Minute No. 17
Report – Executive Policy Committee – November 9, 2016

Item No. 3 Subdivision and Rezoning – 650 Stafford Street
(Fort Rouge - East Fort Garry Ward)
File DASZ 36/2016 [c/r DAV 139586/2016D]

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 36/2016 dated September 30, 2016 to an "RMF-L" Residential Multi-Family District, subject to the following:

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

        i. That the height of principal buildings shall be limited to 45 feet

        ii. That for the development of any new building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, fencing and landscaping to the Director of Planning, Property and Development and the City Centre Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter to be maintained to the satisfaction of the Director of Planning, Property and Development.

2. That the plan of subdivision proposed under File DASZ 36/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 36/2016 dated September 30, 2016, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

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.

Report – Executive Policy Committee – November 9, 2016

COUNCIL DECISION (continued):

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two 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 year period and Council approves the extension is subsequently approved by Council.

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 when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land within one year from the date the by-law is passed, failing which the by-law will expire and 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.

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

10. 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.

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 – November 9, 2016

DECISION MAKING HISTORY:

Moved by His Worship Mayor Bowman,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 9, 2016, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On October 13, 2016, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

RE: **Subdivision and Rezoning – 650 Stafford Street**
File DASZ 36/2016

For submission to: **Executive Policy Committee**

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

Report date: **October 17, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On October 13, 2016, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 36/2016 dated September 30, 2016 to an "RMF-L" Residential Multi-Family District, subject to the following:

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

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2. That the plan of subdivision proposed under File DASZ 36/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 36/2016 dated September 30, 2016, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

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 matter is not proceeded with expeditiously and the by-law is not passed within two 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 year period and Council approves the extension is subsequently approved by Council.

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

10. 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.

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

1. It’s a couple of additional suites in the area, there’s no opposition here today, and it seems like a straightforward request.

PUBLIC HEARING SUMMARY

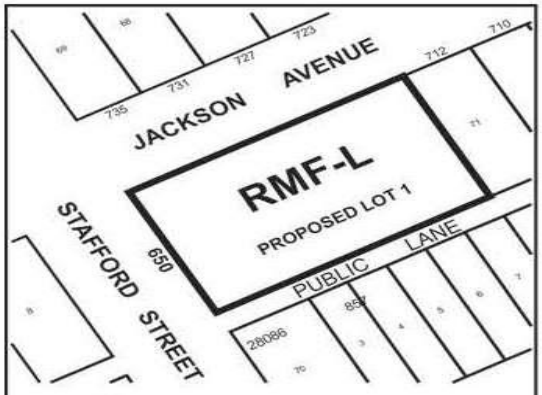
File: DASZ 36/2016

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

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

Applicant: Nasta Construction Ltd. (Jeff Ryckeghem)

Subject:



APPLICANT : NASTA CONSTRUCTION LTD.
FILE : DASZ 36/16
PROPOSAL : An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to facilitate the consolidation of lands for the expansion of an existing multi-family dwelling use. **For information, phone Mr. M. Robinson, Planner, at 204-986-3213.**

Premises Affected: 650 Stafford Street

Exhibits Filed:

1. Application dated June 28, 2016
2. Notification of Public Hearing dated August 3, 2016
3. Manitoba Status of Title 2758107/1
4. Letter of authorization dated June 22, 2016 from Mike Barske, Director of Project Management, Towers Realty to Nasta Construction Ltd.
5. Surveyor's Building Location Certificate and sketch dated June 23, 2016
6. Plans (11 pages)
7. Report from the Urban Planning Division dated September 30, 2016
8. Inspection Report
9. Recording of Representations

REPRESENTATIONS:

In Support:

Mike Barske, Towers Realty

In Opposition

Nil

For Information:

Nil

For the City:

M. Robinson, Senior Planner, Planning, Property and Development Department

Exhibit " 7 " referred to in File DASZ 36/2016

ADMINISTRATIVE REPORT

Title: DASZ 36/2016 – 650 Stafford Street

Issue: For consideration at the public hearing for a Subdivision and Rezoning for DASZ 36/2016 – 650 Stafford Street

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

AUTHORIZATION

Author	Division Head	Department Head	CFO	CAO
Michael Robinson, MCIP	B. Smith, MCIP	n/a	n/a	

RECOMMENDATIONS

1. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 36/2016 dated September 30, 2016 to an "RMF-L" Residential Multi-Family District, subject to the following:

    i) That the applicant enter into, execute, and deliver a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

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        b. That for the development of any new building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, fencing and landscaping to the Director of Planning, Property and Development and the City Centre Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter to be maintained to the satisfaction of the Director of Planning, Property and Development.

