Agenda – Council – September 28, 2016

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 20, 2016

Item No. 15 Subdivision and Rezoning – 5715 Roblin Boulevard (Charleswood-Tuxedo-Whyte Ridge Ward) File DASZ 28/2016 [c/r DAV 119343/2016D]

STANDING COMMITTEE RECOMMENDATION:

On September 21, 2016, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That the plan of subdivision under File DASZ 28/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 28/2016 dated September 6, 2016 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into, execute and deliver a Servicing Agreement with the City containing all the conditions outlined in Schedule 'B' the report of the Administrative Coordinating Group dated July 13, 2016.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 28/2016 dated September 6, 2016; Lots 1 and 2 rezoned to "R1-L" Residential Single-Family (Large) District and Lot 3 to be rezoned to the "RMF-S" Residential Multi-Family (Small) District, subject to the following:

    A. That the applicant enter into, execute and deliver 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 freestanding signage 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, landscaping, lighting, bicycle parking and free standing signage to the Director of Planning, Property and Development and the Assiniboia 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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 20, 2016

ii. That the maximum number of dwelling units permitted on Lot 3 shall be six (6).

iii. That a setback of 16.5 feet be established along all property lines of land zoned "RMF-S" to any building or structure on the land.

iv. That any building or structure on site shall be no taller than 32 feet.

v. That a fence be placed around the entire project, namely along the east property line to the property line between proposed Lots 1 and 2 and along the west property line, to mitigate the impact of parking on Shelmerdine Drive, making pedestrian access more difficult to the site.

3. That 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 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.

6. 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.

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 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.

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

12. 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, Heritage and Downtown Development – September 20, 2016

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 21, 2016, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and the Assiniboia Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 20, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 13, 2016, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Amend recommendation 2.A.ii by deleting "seven (7)" and replacing with "six (6)".

- Add recommendation 2.A.v.:

  "That a fence be placed around the entire project, namely along the east property line to the property line between proposed Lots 1 and 2 and along the west property line, to mitigate the impact of parking on Shelmerdine Drive, making pedestrian access more difficult to the site."

and forwarded to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

RE: **Subdivision and Rezoning – 5715 Roblin Boulevard**
File DASZ 28/2016

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

Prepared by: **Destiny Watt, Senior Committee Clerk**
Assiniboia Community Committee

Report date: **September 15, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On September 13, 2016, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the plan of subdivision proposed under File DASZ 28/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 28/2016 dated September 6, 2016 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into, execute and deliver a Servicing Agreement with the City containing all the conditions outlined in Schedule 'B' the report of the Administrative Coordinating Group dated July 13, 2016

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 28/2016 dated September 6, 2016; Lots 1 and 2 rezoned to "R1-L" Residential Single-Family (Large) District and Lot 3 to be rezoned to the "RMF-S" Residential Multi-Family (Small) District, subject to the following:

    A. That the applicant enter into, execute and deliver 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 freestanding signage 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, landscaping, lighting, bicycle parking and free standing signage to the Director of Planning, Property and Development and the Assiniboia 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.

ii. That the maximum number of dwelling units permitted on Lot 3 shall be ~~***seven (7)***~~ ***six (6)***.

iii. That a setback of 16.5 feet be established along all property lines of land zoned " RMF-S" to any building or structure on the land.

iv. That any building or structure on site shall be no taller than 32 feet.

v. That a fence be placed around the entire project, namely along the east property line to the property line between proposed Lots 1 and 2 and along the west property line, to mitigate the impact of parking on Shelmerdine Drive, making pedestrian access more difficult to the site.

3. That 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 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.

6. 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.

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 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.

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

12. 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.

Note: The wording in bold and italics denotes amendments made by the Community Committee.

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

1. Concur with the recommendations of the Planner in the sense that Council has over the years developed a number of policies on infill development and this application falls within those rules, complies with Our Winnipeg, Complete Communities Direction Strategy, Sustainable Transportation, Water and Waste and Sustainable Winnipeg Plan.

2. Recognize that 2 years later this application has been mitigated significantly from the first application.

3. Applicant has done some reasonable work here to make it more compatible with the neighbourhood.

4. Do recognize the concerns of the community but we will try to mitigate the impact of the development on the community.

5. There is a need for this type of housing in Charleswood and this will assist with that.

PUBLIC HEARING SUMMARY

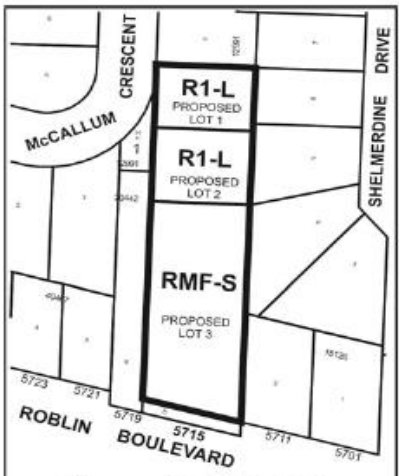
File: DASZ 28/2016

Before: Assiniboia Community Committee
Councillor Morantz, Chairperson
Councillor Dobson
Councillor Gillingham

Public Hearing: September 13, 2016
Council Building, 510 Main Street

Applicant: Timothy Seniuk

Subject:



Premises Affected: 5715 Roblin Boulevard

Exhibits Filed:

1. Application dated May 16, 2016
2. Notification of Public Hearing dated May 30, 2016
3. Manitoba Status of Title 1264351/1
4. Letter of authorization dated March 31, 2016 from Patricia Seniuk to Timothy Seniuk
5. Plans (2 pages)
6. Report from the Urban Planning Division dated September 6, 2016
7. Inspection Report
8. Communication dated September 10, 2016 from Karen Owzarek, in opposition to the application
9. Petition in opposition to the application purporting to contain the signatures of 29 area residents submitted by Ron Ledrook on September 12, 2016
10. Communication received on September 12, 2016 from Brett and Laura Woodman, in opposition to the application submitted by Ron Ledbrook
11. Communication received on September 12, 2016 from Nick and Penny Masniuk, in opposition to the application submitted by Ron Ledbrook
12. Communication received on September 12, 2016 from Jan Stewart, Ross, Jack and Hana Dunlop, in opposition to the application submitted by Ron Ledbrook
13. Communication received on September 12, 2016 from Cathryn, Ryan and Abbie Nykvist, in opposition to the application submitted by Kathy and Ron Ledbrook
14. Communication received on September 12, 2016 from Clare, Eric and Anne Nugent, in opposition to the application submitted by Ron Ledbrook
15. Communication received on September 12, 2016 from Angela, Kenneth, Ella Marquart and Alexander Marquart, in opposition to the application submitted by Ron Ledbrook
16. Communication received on September 12, 2016 from Kelly and Francois Lalonde, in opposition to the application submitted by Ron Ledbrook
17. Communication received on September 12, 2016 from Steven Moore and Brandy Callahan, in opposition to the application submitted by Ron Ledbrook
18. Communication received on September 12, 2016 from Lyndon and Kevin Walker, in opposition to the application submitted by Ron Ledbrook
19. Communication received on September 12, 2016 from Sam, Josh, Rod and J. Berscheid, in opposition to the application submitted by Ron Ledbrook

20. Communication received on September 12, 2016 from Linda, Peter, Ryan and Allison Janzen, in opposition to the application submitted by Ron Ledbrook
21. Communication received on September 12, 2016 from Gary and Karen McIntyre, in opposition to the application submitted by Ron Ledbrook
22. Communication received on September 12, 2016 from Alana, James and Alora Meyer, in opposition to the application submitted by Ron Ledbrook
23. Communication received on September 12, 2016 from Lisa and Parakrama Fernando, in opposition to the application submitted by Ron Ledbrook
24. Communication received on September 12, 2016 from Andrew Urbanowicz and Neta Friesen, in opposition to the application submitted by Ron Ledbrook
25. Communication received on September 12, 2016 from Deb, Rudy, Alanna and Shelby Kessen, in opposition to the application submitted by Ron Ledbrook
26. Communication received on September 12, 2016 from Fran, Frank and James Renouf, in opposition to the application submitted by Ron Ledbrook
27. Communication received on September 12, 2016 from Rob Lipps, in opposition to the application submitted by Ron Ledbrook
28. Communication received on September 12, 2016 from Rebecca Tardiff and Wade Biggin, in opposition to the application submitted Ron Ledbrook
29. Communication received on September 12, 2016 from Ron and Jennifer Ledbrook, in opposition to the application submitted by Ron Ledbrook
30. Communication received on September 12, 2016 from Kathy Ledbrook, in opposition to the application submitted by Ron Ledbrook
31. Communication received on September 12, 2016 from Ken Deyell, in opposition to the application submitted by Ron Ledbrook
32. Communication received on September 12, 2016 from Mariah Nugent and Brady Svencicki, in opposition to the application submitted by Ron Ledbrook
33. Communication received on September 12, 2016 from Teena, Mike, Haley, Jack and Danny Sheptycki, in opposition to the application submitted by Ron Ledbrook
34. Communication received on September 12, 2016 from Bonnie and Ken Grahame, in opposition to the application submitted by Ron Ledbrook

