Agenda – Council – March 25, 2015

Report – Standing Policy Committee on Property and Development – March 10, 2015

Item No. 5 Rezoning – 100 Maryland Street
(Daniel McIntyre Ward)
File DAZ 236/2014 [c/r DAV 172529/2014D]

STANDING COMMITTEE RECOMMENDATION:

On March 18, 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 Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 236/2014 dated February 10, 2015 to an "RMF-L" Residential Multi-Family District, subject to the following:

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

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

        ii. That the maximum height shall be limited to sixty (60) feet.

2. That the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

Report - Standing Policy Committee on Property and Development – March 10, 2015

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

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

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

Agenda – Council – March 25, 2015

Report – Standing Policy Committee on Property and Development – March 10, 2015

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 18, 2015, 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 March 10, 2015, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee with the following amendment:

- Delete Recommendation 2 in its entirety and replace it with the following:

    2. That the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 17, 2014, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

RE: **Rezoning – 100 Maryland Street**
File DAZ 236/2014

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

Prepared by: **Ms K. McMillan, Committee Clerk**
City Centre Community Committee

Report date: **February 19, 2015**

COMMUNITY COMMITTEE RECOMMENDATION:

On February 17, 2015, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 236/2014 dated February 10, 2015 to an "RMF-L" Residential Multi-Family District, subject to the following:

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

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

        ii. That the maximum height shall be limited to sixty (60) feet.

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

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

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

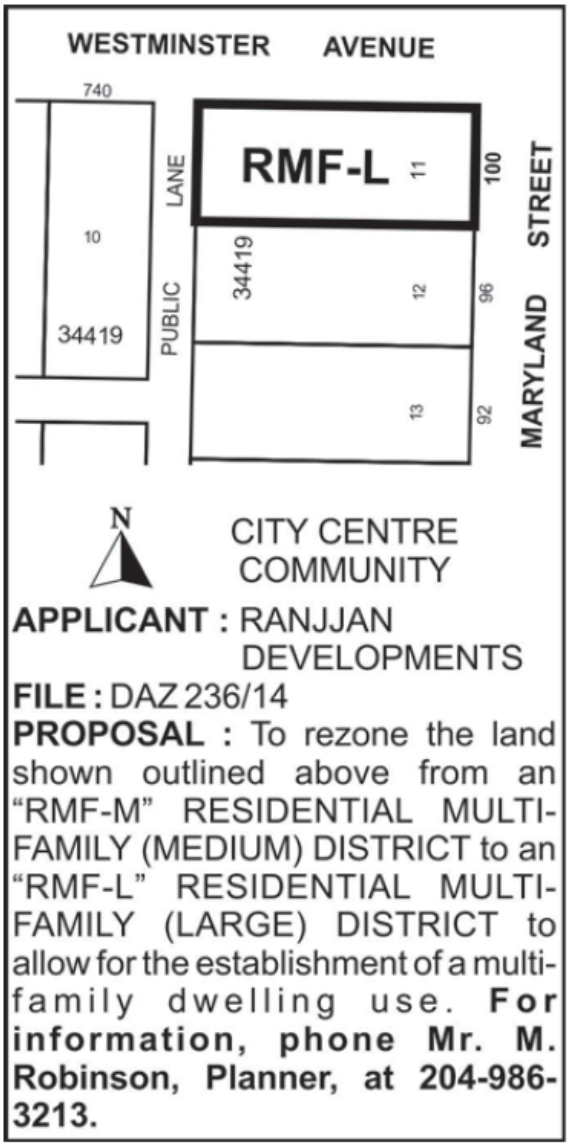
5. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

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

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

1. We are in support of this application.

PUBLIC HEARING SUMMARY

File:	DAZ 236/2014
Before:	City Centre Community Committee Councillor Gerbasi, Chairperson Councillor Gilroy Councillor Orlikow
Public Hearing:	February 17, 2015 Council Building, 510 Main Street
Applicant:	Ranjjan Developments (Rocky (Lakhwinder) Kalsi)
Subject:	

