Minutes – Executive Policy Committee – June 19, 2013

Minute No. 335
Report – Standing Policy Committee on Property and Development – June 11, 2013

Item No. 3 **Subdivision and Rezoning – 180 Beliveau Road and the Closed Lane to the West**
(St. Vital Ward)
File DASZ 14/2013

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the following to Council:

1. That the plan of survey under File DASZ 14/2013 be approved for preparation as a plan of survey by a Manitoba Land Surveyor in accordance with Schedule "C" for File DASZ 14/2013 dated April 19, 2013 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the planned area as shown on Schedule "C" for File DASZ 14/2013 dated April 19, 2013 to an "RMF-L" Multi-Family Large District, subject to the following:

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

        i. That, for the development of any building, and/or accessory parking area and/or signage within the lands zoned "RMF-L" Residential Multi-Family, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

        ii. That the Developer and all successors in title to the parcels in the plan of survey shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the parcels, private cross-access agreements with the owners of the other parcels so as to ensure access to every parcel at all times, via streets or internal roads,

by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners must submit the agreements or easements to the City Solicitor for approval prior to execution.

iii. That, where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the Fire Paramedic Service.

3. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional parcels be paid to the City for the purchase of land for purposes of the City other than streets.

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

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years 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 the two (2) year period and Council approves the extension.

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 Title Office.

8. That the zoning section of the by-law shall come into force and effect when the plan of survey is registered in the Winnipeg Land Titles Office and 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 (1) year from the date the by-law is passed.

Report – Standing Policy Committee on Property and Development – June 11, 2013

9. That the plan of survey shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which 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 the one-year period and Council approves the extension.

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 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.

11. 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.

Minutes – Executive Policy Committee – June 19, 2013

Report – Standing Policy Committee on Property and Development – June 11, 2013

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On June 11, 2013, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 6, 2013, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Amend Recommendations 1. and 2. by deleting “Schedule “A”” and replacing it with “Schedule “C””.

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

RE: **Subdivision and Rezoning – 180 Beliveau Road and Lane (closed) west of property**
File DASZ 14/2013

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

Prepared by: **Visa Hutter, Senior Committee Clerk**
Riel Community Committee

Report date: **May 6, 2013**

COMMUNITY COMMITTEE RECOMMENDATION:

On May 6, 2013, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended and recommended to the Standing Policy Committee on Property and Development:

1. That the plan of survey proposed under File DASZ 14/2013 be approved for preparation as a plan of survey by a Manitoba Land Surveyor in accordance with ~~***Schedule "A"***~~ ***Schedule "C"*** for File DASZ 14/2013 dated April 19, 2013 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the planned area as shown on ~~***Schedule "A"***~~ ***Schedule "C"*** for File DASZ 14/2013 dated April 19, 2013 to an "RMF-L" Multi-Family Large District, subject to the following:

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

      i. That, for the development of any building, and/or accessory parking area and/or signage within the lands zoned "RMF-L" Residential Multi-Family, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

      ii. That the Developer and all successors in title to the parcels in the plan of survey shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the parcels, private cross-access agreements with the owners of the

other parcels so as to ensure access to every parcel at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners must submit the agreements or easements to the City Solicitor for approval prior to execution.

iii. That, where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the Fire Paramedic Service.

3. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional parcels be paid to the City for the purchase of land for purposes of the City other than streets.

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

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years 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 the two (2) year period and Council approves the extension.

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 Title Office.

8. That the zoning section of the by-law shall come into force and effect when the plan of survey is registered in the Winnipeg Land Titles Office and 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 (1) year from the date the by-law is passed.

9. That the plan of survey shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which 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 the one-year period and Council approves the extension.

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 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.

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

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

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

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated April 19, 2013.

