Minute No. 601
Report – Standing Policy Committee on Property and Development – September 15, 2015

Item No. 3 Rezoning – 290 River Avenue
(Fort Rouge-East Fort Garry Ward)
File DAZ 208/2015 [c/r DAV 119487/2015D]

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development 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 DAZ 208/2015 dated June 30, 2015 to an "RMF-L" Residential Multi-Family (Large) District.

2. 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.

3. 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.

4. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

5. 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 adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 23, 2015, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 15, 2015, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 7, 2015, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

RE: **Rezoning – 290 River Avenue**
File DAZ 208/2015

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

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 recommended to the Standing Policy Committee on Property and Development:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DAZ 208/2015 dated June 30, 2015 to an "RMF-L" Residential Multi-Family (Large) District.

2. 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.

3. 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.

4. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

5. 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 building is in conformance with the Osborne Village Neighbourhood Plan
2. We need to increase density in the City.
3. The project does have an adequate number of bike and parking stalls.

PUBLIC HEARING SUMMARY

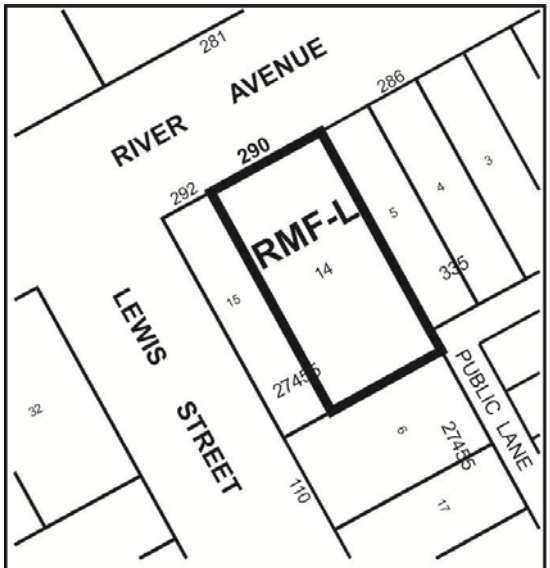
File: DAZ 208/2015

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

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

Applicant: Liberty Properties Inc. (Garry Marshall)

Subject:



APPLICANT : LIBERTY PROPERTIES INC.
FILE : DAZ 208/15
PROPOSAL : To rezone the land shown outlined above from an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to allow for the establishment of a multi-family dwelling use. **For information, phone Mr. A. Ross, Planner, at 204-986-5235.**

Premises Affected: 290 River Avenue

Exhibits Filed:

1. Application dated April 10, 2015
2. Notification of Public Hearing dated May 11, 2015
3. Manitoba Status of Title 2286022/1
4a. Letter of authorization dated March 31, 2015 from Andrew John Thompson to Liberty Properties Inc.
4b. Letter of authorization dated April 7, 2015 from Garry J. Marshall, 7078413 Manitoba Ltd. to Liberty Properties Inc.
5. Surveyor's Building Location Certificate and sketch dated February 25, 2015
6. Plans (9 pages)
7. Report from the Urban Planning Division dated June 30, 2015
8. Inspection Report
9. Communication dated July 7, 2015, from Ron Iftody in opposition to the application
10. Recording of Representations of public hearing

REPRESENTATIONS:

In Support:
Garry Marshall

In Opposition
Ron Iftody
Gagandeep Ahluwalia
Robert McDowall

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 "7" referred to in File DAZ 208/2015

ADMINISTRATIVE REPORT

Title: DAZ 208/2015 – 290 River Ave

Issue: For consideration at the public hearing for a Subdivision and Rezoning for DAZ 208/2015 – 290 River Ave

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 DAZ 208/2015 dated June 30, 2015 to an "RMF-L" Residential Multi-Family (Large) District.
2. 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.
3. 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.
4. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.
5. 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 rezone the land from a "RMF-M" Residential Multiple Family (Medium) District to a “RMF-L” Residential Multi-Family (Large) District in order to develop a four storey multi-family building with 17 units.
- 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.

