Agenda – Council – June 17, 2015

Report – Standing Policy Committee on Property and Development – June 2, 2015

Item No. 2 Subdivision and Rezoning – 472/474 Henderson Highway (North Kildonan Ward) File DASZ 1/2015 [c/r DAV 104022/2015D]

STANDING COMMITTEE RECOMMENDATION:

On June 10, 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 1/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 1/2015 dated March 30, 2015 with such minor changes as may be required, and 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 of Winnipeg containing all the conditions outlined in the report of the Administrative Coordinating Group dated April 13, 2015.

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 1/2015 dated March 30, 2015, to a "RMF-M" Residential 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 signage within the lands zoned "RMF-M" Residential Multi-Family, 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, and landscaping to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

        ii. That no private accesses shall be permitted on Henderson Highway.

        iii. That there shall not be more than 16 Residential Units permitted on "the land."

iv. That the maximum height of any building on "the land" shall be 35 feet.

3. That in lieu of the dedication of land, 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 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 execution by the City of Winnipeg of the Servicing Agreement.

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

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.

Agenda – Council – June 17, 2015

Report – Standing Policy Committee on Property and Development – June 2, 2015

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 – June 2, 2015

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 10, 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 June 2, 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 May 12, 2015, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

On April 20, 2015, the East Kildonan-Transcona Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on May 12, 2015 at 6:00 p.m. in the Council Building, 510 Main Street.

RE: **Subdivision and Rezoning – 472/474 Henderson Highway**
File DASZ 1/2015

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: **May 13, 2015**

COMMUNITY COMMITTEE RECOMMENDATION:

On May 12, 2015, 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 1/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 1/2015 dated March 30, 2015 with such minor changes as may be required, and 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 of Winnipeg containing all the conditions outlined in the report of the Administrative Coordinating Group dated April 13, 2015.

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 1/2015 dated March 30, 2015, to a "RMF-M" Residential 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 signage within the lands zoned "RMF-M" Residential Multi-Family, 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, and landscaping to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

        ii. That no private accesses shall be permitted on Henderson Highway.

iii. That there shall not be more than 16 Residential Units permitted on “the land.”

iv. That the maximum height of any building on “the land” shall be 35 feet.

3. That in lieu of the dedication of land, 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 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 execution by the City of Winnipeg of the Servicing Agreement.

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

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. This is consistent with our plans for Henderson Highway.

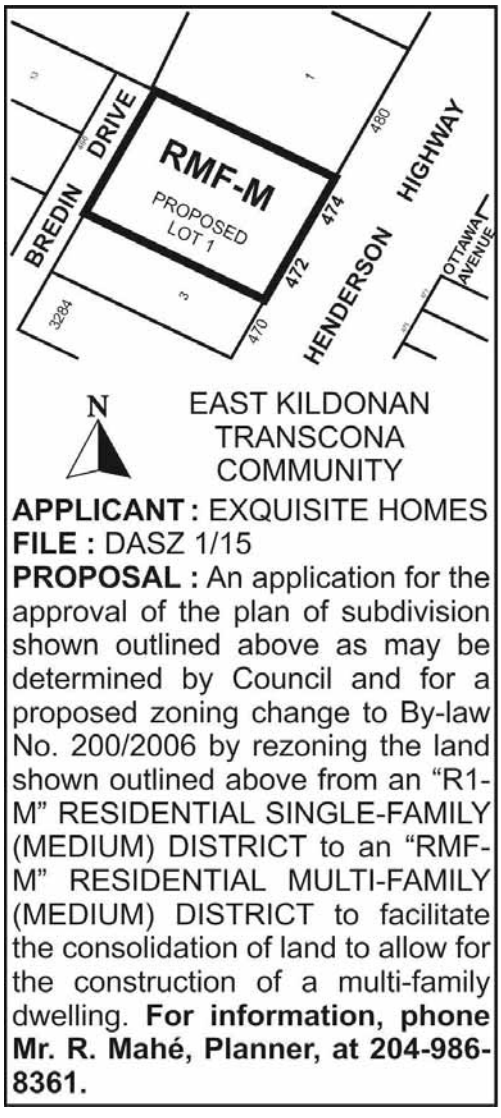
2. I don’t believe that the additional traffic on Bredin Drive is going to be injurious to the residents there.

