Minute No. 504
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 25, 2018

Item No. 15 **Subdivision and Rezoning – West of Peguis Street, South of Almey Avenue**
(Transcona Ward)
File DASZ 21/2017 [c/r DAV 107961/2018D]

COUNCIL DECISION:

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

1. That the plan of subdivision under File DASZ 21/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" of File DASZ 21/2017 dated March 28, 2018, 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 shall fulfill all the conditions outlined in the report of the Administrative Coordinating Group dated August 16, 2017, which is Schedule "C" of this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "B" of File DASZ 21/2017 dated March 28, 2018, to "RMF-M" Residential Multi-Family (Medium); 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 the Owner must submit plans showing the location and design of any and all proposed:
            - buildings,
            - parking areas and driveways,
            - garbage enclosures,
            - fencing,
            - exterior lighting,
            - landscaping,
            - walkways and bikeways,
            - visitor bicycle parking facilities and
            - free-standing signage;

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 25, 2018

COUNCIL DECISION (continued):

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 digital signage, mobile signs, and A-board signs shall not be permitted.

iii. That no more than 20 dwelling units shall be permitted.

iv. That the maximum building height shall be 36 feet.

v. That the minimum parking ratio be 1.5 parking spaces per dwelling unit.

vi. That the proposed building, including any proposed balcony, shall be at least 20 feet from the rear lot line.

vii. That the north side yard to the proposed building shall be a minimum of 48 feet.

ix. Motor-vehicle access to the site shall be located north of the principal building.

x. That the rear yard be fully landscaped beginning from the rear lot line to a minimum of 20 feet inwards.

xi. That the garbage enclosure be fully enclosed, including a roof.

xii. That in the event that the balconies are protruding on the west side of the building, full visual screens be installed on the north side of each balcony.

xiii. That fencing be installed on the north, south and west sides of the property.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 25, 2018

COUNCIL DECISION (continued):

3. 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.

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 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.

8. 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.

9. 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.

10. 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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 25, 2018

COUNCIL DECISION (continued):

11. 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 – June 25, 2018

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development, as amended by 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 Standing Policy Committee on Property and Development, Heritage and Downtown Development with the following amendment, namely:

- Add recommendation 2.A.x. as recommended by the East Kildonan-Transcona Community Committee, namely:

  "2.A.x That the rear yard be fully landscaped beginning from the rear lot line to a minimum of 20 feet inwards."

and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 25, 2018, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, with the following amendment:

- Delete recommendation 2.A.x.

and submitted the matter to the Executive Policy Committee and Council.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 25, 2018

DECISION MAKING HISTORY:

COMMUNITY COMMITTEE RECOMMENDATION:

On June 19, 2018, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- Delete "24" in recommendation 2.A.iii. and replace it with "20"
- Delete "42" in recommendation 2.A.iv. and replace it with "36"
- Add the following new recommendations after 2.A.iv.

    v. That the minimum parking ratio be 1.5 parking spaces per dwelling unit.

    vi. That the proposed building, including any proposed balcony, shall be at least 20 feet from the rear lot line.

    vii. That the north side yard to the proposed building shall be a minimum of 48 feet.

    ix. Motor-vehicle access to the site shall be located north of the principal building.

    x. That the rear yard be fully landscaped beginning from the rear lot line to a minimum of 20 feet inwards.

    xi. That the garbage enclosure be fully enclosed, including a roof.

    xii. That in the event that the balconies are protruding on the west side of the building, full visual screens be installed on the north side of each balcony.

    xiii. That fencing be installed on the north, south and west sides of the property.

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

On May 15, 2018, the East Kildonan-Transcona Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on June 19, 2018 at 6:30 p.m. in the Council Building at 510 Main Street.

On April 17, 2018, the East Kildonan-Transcona Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on Tuesday, May 15, 2018 at 6:30 p.m., in the Council Building, 510 Main Street.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 25, 2018

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On November 7, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development referred the application for subdivision and rezoning under File DASZ 21/2017 back to the East Kildonan-Transcona Community Committee in order to re-open the public hearing.

RE: **Subdivision and Rezoning – West of Peguis Street, South of Almey Avenue**
File DASZ 21/2017

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: **June 20, 2018**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 19, 2018, 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 21/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" of File DASZ 21/2017 dated March 28, 2018, 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 shall fulfill all the conditions outlined in the report of the Administrative Coordinating Group dated August 16, 2017, which is Schedule "C" of this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "B" of File DASZ 21/2017 dated March 28, 2018, to "RMF-M" Residential Multi-Family (Medium); 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 the Owner must submit plans showing the location and design of any and all proposed:

            - buildings,
            - parking areas and driveways,
            - garbage enclosures,
            - fencing,
            - exterior lighting,

- landscaping,
- walkways and bikeways,
- visitor 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 digital signage, mobile signs, and A-board signs shall not be permitted.

iii. That no more than ~~***24***~~ ***20*** dwelling units shall be permitted.

iv. That the maximum building height shall be ~~***42***~~ ***36*** feet.

v. That the minimum parking ratio be 1.5 parking spaces per dwelling unit.

vi. That the proposed building, including any proposed balcony, shall be at least 20 feet from the rear lot line.

vii. That the north side yard to the proposed building shall be a minimum of 48 feet.

ix. Motor-vehicle access to the site shall be located north of the principal building.

x. That the rear yard be fully landscaped beginning from the rear lot line to a minimum of 20 feet inwards.

xi. That the garbage enclosure be fully enclosed, including a roof.

xii. That in the event that the balconies are protruding on the west side of the building, full visual screens be installed on the north side of each balcony.

xiii. That fencing be installed on the north, south and west sides of the property.

3. 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.

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 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.

8. 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.

9. 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.

10. 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.

11. 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 reasons for its recommendation:

1. The residents spoke eloquently and well tonight about concerns they had.
2. By pushing the building to the south and having a 48 foot side yard it brings the building quite a bit south from what was proposed.
3. We're bringing the height down from 42 feet to a maximum of 36 feet.
4. It would have been ideal if we could have been able to push the building further east but the minimum front yard variance was already set by the advertisement.
5. These amendments allow for landscaping on the western side of the property.
6. It probably removes the protruding balconies on the west side but if they do occur they are included in the 20 foot setback and they will be screened.
7. The garbage enclosure will be fully enclosed.
8. The density has been reduced to a maximum of 20 units.
9. I don't think commercial at this location would be ideal.
10. The frontage costs for this building are quite significant.
11. Pulling the building to the north will help with some of the traffic concerns.

