Minute No. 147
Report - Standing Policy Committee on Property and Development - January 6, 2003

Item No. 16 Proposed Plan of Subdivision - 1776 Grant Avenue
File DASZ 26/2002

COUNCIL DECISION:

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

1. That the plan of subdivision proposed under File DASZ 26/2002 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 26/2002, dated November 20, 2002, for registration in the Winnipeg Land Titles Office.

2. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the lands shown on Schedule "A" for File DASZ 26/2002 dated November 20, 2002, to an "RM-L" Multiple-Family Residential District and an "RM-2" Multiple-Family Residential District subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to apply to proposed Lots 1 and 2, to include the following conditions:

   A. That the buildings be limited to one (1) storey on Lot 1 and three (3) storeys on Lot 2.

   B. That the number of units on the site be limited to fifteen (15) on Lot 1 and forty-eight (48) on Lot 2.

   C. That the parking be provided at a ratio of four (4) stalls per unit on Lot 1 and one and one-half (1.5) stalls per unit on Lot 2 including twenty-four (24) visitor stalls.

   D. That prior to the issuance of a development permit, plans showing the site layout, access, parking, fencing, landscaping, garbage enclosures, site lighting, signage and building elevations and materials be submitted for the approval of the City Centre Community Committee.

3. 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 creation of an additional building site (proposed Lot 1) and the increase in value for proposed Lots 1 and 2.

4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

Report - Standing Policy Committee on Property and Development - January 6, 2003

COUNCIL DECISION (continued):

5. 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 Council extends that time.

6. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Subdivision Agreement and Servicing Agreement, if required.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office against those lands provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

9. That the Plan of Subdivision be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

10. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

11. That the Proper Officers of the City be authorized to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act,

Report - Standing Policy Committee on Property and Development - January 6, 2003

DECISION MAKING HISTORY:

Moved by Councillor Vandal,
Adoption of the Standing Policy Committee on Property and Development recommendation.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 22, 2003, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 6, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee, and submitted its recommendation to Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On December 10, 2002, the City Centre Community Committee concurred in the administrative recommendation, and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Proposed Plan of Subdivision - 1776 Grant Avenue**
File DASZ 26/2002

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

Prepared By: Carol Freeman, Clerk, City Centre Community Committee

Report date: **January 2, 2003**

COMMUNITY COMMITTEE RECOMMENDATION:

The City Centre Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File No. DASZ 26/2002 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 26/2002, dated November 20, 2002, for registration in the Winnipeg Land Titles Office.

2. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the lands shown on Schedule "A" for File DASZ 26/2002 dated November 20, 2002, to an "RM-L" Multiple-Family Residential District and an "RM-2" Multiple-Family Residential District subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to apply to proposed Lots 1 and 2, to include the following conditions**:**

    A. That the buildings be limited to one (1) storey on Lot 1 and three (3) storeys on Lot 2.

    B. That the number of units on the site be limited to fifteen (15) on Lot 1 and forty-eight (48) on Lot 2.

    C. That the parking be provided at a ratio of four (4) stalls per unit on Lot 1 and one and one-half (1.5) stalls per unit on Lot 2 including twenty-four (24) visitor stalls.

    D. That, prior to the issuance of a development permit, plans showing the site layout, access, parking, fencing, landscaping, garbage enclosures, site lighting, signage and building elevations and materials be submitted for the approval of the City Centre Community Committee.

3. That a ten (10%) percent 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 creation of an additional building site (proposed Lot 1) and the increase in value for proposed Lots 1 and 2.

4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

5. 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 Council extends that time.

6. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Subdivision Agreement and Servicing Agreement, if required.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office against those lands provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council**.**

9. That the Plan of Subdivision be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

10. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

11. That the Proper Officers of the City be authorized to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act,

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

1. The number of residential units has been reduced from 83 to 63 and the commercial component has been eliminated. The southerly lot will be developed with 15 single-storey bungalow condominiums in response to neighbourhood concerns over development scale while the 3-storey apartment building to be constructed on the northerly lot will be oriented towards Grant Avenue, consistent with apartment development along regional streets elsewhere in Winnipeg.

2. The proposed development will split the traffic between Lanark Street and Grant Avenue. The bulk of the traffic from the development, generated by the apartment building, will access directly onto Grant Avenue while the bungalow condominiums will access Lanark Street, generating roughly the same amount of traffic as the existing residential bays on the west side of Lanark Street south of the site. The Planning, Property and Development Department is of the opinion that the street system can accommodate traffic from the proposed development without creating a safety issue that is abnormal given the urban context.

3. The bungalow condominiums to be constructed on Lot 1 are only required, under the Zoning By-law, to provide parking at the rate of one (1) stall per unit or fifteen (15) total stalls, but will provide parking at the rate of over four (4) stalls per unit garage and surface or sixty-four (64) total stalls. The apartment condominiums to be constructed on Lot 2 are required to provide one and one-half (1.5) stalls per unit, or seventy-two (72) stalls with seven (7) stalls designated for visitors. The apartment will provide parking for seventy-six (76) vehicles including twenty-four (24) visitor stalls. On-site parking for the development is sufficient, exceeds the by-law parking requirement and will minimize any spill over onto Lanark Street.