Premises Affected: 100 Maryland Street

Exhibits Filed:

1. Application dated December 15, 2014
2. Notification of Public Hearing dated December 30, 2014
3. Manitoba Status of Title 2511613/1
4. Letter of authorization dated November 28, 2014 from Alec LeFlour, President, 6184104 Manitoba Ltd. to Lakhwinder Kalsi, Ranjjan Development Corporation
5. Surveyor's Building Location Certificate and sketch dated December 1, 2014
6. Plans (6 pages)
7. Report from the Planning and Land Use Division dated February 10, 2015
8. Inspection Report
9. Communication dated February 14, 2015, from Jennifer Altemeyer in opposition to the application
10. Presentation in support of the application submitted by the Applicant at the public hearing
11. Presentation in opposition to the application submitted by Jennifer Altemeyer at the public hearing
12. Audio Recording of representations

REPRESENTATIONS:

In Support:

Lakhwinder Kalsi, Ranjjan Development Corporation

In Opposition:

Jennifer Altemeyer
Georgine Palmquist
Jim Palmquist

For Information:

Nil

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Mr. A. Ross, Planner, Planning, Property and Development Department
Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department

Exhibit "7" referred to in File DAZ 236/2014

ADMINISTRATIVE REPORT

Title: DAZ 236/2014 – 100 Maryland Street

Issue: For consideration at the public hearing for a Rezoning for DAZ 236/2014 – 100 Maryland Street

Critical Path: City Centre Community Committee as per the Development Procedures By-law and *The City of Winnipeg Charter.*

AUTHORIZATION

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

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 236/2014 dated February 10, 2015 to an "RMF-L" Residential Multi-Family District, subject to the following:

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

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

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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.

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

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

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

REASON FOR THE REPORT

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

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, the property will be rezoned.

CONSULTATION

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

SUBMITTED BY

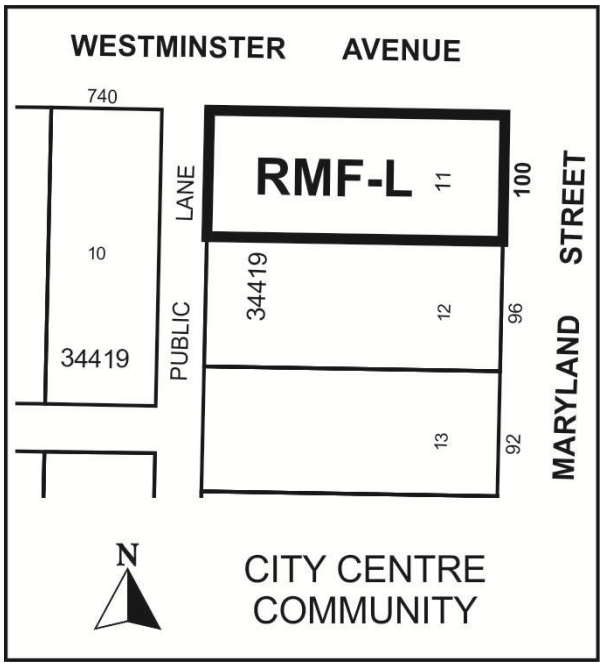
Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Michael Robinson, AICP, MCIP
Date:	February 10, 2015
File No.	DAZ 236/2014

APPENDIX 'A'

DATE: February 10, 2015
FILE: DAZ 236/2014
RELATED FILES: DAV 14-172529/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.113

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

LOCATION: 100 Maryland Street
LEGAL DESCRIPTION: Lot 11 Plan 34419 in RL 70/71 Parish of St. James



APPLICANT: Ranjjan Developments (Rocky Lakhwinder Kalsi)

OWNER: 6184104 Manitoba Ltd.

RECOMMENDATION: Approval

SITE DESCRIPTION

The subject property, which is currently zoned "RMF-M" Residential Multi-Family District Medium, is located at the southwest corner of Westminster Avenue and Maryland Street in the Wolseley neighborhood of the Daniel McIntyre ward.

