

Minutes – Council – September 26, 2024

Minute No. 462

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

**Item No. 7 Subdivision and Rezoning – 15 Royal Mint Drive
 (Transcona Ward)
 File DASZ 17/2024 [c/r DAV 121632/2024D]**

COUNCIL DECISION:

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

1. That the subdivision proposed under Development Application No. DASZ 17/2024 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 May 28, 2024 and attached as Schedule “C” 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 May 10, 2024 and attached as Schedule “B” to this report;
 - B. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated May 10, 2024 and attached as Schedule “B” to this report, with the following amendments:
 - i. In Section II – Plan Considerations add the following new Condition:

“2) Should Dawson Road South be declared surplus the Developer shall, at no expense to the City, legally open property for a cul-de-sac style at the southeast corner of the Planned Area, to accommodate a cul-de-sac-style vehicle turnaround at the western terminus of Dawson Road South, as determined by and to the satisfaction of the Director of Public Works.”
 - ii. In Section IV – Servicing Conditions:
 - a. Add the following new Condition 6) b), and renumber the remaining Condition accordingly:

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COUNCIL DECISION (continued):

“b) If Dawson Road South fronting the plan area is deemed surplus by the Director of Public Works the above clause is nullified and the Developer shall, at no expense to the City, perform the following:

- i) Construct a cul-de-sac-style vehicle turnaround with bollards at the west terminus of Dawson Road South;
- ii) Construct an Active Transportation path on the south side of Dawson Road South and related works including path lighting, landscaping and land drainage sewer, abutting the south limit of the Planned Area, and
- iii) Pay their share of the costs associated with the construction of Royal Mint Drive and all related works including but not necessarily limited to pavement, street lighting, boulevard landscaping and land drainage sewer.

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

- b. Amend Condition 7 by deleting the words “the proposed private approach” and replacing with “the future active transportation path in Niakwa Road East.”.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an “RMF-M” Residential Multi Family (Medium) District in accordance with the proposed by-law attached as Appendix “B” to this report and as shown on the map dated May 28, 2024, and attached as Schedule “C” to this report, subject to the following conditions:

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

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COUNCIL DECISION (continued):

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

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

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

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

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

B. A Zoning Agreement in accordance with Recommendation 2,

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

4. That authority be delegated to the Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Servicing Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.
5. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 17/2024 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

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COUNCIL DECISION (continued):

6. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a by-law in accordance with recommendations 1 and 2 (the “By-law”) and bring same directly to Council by way of communication for first reading.
7. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with recommendation 1 and has paid the Dedication 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.
8. That Development Application No. DASZ 17/2024 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.
9. That the subdivision section of the By-law will come into force when the Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.
10. That the zoning section of the By-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.
11. That the By-law will be repealed without coming into force 1 year following the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 9 and 10, unless the developer applies for an extension of time before the expiration of that 1-year period and Council approves the extension.
12. That Development Application No. DASZ 17/2024 will be deemed to be concluded and all approvals in connection with same will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City within 1 year following the date on which the By-law is enacted, unless the developer applies for an extension of time before the expiration of that 1-year period and Council approves the extension.
13. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

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COUNCIL DECISION (continued):

14. That Caveat No. 3188711/1 be discharged as it affects Firstly: Block 21, Plan 21549 and Secondly: Parcel 1, Plan 9035 excluding Works Plan 65722.
15. 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 17/2024.

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DECISION MAKING HISTORY:

Moved by Councillor Rollins,

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

Carried

Councillor Orlikow was absent for the vote on the above motion.

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 East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 19, 2024, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- In Recommendation 1.B., delete the semicolon after the words “Schedule “B” to this report” and replace with the following:

“, with the following amendments:

- i. In Section II – Plan Considerations add the following new Condition:

“2) Should Dawson Road South be declared surplus the Developer shall, at no expense to the City, legally open property for a cul-de-sac style at the southeast corner of the Planned Area, to accommodate a cul-de-sac-style vehicle turnaround at the western terminus of Dawson Road South, as determined by and to the satisfaction of the Director of Public Works.”

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

- ii. In Section IV – Servicing Conditions:
 - a. Add the following new Condition 6) b), and renumber the remaining Condition accordingly:
 - “b) If Dawson Road South fronting the plan area is deemed surplus by the Director of Public Works the above clause is nullified and the Developer shall, at no expense to the City, perform the following:
 - i) Construct a cul-de-sac-style vehicle turnaround with bollards at the west terminus of Dawson Road South;
 - ii) Construct an Active Transportation path on the south side of Dawson Road South and related works including path lighting, landscaping and land drainage sewer, abutting the south limit of the Planned Area, and
 - iii) Pay their share of the costs associated with the construction of Royal Mint Drive and all related works including but not necessarily limited to pavement, street lighting, boulevard landscaping and land drainage sewer.
 - all as determined by and to the satisfaction of the Director of Public Works.”
 - b. Amend Condition 7 by deleting the words “the proposed private approach” and replacing with “the future active transportation path in Niakwa Road East”.
- Delete Recommendation 2.A.i. in its entirety and replace with the following:
 - “i. the Owner must submit plans showing the location and design of any and all proposed:
 - a. buildings
 - b. accessory parking areas
 - c. private approaches

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

- 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."

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 a special meeting on July 19, 2024 at 12:00 p.m. in the Council Building at 510 Main Street to allow the Winnipeg Public Service to provide information on the following:

1. The design and budget for the inclusion of a roundabout at Dawson Road South and Royal Mint Drive.
2. Design and budget for the inclusion of four dual-electric, level 2 charging stations to be established at the site.
3. Design and budget of the inclusion of at least one car co-op vehicle.
4. The obligation of the applicant's responsibility related to the construction of Dawson Road South, including removing the applicant's obligation for said road.
5. Design and budget for the construction of a sidewalk to the north of the subject property.
6. Design and budget of the construction of a sidewalk along Royal Mint Drive up to Fermor Avenue.
7. Design and budget of the construction of an active transportation pathway on the south side of Fermor to the north of the subject property.

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

8. Design and budget of bicycle parking be provided in the front of every stall for both the underground and at-grade parking, and that a ten-bike storage facility be included in the underground parking area.
9. Design and budget of a fully enclosed garbage enclosures including a roof over the enclosure.
10. Information on the amount paid by the City of Winnipeg for the construction of Royal Mint Drive, including a calculation of the value of the work adjusted for inflation using the Consumer Price Index since the time of construction.

On May 28, 2024 the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on June 24, 2024 at 10:30 a.m. in the Council Building at 510 Main Street.

PUBLIC HEARING SUMMARY

File: DASZ 17/2024

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

Public Hearing: July 19, 2024
June 24, 2024
May 28, 2024
Council Building, 510 Main Street

Applicant: Sherwood Developments (2016) Ltd. (Louis Pereira)

Subject:



Premises Affected: 15 Royal Mint Drive

For submission to: Executive Policy Committee

Prepared by: Brenden Harris, Committee Clerk
East Kildonan-Transcona Community Committee

Report date: July 22, 2024

Community Committee Recommendation:

On July 19, 2024, the East Kildonan-Transcona 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 17/2024 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 May 28, 2024 and attached as Schedule “C” 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 May 10, 2024 and attached as Schedule “B” to this report;
 - B. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated May 10, 2024 and attached as Schedule “B” to this report ***with the following amendments:***
 - i. ***In Section II – Plan Considerations add the following new Condition:***
 - “2) ***Should Dawson Road South be declared surplus the Developer shall, at no expense to the City, legally open property for a cul-de-sac style at the southeast corner of the Planned Area, to accommodate a cul-de-sac-style vehicle turnaround at the western terminus of Dawson Road South, as determined by and to the satisfaction of the Director of Public Works.***”
 - ii. ***In Section IV – Servicing Conditions:***
 - a. ***Add the following new Condition 6) b), and renumber the remaining Condition accordingly:***

“b) If Dawson Road South fronting the plan area is deemed surplus by the Director of Public Works the above clause is nullified and the Developer shall, at no expense to the City, perform the following:

- i) Construct a cul-de-sac-style vehicle turnaround with bollards at the west terminus of Dawson Road South;**
- ii) Construct an Active Transportation path on the south side of Dawson Road South and related works including path lighting, landscaping and land drainage sewer, abutting the south limit of the Planned Area, and**
- iii) Pay their share of the costs associated with the construction of Royal Mint Drive and all related works including but not necessarily limited to pavement, street lighting, boulevard landscaping and land drainage sewer.**

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

b. Amend Condition 7 by deleting the words “the proposed private approach” and replacing with “the future active transportation path in Niakwa Road East”.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an “RMF-M” Residential Multi Family (Medium) District in accordance with the proposed by-law attached as Appendix “B” to this report and as shown on the map dated May 28, 2024, and attached as Schedule “C” to this report, subject to the following conditions:

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

~~i. The owner must construct the Works in conformance with the plans submitted as “Appendix C”, otherwise plans must be submitted showing the location and design of any and all proposed:~~

- ~~a. buildings;~~**
- ~~b. accessory parking areas;~~**
- ~~c. private approaches;~~**
- ~~d. garbage enclosures;~~**

