Agenda – Council – January 25, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 17, 2017

Item No. 1 Rezoning – 291 Nassau Street North
(Fort Rouge – East Fort Garry Ward)
File DAZ 208/2016 [c/r DCU 150741/2016D and DAV 139849/2016D]

STANDING COMMITTEE RECOMMENDATION:

On January 18, 2017, 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 Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 208/2016 dated November 1, 2016 to an "R2" Residential Two-Family District.

2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

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

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

5. That the 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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 17, 2017

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 18, 2017, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 17, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On December 13, 2016, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

On November 8, 2016, the City Centre Community Committee adjourned the public hearing to its meeting on December 13, 2016 at 6:00 p.m. in the Council Building at 510 Main Street.

RE: **Rezoning – 291 Nassau Street North**
File DAZ 208/2016

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

Prepared by: **Kate McMillan, Committee Clerk**
City Centre Community Committee

Report date: **December 15, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On December 13, 2016, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 208/2016 dated November 1, 2016 to an "R2" Residential Two-Family District.

2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

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

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

1. This complies with the plan that we just passed. There's been a lot of work on this over almost two years in terms of going back and forth and making a lot of efforts to have this fit in in to the context of the neighbourhood. These plan design guidelines have only just gone through Council within weeks and I'd like to see how they work.

2. I think the Planning Department has given a pretty good explanation in terms of design guidelines. We brought in the design guidelines to prevent monster houses. This is not a monster house. This could be the size and footprint of a single family house. And it's 30 feet at the side of the neighbour.

3. I think this is a reasonable, moderate increase in density on a corner lot – it's not mid-block, it's a corner lot.

4. It's difficult having anything go next door to you. It's difficult having any kind of change whatsoever. This could be torn down and put back up as a single family house of the exact same size and it would still be as disruptive to the neighbour because there's construction and there's something new going in there that's larger, but I haven't heard anybody saying that we shouldn't be increasing the density; it doesn't seem to be the issue. The units don't seem to be the issue and the issues of the size and the scale appear to be addressed by the design standards so I'm willing to support that.

PUBLIC HEARING SUMMARY

File: DAZ 208/2016

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

Public Hearing: December 13, 2016
November 8, 2016
Council Building, 510 Main Street

Applicant: Richard Wintrup & Associates (John Wintrup)

Subject:



Premises Affected: 291 Nassau Street North

Exhibits Filed:

1. Application dated June 29, 2016
2. Notification of Public Hearing dated September 9, 2016
3. Manitoba Status of Title 2784850/1
4. Letter of authorization dated June 19, 2015 from Stacey Nickel, Visionary Homes Inc. to Richard Wintrup & Associates
5. Plans (5 pages)
6. Report from the Urban Planning Division dated November 1, 2016
7. Inspection Report
8. Photos in opposition to the application submitted by Shirley Forsyth at the public hearing
9. Recording of Representations of public hearing held on November 8, 2016
10. Notice of Adjournment dated November 10, 2016
11. Communication dated December 13, 2016, from Cheryl Hobbs in opposition to the application
12. Presentation in support of the application submitted by the Applicant at the public hearing
13. Photos in opposition to the application submitted by Cheryl Hobbs at the public hearing
14. Presentation in opposition to the application submitted by Felice Ferriello at the public hearing
15. Recording of Representations of public hearing held on December 13, 2016

REPRESENTATIONS:

In Support:

Denisa Gavan-Koop, Richard Wintrup and Associates
John Wintrup, Richard Wintrup and Associates

In Opposition

Marion Chyzzy
Antonio Ferriello
Felice Ferriello
Shirley Forsyth
Cheryl Hobbs
Pat Holbrow
Diane McMillan
Carolee Neufeld

Ken Neufeld
Robert Nicol
Dennis Swayze

For Information:

Franca De Grazia

For the City:

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

Exhibit " 6 " referred to in File DAZ 208/2016

ADMINISTRATIVE REPORT

Title: DAZ 208/2016 – 291 Nassau Street

Issue: For consideration at the public hearing for a rezoning for DAZ 208/2016 – 291 Nassau Street

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

AUTHORIZATION

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

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 208/2016 dated November 1, 2016 to an "R2" Residential Two-Family District.

2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

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

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

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

REASON FOR THE REPORT

The Report is being submitted for the Committee's consideration of the development application at the
Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, the property will be rezoned.

