Minutes – Executive Policy Committee – December 2, 2015

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 30, 2015

Item No. 2 Subdivision and Rezoning – 378-384 Wardlaw Avenue (Fort Rouge-East Fort Garry Ward) File DASZ 27/2015 [c/r DAV 146549/2015D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted to Council that the application for subdivision and rezoning under File DASZ 27/2015 [c/r DAV 146549/2015D] be rejected.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 30, 2015

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On November 30, 2015, the Standing Policy Committee on Property and Development, Heritage and Downtown 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 November 10, 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, Heritage and Downtown Development.

RE: **Subdivision and Rezoning – 378-384 Wardlaw Avenue**
File DASZ 27/2015

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

Prepared by: **Ms I. Skundberg, Committee Clerk**
City Centre Community Committee

Report date: **November 12, 2015**

COMMUNITY COMMITTEE RECOMMENDATION:

On November 10, 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, Heritage and Downtown Development that the application for subdivision and rezoning under File DASZ 27/2015 [c/r DAV 146549/2015D] be rejected.

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

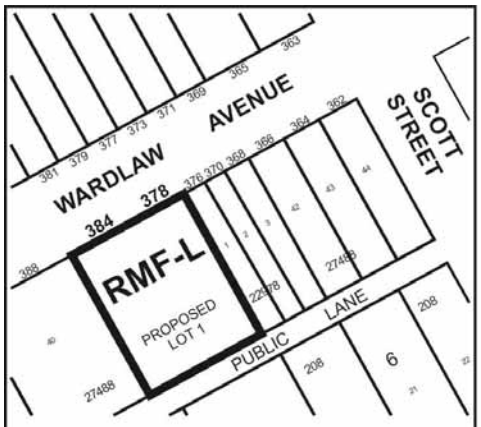
1. This proposal is not consistent with the Osborne Village Neighbourhood Plan as it is asking to change the plan to a different level of density and scale than what is stated in the plan.

2. The Winnipeg Public Service report shows comparisons to recent applications approved and this one is way out of scale and over double the density to any of those recently approved on the block.

3. The comments are appreciated about the need for more affordable housing which is a problem in the City, and we have approved and are trying to accommodate more density in Osborne Village but not at any cost in terms of overriding the neighbourhood plan to allow any development at any scale.

4. The parking we have approved in this area has been on a scale of one to one, including the bike parking, and there is a lot pressure in the area to accommodate more density but there has to be a balance and a consistent standard, and this project is below that as well.

PUBLIC HEARING SUMMARY

File:	DASZ 27/2015
Before:	City Centre Community Committee Councillor Orlikow, Chairperson Councillor Gerbasi Councillor Gilroy
Public Hearing:	November 10, 2015 Council Building, 510 Main Street
Applicant:	Richard Wintrup & Associates (John Wintrup)
Subject:	

APPLICANT : RICHARD WINTRUP & ASSOCIATES

FILE : DASZ 27/15

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 "RMF-M" Residential Multi-Family (Medium) District to an "RMF-L" Residential Multi-Family (Large) District to facilitate the consolidation of lands to allow for the construction of a multi-family dwelling. **For information, phone Mr. M. Robinson, Planner, at 204-986-3213.**

Premises Affected: 378-384 Wardlaw Avenue

Exhibits Filed:

1. Application dated September 6, 2015
2. Notification of Public Hearing dated September 2, 2015
3. Manitoba Status of Titles 2173426/1, 2737076/1
4a. Letter of authorization dated June 29, 2014 from Brandy Usick to Geoffrey Milnes, Robert Robson and/or the officers of 6829733 Manitoba Ltd.
4b. Letter of authorization dated July 15, 2015 from G. Milnes and R. Robson, 6829733 Manitoba Ltd. to Richard Wintrup & Associates
5. Plans (5 pages)
6. Report from the Planning and Land Use Division dated November 2, 2015
7. Communication dated November 2, 2015, from Arnold Goetz in opposition to the application
8. Inspection Report
9. Recording of Representations
10. Petition in opposition to the application purporting to contain the signatures of 14 area residents, submitted by Arnold Goetz at the public hearing
11. PowerPoint Presentation in support of the application submitted by John Wintrup, Richard Wintrup & Associates at the public hearing

