Agenda – Council – April 29, 2015

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

Item No. 1 Subdivision and Rezoning – 5715 Roblin Boulevard (Charleswood - Tuxedo Ward) File DASZ 20/2014 [c/r DAV 136813/2014D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 15, 2015, the Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee and submitted to Council that the application for subdivision and rezoning under File DASZ 20/2014 [c/r DAV 136813/2014D] be rejected.

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

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 22, 2015, the Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee, and submitted the matter to Council.

On April 2, 2015, the April 8, 2015 meeting of the Executive Policy Committee was cancelled.

On March 18, 2015, the Executive Policy Committee laid over the matter to its meeting on April 8, 2015.

STANDING COMMITTEE RECOMMENDATION:

On March 10, 2015, due to a tie vote, the Standing Policy Committee on Property and Development submitted the matter to Executive Policy Committee and Council without recommendation.

On February 3, 2015, the Standing Policy Committee on Property and Development laid over the matter to its meeting on March 10, 2015.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 13, 2015, the Assiniboia Community Committee did not concur in the recommendation of the Winnipeg Public Service and the application for subdivision and rezoning under File DASZ 20/2014 [c/r DAV 136813/2014D] be rejected, and forwarded to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning - 5715 Roblin Boulevard**
File DASZ 20/2014

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

Prepared by: **Destiny Watt, Senior Committee Clerk**
Assiniboia Community Committee

Report date: **January 15, 2015**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 13, 2015, the Assiniboia Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development that the application for subdivision and rezoning under File DASZ 20/2014 [c/r DAV 136813/2014D] be rejected.

The Assiniboia Community Committee provided the following supporting reasons for its recommendation:

1. Disagree with the recommendations of the planner.

2. Do believe there is a need in the ward for full cycle housing for those seniors who are aging and would like to stay in the neighbourhood and this must be addressed in some fashion.

3. Do not believe this development fits in with the character of the neighbourhood given that it is bordered on all sides by single family dwellings.

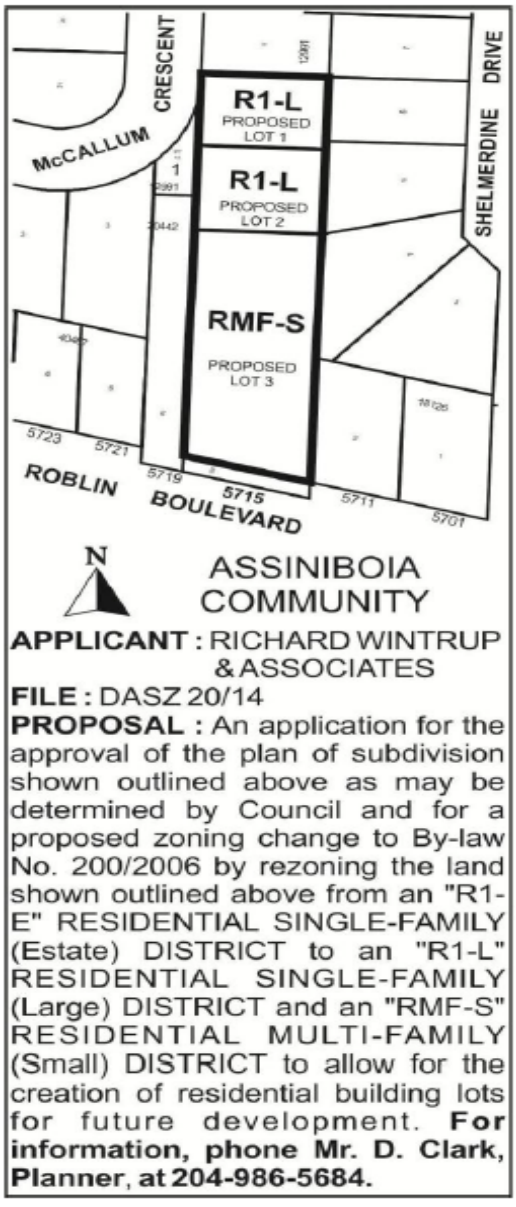
4. The proposed development lacks proper context in light of the single family dwellings surrounding it.

PUBLIC HEARING SUMMARY

File: DASZ 20/2014

Applicant: John Wintrup (Richard Wintrup & Associates)

Subject:



Premises Affected: 5715 Roblin Boulevard

Exhibits Filed:
1. Application dated July 8, 2014
2. Notification of Public Hearing dated December 4, 2014

3. Manitoba Status of Title 1264351/1
4. Letter of authorization dated December 20, 2012 from Patricia Seniuk to John Wintrup
5. Surveyor's Building Location Certificate and sketch dated November 23, 2012
6. Plan
7. Report from the Urban Planning Division dated January 6, 2015
8. Inspection Report
9. Petition in opposition to the application purporting to contain the signatures of 136 area residents, submitted by Anne Nugent and Kathy Ledbrook
10. Communication dated January 9, 2015 from Kathy Ledbrook, in opposition to the application submitted by Anne Nugent
11. Communication dated January 10, 2015 from Ron Ledbrook, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
12. Communication dated January 7, 2015 from Kristin Whittaker, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
13. Communication dated January 10, 2015 from Andrew Urbanowicz, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
14. Communication dated January 7, 2015 from Kelly Lalonde, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
15. Communication dated January 7, 2015 from Clare Nugent, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
16. Communication dated January 7, 2015 from Faye Schmidt, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
17. Communication dated January 7, 2015 from Scott Funk and Kate Borzynski, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
18. Communication dated January 7, 2015 from Jorge, Carolina Wengiel and Graciela Najenson, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
19. Communication dated January 7, 2015 from Linda Janzen, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
20. Communication dated January 7, 2015 from Adele and Dale Stiles, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook

21. Communication dated January 7, 2015 from Dianne Thompson, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
22. Communication dated January 7, 2015 from Louise Paas, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
23. Communication dated January 5, 2015 from Deb Kessen, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
24. Communication dated January 5, 2015 from Rudy and Shelby Kessen, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
25. Communication dated January 7, 2015 from Ian Black, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
26. Communication dated January 7, 2015 from B. Johnson, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
27. Communication dated January 7, 2015 from Margaret Chmara, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
28. Communication dated January 7, 2015 from James Penner, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
29. Communication dated January 7, 2015 from Laura Woodman in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
30. Communication dated January 7, 2015 from Laura Lyne and Jamie Turner, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
31. Communication dated January 7, 2015 from Beth McIvor, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
32. Communication dated January 7, 2015 from Barb Thomson, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
33. Communication dated January 7, 2015 from Deb Seymour, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
34. Communication dated January 7, 2015 from Joan Tremblay, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
35. Communication dated January 7, 2015 from Edie O'Connor, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook

36. Communication dated January 7, 2015 from Nicole Lanchuske, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
37. Communication dated January 7, 2015 from Laura Sonin, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
38. Communication dated January 7, 2015 from Teena Sheptycki, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
39. Communication dated January 7, 2015 from Diego Lanchuske, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
40. Communication dated January 7, 2015 from Jenelle Tallas, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
41. Communication dated January 7, 2015 from Peter Lacoursiere, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
42. Communication dated January 7, 2015 from Karen Smith and Milt Graham, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
43. Communication dated January 7, 2015 from Manny and Effie Siguenza, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
44. Communication dated January 7, 2015 from Alan and Robin Crosbie, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
45. Communication dated January 7, 2015 from Marcela Gomez and Manuel Munoz, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
46. Communication dated January 7, 2015 from Gerald and Karen Owzarek, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
47. Communication dated January 7, 2015 from Wendy McKnight and Rob Tobes, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
48. Communication dated January 7, 2015 from Alana, James and Alora Meyer, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
49. Communication dated January 7, 2015 from Michael and Janet Blake, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook
50. Communication dated January 7, 2015 from Frennie and Joel Coronado, in opposition to the application submitted by Anne Nugent and Kathy Ledbrook

51. Communication dated January 13, 2015, from Joel Masniuk in opposition to the application
52. Petition in support of the application purporting to contain the signatures of 57 area residents, submitted by John Wintrup at the public hearing
53. Presentation by Richard Wintrup and Associates entitled: “Public Engagement Report - 5715 Roblin Boulevard” at the public hearing
54. Petition in opposition to the application purporting to contain the signatures of 165 area residents, submitted by Kathy Ledbrook at the public hearing
55. Communication dated January 7, 2015 from Rob Lipps, in opposition to the application submitted by Kathy Ledbrook at the public hearing
56. Communication dated January 7, 2015 from Cameron Thiessen, in opposition to the application submitted by Kathy Ledbrook at the public hearing
57. Communication undated from Jeanne and Al Wright, in opposition to the application submitted by Kathy Ledbrook at the public hearing
58. Communication dated January 7, 2015 from Jean Uhryn, in opposition to the application submitted by Kathy Ledbrook at the public hearing
59. Communication dated January 13, 2015 from Reid Dewbury, in opposition to the application submitted by Kathy Ledbrook at the public hearing
60. Communication dated January 7, 2015 from Brandy Callahan, in opposition to the application submitted by Kathy Ledbrook at the public hearing
61. Communication dated January 7, 2015 from L. and G. Buchanan, in opposition to the application submitted by Kathy Ledbrook at the public hearing
62. Communication dated January 7, 2015 from Kathy Solmundson, in opposition to the application submitted by Kathy Ledbrook at the public hearing
63. Communication dated January 7, 2015 from Penny Masniuk, in opposition to the application submitted by Kathy Ledbrook at the public hearing
64. Communication dated January 7, 2015 from Ron Peterson, in opposition to the application submitted by Kathy Ledbrook at the public hearing
65. Communication dated January 7, 2015 from Alex Barrette, in opposition to the application submitted by Kathy Ledbrook at the public hearing

66. Communication dated January 7, 2015 from Catalena Birek and Michael Mowat, in opposition to the application submitted by Kathy Ledbrook at the public hearing
67. Photographs (8 pages), with respect to the application, submitted by Kathy Ledbrook at the public hearing
68. Audio Recording of representations of public hearing

REPRESENTATIONS:

In Support:

Maico Medeiros
Matthew Nicolas
Tori Rowinski
Alyssa Seniuk
Tim Seniuk
John Wintrup, Richard Wintrup and Associates

In Opposition:

Carolyn Albertt
Alex Barrette
Rod Berscheid
Wade Biggin
Catalena Birek
Ian Black
JanetBlake
Michael Blake
Kate Borzynski
L. & G.Buchanan
BrandyCallahan
Margaret Chmara
Frennie Coronado
Joel Coronado
Alan Crosbie
Robin Crosbie
Reid Dewbury
Scott Funk
Marcela Gomez
Milt Graham
Bonnie Grahame
Murray Harding
Sean Harding
Linda Janzen
B. Johnson

Debbie Kessen
Rudy Kessen
Shelby Kessen
Peter Lacoursiere
Kelly Lalonde
Diego Lanchuske
Nicole Lanchuske
Jennifer Ledbrook
Kathy Ledbrook
Ron Ledbrook
Rob Lipps
Joel Masniuk
Penny Masniuk
Beth McIvor
Wendy McKnight
Alana Meyer
Alora Meyer
Michael Mowat
Manuel Munoz
Graciela Najenson
Anne Nugent
Clare Nugent
Eric Nugent
Mariah Nugent
Edie O'Connor
Gerald Owzarek
Karen Owzarek
Louise Paas
James Penner
Ron Peterson
David Schmidt
Faye Schmidt
Deb Seymour
Teena Sheptycki
Effie Siguenza
Manny Siguenza
Karen Smith
Kathy Solmundson
Laura Sonin
Adele Stiles
Dale Stiles
Brady Svencicki
Jenelle Tallas
Linda Taylor
Barbara Thiessen
Cameron Thiessen

James Thiessen
Dianne Thompson
Barb Thomson
Rob Tobes
Joan Tremblay
Jamie Turner
Laura Lyne Turner
Jean Uhryn
Andrew M. Urbanowicz
Carolina Wengiel
Jorge Wengiel
Kristin Whittaker
Brett Woodman
Laura Woodman
Allan Wright
Jeanne Wright

For Information:

Leandra and Moreno Albertt

For the City:

Mr. D. Clark, Planner, Urban Planning Division, Planning, Property and Development Department
Mr. G. Jasper, Land Development Administrator, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 20/2014

ADMINISTRATIVE REPORT

Title: DASZ 20/14 – 5715 Roblin Blvd

Issue: For consideration at the Public Hearing to subdivide the parcel of land at 5715 Roblin Blvd into three (3) lots. Lots 1 and 2 are planned to be rezoned to "R1-L" Residential Single-Family Large and Lot 3 to be rezoned to "RMF-S" Residential Multi-Family Small.

Critical Path: Assiniboia 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 plan of subdivision proposed under File DASZ 20/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 20/2014 dated January 6, 2015 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

   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 August 6, 2014.

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 20/2014 dated January 6, 2015; Lots 1 and 2 rezoned to "R1-L" Residential Single-Family (Large) District and Lot 3 to be rezoned to the "RMF-S" Residential Multi-Family (Small) District, subject to the following:

   A. 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 and/or accessory parking area and/or freestanding signage plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping, lighting, bicycle parking and free standing signage to the Director of Planning, Property and Development and the Assiniboia 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.

ii. That the maximum number of dwelling units permitted on Lot 3 shall be nine (9).

iii. That a site survey, which identifies the specific location of all existing trees on the subject site within a 20 foot setback from the north, south, east, and west property lines, as well as an arborist report, which identifies species and condition of existing trees, shall be submitted to the Director of Planning, Property and Development and the Assiniboia Community Committee for approval prior to the issuance of any building or development permit.

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

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

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 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.

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

12. 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 subdivide the existing parcel at 5715 Roblin Blvd which is currently zoned “R1-E” Residential Single-Family – Estate into three (3) lots and rezone Lots 1 and 2 to the “R1-L” Residential Single Family - Large District and Lot 3 to “RMF-S” Residential Multi-Family - Small District.
- 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 land will be subdivided into three lots. Lots 1 and 2 will be rezoned to the “R1-L” Residential Single Family – Large district and Lot 3 will be rezoned to the “RMF-S” Residential Multi Family – Small District.

HISTORY

- On April 3rd, 2013, an Open House was held at Roblin Community Centre to seek input on a proposed multi-family development at 5715 Roblin Blvd. At that time, the proposed development consisted of two (2) multiple family buildings, totaling 32 units (building height - 36 ft.).

- The April 3rd, 2013 Open House was attended by 19 residents from the area. Several concerns were raised including that the development:
    - Was too big
    - Was too high
    - Will spoil views out windows and back yards
    - Would have too many people
    - Would have too many cars
    - Parking on north end of lot would shine headlights at night into neighbours homes
    - Don’t want the trees cut down for construction.

- As a result of the findings, the proposal was scaled back in order to address several of the concerns.

CONSULTATION

- A second Open House was held on Wednesday, April 23rd, 2014 at the Charleswood Legion Branch 100 from 4pm to 7pm.

- Notice Methods – The Open House was advertised by the following methods:

- Open House Advertisement – Canstar – ad ran on April 16th, 2014.
- Flyer Drop in 78 adjacent street mailboxes: Roblin (11 houses); Sandy Cove (5); Shelmerdine (8); McCallum (27); Elmvale (27).
- Social Media – Web site 'www.5715Roblin.com' went live on April 30th, 2014 to co-inside with 'Thank You' advertisement in Canstar on the same day. The web site is designed to provide information and seek feedback from the project's second concept. The Revised Concept Open House Boards are posted to the web site.
- Twitter – Open House Event was tweeted on April 23rd @RW_Associates and @jwinUP and hashtag #Charleswood #ourwinnipeg, #winnipeg. – 62 views to date.
- Thank You Advertisement – An advertisement in the Canstar Newspaper was printed on April 30th, 2014 that solicited further feedback via www.5715Roblin.com .