35. Communication received on September 12, 2016 from Carolyn Alberti, in opposition to the application submitted by Ron Ledbrook
36. Communication received on September 12, 2016 from Linda Taylor, in opposition to the application submitted by Ron Ledbrook
37. Communication received on September 12, 2016 from Barb and Jim Thiessen, in opposition to the application submitted by Ron Ledbrook
38. Communication received on September 12, 2016 from Dianne Thompson, in opposition to the application submitted by Ron Ledbrook
39. Communication received on September 12, 2016 from Louise and Madis Paas, in opposition to the application submitted by Ron Ledbrook
40. Communication received on September 12, 2016 from Adele and Dale Stiles, in opposition to the application submitted by Ron Ledbrook
41. Communication received on September 12, 2016 from Ken Bramadat, in opposition to the application submitted by Ron Ledbrook
42. Communication received on September 12, 2016 from Tina, Derek, Katie Bramadat and Jamie Da Silva, in opposition to the application submitted by Ron Ledbrook
43. Communication received on September 12, 2016 from Heather and Peter Lacoursiere, in opposition to the application submitted by Ron Ledbrook
44. Communication received on September 12, 2016 from Scott Funk and Kathryn Burzynski, in opposition to the application submitted by Ron Ledbrook
45. Communication received on September 12, 2016 from Gerald Owzarek, in opposition to the application submitted by Ron Ledbrook
46. Communication received on September 12, 2016 from Karen Owzarek, in opposition to the application submitted by Ron Ledbrook
47. Communication received on September 12, 2016 from Amanda Korppi, in opposition to the application submitted by Ron Ledbrook
48. Communication received on September 12, 2016 from Nicole Larchuske, in opposition to the application submitted by Ron Ledbrook
49. Communication received on September 12, 2016 from Laura Sonin, in opposition to the application submitted by Ron Ledbrook

50. Communication received on September 12, 2016 from Frennie Coronado, in opposition to the application submitted by Ron Ledbrook
51. Communication received on September 12, 2016 from Lauren Arnason and Laura Lindal, in opposition to the application submitted by Ron Ledbrook
52. Communication received on September 12, 2016 from Faye and David Schmidt, in opposition to the application submitted by Ron Ledbrook
53. Communication received on September 12, 2016 from Dawn, Ed, Bryanne and Drema Lameg, in opposition to the application submitted by Ron Ledbrook
54. Communication received on September 12, 2016 from Ming, Ada, Amy and Andy Wong and Xici Van, in opposition to the application submitted by Ron Ledbrook
55. Communication received on September 12, 2016 from Marcelle and Verne Sheldon, in opposition to the application submitted by Ron Ledbrook
56. Communication received on September 12, 2016 from Alan, Robin, Cody and Abby Crosbie, in opposition to the application submitted by Ron Ledbrook
57. Communication received on September 12, 2016 from Maggie Kopp, in opposition to the application submitted by Ron Ledbrook
58. Communication received on September 12, 2016 from Milton Graham, in opposition to the application submitted by Ron Ledbrook
59. Communication received on September 12, 2016 from Manuel Munoz-Rangel, in opposition to the application, submitted by Ron Ledbrook
60. Communication received on September 12, 2016 from Adele and E. Schaffer, in opposition to the application submitted by Ron Ledbrook
61. Communication received on September 12, 2016 from Darren James, in opposition to the application submitted by Ron Ledbrook
62. Communication received on September 12, 2016 from Jean Uhryn, in opposition to the application submitted by Ron Ledbrook
63. Communication received on September 12, 2016 from Sandra and John Fritz, in opposition to the application submitted by Ron Ledbrook
64. Communication received on September 12, 2016 from Robert and Elizabeth Amborsky, in opposition to the application submitted by Ron Ledbrook

65. Communication received on September 12, 2016 from Dan and Joan Tremblay, in opposition to the application submitted by Ron Ledbrook
66. Communication received on September 12, 2016 from Blaine Prokopchuk and Kathryn Francey, in opposition to the application submitted by Ron Ledbrook
67. Communication received on September 12, 2016 from Parker Stephenson, in opposition to the application submitted by Ron Ledbrook
68. Communication received on September 12, 2016 from R. Dettman, in opposition to the application submitted by Ron Ledbrook
69. Communication received on September 12, 2016 from Joan Todd, in opposition to the application submitted by Ron Ledbrook
70. Communication received on September 12, 2016 from Brendan and Linda Dowling submitted by Ron Ledbrook
71. Communication received on September 12, 2016 from Traci and Perry Stephenson, in opposition to the application submitted by Ron Ledbrook
72. Communication received on September 12, 2016 from Carmine Scarpino, in opposition to the application submitted by Ron Ledbrook
73. Communication received on September 12, 2016 from Delores Freiter-Siemens, Jason and Rachel Siemens, in opposition to the application submitted by Ron Ledbrook
74. Communication received on September 12, 2016 from Pat and Margje Barter-Cook, in opposition to the application submitted by Ron Ledbrook
75. Communication received on September 12, 2016 from Gerald and Lynda Buchanan, in opposition to the application submitted by Ron Ledbrook
76. Communication received on September 12, 2016 from Catalena Birek and Michael Mowat, in opposition to the application submitted by Ron Ledbrook
77. Communication received on September 12, 2016 from Ron, Renata and Christian Peterson, in opposition to the application submitted by Ron Ledbrook
78. Recording of Representations of public hearing held on September 13, 2016
79. Handout of the Map of Vacant Land, in support of the application submitted by Matthew Nicolas at the public hearing
80. Conceptual Landscape Plan sheet, in support of the application submitted by Jackie Wilkie at the public hearing

81. Presentation on Roblin Grove Condominiums, in opposition to the application submitted by Kathy Ledbrook
82. Pictures of Proposed Multi-Family Townhouses at 5715 Roblin Boulevard, in support to the application submitted by Bryan Mansky
83. Petition in support of the application purporting to contain the signatures of 75 area residents submitted by Bryan Mansky at the public hearing

REPRESENTATIONS:

In Support:

Ron Boyce
Phil Dlot
JJ La Berge
Jack La Berge
Brian Mansky
Jordan Mansky
Maico Alexandro Baptiste Medeiros
Matthew Nicolas
Gordon Penner
Carl Prepcost
Patricia Seniuk
Chelsea Seniuk
Tim Seniuk
Alyssa Seniuk
Courtney Seniuk
Susan Steppler
Dennis Steppler
Jackie Wilkie

In Opposition

Carolyn Alberti
Elizabeth Amborsky
Robert Amborsky
Lauren Arnason
Margje Christina Barter-Cook
Pat Barter-Cook
J. Berscheid
Jennifer Berscheid
Josh Berscheid
Rod Berscheid
Sam Berscheid
Wade Biggin
Catalena Birek
Derek Bramadat
Katie Bramadat
Ken Bramadat
Tina Bramadat
Gerald Buchanan
Kenneth Marquart
Nick Masniuk
Penny Masniuk
Gary McIntyre
Karen McIntyre
Alana Meyer
Alora Meyer
James Meyer
Steven Moore
Michael Mowat
Manuel Munoz-Rangel
Anne Nugent
Clare Nugent
Eric Nugent
Mariah Nugent
Abbie Nykvist
Cathryn Nykvist
Ryan Nykvist

