Minute No. 563
Report – Executive Policy Committee – September 16, 2015

Item No. 5 Subdivision and Rezoning – 519 Burnell Street
(Daniel McIntyre Ward)
File DASZ 12/2015 [c/r DAV 122536/2015D]

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 12/2015 dated June 30, 2015 to an "RMF-M" Residential Multi-Family (Medium) District.

2. That the plan of subdivision proposed under File DASZ 12/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 12/2015 dated June 30, 2015 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

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 registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office.

Report – Executive Policy Committee – September 16, 2015

COUNCIL DECISION (continued):

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 – Executive Policy Committee – September 16, 2015

DECISION MAKING HISTORY:

Moved by His Worship Mayor Bowman,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 16, 2015, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 7, 2015, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

RE: **Subdivision and Rezoning – 519 Burnell Street**
File DASZ 12/2015

For submission to: **Executive Policy Committee**

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

Report date: **July 8, 2015**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 7, 2015, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 12/2015 dated June 30, 2015 to an "RMF-M" Residential Multi-Family (Medium) District.

2. That the plan of subdivision proposed under File DASZ 12/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 12/2015 dated June 30, 2015 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

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.

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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.
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.

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

1. The project adds some additional density and comes with some significant improvements to the look of the property without having much of an impact on the surrounding area.

2. Provides some needed housing in the area.

PUBLIC HEARING SUMMARY

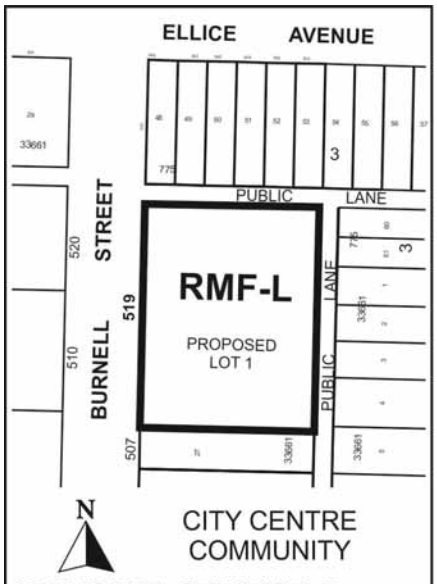
File: DASZ 12/2015

Before: City Centre Community Committee
Councillor Orlikow, Chairperson
Councillor Gerbasi

Public Hearing: July 7, 2015
Council Building, 510 Main Street

Applicant: Stratfield Homes (John Friesen)

Subject:



APPLICANT : STRATFIELD HOMES
FILE : DASZ 12/15
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 "R2" RESIDENTIAL TWO-FAMILY DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to allow for the expansion of an existing multi-family dwelling by the construction of eight (8) additional dwelling units. **For information, phone Mr. A. Ross, Planner, at 204-986-5235.**

Premises Affected: 519 Burnell Street

Exhibits Filed:

1. Application dated April 27, 2015
2. Notification of Public Hearing dated May 11, 2015
3. Manitoba Status of Titles 2291538/1, 2291534/1
4. Letter of authorization dated April 13, 2015 from Russ Knight, 5448124 Manitoba Ltd. to John Friesen (Stratfield Homes)
5. Surveyor's Building Location Certificate and sketch dated January 24, 2011
6. Plans (4 pages)
7. Report from the Urban Planning Division dated June 30, 2015
8. Revised Report from the Urban Planning Division dated July 7, 2015
9. Inspection Report
10. Recording of Representations of public hearing

REPRESENTATIONS:

In Support:

John Friesen
Russ Knight

In Opposition:

Nil

For Information:

Nil

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Mr. A. Ross, Planner, Planning, Property and Development Department

Exhibit "8" referred to in File DASZ 12/2015

REVISED ADMINISTRATIVE REPORT

Title: DASZ 12/2015 – 519 Burnell ST

Issue: For consideration at the public hearing for a Subdivision and Rezoning for DASZ 12/2015 – 519 Burnell ST

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

AUTHORIZATION

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

RECOMMENDATIONS

1. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 12/2015 dated June 30, 2015 to an "RMF-M" Residential Multi-Family (Medium) District.
2. That the plan of subdivision proposed under File DASZ 12/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 12/2015 dated June 30, 2015 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.
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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.

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 subdivide and rezone the land from a "R2" Residential Two-Family District to a “RMF-L” Residential Multi-Family (Large) District in order to support the addition of eight (8) units to the basement of an existing apartment building. The rezoning will bring the building into compliance for density. The subdivision will consolidate the existing seven (7) lots into one lot.
- Rezoning applications 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 property will be rezoned and subdivided.

