Agenda - Council – January 26, 2011

Report - Standing Policy Committee on Property and Development – January 11, 2011

Item No. 7 Rezoning – 274-276 Des Meurons Street – DAZ 217/2010 (St. Boniface Ward)

STANDING COMMITTEE RECOMMENDATION:

On January 19, 2011, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submits the following to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 217/2010 dated October 26, 2010 to an "RMF-L" Residential Multi-Family District, subject to the following:

    A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

        i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, fencing and landscaping to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter to be maintained to the satisfaction of the Director of Planning, Property and Development.

        ii. That the building height shall not exceed 35 feet (10.67 metres).

        iii. That the maximum number of dwelling units shall not exceed 12 dwelling units;

2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

Report - Standing Policy Committee on Property and Development – January 11, 2011

3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

4. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

5. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

7. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Report - Standing Policy Committee on Property and Development – January 11, 2011

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 19, 2011, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 11, 2011, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On December 6, 2010, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments, namely:

- Amend Recommendation 1 as follows:
  1. Delete the words "Schedule "B"" in the second line thereof and replace same with the words "Schedule "A"".

  2. Delete the words "RMF-S" in the third line thereof and replace same with the words "RMF-L".

- Add the following Recommendation 1. A. iii, namely:

  "1.A.iii. That the maximum number of dwelling units shall not exceed 12",

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

On November 8, 2010, the Riel Community Committee closed representations and adjourned the public hearing to its meeting on Monday, December 6, 2010 at 5:00 p.m., in the Council Building, 510 Main Street.

RE: **Rezoning – 274 – 276 Des Meurons Street**
File DAZ 217/2010 [c/r DAV 129162/2010D]

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

Prepared by: **Marc Pittet, Senior Committee Clerk**
Riel Community Committee

Report date: **December 7, 2010**

COMMUNITY COMMITTEE RECOMMENDATION:

On December 6, 2010, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on ***Schedule "A"*** for File DAZ 217/2010 dated October 26, 2010 to an ***"RMF-L"*** Residential Multi-Family District, subject to the following:

    A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 240(1) of the City of Winnipeg Charter to provide for the following:

        i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, fencing and landscaping to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter to be maintained to the satisfaction of the Director of Planning, Property and Development.

        ii. That the building height shall not exceed 35 feet (10.67 metres).

        iii. That the maximum number of dwelling units shall not exceed 12 dwelling units;

2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an

extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

4. That the Director of Legal Services be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

5. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

7. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

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

The Riel Community Committee provided the following supporting reason for its recommendation:

1. The Riel Community Committee agreed, in part, with the administrative comments contained in the report of the Planning and Land Use Division dated October 26, 2010 and in the.

PUBLIC HEARING SUMMARY

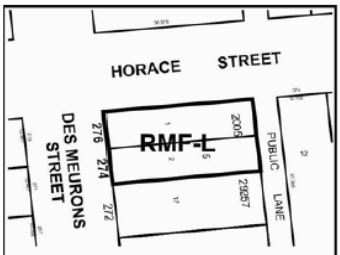
File: DAZ 217/2010 [c/r DAV 129162/2010D]

Before: Riel Community Committee
Councillor Steeves, Chairperson
Councillor Swandel
Councillor Vandal

Public Hearing: December 6, 2010
November 8, 2010
Council Chamber
Council Building, 510 Main Street

Applicant: Philip Andromidas

Subject:



APPLICANT: PHILIP ANDROMIDAS
FILE: DAZ 217/10
PROPOSAL: To rezone the land shown outlined above from an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY DISTRICT in order to facilitate the construction of an addition to an existing multi-family dwelling to add an additional 8 units for a total of 12 units. **For information, phone Mr. R. Kostiuk, Planner, at 986-7367.**
DEMANDEUR : PHILIP ANDROMIDAS
N° DE RÉFÉRENCE : DAZ 217/10
PROJET : Changer le zonage des sols délinéés ci-dessus afin de les faire passer de la catégorie R2 (secteur d'habitations bifamiliales) à la catégorie RMF-L (secteur de grandes habitations multifamiliales) et permettre la construction d'un rajout à une habitation multifamiliale comportant 8 unités supplémentaires, ce qui donnera un total de 12 unités. **Pour plus de renseignements, veuillez communiquer avec M. R. Kostiuk, urbaniste, au 986-7367.**