Lynda Buchanan
Kathryn Burzynski
Brandy Callahan
Frennie Coronado
Abby Crosbie
Alan Crosbie
Cody Crosbie
Robin Crosbie
Jamie Da Silva
R. Dettman
Ken Deyell
Brendan Dowling
Linda Dowling
Hana Dunlop
Jack Dunlop
Ross Dunlop
Lisa Fernando
Parakrama Fernando
Kathryn Francey
Delores Freiter-Siemens
Neta Friesen
John Fritz
Sandra Fritz
Scott Funk
Milton Graham
Bonnie Grahame
Ken Grahame
Derek Harrison
Darren James
Allison Janzen
Linda Janzen
Peter Janzen
Ryan Janzen
Alanna Kessen
Deb Kessen
Rudy Kessen
Shelby Kessen
Maggie Kopp
Amanda Korppi
Heather Lacoursiere
Peter Lacoursiere
Francois Lalonde
Kelly Lalonde
Bryanne Lameg
Dawn Lameg
Drema Lameg
Edith O'Connor
Gerald Owzarek
Karen Owzarek
Karen Owzarek
Louise Paas
Madis Paas
Christian Peterson
Renata Peterson
Ron Peterson
Blaine Prokopchuk
Fran Renouf
Frank Renouf
James Renouf
Carmine Scarpino
Adele Schaffer
E. Schaffer
David Schmidt
Faye Schmidt
Marcelle Sheldon
Verne Sheldon
Danny Sheptycki
Haley Sheptycki
Jack Sheptycki
Mike Sheptycki
Teena Sheptycki
Jason Siemens
Rachel Siemens
Laura Sonin
Parker Stephenson
Perry Stephenson
Traci Stephenson
Jan Stewart
Adele Stiles
Dale Stiles
Brady Svencicki
Rebecca Tardiff
Linda Taylor
Barbara Thiessen
James Thiessen
Dianne Thompson
Joan Todd
Dan Tremblay
Joan Tremblay
Jean Uhryn
Andrew Urbanowicz
Xici Van

Ed Lameg
Nicole Larchuske
Jennifer Ledbrook
Kathy Ledbrook
Ron Ledbrook
Laura Lindal
Rob Lipps
Wayne Lucas
Alexander Marquart
Angela Marquart
Ella Marquart
Katrina Van Vliet
Kevin Walker
Lyndon Walker
Ada Wong
Amy Wong
Andy Wong
Ming Wong
Brett Woodman
Laura Woodman
Jeanne Wright

For Information:

Darlene Boettcher
Terry Boettcher

For the City:

Mr. D. Clark, Planner, Urban Planning Division, Planning, Property and Development Department
Mr. R. Hayer, Urban Planning Division, Planning, Property and Development Department
Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department

Exhibit "6" for File DASZ 28/2016

ADMINISTRATIVE REPORT

Title: DASZ 28/16 – 5715 Roblin Blvd

Issue: For consideration at the Public Hearing to subdivide the parcel of land at 5715 Roblin Blvd into three (3) lots. Lots 1 and 2 are planned to be rezoned to "R1-L" Residential Single-Family Large and Lot 3 to be rezoned to "RMF-S" Residential Multi-Family Small.

Critical Path: Assiniboia 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 28/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 28/2016 dated September 6, 2016 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into, execute and deliver a Servicing Agreement with the City containing all the conditions outlined in Schedule 'B' the report of the Administrative Coordinating Group dated July 13, 2016

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 28/2016 dated September 6, 2016; Lots 1 and 2 rezoned to "R1-L" Residential Single-Family (Large) District and Lot 3 to be rezoned to the "RMF-S" Residential Multi-Family (Small) District, subject to the following:

    A. That the applicant enter into, execute and deliver 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 freestanding signage 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, landscaping, lighting, bicycle

parking and free standing signage to the Director of Planning, Property and Development and the Assiniboia 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.

ii. That the maximum number of dwelling units permitted on Lot 3 shall be seven (7).

iii. That a setback of 16.5 feet be established along all property lines of land zoned "RMF-S" to any building or structure on the land.

iv. That any building or structure on site shall be no taller than 32 feet.

3. That, 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 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.

6. 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.

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 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.

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

12. 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 intends to subdivide the existing parcel at 5715 Roblin Blvd, which is currently zoned “R1-E” Residential Single-Family – Estate into three (3) lots and rezone Lots 1 and 2 to the “R1-L” Residential Single Family - Large District and Lot 3 to “RMF-S” Residential Multi-Family - Small District.
- Subdivision and 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 subject land will be subdivided into three lots. Lots 1 and 2 will be rezoned to the “R1-L” Residential Single Family – Large district and Lot 3 will be rezoned to the “RMF-S” Residential Multi Family – Small District.

HISTORY

- On April 3rd, 2013, an Open House was held at Roblin Community Centre to seek input on a proposed multi-family development at 5715 Roblin Blvd. At that time, the proposed development consisted of two (2) multiple family buildings, totaling 32 units (building height - 36 ft.).

- 19 residents from the area attended the Open House. Several concerns were raised including that the development:
    - Was too big
    - Was too high
    - Will spoil views out windows and back yards
    - Would have too many people
    - Would have too many cars
    - Parking on north end of lot would shine headlights at night into neighbours homes
    - Don’t want the trees cut down for construction.

- As a result of the findings, the proposal was scaled back in an attempt to address several of the concerns.

- A second Open House was held on Wednesday, April 23rd, 2014 at the Charleswood Legion Branch 100 from 4pm to 7pm. At the Open House a modified site plan was presented that attempted to address the concerns raised at the previous open house.

- The Open House was advertised by the following methods:

- Open House Advertisement – Canstar – ad ran on April 16th, 2014.
- Flyer Drop in 78 adjacent street mailboxes: Roblin (11 houses); Sandy Cove (5); Shelmerdine (8); McCallum (27); Elmvale (27).
- Social Media – Web site 'www.5715Roblin.com' went live on April 30th, 2014 to co-inside with 'Thank You' advertisement in Canstar on the same day. The web site is designed to provide information and seek feedback from the project's second concept. The Revised Concept Open House Boards are posted to the web site.
- Twitter – Open House Event was tweeted on April 23rd @RW_Associates and @jwinUP and hashtag #Charleswood #ourwinnipeg, #winnipeg
- Thank You Advertisement – An advertisement in the Canstar Newspaper was printed on April 30th, 2014 that solicited further feedback via www.5715Roblin.com .

- Open House Attendance – 34 attendees – 22 surveys filled out

- Some comments provided were related to the maintenance of trees and buffering between properties, building height and parking. Generally the proposal was not supported by the open house attendees.

- January 13, 2015 – The Assiniboia Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development that the application for subdivision and rezoning under File DASZ 20/2014 [c/r DAV 136813/2014D] be rejected.

- April 29, 2015 - Council concurred in the recommendation of the Assiniboia Community Committee that the application for subdivision and rezoning under File DASZ 20/2014 [c/r DAV 136813/2014D] be rejected.

CONSULTATION

In preparing this Report there was internal consultation with:

- Public Works
- Water and Waste
- Winnipeg Fire and Paramedic Services
- Transit

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Devin Clark
Date:	September 6, 2016
File No.	DASZ 28/16

List of Schedules and Attachments

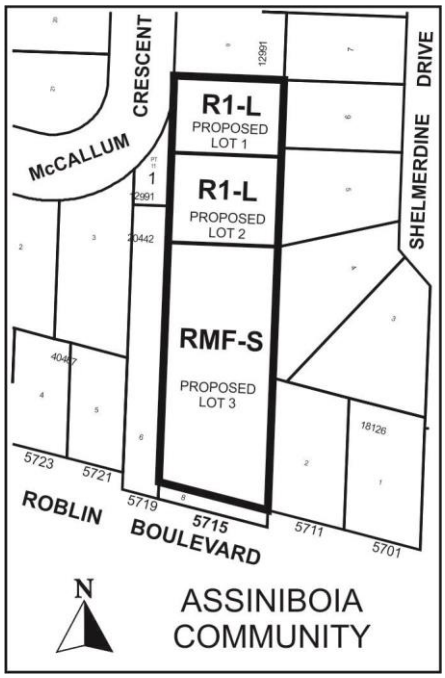
1. Appendix A – Planning Discussion
2. Schedule “A” – Recommended File No. DASZ 28/16 Assiniboia Community Committee, dated September 6, 2016
3. Schedule “B” – Report of the Administrative Co-ordinating Group – July 13, 2016
4. Appendix B – Mail outs – Information Package

APPENDIX 'A'

DATE: September 6, 2016
FILE: **DASZ 28/16**
RELATED FILES: DAV 16-119343\D
COMMUNITY: Assiniboia
NEIGHBOURHOOD #: 2.627

SUBJECT: To subdivide the parcel of land on 5715 Roblin Blvd into three (3) lots. Lots 1 and 2 to be rezoned to "R1-L" Residential Single-Family Large and Lot 3 to be rezoned to "RMF-S" Residential Multi-Family Small.