4. The project is being developed at a residential density that is on the low end of the scale for multiple-family developments inasmuch as the bungalow condominium portion amounts to roughly seven (7) units per acre, or over six thousand (6,000) square feet of lot area per unit. This is equivalent to the gross density of "R1-6" single-family housing. The apartment component is being developed at a density of about twenty-two (22) units per acre, whereas the "RM-2" zoning category permits a maximum density of thirty-eight (38) units per acre. The density of the development is moderate for an infill project and is respectful of the surrounding single-family neighbourhood.

5. The one-storey condominiums will be similar to much of the single-family housing in the area, while the yards and building separations also meet the neighbourhood standard. The apartment building height of three (3) storeys is not excessive for infill projects and will not overwhelm or overshadow the adjacent single-family housing. The building height of thirty-five (35) feet, measured halfway up the roof pitch, exceeds the height limit in the surrounding "R1-4" single-family residential district by only five (5) feet and

increases the amount of land available for yards and landscaped areas. While the building height could be lowered to thirty (30) feet if designed with a flat roof, the pitch roof is more in keeping with the architectural character of the neighbourhood and from an urban design context, the proposed development will compliment the neighbourhood.

6. The site landscaping, exterior building details and materials proposed for the development are of a high quality and will contribute to the appearance of the neighbourhood. The project will increase property values in the area by, at the very least, eliminating the unsightly school building and the uncertainty over the future of the site.

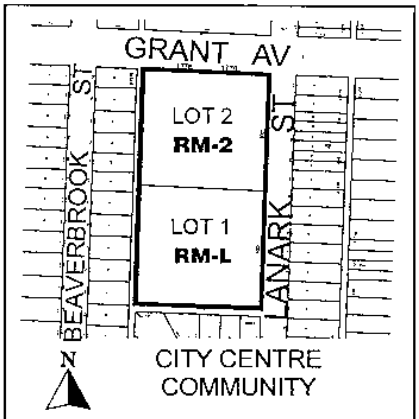
7. Prospective purchasers will not be willing to spend in the range of $150,000.00 to $180,000.00 - $200,000.00 on a condominium and allow it to fall into a state of disrepair.

8. The proposed purchase price for the condominiums/bungalows are more expensive than the existing housing.

REPORT SUMMARY

Public Hearing:	December 10, 2002 Community Committee Chamber, 300 Assiniboine Avenue
Before:	City Centre Community Committee Councillor Gerbasi, Chairperson Councillor Smith Councillor Steek
Applicant:	D. H. Akman 2B-346 Broadway Winnipeg, MB R3C 0T2

Subject:



APPLICANT : D. H. AKMAN
FILE : DASZ 26/02
PROPOSAL : An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 6400/94 by rezoning the land shown outlined above from an "R1-4" SINGLE-FAMILY DISTRICT to an "RM-L" MULTIPLE-FAMILY DISTRICT and an "RM-2" MULTIPLE-FAMILY DISTRICT to allow for the creation of sites for multiple family development. **For information, phone Mr. R. Mitchell, Planner at 986-5017.**

Premises Affected: 1776 Grant Avenue

Exhibits Filed:

1. Application dated November 5, 2002
2. Notification of Public Hearing to Applicant dated November 18, 2002
3. Manitoba Status of Title 1586734
4. Surveyor's Building Location Certificate and Sketch dated November 30, 1999 (2 pages)
5. Letter of authorization from M.J. Fages, President, 3549179 Manitoba Limited to Mr. D.H. Akman dated July 22, 2002
6. Extract from Atlas Sheet AE20
7. Site Layout Plan
8. Plans (2 pages)
9. Report from the Manager of Planning and Land Use dated November 20, 2002
10. Photographs of the site and Inspection Notice

11. Written presentation in support of the application, submitted and read into the record at the Public Hearing by Dan Akman, 2B - 345 Broadway
12. Written presentation in opposition to the application, submitted and read into the record at the Public Hearing by Marnie Fardoe, 716 Lanark Street
13. Written presentation in opposition to the application, submitted and read into the record at the Public Hearing by Easton Lexier, 690 Lanark Street
14. Written presentation in opposition to the application, submitted and read into the record at the Public Hearing by Debby Lexier, 690 Lanark Street
15. Written presentation in opposition to the application, submitted and read into the record at the Public Hearing by Brenda Scarcella, 739 Lanark Street
16. Written presentation in opposition to the application, submitted and read into the record at the Public Hearing by Winn Adair, 412 - 905 Corydon Avenue
17. Written presentation in opposition to the application, submitted and read into the record at the Public Hearing by Paul Weiszmann, 751 Lanark Street
18. Written presentation in opposition to the application, submitted at the Public Hearing by Tom Lenton, 706 Lanark Street
19. Plan illustrating proposed development and enclosed parkade
20. Communication dated December 10, 2002, in opposition to the application from P. Carroll, 682 Lanark Street, Winnipeg, R3N 1M3
21. Communication dated December 10, 2002, in opposition to the application from Frank Kolodka, 686 Lanark Street
22. Communication dated December 10, 2002, in opposition to the application from K.R. Rajani, 7 Blackburn Lane
23. Communication dated December 10, 2002, in opposition to the application from M. Rajani, 7 Blackburn Lane
24. Communication dated December 10, 2002, in opposition to the application, from Brian Sharpe, 713 Oak Street
25. Communication dated December 10, 2002, in opposition to the application, from Olive J. Chiappetta, 694 Lanark Street
26. Communication dated December 10, 2002, in opposition to the application, from Ken and Marnie Fardoe, 716 Lanark Street