- Open House Attendance – 34 attendees – 22 surveys filled out

- Some comments provided were related to maintenance of trees and buffering between properties, building height and parking. Generally the proposal was not supported by the open house attendees.

SUBMITTED BY

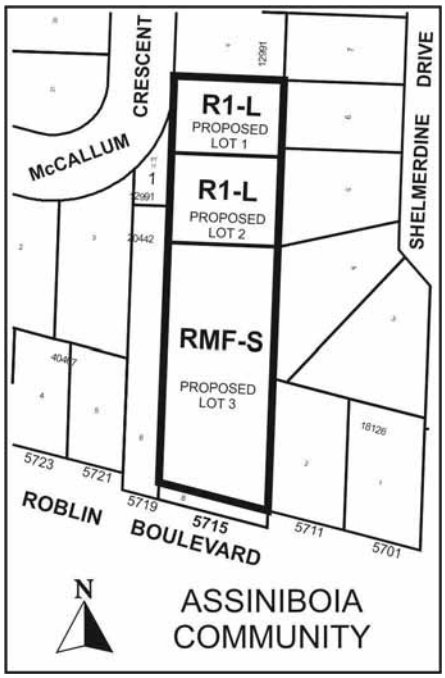
Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Devin Clark
Date:	January 6, 2015
File No.	DASZ 20/14

APPENDIX 'A'

DATE: January 6, 2015
FILE: **DASZ 20/14**
RELATED FILES: DAV 14-136813/D, DASSF 563/92
COMMUNITY: Assiniboia
NEIGHBOURHOOD #: 2.627

SUBJECT: To subdivide the parcel of land on 5715 Roblin Blvd into three (3) lots. Lots 1 and 2 to be rezoned to "R1-L" Residential Single-Family Large and Lot 3 to be rezoned to "RMF-S" Residential Multi-Family Small.

LOCATION: 5715 Roblin Blvd
LEGAL DESCRIPTION: LOT 7 PLAN 20442 51/59 ST C



APPLICANT: John Wintrup Richard Wintrup & Associates
29 BENSON BLVD OAK BLUFF
WINNIPEG MB R4G 0A2

OWNER: Patricia Seniuk
5715 Roblin Blvd.
WINNIPEG MB R3R 0G8

RECOMMENDATION: Approval, with conditions

REPORT SUMMARY

- The applicant intends to subdivide the existing parcel on 5715 Roblin Blvd which is currently zoned "R1-E" Residential Single-Family – Estate into three (3) lots and rezone

Lots 1 & 2 to “R1-L” Residential Single-Family District - Large and Lot 3 to “RMF-S” Residential Multi-Family - Small District.

- The applicant intends to maintain the existing single-family dwelling on proposed Lot 2. On Lot 1, the applicant proposes to build a single family dwelling that is approximately 2,275 square feet and on Lot 3, establish a 9 unit townhouse complex.
- The Urban Planning Division recommends approval subject to conditions outlined in the ACG report and Zoning Agreement.

SITE DESCRIPTION

- The subject property is located on the north side of Roblin Blvd in the Southboine Neighbourhood of the Charleswood-Tuxedo ward.
- The applicant is proposing to subdivide a 38,071 sq. ft. parcel into three (3) lots.
- Existing on the property is a one storey dwelling, situated on proposed Lot 2 and has a living area of 1,430 sq. ft.
- The site is within the Areas of Stability – Recent Communities Policy Area under the Complete Communities Direction Strategy. The property is currently zoned “R1-E” Residential Single-Family Estate.



Figure 1: Site map of subject property and surrounding neighbourhood (flown 2014)

SURROUNDING ZONING & USES (See Figure 2)

North: Residential uses zoned "R1-L" Residential Single-Family Large

South: Roblin Blvd., then residential uses zoned "R1-L" Residential Single-Family Large.

East: Residential uses zoned "R1-L" Residential Single-Family Large

West: Residential uses zoned "R1-E" Residential Single-Family Estate.