PUBLIC HEARING SUMMARY

File:	DASZ 21/2017
Before:	East Kildonan-Transcona Community Committee Councillor Schreyer, Chairperson Councillor Browaty Councillor Wyatt
Public Hearing:	June 19, 2018 May 15, 2018 April 17, 2018 November 7, 2017 Council Building, 510 Main Street
Applicant:	John Wintrup, Richard Wintrup & Associates Ltd.
Subject:	



Premises Affected: West of Peguis Street, South of Almey Avenue

Exhibits Filed:

1. Application dated July 12, 2017
2. Notification of Public Hearing dated September 6, 2017
3. Manitoba Status of Title 2893061/1
4. Letter of authorization dated October 18, 2016, from Zekarias Worku, Zekar Holdings Ltd. to Richard Wintrup & Associates
5. Surveyor's Building Location Certificate and sketch dated February 7, 1977
6. Site Plans (4 pages)
7. Report from the Urban Planning Division dated October 10, 2017
8. Inspection Report

9. Communication dated October 6, 2017, from Stanley and Judith Burym in opposition to the application
10. Communication dated October 10, 2017, from Fred and Nicole Rakowski in opposition to the application
11. Communication dated October 12, 2017, from Dale Harik, North End Community Renewal Corporation Inc., in support of the application
12. Communication dated October 10, 2017, from Sel Burrows, Point Douglas Residents Committee, in support of the application
13. Communication dated October 6, 2017, from John Wintrup, Richard Wintrup & Associates, with respect to the application
14. Recording of Representations of the public hearing held on October 17, 2017
15. Presentation in support of the application submitted by the Applicant at the public hearing
16. Variance Order DAV 143062/2017D
17. Notification of Public Hearing dated March 1, 2018
18. Notification Letter dated March 6, 2018, to those who participated in the original public hearing
19. Revised Report from the Urban Planning Division dated March 28, 2018
20. Inspection Report
21. Recording of Representations of the adjourned public hearing held on April 17, 2018
22. Notice of Adjournment dated April 23, 2018
23. Revised Site Plans (6 pages)
24. Description of the proposed development submitted by the Area Planner on May 15, 2018
25. Recording of Representations of the adjourned public hearing held on May 15, 2018
26. Notice of Adjournment dated May 18, 2018
27. Recording of Representations
28. Site Plans submitted by John Van Leeuwen at the public hearing
29. Letters of Support by Chris Yaren at the public hearing
30. Presentation in support the application submitted by Ross Mitchell at the public hearing
31. Petition in opposition to the application purporting to contain the signatures of 125 area residents, submitted by Judith Burym

32. Petition in opposition to the application purporting to contain the signatures of 68 area residents, submitted by Judith Burym
33. Photos in opposition to the application submitted by Christine Piotrowski at the public hearing

REPRESENTATIONS:

In Support:
Assefa Aredo
Bernhau Balcha
Sel Burrows
Mustefe Ebro
Dale Harik
John Van Leeuwen
Eyoel Makonner
Ross Mitchell
Shegitu Nega
John Wintrup
Zekarias Worku
Chris Yaren

In Opposition
Judith Burym
Stanley Burym
David Coleman
Rosina Gaudio
Magdalene Gollub
Ian Hailstone
Susie Hailstone
Troy Hildebrand
Nathan Janzen
Christine Piotrowski
Judy Pshednovak
Fred Rakowski
Nicole Rakowski
Melody Rogan
Ron Snider
Scott Thurston
Angela Tuck
Clifford Tuck

For Information:
Awguchew Amar
James Teitsma

For the City:
G. Jasper, Land Development Administrator, Planning, Property and Development Department
G. Doney, Senior Planner, Planning, Property and Development Department

Exhibit "16" referred to in File DASZ 21/2017

ADMINISTRATIVE REPORT, REVISED

Title: DASZ 21/2017 – West Side of Peguis St., South of Almey Ave.

Issue: Proposed Plan of Subdivision and Rezoning that would rezone the subject site to "RMF-L" Residential Multi-Family (Large) to accommodate a proposed three-storey multi-family dwelling containing 24 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 21/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" of File DASZ 21/2017 dated March 28, 2018, 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 shall fulfill all the conditions outlined in the report of the Administrative Coordinating Group dated August 16, 2017, which is Schedule "C" of this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "B" of File DASZ 21/2017 dated March 28, 2018, to "RMF-M" Residential Multi-Family (Medium); 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 the Owner must submit plans showing the location and design of any and all proposed:
         - buildings,

- parking areas and driveways,
- garbage enclosures,
- fencing,
- exterior lighting,
- landscaping,
- walkways and bikeways,
- visitor 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 digital signage, mobile signs, and A-board signs shall not be permitted.

iii. That no more than 24 dwelling units shall be permitted.

iv. That the maximum building height shall be 42 feet.

3. 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.

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 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.

8. 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.

9. 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.

10. 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.

11. 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 proposed plan of subdivision and rezoning, and the proposed development, and makes recommendations based on their compliance with *OurWinnipeg, Complete Communities* and the *Transcona West Area Structure Plan.*

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the proposal can proceed in accordance with Schedule “B” of File DASZ 21/2017.

HISTORY

In 2017, the applicant submitted two development applications pertaining to the site:

- DASZ 21/2017 - an application to rezone the subject site to “RMF-L” Residential Multi-Family (Large), which is the subject of this report; and
- DAV 17-143062D – an application to vary the dimensional standards of the “RMF-L” District.

The development proposed at that time included:

- a five-storey multi-family dwelling
  - at a height of 64.5 feet,
  - containing 43 dwelling units, and
  - located two feet from the site’s eastern limit, 40.5 feet from the site’s southern limit, 53 feet from the northern site limit and 38 feet from the site’s western limit; and
- accessory surface parking containing 36 parking spaces and extending to the site’s eastern limit, northern limit and southern limit.

On October 17, 2017, the East Kildonan – Transcona Community Committee decided on the applications and:

- recommended that DASZ 21/2017 be rejected; and
- rejected DAV 17-143062D.

On November 7, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development referred DASZ 21/2017 back to the East Kildonan – Transcona Community Committee in order to re-open the public hearing.

Subsequently, the proponents engaged neighbourhood residents, redesigned the proposed development to be more compatible with the neighbourhood and submitted a new variance application (DAV 18-107961D). The current proposal is significantly different from the original proposal, hence the need for this revised report and the new variance application (DAV 18-107961D).

CONSULTATION

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

SUBMITTED BY

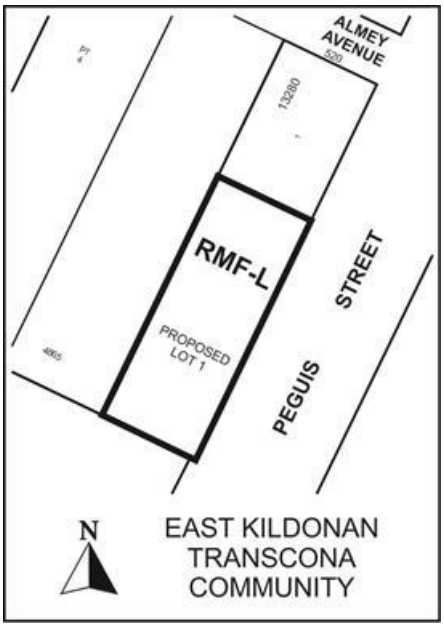
Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Glen Doney
Date:	March 28, 2018
File No.	DASZ 21/2017

Attachments

- **Appendix "A," Planning Discussion**
- **Schedule "A," of File DASZ 21/2017, East Kildonan – Transcona Community Committee, dated October 10, 2017**
- **Schedule "B," of File DASZ 21/2017, East Kildonan – Transcona Community Committee, dated March 28, 2018**
- **Schedule "C," Report of the Administrative Coordinating Group, dated**

APPENDIX "A," PLANNING DISCUSSION

DATE:	March 28, 2018
FILE:	**DASZ 21/2017**
RELATED FILE:	DAV 18-107961D
COMMUNITY:	East Kildonan – Transcona
NEIGHBOURHOOD #:	4.417 (Peguis)
SUBJECT:	Proposed Plan of Subdivision and Rezoning that would rezone the subject site to "RMF-L" Residential Multi-Family (Large)
LOCATION:	west side of Peguis St., south of Almey Ave.
LEGAL DESCRIPTION:	Lots 1 & 2, Plan 13280 WLTO



