Minutes – Executive Policy Committee – December 6, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 27, 2017

Item No. 2 Subdivision and Rezoning – 1320 Molson Street
(Elmwood-East Kildonan Ward)
File DASZ 15/2017 [c/r DAV 136239/2017D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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 plan of subdivision under File DASZ 15/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" of File DASZ 15/2017 dated October 10, 2017, with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into, execute and deliver a Servicing Agreement with the City containing all the conditions outlined in Schedule "C," the report of the Administrative Coordinating Group, dated August 15, 2017.

2. That Caveat 266309 be withdrawn as it affects proposed Lot 2 shown on Schedule "B" of File DASZ 15/2017.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "B" of File DASZ 15/2017 dated October 10, 2017, to "RMF-S" Residential Multi-Family (Small); subject to the following:

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

        i. That, for those portions of the Owner's Land zoned "RMF-S" Residential Multi-Family (Small), the Owner must submit plans showing the location and design of any and all proposed:
            a. buildings,
            b. parking areas and driveways,
            c. garbage enclosures,
            d. fencing,
            e. outside lighting,

f. landscaping,
g. walkways and bikeways,
h. bicycle parking facilities, and
i. free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the East Kildonan – Transcona Community Committee 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.

ii. That, for those portions of the Owner's Land zoned "RMF-S" Residential Multi-Family (Small), digital signage, mobile signs, and A-board signs shall not be permitted.

iii. That no more than 19 dwelling units be permitted.

4. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing ten percent (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 be 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 and execution by the City of the Servicing Agreement.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 27, 2017

9. That the zoning section of the by-law shall come into force and effect 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 lands, provided that the said effective date occurs within one (1) 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 this one (1)-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 – November 27, 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 concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On November 27, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 7 and 8, 2017, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- Delete "except a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit." from Recommendation 3.A.ii.

- Add the following new Recommendation 3.A.iii.:

  3.A.iii. That no more than 19 dwelling units be permitted.

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

On October 17, 2017, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on November 7, 2017, at 6:30 p.m. in the Council Building, 510 Main Street, to allow the applicant to conduct further consultation with area residents.

RE: **Subdivision and Rezoning – 1320 Molson Street**
File DASZ 15/2017

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

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

Report date: **November 8, 2017**

COMMUNITY COMMITTEE RECOMMENDATION:

On November 7, 2017, the East Kildonan-Transcona 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 plan of subdivision under File DASZ 15/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" of File DASZ 15/2017 dated October 10, 2017, with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into, execute and deliver a Servicing Agreement with the City containing all the conditions outlined in Schedule "C," the report of the Administrative Coordinating Group, dated August 15, 2017.

2. That Caveat 266309 be withdrawn as it affects proposed Lot 2 shown on Schedule "B" of File DASZ 15/2017.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "B" of File DASZ 15/2017 dated October 10, 2017, to "RMF-S" Residential Multi-Family (Small); subject to the following:

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

        i. That, for those portions of the Owner's Land zoned "RMF-S" Residential Multi-Family (Small), the Owner must submit plans showing the location and design of any and all proposed:
            a. buildings,
            b. parking areas and driveways,
            c. garbage enclosures,
            d. fencing,
            e. outside lighting,

f. landscaping,
g. walkways and bikeways,
h. bicycle parking facilities, and
i. free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the East Kildonan – Transcona Community Committee 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.

ii. That, for those portions of the Owner's Land zoned "RMF-S" Residential Multi-Family (Small), digital signage, mobile signs, and A-board signs shall not be permitted. ~~***except a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit.***~~

iii. That no more than 19 dwelling units be permitted.

4. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing ten percent (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 be 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 and execution by the City of the Servicing Agreement.

9. That the zoning section of the by-law shall come into force and effect 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 lands, provided that the said effective date occurs within one (1) 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 this one (1)-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.

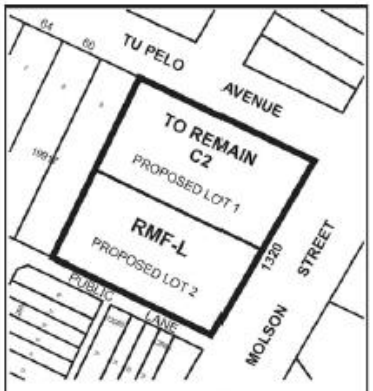
Note: The wording in bold and italics denotes amendments made by the Community Committee.

The East Kildonan-Transcona Community Committee provided the following supporting reason(s) for its recommendation:

1. Due process was provided and everyone had the right to do what they did and say what they said and this was a respectful process.
2. The community has spoken and concerns about how densely we build our neighbourhood in this location has been heard.
3. Working with fellow Councillors we're trying to bring about a serious and consistent pattern of doing our part to build density.

