Agenda – Council – July 18, 2012

Report – Standing Policy Committee on Property and Development – July 3, 2012

Item No. 3 Rezoning – 306 Bowman Avenue
(Elmwood-East Kildonan Ward)
File DAZ 214/2012 [c/r DCU 125968/2012D and DAV 125170/2012D]

STANDING COMMITTEE RECOMMENDATION:

On July 11, 2012, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development 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 214/2012 dated June 1, 2012, to an "R2" Residential Two 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, long term bicycle parking, fencing, landscaping and signage to the Director of Planning, Property and Development and the East Kildonan-Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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

Report – Standing Policy Committee on Property and Development – July 3, 2012

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 the 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 – July 3, 2012

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 11, 2012, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 3, 2012, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 18, 2012, the East Kildonan-Transcona 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: **Rezoning – 306 Bowman Avenue**
File DAZ 214/2012

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

Prepared by: **Josie Marques, Senior Committee Clerk**
East Kildonan-Transcona Community Committee

Report date: **June 19, 2012**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 18, 2012, the East Kildonan-Transcona 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 Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for file DAZ 214/2012 dated June 1, 2012, to an "R2" Residential Two 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, long term bicycle parking, fencing, landscaping and signage to the Director of Planning, Property and Development and the East Kildonan-Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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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.

The East Kildonan-Transcona Community Committee provided the following supporting reasons for its recommendation:

1. The proposal's density fits in with OurWinnipeg.
2. Housing is encouraged for the area.
3. Development is good for the Ward.

PUBLIC HEARING SUMMARY

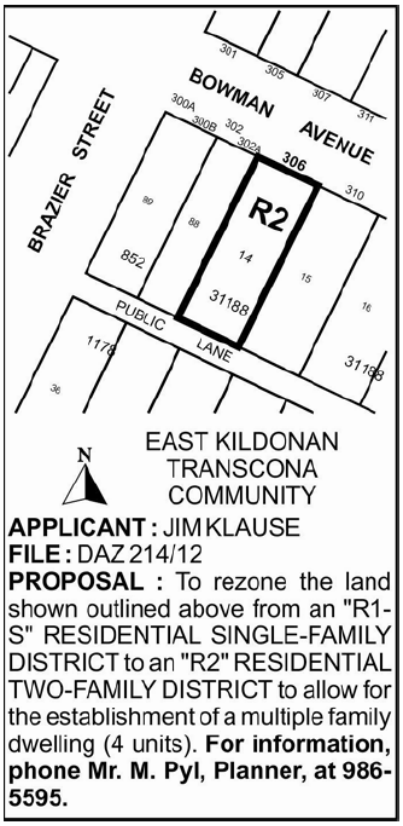
File: DAZ 214/2012

Before: East Kildonan-Transcona Community Committee
Councillor Browaty, Chairperson
Councillor Steen

Public Hearing: June 18, 2012
Transcona Legion
117 Regent Avenue East

Applicant: Jim Klause

Subject:



Premises Affected: 306 Bowman Avenue

Exhibits Filed:
1. Application dated April 26, 2012
2. Notification of Public Hearing dated May 7, 2012
3. Manitoba Status of Title 2585946/1
4. Surveyor's Building Location Certificate and sketch dated April 9, 2012

5. Plans (4 pages)
6. Report from the Planning and Land Use Division dated June 6, 2012
7. Inspection Report

REPRESENTATIONS:

In Support:

Jim Klause

In Opposition

Michael Chard and Colly Baron
Wendy Caughlin
Melanie Bidzinski

For Information:

Nil

For the City:

Mr. M. Pyl, Planner, Planning, Property and Development Department

Exhibit "6" referred to in File DAZ 214/2012

ADMINISTRATIVE REPORT

Title: DAZ 214/12 – 306 Bowman

Issue: For consideration at the public hearing to rezone to allow for the establishment of a four-plex

Critical Path: East Kildonan-Transcona Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	n/a	n/a	

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for file DAZ 214/2012 dated June 1, 2012, to an "R2" Residential Two 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, long term bicycle parking, fencing, landscaping and signage to the Director of Planning, Property and Development and the East Kildonan-Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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4. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward 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 the 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 intends to rezone the subject property from “R1-S” to “R2” in order to construct a two storey, four-unit multifamily dwelling.
- The applicant submitted preliminary building plans in concurrence with this application. Each unit will be two storeys, with an approximate area of 700 sq. ft. Two units will take access off the front building wall, while the other two will take access off the rear.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the subject property will be rezoned.

