Minutes – Executive Policy Committee – September 19, 2012

Minute No. 392
Report – Standing Policy Committee on Property and Development – September 11, 2012

Item No. 5 Rezoning – 1425 Molson Street
(Elmwood-East Kildonan Ward)
File DAZ 217/2012 [c/r DAV 128159/2012D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submits the following to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for file DAZ 217/2012 dated July 10, 2012, to an "RMF-S" Residential Multi Family district subject to the following:

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

        i. That, for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, 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 the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for file DAZ 217/2012 dated July 10, 2012, to an "RMF-S" Residential Multi Family district subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated July 10, 2012, with the following amendment, namely:

        i. Amend Recommendation 3.A. by deleting "4.0 m" and replacing same with "2.0 m".

Report – Standing Policy Committee on Property and Development – September 11, 2012

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 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.

5. 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.

6. 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.

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

8. 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 – September 11, 2012

DECISION MAKING HISTORY:

The Chairperson called Deputy Mayor Swandel to the Chair and left the meeting.

Moved by Councillor Browaty,
That the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On September 11, 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 July 17, 2012, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- Amend Recommendation 2.A. by adding the following to the end thereof:

  "with the following amendment, namely:

  i. Amend Recommendation 3.A. by deleting "4.0 m" and replacing same with "2.0 m",

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

RE: **Rezoning – 1425 Molson Street**
File DAZ 217/2012

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: **July 18, 2012**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 17, 2012, The East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for file DAZ 217/2012 dated July 10, 2012, to an "RMF-S" Residential Multi Family district subject to the following:

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

        i. That, for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, 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 the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for file DAZ 217/2012 dated July 10, 2012, to an "RMF-S" Residential Multi Family district subject to the following:

A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated July 10, 2012, with the following amendment, namely:

i. Amend Recommendation 3.A. by deleting "4.0 m" and replacing same with "2.0 m".

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 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.

5. 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.

6. 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.

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

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

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

The East Kildonan-Transcona Community Committee provided the following supporting reason(s) for its recommendation:

1. That this development will enhance the area.
2. That the installation of the planned roundabout at Molson Street and Grassie Boulevard should assist with traffic flow in the area.

PUBLIC HEARING SUMMARY

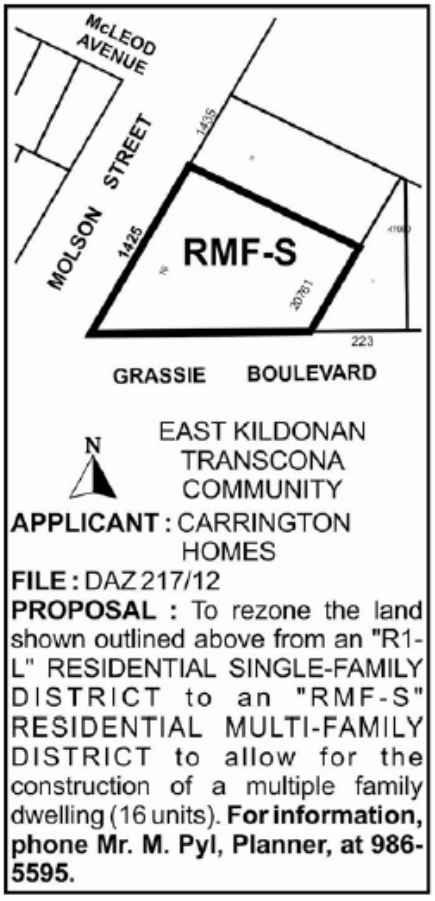
File: DAZ 217/2012

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

Public Hearing: July 17, 2012
Bronx Park Community Centre
720 Henderson Highway

Applicant: Carrington Homes (Karl Devlin)

Subject:



Premises Affected: 1425 Molson Street

Exhibits Filed:
1. Application dated May 8, 2012
2. Notification of Public Hearing dated May 25, 2012

