***with the following amendment:***

        i. In Section IV – Servicing Conditions, add the following new Condition:

        "21) c) The Developer shall ensure that construction traffic uses access from Waverley Street."

2. That the Parker Lands Planned Development Overlay 2 (the "PDO-2 – Parker Lands"), attached as Appendix "C" to this report, be approved, subject to the following amendments:

    A. clarify that the underlying TOD district does not apply in respect of public reserve lands by replacing paragraph 1 with the following:

    "The purpose of the PDO-2 PARKER LANDS (the "PDO-2") is to support the redevelopment of the Parker Lands as a Major Redevelopment Site in a manner consistent with the Parker Lands Secondary Plan (Policy Number PD-024) with an underlying TOD zoning designation on all lands other than public reserve lands"

    B. deal with railway proximity requirements by way of zoning agreements and remove any reference to railway safety as follows:

        i. delete the definitions for, and any other reference to, "Crash Berms", "Crash Wall", "Development Viability Assessment", "Safety barriers" and "Safety barrier measures"; and

ii. delete paragraphs 67 to 72 in their entirety;

C. clarify how density is to be distributed by replacing paragraph 31 with the following:

The maximum density for residential and residential-related uses for the PDO-2 Area is 1,918 dwelling units, subject to the following:

i. 1,575 of the dwelling units shall be multi-family residential and multi-family mixed use located within the Townhomes Area and the High Density Multi-Family Area; and

ii. the majority of those multi-family residential and multi-family mixed use buildings should contain 50 to 90 dwelling units and range in height from 6 to 22 stories, with the majority of those buildings being between 6 and 8 stories in height

D. clarify how building heights are to be distributed by replacing paragraph 60(5) with the following:

maximum building height of

i. 225 feet along the eastern limit of the High Density Multi-Family Area, gradually decreasing to a maximum building height of 120 feet along the western limit of the High Density Multi-Family Area; and

ii. 120 feet along the eastern limit of the Townhomes Area, gradually decreasing to a maximum building height of 75 feet along the western limit of the Townhomes Area

E. amend the Design Standards and plan approval process as follows:

i. replace the definition of "Development Design Standards Assessment" with the following to remove any reference to process:

"Development Design Standards Assessment" means a report prepared by an accredited design professional that confirms that a proposed site plan complies with the design standards set out in the PDO-2 Parker Lands

ii. replace the definition of "Development Design Standards Completion" with the following to remove any reference to process:

"Development Design Standards Completion Report" means a report prepared by an accredited design professional that confirms that the completed site complies with the design standards set out in the PDO-2 Parker Lands

iii. replace paragraph 79 with the following to remove any reference to process:

The design standards in this PDO-2 applies in respect of the following within the PDO-2 Area:

a. buildings and building sites;

b. landscaping and buffering between buildings and units of land;

c. the establishment and maintenance of parking and loading facilities;

d. the use and placement of exterior lightening on land and the exterior of buildings; and

e. location and design of access points from a street.

iv. replace paragraph 82 as follows to remove the exemption from plan approval, to clarify that the plan approval process in the Development Procedures By-law will apply, and to delegate authority to the Director of Planning, Property and Development to approve site plans:

Prior to the issuance of a development permit or building permit for a site within the PDO-2 Area, the owner of the site must submit for approval in accordance with the Development Procedures By-law a site plan showing the location and design of the following site features:

a. buildings or structures;
b. accessory and non-accessory parking areas;
c. driveways and private accesses;
d. garbage and recycling enclosures;
e. loading areas;
f. bicycle parking;
g. fencing and landscaping;
h. exterior lighting; and
i. any other exterior site feature, including signage, lot grading, and safety barrier measures, as applicable.

The Director of Planning, Property and Development is authorized to approve a site plan submitted in accordance with the PDO-2 Parker Lands.

v. amend paragraph 83 section to require submission of a Development Design Standards Assessment at or prior to submission of administrative plan approval and to require submission of a Development Design Standards Completion Report within 6 months following final building inspection; and

vi. amend paragraph 84 to allow for enforcement by the City if a Development Design Standards Completion report is not submitted within 6 months following final building inspection;

F. clarify that where a lot abuts a railway right-of-way, the minimum rear yard setbacks in the PDO do not apply, by:

i. replacing paragraph 57(2) with the following:

minimum rear yard of 20 feet, except where the lot abuts a railway right-of-way

ii. replacing paragraph 58(6) with the following:

minimum rear yard of 20 feet, except where the lot abuts a railway right-of-way

iii. replacing paragraph 59(5) with the following:

minimum rear yard of 10 feet, except where the lot abuts a railway right-of-way

iv. replacing paragraph 60(2) with the following:

minimum rear yard of 5 feet, except where the lot abuts a railway right-of-way

G. such other changes to wording and format considered by the City Solicitor and Director of Legal Services as necessary to improve clarity, enforceability, consistency and readability but that do not change intent or effect.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended in accordance with the proposed by-law attached as Appendix "B" to this report by

A. adding the PDO-2 – Parker Lands, as amended in accordance with recommendation 2; and

B. rezoning the subject land to a "TOD (PDO-2 Parker Lands)" Transit Oriented Development (Parker Lands Planned Development Overlay 2) zoning district and a "PR1 (PDO-2 Parker Lands)" Parks and Recreation 1 (Neighbourhood) (Parker Lands Planned Development Overlay 2) zoning district, as shown on the map dated April 4, 2024 and attached as Schedule "A" to this report, subject to the condition that the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

i. The Developer shall construct, at no expense to the City, a uniform fence 1.83 metres in height within private property along the entire property

line, within the planned area, abutting the Canadian National Railway Company property, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

ii. That on Block 10; Block 14, Lots 1-3; and Block 15, Lots 1-3, the developer shall, at no expense to the City, provide safety measures from the CN Rivers Subdivision consisting of any one of the following ***three*** measures:

1. Berm, fencing, and setback:

A. a 2.5 metre in height berm, measured from grade at the property line, with side slopes not steeper than 2.5 to 1. The berm shall be constructed entirely within the developer's property along the entire mutual property line of the development site and the CN Rivers Subdivision. The berm should be compacted to 95% modified proctor. The berm shall be built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the berm as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

B. a 3 metre in height uniform noise attenuation fence built on top of the entire length of the berm referred to in condition 3.B.ii.1. a, and built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the noise attenuation fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

C. a minimum setback of 30 meters to any portion of a habitable room or space within a building from the ~~***north property line abutting the CN Rivers Subdivision***~~ ***southern edge of the CNR southern most rail line.***

2. Crash wall and setback:

A. a minimum 2.13 metre in height crash wall, measured from the top of the rail elevation, that faces the CN Rivers Subdivision. The crash wall shall be constructed entirely within the developer's property along the entire length of

the principal building facing the CN Rivers Subdivision. The crash wall shall be no less than 0.45 metres thick and shall be of solid, heavy construction.

B. the Developer shall build the crash wall to the satisfaction of the Director of Planning, Property, and Development. The Developer must proceed in accordance with section 3.6.1.3 of the FCM/RAC Guidelines for New Development in Proximity to Railway Operations (2013), including, without limitation, undertaking and submitting the detailed written study referred to in that section of the Guidelines for approval by the Director of Planning, Property and Development before building the crash wall.

C. the Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the crash wall as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

D. a minimum setback of 30 meters to any portion of a habitable room or space within a building from the ~~***north property line abutting the CN Rivers Subdivision***~~ ***southern edge of the CNR southern most rail line.***

i. The minimum setback in 4. above may be measured as a combination of the horizontal and vertical distances equal to 30 metres if the crash wall is incorporated into the entire height of a low occupancy podium below a residential structure.

iii. That on Blocks 22 and 23, the developer shall, at no expense to the City, provide safety measures from the CN Rivers Subdivision.

1. a 2.5 metre in height berm, measured from grade at the property line, with side slopes not steeper than 2.5 to 1. The berm shall be constructed entirely within the developer's property along the entire mutual property line of the development site and the CN Rivers Subdivision. The berm should be compacted to 95% modified proctor. The berm shall be built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s)

to maintain and/or repair or replace the berm as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

2. a 3 metre in height uniform noise attenuation fence built on top of the entire length of the berm referred to in condition 3.B.ii.1. a, and built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the noise attenuation fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

iv. ~~***That, for all lots in Blocks 1 and 2, the minimum rear yard setback shall be no less than 16.5 metres to any portion of a habitable room or space within a building.***~~

3. Development Viability Assessment

A. That prior to issuance of building permits, a certified professional engineer's report be submitted to the Director that addresses rail proximity and safety issues in a sufficient alternative manner to the FCM guidelines, and that the construction of any mitigation measure be completed as required to the satisfaction of the Director of Planning, property and Development.

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

A. a Development Agreement in accordance with Recommendation 1; and

B. a Zoning Agreement in accordance with Recommendation 3,

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").

5. That authority be delegated to the Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Development 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.

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 (the "By-law") and bring same directly to Council by way of communication for first reading.

7. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with recommendation 1 and has paid the Dedication and all other associated ancillary fees (the "Fees"), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

8. That Development Application No. DASZ 35/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not submitted the Plan and paid all associated ancillary fees (the "Fees") within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.

9. That the subdivision section of the By-law will come into force when the Development 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 following 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 that 1 year period and Council approves the extension.

12. That Development Application No. DASZ 35/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City within 1 year following the date on which the By-law is enacted, unless the developer applies for an extension of time before the expiration of that 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.

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

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

1. I think the geothermal is fantastic. I really think that's going to be an interesting piece of the puzzle here. I think that's a great addition. The geothermal is very positive, I quite like that.

2. The increasing of the rights of way to make it so its not so crowded. It is a very compact, dense area, so increasing the rights of way is appreciated. It's going to make the area feel a bit better, hopefully not make it so hot, get some air flow going through there.

3. The housing, it does provide a diverse set of housing needs, that's very important. The land is being very under utilized at this point. This is aligning with a lot of our policies back to back.

4. The unit numbers recommended by the PS were concurred in and voted on. I can't ignore the past completely, but that was the number that Council agreed to, not everybody on Council, but agreed to at the time so I understand why that was there. I do believe that the density is a little high, but we'll see how it works out. We heard a lot to day about, 'everybody has to do the same', well no, this is a neat piece of land. There hasn't been a developer in a really long time for a reason, and we felt it and this is the same thing.

5. When we looked at something like traffic, that's a very big concern for the Beaumont neighbourhood, understandably so, but because it was two ways out and a very large population, it will actually increase this area because now this is a Parker neighbourhood. People get confused. Fulton Grove is a development within the Parker PDO which is a Parker neighbourhood. So it's a new neighbourhood but it is adjacent to the Beaumont neighbourhood. Beaumont neighbourhood has about 2000 residents. This will have 4000 which I think is a low number, more like 4500 plus, I think, but we'll see what the build out is. So it is a very large impact for the Beaumont neighbourhood. This is over 200% bigger in density than they have so I respect that and that's why I spent a lot of time trying to figure out the impact on Beaumont.

6. At the end of the day, we did look at whether the residents had indicated their support or not. The concerns I did read, I read about 12 or 13 letters or the phone calls we got were generally were about two points. First thing was traffic. It is going to be a change on Beaumont Street and we're going to have to find ways to mitigate it. We already have the Beaumont traffic calming plan that up by the school more, but we may have to look at a little more traffic calming in there because it is a long straight road right to McGillivary. Windemere, we have looked at moving Windemere and the Pembina intersection, its a weird little pie kind of corner, but again that's a little outside here, but we are aware of it. The number we heard today, its still below the threshold of Beaumont, even though I know its going to be a change to the neighbourhood.

7. The second issue is the greenspace. I heard today, and I appreciate it, 'is having a soccer field the best use of space for this area?', and I actually say yes, it is, because we have 4000 or 5000 people going to an area that don't have any field space. So that was a real big concern of mine before. I have found a way through that I believe, and again, we'll have to still work with Manitoba Hydro. We have a little, its called the Georgina station plaza. We may have to look at moving that PDO around to create some more racquet courts or something there to start accommodating this or offsetting this.

8. I am concerned about the impact that this number of people is going to have on these parks. There's a lot of traffic that we have trying to retain the 8%. I was going to try and keep all the money for myself, the LDR but that was under the idea that the money would staying in that area and not go somewhere else. That is already in the motion that is presented before us, so the money, and we do want so more land, but that's why I don't need to make that secondary motion.

9. The other one we looked at is some traffic mitigation issues, and I do have one amending motion on that. I looked at it just recently, the extension off from Parker to Pembina, goes straight, but with the new realignment of the Pembina underpass where we expanded that, and the bike lanes, and the double track set, anywhere it's going to come out on to Pembina, it's really just not feasible. I thank the administration for providing that information. I did really want to see if we could look at it. I'm not going to send the administration on an empty report to say what I already know, but I appreciate that. I also know and appreciate as well, which is a change, and maybe I heard it wrong for the last 10 years, but it's been confirmed today, that a signalized intersection is doable at McGillivary and Beaumont. We're going to have to work on a little bit of a left turn in, but we need to cut down that cut through traffic that's also going down Beaumont and up Windemere, to try and escape the McGillivary and Pembina bottleneck that happens at times. So we're going to have to deal with that a bit, and it is actually in the report.

10. The other areas that I looked at here, we talked a little bit about the greenspace, yes its' 8% but 2% of that is being taken up by the widening, the extra boulevard space. Our policy looks at hectares of land, it doesn't look at densification of land, and I have been advised by the administration that that is an issue so I will be addressing that through policy at a later date, to say we may need to have another lens on how we allocate this, because no property is the same, and this is unique, it is very dense, residentially dense, which I really like, versus some other properties we have like the Taylor lands, so it is different.

11. The other areas I has some concern with at the beginning, but again we don't have policy, I admitted straight up I don't like it, but again, there's no policy so I cant fault the developer, and that is the number of driveways on really thin lots. I'm really worried that's going to look like a concrete highway on both sides, because its just you have to have a driveway so wide, and some of those lots are 21 or 22 feet wide only. I don't know what's going to be done there, but a driveway is only maybe a few feet on both sides for a strip of land and then if you look down it, we're going to hopefully have some berms, but again we don't have a policy on that for a TOD walkable neighbourhood. So that may be another area we look at in the future. Today, the applicant has every right to put that forward as we don't have policy and administration in concurs with it.
12. The buffering between the Humane Society and the development is really quite important, especially to the Humane Society and to anybody who's going to be living on that side. Those dogs aren't quiet so this will really help that process.

13. It meets our housing goals. The Housing Accelerator Fund, while I have some very strong concerns about the mandatory as of right process, and I think this here today shows you why as of right may not be the best idea because it allows the third party,

which is Council, the political side to also weigh in. We'll see how the process works out. They've done a nice PDO here, it locks it down. The PDO isn't like what I saw in some iterations, it does have a high density around the Georgina Station which is really what we want and that's what they did provide. It does check off a number of boxes.

14. The box that we spent the longest time talking about today, and we should because its very important, is the rail line safety. That is the one big point that the administration and the applicant didn't concur with so we've had to work on that today, so I have some amending motions regarding that, that I think will address it and that will allow PP&D, the next Standing Policy Committee and/or the Executive Policy Committee and/or Council to do what they need to do if we miss something. I prefer if this is all done ahead of time rather us trying to broker back and forth, but life isn't perfect but we'll make it as perfect as we can.

15. So, based upon the housing stock that we need, based upon that I think I can find the extra greenspace, I just have to talk to Hyrdo about maybe putting a field over there, a passive greenspace would be great. The Calrossie pond is fantastic, its good for the development and that's what the City needs to do, and as much as I have some problems with the Housing Accelerator Fund, the one thing that is good about it is that it provides us the opportunity to build in infrastructure that allows developments like this to happen. Without that Calrossie pond, this development would have been very difficult, just for land drainage. Without the AT path, without the dog park, at minimum it would be a bit of a problem. But we have provided the City services that allow this development to happen so that was always part of the plan when we did the land exchange, however long ago that was.

