Agenda – Executive Policy Committee – September 17, 2024

Report – Standing Policy Committee on Property and Development – September 13, 2024

Moved by Councillor

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than four business days preceding the committee meeting, be considered by Committee.

Item No. 12 Subdivision and Rezoning – Dugald Road-Plessis Road (Transcona Ward)
File DASZ 16/2024 [c/r DAV 120733/2024D]

STANDING COMMITTEE RECOMMENDATION:

On September 13, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, as amended, and submitted the following to Council:

1. That the subdivision proposed under Development Application No. DASZ 16/2024 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 "B" to this report and as shown on the map dated June 24, 2024 and attached as Schedule "D" to this report, with such minor changes as may be required, subject to the following:

    A. That the "Plan" be amended in accordance with Section II of the report of the Administrative Coordinating Group dated June 7, 2024 and attached as Schedule "B" to this report, subject to the following amendment:

    B. 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 June 7, 2024 and attached as Schedule "B" to this report, with the following amendments:

        i. In Section I – General Comments, add the following wording at the end of the paragraph 'that it is recognised that when a DASZ application is approved, that Council has the final approving authority."

        ii. In Section II – Plan Considerations:

            a. Delete Condition 2 in its entirety

            b. Delete Condition 3 in its entirety

Report – Standing Policy Committee on Property and Development – September 13, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

c. Amend Condition 5 by deleting all words after "park purposes"

d. Amend Condition 6 by deleting the words "and not credited as public reserve"

e. Delete Condition 7 in its entirety

iii. In Section IV – Servicing Conditions:

a. Amend Condition 2.a) by deleting the words "The Water and Waste Department's preliminary assessment indicated there will be constraints in wastewater sewer capacity for servicing the proposal."

b. Delete Condition 3)c) in its entirety

c. Add the following new Condition 6)v.:

"v. land drainage sewer"

d. Add the following new Condition 7)c)

"c) In the event an asphalt roadway can be constructed to the satisfaction of the Director of Public Works, it should be considered."

e. In Condition 8)a) delete the words "by 100mm thick"

f. Delete Condition 10 in its entirety and replace with the following:

"10) The Developer shall construct, at no cost to the City, the intersection of Plessis Road and the proposed Public Road, restricting movements to right in, right out through geometric design, as determined by and to the satisfaction of the Director of Public Works."

g. Amend Condition 17)a) by adding the words "exempting Block 5" after "Public Reserve land(s)"

Report – Standing Policy Committee on Property and Development – September 13, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

h. Add the following new clause 17)b) and renumber the remaining clause accordingly:

"b) The developer shall at no expense to the city provide bollards to the delineate the property between Block 5 and the public reserve lands, as determined by and to the satisfaction of the Director of Public Works."

i. Amend Condition 17)c) by adding the words "/bollards" immediately after "fence"

j. Add the following new clauses to Condition 21):

"g) The developer agrees to construct an asphalt pathway to the width of the existing pathway in the existing Public Reserve located at 225 Shady Shore Drive West from its existing terminus to Shady Shore Drive West (approximately 125m), as determined by and to the satisfaction of the Director of Public Works."

h) The developer shall construct at no cost to the city, a shade structure large enough to accommodate picnic tables and a seating area for eight, subject to plan approval by the East Kildonan-Transcona Community Committee.

i) The developer construct at no cost to the city a Pickleball/3 on 3 basketball court to be constructed as determined by and to the satisfaction of the Director of Public Works"

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R1-S" Residential Single Family (Small) District; "R1-L" Residential Single Family (Large) District; "R2" Residential Two Family District; "RMF-S" Residential Multi Family (Small) District; "RMF-M" Residential Multi Family (Medium) District; and "PR1" Parks and Recreation 1 (Neighbourhood) District in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated June 24, 2024, and attached as Schedule "D" to this report, subject to the following conditions:

Report – Standing Policy Committee on Property and Development – September 13, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

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. That for those portions of the Owner's Land zoned "RMF-S" Residential Multi-Family (Small) and "RMF-M" Residential Multi Family (Medium) 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") and the East Kildonan-Transcona Community Committee 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, unless the Director of Planning, Property and Development receives written confirmation from the operator of the GS-003 gas site and the 16" diameter gas transmission pipeline stating that a specific reduced setback is permitted by the operator to the property line of the GS-003 gas site and the centerline of the 16" diameter gas transmission pipeline, the following restrictions shall apply to the lands being rezoned by DASZ 16/2024:

a. No buildings taller than three (3) stories are permitted within 90 meters (295.27 feet) of the GS-003 gas site and the 16" diameter pipeline;

b. Multi-family dwellings up to three (3) stories must maintain a minimum 15 meter (49.21 feet) setback to the property line of the GS-003 gas site, and a minimum 15 meter (49.21 feet) setback to the centerline of the 16" diameter pipeline;

STANDING COMMITTEE RECOMMENDATION (continued):

c. All single and two-family dwellings must maintain a minimum five (5) meter (16.4 feet) setback to the property line of the GS-003 gas site, and a minimum 15 meter (49.21 feet) setback to the centerline of the 16" diameter pipeline.

iii. For every lot that abuts the Public Reserve, the Owner will, at no expense to the City as determined by and to the satisfaction of the Director of Public Works:

a. construct continuous property delineation as approved by the Director of Public Works, along the entirety of the lot line abutting the Public Reserve and located within that lot; and

b. maintain, repair or replace, as required, the fence/bollards as originally constructed, installed or erected.

iv. That for the proposed "RMF-S" Residential Multi-Family (Small) lot (Block 5), as shown on the map dated June 24, 2024 and attached as Schedule "D" to this report, the following provisions shall apply:

a. No buildings shall be permitted within 25 feet (3.048 metres) of the east property line.

v. That for the proposed "RMF-S" Residential Multi-Family (Small) lot, as shown on the map dated June 24, 2024 and attached as Schedule "D" to this report, following building height limits shall apply:

a. That, excluding projections permitted under the Zoning By-Law, the maximum height of any building on the land within 100 feet (30.48 metres) of the east property line shall not exceed 35 feet (10.668 metres).

vi. That for the proposed "RMF-S" Residential Multi-Family (Small) lot (Block 5), "RMF-M" Residential Multi-Family (Medium) lot (Block 1), and "R1-S" Residential Single-Family Small lot (Block 4), as shown on the map dated June 24, 2024 and attached as Schedule "D" to this report, a 6' tall opaque privacy fence shall be installed along the east property lines where abutting existing single-family houses on "R1-E" Residential Single-Family Estate lots, to the satisfaction of the Director of Planning, Property and Development.

Report – Standing Policy Committee on Property and Development – September 13, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

3. 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 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 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.

5. 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 recommendations 1 and 2 (the "By-law") and bring same directly to Council by way of communication for first reading.

6. 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 Fee 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.

7. That Development Application No. DASZ 16/2024 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 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.

8. 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.

9. 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 – September 13, 2024

STANDING COMMITTEE RECOMMENDATION (continued):

10. 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 8 and 9, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

11. That Development Application No. DASZ 16/2024 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.

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

13. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File No. DASZ 16/2024.

Report – Standing Policy Committee on Property and Development – September 13, 2024

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On September 13, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, with the following amendments:

- Delete Recommendation 2.A.v.a. in its entirety and replace with the following:

  "2.A.v.a. That, excluding projections permitted under the Zoning By-Law, the maximum height of any building on the land within 100 feet (30.48 metres) of the east property line shall not exceed 35 feet (10.668 metres)."

- Delete Recommendation 1.B.iii.f. in its entirety and replace with the following:

  "1.B.iii.f. Delete Condition 10 in its entirety and replace with the following:

  "10) The Developer shall construct, at no cost to the City, the intersection of Plessis Road and the proposed Public Road, restricting movements to right in, right out through geometric design, as determined by and to the satisfaction of the Director of Public Works."

and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 4, 2024, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- In Recommendation 1., replace "Schedule "E" with "Schedule "D"

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

  ", with the following amendments:

  i. In Section I – General Comments, add the following wording at the end of the paragraph 'that it is recognised that when a DASZ application is approved, that Council has the final approving authority."

Report – Standing Policy Committee on Property and Development – September 13, 2024

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

ii. In Section II – Plan Considerations:

a. Delete Condition 2 in its entirety

b. Delete Condition 3 in its entirety

c. Amend Condition 5 by deleting all words after "park purposes"

d. Amend Condition 6 by deleting the words "and not credited as public reserve"

e. Delete Condition 7 in its entirety

iii. In Section IV 'Servicing Conditions':

a. Amend condition 2.a) by deleting the words "The Water and Waste Department's preliminary assessment indicated there will be constraints in wastewater sewer capacity for servicing the proposal."

b. Delete condition 3)c) in its entirety

c. Add the following new condition 6)v.:

"v. land drainage sewer"

d. Add the following new Condition 7)c)

"c) In the event an asphalt roadway can be constructed to the satisfaction of the Director of Public Works, it should be considered.

e. In Condition 8)a) delete the words "by 100mm thick"

Report – Standing Policy Committee on Property and Development – September 13, 2024

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

f. Delete Condition 10 in its entirety and replace with the following paragraph:

"10) Eastern connection on Plessis would be restricted to right in, right out design using porkchop. The developer shall pay and construct the Plessis road intersection porkchop design east-west road, as determined by and to the satisfaction of the Director of Public Works."

g. Amend Condition 17)a) by adding the words "exempting Block 5" after "Public Reserve land(s)"

h. Add the following new Condition 17)b) and renumber the remaining condition accordingly:

"b) The developer shall at no expense to the city provide bollards to the delineate the property between Block 5 and the public reserve lands, as determined by and to the satisfaction of the Director of Public Works."

i. Amend Condition 17)c) by adding the words "/bollards" immediately after "fence"

j. Add the following new clauses to Condition 21):

"g) The developer agrees to construct an asphalt pathway to the width of the existing pathway in the existing Public Reserve located at 225 Shady Shore Drive West from its existing terminus to Shady Shore Drive West (approximately 125m), as determined by and to the satisfaction of the Director of Public Works."

h) The developer shall construct at no cost to the city, a shade structure large enough to accommodate picnic tables and a seating area for eight, subject to plan approval by the East Kildonan-Transcona Community Committee.

Report – Standing Policy Committee on Property and Development – September 13, 2024

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

i) The developer construct at no cost to the city a Pickleball/3 on 3 basketball court to be constructed as determined by and to the satisfaction of the Director of Public Works"

- In Recommendation 2 add the words "RMF-M" Residential Multi Family (Medium) District" immediately after "RMF-S" Residential Multi Family (Small) District and replace "Schedule E" with "Schedule D"

- In Recommendation 2.A.i., add the words "and "RMF-M" Residential Multi Family (Medium)" immediately after "RMF-S" Residential Multi Family (Small) District

- In Recommendation 2.A.iii.b., add the word "/bollards" immediately after "fence"

- Add the following new recommendations to Recommendation 2.A.:

"iv. That for the proposed "RMF-S" Residential Multi-Family (Small) lot (Block 5), as shown on the map dated June 24, 2024 and attached as Schedule "D" to this report, the following provisions shall apply:

a. No buildings shall be permitted within 25 feet (3.048 metres) of the east property line.

v. That for the proposed "RMF-S" Residential Multi-Family (Small) lot, as shown on the map dated June 24, 2024 and attached as Schedule "D" to this report, following building height limits shall apply:

a. That, excluding projections permitted under the Zoning By-Law, the maximum height of any building on the land within 50 feet (15.24 metres) of the west property line shall not exceed 35 feet (10.668 metres).

Report – Standing Policy Committee on Property and Development – September 13, 2024

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

vi. That for the proposed "RMF-S" Residential Multi-Family (Small) lot (Block 5), "RMF-M" Residential Multi-Family (Medium) lot (Block 1), and "R1-S" Residential Single-Family Small lot (Block 4), as shown on the map dated June 24, 2024 and attached as Schedule "D" to this report, a 6' tall opaque privacy fence shall be installed along the east property lines where abutting existing single-family houses on "R1-E" Residential Single-Family Estate lots, to the satisfaction of the Director of Planning, Property and Development."

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

On June 24, 2024, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on September 4, 2024 at 10:30 a.m. in the Council Building at 510 Main Street to allow the applicant to return with designs showing the following:

1. Site at the southern end with two-storey design multi-family buildings with proper setbacks ideally running east-west allowing for a stepping-up toward the forest.

2. The forest being preserved in its entirety by moving the Right of Way by the north-south walkway and reducing its width by half.

