Minutes – Executive Policy Committee – September 23, 2015

Report – Standing Policy Committee on Property and Development – September 15, 2015

Item No. 7 Subdivision and Rezoning – 2090 Henderson Highway (North Kildonan Ward) File DASZ 14/2015 [c/r SPA 1/2015 & DAV 106836/2015D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

1. That Council approve plan of subdivision deposit no. 1260-2013 for registration in the Winnipeg Land Titles Office, subject to:

    A. That the Developer be obliged in a Servicing Agreement with the City to do the following:

        i. Transfer and legally open as right-of-way, property for a 6.401m widening to the Henderson Highway right-of-way along the full length of the Planned Area abutting Henderson Highway to the satisfaction of the Director of Public Works.

        ii. Pay to the City in cash, the cost of constructing a 1.5m in width by 100mm in thickness Portland cement concrete sidewalk along the west side of Henderson Highway along the full length of the Planned Area abutting Henderson Highway as determined by the Director of Public Works.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 14/2015 dated July 7, 2015, to an "RMF-S" Residential Multi-family District - Small subject to the following:

    A. That the applicant be obliged in a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of the City of Winnipeg Charter to do the following:

Report – Standing Policy Committee on Property and Development – September 15, 2015

i. That for the development of any building and/or accessory parking area and/or 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, and free standing signage 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. Deleted by Executive Policy Committee

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.

Report – Standing Policy Committee on Property and Development – September 15, 2015

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

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

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

Report – Standing Policy Committee on Property and Development – September 15, 2015

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development be concurred in, with the following amendment:

- Delete Recommendation 2. A. ii.

and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On September 15, 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 July 14, 2015, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- That the following new recommendation 2. A. ii. be added:

  "2. A. ii. That no building shall be located within 25 feet of the northerly property line."

and forwarded to the Standing Policy Committee on Property and Development.

On June 16, 2015, the East Kildonan-Transcona Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on July 14, 2015, at 6:00 p.m. in the Council Building, 510 Main Street.

RE: **Subdivision and Rezoning – 2090 Henderson Highway**
File DASZ 14/2015 [c/r SPA 1/2015 & DAV 106836/2015D]

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: **July 16, 2015**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 14, 2015, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development:

1. That Council approve plan of subdivision deposit no. 1260-2013 for registration in the Winnipeg Land Titles Office, subject to:

    A. That the Developer be obliged in a Servicing Agreement with the City to do the following:

        i. Transfer and legally open as right-of-way, property for a 6.401m widening to the Henderson Highway right-of-way along the full length of the Planned Area abutting Henderson Highway to the satisfaction of the Director of Public Works.

        ii. Pay to the City in cash, the cost of constructing a 1.5m in width by 100mm in thickness Portland cement concrete sidewalk along the west side of Henderson Highway along the full length of the Planned Area abutting Henderson Highway as determined by the Director of Public Works.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 14/2015 dated July 7, 2015, to an "RMF-S" Residential Multi-family District - Small subject to the following:

    A. That the applicant be obliged in a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of the City of Winnipeg Charter to do the following:

        i. That for the development of any building and/or accessory parking area and/or 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, and free standing signage 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 building shall be located within 25 feet of the northerly property line.***

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.

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.

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

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

1. I don't feel like the design submitted today is appropriate however multi-family development on this site geared more towards the park side of the property with a greater separation from the single family side would be appropriate.
2. I believe in this case, because it is separated to the south by a park, that it's a different circumstance and that it's similar to being on a corner.

PUBLIC HEARING SUMMARY

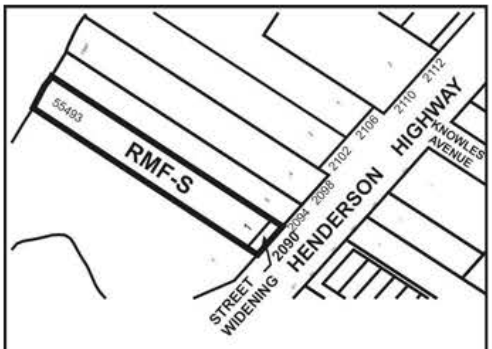
File: DASZ 14/2015

Before: East Kildonan-Transcona Community Committee
Councillor Wyatt, Chairperson
Councillor Browaty
Councillor Schreyer

Public Hearing: July 14, 2015
June 16, 2015
Council Building, 510 Main Street

Applicant: 4247079 Manitoba Ltd. (Betty Neufeld)

Subject:



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EAST KILDONAN TRANSCONA COMMUNITY

APPLICANT : 4247079 MANITOBA LTD.