- e. ~~pedestrian pathways;~~
- f. ~~fencing; and~~
- g. ~~landscaping;~~

~~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.~~

- i. **the Owner must submit plans showing the location and design of any and all proposed:**
 - a. **buildings**
 - b. **accessory parking areas**
 - c. **private approaches**
 - d. **garbage enclosures**
 - e. **fencing**
 - f. **landscaping**
 - g. **free-standing signage**

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

- 3. That the City enter into, execute and deliver with the Developer
 - A. A Servicing Agreement in accordance with Recommendation 1; and
 - B. A Zoning Agreement in accordance with Recommendation 2,
 and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").
- 4. That authority be delegated to the Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Servicing Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

5. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 17/2024 (the “Dedication Fee”), as determined by the Director of Planning, Property and Development.
6. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a by-law in accordance with recommendations 1 and 2 (the “By-law”) and bring same directly to Council by way of communication for first reading.
7. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with recommendation 1 and has paid the Dedication 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.
8. That Development Application No. DASZ 17/2024 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.
9. That the subdivision section of the By-law will come into force when the Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.
10. That the zoning section of the By-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.
11. That the By-law will be repealed without coming into force 1 year following the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 9 and 10, unless the developer applies for an extension of time before the expiration of that 1-year period and Council approves the extension.
12. That Development Application No. DASZ 17/2024 will be deemed to be concluded and all approvals in connection with same will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City within 1 year following the date on which the By-law is enacted, unless the developer applies for an extension of time before the expiration of that 1-year period and Council approves the extension.
13. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

14. That Caveat No. 3188711/1 be discharged as it affects Firstly: Block 21, Plan 21549 and Secondly: Parcel 1, Plan 9035 excluding Works Plan 65722.
15. 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 17/2024.

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. The Community Committee wishes to communicate clearly to the Standing Committee of Property and Development that it struggled with a number of items pertaining to this application. Number one, we recognize, we wished, and we heard how important it was to recognize that the developer acquired this property knowingly, still unfortunately, has faced over \$3 million worth of remediation costs related to a former oil company gas station. That he has conducted and cleaned the site presently at his expense to allow for housing.
2. That the Community Committee wishes the Standing Committee of Property and Development to appreciate the fact the committee struggled with the historical mistakes of the past, whereby Dawson Road was not required to be paved at the time of the development of Southland Park, which it should have been or at least partly, incorporated into development serving agreement
3. That the Community Committee wishes the Standing Committee of Property and Development to know also, that it struggled with the fact that more recent applications, namely, the application in the last ten years that was approved to the east of the site included, in the development plan this section of Dawson Road, without requiring that said applicant to be responsible for any of the Dawson Road upgrade. Which was, and is, inherently unfair
4. The Community Committee wishes to communicate to Standing Policy Committee of Property the fact that through the traffic study that we have heard via this applicant, the amount traffic the development will generate on that section of Dawson Road is literally minimal, and less than ten percent, in terms of traffic volumes that would be using that section of Dawson.

5. The Community Committee wishes to communicate to Standing Committee of Property and Development as well that it appears that there was little regard given in the past pertaining to impact on existing residences in Southland Park, namely the fact that the traffic that would be using this section of Dawson Road from new housing developments not related to this application, namely to the east and southeast, would be using Dawson Road for the purpose of shortcutting through the existing neighbourhood referred to as Southland Park via Royal Mint and that there was no consideration given on those applications, or requirements made on those applications to the east and southeast for the purpose of traffic tables on Royal Mint to avoid said traffic shortcutting through an existing residential development
6. The Community Committee wishes to communicate to Standing Committee of Property and Development as well that it has recognized that the development to east that has been proposed and approved by Council has a significant upgrade taking place as a main entrance and exit onto Fermor. With significant turning lanes, traffic lights, not to mention the fact a second egress is proposed further to the east, for a right-in right-out for said development. And that in the event traffic flows wish to go southerly instead of northerly the future phase referred to as Sage Creek North will accommodate said traffic to allow traffic to go southbound and southwest via the extension, the newly constructed extension of Abinojii Mikanah therefore rendering this section of Dawson Road redundant.
7. The Community Committee wishes to communicate to Standing Committee of Property and Development that it appreciates the need for more housing units in our city and by declaring this needless road, section of Dawson Road, surplus to City needs with an active development as per this application going forward, that by earmarking 50% of right-of-way to said developer in lieu for one dollar, which is in lieu of, the decommissioning of the remaining section of the road which would involve building an active transportation path as well as a turnaround, bulb turnaround for another developer will represent the said cost of inheriting ,acquiring this land and removing the problem for the City, namely the status of the unimproved Dawson road, that should have been addressed 30 years ago. And that housing, being a high priority in the city, and that this developer is moving forward actively with the plan, this will allow greater housing density in the existing development.
8. The Community Committee wishes to communicate to the Standing Committee on Property and Development that the said developer is not new to the city, that their company and their business has existed for decades, and that they spearheaded some of the most beautiful builds that you see today on Waterfront Drive, and therefore, are a credible developer who can do good work on this neighbourhood as well.

9. The Community Committee wishes to communicate to Standing Committee of Property and Development that normally on a development of this size and scale the community committee would place requirement in the application requirement for both electric vehicle charging stations and car co-op options. However, in light of significant costs incurred by the applicant to address the environmental remediation required for this site, the community committee had elected instead to encourage the said the developer to consider some electric charging stations and option of car co-op of but not to mandate it.
10. The Community Committee wishes to communicate to the Standing Committee of Property and Development the importance of connectivity to the existing neighbourhood to the south, namely Southland Park, pertaining to pedestrian walkability and fact that the City has invested and is investing presently in park and playground upgrades in Southland Park that will be to the benefit of this new development. That the said sidewalk requirement on Royal Mint on the east side will facilitate that.

**Objections under
the Charter:**

Total number of valid objections as per section 125(2) – 0

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

Exhibits Filed:

1. Application dated March 14, 2024
2. Notification of Public Hearing dated April 29, 2024
3. Manitoba Status of Title 3202986/1
4. Certificate of Title 3202986/1
5. Letter of authorization dated January 25, 2024 from Sherwood Developments (2016) Ltd. (Louis Pereira) to Sherwood Developments (2016) Ltd.
6. Letter of authorization dated February 23, 2024 from Louis Pereira to Sherwood Developments (2016) Ltd.
7. Surveyor's Building Location Certificate and sketch dated November 12, 2020
8. Caveat 3188711/1
9. Rendering of subject property
10. Construction Phasing Plan dated January 25, 2024
11. Shadow Study dated February 2023
12. Noise Study on Fermor dated December 22, 2023 (Revised January 16, 2024)
13. Plans (16 pages)
14. Report from the Urban Planning Division dated April 30, 2024
15. Inspection Report
16. Communication dated May 22, 2024 from Janelle Kaminsky in support of the application
17. Communication dated May 22, 2024 from Judy Kidd in support of the application
18. Communication dated May 22, 2024 from Judy Kidd in support of the application
19. Communication dated May 23, 2024 from John Robertson in support of the application
20. Communication dated May 23, 2024 from Linda Stoyko in support of the application
21. Communication dated May 23, 2024 from Don Lawrence Blasko in support of the application
22. Communication dated May 23, 2024 from Jason Wallace in support of the application
23. Communication dated May 23, 2024 from Michelle Friesen in support of the application
24. Communication dated May 23, 2024 from Heather Harland in support of the application

**Exhibits Filed:
(continued)**

25. Communication dated May 23, 2024 from Adriana Suver in support of the application
26. Communication dated May 23, 2024 from Larisa Veryha in support of the application
27. Communication dated May 23, 2024 from Cindy Fernandes in support of the application
28. Communication dated May 24, 2024 from Gerry Labossiere in support of the application
29. Communication dated May 24, 2024 from Sandi Nicol in support of the application
30. Communication dated May 24, 2024 from Laurie Forrest in support of the application
31. Communication dated May 26, 2024 from Lynne Monstion in support of the application
32. Communication dated May 27, 2024 from Michele Sobering in support of the application
33. Communication dated May 27, 2024 from Susan Baird in support of the application
34. Communication dated May 27, 2024 from Jason Pereira in support of the application
35. Communication dated May 27, 2024 from Maggie Khounthavong in support of the application
36. Presentation in support of the application, submitted by Louis Pereira received May 28, 2024
37. Recording of Representations dated May 28, 2024
38. Notice of Adjournment dated May 31, 2024
39. Communication dated May 29, 2024 from Chandra Rodgers in support of the application
40. Communication dated May 29, 2024 from Doug and Erna Stiles in support of the application
41. Communication dated June 11, 2024 from Don Lawrence Blasko in support of the application
42. Communication dated June 21, 2024 from Brad Cook in support of the application
43. Communication dated June 21, 2024 from Louis Pereira in support of the application
44. Recording of representations
45. Notice of Adjournment dated June 28, 2024
46. Communication dated July 8, 2024 from Don Blasko in support of the application
47. Presentation in support of the application, submitted by Louis Pereira received July 19, 2024
48. Recording of representations

REPRESENTATIONS:

In Support:

Susan Baird
Don LawrenceBlasko
Cindy Fernandes
Laurie Forrest
Michelle Friesen
Heather Harland
Janelle Kaminsky
Maggie Khounthavong

Judy Kidd
Gerry Labossiere
Lynne Montsion
Sandi Nicol
Jason Pereira
Louis Pereira
John Robertson
Chandra Rodgers

Michele Sobering
Doug Stiles
Erna Stiles
Linda Stoyko
Adriana Suver
Larisa Veryha
Jason Wallace

In Opposition:

Nil

For Information:

Lana Smidt

For the City:

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

ADMINISTRATIVE REPORT

Title: DASZ 17/2024 at 15 Royal Mint Drive

Issue: For consideration at the public hearing of a subdivision and rezoning application to subdivide and rezone the subject property from the “C3” Commercial Corridor District to the “RMF-M” Residential Multi-Family Medium District to allow the construction of a 222 multi-family dwelling units in three phases, and facilitate a corner cut for the purpose of a road widening.