PUBLIC HEARING SUMMARY

File: DASZ 14/2013

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

Public Hearing: May 6, 2013
Council Building, 510 Main Street

Applicant: J. Wintrup Consulting Ltd. (John Wintrup)

Subject:



APPLICANT : J. WINTRUP CONSULTING LTD.
FILE : DASZ 14/13
PROPOSAL: An application for the approval of the plan of survey 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 "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT and an "RMF-S" RESIDENTIAL MULTI-FAMILY (Small) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (Large) DISTRICT to facilitate the closure of a public lane to allow for the future construction of a multiple-family dwelling. **For information, phone Mr. R. Kostiuk, Planner, at 204-986-7367.**
DEMANDEUR : J. WINTRUP CONSULTING LTD.
N° DE RÉFÉRENCE : DALZ 14/13
PROJET : Demande d'approbation par le Conseil du plan d'arpentage indiqué ci-dessus et proposition de modification du Règlement municipal no 200/2006 visant à modifier le zonage des sols délinéés ci-dessus de sorte qu'ils passent de les catégories R1-M (SECTEUR D'HABITATIONS UNIFAMILIALES MOYENNES) et RMF-S (SECTEUR RÉSIDENTIEL DE PETITES HABITATIONS MULTIFAMILIALES) à la catégorie RMF-L (SECTEUR DE GRANDES HABITATIONS MULTIFAMILIALES) afin de faciliter la fermeture d'une voie publique et de permettre la construction d'une habitation multifamiliale à l'avenir. **Pour plus de renseignements, veuillez communiquer avec M. R. Kostiuk, urbaniste, au 204-986-7367.**

Premises Affected: 180 Beliveau Road and Lane (closed) west of property

Exhibits Filed:

1. Application dated March 8, 2013
2. Notification of Public Hearing dated April 19, 2013
3. Manitoba Status of Titles 2536607/1 and 2536615/1
4. Letter of authorization dated August 23, 2012 from Vince Spezzano, President, Beliveau Developments Ltd and Winnipeg Condominium Corporation No. 727 to J. Wintrup Consulting Ltd.
5. Surveyor's Building Location Certificate and sketch dated February 25, 2008
6. Plan
7. Report from the Planning and Land Use Division dated April 19, 2013
8. Inspection Report
9. Plan of Survey to be shown as Schedule "C"
10. Audio Recording of the adjourned public hearing held on May 6, 2013

REPRESENTATIONS:

In Support:

John Wintrup

In Opposition:

Nil

For Information:

Janice Wolowich

For the City:

R. Kostiuk, Planner, Planning, Property and Development Department

Exhibit “9” referred to in File DASZ 14/2013

Schedule C

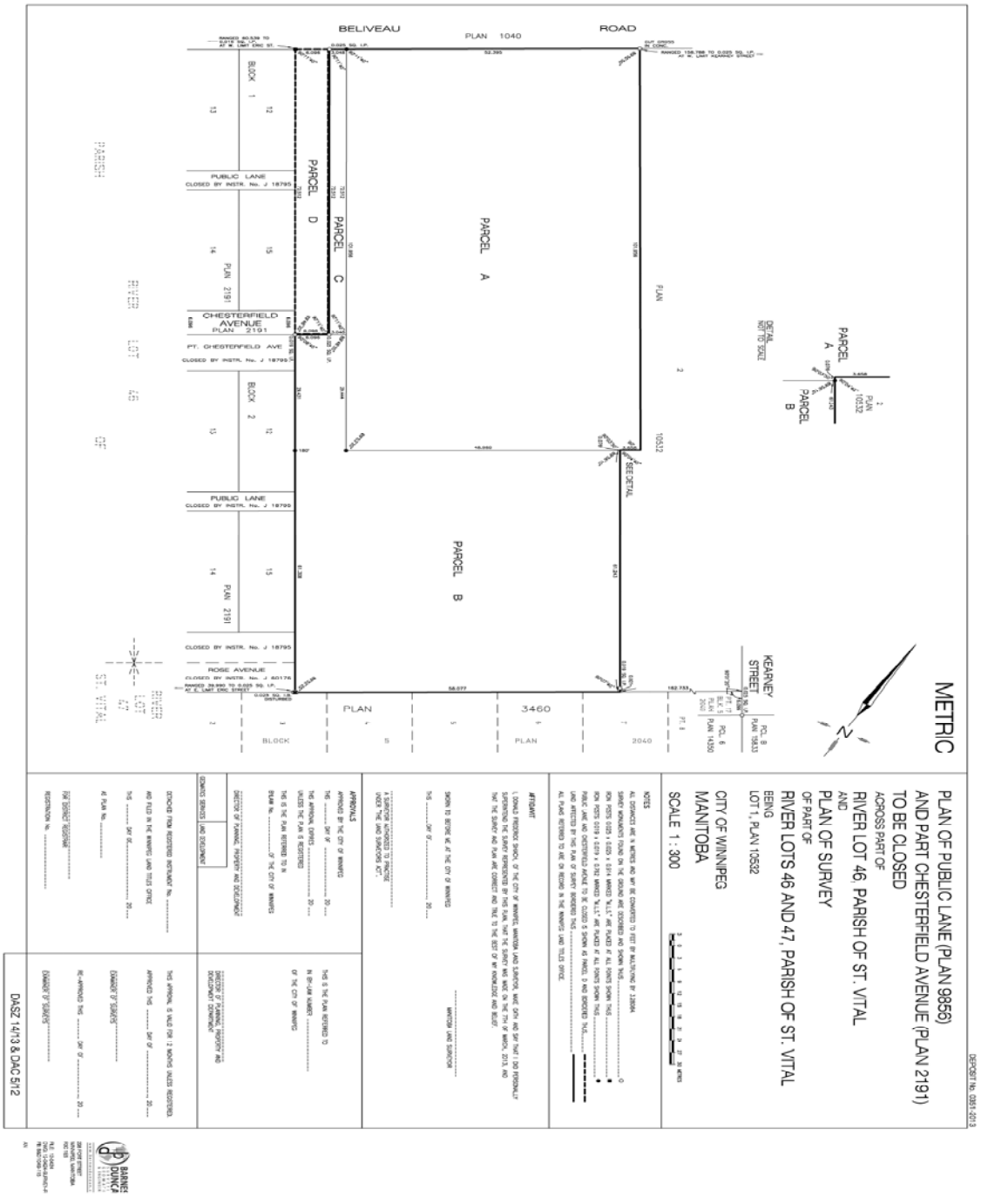


Exhibit "7" referred to in File DASZ 14/2013

ADMINISTRATIVE REPORT

Title: DASZ 14/2013 – 180 Beliveau Road Public Hearing

Issue: An application for consideration at the Public Hearing for a plan of survey to create four (4) parcels and rezone the land from R1-M & RMF-S to RMF-L.

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

AUTHORIZATION

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

RECOMMENDATIONS

1. That the plan of survey proposed under File DASZ 14/2013 be approved for preparation as a plan of survey by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 14/2013 dated April 19, 2013 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.
2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 14/2013 dated April 19, 2013 to an "RMF-L" Multi-Family Large District, subject to the following:
    A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:
        i) That, for the development of any building, and/or accessory parking area and/or signage within the lands zoned "RMF-L" Residential Multi-Family, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii) That the Developer and all successors in title to the parcels in the plan of survey shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the parcels, private cross-access agreements with the owners of the other parcels so as to ensure access to every parcel at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners must submit the agreements or easements to the City Solicitor for approval prior to execution.

iii) That, where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the WFPS.

3. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional parcels be paid to the City for the purchase of land for purposes of the City other than streets.

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

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years 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 the two (2)-year period and Council approves the extension.

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 Title Office.

8. That the zoning section of the by-law shall come into force and effect when the plan of survey is registered in the Winnipeg Land Titles Office and 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 (1) year from the date the by-law is passed.

9. That the plan of survey shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which 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 the one-year period and Council approves the extension.

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 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.

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

REASON FOR THE REPORT

- The applicant is proposing to a plan of survey for the site in order to create four (4) parcels (A-D) and rezone the property from “R1-M” Residential Single-Family Medium and “RMF-S” Residential Multi-Family Small to “RMF-L” Residential Multi-Family Large.
- The proposed subdivision and rezoning will facilitate the future construction of a new multi-family building on the site, which will be located behind (south of) the existing multi-family building. The existing building will be located within Parcel A; the future building will be located within Parcel B; and, Parcels C & D will facilitate the vehicular access to the main building parcels, most notable Parcel B.
- Subdivisions and rezonings require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee’s consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Urban Planning Division are concurred in, the subject site will be divided into four (4) parcels and rezoned from R1-M and RMF-S to RMF-L.

