Minutes – Council – October 24, 2024

Minute No. 512
Report – Standing Policy Committee on Property and Development – October 3, 2024

Item No. 6 **Subdivision and Rezoning – Southwest Dawson Road South at Plessis Road, Precinct J**
(Transcona Ward)
File DASZ 12/2024 [c/r DAV 124835/2024D]

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 12/2024 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated June 24, 2024 and attached as Schedule "E" to this report, with such minor changes as may be required, subject to the following:

    A. That the "Plan" be amended in accordance with Section II of the report of the Administrative Coordinating Group dated June 12, 2024 and attached as Schedule "B" to this report.

    B. That the developer be required to enter into a Development Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated June 12, 2024 and attached as Schedule "B" to this report, with the following amendments:

        i. In Section I – General Comments:

            a. Add the following new Condition 3):

                "3) The proposed development currently has adequate wastewater servicing based on the capacity and servicing review at the time of evaluation. However, for projects that extend over a long period, the availability of servicing may diminish as the project progresses, due to other developments utilizing the remaining capacity in the interim. The City of Winnipeg's wastewater infrastructure capacity is only reserved for a specific proposal once a permit application has been reviewed and approved by Water and Waste (WWD). Once the wastewater system reaches its capacity, any new proposals to discharge additional flow will be declined."

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COUNCIL DECISION (continued):

ii. In Section II – Plan Considerations:

a. Add the following new Condition 12):

"12) The Developer shall, at no expense to the City, legally open property required for a local street between Block 5- Lot 2 and Public Reserve A, to the satisfaction of the Director of Public Works."

iii. In Section IV – Servicing Conditions:

a. Add the following new Condition 9)c):

"c) The Developer agrees to undertake the required pathway and sidewalk through the Manitoba Hydro lands during the initial phase of construction."

b. Amend Condition 12) by adding the following after the words "satisfaction of the Director of Public Works"

"At the City's discretion the equivalent value of the obligation above may be used for continuing maintenance of Plessis Road and portions of Dawson Road to control dust, including potential chip sealing, to the maximum value of the obligation at time of invoicing."

c. Amend Condition 14) by adding the following after the words "satisfaction of the Director of Public Works":

"The Developer agrees to undertake the required traffic signal installation no later than the completed buildout, defined as all permits applied for, of Phase 1A (lotted land under this application)."

d. Delete Condition 26)c)iii) and replace with the following:

"iii) Construct primary asphalt pathways, the locations of which will be subject to the approval of the East Kildonan-Transcona Community Committee."

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COUNCIL DECISION (continued):

e. Delete Condition 26)c)vi) in its entirety and replace with the following:

"vi) A fenced-in court for basketball/pickleball that would accommodate four courts, similar to what was approved as part of DASZ 34/2024 or the requirement for the developer to install an off-leash dog park including two enclosures, one for small dogs and one for large dogs. Said facility will be installed at the developer's discretion with respect to location. Said facility to be installed no later than the completion of Phase 2 of the development. Said amenities are subject to Plan Approval by the East Kildonan-Transcona Community Committee."

f. Add the following new Condition 26)c)vii):

"vii) One covered seating area, including a covered structure for said seating area, and one senior and one junior play structure with typical playground amenities such as swings, located in the areas identified as Public Reserve B and Public Reserve C."

g. Add the following new Condition 26)h):

"h) The area identified as "Public Reserve A" shall remain a grass landscaped park, as per the applicant's original vision"

Report – Standing Policy Committee on Property and Development – October 3, 2024

COUNCIL DECISION (continued):

h. Add the following new Conditions:

"28) Dawson Road South

a) The Developer shall, at no expense to the City, construct and/or pay to the City in cash, on demand, its share of the costs to construct Dawson Road South in Portland cement concrete and all related works, including but not limited to sidewalks, multiuse pathways, and/or pedestrian/cycling facilities, street lighting, and landscaping along the full length of the subject property of Dawson Road, as determined by and to the satisfaction of the Director of Public Works.

29) Traffic Calming Devices

The Developer shall, at no expense to the City, construct up to a maximum of six (6) traffic calming devices, and all related works:

a) On Blue Mountain Road between the future connection to Royal Mint Drive;

b) On Royal Mint Drive between East Mint Pl and Blue Mountain Road;

c) On Royal Mint Drive between the two (2) legs of Morning Glory Crescent; and

d) On Royal Mint Drive between the two (2) legs of Royal Park Crescent.

All to be installed within 5 years of the registration of the Legal Plan of Subdivision as determined by and to the satisfaction of the Director of Public Works."

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COUNCIL DECISION (continued):

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

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

        i. That, for those portions of the Owner's land zoned "RMF-S" Residential Multi-Family (Small) and "RMF-M" Residential Multi-Family (Medium), the owner must submit plans showing the location and design of any and all proposed:

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

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

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

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COUNCIL DECISION (continued):

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

iii. That each lot within the land abutting a stormwater retention basin shall have and maintain the following minimum yards from the stormwater retention basin:

a. Minimum of 80.2 feet measured from a rear or side lot line to any principal building;

b. Minimum of 65 feet measured from a rear or side lot line to any detached accessory building and open deck;

c. Minimum of 50 feet measured from a rear or side lot line to any temporary use or structure, including but not limited to open swimming pools and associated works, landscaping, grading, retaining walls, and pool decks.

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

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

B. A Zoning Agreement in accordance with Recommendation 2,

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

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

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

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COUNCIL DECISION (continued):

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

7. That Development Application No. DASZ 12/2024 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not submitted the Plan and paid the Fees within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.

8. That the subdivision section of the By-law will come into force when the Development Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

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

10. That the By-law will be repealed without coming into force 1 year following the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 8 and 9, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

11. That Development Application No. DASZ 12/2024 will be deemed to be concluded and all approvals in connection with same will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City within 1 year following the date on which the By-law is enacted, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

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

13. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File No. DASZ 12/2024.

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DECISION MAKING HISTORY:

Moved by Councillor Duncan,
That the recommendation of the Standing Policy Committee on Property and Development be adopted.

Moved by Councillor Schreyer,
That the matter be laid over to the Council meeting on November 21, 2024.

The motion to lay over the matter was put.

Councillor Allard called for the yeas and nays, which were as follows:

Yea: Councillors Mayes, Orlikow, Schreyer, Sharma and Wyatt 5

Nay: His Worship Mayor Gillingham, Councillors Allard, Browaty, Chambers, Dobson, Duncan, Eadie, Gilroy, Lukes and Santos. 10

and the motion to lay over the item was declared lost.

The motion for the adoption of the item was put.

Councillor Allard called for the yeas and nays, which were as follows:

Yea: His Worship Mayor Gillingham, Councillors Allard, Browaty, Chambers, Dobson, Duncan, Lukes, Mayes and Santos. 9

Nay: Councillors Eadie, Gilroy, Orlikow, Schreyer, Sharma and Wyatt 6

and motion for the adoption of the recommendation of the Standing Policy Committee on Property and Development was declared carried.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 16, 2024, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

Report – Standing Policy Committee on Property and Development – October 3, 2024

DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION:

On October 3, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, with the following amendments:

- In Recommendation 1.B.i.a., delete the following from Condition 3):

  "It is incumbent upon the Water and Waste Department to notify the applicant in advance of any capacity concern or related issue should the said capacity issues come to pass and that the said department be required to formally submit a report to the Standing Policy Committee on Water and Waste, as well as advise the area Councillor in the event an application is not able to proceed due to a future capacity concern as expressed herein."

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

  "b. Amend Condition 12) by adding the following after the words "satisfaction of the Director of Public Works"

  "At the City's discretion the equivalent value of the obligation above may be used for continuing maintenance of Plessis Road and portions of Dawson Road to control dust, including potential chip sealing, to the maximum value of the obligation at time of invoicing."

- Recommendation 1.B.iii.e., delete the words "Further the City of Winnipeg request that the applicant provide said decision within the next four months, so as to allow the City of Winnipeg to incorporate the said facility that was not chosen in any potential lands being rezoned outside of the said planned area in the near future."

- In Recommendation 1.B.iii.h., delete Condition 27)

- In Recommendation 1.B.iii.h., in Condition 28) a), delete the words "excluding the pavement section noted in b of this clause"

- In Recommendation 1.B.iii.h., delete Conditions 28) b) and 28) c)

Report – Standing Policy Committee on Property and Development – October 3, 2024

DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION (continued):

- In Recommendation 1.B.iii.h., delete Condition 29) and replace with the following:

  "29) Traffic Calming Devices

  The Developer shall, at no expense to the City, construct up to a maximum of six (6) traffic calming devices, and all related works:

  a) On Blue Mountain Road between the future connection to Royal Mint Drive;

  b) On Royal Mint Drive between East Mint Pl and Blue Mountain Road;

  c) On Royal Mint Drive between the two (2) legs of Morning Glory Crescent; and

  d) On Royal Mint Drive between the two (2) legs of Royal Park Crescent.

  All to be installed within 5 years of the registration of the Legal Plan of Subdivision as determined by and to the satisfaction of the Director of Public Works."

- In Recommendation 1.B.iii.h., delete Conditions 30 and 31

- Delete Recommendations 14, 15, and 16 in their entirety

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

Report – Standing Policy Committee on Property and Development – October 3, 2024

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION:

On September 23, 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 period after "Schedule "B" to this report" and replace with the following:

  ", with the following amendments:

  i. In Section I – General Comments:

     a. Add the following new Condition 3):

        "3) The proposed development currently has adequate wastewater servicing based on the capacity and servicing review at the time of evaluation. However, for projects that extend over a long period, the availability of servicing may diminish as the project progresses, due to other developments utilizing the remaining capacity in the interim. The City of Winnipeg's wastewater infrastructure capacity is only reserved for a specific proposal once a permit application has been reviewed and approved by Water and Waste (WWD). Once the wastewater system reaches its capacity, any new proposals to discharge additional flow will be declined. It is incumbent upon the Water and Waste Department to notify the applicant in advance of any capacity concern or related issue should the said capacity issues come to pass and that the said department be required to formally submit a report to the Standing Policy Committee on Water and Waste, as well as advise the area Councillor in the event an application is not able to proceed due to a future capacity concern as expressed herein."

  ii. In Section II – Plan Considerations:

     a. Add the following new Condition 12):

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

"12) The Developer shall, at no expense to the City, legally open property required for a local street between Block 5- Lot 2 and Public Reserve A, to the satisfaction of the Director of Public Works."

iii. In Section IV – Servicing Conditions:

a. Add the following new Condition 9)c):

"c) The Developer agrees to undertake the required pathway and sidewalk through the Manitoba Hydro lands during the initial phase of construction."

b. Amend Condition 12) by adding the following after the words "satisfaction of the Director of Public Works:

"In the event that the Plessis Road is not constructed as Portland cement concrete before all permits are pulled for the lots backing on the Plessis Road the City of Winnipeg may draw upon these funds to maintain Plessis Road and required sections of Dawson Road to a chip seal standard for the purpose of dust mitigation for the newly constructed homes backing onto the said ROW gravel roads, and that said funds, which is a one time contribution by the applicant, will reach its maximum based on the total amount of funds that had been paid for by said applicant."

c. Amend Condition 14) by adding the following after the words "satisfaction of the Director of Public Works":

"The Developer agrees to undertake the required traffic signal installation no later than the completed buildout, defined as all permits applied for, of Phase 1A (lotted land under this application)."

d. Delete Condition 26)c)iii) and replace with the following:

"iii) Construct primary asphalt pathways, the locations of which will be subject to the approval of the East Kildonan-Transcona Community Committee."

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

e. Delete Condition 26)c)vi) in its entirety and replace with the following:

"vi) A fenced-in court for basketball/pickleball that would accommodate four courts, similar to what was approved as part of DASZ 34/2024 or the requirement for the developer to install an off-leash dog park including two enclosures, one for small dogs and one for large dogs. Said facility will be installed at the developer's discretion with respect to location. Said facility to be installed no later than the completion of Phase 2 of the development. Said amenities are subject to Plan Approval by the East Kildonan-Transcona Community Committee. Further the City of Winnipeg request that the applicant provide said decision within the next four months, so as to allow the City of Winnipeg to incorporate the said facility that was not chosen in any potential lands being rezoned outside of the said planned area in the near future."

f. Add the following new Condition 26)c)vii):

"vii) One covered seating area, including a covered structure for said seating area, and one senior and one junior play structure with typical playground amenities such as swings, located in the areas identified as Public Reserve B and Public Reserve C."

g. Add the following new condition 26)h):

"h) The area identified as "Public Reserve A" shall remain a grass landscaped park, as per the applicant's original vision"

h. Add the following new Conditions:

"27) <u>Funding for Winakwa Community Club</u>

The Developer shall make a $409,000.00 contribution to Winakwa Community Club, which is consistent with the application approved to the north.

