**Minute No. 538**
**Report – Standing Policy Committee on Property and Development – July 2, 2013**

**Item No. 16** **Subdivision and Rezoning – north side of Pacific Avenue West (at Lots 7 – 10); south side of Pacific Avenue West (Lots 17 – 20) and 1809 Ross Avenue (St. James-Brooklands Ward) File DASZ 18/2013 [c/r DCU 117757/2013D and DAV 117709/2013D]**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the plan of subdivision under File DASZ 18/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 18/2013 dated May 22, 2013 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the 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 24, 2013 which is Schedule "B" of this report, subject to the following amendments:

        Part B. Servicing Conditions and Payments

        i. Renumber Conditions 1 to 9 to Conditions 2 to 10

        ii. Add new Condition 1:

            "1. No access shall be permitted to the unimproved public lane until such time that a pavement, lighting and land drainage is constructed therein to City standards. The property shall be caveated accordingly."

        iii. Amend renumbered Condition 3 by deleting the words "The Developer" and substituting the words "Should the Developer require access to the public lane, the Developer"

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

COUNCIL DECISION (continued):

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 18/2013 dated May 22, 2013 to an 'RMF-L' Multiple Family Residential Large and 'C2' Commercial Community 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, structure, and/or accessory parking area, 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, exterior lighting, fencing, bicycle parking, and landscaping to the Assiniboia Community Committee and the Director of Planning, Property and Development 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 multiple family buildings on Lot 1 and Lot 2 be limited to a maximum of 45 feet, (13.71 metres) in height.

        iii. That the total number of dwelling units for Lot 1 and Lot 2 be limited to a maximum of 50 dwelling units.

        iv. That the land use on Lot 3 shall be limited to a Non-accessory Parking Area only.

        v. That the address number of every building on the subject properties (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located.

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.

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

COUNCIL DECISION (continued):

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 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 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 subdivision 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.

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

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 10, 2013, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Assiniboia Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 2, 2013, the Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 10, 2013, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments:

Report of the Administrative Co-Ordinating Group –
Part B. Servicing Conditions and Payments

- Renumber Conditions 1 to 9 to Conditions 2 to10

- Add new Condition 1:
  "1. No access shall be permitted to the unimproved public lane until such time that a pavement, lighting and land drainage is constructed therein to City standards. The property shall be caveated accordingly."

- Amend renumbered Condition 3 by deleting the words "The Developer" and substituting the words "Should the Developer require access to the public lane, the Developer",

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

**RE:** **Subdivision and Rezoning – north side of Pacific Avenue West (at Lots 7 – 10); south side of Pacific Avenue West (Lots 17 – 20) and 1809 Ross Avenue**
**File DASZ 18/2013**

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

**Prepared by:** **Danielle Caron, Committee Clerk**
**Assiniboia Community Committee**

**Report date:** **June 10, 2013**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 10, 2013, the Assiniboia 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 18/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 18/2013 dated May 22, 2013 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the 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 24, 2013 which is Schedule "B" of this report, ***subject to the following amendments:***

      ***Part B. Servicing Conditions and Payments***
      ***i. Renumber Conditions 1 to 9 to Conditions 2 to 10***

      ***ii. Add new Condition 1:***
      ***"1. No access shall be permitted to the unimproved public lane until such time that a pavement, lighting and land drainage is constructed therein to City standards. The property shall be caveated accordingly."***

      ***iii. Amend renumbered Condition 3 by deleting the words "The Developer" and substituting the words "Should the Developer require access to the public lane, the Developer"***

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 18/2013 dated May 22, 2013 to an 'RMF-L' Multiple Family Residential Large and 'C2' Commercial Community 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, structure, and/or accessory parking area, 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, exterior lighting, fencing, bicycle parking, and landscaping to the Assiniboia Community Committee and the Director of Planning, Property and Development 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 multiple family buildings on Lot 1 and Lot 2 be limited to a maximum of 45 feet, (13.71 metres) in height.

      (iii) That the total number of dwelling units for Lot 1 and Lot 2 be limited to a maximum of 50 dwelling units.

      (iv) That the land use on Lot 3 shall be limited to a Non-accessory Parking Area only.

      (v) That the address number of every building on the subject properties (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located.

3. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

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

5. That in the event the 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 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 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 subdivision 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 Assiniboia Community Committee provided the following supporting reason for its recommendation:

1. The Assiniboia Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated May 22, 2013.

## PUBLIC HEARING SUMMARY

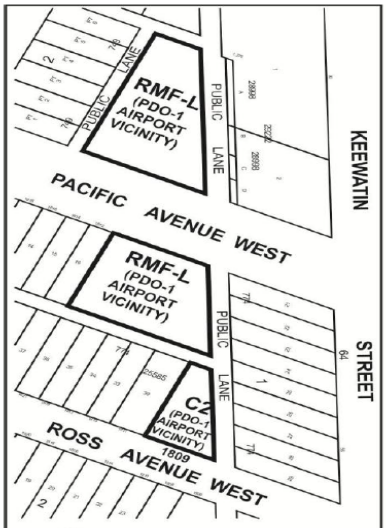
File: DASZ 18/2013

Before: Assiniboia Community Committee
Councillor Nordman, Chairperson
Councillor Havixbeck

