Minute No. 120
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 12, 2016

Item No. 4 Secondary Plan Amendment – 1914 Henderson Highway (North Kildonan Ward)
File SPA 4/2015 [c/r DASZ 17/2015 & DAV 130129/2015D]

COUNCIL DECISION:

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

1. That By-law No. 81/2015, as per Appendix "A," be forwarded to Council for second and third readings.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 12, 2016

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 by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 20, 2016, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and the East Kildonan-Transcona Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 12, 2016, 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 December 7, 2015, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

On November 17, 2015, the East Kildonan-Transcona Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on December 7, 2015 at 6:00 p.m. in the Council Building at 510 Main Street.

RE: **Secondary Plan Amendment – 1914 Henderson Highway**
File SPA 4/2015

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: **December 8, 2015**

COMMUNITY COMMITTEE RECOMMENDATION:

On December 7, 2015, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That By-law No. 81/2015, as per Appendix "A," be forwarded to Council for second and third readings.

2. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

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

1. North Henderson is a high transit oriented development.
2. This is consistent with other Secondary Plan Amendments made over the years.
3. I appreciate that the building height has been lowered from seven stories to five stories.
4. The quality of the finish looks really good.
5. More and more people want to stay in the neighbourhood that they're familiar with and this type of higher end development will allow people to do so.

PUBLIC HEARING SUMMARY

File: SPA 4/2015

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

Public Hearing: December 7, 2015
November 17, 2015
Council Building, 510 Main Street

Applicant: Landmark Planning & Design Inc. (Donovan Toews)

Subject:



Premises Affected: 1914 Henderson Highway

Exhibits Filed:

1. Application dated June 11, 2015
2. Notification of Public Hearing dated September 3, 2015
3. Council Decision of September 30, 2015; contains report from the Director of Planning, Property and Development dated August 5, 2015
4. First Reading of By-law No. 81/2015 by Council on September 30, 2015
5. Manitoba Status of Title 2493618/1
6. Letter of authorization dated May 5, 2015 from 6077561 Manitoba Ltd. to Landmark Planning & Design Inc.
7. Plans (12 pages)
8. Report from the Urban Planning Division dated November 6, 2015
9. Inspection Report
10. Notice of Adjournment dated November 20, 2015
11. Recording of Representations of public hearing held on December 7, 2015

REPRESENTATIONS:

In Support:

Donovan Toews
Brenda Tesarski
Dean Spearman
Joel Neufeld

In Opposition:

Wally Harris

For Information:

Keesha Berry
Joel Piwniuk
Keziah Toews
Samuel Toews
Dave Winslade

For the City:

Mr. G. Doney, Senior Planner, Planning, Property and Development Department

Exhibit "8" referred to in File SPA 4/2015

ADMINISTRATIVE REPORT

Title: SPA 4/2015, 1914 Henderson Highway

Issue: application for approval of a proposed amendment to the *North Henderson Highway Secondary Plan* by amending the Proposed Land Use map by reclassifying the subject site to a High Density Residential proposed land use and amending Schedule "A" by limiting the density of the subject site to no more than 34 dwelling units per acre

Critical Path: East Kildonan – Transcona Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council as per the Development Procedures By-law and *The City of Winnipeg Charter.*

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	n/a	n/a	

RECOMMENDATIONS

1. That By-law No. 81/2015, as per Appendix "A," be forwarded to Council for second and third readings.

2. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

This report provides information on, and makes recommendations regarding, the application to amend the *North Henderson Highway Secondary Plan* (File No. SPA 4/2015) and describes the proposed development. This report is available for consideration at the public hearing that is required as per the Development Procedures By-law and *The City of Winnipeg Charter.*

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, *North Henderson Highway Secondary Plan* can be amended to accommodate the proposed development described in this report.

CONSULTATION

The City's Legal Services Department was consulted in the preparation of the amending by-law.