3. Sidewalks being accommodated on either side of Shady Shore Drive, and that the southern half of Shady Shore be a road connecting to the existing Shady Shore Drive.

4. On the northern side backing onto the Single family homes, two-storey multi-family with proper setbacks.

5. A greater density along the west side at Dugald Road, but a maximum height of three stories on the north side of Shady Shore Drive.

6. A design for a traffic table on the road at the centre of the development.

PUBLIC HEARING SUMMARY

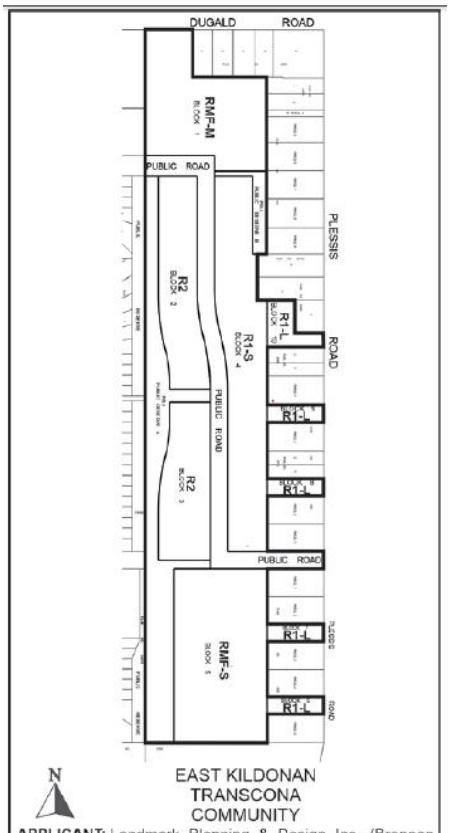
File: DASZ 16/2024

Before: East Kildonan-Transcona Community Committee
Councillor Schreyer, Chairperson
Councillor Wyatt

Public Hearing: September 4, 2024
June 24, 2024
Council Building, 510 Main Street

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

Subject:



APPLICANT: Landmark Planning & Design Inc. (Brennan Johnson)
FILE: DASZ 16/2024
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "R1-E" RESIDENTIAL SINGLE-FAMILY (ESTATE) DISTRICT to an "R1-S" and "R1-L" RESIDENTIAL SINGLE-FAMILY DISTRICTS, "R2" RESIDENTIAL TWO-FAMILY DISTRICT, "RMF-S" and "RMF-M" RESIDENTIAL MULTI-FAMILY DISTRICTS and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the continuation of residential development by the establishment of a block plan, the extension of Shady Shores Drive East and the establishment of Public Reserve. **For information, phone D. Chyz-Lund Planner at 204-986-8289**

Premises Affected: Southwest Corner of Dugald Road and Plessis Road

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

Prepared by: K. McMillan, Manager of the Decision-Making Process
East Kildonan-Transcona Community Committee

Report date: September 5, 2024

Community Committee Recommendation:

On September 4, 2024, the East Kildonan-Transcona 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 16/2024 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 "B" to this report and as shown on the map dated June 24, 2024 and attached as Schedule "***D***" to this report, with such minor changes as may be required, subject to the following:

    A. That the "Plan" be amended in accordance with Section II of the report of the Administrative Coordinating Group dated June 7, 2024 and attached as Schedule "B" to this report, subject to the following amendment:

    B. 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 June 7, 2024 and attached as Schedule "B" to this report***, with the following amendments:***

        i. In Section I – General Comments, add the following wording at the end of the paragraph 'that it is recognised that when a DASZ application is approved, that Council has the final approving authority."

        ii. In Section II – Plan Considerations:

            a. Delete Condition 2 in its entirety

            b. Delete Condition 3 in its entirety

            c. Amend Condition 5 by deleting all words after "park purposes"

            d. Amend Condition 6 by deleting the words "and not credited as public reserve"

            e. Delete Condition 7 in its entirety

iii. In Section IV – Servicing Conditions:

a. Amend condition 2.a) by deleting the words "The Water and Waste Department's preliminary assessment indicated there will be constraints in wastewater sewer capacity for servicing the proposal."

b. Delete condition 3)c) in its entirety

c. Add the following new condition 6)v.:

"v. land drainage sewer"

d. Add the following new Condition 7)c)

"c) In the event an asphalt roadway can be constructed to the satisfaction of the Director of Public Works, it should be considered.

e. In Condition 8)a) delete the words "by 100mm thick"

f. Delete Condition 10 in its entirety and replace with the following:

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g. Amend Condition 17)a) by adding the words "exempting Block 5" after "Public Reserve land(s)"

h. Add the following new clause 17)b) and renumber the remaining clause accordingly:

"b) The developer shall at no expense to the city provide bollards to the delineate the property between Block 5 and the public reserve lands, as determined by and to the satisfaction of the Director of Public Works."

i. Amend Condition 17)c) by adding the words "/bollards" immediately after "fence"

j. Add the following new clauses to Condition 21):

"g) The developer agrees to construct an asphalt pathway to the width of the existing pathway in the existing Public Reserve located at 225 Shady Shore Drive West from its existing terminus to Shady Shore Drive West (approximately 125m), as determined by and to the satisfaction of the Director of Public Works."

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i) The developer construct at no cost to the city a Pickleball/3 on 3 basketball court to be constructed as determined by and to the satisfaction of the Director of Public Works"

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R1-S" Residential Single Family (Small) District; "R1-L" Residential Single Family (Large) District; "R2" Residential Two Family District; "RMF-S" Residential Multi Family (Small) District; ***"RMF-M" Residential Multi Family (Medium) District***; and "PR1" Parks and Recreation 1 (Neighbourhood) District in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated June 24, 2024, and attached as Schedule "***D***" 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. That for those portions of the Owner's Land zoned "RMF-S" Residential Multi-Family (Small) ***and "RMF-M" Residential Multi Family (Medium)*** 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") and the East Kildonan-Transcona Community Committee 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, unless the Director of Planning, Property and Development receives written confirmation from the operator of the GS-003 gas site and the 16" diameter gas transmission pipeline stating that a specific reduced setback is permitted by the operator to the property line of the GS-003 gas site and the centerline of the 16" diameter gas transmission pipeline, the following restrictions shall apply to the lands being rezoned by DASZ 16/2024:

   a. No buildings taller than three (3) stories are permitted within 90 meters (295.27 feet) of the GS-003 gas site and the 16" diameter pipeline;

   b. Multi-family dwellings up to three (3) stories must maintain a minimum 15 meter (49.21 feet) setback to the property line of the GS-003 gas site, and a minimum 15 meter (49.21 feet) setback to the centerline of the 16" diameter pipeline;

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iii. For every lot that abuts the Public Reserve, the Owner will, at no expense to the City as determined by and to the satisfaction of the Director of Public Works:

   a. construct continuous property delineation as approved by the Director of Public Works, along the entirety of the lot line abutting the Public Reserve and located within that lot; and

   b. maintain, repair or replace, as required, the fence***/bollards*** as originally constructed, installed or erected.

iv. That for the proposed "RMF-S" Residential Multi-Family (Small) lot (Block 5), as shown on the map dated June 24, 2024 and attached as Schedule "D" to this report, the following provisions shall apply:

   a. No buildings shall be permitted within 25 feet (3.048 metres) of the east property line.

v. That for the proposed "RMF-S" Residential Multi-Family (Small) lot, as shown on the map dated June 24, 2024 and attached as Schedule "D" to this report, following building height limits shall apply:

a. That, excluding projections permitted under the Zoning By-Law, the maximum height of any building on the land within 50 feet (15.24 metres) of the west property line shall not exceed 35 feet (10.668 metres).

vi. That for the proposed "RMF-S" Residential Multi-Family (Small) lot (Block 5), "RMF-M" Residential Multi-Family (Medium) lot (Block 1), and "R1-S" Residential Single-Family Small lot (Block 4), as shown on the map dated June 24, 2024 and attached as Schedule "D" to this report, a 6' tall opaque privacy fence shall be installed along the east property lines where abutting existing single-family houses on "R1-E" Residential Single-Family Estate lots, to the satisfaction of the Director of Planning, Property and Development.

3. 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 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 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.

5. 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 recommendations 1 and 2 (the "By-law") and bring same directly to Council by way of communication for first reading.

6. 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 Fee 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.

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8. 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.

9. 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.

10. 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 8 and 9, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

11. That Development Application No. DASZ 16/2024 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.

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

13. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File No. DASZ 16/2024.

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

The East Kildonan-Transcona Community Committee provided the following supporting reasons for its recommendation:

1. This is consistent with PlanWinnipeg.

2. The Developer went through extensive public consultation with the community, which was appreciated.

3. We had a very productive two hearing meetings engaging with local residents and the applicant and found a number of issues and addressed local concerns without jeopardizing the need to find housing in the City.

4. The need to find housing in the City is large, specifically with the Mayor's challenge for 8,000 homes by, we should be building affordable homes, you know, that's the bigger issue, but 8,000 homes by November.

5. This gives predictability in terms of what the land use on this land would be in the future. It is located near Industrial lands to the North and South. Resolves a lot of long-standing issues with pertaining to uncertainty of what would be developed here, especially in terms of densities. Densities in the future are only going to go up, pressure will only be to go up more on density. And therefore it's actually in the residents best interests to have this matter dealt with now.

6. I will also add that this improves the existing public amenities, mainly the interconnectivity of the sidewalks and active transportation. This provides residents with improvements to, with new rec facilities.

Objections under the Charter:

Total number of **v**alid objections as per section 125(2) – 82

In accordance with section 236.1(1), the threshold for sufficient objection has been met.

Exhibits Filed:

1. Application dated March 22, 2024
2. Notification of Public Hearing dated May 24, 2024
3. Manitoba Status of Titles 3214925/1, 3214924/1
4. Letter of authorization dated December 1, 2022 from Waterside Estates Inc. to Landmark Planning & Design Inc.
5. Arborist Report dated October 30, 2023
6. Plans (5 pages)
7. Report from the Urban Planning Division dated June 3, 2024
8. Inspection Report
9. Communication dated June 7, 2024 from Sarah Kolley in opposition to the application
10. Communication dated June 19, 2024 from Gord Majewski in opposition to the application
11. Communication dated June 20, 2024 from Dean John Boychuk in opposition to the application
12. Communication dated June 20, 2024 from Sandy Boychuk in opposition to the application
13. Communication dated June 21, 2024 from Penny Pugh in opposition to the application
14. Communication dated June 21, 2024 from Brian Walker in opposition to the application
15. Communication dated June 21, 2024 from Luanne Diachun in opposition to the application
16. Petition in opposition to the application purporting to contain 75 signatures, submitted by Dan Diachun
17. Communication dated June 21, 2024 from Barbara and Nello Altomare with respect to the application
18. Communication dated June 2024 from Brad Cook in support of the application
19. Presentation dated June 24, 2024 from Donovan Toews in support of the application
20. Presentation dated June 24, 2024 from Brennan Johnson in support of the application
21. Communication dated June 21, 2024 from Lioubov Gavrilova-Crozier in opposition to the application
22. Communication dated June 21, 2024 from Suzan Vonck in opposition to the application
23. Communication dated June 21, 2024 from Sjoukje (Suzan) Vonck in opposition to the application

Exhibits filed:
(continued)

24. Communication dated June 22, 2024 from Corinne Ambrosio in opposition to the application
25. Communication dated June 24, 2024 from Stephanie Benson in opposition to the application
26. Site Plans submitted June 24, 2024 by Donovan Toews
27. Recording of Representations
28. Notice of Adjournment dated June 28, 2024
29. Communication dated June 19, 2024 from Louise Hedman in opposition to the application
30. Communication dated July 18, 2024 from Sandra Boychuk in opposition to the application
31. Communication dated July 18, 2024 from Dean Boychuk in opposition to the application
32. Communication dated July 30, 2024 from Valerii Shyianov in opposition to the application
33. Communication dated August 6, 2024 from Stephanie Benson in opposition to the application
34. Communication dated August 9, 2024 from Wei Du in opposition to the application
35. Communication dated September 4, 2024 from Dan Diachun in opposition to the application
36. Communication dated September 3, 2024 from Ranjeet Singh in opposition to the application
37. Communication dated September 3, 2024 from Sukhwinder Kaur in opposition to the application
38. Presentation dated September 4, 2024 from Brennan Johnson in support of the application
39. Recording of Representations

REPRESENTATIONS:

In Support:

Barak Al Dabous
Brad Cook
Carolina Herrera Garza
Brennan Johnson
Donovan Toews
Matt Glavin