CONSULTATION

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

SUBMITTED BY

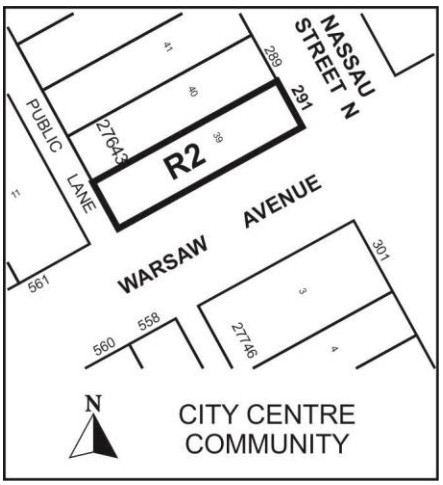
Department	*Planning, Property and Development*
Division	*Urban Planning*
Prepared by	Michael Robinson, MCIP
Date:	November 1, 2016
File No.	DAZ 208/2016

APPENDIX 'A'

DATE: November 1, 2016
FILE: DAZ 208/2016
RELATED FILES: DAV 16-139849/D, DCU 16-150741/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.106

SUBJECT: To rezone the subject land from an "R1-S" Residential Single-Family District to an ""R2" Residential Two-Family District

LOCATION: 291 Nassau Street
LEGAL DESCRIPTION: SP Lot 39 Plan 27643 WLTO in RL 33 and 34 Parish of St. Boniface



APPLICANT: Richard Wintrup and Associates (John Wintrup)

OWNER: Visionary Homes Inc.

RECOMMENDATION: Approval

SITE DESCRIPTION
SITE DESCRIPTION
The subject property is located on Nassau Street, in the Earl Grey 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-S" Residential Single-Family District.

SURROUNDING LAND USE AND ZONING
North: Single-family residential use zoned "R1-S" Residential Single-Family District
South: Commercial use zoned "C2" Commercial District
East: Institutional use zoned "RMF-L" Residential Multi-Family District
West: Multi-family use zoned "R1-S" Residential Single-Family District

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to construct a new triplex on the subject property. The proposed triplex will be 3 stories in height and parking will be located at the rear. There will be entrances in front and on the side adjacent to Warsaw Street.

The proposed development meets the design guidelines for the Lower Density Residential Area.

Reason for application
In order to establish a triplex, a rezoning to the "R2" Residential Two-Family District, is required.

ANALYSIS AND ISSUES
Corydon Osborne Area Plan
The subject property is located within the Lower Density Residential Area of the Corydon Osborne Area Plan. Within this area, multi-family development may be accommodated on corners, subject to design guidelines, a maximum density of 1 unit per 1,250 sq. ft. of lot area, and a public hearing.

In this instance, the proposed development complies with the design guidelines from the Corydon Osborne Plan (see Appendix C) as well as the density criteria.

Neighbourhood Compatibility
The subject property is located on a corner and is adjacent to higher density uses on two sides and commercial development on one side. It is also located within 300 metres of the Osborne Rapid Transit station.

RECOMMENDATION:

The Planning and Land Use Division recommends **approval** for the following reasons:

- The proposed development is consistent with the policies in the Corydon Osborne Area Plan
- The proposed development is compatible with the surrounding context

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

Report Prepared by: Michael Robinson, MCIP
PPD File # DAZ 208/2016

APPENDIX 'B'
Schedule "A" for File No. DAZ 208/2016, City Centre Community Committee, dated November 1, 2016

By-Law No. _____

File No. **DAZ 208/16**

Atlas Sheet No.

N

AC24
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 291 Nassau Street North from an "R1-S" RESIDENTIAL SINGLE-FAMILY (SMALL) DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to allow for the establishment of a multi-family dwelling use (triplex) as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