North: Place of worship zoned "RMF-M" Residential Multi-Family District
South: Residences zoned "RMF-M" Residential Multi-Family District
East: Vacant land zoned "RMF-M" Residential Multi-Family District
West: Residences zoned "R2" Residential Two-Family District

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to demolish the existing structure and to replace it with a four storey, 11 unit multi-family residential building.

A detailed letter of intent is provided by the applicant in Appendix 'C'.

Reason for application
The proposed density exceeds what is permitted in the "RMF-M" Residential Multi-Family District Medium. Consequently, a rezoning to "RMF-L", which accommodates higher density, is required.

ANALYSIS AND ISSUES
A. Policies
i. OurWinnipeg (Complete Communities Direction Strategy)
Portions of Maryland Street in this area can be identified as a mixed use corridor, primarily occurring at intersections with major streets (Portage, Broadway, Westminster, and Wolseley)

Mixed use corridors serve as city routes, connecting neighbourhoods and transporting people, goods and services. Corridors serve the additional purpose of accommodating a mix of uses, functioning as vibrant urban places for Winnipeggers to live, work, and play. Given their prominence in daily life, corridors are ideal for transformative change.

Mixed use corridors provide opportunities for residential intensification and for mixed use development, with the retail and commercial services at grade level to enliven the street.

Given its location at a key intersection on a mixed use corridor, the proposed rezoning to "RMF-L" for a multi-family development is consistent with Complete Communities.

Setbacks
The setbacks are consistent with expectations for an urban context.

Materials and Massing
The building will include a significant amount of glazing on front and north side elevations, which abut Maryland Street and Westminster Avenue, respectively.

The cladding material will be determined at the plan approval stage. However, it should be noted that the applicant has stated that he intends to clad the building in a high quality material that is visually appealing and consistent with the architectural aesthetic of the neighbourhood.

Height
"RMF-L" allows a maximum height of 150 feet. The applicant only requires a height of ± 43 feet for this building.

The current zoning ("RMF-M") permits a height of 60 feet.

In view of the fact that the allowable height of 150 feet in "RMF-L" is not compatible with the neighbourhood, a zoning agreement condition which will limit the height to 60 feet, is recommended.

Parking and transportation
The building will include a total of 4 parking stalls. To offset the lack of parking, the applicant will be providing a car share vehicle and well as indoor bicycle storage.

The development is located in a transit hub with 5 bus routes servicing the immediate area.

In addition, there are many neighbourhood amenities within walking or biking distance to the development.

Wolseley parking study
The City of Winnipeg Urban Planning Division recently completed a parking study of the Wolseley neighbourhood. Some of the key points of the study are as follows:

- The total off street parking ratio for multi-family development is .46 stalls/unit
- Of properties with 6 or more units, only 9% have off street parking ratios that exceed 1 stall/unit
- 25 multi-family properties have zero off-street parking. These properties were developed prior to the adoption of current Zoning By-law 200/2006 and many were developed prior to the 1940's.
- Parking utilization of Westminster Avenue has been recorded at less than 40%

This study indicates that the proposed amount of parking is consistent with the historic pattern in this neighbourhood and that on street parking is currently available at most times within close proximity to the proposed development.

Public Consultation
The applicant held a public open house on November 25, 2014 at the Westminster United Church. Six individuals attended and filled out feedback forms.

RECOMMENDATIONS
It is recommended that the proposed rezoning be approved.

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

Report Prepared by: Michael Robinson, AICP, MCIP
PPD File # DAZ 236/2014



Figure 1: Aerial Photo (Flown in 2014)

APPENDIX 'B'
Schedule "A" for File No. DAZ 236/2014, City Centre Community Committee, dated February 10, 2015

