Minute No. 319
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 11, 2017

Item No. 2 Subdivision and Rezoning – 888 John Bruce Road East (St. Boniface Ward) File DASZ 46/2016

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development Committee and adopted the following:

1. 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 January 25, 2017.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 46/2016 dated March 27, 2017 to an "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 of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

        i. That the minimum setback to any principal building from the east, west and south property lines shall not be less than 25 feet.

        ii. That, excluding projections permitted under the Zoning By-Law, the height of any building on the land shall not exceed one storey, to a maximum height of 20 feet.

        iii. That no decks shall be built within 15 feet of any property line.

        iv. The Owner must submit plans showing the location and design of any and all proposed:

            a. buildings;
            b. accessory parking areas;
            c. private approaches;
            d. garbage enclosures;
            e. fencing;
            f. screening and landscaping; and

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 11, 2017

COUNCIL DECISION (continued):

g. free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

v. That the number of units be limited to 9.

3. That the plan of subdivision proposed under File No. DASZ 46/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 46/2016, dated March 27, 2017 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

4. That, in lieu of the dedication of land, the Developer shall provide cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) 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 (2)-year period and Council approves the extension.

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

8. 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.

9. That the zoning section of the by-law shall come into force when the Plan of Subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land provided that the said effective date occurs within one year from the date the by-law is passed.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 11, 2017

COUNCIL DECISION (continued):

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 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.

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 – April 11, 2017

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be adopted.

Carried

Councillors Eadie and Wyatt asked to be recorded as having voted against the item in accordance with Rule 47(7) of the Procedure By-law.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 19, 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 April 11, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 3, 2017, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- Delete recommendation 2.A.ii. in its entirety, and replace it with the following new 2.A.ii:
  "2.A.ii. That, excluding projections permitted under the Zoning By-Law, the height of any building on the land shall not exceed one storey, to a maximum height of 20 feet."

- Add the following new recommendation 2.A.v.:
  "2.A.v. That the number of units be limited to 9."

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

RE: **Subdivision and Rezoning – 888 John Bruce Road East**
File DASZ 46/2016

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

Prepared by: **Rochelle Viray, Assistant Committee Clerk**
Riel Community Committee

Report date: **April 5, 2017**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 3, 2017, the Riel 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 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 January 25, 2017.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 46/2016 dated March 27, 2017 to an "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 of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

        i. That the minimum setback to any principal building from the east, west and south property lines shall not be less than 25 feet.

        ii. That, excluding projections permitted under the Zoning By-Law, the height of any building on the land shall not exceed one storey, to a maximum height of 20 feet.

        ~~***ii. That, excluding projections permitted under the Zoning By-Law, the maximum height of any building on the land shall not exceed two storeys, to a maximum height of 20 feet.***~~

        iii. That no decks shall be built within 15 feet of any property line.

        iv. The Owner must submit plans showing the location and design of any and all proposed:

a. buildings;
b. accessory parking areas;
c. private approaches;
d. garbage enclosures;
e. fencing;
f. screening and landscaping; and
g. free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

v. That the number of units be limited to 9.

3. That the plan of subdivision proposed under File No. DASZ 46/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 46/2016, dated March 27, 2017 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

4. That, in lieu of the dedication of land, the Developer shall provide cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) 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 (2)-year period and Council approves the extension.

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

8. 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.

9. That the zoning section of the by-law shall come into force when the Plan of Subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered

in the Winnipeg Land Titles Office by caveat against the subject land provided that the said effective date occurs within one year from the date the by-law is passed.

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 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.

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 Riel Community Committee provided the following supporting reasons for its recommendation:

1. We have achieved a compromise, with overwhelming support from the community.

2. City Planning staff have authored a practical report which adheres to the City of Winnipeg guidelines, and supports our growth and development objectives.

3. The proponent is recognized for their pursuit of a denser urban form for our community, which is widely understood to promote greater environmental and economic sustainability.

