Minutes – Executive Policy Committee – March 18, 2025

Report – Standing Policy Committee on Property and Development – March 6, 2025

Item No. 13 Subdivision and Rezoning – Fernbank Avenue (Highland Pointe Phase 5)
(Old Kildonan Ward)
File DASZ 49/2024 [c/r DAV 265183/2024D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the subdivision proposed under Development Application No. DASZ 49/2024 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated February 12, 2025 and attached as Schedule "D" to this report, with such minor changes as may be required, subject to the following conditions:

    A. That the "Plan" be amended in accordance with Section II of the report of the Administrative Coordinating Group dated February 14, 2025 and attached as Schedule "B" to this Report, with the following amendments:

        i. Delete Section I – General Comments, in its entirety.

        ii. In Section IV – Servicing Conditions delete Condition 23) g) in its entirety and replace with the following:

            "g) The Developer shall, at no expense to the City, install continuous fencing (eg: bollards or chain link fence) on the Public Reserve lands abutting the CPKC property and the collector road (excluding at access way(s)), as determined and to the satisfaction of the Directors of Public Works and Planning Property and Development."

    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 February 14, 2025 and attached as Schedule "B" to this report.

Report – Standing Policy Committee on Property and Development – March 6, 2025

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (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); "RMF-S" Residential Multi-Family (Small); "PR-1" Parks and Recreation 1 (Neighbourhood); District in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated February 12, 2025, and attached as Schedule "D" to this report, subject to the following conditions:

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

        i. Private approaches serving all RMF-S zoning lots shall be adjoining and there shall be a minimum of 4.57 metres (15 feet) between the edges of driveways (or hard surfaced areas), to the satisfaction of the Director of Planning Property and Development.

        ii. Flares for private approaches serving lots abutting the active transportation pathway must be located a minimum of 1 metre (3.28 feet) from the edge of the pathway, to the satisfaction of the Director of Public Works.

        iii. That on Block 2 zoned "RMF-S" Residential Multi-Family (Small) the Owner must submit plans showing the location and design of any and all proposed:

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

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

Report – Standing Policy Committee on Property and Development – March 6, 2025

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

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

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

   B. a Zoning Agreement in accordance with Recommendation 2,

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

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

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

6. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with recommendation 1 and has paid the Dedication 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 49/2024 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.

Report – Standing Policy Committee on Property and Development – March 6, 2025

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

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

11. That Development Application No. DASZ 49/2024 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 for File No. DAV 24-265183\D shall not come into force and effect until the coming into force and effect of the zoning by-law for the subject land under File DASZ 49/2024.

Report – Standing Policy Committee on Property and Development – March 6, 2025

DECISION MAKING HISTORY:

Moved by Councillor Duncan,

That the recommendation of the Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On March 6, 2025, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee, with the following amendment:

- In Recommendation 2, delete the words "Schedule "C" to this report" and replace with "Schedule "D" to this report"

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

COMMUNITY COMMITTEE RECOMMENDATION:

On February 25, 2025, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

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

  ", with the following amendments:

  i. Delete Section I – General Comments, in its entirety.

Report – Standing Policy Committee on Property and Development – March 6, 2025

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

ii. In Section IV – Servicing Conditions delete Condition 23) g) in its entirety and replace with the following:

"g) The Developer shall, at no expense to the City, install continuous fencing (eg: bollards or chain link fence) on the Public Reserve lands abutting the CPKC property and the collector road (excluding at access way(s)), as determined and to the satisfaction of the Directors of Public Works and Planning Property and Development."

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

PUBLIC HEARING SUMMARY

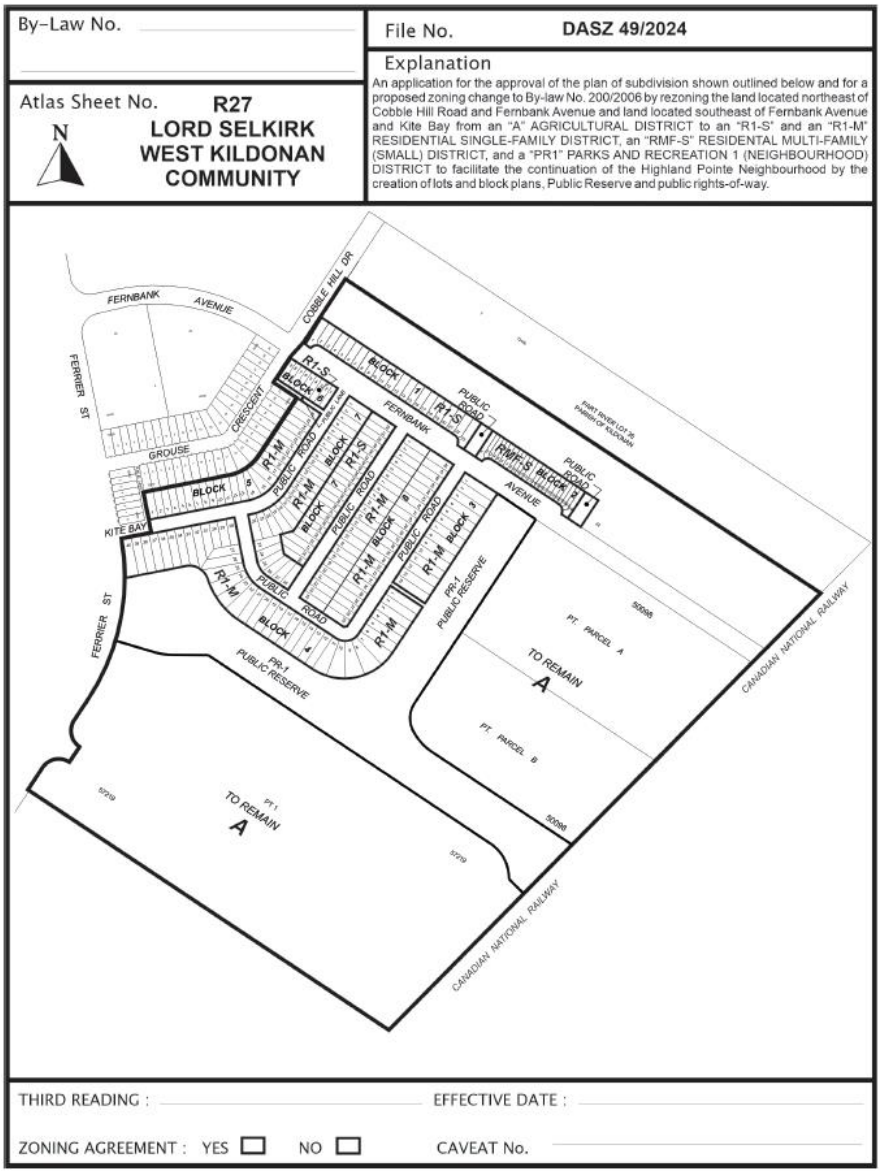
File: DASZ 49/2024

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

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

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

Subject:



Premises Affected: Fernbank Avenue

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

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

Report date: February 25, 2025

Community Committee Recommendation:

On February 25, 2025, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development:

1. That the subdivision proposed under Development Application No. DASZ 49/2024 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated February 12, 2025 and attached as Schedule "***D***" to this report, with such minor changes as may be required, subject to the following conditions:

    A. That the "Plan" be amended in accordance with Section II of the report of the Administrative Coordinating Group dated February 14, 2025 and attached as Schedule "B" to this Report~~;~~***, with the following amendments:***

        i. Delete Section I – General Comments, in its entirety.

        ii. In Section IV – Servicing Conditions delete Condition 23)g) in its entirety and replace with the following:

            "g) The Developer shall, at no expense to the City, install continuous fencing (eg: bollards or chain link fence) on the Public Reserve lands abutting the CPKC property and the collector road (excluding at access way(s)), as determined and to the satisfaction of the Directors of Public Works and Planning Property and Development."

