Minute No. 676
Report – Standing Policy Committee on Property and Development – October 8, 2013

Item No. 5 Rezoning – 381 Stradbrook Avenue
(Fort Rouge-East Fort Garry Ward)
File DAZ 216/2013 [c/r DAV 128595/2013D]

COUNCIL DECISION:

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

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 216/2013 dated July 2, 2013 to an "RMF-L" Residential Multi-Family District, subject to the following:

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

        i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, and landscaping to the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

        ii. That the height of any building shall be limited to five (5) stories and sixty (60) feet.

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

3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

Report – Standing Policy Committee on Property and Development – October 8, 2013

COUNCIL DECISION (continued):

4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

5. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

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

7. That the City Solicitor/Manager of Legal Services 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 – October 8, 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 October 16, 2013, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On October 8, 2013, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 9, 2013, the City Centre Community Committee concurred in the recommendation of the recommendation of the Winnipeg Public Service with the following amendment:

- Amend Recommendation 1.A.i. by adding the words “City Centre Community Committee and the” after the words “and landscaping to the”.

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

RE: **Rezoning – 381 Stradbrook Avenue**
File DAZ 216/2013

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

Prepared by: **Andrew Poitras, Senior Committee Clerk**
City Centre Community Committee

Report date: **July 10, 2013**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 9, 2013, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 216/2013 dated July 2, 2013 to an "RMF-L" Residential Multi-Family District, subject to the following:

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

        i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, and landscaping to the ***City Centre Community Committee and the*** Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

        ii. That the height of any building shall be limited to five (5) stories and sixty (60) feet.

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

3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an

extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

5. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

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

7. That the City Solicitor/Manager of Legal Services 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 City Centre Community Committee provided the following supporting reasons for its recommendation:

1. The project is in compliance with the Osborne Village Neighbourhood Plan.
2. It's an innovated project with a unique parking solution.
3. It will add increased density into the area.

PUBLIC HEARING SUMMARY

File: DAZ 216/2013

Before: City Centre Community Committee
Councillor Smith, Chairperson
Councillor Gerbasi
Councillor Orlikow

Public Hearing: July 9, 2013
Council Building, 510 Main Street

Applicant: Hijab Mitra (Mistecture Architecture and Interiors Inc.)

Subject:



Premises Affected: 381 Stradbrook Avenue

Exhibits Filed:

1. Application dated May 7, 2013
2. Notification of Public Hearing dated May 21, 2013
3. Manitoba Status of Title 2653796/1
4. Letter of authorization dated May 6, 2013 from Mistecture Architecture and Interiors Inc. to Garry Marshall, President & Secretary, 6627332 Manitoba Ltd.
5. Surveyor's Building Location Certificate and sketch dated March 12, 2013
6. Drawing of subject property
7. Plans (5 pages)
8. Report from the Planning and Land Use Division dated July 2, 2013
9. Inspection Report
10. Plans (13 pages) submitted by the applicant at the public hearing
11. Audio Recording of representations

REPRESENTATIONS:

In Support:

Hijab Mitra
Garry Marshall

In Opposition:

Nil

For Information:

Tim Comack
Jonathon Freed
Rob Sendall

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Mr. D. Clark, Planner, Planning, Property and Development Department

Exhibit "8" referred to in File DAZ 216/2013

ADMINISTRATIVE REPORT

Title: DAZ 216/2013 – 381 Stradbrook Avenue

Issue: For consideration at the public hearing for a Rezoning for DAZ 216/2013 – 381 Stradbrook Avenue

Critical Path: City Centre Community Committee 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 Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 216/2013 dated July 2, 2013 to an "RMF-L" Residential Multi-Family District, subject to the following:

   A. That the applicant enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:
      i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, and landscaping to the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.
      ii. That the height of any building shall be limited to five (5) stories and sixty (60) feet.

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

3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

5. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

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

7. That the City Solicitor/Manager of Legal Services 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 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 Planning and Land Use Division are concurred in, the property will be rezoned.

