Minutes – Executive Policy Committee – June 11, 2019

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – May 27, 2019

Item No. 8 Rezoning – 530 River Avenue
(Fort Rouge - East Fort Garry Ward)
File DAZ 202/2019 [c/r DAV 109540/2019D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 202/2019 by rezoning the subject land to an "RMF-L" Residential Multifamily (Large) District as shown on the map dated May 7, 2019 and attached as Schedule "A" to this report.

2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated April 17, 2019 to the satisfaction of the Director of Planning, Property and Development.

3. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of the Development Application, as determined by the City's Director of Planning, Property and Development.

4. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

5. That, upon instruction from the Director of Planning, Property and Development, the City Solicitor/Director of Legal Services shall prepare and bring directly to Council for enactment the By-law in accordance with the above.

6. 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 – May 27, 2019

DECISION MAKING HISTORY:

Moved by Councillor Mayes,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be concurred in and forwarded to Council.

Carried

On May 27, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 7, 2019, the City Centre 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.

PUBLIC HEARING SUMMARY

File: DAZ 202/2019

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

Public Hearing: May 7, 2019
Council Building, 510 Main Street

Applicant: Affinity Architecture Inc. (Mark Funk)

Subject:



Premises Affected: 530 River Avenue

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

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

Report date: May 9, 2019

Community Committee Recommendation:

On May 7, 2019, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 202/2019 by rezoning the subject land to an "RMF-L" Residential Multifamily (Large) District as shown on the map dated May 7, 2019 and attached as Schedule "A" to this report.

2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated April 17, 2019 to the satisfaction of the Director of Planning, Property and Development.

3. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of the Development Application, as determined by the City's Director of Planning, Property and Development.

4. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

5. That, upon instruction from the Director of Planning, Property and Development, the City Solicitor/Director of Legal Services shall prepare and bring directly to Council for enactment the By-law in accordance with the above.

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

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

1. It meets the frameworks contemplated by the City and as Council has directed.
2. It is capped for four storeys and provides 1:1 ratio for parking and is landscaped in the area adjacent to River Avenue, which is important to the neighborhood, including side yards.
3. The four trees and four shrubs will be eleven trees and forty shrubs and add to the greenspace which is important.
4. It's reallocated to below grade by three feet to grade to better be aligned with the street, including ground floor units. When built, it will have accessibility including pedestrian orientation. The building materials, the entrances, the exits, but with ground floor porches right on River and Nassau.
5. It is important to note that when the plan was contemplated it did open the door to development and to protect the neighborhood – sensitive examples like this should

proceed. It proceeds in the framework that we understand it, that the Urban Planning Division is directed to enforce, including Plan Winnipeg, the neighborhood plan, the zoning by-laws and other implementation tools and framework.

6. To quote the good report by the Winnipeg Public Service, this project supports low to moderate change in low density neighborhoods through development and redevelopment and is complimentary to the existing scale in the neighborhood, the character and the built form.
7. It supports Complete Communities by ensuring diverse and high quality housing stock that is so very much needed in Winnipeg, and in particular Osborne Village. And in order to meet the full life cycle of housing needs in the community, promoting that mix of housing type and tenure such as duplexes, low rise apartments, secondary suites, semi-detached homes and town houses that we see in the neighborhood.
8. Complete Communities, in particular for Osborne Village, really does improve personal safety, reduces crime and can enhance housing and the physical environment and I share the desire of the neighborhood, even those that oppose this project, that we are promoting health and well-being in Osborne Village.

Exhibits Filed:

1. Application dated February 19, 2019
2. Notification of Public Hearing dated March 22, 2019
3. Manitoba Status of Title 2974842/1
4. Letter of authorization dated January 28, 2019 from Nigel Furgus, 10066233 Manitoba Ltd, to Mark Funk, Affinity Architecture Inc.
5. Plans (5 pages)
6. Report from the Urban Planning Division dated April 29, 2019
7. Inspection Report
8. Communication dated May 6, 2019, from Harry and Elvira Finnigan in opposition to the application
9. Presentation in opposition to the application submitted by Elaine Henderson at the public hearing
10. Recording of Representations

REPRESENTATIONS:

In Support:

Mark Funk
Nigel Furgus
Daniel Serhal

In Opposition

Elvira Finnigan
Harry Finnigan
Shirley Forsyth
Elaine Henderson
Cheryl Hobbs
Judith Lehn
Laura Lysenko
Herman Thorvaldson
Elizabeth Turnbull
David Wilken

For Information:

Sylvia Fischer

For the City:

D. Harris, Planner, Planning, Property and Development Department
A. Ross, Planner, Planning, Property and Development Department

Exhibit "6" referred to in File DAZ 202/2019

ADMINISTRATIVE REPORT

Title: DAZ 202/2019 – 530 River Ave

Issue: For consideration at the public hearing for a rezoning for DAZ 202/2019 – 530 River Ave. to permit the development of a 20-unit multifamily building.

