Agenda – Council – September 26, 2024

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

Item No. 8 **Subdivision and Rezoning – South Side of Bridgeland Drive between Bridlewood Road and Prominence Point (Waverley West Ward) File DASZ 23/2024**

STANDING COMMITTEE RECOMMENDATION:

On September 17, 2024, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the subdivision proposed under Development Application No. DASZ 23/2024 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated August 19, 2024 and attached as Schedule "B" 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 I of the report of the Administrative Coordinating Group dated August 12, 2024 and attached as Schedule "C" 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 August 12, 2024 and attached as Schedule "C" to this report;

    C. That the City enter into, execute and deliver with the developer a Development Agreement in accordance with recommendation 1.B., 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"); and

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

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

STANDING COMMITTEE RECOMMENDATION (continued):

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "PR1" Parks and Recreation 1 (Neighbourhood) District in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated August 19, 2024, and attached as Schedule "B" to this report.

3. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a by-law in accordance recommendations 1 and 2 (the "By-law") and bring same directly to Council by way of communication for first reading.

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

5. That Development Application No. DASZ 23/2024 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.

6. 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.

7. That the zoning section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

8. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with recommendation 7 unless the developer applies for an extension of time before the expiration of that 1-year period and Council approves the extension.

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

STANDING COMMITTEE RECOMMENDATION (continued):

9. That Development Application No. DASZ 23/2024 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.

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

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

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 17, 2024, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 13, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 4, 2024, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

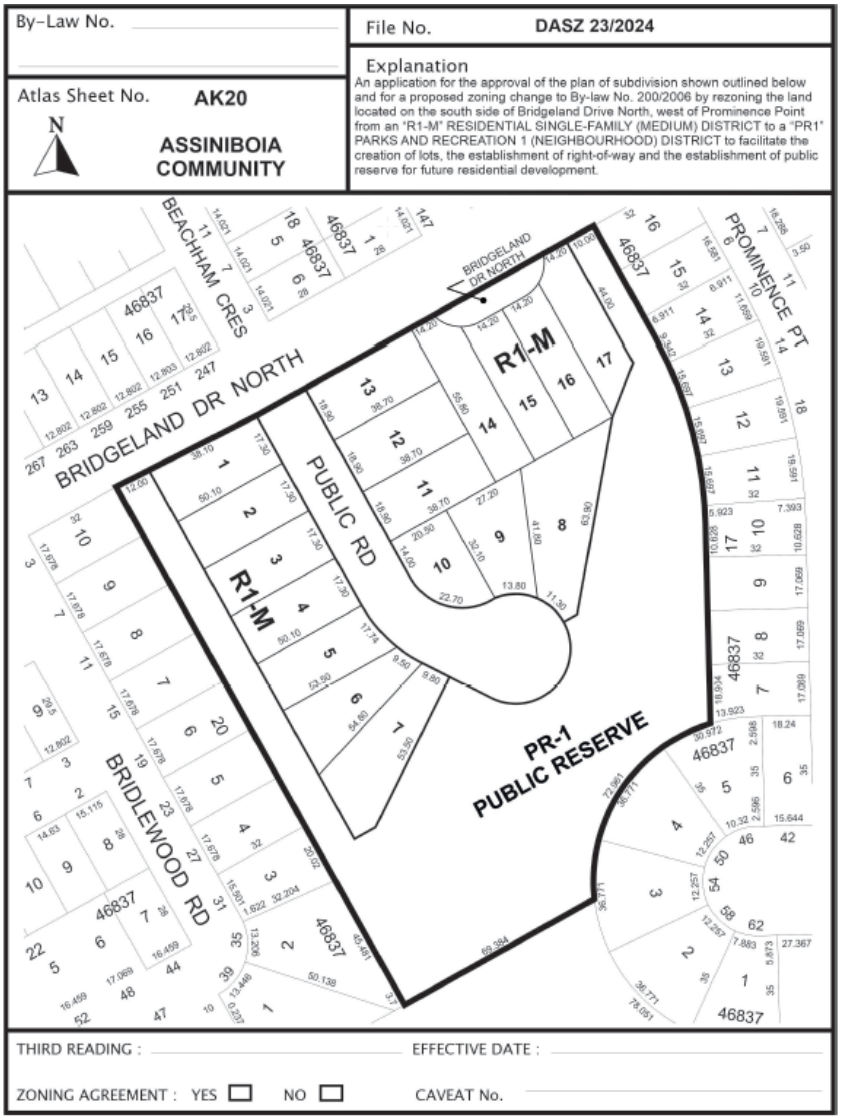
File: DASZ 23/2024

Before: Assiniboia Community Committee
Councillor Dobson, Chairperson
Councillor Duncan
Councillor Lukes

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

Applicant: WSP Canada Inc. (Kari Schulz)

Subject:



Premises Affected:	South of Bridgeland Drive North, between Bridlewood Road and Prominence Point
For submission to:	The Standing Policy Committee on Property and Development
Prepared by:	L. Cowan, Senior Committee Clerk Assiniboia Community Committee
Report date:	September 4, 2024

Community Committee Recommendation:

On September 4, 2024, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development:

1. That the subdivision proposed under Development Application No. DASZ 23/2024 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated August 19, 2024 and attached as Schedule "B" 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 I of the report of the Administrative Coordinating Group dated August 12, 2024 and attached as Schedule "C" 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 August 12, 2024 and attached as Schedule "C" to this report;

    C. That the City enter into, execute and deliver with the developer a Development Agreement in accordance with recommendation 1.B., 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"); and

    D. That authority be delegated to the Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Development 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.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a “PR1” Parks and Recreation 1 (Neighbourhood) District in accordance with the proposed by-law attached as Appendix “A” to this report and as shown on the map dated August 19, 2024, and attached as Schedule “B” to this report.

3. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a by-law in accordance recommendations 1 and 2 (the “By-law”) and bring same directly to Council by way of communication for first reading.

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

5. That Development Application No. DASZ 23/2024 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.

6. 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.

7. That the zoning section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

8. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with recommendation 7 unless the developer applies for an extension of time before the expiration of that 1-year period and Council approves the extension.

9. That Development Application No. DASZ 23/2024 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.

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

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

1. This is a very rare opportunity where a development is allowing public reserve to be incorporated into an area that was zoned single-family.

2. As Councillor for the area I'm very appreciative of what is being presented by Manitoba Housing. Very appreciative of the incredible effort and time, and outreach, and consultation with area residents.

3. This is, it's not multi-family, it's single-family in keeping with the area. It's providing even more greenspace in a neighbourhood that has twice the amount of greenspace of virtually any other neighbourhood in the City of Winnipeg, and I'm really, really pleased to support this.

Objections under the Charter:	Total number of **v**alid objections as per section 125(2) – 1 In accordance with section 236.1(1), the threshold for sufficient objection has not been met.
Exhibits Filed:	1. Application dated June 6, 2024 2. Notification of Public Hearing dated July 23, 2024 3. Manitoba Status of Title 2266866/1 4. Letter of authorization dated March 18, 2024 from Manitoba Housing and Renewal Corporation to WSP Canada Inc. (Kari Schulz) 5. Caveat 3549007/1 6. Site Plan 7. Plans (1 page) 8. Report from the Urban Planning Division dated August 19, 2024 9. Inspection Report 10. Presentation dated September 4, 2024 from Meagan Boles in support of the application 11. Communication dated September 3, 2024 from Sam (Sotirios) Vagianos in support of the application 12. Communication dated September 4, 2024 from Brent Bodnarchuk in opposition to the application 13. Recording of Representations

REPRESENTATIONS:

In Support:

Meagan Boles
Kari Schulz
Sam (Sotirios) Vagianos

In Opposition:

Brent Bodnarchuk

For Information:

Nil

For the City:

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

Exhibit "8" referred to in File DASZ 23/2024

ADMINISTRATIVE REPORT

Title: DASZ 23/2024 – South side of Bridgeland Drive between Bridlewood Road and Prominence Point

Issue: For consideration at the public hearing for an application to subdivide and rezone the subject property to create 17 single-family residential lots, one (1) public reserve lot, and a public street.

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

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Galston, MCP	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision proposed under Development Application No. DASZ 23/2024 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated August 19, 2024 and attached as Schedule "B" to this report, with such minor changes as may be required, subject to the following:

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    C. That the City enter into, execute and deliver with the developer a Development Agreement in accordance with recommendation 1.B., 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"); and

D. That authority be delegated to the Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Development 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.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a “PR1” Parks and Recreation 1 (Neighbourhood) District in accordance with the proposed by-law attached as Appendix “A” to this report and as shown on the map dated August 19, 2024, and attached as Schedule “B” to this report.

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

REASON FOR THE REPORT

- 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 Winnipeg Public Service are concurred in, the subject property may be subdivided and proposed public reserve rezoned to the "PR1" zoning district.

HISTORY

N/A

CONSULTATION

In preparing this report there was consultation with: N/A

SUBMITTED BY

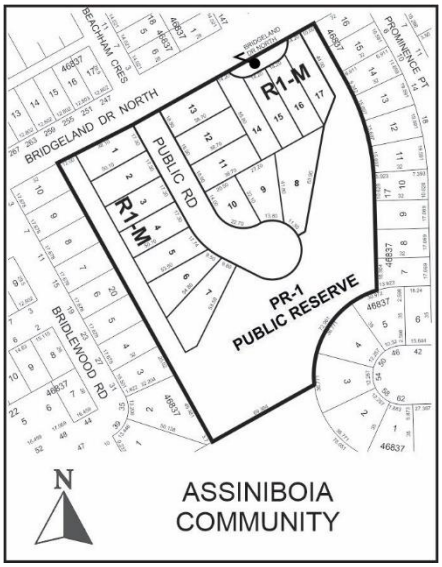
Department	Planning, Property and Development
Division	Urban Planning and Design Division
Prepared by	Robert Galston, MCP
Date:	August 19, 2024
File No.	DASZ 23/2024

List of Schedules and Appendices

Schedule A	Planning Discussion
Schedule B	Recommended File No. DASZ 23/2024 Assiniboia Community Committee, August 19, 2024
Schedule C	Report of the Administrative Coordinating Group Re: Proposed Subdivision and Rezoning on land located on the south side of Bridgeland Drive North between Prominence Point and Bridlewood Road, dated August 12, 2024
Appendix A	Proposed By-law

SCHEDULE 'A'

FILE:	**DASZ 23/2024**
RELATED FILES:	n/a
COMMUNITY:	Assiniboia Committee
NEIGHBOURHOOD #:	2.68 (Bridgwater Forest)
SUBJECT:	To subdivide and rezone the subject property to create 17 "R1-M" residential lots, one (1) "PR1" public reserve lot, and a public street
LOCATION:	South of Bridgeland Drive North, between Bridlewood Road and Prominence Point
LEGAL DESCRIPTION:	BLOCK 19 PLAN 46837 WLTO OTM LOTS 9 TO 13 ST VITAL



APPLICANT:	WSP Canada, Inc. (Kari Schultz) 1600 Buffalo Place Winnipeg, Manitoba R3T 6B8
OWNERS:	The Manitoba Housing and Renewal Corporation 352 Donald Street, Unit 200 Winnipeg, Manitoba R3B 2H8
RECOMMENDATION:	Approval with conditions

SITE DESCRIPTION

- The subject property is located on the south side of Bridgeland Drive North, between Bridlewood Road and Prominence Point. It is the in the Bridgwater Forest Neighbourhood of the Waverley West Ward.