PUBLIC HEARING SUMMARY

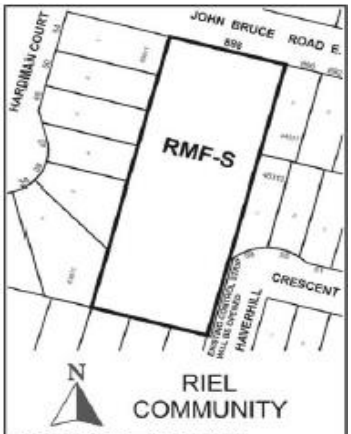
File: DASZ 46/2016

Before: Riel Community Committee
Councillor Allard, Chairperson
Councillor Lukes
Councillor Mayes

Public Hearing: April 3, 2017
Council Building, 510 Main Street

Applicant: Affinity Architecture (Mark Funk)

Subject:



APPLICANT : AFFINITY ARCHITECTURE INC.
FILE : DASZ 46/16
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-E" RESIDENTIAL SINGLE-FAMILY ESTATE DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to facilitate the consolidation of lands to allow for the construction of a multi-family dwelling development. **For information, phone Ms. S. Jerez, Planner at 204-986-7175.**
DEMANDEUR : AFFINITY ARCHITECTURE INC.
N° DE DOSSIER : DALZ 46/16
PROJET : Demande d'approbation par le Conseil du plan de lotissement délinéé ci-dessus et proposition de modification du *Zoning By-law No. 200/2006* (règlement municipal sur le zonage) visant à modifier le zonage des sols délinéés ci-dessus de sorte qu'ils passent de la catégorie R1-E (secteur d'habitations unifamiliales domaniales) à la catégorie RMF-S (secteur de petites habitations multifamiliales) en vue de faciliter le remembrement des terres et de permettre la construction d'un ensemble d'habitations multifamiliales. **Pour plus de renseignements, veuillez communiquer avec Mme S. Jerez,**

Premises Affected: 888 John Bruce Road East

Exhibits Filed:

1. Application dated December 16, 2016
2. Notification of Public Hearing dated February 15, 2017
3. Manitoba Status of Title 1175487/1
4. Letter of authorization dated May 27, 2016 from Ken and Kathy Park to Affinity Architecture
5. Drawing of subject property
6. Plans (6 pages)
7. Report from the Urban Planning Division dated March 27, 2017
8. Inspection Report
9. Comments (126) and petition dated March 31, 2017, in opposition of the application purporting to contain the signatures of 208 area residents submitted by John Morris
10. Communication dated April 1, 2017, in opposition to the application submitted by Massoud Horriat
11. Communication dated April 4, 2017, in opposition to the application submitted by Ian Stewart
12. Presentation in opposition of the application submitted by Ken Rempel at the public hearing

REPRESENTATIONS:

In Support:

Armin Barsomian
Valentino Basco
Mark Funk
Cesario Gasga
Tarrik Harb
Walid Harb
Ibrahim Kais
Jerry Kwong
Alex Malliaris
Navdeep Mann
Filippo Palmisani
Myron Pankiw
Richard Park
Karen Richard
Kristin Richard
Daniel Serhal
Jasdeep Sidhu
Pawandeep Sidhu
Nelson Torres
Andrew Wilkinson

In Opposition:

Gilles Bazin
Jacqueline Bazin
Brigitte Bouchard-Morris
Suzanne Bretecher
Caroline Brewster
Anthony DeLuca
Domenico DeLuca
Rossana DeLuca
Brian Faurschou
Louise Faurschou
Nancy Flockton
Christine Fong
Jeremy Fong
Yvan Freynet
Heidi Friesen
Travis Friesen
Karla Havelka
Jennifer Hildebrand
Jerry Hildebrand
Paula Hildebrand
Scott Hildebrand
Richard Hiller
Kevin Hyra
Janice Karasevich
Francis Kolla
Murray Kowerko
Jose Lekshanathu
Andre Lussier
Rose Marie Lussier
Bernie Marcoux
Rosanne Marcoux
Barry McTavish
Amit Chhabra
Frank Chilelli
Amanda Christianson
Taylor Christianson
Suni Cyriac
John Morris
Kwok Ngan
Miranda Ngan
Phung Nguyen
Amala Naduppambil
Elsy Naduppambil
Sandes Naduppambil
Thomas Naduppambil
Curt Pankratz
Sharon Pankratz
Ken Rempel
Lili Rempel
Joseph Richard
Doris Rist
Lauren Rist
Alex Sharp
Elizabeth Sharp
Matthew Sharp
Edward Skotniczny
Robert Speirs
Alan Stones
Andrea Stones
Mark Strople
Jose Suni
Thuan Tran
Wilfredo Villavicencio
Kenan Yang

