Agenda – Council – December 9, 2015

Report – Executive Policy Committee – December 2, 2015

Item No. 9 Subdivision and Rezoning – 113 St. Anne's Road (St. Vital Ward) File DASZ 36/2015 [c/r DAV 160604/2015D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 2, 2015, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee and submitted the following to Council:

1. That the plan of subdivision proposed under File DASZ 36/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 36/2015 dated November 19, 2015 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

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 36/2015 dated November 19, 2015, to a "C2" Commercial Community District subject to the following:

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

        i. That, for the development of any building, and/or accessory parking area and/or signage within the lands zoned "C2" Commercial Community, 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, and landscaping to the Director of Planning, Property and Development and the Riel 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.

Report – Executive Policy Committee – December 2, 2015

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 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.

Report – Executive Policy Committee – December 2, 2015

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 2, 2015, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 30, 2015 the Riel 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 – 113 St. Anne's Road**
File DASZ 36/2015

For submission to: **Executive Policy Committee**

Prepared by: **Rochelle Viray, Assistant Committee Clerk**
Riel Community Committee

Report date: **December 1, 2015**

COMMUNITY COMMITTEE RECOMMENDATION:

On November 30, 2015, the Riel 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 plan of subdivision proposed under File DASZ 36/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 36/2015 dated November 19, 2015 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

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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 Riel Community Committee provided the following supporting reasons for its recommendation:

1. The plan approval is to come back to the Riel Community Committee, and at that time we can address the issue of bicycle parking and any other plan related issues.
2. This is the kind of thing we're trying to encourage; it sits on a main street.
3. It is mixed use; it'll have commercial at the street level, with residential above.
4. It is near transit, community centre, a school – this is in order.
5. It's on a major route, being St. Anne's Road.

PUBLIC HEARING SUMMARY

File: DASZ 36/2015

Before: Riel Community Committee
Councillor Mayes, Chairperson
Councillor Allard
Councillor Lukes

Public Hearing: November 30, 2015 (most recent date)
Council Building, 510 Main Street

Applicant: NSK Northern Engineering Ltd.

Subject:



Premises Affected: 113 St. Anne's Road

Exhibits Filed:

1. Application dated October 15, 2015
2. Notification of Public Hearing dated October 19, 2015
3. Manitoba Status of Title 2721996/1
4. Letter of authorization dated September 22, 2015 from Zuhair Alsattari (Sattari Renov. & Cons. LTD) to Naim Karim (NSK Northern Engineering Ltd.)
5. Plans (7 pages)
6. Revised Report from the Urban Planning Division dated November 19, 2015
7. Inspection Report
8. Recording of Representations

REPRESENTATIONS:

In Support:

Naim Karim
Zuhair Alsattari

In Opposition

Nil

For Information:

Nil

For the City:

Mr. R. Mahé, Planner, Planning, Property and Development Department

Exhibit "6" referred to in File DASZ 36/2015

REVISED ADMINISTRATIVE REPORT

Title: DASZ 36/2015 – 113 St. Anne's

Issue: An application for consideration at the Public Hearing to consolidate the two lots into one and rezone to C2 to facilitate the construction of a mixed use commercial/residential dwelling.

Critical Path: Riel Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council 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 plan of subdivision proposed under File DASZ 36/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 36/2015 dated November 19, 2015 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

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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.

REASON FOR THE REPORT

- The applicant is proposing to consolidate the two lots into one and rezone the property to C2 for a proposed eight (8) unit residential and two (2) unit commercial mixed use dwelling.
- Subdivisions and re-zonings 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 subject site will be consolidated and rezoned consistent with the map provided in Schedule "A" of this report.