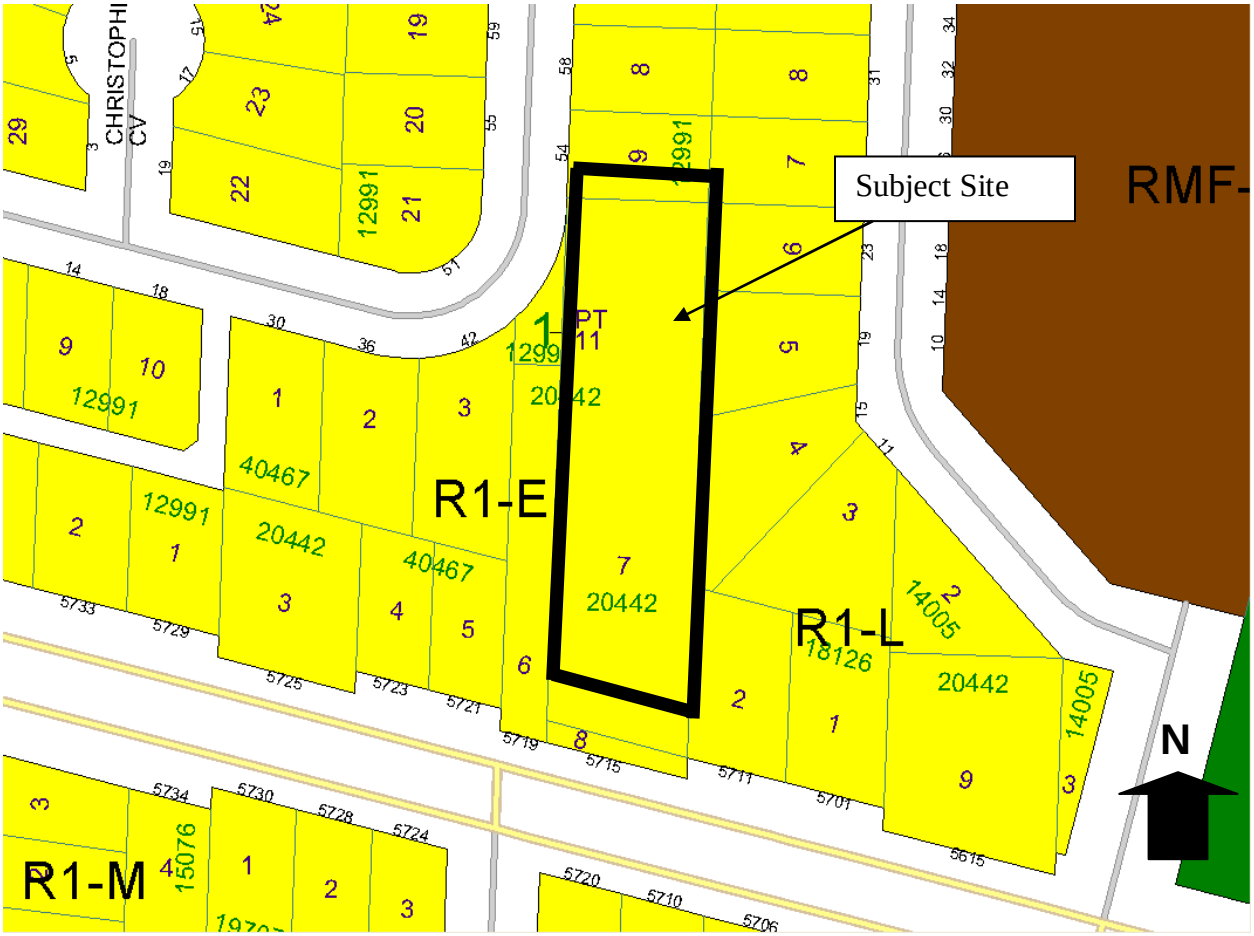


Figure 2: Zoning map of subject property and surrounding neighbourhood

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to subdivide the subject property which is currently zoned "R1-E" Residential Single-Family – Estate into three (3) lots. Lots 1 & 2 are proposed to be rezoned to the "R1-L" Residential Single Family - Large District and Lot 3 to be rezoned to the "RMF-S" Residential Multi Family - Small District.
- The applicant is proposing to build a two storey single-family dwelling on proposed Lot 1 while the existing single-family dwelling on proposed Lot 2 will remain.
- Proposed Lot 1 is to have a lot area of 7,000 square feet and proposed Lot 2 is to have a lot area of 8,170 square feet.

- The wood deck on the north side of the existing house is to be removed from the house on Lot 2.
- Access to proposed Lots 1 and 2 will be from McCallum Crescent. Approaches will require the applicant to enter into a cross access agreement with the City.
- On proposed Lot 3 the applicant is proposing to establish a 23,830 square foot lot. The applicant indicates that nine (9) units in a walk up town house style will be constructed.
- According to the applicant the townhouses will be 32 feet in height. Units will range between 1,600 to 1,800 square feet. Two (2) parking stalls are to be provided for each unit, with one indoor stall and one external, wheelchair accessible stall.
- Access to the townhouse units will be restricted to a private driveway fronting onto Roblin Blvd.
- In the applicant's letter of intent they identify that *"many of the existing mature trees will remain to provide landscaping / screening: 10 – 12 trees will be along Roblin Blvd; 12-18 trees along the west property line and 14-19 trees along the east property line."*

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY:

- Under the *Complete Communities Direction Strategy* the proposed development is within the Areas of Stability – Recent Communities policy area. With regard to this proposal, the key policies guiding the development of 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.
    - Provide clarity and promote compatibility between existing developments and new developments through design and development standards, such as the creation of Infill Development Guidelines for Multiple-Family Developments in Low Density Neighbourhoods.
    - 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.
    - 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.
    - Support the subdivision of a parcel of land into two or more lots when it is done in a context sensitive manner.

ZONING

<u>Current Zoning</u>

- **"R1-E" Residential Single-Family District**
  The residential single-family district is intended to accommodate primarily single-family residential development in lower-density neighbourhood.