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 17/2024 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 May 28, 2024 and attached as Schedule “C” 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 May 10, 2024 and attached as Schedule “B” to this report;
 - B. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated May 10, 2024 and attached as Schedule “B” to this report;
2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an “RMF-M” Residential Multi Family (Medium) District in accordance with the proposed by-law attached as Appendix “B” to this report and as shown on the map dated May 28, 2024, and attached as Schedule “C” to this report, subject to the following conditions:
 - A. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

- i. The owner must construct the Works in conformance with the plans submitted as “Appendix C”, otherwise plans must be submitted showing the location and design of any and all proposed:
 - (a) buildings;
 - (b) accessory parking areas;
 - (c) private approaches;
 - (d) garbage enclosures;
 - (e) pedestrian pathways;
 - (f) fencing; and
 - (g) landscaping;

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.

3. That the City enter into, execute and deliver with the Developer
 - A. A Servicing Agreement in accordance with recommendation 1; and
 - B. A Zoning Agreement in accordance with recommendation 2, and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the “Ancillary Agreements”).
4. That authority be delegated to the Director of Planning, Property and Development (the “Director”) to negotiate and approve the terms and conditions of the Servicing Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.
5. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 17/2024 (the “Dedication Fee”), as determined by the Director of Planning, Property and Development.
6. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a by-law in accordance with recommendations 1 and 2 (the “By-law”) and bring same directly to Council by way of communication for first reading.
7. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with recommendation 1 and has paid the Dedication 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.

8. That Development Application No. DASZ 17/2024 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.
9. That the subdivision section of the By-law will come into force when the Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.
10. That the zoning section of the By-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.
11. That the By-law will be repealed without coming into force 1 year following the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 9 and 10, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.
12. That Development Application No. DASZ 17/2024 will be deemed to be concluded and all approvals in connection with same will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City within 1 year following the date on which the By-law is enacted, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.
13. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.
14. That Caveat No. 3188711/1 be discharged as it affects Firstly: Block 21, Plan 21549 and Secondly: Parcel 1, Plan 9035 excluding Works Plan 65722.
15. 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 17/2024.

REASON FOR THE REPORT

- The applicant wishes to subdivide and rezone the existing property to the “RMF-M” Residential -Multi-Family (Medium) District to construct a four storey multi-family building located on one lot. The City of Winnipeg requires land for the purpose of a road widening at the southwest corner of the site, which is the reason for the subdivision.
- 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**.

CONSULTATION

In preparing this report there was consultation with:

N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared By:	Dylan Chyz-Lund, MCP
Date:	April 30, 2024
File No.	DASZ 17/2024

List of Schedules and Appendices

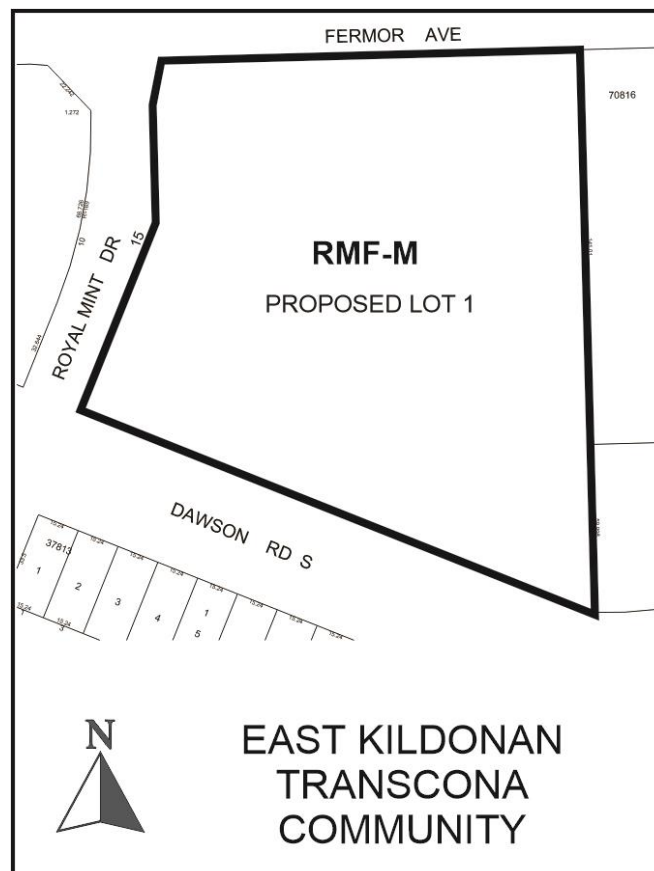
- Schedule A – Planning Discussion
- Schedule B: Report of the Administrative Coordinating Group, dated May 10, 2024
- Schedule “C” of File No. DASZ 17/2024, East Kildonan – Transcona Community Committee, dated May 28, 2024
- Appendix B: Draft by-law
- Appendix C: Building and Site Plans
- Appendix D: Shadow Impact Study

SCHEDULE 'A' - PLANNING DISCUSSION

DATE: April 30, 2024
FILE: **DASZ 17/2024**
RELATED FILES: DAV 24-121632\D
COMMUNITY: East Kildonan - Transcona Committee
NEIGHBOURHOOD #: Southland Park - 542

SUBJECT: For consideration at the public hearing of a subdivision and rezoning application to subdivide and rezone the subject property from "C3" Commercial Corridor District to the "RMF-M" Residential Multi-Family Medium District to allow the construction of 222 multi-family dwelling units in three phases, and facilitate a corner cut for the purpose of a road widening.

LOCATION: 15 Royal Mint Drive



LEGAL DESCRIPTION: EXC PL 65722 LOT 1 PLAN 9035; BLOCK 21 PLAN 21549
RCMP

APPLICANT: SHERWOOD DEVELOPMENTS (2016) LTD.
554 St Mary's Rd 200
Winnipeg, MB R2M 3L5

OWNER: SHERWOOD DEVELOPMENTS (2016) LTD.
554 St Mary's Rd 200
Winnipeg, MB R2M 3L5

RECOMMENDATION: **Approval with conditions**

SITE DESCRIPTION

The subject property is located at the southeast intersection of Fermor Avenue and Royal Mint Drive, in the Southland Park Neighbourhood of the Transcona Ward.

The subject property is currently zoned "C3" Commercial Corridor 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 288,837 square feet.

The property is currently vacant, with site remediation ongoing.



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

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Fermor Avenue, then various commercial and industrial uses zoned “M1” Manufacturing Light District.

East: Vacant land zoned “M1” Manufacturing Light District.

South: Dawson Road, then single-family dwellings zoned “R1-M” Residential Single-Family (Medium) District.

West: Royal Mint Drive, then vacant land zoned “C3” Commercial Corridor District.



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 construct a 222-unit multi-family building.
- The building would be four stories in height and arranged in an open circle configuration so that there would be space for a stormwater retention basin and courtyard at the centre of the building. There would be a large opening along the south portion, providing access to the courtyard and pond without having to go through the building.
- The building would have common entrances facing Royal Mint Drive (west), Fermor Avenue (north), and the east portion of the site.
- Access to the site is proposed from Royal Mint Drive, with access to underground parking at the southwest and southeast corners of the building.
- Outdoor parking is provided close to the north and east property lines, and is buffered with trees and shrubs.

- Pedestrian pathways provide access to the courtyard and pond at the centre of the site, the parking area and main building entrances, and the exterior of the site.
- A total of 291 parking stalls are proposed.
- There are two garbage enclosures at the northeast and northwest corners of the site that would be fully screened from view by fencing.
- The building is proposed to be clad with a combination of cement board, acrylic stucco, and stocreativity brick.
- A total of 125 trees and 582 shrubs are proposed, far exceeding the requirements of the Zoning By-Law.
- In their letter of intent, the applicant has noted that the proposal is intended to serve those 50 and up.

REASON FOR APPLICATION

- The subject site is currently zoned “C3” Commercial Corridor District. This zoning district does not permit multi-family development. To accommodate the proposed multi-family development and corner cut for a road widening, a subdivision and rezoning is required.
- One variance – to reduce the number of required parking stalls from 333 to 291 – is also required.
- The variance is analyzed in greater detail in the accompanying report for DAV 24-121632/D.
- The Public Service is supportive of the variance.

Collaboration with the Public Service:

- The applicant worked extensively with the Public Service during the design of their project. A Pre-Application for the property was submitted, and the applicant incorporated many changes into their proposal that were requested in the Pre-Application Letter.

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 **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.*

The proposed subdivision and rezoning will facilitate the construction of 222 multi-family dwellings units at a site that is currently vacant. The proposed building is four stories in height, and includes substantial buffers to the existing land uses on all sides. The site is buffered from the industrial lands to the north by both Fermor Avenue and Niakwa Road E (approximately 288'

between the property lines), and to the single-family residential dwellings to the south by Dawson Road (approximately 128' between the property lines).

