Minute No. 478
Report – Executive Policy Committee – July 11, 2018

Item No. 12 Rezoning – 384 Stradbrook Avenue
(Fort Rouge - East Fort Garry Ward)
File DAZ 205/2018 [c/r DAV 123023/2018D]

COUNCIL DECISION:

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

1. That the Developer meet all the conditions outlined in Schedule 'B', the report of the Administrative Coordinating Group, dated May 23, 2018.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File No. DAZ 205/2018 dated July 3, 2018 to an "RMF-L" Residential Multi-Family-Large 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 include the following conditions:

      i. That the Owner must submit plans showing the location and design of any and all proposed:

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

         on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the City Centre 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 the height of any building shall not exceed 5 storeys or (55) feet.

Report – Executive Policy Committee – July 11, 2018

COUNCIL DECISION (continued):

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

3. 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.

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

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (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.

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

7. That the by-law shall come into force and effect when 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 year from the date the by-law is passed, failing which the by-law will expire and 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.

8. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

9. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Report – Executive Policy Committee – July 11, 2018

DECISION MAKING HISTORY:

Moved by His Worship Mayor Bowman,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 11, 2018, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 3, 2018, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

RE: **Rezoning – 384 Stradbrook Avenue**
File DAZ 205/2018

For submission to: **Executive Policy Committee**

Prepared by: **Kate McMillan, Senior Committee Clerk**
City Centre Community Committee

Report date: **July 4, 2018**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 3, 2018, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the Developer meet all the conditions outlined in Schedule 'B', the report of the Administrative Coordinating Group, dated May 23, 2018.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File No. DAZ 205/2018 dated July 3, 2018 to an "RMF-L" Residential Multi-Family-Large 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 include the following conditions:

        i. That the Owner must submit plans showing the location and design of any and all proposed:

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

            on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the City Centre 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 the height of any building shall not exceed 5 storeys or (55) feet.

3. 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.

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

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (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.

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

7. That the by-law shall come into force and effect when 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 year from the date the by-law is passed, failing which the by-law will expire and 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.

8. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

9. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

The City Centre Community Committee provided the following supporting reasons for its recommendation:

1. The variance regarding parking is being addressed by Peg City Car Co-op and with the bike storage they have experience building in this area already.
2. The planners have indicated that they've worked with them successfully to ensure that the building doesn't look pro forma with the others down the block.
3. I like the articulation of the building – it's not a big square. I also like the fact that the balconies face out to the front to increase street life.

PUBLIC HEARING SUMMARY

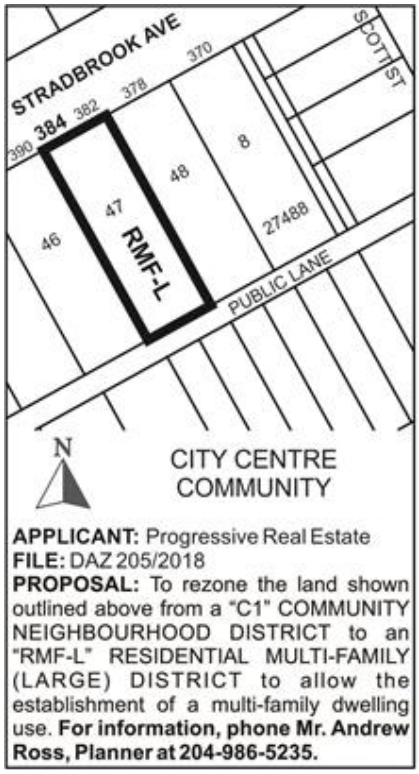
File: DAZ 205/2018

Before: City Centre Community Committee
Councillor Gilroy, Chairperson
Councillor Orlikow

Public Hearing: July 3, 2018
Council Building, 510 Main Street

Applicant: Progressive Real Estate (Geoff Milnes)

Subject:



Premises Affected: 384 Stradbrook Avenue

Exhibits Filed:

1. Application dated April 25, 2018
2. Notification of Public Hearing dated May 23, 2018
3. Manitoba Status of Titles 2246593/1
4. Letter of authorization dated August 28, 2017 from Sold Out Performance Inc. to 7220953 Manitoba Ltd.

5. Letter of authorization dated April 9, 2018 from Geoff Milnes, 7220953 Manitoba Ltd. to Progressive Real Estate
6. Letter of authorization dated April 9, 2018 from Geoff Milnes, 7220953 Manitoba Ltd. to Progressive Real Estate
7. Caveat 3552878
8. Plans (6 pages)
9. Report from the Urban Planning Division dated June 25, 2018
10. Inspection Report
11. Presentation submitted by the Applicant at the public hearing.

REPRESENTATIONS:

In Support:
Geoff Milnes
Rob Robson

In Opposition
Nil

For Information:
Nil

For the City:
M. Robinson, Senior Planner, Planning, Property and Development Department
D. Harris, Planner, Planning, Property and Development Department
A. Ross, Planner, Planning, Property and Development Department

Exhibit " 9 " referred to in File DAZ 205/2018

ADMINISTRATIVE REPORT

Title: DAZ 205/2018 384 Stradbrook Ave.

Issue: For consideration at the public hearing for a rezoning for DAZ 205/2018 384 Stradbrook Avenue to permit the development of a multifamily dwelling.

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

AUTHORIZATION

Author	Division Head	CFO	CAO
A. Ross, RPP	B. Smith, RPP	n/a	

RECOMMENDATIONS

1. That the Developer meet all the conditions outlined in Schedule 'B', the report of the Administrative Coordinating Group, dated May 23, 2018.
2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File No. DAZ 205/2018 dated July 3, 2018 to an "RMF-L" Residential Multi-Family-Large 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 include the following conditions:
        i. That the Owner must submit plans showing the location and design of any and all proposed:
            a. buildings;
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on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the City Centre 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 the height of any building shall not exceed 5 storeys or (55) feet.

3. 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.

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

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (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.