LOCATION: 5715 Roblin Blvd
LEGAL DESCRIPTION: LOT 7 PLAN 20442 51/59 ST C



APPLICANT: Tim Seniuk
5715 Roblin Blvd.
WINNIPEG MB R3R 0GB

OWNER: Patricia Seniuk
5715 Roblin Blvd.
WINNIPEG MB R3R 0G8

RECOMMENDATION: Approval, with conditions

SITE DESCRIPTION

- The subject property is located on the north side of Roblin Blvd in the Southboine Neighbourhood of the Charleswood-Tuxedo – Whyte Ridge ward.
- The subject property is 38,071 sq. ft.
- Existing on the property is a one-storey dwelling, situated on proposed Lot 2 and has a living area of 1,430 sq. ft.
- The site is within the Areas of Stability – Recent Communities Policy Area under the Complete Communities Direction Strategy. The property is currently zoned “R1-E” Residential Single-Family Estate.



Figure 1: Site map of subject property and surrounding neighbourhood (flown 2016)

SURROUNDING ZONING & USES (See Figure 2)

North: Residential uses zoned “R1-L” Residential Single-Family Large

South: Roblin Blvd., then residential uses zoned “R1-L” Residential Single-Family Large.

East: Residential uses zoned “R1-L” Residential Single-Family Large

West: Residential uses zoned “R1-E” Residential Single-Family Estate.

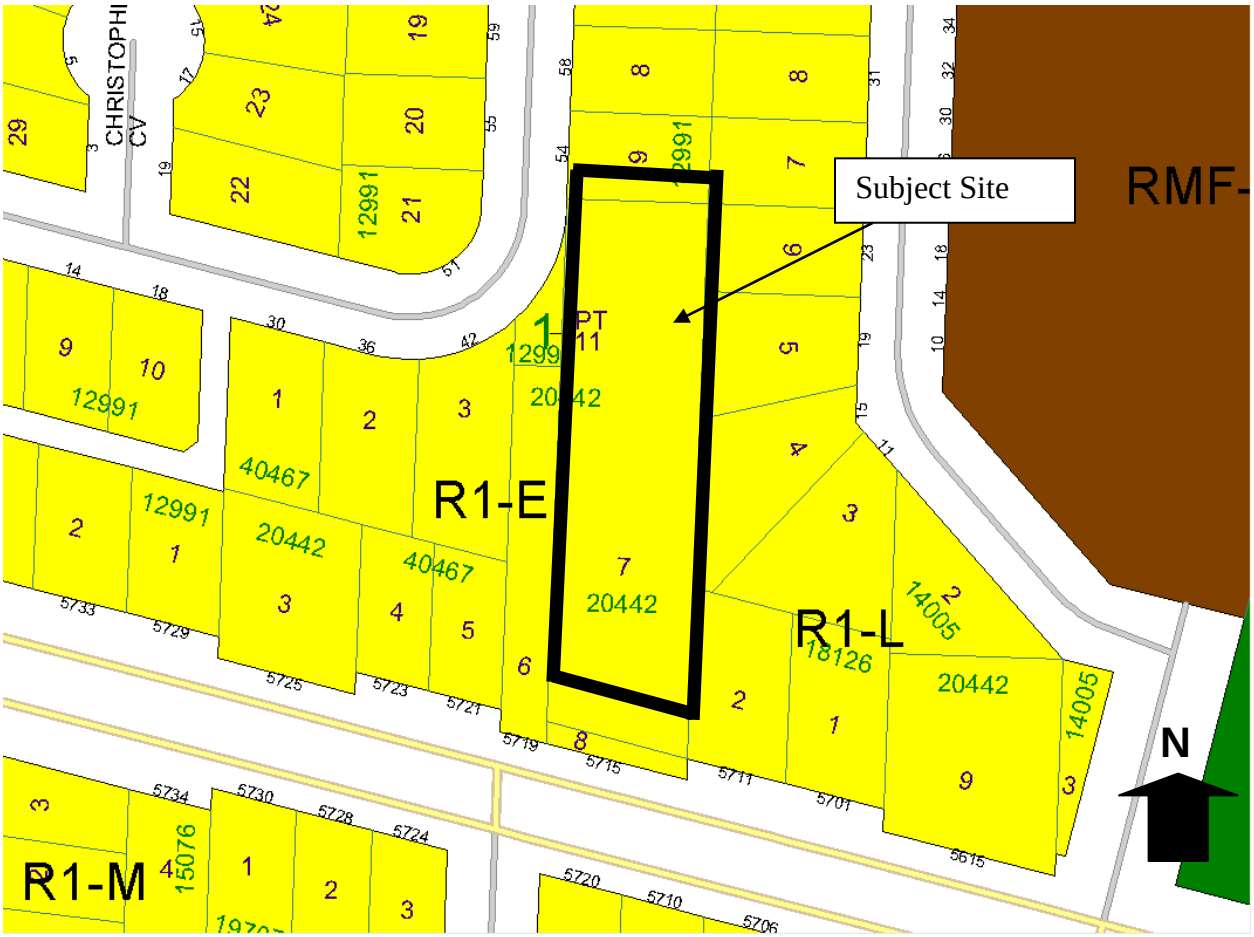


Figure 2: Zoning map of subject property and surrounding neighbourhood

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to subdivide the subject property which is currently zoned “R1-E” Residential Single-Family – Estate into three (3) lots. Lots 1 & 2 are to be rezoned to the “R1-L” Residential Single Family - Large District and Lot 3 to be rezoned to the “RMF-S” Residential Multi Family - Small District.
- The applicant is proposing to build a two storey single-family dwelling on proposed Lot 1 while the existing single-family dwelling on proposed Lot 2 will remain.
- Proposed Lot 1 is to have a lot area of 7,000 square feet and proposed Lot 2 is to have a lot area of 8,170 square feet.
- The wood deck on the north side of the existing house is to be removed from the house on Lot 2.
- Access to proposed Lots 1 and 2 would be from McCallum Crescent. Approaches will require the applicant to enter into a cross access agreement with the City.

- On Lot 3 the applicant is proposing to establish a 23,830 square foot lot. The applicant indicates that seven (7) units in a walk up town house style will be constructed.
- According to the applicant the townhouses will be 32 feet in height. Units will range between 1,600 to 1,800 square feet. Two (2) parking stalls are to be provided for each unit, with one indoor stall and one external, wheelchair accessible stall.
- Four visitor parking spaces have been included in the current version of the plan.
- Vehicle access to the townhouse units will be restricted to a private driveway fronting onto Roblin Blvd.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY:

- Under the *Complete Communities Direction Strategy* the proposed development is within the Areas of Stability – Recent Communities policy area. With regard to this proposal, the key policies guiding the development of 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.
    - Provide clarity and promote compatibility between existing developments and new developments through design and development standards, such as the creation of Infill Development Guidelines for Multiple-Family Developments in Low Density Neighbourhoods.
    - Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
    - Encourage intensification to occur at centres and along corridors.
    - 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.
    - Support the subdivision of a parcel of land into two or more lots when it is done in a context sensitive manner.
- Infill development is discussed within the Recent Communities introduction under the *Complete Communities Direction Strategy,* that states*:*
    - Recent Communities can also accommodate some infill development to increase housing choice, increase options for ‘aging in place’, and to maximize the use of existing infrastructure.

- In many cases, public transit service can be enhanced to better connect adjacent neighbourhoods. Additionally, there is an opportunity to create better pedestrian connections across arterial roads between neighbourhoods. Creating better connection through and between these neighbourhoods will help to make these neighbourhoods more complete over time.

ZONING

Current Zoning

- **"R1-E" Residential Single-Family District**
  The residential single-family district is intended to accommodate primarily single-family residential development in lower-density neighbourhood.

Proposed Zoning

- **R1-L Residential Single-Family Large District** is intended to accommodate primarily single-family residential development in lower-density neighbourhoods. Dimensional Standards are as follows:

Zoning District	Minimum Lot Area (Sq. Ft.)	Minimum Lot Width (Ft.)	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Side Yard (Ft.)	Minimum Reverse Corner Street Side Yard (Ft.)	Maximum Height of Building (Ft.)	Maximum Lot Coverage (%)
R1-L	5,500	25	20	25	4	10	35	40

- **RMF-S Residential Multi-Family-Small District** is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities. Dimensional Standards are as follows:

Zoning District	Minimum Lot Area (Sq. Ft.)	Minimum Lot Area Per Dwelling Unit (Sq. Ft.)	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Interior Side Yard (Ft.)	Minimum Corner Side Yard (Ft.)	Principal Building Separation	Maximum Building Height (Ft.)
RMF-S	9,000	1,250	20	25	4	5	8	35

Associated Variances

- The applicant has applied for five (5) variances associated with the subdivision and rezoning. The variances are as follows:

  1) for the establishment of three (3) residential lots to permit:

  a) On proposed Lot 1, a lot area of 7000 square feet (650.32 square metres) instead of 8941 square feet (830.65 square metres);

b) On proposed Lot 2, a lot area of 8170 square feet (759.02 square metres) instead of 8941 square feet (830.65 square metres);

c) no frontage on a public street for Lots 1 and 2 (access will be by way of a cross-access agreement);

2) for the maintenance of a single family dwelling and attached garage on proposed Lot 2 to permit:

a) a front yard of 7.9 feet (2.41 metres) instead of 22 feet (6.71 metres);

b) a south side yard eave projection of 3.1 feet (0.94 metres) instead of 1 foot (0.30 metres).