Public Hearing: June 10, 2013
Council Building, 510 Main Street

Applicant: 5468796 Architecture Inc.
(Aynslee Hurdal or Sasa Radulovic)

Subject:




**APPLICANT :** 5468796 ARCHITECTURE INC.
**FILE :** DASZ 18/13
**PROPOSAL :** An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from a "C2" COMMERCIAL COMMUNITY DISTRICT and an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT to an "RMF-L PDO-1 AIRPORT VICINITY" RESIDENTIAL MULTI-FAMILY (Large) DISTRICT and a "C2 PDO-1 AIRPORT VICINITY" COMMERCIAL COMMUNITY DISTRICT to facilitate the construction of multiple family dwellings and the establishment of a non-accessory parking lot. **For information, phone Mr. J. Veitch, Planner, at 204-986-7728.**

| | |
|---|---|
| Premises Affected: | north side of Pacific Avenue West (at Lots 7 – 10); south side of Pacific Avenue West (Lots 17 – 20) and 1809 Ross Avenue |

Exhibits Filed:

1. Application dated April 5, 2013
2. Notification of Public Hearing dated April 29, 2013
3. Manitoba Status of Titles 1506695/1, 1506697/1, 1506700/1, 2243532/1, 2567761/1

4a. Letter of authorization dated March 27, 2013 from Westbrook-Fraserwood Hotels Inc. to 5468796 Architecture Inc.

4b. Letter of authorization dated March 27, 2013 from 3761241 Manitoba Ltd. to 5468796 Architecture Inc.

5. Plans (5 pages)
6. Report from the Planning and Land Use Division dated May 22, 2013
7. Inspection Report
8. Audio Recording of representations

REPRESENTATIONS:

In Support:
Sasa Radulovic, 5468796 Architecture Inc.
Kendra Eisner, Canadian Corporate Construction

In Opposition:
Nil

For Information:
Nil

For the City:
Mr. K. Raban, Land Development Administrator, Planning, Property and Development Department
Mr. J. Veitch, Acting Principal Planner, Planning, Property and Development Department

Exhibit 6 referred to in DASZ 18/2013

# ADMINISTRATIVE REPORT

**Title:** DASZ 18/2013 – Pacific Ave. W. & 1809 Ross Avenue W.

**Issue:** An application for consideration at the public hearing to create 2 (two) new lots from 4 (four) lots and 4 (four) part lots and to rezone proposed Lot 1 from 'C2' Commercial Community and proposed Lot 2 from 'R1-M' Residential single Family Medium to 'RMF-L' Multiple Family Residential Large. A third lot is intended to be rezoned from 'R1-M' Residential Single Family Medium to 'C2' Commercial Community District.

**Critical Path:** Assiniboia 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 |
|---|---|---|---|
| B. Smith | N/A | N/A | |

## RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 18/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 18/2013 dated May 22, 2013 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the 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 24, 2013 which is Schedule "B" of this report.

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 18/2013 dated May 22, 2013 to an 'RMF-L' Multiple Family Residential Large and 'C2' Commercial Community 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, structure, and/or accessory parking area, 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, exterior lighting, fencing, bicycle parking, and landscaping to the Assiniboia Community Committee and the Director of Planning, Property and Development 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 multiple family buildings on Lot 1 and Lot 2 be limited to a maximum of 45 feet, (13.71 metres) in height.

(iii) That the total number of dwelling units for Lot 1 and Lot 2 be limited to a maximum of 50 dwelling units.

(iv) That the land use on Lot 3 shall be limited to a Non-accessory Parking Area only.

(v) That the address number of every building on the subject properties (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located.

3. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

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

5. That in the event the 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 Titles Office.

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9. That the plan of subdivision 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 create 2 (two) new lots from 4 (four) lots and 4 (four) part lots, and rezoning the 2 (two) new lots to 'RMF-L' Multiple Family Residential Large, to allow for the development of two multiple family buildings,
- The project intends to establish a total of 50 (fifty) new residential units, 30 (thirty) on Lot 1 and 20 (twenty) on Lot 2,
- The applicant is also intending to rezone a third lot from 'R1-M' Residential Single Family Medium to 'C2' Commercial Community District to allow for the development of a surface parking lot to provide additional parking for the new multiple family dwellings,
- There is a variance application, (DAV 13-117709/D) for the proposed Multiple family development as well as a variance, (DAV 13-117800/D) and a conditional use (DCU 13-117757/D) application for the establishment of the multiple Family use in the Airport Vicinity Protection Area and the re-establishment of the existing non-accessory surface parking area fronting on Keewatin Street,
- 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 lands will be consolidated into 3 (three) separate lots and rezoned to 'RMF-L' Multiple Family Residential Large and 'C2' Commercial Community District allowing the development of 50 multiple family dwellings with associated surface parking.

