Minute No. 462
Report – Executive Policy Committee – June 24, 2015

Item No. 2 **Rezoning – 693 Maryland Street**
(Daniel McIntyre Ward)
File DAZ 206/2015 [c/r DAV 117179/2015D]

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 subject land as shown on Schedule "A" for File DAZ 206/2015 dated June 1, 2015 to an "RMF-L" Residential Multi-Family (Large) District, subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

        i. That the building height shall be limited to sixty (60) feet.

2. That 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 application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

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

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

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

Report – Executive Policy Committee – June 24, 2015

COUNCIL DECISION (continued):

7. 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.

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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 June 24, 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 June 10, 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: **Rezoning – 693 Maryland Street**
File DAZ 206/2015

For submission to: **Executive Policy Committee**

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

Report date: **June 12, 2015**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 10, 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 subject land as shown on Schedule "A" for File DAZ 206/2015 dated June 1, 2015 to an "RMF-L" Residential Multi-Family (Large) District, subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

        i. That the building height shall be limited to sixty (60) feet.

2. That the developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

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

6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.
7. That the City Solicitor/Manager of Legal Services 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 reason for its recommendation:

1. The application is consistent with the area and I support that.

PUBLIC HEARING SUMMARY

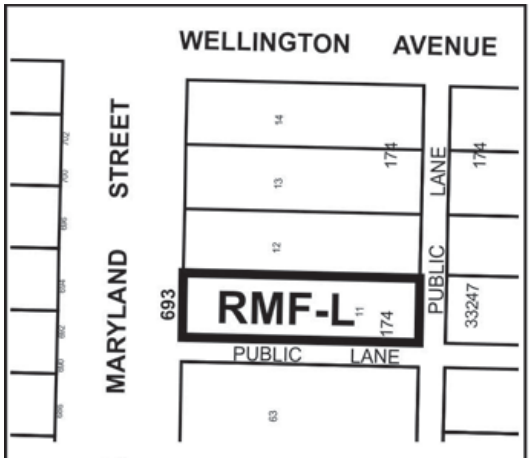
File: DAZ 206/2015

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

Public Hearing: June 10, 2015
Council Building, 510 Main Street

Applicant: Affinity Architecture Inc. (Andrew Skelton)

Subject:



APPLICANT : AFFINITY ARCHITECTURE INC.
FILE : DAZ 206/15
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 expansion of a multi-family dwelling use by the establishment of two (2) additional dwelling units in an existing multi-family dwelling. **For information, phone Mr. M. Robinson, Planner, at 204-986-3213.**

Premises Affected: 693 Maryland Street

Exhibits Filed:

1. Application dated March 30, 2015
2. Notification of Public Hearing dated April 15, 2015
3. Manitoba Status of Title 2767496/1
4. Letter of authorization dated January 30, 2015 from Patrick Penner to Affinity Architecture
5. Plans (2 pages)
6. Report from the Planning and Land Use Division dated June 1, 2015
7. Inspection Report
8. Recording of Representations of public hearing

The Winnipeg Public Service to advise that all statutory requirements with respect to this application have been complied with.

REPRESENTATIONS:

In Support:

Bert Friesen

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 "6" referred to in File DAZ 206/2015

ADMINISTRATIVE REPORT

Title: DAZ 206/2015 – 693 Maryland Street

Issue: For consideration at the public hearing for a Rezoning for DAZ 206/2015 – 693 Maryland Street

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 subject land as shown on Schedule "A" for File DAZ 206/2015 dated June 1, 2015 to an "RMF-L" Residential Multi-Family (Large) District, subject to the following:

A. That the applicant enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

i. That the building height shall be limited to sixty (60) feet.

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

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

7. That the City Solicitor/Manager of Legal Services 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 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

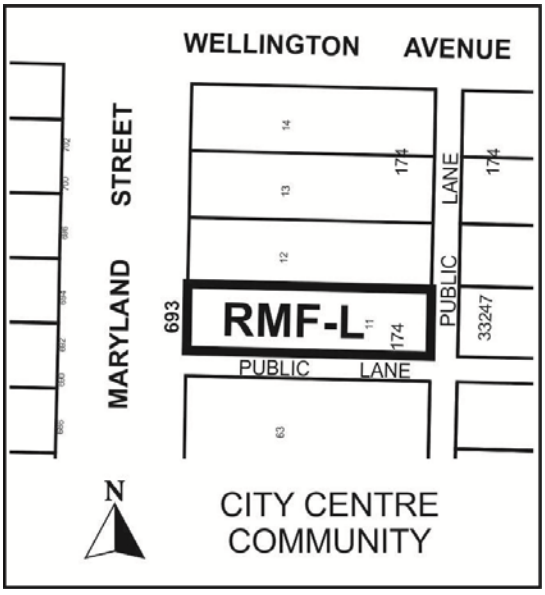
In preparing this Report there was consultation with:
N/A

SUBMITTED BY

Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Michael Robinson, AICP, MCIP
Date:	June 1, 2015
File No.	DAZ 206/2015

APPENDIX 'A'

DATE:	June 1, 2015
FILE:	DAZ 206/2015
RELATED FILES:	DAV 15-117179/D
COMMUNITY:	City Centre Community
NEIGHBOURHOOD #:	1.108
SUBJECT:	To rezone the subject land from an "RMF-M" Residential Multi-Family District to an ""RMF-L" Residential Multi-Family District
LOCATION:	693 Maryland Street
LEGAL DESCRIPTION:	LOT 11 PLAN 174 72 ST JA



APPLICANT: Affinity Architecture

OWNER: 5685011 Manitoba Ltd.