PUBLIC HEARING SUMMARY

File:	DASZ 15/2017
Before:	East Kildonan-Transcona Community Committee Councillor Schreyer, Chairperson Councillor Browaty Councillor Wyatt
Public Hearing:	November 7 and 8, 2017 October 17, 2017 Council Building, 510 Main Street
File:	DASZ 15/2017
Applicant:	John Wintrup, Richard Wintrup & Associates Ltd.
Subject:	



APPLICANT : RICHARD WINTRUP & ASSOCIATES
FILE : DASZ 15/17
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 a "C2" COMMERCIAL COMMUNITY DISTRICT and an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to facilitate the construction of a Multi-Family Dwelling use and the maintenance of the Retail use. **For information, phone Mr. G. Doney, Planner, at 204-986-2688.**

Premises Affected: 1320 Molson Street

Exhibits Filed:

1. Application dated June 9, 2017
2. Notification of Public Hearing dated September 6, 2017
3. Manitoba Status of Titles 2260300/1, 2776244/1, 2893546/1
4. Letter of authorization dated April 3, 2017, from Copp's Garden Centre Ltd. to Richard Wintrup & Associates
5. Letter of authorization dated April 3, 2017, from 704153 Manitoba Ltd. to Richard Wintrup & Associates
6. Letter of authorization dated June 22, 2017, from Yadwinder Singh Sandhu and Kirandeep Kaur Sandhu to John Wintrup
7. Surveyor's Building Location Certificate and sketch dated May 23, 2017
8. Caveats 266309/1, 3521033/1
9. Plans (3 pages)
10. Report from the Urban Planning Division dated October 10, 2017
11. Inspection Report
12. Communication dated October 17, 2017, from Grant McCormick, in opposition to the application
13. Communication dated October 17, 2017, from Diana Plett, in opposition to the application
14. Communication dated October 5, 2017, from John Wintrup, Richard Wintrup & Associates, in support of the application
15. Communication dated October 17, 2017, from Michelle Buschman, in opposition to the application
16. Communication dated October 17, 2017, from Randy Bileski, in opposition to the application
17. Recording of Representations of public hearing held on October 17, 2017
18. Presentation in support of the application submitted by the Applicant at the public hearing
19. Petition in support of to the application purporting to contain the signatures of 117 area residents, submitted by John Wintrup, Richard Wintrup & Associates
20. Petition in opposition to the application purporting to contain the signatures of 213 area residents, submitted by Paul LaFreniere
21. Presentation in opposition to the application submitted by Paul LaFreniere at the public hearing
22. Presentation in opposition to the application submitted by the Janice Briggs at the public hearing

23. Presentation in opposition to the application submitted by the Dell Lange at the public hearing
24. Notice of Adjournment dated October 24, 2017
25. Communication dated October 17, 2017, from Holly Kolevris, in opposition to the application
26. Communication dated November 6, 2017, from Amandeep Sohal, in support of the application
27. Communication dated November 6, 2017, from Gurbaksh Sohal, in support of the application
28. Communication dated November 7, 2017, from Lyle Schumack, in opposition to the application
29. Communication dated November 7, 2017, from Deborah Schumack, in opposition to the application
30. Communication and revised plans, dated November 7, 2017, from the Applicant, in support of the application
31. Communication dated November 7, 2017, from Shivraj Gill, in support of the application
32. Communication dated November 7, 2017, from Avneet Wararh, in support of the application
33. Recording of Representations
34. Communication dated November 7, 2017, from Karen Chylinski and Rick Carriere in opposition to the application, submitted at the public hearing
35. Communication dated November 7, 2017, from Kathleen and Grant Buckoski in opposition to the application, submitted at the public hearing
36. Presentation and Communication dated November 7, 2017, in opposition to the application submitted by Janice Briggs at the public hearing
37. Communication dated November 5, 2017, from Rita and Tony Fauconnier, in opposition to the application, submitted at the public hearing
38. Submission from Kathleen Fuller, in opposition to the application, submitted at the public hearing
39. Communication from Paul and Suzanne LaFreniere, in opposition to the application, submitted at the public hearing
40. Communication dated November 7, 2017, from Dawn Hendrick, in opposition to the application, submitted at the public hearing

REPRESENTATIONS:

In Support:

Sohan Attewal
Gaganpreet Singh Bagri
Sandra Copp
Sukjit Bhandal
Shivraj Gill
Alvel Grewal
Harbans Pandher
Jagtar Singh Sandhu
J. S. Sandhu
Yadwinder Singh Sandhu
G. Singh
Jagtal Singh
Rajwinder S.
Amandeep Sohal
Gurbaksh Sohal
John Wintrup
Avneet Wararh

In Opposition

Charlotte Adolphe
Gerry Adolphe
Gene Allard
Jennifer Allard
Randy Bileski
Janice Briggs
Wayne Briggs
Regula Bosshart
Grant Buckoski
Kathleen Buckoski
Michelle Buschman
Rick Carriere
Robert Chapiel
Karen Chlylinski
Rita Fauconnier
Tony Fauconnier
Kathleen Fuller
Dawn Hendrick
Holly Kolevris
Mary Koniak
Paul LaFreniere

Suzanne LaFreniere
Lynn Livesley
Grant McCormick
Helene Merrell
Diana Plett
Lyle Schumack
Deb Schumack

For Information:

Gary Campbell
Cindy Lange
Detlef Lange
Jenn Mymko
Rick Mymko

For the City:

G. Jasper, Land Development Administrator, Planning, Property and Development Department
G. Doney, Senior Planner, Planning, Property and Development Department
R. Hayer, Planner, Planning, Property and Development

Exhibit "10" referred to in File DASZ 15/2017

ADMINISTRATIVE REPORT

Title: DASZ 15/2017 – 1320 Molson St.

