Minutes – Executive Policy Committee – June 18, 2014

Minute No. 398
Report – Standing Policy Committee on Property and Development – June 10, 2014

Item No. 2 Rezoning – 226 Grassie Boulevard
(Elmwood-East Kildonan Ward)
File DAZ 211/2014 [c/r DAV 112267/2014D]

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 Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for file DAZ 211/2014 dated May 13, 2014, to an "RMF-S" Residential Multifamily 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, garbage enclosures, fencing, and landscaping to the Director of Planning, Property and Development and the East Kildonan-Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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

Report – Standing Policy Committee on Property and Development – June 10, 2014

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 the by-law is passed.

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

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

Minutes – Executive Policy Committee – June 18, 2014

Report – Standing Policy Committee on Property and Development – June 10, 2014

DECISION MAKING HISTORY:

Moved by Councillor Pagtakhan,

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

Carried

STANDING COMMITTEE RECOMMENDATION:

On June 10, 2014, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 20, 2014, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded to the Standing Policy Committee on Property and Development.

RE: **Rezoning – 226 Grassie Boulevard**
File DAZ 211/2014

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

Prepared by: **Josie Marques, Senior Committee Clerk**
East Kildonan-Transcona Community Committee

Report date: **May 21, 2014**

COMMUNITY COMMITTEE RECOMMENDATION:

On May 20, 2014, the East Kildonan-Transcona 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 211/2014 dated May 13, 2014, to an "RMF-S" Residential Multifamily 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, garbage enclosures, fencing, and landscaping to the Director of Planning, Property and Development and the East Kildonan-Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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4. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward 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 the by-law is passed.

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

7. 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.

The East Kildonan-Transcona Community Committee provided the following supporting reason(s) for its recommendation:

1. The development will be a positive influence on community.
2. The development is right next to another apartment building.
3. A lot more development will be happening in this area.
4. The traffic concerns raised will have to be addressed by the City of Winnipeg and not applicant.

PUBLIC HEARING SUMMARY

File: DAZ 211/2014

Before: East Kildonan-Transcona Community Committee
Councillor Steen, Chairperson
Councillor Browaty
Councillor Wyatt

Public Hearing: May 20, 2014
Council Building, 510 Main Street

Applicant: Riverside Consulting (Jordan Sodomsky)

Subject:



Premises Affected: 226 Grassie Boulevard

Exhibits Filed:

1. Application dated March 19, 2014
2. Notification of Public Hearing dated March 24, 2014
3. Manitoba Status of Title 2497442/1
4. Letter of authorization dated February 6, 2014 from Chantal Zamuda Muhabwa to Jordan Sodomsky

5. Surveyor's Building Location Certificate and sketch dated January 23, 2014
6. Plans (2 pages)
7. Report from the Urban Planning Division dated May 13, 2014
8. Inspection Report
9. Audio Recording of Public Hearing

REPRESENTATIONS:

In Support:

Nigel Furgus
Karwin R. Kupskay
Jordan Sodomsky, Riverside Consulting

In Opposition

Detlef Lange
Charanjeet Singh

For Information:

James Bay
Cindy Lange

For the City:

Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department
Mr. J. Platt, Senior Planner, Planning Property and Development Department
Mr. M. Pyl, Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DAZ 211/2014

ADMINISTRATIVE REPORT

Title: DAZ 211/14 – 226 Grassie Blvd

Issue: For consideration at the public hearing to rezone to allow for the construction of a multifamily building

Critical Path: East Kildonan-Transcona Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	n/a	n/a	

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for file DAZ 211/2014 dated May 13, 2014, to an "RMF-S" Residential Multifamily 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, garbage enclosures, fencing, and landscaping to the Director of Planning, Property and Development and the East Kildonan-Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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 Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward 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 the by-law is passed.

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

7. 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 intends to rezone the subject property from “R1-L” Residential Single Family district to “RMF-S” Residential Multifamily district to accommodate the construction of a three-storey, 12-unit multifamily development.
- The 33 ft. tall building will be set towards the back of the property, 17 ft. from the rear property line.

IMPLICATIONS OF THE RECOMMENDATIONS

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

CONSULTATION

In preparing this report there was consultation with:

N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Michael Pyl
Date:	May 13, 2014
File No.	DAZ 211/14

APPENDIX 'A'

DATE: May 13, 2014
FILE: DAZ 211/14
RELATED FILES:
COMMUNITY: East Kildonan-Transcona
NEIGHBOURHOOD #: 4.423

SUBJECT: To rezone the subject property from "R1-L" Residential Single Family district to "RMF-S" Residential Multifamily district to allow for the construction of a 12-unit multifamily development

LOCATION: 293 Kimberly Av



APPLICANT: Jordan Sodomsky
Riverside Consulting
959 Windermere Av
Winnipeg MB R3T 1A2

OWNER: Alimasi Nsanda and Chantal Muhabwa
226 Grassie Blvd
Winnipeg MB R2G 2L6

RECOMMENDATION: Approval

REPORT SUMMARY

- The applicant intends to rezone the subject property from "R1-L" Residential Single Family district to "RMF-S" Residential Multifamily district to accommodate the construction of a three-storey, 12-unit multifamily development.
- The 33 ft. tall building will be set towards the back of the property, 17 ft. from the rear property line.