CONSULTATION

In preparing this report there was consultation with:

N/A

SUBMITTED BY

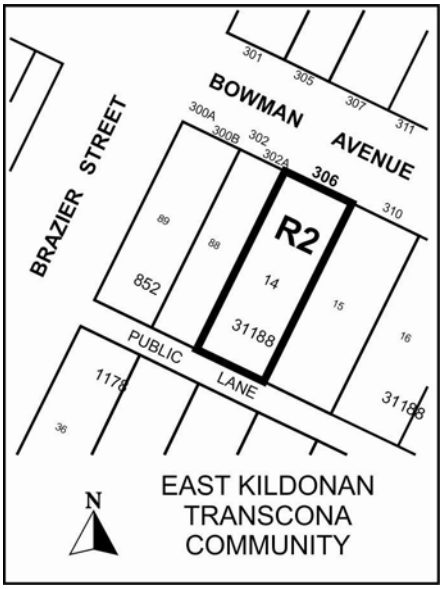
Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Michael Pyl
Date:	June 6, 2012
File No.	DAZ 214/12

APPENDIX 'A'

DATE: June 6, 2012
FILE: DAZ 214/12
RELATED FILES: DAV 12-125170D, DCU 12-125968D
COMMUNITY: East Kildonan-Transcona
NEIGHBOURHOOD #: 4.434

SUBJECT: To rezone the subject property from "R1-S" Residential Single Family district to "R2" Residential Two Family district to allow for the establishment of a multi-family dwelling

LOCATION: 306 Bowman



APPLICANT: Jim Klause
10 Penticton Bay
Winnipeg MB R2J 1S9

OWNER: Same

RECOMMENDATION: Approval

REPORT SUMMARY

- The applicant intends to rezone the subject property from "R1-S" to "R2" in order to construct a two storey, four-unit multifamily dwelling.
- The applicant submitted preliminary building plans in concurrence with this application. Each unit will be two storeys, with an approximate area of 700 sq. ft. Two units will take access off the front building wall, while the other two will take access off the rear.

SITE DESCRIPTION

- The subject property is located on Bowman Av between Brazier St and Roch St in the Rossmere-B neighbourhood of the Elmwood-East Kildonan ward.
- The subject property is 3,750 sq. ft. in area, with 37.5 ft. of frontage along Bowman. It is currently zoned “R1-S” Residential Single Family district. It is occupied by a 799 sq. ft., one storey single family dwelling built in 1913.
- Adjacent properties include single family dwellings to the north, south, and east zoned “R1-S” and a two-storey multifamily dwelling to the west along Brazier zoned “R1-S”.