In Opposition:

Dan Diachun
Luanne Diachun
Vincent Marlatt
Bernadette Mackenzie
Penny Pugh
Ranjeet Singh
Louise Hedman
Sandy Boychuk
Dean Boychuk

Valerii Shyianov
Stephanie Benson
Wei Du
Sukhwinder Kaur
Vincent Marlatt
Trudy Campbell
Sarah Kolley
Gord Majewski
Dean John Boychuk
Sandy Boychuk
Brian Walker
Calvin Bzovy
Barry Wittevrongrel
Deb Wittevrongrel
David Boyd
Jaime Datuin
Jagsir Sangha
Manny Cheng
Rajwinder Kaur
Gord Majewski
Corrine Ambosio
Daroll Ambosio
Balkaran Singh
Kawaljeet Kaur
Wei Du

Charlebois Marc
Nicole Phaneuf
Adam Phaneuf
Jordan Lutz
Cayle Lutz
Denise Roy
Liying Wu
Veronica Devries
Ralph Devries
Onara Musime
Helena Krukov
Marlene Stoopendaal
Bill Stoopendaal
Colin Jervis
Donna Jervis
Grant Weber
Wendy Weber
John Stuve
Tessa Adams
Andrea Field
Nancy Line
Glen Line
Trudy Campbell
Larry Davidson
Monika Beckann

Werner Beckann
Betty Lund
Loretta Gagnon
Albert Bonneteau
Linda Bonneteau
Gloria Woodcock
Nona Clark
Adrian Pugh
Bryce Pugh
Benjamin Pugh
Cassandra Stewart
Jay Stewart
Jeff Crozier
Hannah Vanck
Sandy Klassen
Sheila Feys
Ian Feys
John Couture
Linda Couture
Elric Reyes
Lioubov Gavrilova-Crozier
Suzan Vonck
Corinne Ambrosio

For Information:

Barabara Alotmare
Nello Altomare
Almaz Woldegeberel

For the City:

D. Chyz-Lund Planner, Planning, Property and Development Department
K. Kowalyk, Land Development Engineer, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 16/2024

ADMINISTRATIVE REPORT

Title: DASZ 16/2024 at Dugald Road -Plessis Road

Issue: For consideration at the public hearing of a subdivision and rezoning application to subdivide and rezone the subject property from the "R1-E" Residential Single-Family Estate District to create one "RMF-M" Residential Multi-Family (Medium) District block, one "RMF-S" Residential Multi-Family (Small) District block, one "R1-S" Residential Single-Family Small District block, five "R1-L" Residential Single-Family Large District blocks two "R2" Residential Two-Family District blocks, two "PR1" Parks and Recreation 1 District blocks, and facilitate a road opening of Shady Shores Drive East to connect Plessis Road. These are intended to facilitate the future development of single-family, two-family, and multifamily dwellings across the site, along with park space.

Critical Path: East Kildonan Transcona Community Committee > Standing Policy Committee on Property and Development > Executive Policy Committee > Council

AUTHORIZATION

Author	Division Head	Department Head	CFO	CAO
Dylan Chyz-Lund, MCP	n/a	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision proposed under Development Application No. DASZ 16/2024 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 "B" to this report and as shown on the map dated June 24, 2024 and attached as Schedule "E" to this report, with such minor changes as may be required, subject to the following:

    A. That the "Plan" be amended in accordance with Section II of the report of the Administrative Coordinating Group dated June 7, 2024 and attached as Schedule "B" to this report;
    B. 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 June 7, 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 "R1-S" Residential Single Family (Small) District; "R1-L" Residential Single Family (Large) District; "R2" Residential Two Family District; "RMF-S" Residential Multi Family (Small) District; and "PR1" Parks and Recreation 1 (Neighbourhood) District in accordance

with the proposed by-law attached as Appendix “B” to this report and as shown on the map dated June 24, 2024, and attached as Schedule “E” 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. That for those portions of the Owner’s Land zoned “RMF-S” Residential Multi-Family (Small) 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”) and the East Kildonan-Transcona Community Committee 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, unless the Director of Planning, Property and Development receives written confirmation from the operator of the GS-003 gas site and the 16” diameter gas transmission pipeline stating that a specific reduced setback is permitted by the operator to the property line of the GS-003 gas site and the centerline of the 16” diameter gas transmission pipeline, the following restrictions shall apply to the lands being rezoned by DASZ 16/2024:

(a) No buildings taller than three (3) stories are permitted within 90 meters (295.27 feet) of the GS-003 gas site and the 16” diameter pipeline;

(b) Multi-family dwellings up to three (3) stories must maintain a minimum 15 meter (49.21 feet) setback to the property line of the GS-003 gas site, and a minimum 15 meter (49.21 feet) setback to the centerline of the 16” diameter pipeline;

(c) All single and two-family dwellings must maintain a minimum five (5) meter (16.4 feet) setback to the property line of the GS-003 gas site, and a minimum 15 meter (49.21 feet) setback to the centerline of the 16” diameter pipeline.

iii. For every lot that abuts the Public Reserve, the Owner will, at no expense to the City as determined by and to the satisfaction of the Director of Public Works:

(a) construct continuous property delineation as approved by the Director of Public Works, along the entirety of the lot line abutting the Public Reserve and located within that lot; and

(b) maintain, repair or replace, as required, the fence as originally constructed, installed or erected.

3. 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 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 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.

5. 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 recommendations 1 and 2 (the "By-law") and bring same directly to Council by way of communication for first reading.
6. 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 Fee 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.

7. That Development Application No. DASZ 16/2024 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 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.
8. 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.

9. 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.

10. 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 8 and 9, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

11. That Development Application No. DASZ 16/2024 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.

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

13. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File No. DASZ 16/2024.

REASON FOR THE REPORT

- The applicant wishes to subdivide and rezone the subject property from the “R1-E” Residential Single-Family Estate District to create one “RMF-M” Residential Multi-Family (Medium) District block, one “RMF-S” Residential Multi-Family (Small) District block, one “R1-S” Residential Single-Family Small District block, five “R1-L” Residential Single-Family Large District blocks two “R2” Residential Two-Family District blocks, two “PR1” Parks and Recreation 1 District blocks, and legally open City-owned land to facilitate a road opening of Shady Shores Drive East to connect with Plessis Road. These are intended to facilitate the future development of single-family, two-family, and multifamily dwellings across the site.
- Subdivision and rezoning applications require a public hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The report is being submitted for the Committee’s consideration of the development application at the public hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the land will be **subdivided and rezoned.** However, the “RMF-M” Residential Multi-Family (Medium) District proposed by the applicant will instead be rezoned to the “RMF-S” Residential Multi-Family (Small) District.

CONSULTATION

In preparing this report there was consultation with:

- Land Development Branch
- Public Works – Parks
- Manitoba Hydro

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared By:	Dylan Chyz-Lund, MCP
Date:	June 3, 2024
File No.	DASZ 16/2024

List of Schedules and Appendices

- Schedule A – Planning Discussion

- Schedule B: Report of the Administrative Coordinating Group, dated June 7, 2024

- Schedule “C” Map of Transportation Amenities

- Schedule “D” of File No. DASZ 16/2024, East Kildonan – Transcona Community Committee, dated June 24, 2024
  - These are the zoning districts that the applicant has applied for

- Schedule “E” of File No. DASZ 16/2024, East Kildonan – Transcona Community Committee, dated June 24, 2024
  - These are the zoning districts that the Public Service is recommending approval of

- Appendix B: Draft by-law

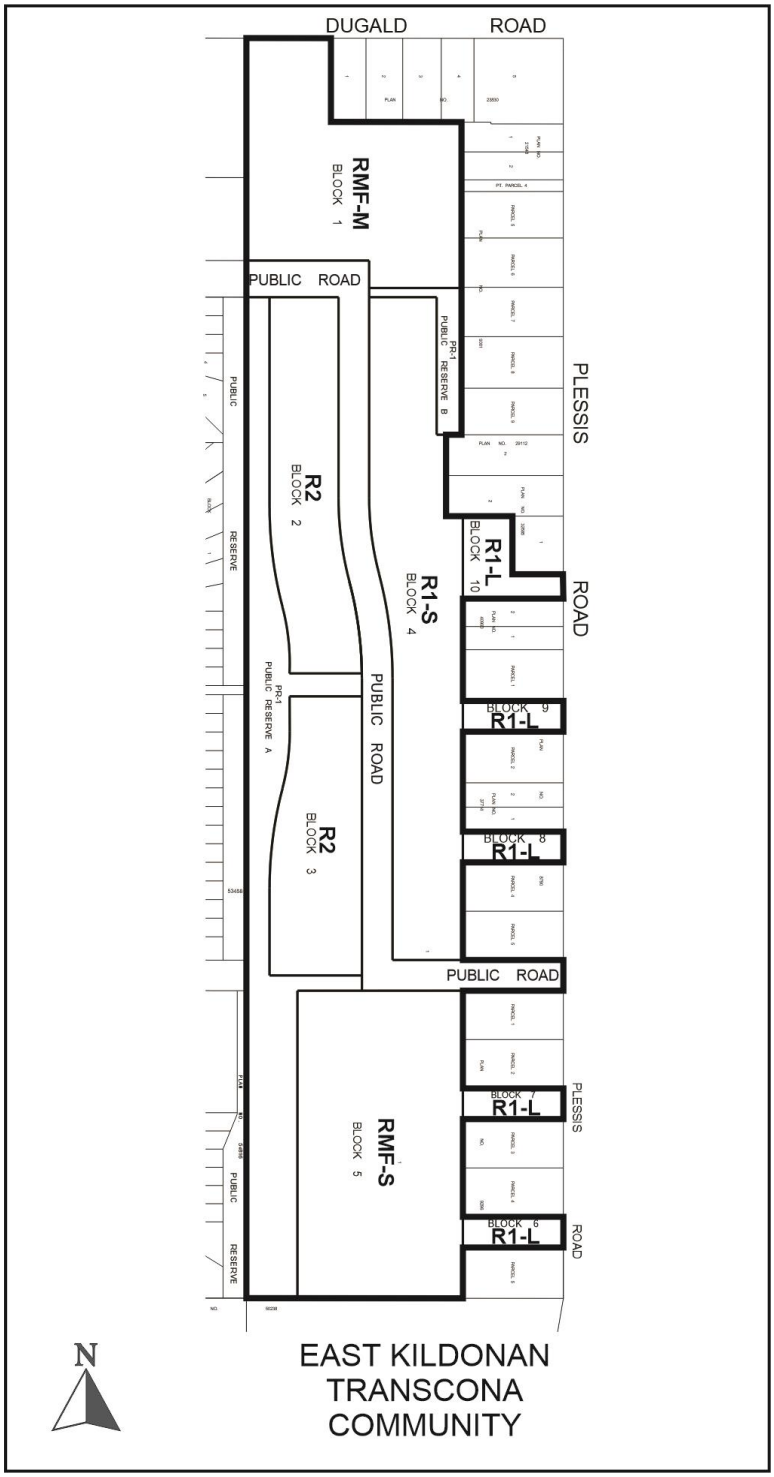
- Appendix C: Conceptual Drawings for Proposed RMF-M and RMF-S Blocks

- Appendix D: Arborist Report

- Appendix E: Public Engagement Report

SCHEDULE 'A'- PLANNING DISCUSSION

DATE:	June 3, 2024
FILE:	**DASZ 16/2024**
RELATED FILES:	DAV 24-120733\D
COMMUNITY:	East Kildonan - Transcona Committee
NEIGHBOURHOOD #:	Transcona South – 425
SUBJECT:	To subdivide and rezone the subject property from the "R1-E" Residential Single-Family Estate District to create one "RMF-M" Residential Multi-Family (Medium) District block, one "RMF-S" Residential Multi-Family (Small) District block, one "R1-S" Residential Single-Family Small District block, five "R1-L" Residential Single-Family Large District blocks two blocks, two "PR1" Parks and Recreation 1 District blocks, and facilitate a road opening of Shady Shores Drive East to connect Plessis Road.
LOCATION:	South of Dugald Road, west of Plessis Road, east of Seaside Drive, and north of Camiel Sys Street.