REPRESENTATIONS:

In Support:

John Wintrup, Richard Wintrup & Associates
Hilary Bohn
Rakvinder Hayer
Nesta Hoffart
Meaghan Julie Kusyk
Geoff Milnes
Jacqueline Petkau
Michelle Richard
Rob Robson
Andre Silva

In Opposition:

Trevor Gebel
Arnold Goetz
Todd Kehler-Yokobori
Tomoko Kehler-Yokobori
Ainslie Schroeder
Edwina Shwedyk

For Information:

Shirley Forsyth
Denisa Gavan-Koop

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 DASZ 27/2015

ADMINISTRATIVE REPORT

Title: DASZ 27/2015 – 378-384 Wardlaw Avenue

Issue: For consideration at the public hearing for a Rezoning and Subdivision for DASZ 27/2015 – 378-384 Wardlaw

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

AUTHORIZATION

Author	Division Head	CFO	CAO
Michael Robinson, MCIP	Braden Smith, MCIP	n/a	

RECOMMENDATIONS

That the application be **rejected.**

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 Planning and Land Use Division are concurred in, the property will be not 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, MCIP
Date:	November 2, 2015
File No.	DASZ 27/2015

APPENDIX 'A'

DATE: November 2, 2015
FILE: DASZ 27/2015
RELATED FILES: DAV 15-146549/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.111

SUBJECT: To rezone the subject land from a "RMF-M" Residential Multi-Family District to an "RMF-L" Residential Multiple-Family District for the construction of a multiple family development

LOCATION: 378-384 Wardlaw Avenue
LEGAL DESCRIPTION: Lot 41 Plan 27488, Lot 27 Block 6 Plan 208 WLTO



APPLICANT: Richard Wintrup & Associates

OWNER: Brandy Usick and 6829733 Manitoba Ltd.

RECOMMENDATION: **Rejection**

SITE DESCRIPTION
The subject property, which is zoned "RMF-M" Residential Multi-Family District, is located on Wardlaw Ave, between Osborne and Scott Streets, in the River-Osborne neighbourhood of the Fort Rouge - East Fort Garry ward

OurWinnipeg (Complete Communities Direction Strategy)
Osborne Village has the characteristics of a community mixed use centre in Complete Communities, the City of Winnipeg's land use and development plan.

Community mixed use centres are intended to have higher density development and a broad range of land uses. It is important that development in these areas creates a high-quality street environment and is attractive to residents and visitors alike.

SURROUNDING LAND USE AND ZONING
North: Residences zoned "RMF-M" Residential Multi-Family District
South: Residences 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 and consolidate the subject properties and to establish a 36 unit multiple family dwelling.

The proposed building would be 55 feet high and would have 29 parking stalls partially below grade, with access from the public lane.

ANALYSIS AND ISSUES

OurWinnipeg/Complete Communities
A. Policies
i. Osborne Village Neighbourhood Plan (OVNP)
The Osborne Village Neighbourhood Plan is a Council adopted secondary plan which provides a finer grain of policy for the Osborne Village Neighbourhood then what is provided by OurWinnipeg and the Complete Communities Direction Strategy. Its formulation and development involved a multi-step, thorough, and inclusive planning process.

Density
The subject property is located with the Village Medium Density Residential Area of the Osborne Village Neighbourhood Plan. The property is located on a residential street and adjacent properties are zoned "RMF-M" Residential Multi-Family District, consistent with the Plan.

The attached illustration shows the residential density of each property on the subject block.

Currently, the highest density on the block is 395 Wardlaw, which has 20 units on a lot that is 12,006 sq. ft. (600 sq. ft. per dwelling unit).