Premises Affected: 274 – 276 Des Meurons Street

Exhibits Filed:

1. Application dated August 9, 2010
2. Notification of Public Hearing dated August 11, 2010
3. Manitoba Status of Title 2040884
4. Letter of authorization dated May 26, 2010 from Philip Andromidas, Jim and Peter Andromidas to each other
5. Surveyor's Building Location Certificate and sketch undated
6. Communication dated May 3, 2010 and Petition in support of the application purporting to contain the signatures of eight (8) area residents, submitted by Philip Andromidas
7. Plans (4 pages)
8. Report from the Planning and Land Use Division dated October 26, 2010
9. Inspection Report
10. Audio Recording of representations of public hearing held on November 8, 2010
11. Notice of Adjournment dated November 9, 2010

REPRESENTATIONS:

In Support:

Philip Andromidas

In Opposition

Nil

For the City:

Ms. S. Matille, Land Development Engineer, Planning, Property and Development Department
Mr. J. Wintrup, Senior Planner, Planning, Property and Development Department
Mr. R. Kostiuk, Planner, Planning, Property and Development Department

Exhibit "8" referred to in File DAZ 217/2010 [c/r DAV 129162/2010D]

ADMINISTRATIVE REPORT

Title: DAZ 217/2010 – 274 Des Meurons Public Hearing

Issue: For consideration at the Public Hearing for the rezoning of 274 Des Meurons from R2 to RMF-S to allow for the development of six (6) multi-family housing units on the site.

Critical Path: Riel Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	N/A	N/A	

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "B" for File DAZ 217/2010 dated October 26, 2010 to an "RMF-S" Residential Multi-Family District, subject to the following:

    A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 240(1) of the City of Winnipeg Charter to provide for the following:

        i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, fencing and landscaping to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter to be maintained to the satisfaction of the Director of Planning, Property and Development.

        ii. That the building height shall not exceed 35 feet (10.67 metres).

2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

4. That the Director of Legal Services be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

5. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

7. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

REASON FOR THE REPORT

- The applicant is proposing to develop a two-storey addition to the existing fourplex that would include eight (8) units, for a total of twelve (12) units on the site.
- This development requires rezoning the land from R2 to RMF-L, which was the advertised posting for this property.
- The subject property currently has a two-storey apartment block with a total of four (4) units (fourplex).
- Several variances are required to permit the proposed development.
- The Planning and Land Use Division recommends supporting the rezoning of the subject property to RMF-S instead of RMF-L because:
    - Although the City of Winnipeg is generally supportive of moderate increases in density on corner lots, it could be viewed that the four (4) existing dwelling units on the site is already a moderate increase in density in what is generally a lower-density neighbourhood.
    - Rezoning to RMF-S will allow for the development of two (2) more units on the site, or a 50% increase in the number of units, versus the 200% increase in units originally proposed.
    - The recommended moderate intensification will allow for a more effective site design that can accommodate appropriate parking and landscaping.
    - The RMF-S zone is more in line with the characteristics of the neighbourhood especially with regard to height restrictions. Whereas the maximum allowable height under the RMF-L zone is 150 feet, the maximum permitted height in the

RMF-S zone is 35 feet, which is the same allowable height for the surrounding developments that are predominantly zoned R2.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Planning and Land Use Division are concurred in, the land will be rezoned to RMF-S, which will permit a total of six (6) dwelling units on the land (4 existing units plus 2 new units).

HISTORY

N/A

CONSULTATION

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by:	Robert Kostiuk
Date:	October 26, 2010
File No.	DAZ 217/10

List of Schedules and Attachments

1. Appendix A – Planning Discussion
2. Schedule “A” Advertised Rezoning for File No. DAZ 217/10
3. Schedule “B” Recommended File No. DAZ 217/10, Riel Community Committee, dated October 26, 2010

APPENDIX 'A'

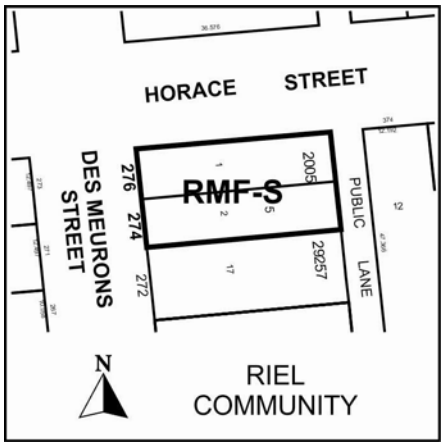
DATE: October 26, 2010
FILE: DAZ 217/10
RELATED FILES: DAV 10-129162/D (c/r),

COMMUNITY: Riel Community
NEIGHBOURHOOD #: 5.513

SUBJECT: To rezone the subject property from an "R2" Residential Two-Family District to an "RMF-S" Residential Multi-Family Large District to allow for the development of a multi-family building with a total of six (6) units.

