Minute No. 622
Report - Standing Policy Committee on Property and Development – September 14, 2010

Item No. 12 **Subdivision and Rezoning – 62 Juno Street**
(Point Douglas Ward)
File DASZ 17/2010

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 17/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 17/2010 dated June 29, 2010, for registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 17/2010 dated June 29, 2010, to an "RMF-M" Residential Multiple-Family District [800 square feet of lot area per dwelling unit] subject to the following conditions:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Subsection 240(1) of The City of Winnipeg Charter to include the following conditions:

        i. That, for the development of any building, accessory parking area, private approach, garbage enclosure, fencing, landscaping or signage, plans, showing their locations and design, shall be submitted to the Director of Planning, Property and Development for approval prior to the issuance of any building or development permit, and thereafter all to be developed in substantial conformity with said plans and maintained to the satisfaction of the Director of Planning, Property and Development.

Report - Standing Policy Committee on Property and Development – September 14, 2010

COUNCIL DECISION (continued):

ii. That there shall be no advertising signs, mobile signs, poster signs or A-frame signs on the site, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit.

iii. That illuminated signage shall only be allowed in the north yard or on the north wall of the building with the sign face being parallel to said wall.

iv. That a Manitoba Land Surveyor shall provide to the City of Winnipeg a certificate showing the area of the proposed lot.

v. That a secure, rainproof bicycle parking enclosure, large enough for 12 bicycles to be securely locked to bicycle rack(s) be provided.

vi. That the spaces below the second floor balconies are enclosed with field stone or a reasonable facsimile unless they are used as patios for ground floor suites.

vii. That, in addition to any other landscaping requirement that applies to the planned area, at least three deciduous trees and three coniferous trees shall be planted in an alternating pattern in the south yard, with said deciduous trees having a minimum three inch caliper size at time of planting and said coniferous trees having a minimum height of six feet at time of planting.

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 increase in market value of the land.

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 twelve (12) 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 twelve (12) month period and the extension is subsequently approved by Council.

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

Report - Standing Policy Committee on Property and Development – September 14, 2010

COUNCIL DECISION (continued)

7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

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 in the Winnipeg Land Titles Office against those lands, provided that the said effective date occurs within twelve (12) months from the date that the said rezoning by-law is adopted by Council.

9. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year of the date of passage of the aforementioned by-law.

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) 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 Director of Legal Services and City Solicitor 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 – September 14, 2010

DECISION MAKING HISTORY:

Moved by Councillor Steeves,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 15, 2010, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 14, 2010, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 6, 2010, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning – 62 Juno Street**
File DASZ 17/2010 [c/r DAV 132020/2010D]

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

Prepared by: **Inga Skundberg, Committee Clerk**
Lord Selkirk-West Kildonan Community Committee

Report date: **July 7, 2010**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 6, 2010, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 17/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 17/2010 dated June 29, 2010, for registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 17/2010 dated June 29, 2010, to an "RMF-M" Residential Multiple-Family District [800 square feet of lot area per dwelling unit] subject to the following conditions:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Subsection 240(1) of The City of Winnipeg Charter to include the following conditions:

        i. That, for the development of any building, accessory parking area, private approach, garbage enclosure, fencing, landscaping or signage, plans, showing their locations and design, shall be submitted to the Director of Planning, Property and Development for approval prior to the issuance of any building or development permit, and thereafter all to be developed in substantial conformity with said plans and maintained to the satisfaction of the Director of Planning, Property and Development.

        ii. That there shall be no advertising signs, mobile signs, poster signs or A-frame signs on the site, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit.

iii. That illuminated signage shall only be allowed in the north yard or on the north wall of the building with the sign face being parallel to said wall.

iv. That a Manitoba Land Surveyor shall provide to the City of Winnipeg a certificate showing the area of the proposed lot.

v. That a secure, rainproof bicycle parking enclosure, large enough for 12 bicycles to be securely locked to bicycle rack(s) be provided.

vi. That the spaces below the second floor balconies are enclosed with field stone or a reasonable facsimile unless they are used as patios for ground floor suites.

vii. That, in addition to any other landscaping requirement that applies to the planned area, at least three deciduous trees and three coniferous trees shall be planted in an alternating pattern in the south yard, with said deciduous trees having a minimum three inch caliper size at time of planting and said coniferous trees having a minimum height of six feet at time of planting.

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 increase in market value of the land.