REPRESENTATIONS:

In Support:

Dan Akman, 2B - 345 Broadway, Winnipeg, R3C 0T2
Kevin Van, Qualico Developments, 30 Speers Road, Winnipeg, R2J 1L9
John Daniels, Qualico Developments, 30 Speers Road, Winnipeg, R2J 1L9
David Goyer, 200 - 909 Dorchester Street, Winnipeg, R3M 0P7
R. Bruce Beatson, 584 Lanark Street, Winnipeg, R3N 1M2
Henry Dueck, 755 Lanark Street, Winnipeg, R3N 1M4
Naomi and Arthur J. Nitikman, B - 711 Niagara Street, Winnipeg, R3C 4J9
Phil Sheegl, 14 Andover Avenue, Winnipeg, R3P 0W5

In Opposition:

Winn Adair, 412 - 905 Corydon Avenue, Winnipeg, R3M 0W8
Saverio Adamo, 825 Oxford Street, Winnipeg, R3M 3J4
Edward R. Allden, 839 Centennial Street, Winnipeg, R3N 1R4
A.Bryant, 920 Centennial Street, Winnipeg, R3N 1R7
P.L. Carroll, 682 Lanark Street, Winnipeg, R3N 1M3
Luigi and Pina Carvelli, 700 Renfrew Street, Winnipeg, R3N 1K2
Biagio Carvelli, 739 Lanark Street, Winnipeg, R3N 1M4
Dennis, Sharon and Melissa Cavanagh, 604 Lanark Street, Winnipeg, R3N 1M8
Olive J. Chiappetta, 694 Lanark Street, Winnipeg, R3N 1M3
Aneta Ciulei, 206 - 460 Kenaston Boulevard, Winnipeg, R3N 1Z1
Joe and Phyllis Doran, 935 Centennial Street, Winnipeg, R3N 1R6
Marnie and Ken Fardoe, 716 Lanark Street, Winnipeg, R3N 1M3
Mr. and Mrs. D. Ferguson, 666 Lanark Street, Winnipeg, R3N 1M2
Michele and Angela Fiorino, 1099 Corydon Avenue, Winnipeg, R3M 0X3
Douglas and Catherine Geddes, 703 Centennial Street, Winnipeg, R3N 1R3
Maxine Geller, 1776 Mathers Avenue, Winnipeg, R3N 0N6
Elvira Gervind, 612 Montrose Street, Winnipeg, R3M 3N2
Gordon Gold, 658 Lanark Street, Winnipeg, R3N 1M2
Susie Guercio, 700 Renfrew Street, Winnipeg, R3N 1K2
Lou Guercio, 111 - 555 Lanark Street, Winnipeg, R3N 1L9
Frank Harrow, 105 Hindley Avenue, Winnipeg, R2M 1P6
Eleanor Herst, 761 Lanark Street, Winnipeg, R3N 1M4
Glenn Hillier, 111 - 555 Lanark Street, Winnipeg, R3N 1L9
Frank Kolodka, 686 Lanark Street, Winnipeg, R3N 1M3
Tom Lenton, 706 Lanark Street, Winnipeg, R3N 1M3
Debby and Easton Lexier, 690 Lanark Street, Winnipeg, R3N 1M3
Ed and Helen Luy, 662 Lanark Street, Winnipeg, R3N 1M2
Anna Manicottto, 1771 Mathers Avenue, Winnipeg, R3N 0N7

Margaret McPherson, 740 Lanark Street, Winnipeg, R3N 1M3
Robert and Dorothy Parry, 650 Lanark Street, Winnipeg, R3N 1M2
Harry Plattner, 815 Lanark Street, Winnipeg, R3N 1M5
Gordon Pullan, 797 Lanark Street, Winnipeg, R3N 1M5
Mr. and Mrs. K.R. Rajani, 7 Blackburn Lane, Winnipeg, R3P 2C1
Brian L. Raymond, 735 Lanark Street, Winnipeg, R3N 1M4
Cliff Saunders, 808 Beaverbrook Street, Winnipeg, R3N 1N9
Brenda Scarcella, 739 Lanark Street, Winnipeg, R3N 1M4
Brian Sharpe, 713 Oak Street, Winnipeg, R3M 3R1
Arnold Taylor, 739 Renfrew Street, Winnipeg, R3N 1K3
Paul Weiszmann, 751 Lanark Street, Winnipeg, R3N 1M4

For the City:

Ross Mitchell, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING ON THE SUBJECT MATTER

Dan Akman and Kevin Van, Qualico Developments, advised they were appearing in support of the application representing the Ramah Development Group.