LOCATION: 274 Des Meurons Street

LEGAL DESCRIPTION: LOT 1/2 BLOCK 5 PLAN 2005 80 ST B



APPLICANT: Philip Andromidas
382 Marion St.
Winnipeg MB R2H 0V5

OWNER: Philip, Jim, and Peter Andromidas
382 Marion St.
Winnipeg MB R2H 0V5

RECOMMENDATION: Approval to RMF-S with conditions

REPORT SUMMARY

- The applicant is proposing to develop a two-storey addition to the existing fourplex that would include eight (8) units, for a total of twelve (12) units on the site.
- This development requires rezoning the land from R2 to RMF-L, which was the advertised posting for this property.
- The subject property currently has a two-storey apartment block with a total of four (4) units (fourplex).
- Several variances are required to permit the proposed development.
- The Planning and Land Use Division recommends **supporting the rezoning of the subject property to RMF-S instead of RMF-L** because:
    - Although the City of Winnipeg is generally supportive of moderate increases in density on corner lots, it could be viewed that the four (4) existing dwelling units on the site is already a moderate increase in density in what is generally a lower-density neighbourhood.
    - Rezoning to RMF-S will allow for the development of two (2) more units on the site, or a 50% increase in the number of units, versus the 200% increase in units originally proposed.
    - The recommended moderate intensification will allow for a more effective site design that can accommodate appropriate parking and landscaping.
    - The RMF-S zone is more in line with the characteristics of the neighbourhood especially with regard to height restrictions. Whereas the maximum allowable height under the RMF-L zone is 150 feet, the maximum permitted height in the RMF-S zone is 35 feet, which is the same allowable height for the surrounding developments that are predominantly zoned R2.

SITE DESCRIPTION

- The subject property is located on the southeast corner of the Horace Street and Des Meurons Street intersection in the Norwood East neighbourhood of the St. Boniface Ward.
- The property is approximately **7,297 square feet in area**.
- The subject property currently has a two-storey apartment block with a total of four (4) units (fourplex). The fourplex is located near the front (west) and north side yard property lines and has a white stucco exterior. Parking is located behind the building.
- The fourplex is an existing non-conforming structure as this building does not conform to the yard requirements of the R2 zone. The building could also be viewed as a non-conforming use because the building has four (4) dwelling units (multi-family dwelling) as opposed to the permitted maximum of two (2) dwelling units or a two-family dwelling. However, multi-family uses are conditional uses in the R2 zone.
- In total, the fourplex has 2,500 square feet of floor area.

- The site is within the Neighbourhood Policy area of Plan Winnipeg and is zoned “R2” Residential Two-Family.