By-Law No. _____

File No. **DAZ 236/14**

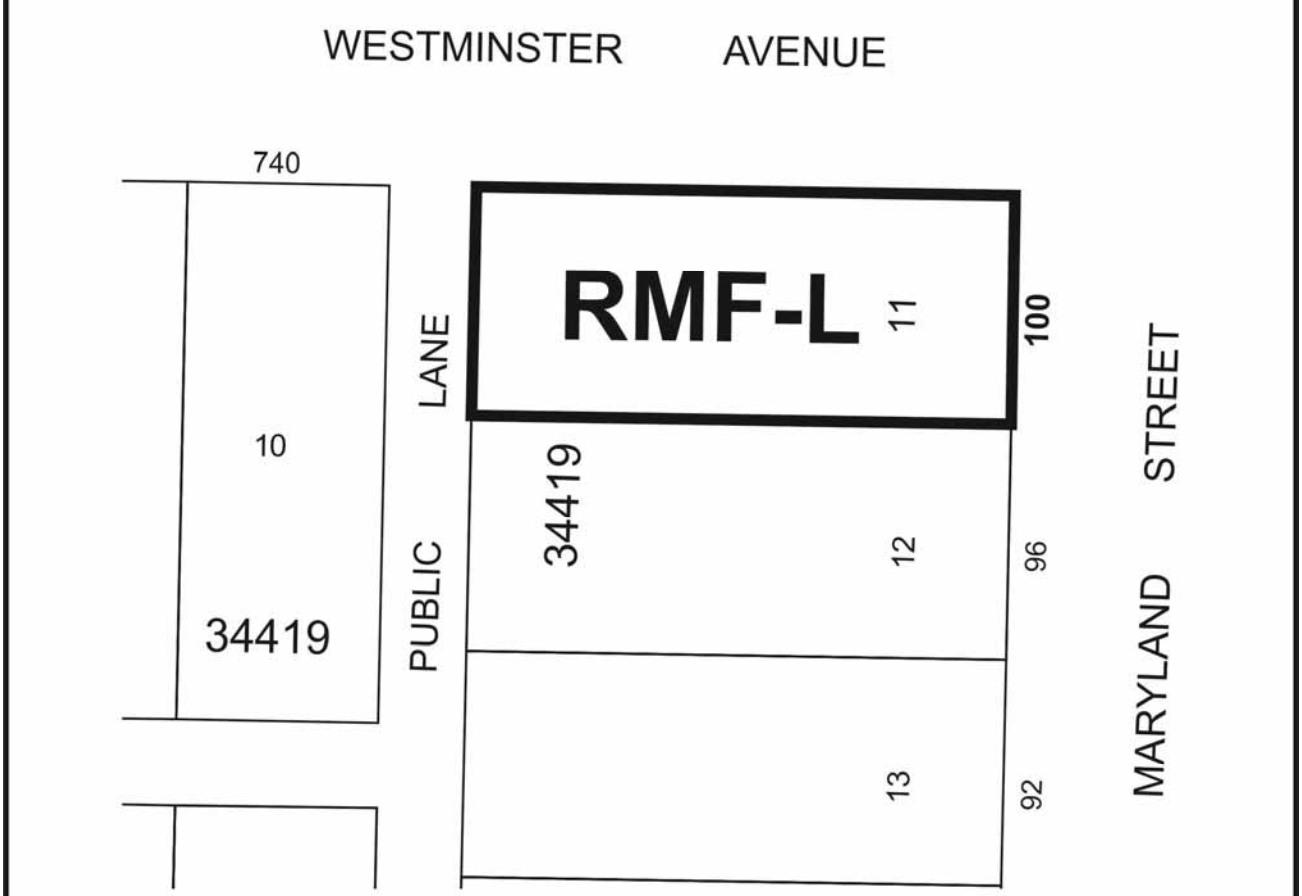
Atlas Sheet No.

N

AB23
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 100 Maryland Street from an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to allow for the establishment of a multi-family dwelling use as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX 'C'
LETTER OF INTENT

100 Maryland Apartments

100 Maryland Apartments is a proposed 4-storey, 11-unit apartment building located at the southwest corner of Maryland and Westminster. The site is located in the Wolseley area of Winnipeg and borders the vibrant West Broadway district. Maryland Street serves as the border between the Wolseley and West Broadway areas with the west side of Maryland (where 100 Maryland is) being part of Wolseley and the east side of Maryland being part of West Broadway.