FILE : DASZ 14/15

PROPOSAL : An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "R1-E" RESIDENTIAL SINGLE-FAMILY (ESTATE) DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to allow for the establishment of a multi-family dwelling use. **For information, phone Mr. R. Mahé, Planner, at 204-986-8631.**

Premises Affected: 2090 Henderson Highway

Exhibits Filed:

1. Application dated April 1, 2015
2. Notification of Public Hearing dated May 6, 2015
3. Manitoba Status of Title 2714119/1

4a. Caveat 4463131/1

4b. Caveat 4463132/1

5. Plans (3 pages)
6. Report from the Urban Planning Division dated June 10, 2015
7. Inspection Report dated June 16, 2015
8. Notice of Adjournment dated June 19, 2015
9. Report from the Urban Planning Division dated July 7, 2015
10. Inspection Report dated July 14, 2015
11. Plans and Pictures submitted by the Applicant at the public hearing
12. Pictures of subject property and neighbouring property submitted by Cheryl and Darrell Pakosh
13. Petition in opposition to the application purporting to contain the signatures of 76 area residents, submitted by Cheryl and Darrell Pakosh
14. Submission by Ronald Olesky at the public hearing in opposition to the application
15. Recording of Representations of public hearing held on July 14, 2015

REPRESENTATIONS:

In Support:

Betty Neufeld
Werner Neufeld

In Opposition:

C.L. Chappell
Carrie Erickson
Donna Erickson
Steve Kotyk
Ronald Olesky
Cheryl Pakosh
Darrell Pakosh
Riley Pakosh
Yolande Pakosh

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
Mr. J. Carter, Solicitor, Legal Services

Exhibit "9" referred to in File DASZ 14/2015

ADMINISTRATIVE REPORT

Title: DASZ 14/15 – 2090 Henderson Hwy

Issue: For consideration at the public hearing to rezone to allow for the establishment of a 14-unit multifamily residential development

Critical Path: East Kildonan-Transcona Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

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

RECOMMENDATIONS

1. That Council approve plan of subdivision deposit no. 1260-2013 for registration in the Winnipeg Land Titles Office, subject to:
    A. That the Developer be obliged in a Servicing Agreement with the City to do the following:
        i. Transfer and legally open as right-of-way, property for a 6.401m widening to the Henderson Highway right-of-way along the full length of the Planned Area abutting Henderson Highway to the satisfaction of the Director of Public Works.
        ii. Pay to the City in cash, the cost of constructing a 1.5m in width by 100mm in thickness Portland cement concrete sidewalk along the west side of Henderson Highway along the full length of the Planned Area abutting Henderson Highway as determined by the Director of Public Works.
2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 14/2015 dated July 7, 2015, to an "RMF-S" Residential Multi-family District - Small subject to the following:
    A. That the applicant be obliged in a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of the City of Winnipeg Charter to do the following:
        i. That for the development of any building and/or accessory parking area and/or 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, and free standing signage 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.

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.

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.

REASON FOR THE REPORT

- The applicant intends to construct a 14 unit, apartment-style multi-family development on the subject property.
- The subject property is currently zoned “R1-E” Residential Single Family district.
- To construct a multi-family development on the site, the applicant has applied to rezone the land to Residential Multi-Family – Small (RMF-S).

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the subject property will be rezoned.

CONSULTATION

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

HISTORY

SPA 1/15

- In concurrence with this application, the applicant has also applied to amend the North Henderson Highway Secondary Plan to re-designate the subject property from a designated “Low Density Residential” land use to the “Medium Density Residential” designated land use category.
- On June 17, 2015, Council gave By-law No. 43/2015, a by-law to amend the North Henderson Highway Secondary Plan (By-law 1300/76), First Reading in order to allow the East Kildonan-Transcona Community Committee to conduct a Public Hearing.