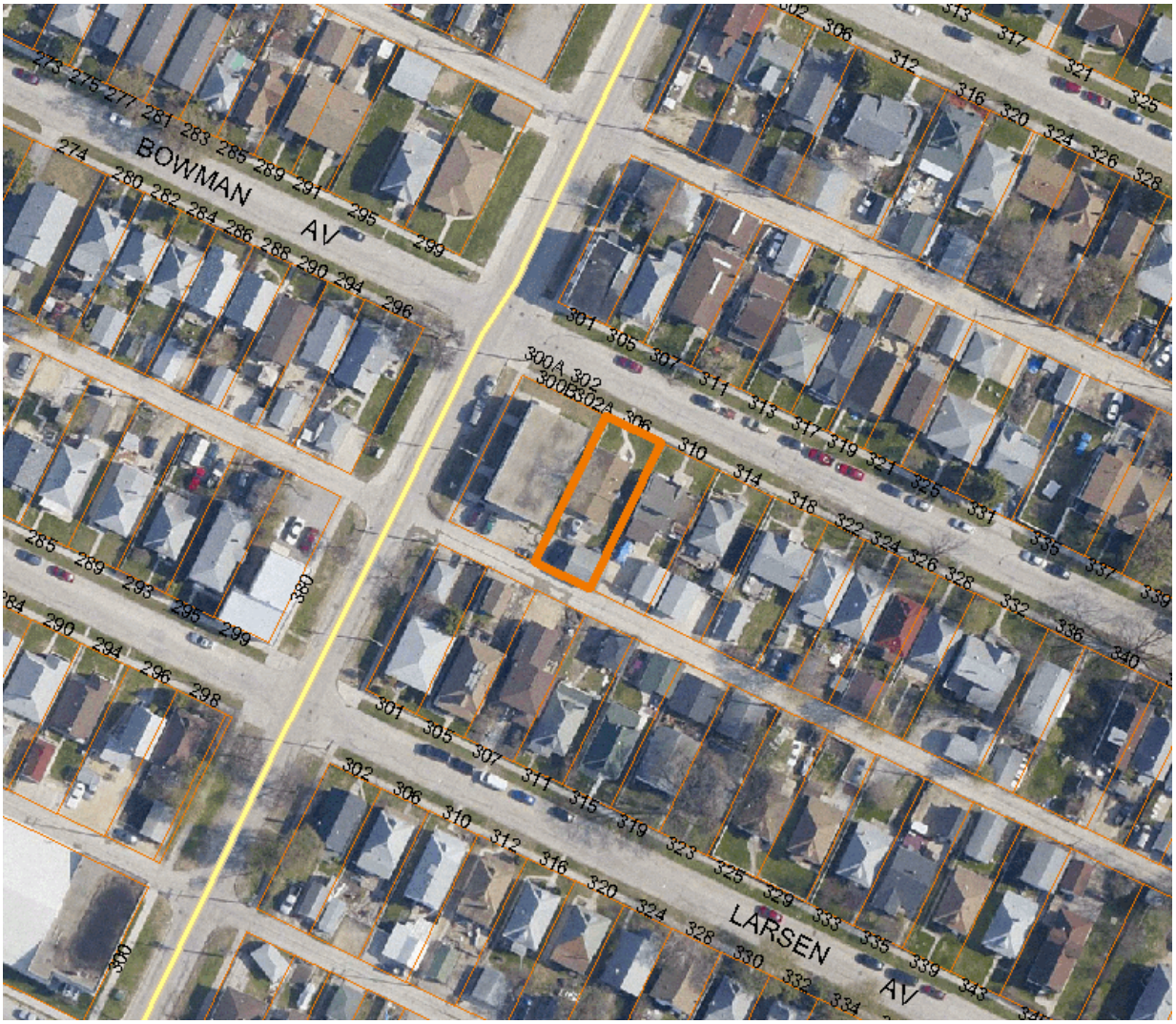


Figure 1: Site map of subject property and surrounding neighbourhood

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to rezone the subject property from “R1-S” to “R2” in order to construct a two storey, four-unit multifamily dwelling.
- The applicant submitted preliminary building plans in concurrence with this application. Each unit will be two storeys, with an approximate area of 700 sq. ft. Two units will take access off the front building wall, while the other two will take access off the rear.
- The dwelling will have an 18 ft. front yard, 4.2 ft. side yards, and a 34 ft. rear yard. The proposal will provide four parking stalls that will each be 9 ft. wide by 20 ft. deep. They will be accessed off the lane.
- Garbage and recycling will be stored on the west side of the parking stalls.

BACKGROUND

DAV 12-125170D

- In concurrence with this application, the applicant has also applied for variances to permit the following:
    - A lot area of 3,750 sq. ft. instead of 5,000 sq. ft.
    - Four parking stalls instead of six stalls.

DCU 12-125968D

- In concurrence with this application, the applicant has also applied for a conditional use to allow for a multi-family dwelling use in the “R2” district.

ANALYSIS AND ISSUES

OurWinnipeg and Complete Communities Direction Strategy

- The Complete Communities Direction Strategy is one of four direction strategies supporting OurWinnipeg, the city’s new long-range development plan, and is intended to gain statutory authority as a secondary plan. The strategy is intended to serve as a “playbook” to guide land use and development in Winnipeg. It received third reading at City Council on July 20, 2011, and became effective on August 17, 2011.
- The subject property is classified as an “Area of Stability” in Complete Communities’ Urban Structure map. Areas of Stability will accommodate low to moderate density infill development to support more efficient use of land, infrastructure, and services as well as enhance housing choice and affordability.
- Supporting Direction and Enabling Strategies for Areas of Stability include:
    - Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complementary to the existing scale, character, and built form.