The proposed four storey height, coupled with the substantial setbacks to existing uses, ensure the development is complimentary to the existing character of the area that includes a mixture of single-family dwellings and industrial uses.

The lot is a corner lot with frontage on three different streets – Fermor Avenue, Dawson Road, and Royal Mint Drive. There is also an active transportation path adjacent to the subject site to the southwest that provides direct connections to the commercial amenities approximately 1.5 km west of the site.

- *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.*

Four stories is considered a low-rise residential use under *Complete Communities 2.0*. The subject site is an excellent location for this use, given its proximity to the primary transit network, numerous commercial amenities, access to an active transportation path, frontage on both an arterial and collector road, and buffering to adjacent land uses.

- *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.*
 - *2.3 Encourage, where contextually suitable, the location of multi-family buildings at or near the front and corner side property lines to create a pedestrian orientation that is respectful of the area context. Use setbacks to provide landscaping, front courtyards for individual units or other amenities that support the pedestrian environment, building design and relationship to the street.*
 - *2.4 Encourage the use of high-quality, energy efficient, and durable exterior building façade materials.*
 - *2.5 Encourage a variety of architectural styles*
 - *2.6 Encourage building design to include a range of architectural features that create visual interest and positively contribute to the visual aesthetics of the street and neighbourhood.*
 - *2.9 Buildings with multi unit residential uses should be designed to support pedestrian activity and reinforce the public realm through thoughtful use of architectural features which may include, but are not limited to, the following:*
 - a. Window placement that supports passive surveillance;*
 - b. Unit entrances with direct access to the street;*
 - c. Front porches;*
 - d. Balconies;*
 - e. Awnings;*
 - f. Lighting; and*
 - g. Height of primary entrances*

- *2.11 Multi-family residential or mixed-use buildings that front public streets and contain internal parking areas should provide a main entrance facing the public street.*
- *2.12 New development should respect and complement the existing character of the built form of surrounding properties.*
- *2.14 Avoid buildings that create long blank walls facing public streets.*
- *2.15 Encourage the use of architectural features to articulate building walls in order to mitigate the impact of new building mass.*
- *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.*

The applicant has submitted a complete set of drawings including building elevations, site plans, and landscaping plans. Together, these documents show the development is proposing a high standard of urban design.

The proposal includes main entrances with lobbies on the north, east, and west facades facing both Fermor Avenue and Royal Mint Drive. The entrances create a sense of arrival and showcase the building, adding to the architectural features of the building and creating visual interest from the flanking streets.

Balconies and building wall projections, along with a combination of brick, acrylic stucco, and Hardie Board, break up the horizontal massing of the building and reinforce the public realm.

While there are 101 surface-level parking stalls (including visitor stalls and four electric vehicle charging stations), they would be screened from the street by a landscaping buffer. The remaining 190 parking stalls are to be located underground. In addition, 120 bicycle stalls are proposed for the underground parkade.

The proposal far exceeds the required number of trees and shrubs for the site, and it provides a landscape buffer composed of trees and shrubs along all four property lines. This is in addition to a pond with walking trails, sod, and trees and shrubs located at the centre of the site and viewable offsite from the south. There are also common-area decks proposed that overlook the pond, and multiple seating areas around the pond.

- *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.*

The proposal is geared towards residents aged 50+, and includes one bedroom, one bedroom and den, and two-bedroom units. The proposal also includes guest suites for visitors, and at-grade suites.

ZONING BY-LAW 200/2006

- The “RMF-M” Residential Multi-Family (Medium) District is intended to enable the development of medium-density multifamily areas.
- The subject site is located at a point with substantial buffers to all surrounding uses as a result of being bounded by Royal Mint Drive, Fermor Avenue, and Dawson Road. The larger surrounding area includes single-family dwellings, commercially zoned lands, manufacturing zoned lands, and plans for multi and single-family districts.
- The proposed multi-family use can be accommodated in the “RMF-M” Residential Multi-Family (Medium) District.
- The “RMF-M” Residential Multi-Family (Medium) District was chosen because it is intended to accommodate medium density residential uses with substantial setbacks to surrounding uses, which the subject proposal incorporates.

ADDITIONAL CONSIDERATIONS

Variances

- One variance is needed to enable 291 parking stalls instead of 333 parking stalls.
- The variance is analyzed in greater detail in the accompanying report for DAV 24-121632/D
- The Public Service is supportive of the variance.

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 servicing agreement is required.

Substantial Conformance Plan Approval

- For large-scale rezonings that introduce greater intensities to a subject site than were previously permitted, a Zoning Agreement specifying the requirement for a Plan Approval is often recommended. This condition typically requires an owner to register a Zoning Agreement with a Plan Approval requirement, then submit their final plans to the presiding community committee as part of the Plan Approval application before they can proceed with their development permits.
- In this instance, given that complete plans were submitted with the rezoning application and are before the committee with this application, the Public Service is recommending that Plan Approval to community committee only be required if there are changes made to the plans.

SUMMARY

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

- The Subdivision and rezoning 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** and the subject property be Subdivided and rezoned to the “RMF-M” Residential Multi-Family (Medium) District.

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

Report Prepared by: Dylan Chyz-Lund, MCP
PPD File # DASZ 17/2024

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED REZONING OF LAND LOCATED AT 15 ROYAL MINT DRIVE

It is recommended that approval of DASZ 17/2024, if granted, be subject to the applicant entering into a Servicing Agreement containing the following conditions:

Section I – General Comments

The Water and Waste Department advises that there is adequate water servicing for the proposed development based on the provided development plans. Additional review will be required by our Department should the plans of development change during the design process.

Section II – Plan Considerations

- 1) The Developer shall, at no expense to the City, legally open property for a corner cut from the southeast corner of the Planned Area, to smoothly transition the 138m radius curve along the adjacent property's and planned area's southern property lines, as determined by and to the satisfaction of the Director of Public Works.

Section III – Engineering Studies

- 1) The Developer shall, at no expense to the City, conduct geotechnical investigations and develop pavement designs in accordance with the City's "Guidelines for Site Investigation Requirements for Public Works Street Projects", all to the satisfaction of the Director of Public Works.
- 2) The Developer shall provide a servicing brief, prepared by a qualified municipal engineer, which shall outline the provision of wastewater and land drainage services for the planned area and adjacent lands as determined by and to the satisfaction of the Director of Water and Waste.

Section IV - Servicing Conditions

- 1) Water Mains
 - a) The Developer shall pay to the City, in cash, on demand, their share of the water mains installed by others in Royal Mint Drive, as determined by and to the satisfaction of the Director of Water and Waste.

- b) The Developer shall pay to the City, in cash, on demand, their share of the water main oversizing installed by others to service the planned area, as determined by and to the satisfaction of the Director of Water and Waste.

2) Wastewater Sewers

- a) The Developer shall, at no expense to the City, construct and install all wastewater sewers required to serve the Planned Area and adjacent lands as indicated by the servicing report, to the satisfaction of the Director of Water and Waste.
- b) The City will endeavor, within the limits of its powers, to make recoveries for the above clause from other benefiting privately owned land(s).
- c) The Developer shall pay to the City, in cash, on demand, their share of the wastewater sewer oversizing installed by others to service the planned area, as determined by and to the satisfaction of the Director of Water and Waste.

3) Land Drainage

- a) The Developer shall, at no expense to the City, construct and install all land drainage sewers 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 City shall endeavor to reimburse the Developer for any land drainage sewer oversizing in accordance with the City's Development Agreement Parameters, subject to funding availability, as determined by the Director of Water and Waste.
- c) The Developer shall pay to the City, in cash, on demand, their share of the land drainage sewer oversizing installed by others to service the planned area, as determined by and to the satisfaction of the Director of Water and Waste.

4) Regional Land Drainage System

The Developer shall pay to the City, in cash, on demand, their share of the cost of the regional land drainage system, as determined by and to the satisfaction of the Director of Water and Waste.

5) Seine River Waterway Land Acquisition Charge

The Developer shall pay their share of the Seine River Waterway Land Acquisition Charge, as determined by and to the satisfaction of the Director of Water and Waste.

6) Dawson Road South

- a) In lieu of the Developer paying their share of the costs associated with the construction of Royal Mint Drive and Dawson Road South, the Developer shall, at no expense to the City, construct Dawson Road South, 10.0m wide by 200mm thick and all related works including but not necessarily limited to a path on the south side, street lighting, boulevard landscaping and land drainage sewer, abutting the south limit of the Planned Area, all as determined by and to the satisfaction of the Director of Public Works.
- b) The City will endeavor, within the limits of its powers, to make recoveries from other benefiting privately owned land(s) through subsequent development agreements.

7) Sidewalks

The Developer shall, at no expense to the City, construct a 1.5m wide by 100 mm thick Portland cement concrete sidewalk and all related works, on the standard alignment, 0.3m from the property line, on the east side of Royal Mint Drive between Blue Mountain Road and the proposed private approach, as determined by and to the satisfaction of the Director of Public Works.

8) 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.

9) 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.

10) 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.