Objections under the Charter:

Total number of **v**alid objections as per section 125(2) – 20

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

Exhibits Filed:

1. Application dated December 19, 2023
2. Notification of Public Hearing dated February 26, 2024
3. Manitoba Status of Titles 2455472/1, 2791220/1, 2791222/1, 2791231/1, 2791353/1, 2791354/1, 2826981/1, and 2901851/1
4. Letter of authorization dated October 15, 2023 from 7138793 Manitoba Ltd. to Andrew Marquess
5. Letter of authorization dated October 15, 2023 from 6165347 Manitoba Inc. to Andrew Marquess
6. Letter of authorization dated October 17, 2023 from The City of Winnipeg to 6165347 Manitoba Inc.
7. Letter of authorization dated November 10, 2023 from 7138793 Manitoba Ltd. / 6165347 Manitoba Inc. to M Richard & Associate Ltd.
8. Surveyor's Building Location Certificate and sketch dated on March 24, and March 27, 2017
9. Title Plot Sketch dated February 13, 2018
10. Site Context Map dated October 23, 2023
11. Caveats 171986 and 3894195/1
12. By-law No. 17870 (Registration No. C85368)
13. Winnipeg Zoning By-law 200/2006 Schedule Z
14. Major Redevelopment Site (Site G) Master Plan dated September 2017
15. Ortech Consulting GHG Report dated May 25, 2017
16. Fulton Grove Development Servicing Summary dated August 22, 2023
17. Community Engagement Summary Report dated September 2023
18. Economic Impact Study dated September 2023
19. Traffic Impact Study Update dated September 22, 2023
20. Comprehensive Development Visualization Package dated October 2023
21. Geothermal Site Plan Drawings (7 pages) dated October 12, 2023
22. Plans (8 pages) dated September 2023
23. Revised Plans (8 pages) dated February 2024
24. Report from the Urban Planning Division dated March 25, 2024
25. Communication dated March 19, 2024, from Wing Ming Collins in opposition to the application
26. Communication dated March 21, 2024, from Nancy Leigh in opposition to the application

27. Communication dated March 21, 2024, from Tyler Ovens in opposition to the application
28. Communication dated March 21, 2024, from Alexandra Green in opposition to the application
29. Inspection Report
30. Communication dated March 28, 2024, from Heather Pelser in opposition to the application
31. Communication dated March 31, 2024, from Alexander Matthew Ouellette in opposition to the application
32. Communication dated March 31, 2024, from Kristen Ouellette in opposition to the application
33. Communication dated April 1, 2024, from Laney Stewart in opposition to the application
34. Communication dated April 1, 2024, from Liann Pelser in opposition to the application
35. Communication dated April 2, 2024, from Jason Beck in opposition to the application
36. Communication dated April 2, 2024, from Logan McCort in opposition to the application
37. Communication dated April 2, 2024, from Joan Slater in opposition to the application
38. Communication dated April 2, 2024, from Catherine Linnemann in opposition to the application
39. Communication dated April 2, 2024, from Daniel Robbins in support of the application
40. Communication dated April 3, 2024, from Catherine Slater in opposition to the application
41. Presentation in support of the application, submitted by Andrew Marquess on April 3, 2024
42. Communication dated April 4, 2024, from Karen Eggertson in opposition to the application
43. Communication dated April 3, 2024, from Michele Kading in opposition to the application
44. Communication dated April 3, 2024, from John Wintrup, on behalf of Andrew Marquess, in support of the application
45. Communication dated April 3, 2024, from Jo-Ann Nagtegaal in opposition to the application
46. Communication dated April 3, 2024, from Cam Stephens in opposition to the application
47. Communication dated March 28, 2024, from David Grant in support of the application
48. Communication dated March 28, 2024, from Janice Cycon in opposition to the application
49. Presentation in support of the application, submitted by Ryan Fox at the public hearing

50. Presentation in support of the application, submitted by John Wintrup, on behalf of Andrew Marquess, at the public hearing
51. Recording of Representations

REPRESENTATIONS:

In Support:

Andres Baez
Ryan Fox
David Grant
Kathy Harris
Andrew Marquess
Michelle Richard
Daniel Robbins
Dave Stusek
John Scott Wintrup
Don Woodstock
Geoff Zywina

In Opposition:

Jason Beck
Wing Ming Collins
Janice Cycon
Karen Eggertson
Alexandra Green
Michele Kading
Nancy Leigh
Catherine Linnemann
Alexander Matthew Ouellette
Logan McCort
Jo-Ann Nagtegaal
Kristen Ouellette
Tyler Ovens
Heather Pelser
Liann Pelser
Catherine Slater
Joan Slater
Cam Stephens
Laney Stewart
Seijiro Tsuchi

For Information:

Nil

For the City:

A. Ross, Senior Planner, Planning, Property and Development Department
D. Iskierski, Senior Planner, Planning, Property and Development Department
K. Kowalyk, Land Development Engineer, Planning, Property and Development Department
R. Kostiuk, Senior Planner, Planning, Property and Development Department

Exhibit "24" referred to in File DASZ 35/2023

ADMINISTRATIVE REPORT

Title: DASZ 35-2023 Parker Lands Subdivision and Rezoning (Northeast corner of Hurst Way between Asquith Avenue and the CN Railway)

Issue: For consideration at the public hearing to rezone and subdivide the subject property to a "TOD PDO-2 PARKER LANDS" Transit Oriented Development District and a "PR-1 PDO-2 PARKER LANDS" Parks and Recreation District for the establishment of lot/blocks and future development of single-family, two-family, and multiple-family residential uses as well as mixed use (commercial and residential) uses, public reserve land and public rights of way.

Included with the rezoning is a proposed Planned Development Overlay 2 (PDO-2 Parker Lands).

Critical Path: City Centre Community Committee > Standing Policy Committee on Property and Development > Executive Policy Committee > Council

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Veitch	H. Borys	n/a	

RECOMMENDATIONS

1. That the subdivision proposed under Development Application No. DASZ 35/2023 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated April 4, 2024 and attached as Schedule "A" to this report, with such minor changes as may be required, for registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the developer be required to enter into a Development 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 March 3, 2024 and attached as Schedule "B" to this report.

2. That the Parker Lands Planned Development Overlay 2 (the "PDO-2 – Parker Lands"), attached as Appendix "C" to this report, be approved, subject to the following amendments:

    A. clarify that the underlying TOD district does not apply in respect of public reserve lands by replacing paragraph 1 with the following:

"The purpose of the PDO-2 PARKER LANDS (the "PDO-2") is to support the redevelopment of the Parker Lands as a Major Redevelopment Site in a manner consistent with the Parker Lands Secondary Plan (Policy Number PD-024) with an underlying TOD zoning designation on all lands other than public reserve lands"

B. deal with railway proximity requirements by way of zoning agreements and remove any reference to railway safety as follows:

   i. delete the definitions for, and any other reference to, "Crash Berms", "Crash Wall", "Development Viability Assessment", "Safety barriers" and "Safety barrier measures"; and

   ii. delete paragraphs 67 to 72 in their entirety;

C. clarify how density is to be distributed by replacing paragraph 31 with the following:

   The maximum density for residential and residential-related uses for the PDO-2 Area is 1,918 dwelling units, subject to the following:

   (a) 1,575 of the dwelling units shall be multi-family residential and multi-family mixed use located within the Townhomes Area and the High Density Multi-Family Area; and

   (b) the majority of those multi-family residential and multi-family mixed use buildings should contain 50 to 90 dwelling units and range in height from 6 to 22 stories, with the majority of those buildings being between 6 and 8 stories in height

D. clarify how building heights are to be distributed by replacing paragraph 60(5) with the following:

   maximum building height of

   (a) 225 feet along the eastern limit of the High Density Multi-Family Area, gradually decreasing to a maximum building height of 120 feet along the western limit of the High Density Multi-Family Area; and

   (b) 120 feet along the eastern limit of the Townhomes Area, gradually decreasing to a maximum building height of 75 feet along the western limit of the Townhomes Area

E. amend the Design Standards and plan approval process as follows:

   i. replace the definition of "Development Design Standards Assessment" with the following to remove any reference to process:

      "Development Design Standards Assessment" means a report prepared by an accredited design professional that confirms that a proposed site plan complies with the design standards set out in the PDO-2 Parker Lands

   ii. replace the definition of "Development Design Standards Completion" with the following to remove any reference to process:

      "Development Design Standards Completion Report" means a report prepared by an accredited design professional that confirms that the completed site complies with the design standards set out in the PDO-2 Parker Lands

iii. replace paragraph 79 with the following to remove any reference to process:

The design standards in this PDO-2 applies in respect of the following within the PDO-2 Area:

(a) buildings and building sites;

(b) landscaping and buffering between buildings and units of land;

(c) the establishment and maintenance of parking and loading facilities;

(d) the use and placement of exterior lightening on land and the exterior of buildings; and

(e) location and design of access points from a street.

iv. replace paragraph 82 as follows to remove the exemption from plan approval, to clarify that the plan approval process in the Development Procedures By-law will apply, and to delegate authority to the Director of Planning, Property and Development to approve site plans:

Prior to the issuance of a development permit or building permit for a site within the PDO-2 Area, the owner of the site must submit for approval in accordance with the Development Procedures By-law a site plan showing the location and design of the following site features:

(a) buildings or structures;

(b) accessory and non-accessory parking areas;

(c) driveways and private accesses;

(d) garbage and recycling enclosures;

(e) loading areas;

(f) bicycle parking;

(g) fencing and landscaping;

(h) exterior lighting; and

(i) any other exterior site feature, including signage, lot grading, and safety barrier measures, as applicable.

The Director of Planning, Property and Development is authorized to approve a site plan submitted in accordance with the PDO-2 Parker Lands.

v. amend paragraph 83 section to require submission of a Development Design Standards Assessment at or prior to submission of administrative plan approval and to require submission of a Development Design Standards Completion Report within 6 months following final building inspection; and

vi. amend paragraph 84 to allow for enforcement by the City if a Development Design Standards Completion report is not submitted within 6 months following final building inspection;

F. clarify that where a lot abuts a railway right-of-way, the minimum rear yard setbacks in the PDO do not apply, by

i. replacing paragraph 57(2) with the following:

minimum rear yard of 20 feet, except where the lot abuts a railway right-of-way

ii. replacing paragraph 58(6) with the following:

minimum rear yard of 20 feet, except where the lot abuts a railway right-of-way

iii. replacing paragraph 59(5) with the following:

minimum rear yard of 10 feet, except where the lot abuts a railway right-of-way

iv. replacing paragraph 60(2) with the following:

minimum rear yard of 5 feet, except where the lot abuts a railway right-of-way

G. such other changes to wording and format considered by the City Solicitor and Director of Legal Services as necessary to improve clarity, enforceability, consistency and readability but that do not change intent or effect.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended in accordance with the proposed by-law attached as Appendix "B" to this report by

A. adding the PDO-2 – Parker Lands, as amended in accordance with recommendation 2; and

B. rezoning the subject land to a "TOD (PDO-2 Parker Lands)" Transit Oriented Development (Parker Lands Planned Development Overlay 2) zoning district and a "PR1 (PDO-2 Parker Lands)" Parks and Recreation 1 (Neighbourhood) (Parker Lands Planned Development Overlay 2) zoning district, as shown on the map dated April 4, 2024 and attached as Schedule "A" to this report, subject to the condition that the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

i. The Developer shall construct, at no expense to the City, a uniform fence 1.83 metres in height within private property along the entire property line, within the planned area, abutting the Canadian National Railway Company property, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

ii. That on Block 10; Block 14, Lots 1-3; and Block 15, Lots 1-3, the developer shall, at no expense to the City, provide safety measures from the CN Rivers Subdivision consisting of any one of the following two measures:

1. Berm, fencing, and setback:

a. a 2.5 metre in height berm, measured from grade at the property line, with side slopes not steeper than 2.5 to 1. The berm shall be constructed entirely within the developer's property along the entire mutual property line of the development site and the CN Rivers Subdivision. The berm should be compacted to 95% modified proctor. The berm shall

be built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the berm as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

b. a 3 metre in height uniform noise attenuation fence built on top of the entire length of the berm referred to in condition 3.B.ii.1. a, and built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the noise attenuation fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

c. a minimum setback of 30 metres to any portion of a habitable room or space within a building from the north property line abutting the CN Rivers Subdivision.

2. Crash wall and setback:

a. a minimum 2.13 metre in height crash wall, measured from the top of the rail elevation, that faces the CN Rivers Subdivision. The crash wall shall be constructed entirely within the developer's property along the entire length of the principal building facing the CN Rivers Subdivision. The crash wall shall be no less than 0.45 metres thick and shall be of solid, heavy construction.

b. the Developer shall build the crash wall to the satisfaction of the Director of Planning, Property, and Development. The Developer must proceed in accordance with section 3.6.1.3 of the FCM/RAC Guidelines for New Development in Proximity to Railway Operations (2013), including, without limitation, undertaking and submitting the detailed written study referred to in that section of the Guidelines for approval by the Director of Planning, Property and Development before building the crash wall.

c. the Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the crash wall as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

d. a minimum setback of 30 metres to any portion of a habitable room or space within a building from the north property line abutting the CN Rivers Subdivision.

i. The minimum setback in 4. above may be measured as a combination of the horizontal and vertical distances equal to 30 metres if the crash wall is

incorporated into the entire height of a low occupancy podium below a residential structure.

iii. That on Blocks 22 and 23, the developer shall, at no expense to the City, provide safety measures from the CN Rivers Subdivision:

1. a 2.5 metre in height berm, measured from grade at the property line, with side slopes not steeper than 2.5 to 1. The berm shall be constructed entirely within the developer's property along the entire mutual property line of the development site and the CN Rivers Subdivision. The berm should be compacted to 95% modified proctor. The berm shall be built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the berm as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

2. a 3 metre in height uniform noise attenuation fence built on top of the entire length of the berm referred to in condition 3.B.ii.1. a, and built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the noise attenuation fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

iv. That, for all lots in Blocks 1 and 2, the minimum rear yard setback shall be no less than 16.5 metres to any portion of a habitable room or space within a building.

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

A. a Development Agreement in accordance with Recommendation 1; and

B. a Zoning Agreement in accordance with Recommendation 3,

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").

5. That authority be delegated to the Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Development 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.

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 (the "By-law") and bring same directly to Council by way of communication for first reading.

7. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with recommendation 1 and has paid the Dedication and all other associated ancillary fees (the "Fees"), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

8. That Development Application No. DASZ 35/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not submitted the Plan and paid all associated ancillary fees (the "Fees") within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.
9. That the subdivision section of the By-law will come into force when the Development 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 following 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 that 1 year period and Council approves the extension.
12. That Development Application No. DASZ 35/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City within 1 year following the date on which the By-law is enacted, unless the developer applies for an extension of time before the expiration of that 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.

REASON FOR THE REPORT

- The Applicant is proposing to rezone the subject property from an "M2" Manufacturing General District to a "TOD PDO-2 PARKER LANDS" Transit Oriented Development District and a "PR-1 PDO-2 PARKER LANDS" Parks and Recreation District for the establishment of lot/blocks and future development of single-family, two-family, and multiple-family residential uses as well as mixed use (commercial and residential) uses, public reserve land and public rights of way.
- Subdivision 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 land will be subdivided and rezoned.

OURWINNIPEG POLICY ALIGNMENT

The proposed development aligns with *OurWinnipeg 2045* through the following policy:

- *6.26 Major Redevelopment Sites*

- *Designate Major Redevelopment Sites within the Urban Structure for land uses that provide a transformative, sustainable, well-designed and pedestrian-oriented urban environment, through a comprehensive and collaborative secondary planning process.*

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Relevant Vision Statement from the Climate Action Plan:

> *Winnipeg facilitates compact development and healthy neighbourhoods that are connected through a network of active and transit-oriented mobility options. This means that the City strategically integrates climate action within both land use and transportation decision-making.*

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

> *4.1 Increase Strategic Infill Development that Provides Access to and Capitalizes on Existing and Planned Corridors with Frequent Transit Service*
>
> *4.3 Pursue Transit-Oriented Development*

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

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

HISTORY

- On September 20, 2018, Council considered a Secondary Plan (SP 1/2018) for the subject site and laid the matter over.
- On November 13, 2018, City Centre Community Committee held a public meeting in respect of SP 1/2018 and a public hearing in respect of DASZ 12/2018, and recommended that Council not give first reading to SP 1/2018 and that DASZ 12/2018 be rejected.
- On May 29, 2020, Council considered SP 1/2018 and DASZ 12/2018 and laid the matter over pending clarification of process outlined by the Court of Queen's Bench.
- On November 26, 2020, Council approved SP 1/2018 as a non-statutory secondary plan with amendments, and adopted DASZ 12/2018 with amendments.
- On February 7, 2022, Standing Policy Committee on Property and Development, Heritage and Downtown Development considered a request from the Applicant to amend development agreement conditions for DASZ 12/2018, and recommended Council approval of the amendments in part.
- On February 15, 2022, the applicant withdrew DASZ 12/2018 and as such the matter was filed by Council at their February 24, 2022 meeting.
- The applicant has submitted the new subject DASZ application (DASZ 35/2023) for Council's consideration.