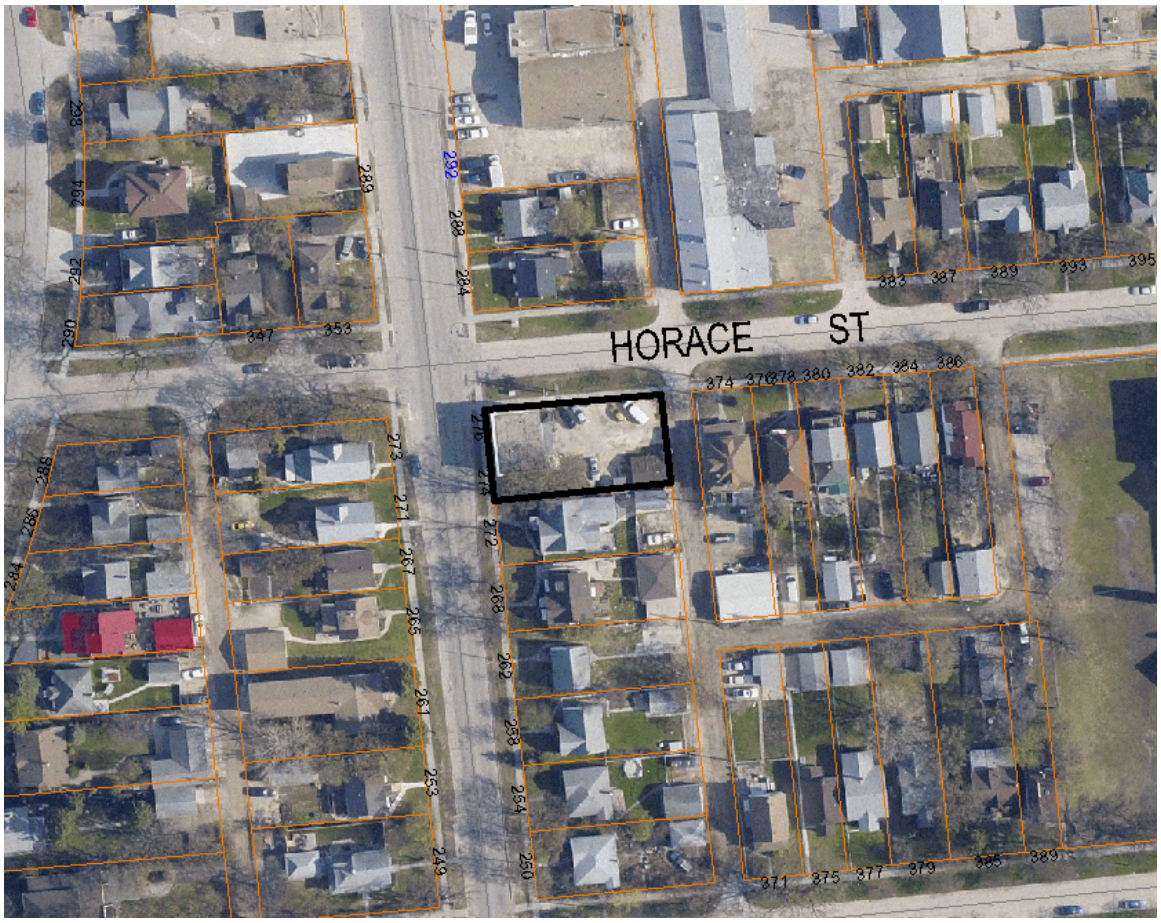


Figure 1: Aerial photograph showing approximate area of subject property (flown 2009)

SURROUNDING LAND USES & ZONING (See Figure 2)

North: A one storey detached single-family home zoned “R2” Residential Two-Family.

South: A one-and-a-half storey detached single-family home zoned “R2” Residential Two-Family.

East: A two-and-a-half storey detached single-family home zoned “R2” Residential Two-Family.

West: A one-and-a-half storey detached single-family home zoned “R2” Residential Two-Family.



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to develop a two-storey addition to the existing fourplex that would include eight (8) units, for a total of twelve (12) units on the site.
- The addition would be located behind (east) of the existing fourplex and would have a total floor area of approximately 6,014 square feet (3,007 square feet per floor).
- The proposed units would all be one bedroom apartments that would range between 440 square feet to 526 square feet.
- A total of six (6) parking stalls are proposed behind the addition at the eastern extent of the site. Access to the stalls is directly from the back lane. Variances are required for the number of parking stalls provided on site, insufficient landscaping, and for parking directly off of a lane instead of an aisle or driveway.
- Several other variances are required for:
    - The maintenance of the existing building on the site as it does not conform to the Zoning By-Law set-back requirements;
    - The lot area for the RMF-L zone; and,
    - The side yard setback requirements for the addition.

ANALYSIS AND ISSUES

PLAN WINNIPEG

- The proposed development is within the Neighbourhood Policy Area of *Plan Winnipeg 2020*. The key policy that applies to this application is:

  3B-01 The City shall promote vibrant neighbourhoods by encouraging and accommodating within new and existing developments a variety of compatible mixed uses in including:

  iii) high-intensity residential development and ancillary uses on sites adjacent to major traffic or transit corridors.

