Minute No. 185
Report – Executive Policy Committee – February 8, 2017

Item No. 3 **Subdivision and Rezoning – 341/345 Springfield Road (North Kildonan Ward) File DASZ 37/2016 [c/r DCU 150436/2016D and DAV 150427/2016D]**

COUNCIL DECISION:

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

1. That the plan of subdivision under File DASZ 37/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 37/2016 dated December 20, 2016 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

   A. That, if required, the Developer shall enter into, execute and deliver a Servicing Agreement with the City containing the requirements outlined in Schedule "B", the report of the Administrative Coordinating Group dated October 12, 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 37/2016 dated December 20, 2016, to a "R2" Residential Two-Family zoning district.

3. In lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

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.

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

Report – Executive Policy Committee – February 8, 2017

COUNCIL DECISION (continued):

7. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Servicing Agreement or, if no servicing agreement is required, that the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one 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 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 – February 8, 2017

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 February 8, 2017, the Executive Policy Committee concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 16, 2017, the East Kildonan-Transcona 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 – 341/345 Springfield Road**
File DASZ 37/2016

For submission to: **Executive Policy Committee**

Prepared by: **Andrew Poitras, Senior Committee Clerk**
East Kildonan-Transcona Community Committee

Report date: **January 18, 2017**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 16, 2017, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the plan of subdivision under File DASZ 37/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 37/2016 dated December 20, 2016 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

    A. That, if required, the Developer shall enter into, execute and deliver a Servicing Agreement with the City containing the requirements outlined in Schedule "B", the report of the Administrative Coordinating Group dated October 12, 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 37/2016 dated December 20, 2016, to a "R2" Residential Two-Family zoning district.

3. In lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

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.

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 execution by the City of Winnipeg of the Servicing Agreement or, if no servicing agreement is required, that the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one 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 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 East Kildonan-Transcona Community Committee provided the following supporting reason(s) for its recommendation:

1. Car dependency is going down and this development is close to transit and active transportation.
2. Going forward alternate modes of transportation are going to become a reality.

PUBLIC HEARING SUMMARY

File: DASZ 37/2016

Before: East Kildonan-Transcona Community Committee
Councillor Browaty, Chairperson
Councillor Schreyer
Councillor Wyatt

Public Hearing: January 16, 2017
Council Building, 510 Main Street

Applicant: Inderpal Jauhal

Subject:



APPLICANT : INDERPAL JAUHAL
FILE : DASZ 37/16
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 "R2" RESIDENTIAL TWO-FAMILY DISTRICT to facilitate the consolidation of lands and the construction of a multi-family dwelling. **For information, phone Mr. G. Doney, Planner, at 204-986-2688.**

Premises Affected: 341/345 Springfield Road

Exhibits Filed:

1. Application dated August 25, 2016
2. Notification of Public Hearing dated November 25, 2016
3. Manitoba Status of Title 2708377/1, 2708378/1, 2795969/1
4. Letter of authorization dated July 5, 2016 from Ranjit Jauhal and Parmjit Jauhal to Inderpal Jauhal
5. Letter of authorization dated July 5, 2016 from Hardeep Jauhal to Inderpal Jauhal
6. Plans (6 pages)
7. Report from the Urban Planning Division dated January 11, 2017
8. Inspection Report
9. Recording of Representations of public hearing held on January 16, 2017

REPRESENTATIONS:

In Support:

Inderpal Jauhal
Ranjit Singh Jauhal
Parmjit Rauhal

In Opposition

Nil

For Information:

Nil

For the City:

G. Doney, Senior Planner, Planning, Property and Development Department
K. Kliewer, Planner, Planning, Property and Development Department
G. Jasper, Land Development Administrator, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 37/2016

ADMINISTRATIVE REPORT

Title: DASZ 37/16 – 341 and 345 Springfield Road

Issue: Proposal to consolidate two properties, and rezone the proposed consolidated lot to "R2" Residential Two-Family, for consideration at the public hearing.