Mr. Akman indicated that the proposed development was very different from the previous plan. He provided background information on the development group and reviewed both the commercial and residential components of the previous application. He noted that the development group had considered the issues raised by the residents in the development of the new plan and a town hall meeting had been held on November 27, 2002.

He indicated, with respect to the issues raised by the residents, that the commercial component had been removed, the density on the 4.35 acre site had been reduced by 20 units to 63 on the entire site, which was less than 15 units per acre with landscaping and berming, the traffic concern had been reduced by limiting access and egress only off Grant Avenue, and that the issues of exhaust fumes, garage doors opening and closing, garbage removal, site services and drainage capacity had all been addressed.

Mr. Akman noted that more extensive landscaping would be provided on the east side of the property including a berm, trees 6 to 8 feet in height and annual plantings which would provide a buffer for the residential homes as well as the condominiums. Utilizing renderings of the landscape and overall site plans for the development, Mr. Akman illustrated the two wings three storey condominiums, each housing twenty-four (24) units, as well as the single storey bungalow condominiums, the parking facility, the manner in which traffic would flow in and out from Grant Avenue and the entrance to the surface parking, which would be only from the centre of

the site. He illustrated on the plans that the bungalow site would be comprised of six (6) units, two (2) duplexes and one three-plex (3), all single storey with only one entrance to that portion of the site. He noted that the development would contain fifty-two (52) parking spaces for forty-eight (48) sites, including twenty-four (24) visitor parking spaces on the three (3) storey site.

Mr. Akman utilized renderings illustrating the elevations, as well as two illustrating the entrance to the parking structure and what the residents on Lanark Street would see. He advised that there would be thirty (30) feet from the face of the balconies and thirty-six (36) feet to the face of the building from the public lane, while there would be thirty-one (31) feet from Grant Avenue to the property lines, in addition to the sidewalks and boulevards. He also indicated that the bungalows would be situated twenty-five (25) feet from the property limit, thirty (30) feet from Lanark Street and no side yard variances were required.

Arthur Nitikman, appearing in support of the application, advised that he had resided in River Heights for over sixty (60) years on the corner of Niagara Street and Grant Avenue. He indicated that his property was surrounded by commercial development and he had not noticed above normal traffic and did not feel it should be a concern. He noted that he did not believe the development would do anything but enhance the value of property on Lanark Street and would be of great benefit to every resident in that area of River Heights.

Bruce Beatson, appearing in support of the application, advised that he had resided on Lanark Street in the area since 1958 and had a three (3) storey school across the street from his home. He indicated that, in his opinion, the development would be a real asset to the community and it was his belief it should proceed.

Marnie Fardoe, appearing in opposition to the application, submitted and read into the record a prepared presentation filed as Exhibit 12. She advised that the development would result in a lack of green space, reduced property values and traffic and safety issues as a result of increased traffic on Grant Avenue, all as a result of too high density on the subject site. She suggested that the development would create ongoing traffic problems, resulting in tragedy. Mrs. Fardoe expressed concern with respect to the present condition of the property, which she suggested was a result of the developer removing equipment from the property. In response to an inquiry, she suggested that any development on the site should be limited to thirty (30) to forty (40) units or two (2) dozen houses.

Easton Lexier, appearing in opposition to the application, submitted and read into the record a prepared presentation filed as Exhibit 13.

Debby Lexier, appearing in opposition to the application, submitted and read into the record a prepared presentation filed as Exhibit 14. She questioned why the zoning was in jeopardy, asking how a street with mainly two storey houses could become dominated by a three (3) storey building two hundred and forty (240) feet in length facing the residents. She suggested that the process favoured the developer who was given a chance of rebuttal.

Mrs. Lexier indicated that, in her opinion, the new plan was the worst, inasmuch as the former two (2) storey units were now three (3) storey and the parking garage was now fifty-two (52) surface parking spaces. She suggested that given there would now be 12,000 square feet of building facing Lanark Street, even a two storey would be too large a wall to be considered acceptable. She also noted that no building dimensions were shown on the plans and the residents had been provided with nothing (no plans) to take home and peruse.

Brenda Scarcella, appearing in opposition to the application, submitted and read into the record a prepared presentation filed as Exhibit 15. She questioned the definition of infill development, suggesting that it should be a lot or a few lots between buildings developed to eliminate small empty lots and that, in her opinion, a 4.36 acre site, comprised of one entire City block, could not be considered infill.