ZONING

"R2" Residential Two-Family

- The R2 district is intended to accommodate the development of single and two-family units and where appropriate limited multi-family units in lower density neighbourhoods. There is a front yard requirement of 20 feet and the maximum building height is 35 feet. The minimum lot width is 25 feet and the minimum lot area requirement is 5,000 square feet (2,500 per dwelling unit for a two-family dwelling). Multi-family dwellings are Conditional Uses in the R2 zone. The minimum lot area per dwelling unit is 800 square feet for multi-family dwellings in the R2 zone. This requirement would allow for a maximum of nine (9) dwelling units on the subject property if such a Conditional Use application was approved.

"RMF-S" Residential Multi-Family Small

- The RMF-S zone is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities. The dimensional standards for multi-family structures in the RMF-S zone are: a minimum front yard of 20 feet; a minimum rear yard of 25 feet; a minimum side yard of 4 feet and, a maximum building height of 35 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 1,250 square feet. This requirement would allow for a maximum of six (6) dwelling units on the subject property.

"RMF-L" Residential Multi-Family Large

- The RMF-L zone is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities. There is a front and rear yard requirement of 25 feet and the maximum building height is 150 feet. The minimum lot width is 25 feet and the minimum lot area is 20,000 square feet. The minimum required side yard is 8 feet; however, for buildings greater than one storey in height, the required interior side yard increases by 2 feet for each storey above the ground floor to a maximum of 20 feet. The minimum lot area per dwelling unit is 400 square feet. This requirement would allow for a maximum of eighteen (18) dwelling units on the subject property.

Urban Infill Area

- The subject property is located within an urban infill area under the Zoning By-Law, which among other things, reduces the parking requirements for development by 20%.

LAND USE BY-LAW

Rezoning

- The applicant would like to expand the existing non-conforming structure that contains four (4) dwelling units by developing an addition to this structure, which would accommodate eight (8) new dwelling units for a total of twelve (12) dwelling units on the land.
- The applicant is proposing to develop a total of twelve (12) dwelling units on the land, which equates to a minimum lot area per dwelling unit of 608 square feet. In order to meet this density under the Zoning By-Law, the applicant needs to apply to rezone the subject property to RMF-L, which permits a minimum lot area per dwelling unit of 400 square feet.

Variances

- The variances required for this property are explained in the associated variance file DAV 10-129162/D.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The existing building on the site does not align with the majority of buildings along Des Meurons within the block where this building is situated, which is between Horace and Eugenie Street. Whereas most front yards range from approximately 15 feet to 30 feet, the existing building on the site has a front yard of 3 feet.
- By comparison, the existing building's footprint essentially takes-up the entire space that would otherwise be the front yard setback for residences along the east side of Des Meurons Street between Eugenie and Horace Streets.
- The height of the development is generally consistent with the height of most other buildings within the block.
- The proposed development is located on a higher-capacity street for the area. However, this street (Des Meurons Street) is not a major arterial or traffic corridor and is predominantly characterized by lower-density residential uses that front onto the street.
- The applicant requires the highest intensity multi-family zoning category (RMF-L) in the City of Winnipeg Zoning By-Law to accommodate the number of units proposed. Plan Winnipeg encourages high-intensity residential development and ancillary uses on sites adjacent to major traffic or transit corridors; Des Meurons Street is not a major traffic or transit corridor.
- Although the City of Winnipeg is generally supportive of moderate increases in density on corner lots, it could be viewed that the four (4) existing dwelling units on the site is already a moderate increase in density for this site in what is generally a lower-density neighbourhood.
- The Planning and Land Use Division met with the applicant several times prior to the application. The Division suggested that a modest increase, such as two (2) or potentially even four (4) additional units could be supportable depending on the final site/building design. The Division told the applicant that he could apply for a Conditional

Use for this type of multi-family development, which would cost less and take less time to process.

- Instead, the applicant is proposing a 200% increase in dwelling units on the site without redeveloping the site in a manner that would complement the neighbourhood (see the Site Design Section below).
- Given the size of the site and the lower-density context of the neighbourhood, the Planning and Land Use Division is supportive of moderate increase in development intensity on the site and is prepared to support rezoning the property to RMF-S.
- The RMF-S zone will allow the applicant to develop six (6) dwelling units on the site.
- The RMF-S zone is also more in line with the characteristics of the neighbourhood especially with regard to height restrictions. Whereas the maximum allowable height under the RMF-L zone is 150 feet, the maximum permitted height in the RMF-S zone is 35 feet, which is the same allowable height for the surrounding developments that are predominantly zoned R2.