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8. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

9. 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 will be rezoned to an “RMF-L” Residential Multi-Family-Large District, to permit the development of a multifamily dwelling with 15 units.

HISTORY

On July 18, 2007, Council approved a rezoning of the property from an “RM-4” Multiple-Family District to a “C1” Commercial Community District, in order to allow for the conversion of an existing residential dwelling to a mixed office/residential use. The subject application reverts the zoning back to multifamily residential.

CONSULTATION

In preparing this Report there was consultation with:

N/A

SUBMITTED BY

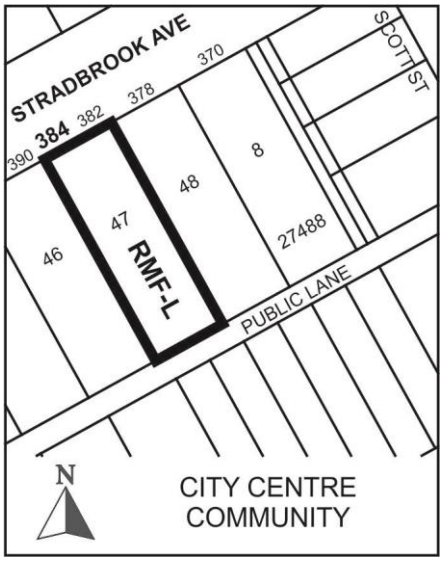
Department	*Planning, Property and Development*
Division	*Urban Planning*
Prepared by	Andrew Ross, RPP, MCIP
Date:	Monday, June 25, 2018
File No.	DAZ 205/2018

APPENDIX 'A'

DATE: June 25, 2018
FILE: **DAZ 205/2018**
RELATED FILES: DAV 18-123023D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.111 – River-Osborne

SUBJECT: To rezone the land from a "C1" - Commercial Neighbourhood District to an "RMF-L" Residential Multi-Family-Large District.

LOCATION: 384 Stradbrook AVE
LEGAL DESCRIPTION: LOT 47 PLAN 52 36 ST B



APPLICANT: Geoff Milnes
Unit 101-1383 Pembina Highway
Winnipeg , Manitoba R3T 2B9

OWNER: SOLD OUT PERFORMANCE INC.
384 STRADBROOK AVE
WINNIPEG MB R3L 0J8

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

The subject property is located on the south side of Stradbrook Avenue, four properties west of Scott Street, in the River-Osborne neighbourhood of the Fort Rouge – East Fort Gary ward.

The property is designated as being located within a Mature Community under the *Complete Communities Direction Strategy*, and within the Village Medium Density Residential Area of the *Osborne Village Neighbourhood Plan.*

The property is 7,363 sq. ft. in size, is currently zoned “C1” – Commercial Neighbourhood district. The property currently contains a duplex.

The immediate area is characterized primarily by multifamily residential development. The site is approximately one block east of Osborne Street – the commercial spine of the neighbourhood and a Community Mixed Use Corridor as identified in the *Complete Communities Direction Strategy*.

The site is a 520-metre (~6 minute) direct walk east to the Harkness Rapid Transit Station.



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

Immediately adjacent land uses include:

North: Stradbrook Avenue, then multifamily residential uses (zoned "RMF-L" Residential Multifamily (Large).

South: Rear lane, then multifamily residential uses (zoned "RMF-M" Residential Multifamily (Medium).

East: Two-family residential uses (zoned "RMF-M" Residential Multifamily (Medium).

West: Multifamily residential uses (zoned "RMF-M" Residential Multifamily (Medium).

