Minutes – Executive Policy Committee – April 23, 2014

Minute No. 290
Report – Standing Policy Committee on Property and Development – April 15, 2014

Item No. 3 Subdivision and Rezoning – 361 Burnell Street
(Daniel McIntyre Ward)
File DASZ 56/2013 [c/r DAV 101277/2014D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

1. That the plan of subdivision under File DASZ 56/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 56/2013 dated March 3, 2014 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

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 56/2013 dated March 3, 2014 to an "RMF-L" Residential Multi-Family Large District, subject to the following conditions:

    A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in Schedule 'B' the report of the Administrative Coordinating Group dated March 10, 2014.

    B. 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 or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, garbage enclosures and landscaping to the City Centre Community Committee and 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.

Report – Standing Policy Committee on Property and Development – April 15, 2014

ii. That the height of any building shall be limited to five (5) storeys and fifty five (55) feet for residential uses. Additional height above this will be allowed for any permitted projections as well as amenity rooftop uses. Amenity roof top uses will be permitted a maximum of 10 feet in height and must be located at a minimum of 6 feet from the edge of the building wall.

iii. That the ratio of building height-to-building separation from the east edge of the public lane right-of-way that parallels the site on its east side shall not exceed a 45-degree angular plane. This angle shall be measured from a six (6) foot height above grade at the east edge of the public lane.

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 has been 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 (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.

Report – Standing Policy Committee on Property and Development – April 15, 2014

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.

11. 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.

Report – Standing Policy Committee on Property and Development – April 15, 2014

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

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

Carried

STANDING COMMITTEE RECOMMENDATION:

On April 15, 2014, 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 Mach 11, 2014, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service, contained in the revised report dated March 11, 2014, with the following amendment:

Report from the Urban Planning Division

- Amend Recommendation 2.B.ii) by deleting "must be located at a minimum of 10 feet from the edge of the building wall", and substituting "must be located at a minimum of 6 feet from the edge of the building wall"

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

RE: **Subdivision and Rezoning – 361 Burnell Street**
File DASZ 56/2013

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

Prepared by: **D. Watt, Committee Clerk**
City Centre Community Committee

Report date: **March 14, 2014**

COMMUNITY COMMITTEE RECOMMENDATION:

On March 11, 2014, the City Centre 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 56/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 56/2013 dated March 3, 2014 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

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 56/2013 dated March 3, 2014 to an "RMF-L" Residential Multi-Family Large District, subject to the following conditions:

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        ii. That the height of any building shall be limited to five (5) storeys and fifty five (55) feet for residential uses. Additional height above this will be allowed for any permitted projections as well as amenity rooftop uses. Amenity roof top uses will be permitted a maximum of 10 feet in height and must be located at a minimum of ~~10~~ ***6*** feet from the edge of the building wall.

iii. That the ratio of building height-to-building separation from the east edge of the public lane right-of-way that parallels the site on its east side shall not exceed a 45-degree angular plane. This angle shall be measured from a six (6) foot height above grade at the east edge of the public lane.

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.

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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 has been 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 (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 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.

11. 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.

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

The City Centre Community Committee provided the following supporting reason(s) for its recommendation:

1. The development will be an asset that will provide housing in a much needed area.

2. There is no opposition to the development.

PUBLIC HEARING SUMMARY

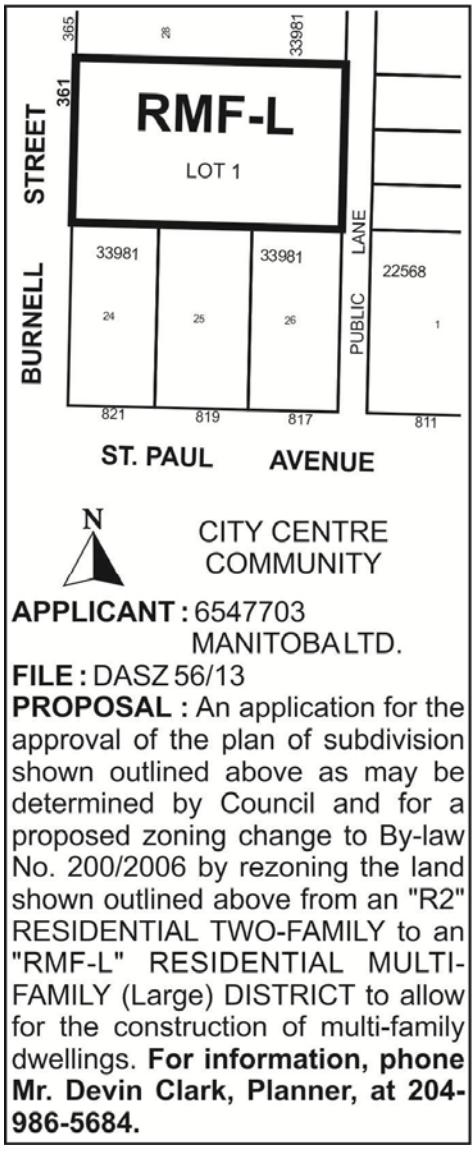
File: DASZ 56/2013

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

Public Hearing: March 11, 2014
Council Building, 510 Main Street

Applicant: Brett McLaren (6547703 Manitoba Ltd.)