HISTORY

On September 30, 2015, Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. that Council give First Reading to By-law No. 81/2015, a proposed by-law amending the North Henderson Highway Secondary Plan;

2. that the East Kildonan – Transcona Community Committee conduct a public hearing with respect to the proposed by-law and submit its report on said by-law to Council; and

3. that the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Glen Doney
Date	November 6, 2015
File No.	SPA 4/2015

Appendices and Attachments

Appendix “A,” Planning Discussion

Attachment “A,” The City of Winnipeg By-law No. 81/2015

Attachment “B,” *North Henderson Highway Secondary Plan*, Proposed Land Use map

Appendix "A," Planning Discussion

DATE:	November 6, 2015
FILE:	SPA 4/2015
RELATED FILES:	DASZ 17/2015 & DAV 15-130129D
COMMUNITY:	East Kildonan - Transcona
NEIGHBOURHOOD #:	4.421
SUBJECT:	application for approval of a proposed amendment to the *North Henderson Highway Secondary Plan* by amending the Proposed Land Use map by reclassifying the subject site to a High Density Residential proposed land use and amending Schedule "A" by limiting the density of the subject site to no more than 34 dwelling units per acre
LOCATION:	1914 Henderson Highway
LEGAL DESCRIPTION:	Special Plot Lot 4, Plan 11459 WLTO



APPLICANT:	Donovan Toews Landmark Planning and Design 298 Waterfront Drive Winnipeg, MB R3B 3P1
OWNER:	6077561 Manitoba Ltd.
RECOMMENDATION:	Approval with Conditions

SUBJECT SITE DESCRIPTION

The subject site, identified on Figures 1, 2 and 3, is:

- along the west side of Henderson Highway (which has high frequency public transit service) and the east bank of the Red River and south of Strood Avenue;
- in the Valhalla Neighbourhood and the North Kildonan Ward;
- approximately 100 feet wide and 30,250 square feet;
- undeveloped, other than a gravel driveway; and
- in an "R1-E" District of Zoning By-law 200/2006, a Regional Mixed-Use Corridor Policy Area of *OurWinnipeg* and *Complete Communities* and a Low Density Residential Policy Area of the *North Henderson Highway Secondary Plan*.

Figures 1, 2 and 3 show the subject site and vicinity. Figure 1 identifies existing land uses on 2014 aerial photography. Figure 2 is an oblique view derived from 2014 aerial photography. Figure 3 shows existing lots and existing zoning.

DESCRIPTION OF THE PROPOSED AMENDMENT AND DEVELOPMENT

As previously stated, the subject of this report is the application for approval of a proposed

Figure 1: Existing Uses, 2014 Aerial Photography **North↑**



amendment to the *North Henderson Highway Secondary Plan* by amending the Proposed Land Use map by reclassifying the subject site to a High Density Residential proposed land use and amending Schedule "A" by limiting the density of the subject site to no more than 34 dwelling units per acre.

Applications to subdivide and rezone the subject site, under File DASZ 17/2015, and to vary Zoning By-law 200/2006 requirements, under File DAV 15-130129D, have also been submitted to accommodate the proposed development.

The proposed development, illustrated on the submitted plans and shown conceptually on Figure 4, would consist of:

- one principal building – a five storey apartment building that includes
  - on the ground floor, a parking garage with 40 motor-vehicle parking spaces and a garage door facing east, a garbage storage room, a gym with windows facing east and a lobby with the entrance and windows facing east;
  - on the second floor, five dwelling units, a patio at the west end of the building shared by two dwelling units, a common room and balconies on the north and east sides of the building and
  - six dwelling units and balconies on all sides of the building on each of the next three floors;
- a landscaped front yard containing nine parking spaces, the parking garage entrance, a garbage pick-up pad and a pedestrian walkway from the public sidewalk just east of the site to the lobby entrance;
- landscaped side-yards; and
- a rear yard extending to the riverbank.

It is of particular note that there are two, slightly different, site plans.