CONSULTATION

In preparing this Report there was consultation with:

N/A

SUBMITTED BY

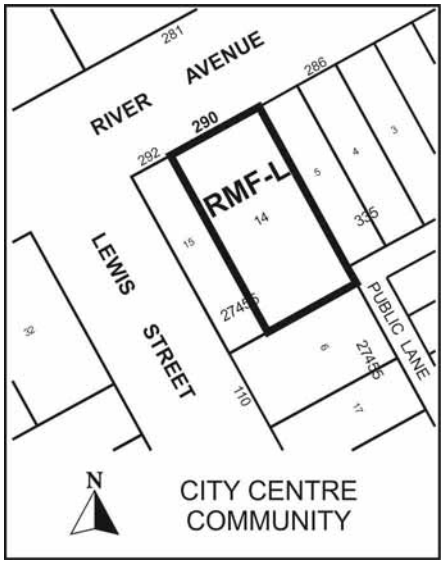
Department	*Planning, Property and Development*
Division	*Urban Planning*
Prepared by	Andrew Ross, MCP, MCIP
Date:	June 30, 2015
File No.	DAZ 208/2015

APPENDIX 'A'

DATE: June 30, 2015
FILE: DAZ 208/2015
RELATED FILES: DAV 15-119487/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.111

SUBJECT: To rezone the land from a "RMF-M" Residential Multiple Family (Medium) District to a "RMF-L" Residential Multi-Family (Large) District

LOCATION: 290 River Avenue
LEGAL DESCRIPTION: LOT 14 PLAN 27455 37 ST B



APPLICANT: Garry Marshall
Liberty Properties Inc.
P.O. Box 2176 Station Main, Winnipeg, MB, R3C 3R5

OWNER: 7078413 Manitoba Ltd.
P.O. Box 2176 Station Main, Winnipeg, MB, R3C 3R5

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject property, currently zoned "RMF-M" Residential Multiple Family, is located on the east south side of River Avenue, one property east of Lewis Street in the River-Osborne neighborhood of the Fort Rouge – East Fort Garry ward.

- The subject property is 6,666 sq. ft. in size.

- The property currently contains a triplex.



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

The immediate area is characterized primarily by multiple family residential development with some single family residential along Lewis Street, an adjacent City park to the northwest, and some commercial development along Donald Street two blocks east. There is regular east/west

transit service on River Avenue and north-south service on Donald Street. The Osborne Village commercial strip is six blocks to the west. Immediately adjacent land uses include:

North: Multiple family residential uses zoned "RMF-M" Residential Multiple Family (Medium)

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

East: Multiple family residential uses zoned "RMF-M" Residential Multiple Family (Medium)

West: Commercial (grocery store) uses zoned "RMF-M" Residential Multiple Family (Medium)