RECOMMENDATION: **Approval**

SITE DESCRIPTION

The property, which is currently zoned "RMF-M" Residential Multi-Family District, is located on Maryland Street, between Wellington and Sargent Avenues, in the Spence neighbourhood of the Daniel McIntyre ward.

North: Park space zoned "RMF-M" Residential Multi-Family District
South: Community garden zoned "RMF-M" Residential Multi-Family District
East: Residences zoned "RMF-M" Residential Multi-Family District
West: Residences zoned "RMF-M" Residential Multi-Family District

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to rezone the subject property from "RMF-M" Residential Multi-Family District Medium to "RMF-L" Residential Multi-Family District Large, in order to accommodate two additional suites in the basement. The building currently has fourteen units, which will increase to sixteen units, with the expansion.

The expansion is due to the present owner renovating/upgrading the building and being able to make better use of the existing space. The two additional suites will provide much needed housing to the area. It is recommended that this rezoning be approved.

RECOMMENDATIONS
The Urban Planning Division recommends **approval**, with conditions for the following reasons:

- The rezoning is consistent with *Complete Communities*
- The proposal is consistent and compatible with the surrounding properties;
- The subject will be retaining the footprint of the existing structure.
- The proposed addition will not change the form and external appearance of the existing building thereby fitting the existing character.
- There is a need for a mix of housing opportunities throughout the City. This development is consistent with the increased need for more housing supply in the Spence neighborhood.

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

Report Prepared by: Michael Robinson, AICP, MCIP
PPD File # DAZ 206/2015



Figure 1: Aerial Photo (Flown in 2014)

APPENDIX 'B'
Schedule "A" for File No. DAZ 206/2015, City Centre Community Committee, dated June 1, 2015

By-Law No. _____

File No. **DAZ 206/15**

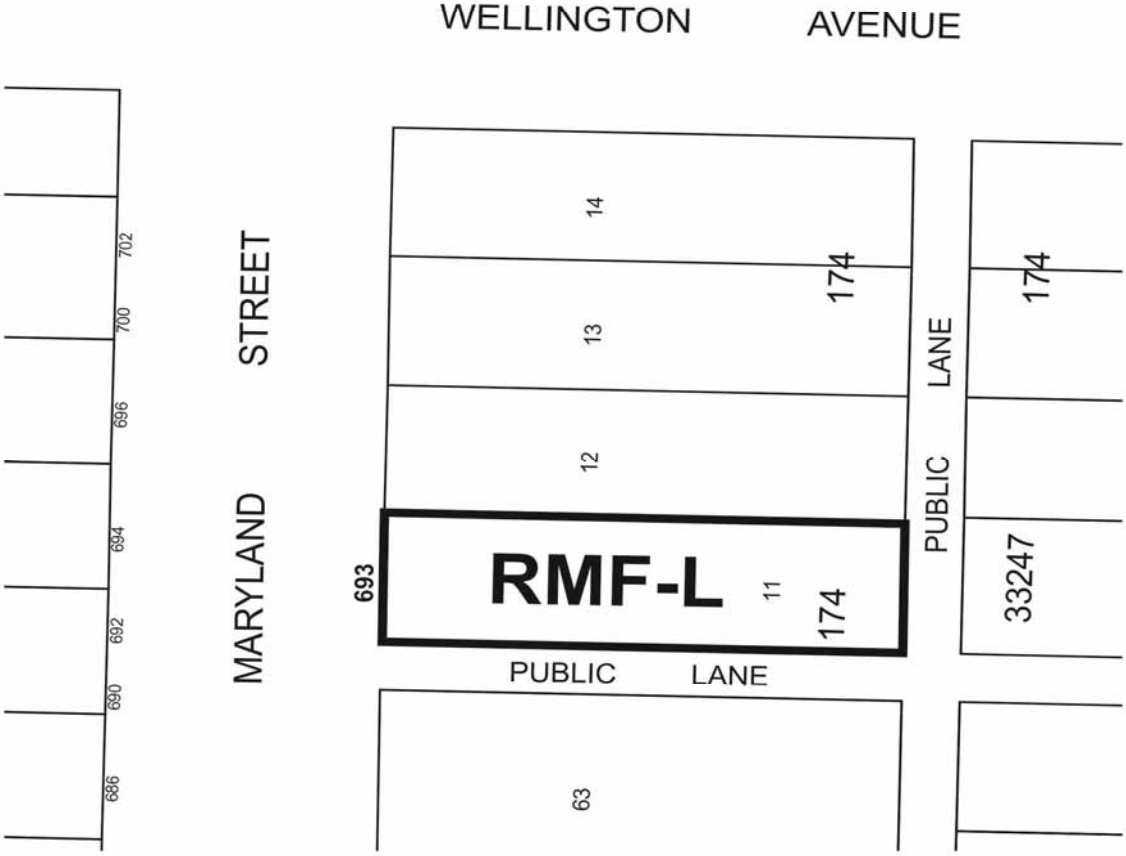
Atlas Sheet No.

N

Z23
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 693 Maryland Street from an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to allow for the expansion of a multi-family dwelling use by the establishment of two (2) additional dwelling units in an existing multi-family dwelling as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____