3. I don’t believe that this development will have a material impact on the housing values of the existing homes.

4. I think this will clean up this neighbourhood and provide a better quality of housing on Henderson Highway and will improve the surrounding neighbourhood.

PUBLIC HEARING SUMMARY

File:	DASZ 1/2015
Before:	East Kildonan-Transcona Community Committee Councillor Wyatt, Chairperson Councillor Browaty Councillor Schreyer
Public Hearing:	May 12, 2015 April 20, 2015 Council Building, 510 Main Street
Applicant:	Exquisite Homes (Karl Devlin)
Subject:	



Premises Affected: 472/474 Henderson Highway

Exhibits Filed:

1. Application dated January 20, 2015
2. Notification of Public Hearing dated March 9, 2015
3. Manitoba Status of Title 2550022/1 and 2735918/1
4. Letter of authorization dated January 12, 2015 from Michael Theodore Kusie and Crystal Roseanne Byron to Karl Devlin and or Exquisite Homes Inc.
5. Plans (2 pages)
6. Report from the Urban Planning Division dated March 30, 2015
7. Communications dated April 10 and 13, 2015, from Lori VonDyck in opposition to the application
8. Inspection Report
9. Notice of Adjournment dated April 27, 2015
10. Revised Report from the Urban Planning Division dated May 6, 2015
11. Communication dated May 10, 2015, from Laurie Bailey in opposition to the application
12. Area Parking map submitted by the applicant at the public hearing
13. Letters of Support (4), submitted by the Applicant at the public hearing
13. Communication submitted by Brent Dixon at the public hearing purporting to contain 91 names of residents opposed to the application
14. Communication dated May 12, 2015, submitted by Edward Kaletzke and Joanne Kaletzke at the public hearing in opposition to the application
15. Recording of Representations of public hearing held on May 12, 2015

REPRESENTATIONS:

In Support:

Karl Devlin

In Opposition

Laurie Bailey
Nicole Couch
Steve Couch
Ashley Curry
Brent Dixon

Moira Honey
Glenn Joynt
Edward Kaletzke
Joanne Kaletzke
Jason Raymond
Ronald Raymond
Chris Seida
Daniel Sitar
Maureen Sitar
Lori VonDyck
Reyn VonDyck

For Information:

Nil

For the City:

Mr. G. Doney, Senior Planner, Planning, Property and Development Department
Mr. R. Mahe, Planner, Planning, Property and Development Department
Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department

Exhibit "10" referred to in File DASZ 1/2015

REVISED ADMINISTRATIVE REPORT

Title: DASZ 1/2015 – 472 Henderson

Issue: An application for consideration at the Public Hearing to consolidate the two lots into one and rezone to RMF-M for the proposal of a 16 unit 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 1/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 1/2015 dated March 30, 2015 with such minor changes as may be required, and 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 of Winnipeg containing all the conditions outlined in the report of the Administrative Coordinating Group dated April 13, 2015.

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 1/2015 dated March 30, 2015, to a "RMF-M" Residential 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 signage within the lands zoned "RMF-M" Residential Multi-Family, 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, and landscaping to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That no private accesses shall be permitted on Henderson Highway.

iii. That there shall not be more than 16 Residential Units permitted on “the land.”

iv. That the maximum height of any building on “the land” shall be 35 feet.

3. In lieu of the dedication of land, 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.

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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 RMF-M for the proposal of a 16 unit 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.

HISTORY

- This rezoning and subdivision application (DASZ 1/2015) application and its associated variances (DAV 15-104022D) were originally brought to the East Kildonan - Transcona Community Committee on April 20th, 2015. The applicant has since re-posted the site with variances that differ slightly from the original application.
- The original variances were as follows:
    - a front yard of 15 feet (4.57 metres) instead of 49 feet (14.94 metres)
    - a north side yard of 6.9 feet (2.10 metres) instead of 12 feet (3.66 metres)
    - a south side yard of 8 feet (2.44 metres) instead of 12 feet (3.66 metres).
    - 19 parking spaces instead of 24 parking spaces.