11) Survey Monuments

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

Section V – Costs and Fees

1) By-laws and Approvals

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

2) Professional Fees

- a) The Developer shall pay the full cost of all design services, including preliminary engineering studies, servicing reports, servicing criteria, construction drawings and specifications, and grading and landscaping plans and specifications, to be provided by Consulting Engineer(s) approved by the City, for the design of the municipal services, parklands, parkways and associated works required to serve the Planned Area;
- b) The Developer shall pay the full cost of construction and landscaping supervision services provided by or on behalf of the City for field inspection, preparation of progress estimates, provision of as-built drawings by March 31 of the year following substantial performance of the work, and all other engineering consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

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 17/2024
May 10, 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

**SCHEDULE “C” OF FILE DASZ 17/2024, East Kildonan – Transcona Community Committee,
Dated May 28, 2024**

By-Law No. _____ _____	File No. DASZ 17/2024
Atlas Sheet No. AE32 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 at 15 Royal Mint Drive from a "C3" COMMERCIAL CORRIDOR DISTRICT to an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to facilitate the consolidation of lands for the construction of a multi-family development.

FERMOR AVE
70816

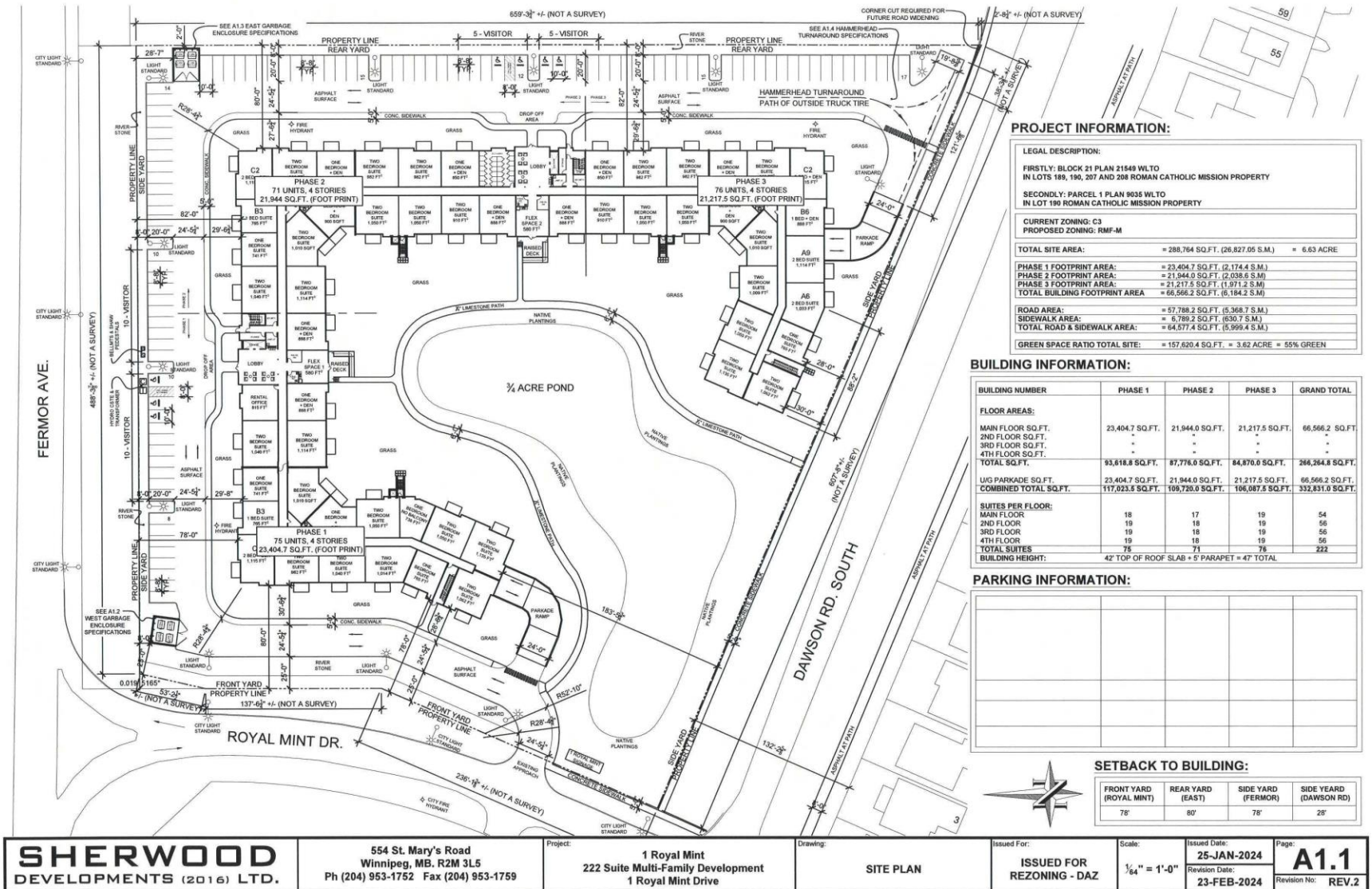
ROYAL MINT DR
15

RMF-M
PROPOSED LOT 1

DAWSON RD S

THIRD READING : _____	EFFECTIVE DATE : _____
ZONING AGREEMENT : YES ☐ NO ☐	CAVEAT No. _____

Exhibit "13" referred to in File DASZ 17/2024



**1 ROYAL MINT DRIVE
222 UNIT - MURB**

4-4 YD GARBAGE BINS (STORED EXTERIOR)
3-3 YD GARBAGE BINS (STORED INTERIOR)
7-7 YD GARBAGE BINS (TOTAL)
4-4 YD RECYCLE BINS (STORED EXTERIOR)
3-3 YD RECYCLE BINS (STORED INTERIOR)
7-7 YD RECYCLE BINS (TOTAL)
PROPOSED COLLECTION, ONCE DAILY OCCUPANCY
4-4 YD GARBAGE BINS COLLECTED - TWICE WEEKLY
4-4 YD RECYCLE BINS COLLECTED - TWICE WEEKLY



72" BROWN PRESSURE TREATED
ORNAMENTAL WOOD FENCE C/W 8X8
WOOD POSTS & CUSTOM GALVANIZED
METAL BASE PLATES

12" X 12" REINFORCED
CONCRETE CURB

6" Ø X 42" H STEEL BOLLARDS
W/ CONCRETE FILL TYP.

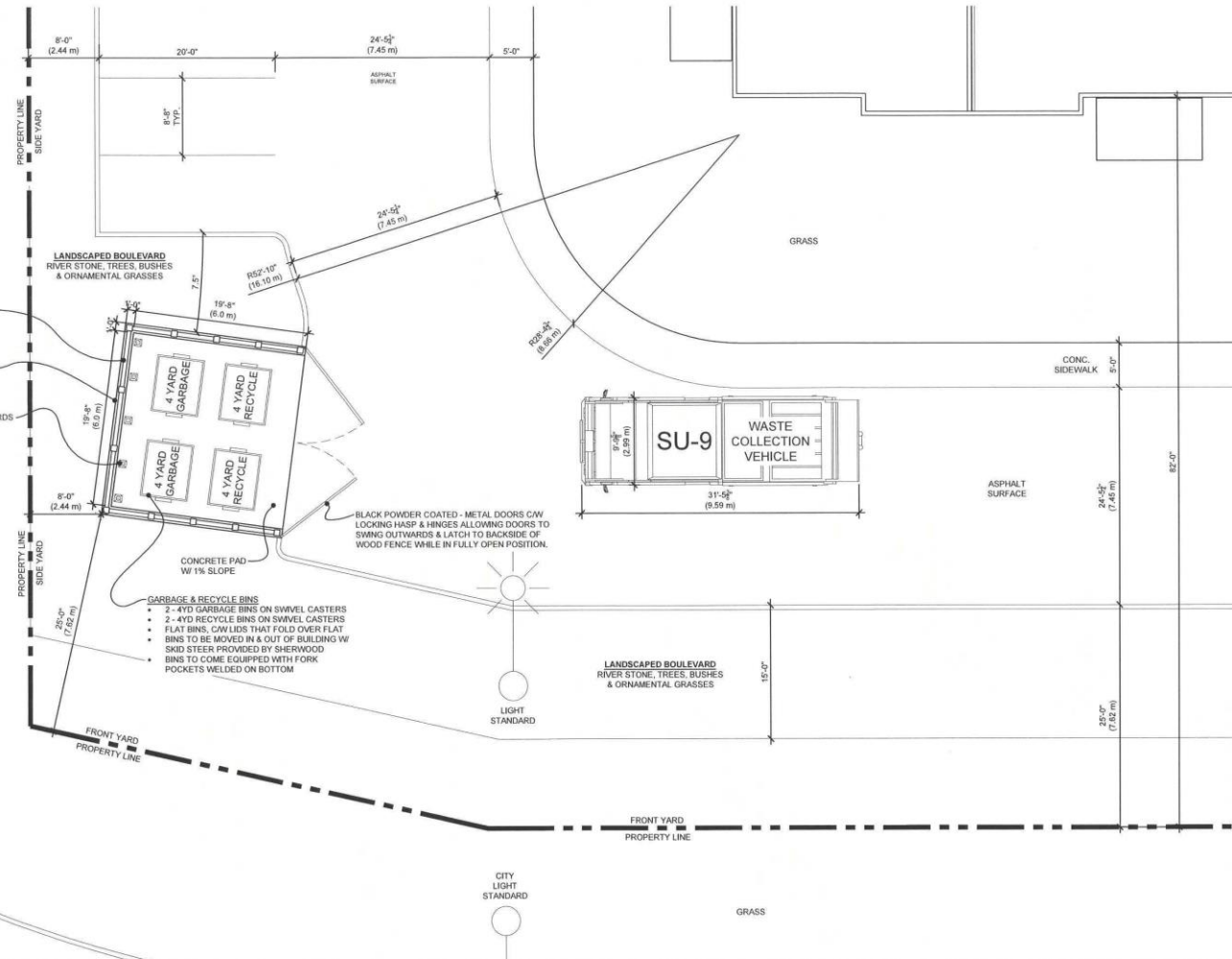
COLLECTION AREA #1 - WEST

GENERAL NOTES:

RESPONSIBILITY OF SHERWOOD TO OPEN GATES, AND
ORGANIZE BINS SO THAT ONLY THE BINS GETTING
EMPTYED, ARE LOCATED IN THE FRONT ROW.