Critical Path: East Kildonan-Transcona 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 37/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 37/2016 dated December 20, 2016 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

   A. That, if required, the Developer shall enter into, execute and deliver a Servicing Agreement with the City containing the requirements outlined in Schedule "B", the report of the Administrative Coordinating Group dated October 12, 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 37/2016 dated December 20, 2016, to a "R2" Residential Two-Family zoning district.

3. In lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

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.

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 execution by the City of Winnipeg of the Servicing Agreement or, if no servicing agreement is required, that the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one 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 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 following report describes a proposal to consolidate existing lots at 341 and 345 Springfield Road and rezone the new consolidated site to “R2” Residential Two-Family. The report also details the proposal’s compliance with *OurWinnipeg* and *Complete Communities Direction Strategy.*
- 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 proposed plan of subdivision and rezoning can proceed.

HISTORY

- The current site is 341 and 345 Springfield Road. The pertinent history below relates to 341 Springfield Road, which makes up 57% of the current site.

- On December 14, 2014, the East Kildonan-Transcona Community Committee (EKTCC) supported a proposal (DASZ 14/2014) that would rezone 341 Springfield Road from "R1-M" Residential Single-Family (Medium) to "R2" Residential Two-Family. The EKTCC also approved associated conditional use and variance applications to permit the construction of a six-unit multi-family dwelling.

- On January 28, 2015, Council approved application DASZ 14/2014 - 341 Springfield Road.

- Approvals of the conditional use and variance applications were appealed, but on February 26, 2015 the Appeals Committee denied the appeal.

- The subdivision and rezoning process discussed above was not proceeded with to completion.

CONSULTATION

In preparing this Report there was internal consultation with the City's Administrative Coordinating Group (ACG).

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Karin Kliewer
Date:	January 11, 2017
File No.	DASZ 37/16

List of Schedules and Attachments

1. **Appendix A – Planning Discussion**
2. Schedule "A" for File No. DASZ 37/2016, East Kildonan - Transcona Community Committee, dated December 20, 2016
3. **Schedule "B" – Report of the Administrative Coordinating Group, dated October 12, 2016.**

APPENDIX 'A'

DATE: January 11, 2017

FILE: **DASZ 37/16**

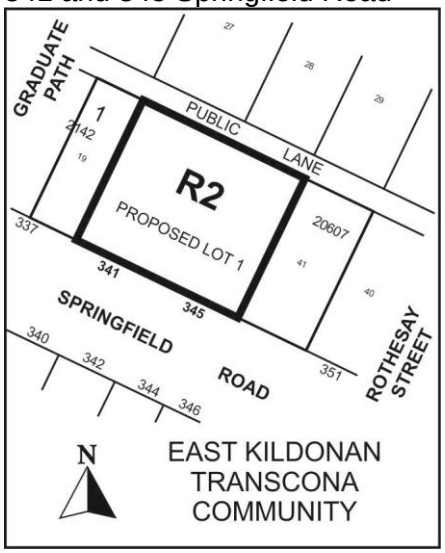
RELATED FILES: DCU 16-150436D
DAV 16-150427D

COMMUNITY: East Kildonan - Transcona

NEIGHBOURHOOD #: 4.413

SUBJECT: To consolidate 341 and 345 Springfield Road into one (1) lot, and rezone from "R1-M" Residential Single-Family Medium to "R2" Residential Two-Family.

LOCATION: 341 and 345 Springfield Road



LEGAL DESCRIPTION: 341 Springfield Road
LOT 17/18 BLOCK 1 PLAN 2142 57 K

345 Springfield Road
LOT 42 PLAN 20607 57 K

APPLICANT: Inderpal Jauhal
207 Reay Crescent, Winnipeg MB
R2K 3R2

OWNER: Ranjit and Parmjit Jauhal (owners of 341 Springfield Road)
107 Arpin Bay
Winnipeg, MB

Hardeep Jauhal (owner of 345 Springfield Road)
345 Springfield Road
Winnipeg, MB

RECOMMENDATION: Approval, with conditions

SITE DESCRIPTION

- The subject site is located on the north side of Springfield Road in the Rossmere-A neighbourhood and the North Kildonan ward.