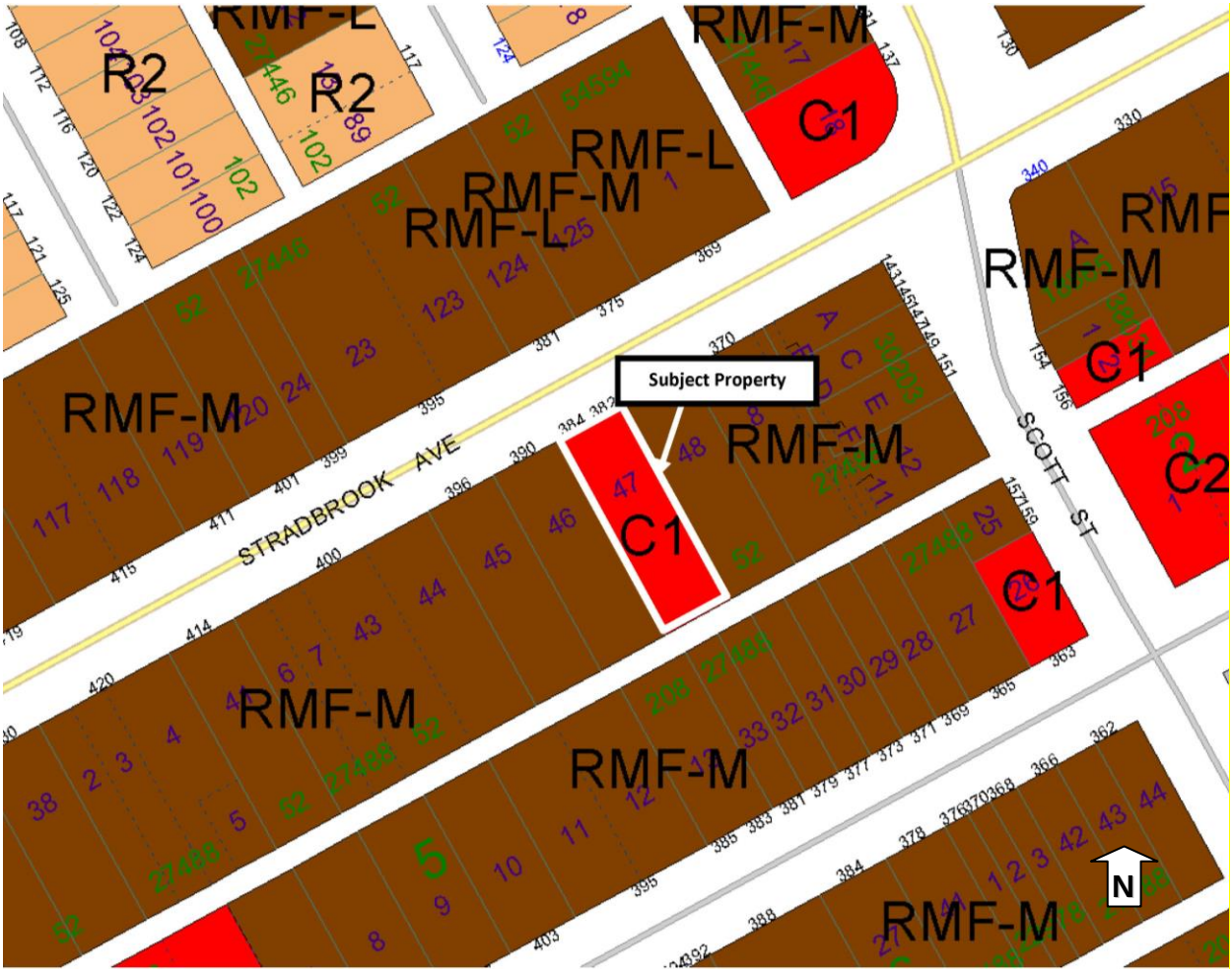


Figure 2: Zoning context

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant plans to remove the existing onsite duplex and rezone the property from a “C1" - Commercial Neighbourhood District to an “RMF-L” Residential Multi-Family-Large District in order to develop a 3.5 storey multifamily building with 15 units on the subject property.

The development includes variances. Information on this is provided in the Administrative Report for Associated File No. DAV 18-123023\D.

ANALYSIS AND ISSUES

Complete Communities Direction Strategy

As per the *Complete Communities Direction Strategy,* the proposed development falls within an Areas of Stability – Mature Communities policy area. 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.*

The proposal provides an increased residential density to this property within a Mature Community, with a design that is compatible with the context of this street in Osborne Village.

- *Support Complete Communities by ensuring diverse and high quality housing stock.*

This new development adds to the mix of housing options in the neighbourhood.

- *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.*

This new multifamily development replaces a duplex, thereby adding to the mix of housing options and increasing residential density in the neighbourhood.

Osborne Village Neighbourhood Plan By-law 220/2006

The property is located within the Village Medium Density Residential area of the *Osborne Village Neighbourhood Plan*. The Plan does not mandate density but rather governs the height of development.

The following key *Osborne Village Neighbourhood Plan* policies apply to this development:

- *4.1.3.A Encourage a mixture of single-family homes, duplexes, townhouses, and multiple-family buildings.*

The proposed development adds to the mix of housing options in the neighbourhood.

- *4.1.3.B New development will have a minimum of two stories and a maximum of four storeys in height in order to preserve the scale and pedestrian oriented character of this area.*

The proposed development is 3.5 storeys in height which meets this policy.

- *4.1.3.C New development along River and Stradbrook Avenues east of Osborne Street may have a maximum of five stories, provided structured parking is included and 4th floor and above are setback from public streets.*

The proposed development is 3.5 storeys in height which meets this policy.

- *4.1.3.D Mixed-use buildings combining residential with low intensity office or commercial uses on the ground floor may be approved on River and Stradbrook Avenues, east of Osborne Street.*

Mixed use is an acceptable option but not necessary in this location. The proposed development meets this policy.

The Plan also includes a number of Character Policies which are detailed in Section 3.1 of the Plan. Adjustments to the plans were made at the request of the Urban Planning Division in order to meet these policies. The adjustments are listed under Design, below.

Neighbourhood Compatibility

Density

The proposed density of 1 unit per 408 square feet of lot area necessitates a rezoning to the "RMF-L" - Residential Multi-Family - Large District.

As noted, the *Osborne Village Neighbourhood Plan* does not prescribe densities. However in order to gauge contextual suitability, an assessment of existing densities in the area was completed by the applicant in 2013, as part of a similar development across the street from the subject property.

The assessment found the following with respect to densities of nearby properties:

Address	Units	Density
333 Stradbrook	41	418 sq. ft. per unit
330 Stradbrook	33	445 sq. ft. per unit
370 Stradbrook	30	436 sq. ft. per unit
400 Stradbrook	146	151 sq. ft. per unit
401 Stradbrook	16	459 sq. ft. per unit
367-373 Stradbrook[1]	36 units	408 sq. ft. per unit

The assessment shows prevailing densities near the subject property that are very similar to what is proposed for the subject development. In light of this and also the alignment with the Osborne Plan, the Urban Planning Division deems the density to be contextually suitable.

Design

The Urban Planning Division worked closely with the applicant on the building's design in order to arrive at a proposal that meets the intent of the Character policies of the *Osborne Village Neighbourhood Plan*.

A main issue was that in very close proximity to the subject property on Stradbrook, two nearly identical properties exist and the applicant wished to build the same project a third time. One of the existing projects is located at 320 Stradbrook, and the other is directly across the street from the subject property at 381 Stradbrook.

The Division and applicant worked to ensure that the design of the current proposal was distinct from the earlier two, to avoid a 'cookie-cutter' style of development on the street and to address the intent of the *Osborne Village Neighbourhood Plan,* which speaks to diversity of character & housing types. The process led to the following key adjustments:

- A different roofline from the nearby examples (flat parapet rather than pitched).
- Entrances facing the street.
- A very different façade presentation including balconies and other design elements.
- Different front cladding materials, railing, fence and trim materials, colours and details.

Site servicing

The Department of Water & Waste includes some servicing conditions regarding wastewater and land drainage runoff peak discharge, and a sprinkler system for the building to offset water servicing constraints. These are outlined further in the attached Schedule 'B' - Report of the Administrative Coordinating Group.