- The subject property is currently comprised of one (1) lot zoned “R1-M” Residential Single-Family (Medium). It has a total lot area of 6.85 acres. It is currently vacant.
- The subject property is located in the Established Neighbourhoods – Recent Communities Policy area under the *Complete Communities Direction Strategy 2.0* Urban Structure Map. It is also within the Lower Density Single-Family Residential policy area under the *Waverley West Northeast Neighbourhood Area Structure Plan*.

Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2018)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Bridgeland Drive North, then single-family residential uses zoned “R1-M” Residential Single-Family (Medium).

South: Passive park space zoned “PR-1” Parks and Recreation Neighbourhood, and single-family residential uses zoned “R1-M” Residential Single-Family (Medium).

East: Single-family residential uses zoned “R1-M” Residential Single-Family (Medium), then Prominence Point.

West: Single-family residential uses zoned “R1-M” Residential Single-Family (Medium), then Bridlewood Road.

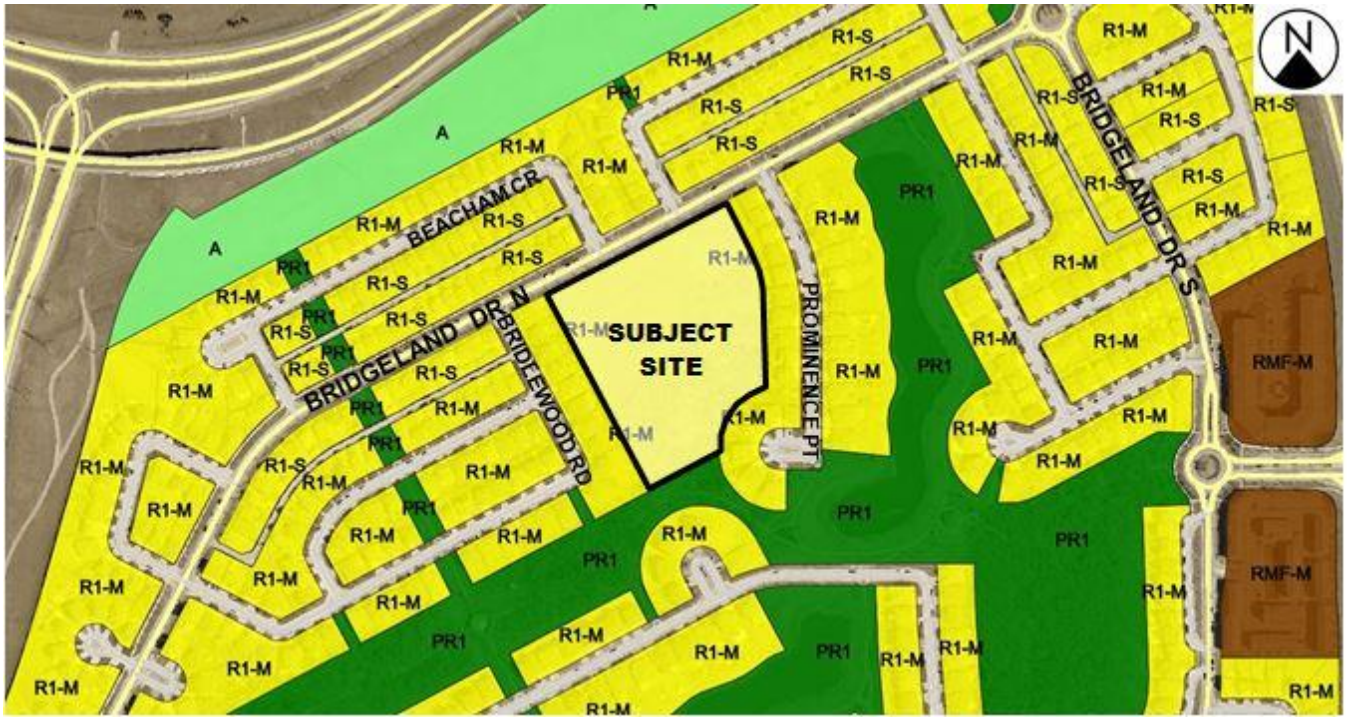


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide the existing lot and create 17 residential lots and one public reserve lot. The proposed 17 residential lots will retain the existing "R1-M" zoning, and the proposed public reserve lot will be rezoned to "PR1" Parks and Recreation (Neighbourhood).
- No building plans or design drawings have been submitted with this application

Residential Uses

- Of the 17 residential lots proposed, 13 lots are to have frontage on a proposed public cul-de-sac that will be constructed on the site. This cul-de-sac will extend southward from Bridgeland Drive North, at a point that is aligned with the current intersection of Bridgeland and Beacham Crescent.
- The four remaining residential lots are to have frontage directly onto Bridgeland Drive North.
- A site plan submitted by the applicant shows that the proposed residential lots will range in size from approximately 6,098 square feet to 11,325 square feet.
- Each of the residential lots will be accessed by a front private approach.

Park Uses

- The proposed rezoning of a portion of the subject land to a "PR1" Parks and Recreation (Neighbourhood) zone will accommodate new passive park uses on the subject site, and extend the existing passive park and active transportation (AT) network north to Bridgeland Drive, via the proposed new cul-de-sac.