- The subject site is within an Areas of Stability Policy Area under *OurWinnipeg* and the *Complete Communities Direction Strategy*, and is located in an "R1-M" Residential Single-Family Medium zoning district.

- The site is 116 feet wide and 100 feet deep, with an area of 11,593 square feet. It consists of two properties; 341 Springfield Road is 66 feet wide with an area of 6,596 square feet, and 345 Springfield Road is 50 feet wide with an area of 4,997 square feet.

- Each property on the site currently encompasses a one-storey dwelling with a detached garage.



Figure 1: Map of subject site and surrounding neighbourhood (flown 2016)

SURROUNDING ZONING & USES (See Figure 2)

North: Single family detached dwellings in an "R1-M" Residential Single-Family Medium zoning district.

South: Single family detached dwellings in an "R1-M" Residential Single-Family Medium zoning district.

East: Multi-family apartment in an "R1-M" Residential Single-Family Medium zoning district, single family homes in an "R1-M" Residential Single-Family Medium zoning district, one two-family home in an "R2" Residential Two-Family zoning district, and two properties (**each of which contains one dwelling unit of a two-unit side-by-side),** in an "R2" Residential Two-Family zoning district.

West: Single family detached dwellings and a four-unit multi-family dwelling in an "R1-M" Residential Single-Family Medium zoning district.

