Minutes - Executive Policy Committee – July 10, 2013

Minute No. 392
Report - Standing Policy Committee on Property and Development – July 2, 2013

Item No. 13 Subdivision and Rezoning – 1101-1121 Wabasha Street (Transcona Ward) File DASZ 31/2013

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 submitted the following to Council:

1. That the plan of subdivision under File DASZ 31/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 31/2013 dated June 18, 2013 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the future developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated May 22, 2013.

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 31/2013 dated June 18, 2013, to a "RMF-L" Residential Multifamily district, subject to the following conditions:

    A. That the future developer 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, plans shall be submitted showing the location and design of the proposed buildings, accessory parking areas, garbage enclosures, fencing, landscaping, bicycle parking, 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.

Report - Standing Policy Committee on Property and Development – July 2, 2013

ii. Prior to the issuance of any building permit within the proposed "RMF-L" Residential Multi-Family (Large) District site, the future developer (or future owner) shall, at no expense to the City, submit a report prepared by a municipal engineer and/or architect demonstrating that the proposed building(s) will meet all fire flow and fire protection requirements to the satisfaction of the Director of Water and Waste, the Chief of the Fire and Paramedic Services and the Director of Planning, Property and Development.

iii. If the existing water distribution system cannot provide adequate fire protection for the proposed building(s), the future developer (or future owner) shall enter into a Servicing Agreement with the City which shall address all requirements for the fire protection upgrading works to be completed by the future developer (or future owner), at no expense to the City, as determined by and to the satisfaction of the Director of Water and Waste.

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 lots, 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 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-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 Titles Office.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office.

Report - Standing Policy Committee on Property and Development – July 2, 2013

DECISION MAKING HISTORY:

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 July 2, 2013, 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 25, 2013, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Delete Recommendation 2.A.ii in its entirety;
- Renumber the remaining recommendations accordingly,

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

RE: **Subdivision and Rezoning – 1101-1121 Wabasha Street**
File DASZ 31/2013

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 25, 2013**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 25, 2013, the East Kildonan-Transcona 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 subdivision proposed under File DASZ 31/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 31/2013 dated June 18, 2013 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the future developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated May 22, 2013.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 31/2013 dated June 18, 2013, to a "RMF-L" Residential Multifamily district, subject to the following conditions:

    A. That the future developer 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, plans shall be submitted showing the location and design of the proposed buildings, accessory parking areas, garbage enclosures, fencing, landscaping, bicycle parking, 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.

        ~~***ii. That the maximum building height shall be limited to 60 feet.***~~

~~iii~~. ii. Prior to the issuance of any building permit within the proposed "RMF-L" Residential Multi-Family (Large) District site, the future developer (or future owner) shall, at no expense to the City, submit a report prepared by a municipal engineer and/or architect demonstrating that the proposed building(s) will meet all fire flow and fire protection requirements to the satisfaction of the Director of Water and Waste, the Chief of the Fire and Paramedic Services and the Director of Planning, Property and Development.

~~iv~~. iii If the existing water distribution system cannot provide adequate fire protection for the proposed building(s), the future developer (or future owner) shall enter into a Servicing Agreement with the City which shall address all requirements for the fire protection upgrading works to be completed by the future developer (or future owner), at no expense to the City, as determined by and to the satisfaction of the Director of Water and Waste.

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 lots, 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 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-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 Titles Office.