THIS SKETCH DEMONSTRATES HOW BINS ARE TO BE
STACKED ON TYPICAL RECYCLING COLLECTION DAY.

IF NOT POSSIBLE TO HAVE CITY SERVICE COLLECT
GARBAGE & RECYCLING ON SEPARATE DAYS,
SHERWOOD TO PAY FOR PRIVATE COLLECTION FOR
ONE OF THE TWO SERVICES, TO ENSURE COLLECTION
OF BOTH GARBAGE & RECYCLING DOES NOT TAKE
PLACE ON THE SAME DAY.



SHERWOOD DEVELOPMENTS (2016) LTD.	554 St. Mary's Road Winnipeg, MB. R2M 3L5 Ph (204) 953-1752 Fax (204) 953-1759	Project: 1 Royal Mint 222 Suite Multi-Family Development 1 Royal Mint Drive	Drawing: WEST GARBAGE ENCLOSURE SPECIFICATIONS	Issued For: ISSUED FOR REZONING - DAZ	Issued Date: 25-JAN-2024	Scale: 3/32" = 1'-0"	Page: A1.2
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**1 ROYAL MINT DRIVE
222 UNIT - MURB**

4 - 4 YD GARBAGE BINS (STORED EXTERIOR)
3 - 4 YD GARBAGE BINS (STORED INTERIOR)
7 - 4 YD GARBAGE BINS (TOTAL)
4 - 4 YD RECYCLE BINS (STORED EXTERIOR)
3 - 4 YD RECYCLE BINS (STORED INTERIOR)
7 - 4 YD RECYCLE BINS (TOTAL)
PROPOSED COLLECTION: ONCE FULLY OCCUPIED
4 - 4 YD GARBAGE BINS COLLECTED - TWICE WEEKLY
4 - 4 YD RECYCLE BINS COLLECTED - TWICE WEEKLY



GARBAGE & RECYCLE BINS

- 2 - 4YD GARBAGE BINS ON SWIVEL CASTERS
- 2 - 4YD RECYCLE BINS ON SWIVEL CASTERS
- FLAT BINS, C/W LIDS THAT FOLD OVER FLAT
- BINS TO BE MOVED IN & OUT OF BUILDING W/ SKID STEER PROVIDED BY SHERWOOD
- BINS TO COME EQUIPPED WITH FORK POCKETS WELDED ON BOTTOM

COLLECTION AREA #2 - EAST

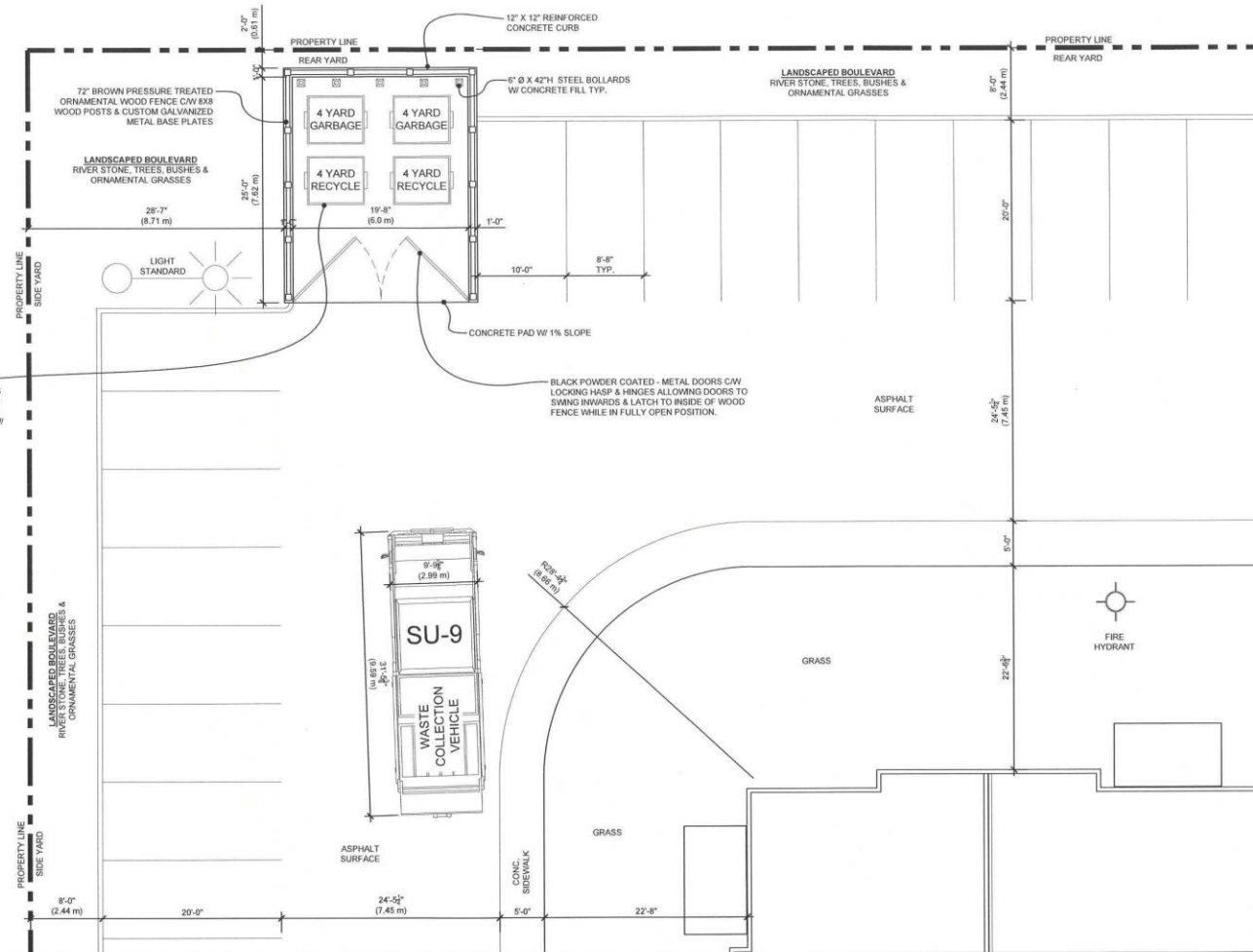
GENERAL NOTES:

RESPONSIBILITY OF SHERWOOD TO OPEN GATES, AND ORGANIZE BINS SO THAT ONLY THE BINS GETTING EMPTIED ARE LOCATED IN THE FRONT ROW.

THIS SKETCH DEMONSTRATES HOW BINS ARE TO BE STACKED ON TYPICAL NON-COLLECTION DAY.

ON RECYCLING & GARBAGE COLLECTION DAYS SHERWOOD TO ADVANCE THE BINS THAT ARE TO BE COLLECTED SIDE-BY-SIDE AND IN-LINE WITH THE WESTERN EDGE OF CONCRETE PAD.

IF NOT POSSIBLE TO HAVE CITY SERVICE COLLECT GARBAGE & RECYCLING ON SEPARATE DAYS, SHERWOOD TO PAY FOR PRIVATE COLLECTION FOR ONE OF THE TWO SERVICES. TO ENSURE COLLECTION OF BOTH GARBAGE & RECYCLING DOES NOT TAKE PLACE ON THE SAME DAY.