HISTORY

DAC 5/2012

- On January 30, 2013, Council approved the road closing application DAC 5/2012 (subject to conditions), that closed the portion of the lane west of the site and shown as Parcel D in the subject application.

CONSULTATION

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Robert Kostiuk, MCIP
Date:	April 19, 2013
File No.	DASZ 14/2013

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule “A” — Recommended File No. DASZ 14/2013 Riel Community Committee, dated April 19, 2013
3. Appendix “B” — Plan Approval Design Guidelines for DASZ 14/2013

APPENDIX 'A'

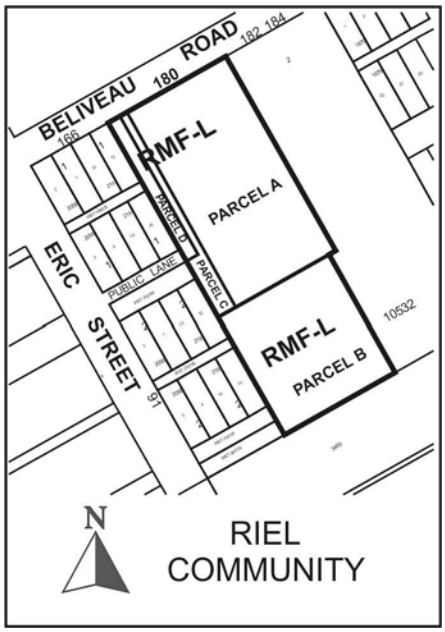
DATE: April 19, 2013

FILE: DASZ 14/2013
RELATED FILES: DAV 13-110567/D

COMMUNITY: Riel
NEIGHBOURHOOD #: 5.517

SUBJECT: An application to for a plan of survey to create four (4) parcels and rezone the site from R1-M & RMF-S to RMF-L.

LOCATION: 180 Beliveau Road
LEGAL DESCRIPTION: LOT 1 PLAN 10532 46/47 ST V



APPLICANT: John Wintrup – J. Wintrup Consulting Ltd.
139 ROSLYN RD UNIT 301
WINNIPEG MB R3L 0G7

OWNER: BELIVEAU DEVELOPMENTS LTD.
330 ST MARY AVE UNIT 1000
WINNIPEG MB R3C 3Z5

RECOMMENDATION: Approval

REPORT SUMMARY

- The applicant is proposing to a plan of survey for the site in order to create four (4) parcels (A-D) and rezone the property from “R1-M” Residential Single-Family Medium and “RMF-S” Residential Multi-Family Small to “RMF-L” Residential Multi-Family Large.
- The proposed subdivision and rezoning will facilitate the future construction of a new multi-family building on the site, which will be located behind (south of) the existing multi-family building. The existing building will be located within Parcel A; the future building will be located within Parcel B; and, Parcels C & D will facilitate the vehicular access to the main building parcels, most notable Parcel B.
- The Urban Planning Division recommends supporting this application.

SITE DESCRIPTION

- The subject site is located on the south side of Beliveau Road between Eric and Kearney Street in the Worthington neighbourhood of the St. Vital Ward.
- The property is **2.3 acres (100,188 square feet) in area** and contains an eight (8) storey apartment building near the centre of the site that is 77.5 feet tall. This apartment block contains 79 dwelling units.
- The property is located within the Areas of Stability – Mature Communities Policy Area under the Complete Communities Direction Strategy and is zoned “RMF-S” Residential Multi-Family Small and “R1-M” Residential Single-Family Medium.



Figure 1: Aerial photograph showing the location of the subject site and surrounding area (2012)

SURROUNDING LAND USES AND ZONING (See Figure 2)

North: A multi-family development zoned RMF-S.

South: The Bishop Grandin Greenway and a Hydro corridor zoned R1-M.

East: A multi-family complex comprised of two and three-storey buildings zoned RMF-S.