Subject:



Premises Affected: 361 Burnell Street

Exhibits Filed:

1. Application dated January 13, 2014
2. Notification of Public Hearing dated January 21, 2014
3. Manitoba Status of Titles 2660446/1, 2624775/1
4. Letter of authorization dated December 10, 2013 from C. Paul Molloy and Joan Molloy to M&R Developments Ltd.
5. Drawing of subject property
6. Plans (5 pages)
7. Report from the Urban Planning Division dated March 3, 2014
8. Revised Report from the Urban Planning Division dated March 11, 2014
9. Inspection Report
10. Audio Recording of representations

REPRESENTATIONS:

In Support:

Brett McLaren, 6547703 Manitoba Ltd.
Alan Roberts
Christian Cassidy
Nathan Dyck
Nicolas Geddert
Lisa Tetrault
C. Paul and Joan Molloy
Mary-Jo Fatouros
Cara Mcdonald

In Opposition

Nil

For Information:

Nil

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department
Mr. D. Clark, Planner, Urban Planning Division, Property and Development Department

ADMINISTRATIVE REPORT

Title: DASZ 56/13 - 361 Burnell St. REVISED

Issue: An application for consideration at the Public Hearing to consolidate the site into one (1) lot and rezone the land from “R2” to RMF-L in order to develop a multiple family dwelling.

Critical Path: City Centre 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 56/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule “A” for File DASZ 56/2013 dated March 3, 2014 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.
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 56/2013 dated March 3, 2014 to an “RMF-L” Residential Multi-Family Large District, subject to the following conditions:

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as well as amenity rooftop uses. Amenity roof top uses will be permitted a maximum of 10 feet in height and must be located at a minimum of 10 feet from the edge of the building wall.

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REASON FOR THE REPORT

- The applicant is proposing to consolidate the site from two (2) lots into one (1) lot and rezone the property from the “R2” Residential Two-Family zoning district to the “RMF-L” Residential Multi-Family – Large zoning district in order to construct a 34-unit multi-family development on the site.
- Subdivisions and rezonings require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*

- The Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Urban Planning Division are concurred in, the subject site will be consolidated into one lot and rezoned from "R2" to "RMF-L."

HISTORY

N/A

CONSULTATION

The applicant held an open house for the project on Wednesday February 12, 2014. The open house took place at the Orioles Community Centre between 6:30 and 8:00 pm where a total of approximately 13 people attended.

To raise awareness about this Open House forum, 32 posters were place in close proximity in the neighbourhood and about 75 letters delivered to each mailbox on Burnell, St Paul, Portage, and St. Matthews. Request was made to have notice emailed to those who subscribe to the DMSMA weekly news e-letter.

According to the applicant, of the 13 attendees, 6 signed an attendance sheet and 5 signed an opinion sheet. Two people expressed support, two opposed and one person checked both support and oppose.

Some of the comments included: concerns regarding height, parking issue in neighbourhood, increased garbage, back lane traffic issue with daycare, positive emphasis on transit and cycling, green space.

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by:	Devin Clark
Date:	March 11, 2014
File No.	DASZ 56/13

List of Schedules and Attachments

1. Appendix A – Planning Discussion
2. Schedule "A" Recommended File No. DASZ 56/13 City Centre Community Committee, dated March 3, 2014

APPENDIX 'A'

DATE: March 11, 2014

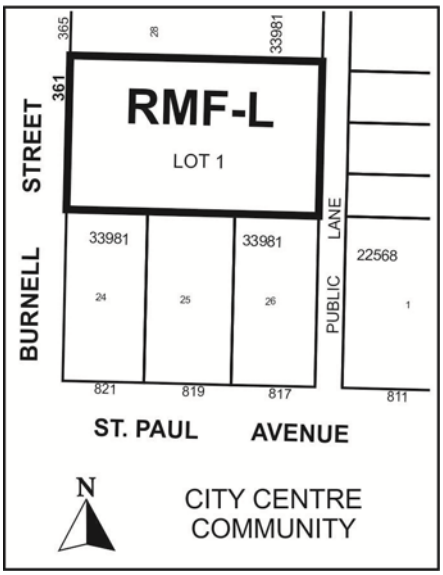
FILE: DASZ 56/13
RELATED FILES: DAV 14-101277D

COMMUNITY: City Centre
NEIGHBOURHOOD #: 1.112

SUBJECT: To subdivide the site into one (1) lot and rezone the land from "R2" Residential Two-Family to "RMF-L" Residential Multi Family – Large

LOCATION: 361 Burnell St.