CONSULTATION

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

SUBMITTED BY

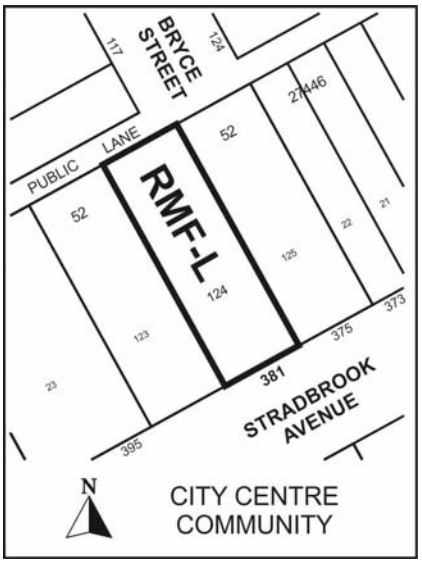
Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Michael Robinson, AICP, MCIP
Date:	July 2, 2013
File No.	DAZ 216/2013

APPENDIX 'A'

DATE: July 2, 2013
FILE: DAZ 216/2013
RELATED FILES: DAV 13-128595/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.111

SUBJECT: To rezone the subject land from an "RMF-M" Residential Multi-Family District to an "RMF-L" Residential Multi-Family District

LOCATION: 381 Stradbrook
LEGAL DESCRIPTION: Lot 124 Plan 52 36 St B



APPLICANT: Hijab Mitra – Mictecture Architecture and Interiors Inc.

OWNER: 6627332 MB Ltd.

RECOMMENDATION: Approval

SITE DESCRIPTION

The subject property, which is zoned "RMF-M" Residential Multi-Family District, is located on Stradbrook Avenue, between Scott and Osborne Streets in the Osborne Village neighbourhood of the Fort Rouge – East Fort Garry ward.

North: Residences zoned "R2" Residential Two-Family District
South: Residences zoned "RMF-M" Residential Multi-Family District and "C1" Commercial District
East: Residences zoned "RMF-M" Residential Multi-Family District
West: Residences zoned "RMF-M" Residential Multi-Family District

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to rezone the subject lot from an "RMF-M" Residential Multi-Family District to an "RMF-L" Residential Multi-Family District in order to construct a five storey, 18 unit multiple family building. The applicant is providing 19 parking stalls underneath the building, at grade.

The existing single-family residence will be demolished to accommodate the new building.

Reason for application
The proposed density exceeds what is allowed in "RMF-M" Multi-Family Residential District. "RMF-L" Residential Mutli-Family District, however, allows for a higher density. Consequently, to accommodate the proposed density, a rezoning to "RMF-L" is required.

ANALYSIS AND ISSUES
OurWinnipeg/Complete Communities
A. Policies
i. OurWinnipeg (Complete Communities Direction Strategy)
Osborne Village has the characteristics of a community mixed use centre in Complete Communities, the City of Winnipeg's land use and development plan.

Community mixed use centres are intended to have higher density development and a broad range of land uses. It is important that development in these areas creates a high-quality street environment and is attractive to residents and visitors alike.

One relevant plan policy for community mixed use centres is as follows:

Encourage moderate to high density housing and higher intensity commercial and mixed use development focused on sustainable transportation

Osborne Village Neighbourhood Plan
The subject property is within the Village Medium Density Residential (V-MDR) sector of the Osborne Village Neighbourhood Plan (By-law 220/2006). The following four specific policies apply to this sector:

4.1.3.A Encourage a mixture of single-family homes, duplexes, townhouses, and multiple-family buildings

4.1.3.B New development will have a minimum of two stories and a maximum of four storeys in height in order to preserve the scale and pedestrian oriented character of this area

4.1.3.C New development along River and Stradbrook Avenues east of Osborne Street may have a maximum of five stories, provided structured parking is included and 4th floor and above are setback from public streets

4.1.3.D Mixed-use buildings combining residential with low intensity office or commercial uses on the ground floor may be approved on River and Stradbrook Avenues, east of Osborne Street

4.1.3.D
Setbacks
Given that the subject property is located on River Avenue, East of Osborne Street, five stories is permitted – however, the fourth and fifth stories are required to be setback from the street.

In order to meet this requirement, the applicant is setting back the entire building from Stradbrook Avenue.

