Minutes – Council – July 18, 2024

Minute No. 426
Report – Standing Policy Committee on Property and Development – July 4, 2024

Item No. 16 **Subdivision and Rezoning – Land located on the south side of Court Avenue, east of Pipeline Road**
(Old Kildonan Ward)
File DASZ 19/2024 [c/r DAV 124565/2024D]

COUNCIL DECISION:

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

1. That the subdivision proposed under Development Application No. DASZ 19/2024 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated June 17, 2024 and attached as Schedule "C" to this report, with such minor changes as may be required, subject to the following conditions:

    A. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated June 11, 2024 and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMF-M" Residential Multi-Family (Medium) District in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated June 17, 2024, and attached as Schedule "C" to this report, subject to the following conditions:

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

        i. The Owner must submit plans showing the location and design of any and all proposed:

            a. buildings
            b. accessory parking areas
            c. private approaches
            d. garbage enclosures
            e. fencing

Report – Standing Policy Committee on Property and Development – July 4, 2024

COUNCIL DECISION (continued):

f. landscaping
g. free-standing signage

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

ii. That, excluding projections permitted under the Winnipeg Zoning By-Law, the maximum height of any building on the land shall not exceed 40 feet.

iii. That a minimum front yard setback of 10 feet be provided along the north property line.

iv. That a minimum 6 foot opaque fence be provided along the length of the south property line.

v. *Deleted.*

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

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

B. a Zoning Agreement in accordance with Recommendation 2,

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

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

Report – Standing Policy Committee on Property and Development – July 4, 2024

COUNCIL DECISION (continued):

5. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 19/2024 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

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

6. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a by-law in accordance with this report (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 19/2024 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 Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

10. That the zoning section of the By-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

Report – Standing Policy Committee on Property and Development – July 4, 2024

COUNCIL DECISION (continued):

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 19/2024 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.

14. That the variance order for File No. DAV 24-124565\D shall not come into force and effect until the coming into force and effect of the zoning by-law for the subject land under File DASZ 19/2024.

Report – Standing Policy Committee on Property and Development – July 4, 2024

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

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

Carried

Pursuant to The Municipal Conflict of Interest Act, Councillor Wyatt advised that he would refrain from voting on the above motion due to a direct pecuniary interest, and left the meeting.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 9, 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 July 4, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 25, 2024, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- In Recommendation 2.A.ii., delete “38” and replace with “40”
- In Recommendation 2.A.iii., delete “15” and replace with “10”
- Delete Recommendation 2.A.v. in its entirety
- Add the following new Recommendation 5.A.:

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

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

PUBLIC HEARING SUMMARY

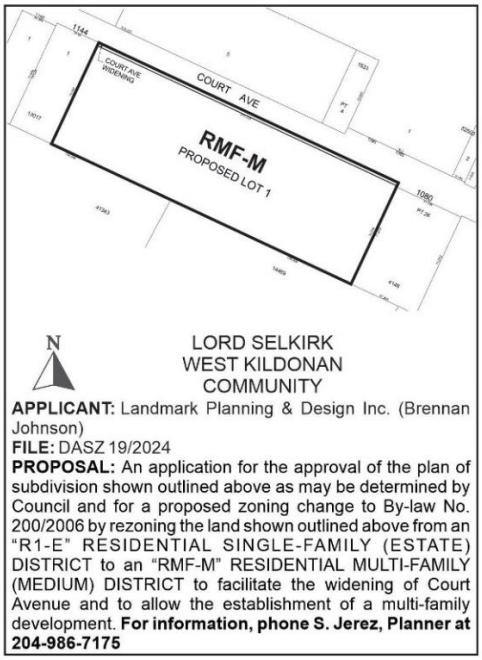
File: DASZ 19/2024

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

Public Hearing: June 25, 2025
Council Building, 510 Main Street

Applicant: Landmark Planning & Design Inc. (Brennan Johnson)

Subject:



Premises Affected: Land located on the south side of Court Avenue, east of Pipeline Road

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

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

Report date: June 26, 2024

Community Committee Recommendation:

On June 25, 2024, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development:

1. That the subdivision proposed under Development Application No. DASZ 19/2024 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated June 17, 2024 and attached as Schedule "C" to this report, with such minor changes as may be required, subject to the following conditions:

    A. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated June 11, 2024 and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMF-M" Residential Multi-Family (Medium) District in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated June 17, 2024, and attached as Schedule "C" to this report, subject to the following conditions:

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

        i. The Owner must submit plans showing the location and design of any and all proposed:

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

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

        ii. That, excluding projections permitted under the Winnipeg Zoning By-Law, the maximum height of any building on the land shall not exceed ~~38~~ ***40*** feet.

iii. That a minimum front yard setback of ~~***15***~~ ***10*** feet be provided along the north property line.

iv. That a minimum 6 foot opaque fence be provided along the length of the south property line.

v. ~~***That a minimum 5 foot landscaped buffer be provided along the length of the south property line.***~~

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

A. a Servicing Agreement in accordance with recommendation 1; and

B. a Zoning Agreement in accordance with recommendation 2,

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

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

5. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 19/2024 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

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

6. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a by-law in accordance with this report (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 19/2024 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 Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

10. That the zoning section of the By-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

11. That the By-law will be repealed without coming into force 1 year 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 19/2024 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.

14. That the variance order for File No. DAV 24-124565\D shall not come into force and effect until the coming into force and effect of the zoning by-law for the subject land under File DASZ 19/2024.

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

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

1. I'm really happy with the way that the applicant worked with the Public Service and also with my office on this project, it is not easy, this is sort of infill on greenfield in an interesting Precinct, when we went through that process, and as Brendan from Landmark outlined it meets the policy directions that we have at the City here for creating more housing stock and in this area which is sought after there's going to be buses in the area and close to amenities on McPhillips, a new school in the area and so it is very exciting and is going to urbanize Court Avenue and the residents in the area have been waiting for that for a long time with a little bit of work to do but we are getting there.

2. I want to thank them for their work in putting this proposal together, it is going to be great for the area, Paragon has a wonderful track record of projects that they have done throughout the City and specifically in the Old Kildonan Ward as well in particular I want to give a shout out to the Jefferson property in the Maples. So great work on part of the applicant Brenden and Brennen and the entire team, thank you for your efforts.

Objections under the Charter:

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

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

Exhibits Filed:

1. Application dated April 4, 2024
2. Notification of Public Hearing dated May 22, 2024
3. Manitoba Status of Title 1541953/1
4. Letter of authorization dated March 6, 2023 from Kalra Ventures Ltd. to Landmark Planning & Design Inc. (Brennan Johnson) and/or Brendan Salakoh
5. Drawing Title
6. Plan of Subdivision
7. Shadow Study
8. Plans (11 pages)
9. Report from the Urban Planning Division dated June 17, 2024
10. Inspection Report
11. Communication dated June 24, 2024, from Brennan Johnson in support of the application
12. Recording of Representations

REPRESENTATIONS:

In Support:
Brendan Salakoh
Brennan Johnson
Dean Spearman

In Opposition:
Nil

For Information:
Nil

For the City:
S. Jerez, Planner, Planning, Property and Development Department
K. Kowalyk, Land Development Engineer, Planning, Property and Development Department

Exhibit “9” referred to in File DASZ 19/2024

ADMINISTRATIVE REPORT

Title: DASZ 19/2024 – Court AVE

Issue: For consideration at the public hearing to subdivide and rezone to “RMF-M” Residential Multi-family (Medium) to facilitate the widening of Court Avenue and the establishment of a 184-unit townhouse style multi-family development.

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

AUTHORIZATION

Author	Department Head	CFO	CAO
S. Jerez, RPP MCIP	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision proposed under Development Application No. DASZ 19/2024 be approved for preparation as a plan of subdivision (the “Plan”) by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office in accordance with the proposed by-law attached as Appendix “A” to this report and as shown on the map dated June 17, 2024 and attached as Schedule “C” to this report, with such minor changes as may be required, subject to the following conditions:

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2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMF-M” Residential Multi-Family (Medium) District in accordance with the proposed by-law attached as Appendix “A” to this report and as shown on the map dated June 17, 2024, and attached as Schedule “C” to this report, subject to the following conditions:

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

        i. The Owner must submit plans showing the location and design of any and all proposed:

(a) buildings;

(b) accessory parking areas;

(c) private approaches;

(d) garbage enclosures;

(e) fencing;

(f) landscaping; and

(g) free-standing signage

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

ii. That, excluding projections permitted under the Winnipeg Zoning By-Law, the maximum height of any building on the land shall not exceed 38 feet.

iii. That a minimum front yard setback of 15 feet be provided along the north property line.

iv. That a minimum 6 foot opaque fence be provided along the length of the south property line.

v. That a minimum 5 foot landscaped buffer be provided along the length of the south property line.

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

A. a Servicing Agreement in accordance with recommendation 1; and

B. a Zoning Agreement in accordance with recommendation 2,

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

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

5. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 19/2024 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

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 19/2024 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 Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

10. That the zoning section of the By-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

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13. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

14. That the variance order for File No. DAV 24-124565\D shall not come into force and effect until the coming into force and effect of the zoning by-law for the subject land under File DASZ 19/2024.