    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 February 14, 2025 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); “RMF-S” Residential Multi-Family (Small); “PR-1” Parks and Recreation 1 (Neighbourhood); District in accordance with the proposed by-law attached as Appendix “A” to this report and as shown on the map dated February 12, 2025, and attached as Schedule “C” to this report, subject to the following conditions:

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

      i. Private approaches serving all RMF-S zoning lots shall be adjoining and there shall be a minimum of 4.57 metres (15 feet) between the edges of driveways (or hard surfaced areas), to the satisfaction of the Director of Planning Property and Development.

      ii. Flares for private approaches serving lots abutting the active transportation pathway must be located a minimum of 1 metre (3.28 feet) from the edge of the pathway, to the satisfaction of the Director of Public Works.

      iii. That on Block 2 zoned “RMF-S” Residential Multi-Family (Small) the Owner must submit plans showing the location and design of any and all proposed:

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

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

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

   A. a 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 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 49/2024 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 9 and 10, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

11. That Development Application No. DASZ 49/2024 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 for File No. DAV 24-265183\D shall not come into force and effect until the coming into force and effect of the zoning by-law for the subject land under File DASZ 49/2024.

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

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

1. Highland Pointe is a sought-after development in Northwest Winnipeg, if you haven't had a chance to go through there, I have taken my colleagues on a tour just recently and every time I do, it just amazes me that new homes that are coming up, the attention to detail, and the variety of housing stock we see in Highland Pointe. The presentation is very thorough, a lot of thought goes into every phase that we see, and we've heard today from the developer and the consultant that we are always evolving and looking for new ideas and seeing what they can change up cased on the uptake from the community and residents of the area. The variety and the skill of housing and the affordability that is being offered is important in what they propose here today to us, it gives families more options and finding what suits their needs either from a starter home to what we see as intricate intergenerational homes as well, Mr. Chair, and so that variety of housing stock is very important for me to see for every family's needs.

2. The sidewalks that we see, the multiuse pathways that's very important, its creating a nice connection to green spaces and a future school and commercial area north west of this phase and I want to congratulate them.

Objections under the Charter:

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

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

Exhibits Filed:

1. Application dated November 25, 2024
2. Notification of Public Hearing dated January 21, 2025
3. Manitoba Status of Titles 3274568/1, 3274569/1
4. Letter of authorization dated October 23, 2024 from Michael Carruthers, LCLSub Fernbank Inc. to Brendan Salakoh, Landmark Planning & Design Inc.
5. Letter from Applicant's Legal Counsel
6. Easements 5289640/1, 5589738/1
7. Schedule of Zoning Site Width and Area Calculations dated October 16, 2024
8. Plans (8 pages)
9. Report from the Urban Planning Division dated February 12, 2025
10. Report from the Urban Planning Division dated February 12, 2025
11. Inspection Report
12. Communication dated February 23, 2025, from Brendan Salakoh with respect to the application
13. Recording of Representations

REPRESENTATIONS:

In Support:

Brendan Salakoh
Michael Carruthers
Sean Gallagher

In Opposition:

Nil

For Information:

Nil

For the City:

S. Jerez, Planner, Planning, Property and Development Department
K. Kowalyk, Land Development Engineer, Planning, Property and Development Department

Exhibit "10" referred to in File DASZ 49/2024

ADMINISTRATIVE REPORT

Title: DASZ 49/2024 – Fernbank AVE (Highland Pointe Phase 5)

Issue: For consideration at the Public Hearing to Subdivide and Rezone approximately 45.8 acres of land in Precinct 'G'.

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

AUTHORIZATION

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

RECOMMENDATIONS

1. That the subdivision proposed under Development Application No. DASZ 49/2024 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated February 12, 2025 and attached as Schedule "C" to this report, with such minor changes as may be required, subject to the following conditions:

   A. That the "Plan" be amended in accordance with Section II of the report of the Administrative Coordinating Group dated February 14, 2025 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 February 14, 2025 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); "RMF-S" Residential Multi-Family (Small); "PR-1" Parks and Recreation 1 (Neighbourhood); District in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated February 12, 2025, and attached as Schedule "C" to this report, subject to the following conditions:

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

i. Private approaches serving all RMF-S zoning lots shall be adjoining and there shall be a minimum of 4.57 metres (15 feet) between the edges of driveways (or hard surfaced areas), to the satisfaction of the Director of Planning Property and Development.

ii. Flares for private approaches serving lots abutting the active transportation pathway must be located a minimum of 1 metre (3.28 feet) from the edge of the pathway, to the satisfaction of the Director of Public Works.

iii. That on Block 2 zoned “RMF-S” Residential Multi-Family (Small) the Owner must submit plans showing the location and design of any and all proposed:

(a) buildings;

(b) accessory parking areas;

(c) private approaches;

(d) garbage enclosures;

(e) fencing;

(f) landscaping; and

(g) free-standing signage

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

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

A. a 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 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 49/2024 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 9 and 10, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

11. That Development Application No. DASZ 49/2024 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 for File No. DAV 24-265183\D shall not come into force and effect until the coming into force and effect of the zoning by-law for the subject land under File DASZ 49/2024.

REASON FOR THE REPORT

- The applicant intends to subdivide and rezone the land to land to an “R1-S” Residential Single-Family (Small); “R1-M” Residential Single-Family (Medium); “RMF-S” Residential Multi-Family (Small); “PR-1” Parks and Recreation 1 (Neighbourhood); to facilitate Phase 5 of the Highland Pointe development.
- Rezoning applications require a public hearing as per the Development Procedures By-law and The City of Winnipeg Charter.
- The Report is being submitted for the Committee’s consideration of the development application at the public hearing.

OURWINNIPEG 2045 POLICY ALIGNMENT

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

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

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Simi Jerez, RPP MCIP
Date:	February 12, 2025
File No.	DASZ 49/2024

List of Schedules and Attachments

Schedule A	Planning Discussion
Schedule B	Report of the Administrative Coordinating Group – February 14, 2025
Schedule C	Sidewalks / Multi-Use Pathways
Schedule D	Recommended File No. DASZ 49/2024 Lord Selkirk West Kildonan Community Committee, dated February 12, 2025
Appendix A	Proposed By-law