CONSULTATION

In preparing this Report there was consultation with:

N/A

SUBMITTED BY

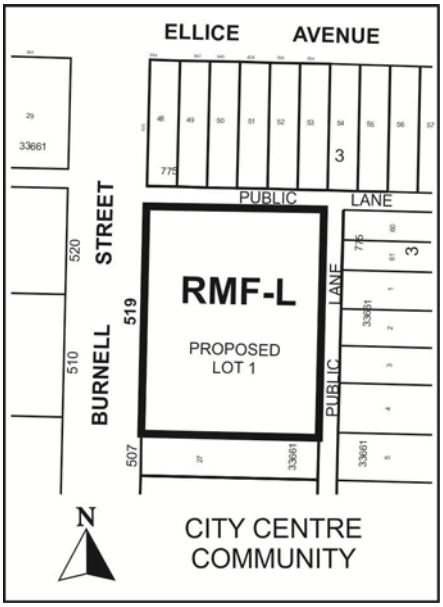
Department	*Planning, Property and Development*
Division	*Urban Planning*
Prepared by	Andrew Ross, MCP, MCIP
Date:	July 7, 2015
File No.	DASZ 12/2015

APPENDIX 'A'

DATE: July 7, 2015
FILE: DASZ 12/2015
RELATED FILES: N/A
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.112

SUBJECT: To subdivide and rezone the land presently zoned "R2" Residential Two-Family District to a "RMF-L" Residential Multi-Family (Large) District.

LOCATION: 519 Burnell St
LEGAL DESCRIPTION: LOT 42/47 BLOCK 3 PLAN 775 65 ST JA LOT 28 PLAN 33661 63/65 ST JA



APPLICANT: Starfield Homes (John Friesen)
298 Scotswood Drive, Winnipeg, Manitoba, R3R 3H3

OWNER: 5448124 Manitoba Ltd.
388 Portage Ave. Unit 906
Winnipeg MB R3C 0C8

RECOMMENDATION: Approval

SITE DESCRIPTION

- The subject property, currently zoned "R2" Residential Two-Family, is located on the east side of Burnell Street, one block south of Ellice Avenue in the St. Matthews neighborhood of the Daniel McIntyre ward.

- The subject property is 28,034 sq. ft. in size.

- The property currently contains an apartment building with 80 units.