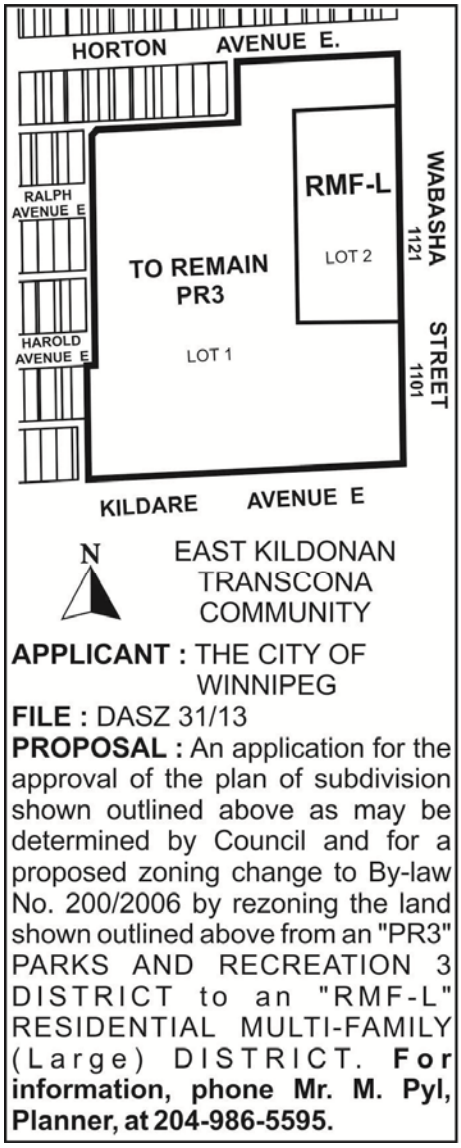
8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office.

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. This application has gone through a long and extensive process with 4 public meetings (1 town hall and 3 open houses) that were well attended.
2. There is no opposition or concerns registered.
3. This addresses reinvestment in recreation facilities
4. This creates a third sheet of ice for the community
5. This creates housing that is needed in community

PUBLIC HEARING SUMMARY

File:	DASZ 31/2013
Before:	East Kildonan-Transcona Community Committee Councillor Browaty, Chairperson Councillor Wyatt
Public Hearing:	June 25, 2013 Council Building, 510 Main Street
Applicant:	City of Winnipeg (Barry Lucyk)
Subject:	
Premises Affected:	1101-1121 Wabasha Street

Exhibits Filed:

1. Application dated May 9, 2013
2. Notification of Public Hearing dated May 13, 2013
3. Manitoba Status of Titles 1911108/1 and 2786091/1
4. Letter of authorization dated May 9, 2013 from The City of Winnipeg to the Real Estate Division
5. Plans (1 page)
6. Report from the Urban Planning Division dated June 18, 2013
7. Inspection Report
8. Audio Recording of representations

REPRESENTATIONS:

In Support:

Barry Lucyk, Supervisor of Sales and Acquisition, Planning, Property and Development Department
Michael Pyl, Planner, Planning, Property and Development Department
John Zabudney, Manager of Real Estate, Planning, Property and Development Department

In Opposition

Nil

For Information:

Nil

For the City:

Nil

Exhibit “6” referred to in File DASZ 31/2013

ADMINISTRATIVE REPORT

Title: DASZ 31/13 – 1101-1121 Wabasha St

Issue: For consideration at the public hearing to create a new multifamily residential lot zoned “RMF-L” Residential Multifamily district to accommodate future multifamily residential 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
B. Smith	n/a	n/a	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 31/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule “A” for File DASZ 31/2013 dated June 18, 2013 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the future developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated May 22, 2013.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule “A” for File DASZ 31/2013 dated June 18, 2013, to a “RMF-L” Residential Multifamily district, subject to the following conditions:

    A. That the future developer 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, plans shall be submitted showing the location and design of the proposed buildings, accessory parking areas, garbage enclosures, fencing, landscaping, bicycle parking, 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.

ii. That the maximum building height shall be limited to 60 feet.
iii. Prior to the issuance of any building permit within the proposed “RMF-L” Residential Multi-Family (Large) District site, the future developer (or future owner) shall, at no expense to the City, submit a report prepared by a municipal engineer and/or architect demonstrating that the proposed building(s) will meet all fire flow and fire protection requirements to the satisfaction of the Director of Water and Waste, the Chief of the Fire and Paramedic Services and the Director of Planning, Property and Development.
iv. If the existing water distribution system cannot provide adequate fire protection for the proposed building(s), the future developer (or future owner) shall enter into a Servicing Agreement with the City which shall address all requirements for the fire protection upgrading works to be completed by the future developer (or future owner), at no expense to the City, as determined by and to the satisfaction of the Director of Water and Waste.

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 lots, 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 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-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 Titles Office.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one 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 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, the City of Winnipeg, seeks to subdivide out a portion of the existing parks and recreation space to be rezoned and developed as multifamily residential development.
- Once the property is rezoned, it is intended that the property will be marketed for development, whereby the proceeds of the sale will be reinvested into the upgrading of the Transcona Centennial Pool. The closing of the property's sale is conditional upon the planned expansion of the East End Arena Expansion Project.