For Information:

Nil

For the City:

G. Jasper, Land Development Engineer, Planning, Property and Development Department
R. Mahé, Planner, Planning, Property and Development Department
S. Jerez, Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 46/2016

ADMINISTRATIVE REPORT

Title: DASZ 46/2016 – 888 John Bruce Rd E

Issue: For consideration at the public hearing for a subdivision and rezoning for the establishment of a multi-family residential development at 888 John Bruce Rd E

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

AUTHORIZATION

Author	Division Head	Department Head	CFO	CAO
Simi Jerez	B. Smith	n/a	n/a	

RECOMMENDATIONS

1. 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 January 25, 2017.
2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 46/2016 dated March 27, 2017 to an "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 of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

        1. That the minimum setback to any principal building from the east, west and south property lines shall not be less than 25 feet.
        2. That, excluding projections permitted under the Zoning By-Law, the maximum height of any building on the land shall not exceed two storeys, to a maximum height of 20 feet.
        3. That no decks shall be built within 15 feet of any property line.
        4. The Owner must submit plans showing the location and design of any and all proposed:
            i) buildings;
            ii) accessory parking areas;

iii) private approaches;

iv) garbage enclosures;

v) fencing;

vi) screening and landscaping; and

vii) free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

3. That the plan of subdivision proposed under File No. DASZ 46/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 46/2016, dated March 27, 2017 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

4. That, in lieu of the dedication of land, the Developer shall provide cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) 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 (2)-year period and Council approves the extension.

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

8. 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.

9. That the zoning section of the by-law shall come into force when the Plan of Subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land provided that the said effective date occurs within one year from the date the by-law is passed.

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 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.

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

- 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 property may be rezoned and subdivided, subject to conditions.

HISTORY

- On July 28, 2016, an Open House was held at Bethel Community Church (430 Lakewood Blvd.) to seek input on a proposed multi-family development at 888 John Bruce Road East. At that time, the proposed development consisted of two (2) three storey six-plex buildings and three (3) three storey eight-plex buildings, totaling 36 units. The proposed side yard was 12 feet.
- The first Open House was advertised in the local newspaper, *The Lance*, and that flyers were distributed to all properties within a 300 foot radius of the subject site.
- Concerns raised included 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, causing traffic and parking concerns
    - Would affect the value of adjacent properties
- A second Open House was held on October 26, 2016 at Southdale community Centre (254 Lakewood Blvd.). At the Open House a modified site plan was presented that attempted to address the concerns raised at the previous open house by reducing the number of units to a total of 24 and increasing side yards to 25 feet.

- For the second Open House, the applicant states that flyers were handed out to all properties within a 300 foot radius of the subject site.
- The applicant indicates that there were 50-70 attendees at the first open house and 70-100 attendees at the second open house.
- The applicant also used questionnaires for feedback regarding the proposed development.

CONSULTATION

In preparing this Report there was internal consultation with:

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Simi Jerez
Date:	March 27, 2017
File No.	DAZ 46/2016

List of Schedules and Attachments

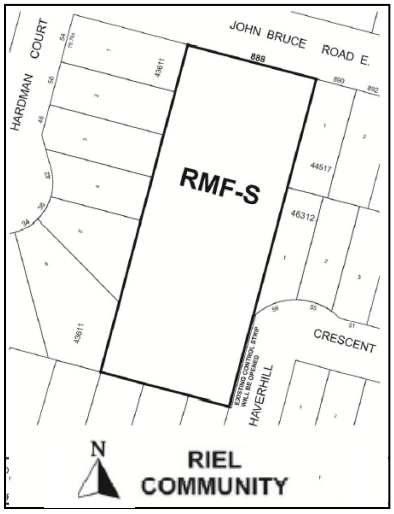
1. Appendix A — Planning Discussion
2. Schedule “A” — Recommended File No. DASZ 45/2016 Riel Community Committee, dated March 27, 2017
3. Schedule “B” — Report of the Administrative Working Group – January 25, 2017