- This proposed “PR1” zone will also include separation areas between the proposed residential lots and existing residential to the east and west of the subject site. The intent of these “PR1” separation areas is to buffer the proposed new residential properties from existing residential properties to the east and west. The separation distance on the west is approximately 39 feet in width; the separation distance is approximately 33 feet. (Please refer to Figure 3, below.)
- It is intended that this area will generally retain its existing nature features, including a number of mature trees located on the southern portion of the subject property.
- The extension of the AT path through the proposed “PR1” lot is the subject of a servicing condition attached to this report under Schedule “B” Report of the Administrative Coordinating Group, dated August 12, 2024.

ANALYSIS AND ISSUES

OURWINNIPEG 2045

- *OurWinnipeg 2045* is the City’s long-range development plan. Per *OurWinnipeg 2045*, the subject site is identified as being in the Established Neighbourhoods – Recent Communities policy area.

  6.16 Established Neighbourhoods

  - *Designate Established Neighbourhoods within the Urban Structure, representing lands that will accommodate additional growth in a context-sensitive manner, while promoting the efficient use of land, cost-effective municipal servicing, enhanced housing choice and affordability, and conservation of green infrastructure and heritage resources and districts, as defined in* Complete Communities.

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The *Complete Communities Direction Strategy 2.0* supports *OurWinnipeg 2045*, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- As noted above, the subject property is classified as an Established Neighbourhoods – Recent Communities policy area under *Complete Communities 2.0*. Key policies include:

  D1. Established Neighbourhoods

  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.

  1.14 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.

1.16 Small-scale residential uses, not including single-family, may be accommodated on collector roads and local streets with a public lane, where compatible with adjacent land uses, and in consideration of the factors listed in Policy section 1.6.

1.17 Single-family residential uses will generally be directed to locate on collector streets and local streets.

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

2.12 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.

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

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.

Goal 6

6.0 Ensure Neighbourhoods and communities are well served by parks, open spaces, and recreational facilities that contribute to sustainability, wellness and active living.

Policies

General policies

6.1 Maintain and improve the quality of open spaces and community facilities in Established Neighbourhoods to ensure the current and future recreational needs of residents are met.

6.2 Provide a variety of park experiences and opportunities for active and passive enjoyment in all communities in Established Neighbourhoods.

6.3 The City should acquire lands where possible to add to the linear parkway network and riverbank areas.

6.4 Where significant intensification of housing occurs within a neighbourhood, ensure parks, open spaces, and community facilities respond to community needs through strategic investment.

6.5 Encourage the expansion of the urban tree canopy on private and public property to improve the aesthetics of properties and streetscapes, assist in storm water management, provide shade, and improve the overall quality of life of our communities.

6.6 Ensure a variety of public spaces, facilities, parks, and other community amenities are provided in Established Neighbourhoods to support well-being, inclusiveness, and the social fabric of a community.

6.7 Improve the quality and increase the coverage of the urban tree canopy in Established Neighbourhoods by 10% over the next five years.

- The proposed development application is generally consistent with the *Complete Communities Direction Strategy 2.0.* Key supporting reasons are as follows:
    - The proposed subdivision and rezoning accommodate new single-family residential uses in an established neighbourhood, with lot sizes that are similar to surrounding residential lots.
    - The proposed "PR1" area creates passive park space and expands the linear park network in the Bridgwater Forest Neighbourhood, increasing pedestrian and cycling connections for residents on the north side of Bridgwater Forest.

WAVERLEY WEST SOUTHEAST NEIGHBOURHOOD AREA STRUCTURE PLAN (By-law No. 140/2007)

- Under the *Waverley West Northeast Neighbourhood Area Structure Plan*, the subject property is located in the Lower Density Single-Family Residential Area, and the Parkway Area.
- The purpose of the Lower Density Residential Area is to provide for lower density residential development that is compatible with and complimentary to adjacent uses. The linear open space system will be interspersed throughout the Lower Density Residential Area to serve the recreational needs of the residents. The residential design will be determined through the development application process.
- Policies guiding development in the Low Density Residential Area are:

6.1.2.1 Single family uses shall be the predominant land use.

6.1.2.2 Alternative housing forms, institutional uses, recreational uses, public uses, local commercial sites, and other similar and accessory uses to the above, may be allowed within the Residential Area where determined to be compatible and appropriate.

6.1.2.3 Open space shall be provided throughout the Low Density Residential Area to contribute to the active and passive recreational needs of residents.

Relevant policies guiding the design of Lower Density Residential areas include:

6.1.2.4 The design of the Lower Density Residential Area shall be determined through the Development Application process.

6.1.2.5 The design of Lower Density Residential Areas shall:

6.1.2.5.1 Emphasize opportunities for distinct neighbourhoods that incorporate a variety of housing types and housing alternatives;

6.1.2.5.2 Provide for neighbourhood connections through the incorporation of a neighbourhood pathway system for pedestrians and cyclists; and,

6.1.2.5.3 Maximize exposure and access to the neighbourhood greenway system.

- The intent of the Parks Areas is that they are designed to meet several functions, including on-site drainage, passive and active recreation, and active transportation networks.
- Relevant policies for Parks Areas include:

6.1.2.6 Existing Forest Cover

6.1.2.6.1 The neighbourhood shall maximize the preservation of existing forest cover where feasible;

6.1.2.6.2 Where existing forest cover is removed, a comparable area will be reforested by the development;

6.1.2.6.3 The neighbourhood shall incorporate existing natural areas with parkway systems to the greatest degree possible.

6.1.2.7 Public Access to Parks

6.1.2.7.1 Public access shall be provided to all linear lakes and/or retention ponds;

6.1.2.7.2 Public access shall be provided to all significant existing forest cover areas.

6.1.2.8 Greenspace Connectivity

6.1.2.8.1 Greenspaces shall be connected to one another through a neighbourhood greenway system that facilitate a generally uninterrupted network of habitats and/or pathways;

6.1.2.8.2 Efficient pathway or sidewalk connections shall be provided from residential areas to access the neighbourhood greenway system;

6.1.2.8.3 The neighbourhood greenway system shall be connected with the community greenway system for Waverley West as outlined in the Area Structure Plan for Waverley West.