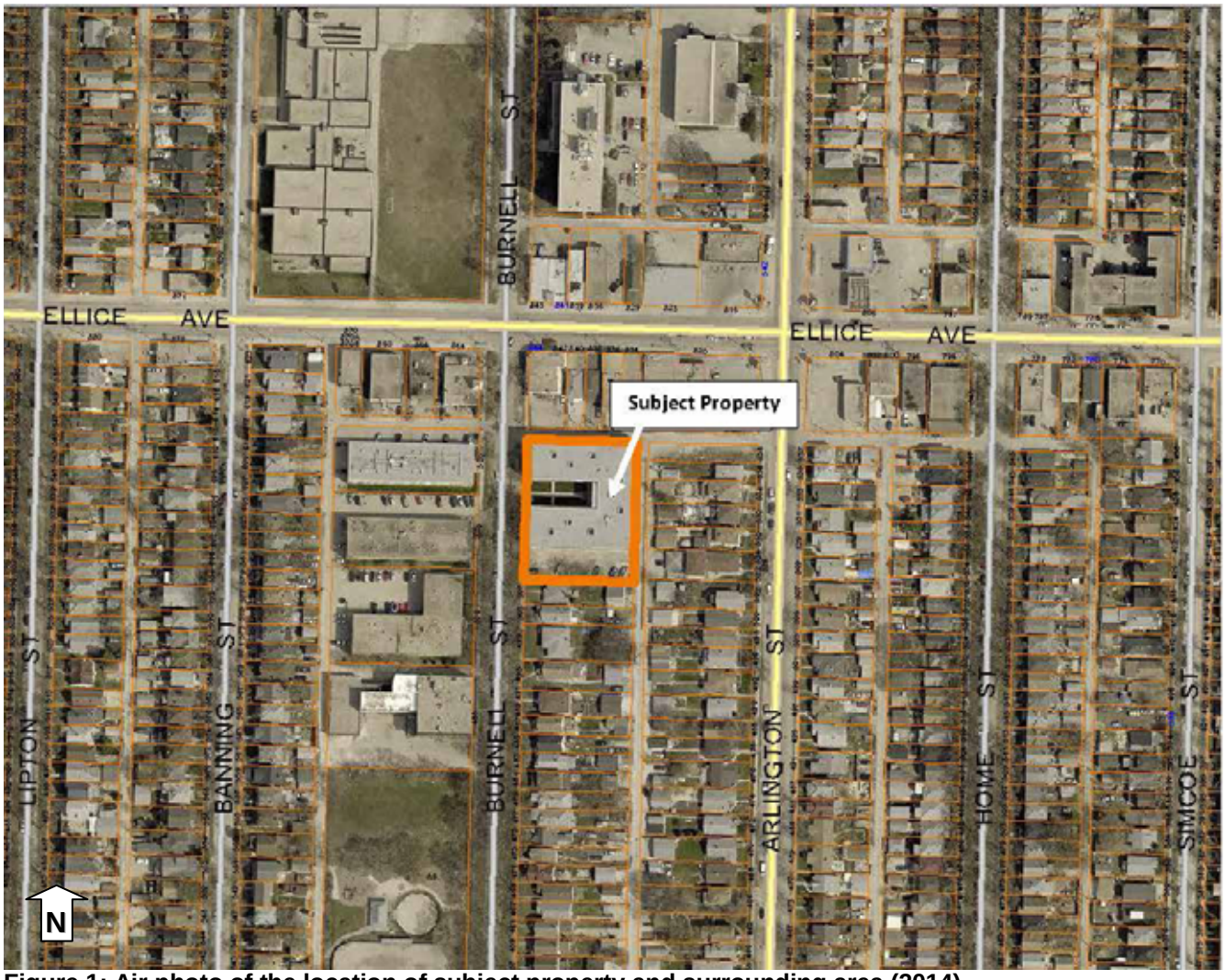


Figure 1: Air photo of the location of subject property and surrounding area (2014).

The immediate area is characterized primarily by a mix of housing types and densities, as well as commercial, office and mixed use a block north on Ellice Avenue. The site is located close to regular transit service one block north on Ellice Avenue and one block east on Arlington Street. Immediately adjacent land uses include:

North: Commercial, office and commercial/residential mixed uses zoned "C2" – Commercial Community

South: Single family residential uses zoned "R2" – Residential Two-Family

East: Single family, two-family and vacant land uses zoned "R2" – Residential Two-Family