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11. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

REASON FOR THE REPORT

- The applicant is proposing to rezone and subdivide the site from an “R1-M” Residential Single-Family District to an “RMF-L” Residential Multi-Family District in order to add two additional dwelling units in the basement of the building.
- 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 Planning and Land Use Division are concurred in, the property can be rezoned and subdivided.

CONSULTATION

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

SUBMITTED BY

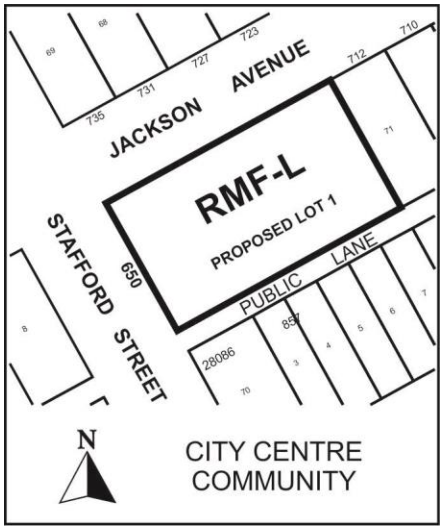
Department	*Planning, Property and Development*
Division	*Urban Planning*
Prepared by	Michael Robinson, MCIP
Date:	September 30, 2016
File No.	DASZ 36/2016

APPENDIX 'A'

DATE: September 30, 2016
FILE: DASZ 36/2016
RELATED FILES: DAV 16-139586/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.107

SUBJECT: To rezone and subdivide the subject land from an "R1-M" Residential Single Family District to an "RMF-L" Residential Multi-Family District.

LOCATION: 650 Stafford Street
LEGAL DESCRIPTION: Lot 1-7, both inclusive, Block 27 Plan 249 WLTO in RL 25 Parish of St. Boniface



APPLICANT: Jeff Ryckeghem
Nasta Construction
Unit 12-1421 St. James Street
Winnipeg , Manitoba R3H 0Y9

OWNER: Owen Properties Ltd. (Tower Realty Group, property manager)
Unit 100-1420 Taylor Avenue
Winnipeg , Manitoba R3N 1Y6

RECOMMENDATION: Approval

CRITERIA FOR APPROVAL
Pursuant to Section 247(3) of the City of Winnipeg Charter, a Conditional Use application can be approved for posters if the proposed development:
(a) is consistent with Plan Winnipeg and any applicable secondary plan;
(b) does not create a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway; and
(d) is compatible with the area in which the property to be affected is situated.

SITE DESCRIPTION
The subject property is located on Stafford Street, in the Ebby-Wentworth neighbourhood of the Fort Rouge - East Fort Garry ward

The site is Mature Communities under the Complete Communities Direction Strategy. The property is zoned "R1-M" Residential Single-Family District.

SURROUNDING LAND USE AND ZONING
North: Residences zoned "R1-M" Residential Single-Family District
South: Commercial use zoned "C2" Commercial District
East: Residences zoned "R1-M" Residential Single-Family District
West: Stafford Street, then residences zoned "R1-M" Residential Single-Family District

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to add two dwelling units into the basement of an existing 26 unit multi-family residential building.

The space for two additional suites has been freed up by reconfiguring the laundry room and some storage areas.

REASON FOR APPLICATION
The existing building is non-conforming in the 'R1-M" Residential Single-Family District. Given that they are adding additional suites, they are now required to bring the zoning of the property into compliance with the Winnipeg Zoning By-law. Due to the number of units they will have (28 units), a rezoning to the "RMF-L" Residential Multi-Family District is required.

ANALYSIS AND ISSUES
COMPLETE COMMUNITIES DIRECTION STRATEGY
The subject property is located in Mature Communities on a street that has the characteristics of a community mixed use corridor (Stafford Street). A key policy for mixed use corridors is as follows:

Promote the enhancement of existing community mixed use corridors through moderate intensification.

The proposed addition of two suites can be characterized as moderate intensification.

NEIGHBOURHOOD COMPATIBILITY
The proposed increase in density is minor in nature and is not changing the footprint or height of the existing building.

CONDITIONS
The Planning and Land Use Division is recommending several conditions to ensure that any future development is sensitive to the scale of existing buildings in the area.

These conditions restrict height to 45 feet (4 stories) and require plan approval prior to any redevelopment of the site with a new building or structure.