Zoning

- The “R1” Residential Single Family district is intended to accommodate primarily single-family residential development in lower-density neighbourhoods.
- The Residential Two-Family (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.

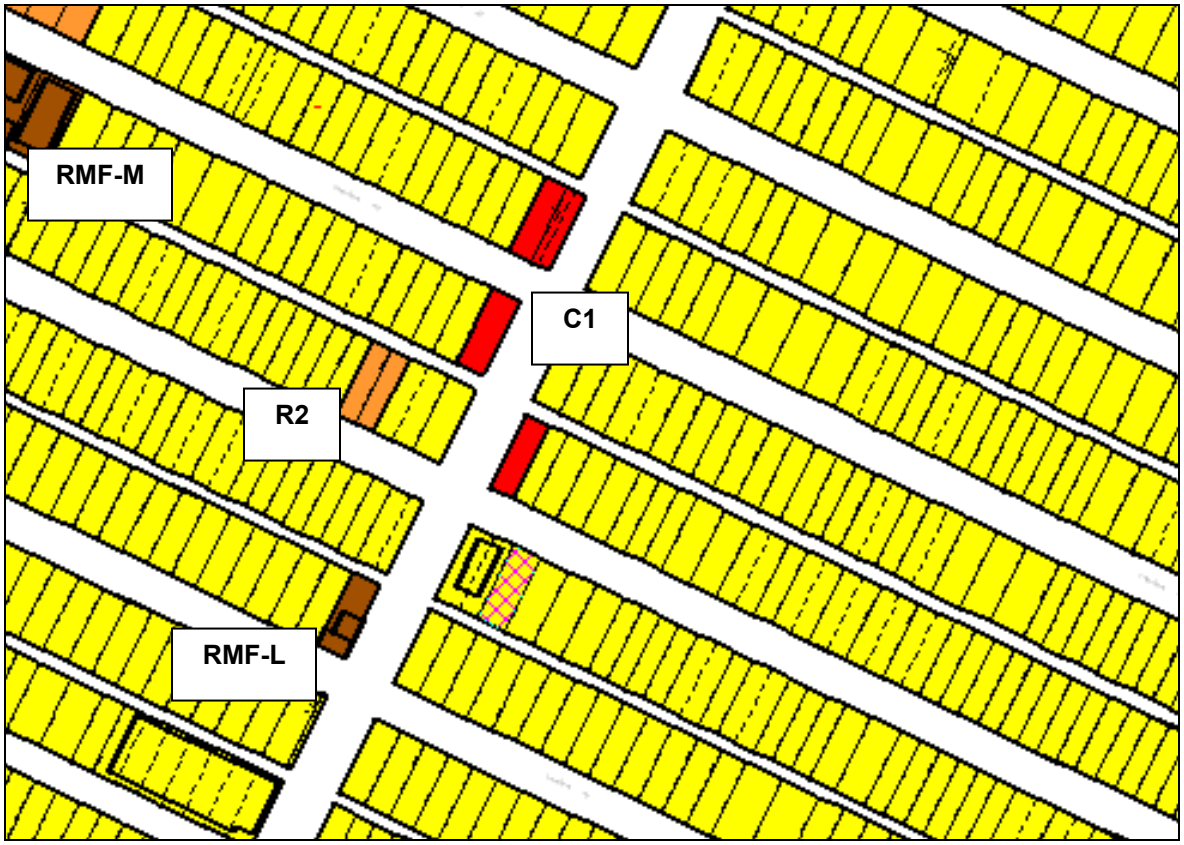


Figure 2: Zoning map of subject property and surrounding neighbourhood

- Section 62 of Zoning By-law No. 200/06 prescribes all permitted and conditional uses in each zoning district. In the "R2" district, a "Dwelling, multi-family" use is conditional.
- Section 137 of the zoning by-law prescribes the following dimensional standards for the "R2" and "R1-S" districts:

	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Front Yard (ft.)	Min. Rear Yard (ft.)	Min. Side Yard (ft.) **	Min. Reverse Corner St Side Yard (ft.)	Max. Height of Bldg. (ft.)	Max. Lot Coverage (%)
R2	5,000*	25	20	25	4	10	35	NA
R1-S	2,500	25	15	25	3 each, or 2 & 4	4	35	45
* - 800 per dwelling unit for multi-family ** - Where the width of the lot is less than 40 ft., the side yards may be reduced to 10% of the width of the lot but must not be less than 3 ft.								