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:	May 6, 2015
File No.	DASZ 1/2015

List of Schedules and Attachments

1. Appendix A Planning Discussion
2. Schedule “A” Recommended File No. DASZ 1/2015 East Kildonan - Transcona Community Committee, dated March 30, 2015

APPENDIX 'A'

DATE: May 6, 2015

FILE: DASZ 1/2015
RELATED FILES: DAV 15-104022/D
COMMUNITY: East Kildonan-Transcona Community
NEIGHBOURHOOD #: 4.411

SUBJECT: To consolidate the two lots into one and rezone to RMF-M for the proposal of a 16 unit multi-family dwelling.

LOCATION: 472 Henderson Highway (see map below)



APPLICANT: Karl Devlin Exquisite Homes
480 HENDERSON HWY UNIT 4
WINNIPEG MB

OWNER: KARL DEVLIN
1429 MOLSON ST UNIT 3
WINNIPEG MB R2G 3S6

RECOMMENDATION: Approval with Conditions

SITE DESCRIPTION

- The subject sites (472 & 474 Henderson Highway) are located on the west side of Henderson Highway, half a block north of Bredin Drive, in the Kildonan Drive neighbourhood of the North Kildonan Ward.
- Henderson Highway at this location is a six-lane divided arterial street.
- The properties currently have a single family home on each of them with a rear access from Bredin Drive.
- The lots have a combined assessed area of 13,850 square feet (6,925 square feet per lot). 472 Henderson Highway has a one (1) storey 890 square foot home built in 1945. 474 Henderson Highway has a one-and-a-half storey 1,240 square foot home built in 1944.
- The property is located along the Henderson Highway Regional Mixed Use Corridor Policy Area under the Complete Communities Direction Strategy and is zoned “R1-M” Residential Single Family – Medium.



Figure 1: Aerial photograph of the subject site and surrounding area (2014)

SURROUNDING LAND USES AND ZONING

North: Multi-family lot zoned RMF-S and Single family homes zoned R1-L.

South: Single family homes zoned R1-M.

East: Henderson Highway and commercial property zoned C2.

West: Single family homes zoned R1-L.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to consolidate 472 and 474 Henderson Highway and rezone the properties to RMF-M in order to create a 3-storey (35 feet) – 16 unit apartment style multi-family building.

Transportation and Site Access

- Vehicular access is proposed to be taken from Bredin Drive, which acts as a rear lane for the lots that front onto Henderson Highway. The applicant will also be required to apply for a non-conforming approach application for the location of the approach off of Bredin Drive (less than 3.0 metres from the property line).
- The applicant proposes 18 parking stalls, including one (1) accessible parking stall and two (2) visitor parking stalls are being proposed.
- There is a public sidewalk on the east side of the property, adjacent Henderson Highway.
- Front walks will connect the entrance of the buildling to the public sidewalk on Henderson Highway.
- Bicycle parking will be provide on the east side of the property, adjacent to the main entrance to the building.
- The applicant is proposing a variance associated with the accessory parking lot:
    - 18 parking spaces instead of 24.

Garbage and Recycling Services

- Garbage pick-up will be from the Bredin Drive.
- The applicant is proposing bin service, which meets the requirements by the City. Details of the location, design and dimensions of the garbage enclosure should be dealt with at the plan approval stage, if the application is approved.

Building & Site Layout

- Building Design includes the following:
    - A 3-storey - 33.8’ foot tall building;
    - A central hallway system located on the front and rear elevations to access the proposed 16 units;

- 4 units per floor; and
- 12 recessed balconies located on the front and rear elevations (6 balconies per elevation);

- The applicant is also looking for the following yard variances associated with the construction of the multi-family dwelling:
  - A front yard of 15 feet instead of 49 feet;
  - An north side yard of 6.9 feet instead of 12 feet; and
  - A south side yard of 8 feet instead of 12 feet.