For multi-family developments, the existing densities are as follows:

Address	Density	Lot size	Lot size per unit
403 Wardlaw	2 units	6,002 sq. ft.	3,001 sq. ft. per unit
395 Wardlaw	20 units	12,006 sq. ft.	600 sq. ft. per unit
385-383 Wardlaw	4 units	6,004 sq. ft.	1,501 sq. ft. per unit
379 Wardlaw	2 units	3,002 sq. ft.	1,501 sq. ft. per unit
371 Wardlaw	3 units	3,003 sq. ft.	1,001 sq. ft. per unit
400 Wardlaw	13 units	9,956 sq. ft.	765 sq. ft. per unit
388 Wardlaw	14 units	10,800 sq. ft.	771 sq. ft. per unit
366 Wardlaw	2 units	3,599 sq. ft.	1,799 sq. ft. per unit
364 Wardlaw	2 units	3,605 sq. ft.	1,802 sq. ft. per unit
362 Wardlaw	2 units	3,780 sq. ft.	1,890 sq. ft. per unit

			Average (mean) 1,458 sq. ft. per unit
Proposed (378-84 Wardlaw)	**36 units**	**11,400 sq. ft.**	**316.9 sq. ft. per unit**

The applicant is proposing a density of 316.7 sq. ft., which is 4.5 times higher than the average density for multi-family development on the block and approximately 2 times higher than any other development on the block.

Recent precedents on this block of Wardlaw
In the last two years, three new developments have been approved on Wardlaw Street. One has been built (400 Wardlaw) and two are approved but not yet constructed (362-366 Wardlaw).

Address	Density	Lot size	Lot size per unit
400 Wardlaw	13 units	9,956 sq. ft.	765 sq. ft. per unit
362-66 Wardlaw (1)	7 units	5,400 sq. ft.	771 sq. ft. per unit
362-66 Wardlaw (2)	7 units	5,400 sq. ft.	771 sq. ft. per unit
Proposed (378-84 Wardlaw)	**36 units**	**11,400 sq. ft.**	**316.9 sq. ft. per unit**

Recommendation
The density proposed in this instance is over double the density of the three most recent developments approved on the block. Each of these previous applicants worked with the City to ensure that the developments were consistent with the Osborne Village Neighbourhood Plan and contextually suitable with the block.

From these comparisons, it can be seen that the proposed density is a significant increase above what is currently there as well as the most recent developments that have been approved on the block.

While the City does encourage increases in density in Osborne Village, the increases must be compatible with the immediate context. In this case, the proposed density is significantly out of proportion with the context.

The Division recommends that the applicant modify their plans to meet the "RMF-M" Residential Multi-Family Medium category. This would allow for a maximum of 14-16 units, which is more compatible with this block of Wardlaw.

If the density was reduced as recommended, **no rezoning would be required.**

Height
The proposed height of 55 feet is also a significant departure from the heights of adjacent buildings and from the character of the street.

The approximate heights of multi-family buildings on the street are as follows:

Address	Heights
403 Wardlaw	± 30 ft.
395 Wardlaw	± 40 ft.
385-383 Wardlaw	± 30 ft.
379 Wardlaw	± 40 ft.
371 Wardlaw	± 35 ft.
400 Wardlaw	± 45 ft.
388 Wardlaw	± 30 ft.
366 Wardlaw	± 35 ft.
364 Wardlaw	± 35 ft.
362 Wardlaw	± 40 ft.
362-66 Wardlaw (1) approved but not constructed	± 45 ft.
362-66 Wardlaw (2) (corner site) approved but not constructed	±47 feet to the top of the roof + a mezzanine that is setback from the front of the building
Proposed (378-84 Wardlaw)	**55 feet**

RECOMMENDATIONS

The Urban Planning Division recommends **rejection** for the following reasons:

- The proposed development is not consistent with the intent of the Osborne Village Neighbourhood Plan
- The proposed development is not compatible with the immediate context
- The proposed development will have an adverse impact on the surrounding properties