COMPATIBILITY WITH THE SURROUNDING AREA

Proposed Lots 1 and 2

- The applicant is proposing to establish two single-family residential lots to be rezoned to the "R1-L" Residential Single Family- Large. Proposed Lot 1 is to have a lot area of approximately 7,000 square feet and proposed Lot 2, a lot area of approximately 8,170 square feet. "R1-L" is the predominant zoning district in the area and the proposed lot sizes are consistent within the existing context of the neighbourhood. For example: 54, 58, 62 McCallum have lot areas of 6,100 square feet. 23 and 27 Shelmerdine Drive have lot areas of approximately 6,800 square feet.
- The proposed lots require variances for lot area based on the Special Boundary Condition calculation, which takes into consideration the average lot area of adjacent R1 zoned properties. The properties used in this calculation show the average lot area to be greater than the proposed lot areas; however, the Urban Planning Division believes that the lots used in the calculation do not represent the typical lot size in the immediate area. For example, the lot immediately to the west of the subject property, 42 McCallum Cres., is 10,210 square feet and is the largest property on the block. Additionally, 15 and 19 Shelmerdine Drive are also larger properties that are more "pie-shaped" as they fall along a curve in the road, resulting in lot sizes that are greater than most lots on Shelmerdine Drive. These lots bring up the average for the area calculation, though they do not ultimately represent the typical lot size in the area.
- Because proposed Lots 1 and 2 are consistent with the typical lot area of properties in the immediate vicinity, the Urban Planning Division is supportive of the proposed subdivision and rezoning to the "R1-L" Zoning District.

Proposed Lot 3

- When this project was originally brought forward to the January 13, 2015 Assiniboia Community Committee Public Hearing, under file DASZ 20/2014, the Urban Planning Division assessed the merits of the project in terms of how it related to the policies within The *Complete Communities Direction Strategy*. Discussion points brought up in the public hearing by area residents provided additional information with regard to their perceptions of how the project "fit" within the existing community context. Some of the issues that were raised at that public hearing included:
    - The effect of multi-family residential development on adjacent single-family residential dwellings;
    - The loss of natural features and buffering;
    - Traffic/Parking
    - Height of buildings;

- The Urban Planning Division has made efforts to work with the applicant to alter the design of the site in a manner that helps resolve or mitigate some of the issues that were addressed at the previous public hearing. The following sections provide further discussion on these issues and aims to clarify how the proposed development aligns policy direction and within the community context.

<u>Multi-family Dwellings in a Primarily Single Family Neighbourhood</u>

The subject property falls within the Areas of Stability policy area of the '*Complete Communities Direction Strategy.'* Areas of Stability will accommodate low to moderate density infill development to support more efficient use of land, infrastructure and services as well as enhance housing choice and affordability.

- Policies in *Complete Communities* that broadly apply to site selection and encouragement of a variety of housing types include:
    - Encourage intensification to occur at centres and along corridors.
    - Focus housing growth to areas that have municipal service capacity to support intensification, in addition to commercial and recreational amenities.
    - 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.
    - Provide opportunities to increase multi-modal connectivity when redevelopment occurs.

- The Charleswood community is predominantly characterized as a low density, single-family residential neighbourhood. A review of 2011 census data indicates that 69.8% of dwellings in Charleswood are single family and 30.2% of dwellings are multifamily units. While single-family dwellings are the most common form of housing in the area, there are examples of multi-family residential uses as well. Some of these examples that are in close proximity to the subject site include:
    - 5445 Roblin Blvd. – has 65 units on a lot that is 4.5 acres. The lot area per dwelling unit calculation is 3,015.7 square feet of lot per unit.
    - 10 Shelmerdine Drive – has 188 units on a property that is 13.4 acres. The lot area per dwelling unit calculation is 3,104.8 square feet of lot per unit.
    - 100-120 Scotswood Drive – Fronting directly onto Roblin Blvd. this development has 74 units on a lot that is approximately 2.87 acres in size. The lot area per dwelling unit calculation is 1,688 square feet of lot per unit.
    - 4314 Grant Avenue – Fronting directly onto Grant Ave., this development has 50 units on 3.405 acres (148,335 square feet). The lot area per dwelling unit is 2,966.7 square feet of lot per unit.
- By comparison, the proposed development at 5715 Roblin Blvd. is to be 7 units on a lot that is 23,830 square feet. The lot area per dwelling unit is calculated at 3,404.28 square feet. In terms of density, the proposed development is comparable to the developments at 5445 Roblin Blvd., 10 Shelmerdine Dr., and 4314 Grant Avenue.
- The proposed development is also comparable to some of the existing multi-family developments in the area in that it fronts directly onto an arterial corridor (Grant Avenue or Roblin Blvd).
- Broadly speaking, multi-family residential development is encouraged in communities such as Charleswood, in accordance with policies outlined in *Complete Communities* as it can provide diverse and high quality housing stock; it helps meet the full life cycle of housing needs and provides opportunity to increase multi-modal connectivity when redevelopment occurs. Intensification along corridors is encouraged because, among other benefits, it promotes a form of development that improves walkability to amenities; improves access to transit as a means of transport; and, typically minimizes impacts on adjacent, lower density uses. That being said, the subject site and proposed development present some challenges with regard to establishing a compatible design. The following section provides further discussion on compatibility from a site and building design perspective.

<u>Architectural Massing, Building Setbacks and Buffering</u>

- Policies in *Complete Communities* that are more site specific and building design related include:

- Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complementary to the existing scale, character and built form.
- Provide clarity and promote compatibility between existing developments and new developments through design and development standards, such as the creation of Infill Development Guidelines for Multiple-Family Developments in Low Density Neighbourhoods.
- Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
- Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.

- The Urban Planning Division has had discussions with the applicant about concerns from the previous proposal and the applicant has worked with the Planning Division to address some of these concerns.
- Proposed changes include:
    1. Reducing the number of units on site – The applicant submitted a site plan with the current application that proposed 8 units instead of the 9 units under the previous application. Working with the applicant, the Urban Planning Division encouraged the design to incorporate larger yard setbacks from the property line. In doing so, it was determined that removing one of the units from the townhouses along the northern portion of the site would help. As such, the new plans submitted with this application propose 7 units instead of 9 units under the previous application.
    2. Providing additional parking on site – The applicants have reduced the number of units and thus the amount of parking that will be required on site, while providing additional visitor parking stalls. 4 visitor stalls are proposed on the revised plans. 11 parking stalls are required under the Zoning By-law and the revised plans indicate there will be 18 stalls available on site.
    3. Providing greater setbacks from the property lines – With the reduction of units down to 7, there is sufficient space on site to accommodate greater setbacks than the previous application. With the original submission, yard setbacks were proposed to be 14 ft. from the west side and 6 ft. from the east side. The plans now indicated that the setback from the west property line will be 16.5 feet and from the east property line, 15.6 feet.

       Previous plans also included a variance for a reduced rear yard to allow 20 feet instead of 25 feet. The site plan has been modified so that this variance is no longer required.
    4. Lighting – Ensuring that lighting on site is defused and oriented downward in a manner that will not spill over onto adjacent properties. The applicant has

indicated that lighting on site will be no more than 10 feet in height. This will be reviewed and confirmed through the plan approval process.

5. Landscaping – That substantial landscaping is to be incorporated into all yard setbacks to mitigate visibility and noise of the development from existing properties. The applicant is currently working on a landscaping plan with a professional designer. At the time of writing this report, the updated landscape plans have not been reviewed by the Urban Planning Division.

- In addition to these changes, the proposed development has been reviewed against the City of Winnipeg's Draft Infill Guidelines. The following is a discussion of the design guidelines and how the proposed development aligns with it.