West: One and two-storey multi-family buildings zoned RMF-S.

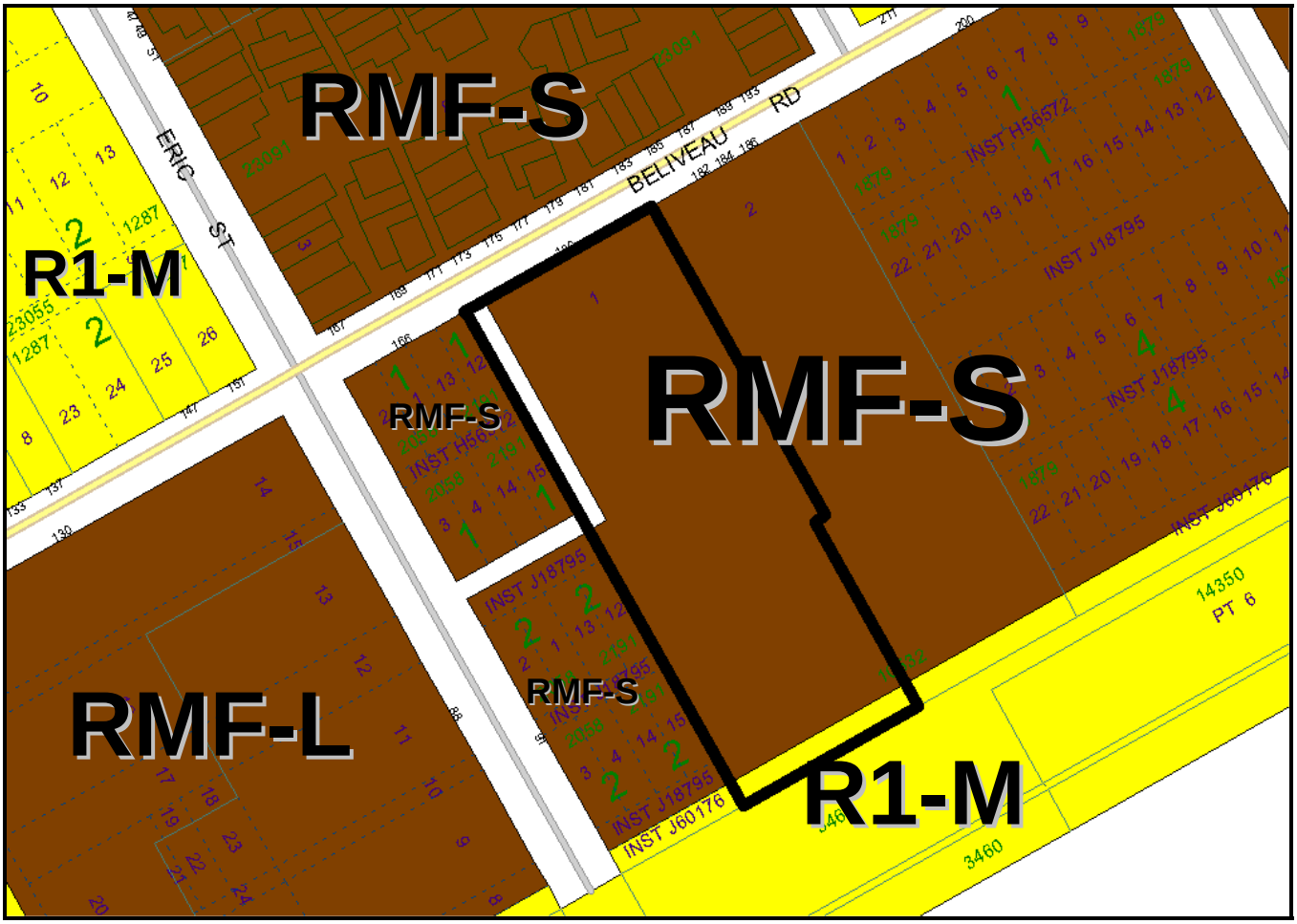


Figure 2: Zoning of the site and surrounding area.