Issue: Proposed Plan of Subdivision and Rezoning that would rezone part of the subject site to "RMF-L" Residential Multi-Family (Large) in order to accommodate a proposed six-storey multi-family dwelling containing 55 dwelling units.

Critical Path: East Kildonan – Transcona Community Committee → Standing Policy Committee on Property and Development, Heritage and Downtown 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 15/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" of File DASZ 15/2017 dated October 10, 2017, with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer be required to enter into, execute and deliver a Servicing Agreement with the City containing all the conditions outlined in Schedule "C," the report of the Administrative Coordinating Group, dated August 15, 2017.

2. That Caveat 266309 be withdrawn as it affects proposed Lot 2 shown on Schedule "B" of File DASZ 15/2017.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "B" of File DASZ 15/2017 dated October 10, 2017, to "RMF-S" Residential Multi-Family (Small); subject to the following:

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- buildings,
- parking areas and driveways,
- garbage enclosures,
- fencing,
- outside lighting,
- landscaping,
- walkways and bikeways,
- bicycle parking facilities, and
- free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the East Kildonan – Transcona Community Committee 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.

ii. That, for those portions of the Owner's Land zoned "RMF-S" Residential Multi-Family (Small), digital signage, mobile signs, and A-board signs shall not be permitted except a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit.

4. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing ten percent (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 be 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 and execution by the City of the Servicing Agreement.

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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 this one (1)-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.

REASONS FOR REPORT

This report describes the proposal and makes recommendations based on compliance with *OurWinnipeg* and *Complete Communities.* A public hearing is required as per *The Development Procedures By-law No. 160/2011* and *The City of Winnipeg Charter*, Section 249.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the proposal can proceed as modified by those recommendations.

CONSULTATION

The City's Administrative Coordinating Group was consulted in the preparation of this report.

SUBMITTED BY

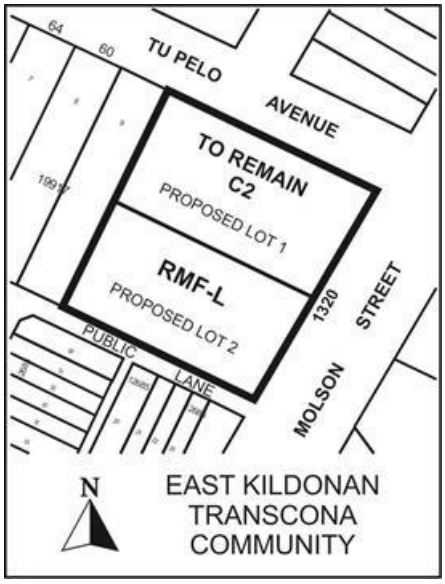
Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Glen Doney
Date:	October 10, 2017
File No.	DASZ 15/2017

Attachments

- **Appendix "A," Planning Discussion**
- **Schedule "A," of File DASZ 10/2017, East Kildonan – Transcona Community Committee, dated October 10, 2017**
- **Schedule "B," of File DASZ 10/2017, East Kildonan – Transcona Community Committee, dated October 10, 2017**
- **Schedule "C," Report of the Administrative Coordinating group, dated June 14, 2017**

APPENDIX "A," PLANNING DISCUSSION

DATE:	October 10, 2017
FILE:	**DASZ 15/2017**
RELATED FILE:	DAV 17-136239D
COMMUNITY:	East Kildonan – Transcona
NEIGHBOURHOOD #:	4.422 (Valley Gardens)
SUBJECT:	Proposed Plan of Subdivision and Rezoning that would rezone part of the subject site to "RMF-L" Residential Multi-Family (Large)
LOCATION:	1320 Molson Street.
LEGAL DESCRIPTION:	Lots 1 & 2, Plan 46662 WLTO



APPLICANT:	Richard Wintrup & Asociates (John Wintrup) 179 McDermot Avenue, Rm. 201 Winnipeg R3B 0S1
OWNERS:	Lot 1 – Copp's Garden Centre Lot 2 – 7041543 Manitoba Ltd.
RECOMMENDATION:	Approval as Modified

SITE DESCRIPTION

The subject site, identified on Figures 1 and 2 of this attachment:

- is at the southwest corner of Tu-pelo Avenue and Molson Street;

- is in the Valley Gardens Neighbourhood and the Elmwood – East Kildonan Ward;
- consists of two lots in a plan of subdivision;
- is 1.2 acres;
- contains a single family dwelling on one lot that is zoned “R1-M” Residential Single-Family (Medium) and a retail sales use on the other lot that is zoned “C2” Commercial Community; and
- is in a Recent Communities Policy Area, which is a type of Areas of Stability Policy Area of *OurWinnipeg* and *Complete Communities*.

Also of note is that Lot 1, Plan 46662, which is the part of the site zoned “C2,” is subject to a zoning agreement:

- restricting motor-vehicle access to, and the location of, accessory parking;
- restricting how the lot can be used;
- requiring a 10 foot deep west yard that must be landscaped a certain way; and



Figure 1: Looking West, image derived from 2016 aerial photography

- requiring plan approval of any proposed building, structure, parking area or landscaping by the East Kildonan – Transcona Community Committee.