CONSULTATION

In preparing this report there was consultation with:

- Administrative Coordinating Group (ACG)
- Legal Services (as to legal issues)

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Andrew Ross, RPP, MCIP
Date:	March 25, 2024
File No.	DASZ 35-2023

List of Appendices and Schedules

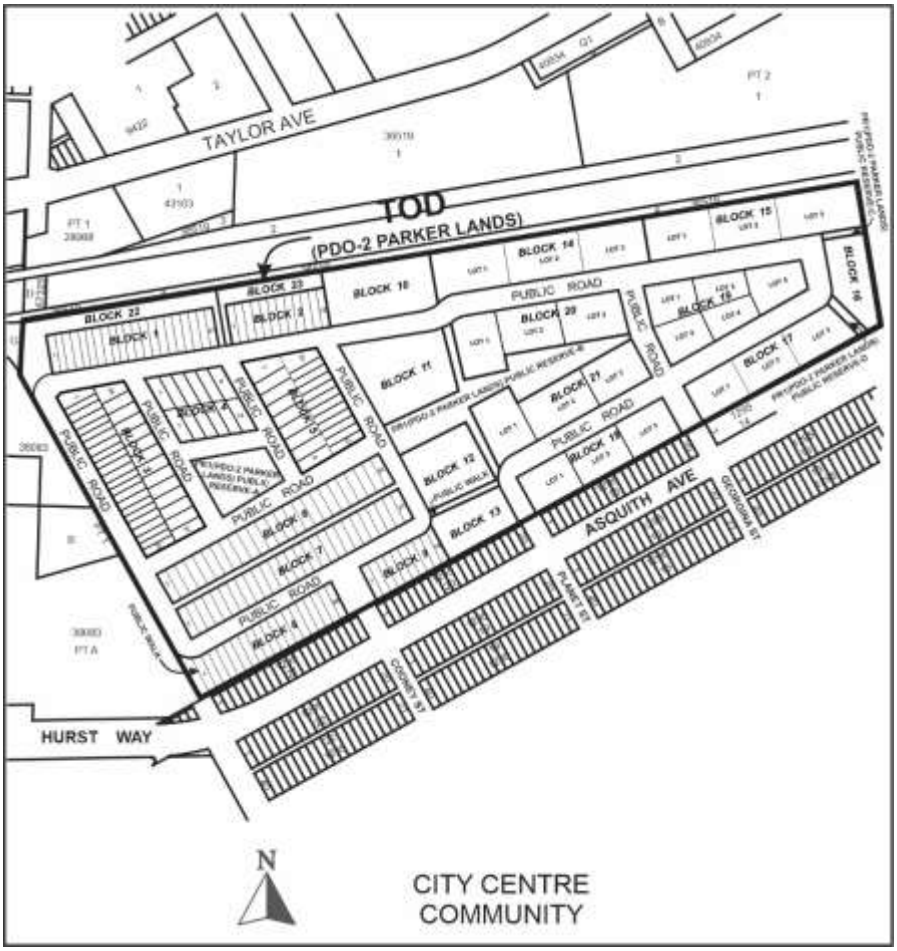
1.	Appendix A	Planning Report
2.	Appendix B	Proposed By-Law
3.	Appendix C	Parker Lands Planned Development Overlay 2 (PDO-2 – Parker Lands)
4.	Appendix D	Applicant's Letter of Intent
5.	Appendix E	Applicant's Comprehensive Development Visualization Package
6.	Appendix F	Applicant's Community Engagement Summary Report
7.	Appendix G	Applicant's Letter
8.	Schedule A	Plan of Subdivision and Rezoning
9.	Schedule B	Report of the Administrative Coordinating Group
10.	Schedule C	Proposed General Locations of Required Pathways

APPENDIX A – Planning Report

DATE:	March 25, 2024
FILE:	**DASZ 35-2023**
RELATED FILES:	SP 1/2018
COMMUNITY:	City Centre Committee
NEIGHBOURHOOD #:	1.654 Parker
SUBJECT:	To rezone the subject land from "M2" Manufacturing General District to "TOD PDO-2 PARKER LANDS" Transit Oriented Development and "PR-1 PDO-2 PARKER LANDS" Parks and Recreation for the establishment of lot/blocks and future development of single-family, two-family, and multiple-family residential uses as well as mixed use (commercial and residential) uses, public reserve land and public rights of way.

LOCATION: Northeast corner of Hurst Way between Asquith Avenue and the CN Railway

LEGAL DESCRIPTION: See application



APPLICANT: Andrew Marquess

OWNERS: 7138793 Manitoba Ltd., 6165347 Manitoba Ltd, City of Winnipeg

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

The subject site is located north of Hurst Way and south of the CNR Rivers rail line, in the Parker neighbourhood of the River Heights-Fort Garry ward.

The subject site is located within the Major Redevelopment Area Policy Area in the *Complete Communities Direction Strategy 2.0*.

The subject site is 47.35 acres in area and is currently zoned “M2” Manufacturing General District

Currently, the land is undeveloped and unserviced.



Figure 1: Aerial photo of subject site and surrounding area (Flown 2018).

SURROUNDING LAND USE AND ZONING

North: Immediately north is the CNR Rivers rail line. North of the rail line is a substantial amount of commercial/office development. This includes the ‘Taylor Festival Site’ which currently includes a Walmart, and the ‘Grant Park Pavilions’ site which includes a Sobey’s grocery store. Apartment buildings, recreation facilities (i.e. Pan Am Pool, Charles A. Barbour ‘Grant Park’ Arena), and schools (ie. Grant Park High School and Harrow School) are located north of the commercial developments.

South: Immediately south are hydro lines and an active transportation pathway, then Hurst Way. Further to the south is the Beaumont Neighbourhood. This residential neighbourhood contains ~950 dwellings, over 90% of which are single-family detached. The neighbourhood also includes General Byng School, Fort Garry Community Centre Victoria site, several parks and play areas, a large industrial facility (CG Powers Systems Canada) and a funeral home with an accessory cemetery.

East: Calrossie water retention pond.

West: A multi-tenant strip mall, a storage locker facility and the Winnipeg Humane Society.

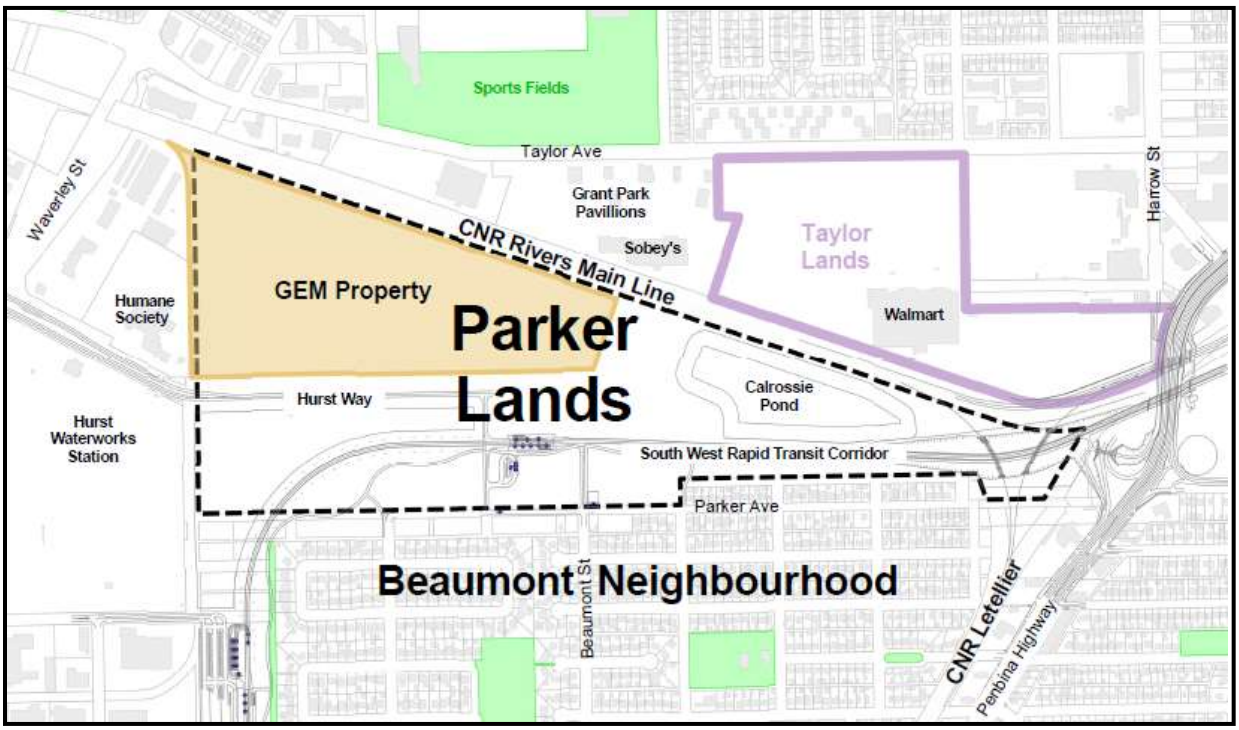


Figure 2: Map of the Parker Lands Major Redevelopment Site and surrounding uses.



Figure 3: Current zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Applicant seeks approval for a DASZ to subdivide the subject lands and rezone them to "TOD" – Transit Oriented Development and "PR-1" – Parks and Recreation. The Applicant also seeks approval for a Planned Development Overlay (PDO-2), which further modifies the "TOD" zoning regulations.

As noted, on November 26, 2020, Council approved the Parker Lands Secondary Plan (the "Plan"), which provides the Applicant's vision and objectives for the site and policies for the plan area. The Plan provides the policy framework for the creation of the subject DASZ application.

Together, the Plan, this DASZ and associated PDO-2 with the recommended edits will guide and ensure orderly development in alignment with their key concepts, and provide the basis for the City to evaluate future development proposals in the Plan Area.

The site is 47.35 acres in size and is proposed to be subdivided into 23 blocks and 4 lots of public reserve. There are 3 main development areas (see Figure 4). The 9 developable blocks in the Lower Density Mixed Housing Residential Area are divided into 185 lots. Some of the blocks in the Townhomes Area and High-Density Multifamily Residential Area will be further subdivided into smaller lots at a later stage.

The subdivision and rezoning is intended to accommodate a variety of uses including single-family, two-family, and multiple-family residential uses (triplexes, fourplexes, townhomes, and apartment buildings), mixed use buildings with commercial and residential uses, and public reserve land. The development is planned to include a district geothermal energy system.

A. Development concept

The Development Plan Concept indicates that the development will consist of a High-Density Multifamily Area on the eastern portion of the site, a Townhomes Area in the middle of the site and a Low Density Mixed Housing Residential Area on the western portion of the site. See Figure 4 below.



Figure 4: Applicant's Development Plan Concept

High-Density Multifamily Residential Area

The eastern portion of the site is planned for 1575 dwelling units contained in 23 apartment style buildings. Most buildings will be 50 to 90 units with larger buildings as outliers. Building heights will range from 6 to 22 storeys with the majority of the buildings between 6 and 8 storeys.

Six of the buildings, which flank a proposed north/south commercial street that will provide access to this area, are planned as mixed use with commercial uses on the ground floor and residential above.

Per the Development Plan Concept and the proposed PDO-2, parking will be located under or within buildings (not on the main floor unless screened from the street by active uses), and supplemented by limited surface parking.

A 1.86-acre Neighbourhood Park is proposed in this area, which will contain amenities as well as an east/west pathway connecting the eastern and western portions of the development. See Figure 7 for more detail on the East Neighbourhood Park.

Townhomes Area

The middle portion of the site is planned for 158 dwelling units contained in 10 townhomes. Per the submitted PDO-2, these buildings are intended as 3 storeys in height and will be set in close proximity to the East Neighbourhood Park.

Per the Development Plan Concept and the proposed PDO-2, parking in this area will be primarily on-surface, internal to development sites. If located under or within buildings, parking will not be on the main floor unless screened from the street by active uses.

Lower Density Mixed Housing Residential Area

The western portion of the site is planned for 185 dwelling units contained in a mix of townhomes, triplexes/fourplexes, duplexes, and single-family homes. Per the proposed PDO-2, these buildings are intended as up to 3 storeys in height and will contain a mix of back lane and front drive access.

A 0.8-acre Neighbourhood Park is proposed in this area, which will contain amenities and pathways. See Figure 8 for more detail on the West Neighbourhood Park.

Urban Design and Streetscaping

Application materials including the Applicant's Comprehensive Development Visualization Package (see Figure 5 excerpt below) and Letter of Intent indicate that the development will provide a high-quality design of both private and public spaces and that the design will support and encourage pedestrian and bicycle connections to the Active Transportation paths and Beaumont Rapid Transit Station.



Figure 5: Overall Site Rendering, from Applicant's Comprehensive Development Visualization Package

The proposed PDO-2 contains Design Standards. These apply to a variety of areas including, but not limited to:

- plazas, courts and squares,
- landscaping,
- safety and security (CPTED),
- building entrances,
- façade materials,
- siting and orientation,
- building style and architecture,

- signage, massing,
- bird friendly design,
- parking loading and access,
- bike parking and lockers.

As part of the proposed PDO-2, the applicant is also proposing a Design Review process whereby private accredited design professionals ensure that all future proposed developments meet the PDO-2 Design Standards. The Applicant then provides a Completion Report to the City following each development build-out. More information on the PDO-2 is provided below under "Zoning".

B. Zoning

The applicant prepared a PDO-2 (Planned Development Overlay) as part of their application. PDO-2s permit the proposed underlying zoning district (in this case "TOD" Transit Oriented Development) to be modified to enable their proposed development concept to be implemented.

Some of the key modifications to the underlying zoning district include:

- A parking range generally between 0.5 and 1.2 stalls per dwelling unit
- Modified landscaping requirements
- Master signage plans covering large areas rather than building by building
- The Principal and Accessory Use tables are modified to add and restrict some uses
- Parking locations are specified so that parking does not dominate streetscapes
- Reductions in setback requirements for buildings
- Inclusion of geothermal utility building dimensions and setbacks
- Railway proximity safety / mitigation measures
- Maximum heights of buildings
- Identification of accepted land use locations based on width of streets
- Design Standards and bike-related standards

In addition, the proposed PDO as submitted by the applicant eliminates the City's ability to seek plan approval, or to "ensure the site is developed in accordance with a site plan" (Section 82).

The PDO-2 is included as Appendix C – Parker Lands Planned Development Overlay 2 (PDO-2 – Parker Lands).

C. Streets

<u>Connections to the Subject Site</u>

Planned vehicular site access to Hurst Way is provided from three points:

1. A north/south road intersecting with Hurst Way, servicing primarily the Low Density Mixed Housing Area. This road is located approximately 550 feet from the western boundary of the site.

2. A north/south road intersecting with Hurst Way, servicing primarily the Townhomes and Low Density Mixed Housing Areas

3. A north/south road intersecting with Hurst Way, servicing primarily the High Density Multifamily Residential Area, aligning with Georgina Street. This road will also serve as the commercial street for the development. This road is just north and slightly west of Beaumont Rapid Transit Station.

Hurst Way

Hurst Way is currently a two-lane roadway with ditches. The traffic study submitted by the Applicant proposes modifications to Hurst Way at the proposed new intersections in conjunction with this application.

Internal roads

The proposed internal public road system includes several local roads. Images of the proposed road network can be seen in Figure 4 above.

Back lanes

The Applicant is proposing that one block within the Low Density Mixed Housing Area will have back lanes. The rest of the Low Density Mixed Housing Area is proposed to have access via front approaches.

Pedestrian and Cycling Network

The development includes a pedestrian and cycling network. Key highlights of the pedestrian network include:

- Sidewalks on both sides of all streets.
- Recreation pathways connecting the Low-Density Mixed Housing area to the High Density Multifamily Residential Area.
- Linkages to offside amenities including an existing Active Transportation path running along the south of the development, the local dog park and Beaumont Rapid Transit Station.

D. District Energy

A district geothermal system will be built to provide lower-GHG heating and cooling for buildings in the High Density Multifamily Residential and Townhomes areas. Specifically, the applicant indicates that**:**

> ***"****A district open loop geothermal energy system will service the multifamily buildings at Fulton Grove. The geothermal system will allow for all multi-family buildings to connect to a secure, environmentally sustainable, and cost-effective source of renewable energy.*
>
> *Unlike fossil fuels, geothermal energy is a renewable resource that does not emit the greenhouse gases that cause climate change. The implementation of a renewable energy source as the primary manner to heat and cool buildings furthers Canada's*

commitment to reducing greenhouse gases. It is environmentally friendly and helps to counter the effects of climate change by reducing greenhouse gas emissions."