3. Manitoba Status of Title 2173142/1
4. Letter of authorization dated May 6, 2012 from Reta Chapman and C.W Saborowski to Carrington Homes
5. Plans (2 pages)
6. Report from the Planning and Land Use Division dated July 10, 2012
7. Inspection Report
8. Plan submitted by Karl Devlin at the Public Hearing in support of the application
9. Audio Recording of representations

REPRESENTATIONS:

In Support:

Karl Devlin
Peter J. Manastyrsky
Kim and Larry Dyck

In Opposition

Charanjeet Singh
Niman Hussain

For Information:

Reg and Jan Hall

For the City:

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

Exhibit "6" referred to in File DAZ 217/2012

ADMINISTRATIVE REPORT

Title: DAZ 217/12 – 1425 Molson

Issue: For consideration at the public hearing to rezone to allow for the establishment of a multifamily development

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 217/2012 dated July 10, 2012, to an "RMF-S" Residential Multi Family district subject to the following:

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

        i. That, for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, 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 the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for file DAZ 217/2012 dated July 10, 2012, to an "RMF-S" Residential Multi Family district subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated July 10, 2012.

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 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.

5. 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.

6. 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.

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

8. 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” to “RMF-S” in order to construct a multifamily residential development.
- Each building will be two storeys (25.6 ft.) tall and will each have eight units.

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

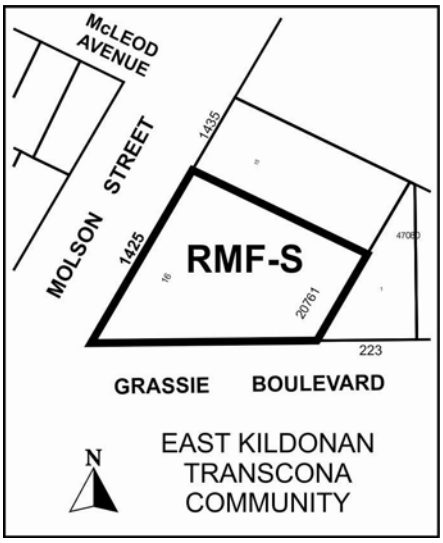
Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Michael Pyl
Date:	July 10, 2012
File No.	DAZ 217/12

APPENDIX 'A'

DATE: July 10, 2012
FILE: DAZ 217/12
RELATED FILES: DAV 12-128159D
COMMUNITY: East Kildonan-Transcona
NEIGHBOURHOOD #: 4.423

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

LOCATION: 1425 Molson St



APPLICANT: Carrington Homes c/o Karl Devlin
2 Kristine Pl
East St. Paul MB R2E 0M1

OWNER: Christopher Walter Saborowski
Reta Dawn Chapman
1425 Molson St
Winnipeg MB R2G 3S6

RECOMMENDATION: Approval

REPORT SUMMARY

- The applicant intends to rezone the subject property from "R1" to "RMF-S" in order to construct a multifamily residential development.
- Each building will be two storeys (25.6 ft.) tall and will each have eight units.

SITE DESCRIPTION

- The subject property is located at the northeast corner of Molson St and Grassie Blvd in the Eaglemere neighbourhood of the Elmwood-East Kildonan ward.
- The subject property is 27,060 sq. ft. in area, with 192 ft. of frontage along Molson and 215 ft. of frontage along Grassie. It is currently zoned “R1-L” Residential Single Family district. It is occupied by a 2,136 sq. ft., one storey single family dwelling built in 1955.
- Adjacent properties include single family dwellings to the north, west, and east zoned “R1-M” and “R1-L” and a three storey multifamily residential building zoned “RMF-S” Residential Multi Family district.