SITE DESCRIPTION

- The subject property is located on the south side of Grassie Blvd just east of Molson St in the Eaglemere neighbourhood of the Elmwood-East Kildonan ward.
- The subject property is 77 ft. wide and 14,426 sq. ft. in area. It is currently occupied by a one storey, 1,709 sq. ft. single family dwelling built in 1964 and a 535 sq. ft. detached garage. The property is zoned “R1-L” Residential Single Family district.
- Adjacent properties include single family dwellings to the north and east zoned “R1-L” and multifamily developments to the west and south zoned “RMF-S” Residential Multifamily district.



Figure 1: Site map of subject property and surrounding neighbourhood

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to rezone the subject property from “R1-L” Residential Single Family district to “RMF-S” Residential Multifamily district to accommodate the construction of a three-storey, 12-unit multifamily development.
- The building will be set back 99 ft. from the front property, in front of which will be 16 parking stalls.
- The applicant is proposing to provide a 12 ft. east side yard, a 10 ft. west side yard, and a 17 ft. rear yard.
- The proposed building height is 33 ft.

- The applicant is proposing to accommodate garbage storage towards the front of the property, set back approximately 15 ft. from the front property line.

BACKGROUND

DAV 14-112267D

- In concurrence with this application, the applicant has also applied for the following variances:
    - For the construction of a multifamily dwelling to permit the following:
        - A rear yard of 17 ft. instead of 25 ft.
        - A lot area per dwelling unit of 1,202.7 sq. ft. instead of 1,250 sq. ft.
        - 16 parking spaces instead of 18 parking spaces.
    - For the establishment of an accessory parking area and the location of a garbage enclosure to permit a front yard of 14 ft. instead of 38 ft.

ANALYSIS AND ISSUES

OurWinnipeg and Complete Communities Direction Strategy

- The Complete Communities Direction Strategy is one of four direction strategies supporting OurWinnipeg, the city's new long-range development plan, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg. It received third reading at City Council on July 20, 2011, and became effective on August 17, 2011.
- The subject property is classified as an "Area of Stability" is Complete Communities' Urban Structure map. Areas of Stability will accommodate low to moderate density infill development to support more efficient use of land, infrastructure, and services as well as enhance housing choice and affordability.
- Supporting Direction and Enabling Strategies for Areas of Stability include:
    - Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complementary to the existing scale, character, and built form.
    - Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
    - Support Complete Communities by ensuring a 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.

Zoning

- The "R1" Residential Single Family district is intended to accommodate primarily single-family residential development in lower-density neighbourhoods.
- The Residential Multi-Family (RMF) district is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities.