E. Underground services

The subject development, based on City of Winnipeg servicing policies, is required to be serviced to an urban standard with land drainage, water, and wastewater sewer. More information is included in Schedule 'B" – Report of the Administrative Coordinating Group.

F. Transit

The site will have access to Beaumont Rapid Transit Station, which is a 5-10 minute walk for most future residents of the neighbourhood. Due to the relatively small size of the neighbourhood, transit feeder service is not planned to run internal to the site however stops are sought to be added along Hurst Way.

G. Open Space

The Applicant proposes the following public reserves:

<u>High-Density Multifamily Residential Area</u>

A 1.86 -acre Neighbourhood Park, containing amenities and an east/west pathway connecting the eastern and western portions of the development.

<u>Low Density Mixed Housing Residential area</u>

A 0.8-acre Neighbourhood Park in the centre of the Low-Density Mixed Housing Area.

ANALYSIS AND ISSUES

A. Policies

<u>COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0</u>

The subject property is identified as a Major Redevelopment Site in the City's *Complete Communities Direction Strategy 2.0*. *Complete Communities* describes the characteristics of Major Redevelopment Sites as follows:

- *Large, functionally obsolete or under-utilized lands, such as former industrial areas.*
- *Located within the existing urban framework, often along rail lines, major corridors or rapid transit.*
- *Often serviced by some level of existing infrastructure.*
- *Present opportunities for transformative and strategic mixed-use infill and intensification.*
- *May present challenges to redevelopment, such as inadequate infrastructure capacity and contamination.*

- *Site area typically 15 acres or more.*

Key policies relevant to this development include:

- *Promote development in accordance with Transit Oriented Development principles, where proximate to rapid transit stations and Primary Transit Network stations.*

  The proposed development locates the highest densities closest to the Beaumont Rapid Transit Station.

- *Create strong, multi-modal and active transportation linkages from each Major Redevelopment Site to Downtown, other Major Redevelopment Sites, Mixed Use Centres, Corridors, Parks, major attractions and employment areas.*

  The proposed development capitalizes on Rapid Transit and provides Active Transportation linkages on and offsite.

- *Provide a mix of employment, high-density housing, retail and service uses within Major Redevelopment Sites in a way that complements the needs of adjacent communities.*

  The proposed development provides a mix of residential and retail/service uses.

- *Promote the use of minimum density standards for new development.*

  The proposed development contains density ranges supporting transformative change.

- *Encourage the transition of development towards the outer edges of Major Redevelopment Sites so that it is sensitive to the scale, massing, height, form and character of the surrounding area.*

  The proposal's highest densities are close to the Rapid Transit Station and the densities reduce gradually to low levels as development moves west.

- *Implement mitigation measures to minimize any negative impacts new development may have on neighbouring streets, parks, and properties.*

  The proposed development contains landscaped buffers and pathways on some edges and will include rail line mitigation measures.

- *Support a range of different types, tenures and unit sizes in housing opportunities.*
- The proposed development contains a mix of housing including single-family, two-family, and multiple-family residential uses (triplexes, fourplexes, townhomes, apartment buildings), and mixed use buildings with commercial and residential uses.

<u>WINNIPEG TOD HANDBOOK</u>

The Winnipeg Transit Oriented Development Handbook provides the following definition of TOD:

> *"Moderate to higher density compact mixed-use development, located within an easy five to ten minute (approximately 400m to 800m) walk of a major transit stop. TOD involves high quality urban development with a mix of residential, employment and shopping opportunities, designed in a pedestrian oriented manner without excluding the automobile. TOD can be new construction or redevelopment of one or more buildings whose design and orientation facilitate the use of convenient and sustainable modes of transportation, including public transit and Active Transportation."*

The proposed development aligns with the above definition.

TOD Typology

Not every TOD area is developed in the same manner. For instance, the TOD Handbook indicates that; '*the size of the TOD is dependent on the general scale or intensity of development appropriate for that station based on the function of the station and the accessibility of the TOD from the adjacent neighbourhoods.'* (TOD Handbook Section 2.B).

Section 2B of the TOD Handbook characterizes six TOD Types (See Figure 5 below)

TOD Zones:

TOD TYPE	Urban Centre	Urban Neighbourhood	Town Centre	Neighbourhood Medium Density	Neighbourhood Low Density	High Frequency Transit Corridor
Land Use Mix	Office Centre Urban Entertainment Multiple Family Retail	Residential Retail Class B Commercial	Office Centre Urban Entertainment Multiple Family Retail	Residential Neighourhood Retail Local Office	Residential Neighourhood Retail	Office Centre Urban Entertainment Multiple Family Retail
Net Housing Density*	124-371 units per hectare (50-150 units per acre)	99-247 units per hectare (40-100 units per acre)	86-247 units per hectare (35-100 units per acre)	49-124 units per hectare (20-50 units per acre)	25-49 units per hectare (10-20 units per acre)	62-148 units per hectare (25-60 units per acre)
Regional Connectivity	High, Hub of regional system	Medium access to downtown, Sub regional hub	High access to downtown, Sub regional hub	Medium access to suburban centre, Access to downtown	Low	High access to downtown, Sub regional hub
Frequencies	5 - 15 minutes	5 - 15 minutes	5 - 15 minutes	15 - 30 minutes	20 - 30 minutes	5 - 15 minutes

Figure 6: TOD Types (Winnipeg TOD Handbook)

The six TOD Types described by the TOD Handbook range from 'Urban Centre', with the highest density and significant mix of uses, to 'Low Density' TOD Types, which are predominantly residential with local commercial uses. Section 4.E. of the TOD Handbook provides further detail on the characteristics of each TOD Type.

The overall residential density proposed in the concept plan is 1,918 dwelling units, or an overall net density of approximately 60 units per net acre, which was approved by Council in their November 26, 2020 adoption of the Parker Lands Secondary Plan. This density is within the Urban Neighbourhood range.

B. Zoning

As noted, the Applicant submitted a PDO-2 that modifies the proposed underlying "TOD" zoning district.

The Public Service's preference has been for the site to be broken into 3 main zoning districts 'right-sized' to the development intentions of each distinct area. The applicant was made aware of this preference but has applied for "TOD" zoning site-wide (except for Public Reserves which will be "PR-1" – Parks and Recreation).

For future PDOs, it will remain a preference of the Public Service that zoning districts closely match development intentions, so that PDOs best meet their intended use to contain relatively

minor changes to uses and dimensional standards of the underlying zoning district as per the Winnipeg Zoning By-Law (p. 58 S. aa).

However, the applicant has submitted area-specific regulations in the PDO, with highest densities and land use mixes near the station, townhomes in the middle and lower densities on the west.

The Public Service is recommending some PDO changes be approved with the subject application (see below under Public Service Recommended Changes). If these changes are approved, then together with the area-specific regulations already included in the PDO by the Applicant noted above, the Public Service is satisfied that the DASZ will be sufficiently operational, and recommends support of the PDO-2, as amended.

PUBLIC SERVICE COLLABORATION WITH THE APPLICANT AND RECOMMENDED CHANGES

After conducting a detailed review of the subject application, the Urban Planning Division had identified 4 key/main items for discussion with the Applicant.

The Division and the Applicant's planning team met together on 4 occasions: May 10, 2023, January 5, 2024, January 19, 2024 and March 22, 2024 to discuss these 4 key/main items, which are as follows:

1 Information

The applicant was asked to provide more detailed information regarding envisioned building heights and residential densities for the east area (the High-Density Multifamily Area) for clarity relating to the review and processing of future development applications.

- Rationale:
    - While the Applicant's PDO-2 contains detailed standards for building heights in the Townhomes and Low Density Mixed Housing Residential areas, the only PDO-2 standard stated for building heights in the High-Density Multifamily Area is a maximum of 225 feet throughout. Since this area is large (12.93 acres) and envisioned for mixed development including lower 6-8 storey buildings (generally 65-90 feet), a maximum of 225 feet does not provide sufficient guidance to inform the City's review of future development applications in this area.
    - It was communicated to the Applicant that more detailed information will help provide needed clarity for developers and ensure administration of orderly development. Future development applications may come lot by lot, and City staff will need to review them on that basis, referring to the standards in the PDO-2.
- Outcome:
    - Following discussions, the Applicant was amenable to the points raised and provided the City with the following additional clarity regarding height standards for development in the east area:
        - *Building heights should start at the eastern edge of the site at a maximum height of 225' and progress westward in a gradually declining basis until the main north/south ROW in the commercial area to a height of 120'.*

West of this main commercial ROW until the townhome lots the building heights should start at 120' and gradually decrease to a maximum height of 75' on the western boundary of the multifamily area.

- The Public Service is recommending the above detail, together with the following information from the Applicant's Letter of Intent, be added to the PDO-2.
    - *East Area: 1575 units of Multi-Family Residential and Multi-Family Mixed-Use buildings. Building size to be mostly 50 to 90 units with larger buildings as outliers. Building heights range from 6 to 16* storeys with the majority of the buildings between 6 and 8 storeys.*
      *Note: The Public Service recommends this be changed to 22 storeys to align with the PDO-2 height cap of 225 ft.
- Without the above adjustments, the PDO-2 will not provide sufficient information for the Public Service to properly conduct reviews of future individual development applications in the east area.
- The detailed recommended PDO-2 adjustments are included in recommendation 2 of this report and are reflected in the proposed by-law attached as Appendix B.

2 PDO: Administrative Plan Approval

The applicant was asked to remove PDO-2 Section 82 and add a provision for administrative plan approval. This change still allows for their proposed internal design review and sign off while at the same time allows the Public Service to require plans and drawings illustrating the future development proposals coming forward as applications.

- Rationale:
    - The Applicant's proposed PDO-2 doesn't appear to require the submission of plans needed to undertake zoning review at the development permit application stage.
    - The Applicant's proposed PDO-2 does not allow for City plan approval process, and instead proposes a privately administered Design Review process. It makes the City's role limited to enforcement after buildings are completed.
    - The Department generally supports the applicant's proposed private Design Review process.
    - However, the Public Service needs to ensure /concur with future development proposals before permits are released. Enforcing compliance with the adopted PDO-2 Design Standards once a building is complete can be problematic/ unfeasible.
    - For this reason, the Department indicated to the applicant that plan approval is recommended.
    - The Department indicated that we recommend the efficient administrative (PPD-Director) plan approval, in order to streamline/ enable rapid processing of future individual development applications.

- Outcome:
    - Following discussions, the Applicant wished to leave their proposed Design Review provisions in the PDO-2 as-is without adjustments to allow for administrative plan approval.
    - The Public Service is recommending the adjustments for administrative plan approval be made.
    - The adjustments will still allow for the applicant's proposed private Design Review process to proceed. However, it also ensures the Department receives a copy of plans for their review and approval to ensure alignment with the Plan and PDO-2.
    - In summary, the recommended adjustments to the Applicant's Submitted PDO-2 for administrative plan approval include:
        - Definitions - Development Design Standards Assessment and Completion. Shortened to remove process since process is included in revised Section 83.
        - Section 79 – Design Standards Applicability. Shortened to remove process since process is included in revised Sections 82 and 83.
        - Section 82 – Design Standards Review and Approval. Adjusted to require administrative plan approval and to specify timing of required submission (prior to issuance of permits). Subsection 2 folded into 1 for brevity. Subsections 4-6 removed to enable administrative plan approval and plan conformance.
        - Section 83 - Development Design Standards Assessment. Adjusted to specify timing of required Development Design Standards Assessment (at or prior to submission of administrative plan approval). Completion Report submission adjusted from 18 months from building occupancy to 6 months from final inspection – because the Department has been asked to phase out tying conditions to building occupancy.
    - The detailed recommended PDO-2 adjustments are included in recommendation 2 of this report and are reflected in the proposed by-law attached as Appendix B.

3 Zoning

The applicant proposed "TOD" (Transit Oriented Development) zoning site wide. The Public Service requested that the zoning district "PR1" be used for areas dedicated as public reserve, serving park purposes.

- Rationale:
    - The proposed neighbourhood parks need to be zoned according to their intended use, as "PR-1" Parks and Recreation, to allow for appropriate programming and service delivery, while limiting unintended uses.
- Outcome:
    - Following discussions, the Applicant made the Public Service requested changes and submitted a new Zoning map to the Department. This new map was submitted in time for advertising of the development application and allowed

the application to accurately reflect the “PR-1” zoning designation for areas dedicated as public reserve.

3 Rail Proximity

The applicant was asked to remove Sections 67-72 and related definitions from the PDO-2, regarding lots abutting the CNR Rivers Subdivision.

- Rationale:
    - For several years, the Department’s standard process for Major Redevelopment Sites and/or DASZs for Precincts that abut rail lines has been to include railway mitigation measures in the Zoning Agreement of a DASZ, not in a PDO.

- Outcome:
    - Following discussions, the Applicant wished to leave the railway mitigation measures as-is and contained in the PDO-2.
    - The Public Service is recommending the railway mitigation measures be removed from the PDO-2 and included as part of the Zoning Agreement for the DASZ per standard process.

In addition to the 4 key/main items above, the Applicant was informed that the Public Service will provide the final PDO-2 wording per the normal legal by-law amendment process.

This was completed by the Public Service and the specific recommended amendments to the PDO-2 are included in recommendation 2 of this report and are reflected in the proposed by-law attached as Appendix B. One of the adjustments includes removal of Section 101 because that section would prevent landscaping from being shown on plan approvals. Other wording changes have been made for clarity, enforceability and consistency with standard by-law wording, but these changes do not alter the intent of the PDO-2.

SERVICING / RELATED CONSIDERATIONS

The Report of the Administrative Coordinating Group (Attached as Schedule B) contains servicing conditions and other considerations including but not limited to rights-of-way, public walks, park space, water and wastewater servicing, land drainage, grading, paving, boulevards.

PUBLIC CONSULTATION

The applicant conducted public consultations in 2023. The applicant provides the following summary regarding the 2023 consultations:

- *“Prior to submitting the planning applications for Parker Lands this fall, we determined that it was important to go back to the public to provide an update on the proposal.*
- *As such, the website was updated, a full page ad was placed in the Winnipeg Free Press, and a feature on local news was done as well to invite residents throughout the community on the final proposal.*
- *The website included a summary of the project proposal, the benefits it will have on the City of Winnipeg, and a link to a survey.*
- *The total number of survey responses was 115.”*

Public engagement work was also done in prior years. The Applicant indicates that this included:

- *"Stakeholder meetings with key organizations and entities.*
- *Collaborating with various City of Winnipeg departments.*
- *Multiple public open house events in person and online to gain community input.*
- *Surveys in person and online to gain feedback from public on project.*
- *Website to inform public and stakeholders on the process throughout the years.*
- *Hired subconsultants to conduct numerous studies and report in response to feedback from the public engagement process.*
- *Public advertisement in local media, newspapers and mail outs to invite and update public throughout the process."*

The applicant provided the City with a detailed Consultation Report. This is attached as Appendix F - Applicant's Community Engagement Summary Report

ZONING AGREEMENT

The Zoning Agreement specifies required rail mitigation standards in alignment with Federation of Canadian Municipalities' *Guidelines for New Development in Proximity to Railway Operations.*

SUMMARY

With Council's approval of the Public Service recommended adjustments to the PDO-2, the Urban Planning Division recommends **approval with conditions**, for the following reasons:

- The proposed development capitalizes on Rapid Transit and provides Active Transportation linkages on and offsite.
- The proposed development provides a mix of residential and retail/service uses, and locates the highest densities next to the local Rapid Transit Station- factors important for functional TOD neighbourhoods.
- The overall residential density proposed is 1,918 dwelling units, or an overall net density of approximately 60 units per net acre, which was approved by Council in their November 26, 2020 adoption of the Parker Lands Major Redevelopment Site Secondary Plan.
- The proposal supports sustainability through implementation of a district geothermal energy system.
- The proposal contains a mix of housing types to meet the needs of a wide range of Winnipeggers including single-family, two-family, multiple-family residential and mixed use buildings containing commercial, as well as public reserve land.

RECOMMENDATIONS

The Urban Planning Division recommends this application be **approved with conditions.**

This Report Submitted by:
Andrew Ross, MCIP, RPP
Planning, Property and Development Department

Urban Planning Division

PPD File # DASZ 35/2023

Figure 7 – East Neighbourhood Park (PR-B Neighbourhood Park Concept)



Figure 8 – West Neighbourhood Park (PR-A Neighbourhood Park Concept)



Schedule A - Plan of Subdivision and Rezoning

File DASZ 35/2023, City Centre Community Committee. March 25, 2024.