- The proposed development meets policies in the *Waverley West Northeast Neighbourhood Area Structure Plan,* in that it provides single-family residential uses in the Low Density Residential policy area, and incorporates natural areas into an expansion of the neighbourhood's linear parkway system.

SCHOOL SITE

- The land use concept map for the *Waverley West Northeast Neighbourhood Area Structure Plan* (WWNENASP) identifies the subject site as a school reserve. Under the WWNENASP, the purpose of the school reserves is to provide locations for required schools central to the neighbourhood and with connections to recreational areas.

Through consultation with the Pembina Trails School Division a proposed location for an elementary school was identified and included in the WWNENASP in 2006.

- Under the plan, policies for school reserve sites include the following:
    - Elementary school reserves shall be considered reserve land and zoned residential, and do not ensure that a school will be constructed at that location
    - Residential uses on a school reserve shall not require an amendment to this plan.
- Per the applicant's letter of intent, the Pembina Trails School Division does not plan to construct a school on the subject site. This has been known by the public since at least 2016 (please refer to the discussion on Public Consultation, below). Given the above policies regarding school reserves, an application for residential development on the subject site may be considered without an amendment to the WWNENASP.

SUBDIVISION

- As noted above, the subject site is currently made up made up of one lot. Subdivision is required in order to establish 17 residential lots and one (1) park lot on the subject site.
- Additionally, a public cul-de-sac is proposed to service 13 of these residential lots, and to provide public access to the park space at the southerly portion of the site.
- Please refer to Figure 3, below.

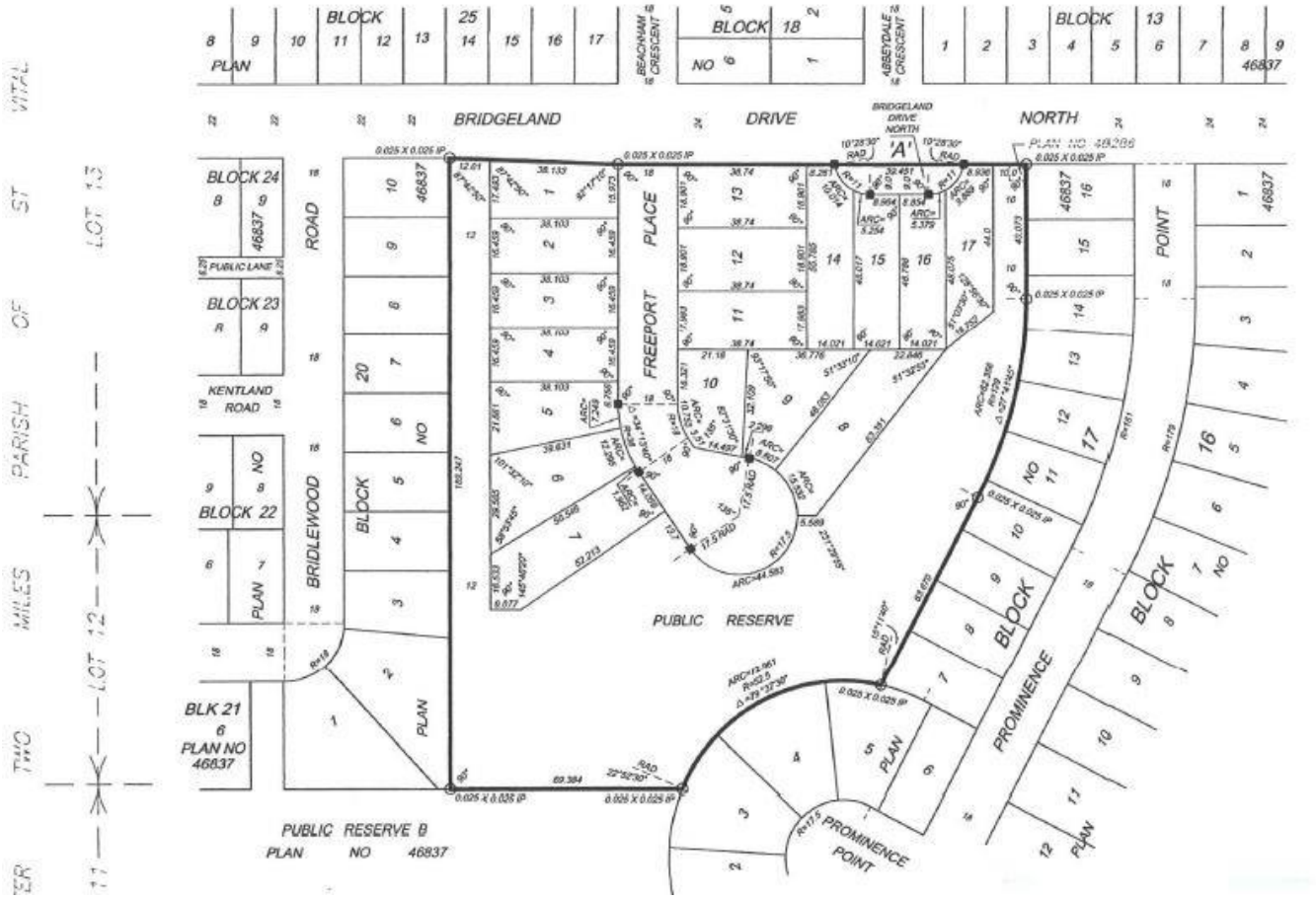


Figure 3: Plan of proposed zoning lots. (Submitted by the applicant)

REZONING

- As noted above, the subject site is currently zoned “R1-M” Residential Single-Family (Medium).