IMPLICATIONS OF THE RECOMMENDATIONS

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

CONSULTATION

In preparing this report there was consultation with:

N/A

SUBMITTED BY

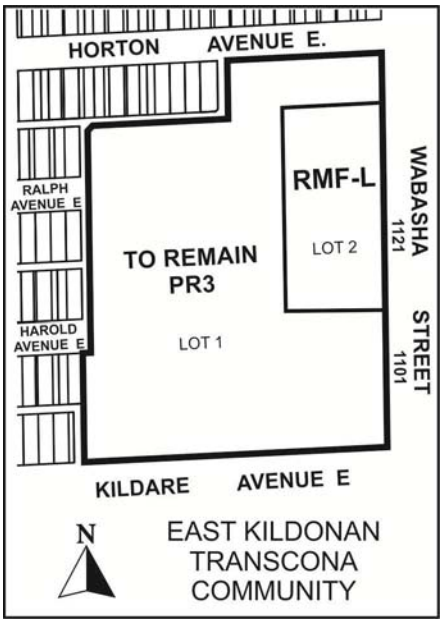
Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Michael Pyl
Date:	June 18, 2013
File No.	DASZ 31/13

APPENDIX 'A'

DATE: June 18, 2013
FILE: DASZ 31/13
RELATED FILES:
COMMUNITY: East Kildonan-Transcona
NEIGHBOURHOOD #: 4.423

SUBJECT: To create a new multifamily residential lot zoned "RMF-L" Residential Multifamily district to accommodate future multifamily residential development

LOCATION: 1101-1121 Wabasha St



APPLICANT: Barry Lucyk
2nd Floor, 65 Garry St
Winnipeg MB R3C 4K4

OWNER: City of Winnipeg

RECOMMENDATION: Approval

REPORT SUMMARY

- The applicant, the City of Winnipeg, seeks to subdivide out a portion of the existing parks and recreation space to be rezoned and developed as multifamily residential development.
- Once the property is rezoned, it is intended that the property will be marketed for development, whereby the proceeds of the sale will be reinvested into the upgrading of the Transcona

Centennial Pool. The closing of the property's sale is conditional upon the planned expansion of the East End Arena Expansion Project.

SITE DESCRIPTION

- The subject property is located on the west side of Wabasha St north of Kildare Av E in the Kildare-Redonda neighbourhood of the Transcona ward.
- The subject property is zoned "PR3" Parks and Recreation 3 – Regional/Citywide district and is 9.8 acres in area. The site is currently occupied by Transcona Stadium, Transcona Centennial Pool, the Roland Michener arena, and other recreational amenities.
- The site is largely surrounded by single family dwellings zoned "R1-M" Residential Single Family district. There are also two non-accessory surface parking lots located across Wabasha on either side of Harold Av E zoned "R1-M".



Figure 1: Site map of subject property and surrounding neighbourhood

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant, the City of Winnipeg, seeks to subdivide out a portion of the existing parks and recreation space to be rezoned and developed as multifamily residential development.
- The portion of the subject property declared surplus by Council measures approximately 1.7 acres and corresponds roughly with the Roland Michener arena. The proposed subdivision will have 401 ft. of frontage along Wabasha and will extend 197 ft. deep.
- Once the property is rezoned, it is intended that the property will be marketed for development, whereby the proceeds of the sale will be reinvested into the upgrading of the Transcona Centennial Pool. The closing of the property's sale is conditional upon the planned expansion of the East End Arena Expansion Project.

BACKGROUND

Declaration of surplus City land

- On February 27, 2013, Council approved a report enabling the redevelopment of the East End Community Centre, located at 517 Pandora Av E. As part of this decision, both the Roland Michener Arena site and a surface parking located across the street on the north side of Harold Av E were declared surplus property as per Figure 2.
    - As part of this declaration of surplus property, Council required that the City immediately undertake the processes required to rezone and market the land and that, until the tender is awarded for the East End Arena Expansion Project, the City will not close on any offers on the land.
    - That the net proceeds derived from the property sale of the Roland Michener Arena be reinvested in the Transcona Centennial Waterplay Park and Pool.