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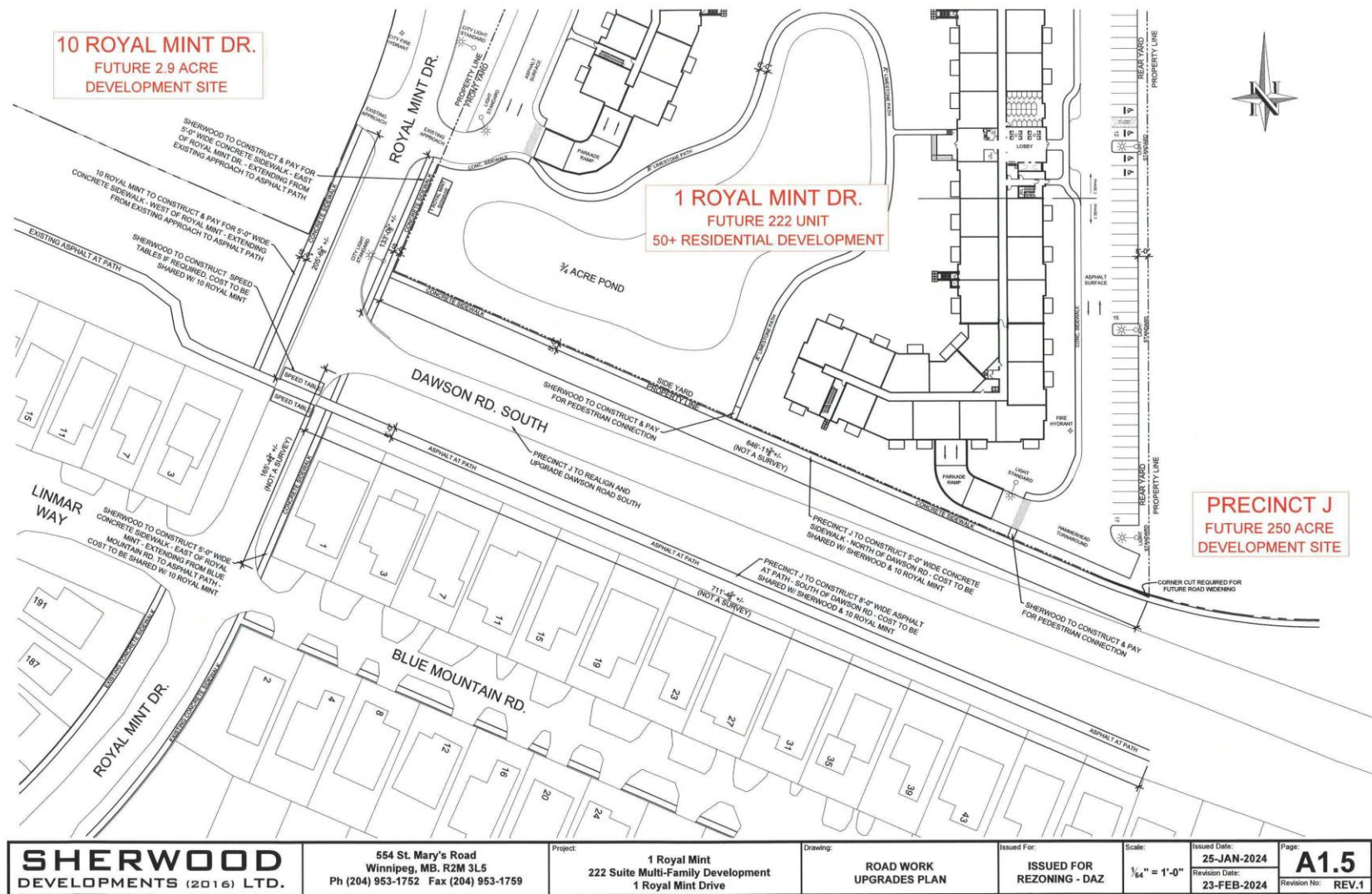
Drawing: EAST GARBAGE ENCLOSURE
SPECIFICATIONS

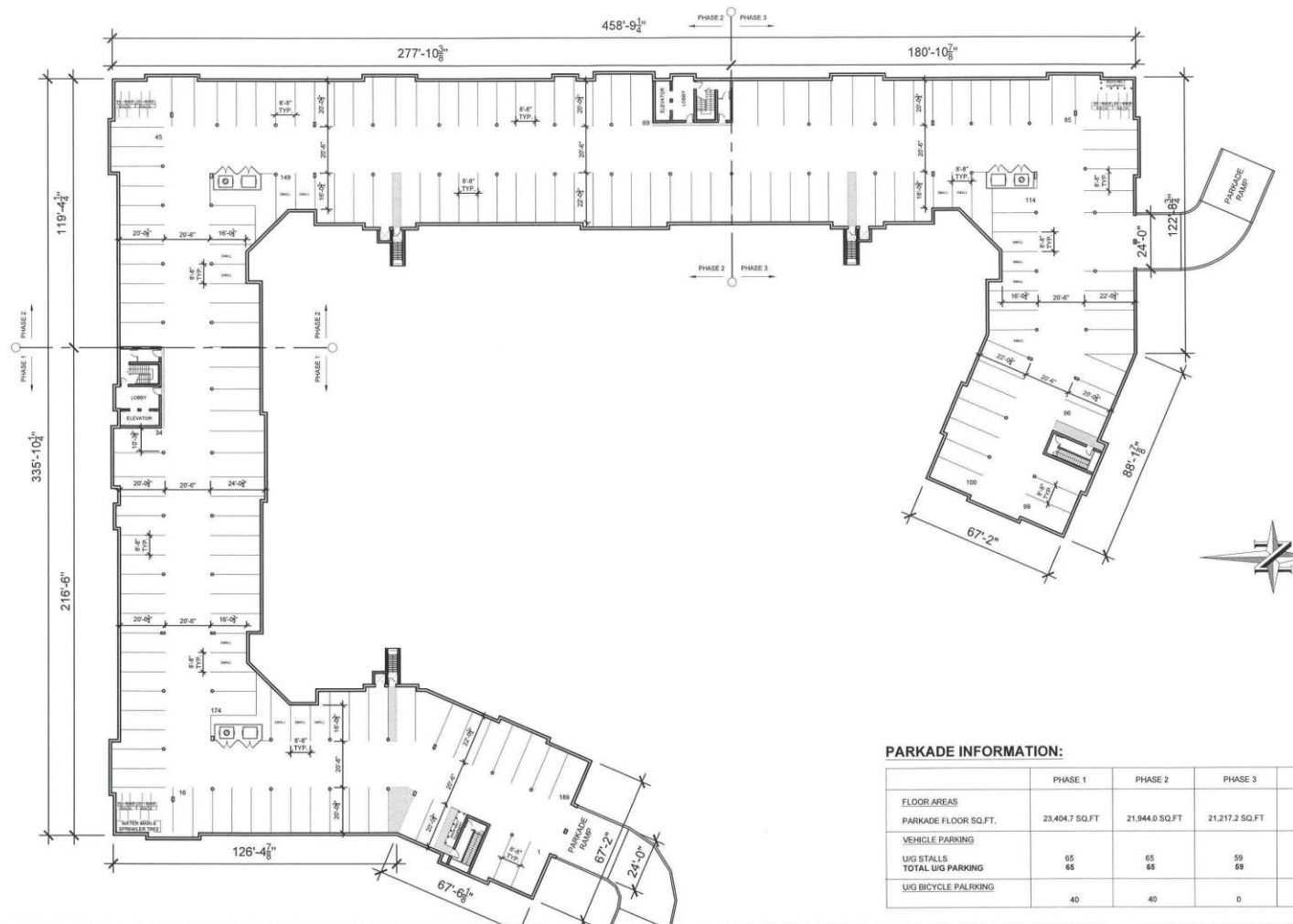
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PARKADE INFORMATION:

	PHASE 1	PHASE 2	PHASE 3	PH1 + PH2 + PH3 COMBINED
FLOOR AREAS				
PARKADE FLOOR SQ.FT.	23,404.7 SQ.FT.	21,944.0 SQ.FT.	21,217.2 SQ.FT.	66,566.2 SQ.FT.
VEHICLE PARKING				
UG STALLS	65	65	59	189
TOTAL U/G PARKING	65	65	59	189
UG BICYCLE PARKING	40	40	0	80

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Drawing: PARKADE PLAN
PHASES 1, 2 & 3

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Revision No: REV.1



MAIN FLOOR INFORMATION:

	PHASE 1	PHASE 2	PHASE 3	PH1 + PH2 + PH3 COMBINED
FLOOR AREAS				
MAIN FLOOR SQ.FT.	23,404.7 SQ.FT.	21,944.0 SQ.FT.	21,217.2 SQ.FT.	66,566.2 SQ.FT.
MAIN FLOOR RENTAL SUITES				
ONE BEDROOM	4	2	1	7
ONE BEDROOM + DEN	3	5	4	12
TWO BEDROOM	9	9	12	30
TWO BEDROOM + DEN	2	1	2	5
TOTAL MAIN FLOOR SUITES	18	17	19	54
MAIN FLOOR LOCKER				
LOCKERS	0	25	0	25
COMMON AREAS/ROOM				
FLEX SPACE	FLEX SPACE	FLEX SPACE	N/A	(x2) FLEX SPACE
RENTAL OFFICE				RENTAL OFFICE

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Drawing: 1ST FLOOR PLAN
PHASES 1, 2 & 3

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THIRD FLOOR INFORMATION:

	PHASE 1	PHASE 2	PHASE 3	PH1 + PH2 + PH3 COMBINED
FLOOR AREAS				
THIRD FLOOR SQ.FT.	23,404.7 SQ.FT	21,944.0 SQ.FT	21,217.2 SQ.FT	66,566.2 SQ.FT
THIRD FLOOR RENTAL SUITES				
ONE BEDROOM	5	3	1	9
ONE BEDROOM + DEN	3	5	4	12
TWO BEDROOM	9	9	12	30
TWO BEDROOM + DEN	2	1	2	5
TOTAL MAIN FLOOR SUITES	19	18	19	56
THIRD FLOOR LOCKER				
LOCKERS	25	25	0	50
COMMON AREAS/ROOM	N/A	N/A	N/A	N/A

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Drawing: 3RD FLOOR PLAN
PHASES 1, 2 & 3