REASON FOR THE REPORT

- The applicant intends to subdivide and rezone to "RMF-M" Residential Multi-family (Medium) to facilitate the widening of Court Avenue and to establish a 184-unit townhouse style multi-family development.
- 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.

OURWINNIPEG 2045 POLICY ALIGNMENT

City Building Objective 1: Responsibly plan, prioritize and accommodate growth in areas that best support Complete Communities principles, to achieve this Plan's sustainable development goals. Facilitate growth and change strategically within Winnipeg's unique Transformative Areas and Established Neighbourhoods.

01-1a OurWinnipeg Approach to City Building: Promote compact urban form and manage the extension of municipal services for new growth. Support new developments that are contiguous with existing developments to minimize the spatial use of land and the extension of services.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Simi Jerez, RPP MCIP
Date:	June 17, 2024
File No.	DASZ 19/2024

List of Schedules and Attachments

Schedule A	Planning Discussion
Schedule B	Report of the Administrative Working Group – June 11, 2024.
Schedule C	Recommended File No. DASZ 19/2024 Lord Selkirk West Kildonan Community Committee, dated June 17, 2024
Appendix A	Proposed By-law

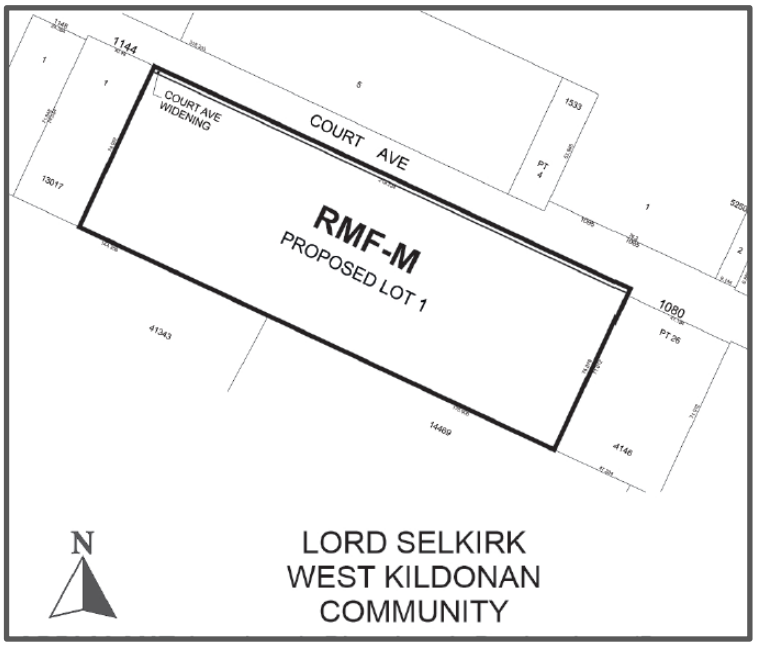
SCHEDULE 'A'

DATE: June 17, 2024
FILE: **DASZ 19/2024**
RELATED FILES: **DAV 24-124565\D**
COMMUNITY: Lord Selkirk-West Kildonan Community
NEIGHBOURHOOD #: 3.326 (Leila North)

SUBJECT: For consideration at the Public Hearing to subdivide and rezone to "RMF-M" Residential Multi-family (Medium) to facilitate the widening of Court Avenue and the establishment of a 184-unit townhouse style multi-family development.

LOCATION: **Court AVE**

LEGAL DESCRIPTION: LOT 2 PLAN 13017 17 K OTM



APPLICANT: Brennan Johnson (Landmark Planning & Design Inc)
298 Waterfront Dr
Winnipeg, MB R3B 0G5

OWNERS: KALRA VENTURES LTD.
554 Agnes St
Winnipeg, MB R3G 1N6

RECOMMENDATION: Approval with conditions

DISCUSSION

SITE DESCRIPTION

- The subject property is located on the south side of Court Avenue between Pipeline Road and McPhillips Street, in the Leila North neighbourhood of the Old Kildonan ward.
- The site is 717.57 feet in width, 243.33 feet in depth, and +/-4 acres (174,253 square feet) in area. The site has frontage on the Court Avenue collector route, and is currently vacant.
- The property is in the Established Neighbourhood – Recent Communities policy area under the *Complete Communities Direction Strategy 2.0*, and zoned "R1-E" Residential Single-family Estate.
- The subject property is located within the "Medium Density Residential" policy area per the *Precinct "E" Precinct Plan*.



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

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Court Avenue, and the future intersection of Court Avenue and Degrave Street (per DASZ 4/2023), with the northwest corner approved for rezoning to an "RMF-L" Residential Multi-Family (Large) District; the northeast corner occupied by an existing five-storey multi-family dwelling zoned "RMF-M" Residential Multi-Family (Medium); and land rezoned to an "RMF-M" Residential Multi-family (Medium) District (DASZ 4/2023).

South: St. Joseph's nursing home zoned "RMF-L" Residential Multi-Family Large; and the "Villagio" apartment complex zoned "RMF-M" Residential Multi-Family (Medium).

East: A single-family dwelling zoned "R1-E" Residential Single-Family (Estate) and designated "Medium Density Residential" policy area under the Precinct "E" Precinct Plan.

West: Single-family dwellings zoned "R1-E" Residential Single-Family (Estate) and designated "Medium Density Residential" policy area under the Precinct "E" Precinct Plan.



Figure 2: Zoning of the Site and Surrounding Area

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the subject site from an “R1-E” Residential Single Family (Estate) District to an “RMF-M” Residential Multi-family (Medium) District to accommodate the construction of a stacked townhouse development consisting of ten (10) three-storey buildings.
- In addition, the subject application would subdivide a strip of the site (16.51 feet deep and 717.57 feet wide, approximately 11,847 square feet in area) to accommodate a road widening (Court Avenue by 4.5 feet) and a future multi-use pathway. The final lot area would be +/- 3.74 acres (162,758.21 square feet).
- A total of 184 residential dwelling units are being proposed, consisting of a mix of two-bedroom and three-bedroom units. The average lot area density is 884.6 square feet per dwelling unit (49 units per acre).
- Eight (8) of the proposed buildings would consist of 20 units, and the remaining two would include 12 units.
- Each of the building designs provides stacked townhouse units with lower units occupying the main floor and raised basement, and upper units occupying the second and third levels.
- The applicant is exploring the option of providing 25% affordable units, and is in discussion regarding CMHC MLI Select funding.

Building Plans and Elevations

- Drawings provided show ten (10) buildings with a height of 37 feet and 9 inches.
- Cladding materials consist of horizontal siding and vertical panels. Details and amounts are not identified in the drawings submitted.

- The proposed front yard on Court Avenue would be between 8 feet and 8 feet 9 inches, as two end buildings are setback slightly further than the centre three. For each of the 5 buildings proposed along Court Avenue, three sets of stairs would project into the front yard with 3 feet 9 inches to the front property line.

Vehicular and Bicycle Parking

- Site access would be taken from two approaches on Court Avenue.
- A total of 250 surface parking stalls are proposed, located behind the proposed buildings and along the rear property line, including 7 accessible stalls, and 110 small car parking spaces (44%, of the total number of parking spaces).
- The applicant is proposing to provide a total of 27 bicycle parking spaces on the subject site. Bike racks are shown beside the front approaches within the 8 foot 9 inch front yard abutting the future multi-use pathway, and a secure bike parking structure is indicated on the site plan within the east side yard. Details have not been provided at this stage.

Landscaping and Amenity Spaces

- The proposed street edge landscaping includes a mix of 25 trees and 115 shrubs along Court Avenue of 717.58 feet, meeting the minimum requirements of 24 trees and 108 shrubs.
- The proposed parking lot interior landscaping includes 14 trees and 41 shrubs, meeting the minimum requirements of 13 trees and 38 shrubs.
- The applicant is proposing to provide 252 shrubs for building foundation landscaping, exceeding the requirement of 217 shrubs.
- The site plan indicates the location of 20 benches along the north (Court Avenue) property line abutting the future multi-use pathway.
- Accessible pathways are provided on the front and rear (north and south) elevations of each building, as well as along one side of the two drive north/south aisles connected to each approach. Crossings are demarcated on the site plan provided. Details regarding materials, colour and contrast have not been provided at this stage.
- Drawings show a total of six (6) 8 foot by 12 foot pergolas on site 2 in the east side yard and 4 in the west side yard. In addition, four (4) oval pergolas are provided over walkways between the 3 buildings interior to the site.
- A 6 foot high wood fence is proposed along the side property lines, and a 6 foot chain link fence along the rear of the site.
- Two garbage enclosures are located along the rear property line, sited opposite to the proposed approaches.

Associated Variances

- The proposed development requires Variances for a substandard front yard setback to the proposed buildings; a reduced west side yard setback to the parking area; an insufficient number of parking spaces; a number of small car parking spaces that exceeds that allowed under the Zoning By-law; a substandard setback between parking spaces and a window to a habitable room; and, an insufficient amount of parking lot interior landscaping. Please refer to the Planner's report for analysis of the proposed variances (DAV 24-124565/D).