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

- Stafford Street has the characteristics of a community mixed use corridor. Policies for community mixed use corridors in Complete Communities include encouraging moderate intensification.
- The proposed increase in density is minor in nature and is not changing the footprint or height of the existing building.

RECOMMENDATIONS
The Urban Planning Division recommends that the application be approved and that the subject property be rezoned to a "RMF-L" – Residential Multi-Family District

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

Report Prepared by: Michael Robinson, MCIP
PPD File # DASZ 36/2016/D – 650 Stafford Street

Schedule “A” for File No. DASZ 36/2016, City Centre Community Committee, September 30, 2016

By-Law No. _____

File No. **DASZ 36/16**

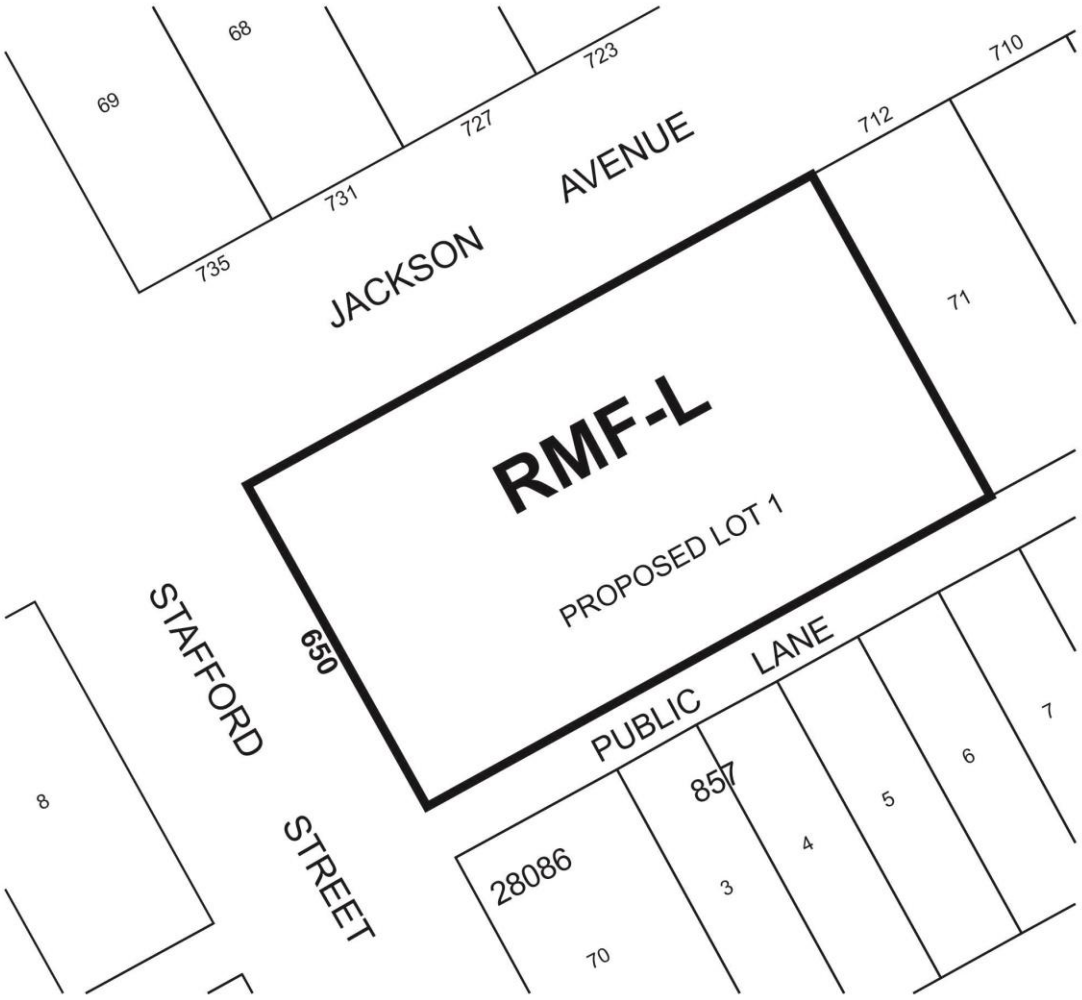
Atlas Sheet No.

N

AD24
CITY CENTRE
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 650 Stafford Street from an “R1-M” RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an “RMF-L” RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to facilitate the consolidation of lands for the expansion of an existing multi-family dwelling use as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____