# ADMINISTRATIVE REPORT

**Title:** DCU 16-171811\C – 96 St Mary's RD

**Issue:** An application for consideration at the Public Hearing for a Conditional Use to establish a multi-family building (6 dwelling units) in the proposed R2 zone.

**Critical Path:** Board of Adjustment as per the Development Procedures By-law and The City of Winnipeg Charter.

## AUTHORIZATION

| Author | Division Head | Department Head | CFO | CAO |
|---|---|---|---|---|
| Elise Finnigan | B. Smith | n/a | n/a | |

## RECOMMENDATIONS

The Urban Planning Division recommends approval of the application for a conditional use under Zoning By-Law No. 200/2006 to permit the establishment of a multi-family dwelling use.

Subject to the following condition(s):

1. That, the Order shall come into force and effect upon the approval by Council to amend By-law No. 1810/27 to exclude the subject property.
2. That final plans, showing the location and details of buildings, landscaping, parking, walkways, signage, lighting and garbage, shall be submitted to the Director of Planning, Property and Development for approval prior to the issuance of any development or building permits; and thereafter shall be maintained to the satisfaction of the Director of Planning, Property and Development.

## REASON FOR THE REPORT

- The applicant is proposing to establish a (6) six unit multi-family dwelling on the subject property which is zoned R2. Multi-family dwellings are a conditional use in the R2 zone and therefore a conditional use application is required.
- Conditional Use applications require a public hearing as per *The Development Procedures By-law* No. 160/2011 and *The City of Winnipeg Charter*, section 249.
- The report is being submitted for the Board of Adjustment'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 applicant will be permitted to establish a six (6) unit multi-family use on the subject property.

## FILE/APPLICANT DETAILS

**FILE:** **DCU 16-171811\C**
**RELATED FILES:** DAV 16-171899\C
**COMMUNITY:** Riel Committee
**NEIGHBOURHOOD #:** 5.514

**SUBJECT:** For a Conditional Use under Zoning By-Law No. 200/2006 to permit the establishment of a multi-family dwelling use.

**LOCATION:** 96 St Mary's RD
**LEGAL DESCRIPTION:** LOT 26 PLAN 28956 93/98 ST B

**APPLICANT:** Nikhil Manikonda
1749 Portage AVE Unit 2
Winnipeg , Manitoba R3J 0E6

**OWNER:**
300 DAWSON RD N
Winnipeg , Manitoba R2J 0S7

## HISTORY

*By-law 1810/27*

In 1927 the City of St. Boniface established By-law No. 1810 which placed a number of restrictions on the properties located in the Norwood West neighbourhood including the subject property intended to preserve the residential quality of the area. The majority of these restrictions were repealed in 1982 under By-law No. 3177 while others were amended. One of the clauses that was amended and is most relevant to the subject application is Section 1(c) which states:

*The following uses only shall be permitted on said land:*

*(i) Single-family dwellings; and*

*(ii) Accessory uses incidental to single-family dwellings, pursuant to the applicable zoning regulations under the Town Planning Scheme for the City of St. Boniface 1957.*

*DAZ 205/2016*

At the June 6th, 2016 Riel Community Committee meeting a public hearing was held for DAZ 205/2016 which was an application to rezone the subject property to “C1” for the construction of a small scale commercial building. At this meeting the Committee decided to adjourn the item to the following meeting. At the July 4th, 2016 Riel Community Committee meeting the application was withdrawn.

## DISCUSSION

### CRITERIA FOR APPROVAL

Pursuant to Section 247(3) of *The City of Winnipeg Charter*, an application for a conditional use with respect to a property may be approved if the conditional use:

(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;

(d) is compatible with the area in which the property to be affected is situated.

### SITE DESCRIPTION

- The subject property is located on the south side of St Mary's RD between Monck Avenue and Taché Avenue in the Norwood West neighbourhood of the St Boniface ward.
- The site is located on a Regional Mixed Use Corridor under *the Complete Communities Direction Strategy*. The property is zoned R2 – Residential Two-Family.
- The property is 60 feet wide by 129 feet deep and measures approximately 7,752 square feet in area. The property contains a one-storey single family building with a living area of 1,143 square feet, built in 1927.