COURT OF QUEEN’S BENCH

- On November 28, 2014, the Court of Queen’s Bench of Manitoba found By-laws Nos. 136/2012 and 46/2013 to be invalid and quashed both by-laws on the basis that the City had failed to follow its own processes when it proceeded with public hearings prior to the submission of development plans. However, leave was given to the applicant to reapply to amend both of the original by-laws upon the filing of the required development plans.

SPA 3/12

- On January 30, 2013, Council enacted By-law No. 136/2012 to amend the North Henderson Highway Secondary Plan (SPA 3/2012) to re-designate the subject property from “Low Density Residential” to “Medium Density Residential”.

DAZ 234/12

- On March 20, 2013, Council enacted By-law No. 46/2013 to amend Zoning By-law No. 200/2006 to rezone the land located at 2090 Henderson Hwy from "R1-E" Residential Single Family district to "RMF-S" Residential Multi-family district (DAZ 234/2012).
- The rezoning application was approved subject to a number of conditions, including:
    - That the applicant shall transfer and legally open as right-of-way, property required for a 6.4 metre widening to the Henderson Hwy right-of-way along the full length of the planned area.
    - That the applicant be required to construct a sidewalk along the length of the property.
    - That plans showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping, and signage shall be approved by the Director of Planning, Property, and Development and the East Kildonan-Transcona Community Committee prior to the issuance of any building or development permit.

DAV 13-109880/D

- On June 18, 2013 EKT Community Committee concurred in the recommendations of the Winnipeg Public Service in part and approved:
    - 1. the construction of a multiple family dwelling (row housing) to permit:
        - A. a front yard of 40 feet (12.2 metres) instead of 205 feet (62.5 metres);
        - B. balcony projections into the required south side yard of 2 feet (0.61 metres) instead of 1.3 feet (0.4 metres);
    - 2. for the establishment of an accessory parking area to permit a north side yard of 1 foot (0.305 metres) instead of 4 feet (1.22 metres).

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Richard Mahé
Date:	July 7, 2015
File No.	DASZ 14/15

List of Schedules and Attachments

1. Appendix A – Planning Discussion
2. Schedule "A" for File No. DASZ 14/2015

APPENDIX 'A' – PLANNING DISCUSSION

DATE:	July 7, 2015
FILE:	DASZ 14/15
RELATED FILES:	DAV 15-106836D; SPA 1/15
COMMUNITY:	East Kildonan-Transcona
NEIGHBOURHOOD #:	4.421

SUBJECT: To rezone the subject property from "R1-E" Residential Single Family district to "RMF-S" Residential Multi Family district to allow for the construction of a 14 unit multifamily residential development

LOCATION: 2090 Henderson Hwy



APPLICANT: 4247079 MANITOBA LTD.
9 YAREMA BAY
East St. Paul MB R2E 0B3

OWNER: 4247079 MANITOBA LTD.
9 YAREMA BAY
East St. Paul MB R2E 0B3

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject property is located on the west side of Henderson Hwy between Bonner Av and Knowles Av in the Valhalla neighbourhood of the North Kildonan ward.
- The site is zoned “R1-E” Residential Single Family district and is a vacant site that previously was occupied by a 1 ½ storey, 1,411 sq. ft. single family dwelling built in 1949. The subject property is approximately 66 ft. wide and 23,430 sq. ft. in area.
- Adjacent properties include a single family dwelling to the north zoned “R1-E”, a townhouse development across Henderson zoned “RMF-S” Residential Multifamily district, the Bunn’s Creek Greenway park to the south zoned “PR1” Parks and Recreation Passive Neighbourhood district, and the Red River to the west.