BACKGROUND

- In 2012, a pre-application was submitted to the City of Winnipeg that presented a plan to develop the southern portion of the subject site. Among the greatest issues with that pre-application was that the proposed roadway connection to the southern portion of the site (Parcel B) was of a substandard width.
- Under DAC 5/2012, the applicant was granted approval by Council to close the portion of the public lane now identified as Parcel D in the subject application. This approval was subject to several conditions. Closing the lane, combined with the land included in proposed Parcel C effectively creates a wide enough access to privately service Parcel B for vehicular access and emergency response.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to a plan of survey for the site in order to create four (4) parcels (A-D) and rezone the property from “R1-M” Residential Single-Family Medium and “RMF-S” Residential Multi-Family Small to “RMF-L” Residential Multi-Family Large.
- The proposed subdivision and rezoning will facilitate the future construction of a new multi-family building on the site, which will be located behind (south of) the existing multi-family building. The existing building will be located within Parcel A; the future building will be located within Parcel B; and, Parcels C & D will facilitate the vehicular access to the main building parcels, most notable Parcel B.
- Parcel A will be approximately 54,845 square feet in area and Parcel B will be approximately 38,275 square feet in area.
- The applicant has provided a concept showing the footprint of a proposed building on Parcel B that would contain up to 83 units and would be 7 storeys tall. This drawing was accepted as a concept for that Parcel and was not reviewed for conformance with the Zoning By-Law at this time. Future variance applications may be required for development on Parcel B.
- A variance application (DAV 13-110567/D) is required for the east and west side yards of the existing building on proposed Parcel A.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *Complete Communities Direction Strategy* the proposed development is within the Areas of Stability – Mature Communities policy area. With regard to this proposal, the key policies guiding the development of Areas of Stability include:
    - Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form.
    - Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
    - In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses.

ZONING

“R1-M” Residential Single-Family Medium District

- The R1-M district requires: a minimum lot width of 25 feet, a minimum lot area of 3,500 square feet, side yards of 4 feet, a front yard of 15 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 45%.

“RMF-S” Residential Multi-Family Small

- The RMF-S zone is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities. The dimensional standards

for multi-family structures in the RMF-S zone are: a minimum front yard of 20 feet; a minimum rear yard of 25 feet; a minimum side yard of 4 feet and, a maximum building height of 35 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 1,250 square feet.

"RMF-L" Residential Multi-Family Large

- The RMF-L zone is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities. The dimensional standards for multi-family structures in the RMF-L zone are: a minimum front yard of 25 feet; a minimum rear yard of 25 feet; a minimum side yard of 8 feet (where the 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) and, a maximum building height of 150 feet. The minimum lot area is 20,000 square feet and the minimum lot area per dwelling unit is 400 square feet.

LAND USE BY-LAW

Rezoning

- The applicant is proposing to develop a new multi-family building on proposed Parcel B while keeping the existing 8-storey, 79 unit building on proposed Parcel A. The existing building on proposed Parcel A does not conform to the RMF-S zoning district and the proposed development for Parcel B will also not conform to the RMF-S standards. As such, the applicant is proposing to rezone the site to RMF-L.

Variances

- The existing multi-family building on proposed Parcel A does not conform to the side yard requirements of the RMF-L zone and requires variances.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The subject site is located within the Areas of Stability – Mature Communities policy area under the Complete Communities Direction Strategy. Policies guiding development in Mature Communities encourages a mix of housing types.
- The south side of Beliveau Road between Dakota Street and St. Anne's Road has a mix of single-family and multi-family developments. Most of this area is zoned RMF-S.
- The largest multi-family complex is located just west of the site at the southwest corner of Beliveau Road and Eric Street. This complex is zoned RMF-L and has 400 dwelling units within buildings that are 10 and 12 storeys tall.
- Beliveau Road is a collector street in the neighbourhood that is serviced by Winnipeg Transit.
- The applicant is not proposing to develop in front of (north) the existing building. As such, there will be no impact on the properties north of Beliveau Road resulting from the proposed development. However, it should be noted that if proposed Parcel A is rezoned to RMF-L and eventually is conveyed to exist as one parcel on one title, the density requirements under that zoning district would allow for up to approximately 135 dwelling units on that parcel.