By-Law No.

File No. **DASZ 35/2023**

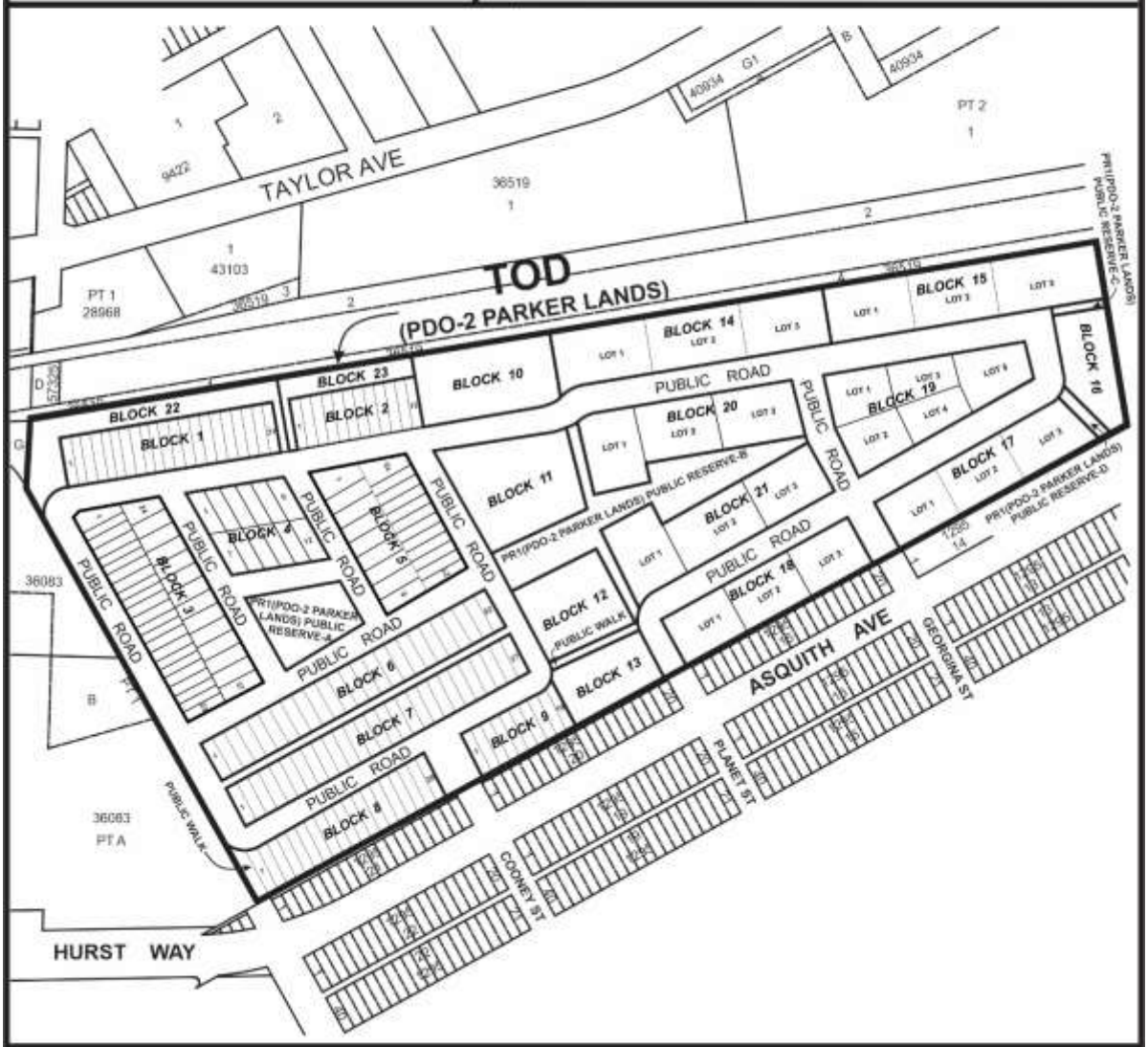
Atlas Sheet No. **AE23**

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CITY CENTRE 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 north of Hurst Way/Asquith Avenue and west of Beaumont Street, from an "M1" MANUFACTURING LIGHT DISTRICT and an "M2" MANUFACTURING GENERAL DISTRICT to a "TOD PDO-2 PARKER LANDS" TRANSIT ORIENTED DEVELOPMENT DISTRICT and a "PR1 PDO-2 PARKER LANDS" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the establishment of the Fulton Grove Neighbourhood by the establishment of lots/blocks, with single-family, two-family and multi-family residential uses, as well as mixed-use (commercial and residential) uses, public reserve land and public rights-of-way.



THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED REZONING OF LAND LOCATED AT LAND LOCATED NORTH OF HURST WAY/ASQUITH AVENUE WEST OF BEAUMONT STREET (FULTON GROVE NEIGHBOURHOOD)

It is recommended that approval of DASZ 35/2023, if granted, be subject to the applicant entering into a Development Agreement containing the following conditions:

Section I – General Comments

1) The Development Plan Concept includes park amenities that may not meet with Parks service interests. Park Design Standards are available to guide the design of neighbourhood parks. The Park Development Guidelines identifies the process by which park design and amenities are approved in new developments.

2) The Applicant has previously proposed the temporarily ponding land drainage in park area, for controlling amount of runoff allowed from the Planned Area. These storage areas will not be counted as Park Dedication.

Section II – Plan Considerations

1) Rights-of-ways are to be widened, as necessary, to accommodate land drainage sewer, multi-use pathways, and/or geothermal, as determined by and to the satisfaction of the Director of Public Works and the Director of Water and Waste.

2) If additional right-of-way is required along Asquith Avenue, Cooney Street, Planet Street and/or Georgina Street the Developer shall be responsible for the costs.

3) Public Lanes serving single- or two-family residential development are to be accommodated with a right-of-way width of 6.25m; Public Lanes serving multi-family residential and commercial development are to be accommodated with a right-of-way width of 7.25m, to the satisfaction of the Director of Public Works.

4) The Developer shall, at no expense to the City, legally open property for right-of-way corner cuts measuring 2.0m by 2.0m in each corner of the intersection of two streets measuring 22.0m in width or greater. Right-of-way corner cuts measuring 3.0m by 3.0m are to be provided at each corner of any intersection where the angle is less than 80°, to the satisfaction of the Director of Public Works.

5) Public Walks containing a sidewalk are to be established with a right-of-way width of 6m, as determined by and to the satisfaction of the Director of Public Works.

6) Public Walks containing a pathway are to be established with a right-of-way width of 8m, as determined by and to the satisfaction of the Director of Public Works.

7) The Draft Legal Plan in its entirety shall be reviewed and approved by the Public Works Department prior to submitting to Winnipeg Land Titles Office, including but not limited to minor modifications for alignments to existing right-of-ways.

8) The Developer shall provide a larger Public Reserve B, to meet the minimum site dedication requirements and to satisfy anticipated community needs in a high-density area, as determined by and to the satisfaction of the Director of Public Works.

9) The Developer and subsequent land owners shall be responsible for entering into the necessary agreement(s) required for the construction and ongoing maintenance of any geothermal infrastructure located within the public reserve. Geothermal infrastructure on public reserve will only be supported if it does not impact or limit the use of the park and the ability for Parks to include amenities and pathways within the public reserve. If geothermal infrastructure limits the park capacity and use, then it is anticipated an agreement will not be supported within the public reserve and it is recommended that the infrastructure be located within private lands.

10) Any private piping in the right-of-way/public walks will require an encroachment application and be subject to Council imposed fees.

11) An easement is required for any city owned water mains crossing the proposed subdivision that are not relocated to a proposed right-of-way. The existing water main easement may be partially discharged when the development water distribution system has been completed.

12) The width of Public Reserve D, between Blocks 16 and 17, shall be widened to 9.0m to accommodate the anticipated water main and wastewater sewer.

13) If any there are any public land drainage facilities proposed within the planned area, the plan of subdivision shall be updated to delineate any land drainage storage areas in public land.

Section III – Engineering Studies

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

2) The Developer shall provide a comprehensive servicing report, prepared by a qualified municipal engineer, which shall outline the provision of underground services required for the Planned Area and adjacent lands, as determined by and to the satisfaction of the Director of Water and Waste.

3) The Developer shall submit Servicing Criteria Sheets for water, wastewater and land drainage facilities, including plans showing the current and ultimate service areas, as determined by and to the satisfaction of the Director of Water and Waste.

Section IV - Servicing Conditions

1) Water Mains

a) The Developer shall, at no expense to the City, construct and install all water mains 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.

2) Wastewater Sewers

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

3) Lot Line Servicing

a) The Developer shall, at no expense to the City, construct and install wastewater and water building services from the wastewater sewer and water main, to service all lots within the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

b) The Developer shall ensure that the private sewer service for each single- family and two-family lot remains plugged from installation until the foundation excavation has been backfilled and the roof of the dwelling has been sheathed, after which the private sewer service pipe may be connected to the wastewater system, and the Developer will indemnify the City against all actions, claims, demands, damages, losses and costs, including legal and court costs, suffered or incurred by the City arising out of any failure to do so.

c) The Developer shall replace or repair, to the satisfaction of the Director of Water and Waste, any water service pipe or private sewer service pipe determined by the Director of Water and Waste to be defective within one year following the date the water to the lot serviced by that water service pipe or private sewer service pipe is turned on by the City for domestic use, and shall pay to the City any and all costs incurred by the City associated with any such defect.

4) Land Drainage

a) The Developer shall, at no expense to the City, construct and install land drainage sewers and stormwater retention facilities (including a piped outfall) required to serve the Planned Area and adjacent lands as indicated by the servicing report and to the satisfaction of the Director of Water and Waste.

b) The Developer shall dedicate all land and provide all easements necessary to accommodate the required stormwater retention and land drainage facilities, as determined by the Director of Water and Waste in accordance with the City's Development Agreements Parameters.

c) The Developer shall pay its share of the cost of the regional land drainage system for the Planned Area as determined by the Director of Water and Waste.

5) Lot Grading

a) The Developer shall, at no expense to the City and prior to the issuance of any building permit in respect of the Planned Area, provide a lot grading plan, prepared by a municipal engineer, for the Planned Area, and construct all drainage works necessitated by the lot grading plan of record to the satisfaction of the Director of Water and Waste.

b) Prior to the issuance of any building permits in respect of the Planned Area, the Developer shall, at no expense to the City, construct all swales, catch basins and leads required to provide lot drainage within the Planned Area.

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

6) Pavement

a) The Developer shall, at no expense to the City, construct Portland cement concrete pavement, 7.5m, 8.0m, and 10.0m wide by 150mm, 200mm thick in all streets within the Planned Area and connecting to Asquith Avenue, and all related works including, but not necessarily limited to ornamental street lighting, boulevard landscaping and land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, construct, within proposed public lanes within the Planned Area:

i. serving single or two-family residential development, 5.0m wide by 150mm thick Portland cement concrete pavements, and

ii. serving multi-family residential and commercial development, 6.0-m-wide by 150-mm-thick Portland cement concrete pavements,

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

7) Asquith Avenue Intersections

The Developer shall construct intersection treatments on Asquith Avenue at each proposed public street, and all related works, or pay to the City, in cash, on demand, all costs associated with construction of intersection treatments on Asquith Avenue at each proposed public street, and all related works as determined by and to the satisfaction of the Director of Public Works.

8) Public Walks

a) The Developer shall, at no expense to the City, construct within the proposed public walk between Block 12 and Block 13, a 1.5m wide by 100mm thick Portland cement concrete sidewalk and landscape the remainder to include:

i. Sodding on both sides of the sidewalk; and

ii. fencing along the side property lines and at both street ends of the Public Walk with an appropriate sidewalk opening.

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

b) The Developer shall, at no expense to the City, construct within the proposed public walk at the southwest corner of the development, a 3.5m wide pathway and landscape the remainder to include:

i. Sodding on both sides of the sidewalk; and

ii. fencing along the side property lines and at both street ends of the Public Walk with an appropriate sidewalk opening.

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

c) 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.

9) Multi-use Pathways/Sidewalks

a) The Developer shall, at no expense to the City,

i. construct 1.8m wide Portland cement concrete sidewalks, and all related works, on the standard alignment 0.3m from the property line, on both sides of all streets within the proposed higher density area and connecting to Asquith Avenue;

ii. construct 1.5m and/or 1.8m wide Portland cement concrete sidewalks, and all related works, on the standard alignment, 0.3m from the property line, and/or on an alignment as determined by the Public Works Department, on both sides of all streets within the proposed lower density area and connecting to Asquith Avenue;

iii. construct 3.5m wide asphalt multi-use pathways and all related works, on the standard alignment 0.3m from the property line, as shown as shown in Schedule "C" attached hereto;

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

b) Alternately to a), if determined by the Director of Public Works, for the portion of pathway located on Manitoba Hydro land, the Developer shall pay to the City, in cash, on demand, the full costs to construct and install a multi-use pathway conceptually as shown in Schedule "C" attached hereto, as determined by and to the satisfaction of the Director of Public Work.

Installation of the pathway shall be conditional on approval of said installation by Manitoba Hydro as the existing gravel pathway is permitted through a licensing agreement between the City and Manitoba Hydro.

c) The Developer shall construct all sidewalks/pathways 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.

d) 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.

10) Traffic Control Signal

The Developer shall, at no expense to the City, pay to the City, in cash, on demand, their share of the costs associated with the installation of traffic control signals and all related works including, but not limited to, pedestrian and vehicular actuation and interconnection to adjacent traffic-control signals, countdown and audible pedestrian signals at the intersection of McGillivray Boulevard and Beaumont Street, as determined by and to the satisfaction of the Director of Public Works.

11) Temporary Dead-End Streets

a) The Developer shall, at no expense to the City, construct a paved cul-de-sac-style vehicle turnaround at the terminus of each temporarily dead-ended street within the Planned Area, and provide to the City any rights-of-way or easements necessary to accommodate same, all as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, erect and maintain barricades and signage, across the full width of any streets which are temporarily dead-ended due to phasing of development, immediately upon completion of the paving or when house construction has begun, whichever is sooner, as determined by and to the satisfaction of the Director of Public Works.

12) Boulevards

a) The Developer shall, at no expense to the City, sod and plant trees on all boulevards within and fronting on the Planned Area, 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, to the satisfaction of 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 trees for a period of two years, in accordance with specifications approved by the Director of Public Works.

13) Private Approaches

a) There shall be no private approaches serving single family or two-family residential development off residential collector streets (i.e. rights-of-way measuring 22.0m or greater in width).

14) Two Means of Vehicle Access

a) The Developer shall, at no expense to the City, ensure that two means of paved vehicular access are available at all times to each stage of development of the Planned Area, to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, construct temporary paved roadways, and provide easements or rights-of-way in respect of same, as required to satisfy the Developer's obligation under clause (a).

15) Development Information Signs

Prior to construction, the Developer shall, at no expense to the City, obtain approval of and install, and subsequently maintain, at the entrances to the Community, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, Southwest Bus Rapid Transit Corridor, Hurst Way, Asquith Avenue, Waverley Street, Pembina Highway, Canadian National Railway Rivers Subdivision, all proposed arterial and collector streets, sidewalks, public walks, active transportation facilities, all proposed parks, storm water retention facilities and all proposed community mailbox sites, all with the approval of and to the satisfaction of the Director of Planning, Property and Development.

16) Street Name Signs

The Developer shall, at no expense whatsoever to the City, cause to be installed standard, reflectorized, permanent street name signs at each new intersection within or adjacent to the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

17) Fencing Requirement

a) The Developer shall, at no expense to the City, provide continuous fencing within the Developer-Owned Land for properties abutting the Public Reserve land(s), as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall permit the City to file a caveat against the title of each such lot, requiring the property owner(s) to maintain and/or repair/replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

18) Canadian National Railway Company Rivers Subdivision

a) The Developer shall construct, at no expense to the City, a uniform fence 1.83 metres in height within private property along the entire property line, within the planned area, abutting the Canadian National Railway Company property, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, on Blocks 22 and 23, provide safety measures from the Canadian National Railway Company property consisting of:

i. A 2.5 metre in height berm, measured from grade at the property line, with side slopes not steeper than 2.5 to 1. The berm shall be constructed entirely within the developer's property along the entire mutual property line of the Blocks 22 and 23 and the Canadian National Railway Company property. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the berm as originally constructed; and

ii. A 3.0 metre in height uniform noise attenuation fence built on top of the entire length of the berm referred to in the above condition. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the noise attenuation fence as originally constructed.