Enclosed parking
All of the parking will be located under the building, and screened from Stradbrook Avenue, which meets the plan requirement for structured parking

Density
The proposed density necessitates a rezoning to the "RMF-L" Residential Multi-Family District. In order to determine whether the proposed density was contextually appropriate, the Winnipeg Public Service requested that the applicant do an assessment of existing densities in the area. The study is provided in Appendix B.

In summary, the subject property will have a density of 1 unit per 408 square feet of lot area. Other adjacent properties which are similar to this density include:

Address	Units	Density
333 Stradbrook	41	418 sq ft per unit
330 Stradbrook	33	445 sq ft per unit
370 Stradbrook	30	436 sq ft per unit
400 Stradbrook	146	151 sq ft per unit
401 Stradbrook	16	459 sq ft per unit
367-373 Stradbrook[1]	36 units	408 sq ft per unit

Consequently, given the existing policy in both Complete Communities and the Osborne Village Neighbourhood Plan regarding density and in light of the existing density of other buildings in the vicinity, the proposed density is contextually suitable.

Design
The design meets policies of the Osborne Village Neighbourhood Plan in the following ways:

1. The main entrance to the building is located on Stradbrook Avenue and the parking is screened behind the building façade. (See Policies 3.1.1.B.1, 3.1.1.B.3, and 3.1.1.C.1 in Appendix A)

2. The front of the building includes architectural elements to provide visual interest to the pedestrian, such as changes in setback, materials, and colours. (See Policies 3.1.1.C.2)

3. Parking is underneath the building and the building is setback from Stradbrook Avenue (Policy 4.1.3.C)

[1] Approved but not constructed

4. The proposed setbacks are consistent with other multi-family properties on the street (3.1.1.B.2)

Design Guidelines
As the detailed design of the building is yet to be finalized, the Winnipeg Public Service is recommending plan approval, prior to the issuance of any development permits. Design guidelines are being included, in Appendix B, to aid in the plan approval process.

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

- The rezoning is consistent with Complete Communities and the Osborne Village Neighbourhood Plan

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

Report Prepared by: Michael Robinson, AICP, MCIP
PPD File # DAZ 216/2013

APPENDIX "B"

Schedule "A" for File No. DAZ 216/2013, City Centre Community Committee, dated July 2, 2013