Figure 1: Site map of subject property and surrounding neighbourhood

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to construct a three storey (14 unit), apartment-style multi-family development on the subject property.
- There applicant intends to construct a building with:
    - enclosed parking at grade with 16 parking stalls; and
    - seven (7) dwelling units on each of the second and third floors - comprised of two (2) 1-bedroom units and five (5) 2-bedroom units on each floor.
- The applicant intends to have the units range in size from 800 square feet to 1,250 square feet.
- The proposed materials include on the elevations of the building will primarily include a combination of cement board siding, longboard aluminum siding (wood pattern), and stucco.
- The applicant also intends to provide three (3) additional surface parking spaces within the front yard for visitor parking.
- The applicant also intends to provide a four (4) foot tall high fence with stone pillars along the Henderson Highway frontage and provide a six (6) foot tall wood fence on the north side of the property to provide a noise and visual buffer.

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 has gained statutory authority as a secondary plan. The strategy serves 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.
- According to the Complete Communities Urban Structure Map, Henderson Hwy is designated as a "Regional Mixed Use Corridor". While corridors such as Henderson serve as major transportation routes, they serve the additional purpose of accommodating a mix of uses, functioning as vibrant urban places for Winnipeggers to live, work, and play. By offering high frequency and direct transit service to major Centres and the Downtown, Regional Mixed Use Corridors have sufficient opportunities to support long-term expansion through comprehensively planned intensification. Supporting Direction and Enabling Strategies include:
    - Focus a broad mix of residential, employment, and retail development within strategic locations along corridors.
        - Promote the highest levels of intensification at significant intersections. Between each centre, lower intensities of commercial, residential, and mixed use development are appropriate.
    - Where appropriate, develop corridors in accordance with transit-oriented development principles.

NORTH HENDERSON HIGHWAY SECONDARY PLAN

- The subject property is designated as “Low Density Residential” in the North Henderson Highway District Plan. This designation limits any development to a maximum density of 12 units per acre. Based on a lot area of 23,430 sq. ft., a maximum of 6 units are currently permitted.
- In order to accommodate the proposed development, the subject property will need to be re-designated to “Medium Density Residential”. This category allows for a maximum residential density of 30 units per acre. Based on a lot area of 23,430 sq. ft., a maximum of 16 units would be permitted under this designation.
- On June 17, 2015, Council gave By-law No. 43/2015, a by-law to amend the North Henderson Highway Secondary Plan (By-law 1300/76), First Reading in order to allow the East Kildonan-Transcona Community Committee to conduct a Public Hearing.

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.

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.