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

Report Prepared by: Michael Robinson, AICP, MCIP
PPD File # DASZ 13/2015

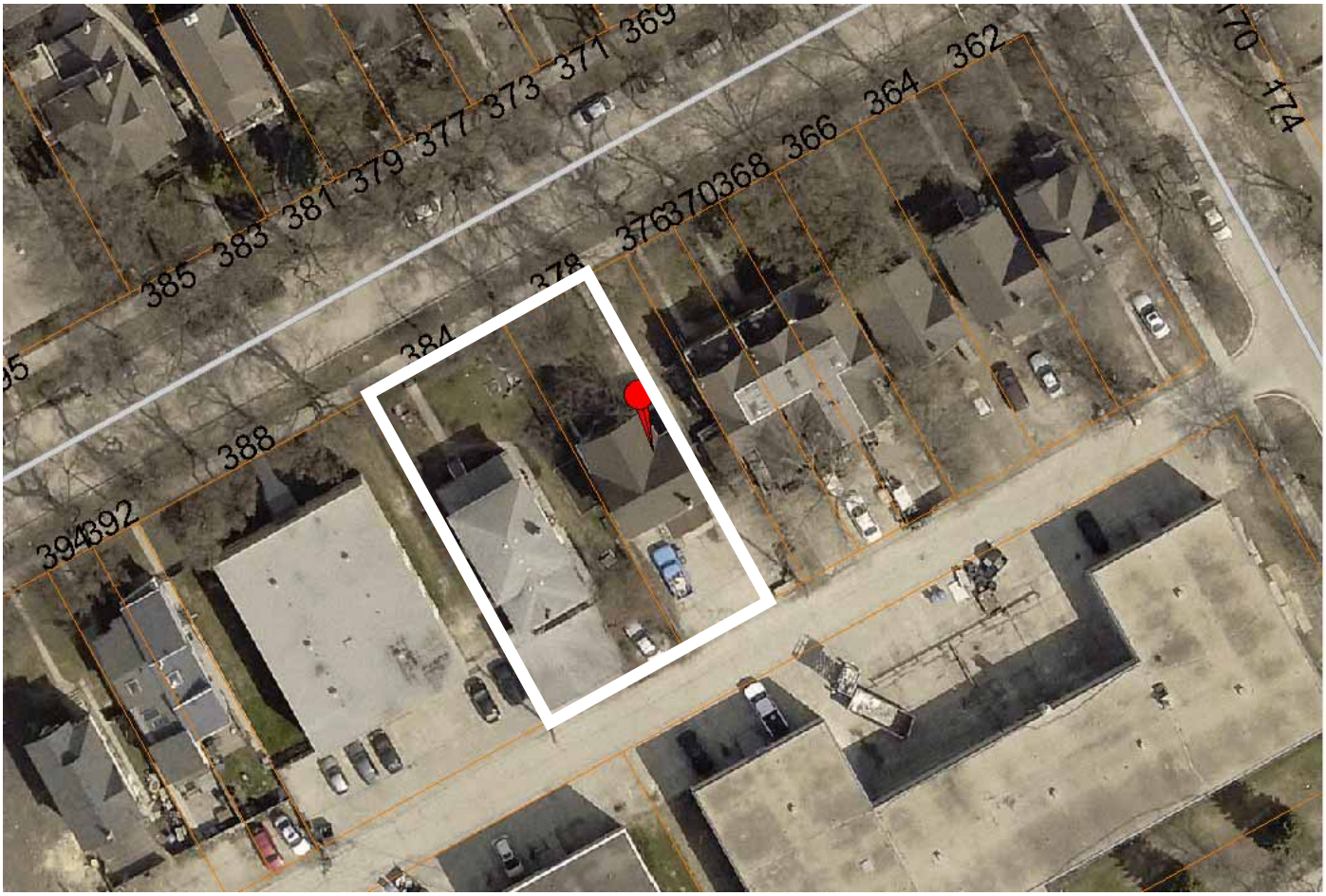


Figure 1: Aerial Photo (Flown in 2014)

APPENDIX 'B'
Schedule "A" for File No. DASZ 27/2015, City Centre Community Committee, dated November 2, 2015