All as determined and to the satisfaction of the Director of Planning, Property, and Development.

19) Transit Facilities

Developer shall construct bus stop platforms for both directions of travel on Hurst Way, including but not limited to paved connections to the closest AT pathways, on Asquith Avenue approximately 170m east of the planned area's west limit, as determined and to the satisfaction of the Director of Transit.

20) 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.

21) 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.

22) 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.

23) 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.

24) Public Reserve

a) The Developer shall dedicate a minimum of 10% of the net area for public park purposes; or shall dedicate a minimum of 8% of the net area for public park purposes with the remaining required dedication deemed to have been satisfied by the provision of Landscaping and improvements to the public parks. The Developer shall undertake, at no expense to the City, landscaping and improvements and pay its share of the cost of services in streets abutting the dedicated land all in accordance with plans and specifications approved by the Director of Public Works.

If the Developer is unable to dedicate a full amount of the land, the Developer shall dedicate an amount of land satisfactory to the Directors of Public Works and Property & Development, and shall compensate the City for any shortfalls in the amount of land, servicing and improvements, at the then current values, by payment of cash, or, by the provision of an equivalent value of additional site amenities in the Public Reserves within the Planned Area, subject to approval by the Directors of Public Works and Planning Property and Development.

b) Landscaping and improvements of the Public Reserve lands shall be done in accordance with plans and specifications provided by the Developer and approved by the Director of Public Works, through the Park Design Review Process, prior to the commencement of construction.

c) The Developer shall install, at no expense to the City, the following standard landscaping and improvements within the Public Reserve(s), in accordance with Park Development Guidelines, Park Standards and plans and specifications, all as approved by the Director of Public Works:

i. Grade, level and vegetate;

ii. Construct primary pathways;

iii. Provide tree plantings; and

iv. Provide and install core amenities, including a playground, picnic areas, and multiple use space.

d) The Developer shall construct all pathways, at no expense to the City, in accordance with the following requirements and to the satisfaction of the Director of Public Works:

i. Pathway widths and surfacing shall be determined at Design Review, in consultation with Parks and Urban Design;

ii. Pathways that must cross over a berm or traverse an elevated area shall be designed to ensure that the grading accommodates the pathway while still complying with Universal Design Standards.

iii. Pathways on Public Reserves C and D shall be constructed such that they connect and adjoin seamlessly with existing pathways on adjacent properties;

iv. The Developer shall obtain all necessary permits and negotiate any agreements deemed necessary by the City, to undertake work on City land (this is expected to include, but is not limited to, temporary construction easements), prior to undertaking any pathway construction.

e) The Developer shall ensure that land drainage from adjacent properties is not directed to, nor impacting, the public reserve.

f) The Developer shall, at no expense to the City, maintain the Public Open Space improvements and amenities for a period of two years or longer, in accordance with the Parks Maintenance Guidelines and specifications approved by the Director of Public Works. The said maintenance period shall begin on the date of issuance of a Construction Completion for Parks and shall conclude on the date of the issuance of a Final Acceptance Certificate for Parks. The City reserves the right to impose longer maintenance periods for amenities and features that the Director of Public Works deems to be beyond the standard scope of development.

g) The Developer agrees to undertake the required improvements to the Public Open Spaces before build out has reached 80% and to complete the said improvements before build out has reached 100%, unless an extension of time has been previously approved, in writing, by 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 35/2023
March 3, 2024

"*Original Signed by K.Kowalyk"*
K. Kowalyk, 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

"*Original Signed by S. Whitehouse"*
S. Whitehouse, M.C.P.
Urban Planning and Design Division
Planning, Property and Development Department

"Original Signed by A. Budowski"
A Budowski, P. Eng.

Planning & Schedule Division
Transit Department

SCHEDULE C - PROPOSED GENERAL LOCATIONS OF REQUIRED PATHWAYS

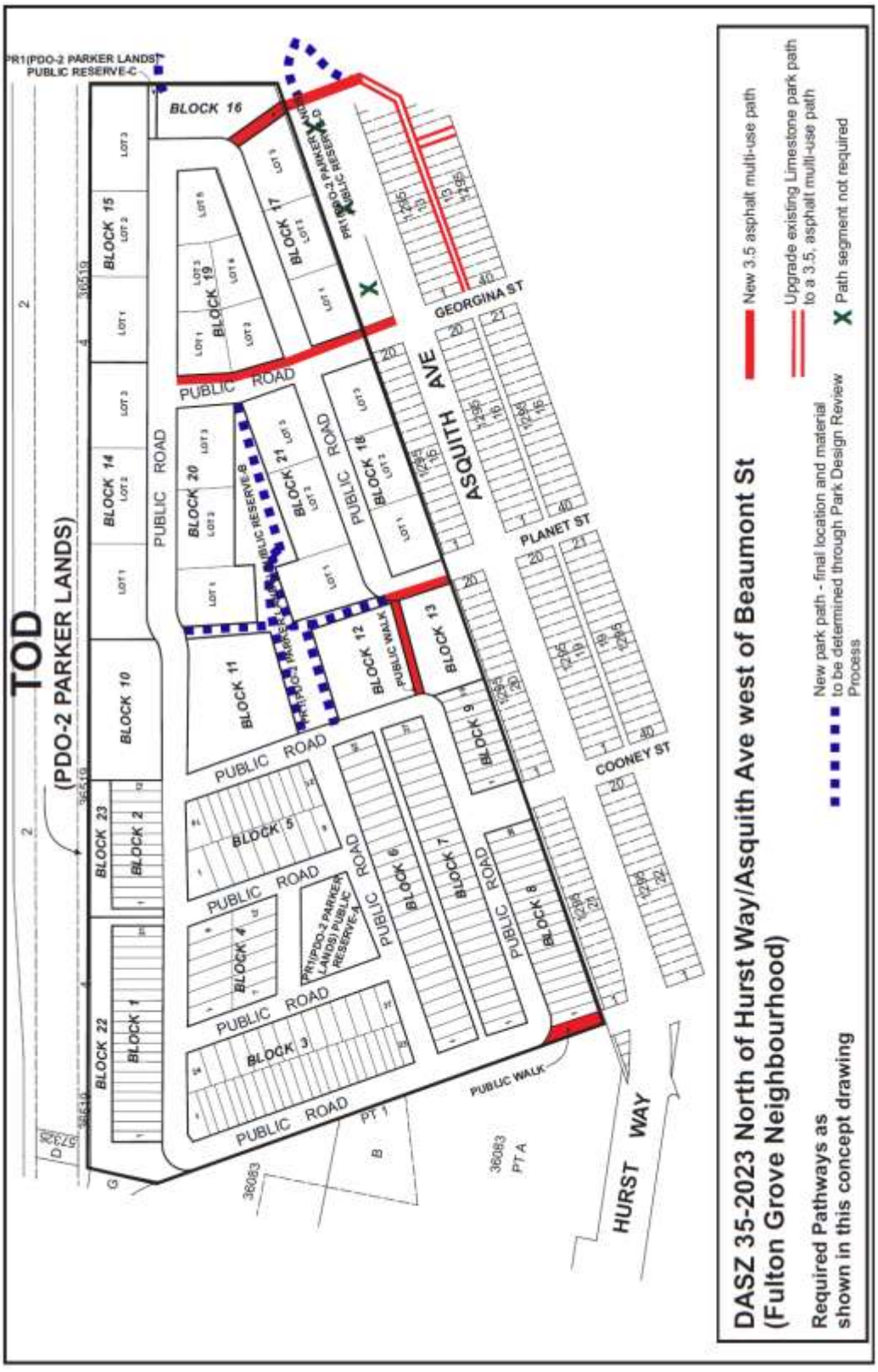


Exhibit “23” referred to in File DASZ 35/2023





UNIT TYPES

- 28ft - Single-Family (Laneless)
- 30ft - Single-Family (Laneless)
- 36ft - Single-Family (Front Garage)
- Duplex
- Triplex or Quadplex

FULTON GROVE - LOT INFORMATION

Type	# Lots	# Units
Back Lane (28ft)	27	27
Back Lane (30ft)	25	25
Front Load (36ft)	35	35
Duplexes	32	64
Triplexes	2	6
Quadplexes	7	28
Total		**185**

FULTON GROVE - MIXED HOUSING NET DENSITY

Units	Acres	Units/Acre
185	12.89	14.35

Fulton Grove

MIXED HOUSING AREA

FEBRUARY 2024
(REV)



Fulton Grove

MULTI-FAMILY AREA

FEBRUARY 2024
(REV)



Fulton Grove **PR- B NEIGHBOURHOOD PARK CONCEPT**

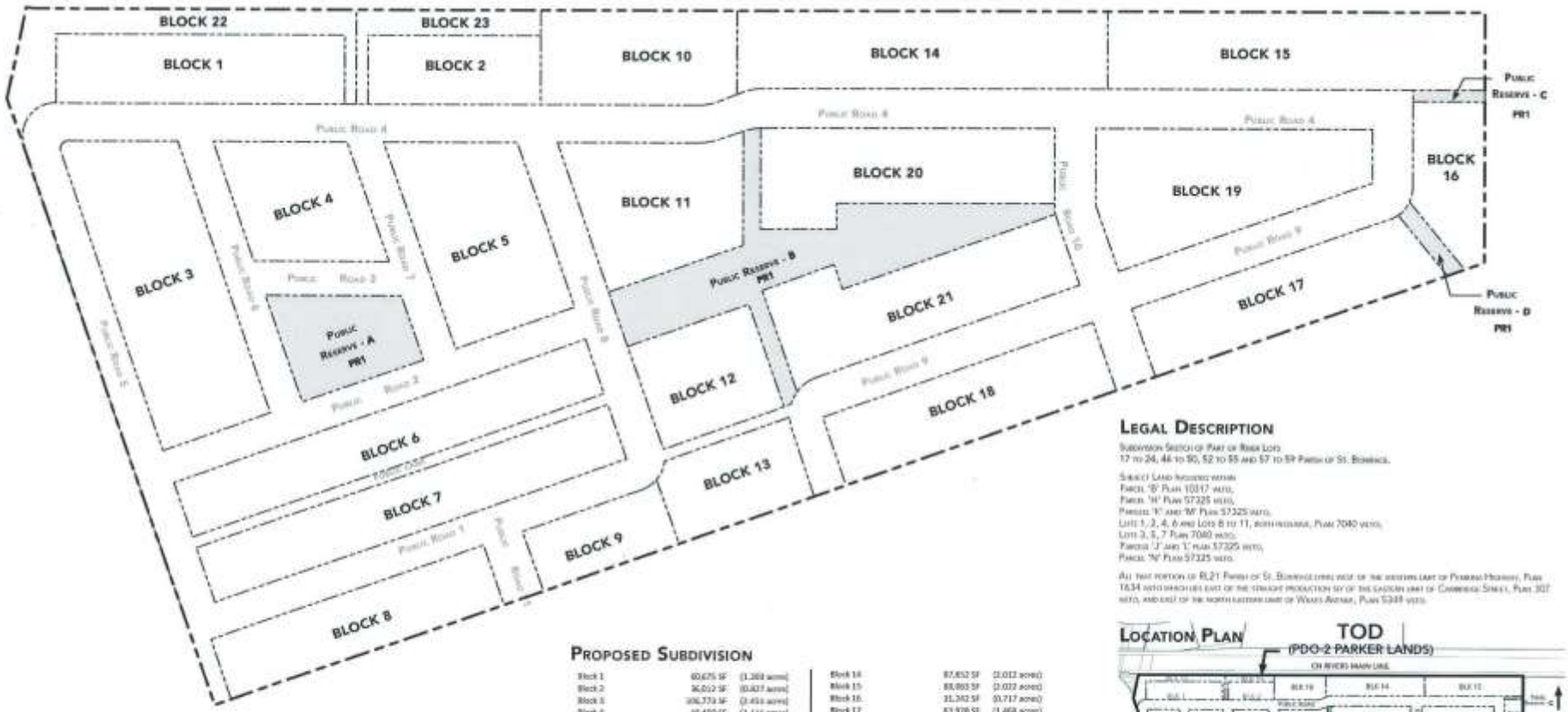
FEBRUARY 2024 (REV)



Fulton Grove

PR-A NEIGHBOURHOOD PARK

FEBRUARY 2024
(REV)



Legal Description

Subdivision Sketch of Part of River Lots
17 to 24, 46 to 50, 52 to 55 and 57 to 59 Parish of St. Boniface.

Subject Land Included within
Parcel 'B' Plan 10317 WLTO,
Parcel 'H' Plan 57325 WLTO,
Parcels 'K' and 'M' Plan 57325 WLTO,
Lots 1, 2, 4, 6 and Lots 8 to 11, both inclusive, Plan 7040 WLTO,
Lots 3, 5, 7 Plan 7040 WLTO,
Parcels 'J' and 'L' Plan 57325 WLTO,
Parcel 'N' Plan 57325 WLTO.

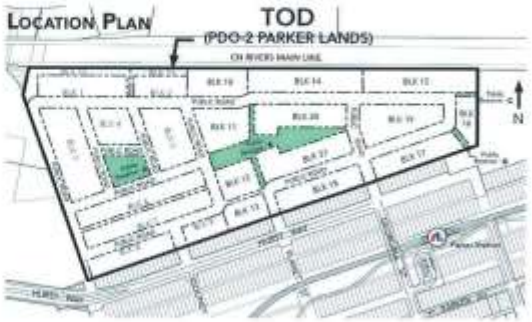
All that portion of RL21 Parish of St. Boniface lying west of the western limit of Pembina Highway, Plan 1634 WLTO which lies east of the straight production soy of the eastern limit of Commercial Street, Plan 207 WLTO, and east of the north eastern limit of Wilkes Avenue, Plan 5349 WLTO.

Proposed Subdivision

Block 1	60,675 SF	(1.393 acres)
Block 2	36,012 SF	(0.827 acres)
Block 3	106,773 SF	(2.451 acres)
Block 4	48,469 SF	(1.113 acres)
Block 5	75,123 SF	(1.725 acres)
Block 6	75,800 SF	(1.741 acres)
Block 7	75,888 SF	(1.743 acres)
Block 8	55,859 SF	(1.284 acres)
Block 9	27,571 SF	(0.633 acres)
Block 10	54,887 SF	(1.283 acres)
Block 11	63,330 SF	(1.454 acres)
Block 12	41,974 SF	(0.964 acres)
Block 13	35,956 SF	(0.825 acres)

Block 14	87,652 SF	(2.012 acres)
Block 15	88,093 SF	(2.022 acres)
Block 16	31,292 SF	(0.718 acres)
Block 17	63,928 SF	(1.468 acres)
Block 18	62,354 SF	(1.431 acres)
Block 19	82,343 SF	(1.890 acres)
Block 20	73,008 SF	(1.676 acres)
Block 21	74,733 SF	(1.716 acres)
Block 22	38,881 SF	(0.893 acres)
Block 23	16,573 SF	(0.380 acres)
Public Reserve - A	34,566 SF	(0.794 acres)
Public Reserve - B	83,067 SF	(1.865 acres)
Public Reserve - C	2,500 SF	(0.057 acres)
Public Reserve - D	4,272 SF	(0.098 acres)
Total	1,499,557 SF	(33.277 acres)