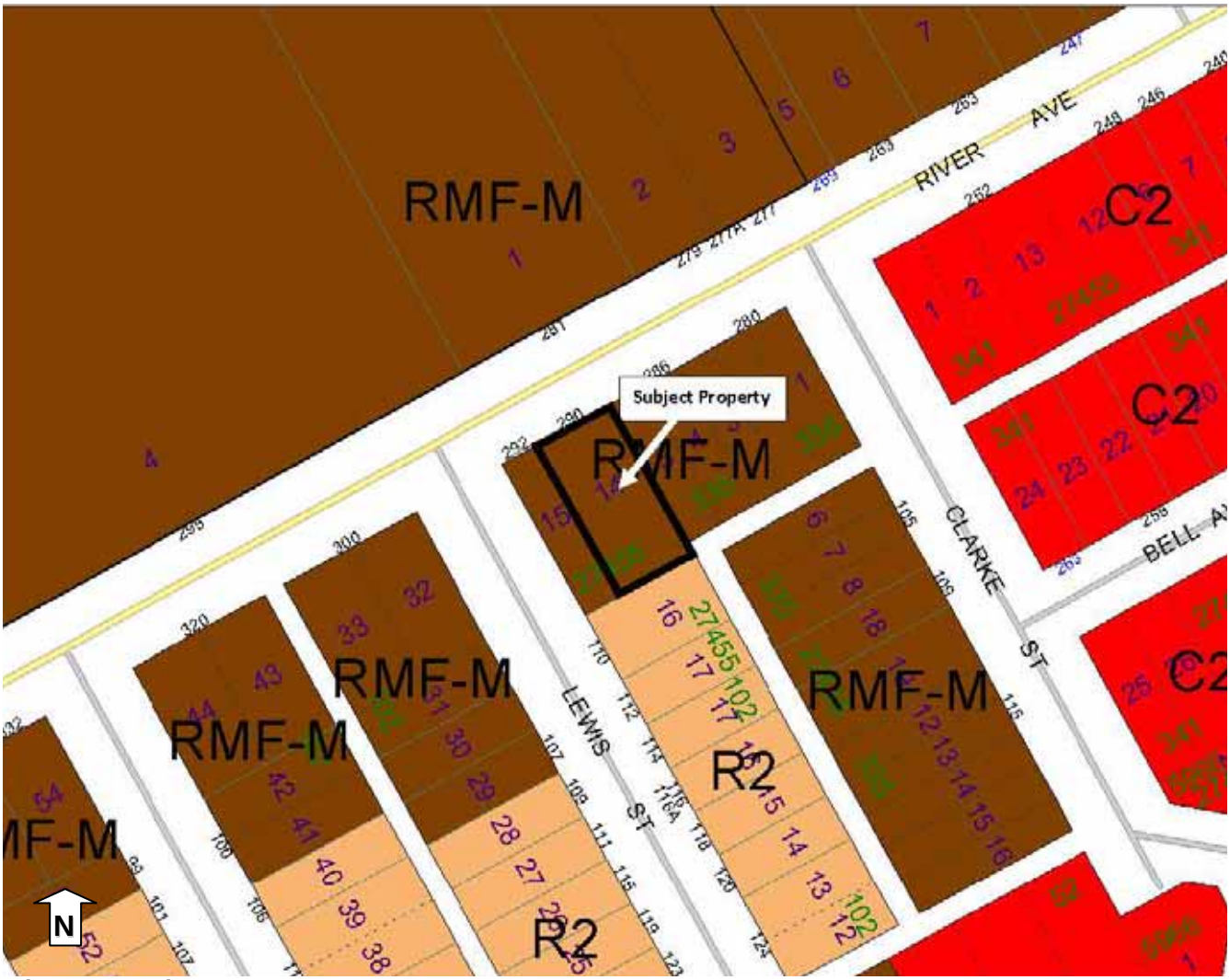


Figure 2: Zoning context

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant seeks a rezoning to “RMF-L” Residential Multi-Family (Large) in order to develop a four storey multi-family building with 17 units on the subject property. The building will have parking on the ground floor with vehicular access from the lane.

Reason for application

The proposed number of units exceeds the allowable density in the "RMF-M" Residential Multiple Family (Medium) District. A rezoning to “RMF-L” (residential Multiple Family (Large) is necessary to accommodate the proposed number of units on this lot.

ANALYSIS AND ISSUES

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 moderate density to a Mature Community and provides a scale and form that is complementary to the neighbourhood.

Osborne Village Neighbourhood Plan

The Osborne Village Neighbourhood Plan contains policies guiding character, urban form and design in Osborne Village (Section 3.1). Some key highlights relevant to this development include:

- Respecting the traditional character of the area and surrounding properties in terms of pedestrian orientation, mass and scale of surrounding properties, compatible building materials, orientation of entrances to the street, and incorporation of compatible alignment, setbacks, and height of building(s) along the street;

- Providing pedestrian access at the street level, and locating parking, loading, and services entrances at the rear of buildings;

- Ensuring building design reinforces activity and vitality at the ground level through use of architectural elements and accommodate features to create interest on the street level;

The applicant is providing a façade treatment that includes a mix of predominantly higher quality, substantial materials such as cement board and siding. The applicant has located the parking and loading behind the building, out of view of the public street.