HISTORY

N/A

CONSULTATION

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Richard Mahé, MCIP
Date:	November 19, 2015
File No.	DASZ 36/2015

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule "A" — Recommended File No. DASZ 36/2015 Riel Community Committee, dated November 19, 2015

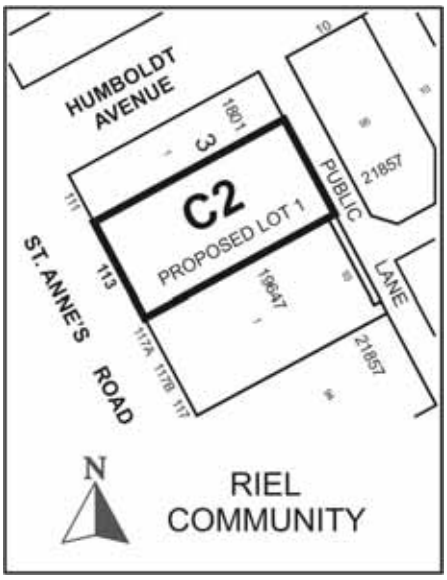
APPENDIX 'A'

DATE: November 19, 2015

FILE: DASZ 36/2015
RELATED FILES: DAV 15-160604/D
COMMUNITY: Riel Community
NEIGHBOURHOOD #: 5.508

SUBJECT: To consolidate two lots into one and rezone to C2 to facilitate the construction of a mixed use commercial/residential dwelling

LOCATION: 113 St. Anne's Road (see map below)



APPLICANT: Naim Karim
2 River Valley DR
Winnipeg , Manitoba R3X 0B3

OWNER: Zuhair Alsattari
252 ABBOTSFIELD DR
Winnipeg , Manitoba R2N 4H2

RECOMMENDATION: Approval with Conditions

SITE DESCRIPTION

- The subject property is located at 113 St Anne's Rd, in the Glenwood neighbourhood of the St Vital ward. The site dimensions are 55 feet wide by 110 feet deep. The total lot area of the site is approximately 6,050 square feet.
- The site is located within the St. Anne's Road Regional Mixed Use Corridor under the Complete Communities Direction Strategy. The property is zoned RMF-S and contains a 1,080 square foot, one and a half storey house built in 1948.
- Site access is taken from the rear concrete lane.



Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2014)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: a barber shop and single family home zoned RMF-S

South: a commercial strip mall development zoned C2.

East: single family homes zoned R1-M.

West: St. Anne's Road and commercial and multi-family lots zoned C1 and RMF-S, respectively.