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 twelve (12) 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 twelve (12) month period and the extension is subsequently approved by Council.

6. That the Director of Legal Services and City Solicitor 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 registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

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 in the Winnipeg Land Titles Office against those lands, provided that the said effective date occurs within twelve (12) months from the date that the said rezoning by-law is adopted by Council.

9. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year of the date of passage of the aforementioned by-law.

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) 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 Director of Legal Services and City Solicitor requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

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

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated June 29, 2010.

PUBLIC HEARING SUMMARY

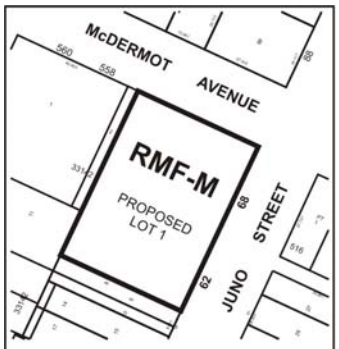
File: DASZ 17/2010 [c/r DAV 132020/2010D]

Before: Lord Selkirk-West Kildonan Community Committee
Councillor Pagtakhan, Chairperson
Councillor O'Shaughnessy

Public Hearing: July 6, 2010
West Committee Room
Council Building, 510 Main Street

Applicant: George Bohemier

Subject:



APPLICANT : GEORGES BOHEMIER
FILE : DASZ 17/10
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. 200/2006 by rezoning the land shown outlined above from an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to allow for the construction of a four-storey multiple family dwelling (24 units). **For information, phone Mr. G. Doney, Planner at 986-2688.**

Premises Affected: 62 Juno Street

Exhibits Filed:

1. Application dated June 4, 2010
2. Notification of Public Hearing dated June 4, 2010
3. Manitoba Status of Titles 1591116 and 1591117
4. Letter of authorization dated December 17, 2009 from Kenneth Herzog to George Bohemier
5. Surveyor's Building Location Certificate and sketch dated November 13, 1998
6. Plans (5 pages)
7. Report from the Planning and Land Use Division dated June 29, 2010
8. Inspection Report
9. Communication dated July 3, 2010, from Fred Curry with respect to the application
10. Audio Recording of representations

REPRESENTATIONS:

In Support:

George Bohemier

In Opposition

Catherine Collins, on behalf of West Alexander Residents Association Inc.

For Information:

Fred Curry

For the City:

Mr. G. Doney, Senior Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 17/2010 [c/r DAV 132020/2010D]

ADMINISTRATIVE REPORT

Title: DASZ 17/10 – 62 Juno Street

Issue: To consider an application to consolidate five lots into one and to rezone the planned area (the site) from an "RMF-S" Residential Multiple-Family District [1250 square feet of lot area per dwelling unit] to an "RMF-M" Residential Multiple-Family District [800 square feet of lot area per dwelling unit].

Critical Path: Lord Selkirk – West Kildonan Community Committee → Standing Policy Committee on Property and Development (only if opposition or if recommendation differs from the report of the Public Service) → Executive Policy Committee → Council.

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	NA	NA	NA

RECOMMENDATIONS

The Planning and Land Use Division recommends approval of the application to consolidate five lots into one and to rezone the planned area (the site) from an "RMF-S" Residential Multiple-Family District [1250 square feet of lot area per dwelling unit] to an "RMF-M" Residential Multiple-Family District [800 square feet of lot area per dwelling unit] on the conditions:

1. That the plan of subdivision proposed under File DASZ 17/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 17/2010 dated June 29, 2010, for registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 17/2010 dated June 29, 2010, to an "RMF-M" Residential Multiple-Family District [800 square feet of lot area per dwelling unit] subject to the following conditions:

   A. That the applicant enter into a Zoning Agreement with the City pursuant to Subsection 240(1) of The City of Winnipeg Charter to include the following conditions:

i. That, for the development of any building, accessory parking area, private approach, garbage enclosure, fencing, landscaping or signage, plans, showing their locations and design, shall be submitted to the Director of Planning, Property and Development for approval prior to the issuance of any building or development permit, and thereafter all to be developed in substantial conformity with said plans and maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That there shall be no advertising signs, mobile signs, poster signs or A-frame signs on the site, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit.

iii. That illuminated signage shall only be allowed in the north yard or on the north wall of the building with the sign face being parallel to said wall.

iv. That a Manitoba Land Surveyor shall provide to the City of Winnipeg a certificate showing the area of the proposed lot.

v. That a secure, rainproof bicycle parking enclosure, large enough for 12 bicycles to be securely locked to bicycle rack(s) be provided.

vi. That the spaces below the second floor balconies are enclosed with field stone or a reasonable facsimile unless they are used as patios for ground floor suites.

vii. That, in addition to any other landscaping requirement that applies to the planned area, at least three deciduous trees and three coniferous trees shall be planted in an alternating pattern in the south yard, with said deciduous trees having a minimum three inch caliper size at time of planting and said coniferous trees having a minimum height of six feet at time of planting.