LEGAL DESCRIPTION: LOT 27 PLAN 33981 65 ST JA AND LOT 5/6 BLOCK 2 PLAN 775 65 ST JA



APPLICANT: 6547703 MB Ltd. – Brett McLaren
311 – 1400 Ellice Ave.
WINNIPEG MB R3G 0J1

OWNER: 6547703 Manitoba Ltd.
311 – 1400 ELLICE AVE UNIT 311
WINNIPEG MB R3G 0J1

RECOMMENDATION: Approval

REPORT SUMMARY

- The applicant is proposing to consolidate two properties and rezone the site from “R2” Residential Two Family to “RMF-L” Residential Multi Family - Large in order to develop a 34 unit multi family dwelling.
- The proposed development provides affordable housing with adequate parking and desirable amenity space.
- Like most established neighbourhoods in Winnipeg, the subject neighbourhood has seen a decline in population over the last 40 years. This development would help contribute to the revitalization of the St. Matthews, Daniel McIntyre neighbourhood and enhance the vitality of community services, businesses and amenities.
- The Urban Planning Division recommends supporting this application.

SITE DESCRIPTION

- The subject property is located one property north of the intersection at Burnell St. and St. Paul Ave. in the St. Matthews neighbourhood of the Daniel McIntyre ward.
- When consolidated the total area of the subject property is 13,250 square feet.
- Under the Complete Communities Direction Strategy, the site is located within the Areas of Stability – Mature Communities policy area.

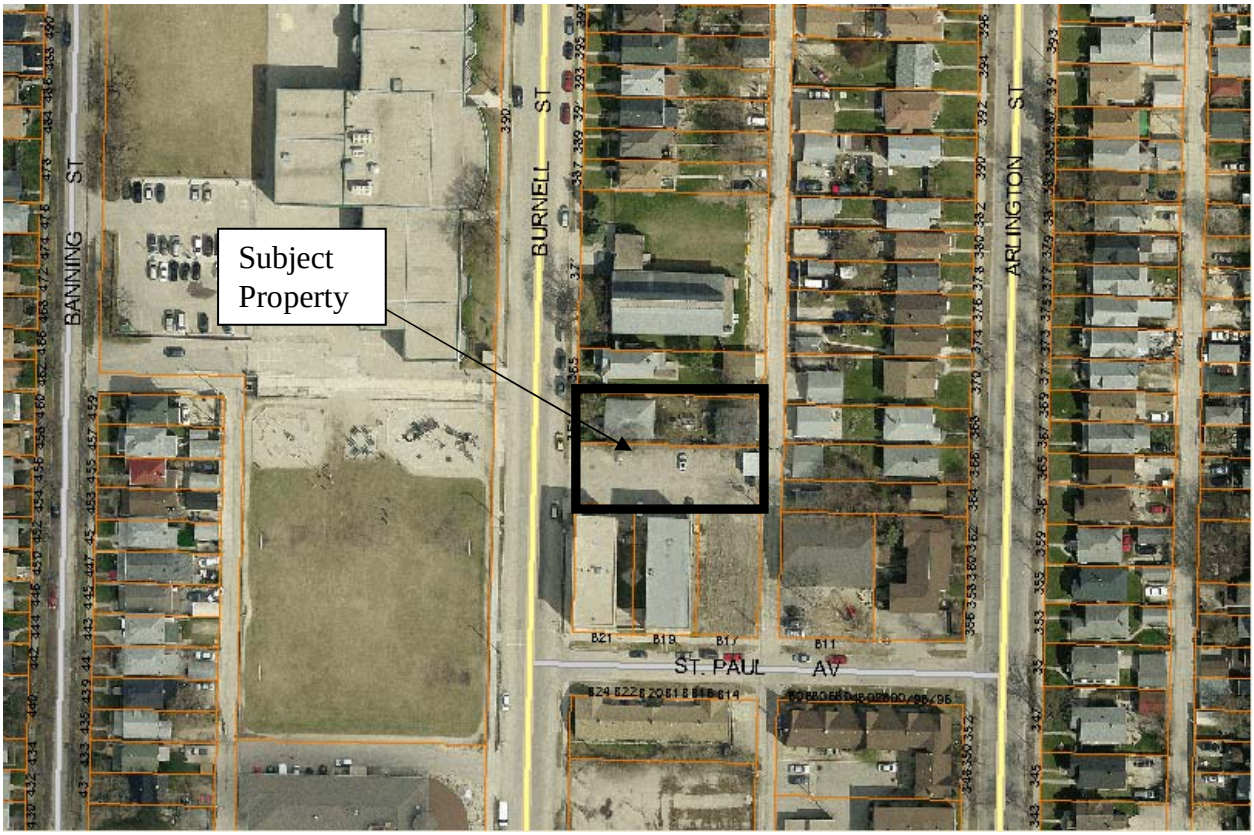


Figure 1: Aerial photograph showing subject property (flown 2012)

SURROUNDING LAND USES & ZONING (See Figure 2)

North: Single family dwelling associated with the adjacent church zoned "R2" Residential Two-Family.

South: Multi-family residential uses zoned "R2" Residential Two-Family.

East: Back lane then single family dwellings zoned "R2" Residential Two-Family.