Infill Guidelines

- In 2008, the Urban Planning Division produced infill development guidelines to help inform the design of multiple-family developments. While they have not been endorsed by Council and therefore cannot be considered as a policy direction, they are an articulation of design considerations to inform the Urban Planning Division's review.

- The infill guidelines for multiple family dwellings identify a number of considerations one should make when developing multi-family dwellings in predominantly single family residential neighbourhoods. Some of the relevant considerations include:

  2.2.2 Building Setbacks

  i) where the proposed infill building does not exceed the maximum allowable height for the existing adjacent zoning district, maintain the minimum (or greater) allowable side yard setback for that adjacent, existing zoning district.

- The adjacent zoning district allows a maximum height of 35 feet, which is the same as the proposed "RMF-S" zoning district. According to the infill guidelines the proposal meets this intent by establishing side yards that are greater than the minimum allowable side yards for the R1-L zoning district, which is four feet. However, the Urban Planning Division has recommended that the side yard setbacks should be increased to a minimum of 16.5 feet from the adjacent property lines in order to address concerns raised during the previous application as well as ensure adequate space for landscape buffering as recommended under section 2.2.4 of the Infill Guidelines, identified below.

  2.2.4 Site Characteristics

  i) the design of the development should take into consideration specific site conditions such as significant natural, historical and cultural elements, open space, locations at intersections and significant views where such elements and views are already evident and the values placed on them are broadly understood.

  ii) Preserve established, healthy, and mature landscape including mature trees where beneficial to the project and viable. Replace with new if removal is necessary and

unavoidable. Protect existing established, healthy and mature landscape that is to be preserved.

- The applicant has informed the Urban Planning Division that they are working on a landscaping plan that will utilize quality species that are capable of providing sufficient buffering and naturalization to the site. At present, the Urban Planning Division has not had an opportunity to review these plans.

Building Height

- The infill guidelines do not specifically address height, but rather focus on setbacks in order to relieve any impacts from the new development on existing housing. The Urban Planning Division has considered the height of the buildings and acknowledges that it was an issue of concern from the previous hearing.
- Based on approximate calculations, the building heights of existing dwellings in the area appear to range between about 16 and 27 feet in height. The proposal for the townhouses to be 32 feet in height would make it the tallest building in the immediate area.
- The Urban Planning Division has expressed the idea to the applicant that the townhouses should blend into the natural environment, and become minimally visible from the surrounding properties. Greater yard setbacks will allow for more landscaping to be planted along the property lines and may be able to adequately screen the townhouses and limit visibility of taller portions of the building. At this point, the applicant is working on a landscaping plan with a professional designer, which has not been reviewed by the Urban Planning Division.

TRANSPORTATION

Section 2.2.1 of the Infill Guidelines speaks to site selection considerations:

i) Encourage development along streets with sufficient capacity to accommodate the anticipated traffic generated by the development. For example, medium-density, multiple family infill housing that has the potential to generate a significant volume of vehicular traffic should be located on Arterial or Collector Streets to minimize the potential for traffic impact on Local Streets.

ii) Encourage development on sites with reasonable access to Transit, active transportation pathways, public green space and other public services and amenities.

Access

- The proposed development will allow access to the townhouses from Roblin Blvd. and restrict access from McCallum Crescent. As a result, vehicle traffic associated with the townhouses will be limited to an approach from Roblin Blvd.

- As a condition of the ACG report, the Public Works Department has identified that the approach to the site should be located at the east side of the property, in roughly the same location as the current approach to the site. Since the original proposal for the site, the access to Lot 3 has been modified to address this requirement.

Vehicle Counts

- The City of Winnipeg Public Works Transportation Division Engineers have reviewed the proposed development of the 7 unit, townhouse multiple family project and have determined;
    1. The proposal will generate approximately 41 new vehicle trips per day,
    2. Of those trips there will be approximately 3.08 vehicle trips generated at the peak morning period and 3.64 trips generated at the peak evening period,
    3. Public Works does not expect traffic operating or safety concerns to result from the proposed development.
- The Public Works Department typically requests a transportation impact study whenever a proposed development will generate 100 or more new peak direction auto trips to or from the site during the adjacent roadway's peak hour or the development's peak hour (i.e. 100 new trips inbound/outbound) or due to localized safety or roadway/intersection capacity deficiencies. The proposed development is expected to generate approximately 3.64 vehicle trips during the PM peak hour.

Transit

- The westbound transit stop is located directly in front of the subject property, with an eastbound transit stop on the opposite side of the street. These transit stops are serviced by four routes, including routes 65, 66, 67 and 79.
- Routes 65, 66 and 67 provide service to/from Downtown. Route 79 provides service to/from Polo Park mall.
- A pedestrian connection will be incorporated into the site design in order to comply with the zoning by-law requirements. This connection will help facilitate direct pedestrian connection to/from the westbound transit stop and sidewalk that runs along Roblin Blvd.
- Generally, higher intensity development proposals adjacent to arterial and collector streets with regular transit service may be supported as this type of development can encourage use of various modes of transport, such as public transit.

WATER AND WASTE

- The Water and Waste Department has reviewed the proposed development application and has recommended conditions be included in the Servicing Agreement for the site.
- One of the conditions included is that a 16.4 foot (5 metre) setback be established along the west property line as an easement to allow access to the wastewater pumping

station lands. This setback limits the opportunity to establish any building within this area on site.

PUBLIC CONSULTATION

- On April 3rd, 2013, an Open House was held at Roblin Community Centre to seek input on a proposed multi-family development at 5715 Roblin Blvd. At that time, the proposed development consisted of two (2) multiple family buildings, totaling 32 units (building height - 36 ft.).

- The April 3rd, 2013 Open House was attended by 19 residents from the area. Several concerns were raised including that the development:
    - Was too big
    - Was too high
    - Will spoil views out windows and back yards
    - Would have too many people
    - Would have too many cars
    - Parking on north end of lot would shine headlights at night into neighbours homes
    - Don't want the trees cut down for construction.

- As a result of the findings, the proposal was scaled back in an attempt to address several of these concerns. Ultimately, the proposal that went forward to the January 13th Assiniboia Community Committee was based on the layout seen below in Figure 3.

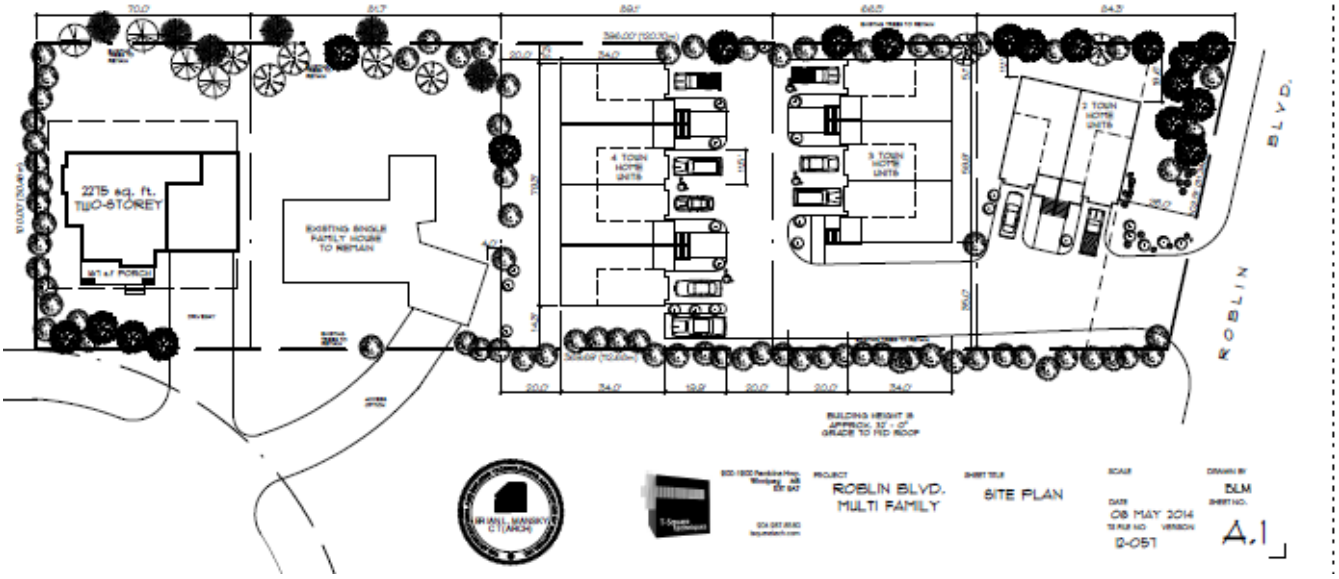


Figure 3: Site proposal for 5715 Roblin at the January 13th, 2015 Assiniboia Community Committee

- January 13, 2015 – The Assiniboia Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development that the application for subdivision and rezoning under File DASZ 20/2014 [c/r DAV 136813/2014D] be rejected.