COLLABORATIVE PLANNING & CONSULTATION

With the Urban Planning & Design Division

- The applicant initially submitted a pre-application under file number 23-128681, and has revised the subject proposal to align with pre-application feedback provided by Public Service stakeholders regarding the proposed scale and density, the widening of Court, and establishment of an AT pathway.
- The applicant's project team met on multiple occasions with the District Planner and with the Area Councillor regarding the local planning context.
- The Urban Planning & Design Division provided site planning and design feedback particularly regarding reducing the number of variances. The applicant chose to proceed with the application with some modifications, suggesting that required changes could be addressed through Plan Approval.

With the Public

- A public engagement process was undertaken including a series of stakeholder meetings and public open houses over a 10-month period between March 2023 and December 2023.
- The Project Team met with directly adjacent residents, including those most likely to be potentially impacted by this proposal, and members of the general public on a total of two occasions, on March 23rd, 2023 and on December 5th from 6:00pm to 8:00pm at the Seven Oaks Arena.
- Residents in the immediate vicinity of the project received direct invitations to the stakeholder meetings via hand delivered notices. For those who attended the initial set of meetings and provided contact information, the Project Team reached out directly via email and telephone with notification of the second round of engagement.
- For the second set of meetings and public open houses, notices were hand-delivered to residents on the surrounding blocks and an advertisement was placed in the Winnipeg Free Press Community Review – East newspaper.
- The applicant states that many of the concerns and suggestions (related to building height and scale, traffic, and parking) have been considered and addressed by the Project Team.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The *Complete Communities Direction Strategy 2.0* (*CCDS 2.0*) is one of four direction strategies supporting *OurWinnipeg*, the city's long-range development plan, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- The subject property is located in an "Established Neighbourhoods – Recent Communities" policy area as outlined in *CCDS 2.0*. The Vision for Established Neighbourhoods is to continue to evolve as complete communities to increase the diversity of housing choices, improve housing affordability, and more efficiently use land, infrastructure and services.
- With regard to this proposal, the key goal and policies guiding the development of Established Neighbourhoods include:

1.0 Encourage compatible residential development within Established Neighbourhoods to build more Complete Communities and align with the City's residential intensification target.

1.1 Encourage residential development that positively contributes to neighbourhood character while expanding housing options for residents in a manner that is sensitive and complementary to existing development.

1.14 Low-rise residential uses will generally be encouraged to locate on arterial roads and collector roads where compatible with adjacent land uses and where they can be conveniently served with transit and local commercial amenities, and in consideration of the factors listed in Policy section 1.6.

2.0 Design new development in Established Neighbourhoods to a high standard of urban design and construction to ensure new development adds value to public and private urban spaces to create a sense of place and civic pride.

2.3 Encourage, where contextually suitable, the location of multi-family buildings at or near the front and corner side property lines to create a pedestrian orientation that is respectful of the area context. Use setbacks to provide landscaping, front courtyards for individual units or other amenities that support the pedestrian environment, building design and relationship to the street.

2.4 Encourage the use of high-quality, energy efficient, and durable exterior building facade materials.

2.6 Encourage building design to include a range of architectural features that create visual interest and positively contribute to the visual aesthetics of the street and neighbourhood.

2.9 Buildings with multi unit residential uses should be designed to support pedestrian activity and reinforce the public realm through thoughtful use of architectural features which may include, but are not limited to, the following:

- *a) Window placement that supports passive surveillance;*
- *b) Unit entrances with direct access to the street;*
- *c) Front porches;*
- *d) Balconies;*
- *e) Awnings;*
- *f) Lighting; and*
- *g) Height of primary entrances*

2.12 New development should respect and complement the existing character of the built form of surrounding properties.

2.13 Where appropriate, taller buildings should use step backs and roof design to mitigate negative impacts on adjacent properties and provide a more comfortable pedestrian environment.

2.15 Encourage the use of architectural features to articulate building walls in order to mitigate the impact of new building mass.

2.17 Where motor vehicle parking must be accessed from a front street, it should be effectively screened or incorporated into the building in a manner that positively contributes to the attractiveness of the streetscape.

2.21 Site design should take cues from the character of the neighbourhood or street and should mitigate the potential for land use conflict with adjacent properties that have different scales, densities and uses. Parking location (motor vehicle and bicycle),

vehicular access, servicing elements, building placement and landscaping treatment will be important design elements to ensure context-sensitive design.

2.22 Create or reinforce compact, pedestrian-oriented urban development patterns by ensuring the siting, form and scale of new development has a strong relationship to the street, public spaces and amenities in a way that is consistent with neighbourhood context.

- Per Servicing policy 1.1 of CCDS 2.0, the proposed development will require a full range of municipal services and will be required to comply with applicable servicing requirements, per the recommendations of the ACG report attached as Schedule "B" to this report.

PRECINCT 'E' PRECINCT PLAN:

- The site is also located in an area designated "Medium Density Residential" policy area under the *Precinct "E" Precinct Plan*. Key relevant policies associated with this policy area include the following:

  5.2 Medium Density Residential Development Policies:

  a. *Two family housing and townhouses (three storeys or less) shall be the predominant use of land within the medium density residential areas.*

  b. *Single family housing may be allowed subject to any required City of Winnipeg zoning by-laws and policies.*

  c. *It is expected that these areas will develop to approximately 10.0 units per gross developable hectare (4.0 units per gross developable acre) or greater.*

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

  e. *Multi-family housing units should be located to allow for transit servicing to be provided at a walking distance of no more than 200 meters.*

- The Precinct "E" Plan notes the existing medium density residential development directly south of the Precinct and identifies the "Medium Density Residential" policy area along the south side of Court Avenue as a location in which to provide residential development scaled appropriately to adjacent residential uses within the precinct in a manner "sensitive to the expectations of the existing single family homes located along Court Avenue. In this sense housing forms that create a natural transition from medium density to low density may be appropriate in this location."

- The *Precinct Plan* also identifies this site as a "Special Planning Area" which is a specific area that requires a slightly greater level of planning detail to ensure that "development remains appropriate and sensitive to existing and future surrounding uses", and includes the area along the south side of Court Avenue. Key policies applicable to the subject application include the following:

  4.2 Special Planning Areas

  b. *Development applications for properties south of Court Avenue must demonstrate the following:*

     i. *frontage onto Court Avenue;*

     ii. *buildings and entranceways facing toward the public street;*

iii. pedestrian and vehicular access onto Court Avenue; and

iv. appropriate transitions between varying intensities of residential use suitable for mitigating potential land use conflicts are applied. This may be achieved through consistent and compatible zoning districts and/or the provision of building setbacks and heights that are sensitive to existing and future developments.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

"R1-E" Residential Single-Family Estate District

- Currently, the land is zoned "R1-E" Residential Single-Family Estate District. The "R1-E" district requires: a minimum lot width of 25 feet, a minimum lot area of 20,000 square feet, side yards of 15 feet, a front yard of 30 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 30 percent.

"RMF-M" Residential Multi-Family Medium District

- The "RMF-M" zoning district is intended to accommodate the development of multi-family units in areas with medium to high residential densities.
- The dimensional standards for multifamily structures in the "RMF-M" zone are: a minimum front yard of 25 feet; a minimum rear yard of 25 feet; a minimum side yard of 8 feet, and, a maximum building height of 60 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 800 square feet.

REASONS FOR RECOMMENDATIONS

- The proposed development application is generally consistent with the *Complete Communities Direction Strategy 2.0* and the *Precinct 'E' Precinct Plan*. Key supporting reasons are as follows:
    - The proposal contributes positively to the neighborhood character by contributing to a mix of housing types in accordance with the CCDS 2.0 policy 1.1. This expands housing options for residents and promotes a balanced and inclusive community.
    - The proposed multi-family development would be situated on a collector road and adjacent to other multi-family developments and lands zoned for similar uses under DASZ 3/2023 DASZ 4/2023, and scaled to transition to abutting single-family dwellings. Together, this ensures compatibility with adjacent land uses in line with policies 1.14 of CCDS 2.0 and the *Precinct 'E' Precinct Plan* policies.
    - The proposed development adheres to the density requirements of the *Precinct 'E' Precinct Plan's* applicable policy areas, supporting a range of housing options and promoting efficient land use.
    - Conditions of approval are included in the recommended zoning agreement (as described further below in this report) to ensure development addresses privacy concerns for immediate neighbors through thoughtful building design, massing, orientation, and landscaping, as required by the *Precinct 'E' Precinct Plan* policy 5.2.d.
    - Land provided along Court Avenue for a future multi-use pathway contribute to a connected active transportation system, encouraging multi-modal transportation and enhancing recreational opportunities for area residents.

- The proposed multi-family residential development fits well within the immediate context of the surrounding neighbourhood which is characterized by a mix of single- and multi-family residential uses, within 600 metres of the frequent transit and a range of commercial amenities, as well as Seven Oaks Hospital, an employment hub.
- The proposed design meets a number of design policies for Recent Communities . Namely, the building is oriented to the street, has a scale similar to surrounding buildings, and includes features such as balconies, communal pergolas, and benches that increase activity along the street edge.
- The subject proposal provides two and three bedroom units, 25% of which are intended to meet CMHC requirements for affordability, and it contributes to a range of housing types that are important to help meet the lifecycle needs of Winnipeg residents.