West: Burnell St. then a school zoned "R2" Residential Two-Family.

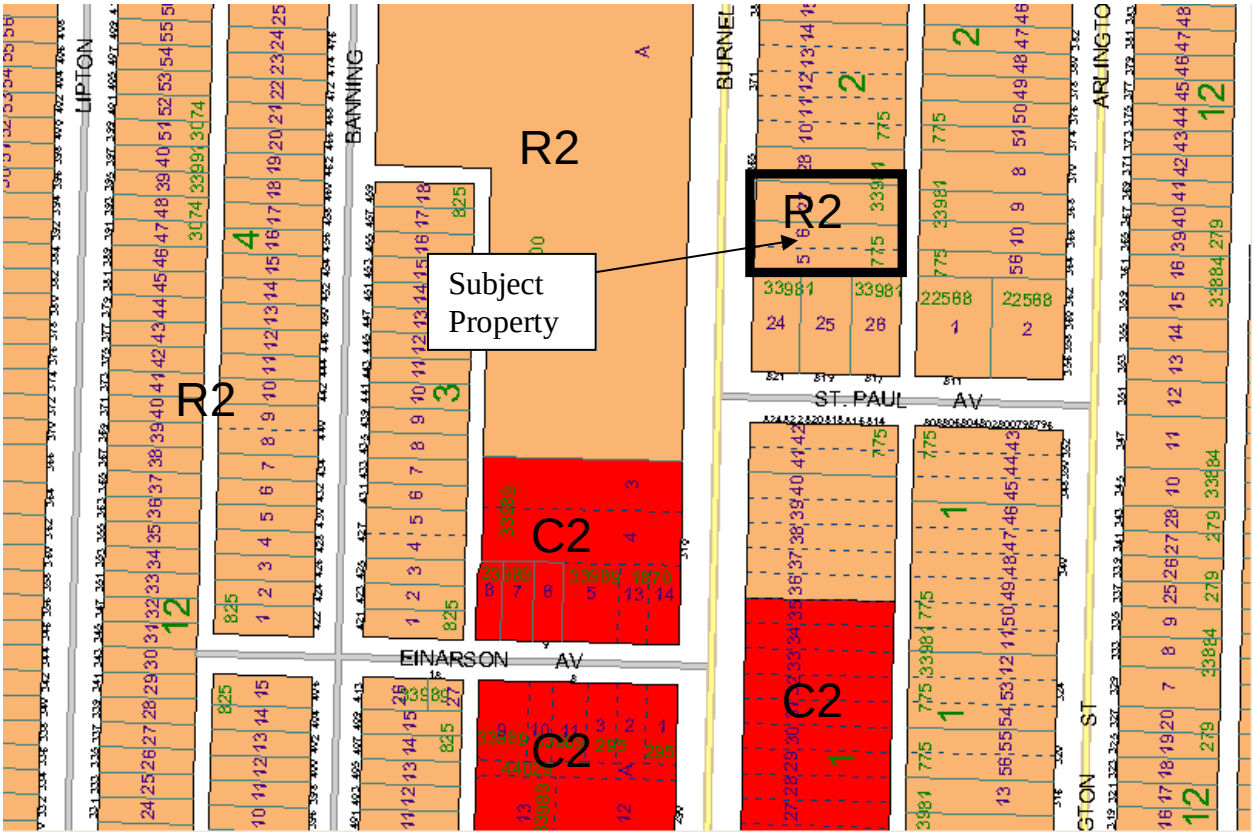


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to consolidate the site from two (2) lots into one (1) lot and rezone the property from "R2" Residential Two Family to "RMF-L" Residential Multi-Family – Large.
- The applicant wishes to build a six (6) storey, 34 unit multi family dwelling. The first floor consists of the entrance/lobby with parking in the rear. Floors 2-5 consist of dwelling units. The rooftop (sixth floor) is reserved as amenity space.
- The proposed development would have units ranging between one bedroom and three bedrooms.
- The rooftop amenity space contemplated for the building would consist of outdoor recreation space (gardening), an exercise room, meeting room and storage space.

- The proposed development would provide 38 at grade parking stalls located behind the ground floor entrance.
- The building façade is described to include brick for the first 35 feet, intended to blend with the finish of the adjacent condominium to the south. A lighter colour finish is proposed for the remainder of the building height.

ANALYSIS AND ISSUES

OURWINNIPEG

- High level directions for housing have been established in the OurWinnipeg Plan. Some of these directions include:
    - Support diverse housing options in each neighbourhood or neighbourhood cluster throughout the city.
    - Establish partnerships with the private, not-for-profit and government sectors to provide affordable housing throughout the city, with a particular focus on locations near a variety of transportation options.
    - Support the integration of specialty housing within residential neighbourhoods, with a particular focus on locations near a variety of transportation options.