By-Law No. _____

File No. **DASZ 27/15**

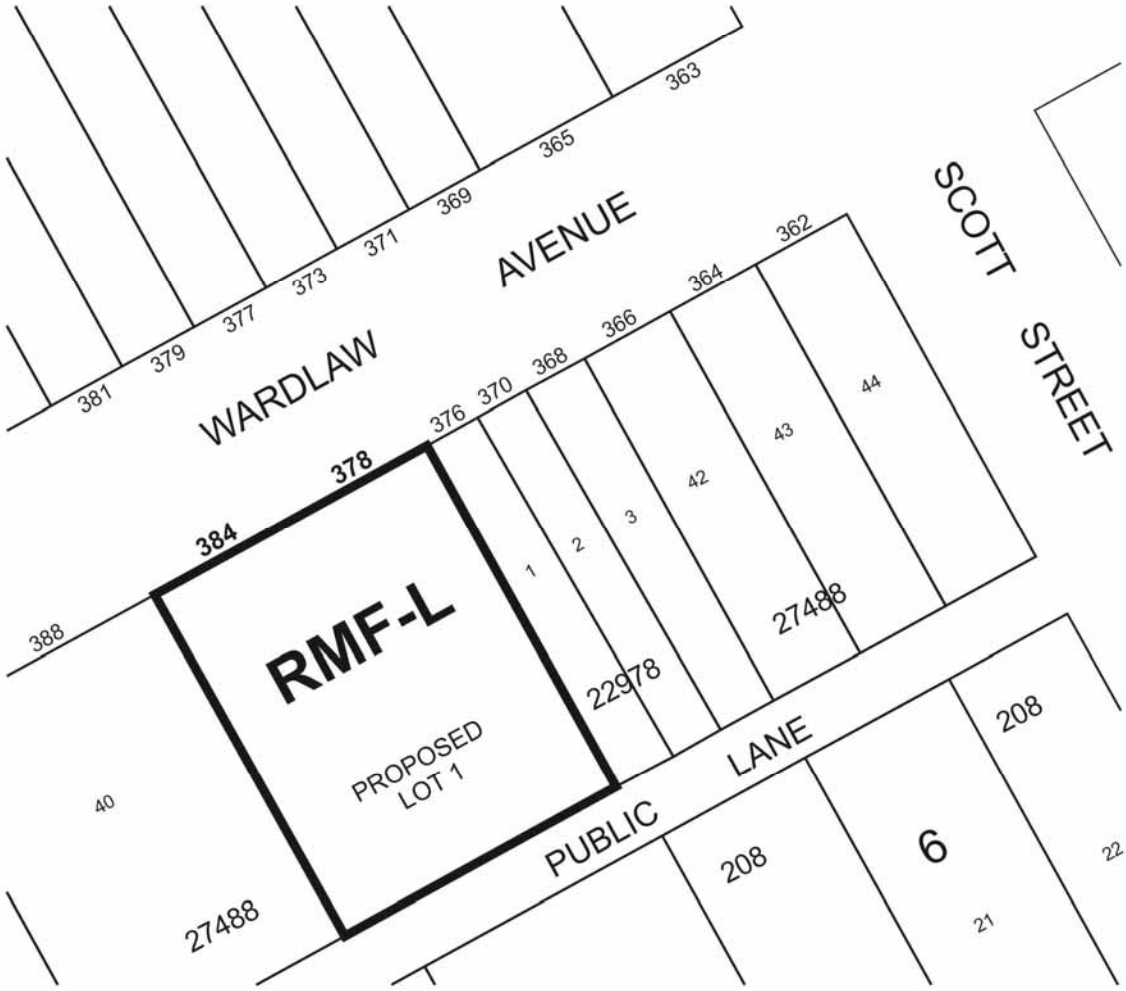
Atlas Sheet No.