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
B. Smith, RPP	n/a	n/a	

RECOMMENDATIONS

1. That The Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 202/2019 by rezoning the subject land to an "RMF-L" Residential Multifamily (Large) District as shown on the map dated May 7, 2019 and attached as Schedule "A" to this report.
2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated April 17, 2019 to the satisfaction of the Director of Planning, Property and Development.
3. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of the Development Application, as determined by the City's Director of Planning, Property and Development.
4. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.
5. That, upon instruction from the Director of Planning, Property and Development, the City Solicitor/Director of Legal Services shall prepare and bring directly to Council for enactment the By-law in accordance with the above.
6. 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

- 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 Multifamily (Large) District, to permit the development of a 20-unit multifamily building.

HISTORY

N/A

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:	April 29, 2019
File No.	DAZ 202/2019

APPENDIX 'A'

DATE: April 29, 2019
FILE: **DAZ 202/2019**
RELATED FILES: DAV 19-109540D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: **1.110**- McMillan

SUBJECT: To rezone the land from an "R2" – Residential Two Family District to an "RMF-L" Residential Multifamily (Large) District.

LOCATION: 530 River Ave
LEGAL DESCRIPTION: LOT 23 PLAN 27359 36/37 ST B



APPLICANT: Mark Funk
4 Fort ST Unit 200
Winnipeg , Manitoba R3C 1C4

OWNER: 327 WARDLAW AVE
Winnipeg , Manitoba R3L 0L5

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

The subject property is located on the southeast corner of River Avenue and Nassau Street North, in the McMillan neighbourhood of the Fort Rouge - East Fort Garry ward.

The site is designated as being located within a Mature Community under the *Complete Communities Direction Strategy*. The property is currently zoned “R2" – Residential Two Family, is 7,584 sq. ft. in size and contains a duplex.

The site also falls within the boundaries of the Osborne Village Neighbourhood Plan.

The immediate area is characterized primarily by multi-family residential development, with some two-family and single family residential along Nassau, Wilmot and Norquay Streets.

There is regular east/west transit service on River Avenue and high-frequency north-south service on Osborne Street. The Osborne Village commercial strip is three blocks to the east. See Figure 1.