## CONSULTATION

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

## SUBMITTED BY

| | |
|---|---|
| Department: | Planning, Property and Development |
| Division: | Urban Planning |
| Prepared by: | James Veitch |
| Date: | May 22, 2013 |
| File No. | DASZ 18/2013 |

**List of Schedules and Attachments**

1. Appendix A — Planning Discussion
2. Schedule "A" — Recommended File No. DASZ 18/2013 Assiniboia Community Committee, dated May 22, 2013.
3. Schedule "B" — Report of the Administrative Coordinating Group

**APPENDIX 'A'**

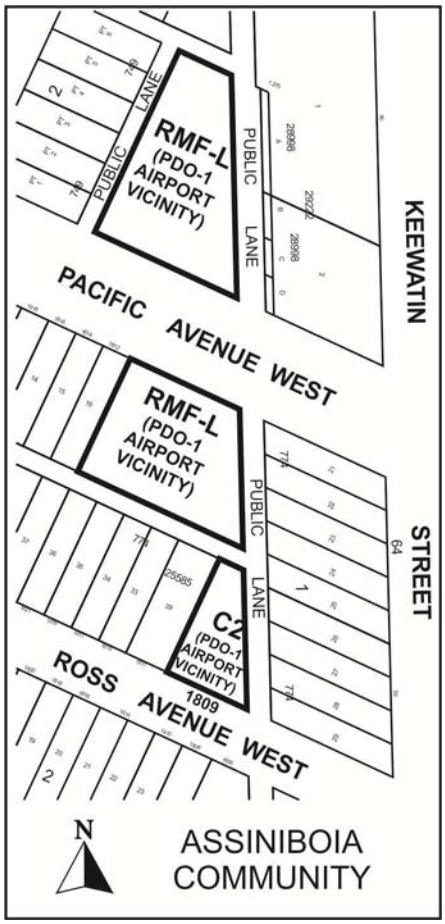
**DATE:** May 22, 2013

**FILE:** **DASZ 18/2013**
**RELATED FILE(S):** DAV 13-117709/D, DCU 13-117757/D, DAV 13-117800/D (c/r)

**COMMUNITY:** Assiniboia
**NEIGHBOURHOOD #:** 2.124 (Brooklands)

**SUBJECT:** An application to create 2 (two) new lots from 4 (four) lots and 4 (four) part lots and to rezone proposed Lot 1 from 'C2' Commercial Community and proposed Lot 2 from 'R1-M' Residential single Family Medium to 'RMF-L' Multiple Family Residential Large. A third lot is intended to be rezoned from 'R1-M' Residential Single Family Medium to 'C2' Commercial Community District.

**LOCATION:** Pacific Ave. W. & 1809 Ross Ave. W.
**LEGAL DESCRIPTION:** PT Lots 7 – 10 BLK 1 PLAN 766; Lots 17-20 BLK 1, PLAN 774; Lot 40 PLAN 25585



**APPLICANT:** 5468796 Architecture Ltd. (Aynslee Hurdal)
266 McDermott Ave.
WINNIPEG MB R3B 0S8

**OWNER:** Westbrook – Fraserwood Hotels Inc.
3615 ROBLIN BLVD
WINNIPEG MB R3R 0C6

**RECOMMENDATION:** Approval with conditions

**REPORT SUMMARY:**

- The applicant is proposing to create 2 (two) new lots from 4 (four) lots and 4 (four) part lots, then rezone the 2 (two) new lots to 'RMF-L' Multiple Family Residential Large, to allow for the development of two multiple family buildings,
- The project intends to establish a total of 50 (fifty) new residential units, 30 (thirty) units on Lot 1 and 20 (twenty) units on Lot 2,
- The applicant is also intending to rezone a third lot from 'R1-M' Residential Single Family Medium to 'C2' Commercial Community District to allow for the development of a surface parking lot to provide additional parking for the new multiple family dwellings,
- There is a variance application, (DAV 13-117709/D) for the proposed multiple family development as well as a variance, (DAV 13-117800/D) and a conditional use (DCU 13-117757/D) application for the establishment of the multiple Family use in the Airport Vicinity Protection Area and the re-establishment of the existing non-accessory surface parking area fronting on Keewatin Street,
- The Urban Planning Division recommends supporting this application with conditions.

**SITE DESCRIPTION**

- The subject lands consist of 3 (three) site located west of Keewatin Street with 2 sites fronting on Pacific Avenue West and one site fronting Ross Avenue West in the Brooklands neighbourhood of the St. James – Brooklands Ward.
- The approximate lot areas are:
    - **Lot 1** – 14,836 square feet (0.34 acres), currently a surface parking lot.
    - **Lot 2** – 13,060 square feet (0.30 acres), currently a surface parking lot.
    - **Lot 3** – 4,964 square feet (0.1 acres), currently a single family dwelling.
- Total combined land area of all 3 (three) lots – 32,860 square feet (0.75 acres).
- The lands are within Areas of Stability – Mature Community in *OurWinnipeg / Complete Communities.*