By-Law No. _____

File No. **DAZ 216/13**

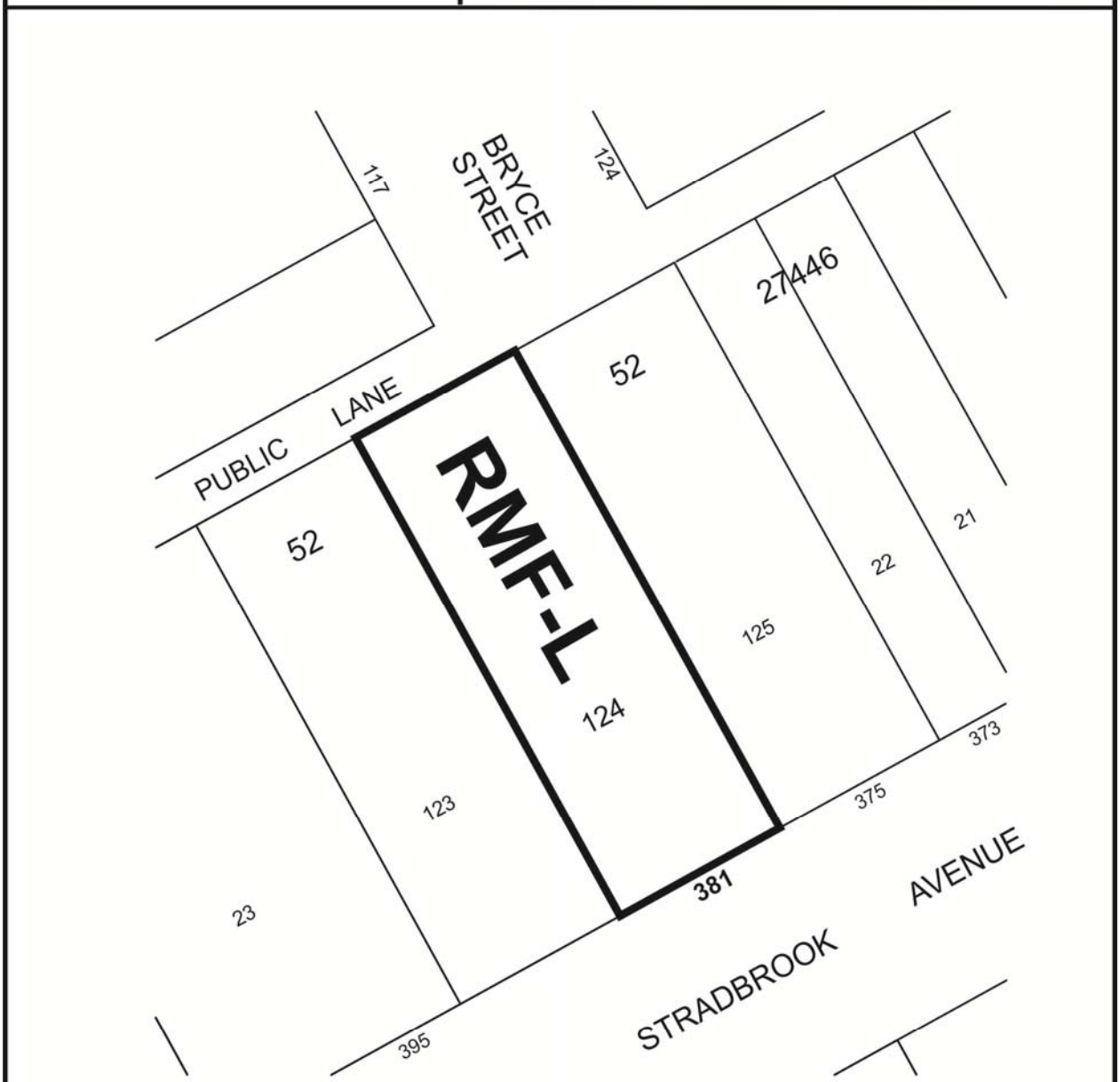
Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 381 Stradbrook Avenue from an "RMF-M" RESIDENTIAL MULTI-FAMILY (Medium) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (Large) DISTRICT to allow for the construction of a multiple family dwelling as shown outlined below.

Atlas Sheet No.