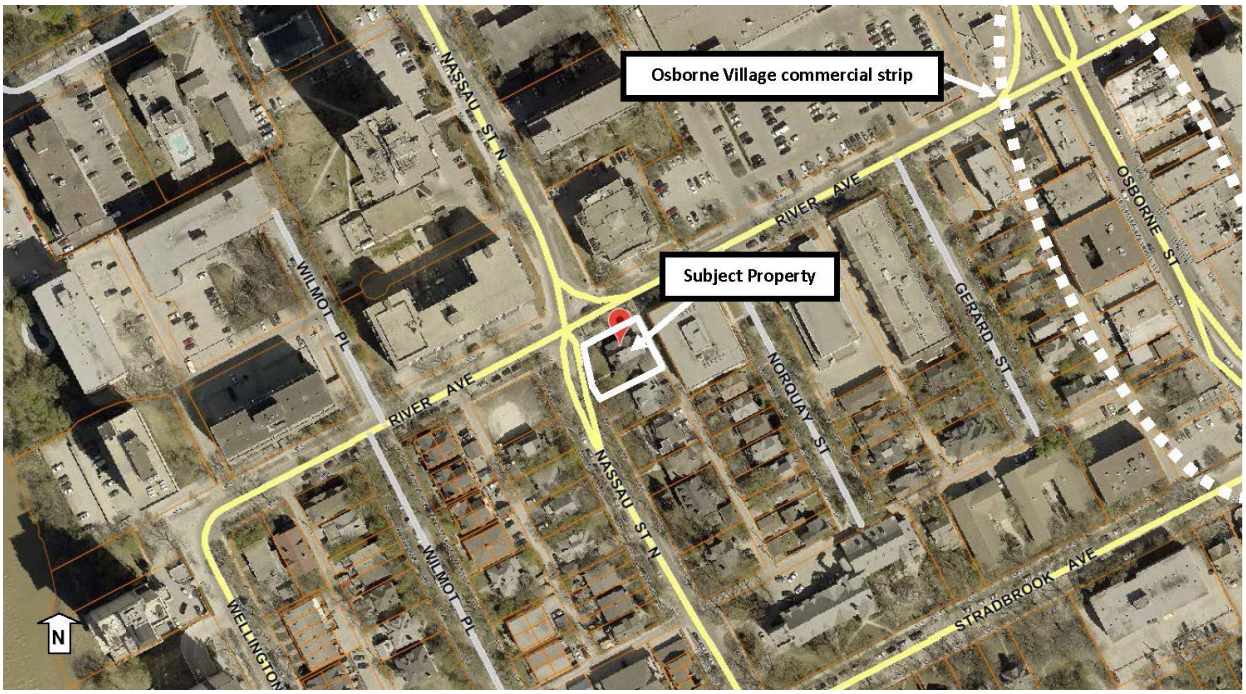


Figure 1: Air photo of the location of subject property and surrounding area (2018).

Immediately adjacent land uses include:

North: River Avenue, then multiple family residential uses (zoned "RMF-L” Residential Multifamily (Large)

South: Multifamily residential uses (zoned "R2" Residential Two-Family)

East: Multiple family residential uses (zoned "RMF-L” Residential Multifamily (Large)

West: Nassau Street North, then multiple family residential uses (zoned "RMF-L” Residential Multifamily (Large)

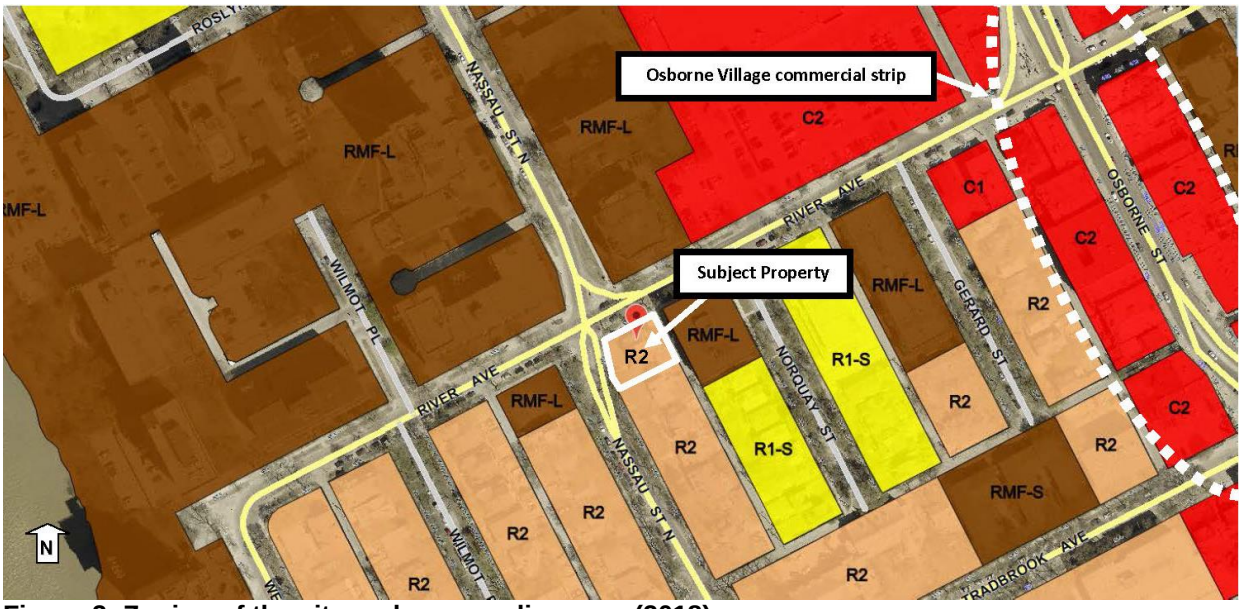


Figure 2: Zoning of the site and surrounding area (2018).