SURROUNDING LAND USE AND ZONING

Land uses and developments abutting or near the site are shown on Figure 1 and the zoning of properties abutting or near the site are shown on Figure 2.

North: Tu-pelo Avenue then two-family dwellings in a “R2” Residential Two-Family District and single-family dwellings in a “R1-L” Residential Single-Family (Large) District.

South: a public lane then side-by-sides in an “RMF-S” Residential Multi-Family (Small) District.

East: Molson Street then single-family dwellings in an “R1-M” Residential Single-Family (Medium) District.

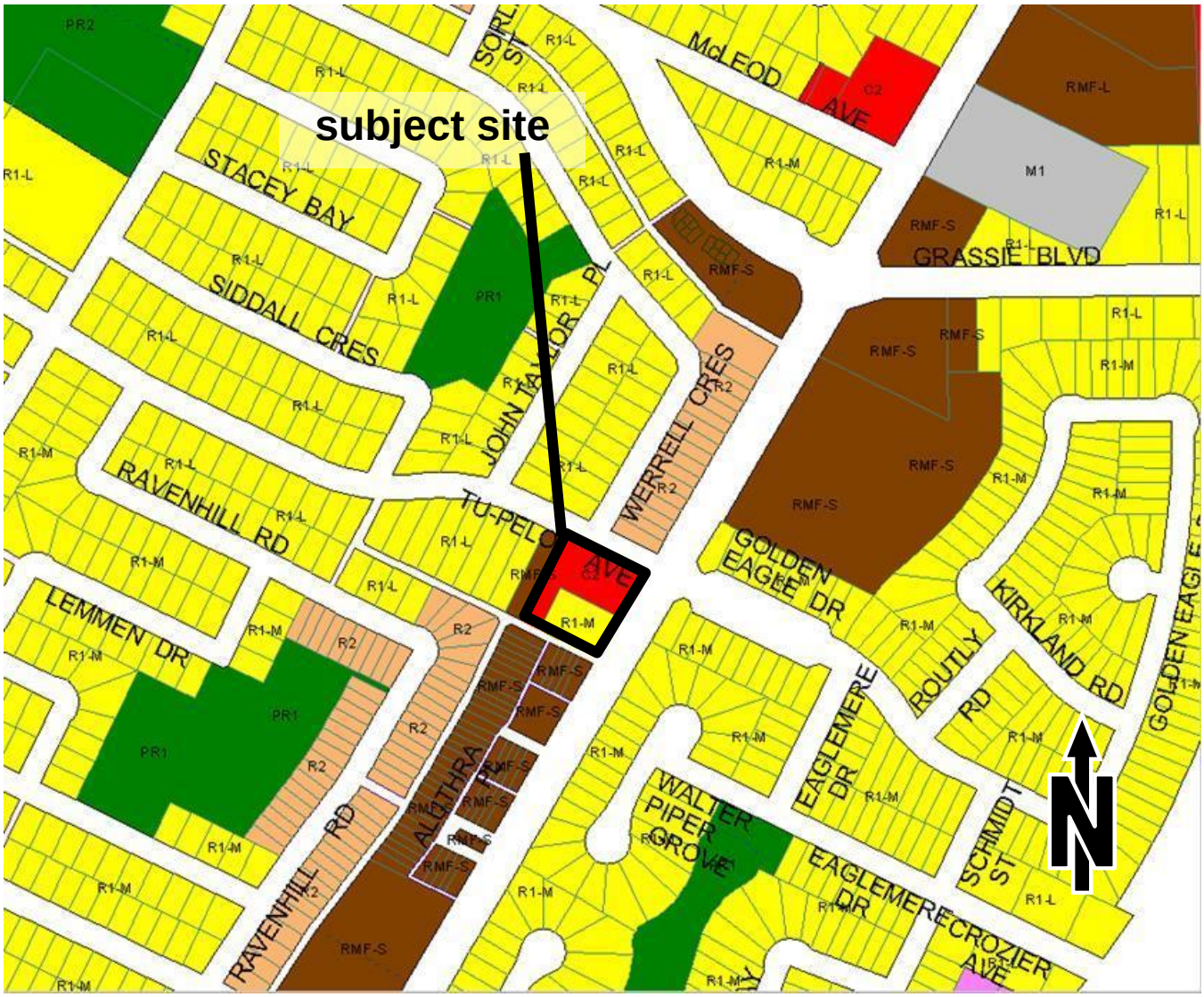


Figure 2: Existing Zoning and Lot Lines

West: a four unit two-storey, multi-family dwelling in an “RMF-S” Residential Multi-Family Dwelling (Small) District.

Figure 3 shows that only proposed Lot 2 would be rezoned and that the only public street that proposed Lot 2 would be abutting is Molson Street. Therefore the character of properties that are abutting Molson Street and are near the site should be given greater consideration. Figure 2 shows:

- that “R2” Residential Two-Family lots back onto Molson Street;
- that some “R1” Residential Single-Family lots flank Molson Street and most “R1” lots back onto Molson; and
- that large and small “RMF-S” Residential Multi-Family (Small) lots flank or front Molson Street.