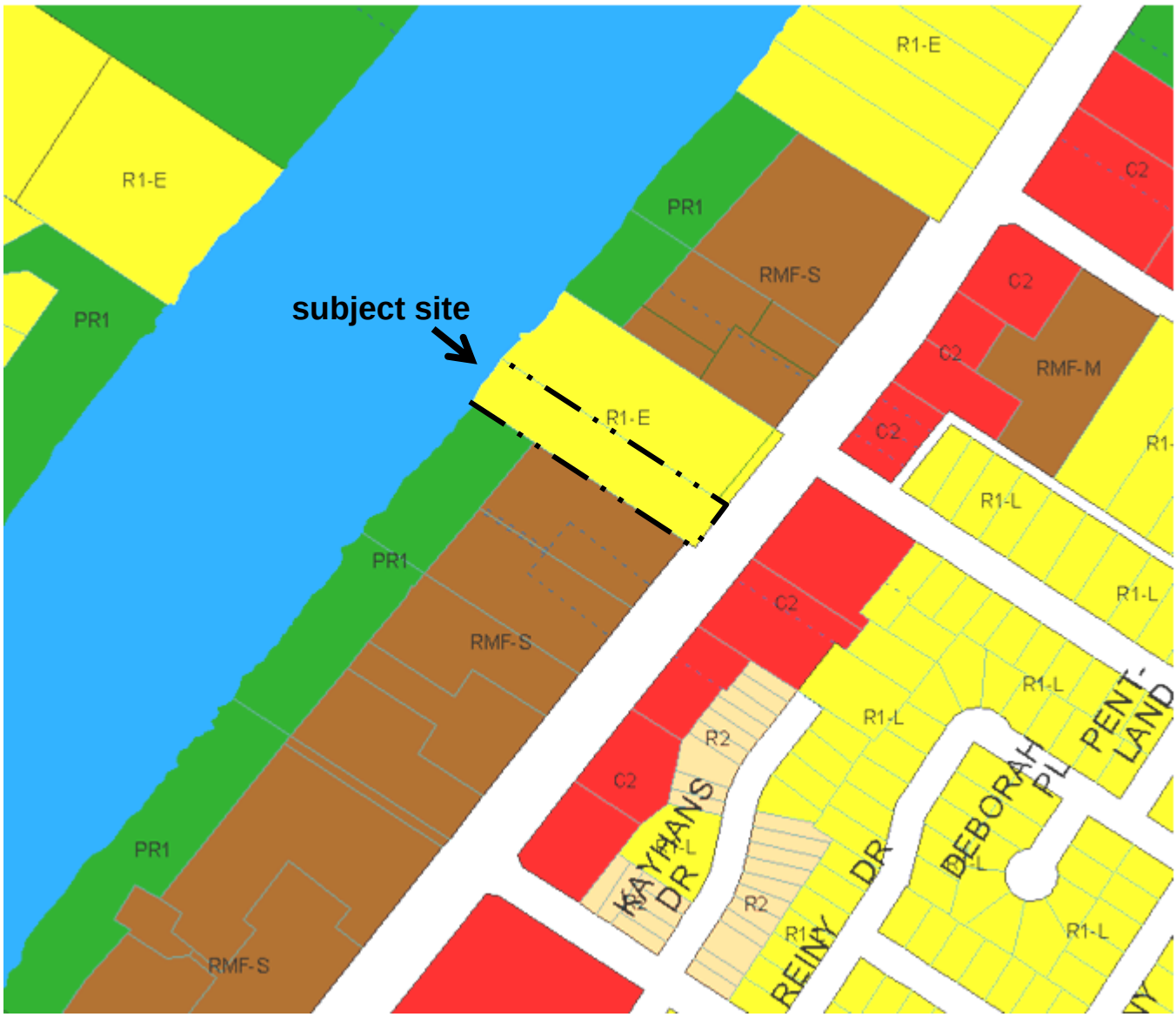
Figure 2: 2014 Aerial Photography, Oblique View Looking North



Site Plan “a” shows the north and south side yards the same depth – 13.5 feet (measured to the proposed building’s exterior walls). This version shows the south corner of each diagonal outside parking space and the garbage pad abutting the south property line and the parking spaces to the north approximately five feet from the north property line.

Site Plan “b” shows the south and north side yard depths, measured to the proposed building’s exterior walls, 18 feet and nine feet, respectively. This version shows the northerly parking spaces abutting the north property line and the southerly ones approximately five feet from the south property line.