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant intends to demolish the existing onsite duplex and rezone the property to an "RMF-L" - Residential Multifamily (Large) District in order to establish a 4-storey multiple family residential development with 20 units on the subject property.

The proposal requires variances. Information on these is provided in the Administrative Report for Associated File DAV 19-109540D.

ANALYSIS AND ISSUES

OurWinnipeg

Direction 9 of *OurWinnipeg* states:

- Collaborate with developers, community organizations and other partners to foster an age-friendly and accessible urban environment.

That Direction sets out the following Enabling Strategy:

- With guidance from Complete Communities, encourage age-friendly and accessible new development in existing neighbourhoods.

The proposed development provides an elevator which enables access to those living with mobility challenges and supports universal accessibility, identified as a priority in *OurWinnipeg*.

Housing that supports universal accessibility allows for 'aging-in-place' – an option for residents to remain in their neighbourhood of choice as they move through different stages of life related to age and ability.

Complete Communities Direction Strategy

As per the *Complete Communities Direction Strategy,* the proposed development falls within the 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.
- 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 proposal to rezone this property to "RMF-L" supports an increase in density increase to a Mature Community, and adds to the mix of housing types in the neighbourhood, in alignment with goals of Complete Communities.

Osborne Village Neighbourhood Plan

This property falls within the Village Medium Density Area of the *Osborne Village Neighbourhood Plan* ("the Plan"). The Plan encourages a mixture of single-family homes, duplexes, townhouses and multi-family buildings. Rather than controlling development based on density, the Plan instead controls the scale of buildings based on height. The Medium Density Area of the Plan restricts the height of buildings to 4 storeys. This development, at 4 storeys, meets the intent of these Plan policies.

The Plan also contains policies guiding character, urban form and design (Section 3.1). Key highlights relevant to this development include:

- Respecting the traditional character of the area and surrounding properties in terms of pedestrian orientation, mass and scale of surrounding properties, compatible building materials, orientation of entrances to the street, and incorporation of compatible alignment, setbacks, and height of building(s) along the street;

- Providing pedestrian access at the street level, and locating parking, loading, and services entrances at the rear of buildings;

- Ensuring building design reinforces activity and vitality at the ground level through use of architectural elements and accommodate features to create interest on the street level;

Taking in to account the immediate context on River Avenue, which includes heights and densities mostly at or above those of this proposal, the development is reflective of contextual massing and scale.

Setbacks, further described in Associated File No. DAV 19-109540D, are designed to minimize adverse effect on the abutting residential dwelling to the south, and are similar to the recently approved developments at 522 River Avenue and 93 Nassau.

The development builds on the local pedestrian orientation of buildings by providing ‘active uses’ (residential units, lobby, glazed stairwells) and entrances facing the streets, including a glazed corner entrance adding presence to River and Nassau.

The development locates the parking underground and behind the building so that it is primarily out of view of public streets.

The development meets the policies of the Plan.

DESIGN CONSIDERATIONS

The applicant worked with the Urban Planning Division to make adjustments to the design of the building. Specifically, the following adjustments were made through a collaborative planning process leading up to receipt of the application:

- The parking garage, initially proposed for the main floor, was relocated below-grade at the request of the Division in order to bring the building down within 3 ft. of grade and better enliven the street.
- To allow for the parking garage to be located below-grade, the parkade ramp was lengthened by employing a 90-degree ramp turn.
- Small insets into some street-facing ground floor units were added to provide for individual front porches.
- The steps for the street-facing ground floor units run directly to the sidewalk to help provide a welcoming presence to the building.
- Raised planting beds were added between the steps of street-facing ground floor units.
- The main building entrance, previously located at the southwest corner of the building, was relocated to the corner of River and Nassau. This provides a more prominent entrance addressing the corner, and positions resident access away from the single family dwelling immediately south.
- Real brick is provided on components of the facades, to reflect the historic character and context of the neighbourhood.
- The required complement of accessible parking stalls was provided.
- Secure indoor bike parking for residents was provided.
- There previously was a parking stall abutting the sidewalk on River Ave. At the request of the Division the applicant moved this stall and replaced it with a 5-ft. yard, planted with trees.

Winnipeg Zoning By-Law 200/06

Variances

See the Administrative Report for Associated File DAV 19-109540D for information on variances.

OTHER CONSIDERATIONS

Site servicing

The Department of Water & Waste includes some servicing conditions regarding wastewater and land drainage runoff peak discharge. These and other servicing conditions are outlined further in the Report of the Administrative Coordinating Group, attached as Schedule 'B'.