SITE DESIGN

- The Planning and Land Use Division has concerns regarding the proposed site and building design, including:
    - The site plan leaves little to no room for landscaping/buffering between the site and surrounding uses;
    - The level of expansion leaves minimal room to accommodate on-site parking; and,
    - The proposed addition is relatively not compatible with the existing building in that remnant parts of the addition do not align with the existing building.
- To support the requested rezoning of the proposed intensity, the Planning and Land Use Division would expect to see a complete reconfiguration of the site and a high quality development that would complement the neighbourhood.
- As proposed, the applicant is essentially over-developing the site.
- The site plans submitted for this application did not meet the expectations of the Planning and Land Use Division. Further, the site plans may change if the Community Committee supports the Planning and Land Use Division's recommendation of rezoning the land to RMF-S. As a result, the Planning and Land Use Division recommends plan approval for this application.

TRANSIT ACCESSIBILTY

- The site is located within 100 metres of bus stops for the 10 St. Boniface-Wolseley.
- The site is also located within 100 metres of a bus stop for the 19 Marion-Logan-Notre Dame and the 57 Southdale Express.

PARKING

- The applicant explains that he owns the property across the street at 376 Marion Street and could accommodate any parking shortfalls for the subject property at 376 Marion.

CONSULTATION

- The applicant has provided signatures in support of the development from the owners of the following properties:
    - 374 Horace Street
    - 376 Horace Street
    - 378 Horace Street
    - 380 Horace Street
    - 382 Horace Street
    - 386 Horace Street
    - 272 Des Meurons Street
    - 366 Marion Street

ALTERNATIVE APPLICATION OPTION

- If the Committee agrees with the recommendations of Planning and Land Use Division, the applicant could choose to withdraw the rezoning application and proceed with a Conditional Use application for a multi-family use in the R2 zone. The Conditional Use application would take less time to process than the remainder of the rezoning, which would include a zoning agreement.
- If the applicant chooses to proceed with a Conditional Use application, the Planning and Land Use Division should recommend that plan approval be reviewed by the Riel Community Committee for the subject property.

REZONING

- The City of Winnipeg can recommend changes to a rezoning or variance as long as the changes result in a decrease to the intensity of the land use or variance than what was originally advertised.
- The City of Winnipeg can not recommend designating land at a higher intensity zoning (up-zone) that allows for greater development rights than what was advertised.
- The Planning and Land Use Division is recommending down-zoning the land from RMF-L (which was the advertised application) to RMF-S.

LAND DEDICATION

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.

- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.
- The amount of land is not less than 10%.
- The developer is to provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.
- The City is requesting cash in lieu for this application.

RECOMMENDATION

The Planning and Land Use Division recommends **approval to RMF-S** for the following reasons:

- Although the City of Winnipeg is generally supportive of moderate increases in density on corner lots, it could be viewed that the four (4) existing dwelling units on the site is already a moderate increase in density in what is generally a lower-density neighbourhood.
- Rezoning to RMF-S will allow for the development of two (2) more units on the site, or a 50% increase in the number of units, versus the 200% increase in units originally proposed.
- The recommended moderate intensification will allow for a more effective site design that can accommodate appropriate parking and landscaping.
- The RMF-S zone is more in line with the characteristics of the neighbourhood especially with regard to height restrictions. Whereas the maximum allowable height under the RMF-L zone is 150 feet, the maximum permitted height in the RMF-S zone is 35 feet, which is the same allowable height for the surrounding developments that are predominantly zoned R2.