West: Multiple family uses zoned "R2" – Residential Two-Family

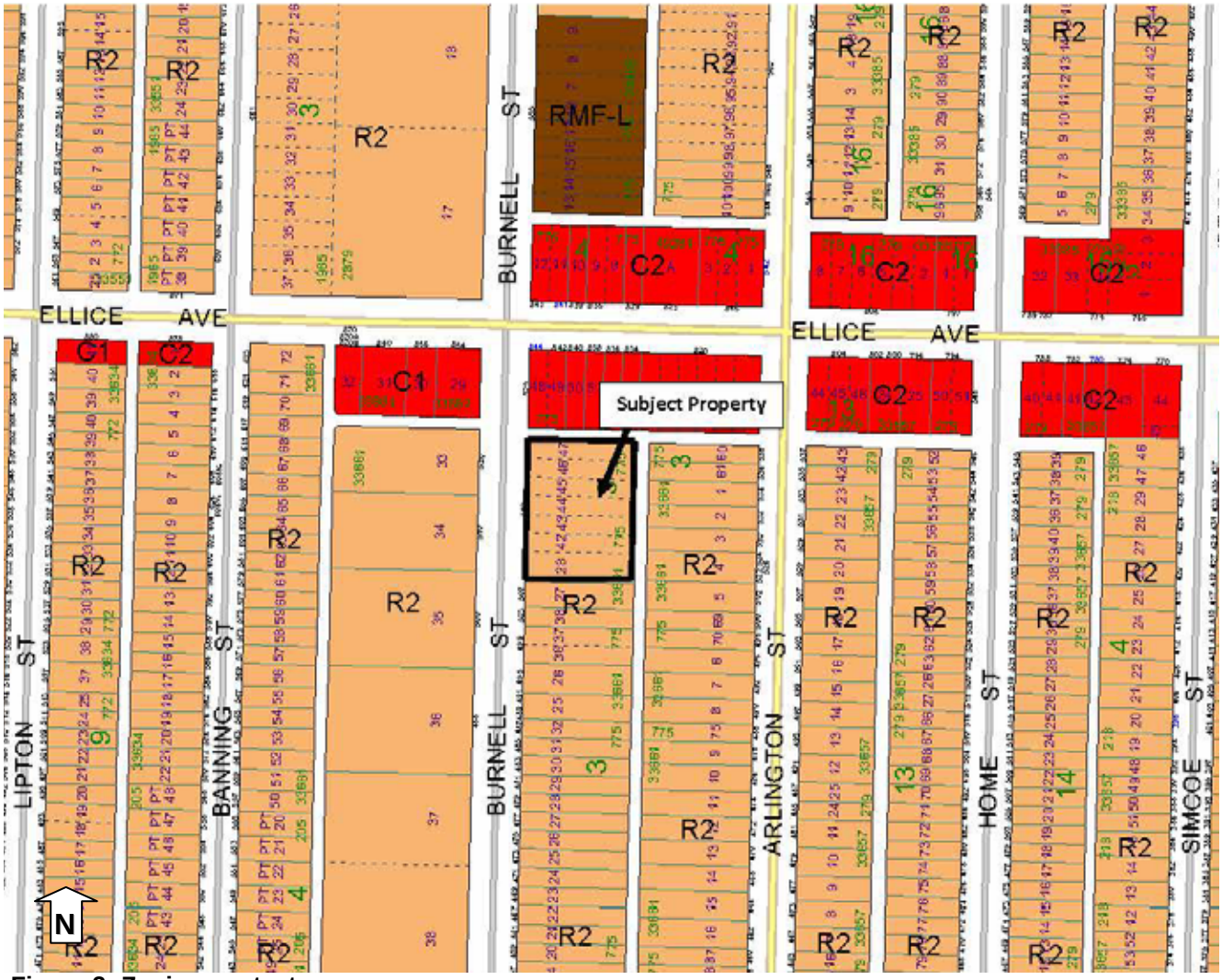


Figure 2: Zoning context

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant seeks a rezoning and subdivision in order to add eight (8) units to an existing 80- unit multiple family apartment building, and to consolidate the existing seven (7) lots that are currently on the title.

Reason for application

The existing apartment building exceeds the number of units that are allowed in the "R2" District, and it therefore has a non-conforming density. Adding units to the building triggers a need to rezone the property to RMF-L, which is the only district that can accommodate the desired number of units on this lot. Rezoning to "RMF-L" will bring this property and its number of units into compliance with the Winnipeg Zoning By-Law.

ANALYSIS AND ISSUES

OurWinnipeg
The applicant indicates that the units in this building are to be rented at affordable levels similar to existing suites in the building. OurWinnipeg (Section 01-4) supports affordable housing.

City of Winnipeg Housing Policy
The City of Winnipeg Housing Policy encourages retention of affordable housing, rental units, and infill development (Policy B2).

Complete Communities Direction Strategy

As per the Complete Communities Direction Strategy, the proposed development falls within Areas of Stability – Mature Communities policy area. Key policies guiding development within Areas of Stability include:

- Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form.
- 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.

This proposal adds a moderate amount of density to an existing older apartment building that has been a fixture within the neighbourhood for more than 100 years (built in 1914).

The additional units will not be noticeable from the street. The development provides added rental opportunities in an area that has a demand for rental accommodation.

Daniel McIntyre/St. Matthews Housing Plan 2013-2017
The Daniel McIntyre/St. Matthews Housing Plan has goals which reflect these three main areas of concern, as well as the need for advocacy and education. Goals relevant to this development are as follows:

- Stabilize and increase the number of units of housing available in the Daniel McIntyre/St. Matthews neighbourhoods, while maintaining the current ratio of rental units to owner-occupied units.
- Ensure that housing reflects the mixed-income characteristics of the Daniel McIntyre/St. Matthews neighbourhoods, and is financially accessible to all households.

This development complements the above goals of the Housing Plan.

Parking and transportation

Due to space limitations on the lot, there is no opportunity to increase the provision of parking spaces. The subject property is however in very close proximity to regular east/west transit service (Ellice Avenue – 60m away) and north/south transit service (Arlington Street – 60m way). In addition, the property is one block away from a bike lane (St. Matthews Avenue) and a proposed Neighbourhood Greenway (Banning Street). Cycling is common in the area as is use of transit services and consequently, it is possible to live in this location without owning a vehicle.

The applicant indicates that a group has signed a 20 year lease on the building and that most residents of the building do not own vehicles.