COMPLETE COMMUNITIES DIRECTION STRATEGY

- The site is located within the Areas of Stability – Mature Communities policy area. The key relevant policies guiding the development of Areas of Stability under the *Complete Communities Direction Strategy* include:
    - Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.
    - Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
    - Encourage intensification to occur at centres and along corridors.
    - 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, townhouses.
    - Provide opportunities to increase multi-modal connectivity when redevelopment occurs.

DANIEL MCINTYRE ST MATTHEWS COMMUNITY ASSOCIATION (DMSMCA) HOUSING PLAN

- The general crux of the plan is that there is a need to reinvest in the area to provide affordable housing, while maintaining a mix between rental and ownership tenancy and improving the quality of existing housing throughout the neighbourhood.

- The neighbourhood population has decreased significantly over the last several years and a number of dwellings have not been well maintained.
- The housing plan identifies challenges to development in the area, including:
    - Zoning that presents challenges to establish infill housing
    - Safety
    - Barriers to providing affordable housing (increase in material costs, remediation costs, etc.)

ZONING

"RMF-L" Residential Multi-Family Large

- 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 dimensional standards for multi-family structures in the RMF-L zone are: a minimum front yard of 25 feet; a minimum rear yard of 25 feet; a minimum side yard of 8 feet (note b)[1] and, a maximum building height of 150 feet. The minimum lot area is 20,000 square feet and the minimum lot area per dwelling unit is 400 square feet.
- Parking requirements are 1.5 stalls per unit. However, parking requirements for properties that fall within Urban Infill Areas are permitted to provide 80% of the required minimum stalls or 1.2 stalls per unit.

LAND USE BY-LAW

Subdivision and Rezoning

- The applicant is proposing to subdivide and rezone the lands from the "R2" Residential Two-Family district to the "RMF-L" Residential Multi-Family Large district in order to construct a 34 unit, residential development.
- The subdivision of lands will result in the consolidation of two (2) lots into one (1) lot, creating a lot with an area of 13,250 square feet. The consolidation of lots provides the developer with more room to establish yard setbacks that are consistent with the surrounding properties.
- Rezoning to "RMF-L" allows the developer to achieve a higher density development than what could be achieved under the "R2" zoning district. Under "R2" the consolidated property would be able to accommodate a maximum of 17 units with a slight density variance. The increased density provided by the rezoning is consistent with objectives in *Complete Communities* with respect to revitalizing neighbourhoods with existing infrastructure and providing a diverse and high quality housing stock. The development is located within 338 metres (an approximate 4 minute walking distance) from Portage Avenue. There is also a bus stop on Burnell St. approximately 30 metres of the subject site. The Urban Planning Division believes that the location of the subject site in proximity to numerous transit routes increases the rationale to support the rezoning.

[1] note b – in the RMF-L zoning district, where a building is more than one storey in height, the required interior side yard increases by 2 feet for each storey above the ground floor to a maximum of 20 feet.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

The Urban Planning Division believes that the proposed rezoning and consolidation of lots for the construction of the six-storey residential project is a reasonable fit within the neighbourhood for the following reasons.

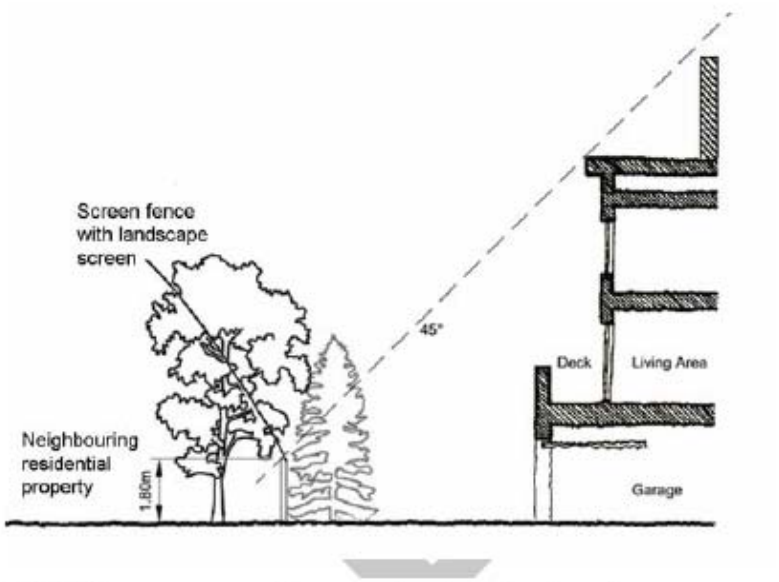
Height

- The proposed development is defined as a six-storey building under zoning criteria, though the Planning Division feels that the massing is consistent with what a five storey building might look like. The first floor consists of parking with the entrance and lobby fronting onto Burnell St. Floors two through five are comprised of one, two and three bedroom dwelling units. The rooftop (sixth floor) is planned to have an amenity area that may include a meeting space, storage, exercise room and gardening space. This space is to be setback from the fifth floor and would provide additional height that would not likely be visible from the ground floor. Thus, the building would have the look and feel of a five storey building.