There are no other City of Winnipeg Departmental conditions for this development.

Parking

The development provides an approximately 1:1 ratio of parking stalls per dwelling unit (further detailed in Associated File DAV 19-109540D). The Urban Planning Division considers this to be a functional ratio for Osborne Village, which has walkable access to high-frequency transit service, and multiple car-sharing options including three vehicles across the street near 511 River Avenue.

SUMMARY

The Urban Planning Division supports the subdivision and rezoning, because the development:

- Supports universal accessibility and aging-in-place.
- Adds density to a Mature Community in a context-sensitive manner, in alignment with *Complete Communities.*
- Meets policies of the *Osborne Village Neighbourhood Plan* including its character policies.
- Adds to the mix of housing types in the neighbourhood.
- Builds on the local pedestrian orientation of buildings by providing 'active uses' (residential units, lobby, glazed stairwells) and entrances facing the street, including a glazed corner entrance adding presence to River and Nassau.

OTHER CONSIDERATIONS

Plan approval

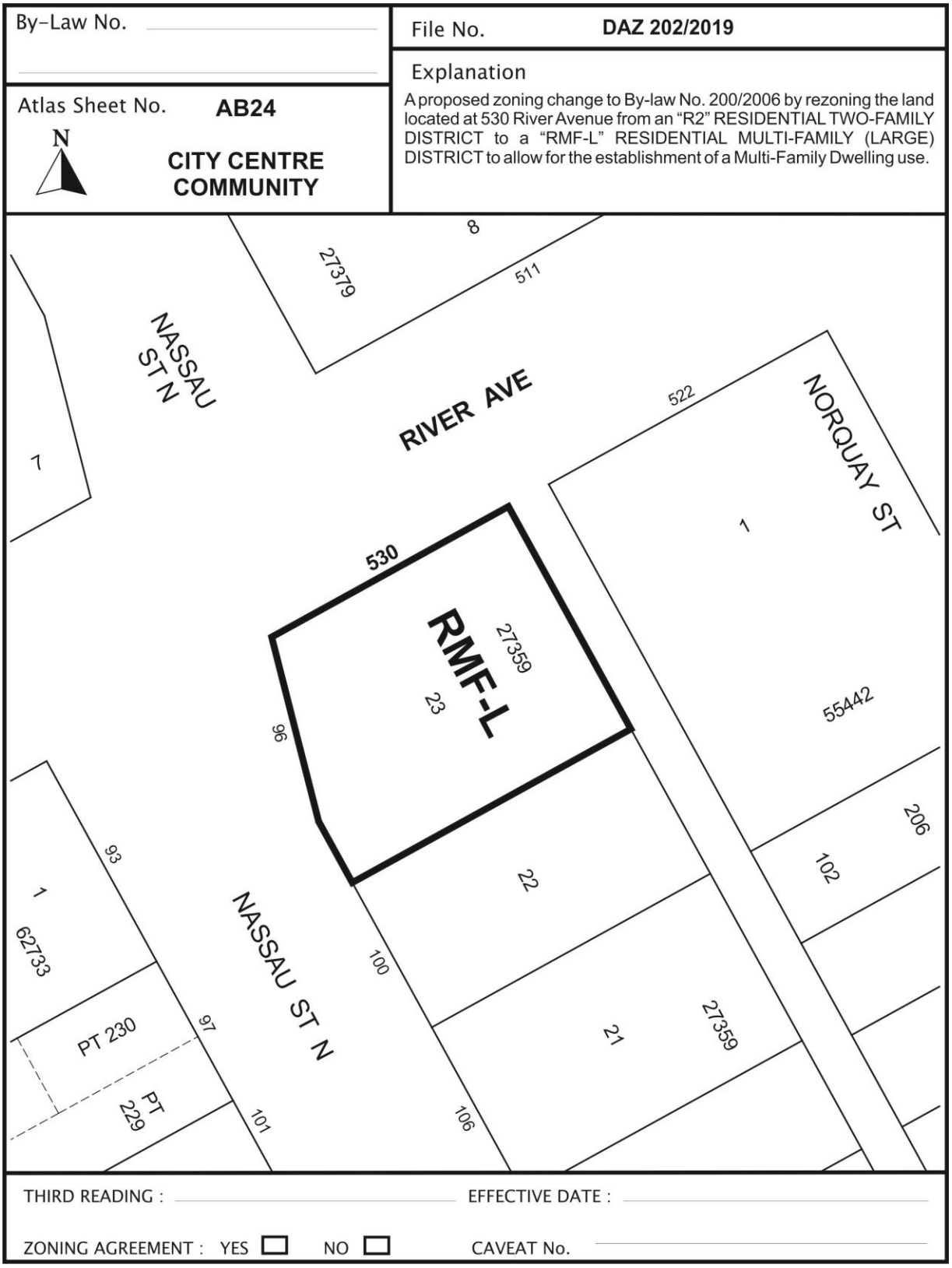
In order to enable collaboration on final design details, the Urban Planning Division recommends a plan approval condition of approval on the associated variance application (File DAV 19-109540D).