In lieu of providing additional parking, the Urban Planning Division is recommending that the applicant construct a bicycle lock up facility within the building for a minimum of 12 bicycles.

Site improvements

As part of the rezoning, the applicant has agreed to upgrade the garbage dumpster area with an enclosure, add trees and seating the courtyard, and add wrought-iron fencing and shrubs in front of the parking area to screen it from the street. These site plan adjustments will enhance the appearance of the property from the street and from the lane.

SUMMARY

The Urban Planning Division supports the rezoning and subdivision for the following key reasons:

- The proposal adds eight (8) affordable residential units to an existing building in a Mature Community, helping to address Winnipeg's rental supply shortage.
- The change in units will not be noticeable from the street.
- The applicant is providing bicycle lock up facilities for a minimum of 12 bicycles.
- The applicant has agreed to provide site improvements including trees, seating and fencing.

RECOMMENDATIONS

The Urban Planning Division recommends that the application be approved and that the subject property be rezoned to a “RMF-M” Residential Multi-Family (Medium) District.

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

Report Prepared by: Andrew Ross
PPD File # DASZ 12/2015 – 519 Burnell ST

Schedule “A” for File No. DASZ 12/2015, City Centre Community Committee, June 30, 2015

By-Law No.

File No. **DASZ 12/15**

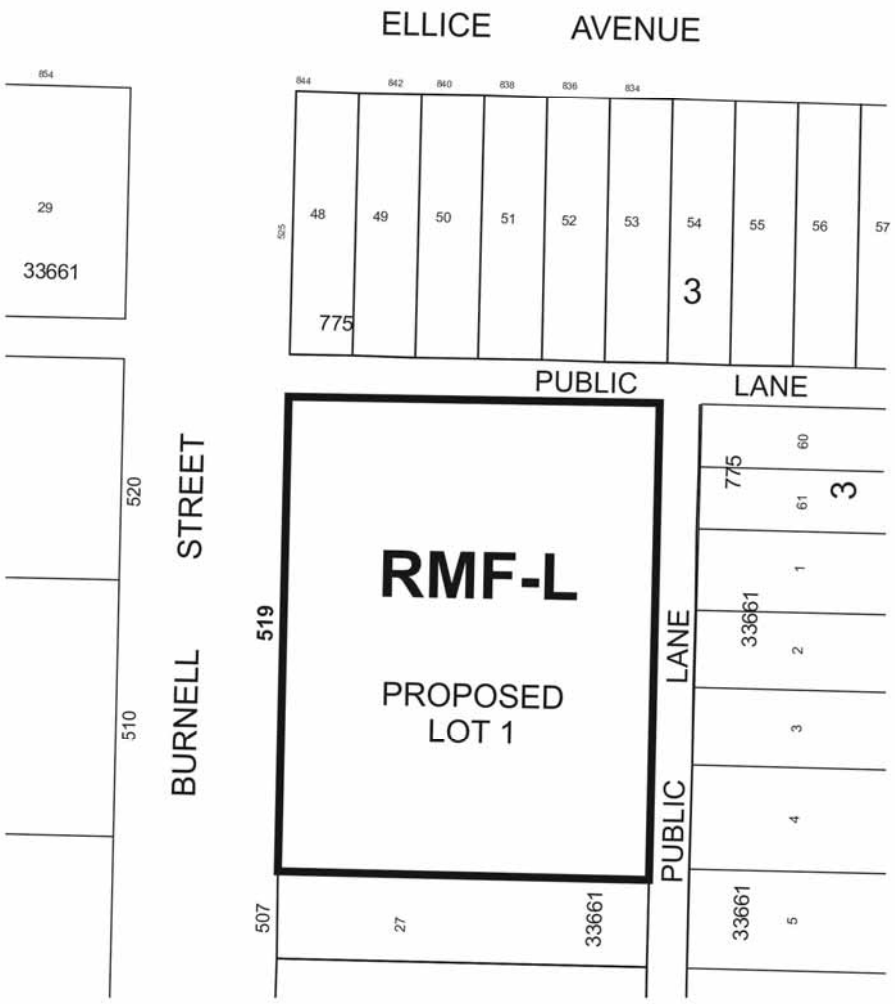
Explanation

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 519 Burnell Street from an “R2” RESIDENTIAL TWO-FAMILY DISTRICT to an “RMF-L” RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to allow for the expansion of an existing multi-family dwelling by the construction of eight (8) additional dwelling units as shown outlined below.

Atlas Sheet No.

N

Z22
CITY CENTRE
COMMUNITY



THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.