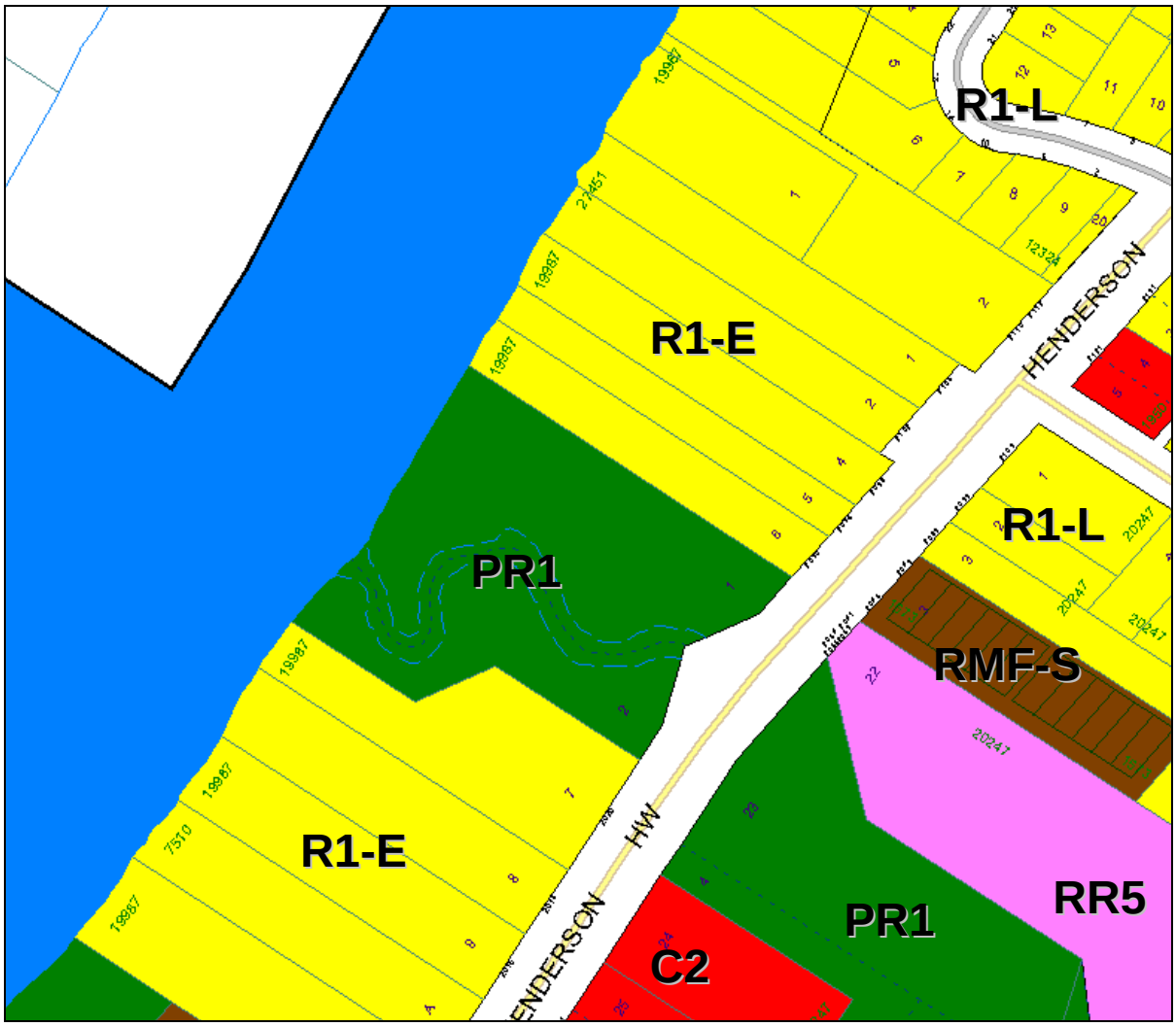


Figure 2: Zoning map of subject property and surrounding neighbourhood

- Sections 137 and 143 of Zoning By-law No. 200/06 prescribes the following dimensional standards for the “R1-E” and “RMF-S” districts respectively:

	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Front Yard (ft.)	Min. Rear Yard (ft.)	Min. Side Yard (ft.)	Min. Reverse Corner St. Side Yard (ft.)	Max. Height of Bldg. (ft.)	Max. Lot Coverage (%)
R1-Estate	20,000	25	30	25	10	20	35	30

Figure 3: Dimensional standards for the “R1-E” district

	Min. Lot Area (sq. ft.)	Min. Lot Area per Dwelling Unit (sq. ft.)	Min. Front Yard (ft.)	Min. Rear Yard (ft.)	Min. Interior Side Yard (ft.)	Min. Corner Side Yard (ft.)	Principal Building Separation (ft.)	Max. Building Height (ft.)
RMF-S	9,000	1,250	20	25	4	5	8	35

Figure 4: Dimensional standards for the “RMF-S” district

- Section 161 of the zoning by-law prescribes parking requirements for each land use. Multi-family developments require 1.5 parking spaces per dwelling unit.
    - Ten percent of the required parking spaces must be unassigned guest parking, designated as such, to the satisfaction of the Director, and readily available to the entrance of the building served.
    - The owner is required to provide 1 lockable bicycle space per 10 required automobile parking spaces in accordance with Section 169 of the zoning by-law.