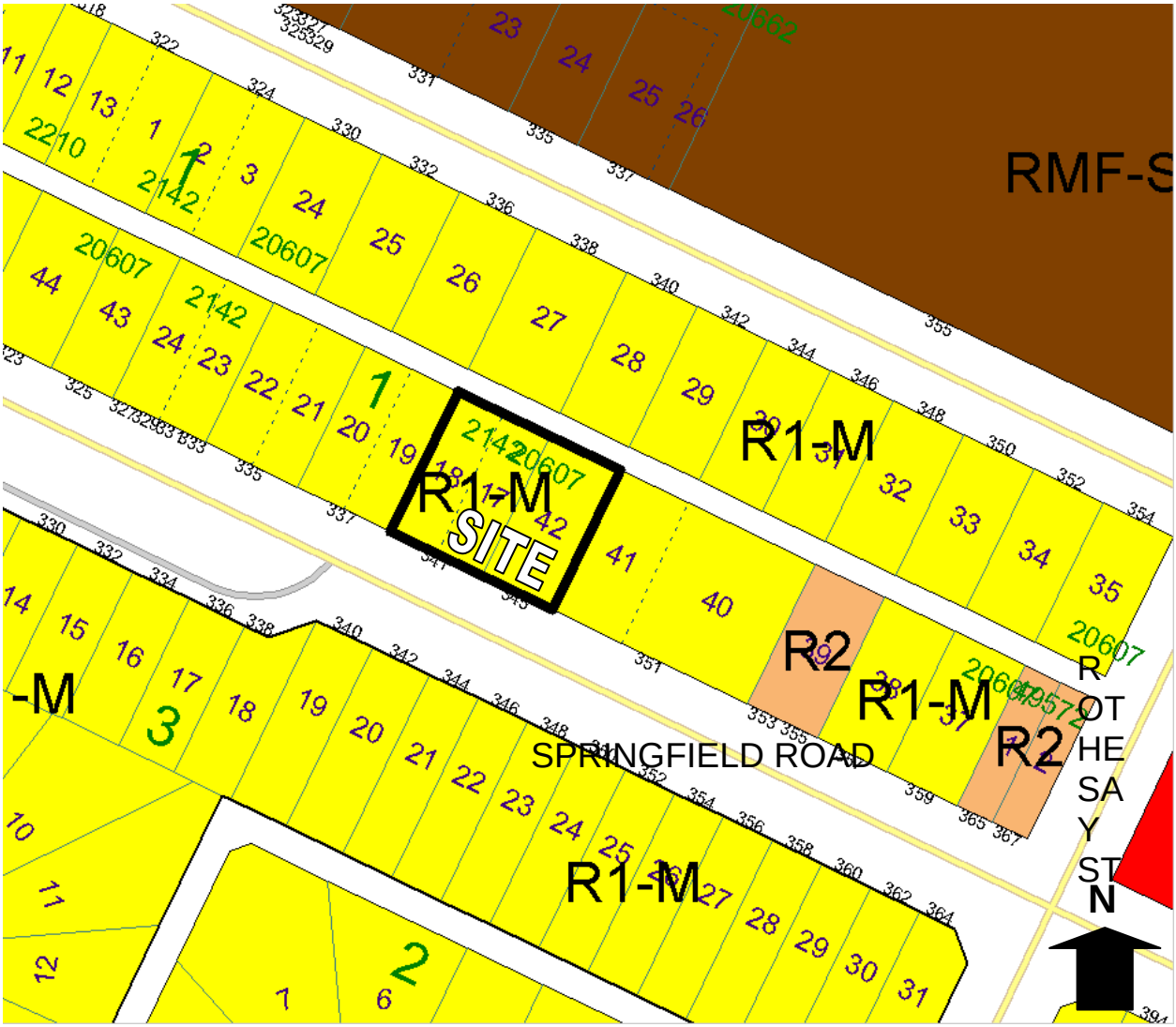


Figure 2: Zoning map of subject property and surrounding neighbourhood

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant has submitted a proposal to consolidate two properties, and rezone the proposed consolidated lot from "R1-M" Residential Single-Family Medium to "R2" Residential Two-Family.

- The proposal would involve demolition of the existing buildings on the site. In their place, the applicant proposes to construct a 39-foot high multi-family residential building with sixteen dwelling units and twelve parking stalls.

- Preliminary plans indicate that there would be four units per storey, with one storey below grade and three storeys above grade. The building would be accessed by front doors (facing Springfield) as well as rear doors (facing the parking area).

- The applicant is proposing a 28.5-foot front yard with associated landscaping, 10-foot side yards between the building and adjoining properties and a 30.5-foot rear yard. Units on the above-grade floors of the building would include balconies that project either 8.5 feet (front yard) or 5.5 feet (rear yard) from the building's walls.

- In the rear yard, a proposed parking area would be 20 feet deep, and would include 11 standard parking stalls and one accessible parking stall, all of which would be accessed directly from the gravel public lane. The plans also propose outdoor parking for two bicycles but do not include any visitor parking stalls or secured bicycle parking for tenants.

- Plans indicate that the two existing front approaches would be removed and the boulevard restored. Access to the rear yard parking area would be from the rear gravel lane.

ANALYSIS AND ISSUES

OUR WINNIPEG AND *COMPLETE COMMUNITIES DIRECTION STRATEGY*:

- **The subject site is in an "Areas of Stability" policy area of *OurWinnipeg* and *Complete Communities.* The Key Direction in these documents that applies to Areas of Stability states: "Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population."**

- The proposed plan of subdivision and rezoning would facilitate a multi-family development, thereby expanding housing options in the area. A moderately-dense residential development would be more transit supportive than low density residential development. Therefore, the proposed plan of subdivision and rezoning (DASZ 37/2016) would comply with the Areas of Stability Key Direction.