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 increase in market value of the land.

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 twelve (12) 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 twelve (12) month period and the extension is subsequently approved by Council.

6. That the Director of Legal Services and City Solicitor 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 registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

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 in the Winnipeg Land Titles Office against those lands, provided that the said effective date occurs within twelve (12) months from the date that the said rezoning by-law is adopted by Council.

9. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year of the date of passage of the aforementioned by-law.

10. That, in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) 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 Director of Legal Services and City Solicitor requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

REASON FOR THE REPORT

This report is being submitted to the Lord Selkirk – West Kildonan Community Committee for their July 6th, 2010, public hearing.

The planned area (the site) is in the West Alexander Neighbourhood and the Point Douglas Ward. It is at the southwest corner of Juno Street and McDermot Avenue. The proposal is to replace the existing buildings with a four storey multiple-family dwelling with parking on the ground floor and 24 suits above.
With modifications and a zoning agreement, the proposed development and the associated plan of subdivision and rezoning would be quite compatible with the neighbourhood. The proposed development may be eligible for a grant from the Neighbourhood Multiple Family/Mixed-Use Building Grant Program.

IMPLICATIONS OF THE RECOMMENDATIONS

If the application that is the subject of this report (DASZ 17/2010) and the associated DAV 10-132020/D application are approved, a development permit can be issued for the construction of a multiple-family dwelling and accessory parking in the planned area.

HISTORY

On April 13, 2010, the Lord Selkirk - West Kildonan Community Committee adjourned the public hearing of Files DASZ 40/2009 and DAV 101741/2010D to its meeting on May 11, 2010 at 5:00 p.m. in the Council Building, 510 Main Street, to allow the applicant in the meantime to meet with area residents and the Central Neighbourhoods Development Corporation. These applications are quite similar to the current applications for 62 Juno Street – Files DASZ 17/2010 (the subject of this report) and DAV 10-132020/D.

On May 11, 2010, the Lord Selkirk - West Kildonan Community Committee, in accordance with Rule 51(11) of The Procedure By-law No. 50/2007, rescheduled the public hearings for both of the aforementioned current applications to June 8, 2010 at 5:00 p.m. in the Council Building, City Hall, 510 Main Street, due to a lack of quorum.

On May 28, 2010, the applicant, George Bohemier, withdrew the applications in order to make new applications for the same proposed development so that they would be dealt with sooner than otherwise would be the case with the original applications, due to unforeseen circumstances.

CONSULTATION

In preparing this Report there was consultation with Public Works.

SUBMITTED BY

Department: Planning, Property and Devlelopment
Division: Planning and Land Use
Prepared by: J. Glen Doney, Senior Planner
Date: June 29, 2010
File: DASZ 17/2010

Schedules and Attachments
Schedule “A”
Attachment 1 – Planning Discussion
Attachment 2 – Excerpts from Zoning By-law 200/2006

Schedule "A"

By-Law No.