The “RMF-L” Residential Multi-Family (Large) lot that is northeast of Molson and McLeod is 1500 feet north of the site. It is not close enough to the site to be part of the site context.

Also of note are:

- that a rural roadway, ditches and a water main are in the Molson Street Right-of-Way (ROW), but no sidewalks;
- that a land drainage sewer is in the public lane ROW immediately south of the site;
- that service pipes connect the dwelling on the subject site to the water main and the wastewater main in the Tu-pelo Avenue ROW, across the lot currently zoned “C2” Commercial Community; and
- that public transit stops are at the corner of Molson and Tu-pelo.

DESCRIPTION OF THE PROPOSED SUBDIVISION AND REZONING

The proposed plan of subdivision and rezoning is shown on Figure 3 and Schedule “A.” The two existing lots of Plan 46662 would be replaced by two new lots:

- Proposed Lot 1 would be abutting Tu-pelo and Molson. It would encompass most of the land that is presently zoned “C2” Commercial Community.
- Proposed Lot 2 would be abutting Molson and the public lane to the south. It would encompass all of the land presently zoned “R1-M” Residential Single-Family (Medium) and some of the land presently zoned “C2”. Proposed Lot 2 is to be rezoned to “RMF-L” Residential Multi-Family (Large).

In the “RMF-L” District:

- the minimum lot area per dwelling unit requirement is 400 square feet per dwelling unit (maximum 108.9 dwelling units per acres); and
- the maximum building height requirement is 150 feet.

The intention is to develop a six storey multi-family dwelling, containing 55 dwelling units, on proposed Lot 2.

The site plan that is part of the subject application states that "*the plans of development of the new structure are… conceptual only resembling only one possible development scenario.*" Nevertheless, the plans that are part of the subject application have value in that they indicate whether the proposed rezoning to "RMF-L" Residential Multi-Family (Large) would comply with *OurWinnipeg* and *Complete Communities.*

Plans submitted with the subject application indicate:

- that the proposed building would be 67 feet in height, measured at the midpoint of the proposed sloped roof;
- that the proposed building would be 40 feet from the southern limit, five feet from the eastern limit, eight feet from the northern limit and nearly 44 feet from the western limit of proposed Lot 2;
- that each floor above the ground floor would contain
  - four dwelling units facing south,
  - three dwelling units facing north and

