Agenda – Council – June 25, 2014

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

Item No. 1 Text Amendment – Winnipeg Zoning By-law No. 200/2006 - Complete Communities Direction Strategy By-law Alignment
File DAZ 219/2014

STANDING COMMITTEE RECOMMENDATION:

On June 18, 2014, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, as amended, submitted the following to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended as per "Attachment A", with the following amendment:

   A. That section (11) be deleted in its entirety and replaced with the following:

      (11) In subsection 167(1),

      (a) In clause (a), by striking out the words "and for every 10 accessible parking spaces required to be provided, at least 1 space must be a minimum of 8 feet wide and must have an adjacent loading and maneuvering area at least 8 feet wide;"

      (b) By adding the following after clause (a):

         (a.1) the width of van accessible parking spaces must be a minimum of 8 feet and must have an adjacent loading and maneuvering area at least 8 feet wide;

2. That the Proper Officers of the City of Winnipeg be directed to do all things necessary to implement the intent of the foregoing.

Agenda – Council – June 25, 2014

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

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 18, 2014, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 10, 2014, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- That Recommendation 1 be amended by adding the following after "Attachment A":

  ", with the following amendment:

  A. That section (11) be deleted in its entirety and replaced with the following:

     (11) In subsection 167(1),

        (a) In clause (a), by striking out the words "and for every 10 accessible parking spaces required to be provided, at least 1 space must be a minimum of 8 feet wide and must have an adjacent loading and maneuvering area at least 8 feet wide;"

        (b) By adding the following after clause (a):

           (a.1) the width of van accessible parking spaces must be a minimum of 8 feet and must have an adjacent loading and maneuvering area at least 8 feet wide;

and forwarded to the Executive Policy Committee and Council.

RE: **Text Amendment – Winnipeg Zoning By-law No. 200/2006 - Complete Communities Direction Strategy By-law Alignment**
File DAZ 219/2014

For submission to: **Executive Policy Committee**

Prepared by: **Andrew Poitras, Senior Committee Clerk**
Standing Policy Committee on Property and Development

Report date: **June 10, 2014**

STANDING COMMITTEE RECOMMENDATION:

On June 10, 2014, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended as per "Attachment A"***, with the following amendment:***

A. That section (11) be deleted in its entirety and replaced with the following:

(11) In subsection 167(1),

(a) ***In clause (a), by striking out the words "and for every 10 accessible parking spaces required to be provided, at least 1 space must be a minimum of 8 feet wide and must have an adjacent loading and maneuvering area at least 8 feet wide;"***

(b) ***By adding the following after clause (a):***

(a.1) the width of van accessible parking spaces must be a minimum of 8 feet and must have an adjacent loading and maneuvering area at least 8 feet wide;

2. That the proper officers of the City of Winnipeg be directed to do all things necessary to implement the intent of the foregoing.

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

The Standing Policy Committee on Property and Development provided the following supporting reason(s) for its recommendation:

1. The Standing Policy Committee on Property and Development agreed with the administrative comments contained in the report of the Urban Planning Division dated May 13, 2014.

PUBLIC HEARING SUMMARY

File: DAZ 219/2014

Before: Standing Policy Committee on Property and Development
Councillor Browaty, Chairperson
Councillor Orlikow
Councillor Pagtakhan
Councillor Steen

Public Hearing: June 10, 2014
Council Building, 510 Main Street

Applicant: The Director of Planning, Property and Development

Subject:

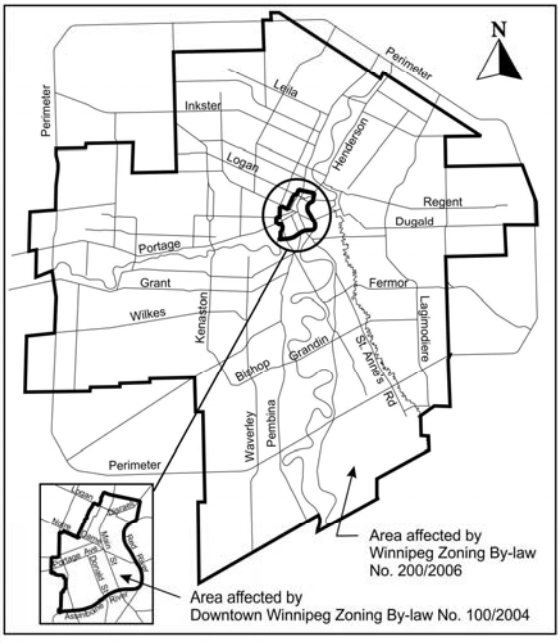
City of Winnipeg
NOTICE OF
PUBLIC HEARINGS