Winn Adair, appearing in opposition to the application, submitted and read into the record a prepared presentation filed as Exhibit 16.

Paul Weiszmann, appearing in opposition to the application, submitted and read into the record a prepared presentation filed as Exhibit 17.

Gordon Gold, appearing in opposition to the application, advised that if the proposed development had been built in 1985 he would not have considered purchasing his home there or even today if it had been built.

He noted that the applicant had outlined some of the issues they had attempted to address such as commercial, density and traffic, however, they had only been partly addressed and not completely. He indicated that traffic and safety were issues that would escalate with increased traffic on Grant Avenue, given that the existing crosswalk would be utilized by an increased number of pedestrians, the bus stop would require relocation and to ensure traffic control perhaps even signal lights would be required at the intersection.

He expressed concern that if the subject application was approved, it would serve as a precedent for future additional development. He also expressed concern that three (3) storeys plus the roof for a height of forty-two (42) feet was excessive and he could not think of any other three (3) or four (4) storey buildings on Grant Avenue with the exception of those across from the shopping centre.

He suggested that the continuing bulk of the proposed development was a valid issue that was out of step with the nature of the neighbourhood, there would be future problems with the sewer system and there were other sites such as Kapyong Barracks for the development to go. With respect to the trees to be planted, he indicated that one would have to come back in 40 years to see if they alleviate the bulk of the development. Mr. Gold also advised that the quality of life of the residents was an issue and he did not believe the proposal was appropriate for the site while single-family housing would be acceptable and appropriate. He suggested that being a good corporate citizenship did not translate into a good development.

Arnold Taylor, appearing in opposition to the application, advised that traffic had been one of the main reasons for rejection of the CN development. He indicated that with the subject application there were a number of concerns that were not obvious, such as fifty-two (52) parking spaces and garages, for a total of seventy-six (76) cars, exiting onto Grant Avenue across the street from a school. He noted that Grant Avenue was a street with a boulevard and the only way to turn was right.

Mr. Taylor advised that he resided on Renfrew Street and has trouble getting out of his back lane at the present time, while trains also block traffic. He noted that residents attempting to return home from Polo Park have to make U-turns to access their garages. He indicated that he had recently returned to Winnipeg and purchased a home on Mathers Bay West, a 2 storey home for $170,000.00, a street not quite comparable, which was 40 to 50 years old and which had increased in value about $20,000.00 in the last year. He questioned why the property could not be developed with two bays containing upscale housing that should sell for prices in excess of $200,000.00.

Brian Sharpe, appearing in opposition to the application, noted that the developer had used the terminology "viability of the project" when advising why single-family housing was not an option. He indicated that he was not anti-development, but rather was concerned about the specifics of this development and would be in support of single-family housing.

He suggested that the developer was asking to be indemnified for a risk that had been taken when the property had been purchased. Mr. Sharpe noted that the enjoyment the residents have in their property would be affected if the development was to be approved. He noted that while most of the residents would like to see single-family homes, they appear to be willing to compromise and could live with one-storey condominiums but cannot live with a three storey multi-family development that would negatively affect property values. He suggested that the developer should demonstrate that the development would be beneficial to the area.

In response to a request, the Senior Planner advised that the present application was very different than the previous one and the changes were not as a result of anything the Department had indicated to Mr. Akman. He indicated that his experience with similar projects in other areas were that they were good for neighbourhoods and do not devalue property. He also advised that the proposed development was the lowest multi-family density the zoning allows for in terms of density or height.

Mr. Akman advised he was of the opinion that the development would have a favourable impact and allow residents to stay in the area if they so desire. He suggested that the condominiums, priced at $150,000.00 and the bungalows at $180,000.00, would have higher values than existing homes and would raise their values. He indicated that traffic issues had been addressed with access and egress solely off Grant Avenue to alleviate traffic on Lanark Street and in the Beaverbrook Street back lane.

He noted that any sewer and drainage issues would be addressed by the City engineers to ensure there would be no overload on the system. He re-iterated that seventy-six (76) parking stalls would be provided for forty-eight (48) units and he did not expect the development to impact the parking on Lanark Street. He suggested that the profile of the prospective purchaser was traditionally someone between 55 and 65, retired or semi-retired, who would not have the same driving habits and would not create the same congestion leaving and returning home from work. He advised that he had a list of 15 to 20 potential purchasers, believed the project was right for the area, most potential buyers would come from the River Heights area and have expressed an interest in remaining in the area and turning over existing homes to younger people who would improve them.

In response to an inquiry, Mr. Van advised that Qualico Developments had been involved in the project since March of 2002, and, in his opinion, the plan is respectful of the existing area and the developer has tried to take community concerns into consideration.

Mr. Akman advised that the bungalows would be approximately 1,300 square feet, and while the starting price was anticipated to be $180,000.00 the base price could be enhanced by prospective purchasers adding items.