- April 29, 2015 - Council concurred in the recommendation of the Assiniboia Community Committee that the application for subdivision and rezoning under File DASZ 20/2014 [c/r DAV 136813/2014D] be rejected.

- It is the Urban Planning Divisions understanding that the applicant intends to deliver notices to residents in the neighbourhood that indicate changes to the site plan and provide contact information. At the time of writing this report, the notification has been made available to the Urban Planning Division and is attached as APPENDIX B in this report. Information has not been made available to the Urban Planning Division, regarding how many notices are intended to be delivered and where.

CONDITIONS OF APPROVAL

Plan Approval – The Urban Planning Division is recommending Plan Approval as a condition of approval for this application. As part of the plan approval condition the Urban Planning Division expects the following:

- Building location and elevations – as indicated in the letter of intent by the applicant, *"town houses incorporate exterior design characteristics of Single-Family Dwellings namely: individual front doors with front steps; individual attached front garages; front driveways with parking; front picture windows; peaked roofs; and cladding material of stone/stucco/brick/wood."* The Urban Planning Division will expect buildings to incorporate design features that match the character of existing buildings in the neighbourhood. Building elevations should be submitted in colour and cladding on the townhouse units should incorporate a mix of stone/stucco/brick and wood. The Urban Planning Division would like to see building facades that use a mix of materials and colours, and provide articulation, setbacks, and variations in roof pitches that add interest to the design of the buildings in a manner that reflects the residential character of the area.
- Landscaping – In order to ensure that this development maintains the character of the neighbourhood, final plans for landscaping are being requested. These plans should indicate location, species, and quantities, as well as provide planting details. The landscape plan should be designed in a manner to effectively screen the proposed townhouses from adjacent existing dwellings.
- Garbage bins and enclosures should be located on site in a manner that is accessible for waste collection. The garbage enclosures are to be constructed of wood, brick, stone, or another compatible material and should be sufficiently screened and not visible from the public street.

- Lighting – any lighting on site should be established at a pedestrian scale and shall not spill over onto any adjacent property.
- Fencing - Any proposed fencing should be well designed and constructed of high quality materials.

Maximum of Seven Units

- If proposed Lot 3 were rezoned to the "RMF-S" Zoning District without restriction, the maximum number of dwelling units that could be developed is 19, subject to adherence of required bulk regulations. The applicant proposes in their site plan a total of seven (7) units on Lot 3. The Urban Planning Division believes that seven units may be acceptable, subject to being able to meet adequate setbacks and other design criteria. As such, the Urban Planning Division is recommending a condition that limits the maximum number of units on proposed Lot 3 to seven (7).

Yard Setbacks

- The Water and Waste Department has requested an easement setback of 16.4 feet (5 metres) from the west property line for the purposes of ensuring access to the pumping house lands and adequate space for construction and upgrades if necessary.
- The Urban Planning Division recommends that a minimum yard setback of 16.5 feet be established around the property to be zoned "RMF-S". This setback provides balance on the site in that the building is not shifted any closer to one side of the property of the other. The 16.5 feet is acceptable at this time as it is an improvement over the previous plan and appears to provide sufficient space for landscaping to be incorporated into the site plan. At this time, the Urban Planning Division has not had a chance to review the proposed landscaping plan and will be better able to comment on adequate setbacks and buffering once it has been reviewed.

Building Height

- The proposed development indicates that buildings will be 32 feet in height. This condition ensures that the dwellings will not be constructed any taller than proposed. The "RMF-S" zoning district and adjacent zoning districts (R1-E and R1-L) all permit as-of-right maximum building heights of 35 feet. However, in the immediate context, the existing dwelling heights range between approximately 16 feet and 27 feet. The proposed 32 foot height may be compatible with adequate landscaping to screen the proposed building from adjacent neighbours and plans should be reviewed with this in mind.

LAND DEDICATION

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.
- The amount of land is not less than 10%.

- The developer is to provide land or ‘cash in lieu’ as determined by the Planning, Property and Development Department.

RECOMMENDATION

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

- The proposed single-family lots are compatible with existing single-family properties in the area with regard to lot area.
- The proposed multi-family site aligns with policies in Complete Communities with regard to intensification of corridors, providing a mix of high quality housing choice.
- The townhouse proposal aligns with the infill guidelines for multiple family developments.
- Changes to the site plan have been made in an effort to address concerns raised at the previous public hearing for file DASZ 20/2014.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division
Report Prepared By: Devin Clark
PPD File # DASZ 28/2016

Schedule "A" for File No. DASZ 28/2016, Assiniboia Community Committee, dated September 6, 2016

By-Law No. _____

File No. **DASZ 28/16**

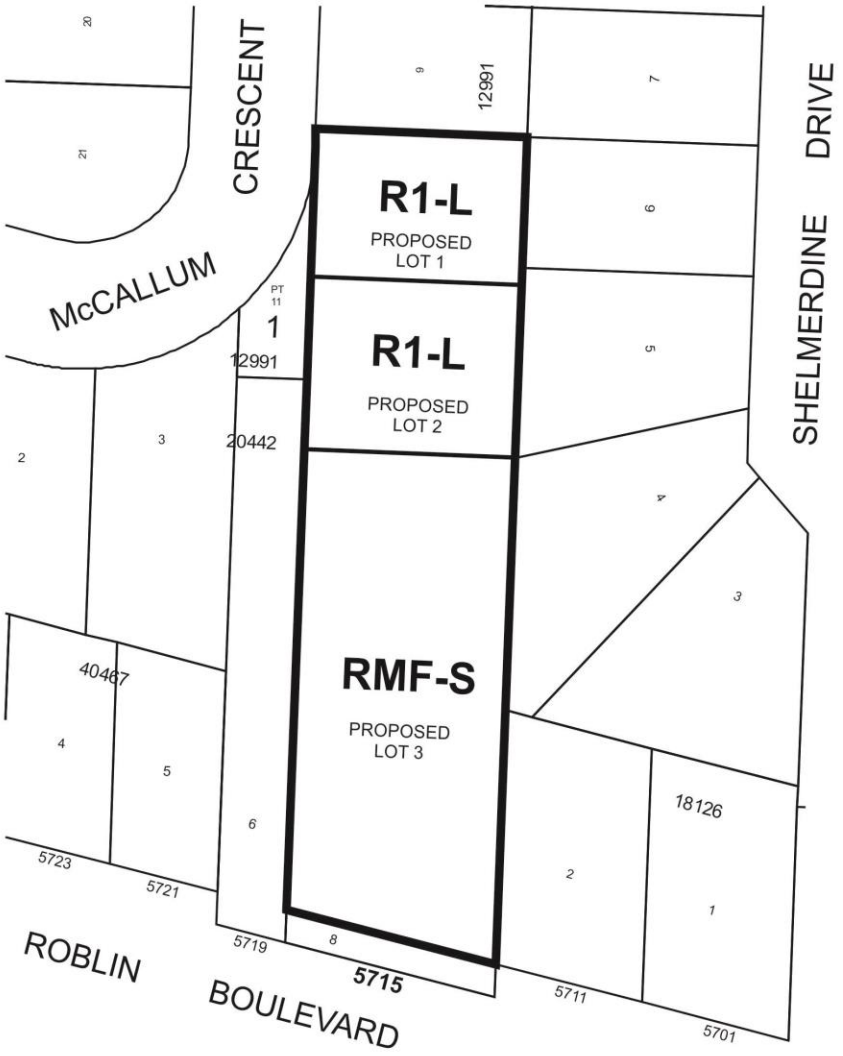
Atlas Sheet No.

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AD13 ASSINIBOIA 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 5715 Roblin Boulevard from an "R1-E" RESIDENTIAL SINGLE-FAMILY (ESTATE) DISTRICT to an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT and "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to facilitate the establishment of three (3) lots to allow for the maintenance of an existing single family dwelling and the construction of a single family dwelling and a multi-family dwelling as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – July 13, 2016

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 5715 ROBLIN BLVD. – DASZ 28/2016

It is recommended that the approval of DASZ 28/2016, if granted, be subject to the applicant entering into a Servicing Agreement and addressing the following items:

PLAN CONSIDERATIONS

The Developer shall, at no expense to the City, submit an application to open the City owned parcel at the south limit of the subject property as public right-of-way, to the satisfaction of the Director of Public Works.