At the main level of the building there will be a well-designed stairway & hallway entrance located at the southeast corner with the entranceway facing Maryland Street. The hallway for each floor will span the southern portion of the building and will have windows to incorporate natural lighting. A second entrance and stairway will be located at the southwest corner of the building. On the main floor of this southwest entranceway there will also be an area for secure indoor bicycle parking. This entranceway will also be used by anyone going to or coming from the parking lot. The parking lot, located on the western portion of the property & adjacent to the back lane, will have accommodation for 4 vehicles including an accessible stall and a stall reserved for a car share program. Access to the parking stalls will be off of Westminster Street and from the back lane.

100 Maryland is currently zoned as RMF-M. It is our intention to change the property from RMF-M to RMF-L in order to accommodate for greater density on the property. The high cost of construction requires higher density to make it viable. The current density limit of 6 units is suburban in nature, and does not fit the needs for rentals in the urban neighbourhood surrounding Maryland Street and Downtown.

Setbacks

We are proposing a 7'0" side yard setback along the south property line and a 0'0" side yard setback on the north side facing Westminster Street. The actual building will be at a 3'0" setback on the north side but the proposed 0'0" setback is to accommodate for balcony projections. The current building has a 0'0" setback along Westminster Street.

The proposed front yard setback will be 8'0" as this is a corner property.

The proposed back yard setback is 10'0". Parking will be on the first floor and will be partially covered by the building.

Density & Neighbourhood

100 Maryland Apartments will increase the density of the property. The new apartment building will bring more residents to the street and add to the culture of the Wolseley

and West Broadway areas. With a grocery store across the street and a hospital and shops located within walking distance, the area is ready to accommodate for larger density. With more people living in the area, this will bolster local businesses and add diversity to the area.

Transit and Parking

The apartment building will include 4 parking stalls with one of these stalls reserved for a car share program. All parking stalls will be 23 ft long and at least 8 ft wide. There will be one accessible parking stall that will be 10 ft wide.

There is a potential that windows under 5 ft will be located at the rear of the building. As the eastern edges of the parking spaces are 5 ft from the windows instead of the required 10 ft, we will be applying for a variance for this to accommodate for the small lot.

The proposed building is located in a transit hub zone with more than 5 buses servicing the immediate area. We believe the proximity to many transit routes creates a more efficient and safe transit ridership environment.

After a recently completed parking study by the City of Winnipeg, the following are Wolseley neighbourhood multi-family dwelling parking statistics:

- Total off-street parking ratio for multi-family = 0.46 stalls / unit
- 45% of all multi-family properties have off-street parking ratios of 1:1 or more. This represents 62 of 137 properties.
- Of properties with 6 or more units, 9% have off-street parking ratios of 1:1 or more
- 25 multi-family properties have zero off-street parking. These multi-family properties were developed prior to the adoption of the current Zoning By-law 200/2006 and many of them were developed prior to the 1940's.

In this parking study, parking utilization on Westminster Street has been recorded at less than 40%. At the November 25, 2014 open house at the Westminster Church, community members had expressed to Ranjjan that parking could sometimes be a challenge on Westminster during church programs. Because of this, 100 Maryland will be kept strictly as a residential building with no commercial component as commercial tends to introduce additional parking challenges.

Maryland Street's central location makes it quite convenient for travel around the city. Many bus routes service the neighbourhood, with Sherbrook, Maryland, Broadway, Wolseley and Westminster all having regular bus traffic. Maryland Street is identified as part of the City's Active Transportation Network. Wolseley Ave. is closed to car traffic west of Maryland on Sundays in the summer.

60% of the area residents use either public transit, cycling or walking as their primary mode of transportation, this makes it's residents almost three times more likely to use something other than a car to get around.

High density and lots of choices in accommodation are important elements of a complete community. With a great transit network as well as many other transportation choices available, the Wolseley area, especially Maryland Street is ripe for growth and development.

Respectfully Submitted,



Rocky Kalsi

Ranjjan Development Corporation