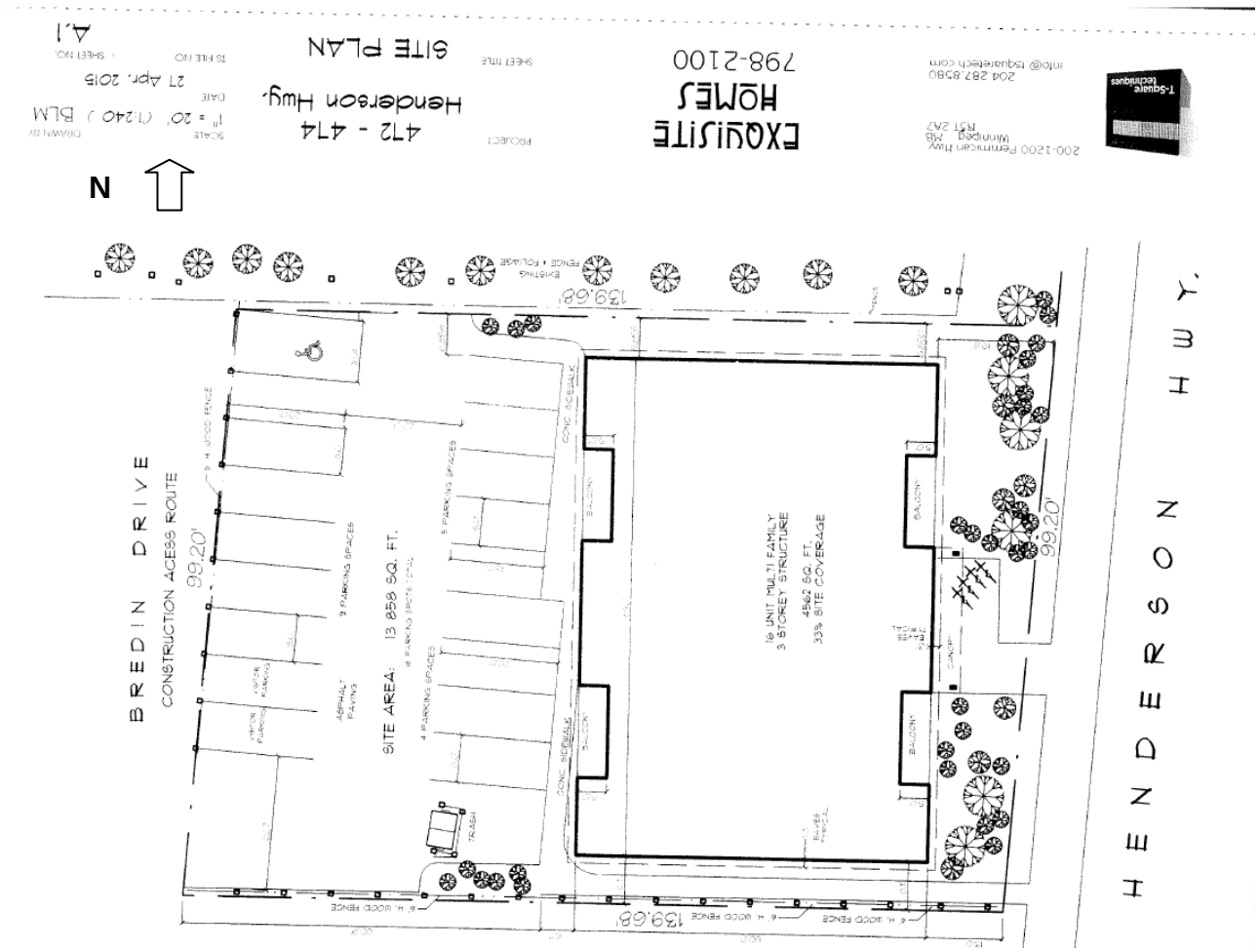


Figure 2: Proposed Site Plan



Figure 3: Proposed Front Elevation

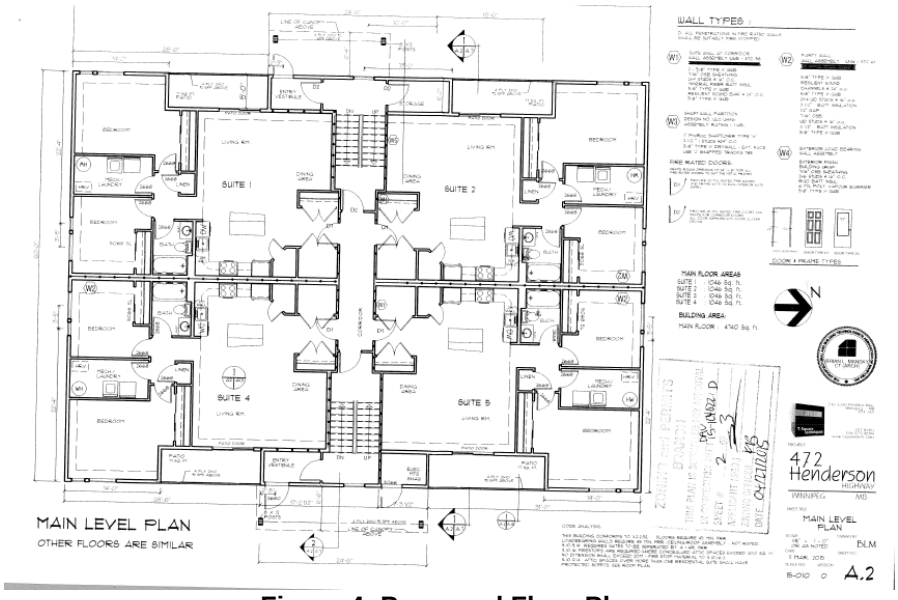


Figure 4: Proposed Floor Plan

ANALYSIS AND ISSUES

OURWINNIPEG AND COMPLETE COMMUNITIES DIRECTION STRATEGY

- The Complete Communities Direction Strategy is one of four direction strategies supporting OurWinnipeg, the city's new long-range development plan, and is intended to gain statutory authority as a secondary plan. The strategy is intended to serve as a "playbook" to guide land use and development in Winnipeg. It received third reading at City Council on July 20, 2011, and became effective on August 17, 2011.
- Under the *Complete Communities Direction Strategy* the proposed development is located on the Henderson Highway Regional Mixed Use Corridor. Key relevant policies guiding development along Regional Mixed Use Corridors include:
    - Support a range of housing opportunities in terms of type, tenure, unit size.
    - Encourage the transition of development towards the outer edges of each Centre and Corridor that is sensitive to the scale, massing, height, form and character of the surrounding area.
    - Mitigate the potential impacts of new development on neighbouring streets, parks and properties.
    - Where appropriate, develop corridors in accordance with transit-oriented development principles.
- Based upon the policies of Complete Communities, small scale multi-family at this location is supported by the Winnipeg Public Service.

HENDERSON HIGHWAY CORRIDOR ACTION AREA PLAN

- The subject property falls within the boundaries of the Henderson Highway Corridor Secondary Plan.
- However, the main objective of the plan is to protect against the conversion of single family dwellings along Henderson to commercial uses. Given that this is not the nature of this application; the proposed development is compatible with the plan.

TRANSIT-ORIENTED DEVELOPMENT HANDBOOK

- The Complete Communities Direction Strategy advises that corridors should be developed in accordance with transit-oriented development principles.
- The City of Winnipeg has a Transit Oriented Development Handbook to guide such development. It was endorsed in principle by Council on February 22, 2012.
- The TOD Handbook is a high-level framework document that guides and facilitates mixed-use, pedestrian-oriented infill development along rapid transit corridors and high frequency transit corridors.
- While the bulk of the Handbook deals with higher-level issues, there are a number of Principles that can be applied at a site-specific level such as the proposed development. Specifically, it highlights six:
    1. Medium to high density development that is greater than the community average.