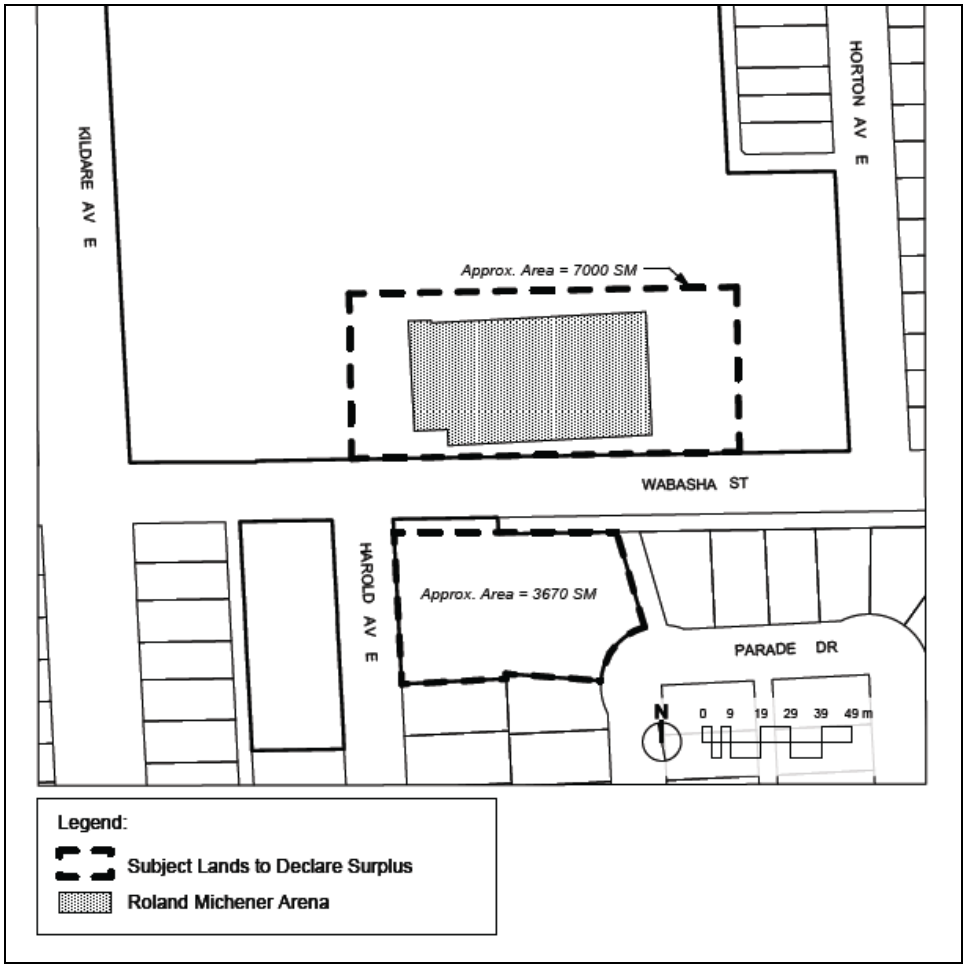


Figure 2: Land declared surplus by Council on February 27, 2013

Transcona Recreation Revitalization Plan

- The proposed subdivision and sale of the subject property is a product of several years' worth of study and consultation regarding the repurposing of the Transcona Stadium/Roland Michener Arena/Centennial Pool site.
- Three different open houses were held over the course of a year between June 2010 and 2011. Based on these consultations that considered three redevelopment scenarios plus an additional preferred fourth scenario, there was broad support for the following:
    - A multi-use recreation facility
    - A new library
    - Preserving greenspace
    - Repurposing Roland Michener arena
    - Seniors housing
    - Keeping and improving aquatic facilities.

Recent consultation

- On May 16, 2013, an open house was held presenting not only this proposal but the redevelopment of the Transcona Centennial Pool, the expansion of the East End Community Centre, and a future residential development at Ravelston Av W and Plessis Rd.
- Approximately 200 people attended this session.