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FOURTH FLOOR INFORMATION:

	PHASE 1	PHASE 2	PHASE 3	PH1 + PH2 + PH3 COMBINED
FLOOR AREAS				
FOURTH FLOOR SQ.FT.	23,404.7 SQ.FT	21,944.0 SQ.FT	21,217.2 SQ.FT	66,566.2 SQ.FT
FOURTH FLOOR RENTAL SUITES				
ONE BEDROOM	5	3	1	9
ONE BEDROOM + DEN	3	5	4	12
TWO BEDROOM	9	9	12	30
TWO BEDROOM + DEN	2	1	2	5
TOTAL MAIN FLOOR SUITES	19	18	19	56
FOURTH FLOOR LOCKER				
LOCKERS	0	0	0	0
COMMON AREAS/ROOM				
GUEST SUITE LOUNGE	GUEST SUITE LOUNGE	GUEST SUITE GAMES ROOM	N/A	(X2) GUEST SUITE LOUNGE GAMES ROOM

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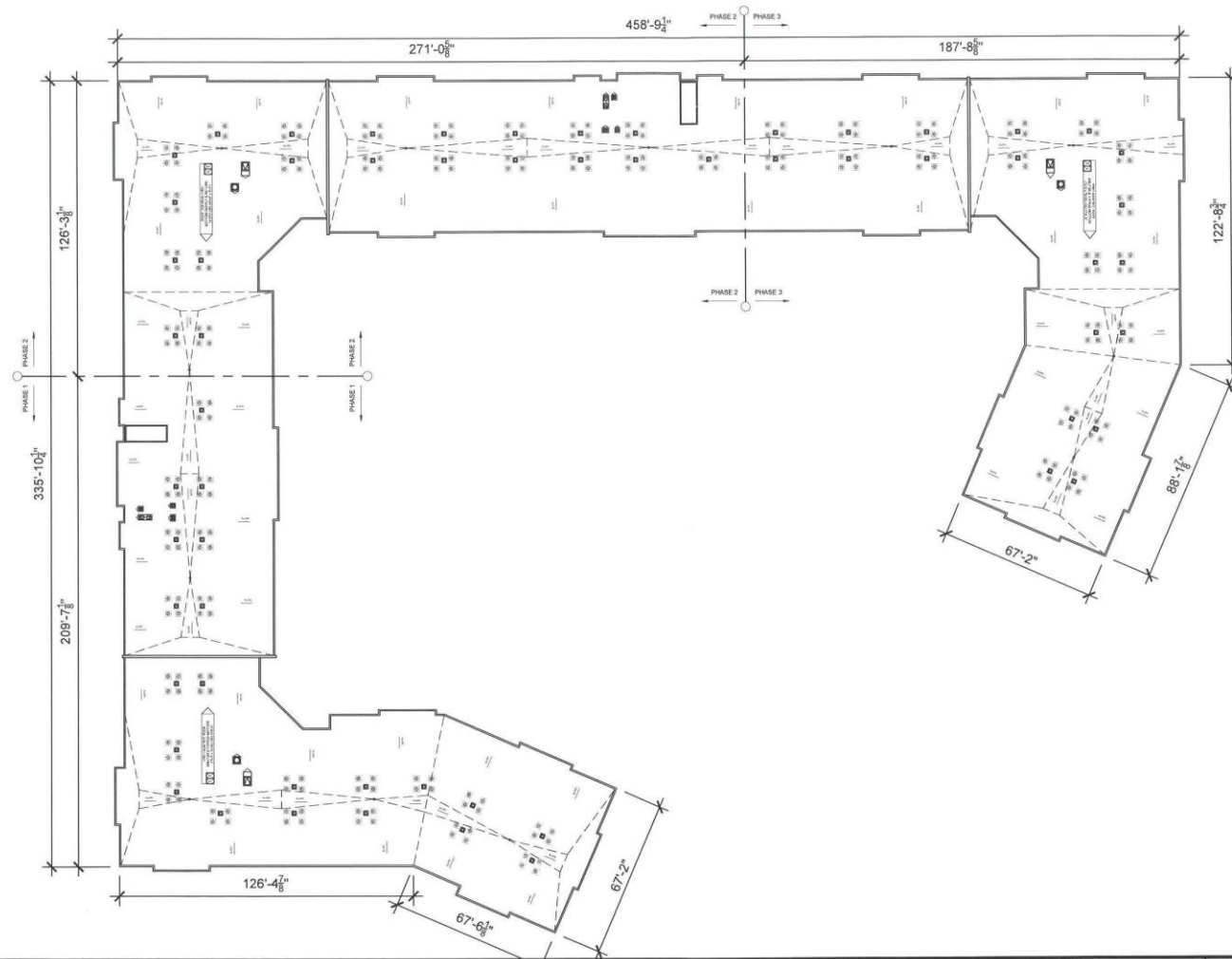
Drawing: 4TH FLOOR PLAN
PHASES 1, 2 & 3

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1 Royal Mint Drive

Drawing:
ROOF PLAN
PHASES 1, 2 & 3

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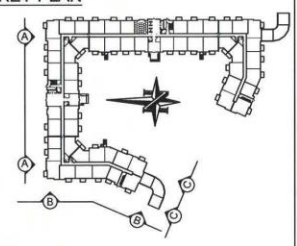


EXTERIOR FINISHES

- | | | | |
|---|--------------------------------|---|-------------------------------|
| 1 | ACRYLIC STUCCO
- COLOUR 1 | 4 | CEMENT BOARD
- WOOD SIDING |
| 2 | ACRYLIC STUCCO
- COLOUR 2 | 5 | CEMENT PARGING
- COLOUR 4 |
| 3 | STOCREATIV BRICK
- COLOUR 3 | | |



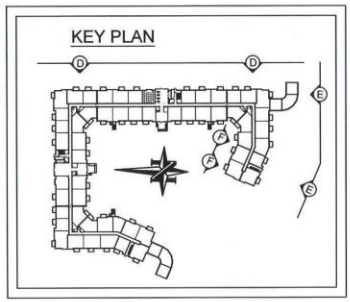
KEY PLAN



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EXTERIOR FINISHES	
1	ACRYLIC STUCCO - COLOUR 1
2	ACRYLIC STUCCO - COLOUR 2
3	STOCREATIV BRICK - COLOUR 3
4	CEMENT BOARD - WOOD SIDING
5	CEMENT PARGING - COLOUR 4



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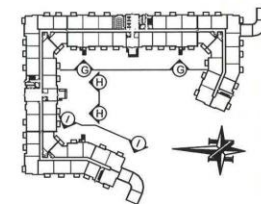


EXTERIOR FINISHES

- | | |
|--------------------------------|---------------------------------|
| 1 ACRYLIC STUCCO
- COLOUR 1 | 4 CEMENT BOARD
- WOOD SIDING |
| 2 ACRYLIC STUCCO
- COLOUR 2 | 5 CEMENT PARGING
- COLOUR 4 |
| 3 CREATIV BRICK
- COLOUR 3 | |



KEY PLAN



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Drawing: ELEVATIONS 3

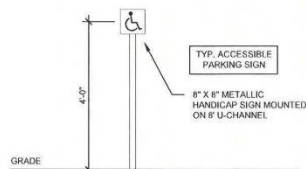
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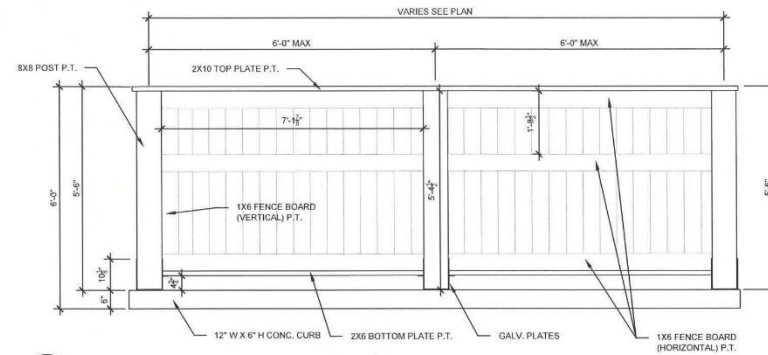
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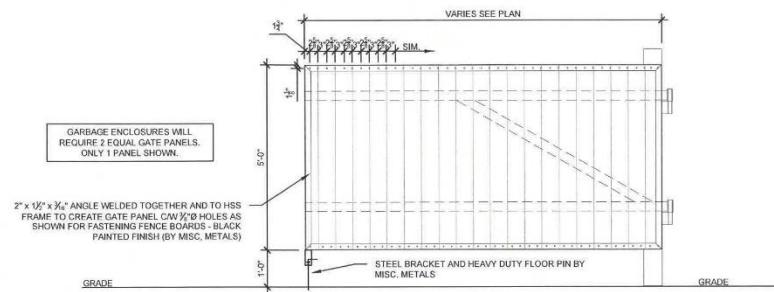




1
A1.7 ACCESSIBLE PARKING SIGN
 $\frac{3}{8}" = 1'-0"$



2
A1.7 TYP. GARBAGE ENCLOSURE ELEVATION
 $\frac{3}{8}" = 1'-0"$



3
A1.7 GARBAGE ENCLOSURE GATE
 $\frac{3}{8}" = 1'-0"$

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