Proposed Zoning

- **R1-L Residential Single-Family Large District** is intended to accommodate primarily single-family residential development in lower-density neighbourhoods. Dimensional Standards are as follows:

Zoning District	Minimum Lot Area (Sq. Ft.)	Minimum Lot Width (Ft.)	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Side Yard (Ft.)	Minimum Reverse Corner Street Side Yard (Ft.)	Maximum Height of Building (Ft.)	Maximum Lot Coverage (%)
R1-L	5,500	25	20	25	4	10	35	40

- **RMF-S Residential Multi-Family-Small District** is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities. Dimensional Standards are as follows:

Zoning District	Minimum Lot Area (Sq. Ft.)	Minimum Lot Area Per Dwelling Unit (Sq. Ft.)	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Interior Side Yard (Ft.)	Minimum Corner Side Yard (Ft.)	Principal Building Separation	Maximum Building Height (Ft.)
R1-L	9,000	1,250	20	25	4	5	8	35

Associated Variances

- The applicant has applied for six (6) variances for the creation of three lots. Variances are for reduced lot areas of Lots 1 and 2, not having frontage on a public street, the footprint of existing house on Lot 2 and for the rear yard of the proposed multi-family development of proposed Lot 3 (see associated report for DAV 14-136813/D).

COMPATIBILITY WITH THE SURROUNDING AREA

Proposed Lots 1 and 2

- The applicant proposes establishing two single-family residential lots that are zoned "R1-L" Residential Single Family- Large. Proposed Lot 1 is to have a lot area of approximately 7,000 square feet and proposed Lot 2, a lot area of approximately 8,170 square feet. The proposal to establish two single-family residential lots zoned "R1-L" is consistent with the existing context of the neighbourhood. Several lots on McCallum Crescent have lot areas that are in line with proposed Lots 1 and 2. For example: 54, 58, 62 McCallum have lot areas of 6,100 square feet. 23 and 27 Shelmerdine Drive have lot areas of approximately 6,800 square feet.

- The proposed lots require variances for lot area based on the Special Boundary Condition calculation which takes into consideration the average lot area of adjacent R1 zoned properties. Although, the average lot area based on this calculation is greater than the proposed lot areas, the Urban Planning Division believes that these lots do not represent the typical lot size in the immediate area. For example, the lot immediately to the west of the subject property at 42 McCallum Cres. is 10,210 square feet and is the largest property on the block. Additionally, 15 and 19 Shelmerdine Drive are also larger properties that fall along a curve in the road and as such have abnormally shaped lots with lot sizes that are greater than the average lots on Shelmerdine Drive.
- Because proposed Lots 1 and 2 are consistent with the typical lot area of properties in the immediate vicinity, the Urban Planning Division is supportive of the proposed subdivision and rezoning to the "R1-L" Zoning District.

Proposed Lot 3

Built Form

- The applicant is proposing to rezone Lot 3 to the "RMF-S" Residential Multi-Family Small Zoning District. The intent is to establish nine townhouse units on a property that has a lot area of approximately 23,830 square feet.
- The "RMF-S" zoning district permits dwellings that are similar in form and scale to those that can be accommodated in the "R1-L" zoning district, which is the predominant zoning district in the immediate vicinity of the subject site.
- The proposal aligns with the Draft Infill Guidelines for Multiple Family Dwellings. In 2008, the Urban Planning Division produced infill development guidelines to help inform the design of multiple-family developments. While they have not been endorsed by Council and therefore cannot be considered as a policy direction, they are an articulation of design considerations to inform the Urban Planning Division's review.
- The infill guidelines for multiple family dwellings identify a number of considerations one should make when developing multi-family dwellings in predominantly single family residential neighbourhoods. Some of the relevant considerations include:

  2.2.2 Building Setbacks

  i) where the proposed infill building does not exceed the maximum allowable height for the existing adjacent zoning district, maintain the minimum (or greater) allowable side yard setback for that adjacent, existing zoning district.

  At a maximum 35 foot height, the proposal meets this intent by establishing side yards that are greater than the minimum allowable side yards for the R1-L zoning district, which is four feet.

  2.2.4 Site Characteristics

  i) the design of the development should take into consideration specific site conditions such as significant natural, historical and cultural elements, open space, locations at

intersections and significant views where such elements and views are already evident and the values placed on them are broadly understood.

ii) Preserve established, healthy, and mature landscape including mature trees where beneficial to the project and viable. Replace with new if removal is necessary and unavoidable. Protect existing established, healthy and mature landscape that is to be preserved.

The applicant identifies in their letter of intent they will maintain a substantial number of mature trees on site. To ensure that these trees are maintained, the Urban Planning Division is recommending a condition that requires plan approval for landscaping, as well as a tree survey and arborist report to determine viability for survival of existing trees after impacts of construction.

Access and approaches

- Section 2.2.1 of the Infill Guidelines speaks to site selection considerations:

  i) Encourage development along streets with sufficient capacity to accommodate the anticipated traffic generated by the development. For example, medium-density, multiple family infill housing that has the potential to generate a significant volume of vehicular traffic should be located on Arterial or Collector Streets to minimize the potential for traffic impact on Local Streets.
  ii) Encourage development on sites with reasonable access to Transit, active transportation pathways, public green space and other public services and amenities.

- The subject property is located along a high frequency arterial corridor (Roblin Blvd.) and there is a transit stop located immediately in front of the subject site with four transit routes stopping at it: route #65, 66, 67, and 79. The Urban Planning Division supports intensification of land use along corridors as it aligns with policies in *Complete Communities*.