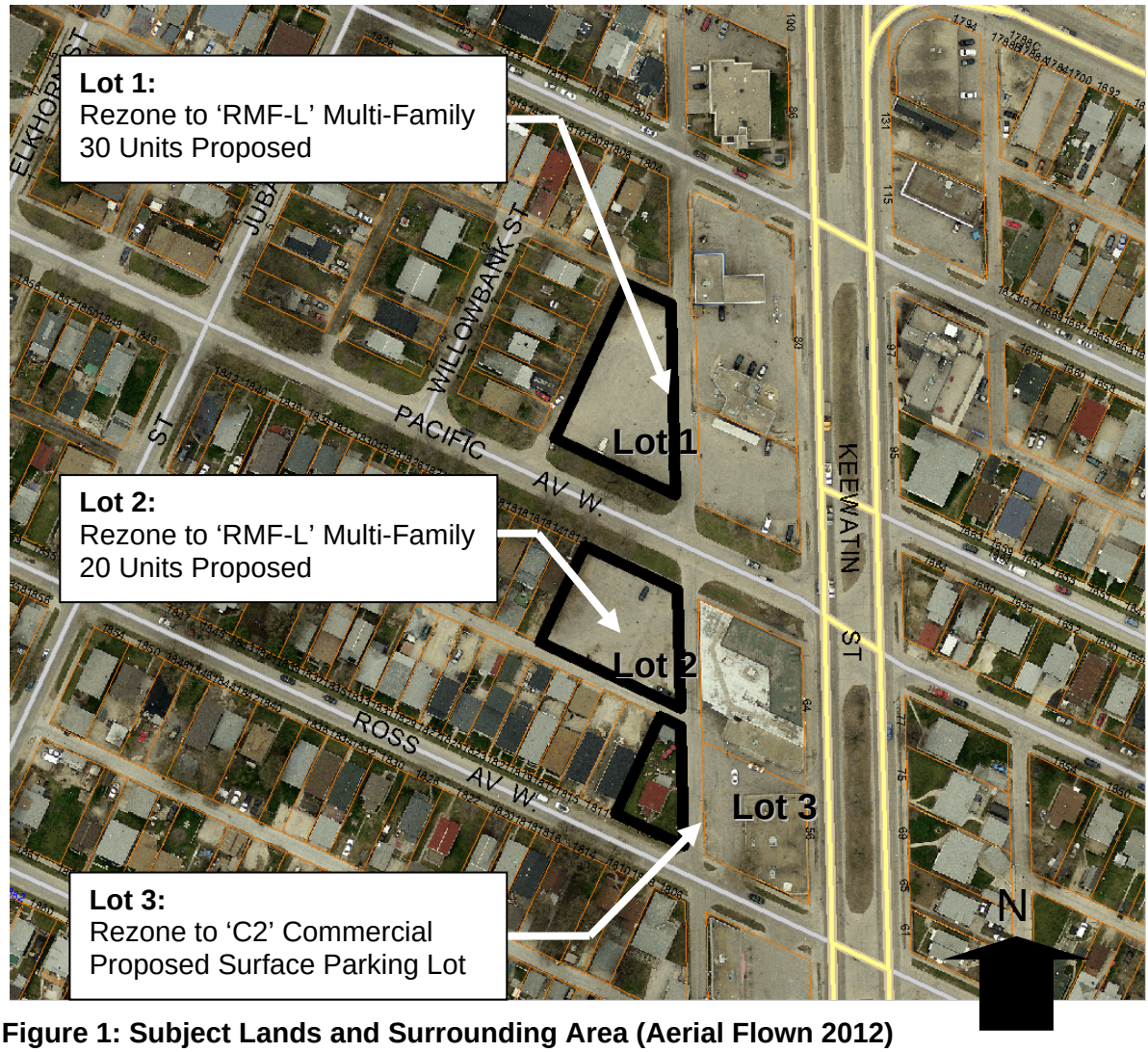



**Figure 1: Subject Lands and Surrounding Area (Aerial Flown 2012)**

**SURROUNDING LAND USES AND ZONING (See Figure 2)**

**North:** **Lot 1 -** Rear Lane then 'R1-M' Single Family Residential Medium,

**South:** Pacific Avenue West then **Lot 2** then Rear Lane then **Lot 3** then Ross Avenue West,

**East:** Rear Lane then 'C2' Commercial (surface parking & Westbrook Inn),

**West:** Rear Lane **(Lot 1)** then 'R1-M' Single Family Residential Medium.

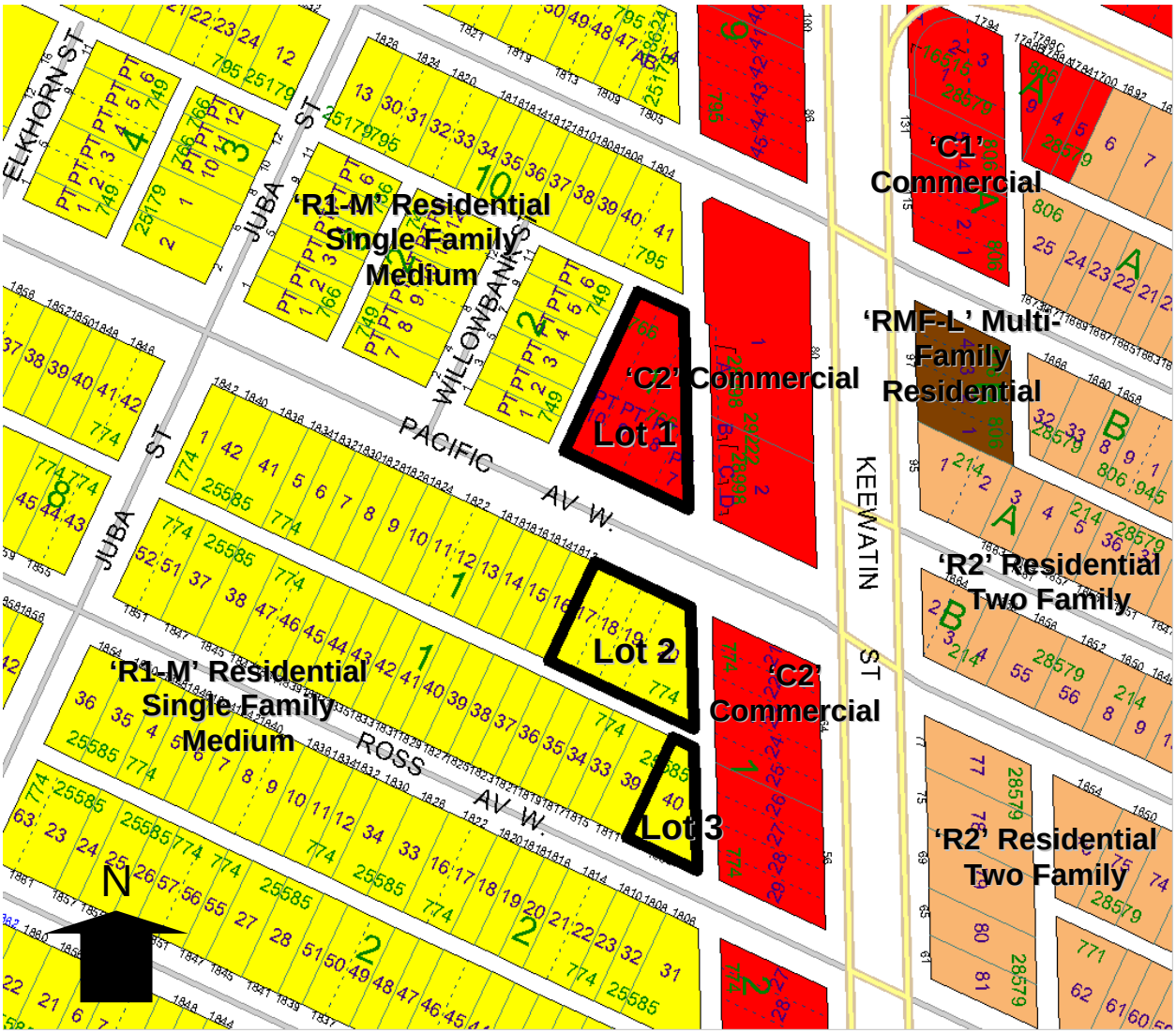



**Figure 2: Zoning of the Subject Lands and surrounding area.**

**DESCRIPTION OF THE PROPOSED DEVELOPMENT**

- The applicant is proposing to create 2 (two) new lots from 4 (four) lots and 4 (four) part lots, then rezone the 2 (two) new lots to 'RMF-L' Multiple Family Residential Large, to allow for the development of two multiple family buildings,
- The project intends to establish a total of 50 (fifty) new residential units, 30 (thirty) on Lot 1 and 20 (twenty) on Lot 2,
- The applicant is also intending to rezone a third lot from 'R1-M' Residential Single Family Medium to 'C2' Commercial Community District to allow for the development of a surface parking lot to provide additional parking for the new multiple family dwellings,
- The two proposed residential buildings will be three storeys in height, (approx. 42 feet) and will include a range of studio, two-bedroom and some three-bedroom units,
- The development includes associated on site green space, sidewalks, bicycle parking as well as perimeter landscaping.
- The conceptual plan submitted shows the re-design of the existing surface parking area fronting onto Keewatin Street