APPLICANT:	Richard Wintrup & Asociates (John Wintrup) 29 Benson Blvd. Oak Bluff R4G 0A2
OWNER:	Zekar Holdings Ltd.
RECOMMENDATION:	Approval as Modified

SITE DESCRIPTION

The subject site, identified on Figures 1, 2 and 3 of this attachment:

- is immediately west of Peguis Street and 136 feet south of Almey Avenue;
- is in the Peguis Neighbourhood and the Transcona Ward;
- consists of two lots in a plan of subdivision;
- is 22,302 square feet and 93 feet deep (measured perpendicular to Peguis Street);
- is undeveloped;
- is in a "RR5" Rural Residential 5 District;
- is in a Recent Communities Policy Area, which is a type of Areas of Stability Policy Area of *OurWinnipeg* and *Complete Communities*; and
- is in a Residential Mixed-Use policy area and the Almey-Ravelston Special Planning Area of the *Transcona West Area Structure Plan.*



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

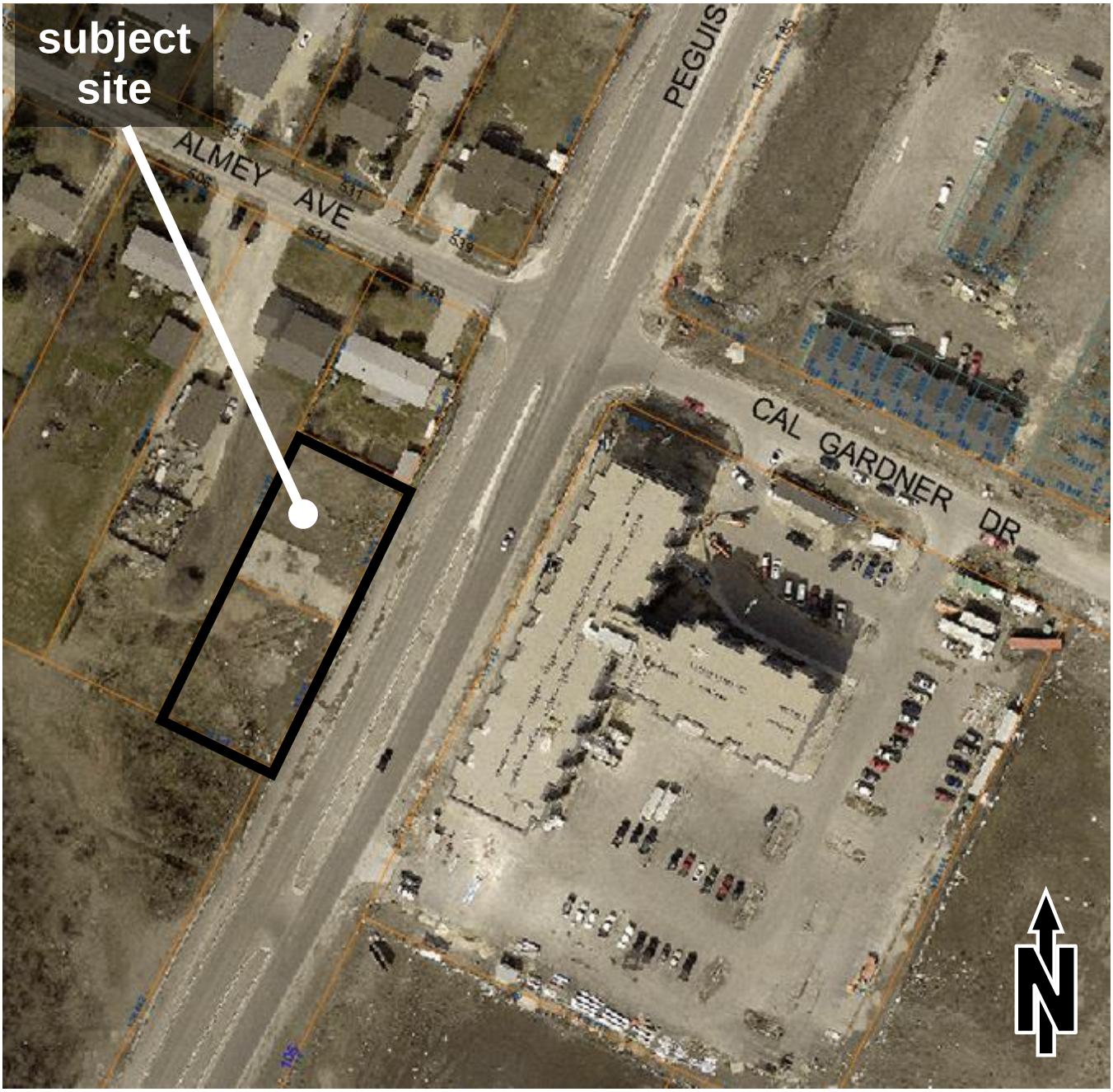


Figure 2: 2016 Aerial Photography

SURROUNDING LAND USE AND ZONING

Developments near the site are shown on Figure 1 and 2. Existing zoning is shown on Figure 3.

North: single-family dwelling on a property mostly in a "R1-L" Residential Single-Family (Large) District and partly in a "RR5" Rural Residential 5 District. The rear yard is abutting the subject site.

South: an undeveloped property in a "RR5" Rural Residential 5 District that is also in an area approved by Council to be rezoned to "C4" Commercial Regional under File DASZ 33/2013.

East: Peguis Street then a seven storey multi-family dwelling on a property in a "RMF-L" Residential Multi-Family Zoning District.

West: a single-family dwelling on a property partly in a "R1-L" Residential Single-Family (Large) District and mostly in a "RR5" Rural Residential 5 District. The rear yard is approximately 280 feet deep. The most southerly 240 feet of their rear yard abuts the subject site. 2016 aerial photography shows that a garage and a fenced outside-storage area are in the southerly 240 feet of this property.

Also of note are:

- that a paved path is in the west boulevard of Peguis Street;
- that Peguis Street is a collector road; and
- that public transit service is on Peguis Street.