- The proposed future development will be located on proposed Parcel B, which is located immediately north of the Bishop Grandin right-of-way and Bishop Grandin Greenway. Parcel B is approximately 38,275 square feet in area. A parcel of that size could accommodate up to approximately 95 dwelling units if that parcel is conveyed to exist on one title.
- It should be noted that the concept provided for development on Parcel B appears to have a number setbacks that may require variances, notable a yard variance along the south property line. The Public Service prefers to see that all minimum required yards be maintained as prescribed under the zoning by-law.
- Access to Parcel B is intended to be accommodated through proposed Parcels C & D, which will be facilitated through the closing of the public lane under DAC 5/2012. DAC 5/2012 must be completed in order for the subject application to be finalized.
- Although a servicing agreement is not required for the subject development, it should be noted that the developer will be need required construct a private wastewater sewer connection to Eric Street to service the subject property to the satisfaction of the Director of Water and Waste.

RECOMMENDED ZONING AGREEMENT

Plan Approval

- The applicant has not provided any details on the proposed design for the new building to be developed on Parcel B. The Urban Planning Division is recommending that final plans be submitted to the Director of Planning, Property and Development and Riel Community Committee for review prior to the issuance of a development permit on the RMF-L parcels. The inclusion of this clause will allow the Urban Planning Division and the Riel Community Committee to review final plans before development takes place for the proposed development and for any future developments on the site. Design guidelines for future development have been included in Appendix “B”.

Cross Access

- The Public Service is recommending that cross access agreements be registered for the entire site.

Building Numbering

- The Public Service is recommending to inclusion of a clause that relates to addressing the buildings on the site in order to make it easier for WFPS to respond to emergency calls that may arise.

LAND DEDICATION

- *When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.*
- *As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.*
- *The amount of land is not less than 10%.*

- *The developer is to provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.*
- *The City is requesting cash in lieu for this application.*

RECOMMENDATION

The Urban Planning Division recommends **approval** for the following reasons:

- The proposed development is consistent with the policies of the Complete Communities Direction Strategy.
- There is a comparable development to the one proposed that is located just west of the site. This development is zoned RMF-L and has 400 dwelling units within buildings that are 10 and 12 storeys tall.
- Most of the south side of Beliveau Road between Dakota Street and St. Anne's Road is zoned for multi-family development.
- The existing building on the site does not conform to the height standards of the RMF-S zone.
- Beliveau Road is a collector street in the neighbourhood that is serviced by Winnipeg Transit.

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

Report Prepared By: Robert Kostiuk, MCIP
PPD File # DASZ 14/2013

Schedule "A" for File No. DASZ 14/2013, Riel Community Committee, dated April 19, 2013