Figure 3 Existing Lots and Existing Zoning **North↑**



ANALYSIS AND ISSUES

OurWinnipeg* and *Complete Communities

OurWinnipeg is the City's development plan and *Complete Communities* is a "Direction Strategy" of *OurWinnipeg* that provides additional directions and policies on land use and development in the city.
The Key Direction of *OurWinnipeg* and *Complete Communities* that applies to Centres and Corridors (including Regional Mixed-Use Corridors) states: "Focus a significant share of growth to centres and
corridors in a manner 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…"

The proposed subdivision and rezoning are consistent with this direction because they would accommodate a development that would:

- provide a significant concentration of dwelling units that would enhance opportunities for a variety of commercial uses alongside Henderson Highway to expand and for new ones to establish;
- be largely street-oriented, which would enhance the pedestrian environment along Henderson Highway;
- be well-served by public transit; and
- utilize existing municipal infrastructure.

Compatibility with the Area

Figures 1 and 2 show that two two-storey townhouses, together containing 24 dwelling units, are on a property immediately south of the subject site and that the main buildings on the care home site are 1 ½ storeys and two storeys. They also show that three apartment buildings, ranging from three to six storeys and from 24 to 29 dwelling units, are close to the subject site, and other apartment buildings are nearby.

Given that the apartment building on the subject site would be five storeys and would contain 23 dwelling units, it is compatible with the larger context of the site, characterized by the existing apartment buildings along the west side of Henderson Highway. Therefore, the proposed secondary plan amendment is also compatible with the larger context because it would limit the density to 34 dwelling units per acre.

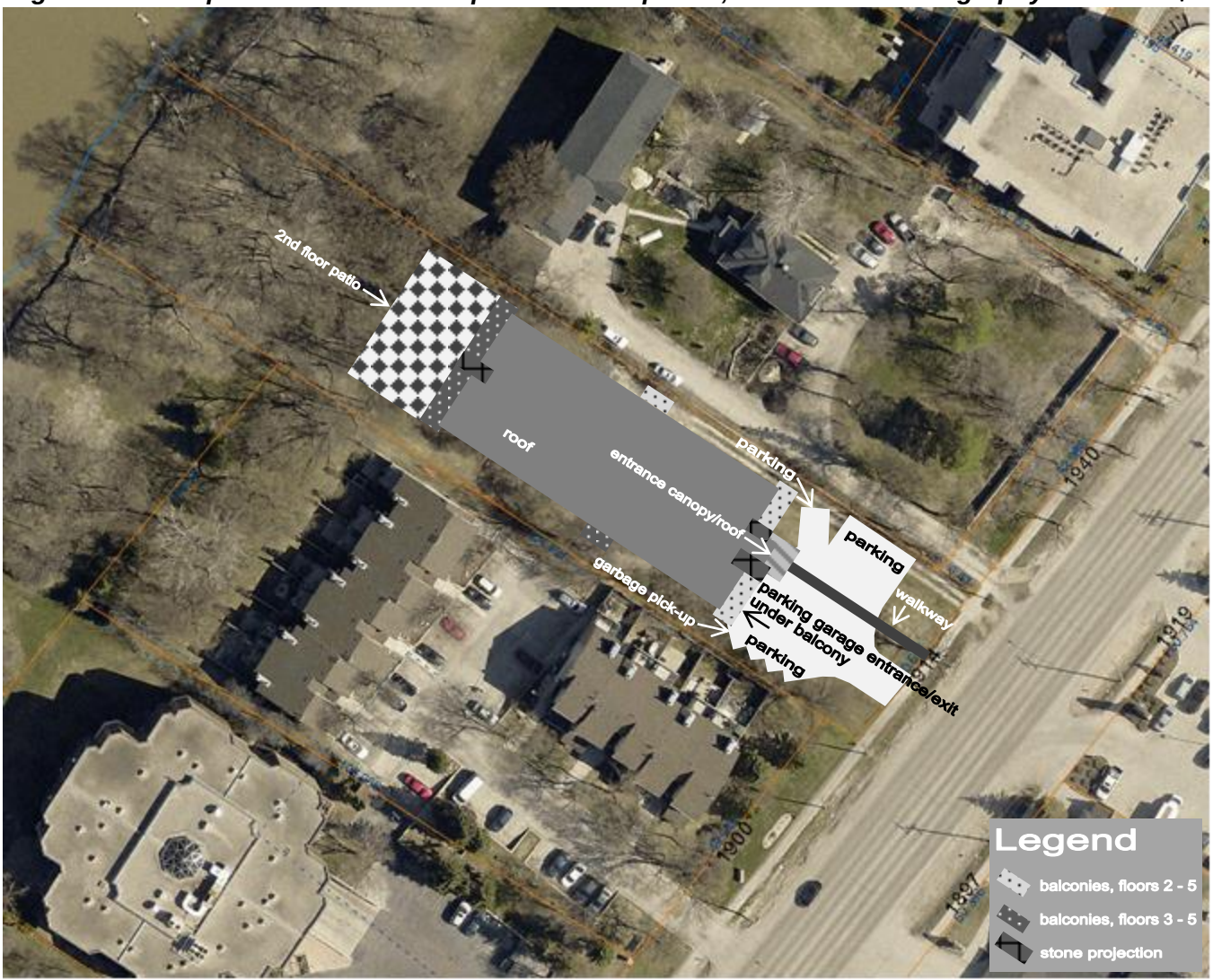
Regarding the two site plans, version “a” is more compatible with the property to the north and version “b” is more compatible with the property to the south. Given that the rear yards of five townhouses to the south are abutting the subject site, the development should be closer to the northern limit of the site than the southern limit. However, space should be provided for a fence between the northern limit of the site and the outside parking area.