He indicated that they anticipated one bungalow would be built first and used as a marketing centre and they would like to start the entire project as soon as possible, depending on financial arrangements. He noted that the maximum amount of time to complete the project would be twenty-four (24) months.

Mr. Akman noted that Lanark Gardens, located one and one-half blocks from the subject site was six storeys in height and a rental property. He suggested there was a real distinction between rentals and owner occupied units in terms of maintenance, repair and overall appearance. He indicated that particular attention would be paid to the landscaping and that a single-family development would not work based on viability and pro forma. He also advised that the purchase price of the property had been based on the value of the lease of the Christian School and they had attempted, for over a year, to either lease the school or sell the property but had received no offers whatsoever. He also noted that the site had been attacked by vandals and he was happy to see the playground equipment removed because it was not safe.

In reply please refer to / Référence à rappeler :

Ross Mitchell
(204) 986-5017
Fax / TJlJc. : (204) 986-3684

File No. DASZ 26/02 November 20, 2002
Our c/f CP 500 (.618)

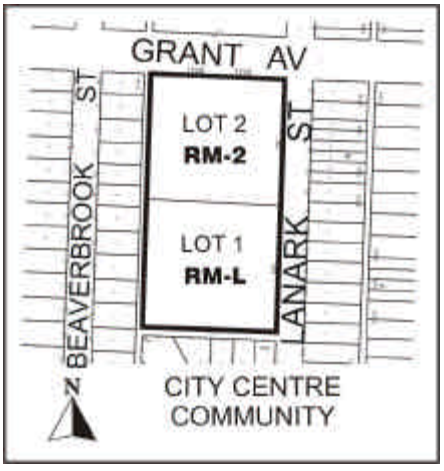
Ms. Carol Freeman, Clerk
City Centre Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear Ms. Freeman:

SUBDIVISION AND REZONING
Land located at the southwest corner of Lanark and Grant
City Centre Community
File No. DASZ 26/02

An application has been received from Daniel Akman for approval of a plan of subdivision and related zoning change to Zoning By-Law No. 6400/94 by rezoning the subject lands from an "R1-4" Single-Family Residential District to a "RM-L" and "RM-2" Multiple-Family Residential District to permit the construction of condominium townhouses and an apartment building.

RELATED FILES: N.A.



SITE DESCRIPTION:

Site Area: 4.36 acres total; proposed Lot 1, "RM-L", 2.18 acres; proposed Lot 2 "RM-2", 2.18 acres.

Existing Land Use and Zoning: abandoned school, zoned "R1-4" Single-Family Residential District

Surrounding Land Use and Zoning:

North: across Grant, school and daycare centres zoned "PR-1" Parks and Recreation District
South: across public lane, single-family housing fronting Lanark bay, zoned "R1-4"
East: across Lanark, single-family housing zoned "R1-4"
West: across public lane, single-family housing fronting Beaverbrook, zoned "R1-4"

DEVELOPMENT DESCRIPTION:

The proposal is to demolish the abandoned school and subdivide the land for the construction of 15 semi-detached condominium bungalow units on proposed Lot 1 and a 3-storey, 48-unit condomium apartment building on proposed Lot 2. The immediate neighbourhood is predominantly single-family housing with some higher density housing and commercial developments located along Grant Avenue. The immediate area experiences substantial peak hour traffic due to institutional uses in the vicinity including the Carpathia and On-The-Move day care centres operating from the old John Dafoe school at 1777 Grant, and the Ecole J.B. Mitchell elementary and St. John Brebeuf Catholic school at Lanark and St. Jean Brebeuf. It has also been reported that emergency response vehicles from the station at Grosvenor and Renfrew often use Lanark to access Grant. Grant Avenue is a Regional Street with median openings provided at the Beaverbrook and Lanark intersections.

Proposed Lot 1: The 15 bungalow condo units are clustered around a circular drive providing access from Lanark Street. The units provide a floor area around 1,200 square feet with attached, 2-car garages. Thirteen of the units provide space in front of the garages for 2 additional vehicles. Separate visitor parking is provided for 8 vehicles. As with the apartment building on proposed Lot 2, no zoning variances are being sought for the bungalow condo project. The buildings are set back 30 feet from Lanark and 25 feet from the remaining property limits.

Proposed Lot 2: The apartment building on Lot 2 is oriented towards Grant Avenue and consists of two 3-storey wings connected by a 1-storey parking garage. Access to the site is limited to Grant Avenue. Refuse will be wheeled out of the parking garage for pickup from the public lane. On-site parking is provided for 24 visitor parking stalls in the centre court and 52 resident stalls in the parking garage. No zoning variances are required by the

development. The building is set back 28'10" (to balconies; 35'6" to building face) from Lanark on the east and the public lane on the west, 32'2" from Lot 2 to the south, and 30'9" from Grant Avenue on the north. The apartment building provides 48, two-bedroom units ranging around 1,100 square feet in area. The building height is 35 feet measured halfway up the roof pitch. Each building wing will have 24 balconies, 12 overlooking the centre court and 12 overlooking both Lanark and the public lane. Extensive landscaping will help address concerns over privacy.