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

28) Dawson Road South

a) The Developer shall, at no expense to the City, construct and/or pay to the City in cash, on demand, its share of the costs to construct Dawson Road South in Portland cement concrete and all related works, including but not limited to sidewalks, multiuse pathways, and/or pedestrian/cycling facilities, street lighting, and landscaping along the full length of the subject property of Dawson Road excluding the pavement section noted in b of this clause, as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall remove the existing gravel road southeast of Broadleaf Trail (approximately 360m) and install bollards to restrict vehicular traffic at both ends of the former gravel road.

c) In the event the permits are pulled for properties that back onto Dawson Road, adjacent to the plan area, the City at the City's expense shall maintain Dawson as a chip seal roadway."

29) Traffic Calming Devices

The Developer shall, at no expense to the City, construct four (4) traffic calming devices, and all related works,

a) On Blue Mountain Road between the future connection to Royal Mint Drive;

b) On Royal Mint Drive between East Mint Pl and Blue Mountain Road;

c) On Royal Mint Drive between the two (2) legs of Morning Glory Crescent; and

d) On Royal Mint Drive between the two (2) legs of Royal Park Crescent.

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

all to be installed prior to the end of the 2029 construction season, as determined by and to the satisfaction of the Director of Public Works.

30) In the event that Phase 1A, Phase 1B, and Phase 2 are complete,(and/or the equivalent of the housing permits pulled for said phases, in the event the applicant chooses to step out of the said phasing plan) that the applicant be required to install a minimum of two lanes, concrete constructed based on the collector street standard from their eastern most roundabout through to the new intersection of Blacksmith Drive and Fermor Avenue and that full traffic light installation be done at that time. Said road construction will require a minimum of one sidewalk on one side of the street. The city will endeavor to collect on behalf of the developer for the lands that benefit from said works."

31) The applicant shall, in the identified parks in said application, apply to the East Kildonan-Transcona Community Committee and provide three suggested names for each park, and that in the spirit of Welcoming Winnipeg, that the park names be of indigenous histories, ancestry. Further that this be submitted to the East Kildonan-Transcona Community Committee no later than its October meeting for consideration."

- Add the following new Recommendations:

"14. That the City of Winnipeg work Cooperatively with the applicant to access all existing City of Winnipeg and Government funding available for the planting of trees beyond the obligation of this agreement.

15. That the City Clerk's Department shall inform all registrants, including those listed on the petition received by the committee, of the amendments moved during the September 23, 2024 meeting of the East Kildonan-Transcona Community Committee.

16. That the following be considered by Council and the Public Service:

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

A. In the past, Council has ensured that a higher level of detail existed with regards to park development, namely, playground structures, off-leash dog parks, sitting areas, and their location, both covered or uncovered, pathway systems, basketball and/or pickleball courts or both, and in some cases the location of new amenities such as splash pads. And that this has been typically provided when an application is of a larger scale involving an entire precinct and that said policy support has been missing in this situation, and it must be addressed going forward in the future.

B. That the public service will be encouraged to give a greater certainty with regards to Transit routes, and most importantly the timing of said transit services in new housing developments and that in light of the fact the development standards have been amended to require transit amenities such as bus shelters to be installed at the expense of applicants now, the City of Winnipeg, should, at the time of application, be providing members of the community committee information on the clear location of transit routes, the frequency of the transit system at that location servicing the area, and the timing of the public transit in that area. And that the failure to do so undermines the City of Winnipeg's Community Action Plan pertaining to climate change, as well as causes disruption to the City's budget process when determining resources required by Transit.

C. That in light of the challenges facing us in the community with regard to climate change, the City of Winnipeg must, at all points, encourage on large developments, working cooperatively with applicants to source our resources and support for the installation of electric charging stations and car shares, specifically at any commercially zoned land within an application and/or residential multi-family zoned lands.

D. In light of council's commitment to addressing the climate change crisis, and in light of the provincial government's decision to fund up to 5,000 homes with geothermal energy, the City of Winnipeg should be working with applicants to assist them to access funds for the purpose of installing geothermal technology versus that of natural gas for the purpose of heating and cooling new structure.

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

E. In light of the housing crisis, the City of Winnipeg should be actively working cooperatively with any applicant to secure, at full cost-recovery to the applicant for said lands with the benefit potentially being that of tax credit and/or tax shelter strategies to allow for the acquisition of lands that would allow for the construction of affordable housing in light of the fact that the City of Winnipeg has now accessed tens of millions of dollars from the Housing Accelerator funds, and that said funds should also be targeted when lands become available in new housing developments as to ensure and to prevent the concentration or ghettoization of affordable housing in certain areas of the city and that the responsibility be applied to all neighbourhoods to provide affordable housing.

F. That the City of Winnipeg, namely the Public Works Department of the City of Winnipeg, be called upon to end its practice of requiring solely concrete road construction and instead develop a policy to bring forth, no later than 2026, for the consideration of all new applications, the ability for applicants to design and build roads based on an asphalt standard with concrete gutters and curbs, so as to provide greater flexibility as well as maintenance options going forward with said infrastructure.

G. That the City of Winnipeg, develop a homeowner's association by-law/policy, whereby new neighbourhoods could have the ability to be eligible for homeowner association status, namely, a funding mechanism applied by the property above and beyond existing property taxes that could be accessed by residents in a neighbourhood, and that could be used to enhance, above and beyond, existing municipal services, namely services the local neighbourhood has identified as a priority. An example of this, higher level than normal for flower planting, tree planting, park amenities, pool amenities, et cetera.

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

H. It is recognized that all the requested new policy initiatives will inherently involve the need for capacity within the existing public service and also recognize that we fund our planning department with some of the lowest operating obligations of any major city. Therefore, it's incumbent upon the CAO's office, the Mayor's office, and the offices of the various directors to coordinate a strategy where operating dollars can be secured, to increase funding capacity for said staffing via the various existing provincial and federal programs, which would enhance the City's ability to access provincial and federal funds, and at the same time allow for cooperative funding arrangements with the province and the federal government for said programs."

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

On September 4, 2024, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on September 23, 2024 at 10:30 a.m. in the Council Building to allow for the following:

1. Submission of color renderings of each of the items as requested by the Committee on June 24, 2024, attached to the hearing document and clearly labeled.

2. Changes to the phasing submitted by the Applicant, specifically relabelling Phase 1.A as Phase 1, Phase 1.B. relabelled as Phase 2, Phase 2 to be relabelled as Phase 3, Phase 3 relabelled as Phase 4.

3. Written confirmation from Winnipeg Transit on the timing of transit service. If confirmation is not received prior to the next hearing, the main collector road going to the development could be extended to include it all the way to Dawson Road within Phase 1.

4. Plans identifying the locations of the senior and junior play structures, pickleball court or basketball court, sitting areas (mainly shelters) and number of trees being planting within the park area.

5. The inclusion of a traffic report published on the next Minutes.

6. Details regarding the timing of traffic improvements.

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

7. Details on off-site improvements, namely traffic tables on Royal Park Dr., inside Southland Park.

8. A plan for the paving of Dawson Road including specifics on the developer's obligation and a timing of when it will be paved.

9. More details from the Applicant and Winnipeg Transit on the locations and design of bus shelters.

10. Options for the inclusion of basketball, pickleball and tennis courts within the development.

11. More details regarding concrete versus natural surface concrete.

12. Transit options to come in through via Southland Park into the development to make it a more connected community.

13. More details on the area charge to allow for it to be formalized.

14. Names of streets within this application ensuring that at least 50% are indigenous origin names.

15. Options to ensure the development agreement requires sidewalks and active transportation pathways to be installed at the same time as the roads with a focus of active transportation pathways being installed as soon as possible.

16. Options to allow for additional but smaller phases of the development in order to address changing market conditions.

On June 24, 2024, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on September 4, 2024 at 10:30 a.m. in the Council Building at 510 Main Street in order to receive more information on, but not limited to, the following:

1. The phasing of the zoning, including the order and timing of construction.

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

2. The location of senior and junior play structures.

3. The locations of amenities in neighbouring neighbourhoods, including but not limited to shelters, seating areas, basketball courts, pickleball courts, tennis courts, off-leash small and large dog park areas.

4. A copy of the traffic report.

5. Locations of traffic details, including locations of traffic lights, and locations of the roundabouts to be clearly mapped, and further details on responsibility for payment of construction of said items.

6. Further information on active transportation paths, sidewalks, and traffic tables.

7. Plans for future surrounding neighbourhoods, including on the north and west side of the development, including details on how said neighbourhoods will interact with this development.

8. Information on the obligation for the paving of one lane of Dawson Road, compared to the option of decommissioning that section of Dawson Road from Plessis Road to the southerly most road connecting to Dawson Road if it does not have a direct impact on the subsequent application that have already been approved.

9. Location and types of bus shelters, transit, bus pads.

10. The number of units that could potentially be generated per residential multi-family site including parking ratios.

11. Information on electric charging stations and car co-op involvement.

12. Location of soccer fields, playing fields, where they're going to be.

13. Information on the potential to have concrete curb and gutter designs on non-collector streets with asphalt roadways to reduce the long-term maintenance cost to the city and a map of potential streets that could be subject to said design.

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

14. Potential locations of off-site traffic tables and traffic tables outlined in this development to reduce through speeds, including the potential for traffic tables on Royal Mint Drive due to the connection to Southland Park.

15. Information on the A&S development and their payment obligation to the community club, and what the equivalent would be for the subject development.

16. Preliminary concept designs for RMF buildings, including information on if the applicant, or others, are including geothermal technology in their builds.

17. Mapping of the protected lanes, including a cross-section of the protected parking lanes.

18. Information on a fair formula for the developers, including A&S Homes, Sherwood Development and obligation related to construction on Dawson Road south and how the obligation would be offset if the aforementioned portion of Dawson Road was decommissioned.

19. A map containing all physical aspects outlined above.

PUBLIC HEARING SUMMARY

File: DASZ 12/2024

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

Public Hearing: September 23, 2024
September 4, 2024
June 24, 2024
Council Building, 510 Main Street

Applicant: Landmark Planning & Design Inc. (Brendan Salakoh)

Subject:



Premises Affected: Southwest Dawson Road at Plessis Road, Precinct J

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

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

Report date: September 27, 2024

Community Committee Recommendation:

On September 23, 2024, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service as amended, and recommended to the Standing Policy Committee on Property and Development:

1. That the subdivision proposed under Development Application No. DASZ 12/2024 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated June 24, 2024 and attached as Schedule "E" to this report, with such minor changes as may be required, subject to the following:

    A. That the "Plan" be amended in accordance with Section II of the report of the Administrative Coordinating Group dated June 12, 2024 and attached as Schedule "B" to this report.

    B. That the developer be required to enter into a Development Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated June 12, 2024 and attached as Schedule "B" to this report***, with the following amendments:***

        i. In Section I – General Comments:

            a. Add the following new Condition 3):

                "3) The proposed development currently has adequate wastewater servicing based on the capacity and servicing review at the time of evaluation. However, for projects that extend over a long period, the availability of servicing may diminish as the project progresses, due to other developments utilizing the remaining capacity in the interim. The City of Winnipeg's wastewater infrastructure capacity is only reserved for a specific proposal once a permit application has been reviewed and approved by Water and Waste (WWD). Once the wastewater system reaches its capacity, any new proposals to discharge additional flow will be declined. It is incumbent upon the Water and Waste Department to notify the applicant in advance of any capacity concern or related issue should the said capacity issues come to pass and that the said

department be required to formally submit a report to the Standing Policy Committee on Water and Waste, as well as advise the area Councillor in the event an application is not able to proceed due to a future capacity concern as expressed herein."

ii. In Section II – Plan Considerations:

a. Add the following new Condition 12):

"12) The Developer shall, at no expense to the City, legally open property required for a local street between Block 5-Lot 2 and Public Reserve A, to the satisfaction of the Director of Public Works."

iii. In Section IV – Servicing Conditions:

a. Add the following new Condition 9)c):

"c) The Developer agrees to undertake the required pathway and sidewalk through the Manitoba Hydro lands during the initial phase of construction."

b. Amend Condition 12) by adding the following after the words "satisfaction of the Director of Public Works":

"In the event that the Plessis Road is not constructed as Portland cement concrete before all permits are pulled for the lots backing on the Plessis Road the City of Winnipeg may draw upon these funds to maintain Plessis Road and required sections of Dawson Road to a chip seal standard for the purpose of dust mitigation for the newly constructed homes backing onto the said ROW gravel roads, and that said funds, which is a one time contribution by the applicant, will reach its maximum based on the total amount of funds that had been paid for by said applicant."

c. Amend Condition 14) by adding the following after the words "satisfaction of the Director of Public Works":

"The Developer agrees to undertake the required traffic signal installation no later than the completed buildout, defined as all permits applied for, of Phase 1A (lotted land under this application)."

d. Delete Condition 26)c)iii) and replace with the following:

"iii) Construct primary asphalt pathways, the locations of which will be subject to the approval of the East Kildonan-Transcona Community Committee."

e. Delete Condition 26)c)vi) in its entirety and replace with the following:

"vi) A fenced-in court for basketball/pickleball that would accommodate four courts, similar to what was approved as part of DASZ 34/2024 or the requirement for the developer to install an off-leash dog park including two enclosures, one for small dogs and one for large dogs. Said facility will be installed at the developer's discretion with respect to location. Said facility to be installed no later than the completion of Phase 2 of the development. Said amenities are subject to Plan Approval by the East Kildonan-Transcona Community Committee. Further the City of Winnipeg request that the applicant provide said decision within the next four months, so as to allow the City of Winnipeg to incorporate the said facility that was not chosen in any potential lands being rezoned outside of the said planned area in the near future."

f. Add the following new Condition 26)c)vii):

"vii) One covered seating area, including a covered structure for said seating area, and one senior and one junior play structure with typical playground amenities such as swings, located in the areas identified as Public Reserve B and Public Reserve C."

g. Add the following new Condition 26)h):

"h) The area identified as "Public Reserve A" shall remain a grass landscaped park, as per the applicant's original vision"

h. Add the following new Conditions:

"27) <u>Funding for Winakwa Community Club</u>

The Developer shall make a $409,000.00 contribution to Winakwa Community Club, which is consistent with the application approved to the north.