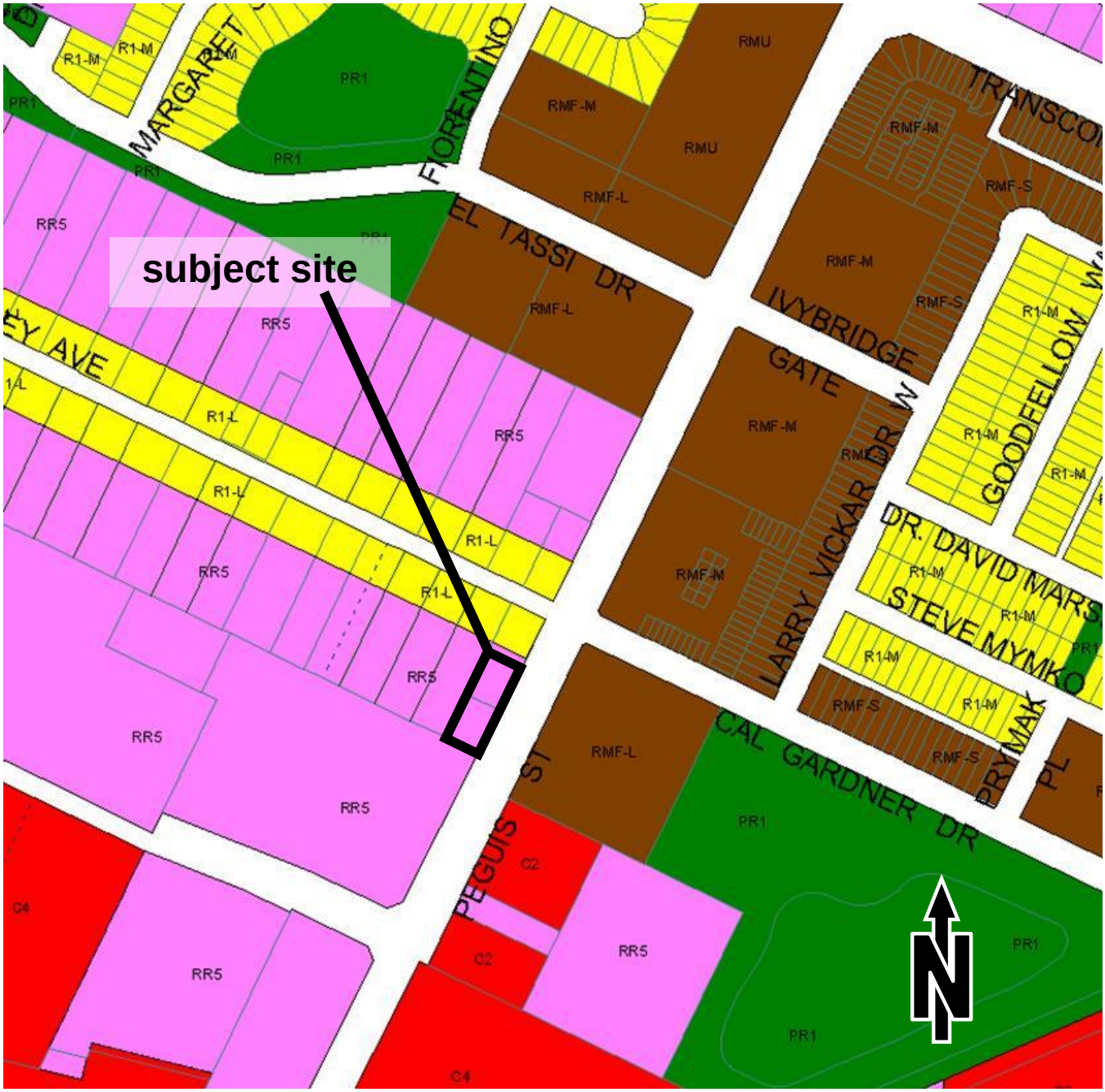


Figure 3: Existing Zoning and Lot Lines

DESCRIPTION OF THE PROPOSED SUBDIVISION, REZONING AND DEVELOPMENT

The proposed plan of subdivision and rezoning shown on Schedule "A" would consolidate the two lots comprising the subject site into one lot and rezone the proposed lot to "RMF-L" Residential Multi-Family (Large). The "RMF-L" Residential Multi-Family (Large) District allows a density of up 108.9 dwelling units per acre, which is equal to 56 dwelling units on the site, and a building height of up to 150 feet.

In addition to the subject application, variances are required to accommodate the proposed development. The Administrative Report on DAV 18-107961D explains and evaluates these proposed variances.

The proposed development includes:

- the construction of a multi-family dwelling that would
  - be three storeys, approximately 41 feet in height, setback from the front and rear site limits by 15 feet, setback from the north site limit by 12 feet and setback from the south site limit by 48 feet,
  - contain 24 dwelling units,
  - include 10 balconies facing west, 10 balconies facing Peguis Street (east) and four patios also facing Peguis Street;
- the construction of surface parking that would
  - be next to the site's western and southern limits, 10 feet from the site's eastern limit and five feet from the site's northern limit;
  - include 30 parking spaces and
  - be partly under the second floor of the proposed multi-family dwelling;
- the erection of a six foot high wood fence along the western site limit and north of the proposed surface parking;
- the erection of six lockable visitor bicycle parking spaces near the site's eastern limit;
- the establishment of landscaping north, of and east of, the proposed multi-family dwelling and south of the proposed parking area; and
- the construction of two walkways that would connect two of the proposed building entrances to the paved path in Peguis Street.

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*."

The proposed development complies with this Key Direction because:

- the proposed multi-family dwelling would
  - only be approximately 41 feet in height and it would be sufficiently setback from the site limits and
  - only contain 24 dwelling units,
- the proposed west-facing balconies would overlook the southerly 240 feet of the abutting property (to the west) in which are a garage and a fenced outside-storage area;
- it would add 24 new apartment-style dwelling units to the neighbourhood, each with a balcony or a patio and one, two or three dwelling units;
- it would include an adequate supply of accessory parking spaces and visitor bicycle parking spaces;
- it would sufficiently buffer abutting properties by fencing, landscaping or both;
- it would include two walkways to the path in Peguis Street; and
- the subject site is abutting Peguis Street, in which are the full-range of municipal infrastructure and public transit service.

Also of note is that the proposed development could be accommodated by the "RMF-M" Residential Multi-Family (Medium) District. In the "RMF-M" District:

- a residential density of up to 54.5 dwelling units per acre is allowed, which is equal to 28 dwelling units on the subject site; and
- a building height of up to 60 feet is allowed.

Compliance with the aforementioned Key Direction can be ensured if the site is rezoned to "RMF-M" Residential Multi-Family (Medium) and said rezoning is subject to a zoning agreement that:

- limits the building height to 42 feet and the number of dwelling units to 24;
- restricts signage; and
- requires plan approval of the proposed development.

Lastly, the aforementioned Key Direction is quite broad in scope, indicating that the proposal also complies with *OurWinnipeg* in general.

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.

The proposed development complies with these policies because:

- the proposed multi-family dwelling would
  - only be approximately 41 feet in height and it would be sufficiently setback from the site limits and
  - only contain 24 dwelling units,
- the proposed west-facing balconies would overlook the southerly 240 feet of the abutting property (to the west) in which are a garage and a fenced outside-storage area;
- it would add 24 new apartment-style dwelling units to the neighbourhood, each with a balcony or a patio and one, two or three bedrooms;
- it would include an adequate supply of accessory parking spaces and visitor bicycle parking spaces; and
- it would sufficiently buffer abutting properties by fencing, landscaping or both.

Compliance with the aforementioned policies can be ensured if the site is rezoned to "RMF-M" Residential Multi-Family (Medium) and said rezoning is subject to a zoning agreement that:

- limits the building height to 42 feet and the number of dwelling units to 24;
- restricts signage; and
- requires plan approval of the proposed development.

Lastly, the Key Direction of *Complete Communities* and the Key Direction of *OurWinnipeg* that apply to the Areas of Stability policy area are the same, which indicates that the proposal also complies with *Complete Communities* in general.

TRANSCONA WEST AREA STRUCTURE PLAN

As previously stated, the site is in the Almey-Ravelston Special Planning Area and a Residential Mixed-Use policy area of the *Transcona West Area Structure Plan.*

The Almey-Ravelston Special Planning Area extends beyond the site, to the west, north and south. Subsection 5.2.2 of the *Transcona West Area Structure Plan* pertains to the Almey-Ravelston Special Planning Area. It states, in part: "*any application for subdivision shall be*

accompanied by a Concept Plan that demonstrates how the subdivision may be integrated into the re-subdivision of adjacent and surrounding parcels in order to ensure that the future potential for adjacent subdivision is not compromised…"

The proposed plan of subdivision would consolidate the two lots comprising the site into one lot. The potential for abutting and nearby parcels to be subdivided would not be compromised by the proposed plan of subdivision. In particular, the proposed plan of subdivision would have no effect on the potential for properties along Almey to be subdivided, or for public streets extending from Almey to be created. The Urban Planning Division anticipates that owners of properties along Almey would work together in creating plans of subdivision that would either:

- consolidate their lands; or
- establish new public streets, connected to Almey, and new lots along those public streets.