In summary, with the recommended conditions of approval, the proposed development is supportable and consistent with the applicable land use policies, as it contributes to a diverse range of housing options, ensures compatibility with the surrounding neighborhood, promotes efficient land use, and adheres to relevant planning policies and guidelines.

CONDITIONS OF APPROVAL

Zoning Agreement

- To ensure the proposed development transitions well to surrounding uses, in line with Precinct “E” policy 5.2.a requiring a 3-storey height limit, and recognizing the maximum building height permitted in the “RMF-M” zone is 60 feet, the Public Service is recommending that the maximum height of any building on the subject site be restricted to 38 feet.
- In addition, a minimum 15 foot front yard setback is recommended to ensure a comfortable setback and ample space for benches, bicycle parking and high quality landscaping to the future multi-use path along Court Avenue.
- The Urban Planning & Design Division recommends that an opaque fence and minimum 5 foot landscaped buffer be provided along the south property line to ensure effective screening of parking from multi-family residential lands south of the subject site, in line with Precinct “E” policy 5.2.d.
- Plan Approval:
    - The Public Service is supportive of the proposed rezoning of the subject site to an “RMF-M” District, as the overall proposal is attractive and relatively well scaled. However, the design proposed appears to overbuild the site, as indicated by the number and scope of Variances requested, leaving little room to adjust parking and enable a more habitable site, as indicated by the following:
        - location of parking stalls within 8 feet of the front property line;
        - parking stalls directly against the rear property line;
        - limited space for snow storage;
        - limited space for viable landscaping in the front yard, and;
        - limited parking lot interior landscaping.
    - Given the tightly configured site plan and noting CCDS 2.0 and the Precinct “E” Precinct Plan policies related to context sensitivity, the proposed design may require significant adjustments. The Urban Planning & Design Division is recommending that final plans be

submitted to the Director of Planning, Property and Development for review prior to the issuance of a development permit on the lot. The inclusion of this clause will allow the Public Service and the Lord Selkirk West Kildonan Community Committee to review final plans and design details before any future development takes place on the site.

- Plan Approval drawings should address the following:
  - The overall proposal is attractive however the 10 proposed buildings are identical in cladding and articulation. While cohesiveness is encouraged, this degree of uniformity contributes to a flat effect for the overall development, situated on a wide site and largely oriented towards Court Avenue. Greater differentiation between buildings is encouraged, particularly those in the reduced front yard abutting the future AT pathway.



  - Most bikes will take up a bike parking spot of 30 inches wide, 72 inches long, and 48 inches high when parked. This does not account for room to maneuver the bicycle (without backing into the pathway, drive aisle or parking stall), nor the space required to lock a bicycle.
  - Indoor bicycle parking racks are ideally located a minimum 2 feet from the wall to allow maneuverable space for locking and access (particularly for inside stalls).
  - Per Zoning By-law Section 206.1(c) “pedestrian routes must contrast highly with the texture and appearance of the surfaces adjacent to the route, and must be built in accordance with the Private Development Requirements for Pedestrian Routes identified in the City of Winnipeg Accessibility Design Standards”. The Private Development Requirements for Pedestrian Routes can be found on page 38 in the City of Winnipeg Accessibility Design Standards.

Servicing Agreement

- The Public Service recommends that the developer enter into a Servicing Agreement with the City of Winnipeg, in order to address items relating to municipal services and infrastructure. These items are discussed in the Report of the Administrative Coordinating Group (ACG), which is attached to this report as Schedule “B”.

- The ACG report notes that Development of the Planned Area relies on the future services to be constructed by third parties west of the Planned Area and on the lands to the north of Court Avenue, including the stormwater retention basin (SRB) and outfall trunk sewer. This proposed development cannot proceed until this infrastructure has been constructed, or this Developer constructs, at no expense to the City, alternative infrastructure designed by a qualified municipal engineer to the satisfaction of the Director of Water and Waste.
- The ACG report outlines a number of servicing requirements, notably the opening of property required for a 5.075m widening of Court Avenue along the full length of the site; a contributions to the developer's share of the costs to construct a 10.0m wide concrete pavement in Court Avenue abutting the Planned Area, including ornamental street lighting, boulevard landscaping, land drainage facilities; the construction of a 3.5m wide asphaltic pathway on the south side of Court Avenue abutting the Planned Area; and, a contribution of up to 25% of the costs associated with the installation of traffic control signals and related works at the intersection of Pipeline Road and Court Avenue/Ambergate Drive.

Land Dedication

- As a condition of rezoning or subdivision of a parcel of land, a developer is required to contribute a portion of the land to be developed to the City of Winnipeg for parks purposes. The amount of land is not less than 10 percent.
- In the case of the subject proposed subdivision and rezoning, the Planning, Property and Development Department is recommending that the developer provide 'cash in lieu' of a dedication of land for the appraised value of the subject site.

RECOMMENDATION

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

- The subdivision and rezoning application would generally comply with the *Complete Communities Direction Strategy 2.0,* and with the *Precinct "E" Precinct Plan*, and would be compatible with the surrounding area.

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

Report Prepared by: S. Jerez, RPP MCIP
PPD File #: DASZ 19/2024

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED REZONING OF LAND LOCATED ON THE SOUTH SIDE OF COURT AVENUE, EAST OF PIPELINE ROAD

It is recommended that approval of DASZ 19/2024, if granted, be subject to the applicant entering into a Servicing Agreement containing the following conditions:

Section I – General Comments

Development of the Planned Area relies on the future services to be constructed by third parties west of the Planned Area and on the lands to the north of Court Avenue, including the stormwater retention basin (SRB) and outfall trunk sewer. This proposed development cannot proceed until this infrastructure has been constructed, or this Developer constructs, at no expense to the City, alternative infrastructure designed by a qualified municipal engineer to the satisfaction of the Director of Water and Waste.

Section II – Plan Considerations

1) The Developer shall, at no expense to the City, legally open property required for a 5.075m widening of the Court Avenue right-of-way, along the full length of the Planned Area abutting Court Avenue, to the satisfaction of the Director of Public Works.

Section III – Engineering Studies

1) The Developer shall, at no expense to the City, conduct geotechnical investigations 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.

b) If the water mains noted in clause a) are installed by others, the Developer shall pay to the City, in cash, on demand, their share of the water mains installed in Court Avenue, as determined by and to the satisfaction of the Director of Water and Waste.

2) Wastewater Sewers

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

b) If the water mains noted in clause a) are installed by others, the Developer shall pay to the City, in cash, on demand, their share of the wastewater sewers installed in Court Avenue, as determined by and to the satisfaction of the Director of Water and Waste.

3) Land Drainage

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

b) If the land drainage sewers noted in clause a) are installed by others, the Developer shall pay to the City, in cash, on demand, their share of the water mains installed in Court Avenue, as determined by and to the satisfaction of the Director of Water and Waste.

c) The Developer shall pay their share of the regional land drainage system as determined by and to the satisfaction of the Director of Water and Waste.

4) Court Avenue

a) The Developer shall, pay to the City, in cash, on demand, their share of the costs to construct a 10.0m wide by 200mm thick Portland cement concrete pavement in Court Avenue abutting the Planned Area, including but not limited to appropriate transitions, ornamental street lighting, boulevard landscaping, land drainage facilities, 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 a 3.5m wide asphaltic pathway on the south side of Court Avenue abutting the Planned Area, as determined by and to the satisfaction of the Director of Public Works. Alternatively, the City may choose the Developer pay the costs to construct the above works or a combination of constructing a portion and paying the costs to construct the remaining.

5) Traffic Control Signal

The Developer shall, pay to the City, in cash, on demand, up to 25% 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 Pipeline Road and Court Avenue/Ambergate Drive, when and as determined by and to the satisfaction of the Director of Public Works.

6) Pipeline Area Charge

The Developer shall pay to the City, on demand, their share of the cost (on an area basis, for the amount attributable to the Planned Area out of the total Precinct "E" area), to construct:

i. An 8.3m wide by 200mm thick Portland cement concrete pavement in Pipeline Road between Leila Avenue and Templeton Avenue, including median treatment,

ii. Northbound left turn storage lane on Pipeline Road at Leila Avenue,

iii. Northbound right turn cutoff lane on Pipeline Road at Leila Avenue,

iv. An appropriate transition on Pipeline Road north of Templeton Avenue,

v. Ornamental street lighting,

vi. Boulevard landscaping, and

vii. Land drainage sewers,

all as determined by and to the satisfaction of the Director of Public Works. Alternatively, the City may choose the Developer to construct some or all of the above works.

7) Core Amenities

Developer shall pay to the City, in cash, on demand, their share of core amenities in accordance with the Winnipeg Parks Strategy catchment target level of service and the Park Development Guidelines, as determined by and to the satisfaction of the Director of Planning, Property and Development.

8) Boulevards

a) The Developer shall, at no expense to the City, sod, and plant trees on, all newly created boulevard right of ways within, fronting, and flanking 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.