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 has statutory authority as a secondary plan. The strategy serves 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 Residential Multi-Family (RMF) district is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities.
- The Parks and Recreation 3 (PR3) district is intended for sites that include major recreation facilities and parks that are a regional destination. These sites may include major recreation facilities, aquatic leisure centres, regional parks, sport multi-plexes and athletic field developments. Parking facilities ranging from 100 to 300+ stalls may be associated with these uses. These facilities are typically found along major arterials.

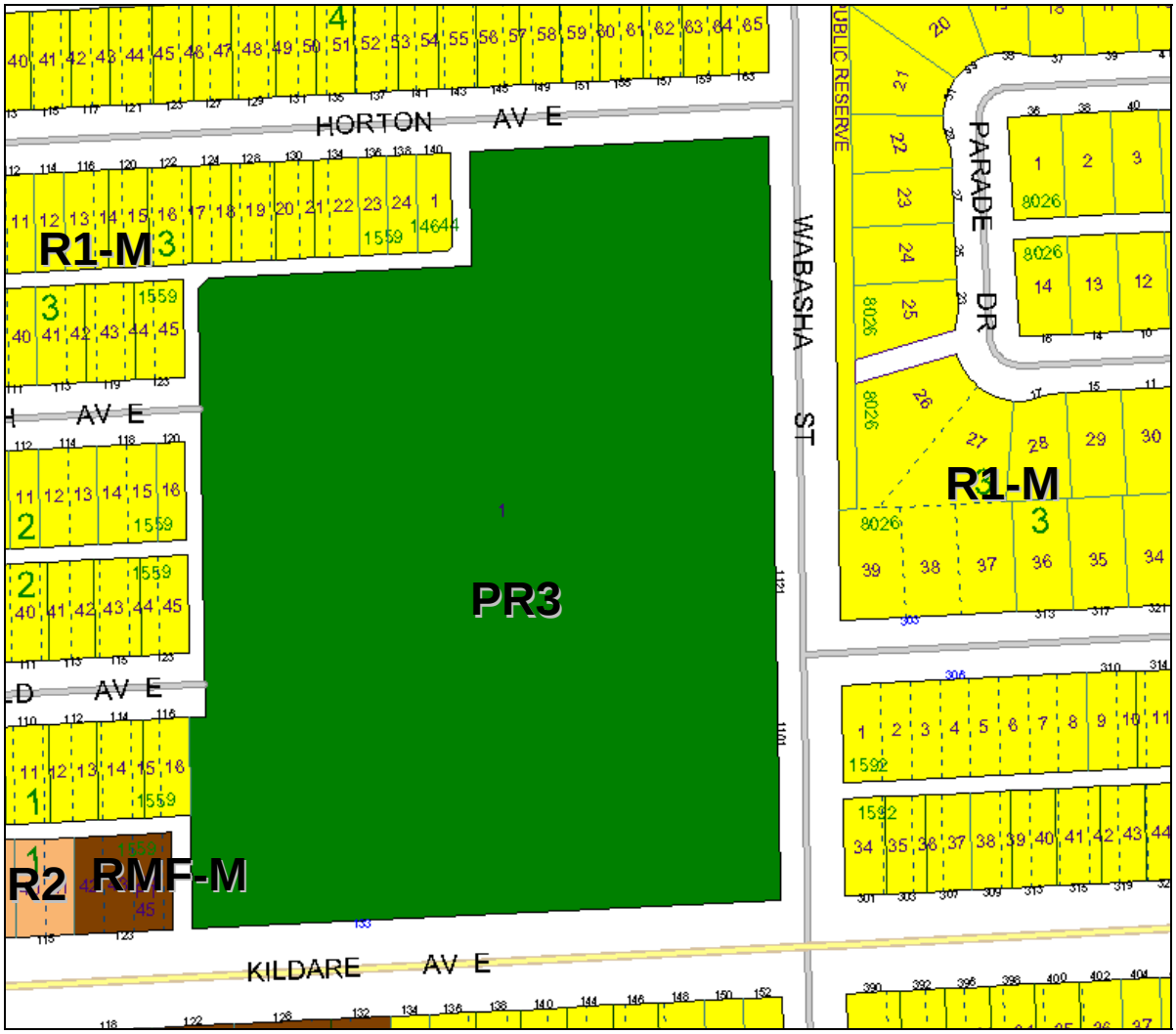


Figure 2: Zoning map of subject property and surrounding neighbourhood

- Section 143 of the zoning by-law prescribes the following dimensional standards for the "RMF-M" and "RMF-L" districts:

	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-M	9,000	800	25	25	8*	20	8	60
RMF-L	20,000	400	25	25	8*	20	8	150
* - 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 increased by 2 feet for each storey above the ground floor to a maximum of 20 feet.								