- There is a variance application, (DAV 13-117709/D) for the proposed multiple family development as well as a variance, (DAV 13-117800/D) and a conditional use (DCU 13-117757/D) application for the establishment of the multiple Family use in the Airport Vicinity Protection Area and the re-establishment of the existing non-accessory surface parking area fronting on Keewatin Street,

**ANALYSIS AND ISSUES**

- Under the *Complete Communities Direction Strategy* of *OurWinnipeg,* the proposed development is located along in an **Area of Stability – Mature Community**.
- Key relevant policies guiding development within **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.
    - Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for community gathering and social interaction.
    - Focus housing growth to areas that have municipal service capacity to support intensification, in addition to commercial and recreational amenities.
    - Support Complete Communities by ensuring diverse and high quality housing stock.
    - 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 and townhouses.
    - Provide opportunities to increase multi-modal connectivity when redevelopment occurs.

- Where the intensification / densification of housing occurs, ensure that the types of open space – passive, active, and plazas – respond to community needs.

LAND USE BY-LAW
*Rezoning*

- The lands are currently zoned ‘R1-M’ Residential Single Family Medium and ‘C2’ Commercial, (see figure 2 above).
- The applicant is proposing to rezone the lands to ‘RMF-L’ Residential Multiple Family Large and ‘C2’ Commercial.