Parking

The development includes a car share vehicle to help offset a reduction in onsite parking stalls required under the Zoning By-Law. This is detailed further in the Administrative Report for Associated File No. DAV 18-123023D.

OTHER CONSIDERATIONS

Plan Approval
Plan approval is recommended in order to allow the Division to review final site and design details prior to the issuance of building permits.

Maximum Height
A height limit of 5 storeys is recommended as part of the Zoning Agreement. Although the subject development is only 3.5 storeys, a Zoning Agreement cap of 5 storeys ensures consistency with the *Osborne Village Neighbourhood Plan* for all future development on the property.

SUMMARY

The Urban Planning Division supports the rezoning for the following reasons:

- The new multifamily development increases the onsite density from two units to 15-units while providing a building design that is contextually suitable.
- The development adds to the mix of housing options in the neighbourhood.
- The development capitalizes on a location close to rapid transit and amenities.
- The design is compatible with the Medium Density Multifamily and Character policies of the *Osborne Village Neighbourhood Plan*.
- The development includes a car share vehicle and bike parking.

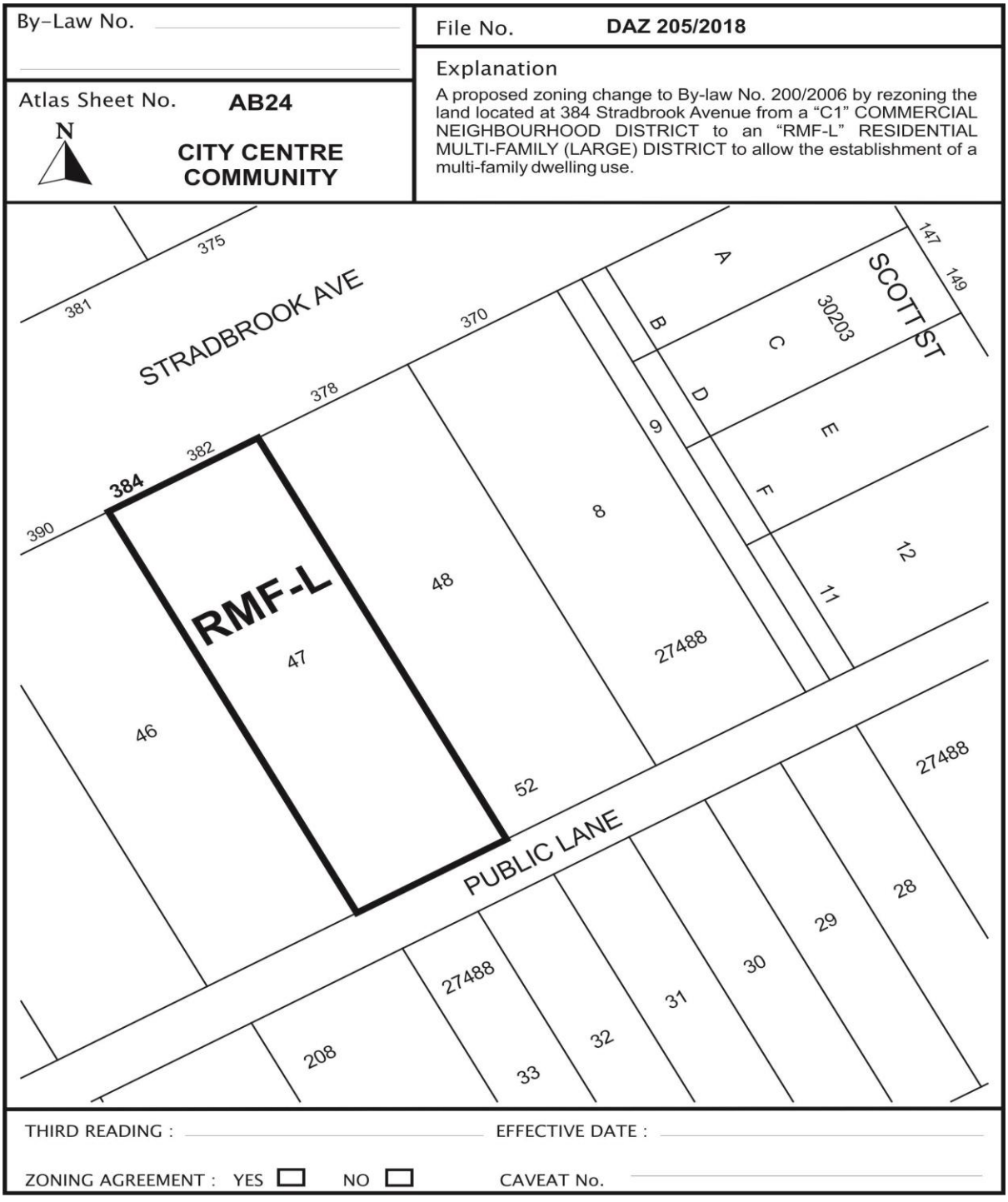
RECOMMENDATIONS

The Urban Planning Division recommends that the application be approved with conditions and that the subject property be rezoned to an “RMF-L” Residential Multiple Family- Large District.

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

Report Prepared by: Andrew Ross, RPP, MCIP
DAZ 205/18 384 Stradbrook Avenue

Schedule "A" for File No. DAZ 205/2018, City Centre Community Committee, July 3, 2018



SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – May 23, 2018

RE: PROPOSED REZONING OF LAND LOCATED AT 382/384 STRADBROOK AVENUE – DAZ 205/2018

A meeting of the Administrative Coordinating Group (ACG) was held on May 23, 2018 to review the servicing requirements for DAZ 205/2018.

The following comments were provided by the Water and Waste Department:

1) The proposed development is located in a combined sewer district; the sum of the wastewater and land drainage runoff peak discharge from the proposed development cannot exceed the allowable discharge rate:

   a) The allowable discharge rate will be the sum of the existing peak wastewater and the peak land drainage discharged.

   b) The peak land drainage discharged from the site must be based on a c-value of 0.35, with a 5 year rainfall event applied.

   c) The existing and proposed peak wastewater discharge must be estimated using the Wastewater Flow Estimation guidelines found on the City of Winnipeg website (http://winnipeg.ca/waterandwaste/dept/wastewaterFlow.stm), unless otherwise approved.