Figure 3: Dimensional standards for the "RMF" districts

- Section 161 of the zoning by-law prescribes parking standards for all different land uses.
    - For multi-family residential uses, a minimum of 1.5 parking spaces per unit are required.

Servicing considerations

- The future developer of the site will be responsible for upsizing and extending the wastewater sewer in Wabasha St from Kildare to service the proposed property.
- The Water and Waste Department identified possible concerns with the ability of the future developer to meet all building code fire protection requirements. These requirements may potentially be achieved through a variety of strategies, including the use of non-combustible construction materials and the upgrading of the watermain. Prior to the issuance of any building permit, the future developer will need to demonstrate how these requirements can be met.

Site design considerations

- As a condition of approval, it is recommended that the site's future developer into a zoning agreement with the City whereby:
    - Plans for building location and design, accessory parking areas, garbage enclosures, fencing, landscaping, bicycle parking, and signage be submitted for approval to the Director of Planning, Property, and Development and the East Kildonan-Transcona Community Committee for approval prior to the issuance of any building permit. Specifically, the Urban Planning Division will be looking for:
        - The minimization of long, blank walls. Building walls should be well-articulated with a variety of cladding materials, colours, and setbacks that are consistent with the surrounding single family built form.
        - The location and design of any surface parking areas. Through a combination of strategic siting and design, any potential negative impacts on adjacent single family dwellings and the remaining park space shall be minimized as much as possible.
        - A detailed landscaping plan, including a plant list, should be provided. A mix of both coniferous and deciduous landscaping should be provided to minimize the potential effects of disease and to provide year-round greenery to the site.
        - Individual buildings are strongly encouraged to provide long-term bicycle parking facilities. 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. These facilities could be accommodated in the parking garage or in a separate enclosed facility. The Association of Pedestrian and Bicycle Professionals recommends a minimum of 0.5 spaces per unit for a multifamily residential building.
        - Details on any on-site fencing.
        - Any on-site signage.
    - It is also recommended that the maximum permitted building height shall be limited to 60 feet. This aligns with the maximum permitted building height of the "RMF-M" zoning district and would be more compatible with the surrounding context.