PROPOSED ZONING

*"RMF-L" Residential Multiple Family Large District*

- 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 bulk requirements in the Zoning By-law for the 'RMF-L' Residential Multiple Family Large District are:
    - A minimum lot area of 20,000 square feet,
    - Minimum lot area per dwelling unit of 400 square feet,
    - Minimum front yard of 25 feet,
    - Minimum side yard of 8 feet plus 2 additional feet for every storey above grade,
    - A rear yard of 25 feet, and
    - Maximum building height is 150 feet.

DEVELOPMENT PROPOSAL

*Multiple Family with Associated Surface Parking*

- The project intends to establish a total of 50 (fifty) new residential units, 30 (thirty) units on Lot 1 and 20 (twenty) units on Lot 2,
- Currently both lots are in use as surface parking lots serving the adjacent Westbrook Inn fronting on Keewatin Street,
- The two proposed residential buildings will be three storeys in height, (approx. 42 feet) and will include a range of studio, two-bedroom and a few three-bedroom units,
- 53 parking stalls will be provided, (30 on Lot 1 and 23 on Lot 2) at grade beneath the second floor,
- The applicant is also intending to rezone a third lot from 'R1-M' Residential Single Family Medium to 'C2' Commercial Community District to allow for the development of a surface parking lot to provide additional parking for the new multiple family dwellings,
- Lot 3 is currently occupied by a single family dwelling and detached garage, these buildings will be demolished to allow the development of the 16 stall surface parking lot,
- The development includes associated on site green space, sidewalks, bicycle parking as well as perimeter landscaping.
- The design of the 3 sites proposes a combination of landscaping, green space, exterior lighting and fencing to provide green space for the residents and to screen the parking areas from the public realm / right of ways. The Urban Planning Division will be proposing a 'Plan Approval' condition in order to further collaborate on the site design details with the applicant's design team,

VARIANCES

There are two variance application associated with this project;

- **DAV 13-117709/D** – relates to the development of the multiple family buildings on Lots 1 & 2. The variance is requesting relaxations to minimum lot size, required yards, parking and landscaping.

- **DAV 13-117800/D** – relates to the existing non-accessory parking area fronting on Keewatin Street that is being redesigned. The variance is requesting a reduction to the required parking stall width next to a fence and to allow parking stalls located directly off the rear lane.

The Urban Planning Division is supportive of the variances. They will be discussed in more detail in the planner's reports for DAV 13-117709/D and DAV 13-117800/D.

CONDITIONAL USE

There is one Conditional Use application associated with this project;

- **DCU 13-117757/D** – this application relates to the establishment of multiple family buildings in the Airport Vicinity Area II which controls new multiple family densities under flight paths. The conditional use application is also required to allow the establishment of a non-accessory surface parking lot on Lot 3.

The Urban Planning Division is supportive of the conditional uses. They will be discussed in more detail in the planner's report for DCU 13-117757/D.

PRE-APPLICATION

- The applicant completed a Pre-Application process with the City of Winnipeg in February 2013. The bulk of the comments focused on the design, servicing and layout aspects of the project;
    - The project concept aligning with *OurWinnipeg / Complete Communities,*
    - Recommended Public Open House to present the proposal to the surrounding neighbours,
    - Site Design and layout comments highlighting a 'Plan Approval' clause would be recommended as a condition of approval,
    - Wastewater sewer capacity in the area is limited, thus Water & Waste would only support a maximum of 50 dwelling units,
    - Public Works requires SE corner of surface parking area on Lot 3 to be hard surface to avoid damage from turning of larger vehicles,

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The two largest lots, (Lot 1 & 2) comprising almost 28,000 square feet (0.64 acres) are currently surface parking areas serving the adjacent Westbrook Inn. The lots have little value to the neighbourhood; they are unsightly with no landscaping or screening, often littered and a source of late night disturbances.
- The proposal looks to redevelop these existing surface parking areas into affordable condominiums, with greens pace and parking for cars and bicycles.
- The neighbourhood response to the proposed development at the public open house was positive.
- The project generally meets the City of Winnipeg Draft Infill guidelines for multiple family infill in low density neighbourhoods,

- The investment in the neighbourhood will likely spur additional projects / investment and benefit property values.
- The *Complete Communities Direction Strategy* supports low to moderate change in low-density neighbourhoods that is complimentary to the existing scale, character and built form.

PUBLIC CONSULTATION

- The development team held a public open house to present their development plan and garner input from the local community,
- The open house was held at 56 Keewatin, the Manila Peninsula Banquet Hall on March 14, 2013. The informal drop-in concept featured a large scale presentation board and a scale model of the proposal, the project architects were on hand to answer questions,
- The open house was advertised through invitations being dropped off to homes within a 300 metre walking radius to the subject site,
- 13 (thirteen) persons attended and filled out a questionnaire provided at the Open House, comments received were very positive with one neighbour interested in the landscaping and screening proposed for the non-accessory parking area on Lot 3,
- A representative from the City of Winnipeg Urban Planning Division was in attendance.
- Below, (Figure 3) is the Questionnaire summary from the subject proposal open house.