- The proposed development will allow access to the townhouses from Roblin Blvd. and restrict access from McCallum Crescent. As a result, vehicle traffic associated with the townhouses will be limited to an approach from Roblin Blvd.

- Since the original proposal for the site, the access to Lot 3 has been modified a few times. Currently the proposed site plan indicates an approach to the site at the western edge of the lot. As a condition of the ACG report, the Public Works Department has identified that the approach to the site should be located at the east side of the property, in roughly the same location as the current approach to the site.

- If the applicant were to pursue opening an approach at the western edge of the property, approval would be subject to Standing Policy Committee's Infrastructure Renewal and Public Works. Public Works has indicated that they will not support the opening of the approach in the proposed location. If this recommendation is concurred with, this could result in a number of alterations to the proposed site plan.

CONDITIONS OF APPROVAL

Plan Approval – The Urban Planning Division is recommending Plan Approval as a condition of approval for this application. As part of the plan approval condition the Urban Planning Division expects the following:

- Building location and elevations – as indicated in the letter of intent by the applicant, *"town houses incorporate exterior design characteristics of Single-Family Dwellings namely: individual front doors with front steps; individual attached front garages; front driveways with parking; front picture windows; peaked roofs; and cladding material of stone/stucco/brick/wood."* The Urban Planning Division will expect buildings to incorporate design features that match the character of buildings in the existing neighbourhood. Building elevations should be submitted in colour and cladding on the townhouse units should incorporate a mix of stone/stucco/brick and wood. The Urban Planning Division would like to see building facades that use a mix of materials and colours.

- Landscaping – In order to ensure that this development maintains the character of the neighbourhood, final plans for landscaping are being requested. The applicant has indicated in their letter of intent that *"Many of the existing mature trees will remain to provide landscaping / screening: 10-12 trees will be along Roblin Blvd; 12-18 trees along the west property line and 14-19 trees along the east property line."* In order to ensure adherence to this intent the Urban Planning Division is recommending a condition that a tree survey be submitted to determine the number, species and specific location of existing trees on the property. In addition to the tree survey, an arborist report is also being requested to determine the quality of existing trees on site and confirm viability of survival based on the proposed development. Upon receipt of the survey and arborist report, the Urban Planning Division will review the proposed site plans against the potential for tree survival based on the location of the buildings. If it is determined that buildings are located too close to existing trees, then the plans should be modified to ensure adequate separation of the buildings from the trees and root systems. If the layout of buildings is not able to accommodate the preservation of trees then the developer may have to reduce the number of dwelling units on the site or alter the layout. The Urban Planning Division is placing a strong emphasis on landscaping and the preservation of existing trees in order to maintain the natural character of the area and to align with recommendations set out in the Multiple Family Infill Guidelines. Significant landscaping should be maintained or established along all edges of the property as well as integrated within the internal layout of the site.

- Garbage bins and enclosures should be located on site in a manner that is accessible for waste collection. The garbage enclosures are to be constructed of wood, brick, stone, or another compatible material and should be sufficiently screened and not visible from the public street.

- Lighting – any lighting on site should be established at a pedestrian scale and shall not spill over onto any adjacent property.

- Fencing - Any proposed fencing should be composed of high quality materials and design.

Maximum of Nine Units

If proposed Lot 3 were rezoned to the "RMF-S" Zoning District without restriction, the maximum number of dwelling units that could be developed is 19, subject to adherence to bulk regulations. The applicant proposes in their site plan a total of nine units on Lot 3. The Urban Planning Division believes that nine units is the maximum possible number that can be accommodated on this site in a compatible manner. As such, the Urban Planning Division is recommending a condition that limits the maximum number of units on proposed Lot 3 to nine (9).

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.

RECOMMENDATION

The Urban Planning Division recommends **approval** for the following reasons:

- The proposed single-family lots align with existing single family properties in the area with regard to lot area.
- The proposed multi-family site aligns with policies in Complete Communities with regard to intensification of corridors, providing a mix of housing choice and high quality housing
    - Encourage intensification to occur at centres and along corridors.
    - 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
- The townhouse proposal aligns with the infill guidelines for multiple family developments.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division
Report Prepared By: Devin Clark
PPD File # DASZ 20/2014

Schedule "A" for File No. DASZ 20/2014, Assiniboia Community Committee, dated January 6, 2015