- **Under the *Complete Communities Direction Strategy*, relevant policies for Areas of Stability that** apply directly to the proposed subdivision and rezoning and associated development **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;*
    - *Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments;*
    - *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.*

- **The proposal for subdivision and rezoning complies with the above policies as:**
  - ***The proposed consolidation and rezoning would create an opportunity for a moderate increase in density;***
  - ***A plan approval condition to be submitted in connection with the conditional use report would ensure the building is sensitive to the community context;***
  - ***The subject site is located by two bus routes linking Springfield Road and Rothesay Street with commercial and recreational amenities along Henderson Highway (Route 11),Kildonan Place/Regent Avenue (Routes 85 and 90), and downtown Winnipeg (Route 40);***
  - ***Multi-family development on the site would provide new housing options and increase housing choice in the area.***

ZONING

- The current **"R1-M" Residential Single-Family Medium District** is intended to accommodate primarily single-family residential development in lower-density neighbourhoods.

- The proposed **"R2" Residential Two-Family District** is intended to accommodate the development of single-and two-family units and where appropriate limited multi-family units in lower-density areas. There is an existing multi-family residential building immediately to the east of the site as well as two-family and four-family dwellings along the block, suggesting that all allowed uses in R2 districts are compatible with the neighbourhood.

- Dimensional standards in the "R2" Residential Two-Family zoning district include a maximum building height of 35 feet, which is consistent with the dimensional standards in "R1" Residential Single-Family zoning districts and would be consistent with the neighbourhood. Dimensional standards also require a minimum of 800 square feet of lot area per dwelling unit.

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- 341 Springfield Road was approved for rezoning in 2015 (DASZ 14/2014), and approval was received to construct a multi-family development. Division is recommending approval of the current plan of subdivision and rezoning, which includes both 341 and 345 Springfield Road. In addition, the Division would again support a multi-family development on the consolidated site, if the development complies with the above dimensional standards.

NEIGHBOURHOOD COMPATIBILITY

- Springfield Road (and the Rossmere-A neighbourhood in general) is/are characterized largely by lower density residential housing like single family homes and duplexes, with occasional multi-family buildings. An example of this is the multi-family development immediately east of the subject site, which includes 14 units on a 140 foot wide lot, with one storey below grade and two storeys above grade.

- As noted previously, the Division supports consolidation and rezoning to permit a multi-family development, because multi-family development complies with *OurWinnipeg* and the *Complete Communities Direction Strategy.* Constructing a structure with a similar height and density as existing multi-family structures (such as the one to the east of the site) would maintain character with the neighbourhood.

- **The Division considers the current proposal to be incompatible with the existing neighbourhood.** In corresponding variance report DAV 16-150427/D, analysis and recommendations are provided to support decreasing the number of dwelling units from 16 to 12. This reduction would ensure the development is more similar in height and density to the neighbouring multi-family dwelling, and increase neighbourhood compatibility.

- Recommended conditions of approval in the concurrent conditional use application DCU 16-150436/D would place a maximum of 12 units on the site, and require the applicant to submit final plans to the Director of Planning, Property and Development to further ensure the development would be compatible with the neighbourhood.

RECOMMENDATION
The Urban Planning Division recommends **approval** of the plan of subdivision and application, as the proposed subdivision and rezoning would support moderate intensification of the neighbourhood. In addition, *if modified*, the proposed development would fit the character of the community, as the street contains a mix of housing types and densities.

This Report Submitted by:

Planning, Property and Development Department
Urban Planning Division
Report Prepared By: Karin Kliewer
PPD File # DASZ 37/2016

Schedule "A" for File No. DASZ 37/2016, East Kildonan - Transcona Community Committee, dated December 20, 2016