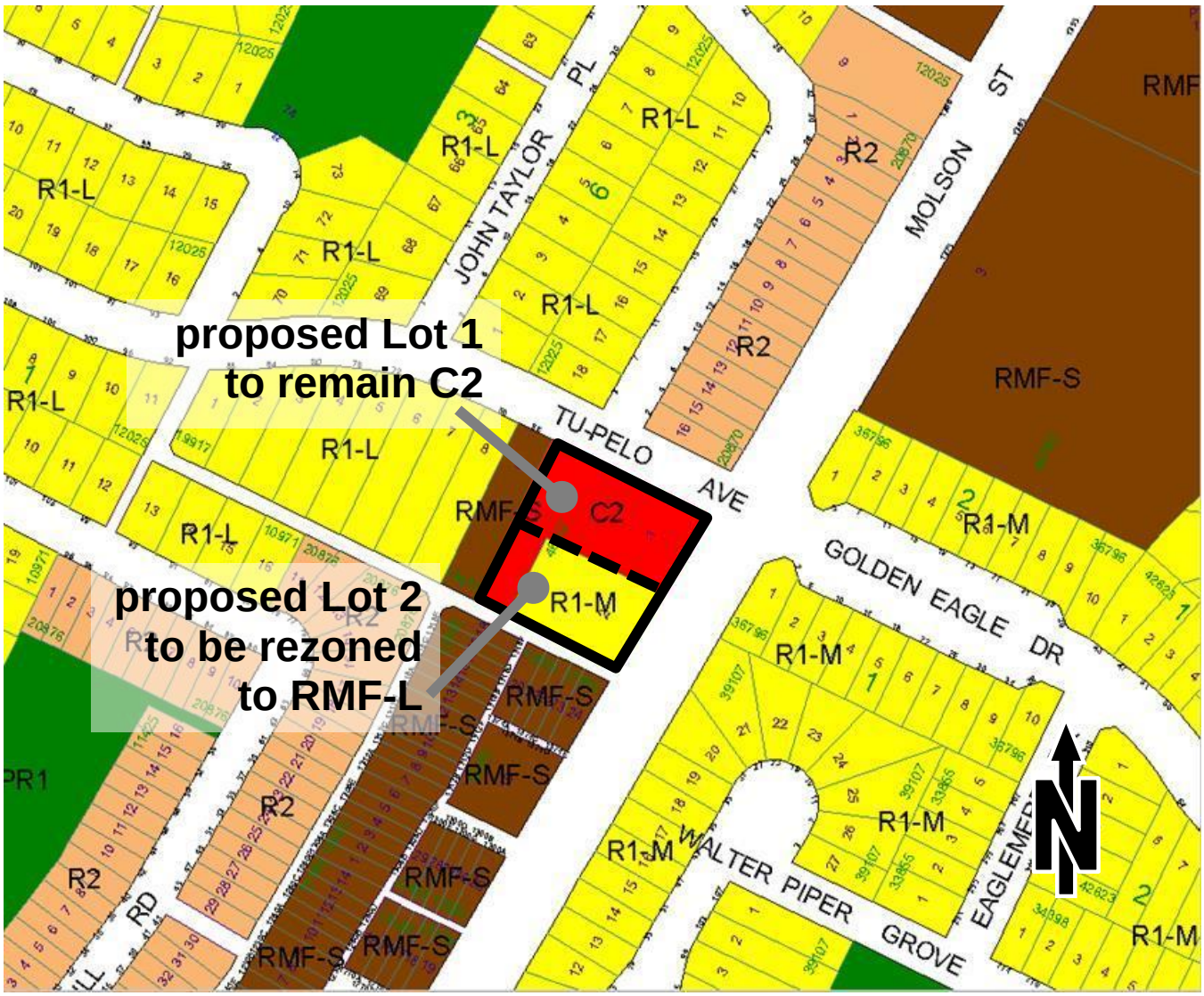


Figure 3: Existing and Proposed Zoning and Lot Lines

proposed lot line

- four corner suites (facing north and west, north and east, south and east, and south and west);

- that balconies are not proposed;
- that the ground floor of the proposed building would be open on its sides except for the lobby area;
- that the open portions of the ground floor would be for parking;
- that much of the rest of the site would also be for parking;
- that the parking aisle would have two zero radius turns as it extends around the west end of the proposed building;
- that the parking area would be abutting almost all of the northern, western and southern limits of proposed Lot 2;
- that 71 parking spaces are proposed; and
- that pedestrian routes from the proposed building entrance to the garbage enclosure or to an abutting public ROW are not proposed.

In addition to the subject application, variances are required to accommodate the proposed development. The Administrative Report on DAV 17-136239D explains and evaluates these proposed variances.

ANALYSIS AND ISSUES

OURWINNIPEG

OurWinnipeg is the City's development plan. The Key Direction of *OurWinnipeg* regarding Areas of Stability states: "*Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population*."

In terms of size and shape, the proposed lots would be similar to, or small than, nearby lots that are zoned for multi-family developments.

Table 1, below, compares the dimensional standards of the "RMF-L" Residential Multi-Family (Large) District to the dimensional standards of the "RMF-S" Residential Multi-Family (Small) District and the "R2" Residential Two-Family District because the properties that are:

- alongside Molson Street, and abutting or near the site;
- in a zoning district that allows multi-family dwellings (as a permitted use or as a conditional use);

are in a "RMF-S" District or a "R2" District.

Table 1	min. SF of site area per dwelling unit	max. dwelling units per acre	max. building height, ft.
RMF-L	400	108.9	150
RMF-S	1250	34.8	35
R2	800	54.5	35

Table 1 shows that the "RMF-L" District allows a residential density more than triple the density allowed in the "RMF-S" District and double the density allowed in the "R2" District. Table 1 also shows that the "RMF-L" District allows a building height that is more than quadruple the height allowed in the "RMF-S" and in the "R2" District.

These findings indicate that the "RMF-L" District would accommodate a residential development that would not be compatible with its context (shown on Figures 1, 2 and 3).

Therefore, the proposed rezoning of proposed Lot 2 to "RMF-L" and the intensity of development that it would accommodate would not "*enhance the quality"* of the neighbourhood. This means that the proposal does not comply with *OurWinnipeg.*

However, the proposal would comply with *OurWinnipeg,* including the aforementioned Key Direction, if it is modified such that proposed Lot 2 would be:

- rezoned to "RMF-S"; and
- subject to a zoning agreement
  - requiring development to be in substantial conformance with plans approved by the Director of the Planning, Property and Development Department and the East Kildonan – Transcona Community Committee and
  - prohibiting signage that would detract from the compatibility of the proposed development with its context (digital signage, mobile signs that are not associated with a new occupancy permit, and A-board signs).

COMPLETE COMMUNITIES

Complete Communities is a "Direction Strategy" of *OurWinnipeg* that provides additional directions and policies on land use and development in the city.

Section 04 of *Complete Communities* pertains to the Areas of Stability policy area. Several policies under Direction 1 of Section 04 pertain to the proposal. They are stated below:

> *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.*
>
> *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.*
>
> *Support the subdivision of a parcel of land into two or more lots when it is done in a context sensitive manner.*

The proposed plan of subdivision shows a lot configuration that would be "*context sensitive."*

The proposed rezoning of proposed Lot 2 to "RMF-L" would accommodate a development:

- that would not be a low or a moderate change to the neighbourhood;
- that would not be complementary or sensitive to the area in which the site is located; and

- that would add to the supply of new apartment type dwelling units in the neighbourhood.

Therefore, the proposed rezoning would not comply with the first and second policies quoted above. Also it would not comply with the Key Direction of *Complete Communities* that applies to Areas of Stability because it is the same as the Key Direction of *OurWinnipeg* that applies to Areas of Stability.

However, the proposal would comply with *OurWinnipeg* and *Complete Communities,* including all of the aforementioned policies of *Complete* Communities, if it is modified such that proposed Lot 2 would be:

- rezoned to “RMF-S”; and
- subject to a zoning agreement
  - requiring development to be in substantial conformance with plans approved by the Director of the Planning, Property and Development Department and the East Kildonan – Transcona Community Committee and
  - prohibiting signage that would detract from the compatibility of the proposed development with its context (digital signage, mobile signs that are not associated with a new occupancy permit, and A-board signs).