2. A mix of uses.
3. Compact, high quality pedestrian-oriented environment.
4. An active, defined centre.
5. Innovative parking strategies.
6. Public leadership.

- As the Handbook relates to the proposed development, its direction relating to site design is important to consider. Characteristics of Principle no. 3 include:
    - Entrances oriented to be easily accessible from the public sidewalk.
    - Centrally located, secure, and convenient bicycle parking.
    - Street trees to soften the urban environment by blending natural features with built features.
    - Pedestrian-scale lighting to enhance visibility and safety.
    - High-quality architectural design and detail conveying a sense of place and relating to the street and the pedestrian environment, including active first floor storefront with windows, awnings, architectural features, lighting, and landscaping.

TRANSPORTATION MASTER PLAN

- Henderson Hwy is identified as a quality transit corridor in the City of Winnipeg's Transportation Master Plan that can become the focal points for new development and redevelopment.
- The Quality Corridor concept was introduced in Winnipeg between 2007-2009 and refers to high-performance and high-frequency on-street bus routes that are assisted by transit priority measures (diamond lanes, transit priority signals, queue jump lanes, etc.), and whose major stops are upgraded to include heated shelters, real-time bus departure displays, benches, posted route and schedule information, and other amenities.

ZONING

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

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- The subject site is located along the Henderson Highway Regional Mixed Use Corridor characterized by multi-family, single family and commercial land uses. The commercial uses across Henderson Highway are pedestrian oriented in nature and provide little to no front yard setback.
- Henderson Highway at this location is comprised of low-density single-family homes, multi-family residential and commercial community (C2) land uses. The intent of the C2 zoning district is to promote commercial lands that serve the surrounding neighbourhoods and the broader community. The commercial uses across Henderson Highway are pedestrian oriented in nature and provide little to no front yard setback.
- There are also a few multi-family developments within the immediate area. The most relevant include two (2) sites adjacent to the property on the north side. The two (2) multi-family projects (480 Henderson Highway and 488-492 Henderson Highway) were both recently undertaken by the applicant.

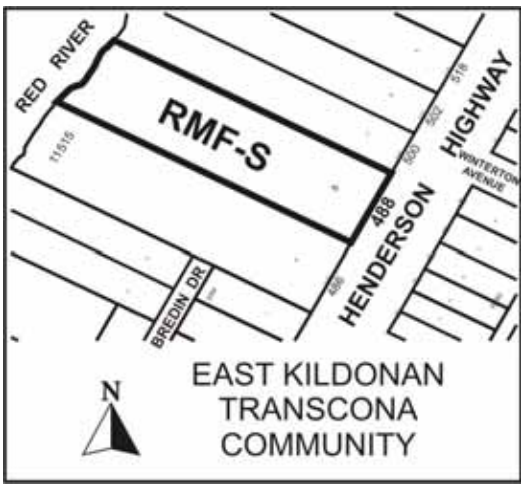
<u>480 Henderson Highway (DASZ 7/12)</u>

- 480 Henderson Highway shares the northern property line with the subject site.
- In July 2012, Council approved a rezoning to RMF-S subject to Plan Approval at EKT Community Committee.
- On the property with access to Henderson, the applicant developed one, 2-storey, 8-unit multi-family building.
- While the Urban Planning Division is broadly supportive of intensification along Henderson, it did not support the location of the accessory surface parking lot which was located in the front yard.



488-492 Henderson Highway (DAZ 213/2010)

- 488-492 Henderson Highway is located adjacent to 480 Henderson Highway on the north side of the property.
- On December, 2010, Council approved a rezoning application from “R1-L” to “RMF-S” to accommodate two, seven-unit multifamily buildings.
- The proposal was approved, subject to the applicant entering into a zoning agreement with the City of Winnipeg requiring:
    - site plan approval for the location and design of the proposed buildings, accessory parking areas, private approaches, garbage enclosures, fencing, landscaping, and signage to the Director of Planning, Property, and Development and the East Kildonan-Transcona Community Committee; and
    - a restriction limiting the site’s development to a maximum of 17 units.
- This application was processed in concurrence with an application for a variance (DAV 10-130394D) to permit a front yard of 32 feet instead of 180 feet.