AGREEMENT CONDITIONS

1. Land Drainage Area Charges

   The Developer shall pay to the City, prior the release of mylars, the Charleswood Area "E" Trunk Service Rate (TSR). The 2016 Rate = $13,615.00/acre.

2. Land Drainage Lateral Charges

   The Developer shall pay to the City, prior to the release of mylars, the land drainage lateral charge for the Roblin Blvd. frontage as determined by the Director of Water and Waste.

3. Wastewater Easement

   The Developer shall grant a 5.0m wide easement along the west property line of proposed Lot 3 to protect the adjacent wastewater pumping station and facilitate the future station upgrade.

4. Lot Grading

   The Developer shall, at no expense to the City, provide a lot grading plan prepared by a municipal engineer, grant any easements, and, if required, construct catchbasins and leads all as approved by the Director of Water and Waste.

5. Notice of Pumping Station Activities

   The Developer acknowledges that the Community Row wastewater pumping station located on the adjacent property may be subject to occasional odor, noise and operations and maintenance activities and agrees not to petition the City to construct any odor or noise mitigating facilities or other aesthetic improvements to the station. The Developer shall allow the City to make this a condition in the zoning agreement.

6. Relocate Existing Services

The Developer shall, prior to the issuance of building permits for proposed lot 3, cut-off and abandon the existing lot line services for proposed lot 2 from Roblin Blvd. and shall reconnect proposed lot 2 to the existing services in McCallum Crescent.

7. Private Approach from Roblin Blvd.

Public Works Department supports the proposed private approach at the east end of the property, 3m from the adjacent lot line. The private approach should be 7.5m wide. The applicant will need to submit separate application for the private approach, to the Public Works Department.

8. Charleswood Transportation Levy

The Developer shall pay to the City, prior the release of mylars, the Charleswood Transportation Levy on the two additional lots created as determined by the Director of Public Works.

9. Cross-Access Agreements

The Developer shall enter into the appropriate access agreements between proposed lot 1 and proposed lot 2. The City must approve the form of the documents and the owner must register the agreement against the title to the land and provide the City with a copy of the registered documents.

10. By-laws and Approvals

The Developer shall pay all of its and the City's costs, fees, and expenses associated with the preparation and attainment of approval for registration of the Zoning By-law(s) and plan(s) of subdivision, including all Municipal Board, Land Titles Office and other fees and expenses, all survey, engineering and advertising fees and costs, and all expenses incidental to the preparation of the Agreement and the physical development of the Planned Area.

11. Administration Fees

The Developer shall, prior to the release of the subdivision mylars for registration in the Land Titles Office, pay to the City, $2138.00/acre of the planned area plus GST to help defray the City's administration and related costs associated with the preparation and implementation of the Servicing Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 28/2016
September 2, 2016

"Original signed by G. Jasper, P.Eng."

G.V. Jasper P. Eng.
Land Development Branch

"Original signed by M. Gajda, P.Eng."

M. Gajda P. Eng.
Water & Waste Department

"Original signed by C. Desjardine, P.Eng."

C.J. Desjardine P. Eng.
Public Works Department

GJ/gj

APPENDIX B

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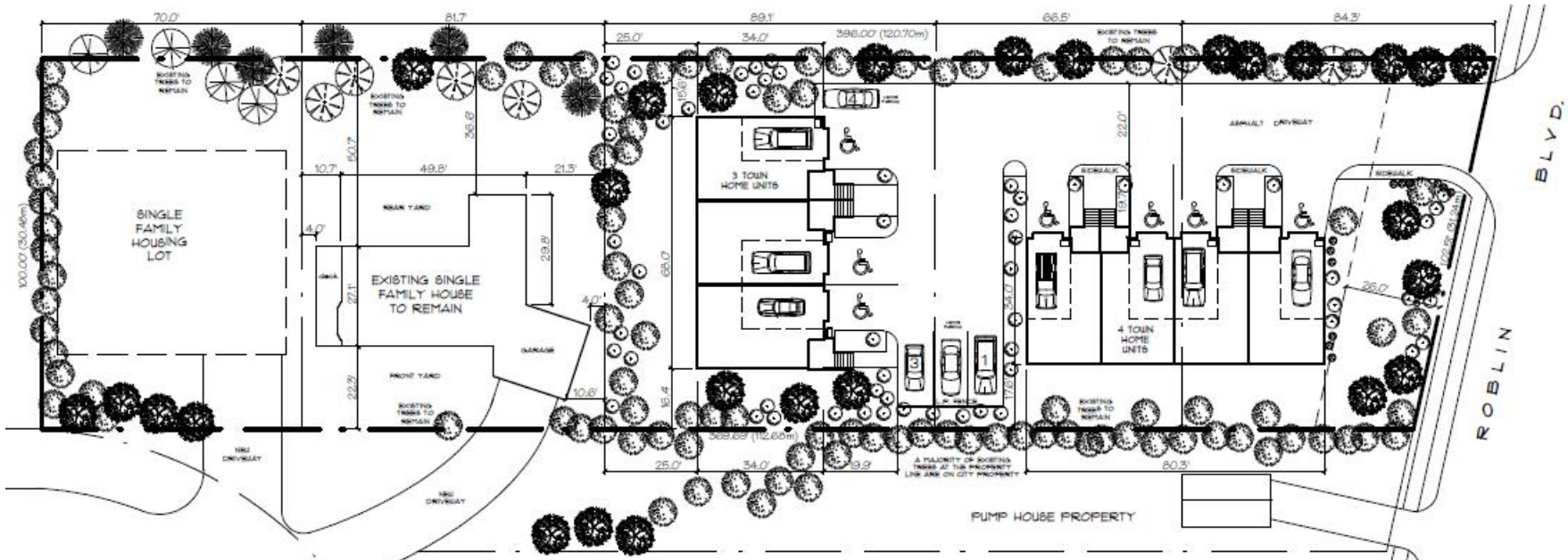
File Application Number (DASZ 28 - 2016)

September 7, 2016
Re: 5715 Roblin Blvd.

To Whom It May Concern,
By way of this letter, we take this opportunity to advise our valued friends and neighbours that we have made several updates to our application DASZ 28 - 2016. This has been done in order to address and accommodate any concerns that were indicated in our previous application.

- The unit density has been reduced from 9 units to 7 units
- A professional landscaping company has been engaged to provide an aesthetically pleasing landscape plan that will provide a visual and audible buffer from this development to adjacent properties
- The spacing between this site and adjacent properties (east and west sides) has been substantially increased to 16 feet, in addition to the aforementioned landscape buffer
- The parking spaces on site, including visiting parking, has been increased to 18, the code requirement is 11
- All on site lighting will be diffused downwards and at a height of no greater than 10 feet
- All City codes and requirements will be strictly adhered to at all times
- This housing will permit persons whom currently reside in the area and wish to remain in the immediate neighbourhood, however desire lower maintenance and increased security, should they decide to travel for extended periods of time
- This area of the City would benefit from low density, luxury three bedroom housing accommodations
- Real estate sales records in Winnipeg show that adding luxurious low density housing to an affluent neighbourhood does not negatively impact re-sale numbers
- The perceived walkway easement to Roblin Blvd. will not be affected in any way

We respectfully request your support for this fine addition to homes available within this community.





NOTES:

- EXTERIOR LIGHTING IS DIFUSED DOWNWARD AND IS LOCATED ON THE BUILDINGS EXTERIOR NO MORE THAN 10' - 0" IN HEIGHT.
- BUILDING HEIGHT IS APPROX. 32' - 0" GRADE TO MID ROOF
- ALL UNITS CAN ACCMODATE AN INTERNAL WHEELCHAIR LIFT FOR ACCESSABILITY.
- PARKING FOR 18 PROVIDED EXCEEDS THE 11 SPACES REQUIRED. INCLUDES 4 DESIGNATED VISITOR STALLS.
- TRASH BINS CAN BE STORED IN EACH UNITS GARAGE OR A SPACE ADJCENT TO THE OVER HEAD DOOR. 360 L BINS WILL BE REQUESTED FROM WASTE.

BRIAN L. MANSKY CT (ARCH)

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PROJECT
ROBLIN BLVD.
MULTI FAMILY

SHEET TITLE
SITE PLAN

SCALE
1 : 400

DRAWN BY
BLM/JRM

DATE
08/09/2016

SHEET NO.
A.1

TS FILE NO
12-057

VERSION