By-Law No. _____

File No. **DASZ 37/16**

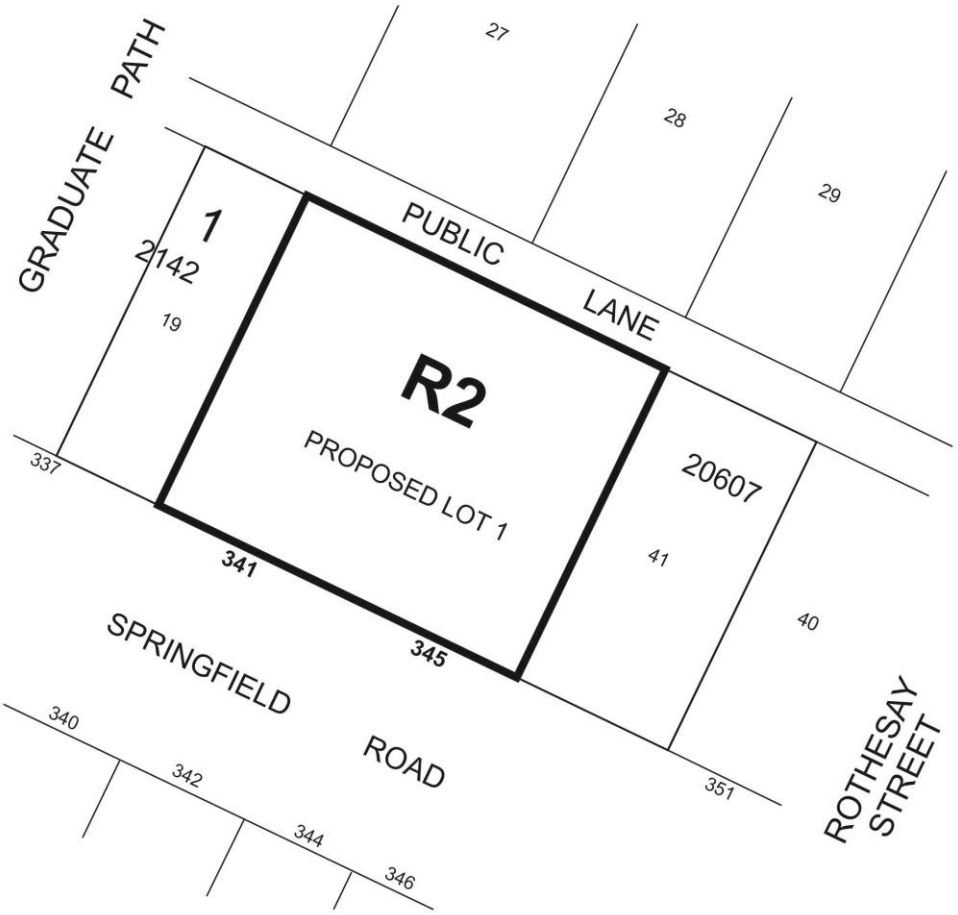
Explanation

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 341 & 345 Springfield Road from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to facilitate the consolidation of lands and the construction of a multi-family dwelling as shown outlined below.

Atlas Sheet No. **U29**

N

EAST KILDONAN TRANSCONA COMMUNITY



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – October 12, 2016

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 341 and 345 SPRINGFIELD ROAD– DASZ 37/2016

The above noted application was reviewed by the ACG Group on October 12, 2016. Subsequently the City of Winnipeg, Water and Waste Department provided the following comments:

"Our preliminary assessment indicates that there is not adequate fire flow for wood-framed construction and the existing 200mm WWS on Rothesay Street is currently at capacity."

Therefore, the applicant shall:

1) Reduce the density of the proposed building and adjust the site plan to match existing servicing levels; or

2) Provide a servicing report, at no expense to the City, prepared by a qualified municipal engineer to the satisfaction of the Director of Water & Waste, outlining the sewer and water servicing upgrades required for the proposed development.

If option 2 is chosen, the applicant shall enter into a servicing agreement with the City, if required, and shall, at no expense to the City install all watermains and wastewater sewers required to service the site as indicated in the servicing report.

The Applicant shall, prior to the release of the subdivision mylars for registration in the Land Titles Office, pay to the City, $1650.00 plus GST to help defray the City's administration and related costs associated with the preparation and implementation of the Servicing Agreement if required.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 37/2016

"*Original signed by G. Jasper"*
G.V. Jasper P. Eng.,
Land Development Branch

"*Original signed by M. Gajda"*
M. Gajda, P. Eng.
Water & Waste Department