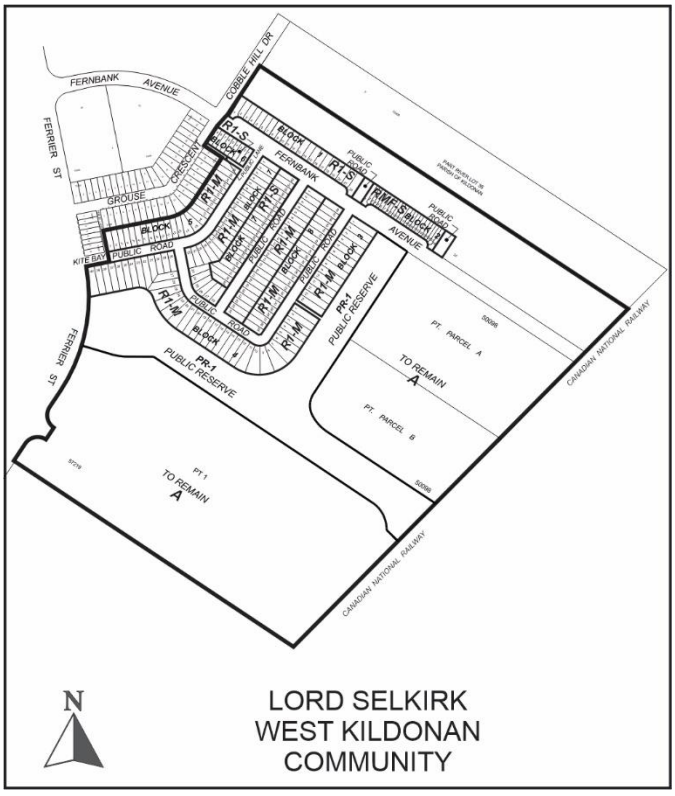
SCHEDULE 'A'

DATE:	February 12, 2025
FILE:	**DASZ 49/2024**
RELATED FILES:	DAV 24-265183\D
COMMUNITY:	Lord Selkirk-West Kildonan Community
NEIGHBOURHOOD #:	3.335 - Rosser-Old Kildonan

SUBJECT: For consideration at the Public Hearing to Subdivide and Rezone approximately 45.8 acres of land in Precinct 'G'.

LOCATION: Fernbank AVE

LEGAL DESCRIPTION: EXC PLAN 68404, 70827 & 70840 PCL A,B PLAN 50098 33/34 K LOT 1 PLAN 57219 31/32 K



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

OWNERS: LCLSUB FERNBANK INC.
40 Lakewood Blvd 200
Winnipeg, MB R2J 2M7

RECOMMENDATION: Approval with conditions

DISCUSSION

SITE DESCRIPTION

- The subject site is located east of McPhillips Street, north of Ferrier Street, and west of the CP Rail Winnipeg Beach line, in the Rosser-Old Kildonan Neighbourhood and the Old Kildonan Ward.
- The subject land consists of approximately 45.8 acres of land zoned “A” Agricultural District under the Winnipeg Zoning By-law, of which 65 acres are proposed for development under this application.
- Under the *Complete Communities Direction Strategy 2.0* (CCDS 2.0), the site is designated a “Recent Community” policy area and located in Precinct ‘G’.
- Under the *Precinct ‘G’ Secondary Plan By-law*, the property is within the Low-Density Residential policy area.



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

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Undeveloped land zoned “A” Agricultural District and located within the Precinct ‘G’ policy area of the *Complete Communities Direction Strategy*.

South: Undeveloped land zoned “A” Agricultural District and located within Precinct ‘G’.

East: Undeveloped land zoned “A” Agricultural District and located within Precinct ‘G’.

West: Phases 1, 2, 3, and 4 of Highland Pointe (approved under files DASZ 24/2019, DASZ 40/2021, and DASZ 25/2022).



Figure 2: Zoning of the Site and Surrounding Area

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide and rezone approximately 45.8 acres of land located within the boundaries of Precinct G to develop Highland Pointe Phase 5.
- The land, presently zoned "A" Agricultural District, would be rezoned to “R1-S” and “R1-M” Residential Single-Family (Small and Medium) Districts, “RMF-S” Residential Multi-Family (Small) District, and “PR1” Parks and Recreation (Neighbourhood) District to facilitate the continuation of the Highland Pointe Neighbourhood. The proposed subdivision would establish the creation of blocks and lots, public rights-of-way, and Public Reserve for future development.
- The proposed development will result in the establishment of two-hundred and twelve (212) single-family lots and twenty-four (24) multi-family lots as follows:
    - Fifty-six (56) lots zoned “R1-S” Residential Single-Family (Small);
    - One-hundred and fifty-six (156) lots zoned “R1-M” Residential Single-Family (Medium); and,
    - Twenty-four (24) lots zoned “RMF-S” Residential Multi-Family (Small).
- In addition, this phase of development proposes the inclusion of a +/- 2.33 acre dedicated public reserve parcel, zoned “PR1” to provide green space around the retention pond, and the opening and extension of public right-of-ways.

- The proposed development area would be connected with planned active transportation routes (including sidewalks and a multi-use pathway on the north side of Fernbank Avenue) within the larger Highland Pointe Community.
- The related Variance File No. DAV 21-200722/D deals with the proposed "A" Agricultural Dimensional Standards of Zoning By-Law 200/2006 for residual lands. Please refer to the related Planner's report for an analysis of the proposed variances.



Figure 3: Proposed Development (Phase 5) in the context of planned and potential future Highland Pointe development.

COLLABORATION

- The applicant consulted with the Urban Planning & Design Division prior to submitting the subject application.
- The applicant engaged in discussions with other City of Winnipeg stakeholder departments to address concerns identified, including pedestrian connectivity, snow storage and on-street parking. To address these concerns, the applicant agreed to remove one lot from Block 1 to ensure adequate space for snow storage and separation from the multi-use pathway.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The *Complete Communities Direction Strategy 2.0* (*CCDS 2.0*) is one of four direction strategies supporting *OurWinnipeg*, the City's long-range development plan, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.

- The subject property is located in an Emerging Community, which is a subset of Recent Communities under the Established Neighbourhood policy designation of the *Complete Communities Direction Strategy 2.0*. Key goals for Established Neighbourhoods that are relevant to the subject proposal include:

  Goal 1: Encourage compatible residential development within Established Neighbourhoods to build more Complete Communities and align with the City's residential intensification target.

  Goal 3: Ensure all communities provide a diversity of housing options and meet resident life-cycle housing needs

  Goal 6: Ensure Neighbourhoods and communities are well served by parks, open spaces, and recreational facilities that contribute to sustainability, wellness and active living.

  Goal 7: Strategically encourage and guide growth within Established Neighbourhoods through the use of secondary plans.

- The Vision for Established Neighbourhoods is to continue to evolve as complete communities to increase the diversity of housing choices, improve housing affordability, and more efficiently use land, infrastructure and services.

- With regard to this proposal, the key goal and policies guiding the development of Established Neighbourhoods include:

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

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

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

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

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

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

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

  a) Window placement that supports passive surveillance;

  b) Unit entrances with direct access to the street;

  c) Front porches;

  d) Balconies;

  e) Awnings;

f) Lighting; and

g) Height of primary entrances

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

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

- The proposed subdivision and rezoning generally align with the goals for Established Neighbourhoods.

PRECINCT 'G' SECONDARY PLAN BY-LAW

Key relevant policies under the Precinct 'G' Plan include:

- *Low Density Residential Policy Areas:*
  - *Single-family dwellings, two-family dwellings, and ground-oriented townhouses shall be the predominant use of land.*
  - *The minimum net density should be 7 units per acre over the entirety of the Low-Density Residential Policy Areas.*

The proposed subdivision and rezoning would achieve the Precinct Plan policy requirements for net density targets for each policy area and would be generally consistent with the Secondary Plan.