This could be achieved with a north side-yard, measured to the proposed building’s exterior wall, of 9.5 feet (in depth) and a corresponding south side-yard depth of 17.5 feet deep, as illustrated conceptually on Figure 4. This would result in the outside parking area being 0.5 feet south of the northern site limit and approximately four feet from the southern site limit. These side-yard depths, and sufficient landscaping along the south side of the outside parking area, can be assured by modifying Variance Application DAV 15-130129D and approving the variance application as modified.

REASONS FOR THE RECOMMENDATIONS

The Urban Planning Division recommends approval because the proposed secondary plan amendment is consistent with *OurWinnipeg* and *Complete Communities* and is compatible with

Figure 4: Conceptual Site Plan of Proposed Development, 2014 Aerial Photography **North↑**



the area in which the subject land is located.

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

Report Prepared by:
Glen Doney

PPD File #:
SPA 4/2015

Attachments

Attachment “A”, By-law 81/2015

Attachment “B”, North Henderson Hwy. Secondary Plan, Proposed Land Use Map, By-law No. 1300/76

ATTACHMENT "A"

THE CITY OF WINNIPEG

BY-LAW NO. 81/2015

A By-law of THE CITY OF WINNIPEG to amend the North Henderson Highway Secondary Plan By-law No. 1300/1976.

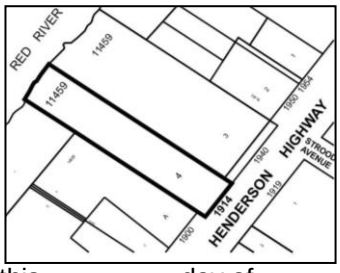
THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1 The North Henderson Highway Secondary Plan By-law No. 1300/1976 is amended by this By-law.

2 The Proposed Land Use Map of the North Henderson Highway Secondary Plan By-law No. 1300/1976 is amended by reclassifying the land identified below from a "LOW DENSITY RESIDENTIAL" proposed land use to a "HIGH DENSITY RESIDENTIAL" proposed land use.

3 Schedule "A" is amended by adding the following after Sub-Area 4, subclause (c)(i):

(ii) Notwithstanding anything elsewhere contained in this By-law, Lot 4 Plan 11459 WLTO is hereby reclassified for high density residential development with a maximum density of 34 units per acre.



RECEIVED FIRST READING on this day of , 2015.

RECEIVED SECOND READING on this day of , 201 .

RECEIVED THIRD READING on this day of , 201 .

DONE AND PASSED this day of , 201 .

Mayor

City Clerk

Approved as to planning details:

for Director of Planning, Property and Development

Approved as to form:

for Director of Legal Services and City Solicitor

ATTACHMENT “B”

North Henderson Highway Secondary Plan, Proposed Land Use Map, By-law No. 1300/76