28) <u>Dawson Road South</u>

a) The Developer shall, at no expense to the City, construct and/or pay to the City in cash, on demand, its share of the costs to construct Dawson Road South in Portland cement concrete and all related works, including but not limited to sidewalks, multiuse pathways, and/or pedestrian/cycling facilities, street lighting, and landscaping along the full length of the subject property of Dawson Road excluding the pavement section noted in b of this clause, as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall remove the existing gravel road southeast of Broadleaf Trail (approximately 360m) and install bollards to restrict vehicular traffic at both ends of the former gravel road.

c) In the event the permits are pulled for properties that back onto Dawson Road, adjacent to the plan area, the City at the City's expense shall maintain Dawson as a chip seal roadway.

29) <u>Traffic Calming Devices</u>

The Developer shall, at no expense to the City, construct four (4) traffic calming devices, and all related works,

a) On Blue Mountain Road between the future connection to Royal Mint Drive;

b) On Royal Mint Drive between East Mint Pl and Blue Mountain Road;

c) On Royal Mint Drive between the two (2) legs of Morning Glory Crescent; and

d) On Royal Mint Drive between the two (2) legs of Royal Park Crescent.

all to be installed prior to the end of the 2029 construction season, as determined by and to the satisfaction of the Director of Public Works.

30) In the event that Phase 1A, Phase 1B, and Phase 2 are complete,(and/or the equivalent of the housing permits pulled for said phases, in the event the applicant chooses to step out of the said phasing plan) that the applicant be required to install a minimum of two lanes, concrete constructed based on the collector street standard from their eastern most roundabout through to the new intersection of Blacksmith Drive and Fermor Avenue and that full traffic light installation be done at that time. Said road construction will require a minimum of one sidewalk on one side of the street. The city will endeavor to collect on behalf of the developer for the lands that benefit from said works.

31) The applicant shall, in the identified parks in said application, apply to the East Kildonan-Transcona Community Committee and provide three suggested names for each park, and that in the spirit of Welcoming Winnipeg, that the park names be of indigenous histories, ancestry. Further that this be submitted to the East Kildonan-Transcona Community Committee no later than its October meeting for consideration."

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

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

      i. That, for those portions of the Owner's land zoned "RMF-S" Residential Multi-Family (Small) and "RMF-M" Residential Multi-Family (Medium), the owner must submit plans showing the location and design of any and all proposed:

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

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

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

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

iii. That each lot within the land abutting a stormwater retention basin shall have and maintain the following minimum yards from the stormwater retention basin:

a. Minimum of 80.2 feet measured from a rear or side lot line to any principal building;

b. Minimum of 65 feet measured from a rear or side lot line to any detached accessory building and open deck;

c. Minimum of 50 feet measured from a rear or side lot line to any temporary use or structure, including but not limited to open swimming pools and associated works, landscaping, grading, retaining walls, and pool decks.

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

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

B. A Zoning Agreement in accordance with Recommendation 2,

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

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

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

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

7. That Development Application No. DASZ 12/2024 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not submitted the Plan and paid the Fees within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.

8. That the subdivision section of the By-law will come into force when the Development Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

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

10. That the By-law will be repealed without coming into force 1 year following the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 8 and 9, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

11. That Development Application No. DASZ 12/2024 will be deemed to be concluded and all approvals in connection with same will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City within 1 year following the date on which the By-law is enacted, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

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

13. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File No. DASZ 12/2024.

14. That the City of Winnipeg work Cooperatively with the applicant to access all existing City of Winnipeg and Government funding available for the planting of trees beyond the obligation of this agreement.

15. That the City Clerk's Department shall inform all registrants, including those listed on the petition received by the committee, of the amendments moved during the September 23, 2024 meeting of the East Kildonan-Transcona Community Committee.

16. That the following be considered by Council and the Public Service:

A. In the past, Council has ensured that a higher level of detail existed with regards to park development, namely, playground structures, off-leash dog parks, sitting areas, and their location, both covered or uncovered, pathway systems, basketball and/or pickleball courts or both, and in some cases the location of new amenities such as splash pads. And that this has been typically provided when an application is of a larger scale involving an entire precinct and that said policy support has been missing in this situation, and it must be addressed going forward in the future.

B. That the public service will be encouraged to give a greater certainty with regards to Transit routes, and most importantly the timing of said transit services in new housing developments and that in light of the fact the development standards have been amended to require transit amenities such as bus shelters to be installed at the expense of applicants now, the City of Winnipeg, should, at the time of application, be providing members of the community committee information on the clear location of transit routes, the frequency of the transit system at that location servicing the area, and the timing of the public transit in that area. And that the failure to do so undermines the City of Winnipeg's Community Action Plan pertaining to climate change, as well as causes disruption to the City's budget process when determining resources required by Transit.

C. That in light of the challenges facing us in the community with regard to climate change, the City of Winnipeg must, at all points, encourage on large developments, working cooperatively with applicants to source our resources and support for the installation of electric charging stations and car shares, specifically at any commercially zoned land within an application and/or residential multi-family zoned lands.

D. In light of council's commitment to addressing the climate change crisis, and in light of the provincial government's decision to fund up to 5,000 homes with geothermal energy, the City of Winnipeg should be working with applicants to assist them to access funds for the purpose of installing geothermal technology versus that of natural gas for the purpose of heating and cooling new structure.

E. ***In light of the housing crisis, the City of Winnipeg should be actively working cooperatively with any applicant to secure, at full cost-recovery to the applicant for said lands with the benefit potentially being that of tax credit and/or tax shelter strategies to allow for the acquisition of lands that would allow for the construction of affordable housing in light of the fact that the City of Winnipeg has now accessed tens of millions of dollars from the Housing Accelerator funds, and that said funds should also be targeted when lands become available in new housing developments as to ensure and to prevent the concentration or ghettoization of affordable housing in certain areas of the city and that the responsibility be applied to all neighbourhoods to provide affordable housing.***

F. ***That the City of Winnipeg, namely the Public Works Department of the City of Winnipeg, be called upon to end its practice of requiring solely concrete road construction and instead develop a policy to bring forth, no later than 2026, for the consideration of all new applications, the ability for applicants to design and build roads based on an asphalt standard with concrete gutters and curbs, so as to provide greater flexibility as well as maintenance options going forward with said infrastructure.***

G. ***That the City of Winnipeg, develop a homeowner's association by-law/policy, whereby new neighbourhoods could have the ability to be eligible for homeowner association status, namely, a funding mechanism applied by the property above and beyond existing property taxes that could be accessed by residents in a neighbourhood, and that could be used to enhance, above and beyond, existing municipal services, namely services the local neighbourhood has identified as a priority. An example of this, higher level than normal for flower planting, tree planting, park amenities, pool amenities, et cetera.***

H. ***It is recognized that all the requested new policy initiatives will inherently involve the need for capacity within the existing public service and also recognize that we fund our planning department with some of the lowest operating obligations of any major city. Therefore, it's incumbent upon the CAO's office, the Mayor's office, and the offices of the various directors to coordinate a strategy where operating dollars can be secured, to increase funding capacity for said staffing via the various existing provincial and federal programs, which would enhance the City's ability to access provincial and federal funds, and at the same time allow for cooperative funding arrangements with the province and the federal government for said programs.***

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. First of all, I want to say that the applicant or consultant, well the applicant is a consultant but on behalf of a client, together they did an extensive public consultation process in the neighbourhood.

2. I want to thank them for listening to the last petition that came through and the concerns addressed by the residents. I think even though they were not here to speak to them, I think the amendments going forward have addressed many, if not most, of their concerns.

3. I want to thank the applicant for making an application which was a good neighbour application, namely the zoning that backs, the zoning, the land-use pertaining to existing neighbourhoods was addressed similar land uses backing onto existing properties. That this is a continuation of the existing developments both to the west and to the south, namely, a residential neighbourhood. That there is no commercial in this neighbourhood. It is solely a residential neighbourhood.

4. I want to thank the consultant and their client for their cooperation in terms of park amenities and supporting off-site improvements such as the contribution to the community club in lieu of road works, especially road works that are redundant.

5. I want to thank the applicant for their patience in the process, namely the amount of time it has taken for them to get to the public hearing, and hopefully that the process could be expedited so they could secure their executed development agreement sooner rather than later.

6. I'd like to thank the staff that we have for their ability to process this in a way they can with the existing resources they have, I want to make that point public.

7. I think it's important to note that this neighbourhood will be very interconnected to the existing infrastructure of the city both in terms of public roadways, in terms of transit, in terms of active transportation, sidewalks, healthy living.

8. I support the application, despite of the fact, that the city. I want to state that I support this application in spite of the City of Winnipeg, and this is solely the City of Winnipeg, has not yet addressed standing issues such as the design and construction of residential streets, namely, residential streets built to an asphalt standard versus concrete. That the issue outstanding pertaining to the timing of transit has not been determined, that the issue outstanding pertaining to the timing of necessary off-site services, namely impact on existing community clubs, impact on recreational facilities, impact on existing fire and safety services. Impact on existing police services, and so on, that none of these off-site services that will, a new neighbourhood will require, have been fully understood by the City of Winnipeg yet at this time and yet we're still approving precinct plans that the City of Winnipeg needs to understand, needs to address these issues more proactively and that the City of Winnipeg also needs to address long-standing transportation issues in this area, namely, regional infrastructure that has not been built going back to 2010 in the City of Winnipeg's approved Transportation Master Plan, and yet the City of Winnipeg is still approving subdivisions as we can't stop. We should be able to walk and chew gum at the same time. But that the City of Winnipeg must start to address outstanding infrastructure.

9. I want to note that infrastructure, new regional infrastructure along new transit routes have been addressed in other quadrants of the city, namely I would cite, Bridgewood, sorry. Bridgwater, where said infrastructure that was called for in 2010 has now been installed. New transit services have been installed, new transit routes have been implemented I should say, and yet, in other quadrants of the city like this area said transit routes have not yet been installed, said infrastructure has not been yet built either by the city or the province or both. In this case, there has been identified both regional, new regional infrastructure, which is the obligation of both the City of Winnipeg and the Province of Manitoba.

10 I want to thank the applicant and their client for being flexible in terms of address long-standing issues, such as the need to mitigate gravel roads and the impact on existing neighbourhoods by the decommissioning of said gravel roads.

11. I want to thank them for their flexibility and acknowledge their willingness to offset the construction of needless former road ROWs that are now, namely Dawson Road, and that this offset said cost towards the contribution to the community club in the area, that is an outstanding concern pertaining to the development to existing development standards.

12. I want to also acknowledge the fact that Council has passed a new development standard pertaining to developer obligations, however, it was pointed out at the time of the matter being passed by Council that flexibility still exists to address the existing or historic issues in an area, which this community committee has attempted to do today.

13. I want to also acknowledge support the fact that we have attempted as a community committee to be consistent with existing area charges, that an area charge that was applied to the lands to north of the site, that we wanted to ensure that it was a level playing field with regard to that charge and that the applicant has been more than flexible to work with us on that in light of the off-set that is being proposed. I'm hoping that the Standing Committee on Property and Development recognizes that, and that if any committee members have any questions at that committee pertaining to any of the decisions or actions of this committee they can always feel free to reach out.