ANALYSIS OF PROPOSED SUBDIVISION AND REZONING

The applicant is proposing to subdivide the subject site and rezone lands to the following zoning districts:

- The "R1-S" and "R1-M Residential Single-Family Districts are intended to accommodate primarily single-family residential development in lower-density neighbourhoods.
- The "RMF-M" Residential Multi-Family District is intended to accommodate the development of multi-family units in neighbourhoods of various densities.
- The "PR-1" Parks and Recreation 1 (Neighbourhood) District is intended for sites that are generally passive neighbourhood and community parks and facilities with predominantly pedestrian and cyclist access. These sites may provide unstructured drop-in play and recreation opportunities, including play structures, passive parks, plazas and natural areas. Generally, there are no parking facilities associated with these uses. These parks and open spaces typically occur in a residential neighbourhood or riverbank context and are generally accessed by residential streets.

Taken together, the above zoning districts contribute to a broader mix of land uses which are important to support the development of Complete Communities. The proposed zoning districts also enable the development within the precinct to meet the residential density targets identified in the Precinct Plan.

Proposed Public Reserve

- The applicant is proposing to dedicate +/- 2.33 acres of land as a public reserve, which would be rezoned to “PR-1” Parks and Recreation (Neighbourhood) to provide green space around the retention ponds and provide space for a potential pathway.
- The Urban Planning & Design Division supports the proposed Public Reserve area and considers it compatible with the surrounding area because it would be located surrounding the retention ponds accessible with pedestrian connections.
- Conditions of approval for the proposed Public Reserve lands are detailed within the ACG report attached as Schedule B to this report.

Proposed Multi-Family Site

- The applicant proposes to establish one multi-family block which would be rezoned to “RMF-S” Residential Multi-Family (Small) and would consist of 24 rowhouse lots with front driveways accessed from a proposed new frontage road with access from Fernbank Avenue between Gull Harbour Road and Drumoak Way.
- The Urban Planning & Design Division supports the establishment of the proposed multi-family sites and considers these compatible with the surrounding area for the following reasons
    - The proposed “RMF-S” zoning and row house dwellings would provide a mix of housing types and slight variation in densities within the neighbourhood, consistent with the *Precinct “G” Secondary Plan* policies regarding Low Density Residential area.
    - Row house dwellings in this location are a modest increase in density, compatible in form with the surrounding “R1-S” Single-family (Small) and “R1-M” Single-family (Medium) zoning districts.

Proposed Single-Family Lots

- The applicant proposes to establish a total of 211 lots for single-family development.
- Of these, 156 lots would be zoned “R1-M” Residential Single-Family (medium) and accommodate construction of single-family dwellings with front driveways accessed from a proposed new local public right of way.
- 55 lots would be zoned “R1-S” Residential Single-Family (small) and accommodate construction of single-family dwellings. Of these, 31 lots would front onto Fernbank Avenue with 9 supported by a rear public lane and 22 taking access from front approaches on a frontage road. The remaining 24 lots would take access via front approaches on Waxwing Street.
- The proposed residential lots would be consistent with the applicable policies under the Precinct G Secondary Plan.



Figure 6: Proposed driveways plan for the proposed single-family lots.

Proposed Agricultural Lands

- As a result of the proposed subdivision and rezoning, a residual agricultural lot would retain the existing "A" Agricultural zoning. It is expected this residual 13.6 acres property will form part of future phase of Highland Pointe.
- The proposed agricultural land requires variances for substandard lot width and lot area which have been applied for concurrently under related file No. DAV 24-265183\D. Please refer to the related Planner's report for more information on the proposed Variance application.

REASONS FOR RECOMMENDATIONS

- The proposed development application is generally consistent with the *Complete Communities Direction Strategy 2.0* and the *Precinct 'G' Secondary Plan*. Key supporting reasons are as follows:
    - The proposal contributes positively to the emerging neighborhood character by contributing to a mix of housing types in accordance with the CCDS 2.0 policy 1.1.
    - The proposed development adheres to the density requirements of the *Precinct 'G' Precinct Plan's* applicable policies, supporting a range of housing options and promoting efficient land use.

- Conditions of approval are included in the recommended zoning agreement (as described further below in this report) to ensure development addresses pedestrian connectivity, landscaping and snow storage.

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

CONDITIONS OF APPROVAL

Zoning Agreement

- Development of buildings on the proposed "RMF-S" lot would require a Plan Approval application (approval via the Lord Selkirk-West Kildonan Community Committee).
- In order to accommodate adequate on street parking, snow storage, and permeable surfacing, while reducing potential vehicle and pedestrian conflicts, the Public Service is recommending as a condition of approval that private approaches serving all "RMF-S" zoning lots shall be adjoining and there shall be a minimum of 4.57 metres (15 feet) between the edges of driveways (or hard surfaced area), to the satisfaction of the Director of PPD.
- To ensure an appropriate transition between the front approaches and future Active Transportation Pathway on the north side of Fernbank Avenue, it is recommended that development on the proposed "R1-S" Block 1 and "RMF-S" Block 2 be subject to the provision of a minimum 1 metre separation between driveway flares and the AT pathway.

Land Dedication

- As a condition of rezoning or subdivision of a parcel of land, a developer is required to contribute a portion of the land to be developed to the City of Winnipeg for parks purposes. The amount of land is not less than 10 percent.

RECOMMENDATION

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

- The subdivision and rezoning application would comply with the *Complete Communities Direction Strategy 2.0,* and with the *Precinct 'G' Secondary Plan By-law,* subject to conditions of approval, and would be compatible with the surrounding area.