N

AB24
CITY CENTRE
COMMUNITY

Explanation

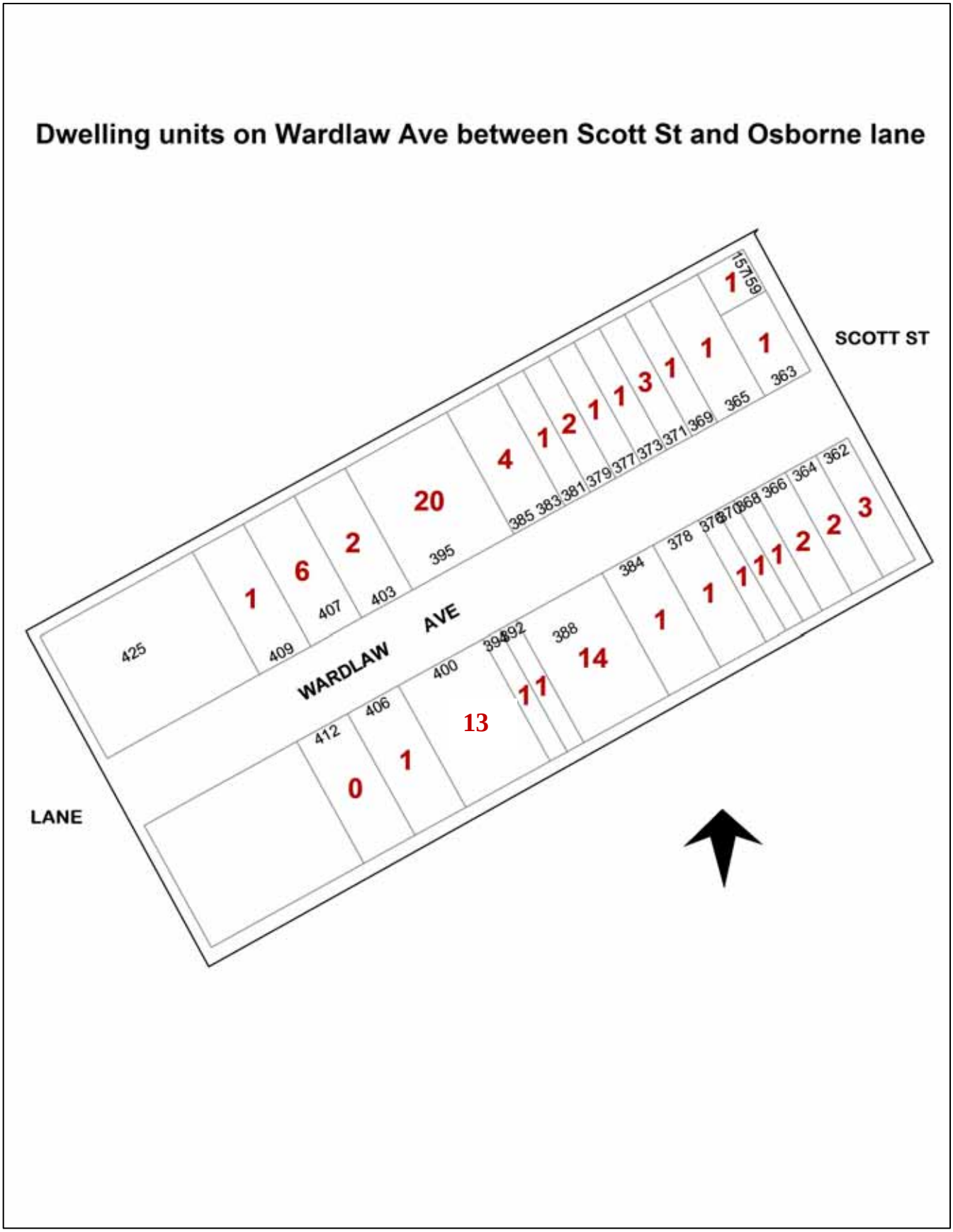
An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 378 – 384 Wardlaw Avenue from an "RMF-M" Residential Multi-Family (Medium) District to an "RMF-L" Residential Multi-Family (Large) District to facilitate the consolidation of lands to allow for the construction of a multi-family dwelling as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Appendix 'C'


Dwelling units on Wardlaw Ave between Scott St and Osborne lane
SCOTT ST
WARDLAW AVE
LANE
425
409
407
403
395
385
383
381
379
377
373
371
369
365
363
412
406
400
394
392
388
384
378
366
364
362
1
6
2
20
4
1
2
1
1
3
1
1
1
1
0
1
13
1
1
14
1
1
1
1
1
2
2
3