2) The applicant shall be advised that there is adequate water servicing subject to installation of a sprinkler system. There is not adequate fire flow for the proposed development with no sprinkler system.

   If the applicant does not intend to install a sprinkler system, they shall either:

   a) Propose building construction upgrades to demonstrate compliance with fire flow requirements (described at http://winnipeg.ca/waterandwaste/dept/waterdemand.stm) at the building permit stage. In order to achieve adequate required fire flow, measures such as splitting the building area with a firewall, and/or upgrading to non-combustible construction are needed; or

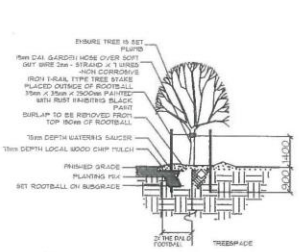
   b) Reduce the proposed density and adjust their proposed site plan to match existing service levels

THIS REPORT SUBMITTED BY:

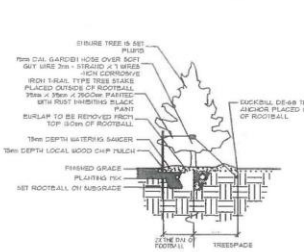
Administrative Co-ordinating Group
File No. DAZ 205/2018
June 21, 2018

"*Original Signed by G. Jasper"*	"*Original Signed by M. Gadja"*
G.V. Jasper P. Eng.,	M. Gadja, P. Eng.
Land Development Branch	Water & Waste Department

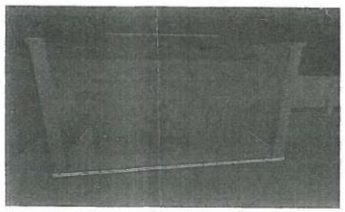
Exhibit " 8 " referred to in File DAZ 205/2018



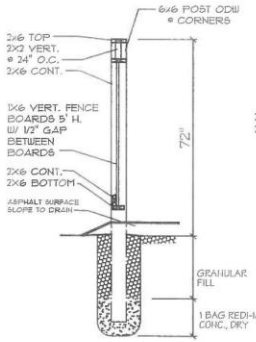
1 LI DECIDUOUS TREE PLANTING DETAIL



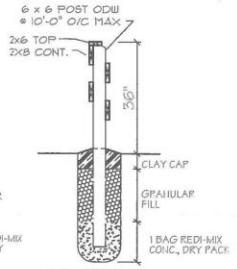
2 LI CONIFEROUS TREE PLANTING DETAIL



PRIVATE DUMPSTER BINS - ENCLOSED 3 SIDES ONLY

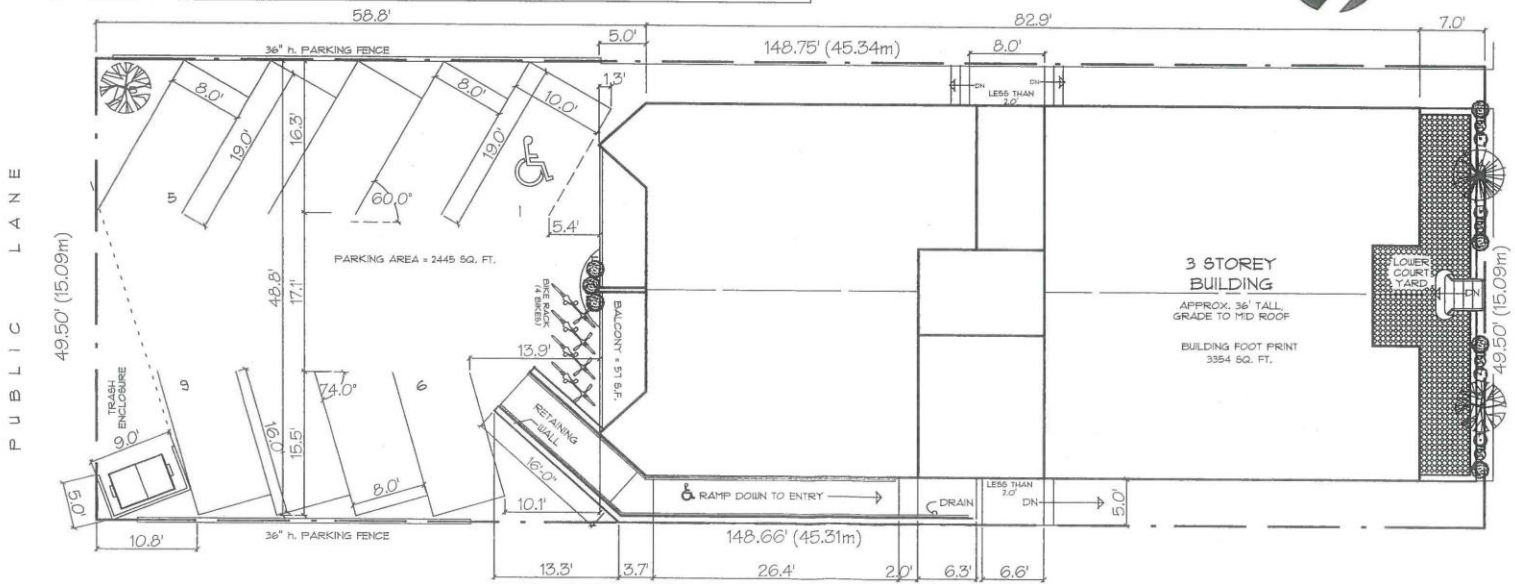


GARBAGE ENCLOSURE



PARKING FENCE DETAIL

MK	Qty	PLANT LIST Botanical Name	Common Name	REMARKS
A		Larix sibirica	Siberian Larch	Min. 10' height, min. 24" dia. rootball, Specimen Quality, stake. Min.50% blue colour.
B		Tilia x flavescens	Dropmore Linden	Min. 6' height, min. 24" dia. rootball, Specimen Quality, stake.
C				Min. 10' height, min. 24" dia. rootball, Specimen Quality, stake.
D				Min. 10' height, min. 24" dia. rootball, Specimen Quality, stake.
E		Cornus sericea 'Isanti'	Isanti Dogwood	Min. 4 stems, each stem to be min. 24" height. Container.
F		Syringa patula	Miss Kim Lilac	Min. 10 stems, each stem to be min. 18" height. Container.
G		Euon. nana 'Turkestanica'	Dwarf Burningbush	Min. 6 stems, each stem to be min. 18" height. Container.
H		Eleagnus commutata	Silverberry	Min. 6 stems, each stem to be min. 18" height. Container.