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

Report Prepared by: Robert Kostiuk
PPD File # DAZ 217/10

Schedule "A" Advertised Rezoning for File DAZ 217/2010 dated October 26, 2010

By-Law No. _____

File No. **DAZ 217/10**

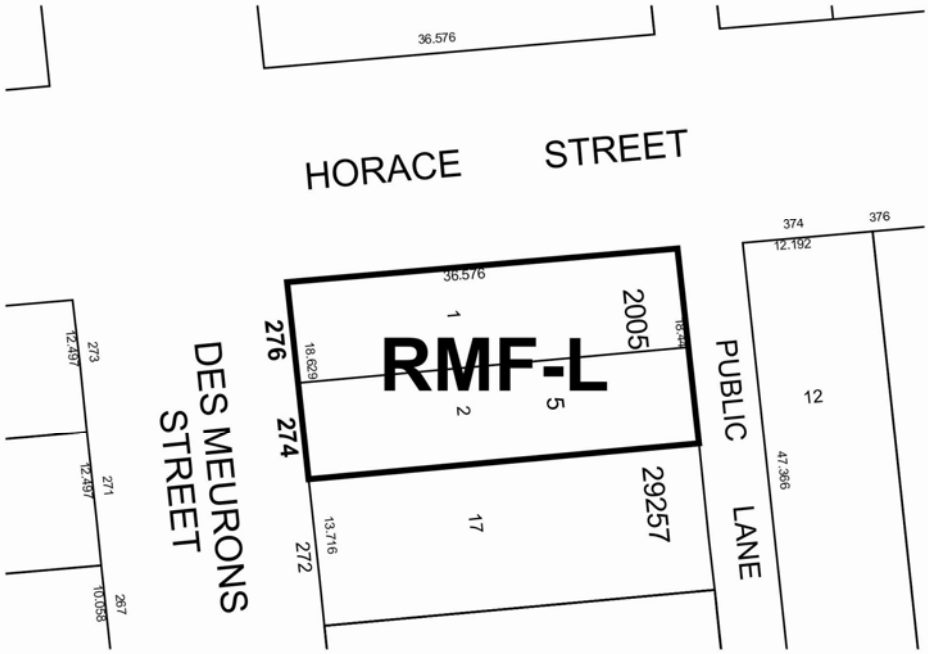
Atlas Sheet No.

N

AB27
RIEL
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 274-276 Des Meurons Avenue from an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY DISTRICT in order to facilitate the construction of an addition to an existing multi-family dwelling to add an additional 8 units for a total of 12 units as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule "B" for File No. DAZ 217/2010, Riel Community Committee, dated October 26, 2010.

By-Law No. _____

File No. **DAZ 217/10**

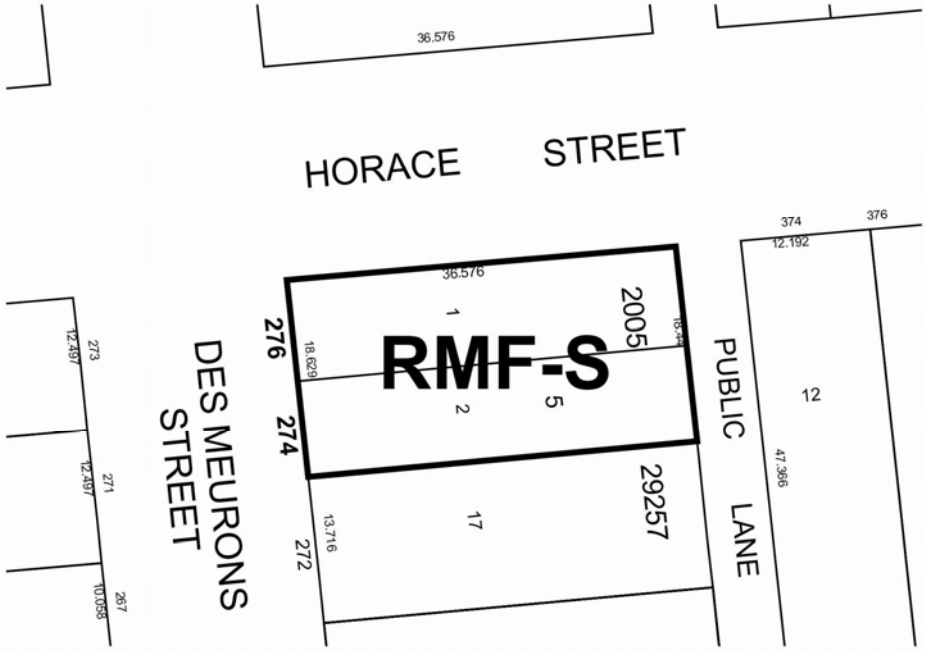
Atlas Sheet No.

N

AB27
RIEL
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 274-276 Des Meurons Avenue from an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY DISTRICT in order to facilitate the construction of an addition to an existing multi-family dwelling as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____