Under the authority of The City of Winnipeg Charter, the Standing Policy Committee listed below will conduct PUBLIC HEARINGS for the purpose of allowing interested persons to make submissions, ask questions or register objections in respect of the application(s) listed below. Information or documents concerning the applications and a description of the procedure to be followed at the public hearings are available for inspection at Unit 15-30 Fort Street or at the Community Committee offices located in the City Clerk's Department, Council Building, 510 Main Street between 8:30 a.m. and 4:30 p.m., Monday-Friday, excluding holidays; or on-line at http://www.winnipeg.ca.

Notice of Standing Policy Committee on Property and Development

PUBLIC HEARING

Date: Tuesday, June 10, 2014
Time: 9:00 a.m.
Location: Council Building, City Hall, 510 Main Street, Winnipeg, Manitoba
Hearing Body: Standing Policy Committee on Property and Development
Applicant: Director, Planning, Property and Development Department
File: DAZ 219/2014



Matter to be considered at the hearing:
- Proposed amendments to Winnipeg Zoning By-Law 200/2006

Why are Changes Being Proposed?
- On January 29, 2014, City Council directed the Winnipeg Public Service to prepare amendments to the Winnipeg Zoning By-Law in order to better align it with the Complete Communities Direction Strategy By-Law, and to correct errors and omissions.

What are the Changes that are Being Proposed?
- The proposed amendments will provide better alignment between the Winnipeg Zoning By-Law and the Complete Communities Direction Strategy By-Law. In addition, errors and omissions in the Winnipeg Zoning By-Law compiled since the by-law has been in effect will be corrected, providing better clarity of existing regulations.

Key amendments include:
- clarifying that 'car share programs' and 'enhanced bike parking' are available means of offsetting minimum parking requirements in the Parking Management Plan,
- allowing parking directly off paved lanes for multi-family development,
- permitting multi-family housing above the ground floor in "C1" and "C2" Districts;
- enhancing bike parking requirements,
- requiring pedestrian connections to new developments,
- requiring landscaping improvements upon building redevelopment with options,
- allowing additional Personal Services as a Conditional Use in the "M2" district,
- allowing Boat Docks as a Conditional Use in the "PR1" district,
- removing libraries, sports or entertainment arena/stadium outdoor, funeral chapel and mortuary from list of allowable uses in the "A", "RR5 and "RR2" districts,
- limiting schools and places of worship to 10,000 sq. ft. in the "A, "RR5", "RR2" districts,
- limiting daycares to 5,000 sq. ft in the "A" district,
- making Contractor's Establishment "not permitted" in the "C1" district,
- enhancing provisions for van accessible parking spaces, and
- adjusting the text to refer to OurWinnipeg and Complete Communities and their policies.

For more information about the proposed amendments, please contact: Andrew Ross: ph. 204-986-5235, email aross@winnipeg.ca.

How do I participate?
- The purpose of the hearing is to allow interested persons to make submissions, ask questions or register objections in respect of the proposed by-law changes. Those wishing to present at the Public Hearing are requested to register with the Clerk at the hearing.
- A copy of the proposed amendments, supporting materials, and a description of the procedure to be followed at the hearing may be inspected at the Urban Planning Division, 15-30 Fort Street, (Fort Garry Place) during normal office hours (8:30 Am – 4:30 PM), Monday-Friday, excluding holidays, or on the City of Winnipeg Clerk's Decision Making Information System (DMIS) website which can be accessed by http://www.winnipeg.ca/CLKDMIS/.

Exhibits Filed:

1. Advertising Notice
2. Report from the Director of Planning, Property and Development dated May 13, 2014
3. Presentation from the Planning, Property and Development Department submitted at the Public Hearing with respect to the application

REPRESENTATIONS:

In Support:

Mr. B. Thorgrimson, Director, Planning, Property and Development Department

In Opposition:

Nil

For Information:

Nil

For the City:

Mr. A. Ross, Planner, Planning Property and Development Department
Mr. M. Robinson, Senior Planner, Planning, Property and Development Department

Exhibit "2" referred to in File DAZ 219/2014

ADMINISTRATIVE REPORT

Title: DAZ 219/2014- Zoning By-law Amendments – Alignment of the Winnipeg Zoning By-Law to the *Complete Communities Direction Strategy* By-Law