DUGALD ROAD
RMF-M
BLOCK 1
PUBLIC ROAD
PR-1
PUBLIC RESERVE B
PLESSIS ROAD
R1-L
BLOCK 10
R1-S
BLOCK 4
PUBLIC ROAD
R2
BLOCK 2
PR-2
PUBLIC RESERVE A
R2
BLOCK 3
BLOCK 9
R1-L
BLOCK 8
R1-L
PUBLIC ROAD
BLOCK 7
R1-L
PLESSIS ROAD
RMF-S
BLOCK 5
BLOCK 6
R1-L
PUBLIC RESERVE
N
EAST KILDONAN
TRANSCONA
COMMUNITY

LEGAL DESCRIPTION: City Owned control strip:
LOT 4 PLAN 50773 WLTO IN LOTS 161 TO 163 ROMAN CATHOLIC MISSION PROPERTY

WATERSIDE ESTATES INC owned:
LOTS 161 1/2 AND 162 1/2 PLAN 433 WLTO EXC OUT OF SAID LOT 162 1/2 FIRSTLY: ALL THAT PORTION CONTAINED WITHIN THE FOLLOWING LIMITS: COMMENCING AT A POINT IN THE EASTERN LIMIT OF SAID LOT 162.5 DISTANT SLY THEREON 851.9 FEET FROM THE NORTHERN LIMIT OF SAID LOT 162.5
THENCE WLY AT RIGHT ANGLES TO THE EASTERN LIMIT 251 FEET THENCE SLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 175 FEET THENCE ELY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 142
FEET THENCE SLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 125 FEET THENCE ELY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE TO A POINT IN THE EASTERN LIMIT OF SAID LOT 162.5 THENCE NLY ALONG SAID EASTERN LIMIT TO THE POINT OF COMMENCEMENT, SECONDLY: ALL THAT PORTION OF THE ELY 215 FEET WHICH LIES BETWEEN TWO LINES DRAWN WLY AT RIGHT ANGLES TO THE EASTERN LIMIT OF SAID LOT 162.5 FROM POINTS IN THE SAME DISTANT SLY THEREON 1203.9 FEET AND
1313.9 FEET, RESPECTIVELY, FROM THE NORTHERN LIMIT OF SAID LOT 162.5 AND THIRDLY: SURVEY PLANS 8790 WLTO 9001 WLTO AND 11708 WLTO AND EXC OUT OF SAID LOT 161.5 SURVEY PLANS 8790
WLTO AND 9296 WLTO OF THE ROMAN CATHOLIC MISSION PROPERTY
THE WLY 181 FEET OF PARCEL 1 PLAN 9001 WLTO IN LOT 162 1/2 ROMAN CATHOLIC MISSION PROPERTY

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

OWNER: WATERSIDE ESTATES INC.
1 Terracon Pl
Winnipeg, MB R2J 4B3

RECOMMENDATION: **Approval-as-modified with conditions**

SITE DESCRIPTION

The subject property is located South of Dugald Road, west of Plessis Road, east of Seaside Drive, and north of Camiel Sys Street, in the Transcona South Neighbourhood of the Transcona Ward.

The subject property is currently zoned “R1-E” Residential Single-Family Estate District.

The subject property is located in an Established Neighbourhood – Recent Community policy area as designated in *Complete Communities 2.0*.

The subject property has an assessed area of 1,258,811 square feet (approximately 30 acres).

The property is currently vacant, with a large forested area located at the southwest corner.

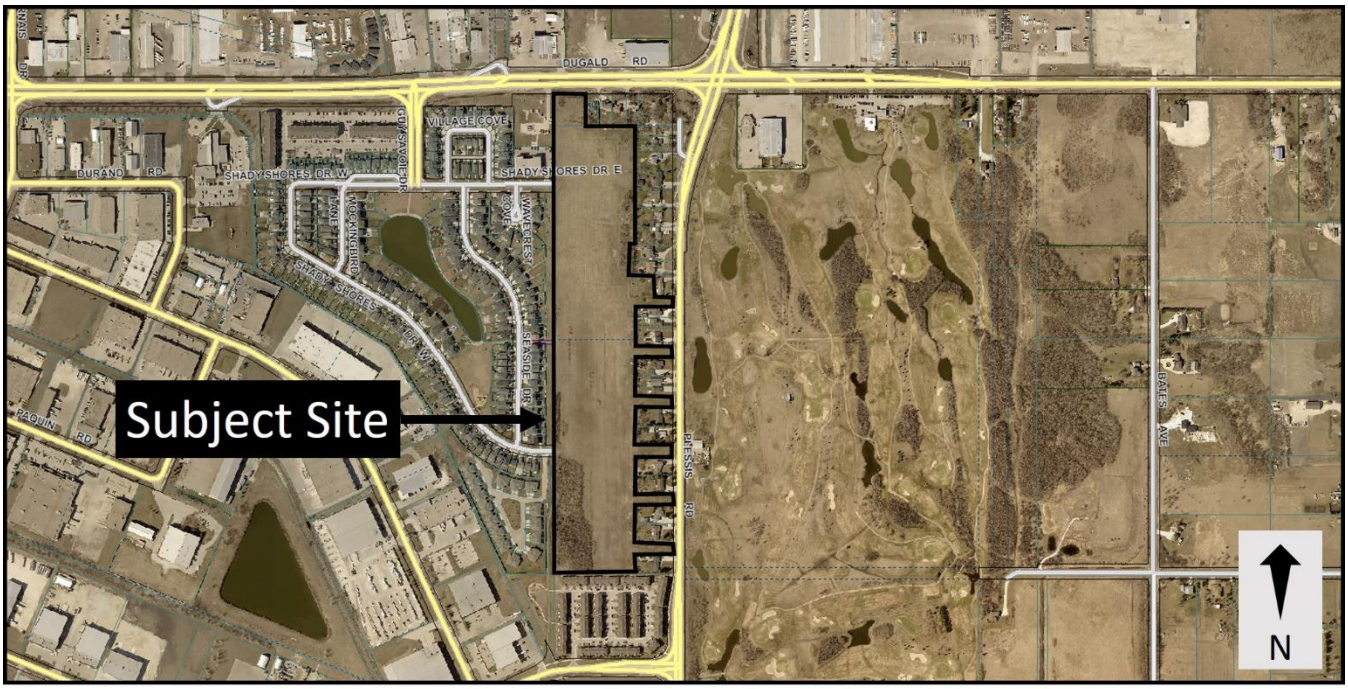


Figure 1: Subject site and surrounding area (flown 2021).

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Single-family dwellings zoned “R1-E” Residential Single-Family Estate District, then Dugald Road.

East: Single-family dwellings zoned “R1-E” Residential Single-Family Estate District, then Plessis Road.

South: Single-family dwellings zoned “R1-E” Residential Single-Family Estate District, then townhouse dwellings zoned “RMF-S” Residential Multi-Family (Small) District. Plessis Road.

West: A gas site zoned “RR5” Rural Residential 5, a residential building zoned “CMU” Commercial Mixed Use, vacant land zoned “R1-M” Residential Single-Family Medium, a gas transmission line, and a pedestrian trail zoned “PR1” Parks and Recreation – Passive Neighbourhood/Community.

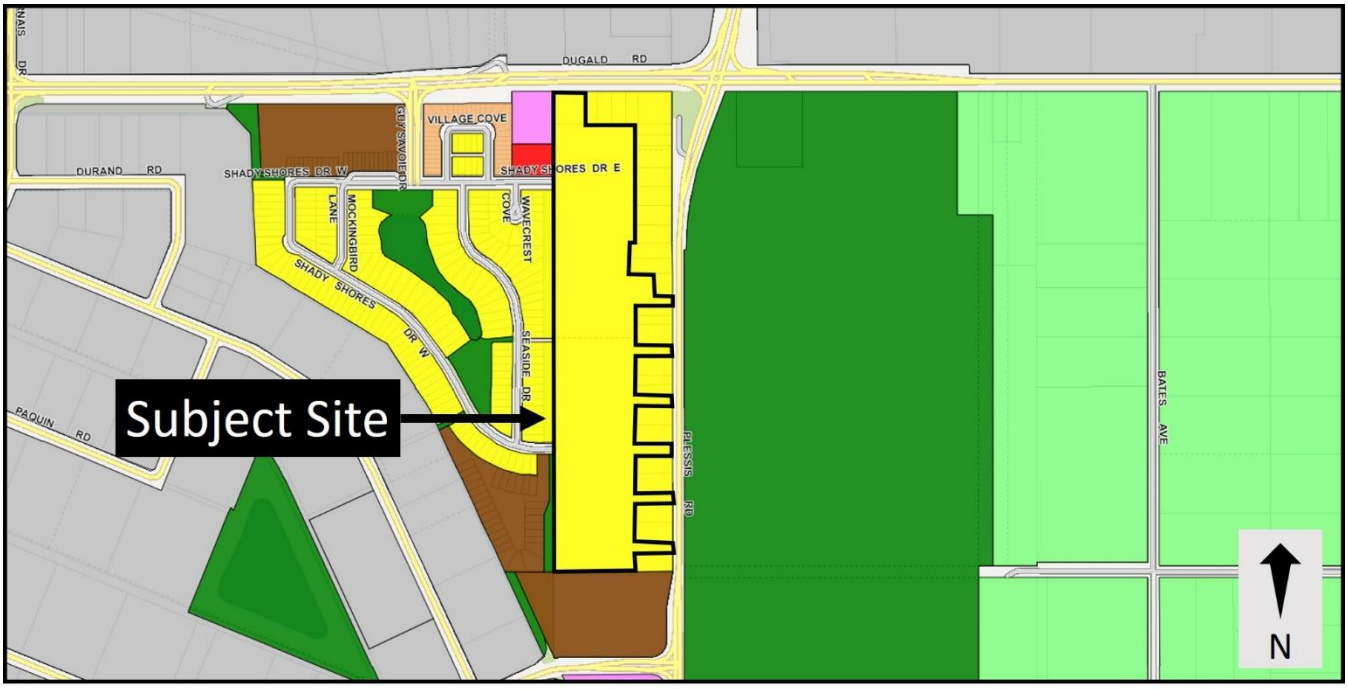


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant wishes to subdivide and rezone the subject property to establish multiple blocks that would be subdivided at a future date, enabling single-family, two-family, and multi-family development.
- Block 1, which fronts Dugald Road, is proposed to be rezoned “RMF-M” Residential Multi-Family (Medium) District. This would enable multi-family buildings with a density of one dwelling unit per 800 square feet of lot area and a maximum building height of 60’.
- Blocks 2 and 3 at the centre west of the site are proposed to be rezoned “R2” Residential Two-Family District. This would enable two-family dwellings and a maximum building height of 35’.
- Block 4 at the centre east of the site is proposed to be rezoned “R1-S” Residential Single-Family Small District. This would enable single-family dwellings that are a maximum of 35’ in height.
- Block 5 at the south of the site is proposed to be rezoned “RMF-S” Residential Multi-Family (Small) District. This would enable multi-family buildings with a density of one dwelling unit per 1250 square feet of lot area and a height of 35’. However, a variance has also been applied for that would increase the maximum permitted height to 50’
- Blocks six through 10 are proposed to be rezoned “R1-L” Residential Single-Family Large District. This would enable single-family dwellings that are a maximum of 35’ in height.
- In addition to the residential zoning districts, the applicant has also proposed a total of two Public Reserves. One would be located along the west side of the site, and one would be located along the northwest portion of the site.
- The applicant has also proposed one road that would connect Shady Shores Drive East with Plessis Road, providing access to the proposed residential developments throughout the site.
- Concept sketches showing potential building and site plans have been provided. However, the applicant has not provided detailed site and building plans because their intent is to sell the sites to builders for future development. Future builders will be required to submit detailed site, landscaping, and building plans to the City and the East Kildonan – Transcona Community Committee prior to the approval of development permits for any developments taking place on the lands zoned “RMF.”

REASON FOR APPLICATION

- The subject site is currently zoned “R1-E” Residential Single-Family Estate District. This zoning district does not permit two-family or multi-family development and requires substantially larger lot areas than the “R1-S” Residential Single-Family Small District. To accommodate the proposed single-family, two-family, and multi-family developments, and the proposed road and public reserve land, a subdivision and rezoning is required.
- The proposal also requires several variances. The variances are analyzed in greater detail in the accompanying report for DAV 24-120733/D.

Collaboration with the Public Service:

- The applicant submitted a Pre-Application, and incorporated some changes to their proposal that were requested in the Pre-Application feedback. Additional meetings were held between the applicant and the Public Service.

ANALYSIS AND ISSUES

OURWINNIPEG

OurWinnipeg is the City of Winnipeg's long-range development plan. Applicable Policies for Recent Communities include the following:

6.1 Sustainable Urban Growth

- *The City must accommodate physical development that reflects this Plan's goals, and achieves a continuum of complete and connected communities over the lifecycle of the Plan.*

The proposed development application, **as modified**, **aligns** with *OurWinnipeg* for the following reasons:

- It facilitates residential intensification that is compatible with surrounding properties and is consistent with the policies of *OurWinnipeg*.