File No. **DASZ 17/10**

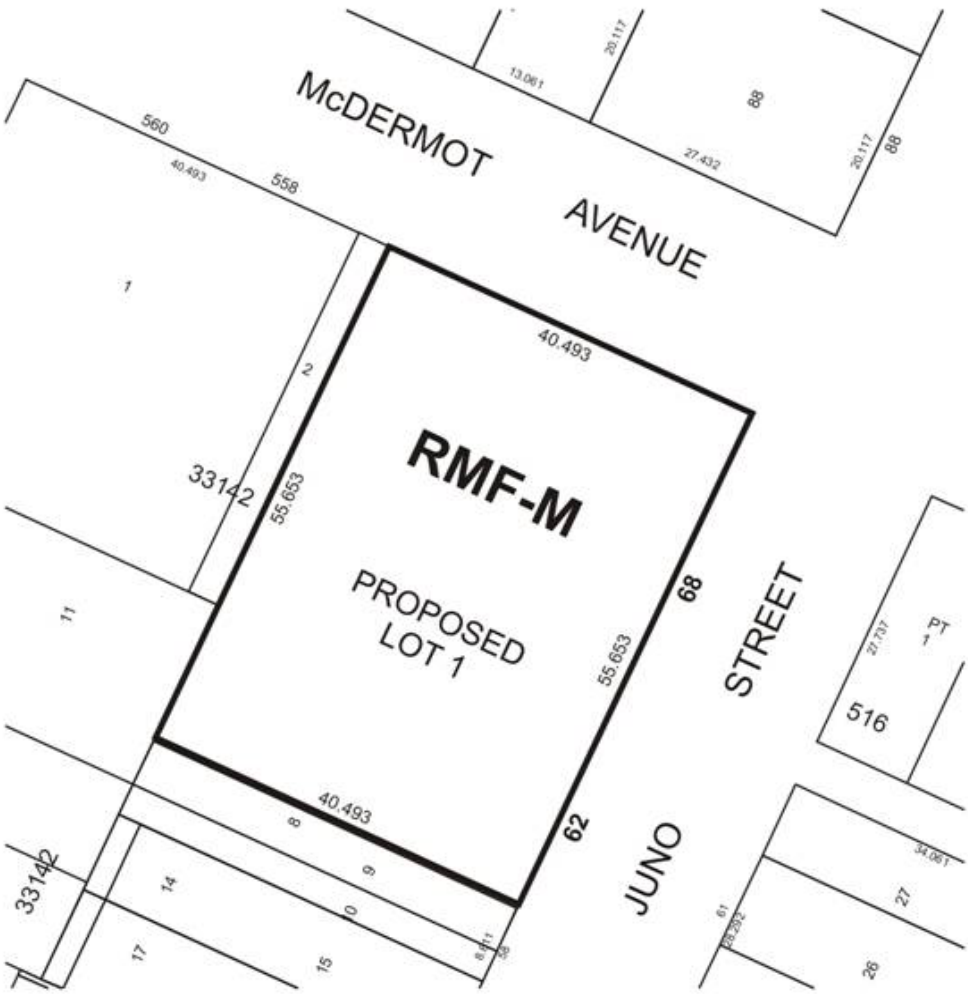
Atlas Sheet No. **Z24**

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 at 62-68 Juno Street from an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to allow for the construction of a four-storey multiple family dwelling (24 units) as shown outlined below.



THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.

Attachment 1 – Planning Discussion

Date: June 29, 2010

File: DASZ 40/09

Related Files: DAV 10-132020/D

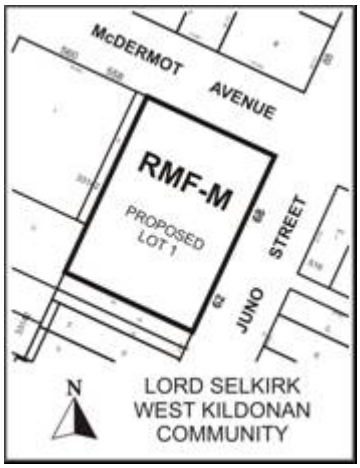
Community: Lord Selkirk-West Kildonan Community

Neighbourhood: 3.105

Subject: To consolidate five lots into one and to rezone the planned area (the site) from an "RMF-S" Residential Multiple-Family District [1250 square feet of lot area per dwelling unit] to an "RMF-M" Residential Multiple-Family District [800 square feet of lot area per dwelling unit].

Location: 62 Juno Street

Legal Description: LOT 5/7 PLAN 33142 5/6 ST J TOG WITH ROW FOR ALL PURPOSES & AS APPURT TO SAID LOTS 5/6 OVER & UPON LOT 2 SAID PL SUBJ TO ROW FOR ALL PURPOSES & AS APPURT TO LOTS 1/2 SAID PL OVER & UPON SAID LOT 6



Applicant: George Bohemier
475 Provencher Blvd. Unit 201
Winnipeg, MB

Owner: Kenneth W Herzog
467 Grassmere Rd.
West St. Paul, MB
R4A 5A1

Recommendation: Approval with Conditions

Report Summary

- The planned area (the site) is in the West Alexander Neighbourhood and the Point Douglas Ward. It is at the southwest corner of Juno Street and McDermot Avenue.
- The proposal is to replace the existing buildings with a four storey multiple-family dwelling with parking on the ground floor and 24 suits above.
- With modifications and a zoning agreement, the proposed development and the associated plan of subdivision and rezoning would be quite compatible with the neighbourhood.
- The proposed development may be eligible for a grant from the Neighbourhood Multiple Family/Mixed-Use Building Grant Program.