14. I want to point out as well that a goal here was initially to attempt to address outstanding transit issues, outstanding clime change issues/environmental policy ideas and initiatives, this has fallen short in terms of the decision being made here today, not because of a lack of will of the committee, but rather a lack of policy, independent policy support that could be provided to the community committees to assist, as well as to the applicants to assist, in the development of such policy as well, when it comes for policy to actually be implemented at the point of an application and that that is somewhat frustrating to say the least.

15. It's consistent with Our Winnipeg other than the fact Our Winnipeg also called for the Transportation Master Plan to be implement and everything else, it hasn't been. But it's consistent as it can be, I suppose, based on our existing funding situation at the City, but that we have to overcome that.

16. I want to thank the residents for taking time to be engaged as well, namely the residents of Southland Park, for showing an interest in the neighborhood and for their ongoing civic-mindedness that's helping us to ensure as a committee that we strive to try to address any issues that we see necessary with this development, with this application.

Objections under the Charter:

Total number of **v**alid objections as per section 125(2) – 45

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

Exhibits Filed:

1. Application dated March 26, 2024
2. Notification of Public Hearing dated May 24, 2024
3. Manitoba Status of Titles 2208358/1, 2744263/1, 2102399/1, 2071598/1, 3006044/1, 1030749/1,
4. Certificate of Title 2476748
5. Letter of Authorization from Randall Holdings Ltd. to Qualico Developments (Winnipeg) Ltd. and/or Landmark Planning and Design, dated October 28, 2021
6. Letter of Authorization from Qualico Developments (Winnipeg) Ltd. (David Jopling) to Landmark Planning and Design, dated October 28, 2021
7. Letter of Authorization from Qualico Developments (Winnipeg) Ltd. (David Jopling) to Landmark Planning and Design, dated October 28, 2021
8. Letter of Authorization from Sage Creek Development Corporation (David Jopling) to Qualico Developments (Winnipeg) Ltd. and/or Landmark Planning and Design, dated October 28, 2021
9. Letter of Authorization from Manitoba Hydro (Alec Stuart) to Landmark Planning & Design, dated July 6, 2023
10. Caveats 3828109/1, 4590283/1, 1133751/1
11. Street Parking and Snow Storage Plan
12. Map of Subject Property
13. Title Plot Sketch dated January 24, 2024
14. Conceptual Plan of Subdivision dated January 25, 2024
15. Parcel Summary dated January 25, 2024
16. Phase 1A Preliminary Lotting dated January 25, 2024
17. Plans (2 pages)
18. Report from the Urban Planning Division dated June 7, 2024
19. Inspection Report
20. Revised Report from the Urban Planning Division dated June 7, 2024
21. Presentation dated June 24, 2024 from Carolina Herrera in support of the application
22. Communication dated June 21, 2024 from Jamie and Shirley Ogden with respect to the application
23. Recording of representations
24. Notice of adjournment dated June 28, 2024

Exhibits Filed:
(continued)

25. Communication dated August 29, 2024 from Dave Jopling in support of the application
26. Communication dated September 3, 2024 from Carolina Herrera Garza in support of the application
27. Notice of adjournment dated September 9, 2024
28. Revised Report from the Urban Planning Division dated June 7, 2024
29. Communication dated September 20, 2024 from Carolina Herrera Garza in support of the application
30. Petition in opposition to the application purporting to contain 49 signatures, submitted by Michelle Friesen
31. Documentation in support of the recommendation submitted by Councillor Wyatt at the public hearing.

REPRESENTATIONS:

In Support:

Carolina Herrera Garza
Dave Jopling
Brendan Salakoh
Donovan Toews
Bryan Ward

In Opposition:

Lisa Allard
Don Blasko
Judy Vermette
Dan Vermette
Jeff Barron
Marla Barron
V. Gallardo
Michelle Friesen
Daniel Philippe
Bill Wsiaki
Ed Law
Simon Truder
Harpreet Singh
Nicole O'Donnell Janz
Angie Janz
Prashsinder Singh
Simaranjeet Kaur
Michael Bataluk
Rose Glemas
Edmond Rurst
Wendy Smook
Jane Drexler
Julie Gautron
Jason Wallace
Laurie Forrest
Jason Friesen
Adriana Suver
Vincentino Corvino
Kevin Lysholm
Gerhard Peters
Steve Joubart
Athalie Arnal
Kevin Schmidt
Renelle Allard Parent
Cheryl Bayer
Natiia Yarosh
Lisa Prefontaine
Kim McIntosh Piotrouski
Brian Yakimoski
Lesley Mager
Matt Fisher
Yosef Ayele
Chandra Rodgers
Marcel Picard
Sonya Ginger
Heather Harland
Duane Hart
Michelle Birss
Bev Trudeu
Beverley Harland
Maren Gnall

For Information:

Crystal Friesen
Jamie Ogden
Shirley Ogden
Louis Pereira

For the City:

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

Exhibit “28” referred to in File DASZ 12/2024

ADMINISTRATIVE REPORT - REVISED

Title: DASZ 12/2024 at SW Dawson Road S at Plessis Road, Precinct J

Issue: For consideration at the public hearing of a subdivision and rezoning application to subdivide and rezone the subject property from the “RR5” Rural Residential 5 District to the “R1-S” Residential Single-Family Small District, “R1-M” Residential Single-Family Medium District, “R2” Residential Two-Family District, “RMF-S” Residential Multi-Family Small District, “RMF-M” Residential Multi-Family Medium District, and “PR1” Parks and Recreation – Passive Neighbourhood/Community District, for establishing an estimated 1125 to 1550 residential dwelling units in a mixture of housing types.

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 12/2024 be approved for preparation as a plan of subdivision (the “Plan”) by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office in accordance with the proposed by-law attached as Appendix “B” to this report and as shown on the map dated June 24, 2024 and attached as Schedule “E” to this report, with such minor changes as may be required, subject to the following:

    A. That the “Plan” be amended in accordance with Section II of the report of the Administrative Coordinating Group dated June 12, 2024 and attached as Schedule “B” to this report;
    B. That the developer be required to enter into a Development Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated June 12, 2024 and attached as Schedule “B” to this report;

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an “R1-S” Residential Single Family (Small); “R1-M” Residential Single Family (Medium); “R2” Residential Two Family District; “RMF-S” Residential Multi Family (Small) District; “RMF-M” Residential Multi Family (Medium) District and “PR1” Parks and Recreation 1 (Neighbourhood) District in accordance with the proposed by-law attached as Appendix “B”

to this report and as shown on the map dated June 24, 2024, and attached as Schedule “E” to this report, subject to the following conditions:

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

i. That, for those portions of the Owner’s land zoned “RMF-S” Residential Multi-Family (Small) and “RMF-M” Residential Multi-Family (Medium), the owner must submit plans showing the location and design of any and all proposed:

(a) buildings;

(b) accessory parking areas;

(c) private approaches;

(d) garbage enclosures;

(e) 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.

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

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

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

iii. That each lot within the land abutting a stormwater retention basin shall have and maintain the following minimum yards from the stormwater retention basin:

(a) Minimum of 80.2 feet measured from a rear or side lot line to any principal building;

(b) Minimum of 65 feet measured from a rear or side lot line to any detached accessory building and open deck;

(c) Minimum of 50 feet measured from a rear or side lot line to any temporary use or structure, including but not limited to open swimming pools and associated works, landscaping, grading, retaining walls, and pool decks.

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

   A. A Development Agreement in accordance with recommendation 1; and
   B. A Zoning Agreement in accordance with recommendation 2,

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

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

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

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

7. That Development Application No. DASZ 12/2024 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not submitted the Plan and paid the Fees within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.
8. That the subdivision section of the By-law will come into force when the Development Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

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

10. That the By-law will be repealed without coming into force 1 year following the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 8 and 9, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

11. That Development Application No. DASZ 12/2024 will be deemed to be concluded and all approvals in connection with same will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City within 1 year following the date on which the By-law is enacted, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

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

13. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File No. DASZ 12/2024.

REASON FOR THE REPORT

- The applicant wishes to subdivide and rezone the existing property to a variety of zoning districts, including:
    - "R1-S" Residential Single-Family Small District.
    - "R1-M" Residential Single-Family Medium District.
    - "R2" Residential Two-Family District.
    - "RMF-S" Residential Multi-Family Small District.
    - "RMF-M" Residential Multi-Family Medium District.
    - "PR1" Parks and Recreation – Passive Neighbourhood/Community District.
- This is for the purpose of constructing single-family, two-family, and multi-family residential dwellings, opening new-rights-of-way/roads, establishing new stormwater retention basins, and establishing new parks.
- 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:	June 7, 2024
File No.	DASZ 12/2024

List of Schedules and Appendices

- Schedule A – Planning Discussion

- Schedule B: Report of the Administrative Coordinating Group, dated June 12, 2024
- Schedule “E” of File No. DASZ 17/2024, East Kildonan – Transcona Community Committee, dated June 24, 2024

- Appendix B: Draft by-law

- Appendix C: Conceptual Plan of Subdivision for Reference

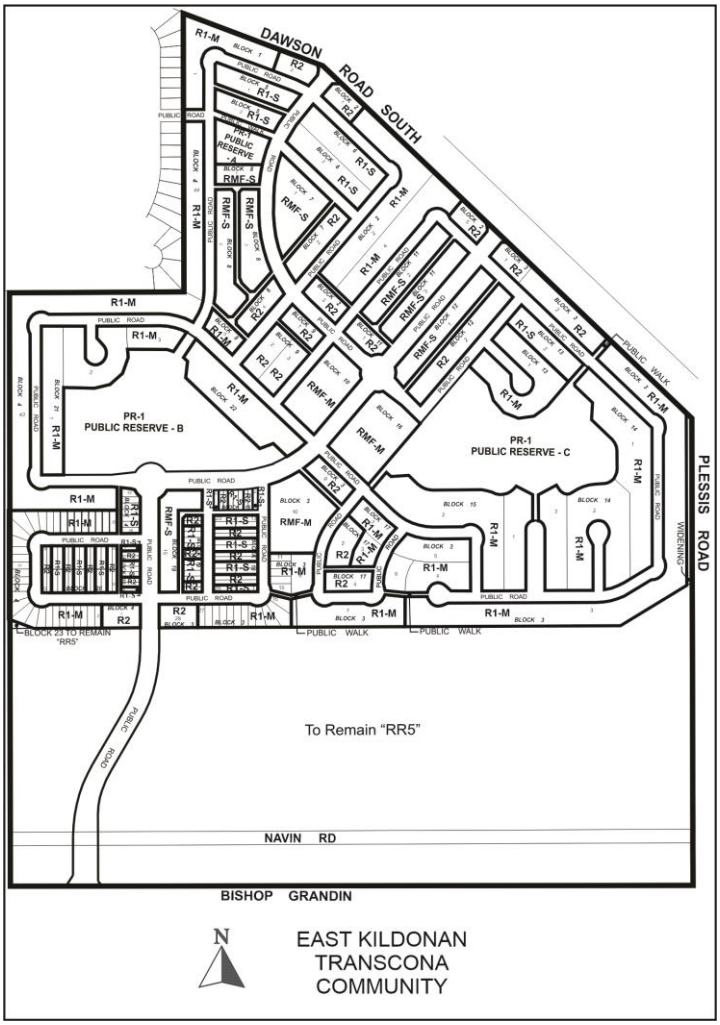
- Appendix D: Public Engagement Summary

SCHEDULE ‘A’- PLANNING DISCUSSION

DATE:	June 7, 2024
FILE:	**DASZ 12/2024**
RELATED FILES:	DAV 24-124835/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 the “RR5” Rural Residential 5 District to the “R1-S” Residential Single-Family Small District, “R1-M” Residential Single-Family Medium District, “R2” Residential Two-Family District, “RMF-S” Residential Multi-Family Small District, “RMF-M” Residential Multi-Family Medium District, and “PR1” Parks and Recreation – Passive Neighbourhood/Community District, for establishing an estimated 1125 to 1550 residential dwelling units in a mixture of housing types.

LOCATION: SW Dawson Road S at Plessis Road, Precinct J



LEGAL DESCRIPTION: EXC E 495F BLOCK 173; EXC E 495F & EXC ROW PL 7753 BLOCK 174; E 907.5F EXC ROW PL 7753 BLOCK 187; E 907.5F BLOCK 188 PLAN 433 RCMP

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

OWNER: SAGE CREEK DEVELOPMENT CORPORATION

1 Dr. David Friesen Dr
Winnipeg, MB R3X 0G8

RECOMMENDATION: **Approval with conditions**

SITE DESCRIPTION

The subject property is located on the south side of Dawson Road South, east of Blue Mountain Road/Royal Mint Drive and west of Plessis Road, in the Southland Park Neighbourhood of the Transcona Ward.

The subject property is currently zoned “RR5” Rural Residential 5 District.