APPENDIX 'A'

DATE: March 27, 2017
FILE: DASZ 46/2016
RELATED FILES:
COMMUNITY: Riel Community
NEIGHBOURHOOD #: 5.555 - Royalwood

SUBJECT: To rezone the land from an "R1-E" Residential Single-Family (Estate) District to an "RMF-S" Residential Multi-Family (Small) District. Application to include the removal of a control strip fronting on Haverhill Crescent.

LOCATION: 888 John Bruce Road East
LEGAL DESCRIPTION: LOT 9 PLAN 12000 122 ST B



APPLICANT: Affinity Architecture Inc. (Mark Funk)
200-4 Fort Street
Winnipeg , Manitoba R3C 1C4

OWNER: Kenneth & Kathleen Park
888 John Bruce Road East
Winnipeg , Manitoba R3X 1Y4

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject site is located on the south side of John Bruce Road East in the Royalwood neighbourhood of the St. Boniface Ward.
- The subject property is 1.3 acres (56,628 sq. ft.) in size and is currently occupied by a one storey 1,272 square foot single-family dwelling.
- The site is located within the Areas of Stability – Recent Communities Policy Area under the Complete Communities Direction Strategy and is zoned “R1-E” Residential Single-Family Estate.



Figure 1: Air photo of the location of subject property and surrounding area (2016)

North: John Bruce Road East; Single-family residential uses (zoned "R1-M" Residential Single-family Medium).

South: Single-family residential uses (zoned "R1-M" Residential Single-family Medium).

East: Single-family residential uses (zoned "R1-M" Residential Single-family Medium).

West: Single-family residential uses (zoned "R1-M" Residential Single-family Medium); Single-family residential uses (zoned "R1-E" Residential Single-family Estate); Multi-family residential uses zoned RMF-S.