The Planned Area (the site)

The planned area is in the West Alexander Neighbourhood and the Point Douglas Ward. It is at the southwest corner of Juno Street and McDermot Avenue and is between the Health Sciences Centre and the downtown. The planned area consists of five lots held under two titles located at 62 and 68 Juno Street. The two parcels are adjacent and, together, are approximately 24,000 square feet.

Figure 1 of this attachment shows that the principal uses of the planned area are warehouse and retail sales. Buildings on the site are one and two storeys.

Figure 1 also shows that the planned area is near other warehouse uses that are two to 4½ storeys, a three storey multiple-family dwelling, a place of worship, single-room occupancies, a two-family dwelling, single-family dwellings and non-accessory surface parking. All of the residential uses are on the first floor and floors above.

Figure 2 shows that the planned area is in an “RMF-S” Residential Multiple-Family District [1250 square feet of lot area per dwelling unit] and is near other “RMF-S” Districts. It is also near a “C2” Commercial Community District and “CMU” Commercial Mixed-Use Districts.

The planned area is also in a Residential Medium Density policy area of the secondary plan titled *West Alexander and Centennial Neighbourhood Plan* and a Neighbourhood policy area of *Plan Winnipeg, 2020 Vision.*

Winnipeg Transit bus routes are near the planned area – on Notre Dame Avenue, Isabel Street and, east of Isabel, McDermot Avenue. Public sidewalks are alongside the planned area and in the general vicinity. The planned area is near Notre Dame Avenue, which is considered a regional street under Plan Winnipeg.

The Proposed Development

The proposal is to demolish the existing buildings and construct a four storey building with 27 parking spaces on the first floor and 24 suites on the other floors. The site plan submitted with the variance application shows 18 additional parking spaces proposed outside. However, these additional spaces would not have access to a public lane or street. The elevations submitted with the variance application show that there would be one pedestrian entrance facing Juno Street, which differs from the original application that showed two entrances facing Juno. The first floor parking would be accessed by a private approach from McDermot Avenue. The building would have a shingled roof. The exterior walls would largely be stucco with field stone (or a reasonable facsimile) applied as accents. Balconies would project from the east and west exterior walls.

The planned area is to be consolidated into one lot in a new plan of subdivision. The building would have a south side-yard depth of 7.5 feet, a north corner-side-yard depth of 20.4 feet, a west rear-yard depth of 33.9 feet and a front yard depth of 40.9 feet. These yard depths are measured from the building walls, not the balconies.

The site area per dwelling unit would be approximately 1000 square feet. As shown in Figure 3 of this attachment, the "RMF-S" District requires at least 1250 square feet per dwelling unit. Therefore, the planned area must be rezoned to an "RMF-M" District, which requires at least 800 square feet of site area per dwelling unit.

In an "RMF-M" District the interior side-yard requirement is eight feet plus two feet for every storey above the first floor. Therefore, this requirement must be varied to 7.5 feet. Application has been made to vary this requirement under File DAV 10-132020/D. Plans of the proposed development have been submitted in connection with File DAV 10-132020/D.

Analysis And Issues

Plan Winnipeg Compliance

The proposed development and the associated subdivision and rezoning application conform with *Plan Winnipeg, 2020 Vision.*

Secondary Plan Compliance

The proposed development and the associated subdivision and rezoning application generally conform with the secondary plan, which is the *West Alexander and Centennial Neighbourhood Plan*. However, the planned area must be at least 24,000 square feet to have 24 dwelling units because Policy 6 of the Medium Density Residential Policies of the secondary plan requires at least 1000 square feet of lot area per dwelling unit. A drawing showing the size of the planned area, prepared by a Manitoba Land Surveyor, is required to determine compliance with this requirement of the secondary plan.

Policy 9 of the Medium Density Residential Policies requires a maximum height of three storeys, except alongside McDermot Avenue and certain other streets (excluding Juno Street) where four storeys are allowed. At four storeys, the proposed building conforms to this policy because a portion of the building would be alongside McDermot.