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

The subject property is located in a “Lower Density Residential” policy area of the Dawson Trail (Precinct J) Secondary Plan

The subject property is approximately 165 acres.

The property is currently vacant.

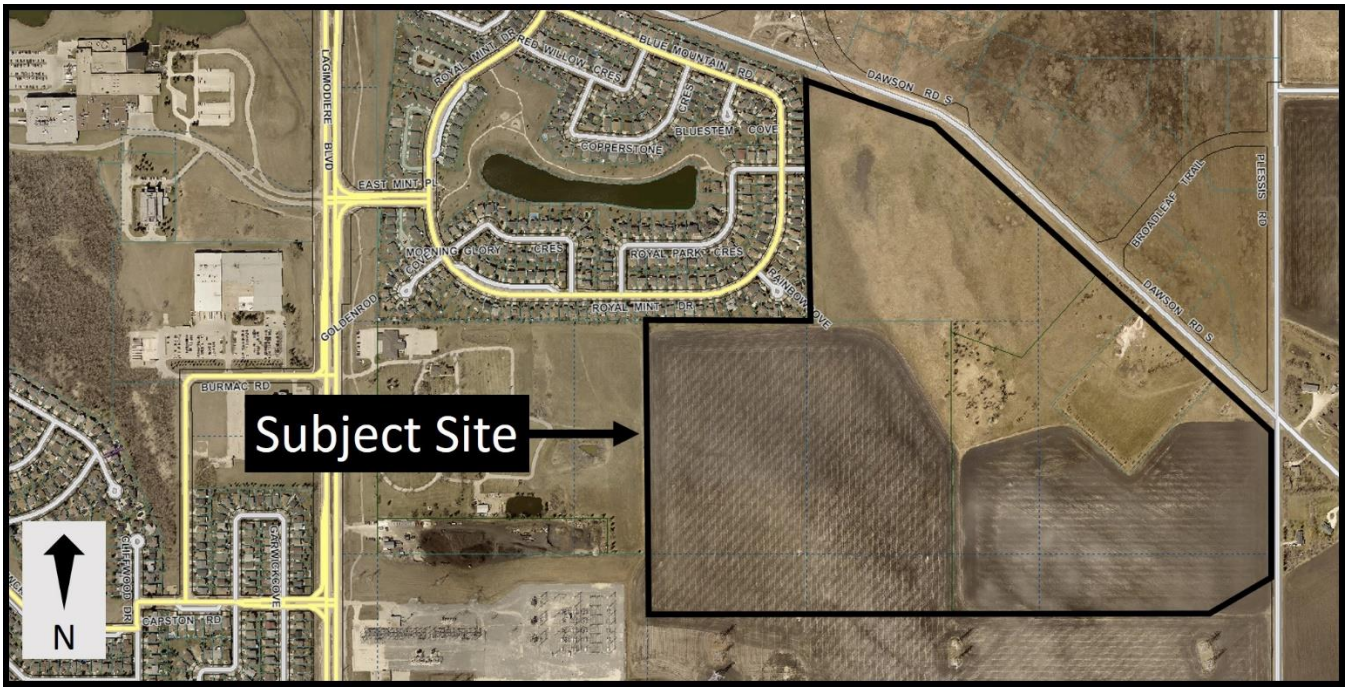


Figure 1: Subject site and surrounding area (flown 2021).

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Dawson Road South.

East: Dawson Road South and Plessis Road.

South: Vacant land and agricultural land zoned “RR5” Rural Residential 5 District.

West: Single-family dwellings zoned “R1-M” Residential Single-Family Medium District, and a cemetery zoned “RR5” Rural Residential 5 District.

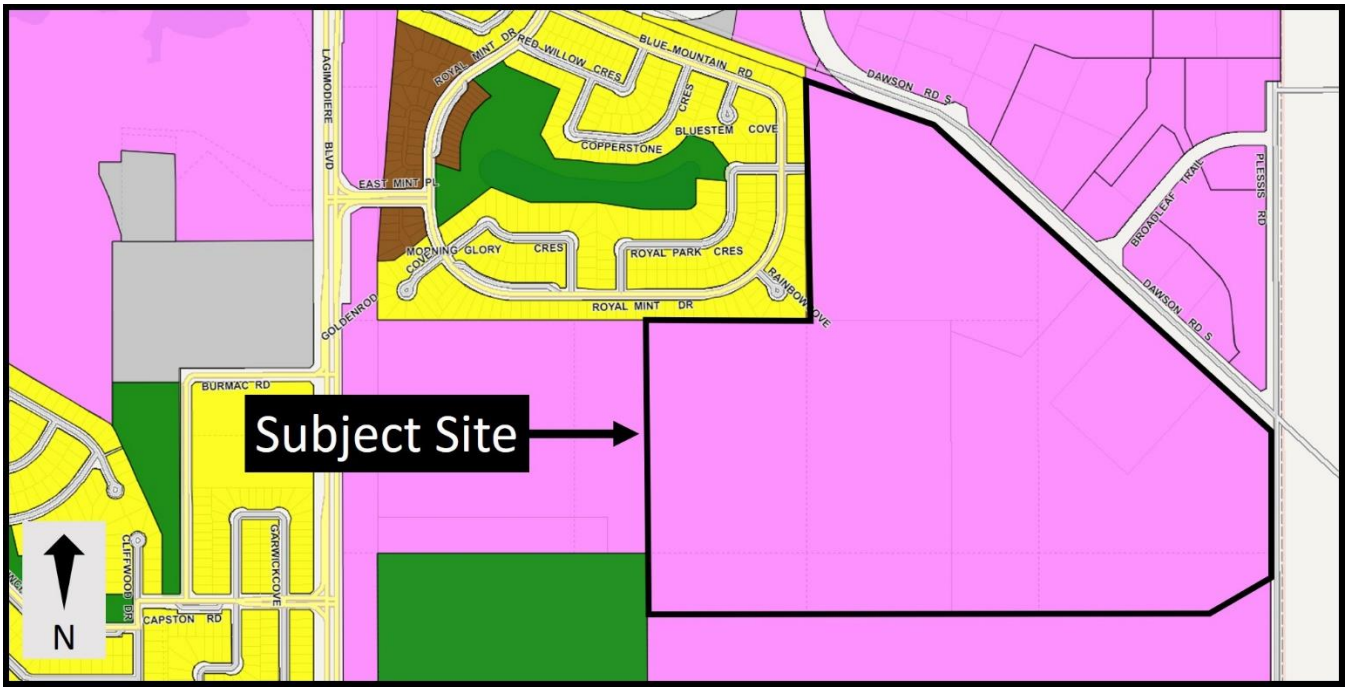


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant wishes to Subdivide and rezone the subject property as part of the first phase of establishing a neighbourhood that will ultimately include approximately 1125 to 1550 dwelling units.
- The overall development will include lots zoned:
    - “R1-S” Residential Single-Family Small District.
    - “R1-M” Residential Single-Family Medium District.
    - “R2” Residential Two-Family District.
    - “RMF-S” Residential Multi-Family Small District.
    - “RMF-M” Residential Multi-Family Medium District.
    - “PR1” Parks and Recreation – Passive Neighbourhood/Community District.
- Housing types will include single-family dwellings, two-family dwellings, townhouse-style dwellings, and low-rise multi-family dwellings up to four stories in height.

- The “RMF-M” Residential Multi-Family Medium District blocks will front onto future collector roads, while the “R1-S” Residential Single-Family Small District, “R1-M” Residential Single-Family Medium District, “R2” Residential Two-Family District, and “RMF-S” Residential Multi-Family Small District blocks will front onto local or collector streets.
- Access to the site will be facilitated through one vehicular connection to Royal Park Crescent, two vehicular connections to Dawson Road south, one dedicated pedestrian connection to Dawson Road South, and a future connection at the southwest of the site.
- Three stormwater retention basins are proposed for the site, along with three distinct park areas with multiple access points.
- Rear lanes are proposed for many though not all of the “R1,” “R2,” and “RMF-S” district blocks.
- Blocks at the northwest of the site are planned to be Radburn style, with walkways and park space at the front while vehicle access would be taken solely from rear lanes.
- Phase 1 of the project will include the southwest portion of the site, shown as Appendix C for reference only. This phase will include one of the stormwater retention basins along with “R1-S”, “R1-M”, “R2,” and “RMF-S” lots.

REASON FOR APPLICATION

- The subject site is currently zoned “RR5” Rural Residential 5 District. To accommodate the proposed range of residential uses, creation of blocks and individual lots, and the road openings, a Subdivision and rezoning application is required.
- Variances to the lot areas, lot widths, and front yards are required, which the Public Service is supportive of. These variances are analyzed in greater detail in the accompanying report for DAV 24-124835/D.

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 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.

- *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.*

The proposed subdivision and rezoning will facilitate the eventual construction of 1125 to 1550 dwellings units, substantially increasing the population in the Southland Park neighbourhood. These dwelling units will be spread across a variety of building types that include single-family, two-family, and multi-family dwellings. This will enable a variety of housing options for residents.

The proposed zoning districts at the property lines of the site include “R1-M” and “R2” Zoning Districts. Both of these districts permit one and-two family dwellings with a maximum height of 35’. These districts will enable development that is compatible with the abutting properties to the west which are also zoned “R1-M” and are characterized by single-family dwellings.

The proposed “RMF-M” Districts directly front collector streets and are buffered from adjacent “R1,” “R2,” and “RMF-S” Districts by roads, rear lanes, and dedicated park space. The site will include pedestrian trails and roads that facilitate circulation in all directions across the site, including multiple access points to the proposed parks. The site is approximately 2.5 kilometres from two large commercial centres, with one located west of the subject site off of Fermor Avenue and the other located south of the subject site off of Lagimodiere Boulevard.

- 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.*
  - *2.5 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.*
- *2.21 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 site plan shows that a variety of building types and lot configurations is expected on the subject site, enabling a range of architectural styles. There are multiple lots with laneway access, enabling rear approaches, as well as single-family lots that will take access from a front street. In addition, the northwest corner of the subject site includes a Radburn-style block, where access will be facilitated through a rear lane or a pedestrian pathway, but no front street. This will create an additional opportunity for unique architecture features on the site. There are three separate park areas with multiple access points spread across the site, along with pedestrian pathways facilitating good circulation to all portions of the site and its parks.

- 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 will enable a range of unit types that can meet the needs of different residents, including ground-oriented single-family dwellings, two-family dwellings, town-house dwellings, and low-rise multi-family dwellings.

DAWSON TRAIL (PRECINCT J) SECONDARY PLAN

- A planning process was completed for this area under the Precinct Plan "J" Dawson Trail Precinct Plan, adopted by Council on May 27, 2014. The Precinct "J" Plan designates the subject site as a "Lower Density Residential" policy area. Key policies include the following:

  4.3.1 Land Use

  (1) Ground-oriented, single-family uses shall be the predominant land use, allowing for single-family attached and detached housing, townhouses and duplexes and, alongside collector roads only, low-rise apartment style residential buildings.

  (2) Institutional uses, recreational uses, public uses, secondary suites, and other similar and accessory uses to the above, may be allowed within the Lower Density Residential Area where determined to be compatible and appropriate.

(3) Parks shall be provided in the Lower Density Residential Area to contribute to the active and passive recreational needs of residents.

(4) At least one active park shall be in this area.

Ground-oriented, single-family, two-family, and townhouse style developments are enabled as the predominant land use by the proposed zoning districts, with some low-rise multi-family enabled along the collector roads.

4.3.2 Design

(1) The final design of the Lower Density Residential Area shall be determined through the Development Application process.

(2) The following guidelines will inform the design of the Lower Density Residential Areas:

a. Emphasize opportunities for distinct neighbourhoods.

b. Provide for a unique neighbourhood character through the implementation of tools such as architectural and neighbourhood design standards, the inclusion of both laned and non-laned lots and the inclusion of neighbourhood scale roundabouts.

c. Where appropriate, dwellings should be oriented to the street.

The inclusion of a Radburn-style block, rear-lane accessed dwellings, and low-rise multi-family buildings fronting onto the future collector streets create opportunities for distinct areas within the overall site.

4.5 Residential Density

(1) The expected density ranges for the policy areas are:

a. 4 - 8 units per net acre for the Lower Density Residential area.

b. 25 - 35 units per net acre for the Multi-Family Residential Area and the portions of the Commercial Mixed Use area developed for multi-family residential development.

c. 9 - 13 units per net acre is the expected overall density for the residential development.

The total developable land area that could accommodate residential development in Dawson Trail is approximately 215 acres, enabling approximately 1,250 - 1,750 multi-family residential units and approximately 660 - 990 single-family units in Precinct J. It's important to note that this density range is general. The application is consistent with this density range.

