Agenda – Council – January 28, 2015

Report – Standing Policy Committee on Property and Development – January 13, 2015

Item No. 8 Subdivision and Rezoning – 341 Springfield Road (North Kildonan Ward) File DASZ 14/2014 [c/r DCU 124722/2014D and DAV 124566/2014D]

STANDING COMMITTEE RECOMMENDATION:

On January 21, 2015, 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 14/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 14/2014 dated September 9, 2014 with such minor changes as may be required, and 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 14/2014 dated September 9, 2014, to a "R2" Residential Two-Family District.

3. That in lieu of the requirement for land dedication, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City and prior to the release of subdivision mylars by the City.

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

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2)-year period and Council approves the extension.

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

Report - Standing Policy Committee on Property and Development - January 13, 2015

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 in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

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

Report – Standing Policy Committee on Property and Development – January 13, 2015

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 2015, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 13, 2015, 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 December 15, 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.

On November 18, 2014, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on December 15, 2014 at 6:00 p.m. in the Council Building, 510 Main Street.

On September 16, 2014, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on November 18, 2014.

RE: **Subdivision and Rezoning – 341 Springfield Road**
File DASZ 14/2014

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

Prepared by: **Andrew Poitras, Senior Committee Clerk**
East Kildonan-Transcona Community Committee

Report date: **December 18, 2014**

COMMUNITY COMMITTEE RECOMMENDATION:

On December 15, 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 plan of subdivision under File DASZ 14/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 14/2014 dated September 9, 2014 with such minor changes as may be required, and 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 14/2014 dated September, 9, 2014, to a "R2" Residential Two-Family District.

3. That in lieu of the requirement for land dedication, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City and prior to the release of subdivision mylars by the City.

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

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2)-year period and Council approves the extension.

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision 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 in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

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

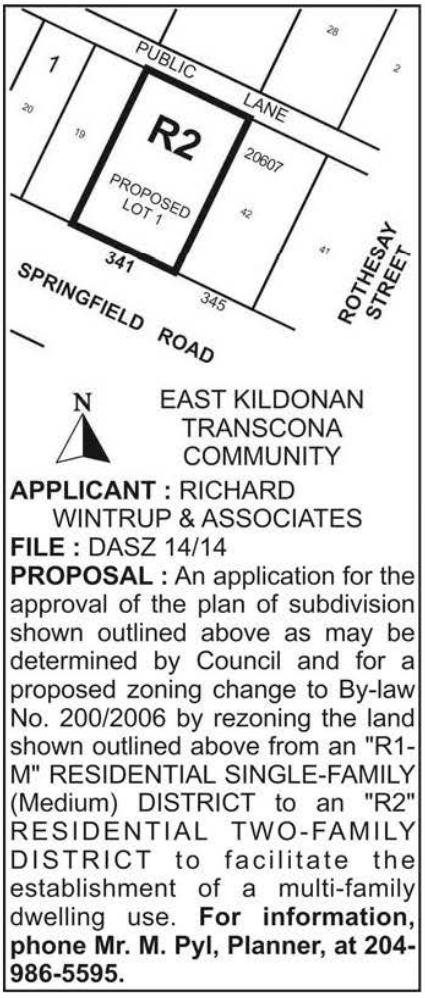
The East Kildonan-Transcona Community Committee provided the following supporting reason(s) for its recommendation:

1. The density is similar to other properties in the neighbourhood.
2. Parking and Plan Approvals will be required by the Committee.
3. Complete Communities identifies the need for greater density in neighbourhoods which are already developed versus greenfield development.

PUBLIC HEARING SUMMARY

File:	DASZ 14/2014
Before:	East Kildonan-Transcona Community Committee Councillor Schreyer, Chairperson Councillor Wyatt
Public Hearing:	December 15, 2014 November 18, 2014 September 16, 2014 Council Building, 510 Main Street
Applicant:	Richard Wintrup & Associates (John Wintrup)

Subject:



Premises Affected: 341 Springfield Road

Exhibits Filed:

1. Application dated May 16, 2014
2. Notification of Public Hearing dated June 5, 2014
3. Manitoba Status of Title 2708377/1 and 2708378/1
4. Letter of authorization dated March 15, 2014 from Ranjit and Parmjit Jauhal to Richard Wintrup & Associates
5. Surveyor's Building Location Certificate and sketch dated October 29, 2013
6. Plans (1 page)
7. Report from the Urban Planning Division dated September 9, 2014
8. Inspection Report
9. Audio Recording of representations
10. Notice of Adjournment dated September 18, 2014
11. Notice of Adjournment dated November 21, 2014
12. Communication dated November 18, 2014, from Jeff and Cindy Nichols in opposition to the application

REPRESENTATIONS:

In Support:

Sewal Bizar
Hakim Singh Dhillon
Gurkivpal Jauhal
Parmjit and Ranjit Jauhal
Paul Jauhal
Balwant Singh Sohi
Gurbat Tung
John Wintrup

In Opposition

Chong
Vince Martens
Jeffery Nichols
Leo Visser

For Information:

Nil

For the City:

Mr. R. Mahe, Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 14/2014

ADMINISTRATIVE REPORT

Title: DASZ 14/2014 – 341 Springfield

Issue: An application for consideration at the Public Hearing to consolidate the two lots into one and rezone to R2 for the proposal of a six unity multi-family dwelling

Critical Path: East Kildonan - Transcona 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 14/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 14/2014 dated September 9, 2014 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.
2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 14/2014 dated September, 9, 2014, to a "R2" Residential Two-Family District.
3. That in lieu of the requirement for land dedication, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City and prior to the release of subdivision mylars by the City.
4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.
5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2)-year period and Council approves the extension.
6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.
7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision 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 in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

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

REASON FOR THE REPORT

- The applicant is proposing to consolidate the two lots into one and rezone to R2 for the proposal of a six unity multi-family dwelling
- 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 and rezoned consistent with the map provided in Schedule "A" of this report.

CONSULTATION

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Richard Mahé, MCIP
Date:	September 9, 2014
File No.	DASZ 14/2014

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule “A” — Recommended File No. DASZ 14/2014 East Kildonan - Transcona Community Committee, dated September 9, 2014

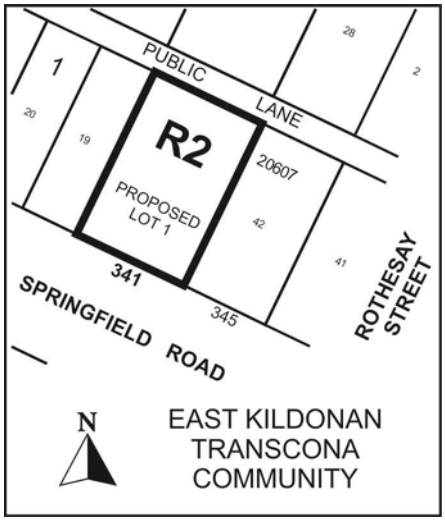
APPENDIX 'A'

DATE: September 9, 2014

FILE: DASZ 14/2014
RELATED FILES: DAV 14-124566/D / DCU 14-124722/D
COMMUNITY: East Kildonan-Transcona Community
NEIGHBOURHOOD #: 4.413

SUBJECT: To consolidate the two lots into one and rezone to R2 for the proposal of a six unity multi-family dwelling.

LOCATION: 341 Springfield Road (see map below)



APPLICANT: Jon Wintrup
Richard Wintrup & Associates Ltd.
29 Benson Boulevard, Oak Bluff MB
R4G 0A2

OWNER: Interpal S. Jauhal
461 Almey Avenue
Winnipeg, MB R3W 1P6

RECOMMENDATION: Approval with Conditions

SITE DESCRIPTION

- The subject property is 66 feet (20.117 metres) wide and 6,600 square feet (6,131.60 square metres) in area.
- The subject property is located at 341 Springfield Road in the Rossmere Neighbourhood of the North Kildonan ward.
- The property is located within a Recent Community under the Complete Communities Direction Strategy and is zoned “R1-M” Residential Single Family Medium.



Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2012)*

SURROUNDING LAND USES AND ZONING

North: Single family detached dwellings zoned “R1-M”.

South: Single family detached dwellings zoned “R1-M”

East: Single family homes zoned “R1-M”, multi-family apartment zoned “R1-M” and two (2) duplex units zoned “R2”

West: Single family detached dwellings zoned “R1-M”.



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The intent is to rezone the subject land to R2 Two-Family Residential District to enable the construction of a two-storey (30 feet in height), 6-unit residential multi-family building. Each unit will have a separate entrance at the ground floor with three (3) units facing Springfield Avenue and three (3) units exiting in the rear yard facing the lane.
- A Conditional Use application is required to permit the establishment of a multi-family dwelling use in a R2 zoning district
- A Variance application is required to permit the proposed:
    - 6 parking spaces instead of 9 parking spaces.
    - No unassigned guest parking space instead of 1 space.
    - No accessible parking space instead of 1 space.
    - Parking stalls 20 feet (6.096 metres) in length instead of 23 feet (7.01 metres) in length when accessed directly from an adjacent public lane.
- The proposed dwelling units will be 3 bedroom / 1,000 square feet in size.
- The applicant is proposing to remove all of the existing buildings/structures on the site.

PARKING

- The applicant is proposing to have 6 parking stalls directly off of the lane.
- Variances will be required for:
    - Having 6 parking spaces instead of 9 parking spaces.
    - Providing no accessible parking space instead of 1 space.
    - Providing no unassigned guest parking space instead of 1 space.
    - Having parking stalls 20 feet (6.096 metres) in length instead of 23 feet (7.01 metres) in length when accessed directly from an adjacent public lane.

GARBAGE/RECYCLING COLLLECTION

- The applicant has provided 7 feet x 20 feet in the middle of the property for the storage of garbage/recycling carts.

BUILDING DESIGN

- The applicant has not provided any building elevations for the project.