- It should be noted that additional height on top of buildings is permitted to allow mechanical space and elevator penthouses. The zoning by law states that this space must not extend more than 20 feet above the supporting roof and that the area must not exceed one-third of the area of the supporting roof. The Planning Division believes that the proposed amenity space matches height and area of what would be allowed otherwise for mechanical and elevator space.

- The Urban Planning Division believes that rooftop amenity space is a valuable addition to urban infill development as it provides gathering space (and in this case garden plots) where space in the community may not be available. As long as the building portion of the rooftop space is setback from the edge of the building, and adequate screening is provided around the edge of the rooftop space, the Urban Planning Division is supportive of the overall height of the building.

- Another design feature that the Planning Division has taken into consideration is sightlines. The City's Draft Infill Guidelines promote rear yard separation space to adjacent dwellings at a 45 degree angular plane, measured from adjacent property lines to the rear of the development. For this development, there are single family and two family dwellings located to the east of the proposed building. The applicant has indicated that the design of the building has taken into consideration potential impacts the building may have on adjacent properties and has designed the building accordingly, to include the 45 degree angular plane from the rear property lines (see figure 3).



2.2.2 (ii) Achieve an appropriate rear yard setback to adjacent residential properties by setting the building back so it does not project into a 45° angular plane measured from the adjacent residential property line (starting at a six foot height above grade) to the top of the proposed infill building.

Figure 3: example image of the 45 degree angular plane to establish setbacks.

Density

- The area is characterized by a mix of residential uses from single family and multi-family dwellings. Two multifamily dwellings exist to the immediate south of the subject site. These dwellings are 3 ½ storeys in height (approximately 40 feet) containing 14 units and 8 units. In 2012 a 16 unit dwelling immediately to the east of these dwellings burnt down and the lot remains vacant. Prior to the building at 817 St. Paul burning down, combined, the three properties south of the subject property consisted of 38 units on approximately 14,750 square feet. The lot area per dwelling unit of the three properties equates to 388 square feet; similar to the density of the proposed developments lot area per dwelling unit of 390 square feet.



Figure 4: Image of three buildings, prior to 817 St. Paul Ave. burning down (flown 2009)

- The Urban Planning Division is typically supportive of higher density development located at the corner of the block. In this case, the subject site is one property in from the corner and is adjacent to multifamily dwellings to the south with a similar density and adjacent to a church and its associated residence to the north. This site is compatible with this portion of Burnell St. which consists of a mix of higher intensity uses that is in close proximity to numerous transit routes.

Parking

- The proposed development is to provide 38 parking stalls for 34 units, which is more than 1 stall per dwelling unit. The Urban Planning Division has consistently supported parking at a 1:1 ratio for urban infill sites.

- The administration recommended that access to the parking area be taken off the lane, with the intent of establishing a more pedestrian friendly environment along Burnell St. However, at the public consultation it was discussed that access from the lane was not desirable, as there is a day care located at the end of the lane and that the lane was already quite busy and in a poor state. The Planning Division determined that concerns over safety and access to the site from the lane were considerable and believes that access to the site can reasonably be accommodated from Burnell St.

Transit and Cycling

- The proposed development is located within about 338 metres from Portage Avenue, which is approximately a four minute walk. The transit stop located at Burnell and Portage is a regular stop for several routes: #11, 21, 22, 24 and 67. The subject site is also located within approximately 30 metres to the nearest bus stop on Burnell St. The Planning Division believes that because the subject site is located in such close proximity to numerous transit routes, it is reasonable to suggest that a project of this density can be accommodated.
- The applicant has indicated a strong willingness to incorporate bicycle parking within the project and even the possibility of providing a parking stall for a car co-op vehicle. Providing opportunities for a variety of transportation options aligns with objectives in *Complete Communities.*