By–Law No. _____

File No. **DASZ 20/14**

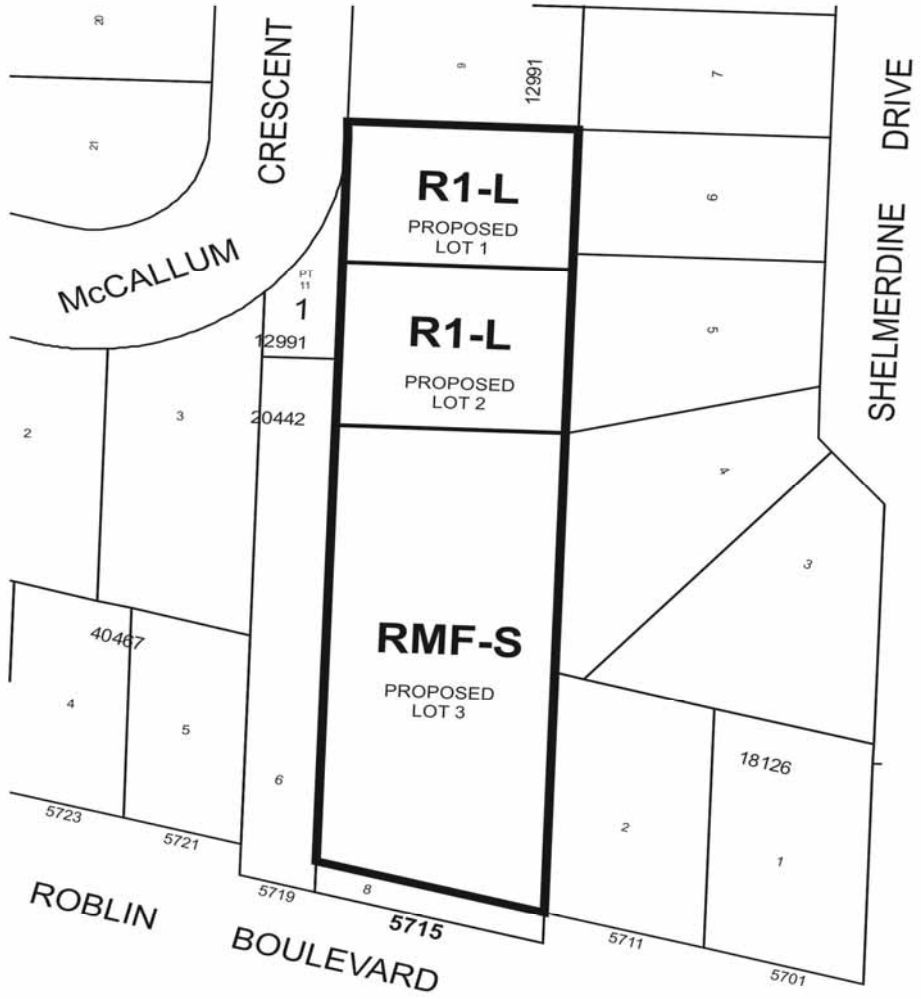
Atlas Sheet No.

N

AD13 ASSINIBOIA 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 5715 Roblin Boulevard from an "R1-E" RESIDENTIAL SINGLE-FAMILY (Estate) DISTRICT to an "R1-L" RESIDENTIAL SINGLE-FAMILY (Large) DISTRICT and an "RMF-S" RESIDENTIAL MULTI-FAMILY (Small) DISTRICT to allow for the creation of residential building lots for future development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – August 6, 2014

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 5715 ROBLIN BLVD. – DASZ 20/2014

It is recommended that the approval of DASZ 20/2014, if granted, be subject to the applicant entering into a Servicing Agreement addressing the following items:

PLAN CONSIDERATIONS

The Developer shall, at no expense to the City, submit an application to open the City owned parcel at the south limit of the subject property as public right-of-way, to the satisfaction of the Director of Public Works.

AGREEMENT CONDITIONS

1. Land Drainage Area Charges

   The Developer shall pay to the City, prior the release of mylars, the Charleswood Area "E" Trunk Service Rate (TSR).
   The 2014 Rate = $13,214.00/acre.

2. Land Drainage Lateral Charges

   The Developer shall pay to the City, prior to the release of mylars, the land drainage lateral charge for the Roblin Blvd. frontage as determined by the Director of Water and Waste.

3. Wastewater Easement

   The Developer shall grant to the City, a 3.0m easement along the west property line of the proposed lot 3 to protect the adjacent wastewater pumping station as approved by the Director of Water and Waste.

4. Lot Grading

   The Developer shall, at no expense to the City, provide a lot grading plan prepared by a municipal engineer, grant any easements, and, if required, construct catchbasins and leads all as approved by the Director of Water and waste.

5. Notice of Pumping Station Activities

   The Developer acknowledges that the Community Row wastewater pumping station located on the adjacent property may be subject to occasional odor, noise and operations and maintenance activities and agrees not to petition the City to construct any odor or noise mitigating facilities or other aesthetic improvements to the station. The Developer shall allow the City to make this a condition in the zoning agreement.

6. Relocate Existing Services

   The Developer shall, prior to the issuance of Building permits for proposed lot 3, cut-off and abandon the existing lot line services for proposed lot 2 from Roblin Blvd. and shall reconnect proposed lot 2 to the existing services in McCallum Crescent.

7. Private Approach from Roblin Blvd.

   The proposed private approach shall be located at the east end of the proposed site at the approximate location of the existing approach.

8. Charleswood Transportation Levy

   The Developer shall pay to the City, prior the release of mylars, the Charleswood Transportation Levy on the two additional lots created as determined by the Director of Public Works.

9. Cross-Access Agreements

   The Developer shall enter into the appropriate cross-access agreements between proposed lot 1 and proposed lot 2. The City must approve the form of the documents and the owner must register the agreement against the title to the land and provide the City with a copy of the registered documents.

10. 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.

11. 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 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 20/2014
January 5, 2015

"Original signed by G. Jasper, P.Eng."

G.V. Jasper P. Eng.
Land Development Branch

“Original signed by F. Mazur, P.Eng.”

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

“Original signed by C. Desjardine, P.Eng.”

C.J. Desjardine P. Eng.
Public Works Department

GJ/gj