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 proposed zoning districts are appropriate for enabling the proposed development. Together, they can accommodate a range of densities and housing types, including

single-family dwellings, two-family dwellings, townhouse-style dwellings, and low-rise multi-family dwellings. They include:

- "R1-S" Residential Single-Family Small District.
- "R1-M" Residential Single-Family Medium District.
- "R2" Residential Two-Family District.
- "RMF-S" Residential Multi-Family Small District.
- "RMF-M" Residential Multi-Family Medium District.
- "PR1" Parks and Recreation – Passive Neighbourhood/Community District.

ADDITIONAL CONSIDERATIONS

Variances

- Variances are required for reduced lot areas, reduced lot widths, and reduced front yards.
- These variances are analyzed in greater detail in the accompanying report for DAV 24-124835/D.
- The Public Service is supportive of the variances.

Site Servicing

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

Plan Approval

- The recommended zoning agreement includes a condition requiring that prior to development permits being issued, final plans be submitted to the Director of Planning, Property and Development and the East Kildonan – Transcona Community Committee for those lots zoned "RMF-S" and "RMF-M."

Stormwater Retention Basin Setbacks

- For lots located adjacent to a stormwater retention basin where a zoning or subdivision agreement has not been entered into, the Winnipeg Zoning By-Law requires the following minimum yard requirements:
  (a) 50 feet measured from a rear or side lot line to any temporary use or structure and open swimming pool;
  (b) 75 feet measured from a rear or side lot line to any detached accessory building;
  (c) 93.2 feet measured from a rear or side lot line to any principal building; and

(d) The Director of Water and Waste may reduce any one or more of the minimum yard requirements set out in clauses (a), (b) and (c), if he/she concludes the safety of people and property would not be unduly compromised by such reduction.

- For this application, the Water and Waste Department has determined that a minor reduction to the required setback is supportable. To ensure that safe setbacks are maintained, a condition has been included in the recommended zoning agreement that requires the following:

  Each lot within the land abutting a stormwater retention basin shall have and maintain the following minimum yards:

  (a) Minimum of 80.2 feet measured from a rear or side lot line to any principal building

  (b) Minimum of 75 feet measured from a rear or side lot line to any detached accessory building and open deck

  (c) Minimum of 50 feet measured from a rear or side lot line to any temporary use or structure and open swimming pool and associated works, including but not limited to landscaping, grading, retaining walls, and pool decks.

Residual Parcel

- At the far southwest corner of the subject site, a residual parcel that will remain "RR5" Rural Residential 5 is being created. This is being transferred to Manitoba Hydro. The Public Service has no concerns with the lot.

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*, *Complete Communities 2.0*, and the Precinct J (Dawson Trail) Plan.

RECOMMENDATION

The Urban Planning Division recommends this application be **approved** and the subject property be Subdivided and rezoned to the "R1-S" Residential Single-Family Small District, "R1-M" Residential Single-Family Medium District, "R2" Residential Two-Family District, "RMF-S" Residential Multi-Family Small District, "RMF-M" Residential Multi-Family Medium District, and "PR1" Parks and Recreation – Passive Neighbourhood/Community District.

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

Report Prepared by: Dylan Chyz-Lund, MCP
PPD File # DASZ 12/2024

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED REZONING OF LAND LOCATED SOUTH OF DAWSON SOUTH, WEST OF PLESSIS ROAD (PRECINCT J)

It is recommended that approval of DASZ 12/2024, if granted, be subject to the applicant entering into a Servicing Agreement containing the following conditions:

Section I – General Comments

1) The Water and Waste Department advises the pond system for the Planned Area will be drained to the Navin Drain. This drainage pattern was planned to be achieved when development to the north was serviced. The drainage plan will need to be updated if the Planned Area proceeds sooner than the development to the north.

2) The preferred wastewater servicing for the Planned Area is integrated wastewater servicing for lands north of Dawson Road South as well as for the Planned Area. This is to provide the most efficient overall wastewater servicing for the Precinct J area and was documented in the precinct plan. If timing of the separate development areas does not support the integrated wastewater servicing as documented, the developer of the Planned Area will be contributing to cost sharing that is suitable for the accepted updated servicing plan.

Section II – Plan Considerations

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

2) Intersections of local streets within the Planned Area are to be designed such that the angle of intersection is no less than 75° as measured in the quadrant with the acute angle.

3) The Developer shall at no expense to the City, legally open property required for a 5.942m widening to the Plessis Road right-of-way along the full length of the Planned Area abutting Plessis Road, as determined by and to the satisfaction of the Director of Public Works.

4) The Developer shall at no expense to the City, legally open property required through the existing Manitoba Hydro's property to connect the Planned Area to Abinojii Mikanah, as determined by and to the satisfaction of the Director of Public Works.

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

6) The Developer shall, at no expense to the City, legal open property required for a 3.0m x 3.0m corner cuts where the two Public Lanes intersect serving single and two family residential and 5.0m x 5.0m corner cuts where two Public Lanes intersect serving multi-family residential or commercial development, to the satisfaction of the Director of Public Works.

7) The Developer shall, at no expense to the City, legally open right-of-way to accommodate proposed cul-de-sac turnarounds consistent with the dimensions, as per the City's Transportation Standards Manual.

8) Proposed cul-de-sac streets shall not exceed a length of 105m.

9) The Developer shall, at no expense to the City, legally open Public Walks as conceptually shown on Schedule C. Public Walks containing a sidewalk are to be established with a right-of-way width of 6m, and Public Walks containing a pathway are to be established with a right-of-way width of 8m, as determined by and to the satisfaction of the Director of Public Works.

11) The Draft Legal Plan in its entirety shall be reviewed and approved by the Public Works Department prior to submitting to Winnipeg Land Titles Office.

Section III – Engineering Studies

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

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

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

Section IV - Servicing Conditions

1) Water Mains

a) The Developer shall, at no expense to the City, construct and install all water mains required to serve the Planned Area and adjacent lands as indicated by the accepted servicing report, 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 any water mains benefiting and fronting the Planned Area that are installed by others, 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 accepted servicing report, 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 any wastewater sewers benefiting and fronting the Planned Area that are installed by others, as determined by and to the satisfaction of the Director of Water and Waste.

c) If required, the Developer shall pay to the City, in cash, on demand, their share of the cost of oversizing of wastewater sewers by others, as determined by and to the satisfaction of the Director of Water and Waste.

3) Land Drainage Sewers

a) The Developer shall, at no expense to the City, construct and install all land drainage sewers required to serve the Planned Area and adjacent lands as indicated by the accepted servicing report, 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 any land drainage sewers benefiting and fronting the Planned Area that are installed by others, as determined by and to the satisfaction of the Director of Water and Waste.

4) Stormwater Retention Facilities

a) The Developer shall construct, and bridge-finance the cost of constructing, naturalized regional stormwater management facilities and associated works, including but not limited to land drainage pumping station if required, to serve the Planned Area and adjacent lands, in accordance with the “Criteria for Stormwater

Management" (adopted by City Council on April 25, 2001) and the accepted servicing report, as determined by and to the satisfaction of the Director of Water and Waste.

b) The Developer shall dedicate to the City any land, and shall provide to the City all easements, required to accommodate the naturalized regional stormwater management facilities, as determined by and to the satisfaction of the Director of Water and Waste in accordance with the City's Development Agreement Parameters.

c) The Developer shall pay its share of the cost of the said regional stormwater management facilities, as determined by the Director of Water and Waste.

d) The Developer's share of the stormwater management facilities owing under this agreement shall be credited against the cost of the facilities to be constructed or previously constructed by the Developer.

e) If the Developer's share of the cost of constructing the said regional stormwater management facilities in accordance with Clause a) is greater than the Developer's share of that cost determined under Clause c), the City shall reimburse the Developer for the amount of the difference, as and when the amount of the difference is determined by the Director of Water and Waste, subject to approval by City Council of capital funding for that reimbursement and availability of funds recovered from third parties in accordance with this Agreement. Interest, calculated in accordance with the Development Agreement Parameters, will be added to the amount of the difference calculated from the date of the first anniversary of substantial completion of construction for the naturalized regional stormwater management facilities.

f) The Developer shall, prior to construction, provide to the City a separate Letter of Credit in an amount equal to 15% of the construction cost of the naturalized regional stormwater management facilities and associated works, as determined by and to the satisfaction of the Director of Water and Waste. The City shall release this separate Letter of Credit to the Developer upon issuance of the Final Acceptance Certificate.

g) Despite anything else in this Agreement, the Developer shall maintain all stormwater retention basins within the Planned Area, including naturalized channels, as determined by and to the satisfaction of the Director of Water and Waste and the Director of Public Works, as follows:

    i) 2 years (following the date of Total Performance) for the physical construction of the stormwater retention basins including excavation and hard infrastructure; and

    ii) 5 years (following the date of Total Performance) for the vegetation planting.

h) The Developer shall enter into an agreement to caveat all private lots abutting any stormwater retention basin within the Planned Area, outlining the special conditions for the maintenance of the vegetated areas at the rear of the private lots as determined by and to the satisfaction of the Director of Public Works.

i) The Developers shall at no expense to the City:

i. develop and provide to the City a performance specification document of the stormwater retention basins that establishes the minimum acceptable performance of the upland and wetland vegetation; and

ii. for a period of 5 years following the date of Substantial Performance, conduct routine vegetation assessments to determine whether the upland and wetland vegetation is meeting the performance specifications and perform remedial action as required.

All as determined by and to the satisfaction of the Director of Public Works

j) As a condition of issuance of a Final Acceptance Certificate by the Director of Public Works, the Developer shall, at no expense to the City, prepare an operation manual for the storm water retention basins that will ensure the long-term viability of the wetland by maximizing ecological benefits and minimizing maintenance, to the satisfaction of the Director of Public Works.

5) Lot Line Connections

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

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

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

6) Lot Grading

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

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

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

7) Pavements

a) The Developer shall, at no expense to the City, construct Portland cement concrete pavements to widths of 7.5m, 8.0, 10.0m and 13.0m or at a width as determined by Public Works, by 150mm and 200mm in thickness in all streets within the Planned Area and all related works including, but not necessarily limited to street lighting, boulevard landscaping and land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, construct the proposed roundabouts at the intersections within the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

c) The Developer shall, at no expense to the City, construct, within proposed public lanes within the Planned Area serving single or two-family residential development, 5.0m wide by 150mm thick Portland cement concrete pavements, and, within proposed public lanes within the Planned Area serving multi-family residential and commercial development, 6.0-m-wide by 150-mm-thick Portland cement concrete pavements, as determined by and to the satisfaction of, the Director of Public Works.

d) The Developer shall, at no expense to the City, construct the proposed cul-de-sac as per the City's Transportation Standards Manual, as determined by and to the satisfaction of the Director of Public Works.

8) Proposed North-South Collector through the existing Navin Road and Manitoba Hydro Lands

a) The Developer shall, at no expense to the City, pay all costs to purchase/lease the required lands from Manitoba Hydro for the purpose of constructing the proposed north-south Collector through Manitoba Hydro lands, as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, construct a four-lane divided roadway in Portland cement concrete pavement north of Abinoji Mikanah, through the existing Navin Road and Manitoba Hydro lands, and all related works including but not limited to:

i. an appropriate transition to two lanes;
ii. ornamental street lighting, where permitted by Manitoba Hydro;
iii. boulevard landscaping, where permitted by Manitoba Hydro; and
iv. land drainage sewer.

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

c) The Developer shall, at no expense to the City construct a new roadway bridge/culvert structure crossing the Navin Drain facility in accordance with plans and specifications as determined by and to the satisfaction of the Director of Public Works and the Director of Water and Waste;

9) Sidewalks/Pathways

a) The Developer shall, at no expense to the City, construct (and/or pay to the City in cash, on demand, their share of the costs to construct) 1.5m and/or 1.8m wide by 100mm thick Portland cement concrete sidewalks, or 3.5m wide multi-use pathways and all related works, on the standard alignment, 0.3m from the property line, and/or on an alignment as determined by the Public Works Department, to the satisfaction of the Director Public Works, conceptually as shown on the attached Schedule C.

b) The Developer shall grant to the City, at no expense to the City, any snow storage easements as may be necessitated by the sidewalk alignment, as determined by and to the satisfaction of the Director of Public Works.