The applicant worked closely with the Urban Planning Division to enhance the vitality at ground level along River Avenue. Specifically, the applicant agreed to make the following adjustments, which have been incorporated and are shown on the attached plans:

1) Enhancing the interplay between the interior and exterior of the building on River Avenue by increasing the amount of glazing on the front façade. This involved adjustments to the main floor plan.
2) Adding trees and landscaping to soften the view of the parking screening wall on River Avenue.
3) Proving seating in front as an added pedestrian amenity.

Height and Density
In this location, the Osborne Village Neighbourhood Plan allows for up to 5 storeys. At 4 storeys, this development complies with the Plan.

"RMF-L zoning is required in order to provide 17 units. The Urban Planning Division supports an RMF-L zoning designation because at 4 storeys, the form of the development is compatible with the context on River Avenue east of Osborne Street, which has many examples of 4-storey residential buildings.

Setbacks
The development provides side and rear yards that are compatible with the area and the applicant agreed to provide a front yard of 10 feet, to be compatible with the building immediately west.

Parking and transportation
The applicant is providing parking on the ground floor and indoor bike parking. More details on parking can be found in associated file DAV 15-119487/D.

Due to concerns raised by the Zoning and Urban Planning Divisions regarding dimensions of the parking garage, the applicant agreed to hire an engineer to study the functionality of the garage. Using a design vehicle roughly equivalent to the dimensions of an average-sized current model SUV, the engineer's report concluded that parking for mid-sized vehicles should function in the garage, provided some adjustments were made. These adjustments were made by the applicant. The following are the key points from the engineer's report:

1) It is possible for small and mid-size vehicles to enter, park and exit the parking garage
2) Larger vehicles may not be able to park in the stalls
3) The manoeuvers required to park should be presented to prospective residents for confirmation prior to their taking use of stalls

Due to the findings of the engineer, at the request of the Urban Planning Division, the applicant has agreed to prohibit vans, trucks and large vehicles in the parking garage. This will be done through the use of permanent signage affixed to the wall outside the garage, as shown on the attached plans. The Division believes that signage is the clearest way to communicate this limitation to future residents and ensure smooth operation of the garage.

Other

Servicing
The applicant indicates they contacted Water and Waste who determined that there is sufficient servicing to support this development.

Garbage and Recycling
The applicant worked with Solid Waste Services and has been granted the use of rolling carts for garbage and recycling rather than a dumpster, due to space constraints on the lot.

Accessibility
An accessible walkway is provided connecting the front and rear of the property, and the building includes an elevator which supports the needs of older adults and those with mobility limitations.

SUMMARY

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

- The development adds seventeen (17) residential units to the Osborne Village neighbourhood. The applicant states that the building will be rental, which helps to address Winnipeg's current shortage of rental accommodation.
- Height, density and setbacks are compatible with the area.
- Accessibility is being addressed through the provision of an accessible walkway connecting the front and rear of the property and an elevator.
- The design provides an articulated façade with transparency and visual interest from the street.
- The applicant hired an engineer and undertook adjustments to increase functionality of the parking garage.

RECOMMENDATIONS

The Urban Planning Division recommends that the application be approved with conditions and that the subject property be rezoned to a "RMF-L" Residential Multi-Family (Large) District.

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

Report Prepared by: Andrew Ross
PPD File # DAZ 208/2015 – N of 317 Langside ST

Schedule "A" for File No. DAZ 208/2015, City Centre Community Committee, June 30, 2015

By-Law No.