“R1-M”

- Per the Winnipeg Zoning By-law, the intent of the “R1” zoning district is to accommodate primarily single-family residential development in lower-density areas.
- Given that the proposed residential lot sizes range between 6,098 and 11,325 square feet, the existing “R1-M” zoning district is considered an appropriate zoning category for the proposed residential lots.

“PR1”

- As noted above, the applicant intends to rezone approximately 3.05 acres of the subject site to the “PR1” Parks and Recreation (Neighbourhood) zoning district.

- Under the Winnipeg Zoning By-law, the “PR1” zoning district is intended for sites that are generally passive neighbourhood and community parks and facilities with predominantly pedestrian and cyclist access. These sites may provide unstructured drop-in play and recreation opportunities, including play structures, passive parks, plazas, and natural areas. Generally, there are no parking facilities associated with these uses. These parks and open spaces typically occur in a residential neighbourhood or riverbank context and are generally accessed by residential streets.

PUBLIC CONSULTATION

- Per the applicant's letter of intent, the owner undertook a number of public consultation and information sessions with surrounding area residents and the Bridgwater Forest Neighbourhood Association a number of years ago. Specifically:
    - In 2015 and October, 2016, meetings were held with the Bridgwater Forest Neighbourhood Association to discuss the owner's plans for residential development on the site.
    - In February, 2016, the owner held a public open house to discuss and provide information on a number of items related to the Bridgwater Forest Neighbourhood, including the proposed residential development of the subject property.
    - On May 3, 2017, the owner held a public open house at the Fort Richmond Community Centre to discuss the proposed development.
- Based on the feedback received through this earlier consultation process, the letter of intent notes that the owner made a number of changes to the proposed subdivision design. Specifically:
    - The number of proposed residential lots was decreased, from 21 lots to 17 lots. The widths of these proposed 17 residential lots will be consistent with lot widths on surrounding residential properties.
    - The proposed park space (to be zoned "PR1") has a total lot area of 3.05 acres, which is 44 percent of the total subject site.
- Given that the proposed plan of subdivision design or number of residential lots has not changed substantially since 2017, no new public consultation efforts have been undertaken.

CONDITIONS OF APPROVAL

Development Agreement

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

Land Dedication

- As a condition of rezoning or subdivision of a parcel of land, a developer is typically required to contribute a portion of the land to be developed to the City of Winnipeg for parks purposes. The amount of land is not less than 10 percent.
- In the case of the subject proposed subdivision and rezoning, 44 percent of the site is proposed to be public reserve land used for City parks purposes. As such, no cash in lieu of land is required.

RECOMMENDATION

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

- The subject subdivision and rezoning complies with policies for Established Neighbourhoods under the *Complete Communities Direction Strategy 2.0*, and with policies in the *Waverley West Northeast Neighbourhood Area Structure Plan*.
- The proposed subdivision and rezoning will accommodate the establishment of passive park space and extend the network of active transportation pathways within the Bridgwater Forest Neighbourhood.
- The proposed single-family residential uses are compatible with existing residential land uses in the vicinity of the subject site.

This Report Submitted by:

Planning, Property and Development Department
Urban Planning Division

Report Prepared by: Robert Galston, MCP
PPD File #: DASZ 23/2024

Schedule “B” for File DASZ 23/2024, Assiniboia Community Committee, dated August 19, 2024