The Residential Mixed-Use policy area that the site is in extends beyond the site, to the west, north and east. Subsection 5.4.2 of the *Transcona West Area Structure Plan* pertains to the Residential Mixed-Use policy areas:

- Clause 1 states: "*a significant use of land… will incorporate low, medium and higher density* residential *uses*";
- Clause 3 states: "*These areas shall contain, as part of their design, a well-defined pedestrian-oriented component that emphasizes… internal pedestrian routes to buildings and amenities.*"
- Clause 4 states: "*The Residential Mixed-Use Area Concept should*
  - *provide for the compatible interface treatment with adjacent developments…,*
  - *contain a visually appealing site design and landscape treatment particularly when visible from roads with higher volumes of traffic…,*
  - *be suitably integrated with any residential, institutional, recreational and public uses within or adjacent to the site.*"

The proposed development would comply with:

- Clause 1, because medium density residential is the proposed use;
- Clause 2, because the proposed development would include two walkways that would connect the proposed building to the paved path in Peguis Street; and
- Clause 3, because:
  - the proposed multi-family dwelling would only be approximately 41 feet in height, sufficiently setback from the site limits and only contain 24 dwelling units,
  - the proposed west-facing balconies would overlook the southerly 240 feet of the abutting property (to the west) in which are a garage and a fenced outside-storage area;
  - it would include an adequate supply of accessory parking spaces and visitor bicycle parking spaces,
  - it would sufficiently buffer abutting properties by fencing, landscaping or both and

- it would include two walkways to the path in Peguis Street.

REASONS FOR THE RECOMMENDATIONS

As described above, the proposal complies with *OurWinnipeg*, *Complete Communities* and the *Transcona West Area Structure Plan*. Also stated above is that compliance can be ensure if the site is rezoned to "RMF-M" and the rezoning is subject to a zoning agreement being entered into that:

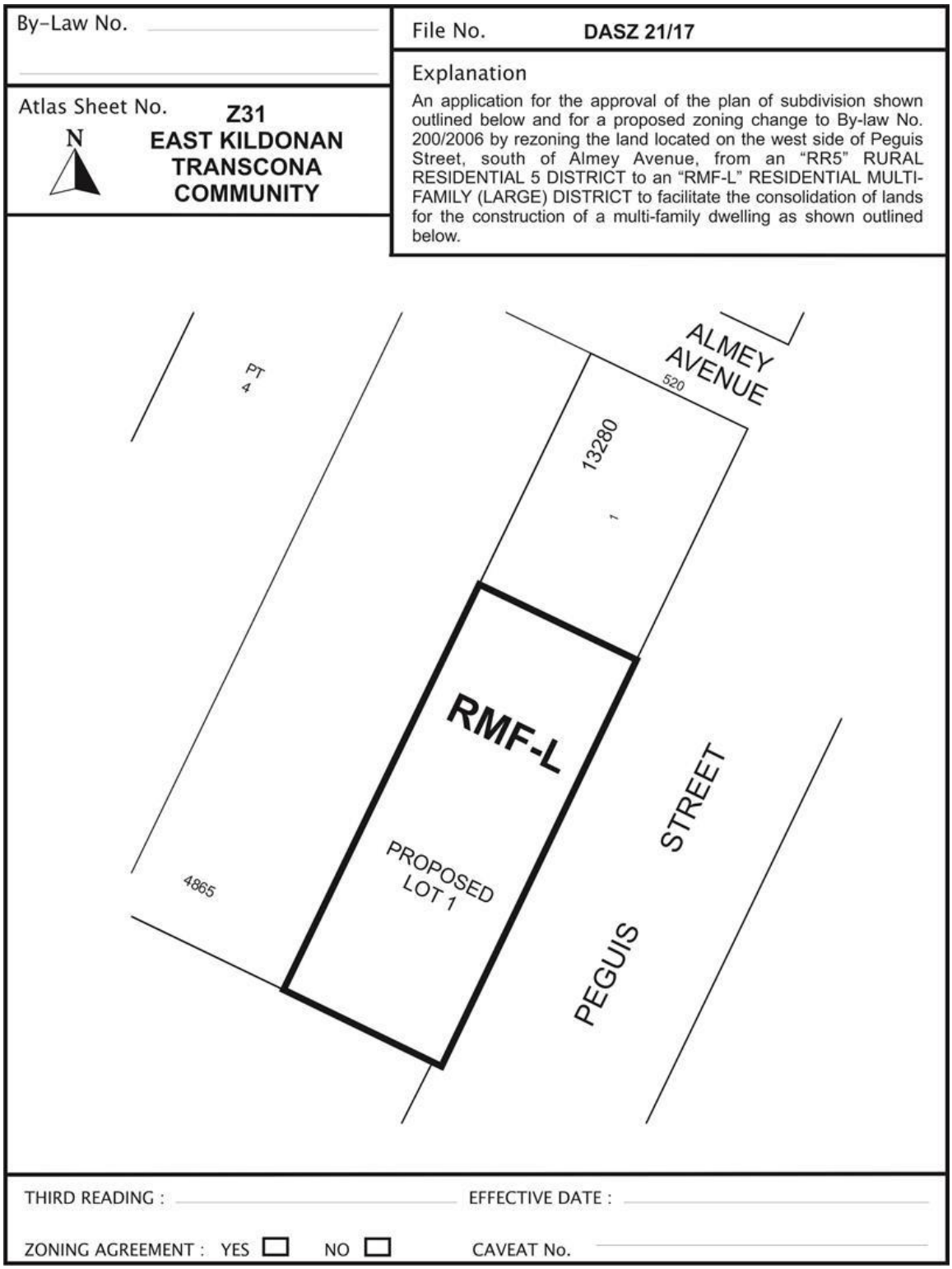
- limits the building height to 42 feet and the number of dwelling units to 24;
- restricts signage; and
- requires plan approval of the proposed development.

Therefore, Urban Planning recommends approval of Schedule "B"of DASZ 21/2017 and for said approval to be subject to the aforementioned zoning agreement.