By-Law No. _____

File No. **DASZ 14/13**

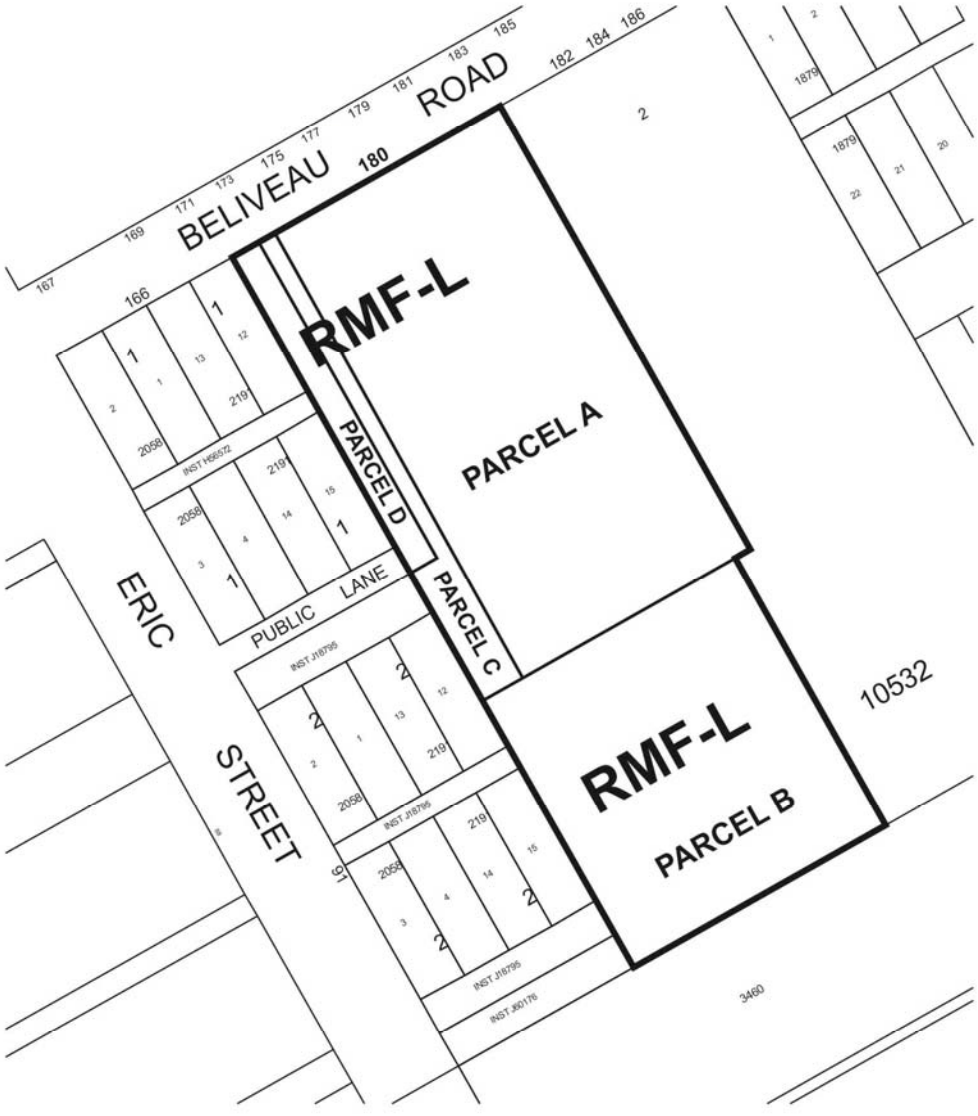
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Explanation

An application for the approval of the plan of survey shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 180 Beliveau Road from an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT and an "RMF-S" RESIDENTIAL MULTI-FAMILY (Small) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (Large) DISTRICT to facilitate the closure of a public lane to allow for the future construction of a multiple-family dwelling as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX 'B' **Design Guidelines**

Plan Approval Design Guidelines for DASZ 14/2013 – 180 Beliveau Road

1. Site Planning

1.1 The site layout and building orientation should ensure that the buildings are constructed in a manner that is appropriate for the surrounding context (notably the Bishop Grandin Greenway and surrounding developments). Minimum required setbacks should be maintained for any development on Parcel B.

1.2 Site design should consider opportunities for enhancing personal security and safety by incorporating Crime Prevention Through Environmental Design (CPTED) principles.

1.3 Parking areas should be well-screened with landscaping.

1.4 Locate refuse storage areas and other building services internal to buildings or screened from view with appropriate fencing/landscaping.

1.5 Locate walkways to minimize potential conflict with vehicular and services areas.

1.6 Development on the site should include a shadow study to determine potential impact on surrounding properties.

1.7 Vehicular access to the Parcel B should be facilitated through Parcels C & D. Parcels C & D should also provide secondary access for Parcel A.

2. Building Orientation and Design

2.1 The building façade facing the public right-of-ways should be well-articulated and should avoid featureless building massing.

2.2 Minimize blank walls – use landscaping, aesthetic characters (such as projections and offsets), change in cladding material, glass, etc. to break up tracts of continuous blank walls.

2.3 Reduce the perception of mass and height through the balanced use of colour, texture and materials.

3. Landscaping

3.1 Landscaping shall be provided to enhance the overall development in key areas such as the development perimeter, corners, common areas, areas along pathways, and entryways.

3.2 Development on Parcel B should include high-quality landscaping along the south property line and along the side and rear yards. It is preferred that existing trees be preserved as much as possible.