By-Law No. _____

_____

File No. **DASZ 23/2024**

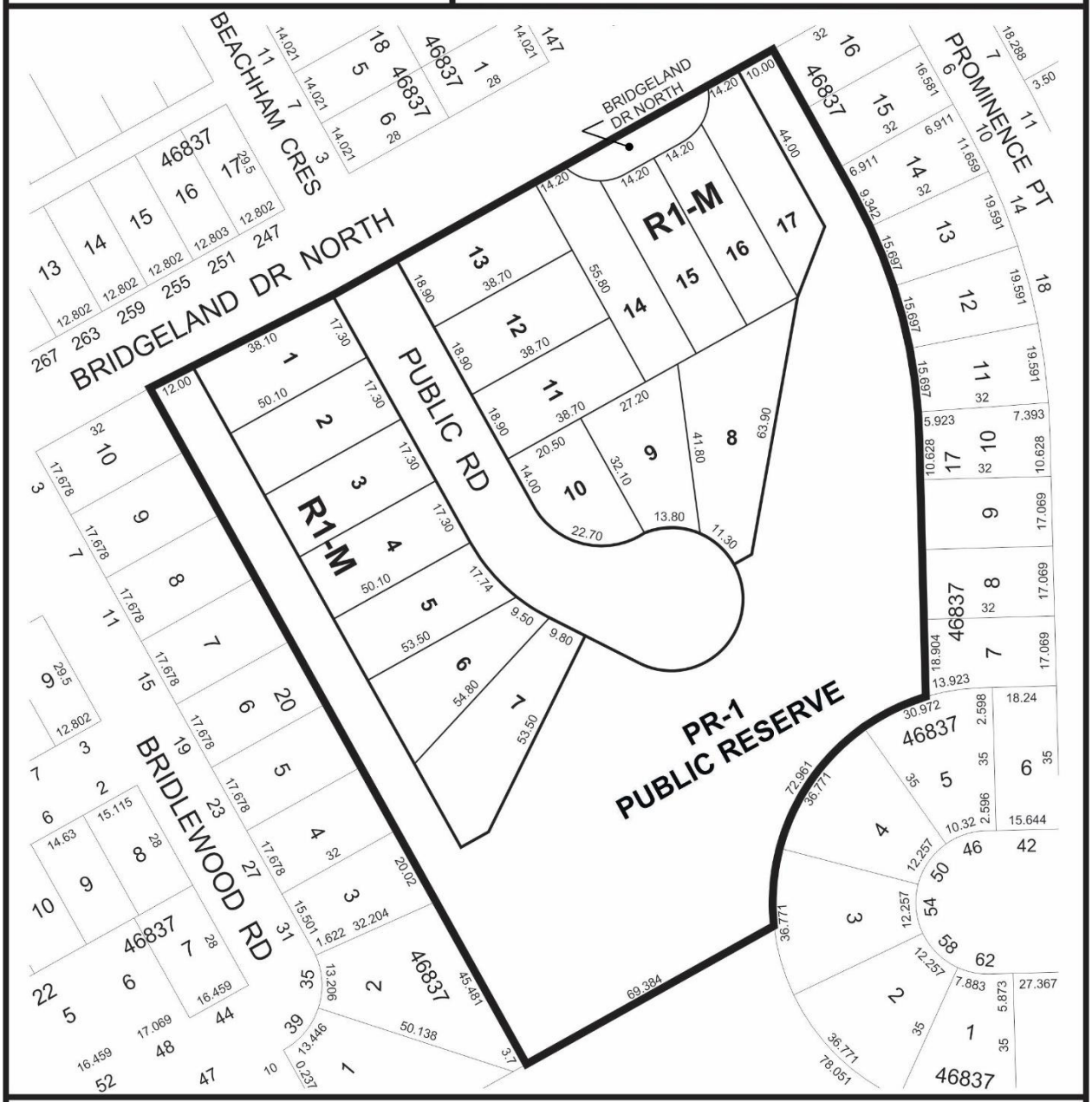
Atlas Sheet No. **AK20**

N

ASSINIBOIA COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located on the south side of Bridgeland Drive North, west of Prominence Point from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the creation of lots, the establishment of right-of-way and the establishment of public reserve for future residential development.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE C

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED ON THE SOUTH SIDE OF BRIDGELAND DRIVE NORTH BETWEEN PROMINENCE POINT AND BRIDLEWOOD ROAD

It is recommended that the approval of DASZ 23/2024, if granted, be subject to the applicant entering into a Development Agreement and address the following items where applicable:

Section I – Plan Considerations

1) The proposed Public Road is to be established with an 18.0m right-of-way (20.0m if the land drainage sewer is 525mm in diameter or greater) to the satisfaction of the Director of Public Works.

2) The Developer shall, at no expense to the City, provide right-of-way to accommodate the proposed cul-de-sac turnaround consistent with the dimensions outlined in the City of Winnipeg's Transportation Standards Manual, to the satisfaction of the Director of Public Works.

3) The Developer shall, at no expense to the City, provide a minimum right-of-way width of 9.0m for the proposed frontage road, with the frontage road terminus points to be located and designed to the satisfaction of the Director of Public Works.

Section II – 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.

Section III – Servicing Conditions

1) Wastewater Sewers

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

2) Water Mains

The Developer shall, at no expense to the City, construct and install all water mains required to serve the Planned Area as determined by and to the satisfaction of the Director of Water and Waste.

3) Land Drainage

The Developer shall, at no expense to the City, construct and install all land drainage sewers to serve the Planned Area as determined by and to the satisfaction of the Director of Water and Waste.

4) Lot Line Service 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, catchbasins 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, catchbasins and leads for lot drainage within the Planned Area.

6) Pavements

a) The Developer shall, at no expense to the City, construct Portland cement concrete pavements, 7.5m wide by 150mm thick, in the proposed Public Road within the Planned Area, and all related works including, but not necessarily limited to street lighting, boulevard landscaping, and land drainage sewers, 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 pavements, 6.0m wide by 150mm thick, in the proposed frontage road within the Planned Area, and all related works including, but not necessarily limited to boulevard landscaping and drainage works, as determined by and to the satisfaction of the Director of Public Works.

7) Sidewalk

a) The Developer shall, at no expense to the City, construct a 1.8m wide Portland cement concrete sidewalk and all related works, at back or curb along one side of the proposed Public Road from Bridgeland Drive North to the proposed path within the proposed Public Reserve lands, as determined by and to the satisfaction of the Director Public Works.

b) The Developer shall, at no expense to the City, construct a 1.5m or 1.8m wide Portland cement concrete sidewalk and all related works, on an alignment as determined by the Public Works Department, within the proposed frontage road on the south side of Bridgeland Drive North, all as determined by and to the satisfaction of the Director Public Works.

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, and shall register the easements in series with the Mylars at the Winnipeg Land Titles Office.

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

8) 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).

9) 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.

10) Boulevards

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

b) The Developer shall, at no expense tot eh 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.

11) Construction Traffic

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

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

12) Signage

a) Prior to construction, the Developer shall, at no expense to the City, obtain approval of and install, and subsequently maintain, at the entrances to the Planned Area, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, sidewalks, public walks, active transportation facilities, existing and all proposed community mailbox sites, all proposed parks, storm water retention facilities, natural tree stands, multi-family sites, commercial sites, collector and arterial streets, Kenaston Boulevard, Bishop Grandin Boulevard, Waverley Street and the future Bison Drive, all with the approval of and to the satisfaction of the Director of Planning, Property and Development.

b) The Developer shall, at no expense to the City, 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.

13) Street Name Signs

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

14) 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 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.

15) 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.