STRADBROOK AVENUE

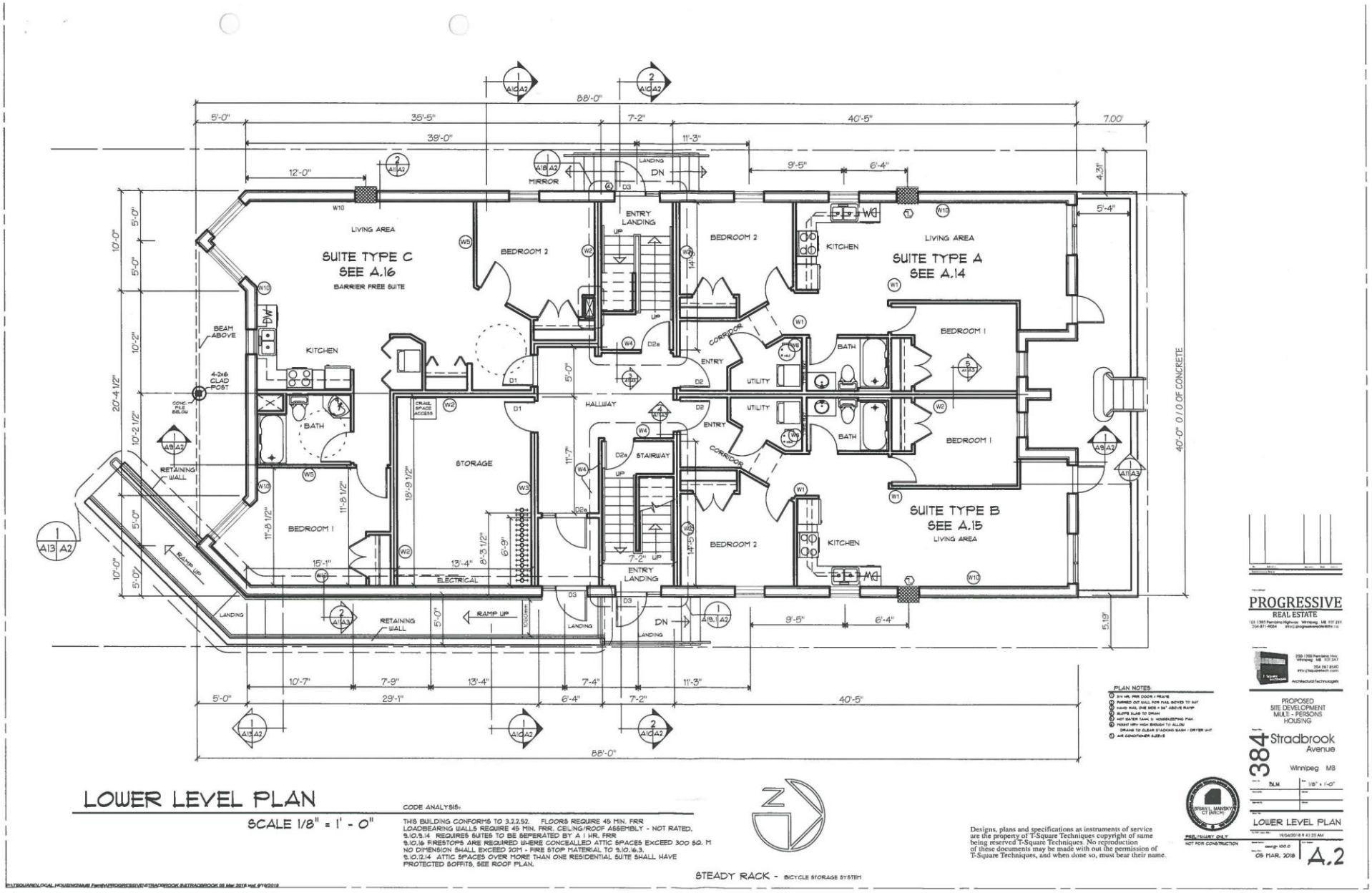
PROPOSED SITE DEVELOPMENT
MULTI - FAMILY CONCEPT
PROGRESSIVE
RFAI ESTATE

10/04/2018

DA.1 A.1

200-1200 Pembina Hwy.
Winnipeg Manitoba
204.287.8580
info@tsquaretech.com

T-Square Techniques



LOWER LEVEL PLAN

SCALE 1/8" = 1' - 0"

CODE ANALYSIS:

THIS BUILDING CONFORMS TO 3.2.2.52. FLOORS REQUIRE 45 MIN. FRR LOADBEARING WALLS REQUIRE 45 MIN. FRR. CEILING/ROOF ASSEMBLY - NOT RATED. 9.10.9.14 REQUIRES SUITES TO BE SEPERATED BY A 1 HR. FRR 9.10.16 FIRESTOPS ARE REQUIRED WHERE CONCEALLED ATTIC SPACES EXCEED 300 SQ. M NO DIMENSION SHALL EXCEED 20M - FIRE STOP MATERIAL TO 9.10.16.3. 9.10.12.14 ATTIC SPACES OVER MORE THAN ONE RESIDENTIAL SUITE SHALL HAVE PROTECTED SOFFITS, SEE ROOF PLAN.