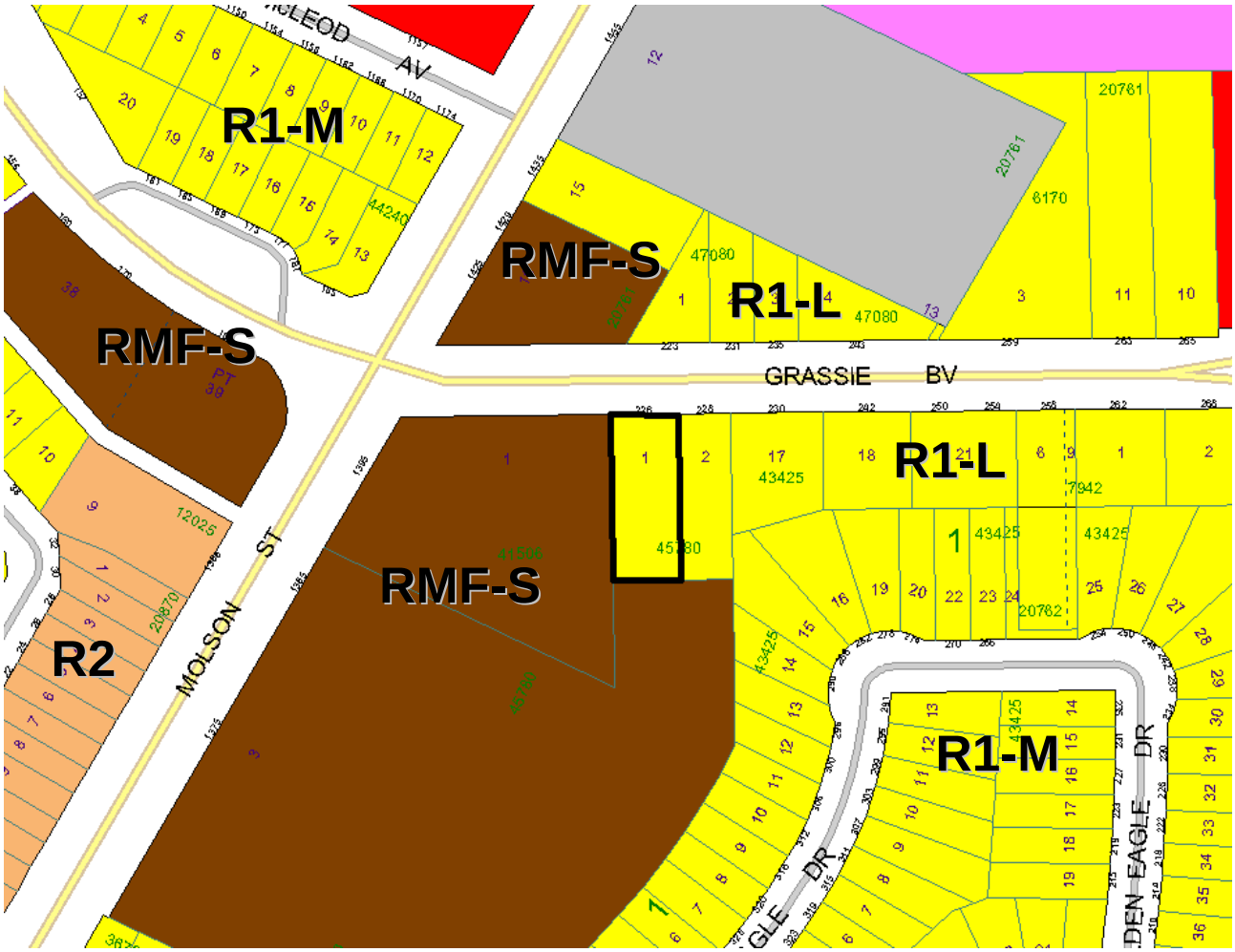

Figure 2: Zoning map of subject property and surrounding neighbourhood

- Section 143 of the zoning by-law prescribes the following dimensional standards for the "RMF-S" district:

	Min. Lot Area (sq. ft.)	Min. Lot Area Per Dwelling Unit (sq. ft.)	Min. Front Yard (ft.)	Min. Rear Yard (ft.)	Min. Interior Side Yard (ft.) **	Min. Corner Side Yard (ft.)	Principal Building Separation (ft.)	Max. Building Height (ft.)
RMF-S	9,000	1,250	20	25	4	5	8	35

Figure 3: Dimensional standards for the "RMF-S" districts

- Section 161 of the zoning by-law prescribes vehicular parking requirements for each use. A multi-family residential use requires 1.5 parking spaces per unit.
    - Ten percent of the required parking spaces must be unassigned guest parking, designated as such, to the satisfaction of the Director, and readily available to the entrance of the building served.

Public transit

- The intersection of Grassie and Molson is serviced by Winnipeg Transit routes 44 and 77.

On-street parking

- There is no on-street parking available on either side of Grassie Blvd in front of the subject property as well as along Molson south of Grassie to a point equidistant between this intersection and Tu-Pelo Av.

Land use by-law issues

- This administrative report only speaks to issues relating to the rezoning of the subject property. Further discussion relating to the variances will be addressed in the concurrent variance report.

Compatibility with the surrounding neighbourhood

- The Urban Planning Division is broadly supportive of infill development, as it minimizes the spatial use of land and provides a wider range of housing options in the neighbourhood.
- The intersection of Grassie Blvd and Molson St, both collector streets, has evolved into a small-scale multifamily node, with townhouses at its southwest corner, a three storey multifamily building at its southeast (adjacent to the west of the subject property), a two storey multifamily development at its northeast corner, and a multifamily development directly south of the subject property comprised of one and two storey buildings.
- The subject property is contiguous to this node. Further, the scale of the proposed “RMF-S” district – specifically a maximum height of 35 ft. – is compatible with the single family zoning to the east that is also enabled to a maximum height of 35 ft.
- As a condition of approval, the Urban Planning Division recommends that plans be approved by the East Kildonan-Transcona Community Committee and the Director of Planning, Property, and Development prior to the issuance of any building permits. It expects the following items to be addressed:
    - Significant landscaping along the east property line to screen the proposed development from the perspective of the adjacent single family home, particularly in the areas adjacent to the balconies on the east building wall.
    - Currently, the garbage enclosure is located up at the front of the property. If it is to remain there, the Urban Planning Division expects that it will be densely screened and will be constructed of materials to match the exterior of the building. Conversely, it would also support moving the garbage enclosure towards the rear of the parking area.
    - Information will also be sought on building elevations, fencing details, a landscaping plant list, etc.
- One possible area of concern is the balconies located on the east building wall adjacent to the single family dwelling next door. According to applicant the neighbor is not concerned, but if this is in fact not the case, then a restriction on balconies on the east building wall would be recommended.

RECOMMENDATION

The Urban Planning Division is supportive of the proposed multifamily development given its location at two collector streets, its contiguity to an existing multifamily node, and its compatibility with neighbouring single family development. A number of smaller issues, such as the screening, can be addressed through plan approval.

This Report Submitted by: Michael Pyl
Planning, Property and Development Department
Urban Planning Division
Report Prepared by: PPD File # DAZ 211/2014

APPENDIX 'B'

Schedule "A" for File No. DAZ 211/14, East Kildonan-Transcona Community Committee, dated May 13, 2014.