PLAN WINNIPEG:

The application complies with Plan Winnipeg. The lands are designated "Neighbourhood Policy Area" wherein residential up-zoning is allowed. Generally, Plan Winnipeg promotes infill development if it can be demonstrated that the land use, traffic, servicing and urban design impacts on the adjacent area can be mitigated.

ADMINISTRATIVE COMMENTS:

The Division is prepared to support the proposed multiple-family residential rezoning for the following reasons:

- The Division supports the concept that healthy, vibrant neighbourhoods provide housing opportunities to accommodate all life-styles and life-cycle stages.
- The Division supports the concept of "aging-in-place", the ability of empty nesters to remain in the neighbourhoods where they raised their families.
- Plan Winnipeg supports infill development that is respectful of host neighbourhoods.
- Plan Winnipeg supports higher density infill development on Regional Streets and major transit routes as in the current case.

The Division supports the proposed development and site plan for the following reasons:

Development Concept: In comparison to the previous proposal under DASZ 20/02, the applicant has reduced the number of residential units from 83 to 63 and has eliminated the commercial component. The southerly lot is being developed with 15 single-storey bungalow condos in response to neighbourhood concerns over development scale. The 3-storey apartment building on the northerly lot is oriented towards Grant and is consistent with apartment development along regional streets elsewhere in Winnipeg.

Traffic Access: The proposed development splits the traffic between Lanark Street and Grant Avenue. The bulk of the traffic from the development, generated by the apartment building, will access directly onto Grant Avenue. The bungalow condos will access Lanark and will generate roughly the same amount of traffic as the existing residential bays on the west side of Lanark south of the site. The Division is of the opinion that the street system can accommodate traffic

from the proposed development without creating a safety issue that is abnormal given the urban context.

Parking: The development exceeds the by-law parking requirement. The Lot 1 bungalow condos are required to provide parking at the rate of 1 stall per unit or 15 total stalls, whereas the proposed development provides parking at the rate of over 4 stalls per unit (garage and surface) or 64 total stalls. The Lot 2 condo apartment is required to provide 1.5 stalls per unit, or 72 stalls with 7 stalls designated for visitors. The apartment actually provides parking for 76 vehicles including 24 visitor stalls. The Division is of the opinion that on-site parking for the development is sufficient and will minimize any spill-over onto Lanark.

Density: The project is being developed at a residential density that is on the low end of the scale for multiple-family developments. The bungalow condo portion amounts to roughly 7 units per acre, or over 6,000 square feet of lot area per unit. This is equivalent to the gross density of "R1-6" single-family housing. The apartment component is being developed at a density of about 22 units per acre, whereas the "RM-2" zoning category permits a maximum density of 38 units per acres. The Division is of the opinion that the density of the development is moderate for an infill project and is respectful of the surrounding single-family neighbourhood.

Building Bulk: The one-storey condos are similar to much of the single-family housing in the area, while the yards and building separations also meet the neighbourhood standard. The apartment building height of 3 storeys is not excessive for infill projects and will not overwhelm or overshadow the adjacent single-family housing. The building height of 35 feet, measured halfway up the roof pitch, exceeds the height limit in the surrounding "R1-4" single-family residential district by only 5 feet. The 3-storey height increases the amount of land available for yards and landscaped areas. The building height could be lowered to 30 feet if designed with a flat roof. However, the applicant believes that the pitch roof is more in keeping with the architectural character of the neighbourhood. Overall, the Division is of the opinion that, from an urban design context, the proposed development will compliment the neighbourhood.

Appearance: The site landscaping and exterior building details and materials proposed for the development are of a high quality and will contribute to the appearance of the neighbourhood. The Division is of the opinion that the project will increase property values in the area by, at the very least, eliminating the unsightly school building and the uncertainty over the future of the site.

RECOMMENDATION:

I. That the plan of subdivision proposed under File No. DASZ 26/02 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 26/02, attached hereto and dated November 20, 2002, for registration in the Winnipeg Land Titles Office.

II. That Zoning By-Law No. 6400/94 be amended by rezoning the lands shown on Schedule "A" for File No. DASZ 26/02, attached hereto and dated November 20, 2002, to a "RM-L" Multiple-Family Residential District and a "RM-2" Multiple-Family Residential District subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to apply to proposed Lots 1 and 2, to include the following conditions:

A. that the buildings be limited to 1 storey on Lot 1 and 3-storey on Lot 2;
B. that the number of units on the site be limited to 15 on Lot 1 and 48 on Lot 2;
C. that the parking be provided at a ratio of 4 stalls per unit on Lot 1 and 1.5 stalls per unit on Lot 2 including 24 visitor stalls.
D. that, prior to the issuance of a development permit, plans showing the site layout, access, parking, fencing, landscaping, garbage enclosures, site lighting, signage and building elevations and materials be submitted for the approval of the City Centre Community Committee.