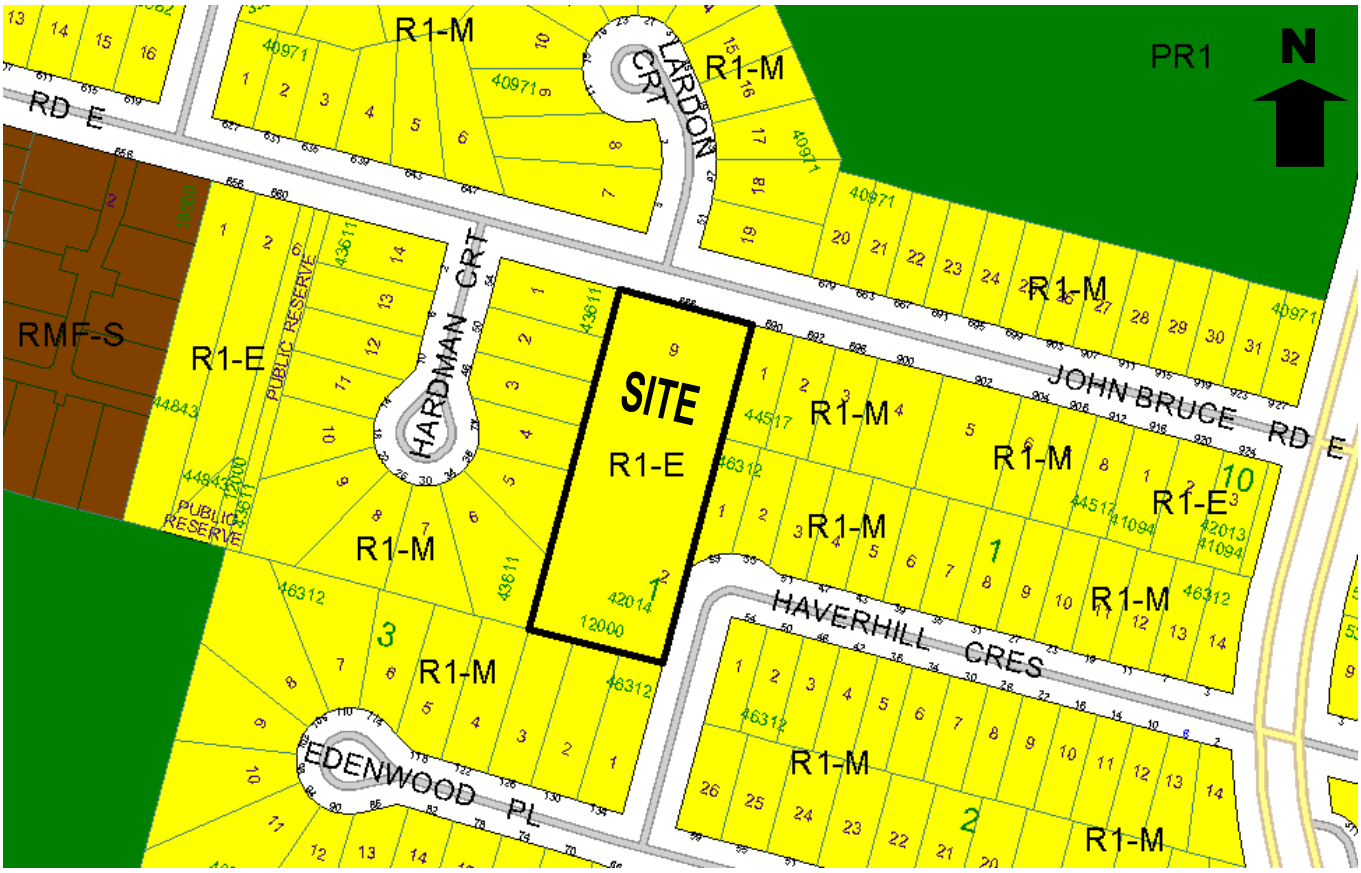


Figure 2: Zoning Context

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the subject site from “R1-E” to “RMF-S” Residential Multi-Family Small in order to demolish the existing single family home and develop a twenty-six (26) unit townhouse style condominium development.
- The proposed development consists of 3 six-plex and 2 four-plex buildings with attached garages. Each dwelling units is two storeys above the garage, with the appearance of a three storey façade and a rood line that slopes to two storeys at the rear of the buildings.
- The height of the proposed buildings is 35 feet.
- The proposed development includes a rear deck for each unit, 4 feet from grade with railings approximately 7.5 feet above grade.
- The applicant is proposing a parking ratio of 1:1.69 parking stalls per dwelling unit for a total of 44 parking spaces, 38 in town-home attached garages, and 6 surface parking stalls which include two accessible stalls.

- The condominiums will be accessed from John Bruce Road East via a private hammerhead lane.
- The average lot size per dwelling unit will be 2,178 square feet in area.
- This application includes the removal of a control strip currently fronting on Haverhill Crescent, as Public Works has confirmed that Haverhill Crescent will not be widened as planned when the control strip was implemented.
- The proposed development does not require a road opening or variances.

ANALYSIS AND ISSUES

OURWINNIPEG AND COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the Complete Communities Direction Strategy the proposed development is located within the Areas of Stability – Recent Communities policy area. With regard to this proposal, the key policies guiding development within 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.
    - Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
    - 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 Complete Communities by ensuring diverse and high quality housing stock.
    - Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.
- 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.

ZONING BY-LAW 200/2006

“R1-E” Residential Single-Family Estate District

- The R1-E district requires: a minimum lot width of 25 feet, a minimum lot area of 20,000 square feet, side yards of 15 feet, a front yard of 30 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 30 percent.

"RMF-S" Residential Multi-Family Small

- The RMF-S zone is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities. The dimensional standards for multifamily structures in the RMF-S zone are: a minimum front yard of 20 feet; a minimum rear yard of 25 feet; a minimum side yard of 4 feet, and, a maximum building height of 35 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 1,250 square feet.