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The *Complete Communities Direction Strategy 2.0* (*CCDS 2.0*) is one of four direction strategies supporting *OurWinnipeg 2045*, 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 site is located in an Established Neighbourhood – Recent Community policy area of *CCDS 2.0*. Certain goals and policies of *CCDS 2.0* apply to the proposal.
- Goal 1 - *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.*
    - *1.2 Increase the population within Established Neighbourhoods to contribute to the physical renewal and revitalization of older neighbourhoods.*
    - *1.3 The subdivision of land or the consolidation of land may occur when it is done in a context-sensitive manner, and only when in compliance with policy section 9.1 of the Strategic Infrastructure and Resources section.*
    - *1.5 Support up to mid-rise residential development in Established Neighbourhoods that is compatible with neighbourhood context.*
    - *1.6 In the absence of a secondary plan guiding the local development of an Established Neighbourhood, intensification should be guided by a number of factors to ensure compatible development, including:*

      a. Applicable City-endorsed policies or guidelines;

      b. Existing zoning of the property and adjacent properties;

c. Characteristics of the immediately surrounding built form including building mass, height, lot coverage, setbacks, and layout;

d. Surrounding uses and their characteristics including residential density and the intensity of commercial and other non-residential uses;

e. Characteristics of the lot, including whether it is a corner lot, a larger lot than is typical for the neighbourhood, or the shape of the lot;

f. Proximity to Downtown, Mixed Use Centres, Major Redevelopment Sites and Mixed Use Corridors;

g. The supporting street network (ex. local, collector, or arterial streets) and the street network's ability to support proposed development;

h. The supporting transit, pedestrian and active transportation network; and

i. The supporting water, wastewater, and land drainage infrastructure and capacity to accommodate a proposed development or ability to make the required upgrades necessary to accommodate a proposed development.

- *1.14 Mid-rise residential uses will generally be accommodated on arterial 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.*
- *1.15 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.*

- Goal 2 - *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*.
  - *2.12 New development should respect and complement the existing character of the built form of surrounding properties.*
  - *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.*

- Goal 3 - *Ensure all communities provide a diversity of housing options and meet resident life-cycle housing needs*.
  - *3.1 Encourage a variety of housing types and tenures within Established Neighbourhoods to meet life-cycle housing needs and affordability ranges.*
  - *3.2 Encourage a mix of types, tenures and unit sizes within residential developments. Make provisions for unit sizes that can accommodate varying family sizes and multi-generational households.*
  - *3.6 Encourage new development that incorporates housing types that enable "aging in place" in Established Neighbourhoods.*

Analysis of "R1," "R2," and "RMF-S" Zoning Districts

The proposal is recommended to be approved as amended by substituting "RMF-S" at the north of the site (Block 1) in place of the applied for "RMF-M", and by not supporting a variance to enable a building height of 50' instead of 35' for the proposed "RMF-S" at the south of the site (Block 5).

The proposal as amended is consistent with the policies of *CCDS 2.0,* enabling a variety of housing typologies be introduced to the neighbourhood, including single-family dwellings, two-family dwellings, and multi-family dwellings. This will allow for a combination of unit types and sizes that can address the varied needs of multiple residents. Overall, the proposal will expand housing availability and options for residents on an approximately 29-acre site.

The dimensional standards of the "RMF-S" Residential Multi-Family (Small) District, "R2" Residential Two-Family District, and "R1" Residential Single-Family Districts limit the building heights and required yard setbacks in the following ways:

"RMF-S"

- Maximum building height: 35'
- Minimum front yard: 20'
- Minimum rear yard: 25'

"R2"

- Maximum building height: 35'
- Minimum front yard: 20'
- Minimum rear yard: 25'

"R1"

- Maximum building height: 35'
- Minimum front yard: 20'
- Minimum rear yard: 25'

The yard and height maximums of the recommended zoning districts are adequate to ensure future development will be sensitive and complimentary to the properties that abut the subject site. This is because the yard and height requirements are consistent with the allowed height and yard requirements for the abutting properties, which include both "RMF-S" and "R1" Districts. Furthermore, these yard and height requirements will:

- Ensure that future development is compatible with the surrounding area by minimizing shadow impacts on surrounding properties by limiting the height to three stories.
- Require setbacks to shared property lines that enable buffering space and high-quality landscaping between the subject site and the existing properties.
- Enable a similar building typology to what is already existing in the established neighbourhood, which is primarily small-scale, ground-oriented residential buildings.

The applicant has submitted conceptual site plans that demonstrate the required setbacks and parking for multi-family buildings can be accommodated on the north and south portions of the site, where the applicant has proposed "RMF-M" Residential Multi-Family (Medium) and "RMF-S" Residential Multi-Family (Small) zoning. These drawings are intended to be high-level, showing what *could* be accommodated on the site, **not what will be constructed.** This shows

that there is potential for multi-family intensification on the site. Coupled with the dimensional standards for the “RMF-S” Residential Multi-Family (Small) District that limit the size of potential structures, the Public Service is confident that a small-scale multi-family development can be accommodated at the north and the south of the site that would be compatible with the surrounding area.

For clarity, the “R1” Residential Single-Family, the “R2” Residential Two-Family, and the “RMF-S” Residential Multi-Family (Small) District at the north and south of the site are supportable because:

- They will increase the overall housing count in the neighbourhood.
- They will introduce a variety of different housing typologies to meet the needs of different residents.
- The lot sizes of the two “RMF-S” lots enable enough space to accommodate small-scale multi-family buildings that could meet the yard setbacks and parking requirements for a multi-family development required by the Winnipeg Zoning By-Law.
- The surrounding zoning districts and existing buildings are similar in intensity and scale to what is permitted by the “RMF-S” Residential Multi-Family (Small) District.

Analysis of “RMF-M” Zoning District

Block 1 – the block where the applicant has proposed “RMF-M” zoning – can accommodate multi-family intensification. As an “RMF-S” block, the required dimensional standards would be consistent with the adjacent properties, thereby requiring the development to be similar in intensity and scale of those properties and ensuring it meets the policies of *CCDS 2.0.* However, “RMF-M” is a substantially more intensive zoning district than “RMF-S”, permitting building heights of 60’ instead of 35’ and densities of one dwelling unit per 800 square feet instead of one dwelling unit per 1250 square feet. It is therefore important for an application seeking this scale to clearly demonstrate that it is not just possible – but compatible with existing development and consistent with the policies of *CCDS 2.0*.

To assess compatibility, a complete site plan, landscaping plan, and building elevations are necessary. These would provide the Public Service, members of the public, and Members of Council, with the materials necessary to gauge consistency with the policies of *CCDS 2.0.*

As submitted, there is insufficient detail to determine the compatibility of “RMF-M” with the surrounding neighbourhood, and the Public Service is concerned that “RMF-M” will be incompatible with the surrounding neighbourhood. The “RMF-M” District is expected to be incompatible with adjacent land uses for the following reasons:

- *CCDS 2.0* policies steer higher density residential development to established corridors with surrounding commercial amenities, a supporting pedestrian and active transportation network, and proximity to Downtown, Mixed Use Centres, Major Redevelopment Sites or a Mixed Use Corridor. The subject site does not meet these criteria.
- *CCDS 2.*0 policies require that properties must have arterial street frontage / access with rapid, frequent or direct transit to enable medium residential densities in Recent Communities. The proposed “RMF-M” block is set back from semi-rural arterial roads, with proposed access occurring predominantly from a collector street. In this respect, the subject site does not contain true arterial road frontage, as existing single-family dwellings separate the majority of the site from Dugald Road and Plessis Road.

- The adjacent properties include one three-storey building, and several one and two-storey buildings. At a permitted height of 60', the "RMF-M" block would enable buildings to the south and west of existing development that could create substantial shadow impacts as a result of the difference in height. This concern is increased because of the setbacks required to the Manitoba Hydro / Centra Gas site and pipeline, which will push future buildings on the proposed "RMF-M" parcel further east of the gas site and closer to the existing single-family dwellings.
- Without a detailed site / landscaping plan and detailed building elevations, it is not evident that the site will accommodate a future development that mitigates the impacts on the existing neighbourhood.

ZONING BY-LAW 200/2006

- The "RMF-M" Residential Multi-Family (Medium) District is intended to enable the development of medium-density multifamily areas. As noted, the Public Service does not consider this an appropriate zoning designation for this location.
- The "RMF-S" Residential Multi-Family (Small) District is intended to enable the development of smaller-scale multi-family areas. Granted the lack of detailed plans, coupled with the comparable dimensional standards between "RMF-S," "R2," and "R1" Zoning Districts this district was chosen as an appropriate means to accommodate added density at the north and the south of the site.
- The "R2" Residential Two-Family District is intended to accommodate the development of single- and two-family units and where appropriate limited multi-family units in lower-density areas. This district was chosen to enable two-family development along the west side of the site abutting the proposed extension of Shady Shores Drive East. Two-family development would be comparable to the existing single-family dwellings directly west of the subject site.
- The "R1-L" and "R1-S" Residential Single-Family Large and Small Districts, respectively, are intended to accommodate single-family dwellings. This district was chosen to enable single-family development along the east side of the site abutting the proposed extension of Shady Shores Drive East

ADDITIONAL CONSIDERATIONS

Site Servicing

- The proposed development will be required to meet the conditions outlined in the report by the Administrative Coordinating Group (ACG) as outlined in Schedule B of this report. The report identifies a development agreement is required.

Public Works - Parks

- The Parks & Open Space Division has identified concerns with the proposed park space, and will be requesting changes to the proposed park space.
- Public Works – Parks has also recommended a condition in the Zoning Agreement requiring that for every lot that abuts the Public Reserve, the owner must construct a fence / property delineation, and that this be maintained, repaired, and replaced as required.

Gas Pipeline / Centra Gas

- There is a gas site and 16” diameter gas transmission pipeline abutting the subject site to the west.
- Manitoba Hydro / Centra Gas have identified restrictions that are required in order to safely develop near the gas site and transmission pipeline. Specifically,
    - GS-003 and 16” diameter gas transmission pipeline running from the south to supply GS-003 (see below figure):
        - No four (4) or more storey buildings within 90 m of GS-003 and the 16” diameter pipeline.
        - Multi-family housing (2 or 3 storey) minimum 15 m setback from the GS-003 property lines and the 16” diameter transmission pipeline.
        - Single family housing:
            - Minimum 5 m setback from the GS-003 property lines
            - Minimum 15 m setback from the 16” diameter transmission pipeline
- As a result of the restrictions identified by Manitoba Hydro / Centra Gas, conditions are provided in the Zoning Agreement limiting any development to criteria specified by Manitoba Hydro / Centra Gas. Per the Zoning Agreement, these restrictions can be reduced only at the express permission of Manitoba Hydro / Centra Gas, with said permission provided in writing to the Director of Planning, Property and Development.

Plan Approval

- As no finalized site, landscaping, and building plans have been provided, the Public Service is recommending a Plan Approval to the Director of Planning, Property and Development and the East Kildonan – Transcona Community Committee. Approval by the East Kildonan – Transcona Community Committee is required prior to development permits being approved.

SUMMARY

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

- The subdivision and rezoning, with the recommended modification, will result in the establishment of a residential development that is consistent with policies in *OurWinnipeg 2045* and *Complete Communities 2.0*.

RECOMMENDATION

The Urban Planning Division recommends this application be **approved-as-modified** and the subject property be Subdivided and rezoned to the “RMF-S” Residential Multi-Family (Small) District, the “R1-S” Residential Single-Family Small District, the “R1-L” Residential Single-Family Large District, and the “PR1” Parks and Recreation 1 District.

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

Report Prepared by: Dylan Chyz-Lund, MCP
PPD File # DASZ 16/2024

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED REZONING OF LAND LOCATED SOUTH OF DUGALD ROAD, WEST OF PLESSIS ROAD, NORTH OF CAMIEL SYS STREET

It is recommended that approval of DASZ 16/2024, if granted, be subject to the applicant entering into a Servicing Agreement containing the following conditions:

Section I – General Comments

1) Parks does not support the proposed dedication of public reserve north of Shady Shores Drive, which constitutes buffer land and does not support park level of service interests, as directed by the Winnipeg Parks Strategy.

2) Parks recommends a minimum 10% public reserve land dedication be directed to protect and preserve the existing grade B aspen forest and remnant grassland at the southwest limit of the subject site.