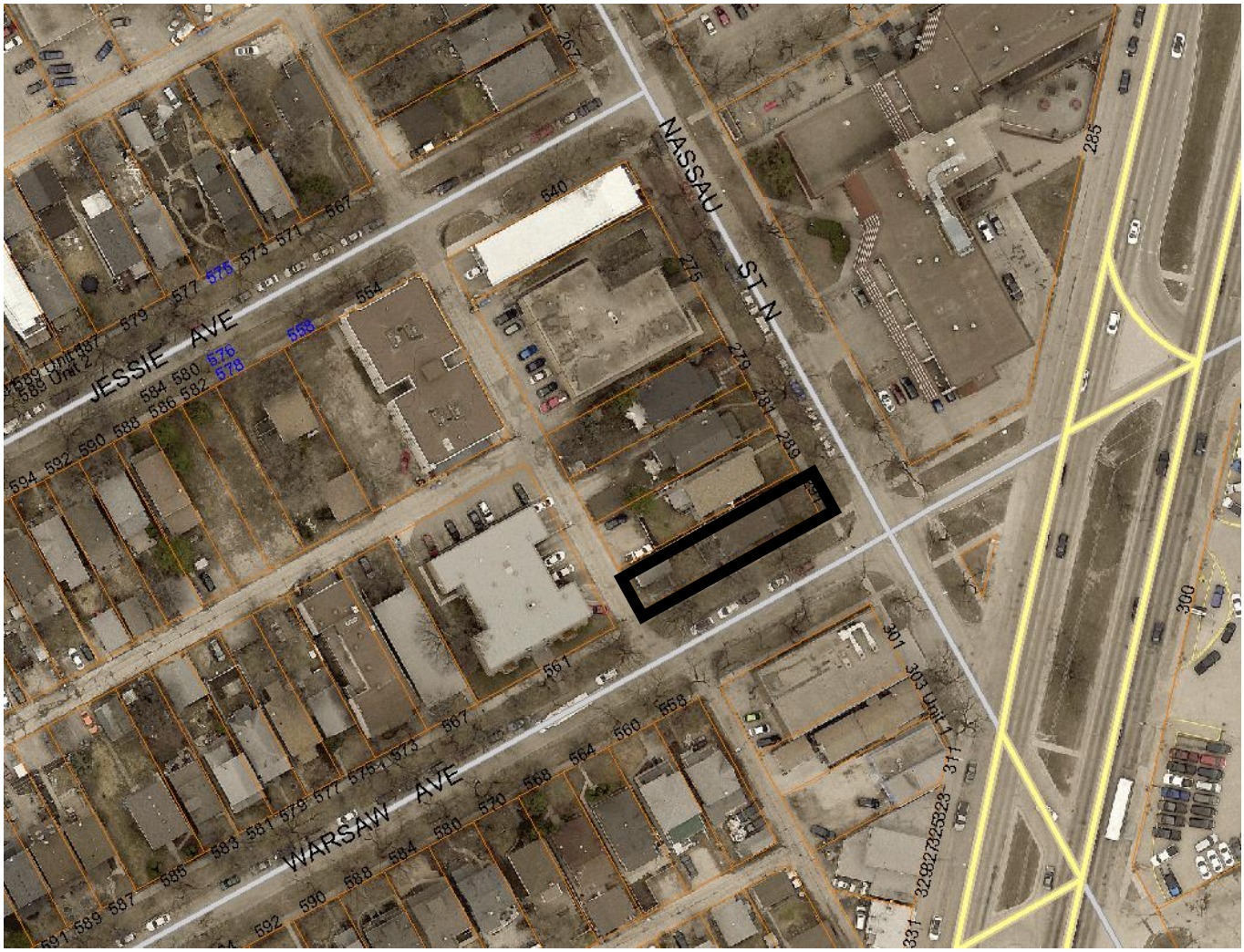


Figure 1: Aerial Photo (Flown in 2016)

Appendix C

Corydon Osborne Lower Density Design Guidelines	Comply (Yes or No)
i) Buildings should be parallel to the street frontage property line	**Yes**
ii) Building setbacks should be within 1.5 metres (5 feet) of the average of the two adjacent buildings' setbacks	**Yes**
iii) Roofs should be pitched	**Yes**
iv) Façade elements such as doors, windows, rooflines etc. should be generally aligned with those elements on adjacent buildings. In instances where accessibility determines finished floor level, proportion and scale of façade elements should be consistent with the proportion and scale of those elements on adjacent buildings.	**Yes**
v) Buildings should have their main entrance facing the street	**Yes**
vi) Buildings should include architectural appurtenances such as front porches, covered stoop, etc, consistent with building materials	**Yes**
vii) Windows and doors should be articulated	**Yes**
viii) Façade lighting should be wall mounted luminaries no higher than top of first floor and all light should be cast down and fully shielded	**Will be addressed at final design review**
ix) Front yards should consist of soft landscaping a minimum of 60% of the area	**Yes**
x) Front yard fences and walls should be no higher than 1 m and be of primarily transparent construction	**Yes**

xi) Compatible small scale multi-family buildings should reflect the surrounding residential building character	**Yes**
xii) Corner lots may have greater lot coverage	**Yes**
xiii)Multiple lot development on interior lots should allow for maximum coverage less building context setbacks	**Yes**
xiv) Multiple lot development may be contiguous but should articulate the appearance of two units per lot	**N/A**
xv) Multiple lot development should reflect the rhythm, massing, materials, and proportions of the adjacent residential buildings	**N/A**
xvi) Residential development should maintain the existing pattern of detached garages rather than attached garages	**N/A**
xvii) All parking lots should provide appropriate screening to preserve the residential character of the area	**Yes**
xviii) Residential developments should provide pedestrian access at street level and locate parking, loading, and service entrances at the rear of buildings.	**Yes**
xix) Residential development should have consideration for light, view, and privacy of adjacent buildings and area	**Yes**
xx) Residential development should ensure pedestrian access is a predominant feature in the site design	**Yes**
xxi) Residential development should ensure the use of building design elements that are consistent with surrounding properties, including materials, finishing, signage, placement of windows, and doors and height and massing of buildings	**Yes**
xxii) Residential development should ensure sensitive design that clearly defines public, semi-private, and private space	**Yes**
xxiii) Residential development should encourage preservation of mature canopy shade trees and natural areas through good design	**Yes**
xxiv) Residential design should strongly encourage the incorporation of concepts of Universal Design and Crime Prevention Through Environmental Design (CPTED) into building, streetscape, and site design	**Yes**