10) Public Walks

a) The Developer shall, at no expense to the City, construct within the Public Walks a 1.5m wide concrete sidewalk or a 3.5m wide asphalt pathway within the Public Walks, conceptually as shown on the attached Schedule C, and landscape the remainder to include:

i. Sodding on both sides of the sidewalk or pathway;

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

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

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

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

11) Transportation Area Charge

a) The Developer shall pay to the City, on demand, their share of the Transportation Area Charge for cost shared work within Precinct “J”.

b) Where the Developer constructs and/or pays for transportation improvements as being cost shared or the responsibility of the Transportation Area Charge, that amount shall be credited towards the Developers share of the Transportation Area Charge. Where the Developer’s work in total exceeds the amount of the Transportation Area Charge payable to the City, the City shall reimburse the Developer as monies are collected from benefitting lands.

c) The rates shall be based on the known costs and estimates at the time of payment.

d) It is acknowledged that the Developer’s share of the Transportation Area Charge is made up of the following works:

i. 50% of the costs to construct the segments of Dawson Road South, indicated as Schedule D, and all related works including but not limited to sidewalks, multi-use pathways, and/or pedestrian/cycling facilities, street lighting, and landscaping,

ii. 50%of the costs of the works at the intersections on Dawson Road South, indicated as items 4 and 5 on attached, to construct the two proposed roundabouts and all related works,

iii. 25% of the costs to complete the required works at the intersection of Dawson Road South and Plessis Road, indicated as item 6 on attached,

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

12) Plessis Road

The Developer shall, at no expense to the City, pay to the City in cash, on demand, its share of the costs to construct 5.0m in width by 200mm in thickness Portland cement concrete and all related works, including but not limited to a multi-use pathway, ornamental street lighting, and landscaping along the full length of the subject property abutting the west side of Plessis Road, of the Planned Area, all as determined by and to the satisfaction of the Director of Public Works.

13) Abinojii Mikanah

a) The Developer shall, pay to the City, in cash, on demand, its share of the following services to be installed in Abinoji Mikanah along the full length of the Planned Area abutting the north side of Abinoji Mikanah:

i. 4.0m wide Portland cement concrete lane of pavement and all related works;
ii. street lighting in the north boulevard;
iii. landscaping (sod and trees) in the north boulevard,

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

b) In lieu of the Developer paying their share of the costs associated with the construction of a 3.5m wide asphaltic concrete multi-use pathway in the north boulevard of Abinojii Mikanah along the full length of the Planned Area, the Developer shall, at no expense to the City, construct a 3.5m wide asphaltic concrete multi-use pathway and all related works from the proposed north-south Major Collector to Lagimodiere Boulevard, all as determined by and to the satisfaction of the Director of Public Works.

c) The Developer shall, at no expense to the City, construct all required modifications at and in the vicinity of Abinoji Mikanah and the proposed north-south Collector and all related works, as determined by and to the satisfaction of the Director of Public Works.

d) The Developer shall, pay to the City in cash, their share (25%) of the previous modifications completed at and in the vicinity of Abinoji Mikanah and Lagimodiere Boulevard and all related works, including but not limited to:

i. Right-turn channelization in the north-east corner of the intersection and all related works;
ii. Right-turn channelization in the south-east corner of the intersection and all related works;
iii. Southbound left-turn storage lane, plus transition and all related works;
iv. Traffic Control Signal for the east leg and retiming and modifications of the Traffic Control Signals and all related works;

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

14) Traffic Control Signals

The Developer shall, pay to the City, in cash, on demand, 50% of the costs associated with the installation of traffic control signals and all related works including, but not limited to, pedestrian and vehicular actuation and interconnection to adjacent traffic-control signals, countdown and audible pedestrian signals at the intersection of Abinojii Mikanah and the proposed north-south Major Collector through the existing Manitoba Hydro lands, when and as determined by and to the satisfaction of the Director of Public Works.

15) 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).

16) 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.

17) Two Means of Vehicle Access

The Developer shall, at no expense to the City, ensure that two means of paved vehicular access are available at all times to each stage of development of the Planned Area, to the satisfaction of the Director of Public Works. This may require the construction of temporary paved roadways by the Developer and the provision of easements or rights-of-way by the Developer to the City.

18) Boulevards

a) The Developer shall, at no expense to the City, sod, and plant trees on, all boulevards within and fronting on the Planned Area, all in accordance with City

specifications and guidelines and, where required, with concept plans prepared by the Developer and submitted to, and approved by, the Director of Public Works.

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

19) Signage

a) The Developer shall, at no expense to the City obtain approval of and install, prior to construction, and subsequently maintain, at the entrances to the Planned Area, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, proposed sidewalks, walkways, active transportation facilities, community mail boxes, parks, land drainage retention facilities, natural tree stands, multiple family sites, commercial sites, collector and arterial streets, Abinojii Mikanah, Fermor Avenue and Plessis Road, 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.

20) Street Name Signs

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

21) Fencing Abutting Public Reserve

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

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

22) 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.

23) 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.

24) 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.

25) 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.

26) Public Reserve

a) The Developer shall dedicate a minimum of 10% of the net area for public park purposes; or shall dedicate a minimum of 8% of the Net Area for public park purposes with the remaining required dedication deemed to have been satisfied by the provision of Landscaping and Improvements to the public park, as described in Section 10.11 – Developer to Provide Park Landscaping and Improvements" and- as approved by the City. Dedication shall not be granted for lands deemed non-eligible in the Winnipeg Parks Strategy.

b) If the Developer is unable to dedicate a full 10% of the land, the Developer shall dedicate an amount of land satisfactory to the Director of Public Works and the Director of Property, Planning & Development, and compensate the City for any shortfalls in the amount of land, servicing and improvements not provided, at the then current values, by payment of cash or by the provision of additional site amenities, as approved by the Directors of Public Works and Planning Property and Development.

c) The Developer shall provide the following standard landscaping and improvements within the Public Reserve(s), in accordance with Park Development Guidelines, Park Standards and plans and specifications all as approved by the City:

i. Grade, level and vegetate;

ii. Install a meter pit for water service in PR B;

iii. Construct primary pathways;

iv. Provide tree plantings, with appropriate soil volumes, in accordance with the Winnipeg Urban Forest Strategy;

v. Install core amenities in accordance with the Winnipeg Parks Strategy catchment target level of service and the Park Development Guidelines, including multi-use open space, playgrounds within Public Reserves B & C, picnic and seating; and,

vi. Extra soil depth, in Public Reserve B to accommodate full-sized soccer.

d) The Developer shall ensure that the lot grading plan for the area is designed such that land drainage from adjacent properties have no negative impacts on the public reserve. Limited land drainage flow may be directed to the public reserve if approved by the Director of Public Works.

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

f) The Developer shall, at no expense to the City, maintain the improvements to the Public Open Spaces for a period of two years, or longer, in accordance with specifications

approved by the Director of Public Works. The said maintenance period shall begin on the date of issuance of a Construction Completion for Parks and shall conclude on the date of the issuance of a Final Acceptance Certificate for Parks. Despite the foregoing, the City reserves the right to impose longer maintenance periods for such amenities and features, such as naturalized areas, that the Director of Public Works deems to be beyond the standard scope of development.

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

Section V – Costs and Fees

1) By-laws and Approvals

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

2) Professional Fees

a) The Developer shall pay the full cost of all design services, including preliminary engineering studies, servicing reports, servicing criteria, construction drawings and specifications, and grading and landscaping plans and specifications, to be provided by Consulting Engineer(s) approved by the City, for the design of the municipal services, parklands, parkways and associated works required to serve the Planned Area;

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

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

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 12/2024
June 12th, 2024

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

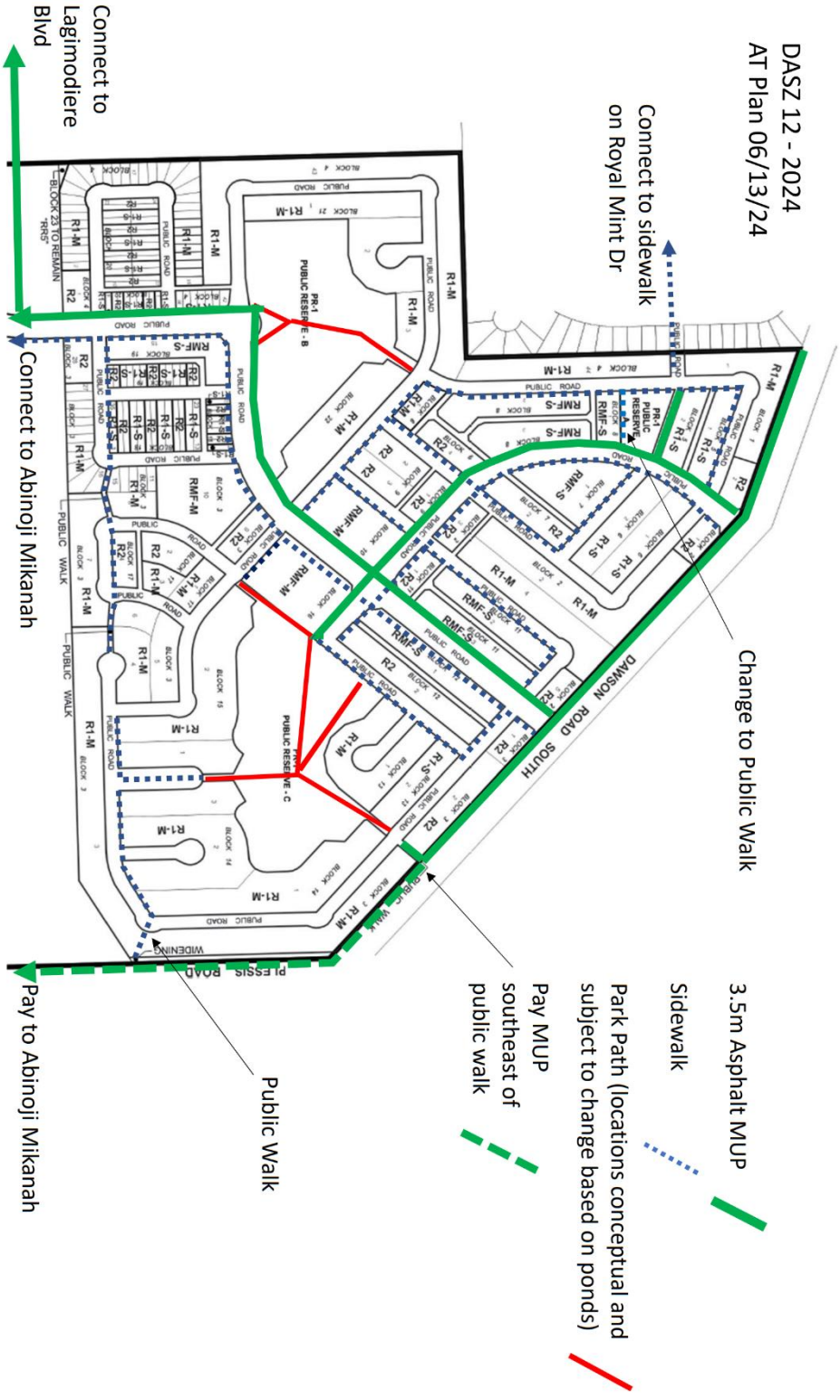
"*Original Signed by M. Gajda"*
M. Gajda, P. Eng.
Engineering Division
Water and Waste Department

"*Original Signed by C. Desjardine"*
C. Desjardine, M. Sc., P. Eng.
Transportation Division
Public Works Department