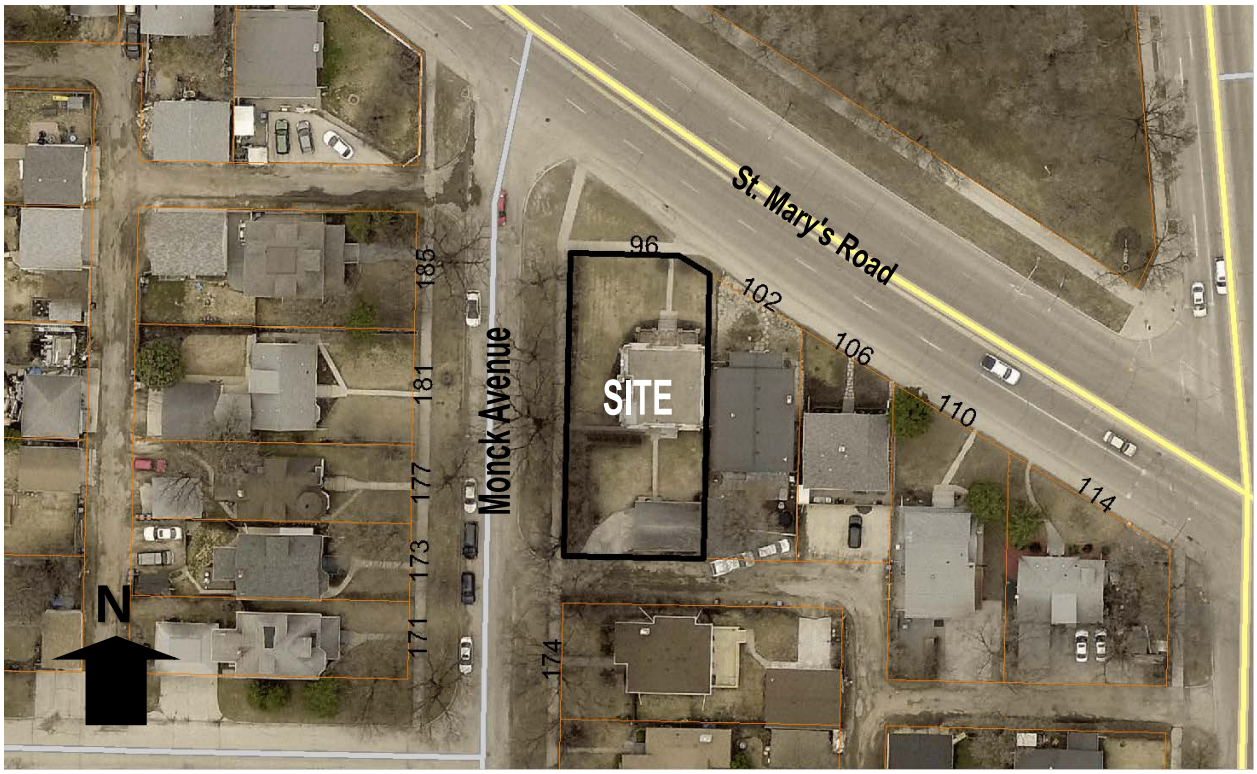



**Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2016)***

### SURROUNDING LAND USE AND ZONING (See Figure 2)

**North:** St. Mary's Road and Coronation Park zoned PR2.

**South:** Single family homes zoned R2 and R1-M.

**East:** Single family homes zoned R2.

**West:** Single family homes zoned R1-M.

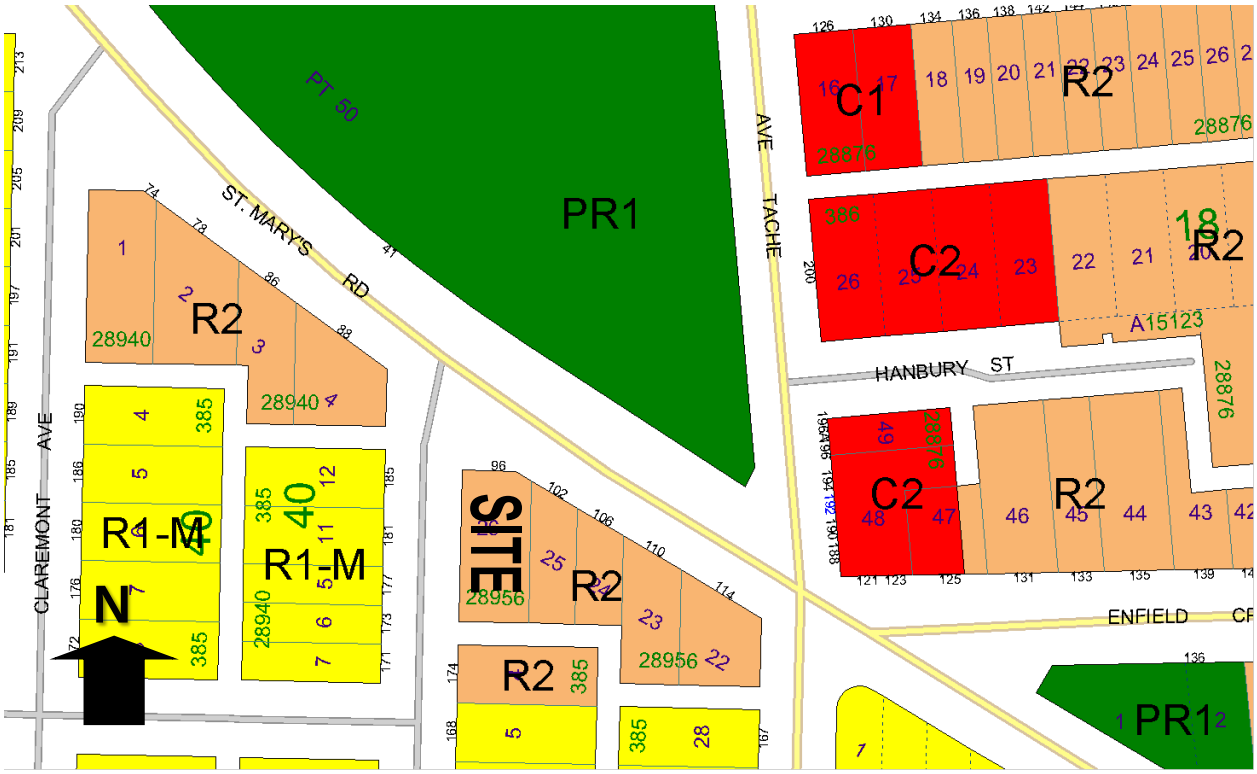



**Figure 2: Zoning of the site and surrounding area.**

## DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to build a 6-unit, three-storey (35 feet in height) multi-family dwelling.
- The applicant is proposing to establish twelve (12) parking spaces accessed directly from the public lane with a tandem parking arrangement.
- Three (3) bicycle parking stalls are proposed to be located in the front yard.
- Each unit will have two (2) bedrooms. Suite sizes will range as follows:
    - The main floor suites will be approximately 1,714 square feet;
    - The second/third floor suites will be approximately 1,764 square feet;
- There is an associated Variance application (DAV 16-171889/C) for the proposed front yard; insufficient street edge landscaping; the attached garages; and the outdoor parking area.

## ANALYSIS AND ISSUES

OURWINNIPEG AND COMPLETE COMMUNITIES DIRECTION STRATEGY:

- *The Complete Communities Direction Strategy* is one of four direction strategies supporting *OurWinnipeg*, the city's long-range development plan, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- The subject property is located along a "Regional Mixed Use Corridor" (St. Mary's Road) in the *Complete Communities'* Urban Structure map. *Complete Communities'* directs a significant share of growth to Corridors in a way that:
    - Provides compact, mixed-use, high-quality urban development.
    - Concentrates people and jobs in areas well-served by the primary transit service, located close to transit stops.
    - Concentrates urban development in a built form that helps to optimize existing investment, municipal infrastructure, and facilities.
    - Encourages a built form that supports a pedestrian-friendly environment while incorporating climate-sensitive site and building design.