REASONS FOR THE RECOMMENDATIONS

As previously stated, the proposal does not comply with *OurWinnipeg* or *Complete Communities*. Also stated is that it would comply if it is modified such that proposed Lot 2 would be:

- rezoned to “RMF-S”; and
- subject to a zoning agreement
  - requiring development to be in substantial conformance with plans approved by the Director of the Planning, Property and Development Department and the East Kildonan – Transcona Community Committee and
  - prohibiting signage that would detract from the compatibility of the proposed development with its context (digital signage, mobile signs that are not associated with a new occupancy permit, and A-board signs).

Therefore, Urban Planning recommends approval of Schedule “B”of DASZ 15/2017 and for said approval to be subject to the aforementioned zoning agreement.

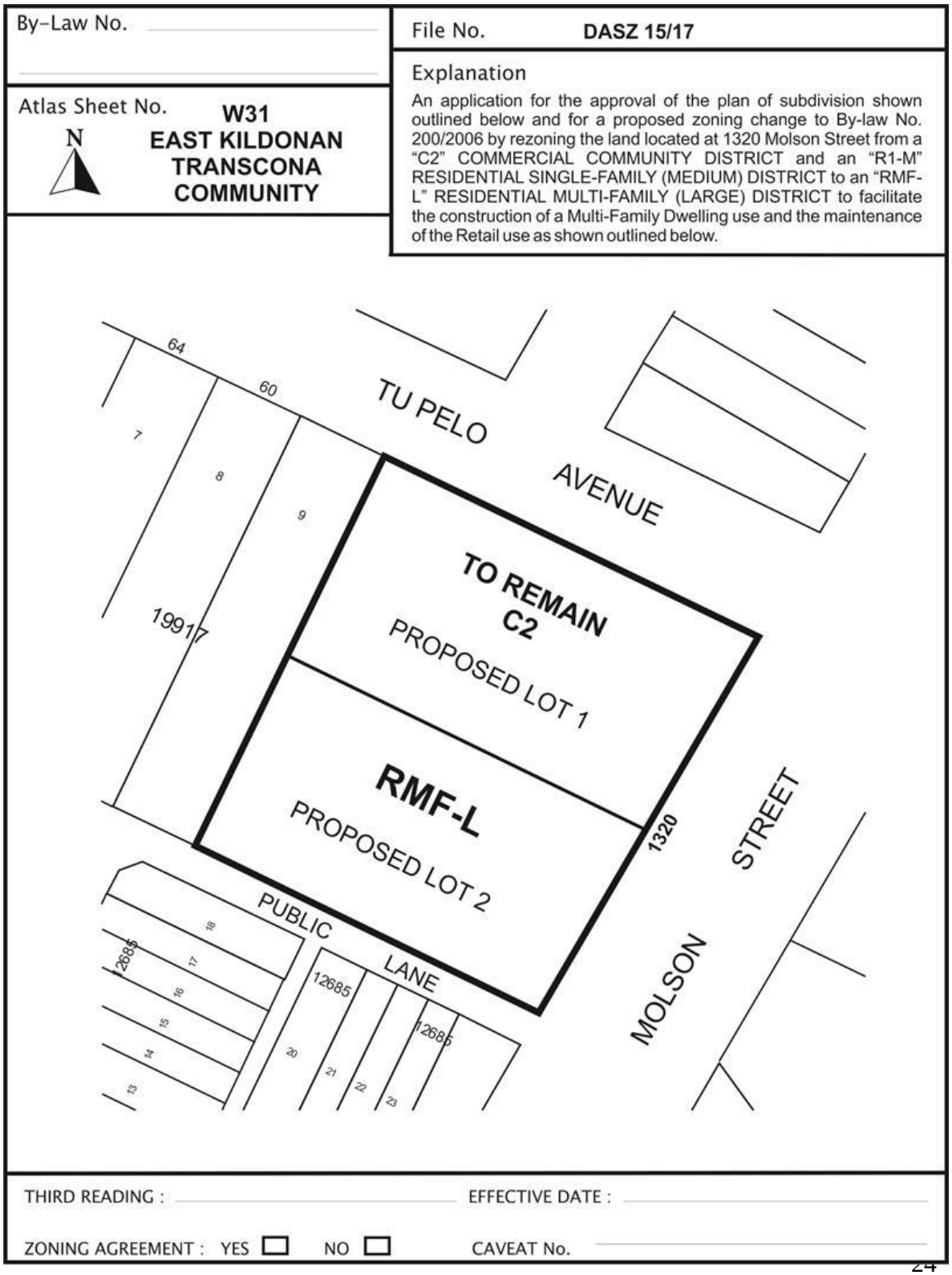
(Urban Planning also recommends discharging the existing zoning agreement as it pertains to proposed Lot 2 because a new zoning agreement is recommended.)