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

Report Prepared by:
Glen Doney
PPD File #:
DASZ 21/2017

SCHEDULE "A" OF FILE DASZ 21/2017, East Kildonan – Transcona Community Committee, dated October 10, 2017



SCHEDULE "B" OF FILE DASZ 21/2017, East Kildonan – Transcona Community Committee, dated March 3, 2018

By-Law No. _____

File No. **DASZ 21/17**

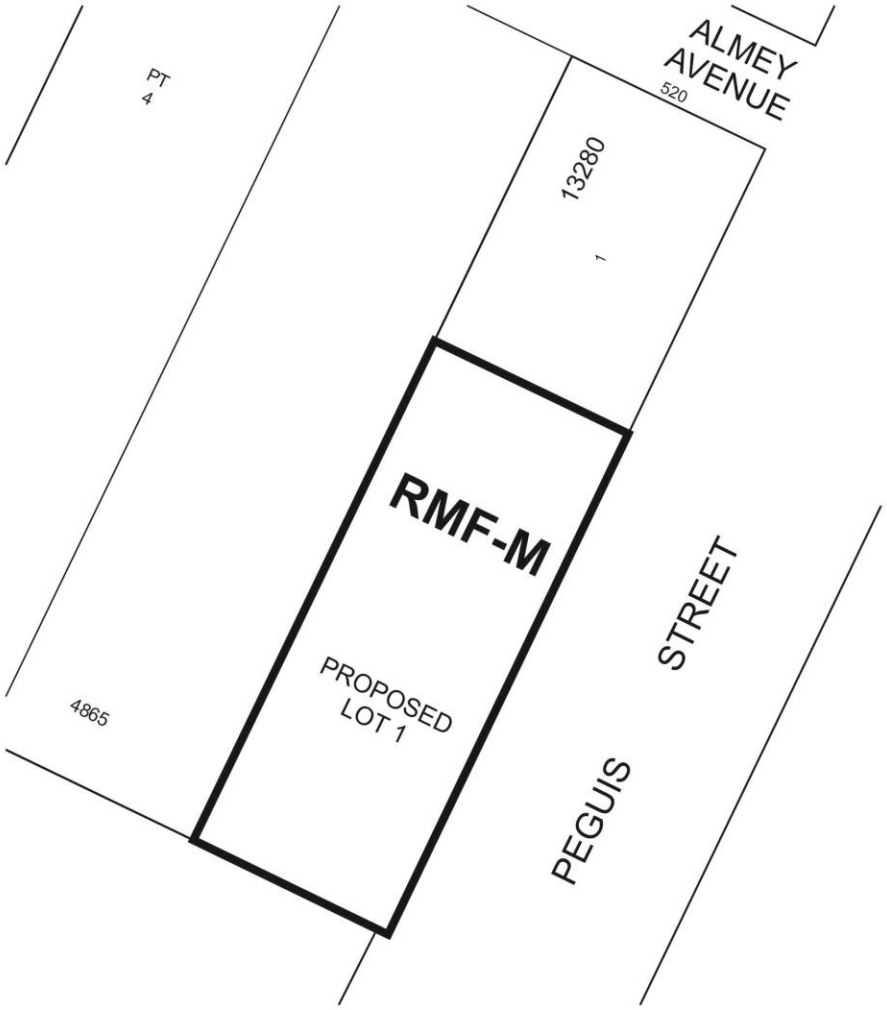
Atlas Sheet No. **Z31**

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 on the west side of Peguis Street, south of Almey Avenue, from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to facilitate the consolidation of lands for the construction of a multi-family dwelling as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE "C"
REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – August 16, 2017

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED ON THE WEST SIDE OF PEGUIS STREET, SOUTH OF ALMEY AVENUE (EAST KILDONAN – TRANSCONA COMMUNITY) - DASZ 21/2017

It is recommended that the approval of DASZ 21//2017, if granted, be subject to the applicant addressing the following items:

1) The Developer shall, prior to the release of mylars, pay to the City in cash, the following:

    a) Their share of the regional stormwater management facilities (Transcona West TSR and Kildare Trunk User Charge);

    b) their share of the existing water main and land drainage lateral in Peguis Street;

    c) their share of the existing wastewater sewer in Almey Avenue for private, non-conforming service connection; and

    d) their share of the Peguis land drainage sewer oversizing charge

    All as determined by the Director of Water and Waste

2) The Developer shall, prior to the release of mylars, pay to the City, in cash, the costs of the following services installed in Peguis Street, by others, along the full length of the subject property abutting Peguis Street:

    a) 8.3m in width asphalt pavement and all related works, including but not limited to the relocation of any bus stops and all associated works;

    b) Street lighting in the west boulevard;

    c) Landscaping in the west boulevard;

    d) Asphalt pathway on the west side of Peguis Street; and

    e) Land drainage sewer

As all determined by the Director of Public Works

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DAS 21/2017
September 29, 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

Exhibit "23" referred to in File DASZ 21/2017



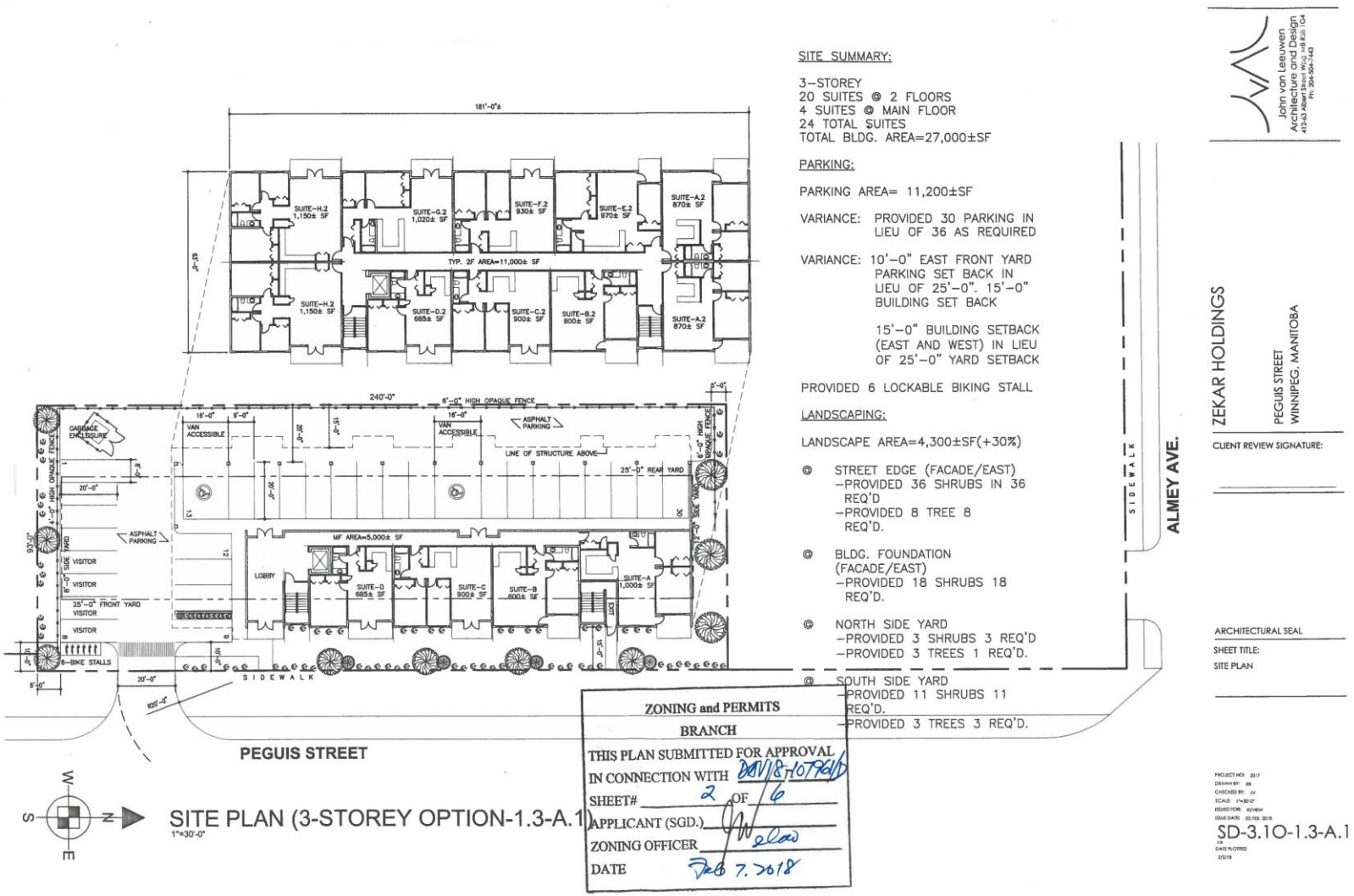
ZONING and PERMITS
BRANCH
THIS PLAN SUBMITTED FOR APPROVAL
IN CONNECTION WITH DAV18/107961
SHEET# 1 OF 6
APPLICANT (SGD.)
ZONING OFFICER
DATE Dec 7, 2018