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

9) Utilities

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

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

10) Construction Traffic

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

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

11) Litter and Refuse Control and Clean-Up

a) The Developer shall, at no expense to the City, and of its own volition, initiate and control the regular cleanup of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction, as determined by and to the satisfaction of the Director of Public Works.

b) The cleanup of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

12) Survey Monuments

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

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

Section V – Costs and Fees

1) By-laws and Approvals

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

2) Professional Fees

a) The Developer shall pay the full cost of all design services, including preliminary engineering studies, servicing reports, servicing criteria, construction drawings and

specifications, and grading and landscaping plans and specifications, to be provided by Consulting Engineer(s) approved by the City, for the design of the municipal services, parklands, parkways and associated works required to serve the Planned Area;

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

c) The Developer shall pay to the City, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the cost of consulting fees for the preparation of the Court Avenue Precinct Plan (Precinct E), as determined by and to the satisfaction of the Director of Planning, Property and Development.

3) Administration Fees

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

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 19/2024
June 11th, 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

Schedule "C" for File DASZ 19/2024

Lord Selkirk West Kildonan Community Committee, dated June 17, 2024

By-Law No. _____

File No. **DASZ 19/2024**

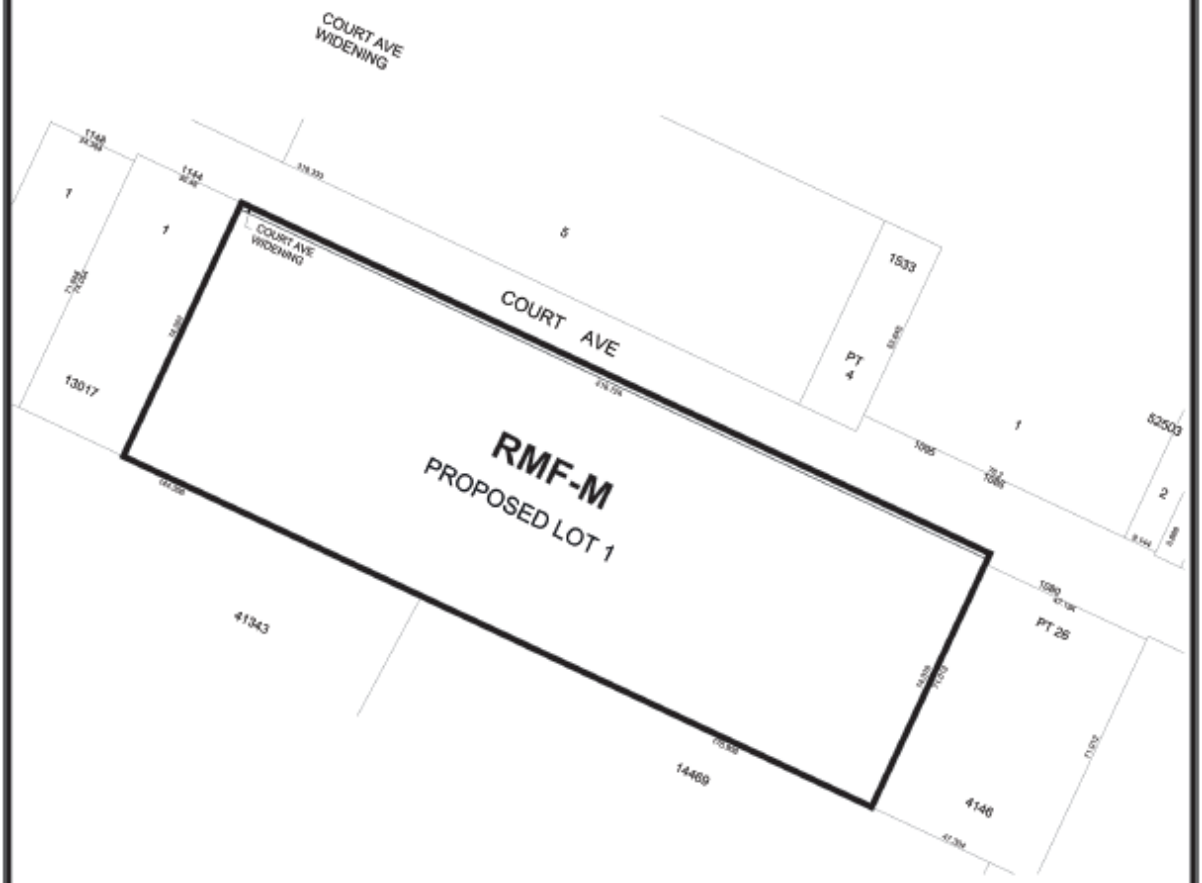
Atlas Sheet No. **S24**

N

LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located on the south side of Court Avenue, east of Pipeline Road, from an "R1-E" RESIDENTIAL SINGLE-FAMILY (ESTATE) DISTRICT to an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to facilitate the widening of Court Avenue and to allow the establishment of a multi-family development.

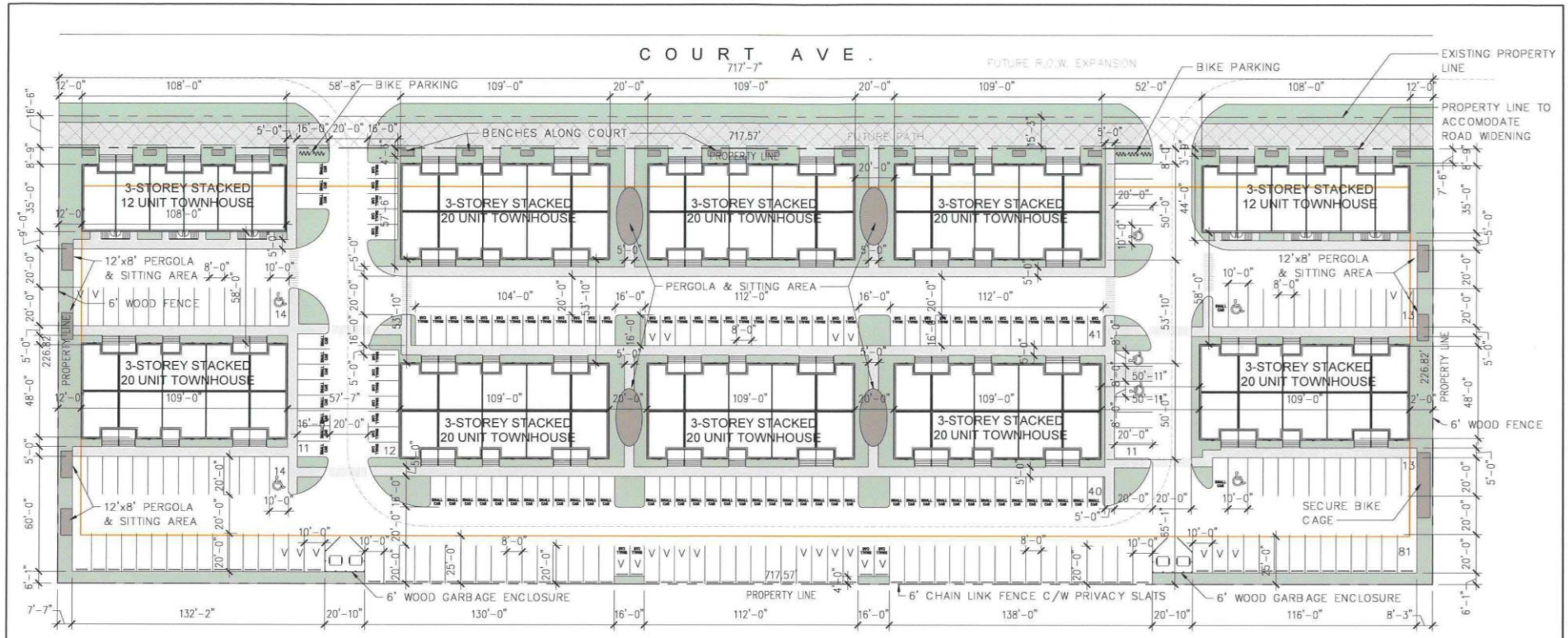


THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX A – Proposed By-law

Exhibit “8” referred to in File DASZ 19/2024



ZONING SUMMARY

CURRENT ZONING DISTRICT: R1-E
PROPOSED ZONING DISTRICT: RMF-M

BUILDING DESCRIPTION

3-STOREY TOWNHOUSES
184 DWELLING UNITS TOTAL

92 2 BEDROOM UNITS
92 3 BEDROOM UNITS

	REQ'D	PROV'D
LOT AREA	9,000	162,758.21
DWELLING COUNT	203	184
LOT AREA/DU	800	884
SETBACKS		
FRONT:	25'	8'
REAR:	25'	25'
SIDE (TO BUILDING):	12'	12'
SIDE (TO PARKING):	8'	7'-7"

	REQ'D	PROV'D
BUILDING HEIGHT:	60'	±40'-0"
PARKING COUNT:	276	250
STALLS/DU:	1:1.5	1:1.35
ACCESSIBLE:	7	7
VAN ACCESSIBLE:	2	2
BICYCLE:	27	27
VISITOR (V):	10%	26
SHORT STALLS:	33%	110 (44%)

20 UNIT TOWNHOUSE					
UNIT TYPE	LOCATION	BDRMS	AREA	QTY	TOTAL (8)
A	OUT DN	2	820	4	32
B	OUT UP	3	1000	4	32
C	IN DN	2	970	6	48
D	IN UP	3	1150	6	48