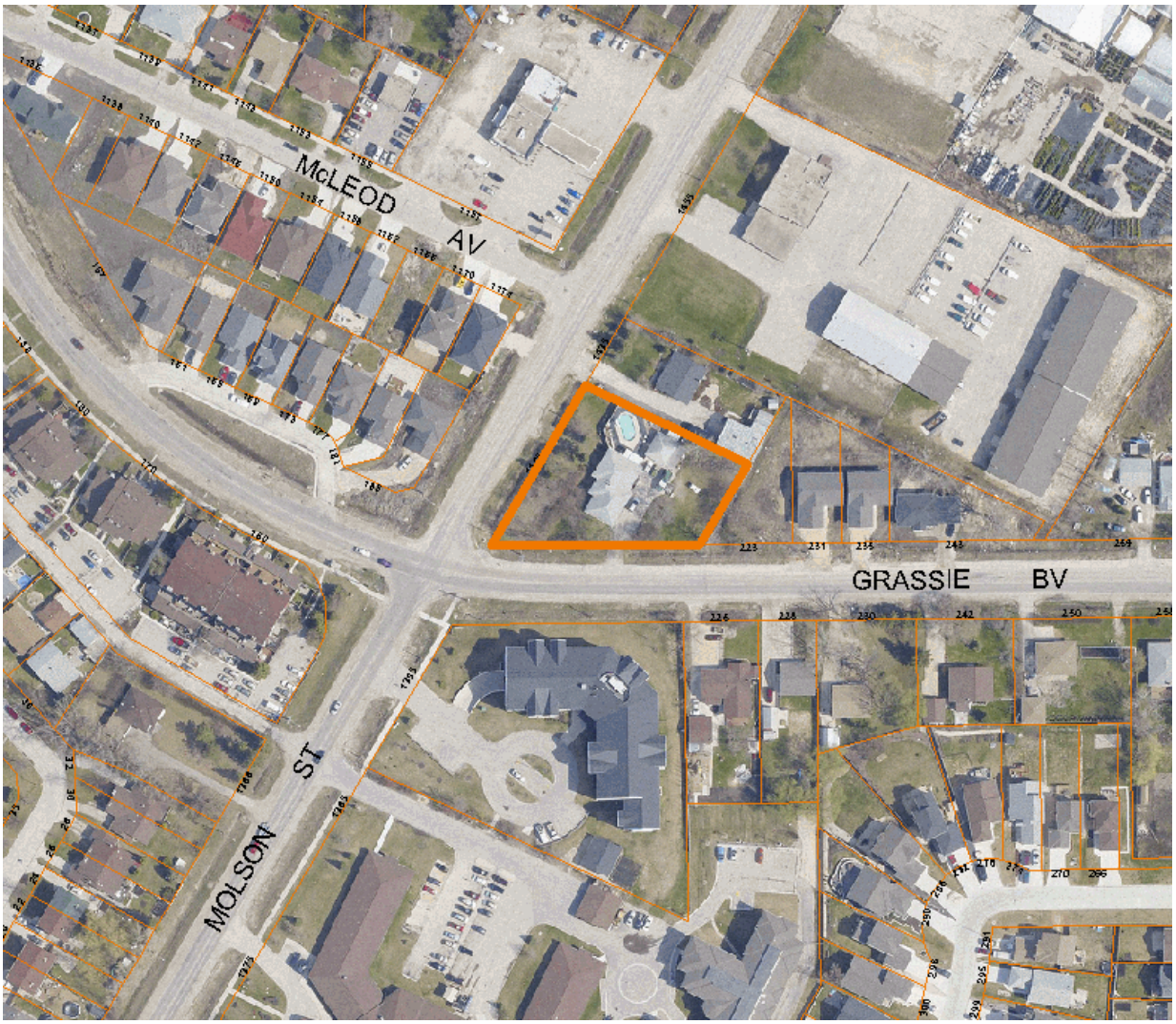


Figure 1: Site map of subject property and surrounding neighbourhood

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to rezone the subject property from “R1” to “RMF-S” in order to construct a multifamily residential development.