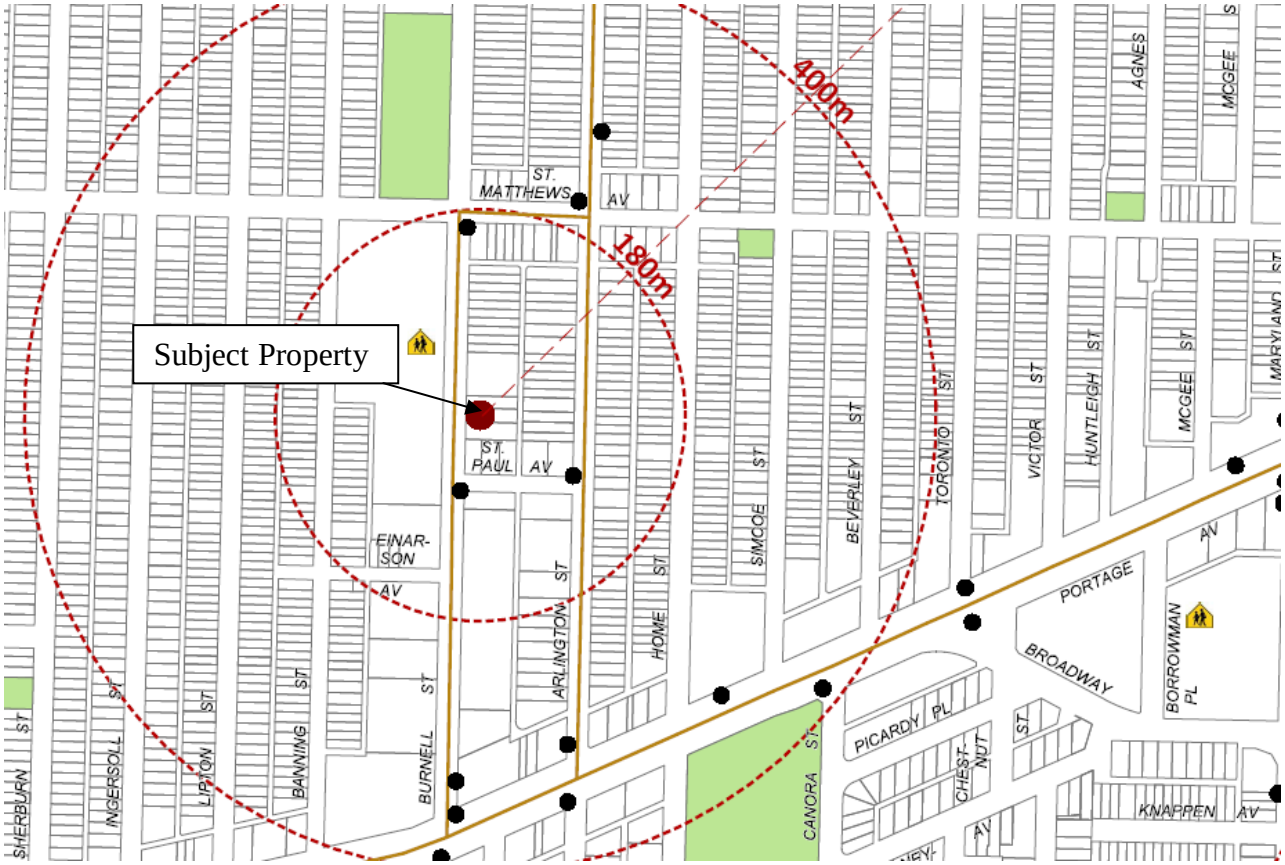


Figure 5: Subject property and proximity to transit stops (subject property - red dot, transit stops - black dots)

SITE DESIGN

The applicant has worked closely with the Urban Planning Division to identify a general design proposal that meets the intent of the Complete Communities Direction Strategy. Design considerations at the plan approval stage are to include the following:

1) Site layout, showing location of buildings, landscaping, accessory parking, fencing and garbage enclosures. Colour renderings showing elevations should also be included.
2) Fencing plans should take into consideration opportunities to break up the long segments of the wall, be it small ornamental treatments, landscaping, etc.
3) Garbage enclosures should be constructed in a manner that aligns with the details of the building and provides security to the garbage and recycling bins.
4) The building should incorporate a mix of materials such as brick, wood, stucco, etc. in a manner that fits with the adjacent buildings.
5) Details of bicycle parking showing location and number of bicycles that can be accommodated for both short term and long term parking.
6) Rooftop uses should be setback from the edge of the building and provide landscaping and other forms of screening where deemed appropriate.

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 proposal is consistent with the policies of OurWinnipeg the Complete Communities Direction Strategy and the DMSMCA housing plan.
- The proposed development provides affordable housing with adequate parking and desirable amenity space.
- Like most established neighbourhoods in Winnipeg, the subject neighbourhood has seen a decline in population over the last 40 years. This development would help contribute to the revitalization of the St. Matthews, Daniel McIntyre neighbourhood and enhance the vitality of community services, businesses and amenities.

This Report Submitted by:

Planning, Property and Development Department
Urban Planning Division

Report Prepared By: Devin Clark
PPD File # DASZ 56/13

Schedule "A" for File No. DASZ 56/2013, City Centre Community Committee, dated March 3, 2014