TRANSPORTATION AND SITE ACCESS

Parking

- On-street parking options in the close vicinity of the subject site exist, but are somewhat limited.
    - There are a few spaces available on Henderson Highway directly in front of the subject property. The only restriction is between 7-9am (Monday – Friday).
    - Bredin Drive provides the most opportunity for convenient on-street parking and is located 100 feet to the south.
- The site has very good connections to public transit. The site is located within 100 feet of Route #11 – Portage/Kildonan which has frequent service, seven (7) days a week. Route #11 provides convenient access to the Downtown, major attractions and commercial amenities. Henderson Highway at this location is identified as a Quality Transit Corridor, where investments are to be made to improve speed, reliability, and quality of transit service.

Bredin Drive

- Bredin Drive (approximately 9.6 metres) is considered a road under *The Highway Traffic Act*, which defines a roadway as being greater than 9.0 metres. Bredin Drive acts as the primary access for two (2) residential single family home properties (466 and 486 Bredin Drive). It also acts as back lane for the lots that front onto Henderson Highway.
- Currently, Bredin Drive is an unimproved street (gravel) and has no municipal sewer, land drainage or piped water services provided. However, there is a private water line within the Bredin Drive right-of-way that serves 466 Bredin Drive.
- Bredin Drive is a street with a substandard width and services. Ideally, Public Works would require that this street be improved to meet City standards. However, given the nature of the roadway at this particular location, it is impractical to widen Bredin Drive. Consequently, in order to improve the existing conditions of Bredin Drive, Public Works is recommending that the developer, at no expense to the City, construct within Bredin Drive from the northerly east/west leg of Bredin Drive to the north limit of the Planned Area a 6.0m wide by 125mm thick asphaltic concrete pavement and all related works, including but not limited to land drainage sewer, as determined by and to the satisfaction of the Director of Public Works.

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 and the Henderson Highway Corridor Secondary Plan; and
- The proposed development is located along a Regional Mixed Use Corridor, where higher density housing options are encouraged.

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

Report Prepared By: Richard Mahé, MCIP
PPD File # DASZ 1/2015

Schedule "A" for File No. DASZ 1/2015, East Kildonan - Transcona Community Committee, dated March 30, 2015