## 64 KEEWATIN AT PACIFIC AVENUE WEST CONDOMINIUMS OPEN HOUSE March 14, 2013

**EXIT QUESTIONNAIRE RESULTS**

Are you a:

- ☑ x 3 Resident, living within 300 feet of the proposal
- ☐ Living outside the neighbourhood
- ☑ x 2 Owner of property within the neighborhood
- ☐ Renting within the neighbourhood
- ☐ Owner of a business within the neighbourhood
- ☐ Other

**For the following items, please circle a number to indicate the extent to which you agree or disagree with each statement.**

**Strongly Disagree 1 2 3 4 5 Strongly Agree**

2. Do you support building designs that emphasize the human scale, promote healthy activity on the streets and provide a pedestrian friendly environment?

   1 2 3✓ x 1 4 5✓ x 4

3. Do you support communities that promote informal surveillance and human activity on the street as a means of enhancing public security and safety?

   1 2 3 4✓ x 1 5✓ x 4

4. The proposed landscaping defines entryways and walkways and provides clear site lines to encourage comfortable and safe pedestrian use and activities.

   1 2 3✓ x 1 4✓ x 3 5✓ x 1

5. The proposed landscaping buffers the visual impacts of neighbouring properties

   1 2✓ x 1 3✓ x 1 4✓ x 3 5

6. Do you support minimizing parking aesthetics? This is achieved through the provision of visual screens between parking and private properties and by locating parking stalls behind buildings and in smaller clusters.

   1 2 3 4✓ x 4 5✓ x 1

7. The circulation layout as proposed minimizes traffic impacts on the pedestrian environment and reduces traffic spillover impacts onto private properties.

   1 2 3 ✓ x 2 4 ✓ x 3 5

8. The conceptual design, building layout, walkways, parking and landscaping are appropriate.

   1 2 3 4✓ x 5 5

9. The addition of condominium units onto these properties is preferred to a multi-storey commercial development.

   1 2 3 4✓ x 4 5✓ x 1

10. In general, was this open house informative and helpful?

    1 2 3 ✓ x 1 4 ✓ x 4 5

11. Please provide us with any additional comments that you may have.

    **No comments were provided.**

**Figure 3: Open House Questionnaire Summary**

TRANSIT

- The subject lands are located in close proximity to Keewatin Street which is a high frequency transit corridor,
- There are 8 (eight) transit routes within easy walking distance of the subject lands,
- As part of the pre-application circulation and comment process Winnipeg Transit indicated that they did not have any concerns with the project.

RECOMMENDED ZONING AGREEMENT

*Plan Approval*

- The development team has collaborated with the Urban Planning Division on the design and layout of the project beginning with the pre-application process to their submission of the rezoning and variance application.
- The Urban Planning Division generally supports the plans provided in the application. However, some details such as building materials/dimensions, fencing materials/dimensions, and landscaping details are not included in the plans submitted and will need to be included in the final plans.
- The Division is recommending that final plans be submitted to the Director of Planning, Property and Development for review prior to the issuance of a development permit.
- The inclusion of this clause will allow the Urban Planning Division to review final plans before development takes place for the proposed development and any future developments on the site.

*Building Heights*

- The Zoning By-law bulk regulations for the 'RMF-L' Residential Multiple Family Large district allow a maximum building height of 150 feet. Due to the close proximity of the existing single family residential and the requested yard reduction variances the Urban Planning Division will be recommending the development be limited to a maximum of 45 feet in height.

*Dwelling Units*

- As per the pre-application comments from the City of Winnipeg Water & Waste department in terms of existing waste water sewer capacity the Urban Planning Division will be recommending a clause in the Zoning Agreement to limit the project to a maximum of 50 dwelling units.

*Land Use*

- The proposal includes the rezoning of Lot 3 to 'C2' Commercial Community for the establishment of a non-accessory surface parking area. Due to the combination of the small land area of 4,964 square feet (0.1 acres), sharing the west property line with an 'R1-M' Residential Single Family zone and located with frontage on a residential street the Urban Planning Division does not feel any use other than low density residential and/or surface parking is appropriate. Therefore we will be recommending a condition to restrict the use on Lot 3 to non-accessory surface parking only.

*Addressing*

- The Public Service has included a clause that is intended to make addressing clearer and more visible for the public as well as for emergency response situations.

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 residential infill proposal is consistent with the policies of the *Complete Communities Direction Strategy*.
- The proposed development with two 3-storey multi-family buildings on the subject lands fits well with the context in the design generally meets the Draft Infill Guidelines that the urban Planning Division uses to assess the appropriateness of multiple family infill development in low density contexts.
- The development is a welcome investment in the neighbourhood is close to high frequency transit and will provide a variety of unit types at a market value consistent with the current housing costs in the community.
- The existing neighbours that attended the public open house were very supportive of the proposal, the building and site design as well as the added value the project will likely bring to their properties and the neighbourhood as a whole.