John van Leeuwen
Architecture and Design

WINFIELD PLACE

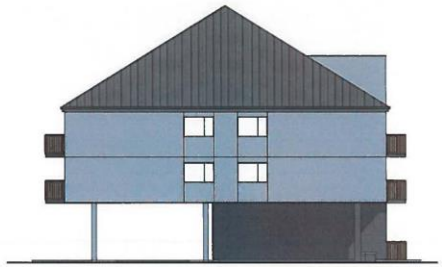
PEGUIS STREET, WINNIPEG, MANITOBA

OPTION -1
10 JAN. 2018


SITE SUMMARY:
3–STOREY
20 SUITES @ 2 FLOORS
4 SUITES @ MAIN FLOOR
24 TOTAL SUITES
TOTAL BLDG. AREA=27,000±SF
PARKING:
PARKING AREA= 11,200±SF
VARIANCE: PROVIDED 30 PARKING IN LIEU OF 36 AS REQUIRED
VARIANCE: 10'–0" EAST FRONT YARD PARKING SET BACK IN LIEU OF 25'–0". 15'–0" BUILDING SET BACK
15'–0" BUILDING SETBACK (EAST AND WEST) IN LIEU OF 25'–0" YARD SETBACK
PROVIDED 6 LOCKABLE BIKING STALL
LANDSCAPING:
LANDSCAPE AREA=4,300±SF(+30%)
@ STREET EDGE (FACADE/EAST)
–PROVIDED 36 SHRUBS IN 36 REQ'D
–PROVIDED 8 TREE 8 REQ'D.
@ BLDG. FOUNDATION (FACADE/EAST)
–PROVIDED 18 SHRUBS 18 REQ'D.
@ NORTH SIDE YARD
–PROVIDED 3 SHRUBS 3 REQ'D
–PROVIDED 3 TREES 1 REQ'D.
@ SOUTH SIDE YARD
–PROVIDED 11 SHRUBS 11 REQ'D.
–PROVIDED 3 TREES 3 REQ'D.
ALMEY AVE.
PEGUIS STREET
SIDEWALK
ZONING and PERMITS BRANCH
THIS PLAN SUBMITTED FOR APPROVAL
IN CONNECTION WITH DAV/SHOPPING
SHEET# 2 OF 6
APPLICANT (SGD.)
ZONING OFFICER
DATE Feb 7, 2018
SITE PLAN (3-STOREY OPTION-1.3-A.1)
1"=30'-0"
John van Leeuwen Architecture and Design
ZEKAR HOLDINGS
PEGUIS STREET WINNIPEG, MANITOBA
CLIENT REVIEW SIGNATURE:
ARCHITECTURAL SEAL
SHEET TITLE:
SITE PLAN
SD-3.1O-1.3-A.1



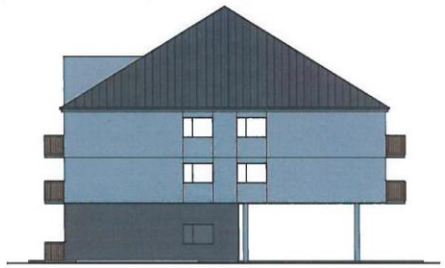
EAST ELEVATION
SCALE: 3/32" = 1'-0"



SOUTH ELEVATION
SCALE: 31/32" = 1'-0"



WEST ELEVATION
SCALE: 3/32" = 1'-0"



NORTH ELEVATION
SCALE: 3/32" = 1'-0"

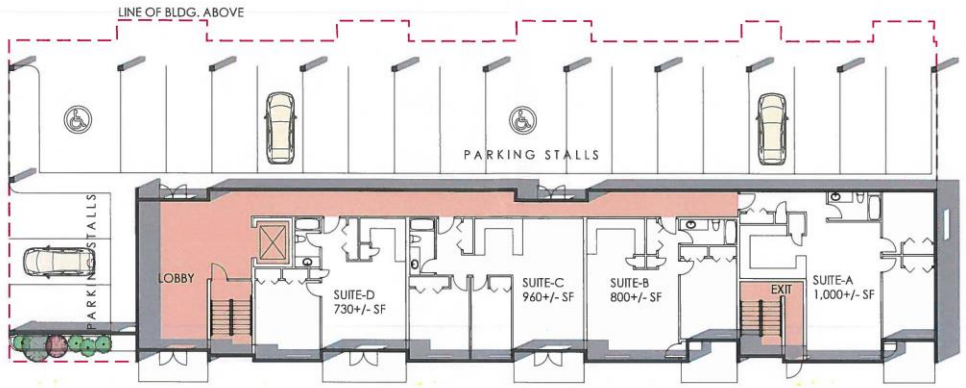
ZONING and PERMITS
BRANCH
THIS PLAN SUBMITTED FOR APPROVAL
IN CONNECTION WITH DAW/8/107961D
SHEET# 3 OF 6
APPLICANT (SGD.)
ZONING OFFICER
DATE Feb 7 2018

John van Leeuwen
Architecture and Design

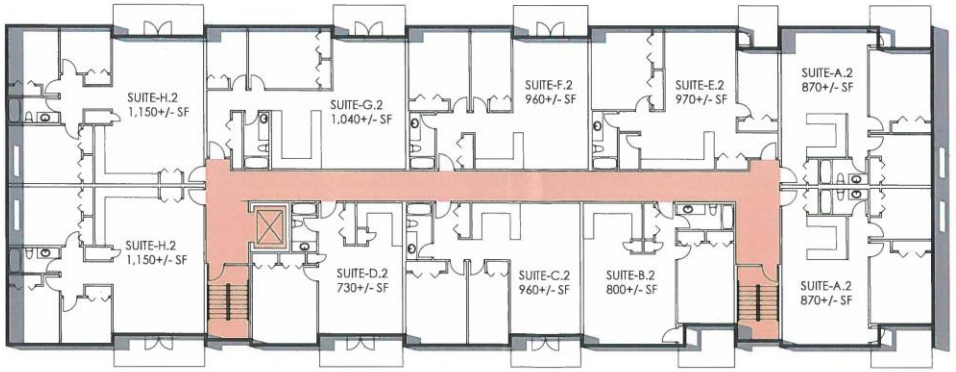
WINFIELD PLACE

PEGUIS STREET, WINNIPEG, MANITOBA

OPTION -1
10 JAN. 2018



MAIN FLOOR PLAN
SCALE: 3/32 = 1'-0"



SECOND FLOOR PLAN (TYP.)
SCALE: 3/32 = 1'-0"