12 UNIT TOWNHOUSE					
UNIT TYPE	LOCATION	BDRMS	AREA	QTY	TOTAL (2)
E	OUT DN	2	1090	2	4
F	OUT UP	3	1275	2	4
G	IN DN	2	1090	4	8
H	IN UP	3	1275	4	8

AFFINITY ARCHITECTURE Inc.
Unit 201 - 227 Stafford Street • Winnipeg • Manitoba • R3M 2J1
Phone 204-982-6940 • Fax 204-453-4556 • info@affinityarch.com

Project: COURT AVENUE
Drawing Title: SITE PLAN

Designed: ZN
Drawn: ZN/JS
Date: 2024/03/13
Comm. No.: 23004
Reference Drawing No.:
Sheet No.: SK-01
Scale: 1" = 50'-0"



20 PLEX FRONT ELEVATION

1/16" = 1'-0"



20 PLEX SIDE ELEVATION

1/16" = 1'-0"

AFFINITY ARCHITECTURE Inc.
Unit 201 - 227 Stafford Street • Winnipeg • Manitoba • R3M 2J1
Phone 204-982-6940 • Fax 204-453-4556 • info@affinityarch.com

Project:
COURT AVENUE

Drawing Title:
20 PLEX ELEVATIONS

Designed: ZN	Reference Drawing No:
Drawn: ZN	Sheet No.: SK-10
Date: 2023/12/19	
Comm. No.: 23004	Scale: 1/16" = 1'-0"



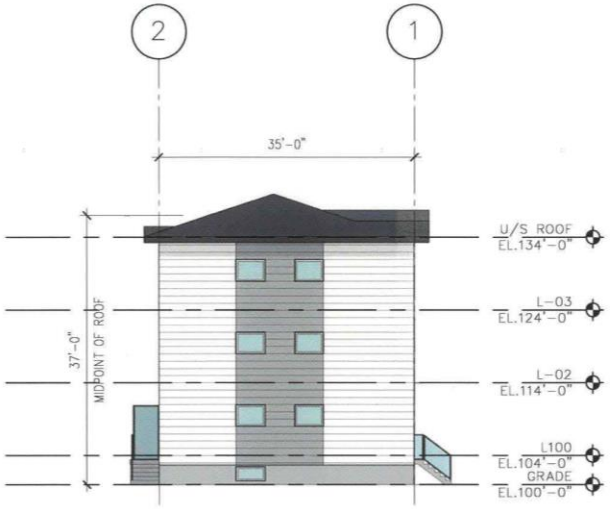
12 PLEX FRONT ELEVATION

1/16" = 1'-0"



12 PLEX REAR ELEVATION

1/16" = 1'-0"



12 PLEX SIDE ELEVATION

1/16" = 1'-0"

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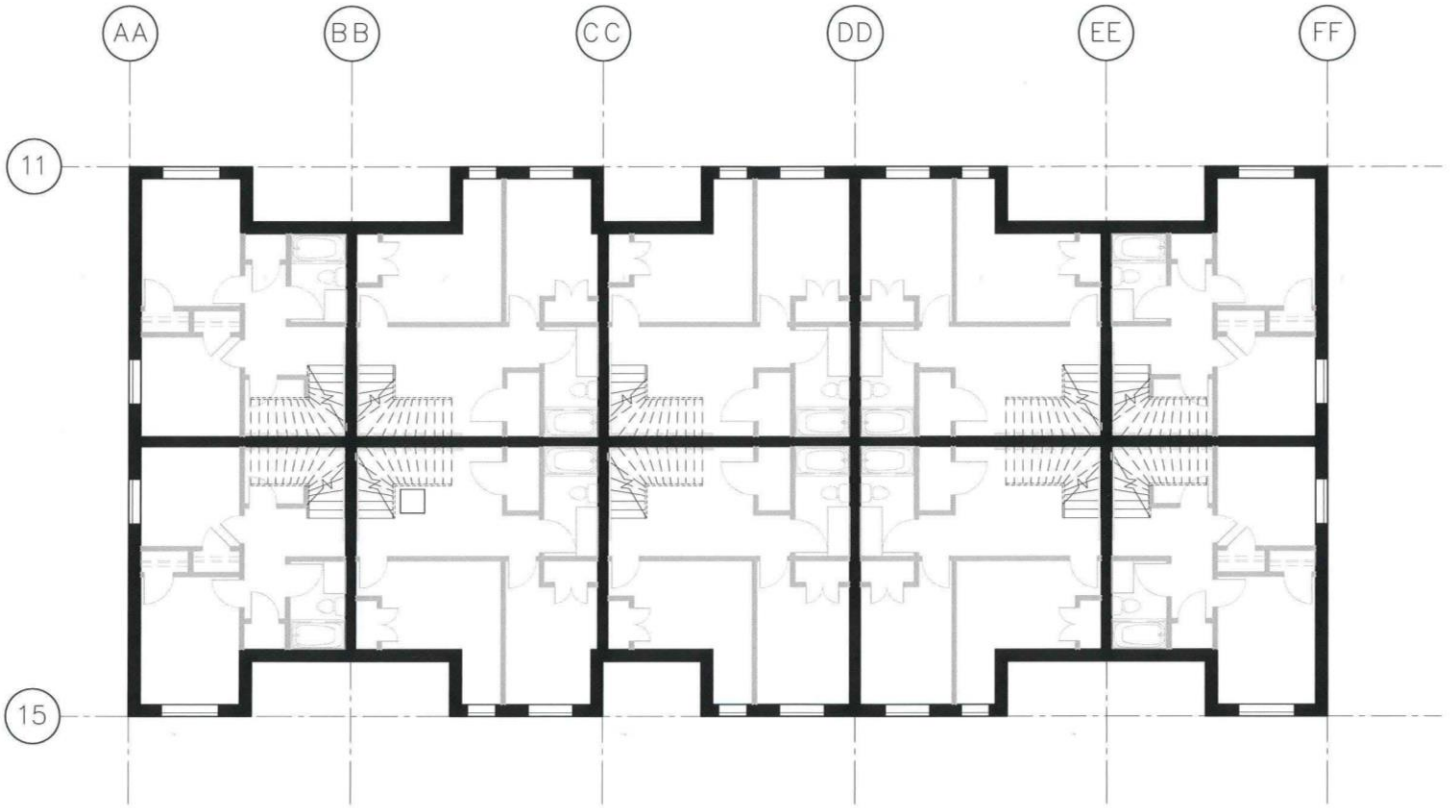
Project: COURT AVENUE

Drawing Title: 12 PLEX ELEVATIONS

Designed: ZN	Reference Drawing No.:
Drawn: ZN	Sheet No.: SK-11
Date: 2023/12/19	
Comm. No.: 23004	Scale: 1/16" = 1'-0"



1
SK – 02

L-B01 FLOOR PLAN 20 TOWNHOUSE PLAN

3/32" = 1'-0"

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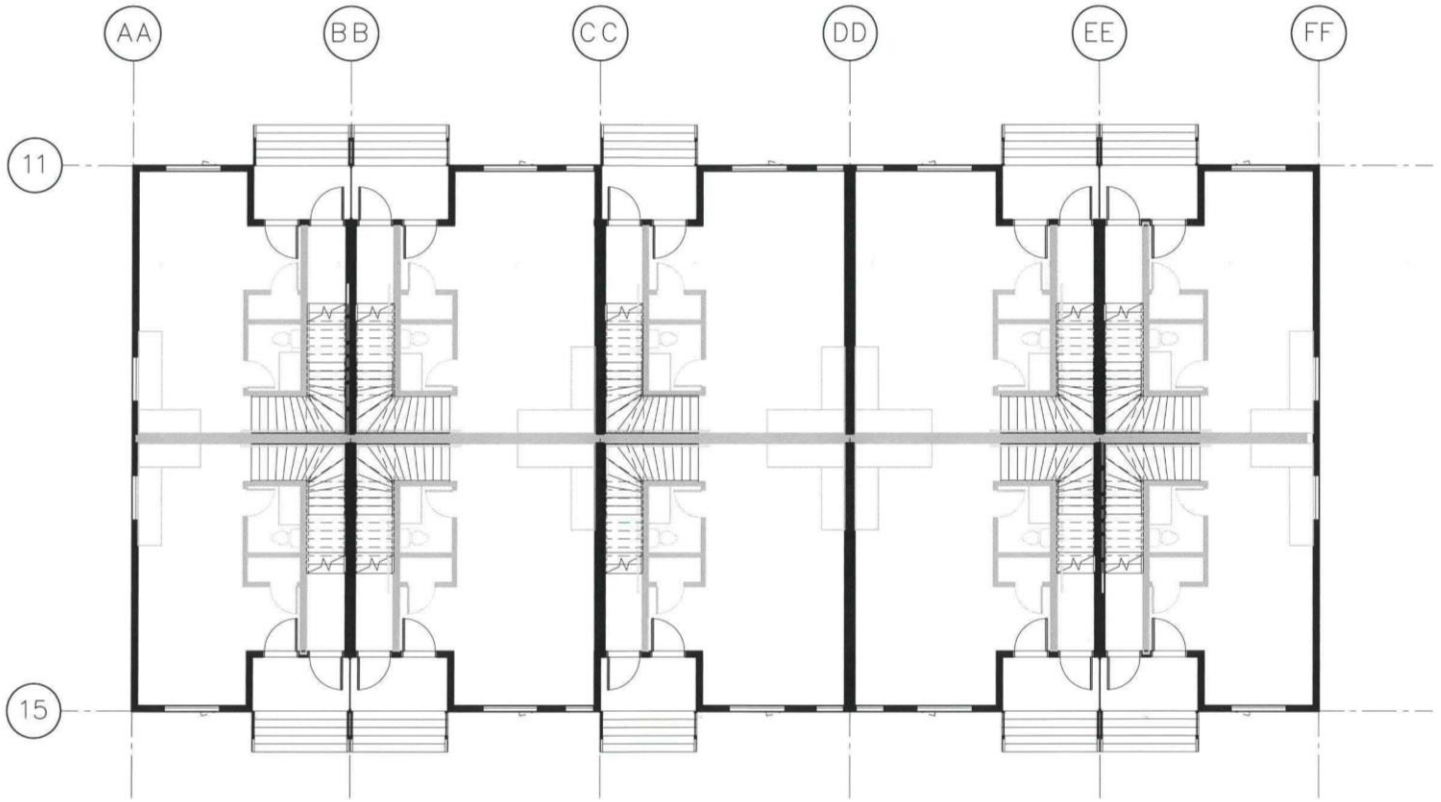
Project:
COURT AVENUE