By-Law No. _____

File No. **DASZ 1/15**

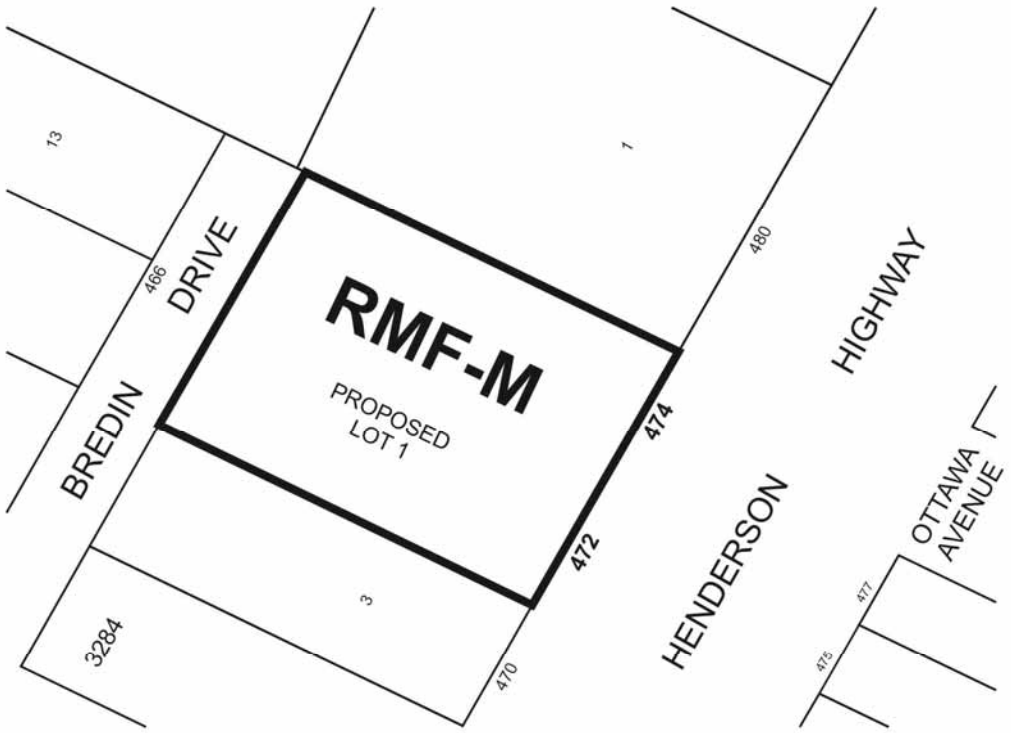
Atlas Sheet No. **W27**

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 472/474 Henderson Highway from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to facilitate the consolidation of land to allow for the construction of a multi-family dwelling as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – April 13, 2015

RE: PROPOSED REZONING SUBDIVISION OF LAND LOCATED AT 472/474 HENDERSON HIGHWAY - DASZ 1/2015

It is recommended that the approval of DASZ 1/2015, if granted, be subject to the applicant entering into a Servicing Agreement containing the following conditions;

AGREEMENT CONDITIONS

1) Bredin Drive Surface Improvements

The Developer shall, at no expense to the City, construct within Bredin Drive from the northerly east/west leg of Bredin Drive to the north limit of the Planned Area a 6.0m wide by 125mm thick asphaltic concrete pavement and all related works, including but not limited to land drainage sewer, as determined by and to the satisfaction of the Director of Public Works.

2) Private Approach Application

The proposed private approach off of Bredin Drive is non-conforming as the Private Access Bylaw requires 3.0m from the lot line and the approach width may need to be increased. The Developer is required to submit an application to the Public Works Department for the Private Access off of Bredin Drive. Non-conforming applications are considered by the Standing Policy Committee on Infrastructure Renewal and Public Works.

3) Litter and Refuse Control and Clean-Up

The Developer shall ensure that construction traffic uses access routes as determined by the Director of Public Works. The Developer shall maintain, at no expense to the City, the access routes in a clean, dust free and safe condition, free of dropped and tracked-on mud, and shall undertake regular scraping and sweeping of streets until building construction, including landscaping is complete, all as determined by and to the satisfaction of the Director of Public Works.

4) Utilities

a) The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the proposed subdivision and will pay the full cost to convert any existing overhead services within the proposed subdivision to underground to the satisfaction of the Director of Public Works.

b) The Developer shall pay all costs associated with the relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to

be constructed by the Developer to serve the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

5) Litter and Refuse Control and Clean-Up

a) The Developer shall, at no expense to the City, and of its own volition, initiate and control the regular cleanup of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction, as determined by and to the satisfaction of the Director of Public Works.

b) The cleanup of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

COSTS AND FEES

1) 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.

2) Professional Fees

The Developer shall pay the full cost of all design services, including preliminary engineering studies, servicing reports, servicing criteria, construction drawings and specifications, and grading and landscaping plans and specifications, to be provided by Consulting Engineer(s) approved by the City, for the design of the municipal services, and associated works required to serve the Planned Area;

3) Supervision Fees

The Developer shall pay the full cost of construction and landscaping supervision services provided by or on behalf of the City for field inspection, preparation of progress estimates, provision of as-built drawings by March 31 of the year following substantial performance of the work, and all other engineering consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

4) Administration Fees

The Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, $1,650.00 plus GST to defray the City's

administration and related costs associated with the preparation and implementation of the Servicing Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 1/2015
April 13, 2015

"Original signed by G.V. Jasper, P.Eng."
G. V Jasper, P. Eng.
Land Development Branch

"*Original Signed by C. Desjardine"*
C.J. Desjardine P. Eng.
Public Works Department