INFILL GUIDELINES FOR MULTIPLE-FAMILY DEVELOPMENT

- In 2008, the City of Winnipeg produced infill development guidelines to help inform the design of multiple-family developments. Below are a number of guidelines pulled from this document:
    - Site selection:
        - 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 Artertial or Collector Streets to minimize the potential for traffic impact on Local Streets.
        - Encourage development on sites with reasonable access to Transit, AT pathways, public green space, and other public services and amenities.
    - Building setbacks:

        - 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.
        - Front yard setbacks should respect the established street pattern by providing setback typical of the neighbourhood.
    - Building orientation:
        - The main building façade should be oriented to face the public street and encourage opportunities for informal surveillance and human activity on the street.
        - Main building entrances should be clearly identifiable, visible, and accessible from the public street.
    - Vehicular access and circulation:
        - Vehicular access and egress for medium-density, multiple-family infill housing developments should be oriented on Arterial or Collector streets, where possible.
        - The location and orientation of vehicle access and egress should minimize the impact on the pedestrian environment, pedestrian safety, and adjacent properties.
        - Limit the width and quantity of curb cuts as much as possible.
    - Parking and service areas:
        - Reduce the prominence and extent of parking areas by incorporating them into building design, locating them in smaller clusters, locating them behind or between buildings, or screening them from public streets and adjacent properties.
        - Allow for greater amounts of landscaped open space by making driveways, garages, and parking lots as compact and discrete as possible.
    - Built form guidelines:
        - Encourage building design and use details that emphasize human scale and are pedestrian friendly at grade.
        - Reduce the perception of mass and height of large multiple-family buildings through the balanced use of colour, texture, and materials.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The Urban Planning Division is broadly supportive of intensification along corridors such as Henderson Hwy for a number of reasons:
    - A mix of housing types encourage people to stay in the same community as their housing needs change.
    - More efficient use of existing infrastructure and community facilities.
    - Reduced expense on new infrastructure and transit systems.
    - Lower energy requirements for transportation due to reduced automobile travel and more opportunities for public transport, walking, and cycling.

- Reduced rate of encroachment on undeveloped areas.

- This support is further articulated and strengthened by Council policy in the form of the Complete Communities Direction Strategy, as well as the Transit Oriented Development Handbook.
- There is a similar development (townhouse-style in a narrow lot) directly across Henderson, albeit they are one storey in height.
- That being said, in regards to any potential concerns over height, it is worth noting that the owner of the property already has rights to build up to 35 feet under the existing "R1-E" zoning. This height is the shortest maximum permitted height in the zoning by-law, and is no different than that of the proposed "RMF-S" zoning.
- The proposed density complies with the maximum permitted density of the "RMF-S" district, which would allow up to 18 units on this particular site based on a maximum lot area per dwelling unit of 1,250 sq. ft.
- An "RMF-S" rezoning along a Regional Mixed Corridor is a fairly reasonable proposal. However, the relatively narrow width of the subject property does create some challenges related to the compatibility of the proposed development. The Urban Planning Division is of the opinion that these challenges can be addressed through good design. These considerations are further articulated in the section below.

SITE DESIGN ISSUES

- As a condition of approval, the Urban Planning Division recommends that final site and building plans be approved by the East Kildonan-Transcona Community Committee and the Director of Planning, Property, and Development prior to the issuance of final building permits. This will necessitate an additional process following the rezoning.
- The final design, as part of the plan approval process, should address the following considerations:
    - In accordance with the policies of the TOD Handbook and the Infill Guidelines for Multiple-Family Development, the Urban Planning Division will want to see the Henderson side treated as a front yard, not a side yard. The Urban Planning Division would like to ensure that the portion of the development closest to Henderson be oriented towards the street as it is currently shown. This can be accomplished through the location and design of the building entrance, cladding materials, large, prominent windows, etc. Landscaping and residential-scaled fencing can be used to buffer the entrance.
    - The City's Parks Strategic Planner noted a benefit to the adjacent City park if the building is oriented towards it, as they would provide natural surveillance and contribute to the safety of the park. Further, design of the site should consider some form of property line delineation to ensure there is clear delineation between private and public space. This could be achieved through a bollard style or a barrier fence that is open style (wrought iron) or opaque (wood).
    - Significant attention should be given to buffering of the single family property adjacent to the north. A 6.5 ft. tall, light-proof fence should be provided in tandem with significant tree planting. These trees should be primarily coniferous and provide a year-round visual buffer.