N

AB24
CITY CENTRE
COMMUNITY



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

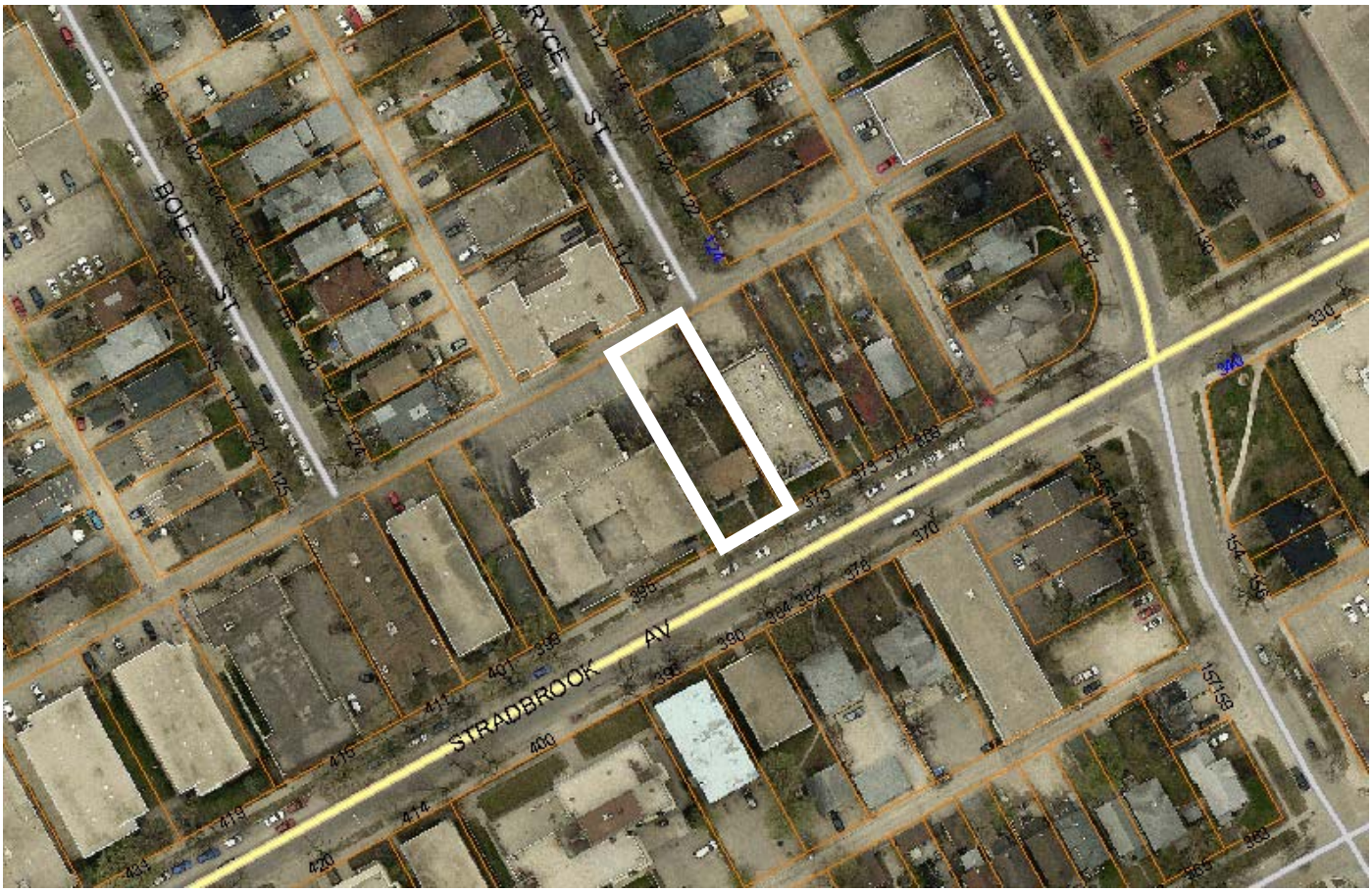


Figure 1: Aerial Photo (Flown in 2012)

Appendix A
Osborne Village Neighbourhood Plan Policies

3.1.1.B.1
Orienting buildings to the street to restore traditional mature neighbourhood character. New buildings are to be oriented to the front and corner side property lines and have a street front orientation

3.1.1.B.2
Respecting the traditional character of the area and surrounding properties in terms of pedestrian orientation, mass and scale of surrounding properties, compatible building materials, orientation of entrances to the street, and incorporation of compatible alignment, setbacks, and height of building(s) along the street

3.1.1.B.3
Providing pedestrian access at street level, and locating parking, loading, and service entrances at the rear of the building

3.1.1.C.1
Ensuring pedestrian access is a predominant feature in site design

3.1.1.C.2
Ensuring building design reinforces activity and vitality at the ground level through use of architectural elements and accommodate features to create interest at street level

4.1.3.C
New development along River and Stradbrook avenues east of Osborne Street may have a maximum of 5 stories, provided structured parking is included and 4th floor and above are setback from public streets

Appendix B
Design Guidelines

The overall goals are to ensure:

- That the development achieves an urban character and reinforces the relationship between the building and the street

- That the development reinforces and contribute to a strong streetscape and pedestrian oriented environment

- That the development is complimentary to the unique character of the area and reinforces that character

- That the development incorporates high quality urban and architectural design which reflects the diverse architectural heritage of the area

To that end, the following design guidelines are to be used for Final Plan Approval for DASZ 28/11

1) That the final design shall be consistent with all policies in the Osborne Village Neighbourhood Plan
2) The use of significant glazing and active spaces (balconies and terraces) on the front of the building is encouraged, wherever possible
3) The use of high quality, traditional cladding materials on the front façade of the building, such as stone and masonry, for visual interest, and to comply with the intent of the Plan, is encouraged
4) That windows on the west side of the building shall be offset from windows of the adjoining multi-family building to the west.