Drawing Title:
20 PLEX BASEMENT FLOOR PLAN

Designed: ZN	Reference Drawing No.:
Drawn: ZN	Sheet No.: SK-02
Date: 2023/12/05	
Comm. No.: 23004	Scale: 3/32" = 1'-0"



1
SK–03

L-01 FLOOR PLAN 20 TOWNHOUSE PLAN

3/32" = 1'-0"

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Project:
COURT AVENUE

Drawing Title:
20 PLEX MAIN FLOOR PLAN

Designed: ZN	Reference Drawing No.:
Drawn: ZN	Sheet No.: SK-03
Date: 2023/12/05	
Comm. No.: 23004	Scale: 3/32" = 1'-0"



1
SK-04

L-02 FLOOR PLAN 20 TOWNHOUSE PLAN

3/32" = 1'-0"

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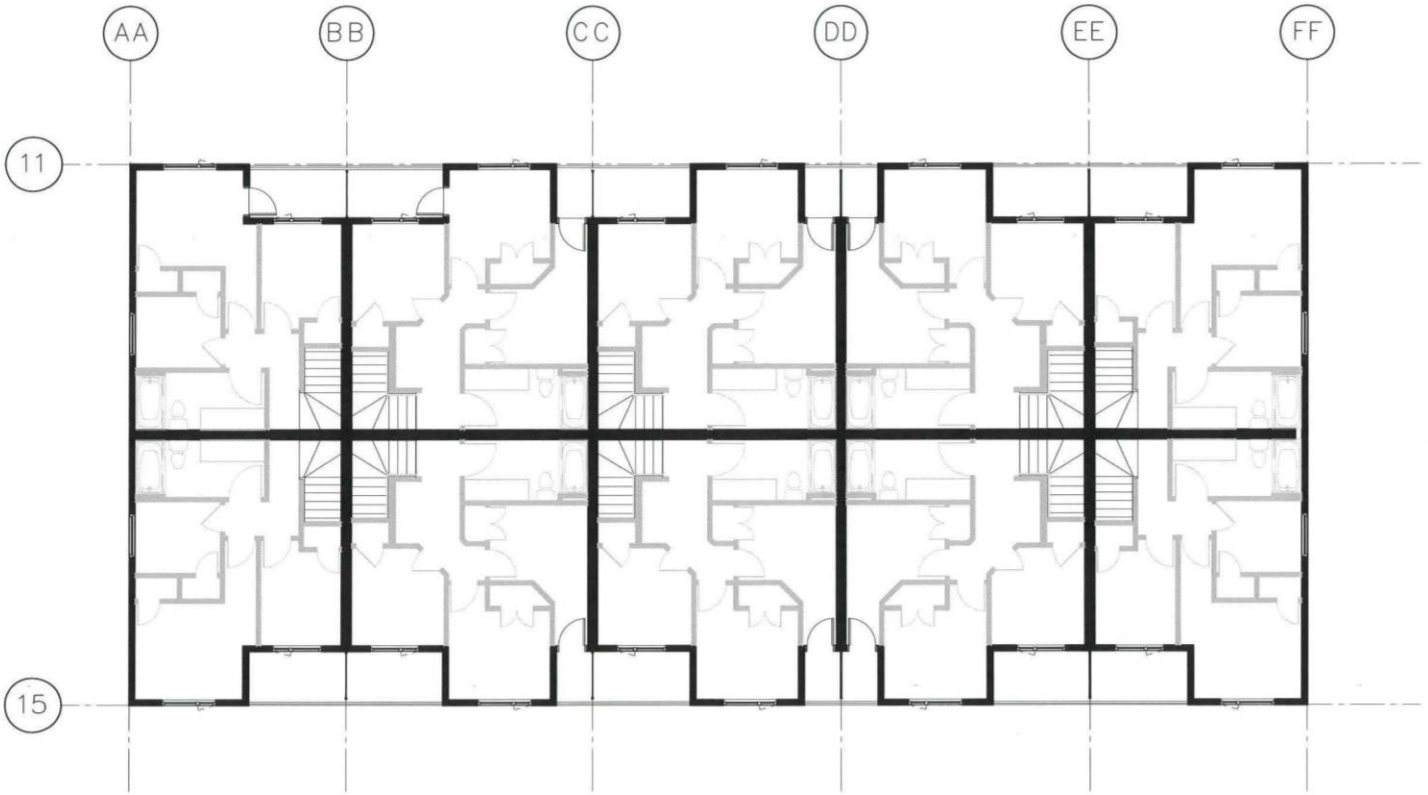
Project:
COURT AVENUE

Drawing Title:
20 PLEX SECOND FLOOR PLAN

Designed: ZN	Reference Drawing No.:
Drawn: ZN	Sheet No.: SK-04
Date: 2023/12/05	
Comm. No.: 23004	Scale: 3/32" = 1'-0"



1
SK–05

L-03 FLOOR PLAN 20 TOWNHOUSE PLAN

3/32" = 1'-0"

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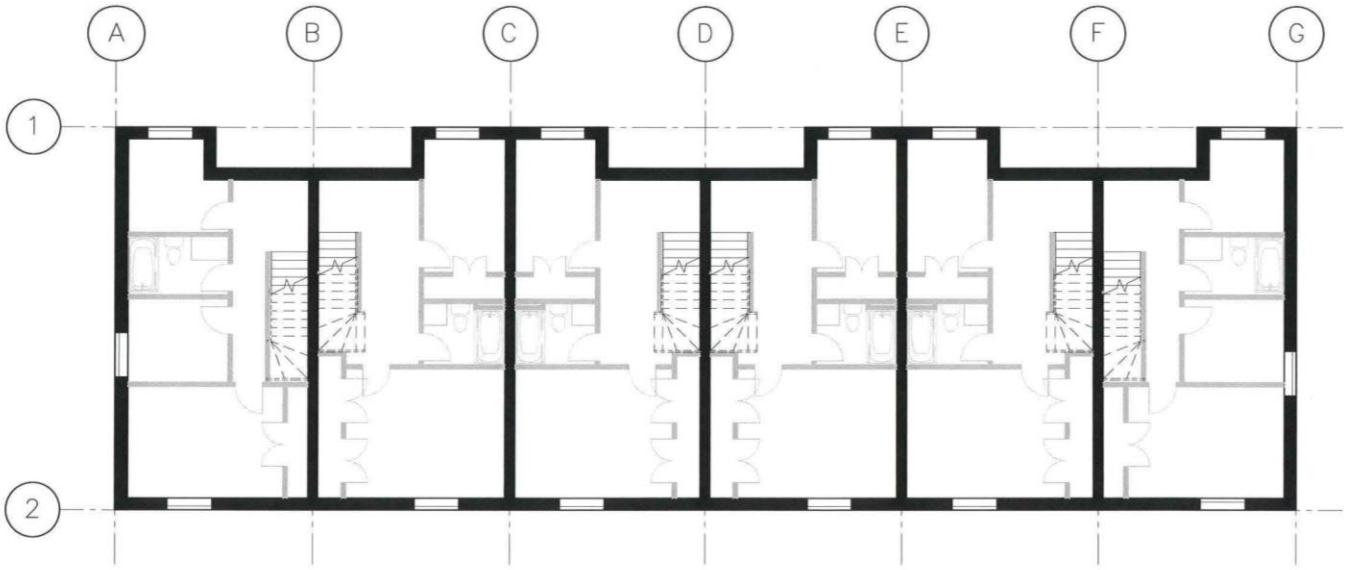
Project:
COURT AVENUE

Drawing Title:
20 PLEX THIRD FLOOR PLAN

Designed: ZN	Reference Drawing No:
Drawn: ZN	Sheet No.: SK-05
Date: 2023/12/05	
Comm. No.: 23004	Scale: 3/32" = 1'-0"



1
SK – 06

L-B01 FLOOR PLAN 12 TOWNHOUSE PLAN

3/32" = 1'-0"