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES



Figure 3: Neighbourhood Context (2016)

- The site is located in the Areas of Stability - Recent Communities policy area under the *Complete Communities Direction Strategy*. As stated above, this policy area supports infill development that is context sensitive and complementary to the existing scale, character and built form of the neighbourhood. As part of analyzing whether a project is "complementary" to existing development, the Urban Planning Division takes into consideration such things as land use, building heights, built-form, density, setbacks, parking, site access, and landscaping/buffering.
- From a land use perspective, the immediate area is characterized primarily by single-family residential dwellings with some low-density residential multi-family developments situated along John Bruce Road East. The existing residential multi-family developments at 850 and 856 John Bruce Road E (see Figure 3) are all zoned RMF-S (Residential Multi-Family - Small) and feature a similar development pattern as this proposed project. Another residential multi-family project with a similar development pattern was also approved recently at 740 John Bruce Road E (see Figure 3) but has not yet been constructed.
- It is also worth considering that this property is the last remaining large estate size lot within the immediate area. Consequently, the subject site provides one of the last best opportunities to provide some additional small-scale residential multi-family infill development within the neighbourhood. Given the surrounding neighbourhood character, rezoning the subject property from R1-E to RMF-S fits the land use context of the existing development within the neighbourhood and on this street in particular.

- It should also be noted that the dimensional standards for the RMF-S zoning district mirror very closely the dimensional standards of the R1-E zoning district. For example, both zoning districts have a 35 foot building height maximum.
- The table below provides density comparison between existing and approved residential multi-family developments on John Bruce Road E within close proximity to the subject site:

Street Address	**Zoning**	**Number of units approved**	**Maximum units/ zoning district**	**Lot Size (sq. ft.)**	**Density Lot area (sq. ft.)/ dwelling unit**	**Density restriction through zoning agreement?**
856 John Bruce Rd. E.	RMF-S	12 bungalow condo units	60	76,000	6,333	No
850 John Bruce Rd. E.	RMF-S	16 two storey condo units *(19 proposed)*	48	60,160	3,760	Yes
740 John Bruce Rd. E.	RMF-S	7 detached bungalow condo units	85	106,250	15,178	Yes
888 John Bruce Rd. E. *(Subject Site)*	Proposed RMF-S *(Currently R1-E)*	26 proposed three storey townhomes	45	56,628	2,178	

- The table above shows that with regard to density, the proposed development is significantly more dense than the other residential multi-family developments on the street. It should be noted that the proposed development is well within the density maximums permitted within the RMF-S zoning district; however it is difficult to reach the RMF-S zoning district density maximums for this property with a townhouse development pattern given the geometry of the land and the building typology.
- With regard to building height, the proposed development, at 27 feet tall, is below the building height maximum for the RMF-S or R1 zoning districts, which is 35 feet. From a contextual standpoint, the immediate properties directly to the west of the subject site are bungalow style single-family homes on Hardman Court (see Figure 7). To the south and east of the subject site, there are two-storey single family homes (see Figure 8). Additionally, the residential multi-family developments on the street are either bungalow style (see Figure 4) or two-storey (see Figure 5). This project, at three storeys, would be a deviation from that of the surrounding context. Given the surrounding context, two storeys would be more context sensitive than the proposed three storey development.
- From a transportation perspective, the subject is located along a local street and in close walking proximity to St. Anne's Road (approximately 800 metres) where there is access to 2

bus routes (route #55 and #59), which run from St. Vital to Downtown. The subject site is located within close distance (approximately 230 metres) from a bus stop (route #96) on Shorehill Drive, serviced during peak times from Monday to Friday. Route #96 runs from St. Vital Mall to Lagimodiere Boulevard and Patterson Street. With access to three bus routes within 800 meters from the subject property, the site is well served by public transit.

- Landscaping and buffering treatments are important to help integrate a development into the surrounding context, while contributing to neighbourhood and street aesthetics. In addition to these benefits, landscaping and buffering treatments can also help screen and minimize land use conflicts. As such, landscaping should include buffering to the neighbouring R1-M residential zoning district to the west, south and east property lines to mitigate conflict. The Division recommends that landscaping options to screen multi-family units from single-family homes be presented for Plan Approval.