   The preservation of the forest aligns with the Winnipeg Parks Strategy Park acquisition policy 4.1.1.30 to protect natural areas, Urban forests policy 4.2.1.4 to prioritize preservation of urban forest along riverbanks, and policy 21 in the Winnipeg Comprehensive Urban Forest Strategy to protect and preserve continuous forest patches.

   Council adopted OurWinnipeg 2045 (OW) and Complete Communities 2.0 (CC) Bylaws support the preservation of natural forest within the City recognizing that protecting and valuing “ecosystems as essential components to life” is a key objective of Environmental Resiliency (OW, p21). Supporting policies includes OW 2.19, 2.21 and CC 4.1, 4.4.1 & 4.5.a of the Parks and Recreation section.

3) The Water and Waste Department wishes to advise the response and proposed conditions to this proposal are based on a review of capacity and servicing considerations as of the date of the review. For a project that proceeds over an extended period, when the project progresses to further stages, it may experience a lack of servicing from existing City of Winnipeg regional wastewater infrastructure as others may use remaining capacity in the intervening time.

   Use of a portion of the City’s infrastructure capacity by the project is permanently assigned to a particular proposal only when a permit application has been reviewed and accepted by the Water and Waste Department. Once capacity of the wastewater system is reached, proposals to discharge additional wastewater flow into the City’s wastewater system will be rejected.

Section II – Plan Considerations

1) The Developer shall, at no expense to the City, legally open the existing 0.3m control strip separating the Planned Area from Shady Shores Drive East for the length of the Planned Area abutting Shady Shores Drive East.

2) The Developer shall, at no expense to the City, legally open a Public Walk, conceptually as shown on the attached, as determined by and to the satisfaction of the Director of Public Works.

3) The Developer shall, at no expense to the City, legally open a Public Road as a local residential street, conceptually as shown on the attached, as determined by and to the satisfaction of the Director of Public Works.

4) Public Walks containing pathways 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.

5) That the Developer be obligated to dedicate a minimum of 10% of the land for public park purposes to preserve and protect the existing forest and habitat, as determined by and to the satisfaction of the Director of Public Work. The limits of the public reserve dedication shall be at a minimum the westerly most 60 metres of the plan area, and between the south property line and Shady Shores Drive right of way (approximately 205m).

6) The walkway connecting to Shady Shores Drive West is opened as right of way and not credited as public reserve.

7) The proposed public reserve dedication, north of Shady Shores Drive, does not support Parks interests and serves only as buffer land. This land shall not be credited as public reserve dedication, as it constitutes land “deemed non-eligible” in the Winnipeg Parks Strategy (4.1.1.38 iv).

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) The Developer shall pay to the City, in cash, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the water mains installed by others in Plessis Road and Dugald Road, as determined by and to the satisfaction of the Director of Water and Waste.

2) Wastewater Sewers

a) The Water and Waste Department's preliminary assessment indicated there will be constraints in wastewater sewer capacity for servicing the proposal. The study in Section III, Paragraph 2 will need to consider any wastewater upgrades necessary to provide adequate capacity for Planned Area and adjacent lands.

b) 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.

c) The Developer shall pay to the City, in cash, on demand, their share of the wastewater sewer installed by others in Plessis Rd, including oversized wastewater sewer if required, as determined by and to the satisfaction of the Director of Water and Waste.

3) Land Drainage Sewers

a) The Developer shall, at no expense to the City, construct and install all land drainage 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) The Developer's share of the stormwater management facilities owing under this agreement shall be credited against the cost of the facilities previously constructed by the Developer.

c) The Developer would be required to construct or pay for their share of future land drainage infrastructure in Plessis Road.

4) Lot Line Connections

a) The Developer shall, at no expense to the City, construct and install wastewater and water building services from the wastewater sewers and water mains to service all single-family and two-family 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.

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) Plessis Road

The Developer shall, pay to the City, in cash, on demand, its share of the following services to be installed in Plessis Road along the full length of the Planned Area abutting the west side of Plessis Road:

i. 4.0m wide Portland cement concrete lane of pavement and all related works;

ii. a 1.5m wide Portland cement concrete sidewalk or a 3.5m wide asphaltic concrete multi-use pathway in the west boulevard;

iii. street lighting in the west boulevard;

iv. landscaping (sod and trees) in the west boulevard,

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

7) Pavements

a) The Developer shall, at no expense to the City, construct Portland cement concrete pavements to widths of 7.5m and 10.0m or at a width as determined by Public Works, by 150mm and 200mm in thickness in all streets within the Planned Area and all related works including, but not necessarily limited to 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 Portland cement concrete pavement 7.5m wide by 150mm thick in Shady Shores Drive West from the existing east terminus of Shady Shores Drive West to the Planned Area, and all related works including, but not necessarily limited to street lighting, boulevard landscaping and land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.

8) Sidewalks/Pathways

a) The Developer shall, at no expense to the City, construct 1.5m and/or 1.8m wide by 100mm thick Portland cement concrete sidewalks, or 3.5m wide multi-use pathways and all related works including but not limited to path lighting, on the standard alignment, 0.3m from the property line, and/or on an alignment as determined by the Public Works Department, to the satisfaction of the Director Public Works, conceptually as shown on Schedule C.

b) The Developer shall construct all sidewalks concurrently with the pavements with which they share the right-of-way.

c) 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.

9) Public Walks

a) The Developer shall, at no expense to the City, construct a 3.5m wide asphalt pathway within the Public Walks, and landscape the remainder to include:

i. Sodding on both sides of the pathway;

ii. Fencing within private property, along the side property lines;

iii. Bollards with appropriate pathway opening at both street ends of the Public Walks;

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

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

10) Traffic Control Signals

The Developer shall, pay to the City, in cash, on demand, 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 Plessis Road and the proposed east-west Public Road, when and as determined by and to the satisfaction of the Director of Public Works.

11) Private Approaches

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

12) 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.

13) Two Means of Vehicle Access

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. This may require the construction of temporary paved roadways by the Developer and the provision of easements or rights-of-way by the Developer to the City.

14) 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.

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.

15) Signage

The Developer shall, at no expense to the City:

a) obtain approval of and install, prior to construction, and subsequently maintain, at the entrances to the Planned Area, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, proposed sidewalks, walkways, active transportation facilities, community mail boxes, parks, land drainage retention facilities, natural tree stands, multiple family sites, commercial sites, collector and arterial streets, all with the approval of, and to the satisfaction of, the Director of Planning, Property and Development.

b) supply and install trail network signage and trail related traffic signage, on pathways and Active Transportation corridors, consistent with standards and specifications applied to similar citywide networks, or an alternative standard proposed by the developer, as determined by, and to the satisfaction of, the Directors of Public Works and Planning, Property, and Development.

16) Street Name Signs

The Developer shall, at no expense to the City, cause to be installed standard reflectorized permanent street name signs to be installed at all new street intersections being created as a result of the subdivision.

17) Fencing Abutting Public Reserve

a) The Developer shall, at no expense to the City, provide continuous open-style 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) 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.

19) Construction Traffic

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

20) 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.

21) Public Reserve Dedication

a) The Developer shall dedicate a minimum of 10% of the net area for public park purposes, to the satisfaction of the Director of Public Works.

i. Dedication credit shall not be granted for lands deemed non-eligible in accordance with the Winnipeg Parks Strategy.

ii. The Developer shall compensate the City for any shortfalls in the amount of land, servicing, and landscaping and improvements not provided, at the prevailing rate at the time of construction, by payment of cash or by the provision of additional site amenities, as approved by the Directors of Public Works and Planning, Property and Development.

b) The Developer shall provide the standard landscaping and improvements within the Public Reserve(s) including but not limited to grading, leveling and establishment of vegetation, in accordance with Park Development Guidelines, Park Standards and plans and specifications all as determined and approved by the Director of Public Works.

c) The Developer shall, at no expense the City, protect and preserve the existing forest and natural areas within the proposed Public Reserve in accordance with the following:

i. Any re-grading of land or changes in drainage patterns due to development must ensure there is no run off or land drainage directed into the Public Reserve;

ii. Drainage patterns of water out of natural areas must be accounted for by providing drainage where necessary to maintain a neutral effect on the moisture regime;

iii. In accordance with the City's Standard Tree Protection Requirements, the developer shall implement tree protection measures throughout the development and construction period, including but not limited to the installation of protective fencing along the limits of the Public Reserve lands, to ensure no accidental encroachment into that area during construction, all to the satisfaction of the City Forester and under the direction of a certified arborist engaged by the Developer; and,

iv. The Developer shall compensate the City for any damage to the natural area and trees resulting from development, by way of re-naturalization or reforestation or by cash payment for the value of the natural area and trees lost.

d) The Developer shall assume responsibility for all Public Open Spaces until they are developed, and throughout the maintenance period until a Final Acceptance Certificate for Parks has been issued by the Director of Public Works.

e) The Developer shall, at no expense to the City, maintain the improvements to the Public Open Spaces for a period of two years, or longer, in accordance with 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. Despite the foregoing, the City reserves the right to impose longer maintenance periods for such amenities and features, such as naturalized areas, that the Director of Public Works deems to be beyond the standard scope of development.

f) 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 16/2024
June 7th, 2024

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

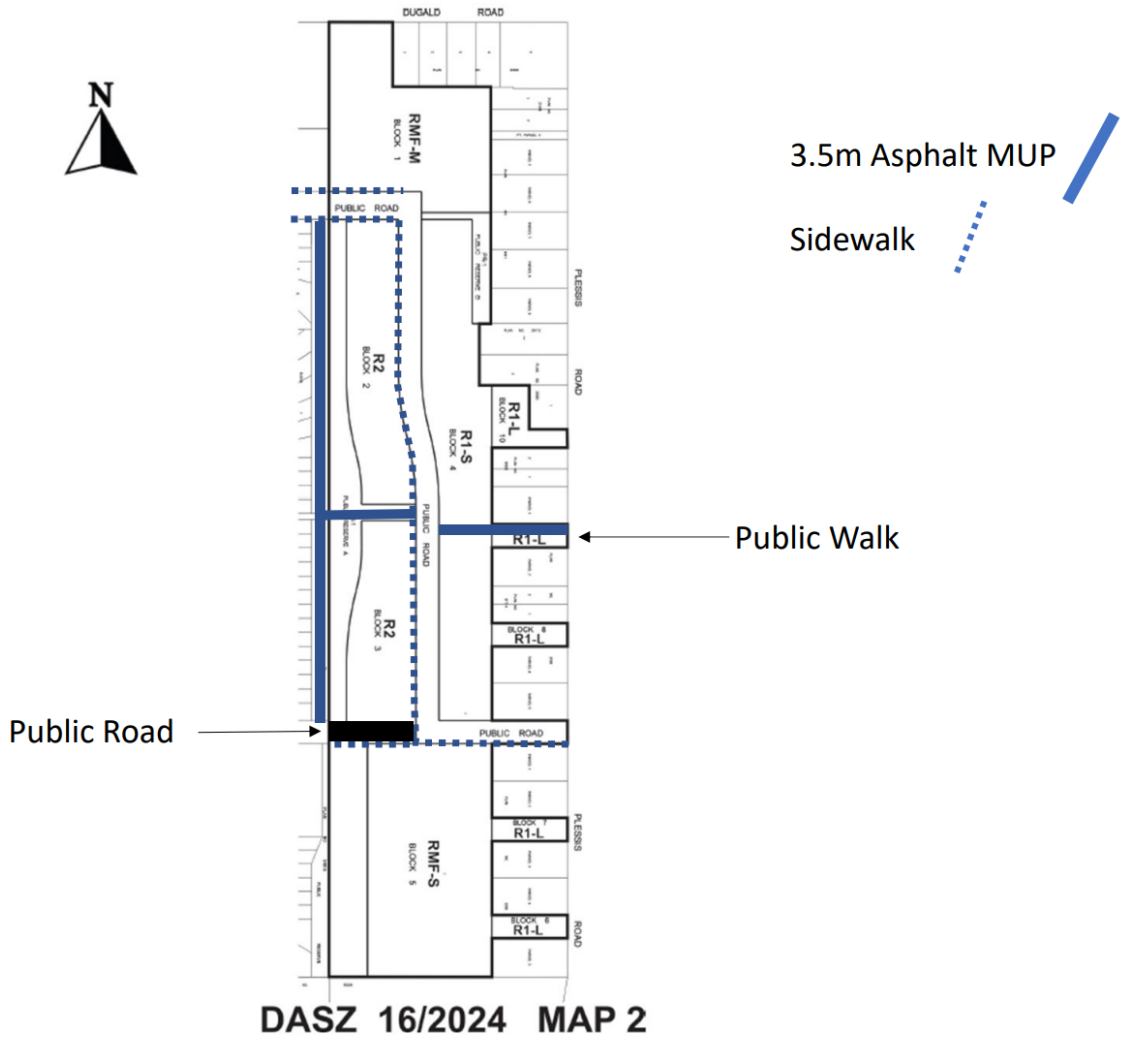
"*Original Signed by M. Gajda"*
M. Gajda, P. Eng.
Engineering Division
Water and Waste Department