Policy 10 of the Medium Density Residential policies encourages "future apartment development to be sensitive to the scale of adjoining single-family development and to reflect the interesting qualities and character of the streetscape that is currently present in the community."

It also states that this can be achieved by:

- articulating the front façade and placing front entrances at regular intervals;
- reducing the side-yard requirements to provide a pattern of breaks in development that is more consistent with single-family and two-family housing; and
- accommodating features at the first storey to create interest on the street and reduce the appearance of height and mass.

Two pedestrian entrances should be provided, as was the case in the original application, because that would add to the visual interest of the proposed development. In addition, the proposed development would better conform to this policy if some dwelling units are on the ground floor, facing Juno Street.

Compatibility with the Neighbourhood

The proposed building would appear, to a degree, as something separated from the community because the first floor would only be used for parking and building entrances/exists. All of the other nearby residential uses have dwelling units, or portions thereof, on the ground floor. Dwelling units on the ground floor enhance a sense of safety for people using the public sidewalks and add visual interest to an area much more than a wall encompassing motor vehicles, even if the wall is well articulated.

Therefore, the proposed development would be more compatible with the neighbourhood if it had some ground floor dwelling units facing Juno Street. If this change is made, a second building entrance is not warranted. As well, if the top floor is setback at least 14 feet from the south property line, which is the zoning by-law requirement, the proposed development would be more compatible with the residential uses south of it.

Compatibility of the development with the neighbourhood can also be enhanced if the planned area is well landscaped, particularly where it abuts residential uses and if advertising signs, mobile signs, poster signs and A-frame signs are prohibited from the site (except a temporary mobile sign in association with a new occupancy permit). As well, given the locations of residential uses, illuminated signage should only be allowed in the north yard or on the north wall of the building with the sign face being parallel to said wall.

According to the plans submitted with the variance application, there would be open space below four balconies on the east side of the building. These spaces should be enclosed so as not to provide sheltered places that may be used inappropriately. Field stone, or a reasonable facsimile would enhance the compatibility of the building with its surroundings.

Lastly, the proposed rezoning to an "RMF-M" District is compatible with the area because:

- it allows and prohibits the same uses as the existing "RMF-S" District zoning;
- the yard requirements are more than what is required in the "RMF-S" District;
- the density of the development – the lot area per dwelling – and the height of the proposed building are restricted in the secondary plan.

The dimensional standards for the "RMF-S" District and the "RMF-M" District are in Figure 3 of this attachment.

Transportation and Site Access

The planned area is well served by public sidewalks and roads and by Winnipeg Transit. It is well situated for residential uses because it is near the Health Sciences Centre and the downtown, both of which are major employment areas within walking or cycling distance. The development should include a secure storage area for bicycles for residents and their guests.

Comments from other Departments

Public Works has no concern with the private approach from McDermot Avenue, provided it would be at least six metres (19.6 feet) from Juno Street and at least three metres (9.8 feet) from the property immediately west of the planned area.

As well, Public Works notes that one or more boulevard trees may be where the private approach is proposed. (The applicant was advised to contact the Urban Forestry Branch of Public Works.)

Neighbourhood Revitalization Programs

The proposed development may be eligible for a grant from the Neighbourhood Multiple Family/Mixed-Use Building Grant Program. The objective of this program is to encourage additions to, or the new construction, conversion or redevelopment of buildings for residential multiple family or mixed-use occupancy in targeted areas of Winnipeg (including the area in which the planned area is located).

Reasons For Recommendations

The Planning and Land Use Division recommends approval, with conditions, of the application to consolidate five lots into one and to rezone the planned area to an "RMF-M" District.

The condition of plan approval by the Director of Planning, Property and Development is to ensure the proposed development conforms with the development and design standards of Zoning By-law 200/2006 and with the other conditions recommended as part of the zoning agreement.

The two conditions restricting signage are to ensure that the proposed development's signage is compatible with the neighbourhood.

The condition that a Manitoba Land Surveyor shall provide to the City of Winnipeg a certificate showing the area of the proposed lot is to determine whether the density requirement of the secondary plan is met.

Requiring a secure, rainproof bicycle parking enclosure will enhance the potential for residents and their guests to cycle to and from the proposed development.

The condition requiring the spaces below second floor balconies to be enclosed if not used as patios for ground floor suites is to ensure the proposed building does not provide sheltered places that may be used inappropriately.

The condition requiring additional landscaping in the south yard is to offset the proximity of the proposed building to the single-family dwellings south and south east of the development.