Figure 3: Dimensional standards for the "R2" and "R1-S" districts

- Section 161 of the zoning by-law prescribes vehicular parking requirements for each use. A multi-family residential use requires 1.5 parking spaces per unit.

Compatibility with the surrounding neighbourhood

- The Urban Planning Division is broadly supportive of infill development, as it minimizes the spatial use of land and provides a wider range of housing options in the neighbourhood. This is strongly supported by Complete Communities.
- It is advantageous to locate the higher densities of a neighbourhood at street corners as opposed to mid-block for a number of reasons:
    - Any potential negative impacts of larger massing on single family dwellings are reduced.
    - It helps limit additional vehicular traffic on existing back lanes.
    - It is consistent with traditional patterns of urban form, and is therefore more compatible with the surrounding neighbourhood.
- The Urban Planning Division is supportive of the proposed rezoning for the following reasons:
    - The subject property is located at the end of the block.
    - There is an established precedent of higher intensity zoning, including commercial and residential multi-family-zoned properties, along Brazier, which serves as a residential collector street through the Elmwood neighbourhood.
    - Directly to the west of the subject property is an existing multifamily dwelling.
- Additional discussion will be provided in the concurrent variance and conditional use reports.

Site design issues

- In 2008, the City of Winnipeg produced infill development guidelines to help inform the design of multiple-family developments. Below are a number of guidelines pulled from this document:
    - Building setbacks:
        - Where the proposed infill building does not exceed the maximum allowable height for the existing adjacent zoning district, maintain the minimum (or greater) allowable side yard setback for that adjacent, existing zoning district.
        - Front yard setbacks should respect the established street pattern by providing setback typical of the neighbourhood.
    - Building orientation:
        - The main building façade should be oriented to face the public street and encourage opportunities for informal surveillance and human activity on the street.
        - Main building entrances should be clearly identifiable, visible, and accessible from the public street.
    - Built form guidelines:
        - Encourage building design and use details that emphasize human scale and are pedestrian friendly at grade.
        - Reduce the perception of mass and height of large multiple-family buildings through the balanced use of colour, texture, and materials.
    - Landscaping:
        - Use landscaping to define the development's pedestrian and vehicle entry ways, walkways, and driveways.
- The Urban Planning Division is recommending plan approval as a condition of approval. There are a number of issues more detailed plans should address:
    - More attention should be given to the front façade of the dwelling. Additional articulation should be provided, including the use of multiple different cladding materials and colours, as well as building features such as bay windows and/or porches. One possible strategy would be to treat the two units as separate buildings through design using different materials, roof lines, and/or windows, or even staggering one unit from the other.

- As well, additional information should be provided on the proposed fencing, landscaping, and garbage enclosures to ensure compatibility with the surrounding neighbourhood.
- Given the parking variance requested as per DAV 12-125170D, it is recommended that the applicant provide long term bicycle parking facilities for the development's residents. The Urban Planning Division recognizes a distinction between short term and long term parking; short term bicycle parking should emphasize convenience and, in a residential use, should be used for visitors. It should be located in the front yard. Long term bicycle parking, in contrast, is intended for residents. Therefore, it should be much more secure, fully enclosed, and weather protected; residents should feel comfortable leaving their bicycles in the facility without fear of theft or weather-induced damage for weeks or months at a time. Appendix 'B' below provides a number of examples. These facilities could be accommodated in the parking garage or in a separate enclosed facility.

RECOMMENDATION

The Urban Planning Division is broadly supportive of infill development, as it minimizes the spatial use of land and provides a wider range of housing options in the neighbourhood. It is supportive of this particular application for a number of reasons:

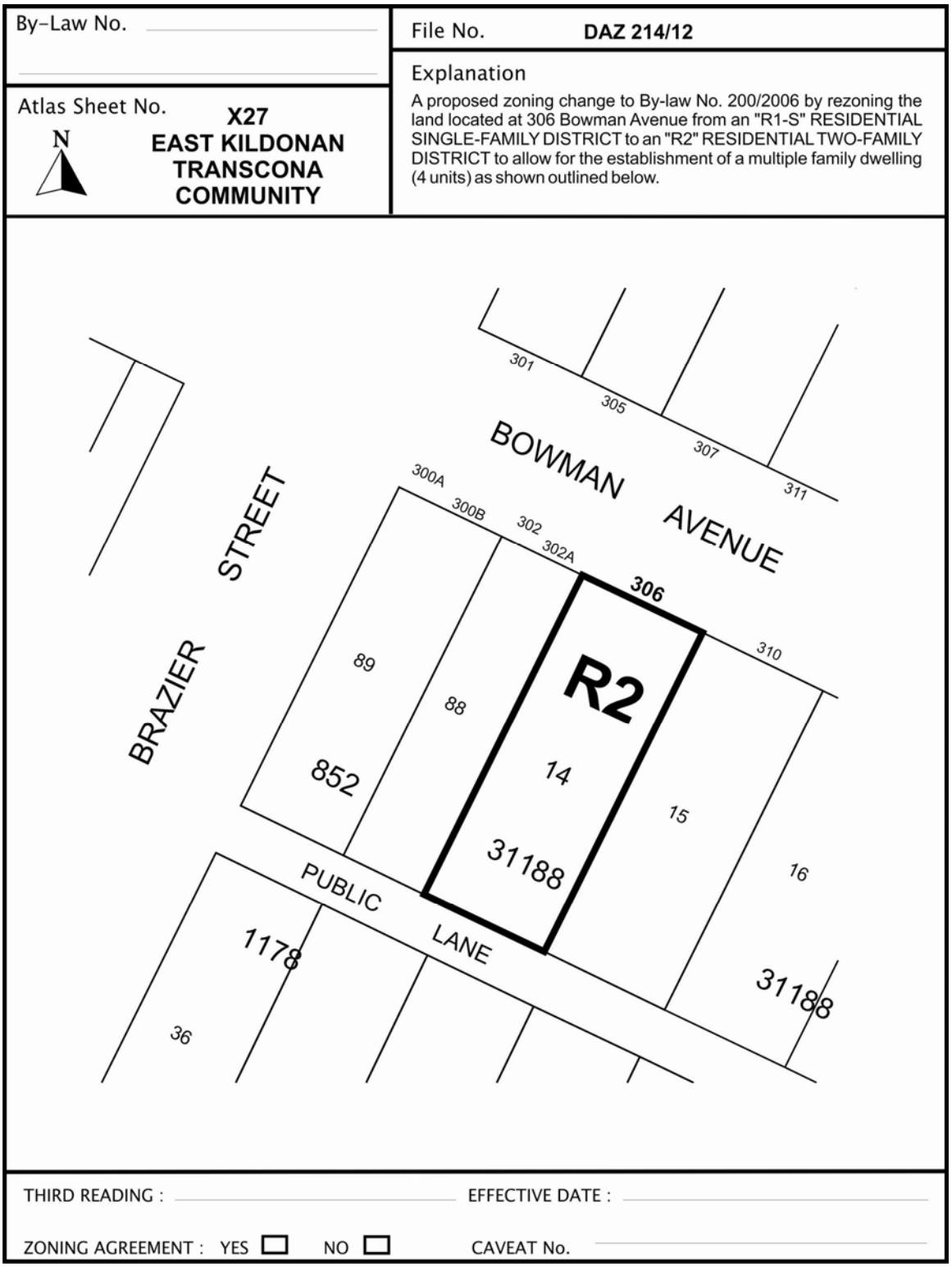
- The subject property is located at the end of the block.
- There is an established precedent of higher intensity zoning, including commercial and residential multi-family-zoned properties, along Brazier, which serves as a residential collector street through the Elmwood neighbourhood.
- Directly to the west of the subject property is an existing multifamily dwelling.

As a condition of approval, plan approval is recommended to ensure compatibility with the surrounding neighbourhood. Particular attention should be given to increasing the level of articulation along the front façade. Updated site plans should also detail fence, landscaping, and garbage enclosure design.

This Report Submitted by: Michael Pyl
Planning, Property and Development Department
Urban Planning Division
Report Prepared by: PPD File # DAZ 214/2012

APPENDIX 'B'

Schedule "A" for File No. DAZ 214/12, East Kildonan-Transcona Community Committee, dated June 6, 2012.



Schedule “B” – Examples of long term bicycle parking facilities