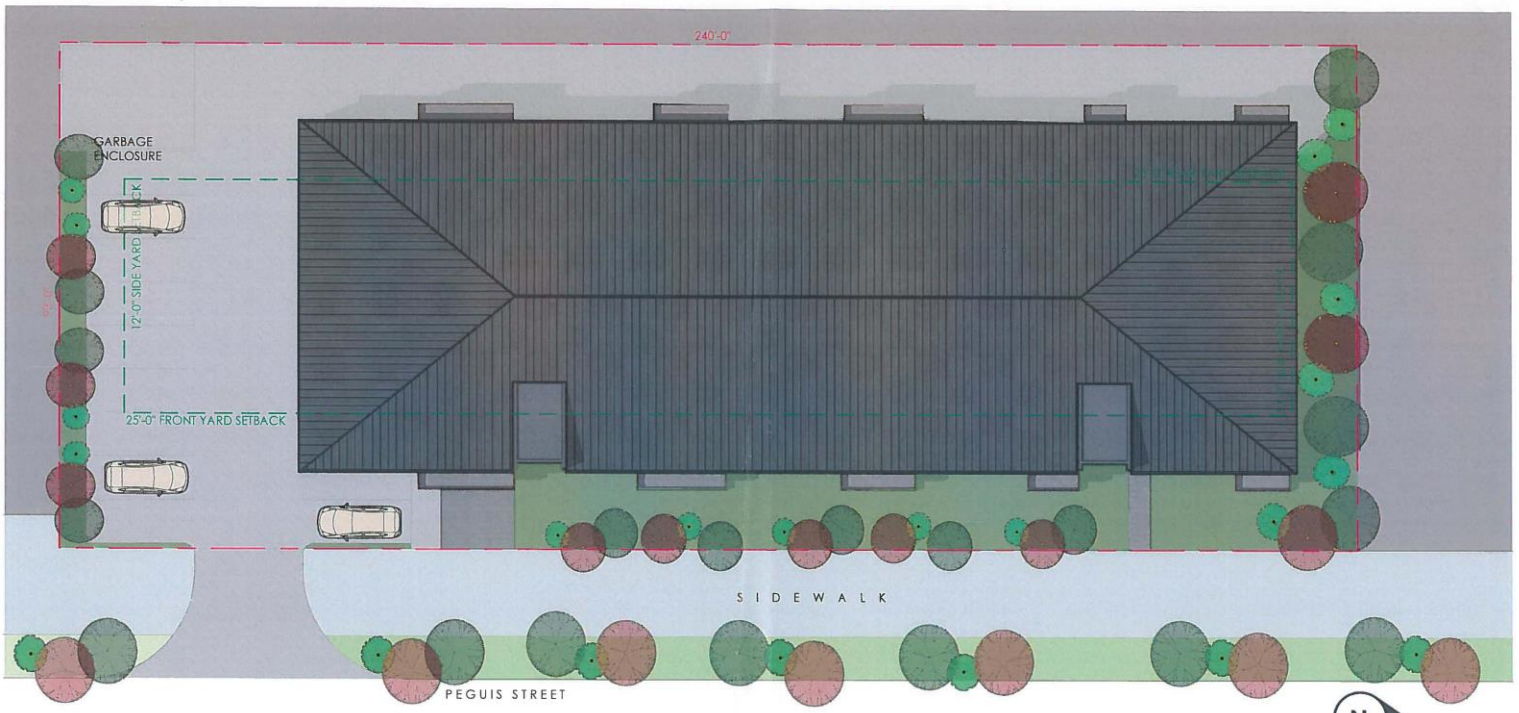
ZONING and PERMITS
BRANCH
THIS PLAN SUBMITTED FOR APPROVAL
IN CONNECTION WITH DA18,107961
SHEET# 4 OF 6
APPLICANT (SGD.)
ZONING OFFICER
DATE Feb 7, 2018

John van Leeuwen
Architecture and Design

WINFIELD PLACE

PEGUIS STREET, WINNIPEG, MANITOBA

OPTION -1
10 JAN. 2018



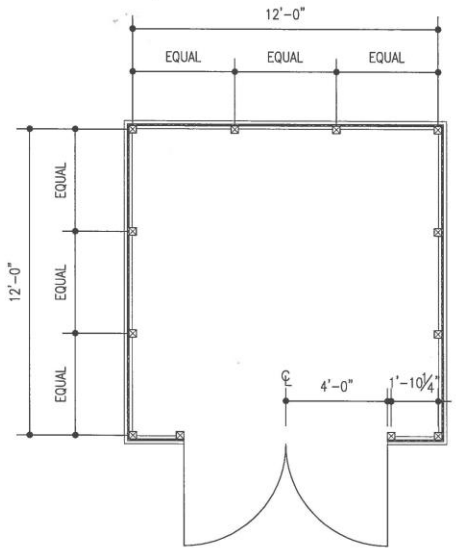
ZONING and PERMITS BRANCH
THIS PLAN SUBMITTED FOR APPROVAL
IN CONNECTION WITH DAV 18-107961
SHEET# 5 OF 6
APPLICANT (SGD.)
ZONING OFFICER
DATE JUL 7, 2018

John van Leeuwen Architecture and Design
412-63 Albert Street Winnipeg, MB R3B 1G4
Ph: 204-504-7443

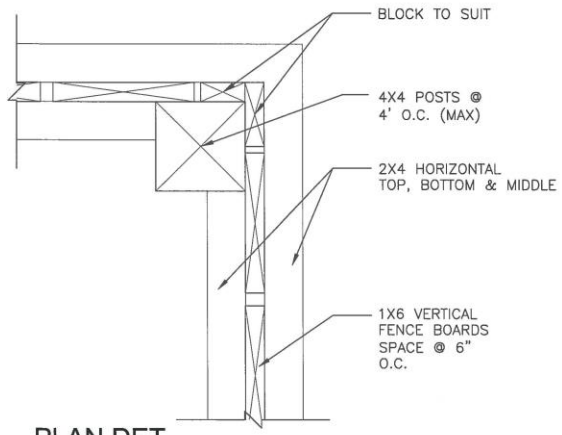
WINFIELD PLACE

PEGUIS STREET, WINNIPEG, MANITOBA

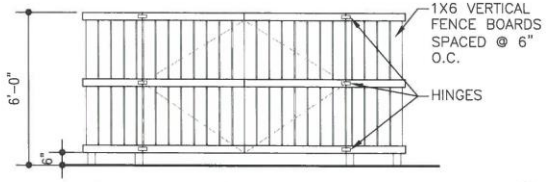
OPTION -1
10 JAN. 2018



PLAN
1/4"=1'-0"



PLAN DET.
3"=1'-0"



FRONT ELEVATION
1/4"=1'-0"

ZONING and PERMITS
BRANCH
THIS PLAN SUBMITTED FOR APPROVAL
IN CONNECTION WITH DAR18-107865
SHEET# 6 OF 6
APPLICANT (SGD.)
ZONING OFFICER
DATE July 27, 2018

GARBAGE ENCLOSURE DETAIL

John van Leeuwen
Architecture and Design
412-63 Albert Street Winnipeg, MB R3B 1G4
Ph: 204-504-7443

ZEKAR HOLDINGS
PEGUIS STREET
WINNIPEG, MANITOBA

CLIENT REVIEW SIGNATURE:

ARCHITECTURAL SEAL

SHEET TITLE:
GARBAGE ENCLOSURE DET.

PROJECT NO: 2017162
DRAWN BY: RR
CHECKED BY: JV
SCALE: AS NOTED
ISSUED FOR: REVIEW
ISSUE DATE: 06 FEB. 2018

A-5.0
CD
DATE PLOTTED
2/6/18