- Other, broader design considerations are noted. These are considerations that the Urban Planning Division highlights for nearly every multi-family development.
    - The overall building design should be made up of a distinctive, quality, architectural character and style that avoids monotonous and featureless building massing and design. Blank walls should be minimized – landscaping, aesthetic characters (such as projections and offsets), change in cladding material, glass, etc. can be used to break up tracts of continuous blank walls.
    - Well-designed, safe, and universally accessible pedestrian pathways should be provided to facilitate pedestrian movement throughout the site. This pathway system should connect to Henderson Hwy, where a pedestrian crosswalk already exists 30 ft. to the south of the property. If this pathway crosses any vehicular driveway, it should be raised and/or delineated with a distinct pavement texture, such as stamped concrete or the use of paving stones along the edges of the sidewalk.
    - Any on-site fencing should be of high quality. Where reasonably visible from Henderson, the Urban Planning Division will be looking an ornamental wood fence, wrought iron-style fence, or another alternative or similar quality as well as the possible use of brick pillars in certain locations.
    - Refuse storage areas and other building services should be located internal to the building.

RECOMMENDATION

The Complete Communities Direction Strategy is fairly explicit in its promotion of intensification along Regional Mixed Use Corridors such as Henderson Hwy. In this context, an “RMF-S” rezoning along such a corridor is a fairly reasonable proposal. However, the relatively narrow width of the subject property does pose some challenges in order to ensure that the development can be compatible with the surrounding neighbourhood. The Urban Planning Division recommends plan approval as a condition of approval; its review will be informed by the applicant’s ability to address the design considerations noted above.

This Report Submitted by: Richard Mahé
Planning, Property and Development Department
Urban Planning Division
Report Prepared by: PPD File # DASZ 14/2015

Schedule “A” for File No. DASZ 14/15, East Kildonan-Transcona Community Committee, dated July 7, 2015.

By-Law No. _____

File No. **DASZ 14/15**

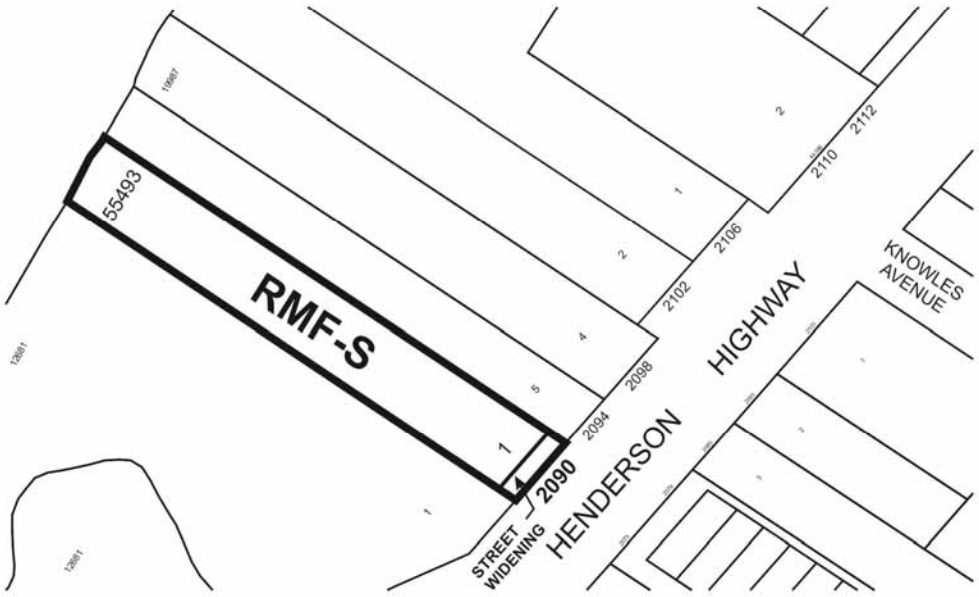
Atlas Sheet No. **S30**

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 2090 Henderson from an “R1-E” RESIDENTIAL SINGLE-FAMILY (ESTATE) DISTRICT to an “RMF-S” RESIDENTIAL MULTI-FAMILY (SMALL) 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. _____