III. That a 10 percent 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 creation of an additional building site (proposed Lot 1) and the increase in value for proposed Lots 1 & 2.

IV. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

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

VI. That the City Solicitor be requested to prepare the necessary by-law in accordance with the above.

VII. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Subdivision Agreement and Servicing Agreement, if required.

VIII. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office when the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office against those lands **provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.**

IX. The Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

X. In the event that the necessary City of Winnipeg mylar approval signatures have not been secured within 24 months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Yours truly,

V. Buckley
Manager of Planning and Land Use

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Per: Ross Mitchell, Senior Planner
(City Centre Community)
986-5017

/mf

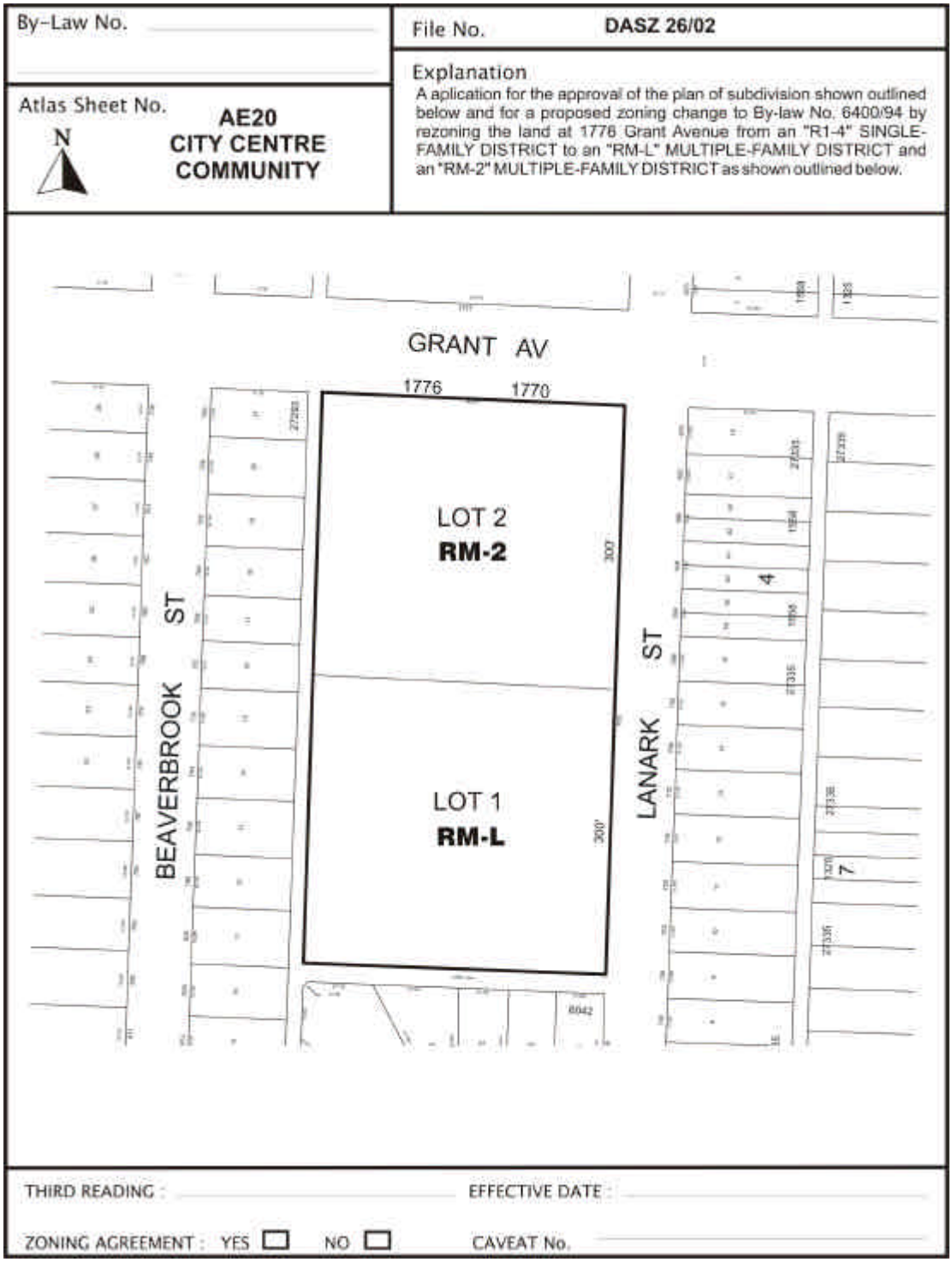

Figure 2: Schedule "A" to the report to the City Centre Community Committee for File No. DASZ 26/02, dated November 20, 2002.


Grant
Centennial
Beaverbrook
Lanark
Renfrew
CPR LARIVIERE
MIDLAND
existing school
to be demolished
1,776
1,770
1,777
R1-4
C1
PR1