File No. **DAZ 208/15**

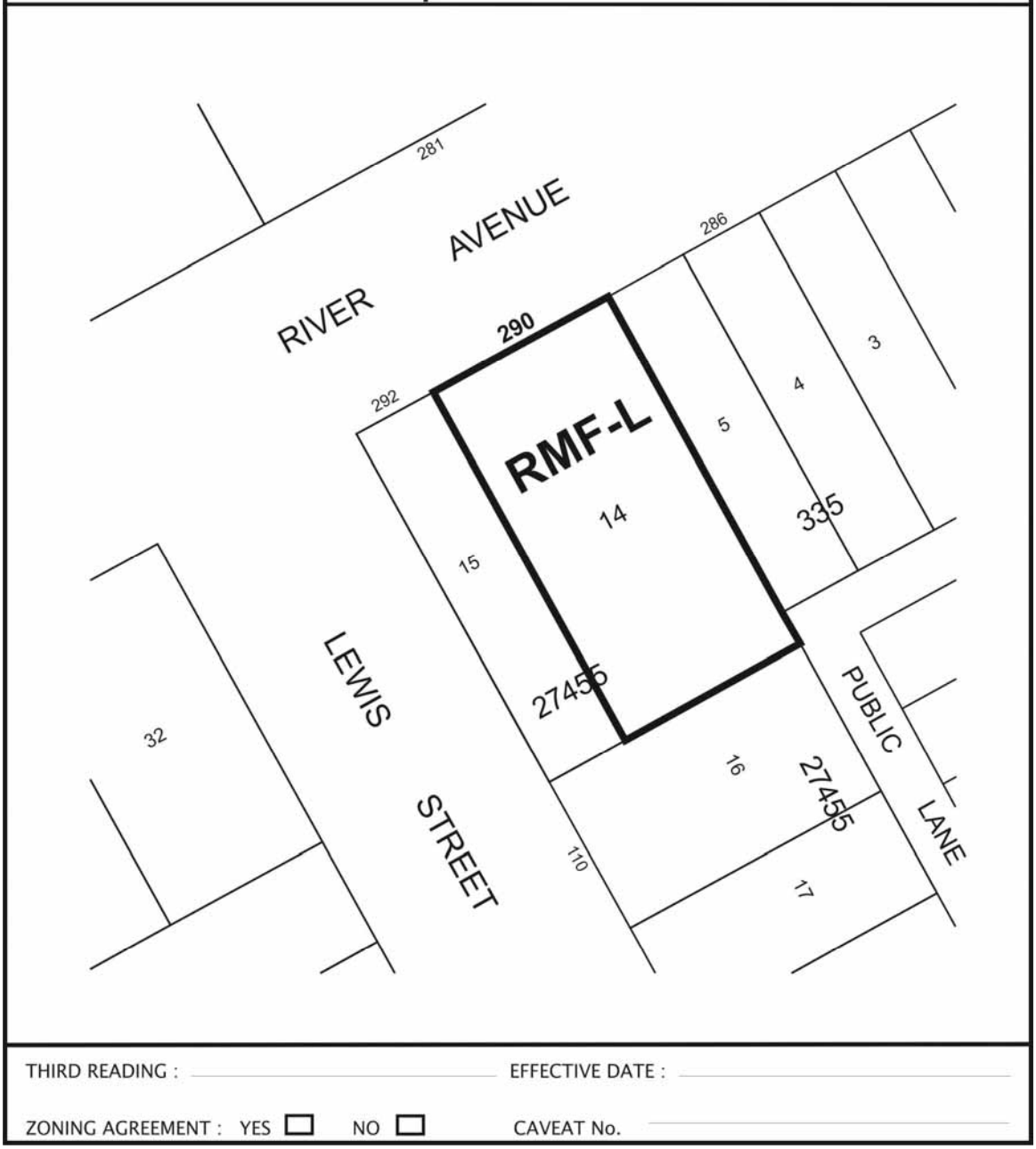
Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 290 River Avenue from an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to allow for the establishment of a multi-family dwelling use as shown outlined below.

Atlas Sheet No.

N

AB25
CITY CENTRE
COMMUNITY



THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.