"*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

MAP OF ACTIVE TRANSPORTATION AMENITIES



SCHEDULE "D" OF FILE DASZ 16/2024, East Kildonan – Transcona Community Committee,

Dated June 24, 2024

By–Law No. _____

File No. **DASZ 16/2024**

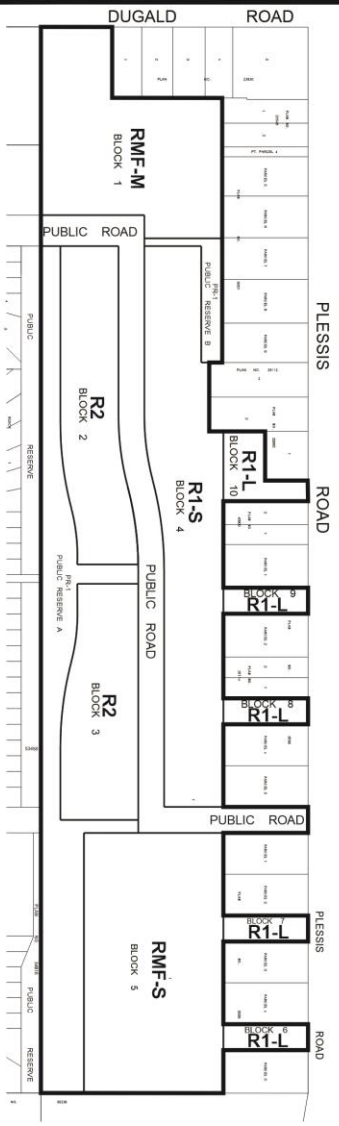
Atlas Sheet No. **AA33 & AB33**

N

EAST KILDONAN TRANSCONA COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located south of Dugald Road, west of Plessis Road from an "R1-E" RESIDENTIAL SINGLE-FAMILY (ESTATE) DISTRICT to an "R1-S" and "R1-L" RESIDENTIAL SINGLE-FAMILY DISTRICTS, "R2" RESIDENTIAL TWO-FAMILY DISTRICT, "RMF-S" and "RMF-M" RESIDENTIAL MULTI-FAMILY DISTRICTS and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the continuation of residential development by the establishment of a block plan, the extension of Shady Shores Drive East and the establishment of Public Reserve.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE "E" OF FILE DASZ 16/2024, East Kildonan – Transcona Community Committee,

Dated June 24, 2024

By-Law No. _____

File No. **DASZ 16/2024**

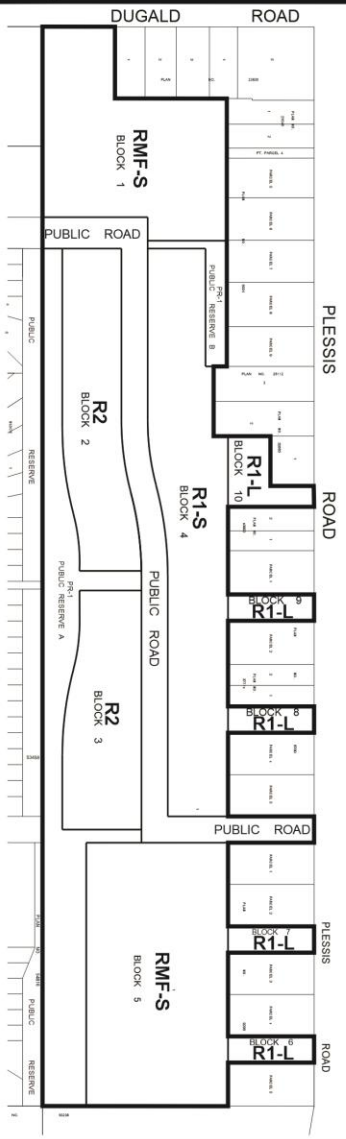
Atlas Sheet No. **AA33 & AB33**

EAST KILDONAN TRANSCONA COMMUNITY

N

Explanation

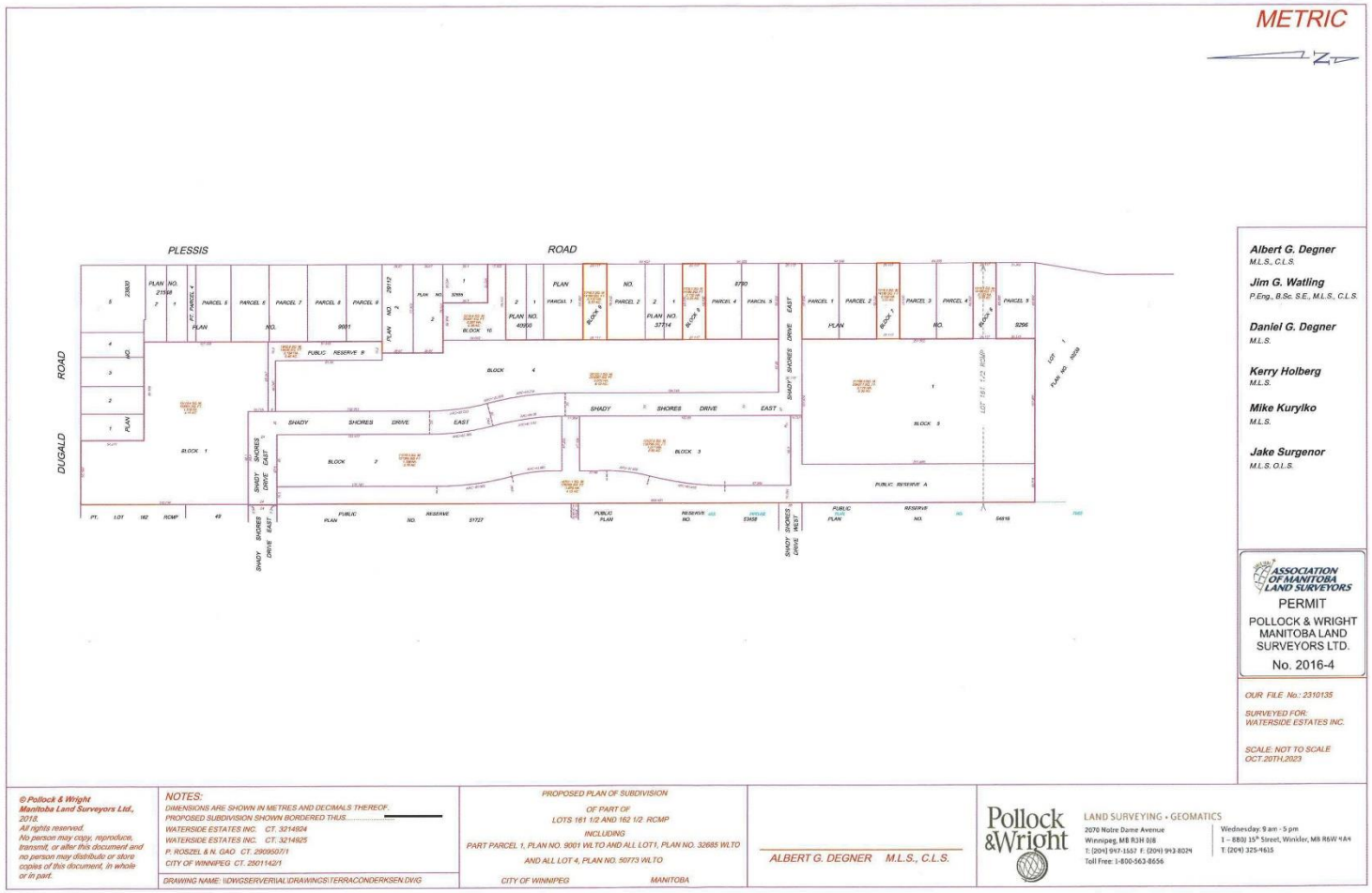
An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located south of Dugald Road, west of Plessis Road from an "R1-E" RESIDENTIAL SINGLE-FAMILY (ESTATE) DISTRICT to an "R1-S" and "R1-L" RESIDENTIAL SINGLE-FAMILY DISTRICTS, "R2" RESIDENTIAL TWO-FAMILY DISTRICT, "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the continuation of residential development by the establishment of a block plan, the extension of Shady Shores Drive East and the establishment of Public Reserve.



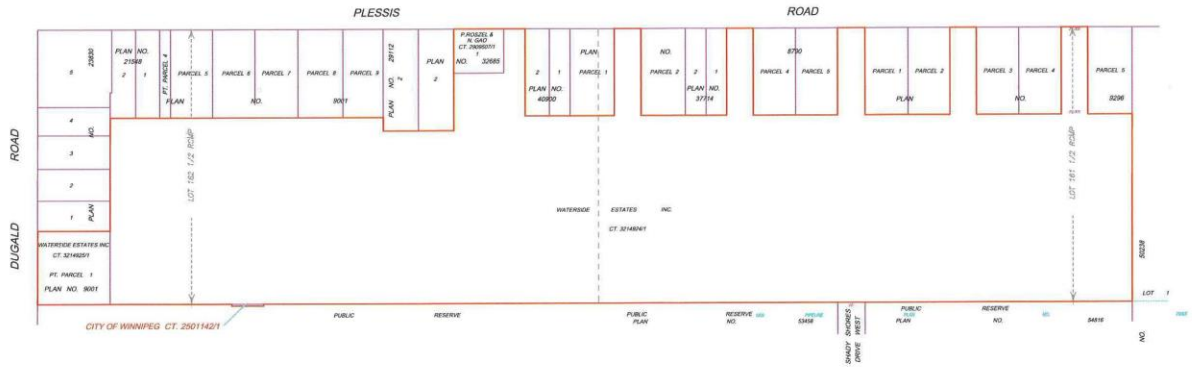
THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Exhibit “6” referred to in File DASZ 16/2024



METRIC



Albert G. Degner
M.L.S., C.L.S.

Jim G. Watling
P.Eng., B.Sc. S.E., M.L.S., C.L.S.

Daniel G. Degner
M.L.S.

Kerry Holberg
M.L.S.

Mike Kurylko
M.L.S.

ASSOCIATION OF MANITOBA LAND SURVEYORS
PERMIT
POLLOCK & WRIGHT MANITOBA LAND SURVEYORS LTD.
No. 2016-4

OUR FILE No.: 2310135

SURVEYED FOR: WATERSIDE ESTATES INC.