PLAN NOTES

STEADY RACK - BICYCLE STORAGE SYSTEM

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PROGRESSIVE REAL ESTATE

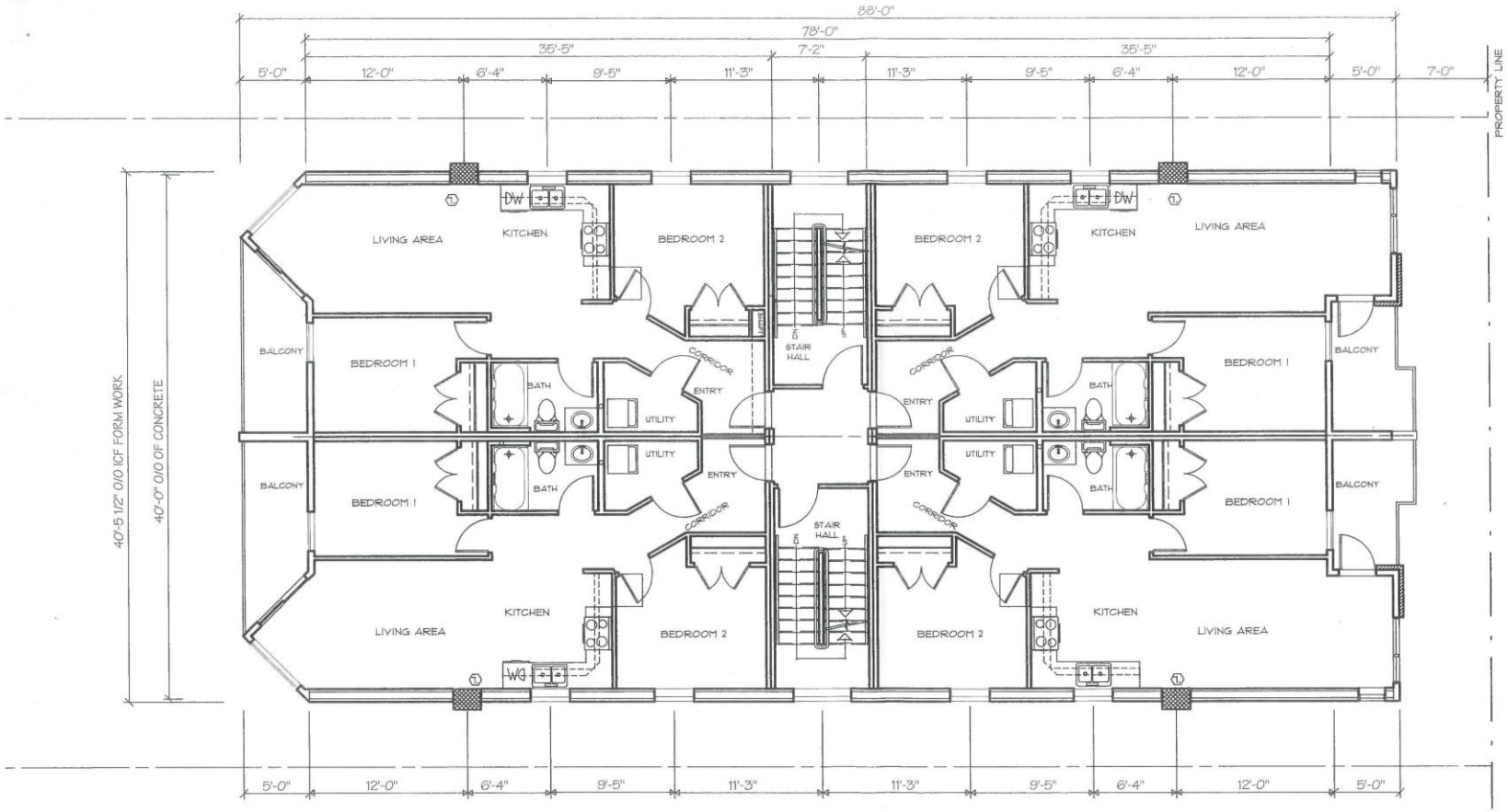
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LOWER LEVEL PLAN

05 MAR. 2018

A.2



MAIN LEVEL PLAN

3252 SQ. FT. SCALE 1/4" = 1' - 0"

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BRIAN L. MANSKY ARCHITECT

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MAIN FLOOR PLAN

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NORTH ELEVATION

SCALE 1/8" = 1' - 0"



SOUTH ELEVATION

SCALE 1/8" = 1' - 0"