- With regard to this proposal, the key policies guiding the development of Regional Mixed Use Corridors include:
    - Provide a mix of employment, higher-density residential opportunities, retail and service uses that support the needs of and respect the context of adjacent communities.
    - Support a range of housing opportunities in terms of type, tenure, unit size.
    - Promote the highest levels of intensification at significant intersections. Between each centre, lower intensities of commercial, residential and mixed use development are appropriate.
    - Support development in accordance with Universal Design and Crime Prevention Through Environmental Design (CPTED) policies.

TRANSPORTATION MASTER PLAN (TMP)

- St. Mary's Road is identified as a Truck Route in the TMP and is classified as an arterial road. Arterial roads primarily provide traffic movement across the City. In this case, St. Mary's Road is the primary feeder route into the Downtown from the south end of the city. This results in approximately 35,600 vehicle trips per day at this location of St. Mary's Road (2015 Average Weekday 24hr Traffic). For context, this segment of St. Mary's Road receives more traffic than Provencher Boulevard (30,200), Corydon Avenue (27,100), Osborne Street (30,400-35,000), and St. Anne's Road (34,000). It also receives almost as much daily traffic as Marion/Goulet Streets (36,200) combined.
- St. Mary's Road is identified as a potential quality transit corridor in the City of Winnipeg's Transportation Master Plan that can become the focal points for new development and redevelopment. The Quality Corridor concept was introduced in Winnipeg between 2007-2009 and refers to high-performance and high-frequency on-street bus routes that are assisted by transit priority measures (diamond lanes, transit priority signals, queue jump lanes, etc.), and whose major stops are upgraded to include heated shelters, real-time bus departure displays, benches, posted route and schedule information, and other amenities.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

*Reason for Conditional Use*

The applicant is proposing to establish a multi-family dwelling use on the land. Multi-family dwellings require a conditional use application in the R2 zone.