YARD REQUIREMENTS

- The intent is to provide a front yard of 20 feet and a rear of 25 feet.
- The applicant is proposing a 4 foot side yard on the west of the site and a 6 foot side yard on the east side of the property, which complies with the side yard requirements (4 feet) within the Zoning By-law.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *Complete Communities Direction Strategy* the proposed development is located within the Areas of Stability – Recent Communities policy area. Key relevant policies guiding development within Areas of Stability include:
    - Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form.
    - Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
    - Support the subdivision of a parcel of land into two or more lots when it is done in a context sensitive manner.

NEIGHBOURHOOD CONTEXT

- The applicant is proposing a 6-unit multi-family building on a street that contains a mix of housing densities.
- The proposed two-storey building and its proposed front, side and rear yards fit into the character of the neighbourhood and the context along Springfield Road.
- Springfield Road is a collector road with rear lane access.

COMMUNITY COMMENTS

- A phone call was received at the time of the writing of this report to object to the proposal for a 6-unit multi-family development.
- The individual has lived in the neighbourhood for 25 years at 337 Springfield Rd.
- The applicant stated that the proposal
    - does not fit the character of the neighbourhood;
    - that it is only a double lot, which is not sufficient to provide enough space for a 6 unit multi-family dwelling;
    - that it will have a negative impact on property values
    - it will reduce privacy for adjacent land owners
    - it will reduce the availability of on-street parking
    - that they already have a four-plex on the street that causes concerns

LAND DEDICATION

- *The Public Service is requesting cash-in-lieu for this application.*

RECOMMENDATION

The Urban Planning Division recommends approval for the following reasons:

- The proposed development is consistent with the policies of the Complete Communities Direction Strategy.
- The proposed subdivision and rezoning represents a development that fits the character of the community in which the proposal of a 6-unit multi-family building on a street that contains a mix of housing densities.

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

Report Prepared By: Richard Mahé, MCIP
PPD File # DASZ 14/2014

Schedule "A" for File No. DASZ 14/2014, East Kildonan - Transcona Community Committee, dated September 9, 2014

By-Law No. _____

File No. **DASZ 14/14**

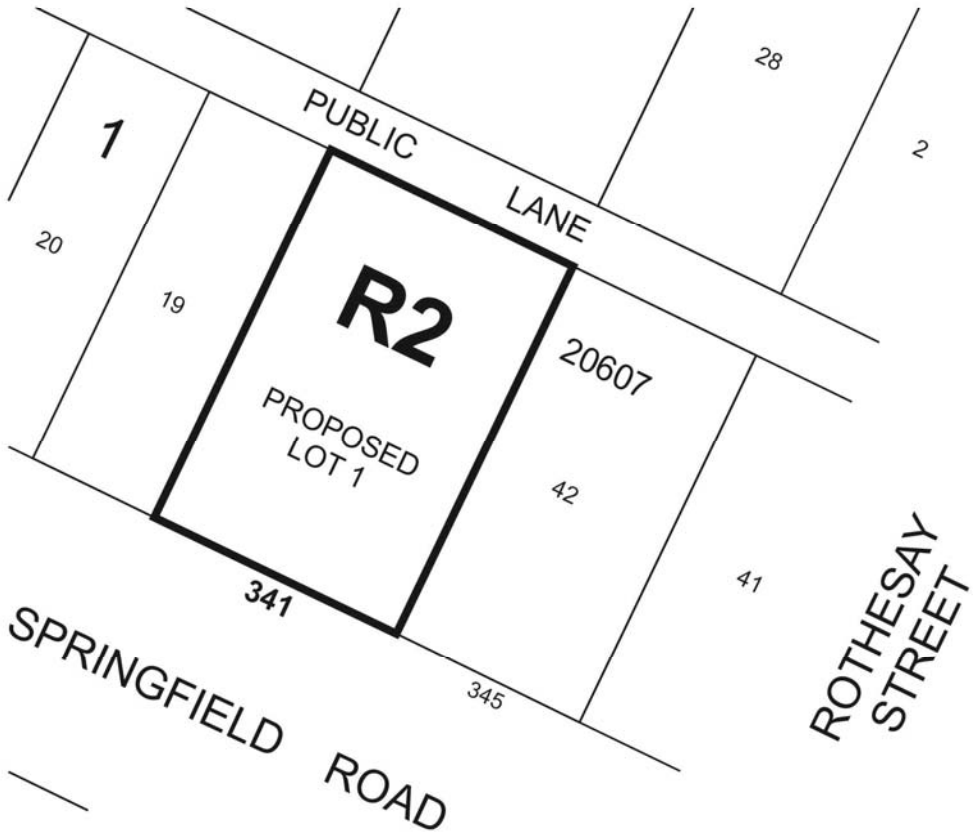
Atlas Sheet No. **U29**

N

EAST KILDONAN TRANSCONA 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 341 Springfield Road from an "R1-M" RESIDENTIAL SINGLE-FAMILY (Medium) DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to facilitate the establishment of a multi-family dwelling use as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____