By-Law No. _____

File No. **DASZ 56/13**

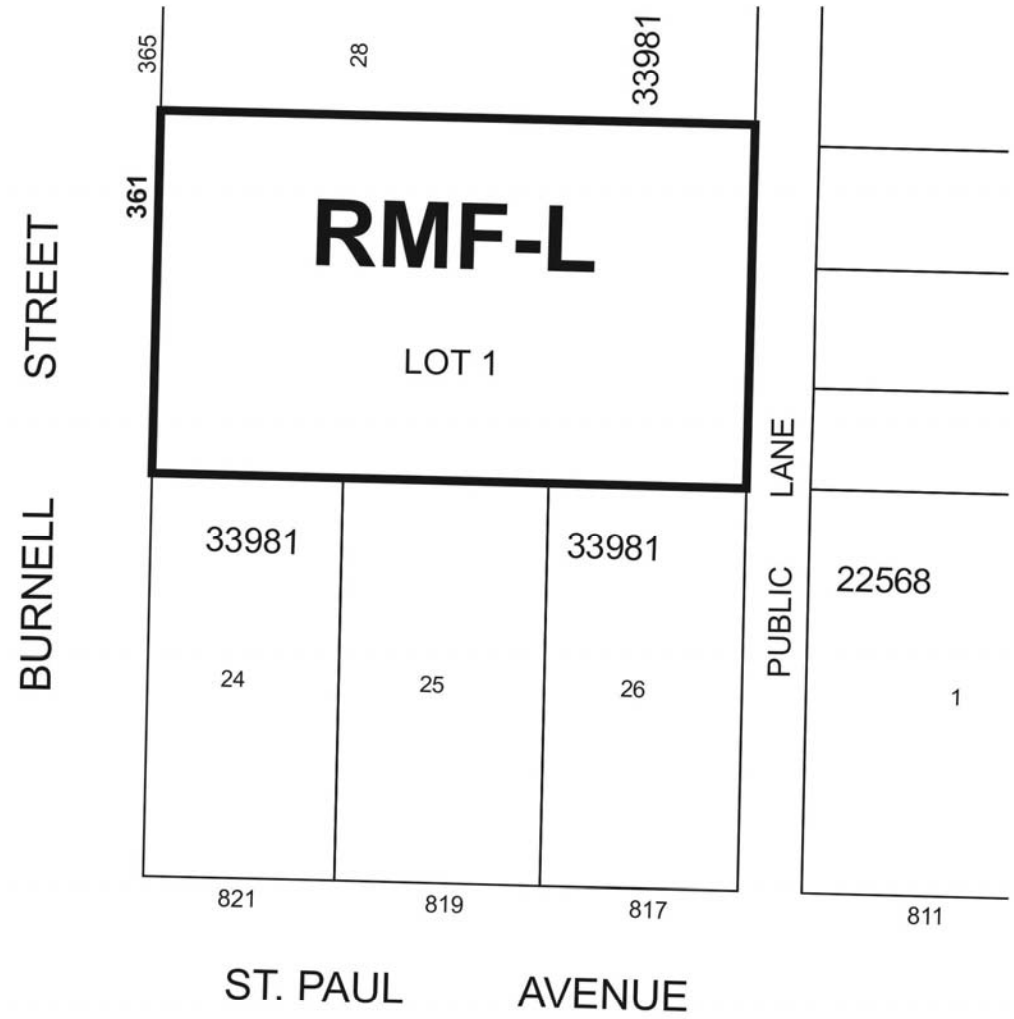
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AA22
CITY CENTRE
COMMUNITY

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 at 361 Burnell Street adjacent lot to the south from an "R2" RESIDENTIAL TWO-FAMILY to an "RMF-L" RESIDENTIAL MULTI-FAMILY (Large) DISTRICT to allow for the construction of multi-family dwellings as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – MARCH 10, 2014

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 361 BURNELL STREET & ADJACENT LOT – DASZ 56/2013

It is recommended that the approval of DASZ 56/2013, if granted, be subject to the applicant entering into a Servicing Agreement addressing the following items:

A. ENGINEERING REPORT

1. The developer shall provide, to the satisfaction of the Director of Water and Waste, and at no expense to the City, a comprehensive servicing report, prepared by a qualified municipal engineer which will examine the fire flow requirements for the development and whether any upgrading of the existing City water distribution system will be required to achieve these flows.

B. AGREEMENT CONDITIONS

SECTION I – SERVICING

1. Watermain Upgrading

   If upgrading is required, the developer shall at no expense to the City upgrade the City watermains as determined by and to the satisfaction of the Director of Water and Waste.

SECTION II – COSTS AND FEES

1. By-laws and Approvals

   The Developer shall pay all of its and the City's costs, fees, and expenses associated with the preparation and attainment of approval for registration of the Zoning By-law(s) and plan(s) of subdivision, including all Municipal Board, Land Titles Office and other fees and expenses, all survey, engineering and advertising fees and costs, and all expenses incidental to the preparation of the Agreement and the physical development of the Planned Area.

2. Professional Fees

   a) The Developer shall pay the full cost of all design services, including preliminary engineering studies, servicing reports, servicing criteria, construction drawings and specifications, and grading and landscaping plans and specifications, to be provided by Consulting Engineer(s) approved by the City, for the design of the municipal services, and associated works required to serve the Planned Area;

b) The Developer shall pay the full cost of construction and landscaping supervision services provided by or on behalf of the City for field inspection, preparation of progress estimates, provision of as-built drawings by March 31 of the year following substantial performance of the work, and all other engineering consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

3. Administration Fees

The Developer shall, prior to the release of the subdivision mylars for registration in the Land Titles Office, pay to the City, $1200.00/acre (minimum $1,650.00) of the planned area to help defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 56/2013
March 10, 2014

"Original signed by, K.T. Raban, P.Eng."

K.T. Raban, P. Eng.,
Land Development Branch

"Original signed by, F.C. Mazur, P.Eng."

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

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