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

Report Prepared By: James Veitch
PPD File # DASZ 1/2013

**Schedule "A" for File No. DASZ 18/2013, Assiniboia Community Committee, dated May 22, 2013**

By–Law No. _____

File No. **DASZ 18/13**

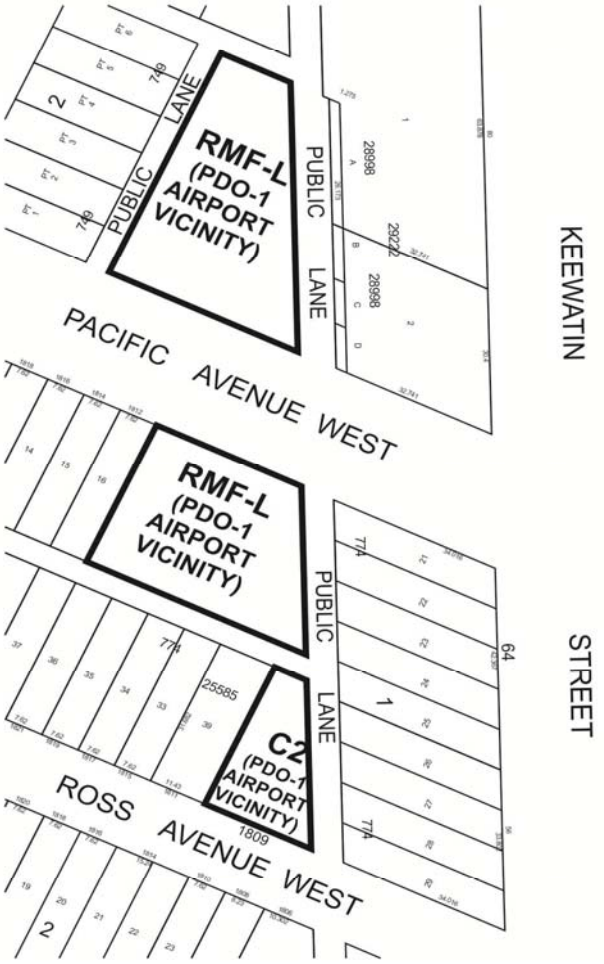
Atlas Sheet No.

N

**W20 ASSINIBOIA COMMUNITY**

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located on the north & south sides of Pacific Avenue West, 64 Keewatin Street & 1809 Ross Avenue from a "C2" COMMERCIAL COMMUNITY DISTRICT and an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT to an "RMF-L PDO-1 AIRPORT VICINITY" RESIDENTIAL MULTI-FAMILY (Large) DISTRICT and a "C2 PDO-1 AIRPORT VICINITY" COMMERCIAL COMMUNITY DISTRICT to facilitate the construction of multiple family dwellings and the establishment of a non-accessory parking lot as shown outlined below.




THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

**SCHEDULE 'B'**

**REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – MAY 24, 2013**

**RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 1809 ROSS AVENUE AND 64 KEEWATIN STREET, WEST OF PUBLIC LANE AND NORTH AND SOUTH OF PACIFIC AVENUE WEST - DASZ 18/2013**

It is recommended that the approval of DASZ 18/2013, if granted, be subject to the applicant entering into a Servicing Agreement addressing the following conditions;

**A. Plan Considerations**

1. The Developer shall, at no expense to the City, transfer and legally open property required for a 6.0m by 6.0m right-of-way corner-cut in the northwest corner of the intersection of the north/south public lane west of Keewatin Street and the east/west public lane between Ross Avenue West and Pacific Avenue West, out of Lot 20, Plan 774, as determined by and to the satisfaction of the Director of Public Works.

2. The Developer shall, at no expense to the City, transfer and legally open property required for a 1.37m widening, to provide a right-of-way width of 6.25m, in the north-south public lane, approximately 80m west of Keewatin Street between Pacific Avenue West and the public lane to the north, as determined by and to the satisfaction of the Director of Public Works.

**B. Servicing Conditions and Payments**

1. The Developer shall, at no expense to the City, construct portland cement concrete pavement to a thickness of 150 mm in the proposed corner-cut identified above, and all related works as determined by and to the satisfaction of the Director of Public Works.

2. The Developer shall, at no expense to the City, construct portland cement concrete pavement to a width of 5.0m by 150mm in thickness within the widened north–south public right-of-way identified above, located approximately 80m west of Keewatin Street between Pacific Avenue West and the public lane to the north, and all related works all as determined by and to the satisfaction of the Director of Public Works.

3. The Developer shall pay all costs associated with the installation and/or relocation of street lights and other utilities made necessary as a result of or required to accommodate works, which are required by the Developer to serve the proposed development, as determined by and to the satisfaction of the Director of Public Works.
4. The Developer shall install one (1) tree within the south boulevard of Pacific Avenue West, west of the public lane fronting the Planned Area. Tree to be maintained by the Developer for a period of two (2) years.

5. The Developer shall be responsible to control and to initiate the 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 substantial completion of all construction. The clean up of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

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

7. 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.

8. Following completion of all major construction works, the Developer shall, at its cost have the locations of the survey monuments within the Planned Area verified and, where the survey monuments have been disturbed, moved, covered, mutilated, or destroyed, have them replaced by a Manitoba Land Surveyor, who shall provide the Director of Planning, Property & Development with a certificate that all survey monuments within the Planned Area have been verified and/or replaced.

9. 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 18/2013
May 24, 2013

*"Original Signed by R.R. Deighton, P.Eng."*
R.R. Deighton, P. Eng.
Land Development Branch

*"Original Signed by C.Desjardine, P.Eng."*
C. Desjardine, P. Eng.
Public Works Department, Transportation Division