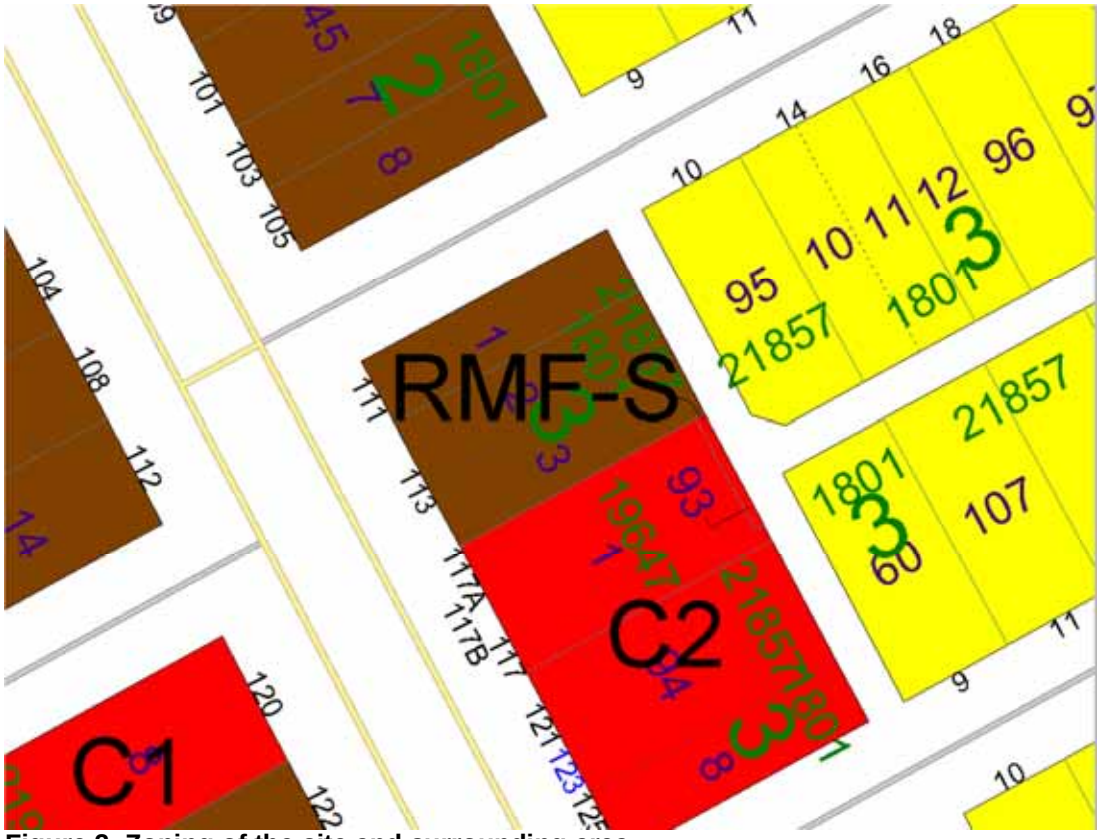


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to develop a new 3-storey mixed use building with two (2) commercial storefronts at street level and eight (8) residential units on the upper floors.
  - The main floor will consist of the two (2) commercial storefronts and covered parking.
  - The upper two storeys will have four (4) units per floor.
  - Access to the site will be from the rear lane.
  - The existing dwelling on the site will be demolished.
- As part of this infill development, variances will be required to address:
  - Insufficient parking numbers;
  - Yard setbacks;
  - Density;
  - Insufficient lot area; and
  - Landscaping deficiencies.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *Complete Communities Direction Strategy* the proposed development is located on the Henderson Highway Regional Mixed Use Corridor. Our Corridors serve a dual function. On the one hand, they are our primary city routes, connecting neighbourhoods and transporting people, goods and services. And on the other hand, they serve the additional purpose of accommodating a mix of uses, functioning as vibrant urban places for Winnipeggers to live, work and play. Key relevant policies guiding development along Regional Mixed Use Corridors include:
    - Support a range of housing opportunities in terms of type, tenure, unit size.
    - Encourage the transition of development towards the outer edges of each Centre and Corridor that is sensitive to the scale, massing, height, form and character of the surrounding area.
    - Mitigate the potential impacts of new development on neighbouring streets, parks and properties.
    - Where appropriate, develop corridors in accordance with transit-oriented development principles.
- Complete Communities Direction Strategy encourages development and redevelopment of existing commercial businesses along our Corridors as they are ideal locations for transformative change.
- The proposed redevelopment of this property for the construction of a residential/commercial mixed use development fits within the Complete Communities vision of supporting the viability of existing commercial strip, providing a range of goods and services, providing a range of housing options, and contributing to a vibrant and complete community.
- Redevelopment along our Corridors, especially within our mature parts of the city, is always going to be challenging given the size and configuration of lots along those Corridors. Though the proposed redevelopment of this site to include a residential/commercial mixed use development has many variances associated with it, these variances, and their anticipated impact on adjacent uses, are minor in nature.

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.
    - 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.

TRANSPORTATION MASTER PLAN

- St. Anne's Road is identified as a potential quality transit corridor in the City of Winnipeg's Transportation Master Plan that can become the focal points for new development and redevelopment.
- The Quality Corridor concept was introduced in Winnipeg between 2007-2009 and refers to high-performance and high-frequency on-street bus routes that are assisted by transit priority measures (diamond lanes, transit priority signals, queue jump lanes, etc.), and whose major stops are upgraded to include heated shelters, real-time bus departure displays, benches, posted route and schedule information, and other amenities.

ZONING

- The Commercial Community (C2) zoning district is intended to accommodate more intensive commercial sites that do not have a local or neighbourhood orientation. They are intended to also include a residential component if situated above the ground floor.

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- The subject site is located along the St. Anne's Regional Mixed Use Corridor characterized by multi-family, single family and commercial land uses. The commercial uses adjacent to this property are pedestrian oriented in nature and provide little to no front yard setback.
- This type of development fits the current context of the development pattern on St. Anne's Road and reflects the vision for how our Regional Mixed Use Corridors should be developed.

RECOMMENDATION
The Urban Planning Division recommends approval for the following reasons:

- The proposed development is consistent with the policies of the Complete Communities Direction Strategy; and
- The proposed development is located along a Regional Mixed Use Corridor, where higher density housing options in a mixed use development concept are encouraged.

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

Report Prepared By: Richard Mahé, MCIP
PPD File # DASZ 36/2015

Schedule "A" for File No. DASZ 36/2015, Riel Committee, dated November 19, 2015