Figure 4: 856 John Bruce Road East Street View (Google Earth 2016)



Figure 5: 850 John Bruce Road East Street View (Google Earth 2016)



Figure 6: Hardman Court Street View (Google Earth 2016)



Figure 7: John Bruce Road East (890, 892, 896) Street View (Google Earth 2016)

RECOMMENDED ZONING AGREEMENT

- Given that the development is the conversion of an Estate size lot, the subject site has considerable development potential. However, it should be done in a manner that is sensitive to neighbouring land uses. As a result, the Urban Planning Division recommends as a condition of approval that a Zoning Agreement be implemented and that any future plans for development require development plans to be approved by the Director, Planning, Property and Development as well as the Riel Community Committee.
- The Division is recommending that the height of proposed buildings on the land be restricted through a zoning agreement to two storeys to reflect the character of the neighbourhood while allowing for moderate densification and context-sensitive infill development.
- The Division recommends that the minimum setback from the east, west and south property lines shall not be less than 25 feet, and that no decks shall be built within 15 feet of any property line.
- The Division is recommending that final plans be submitted to the Director of Planning, Property and Development and the Riel Community Committee for review prior to the issuance of a development permit on the site. The inclusion of this clause will allow the Planning and Land Use Division to review final plans to ensure that these plans are

compatible with the community in the instance that a different type of development is proposed in the future.