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

Report Prepared by: S. Jerez, RPP MCIP
PPD File #: DASZ 49/2024

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

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

Schedule “C” for File DASZ 49/2024

Sidewalks / Multi-Use Pathways

Schedule "D" for File DASZ 49/2024

Lord Selkirk West Kildonan Community Committee, dated February 12, 2025

By-Law No. _____

File No. **DASZ 49/2024**

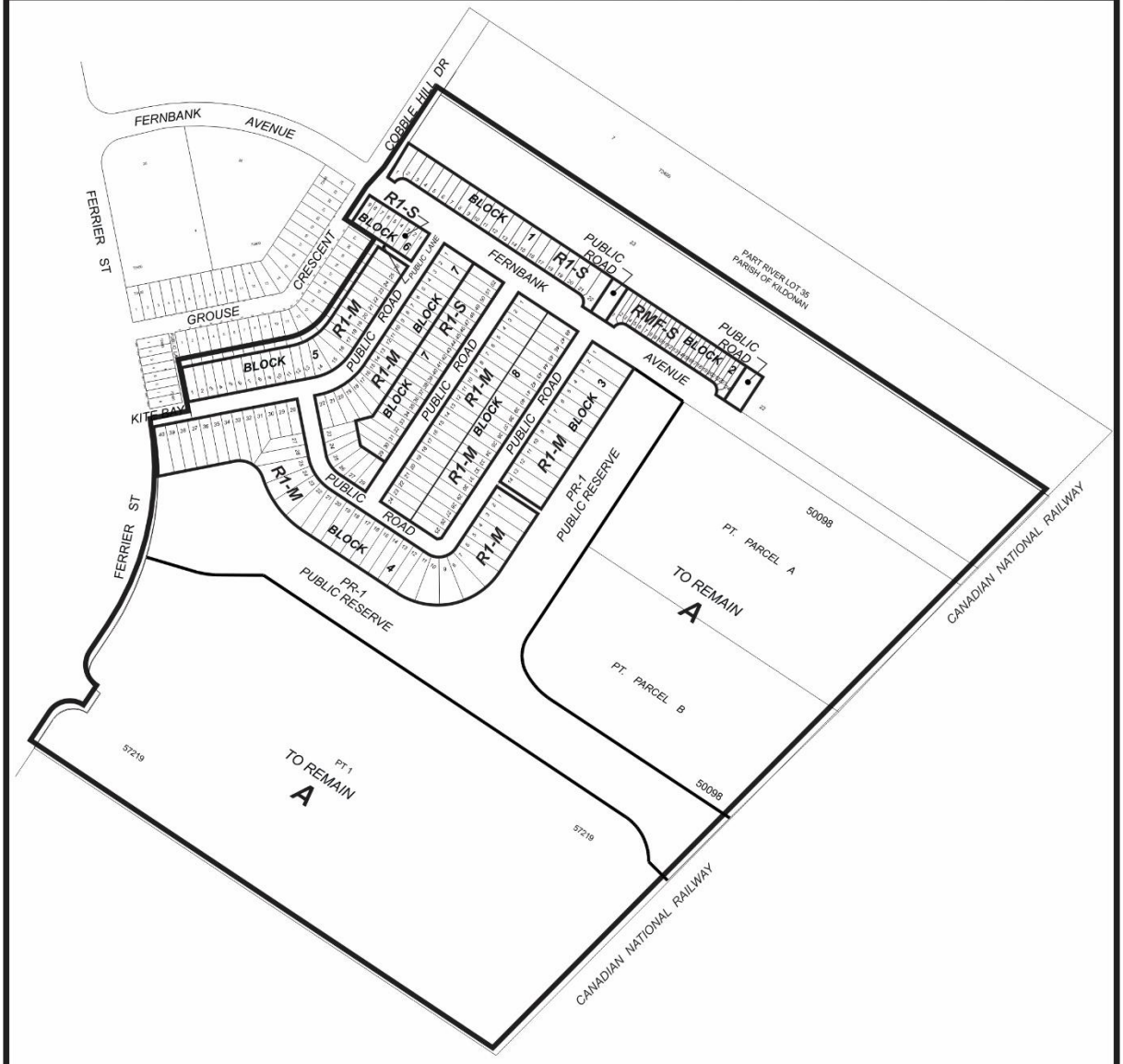
Atlas Sheet No. **R27**

N

LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located northeast of Cobble Hill Road and Fernbank Avenue and land located southeast of Fernbank Avenue and Kite Bay from an "A" AGRICULTURAL DISTRICT to an "R1-S" and an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT, an "RMF-S" RESIDENTAL MULTI-FAMILY (SMALL) DISTRICT, and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the continuation of the Highland Pointe Neighbourhood by the creation of lots and block plans, Public Reserve and public rights-of-way.