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REAL ESTATE

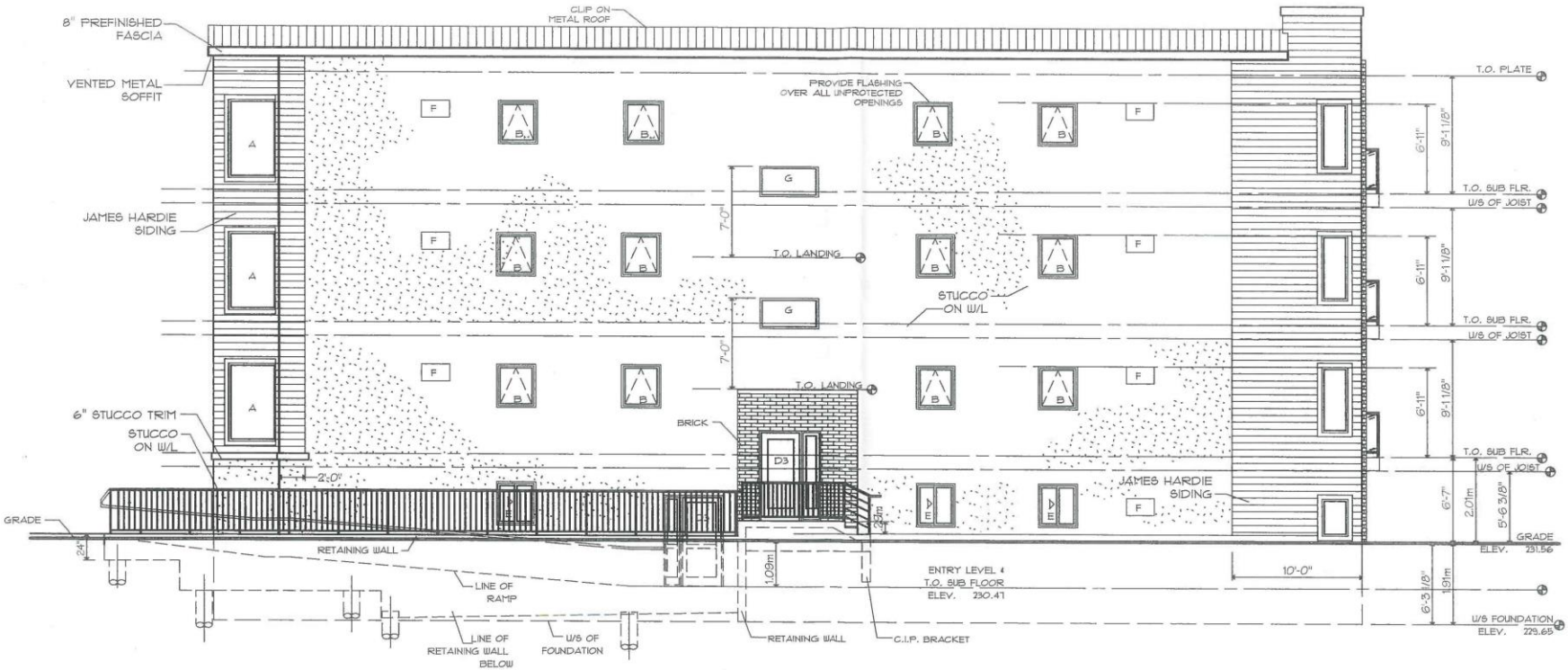
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MULTI - PERSONS
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NORTH & SOUTH
ELEVATION

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EAST ELEVATION

SCALE 1/8" = 1' 0"

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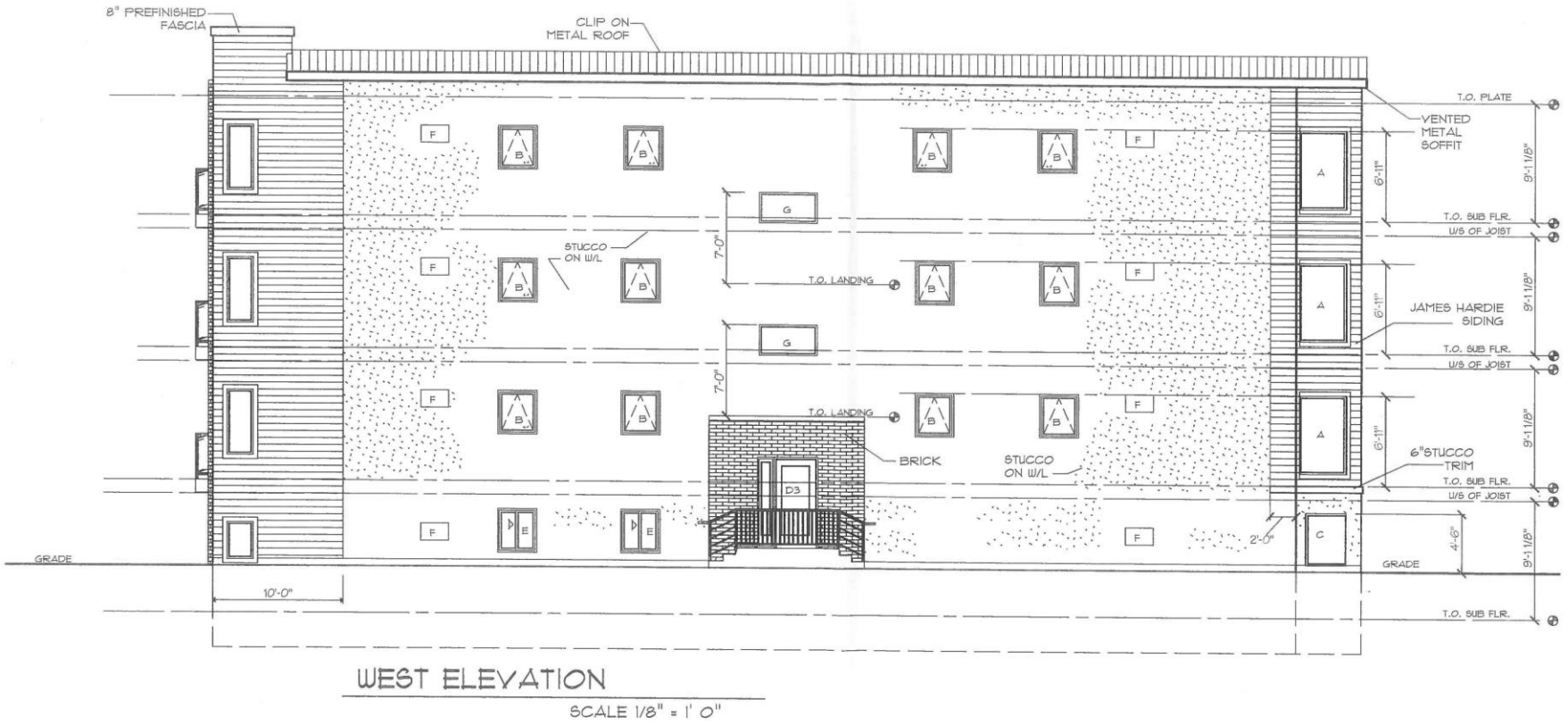
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EAST ELEVATION

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A.1



WEST ELEVATION

SCALE 1/8" = 1' 0"

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WEST ELEVATION

05 MAR. 2018 A.8