16) Survey Monuments

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

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

17) Fencing

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) Public Reserve

It is hereby acknowledged by the City and the Developer that no dedication provisions are required under this application, but the City of Winnipeg's Urban Planning and Design Division supports the transfer of land as Public Reserve under their jurisdiction subject to the following conditions:

a) The Developer shall undertake the following measures to protect the existing tree stand/forest are:

i. Protective fencing shall be installed for the duration of construction along the limits of the Public Reserve to prevent use of the area for any construction activity, including but not limited to dumping, removal of vegetation, storage of equipment or material and to ensure no accidental encroachment into the area;

ii. Ensure grading of land or changes to grading patterns resulting from development are completed in a manner that maintain a neutral effect on the existing moisture regime of the forest; land drainage from residential properties shall not be directed into the Public Reserve, but rather, should be handled internal to each property. Exceptions may be considered if the proposed method poses no impact to the existing habitat, to the satisfaction of the City Naturalist and Park Superintendent.

b) Landscape improvements of the Public Reserve lands shall be done in accordance with plans and specifications provided by the Developer and approved, prior to the commencement of construction, by the Director of Public Works. The scope of landscaping is expected to be minimal but shall include grading, land drainage and supply of naturalized vegetative cover to the satisfaction of the City Naturalist and Park Superintendent, as necessary to restore the impacted area and address drainage requirements outlined in 18) a) i).

c) The Developer shall, at no expense to the City, supply and install a pathway from the existing park path to the south, through the subject Public Reserve, connecting to end of the proposed cul-de-sac and, if deemed supportable by the City Naturalist, continuing northeast to connect to Bridgeland Drive. The specific details shall be determined

through the park plan approval process, to the satisfaction of the Director of Public Works

d) The Developer shall assume responsibility for all Public Reserve sites until they are developed, and throughout the maintenance period until 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 and warranty Public Reserve improvements in accordance with specifications approved by the Director of Public Works, for a period of two years following the issuance of a Construction Completion Certificate. The City reserves the right to impose longer maintenance terms for amenities and features, such as naturalized areas, that the Director of Public Works deems to be beyond the standard scope of Public Reserve improvements.

Section IV – 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 23/2024
August 12th, 2024

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

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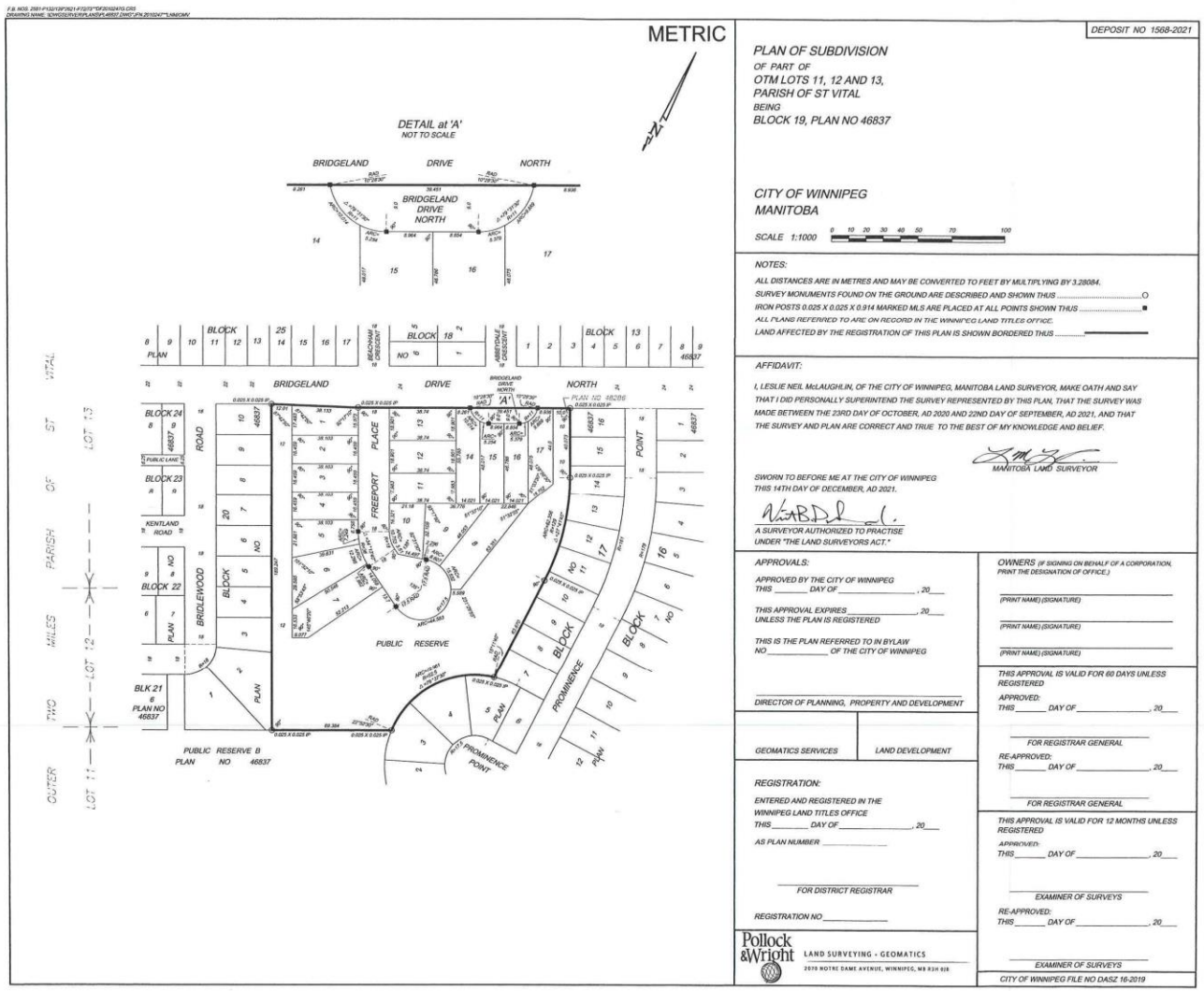
Exhibit “7” referred to in File DASZ 23/2024