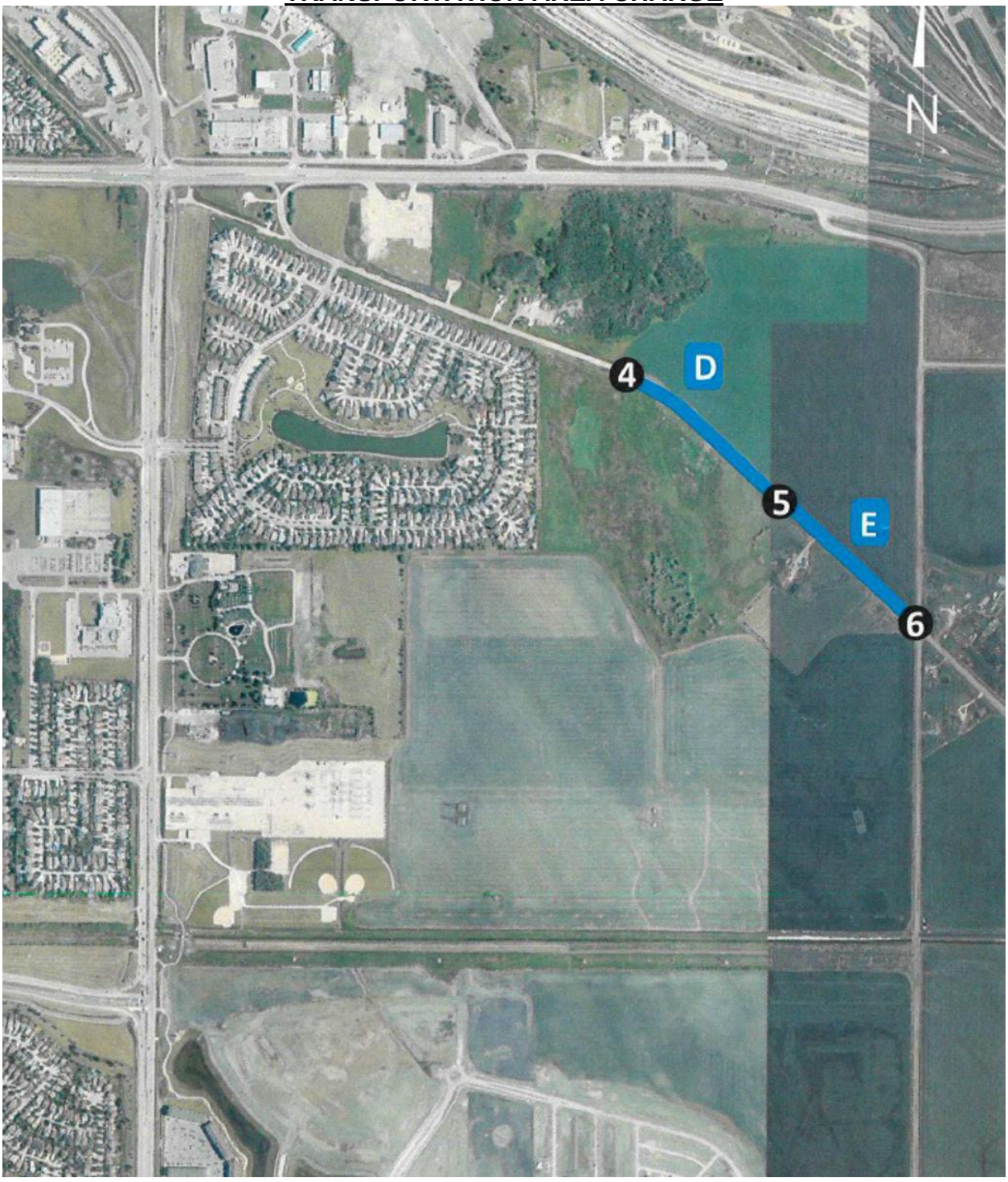
"*Original Signed by S. Whitehouse"*
S. Whitehouse, M.C.P.
Urban Planning and Design Division
Planning, Property and Development Department

SCHEDULE C

ACTIVE TRANSPORTATION PLAN



SCHEDULE D
TRANSPORTATION AREA CHARGE



- **SCHEDULE "E" OF FILE DASZ 12/2024, East Kildonan – Transcona Community Committee,**
- **Dated June 24, 2024**

By-Law No. _____

File No. **DASZ 12/2024**

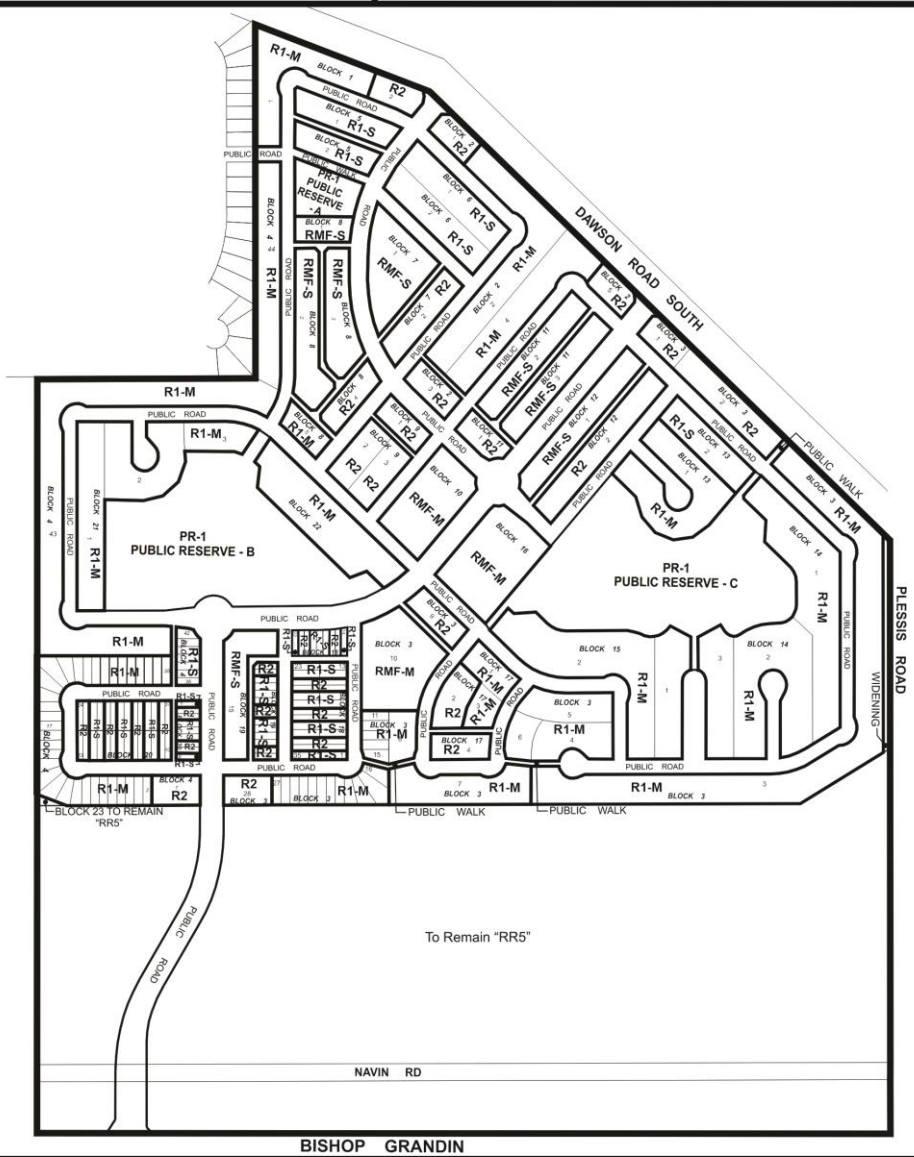
Atlas Sheet No. **AF332**

N

EAST KILDONAN TRANSCONA COMMUNITY

Explanation

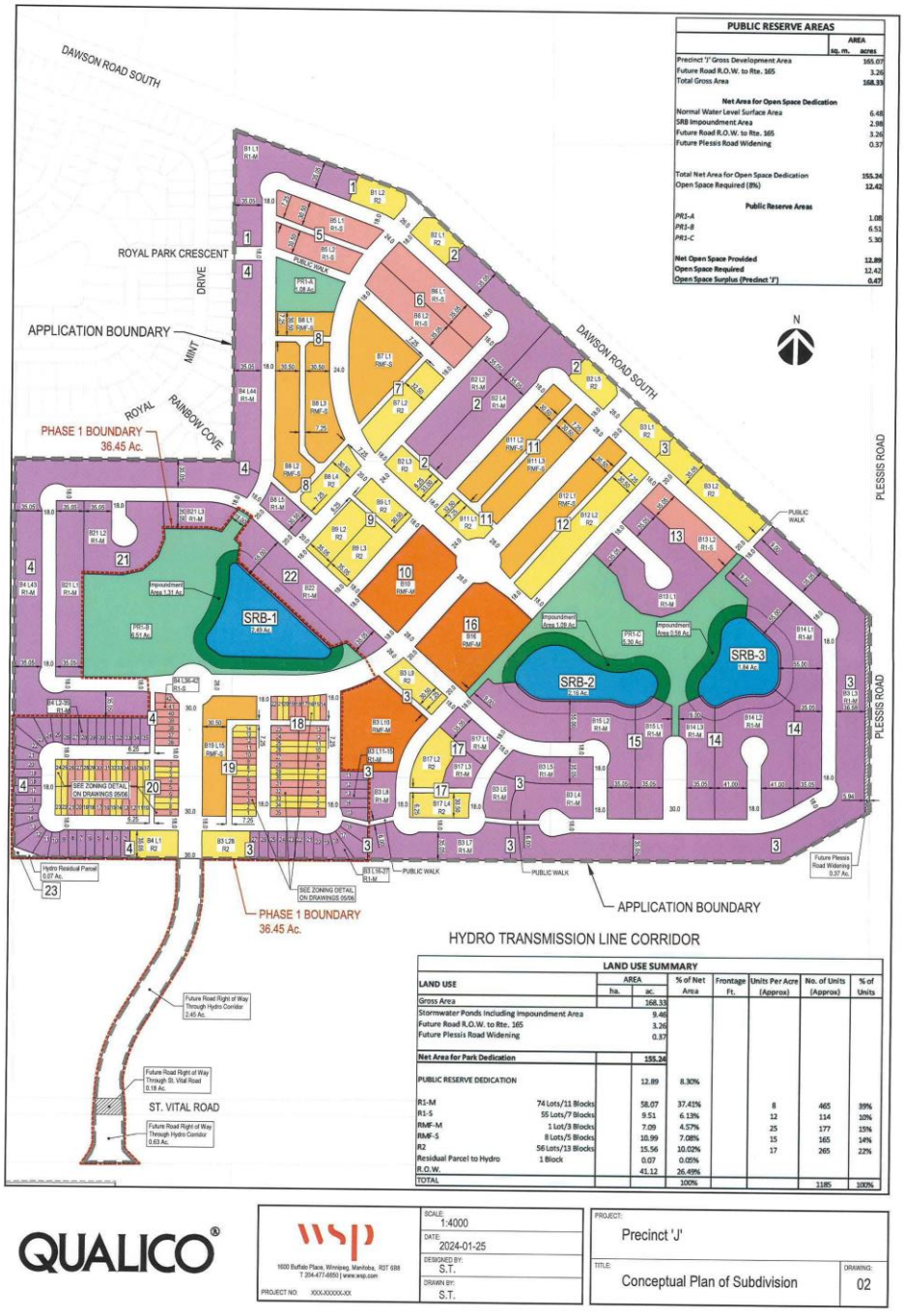
An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located south of Dawson Road South, west of Plessis Road from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "R1-S" and "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICTS, an "R2" RESIDENTIAL TWO-FAMILY DISTRICT, an "RMF-S" and "RMF-M" RESIDENTIAL MULTI-FAMILY DISTRICTS and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the development of lands within Precinct J by the creation of the lot and block plan, public reserves and public rights-of-way, for future residential development.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Exhibit “17” referred to in File DASZ 12/2



PUBLIC RESERVE AREAS

	AREA sq. m.	acres
Precinct 'J' Gross Development Area		165.07
Future Road R.O.W. to Rte. 165		3.26
Total Gross Area		168.33
Net Area for Open Space Dedication		
Normal Water Level Surface Area		6.48
SRB Impoundment Area		2.96
Future Road R.O.W. to Rte. 165		3.26
Future Plessis Road Widening		0.37
Total Net Area for Open Space Dedication		155.24
Open Space Required (8%)		12.42
Public Reserve Areas		
PR1-A		1.08
PR1-B		6.51
PR1-C		5.30
Net Open Space Provided		12.89
Open Space Required		12.42
Open Space Surplus (Precinct 'J')		0.47

LAND USE SUMMARY

LAND USE		AREA ha.	AREA ac.	% of Net Area	Frontage Ft.	Units Per Acre (Approx)	No. of Units (Approx)	% of Units
Gross Area			168.33					
Stormwater Ponds including Impoundment Area			8.46					
Future Road R.O.W. to Rte. 165			3.26					
Future Plessis Road Widening			0.37					
Net Area for Park Dedication			**155.24**					
PUBLIC RESERVE DEDICATION			12.89	8.30%				
R1-M	74 Lots/11 Blocks		58.07	37.41%		8	465	39%
R1-S	55 Lots/7 Blocks		9.51	6.13%		12	114	10%
RMF-M	1 Lot/3 Blocks		7.09	4.57%		25	177	15%
RMF-S	8 Lots/5 Blocks		10.99	7.08%		15	165	14%
R2	56 Lots/13 Blocks		15.56	10.02%		17	265	22%
Residual Parcel to Hydro	1 Block		0.07	0.05%				
R.O.W.			41.12	26.49%				
TOTAL				100%			1185	100%

QUALICO

wsp
1600 Buffalo Place, Winnipeg, Manitoba, R3T 6B8
T 204-477-6650 | www.wsp.com
PROJECT NO: XXX-XXXXXX-XX

SCALE: 1:4000
DATE: 2024-01-25
DESIGNED BY: S.T.
DRAWN BY: S.T.

PROJECT: Precinct 'J'
TITLE: Conceptual Plan of Subdivision
DRAWING: 02



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wsp
1600 Buffalo Place, Winnipeg, Manitoba, R3T 6B8
T 204-477-6650 | www.wsp.com
PROJECT NO: XXX-XXXXX-XX

SCALE:	1:1250
DATE:	2024-01-25
DESIGNED BY:	N/A
DRAWN BY:	E.C.

PROJECT: Precinct 'J'

TITLE: Phase 1A Preliminary Lotting

DRAWING: 06