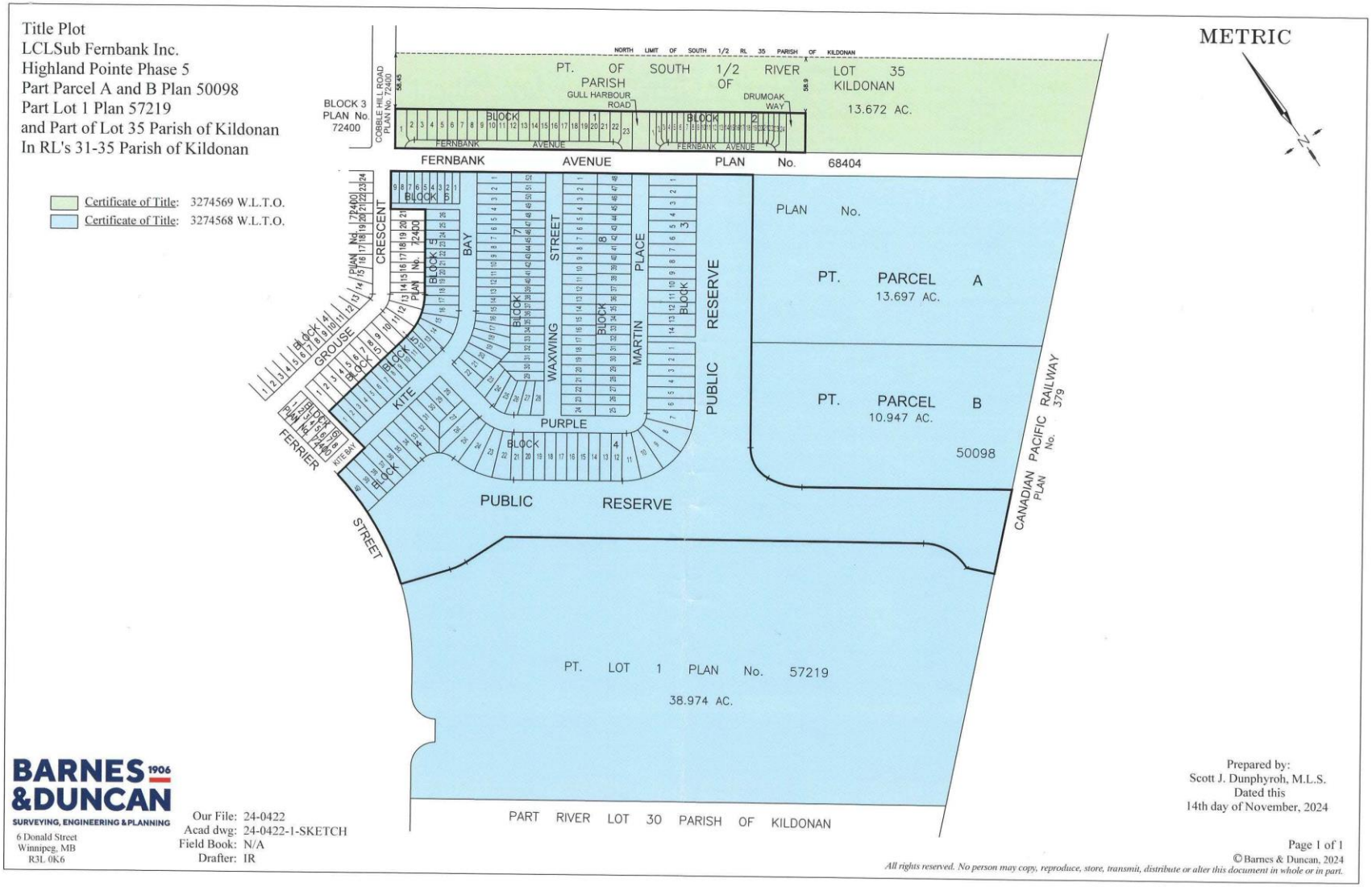


THIRD READING : _____ EFFECTIVE DATE : _____

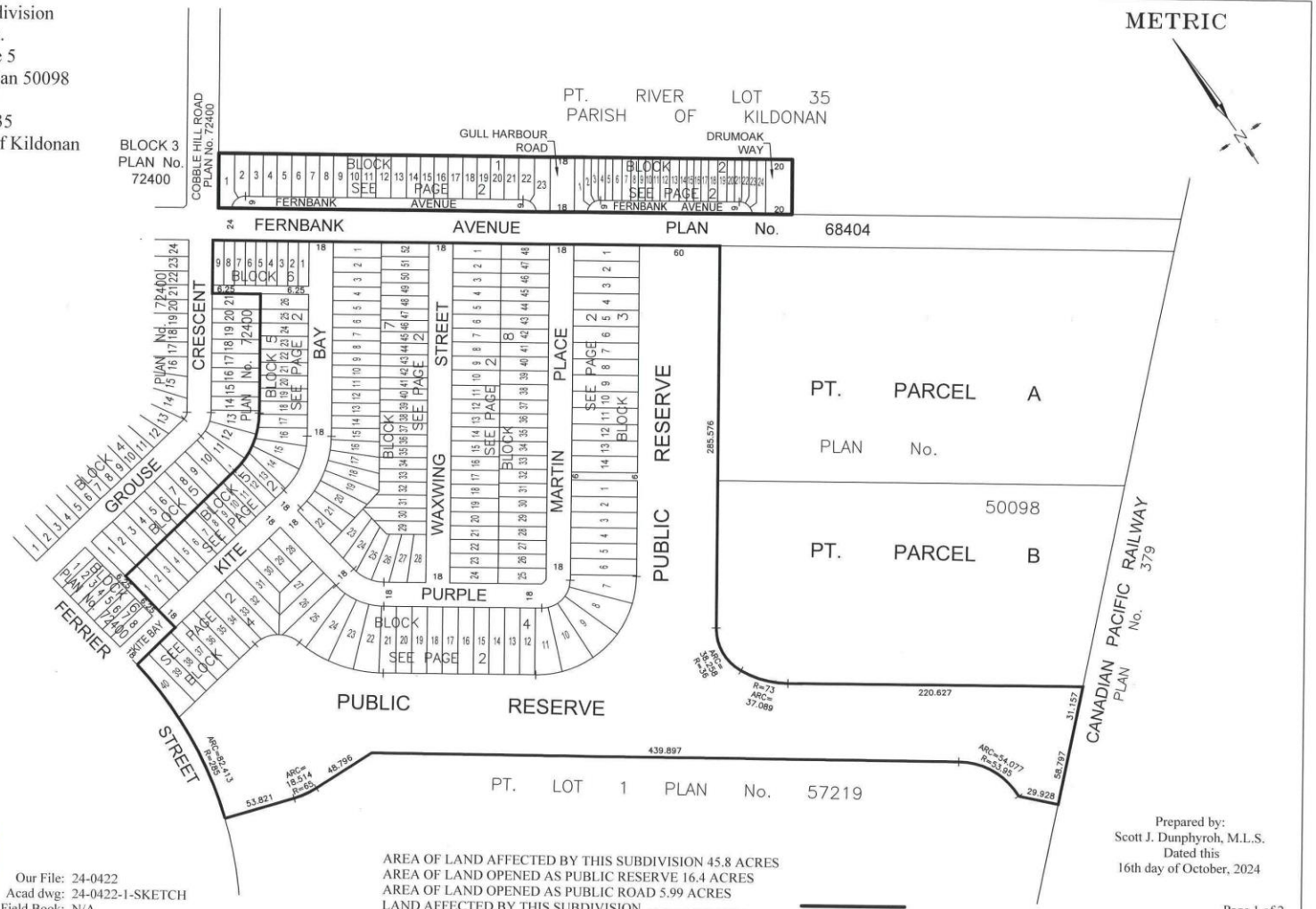
ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX A – Proposed By-law

Exhibit “8” referred to in File DASZ 49/2024



Plan of Proposed Subdivision
LCLSub Fernbank Inc.
Highland Pointe Phase 5
Part Parcel A and B Plan 50098
Part Lot 1 Plan 57219
and Part of River Lot 35
In RL's 31-35 Parish of Kildonan
City of Winnipeg



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6 Donald Street
Winnipeg, MB
R3L 0K6

180-A, 5th Street
Morden, MB
R6M 1C9

Our File: 24-0422
Acad dwg: 24-0422-1-SKETCH
Field Book: N/A
Drafter: IR

AREA OF LAND AFFECTED BY THIS SUBDIVISION 45.8 ACRES
AREA OF LAND OPENED AS PUBLIC RESERVE 16.4 ACRES
AREA OF LAND OPENED AS PUBLIC ROAD 5.99 ACRES
LAND AFFECTED BY THIS SUBDIVISION _____

Prepared by:
Scott J. Dunphyroh, M.L.S.
Dated this
16th day of October, 2024

Page 1 of 2

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Plan of Proposed Subdivision
LCLSub Fernbank Inc.
Highland Pointe Phase 5
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Part Lot 1 Plan 57219
and Part of River Lot 35
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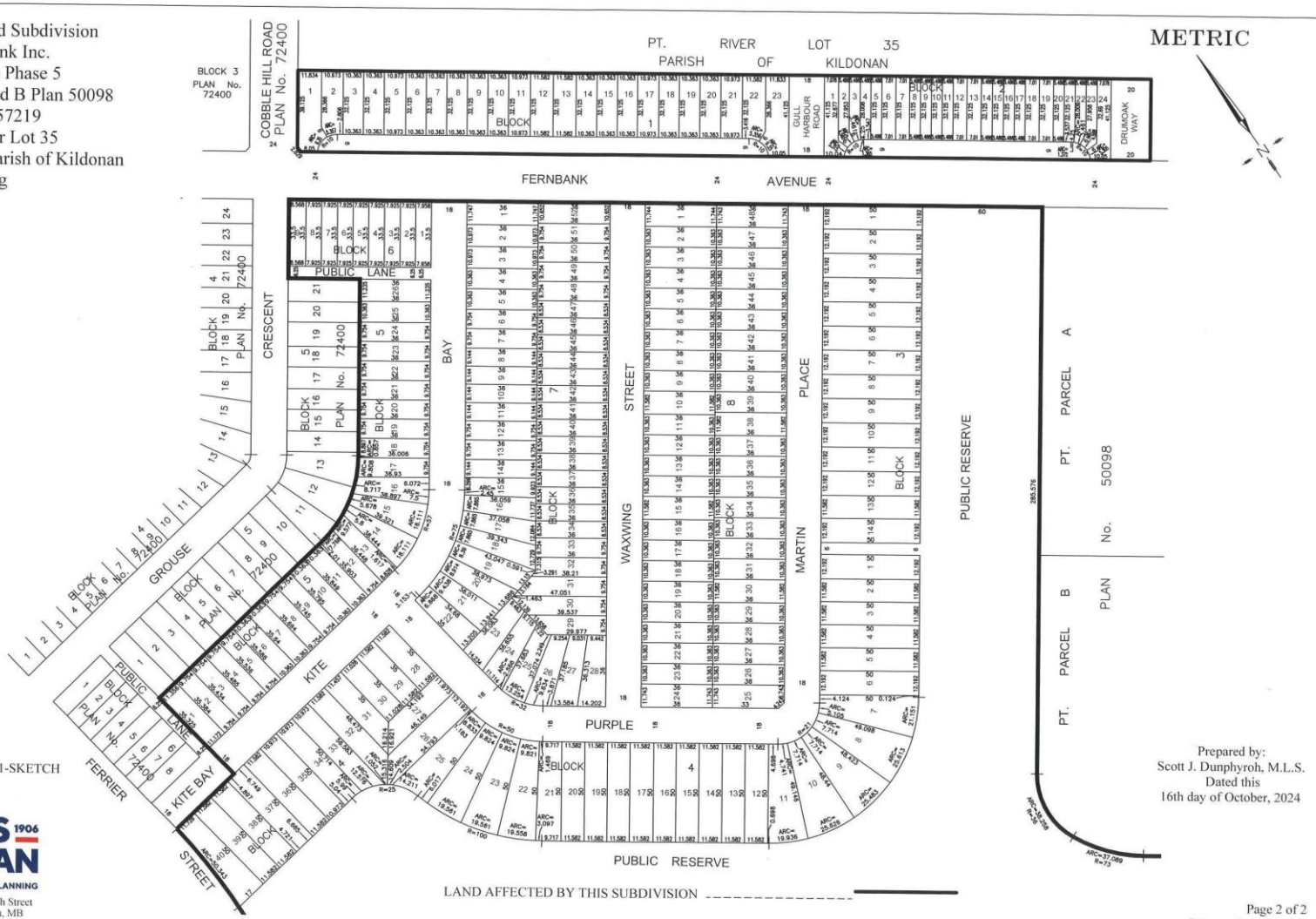