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

Report Prepared by:
Glen Doney

PPD File #:
DASZ 15/2017

SCHEDULE "A" OF FILE DASZ 15/2017, East Kildonan – Transcona Community Committee, dated October 10, 2017



SCHEDULE "B" OF FILE DASZ 15/2017, East Kildonan – Transcona Community Committee, dated October 10, 2017

By-Law No. _____

File No. **DASZ 15/17**

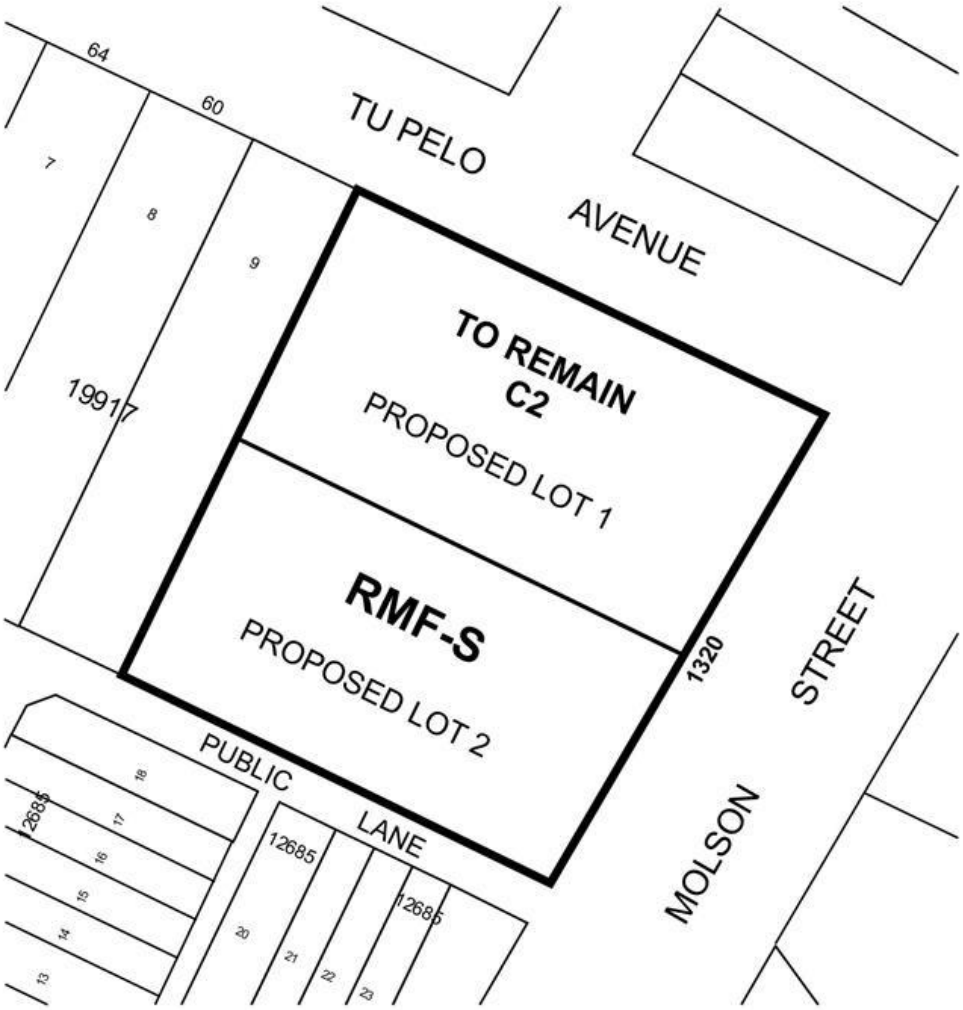
Atlas Sheet No. **W31**

N

EAST KILDONAN TRANSCONA COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 1320 Molson Street from a "C2" COMMERCIAL COMMUNITY DISTRICT and an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to facilitate the construction of a Multi-Family Dwelling use and the maintenance of the Retail use as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE "C"
REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – August 15, 2017

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED AT 1320 MOLSON STREET (EAST KILDONAN – TRANSCONA COMMUNITY) DASZ 15/2015

It is recommended that the approval of DASZ 15/2017, if granted, be subject to the applicant entering into a Servicing Agreement addressing the following items:

1) The applicant shall enter into, and register and maintain in perpetuity by way of caveat against the titles to the "affected lots" (all lots which are to be services jointly), an appropriate joint services easement agreement with owners of the other affected lots to enable the joint servicing of lots in the Planned Area with services. Said agreement shall further absolve the City from any costs or responsibility for the private joint services.

2) The Developer shall, prior to the release of mylars, pay to the City, in cash, its share of the costs of services to be installed, by others, in Molson Street, along the full length of the subject property abutting Molson Street, as determined by the Director of Public Works including:

    a) a 4.0m in width by 200mm in thickness Portland cement concrete lane of pavement and related works;

    b) Street lighting in the west boulevard;

    c) Landscaping in the west boulevard;

    d) A 1.5m wide by 100mm thick Portland cement concrete sidewalk;

    all as determined by and to the satisfaction of the Director of Public Works.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 15/2017
October 5, 2017

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

"*Original Signed by C. Desjardine"*
C.J. Desjardine P. Eng.
Public Works Department

"*Original Signed by M. Gadja"*
M. Gadja, P. Eng.
Water & Waste Department

GJ/gj