- Each building will be two storeys (25.6 ft.) tall and will each have eight units. They will be erected along Grassie, with front yard setbacks ranging from 13.5 ft. at the east end to 29.3 ft. at the west. Each building will have a footprint of 3,900 sq. ft. They will be clad in stucco and cultured stone.
- The applicant is proposing 24 parking spaces located at the rear of the site with access off Molson. The exterior garbage bin will be located off this parking lot.

BACKGROUND

DAV 12-128159D

- In concurrence with this application, the applicant has also applied to vary the front yard requirement of 20 ft. down to 13.5 ft.

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 Multi-Family (RMF) district is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities.

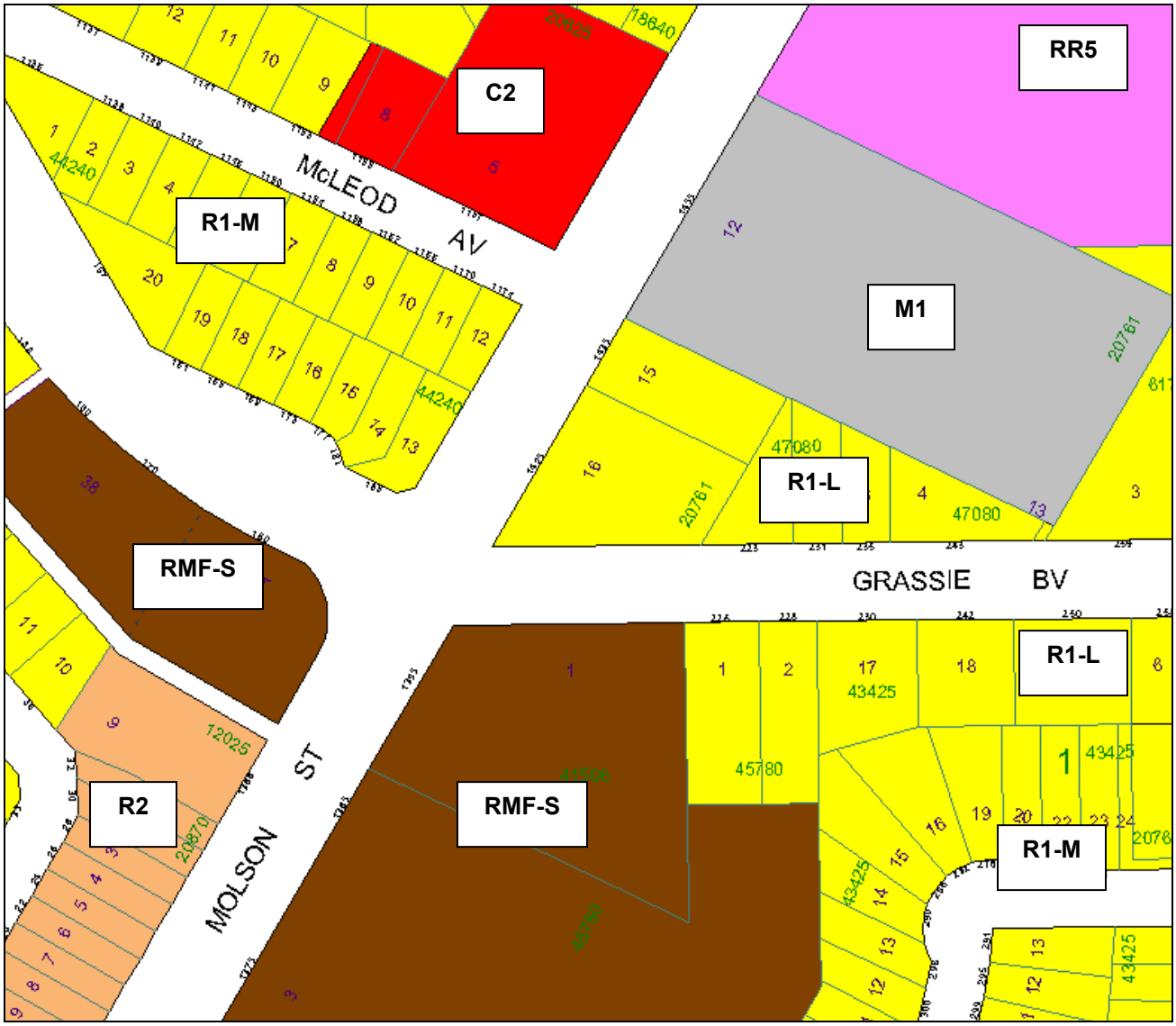


Figure 2: Zoning map of subject property and surrounding neighbourhood

- Section 143 of the zoning by-law prescribes the following dimensional standards for the "RMF-S" district:

	Min. Lot Area (sq. ft.)	Min. Lot Area Per Dwelling Unit (sq. ft.)	Min. Front Yard (ft.)	Min. Rear Yard (ft.)	Min. Interior Side Yard (ft.) **	Min. Corner Side Yard (ft.)	Principal Building Separation (ft.)	Max. Building Height (ft.)
RMF-S	9,000	1,250	20	25	4	5	8	35

Figure 3: Dimensional standards for the "RMF-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.

Public Transit

- The intersection of Grassie and Molson is serviced by Winnipeg Transit routes 44 and 77.

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.
- Specifically, the Urban Planning Division is supportive of the proposed rezoning for the following reasons:
    - The proposed development is located at the corner of two collector streets.
    - There is a precedent for other nearby multifamily uses.
    - The proposed plan is compatible in scale with surrounding development.

Site design issues

- The Urban Planning Division is recommending plan approval as a condition of approval. There are a number of issues more detailed plans should address, including the location and design of fencing, landscaping, garbage enclosures, pedestrian connections, and bicycle parking.
- In regards to bicycle parking, 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. Specifically, it is supportive of this application because it is located at the corner of two collector streets, there is an existing precedent for other nearby multifamily uses, and the proposed plan is compatible in scale with surrounding development.

Plan approval is recommended as a condition of a proposed zoning agreement to ensure the provision of quality site design, including long term bicycle parking.

This Report Submitted by: Michael Pyl
Planning, Property and Development Department
Urban Planning Division
Report Prepared by: PPD File # DAZ 217/2012

APPENDIX 'B'

Schedule "A" for File No. DAZ 217/12, East Kildonan-Transcona Community Committee, dated July 10, 2012.