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180-A, 5th Street, Morden, MB, R6M 1C9

Prepared by:
Scott J. Dunphyroh, M.L.S.
Dated this
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LAND AFFECTED BY THIS SUBDIVISION

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Plan of Proposed Zoning
LCLSub Fernbank Inc.
Highland Pointe Phase 5
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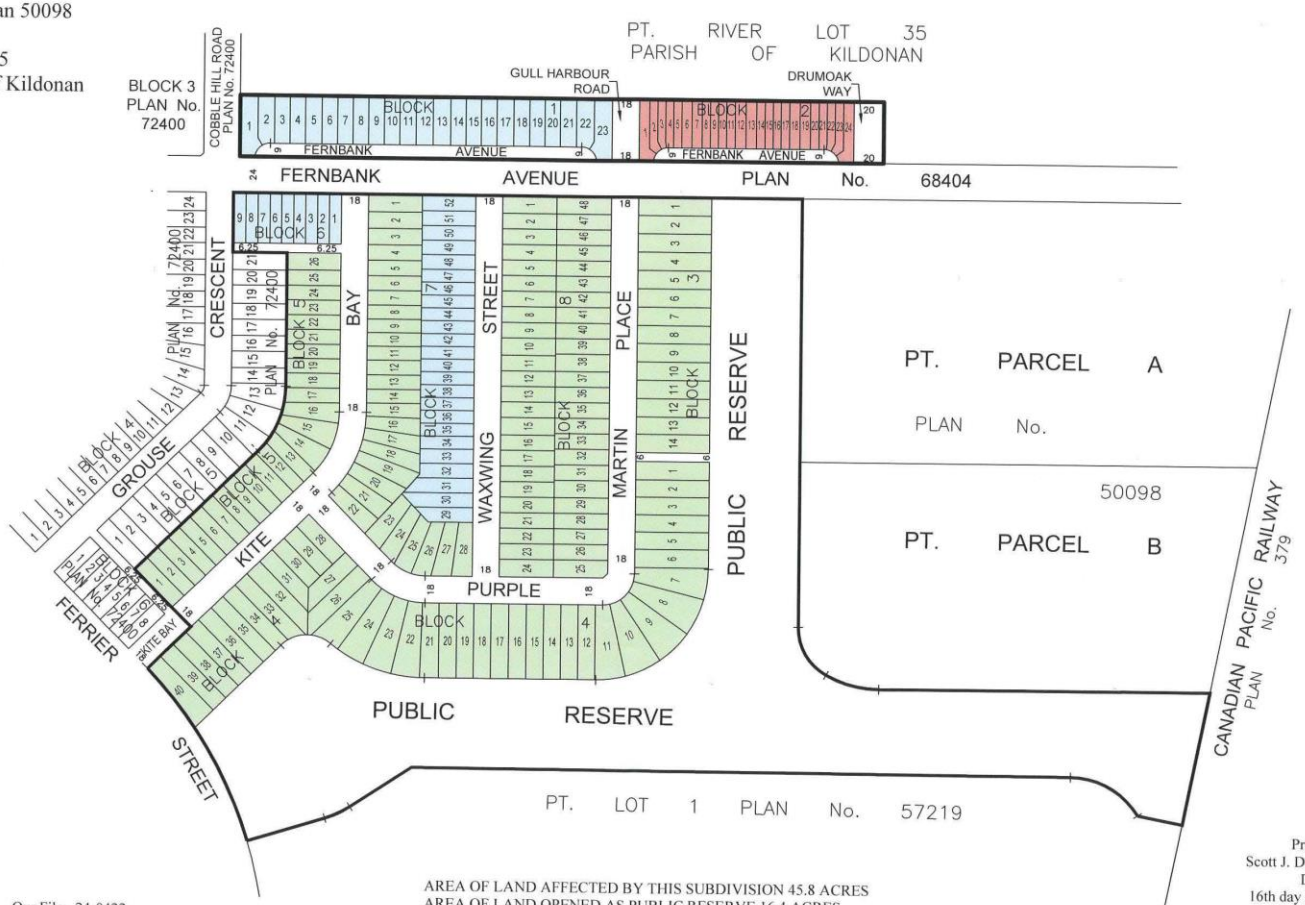
and Part of River Lot 35
In RL's 31-35 Parish of Kildonan
City of Winnipeg

- R1-S
- R1-M
- RMF-S

METRIC



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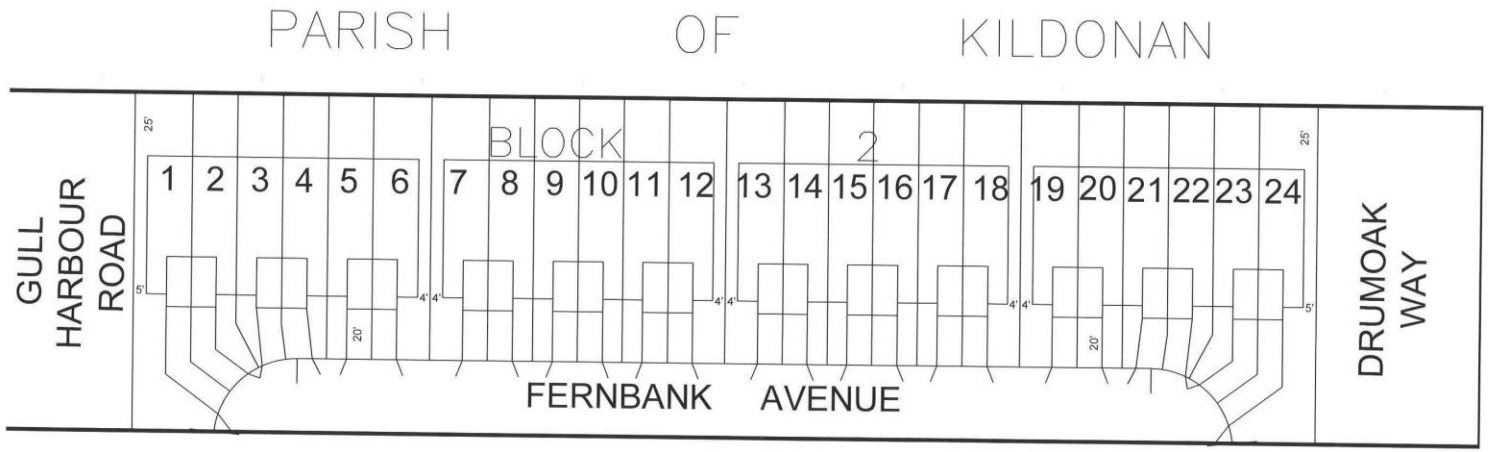
Plan showing proposed dwellings and driveways on proposed RMF-S Zoning
LCLSub Fernbank Inc.
Highland Pointe Phase 5
Part Parcel A and B Plan 50098
Part Lot 1 Plan 57219
and Part of River Lot 35
In RL's 31-35 Parish of Kildonan
City of Winnipeg