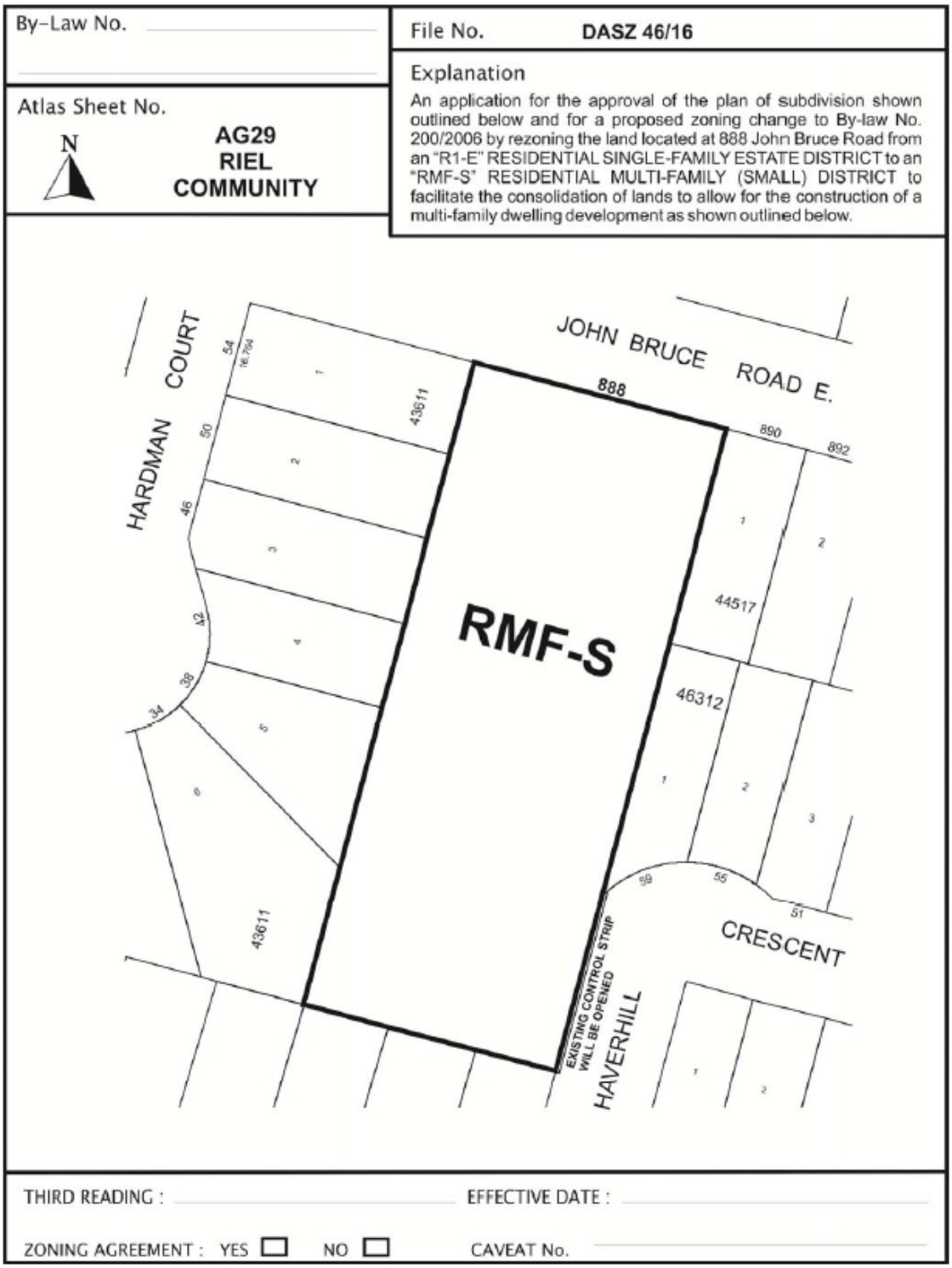
RECOMMENDATIONS

The Urban Planning Division recommends approval with conditions contingent upon the recommended zoning agreement because the proposed rezoning meets the intent of the policies in the Complete Communities Direction Strategy, promoting infill development to increase housing choice, increase options for aging in place, and to maximize the use of existing infrastructure.

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

Report Prepared by: Simi Jerez
PPD File #: DASZ 46/2016

Schedule "A" for File No. DASZ 46/2016, Riel Committee, dated March 27, 2017



SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP (ACG) – JAN 25, 2017

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 888 JOHN BRUCE ROAD – FILE NO. DASZ 46/16

The ACG Group reviewed the above noted application and provided the following comments and recommendations if approved :

1) Building Fire Suppression
   There is not adequate fire flow for the proposed development based on the information submitted The applicant shall either adjust the site plan to increase building setbacks or complete building upgrades (such as fire walls, sprinklers or non-combustible construction) such that the required fire flow for the development is reduced to the available fire flow from the existing system.

2) Private Approach
   The proposed private approach will require a separate application to the Public Works Department. As well, the proposed private approach is considered non-conforming under the Private Access Bylaw as the Private Access Bylaw stipulates that "*the projected nearest edge of an approach or nearest point of a loading bay must not be within 6 metres of an intersection or an intersecting street, measured along the property line".* The proposed private approach is also too narrow to accommodate bi-directional traffic. Please note that the Public Works Department does not have authority to approve non-conforming private approaches and that approval will be required by the Standing Policy Committee on Infrastructure Renewal and Public Works.

3) Control Strip on Haverhill Crescent
   The Applicant shall, at no expense to the City, legally open the existing 0.3m control strip separating the Planned Area from Haverhill Crescent for the length of the Planned Area abutting Haverhill Crescent.

4) Land Drainage Trunk Charge
   The applicant shall, prior to the release of mylars, pay their share of the land drainage trunk user charge as determined by the Director of Water and Waste.

5) Payment for improvements on John Bruce Road
The Applicant shall, prior to the release of mylars, pay their share of the following services installed by others in John Bruce Road abutting the Planned Area:

a) Watermain;
b) land drainage sewer lateral;
c) wastewater sewer; and
d) concrete pavement

as determined by the Director of Water and Waste and the Director of Public Works

6) Payment for Improvements on Haverhill Crescent
The Applicant shall prior to the release of mylars pay their share of the following works in Haverhill Crescent abuttin the Planned Area:

a) Watermain;
b) land drainage sewer lateral; and
c) concrete pavement

as determined by the Director of Water and Waste and the Director of Public Works

7) Boulevards

a) The Developer shall, at no expense to the City, sod and plant trees along John Bruce Road and Haverhill Crescent abutting the Planned Area all in accordance with City specifications and guidelines as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, maintain the sod for a period of one year and the new trees for a period of two years, in accordance with specifications approved by the Director of Public Works.

THIS REPORT SUBMITTED BY:
Administrative Co-ordinating Group
File No. DASZ 46/2016
Match 22, 2017
"*Original Signed by G. Jasper"*
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"*Original Signed by M. Gadja"*
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