By-Law No. _____

File No. **DAZ 217/12**

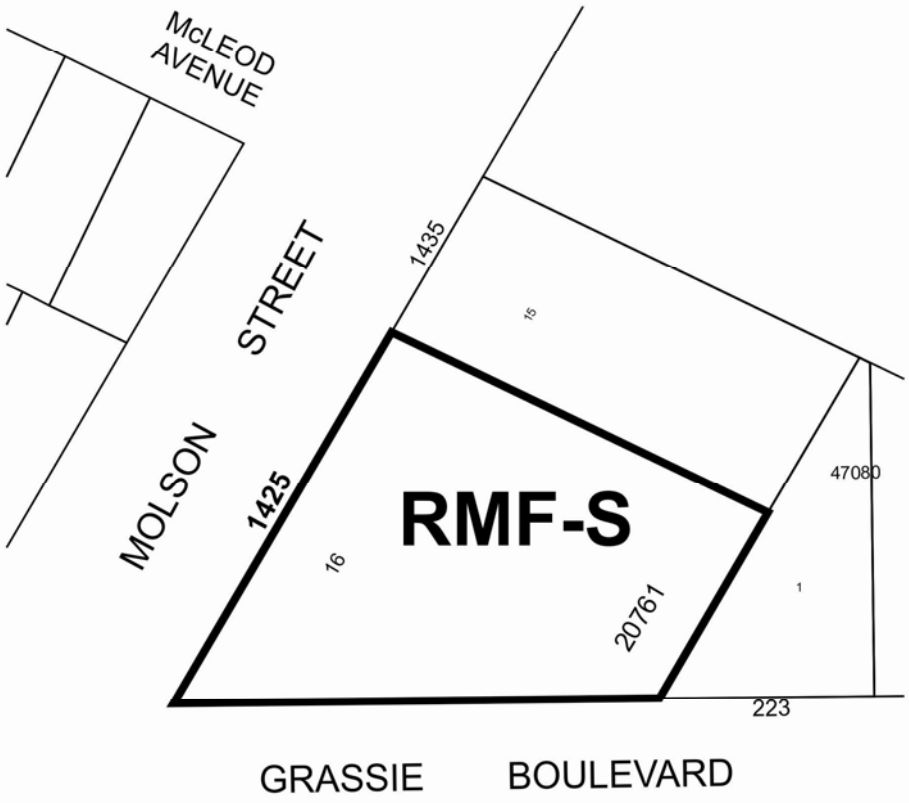
Atlas Sheet No. **W31**

N

EAST KILDONAN TRANSCONA COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 1425 Molson Street from an "R1-L" RESIDENTIAL SINGLE-FAMILY DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY DISTRICT to allow for the construction of a multiple family dwelling (16 units) as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule ‘B’ – Examples of long term bicycle parking facilities







Schedule 'C'

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – July 10, 2012

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 1425 MOLSON STREET - DAZ 217/2012

It is recommended that the approval of DAZ 217/2012, if granted, be subject to the applicant entering into a Development Agreement containing the following conditions;

1. The Developer shall pay its share of the regional land drainage system (2012 Rate = $10,103.00/acre).

2. The Developer shall pay its share of the following underground improvements in Molson Street.

    a. Land Drainage Sewer Laterals: ($40.00/frontage foot x 144 frontage feet)
    b. Wastewater Sewer: ($110.00/frontage foot x 11 frontage feet)
    c. Watermain: ($88.00/frontage foot x 11 frontage feet)

3. The Developer shall, pay to the City, in cash, on demand, its share of the cost of the following surface improvements to be installed, in the future by the City, in Molson Street along the full length of the subject property abutting Molson Street:

    a. A 4.0m in width by 200mm in thickness portland cement concrete lane of pavement and related works;
    b. Street lighting in the east boulevard;
    c. Landscaping in the east boulevard;
    d. A 1.5m in width by 100mm in thickness portland cement concrete sidewalk;

    All as determined by the Director of Public Works. (2012 Rate = $443.00/frontage foot x 144 frontage feet).

4. The Developer shall, at no expense to the City, provide underground electrical and telephone services to serve the proposed subdivision and will pay the full cost to convert any existing overhead services within the proposed subdivision to underground, to the satisfaction of the Director of Public Works.

5. The Developer shall pay all costs associated with the relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to be constructed by the Developer to serve the Planned Area, as determined by , and to the satisfaction of, the Director of Public Works.

6. The Developer shall, at no expense to the City, ensure that construction traffic uses access routes as determined by the Director of Public Works; maintain those access routes, at no expense to the City, in a clean, dust free condition, free of dropped and tracked-on mud; and undertake the regular cleaning of streets; all until building construction, including landscaping, is complete, and all as determined by and to the satisfaction of the Director of Public Works.

7. The Developer shall, at no expense to the City, initiate and control the regular clean up of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until completion of all construction, as determined by, and to the satisfaction of, the Director of Public Works.

8. The Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, $1,200.00 plus GST per acre (minimum $1,650.00) of the Planned Area to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DAZ 217/2012
July 10, 2012

"Original signed by K.T. Raban, P.Eng."
K.T. Raban, P. Eng.
Land Development Branch

R. J. Hartmann, P. Eng.
Public Works Department, Transportation Division

F. C. Mazur, P. Eng.
Water & Waste Department