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

Report Prepared by: J. Glen Doney
PPD File17/2010

Figure 1 of Attachment 1, 2009 aerial photography and present land uses
= number of storeys; W = warehouse; MFD = multiple-family dwelling; PW = place of worship; SRO = single-room occupancy; SFD = single-family dwelling; 2FD = two-family dwelling; SP = surface parking as a principal use

April 6, 2010

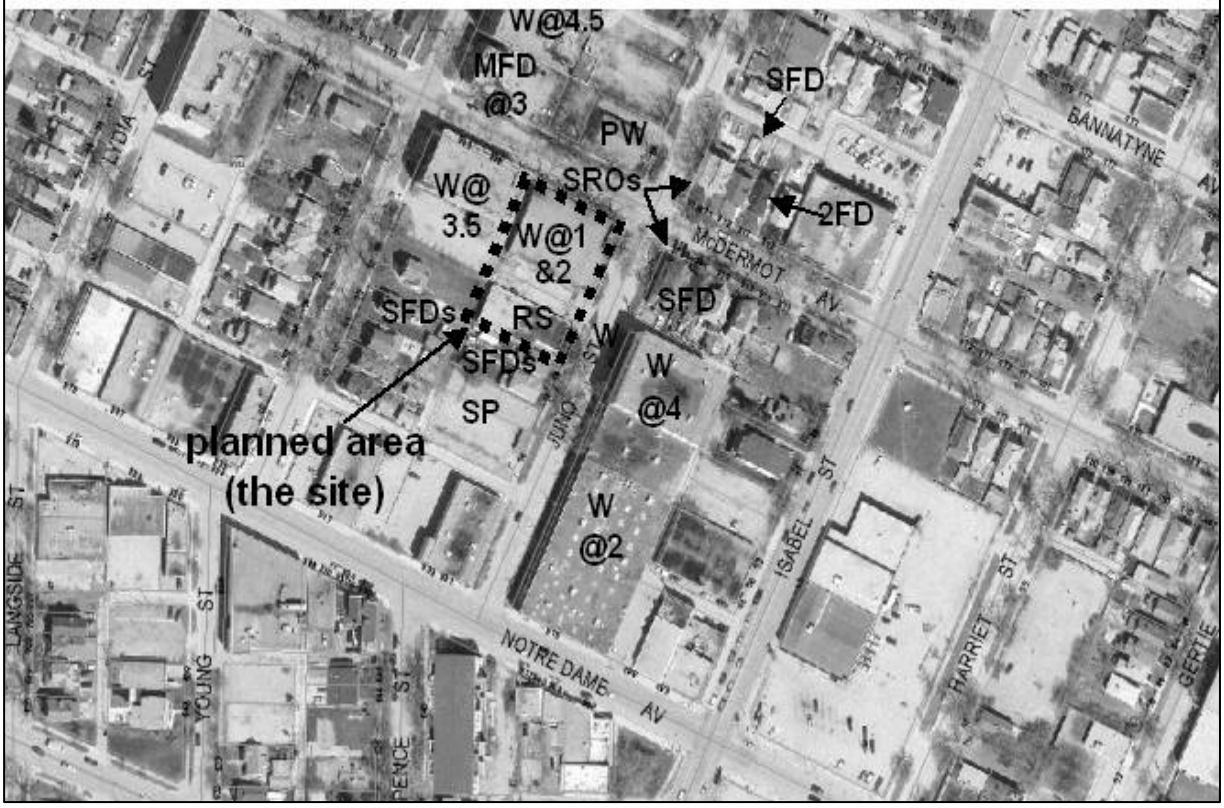


Figure 2 of Attachment 1, present zoning
RMF-S = Residential Multiple-Family [1250 sq. ft. of lot area per dwelling unit]; C2 = Commercial Community; C1 = Commercial Neighbourhood; CMU = Commercial Mixed Use