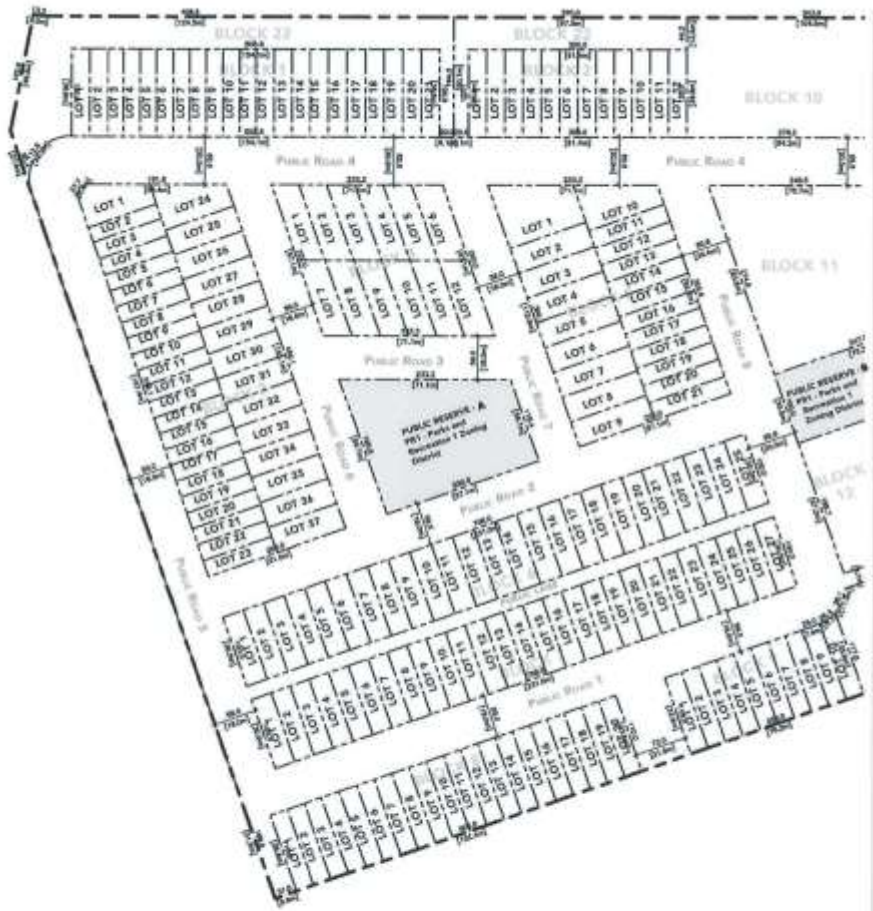
Location Plan



Fulton Grove

PROPOSED PLAN OF SUBDIVISION - BLOCK PLAN

February 2024 (Rev)



Lot Details (West)

	Length (ft)	Width (ft)	Area (sq ft)	Area (acres)
Block 1			**60,600**	1.39
Lot 1	120	25	3,000	
Lot 2	120	21	2,520	
Lot 3	120	25	3,000	
Lot 4	120	25	3,000	
Lot 5	120	21	2,520	
Lot 6	120	21	2,520	
Lot 7	120	25	3,000	
Lot 8	120	25	3,000	
Lot 9	120	21	2,520	
Lot 10	120	21	2,520	
Lot 11	120	25	3,000	
Lot 12	120	25	3,000	
Lot 13	120	25	3,000	
Lot 14	120	25	3,000	
Lot 15	120	25	3,000	
Lot 16	120	25	3,000	
Lot 17	120	25	3,000	
Lot 18	120	25	3,000	
Lot 19	120	25	3,000	
Lot 20	120	25	3,000	
Lot 21	120	25	3,000	
Block 2			**36,000**	0.83
Lot 1	120	25	3,000	
Lot 2	120	25	3,000	
Lot 3	120	25	3,000	
Lot 4	120	25	3,000	
Lot 5	120	25	3,000	
Lot 6	120	25	3,000	
Lot 7	120	25	3,000	
Lot 8	120	25	3,000	
Lot 9	120	25	3,000	
Lot 10	120	25	3,000	
Lot 11	120	25	3,000	
Lot 12	120	25	3,000	
Block 3			**106,773**	2.45
Lot 1	100	56.5	4,498	
Lot 2	100	21	2,100	
Lot 3	100	25	2,500	
Lot 4	100	25	2,500	
Lot 5	100	23	2,300	
Lot 6	100	21	2,100	
Lot 7	100	25	2,500	
Lot 8	100	25	2,500	
Lot 9	100	21	2,100	
Lot 10	100	21	2,100	
Lot 11	100	25	2,500	
Lot 12	100	25	2,500	
Lot 13	100	21	2,100	
Lot 14	100	21	2,100	
Lot 15	100	25	2,500	
Lot 16	100	25	2,500	
Lot 17	100	21	2,100	
Lot 18	100	21	2,100	
Lot 19	100	25	2,500	
Lot 20	100	25	2,500	
Lot 21	100	21	2,100	
Lot 22	100	25	2,500	
Lot 23	100	31	4,875	
Lot 24	100	36	3,600	
Lot 25	100	36	3,600	
Lot 26	100	36	3,600	
Lot 27	100	36	3,600	
Lot 28	100	36	3,600	
Lot 29	100	36	3,600	
Lot 30	100	36	3,600	
Lot 31	100	36	3,600	
Lot 32	100	36	3,600	
Lot 33	100	36	3,600	
Lot 34	100	36	3,600	
Lot 35	100	36	3,600	
Lot 36	100	36	3,600	
Lot 37	100	36	3,600	

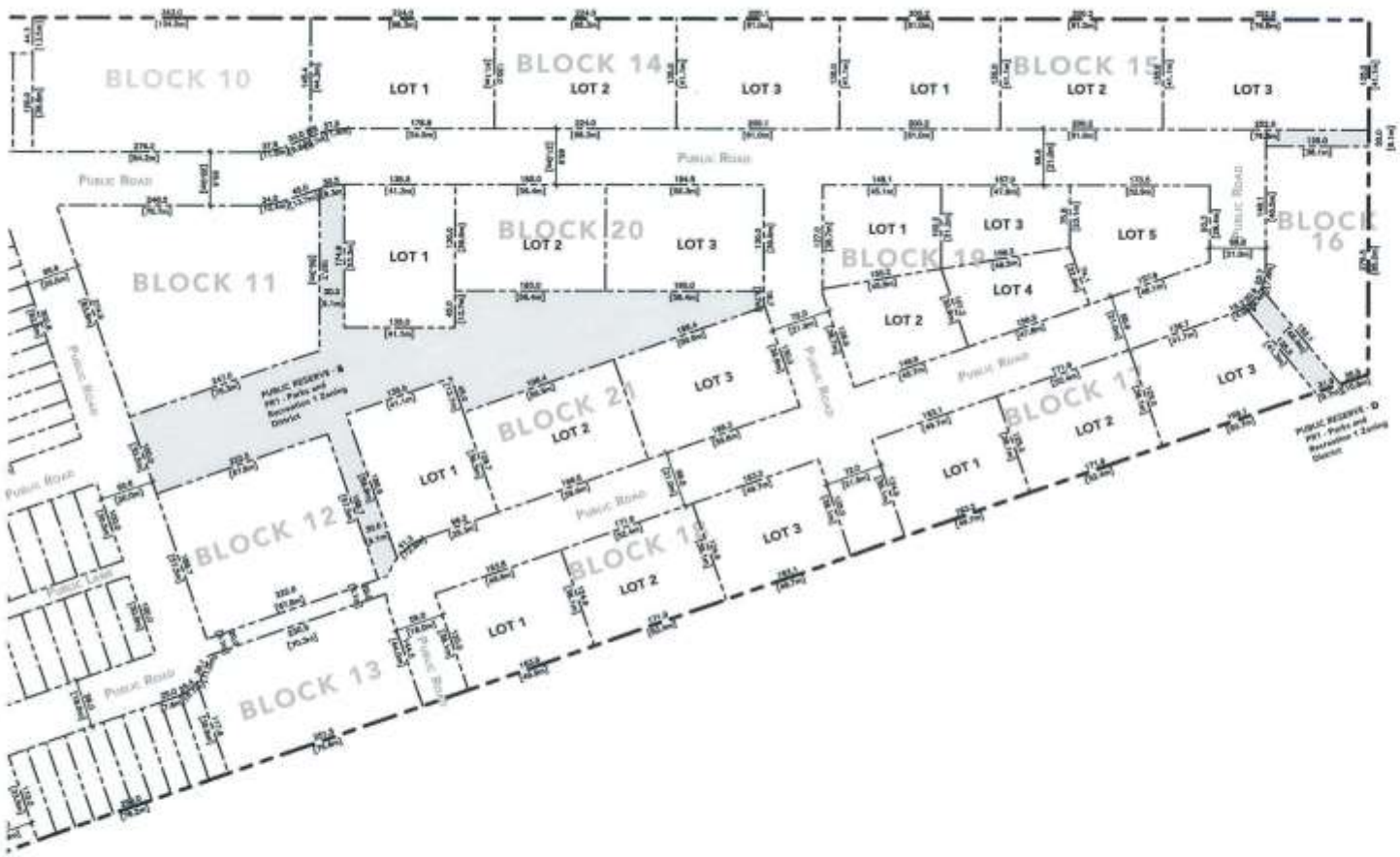
	Length (ft)	Width (ft)	Area (sq ft)	Area (acres)
Block 4			**48,400**	1.11
Lot 1	110	38	4,180	
Lot 2	110	36	3,960	
Lot 3	110	36	3,960	
Lot 4	110	36	3,960	
Lot 5	110	36	3,960	
Lot 6	110	38	4,180	
Lot 7	110	38	4,180	
Lot 8	110	36	3,960	
Lot 9	110	36	3,960	
Lot 10	110	36	3,960	
Lot 11	110	36	3,960	
Lot 12	110	38	4,180	
Block 5			**75,123**	1.72
Lot 1	110	88	6,250	
Lot 2	110	38	4,180	
Lot 3	110	38	4,180	
Lot 4	110	38	4,180	
Lot 5	110	38	4,180	
Lot 6	110	38	4,180	
Lot 7	110	38	4,180	
Lot 8	110	38	4,180	
Lot 9	110	38	4,180	
Lot 10	110	28	5,181	
Lot 11	110	25	2,750	
Lot 12	110	25	2,750	
Lot 13	110	25	2,750	
Lot 14	110	25	2,750	
Lot 15	110	25	2,750	
Lot 16	110	25	2,750	
Lot 17	110	25	2,750	
Lot 18	110	25	2,750	
Lot 19	110	25	2,750	
Lot 20	110	25	2,750	
Lot 21	110	25	2,750	
Block 6			**75,800**	1.74
Lot 1	100	30	3,000	
Lot 2	100	30	3,000	
Lot 3	100	30	3,000	
Lot 4	100	30	3,000	
Lot 5	100	30	3,000	
Lot 6	100	30	3,000	
Lot 7	100	30	3,000	
Lot 8	100	30	3,000	
Lot 9	100	31	3,100	
Lot 10	100	31	3,100	
Lot 11	100	31	3,100	
Lot 12	100	31	3,100	
Lot 13	100	31	3,100	
Lot 14	100	31	3,100	
Lot 15	100	31	3,100	
Lot 16	100	31	3,100	
Lot 17	100	30	3,000	
Lot 18	100	30	3,000	
Lot 19	100	30	3,000	
Lot 20	100	30	3,000	
Lot 21	100	30	3,000	
Lot 22	100	30	3,000	
Lot 23	100	30	3,000	
Lot 24	100	30	3,000	
Lot 25	100	30	3,000	

	Length (ft)	Width (ft)	Area (sq ft)	Area (acres)
Block 7			**75,800**	1.74
Lot 1	100	28	2,900	
Lot 2	100	28	2,800	
Lot 3	100	28	2,800	
Lot 4	100	28	2,800	
Lot 5	100	28	2,800	
Lot 6	100	28	2,800	
Lot 7	100	28	2,800	
Lot 8	100	28	2,800	
Lot 9	100	28	2,800	
Lot 10	100	28	2,800	
Lot 11	100	28	2,800	
Lot 12	100	28	2,800	
Lot 13	100	28	2,800	
Lot 14	100	28	2,800	
Lot 15	100	28	2,800	
Lot 16	100	28	2,800	
Lot 17	100	28	2,800	
Lot 18	100	28	2,800	
Lot 19	100	28	2,800	
Lot 20	100	28	2,800	
Lot 21	100	28	2,800	
Lot 22	100	28	2,800	
Lot 23	100	28	2,800	
Lot 24	100	28	2,800	
Lot 25	100	28	2,800	
Lot 26	100	28	2,800	
Lot 27	100	29	2,900	
Block 8			**55,059**	1.26
Lot 1	110	21	2,811	
Lot 2	110	25	2,750	
Lot 3	110	25	2,752	
Lot 4	110	25	2,750	
Lot 5	110	25	2,750	
Lot 6	110	25	2,750	
Lot 7	110	25	2,750	
Lot 8	110	25	2,750	
Lot 9	110	25	2,750	
Lot 10	110	25	2,750	
Lot 11	110	25	2,750	
Lot 12	110	25	2,750	
Lot 13	110	25	2,750	
Lot 14	110	25	2,750	
Lot 15	110	25	2,750	
Lot 16	110	25	2,750	
Lot 17	110	25	2,750	
Lot 18	110	25	2,750	
Lot 19	110	25	2,750	
Lot 20	110	25	2,750	
Block 9			**27,662**	0.64
Lot 1	110	25	2,750	
Lot 2	110	25	2,750	
Lot 3	110	25	2,750	
Lot 4	110	25	2,750	
Lot 5	110	25	2,750	
Lot 6	110	25	2,750	
Lot 7	110	25	2,750	
Lot 8	110	25	2,750	
Lot 9	110	25	2,752	
Lot 10	110	25	2,910	

Fulton Grove

PROPOSED PLAN OF SUBDIVISION - LOT PLAN (WEST)

February 2024 (Rev)



Lot Details (East)

	Area (sq ft)	Area (acres)
Block 10	**55,887**	1.28
Block 11	**63,330**	1.45
Block 12	**41,974**	0.96
Block 13	**35,956**	0.83
Block 14	**87,652**	2.01
Lot 1	30,397	
Lot 2	30,236	
Lot 3	27,019	
Block 15	**88,063**	2.02
Lot 1	27,020	
Lot 2	27,023	
Lot 3	34,019	
Block 16	**31,242**	0.72
Block 17	**63,928**	1.47
Lot 1	20,195	
Lot 2	21,483	
Lot 3	22,049	
Block 18	**62,354**	1.43
Lot 1	20,480	
Lot 2	21,483	
Lot 3	20,391	
Block 19	**82,341**	1.89
Lot 1	16,977	
Lot 2	17,118	
Lot 3	13,975	
Lot 4	13,748	
Lot 5	20,523	
Block 20	**73,008**	1.68
Lot 1	23,650	
Lot 2	24,044	
Lot 3	25,314	
Block 21	**74,731**	1.72
Lot 1	23,735	
Lot 2	25,489	
Lot 3	25,508	

Fulton Grove

PROPOSED PLAN OF SUBDIVISION - LOT PLAN (EAST)

February 2024 [Rev]

Exhibit “22” referred to in File DASZ 35/2023





UNIT TYPES

- 28ft - Single Family (Backlane)
- 30ft - Single Family (Backlane)
- 36ft - Single Family (Front Garage)
- Duplex
- Triplex or Quadplex

FULTON GROVE - LOT INFORMATION

Type	# Lots	# Units
Back Lane (28ft)	27	27
Back Lane (30ft)	25	25
Front Load (36ft)	35	35
Duplexes	32	64
Triplexes	2	6
Quadplexes	7	28
Total		**185**

FULTON GROVE - MIXED HOUSING NET DENSITY

Units	Acres	Units/Acre
185	12.89	14.35

Fulton Grove

MIXED HOUSING AREA

SEPTEMBER 2023
(REV)



Fulton Grove

MULTI-FAMILY AREA

SEPTEMBER 2023
(REV)



Fulton Grove

COMMUNITY PARK CONCEPT

SEPTEMBER 2023
(REV)



Fulton Grove

NEIGHBOURHOOD PARK

SEPTEMBER 2023
(REV)



Legal Description

Subdivision Sketch of Part of Block Lots 17 to 24, 46 to 50, 52 to 55 and 57 to 59 Parish of St. Boniface

Subject Land Included within Parcel 'B' Plan 10317 WLTO, Parcel 'H' Plan 57325 WLTO, Parcels 'K' and 'M' Plan 57325 WLTO, Lots 1, 2, 4, & and Lots 8 to 11, both inclusive, Plan 7040 WLTO, Lots 3, 5, 7 Plan 7040 WLTO, Parcels 'J' and 'L' Plan 57325 WLTO, Parcel 'N' Plan 57325 WLTO.

All that portion of RL21 Parish of St. Boniface lying west of the western limit of Pembina Highway, Plan 1636 WLTO which lies east of the straight production due south of the eastern limit of Cambridge Street, Plan 302 WLTO, and east of the north eastern limit of Wilkes Avenue, Plan 5249 WLTO.