ANALYSIS OF CONDTIONAL USE

***Compatibility***

- It is recognized that since the original construction of the existing house on the subject property in 1927 a lot of changes have occurred along St. Mary's Road placing significant pressure on the viability of a single family use at this location. St. Mary's Road has evolved into a major arterial street experiencing over 35,000 vehicular trips per day and warranting its classification under *OurWinnipeg* and *the Complete Communities Direction Strategy* as a Regional Mixed Use Corridor.
- Regional Mixed Use Corridors were identified in the *Complete Communities Direction Strategy* as important areas for accommodating growth as they help accomplish several objectives:
    - Build a critical population mass, creating vibrancy while supporting local amenities.
    - Link land use with transportation and mobility.
    - Accommodate Winnipeg's projected growth in a sustainable way.
    - Increase predictability and reduce the impact of new development and increased traffic in Areas of Stability.
    - Increase certainty for the development industry.
- The subject property is located along a portion of the St. Mary's Road Regional Mixed Use Corridor which is characterized by multi-family, single family, institutional and commercial land uses. It is also located within close proximity to many public transit routes, including high frequency and express routes (i.e., Routes #10, #14, #53, #54, #55, #110). As such, the proposal to establish a multi-family use on the subject property is compatible with existing land uses and aligns with the policies guiding development along Regional Mixed Use Corridors in the *Complete Communities Direction Strategy.* With these considerations in mind, the Urban Planning Division is supportive of the proposed multi-family development.

***Zoning***

- The "R2"- Residential Two-Family district allows for multi-family units where appropriate through a conditional use application. In this instance, the applicant is proposing to establish six (6) residential units which is a moderate intensification for this location. The proposed density for the site is a lot area per dwelling unit of 1,292, which is in line with the density allowed in the Residential Multi-Family Small zoning category (RMF-S). The maximum density permitted within the R2 zoning district (in association with a successful conditional use application) is a lot area per dwelling unit of 800, or 9 dwelling units for the subject property.
- It is noted that since the submission of the original application, Council approved a number of amendments to the Zoning By-law (see January 25$^{th}$, 2017 Council Minutes). One of the approved amendments was a 20 percent reduction in the off-street parking requirement in Mature Communities. This change was made in order to promote infill redevelopment in older portions of the city recognizing that many of these older areas have been divided into parcels that are too small or shallow to accommodate the general parking requirements of the Zoning By-law. With

regard to the subject application, the amendment results in an overall parking requirement for the development of 7 parking stalls.

- In response to residents' concerns about parking, the applicant is proposing a tandem parking arrangement which results in the provision of 12 parking stalls.

**COMMUNITY CONSULTATION**

- In October 2016 the applicant went door-to-door to consult with residents living in 31 houses along Monck Avenue and 4 houses along St. Mary's Road.
- The applicant also held an open house on February 17th, 2017 at the Norberry Community Centre. Approximately 5 people attended. The applicant provided a presentation of the project. The applicant has scheduled a second open house on February 22nd, 2017, following the publication of this report.

**CONDITIONS OF APPROVAL**

- Noting that By-law No. 1810/27 currently restricts the uses on the subject property to single-family dwellings, the Public Service is recommending a condition be included whereby the Conditional Use for the multi-family use only come into force and effect upon approval by Council to amend By-law No. 1810/27 to exclude the subject property.
- The Urban Planning Division is recommending that final plans be submitted to the Director of Planning, Property for review prior to the issuance of a development permit on the lot. The inclusion of this clause will allow the Urban Planning Division to review final plans and design details before development takes place on the site.

**REASONS FOR RECOMMENDATIONS**

In the context of Section 247(3), the Urban Planning Division recommends **approval with conditions** for the following reasons:

(a) is consistent with Plan Winnipeg and any applicable secondary plan;

*In that, the application is consistent with the Complete Communities Direction Strategy, which supports intensification along Regional Mixed-Use Corridors.*

(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;

*In that, the building provides a high-quality, compact urban form suitable along Regional Mixed-Use Corridors. The proposal also exceeds the parking requirement of the Zoning By-law.*

(d) is compatible with the area in which the property to be affected is situated.

*In that, the building provides a high-quality, compact urban form suitable along Regional Mixed-Use Corridors.*

**CONSULTATION**

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

**SUBMITTED BY**

| | |
|---|---|
| Department: | Planning, Property and Development |
| Division: | Urban Planning |
| Prepared by: | Elise Finnigan |
| Date: | Thursday, February 17, 2017 |
| File No. | DCU 16-171811\C |