April 6, 2010

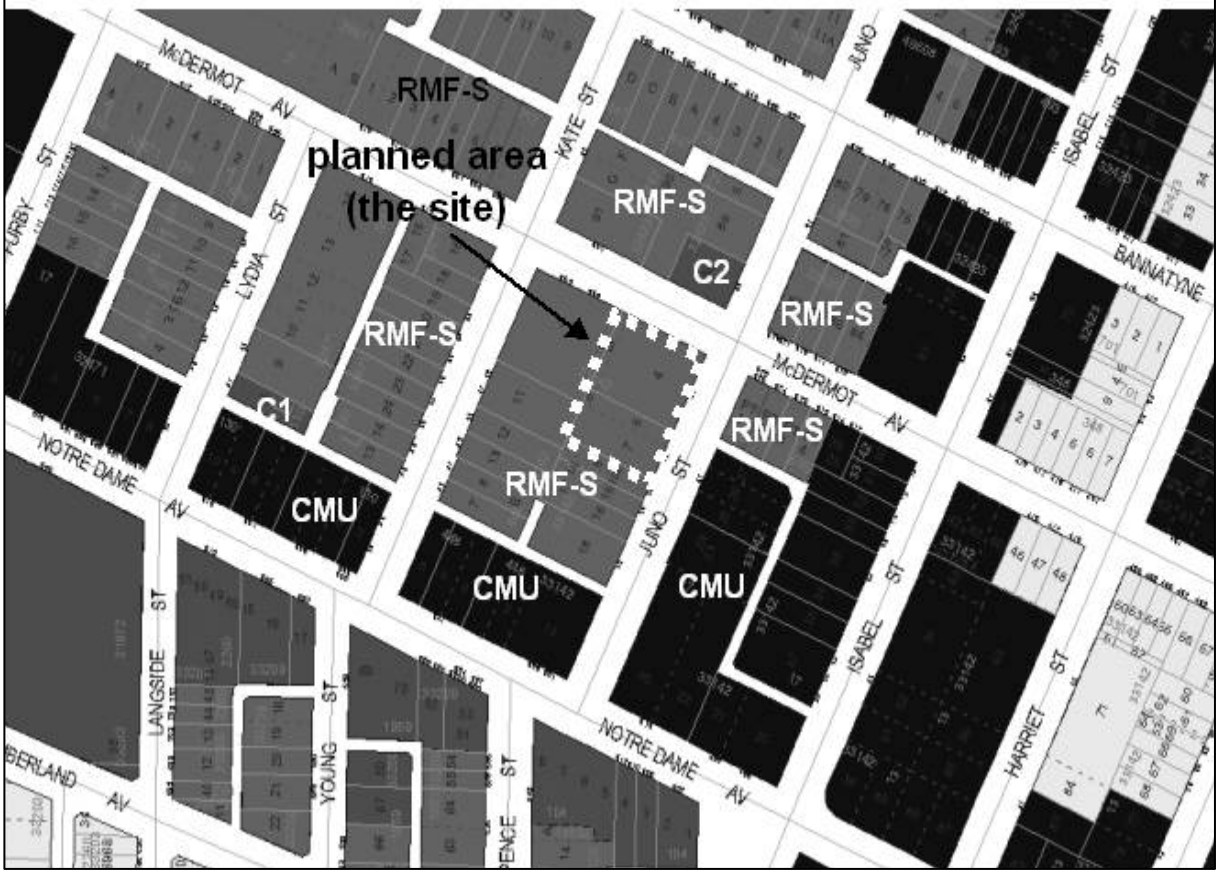


Figure 3 of Attachment 1 – Excerpts from Zoning By-law 200/2006

TABLE 5-4: Dimensional Standards for Multi-Family Districts

Zoning District and Designation	Minimum Lot Area (Sq. Ft.)	Minimum Lot Area Per Dwelling Unit (Sq. Ft.)	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Interior Side Yard (Ft.)	Minimum Corner Side Yard (Ft.)	Principal Building Separation (Ft.) [note a]	Maximum Building Height (Ft.)
Multi-Family Residential Structures								
RMF-S	9,000	1,250	20	25	4	5	8	35
RMF-M	9,000	800	25	25	8 [note b]	20	8	60
RMF-L	20,000	400	25	25	8 [note b]	20	8	150
RMU	9,000	500	20	25	5 [note b]	20	8	100
Single-family residential structures must meet the requirements of the R1-M zoning district								
Two-family residential structures must meet the requirements of the R2 zoning district								
Principal Non-Residential Structures								
RMF-S, RMF-M, RMF-L	20,000	NA	25	25	8	20	NA	35
RMU	9,000	NA	20	25	5	20	NA	39

NOTES:
a. For buildings taller than 35 ft, the principal building separation distance must be 50% of the height of the taller building to a maximum of 25 feet.
b. In the RMF-M, RMF-L, and RMU zoning districts, where a building is more 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.