RECOMMENDATION

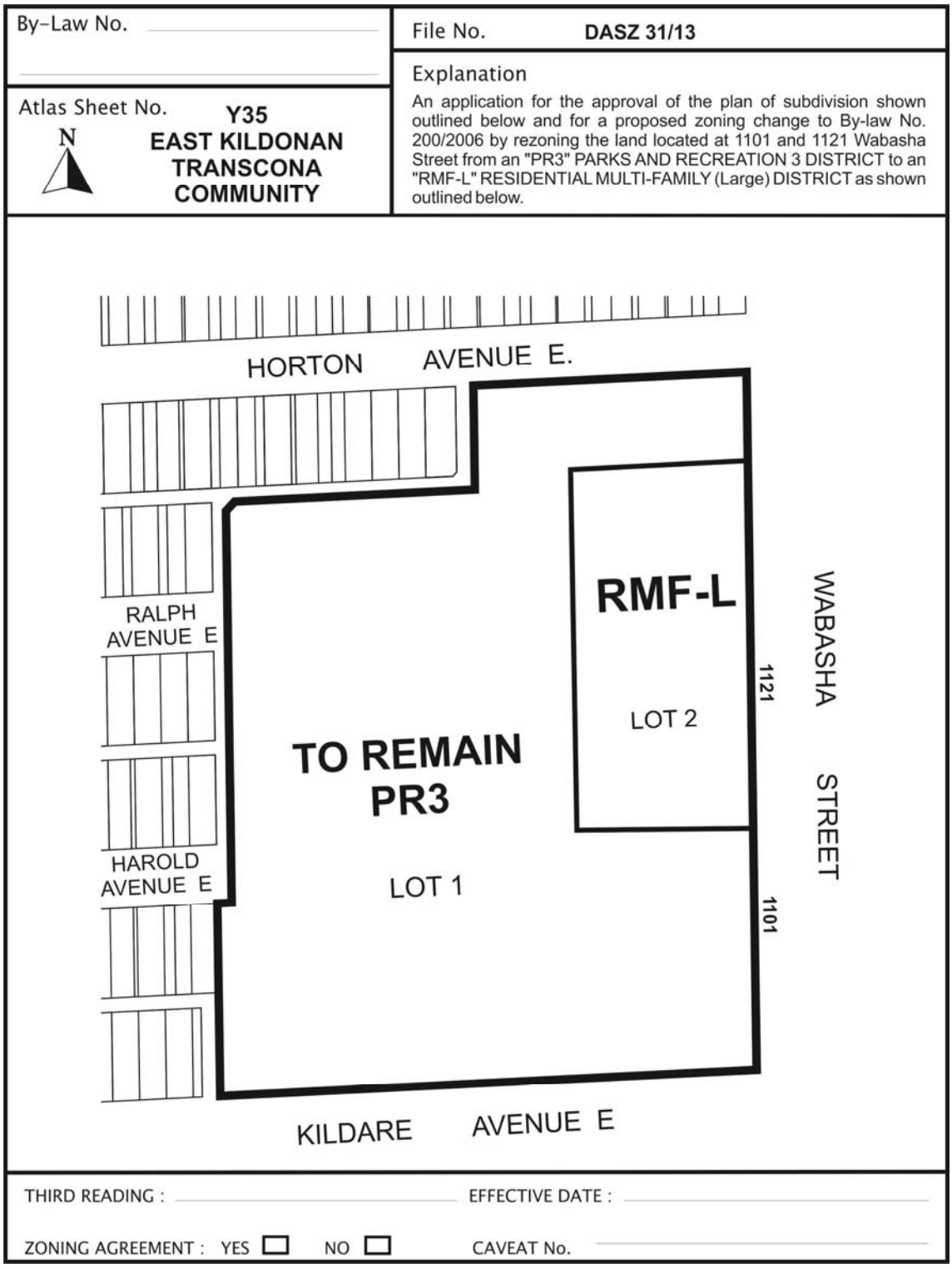
The Urban Planning Division recommends approval of the proposed development. With a restriction on maximum building height and through careful design, a future multifamily development can be made compatible with the surrounding neighbourhood.

As a condition of their purchase of the land, the future developer will be responsible for entering into servicing and zoning agreements with the City in accordance with the conditions outlined in Schedule "B" and the recommended conditions above respectively.

This Report Submitted by: Michael Pyl
Planning, Property and Development Department
Urban Planning Division
Report Prepared by: PPD File # DASZ 31/2013

APPENDIX 'B'

Schedule "A" for File No. DASZ 31/13, East Kildonan-Transcona Community Committee, dated June 18, 2013.



Schedule “B”

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – MAY 22, 2013

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 1101 & 1121 WABASHA STREET, NORTH OF KILDARE AVENUE EAST - DASZ 31/2013

It is recommended that the approval of DASZ 31/2013, if granted, be subject to the applicant entering into a Servicing Agreement addressing the following conditions;

A. Servicing Agreement Conditions

1. The Developer shall, at no expense to the City, upsize and extend the wastewater sewer in Wabasha Street from Kildare Avenue East, as necessary, to service proposed Lot 2 as determined by and to the satisfaction of the Director of Water and Waste.

2. The Developer shall pay the full cost of engineering services provided by or on behalf of the City in connection with the installation of, and provision of as-built drawings by March 31 of the year following substantial performance showing, the services required to serve the Planned Area.

3. 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 of the Planned Area to defray the City’s administration and related costs associated with the preparation and implementation of the Servicing Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 31/2013
May 22, 2013

“Original signed by R. Deighton, P.Eng.”
R.R. Deighton, P. Eng.
Land Development Branch

“Original signed by F. Mazur, P.Eng.”
F. C. Mazur, P. Eng.
Water & Waste Department