Proposed Subdivision

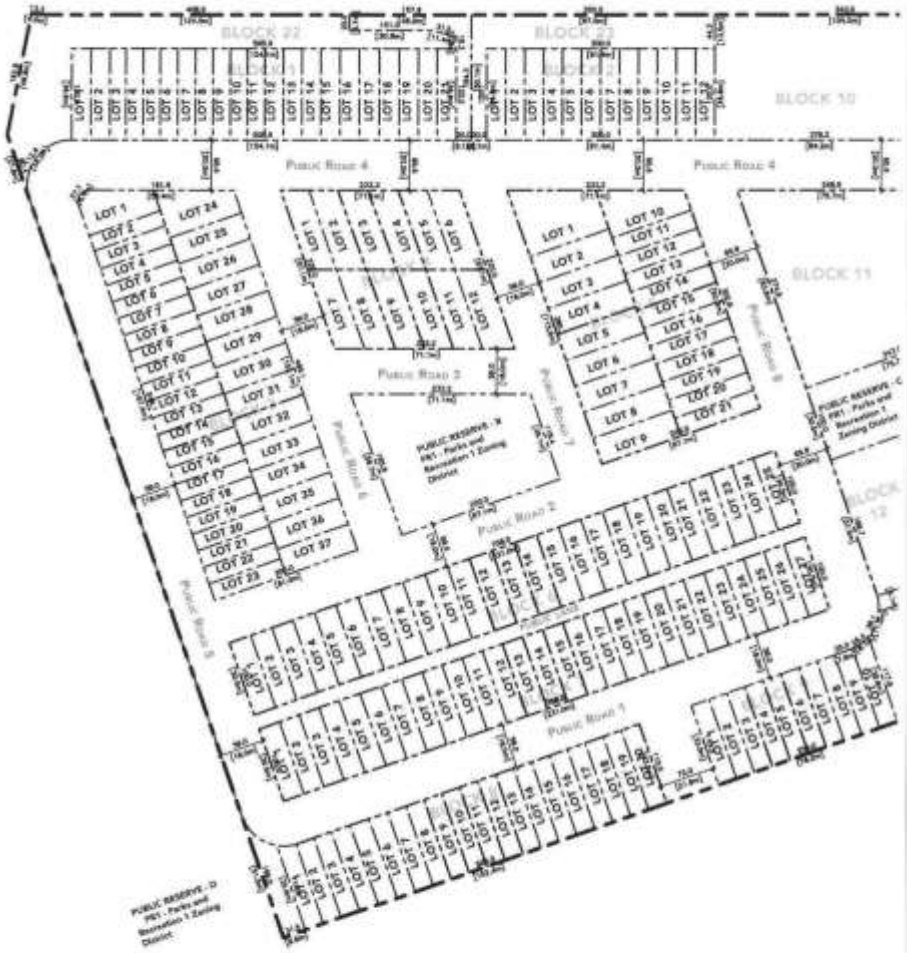
Block 1	60,675 SF	(1.393 acres)
Block 2	36,012 SF	(0.827 acres)
Block 3	106,773 SF	(2.451 acres)
Block 4	48,400 SF	(1.111 acres)
Block 5	75,123 SF	(1.725 acres)
Block 6	75,800 SF	(1.740 acres)
Block 7	75,800 SF	(1.740 acres)
Block 8	55,058 SF	(1.264 acres)
Block 9	27,571 SF	(0.633 acres)
Block 10	55,887 SF	(1.283 acres)
Block 11	63,556 SF	(1.458 acres)
Block 12	41,974 SF	(0.964 acres)
Block 13	35,954 SF	(0.825 acres)
Block 14	87,652 SF	(2.012 acres)
Block 15	88,063 SF	(2.022 acres)
Block 16	31,242 SF	(0.717 acres)
Block 17	63,558 SF	(1.458 acres)
Block 18	62,364 SF	(1.431 acres)
Block 19	82,341 SF	(1.890 acres)
Block 20	73,098 SF	(1.678 acres)
Block 21	74,731 SF	(1.715 acres)
Block 22	32,693 SF	(0.751 acres)
Block 23	16,573 SF	(0.380 acres)
Public Reserve - A	6,186 SF	(0.142 acres)
Public Reserve - B	34,566 SF	(0.794 acres)
Public Reserve - C	85,087 SF	(1.975 acres)
Public Reserve - D	4,151 SF	(0.095 acres)
Public Reserve - E	2,500 SF	(0.057 acres)
Public Reserve - F	4,271 SF	(0.098 acres)
Total	1,506,706 SF	(34.635 acres)

Location Plan



Fulton Grove

PROPOSED PLAN OF SUBDIVISION - BLOCK PLAN



Lot Details (West)

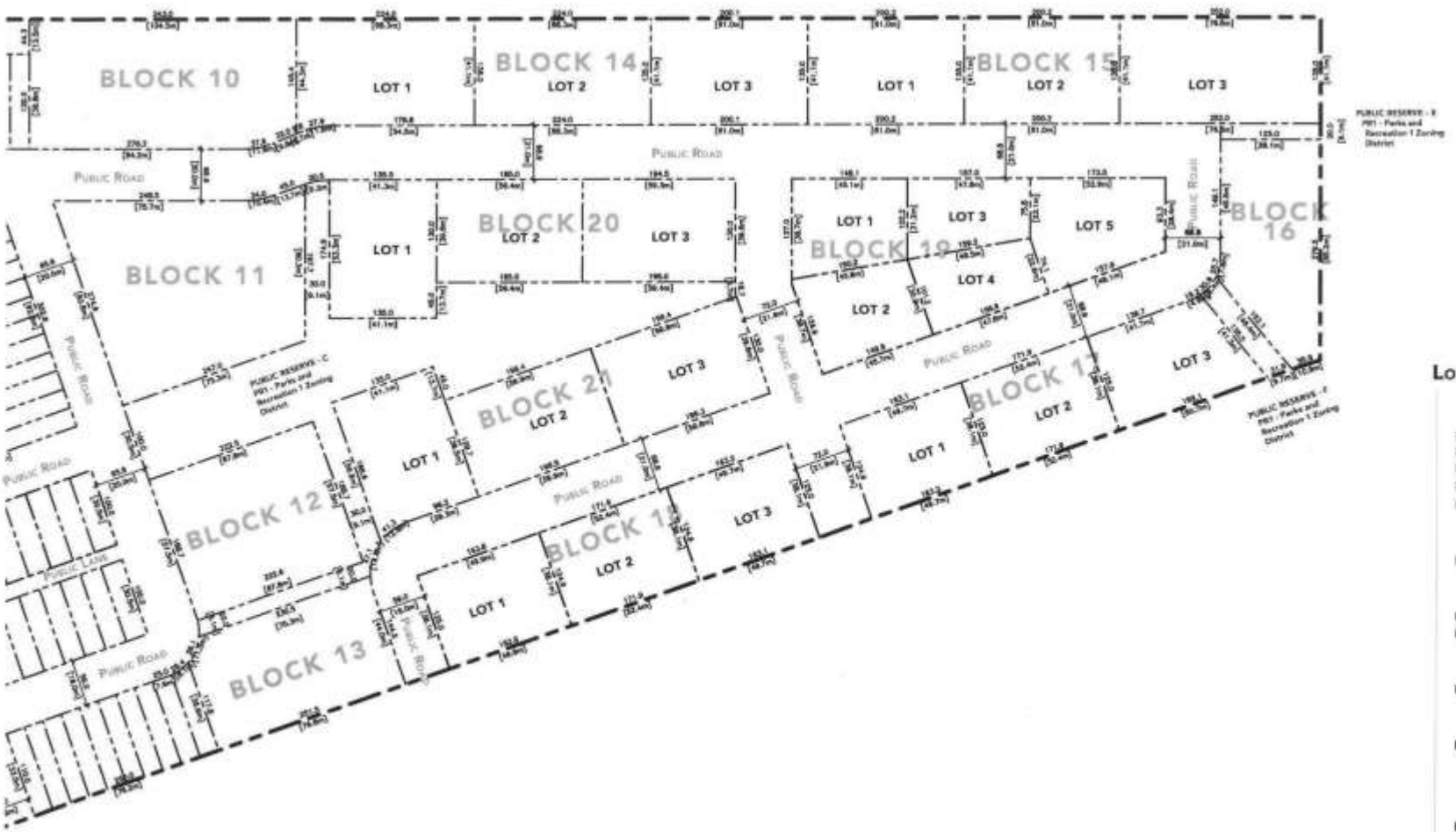
	Length (ft)	Width (ft)	Area (sq ft)	Area (acres)
Block 1			**60,600**	1.39
Lot 1	120	21	3,000	
Lot 2	120	21	2,520	
Lot 3	120	25	3,000	
Lot 4	120	25	3,000	
Lot 5	120	21	2,520	
Lot 6	120	21	2,520	
Lot 7	120	25	3,000	
Lot 8	120	25	3,000	
Lot 9	120	21	2,520	
Lot 10	120	21	2,520	
Lot 11	120	25	3,000	
Lot 12	120	25	3,000	
Lot 13	120	25	3,000	
Lot 14	120	25	3,000	
Lot 15	120	25	3,000	
Lot 16	120	25	3,000	
Lot 17	120	25	3,000	
Lot 18	120	25	3,000	
Lot 19	120	25	3,000	
Lot 20	120	25	3,000	
Lot 21	120	25	3,000	
Block 2			**36,000**	0.83
Lot 1	120	25	3,000	
Lot 2	120	25	3,000	
Lot 3	120	25	3,000	
Lot 4	120	25	3,000	
Lot 5	120	25	3,000	
Lot 6	120	25	3,000	
Lot 7	120	25	3,000	
Lot 8	120	25	3,000	
Lot 9	120	25	3,000	
Lot 10	120	25	3,000	
Lot 11	120	25	3,000	
Lot 12	120	25	3,000	
Block 3			**106,773**	2.45
Lot 1	100	56.5	4,498	
Lot 2	100	21	2,100	
Lot 3	100	25	2,500	
Lot 4	100	25	2,500	
Lot 5	100	21	2,100	
Lot 6	100	21	2,100	
Lot 7	100	25	2,500	
Lot 8	100	25	2,500	
Lot 9	100	21	2,100	
Lot 10	100	21	2,100	
Lot 11	100	25	2,500	
Lot 12	100	25	2,500	
Lot 13	100	21	2,100	
Lot 14	100	21	2,100	
Lot 15	100	25	2,500	
Lot 16	100	25	2,500	
Lot 17	100	21	2,100	
Lot 18	100	21	2,100	
Lot 19	100	25	2,500	
Lot 20	100	25	2,500	
Lot 21	100	21	2,100	
Lot 22	100	21	2,100	
Lot 23	100	25	2,500	
Lot 24	100	31	4,875	
Lot 25	100	36	3,600	
Lot 26	100	36	3,600	
Lot 27	100	36	3,600	
Lot 28	100	36	3,600	
Lot 29	100	36	3,600	
Lot 30	100	36	3,600	
Lot 31	100	36	3,600	
Lot 32	100	36	3,600	
Lot 33	100	36	3,600	
Lot 34	100	36	3,600	
Lot 35	100	36	3,600	
Lot 36	100	36	3,600	
Lot 37	100	36	3,600	

	Length (ft)	Width (ft)	Area (sq ft)	Area (acres)
Block 4			**48,400**	1.11
Lot 1	110	38	4,180	
Lot 2	110	36	3,960	
Lot 3	110	36	3,960	
Lot 4	110	36	3,960	
Lot 5	110	36	3,960	
Lot 6	110	38	4,180	
Lot 7	110	38	4,180	
Lot 8	110	36	3,960	
Lot 9	110	36	3,960	
Lot 10	110	36	3,960	
Lot 11	110	36	3,960	
Lot 12	110	38	4,180	
Block 5			**75,123**	1.72
Lot 1	110	69	6,250	
Lot 2	110	38	4,180	
Lot 3	110	38	4,180	
Lot 4	110	38	4,180	
Lot 5	110	38	4,180	
Lot 6	110	38	4,180	
Lot 7	110	38	4,180	
Lot 8	110	38	4,180	
Lot 9	110	38	4,180	
Lot 10	110	28	5,183	
Lot 11	110	25	2,750	
Lot 12	110	25	2,750	
Lot 13	110	25	2,750	
Lot 14	110	25	2,750	
Lot 15	110	25	2,750	
Lot 16	110	25	2,750	
Lot 17	110	25	2,750	
Lot 18	110	25	2,750	
Lot 19	110	25	2,750	
Lot 20	110	25	2,750	
Lot 23	110	25	2,750	
Block 6			**75,800**	1.74
Lot 1	100	30	3,000	
Lot 2	100	30	3,000	
Lot 3	100	30	3,000	
Lot 4	100	30	3,000	
Lot 5	100	30	3,000	
Lot 6	100	30	3,000	
Lot 7	100	30	3,000	
Lot 8	100	30	3,000	
Lot 9	100	31	3,100	
Lot 10	100	31	3,100	
Lot 11	100	31	3,100	
Lot 12	100	31	3,100	
Lot 13	100	31	3,100	
Lot 14	100	31	3,100	
Lot 15	100	31	3,100	
Lot 16	100	31	3,100	
Lot 17	100	30	3,000	
Lot 18	100	30	3,000	
Lot 19	100	30	3,000	
Lot 20	100	30	3,000	
Lot 21	100	30	3,000	
Lot 22	100	30	3,000	
Lot 23	100	30	3,000	
Lot 24	100	30	3,000	
Lot 25	100	30	3,000	

	Length (ft)	Width (ft)	Area (sq ft)	Area (acres)
Block 7			**75,800**	1.74
Lot 1	100	29	2,900	
Lot 2	100	28	2,800	
Lot 3	100	28	2,800	
Lot 4	100	28	2,800	
Lot 5	100	28	2,800	
Lot 6	100	28	2,800	
Lot 7	100	28	2,800	
Lot 8	100	28	2,800	
Lot 9	100	28	2,800	
Lot 10	100	28	2,800	
Lot 11	100	28	2,800	
Lot 12	100	28	2,800	
Lot 13	100	28	2,800	
Lot 14	100	28	2,800	
Lot 15	100	28	2,800	
Lot 16	100	28	2,800	
Lot 17	100	28	2,800	
Lot 18	100	28	2,800	
Lot 19	100	28	2,800	
Lot 20	100	28	2,800	
Lot 21	100	28	2,800	
Lot 22	100	28	2,800	
Lot 23	100	28	2,800	
Lot 24	100	28	2,800	
Lot 25	100	28	2,800	
Lot 26	100	28	2,800	
Lot 27	100	29	2,900	
Block 8			**55,059**	1.26
Lot 1	110	25	2,811	
Lot 2	110	25	2,750	
Lot 3	110	25	2,750	
Lot 4	110	25	2,750	
Lot 5	110	25	2,750	
Lot 6	110	25	2,750	
Lot 7	110	25	2,750	
Lot 8	110	25	2,750	
Lot 9	110	25	2,750	
Lot 10	110	25	2,750	
Lot 11	110	25	2,750	
Lot 12	110	25	2,750	
Lot 13	110	25	2,750	
Lot 14	110	25	2,750	
Lot 15	110	25	2,750	
Lot 16	110	25	2,750	
Lot 17	110	25	2,750	
Lot 18	110	25	2,750	
Lot 19	110	25	2,750	
Lot 20	110	25	2,750	
Block 9			**27,662**	0.64
Lot 1	110	25	2,750	
Lot 2	110	25	2,750	
Lot 3	110	25	2,750	
Lot 4	110	25	2,750	
Lot 5	110	25	2,750	
Lot 6	110	25	2,750	
Lot 7	110	25	2,750	
Lot 8	110	25	2,750	
Lot 9	110	25	2,752	
Lot 10	110	25	2,910	

Fulton Grove

PROPOSED PLAN OF SUBDIVISION - LOT PLAN (WEST)



Lot Details (East)

	AREA (sq ft)	AREA (acres)
Block 10	**55,887**	1.28
Block 11	**63,330**	1.45
Block 12	**41,974**	0.96
Block 13	**35,956**	0.83
Block 14	**87,652**	2.01
Lot 1	30,397	
Lot 2	30,236	
Lot 3	27,019	
Block 15	**88,063**	2.02
Lot 1	27,020	
Lot 2	27,023	
Lot 3	34,019	
Block 16	**31,242**	0.72
Block 17	**63,928**	1.47
Lot 1	20,395	
Lot 2	21,483	
Lot 3	22,049	
Block 18	**62,354**	1.43
Lot 1	20,480	
Lot 2	21,483	
Lot 3	20,391	
Block 19	**82,341**	1.89
Lot 1	16,977	
Lot 2	17,118	
Lot 3	13,975	
Lot 4	13,748	
Lot 5	20,523	
Block 20	**73,008**	1.68
Lot 1	23,650	
Lot 2	24,044	
Lot 3	25,314	
Block 21	**74,731**	1.72
Lot 1	23,735	
Lot 2	25,489	
Lot 3	25,508	

Fulton Grove

PROPOSED PLAN OF SUBDIVISION - LOT PLAN (EAST)