METRIC



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180-A, 5th Street, Morden, MB R6M 1C9

Our File: 24-0422
Acad dwg: 24-0422-1-SKETCH
Field Book: N/A
Drafter: IR

DIMENSIONS SHOWN ARE ZONING SETBACKS FOR RMF-S ZONING
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Prepared by:
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Dated this
17th day of September, 2024

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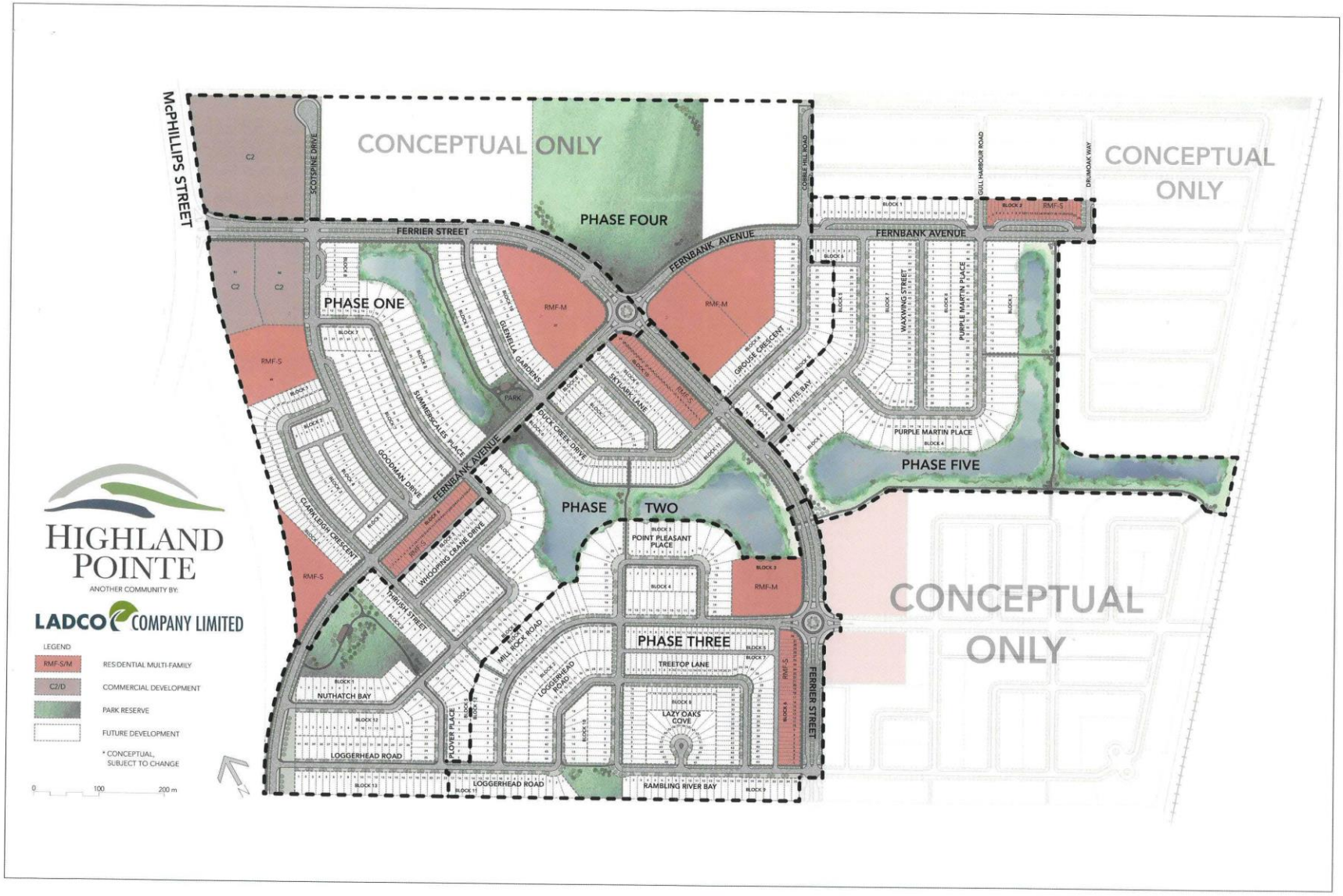
CONCEPTUAL ONLY
PHASE FOUR
PHASE ONE
PHASE TWO
PHASE THREE
PHASE FIVE
CONCEPTUAL ONLY
CONCEPTUAL ONLY
McPHILLIPS STREET
FERRIER STREET
FERNBANK AVENUE
SCOTSPINE DRIVE
COBBLE HILL ROAD
GULL HARBOUR ROAD
DRUMOAK WAY
GLENELLA GARDENS
SUMMERCALES PLACE
GOODMAN DRIVE
CLARKLEIGH CRESCENT
WHOOPING CRANE DRIVE
THRUSH STREET
BUCK CREEK DRIVE
SKYLARK LANE
GROUSE CRESCENT
KITE BAY
WAXWING STREET
PURPLE MARTIN PLACE
POINT PLEASANT PLACE
MILL ROCK ROAD
LOGGERHEAD ROAD
TREETOP LANE
LAZY OAKS COVE
NUTHATCH BAY
FLOYER PLACE
RAMBLING RIVER BAY
PARK
RMF-M
RMF-S
C2
HIGHLAND POINTE
ANOTHER COMMUNITY BY:
LADCO COMPANY LIMITED
LEGEND
RMF-S/M
RESIDENTIAL MULTI-FAMILY
C2/D
COMMERCIAL DEVELOPMENT
PARK RESERVE
FUTURE DEVELOPMENT
* CONCEPTUAL, SUBJECT TO CHANGE
0
100
200 m



ORIGINAL SHEET - ISO 11x17 - v17.05

Stantec

Stantec Consulting Ltd.
Suite 500, 311 Portage Avenue
Winnipeg MB Canada R3B 2B9
Tel. 204.489.5900 Fax. 204.453.9012
www.stantec.com

Legend

- SINGLE DRIVEWAY 4.877 m WIDE (16') - 0.75 m FLARE
- SINGLE DRIVEWAY 2.438 m WIDE (8') - 0.75 m FLARE
- POSSIBLE PARKING

Notes

Client/Project
LCLSUB FERNBANK INC.
HIGHLAND POINTE
PHASE 5

2024.10.16
116809415

Figure No.
1.0

Title
PROPOSED DRIVEWAY/PARKING LAYOUT

HIGHLAND POINTE - PHASE 5
PEDESTRIAN CONNECTIVITY PLAN