SCALE: NOT TO SCALE
OCT.20TH,2023

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NOTES:
DIMENSIONS ARE SHOWN IN METRES AND DECIMALS THEREOF.
PROPOSED SUBDIVISION SHOWN BORDERED THUS.....
WATERSIDE ESTATES INC. CT. 3214924
WATERSIDE ESTATES INC. CT. 3214925
P. ROSZEL & N. GAO CT. 2909507/1
CITY OF WINNIPEG CT. 2501142/1

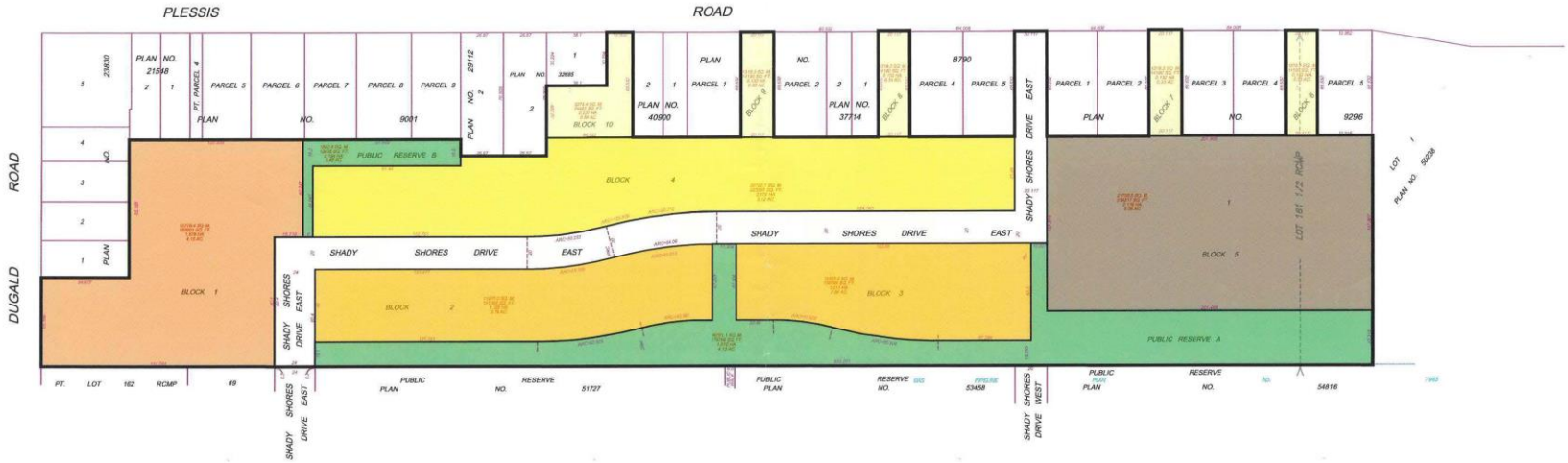
DRAWING NAME: \\DWGSERVER\ALLDRAWINGS\TERRACONDERKSEN.DWG

TITLE PLOT
OF PART OF
LOTS 161 1/2 AND 162 1/2 RCMP
INCLUDING
PART PARCEL 1, PLAN NO. 9001 WLTO AND ALL LOT1, PLAN NO. 32685 WLTO
AND ALL LOT 4, PLAN NO. 50773 WLTO
CITY OF WINNIPEG MANITOBA

ALBERT G. DEGNER M.L.S., C.L.S.

Pollock & Wright
LAND SURVEYING • GEOMATICS
2070 Notre Dame Avenue
Winnipeg, MB R3H 0J8
T: (204) 947-1557 F: (204) 943-8024
Toll Free: 1-800-563-8656
Wednesday: 9 am - 5 pm
1 - 8801 15th Street, Winkler, MB R6W 4A9
T: (204) 325-4615

DASZ - LANDS LOCATED AT THE SW CORNER OF DUGALD AND PLESSIS
ZONING SKETCH



R1-S
R1-L
R2
RMF-S
RMF-M
PR-1

PROJECT INFORMATION					
RMF-S BUILDING INFORMATION: POTENTIAL DEVELOPMENT					
TWO 4-STOREY RESIDENTIAL BUILDINGS AND FOUR 2-STOREY TOWNHOUSES					
POTENTIAL ZONING:			RESIDENTIAL MULTI-FAMILY SMALL (RMF-S)		
ZONING SETBACKS	MIN. FRONT YARD REQ'D:	MIN. REAR YARD REQ'D:	MIN. INT. SIDE YARDS REQ'D:	MIN. CORNER YARD REQ'D:	MAX BUILDING HEIGHT:
	20'-0"	25'-0"	4'-0"	5'-0"	35'-0"
	FRONT YARD PROVIDED:	REAR YARD PROVIDED:	INT. SIDE YARDS PROVIDED:	CORNER SIDE YARD PROVIDED:	BUILDING HEIGHT:
	20'-0"	25'-0"	4'-0"	5'-0"	35'-0"

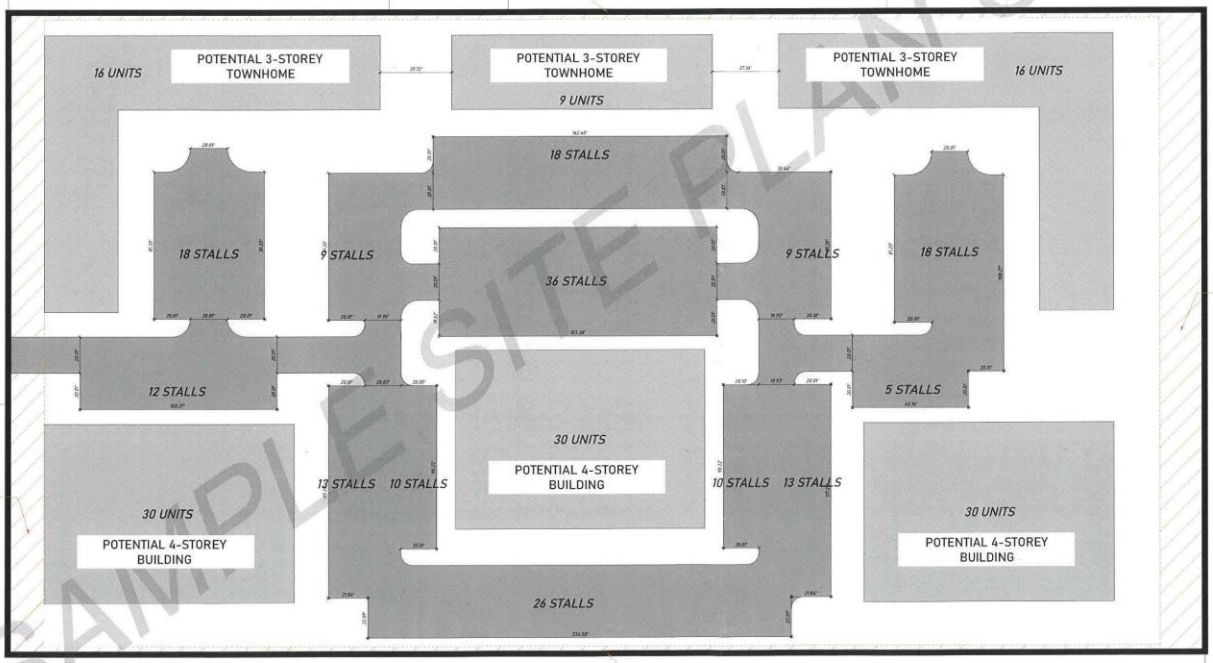
SITE PLAN GENERAL NOTES:

EXACT LAYOUT SUBJECT TO PLAN APPROVAL

TOTAL POTENTIAL SURFACE PARKING STALLS:197 STALLS/ 100%
REGULAR CAR PARKING STALLS (20'X9'): 197 STALLS / 100%

MAX DWELLING UNITS: 197 PARKING STALLS ÷ 1.5 DU = 131 DWELLING UNITS

TOTAL PARKING SURFACE AREA: 1.56 ACRES



SAMPLE SITE PLAN ONLY

WATERSIDE EAST
RMF-S SITE DESIGN

#22044

REVISIONS:
N/A

NOTES:
PARKING AREA = 2.84 ACRES

NORTH
WINNIPEG, MANITOBA

DRAWN BY: BAD
CHECKED BY: N/A
SCALE: 1:300

LANDMARK PLANNING & DESIGN
T: 204.453.8008
E: INFO@LANDMARKPLANNING.CA
www.LANDMARKPLANNING.CA
298 WATERFRONT DRIVE
WINNIPEG, MANITOBA, R3B 0G5

2.9.2024 A02

SITE PLAN GENERAL NOTES:

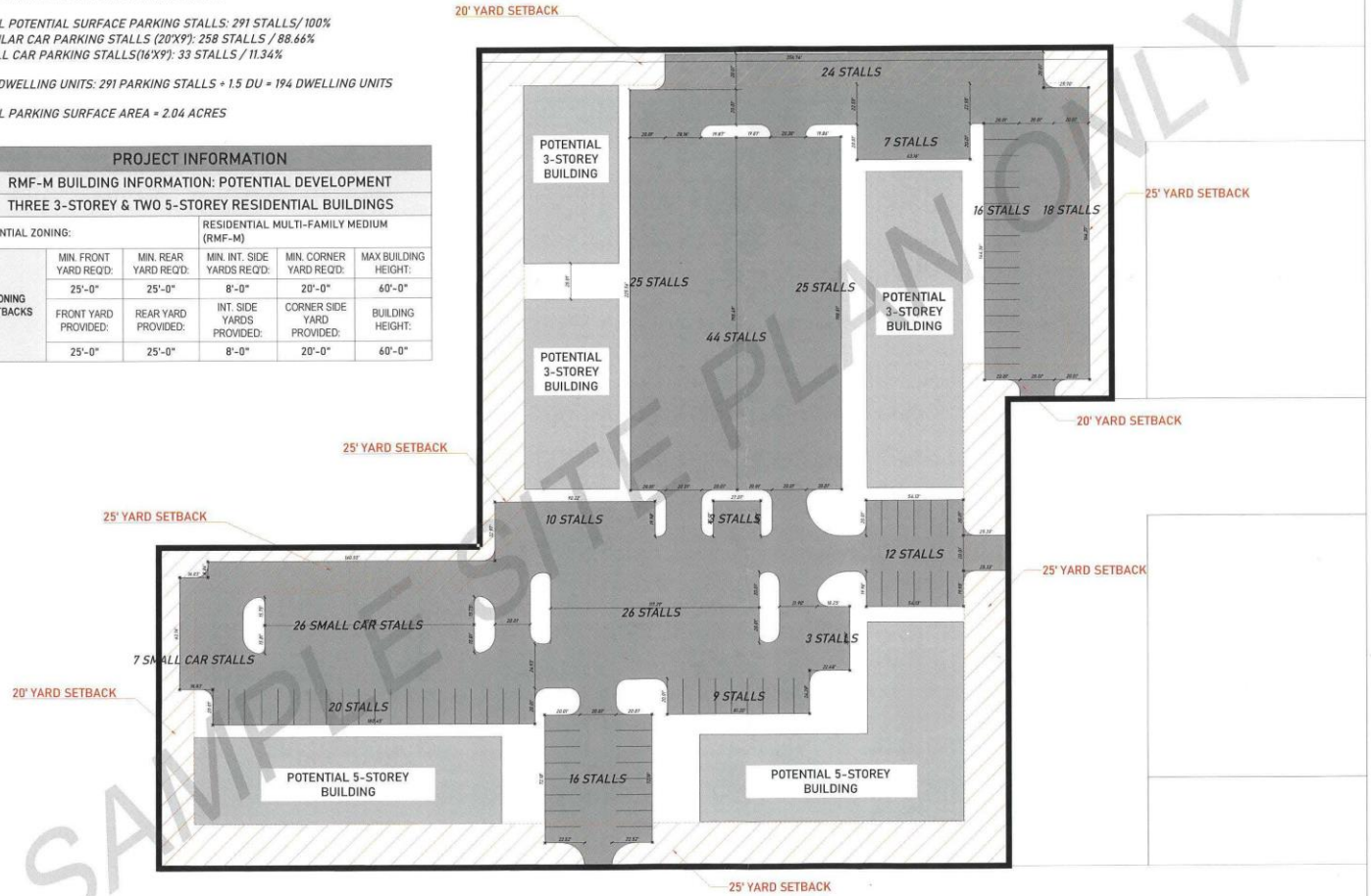
EXACT LAYOUT SUBJECT TO PLAN APPROVAL

TOTAL POTENTIAL SURFACE PARKING STALLS: 291 STALLS/ 100%
REGULAR CAR PARKING STALLS (20'X9'): 258 STALLS / 88.66%
SMALL CAR PARKING STALLS(16'X9'): 33 STALLS / 11.34%

MAX DWELLING UNITS: 291 PARKING STALLS ÷ 1.5 DU = 194 DWELLING UNITS

TOTAL PARKING SURFACE AREA = 2.04 ACRES

PROJECT INFORMATION					
RMF-M BUILDING INFORMATION: POTENTIAL DEVELOPMENT					
THREE 3-STOREY & TWO 5-STOREY RESIDENTIAL BUILDINGS					
POTENTIAL ZONING:			RESIDENTIAL MULTI-FAMILY MEDIUM (RMF-M)		
ZONING SETBACKS	MIN. FRONT YARD REQ'D:	MIN. REAR YARD REQ'D:	MIN. INT. SIDE YARDS REQ'D:	MIN. CORNER YARD REQ'D:	MAX BUILDING HEIGHT:
	25'-0"	25'-0"	8'-0"	20'-0"	60'-0"
	FRONT YARD PROVIDED:	REAR YARD PROVIDED:	INT. SIDE YARDS PROVIDED:	CORNER SIDE YARD PROVIDED:	BUILDING HEIGHT:
	25'-0"	25'-0"	8'-0"	20'-0"	60'-0"



SAMPLE SITE PLAN ONLY

WATERSIDE EAST
RMF-M SITE DESIGN

#22044

DRAWN BY: BAD
CHECKED BY: N/A
SCALE: 1:300

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2.9.2024 A01