Critical Path: Standing Policy Committee on Property and Development – Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	B. Thorgrimson	N/A	D. Joshi A/CAO

RECOMMENDATIONS

1. That Winnipeg Zoning By-law No. 200/2006 be amended as per "Attachment A".

2. That the proper officers of the City of Winnipeg be directed to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

This report presents a draft Zoning By-Law amendment for Council's consideration in response to Council's adoption of a previous report on January 29, 2014. As per Recommendation 1 of the report, "Alignment of the Winnipeg Zoning By-Law with the *Complete Communities Direction Strategy* By-Law", the Winnipeg Public Service was directed by Council to *"make application for text amendments to the Winnipeg Zoning By-law in accordance with Appendix "B" as follows:*

A. Include 'car share programs' and 'enhanced bike parking' as available means of offsetting minimum parking requirements in the Parking Management Plan;
B. Permit parking directly off paved lanes for multi-family development;
C. Permit multi-family housing above the ground floor in "C1", "C2" Commercial Districts, with standards;
D. Require bicycle parking to be well lit, and located with convenient access to major building entrances, within a visible, high-traffic area, and outside of pedestrian paths of travel;
E. Require universally accessible pedestrian connections to new developments;
F. Require landscaping improvements upon building redevelopment, with options;
G. In the "M2" Manufacturing District, allow additional Personal Services (such as banks, salons) as a Conditional Use, up to 5,000 sq. ft.;

H. Change name of "Boat Dock/ Public Access" to "Public Boat Dock", and allow Boat Docks as a Conditional Use in the "PR1" Parks and Recreation District;

I. Remove libraries, sports or entertainment arena/stadium outdoor, funeral chapel and mortuary from list of allowable uses in the "A" Agricultural District, "RR5 Rural Residential 5 District and "RR2" Rural Residential 2 Districts, where applicable;

J. Continue to allow schools and places of worship as Conditional Uses in the "A" Agricultural District, "RR5" Rural Residential 5 District, and "RR2" Rural Residential 2 District but only up to 10,000 sq. ft.; and continue to allow daycares Conditional Uses in Agricultural districts, but only up to 5,000 sq. ft.;

K. Adjust the current standard for the provision of parking spaces for vans for people with disabilities, to ensure they are provided with smaller parking lots;

L. Revise the "General Purposes" of the Zoning By-Law to reflect OurWinnipeg and the Complete Communities Direction Strategy;

M. Make Contractor's Establishment "not permitted" in the "C1" Commercial District; and

N. Correct various errors and omissions.

IMPLICATIONS OF THE RECOMMENDATIONS

General Implications - If Council passes the proposed amending by-law, the adjustments to zoning that were approved by Council on January 29, 2014 including the Winnipeg Zoning By-Law list of errors and omissions collected by the Public Service since 2008, will be incorporated into the Winnipeg Zoning By-law as text amendments.

Policy Implications - The Winnipeg Zoning By-Law will better align with the *Complete Communities Direction Strategy* By-Law. In addition, Winnipeg Zoning By-Law errors and omissions collected by the Public Service since 2008 will be incorporated, providing for better clarity of existing zoning regulations.

Environmental Implications – Some of the text amendments will help support sustainability in accordance with *Complete Communities* by allowing more mixed use in employment lands and in commercial districts, supporting local agricultural land, supporting cycling through better bike parking options, and supporting car share programs in some cases.

Other Implications – Accessibility will be further supported by including new provisions for universally accessible pedestrian connections to new developments.

HISTORY

On January 29, 2014, Council directed the Public Service to prepare text amendments in accordance with recommendations Council adopted pertaining to adjustments to the Winnipeg Zoning By-Law to provide better alignment between that By-Law and the *Complete Communities Direction Strategy* By-Law, and to correct various errors and omissions.

The recommendations made to Council on January 29, 2014 were based on recommendations of the Planning, Property and Development and other departments who incorporated the Urban Structure, cross jurisdictional and local research, mapping and data. Significant consultation was conducted including a Public Open House, online and paper surveys, and blogs at speakupwinnipeg.com. Invitations to all engagement components was extended to members of

SpeakUpWinnipeg social media; and to all OurWinnipeg stakeholders including the development industry, Business Improvement Zones, community organizations and many other groups and individuals.

This report presents the Zoning By-Law text amendments (the alignments to Complete Communities as well as the errors and omissions), which were developed in accordance with Appendix B of the report adopted by Council on January 29, 2014.