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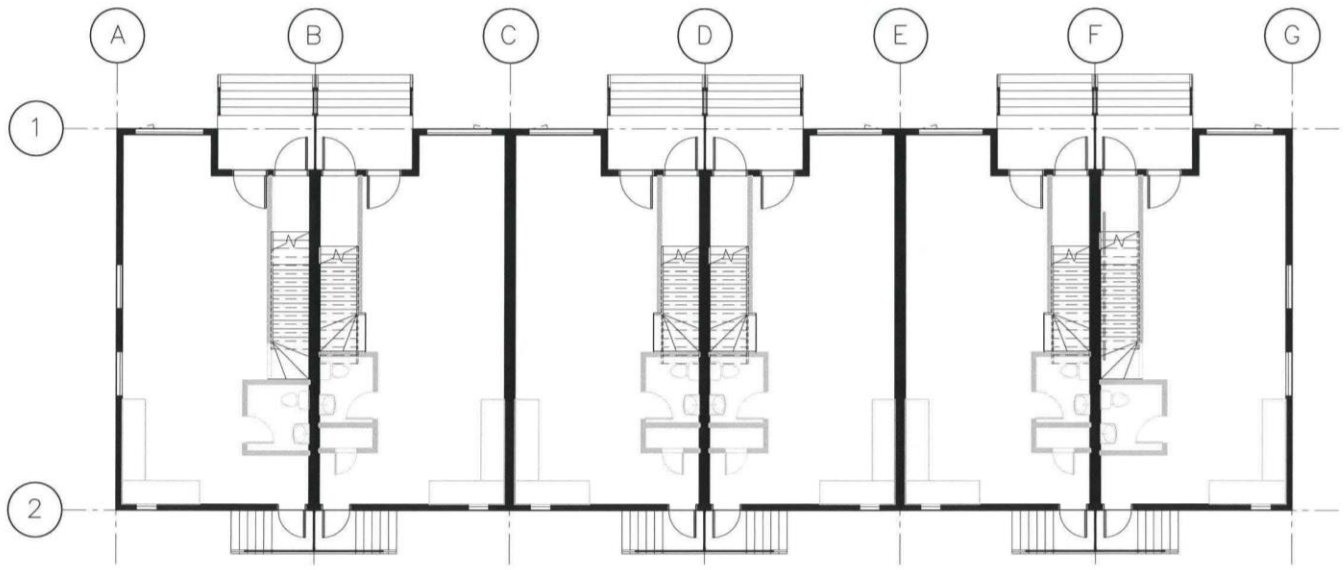
Project:
COURT AVENUE

Drawing Title:
12 PLEX BASEMENT FLOOR PLAN

Designed: ZN	Reference Drawing No.:
Drawn: ZN	Sheet No.: SK-06
Date: 2023/12/05	
Comm. No.: 23004	Scale: 3/32" = 1'-0"



1
SK-07

L-01 FLOOR PLAN 12 TOWNHOUSE PLAN

3/32" = 1'-0"

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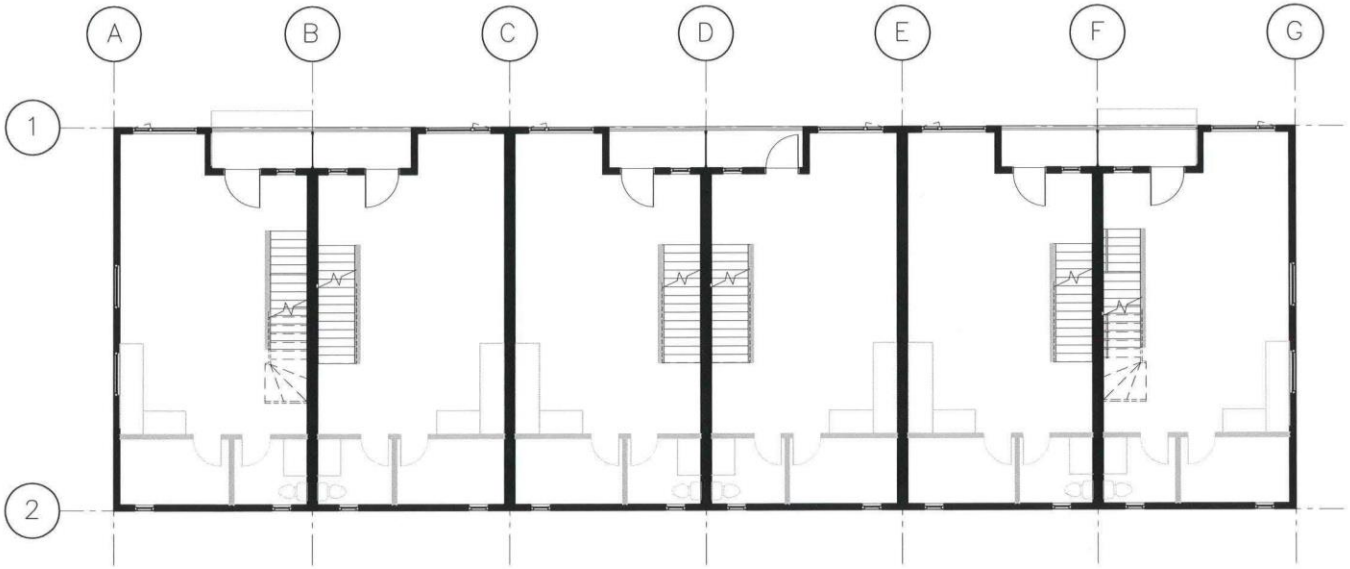
Project:
COURT AVENUE

Drawing Title:
12 PLEX MAIN FLOOR PLAN

Designed: ZN	Reference Drawing No.:
Drawn: ZN	Sheet No.: SK-07
Date: 2023/12/05	
Comm. No.: 23004	Scale: 3/32" = 1'-0"



1
SK–08

L-02 FLOOR PLAN 12 TOWNHOUSE PLAN

3/32" = 1'-0"

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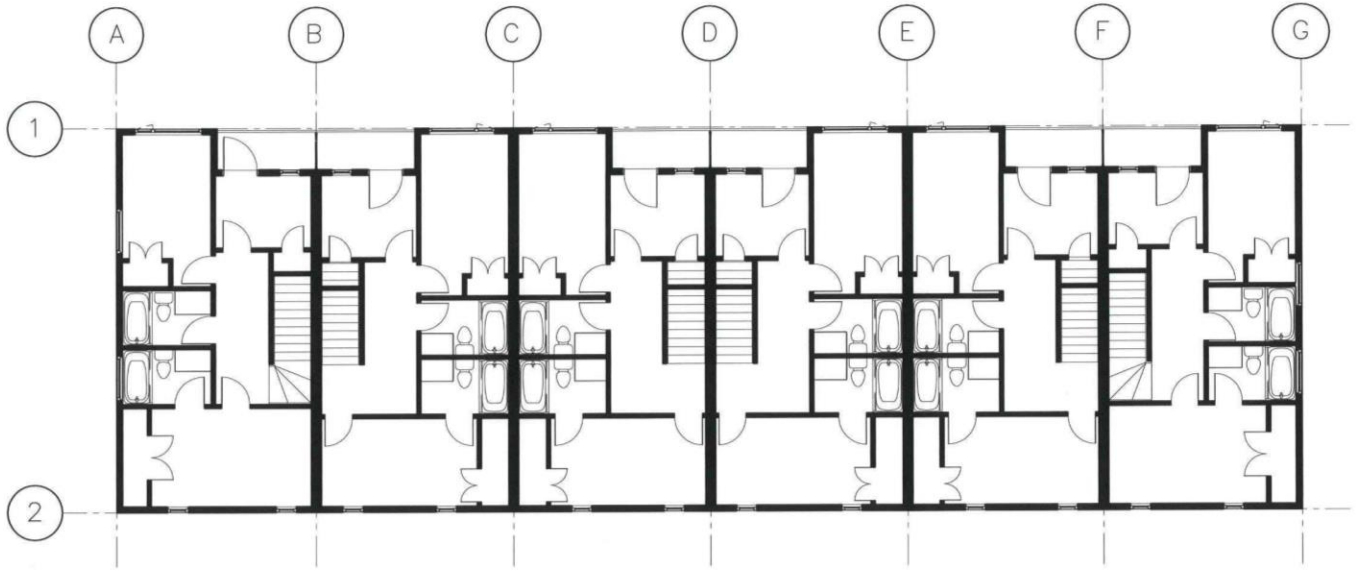
Project:
COURT AVENUE

Drawing Title:
12 PLEX SECOND FLOOR PLAN

Designed: ZN	Reference Drawing No:
Drawn: ZN	Sheet No.: SK-08
Date: 2023/12/05	
Comm. No.: 23004	Scale: 3/32" = 1'-0"



1
SK-09

L-03 FLOOR PLAN 12 TOWNHOUSE PLAN

3/32" = 1'-0"

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Project:
COURT AVENUE

Drawing Title:
12 PLEX THIRD FLOOR PLAN

Designed: ZN	Reference Drawing No.:
Drawn: ZN	Sheet No.: SK-09
Date: 2023/12/05	
Comm. No.: 23004	Scale: 3/32" = 1'-0"