The following are the key amendments proposed to provide better alignment with the *Complete Communities Direction Strategy*, which are provided in detail in Attachment "A":

- In Section 169 by inserting some text to clarify that 'car share programs' and 'enhanced bike parking' are available means of offsetting minimum parking requirements in the Parking Management Plan.

- In Section 171(3) by inserting some text to allow parking directly off lanes for multi-family development provided that the lane is paved (surfaced in accordance with Section 172(4)) and that the parking spaces have a minimum length of 23 feet.

- By amending the Principle Use Table to permit multi-family housing above the ground floor in "C1" and "C2" Commercial Districts; and by amending the Use Specific Standards Section to ensure standards for these developments are met, such as location and design of the building, landscaping, garbage enclosures, fencing, vehicular approaches, parking areas and lighting.

- In Section 169 by inserting text to ensure that bicycle parking is well lit and is located in a visible, high traffic area, and outside of pedestrian paths of travel.

- By adding a new Section 206.1 to ensure that pedestrian connections to new developments are provided. A new Table 5-18 is provided to clarify that connections built to Standard "A" are required for most uses in most districts while Standard "B" is permitted for industrial uses in industrial, agricultural and rural districts.

- By adding a new Section 191.1 to require landscaping improvements upon building redevelopment. Redevelopment less than 25% of building - no upgrades required, 25-50% - street edge only required, more than 50% - must meet the existing by-law standard in full. The owner may choose to defer installation for a maximum of two growing seasons if authorized by the Director, and with the submission to the Director of a security in the amount of 110% of the value of the landscaping as determined by a Landscape Architect or qualified landscape professional.

- By making the following changes to uses permitted within particular zoning districts:

    - In the "M2" district, allowing additional Personal Services (such as banks, salons) as a Conditional Use, up to 5,000 sq. ft.;
    - Allowing Boat Docks as a Conditional Use in the "PR1"district;

    - Removing libraries, sports or entertainment arena/stadium outdoor, funeral chapel and mortuary from list of allowable uses in the “A”, “RR5 and “RR2” districts;
    - Continuing to allow schools and places of worship as Conditional Uses in the “A, “RR5”, “RR2” districts but only up to 10,000 sq. ft.;
    - Continuing to allow daycares as Conditional Uses in Agricultural districts, but only up to 5,000 sq. ft; and
    - Making Contractor's Establishment “not permitted” in the “C1” district.

- By adjusting accessible parking space requirements to ensure that van accessible spaces are provided in parking lots with capacities greater than 25 spaces and that these spaces include an adjacent loading and maneuvering area at least 8 feet wide.

- By adjusting the text in the General Purposes to update older references to Plan Winnipeg and its policies with new references to OurWinnipeg and Complete Communities and their policies, and by highlighting a goal that is included in these amendments to provide convenient access for pedestrians and transit users from the public street.

The following are key issues regarding the errors and omissions which are provided in detail in Attachment “A”:

- Council adopted the Winnipeg Zoning By-Law 200/2006 on July 16, 2008.

- Certain errors and omissions have come to light as the by-law has been put into practical use.

- These amendments are proposed to correct errors and omissions in the by-law to make the by-law clearer, clarify regulations to make them more consistent with intentions of the by-law, allow for more consistent interpretation and make the by-law easier to read.

- These amendments also 1) provide alignment with other recent amendments to the by-law (such as Secondary Suites), 2) address Council Motions (Wildwood Park Special Yards, Front Yard Building Alignments), 3) address wishes of other departments requested through this process (WWD Director approval of storm retention basins, and Golf Services regarding signage), and 4) address discussions with the Airport Authority regarding permitting infill in the Airport Vicinity.

FINANCIAL IMPACT

Financial Impact Statement **Date:** **May 21, 2014**

Project Name:
DAZ 219/2014- Zoning By-law Amendments – Alignment of the Winnipeg Zoning By-Law to the Complete Communities

COMMENTS:

There are no financial implications associated with these recommendations.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

CONSULTATION

In preparing this Report there was consultation with:

Legal Services (as to legal issues)

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Urban Planning
Prepared by: Andrew Ross, MCP
Date: May 13, 2014
File No. DAZ 219/2014

Attachment “A”: Amending By-Law



Adobe Acrobat Document

O:\Reports Directive\Planning and Land Use\Long Range Planning\2014\Complete Communities Zoning By-Law Alignment\RIS Rpt May 13 2014 - Amending By-Law for Alignment of the Winnipeg Zoning By-Law to the Complete Communities Direction Strategy By-Law