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 Multifamily (Large) District.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division
Report Prepared by: Andrew Ross, RPP, MCIP
DAZ 202/19 530 Rive Avenue

Schedule “A” for File No. DAZ 202/2019, City Centre Community Committee, May 7, 2019



SCHEDULE "B"

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP

RE: PROPOSED REZONING OF LAND LOCATED AT 530 RIVER AVENUE

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DAZ 202/2019. The applicant should take into consideration the following servicing and design requirements and comments in the redevelopment of the site:

Water and Waste Department:

1) There is adequate servicing for the proposed development based on the site plan provided. Additional review will be required should the plans of development be altered during the design process.

2) 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. The following design criteria shall be used:

    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 0.30, 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

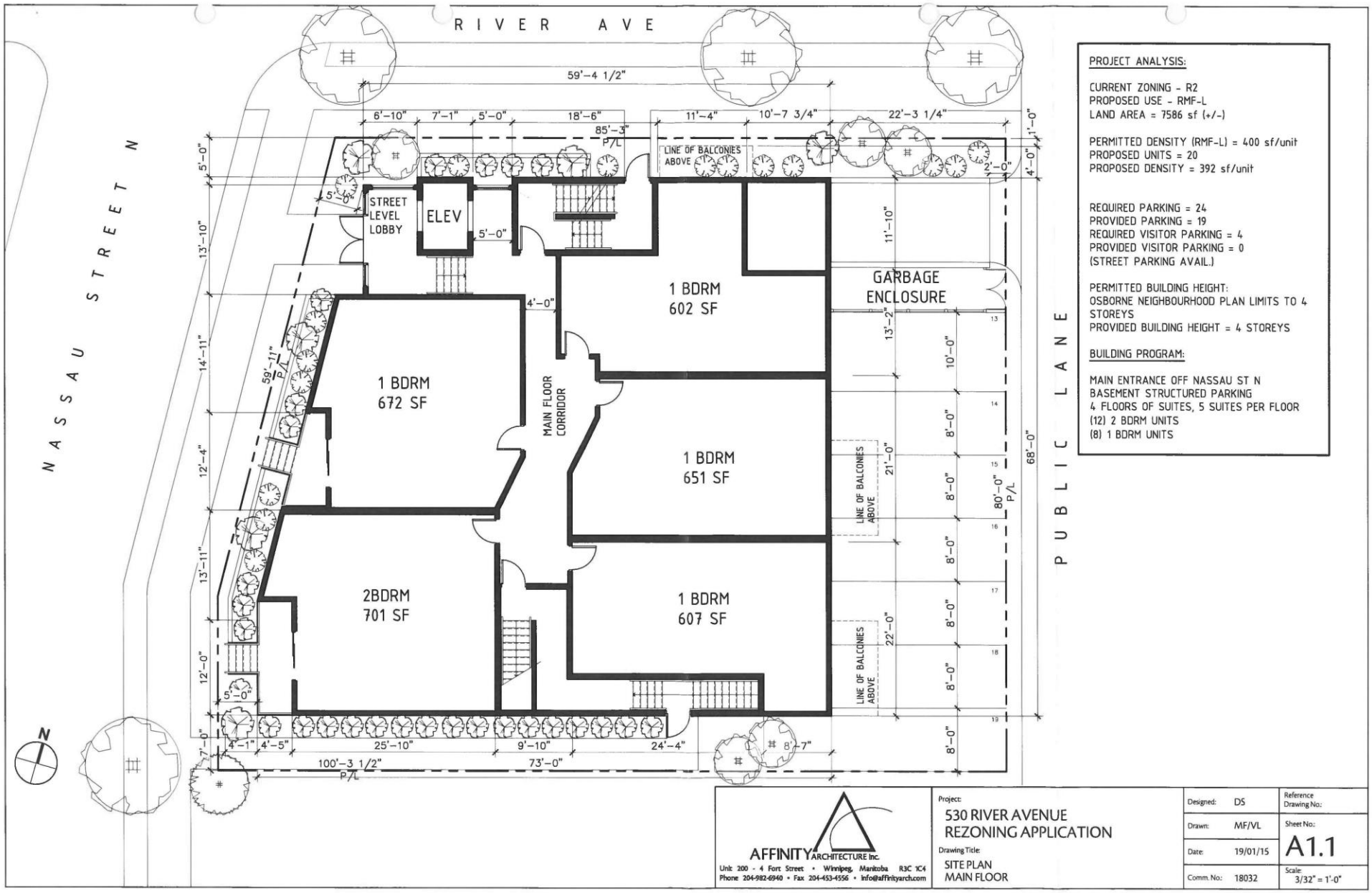
THIS REPORT SUBMITTED BY:

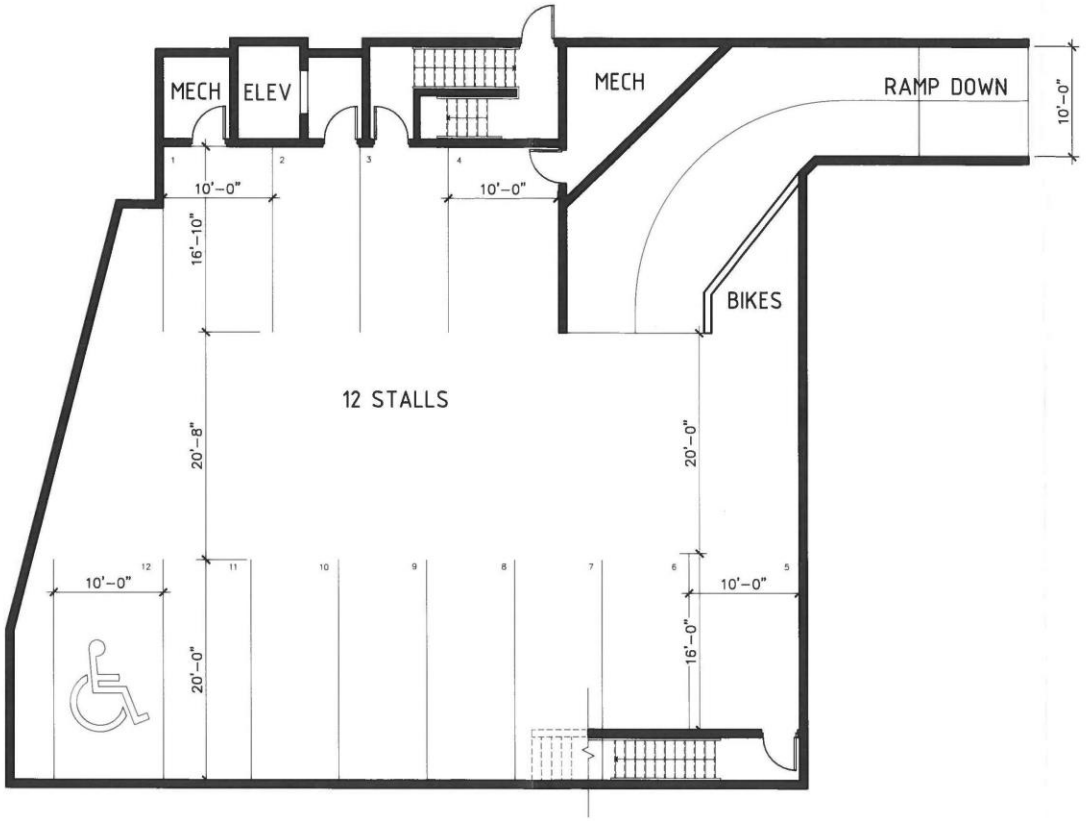
Administrative Co-ordinating Group
File No. DAZ 202/2019
April 17, 2019

"*Original Signed by D. Trenchard"*
D. Trenchard, P. Eng.
Land Development Branch

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

Exhibit “5” referred to in File DAZ 202/2019



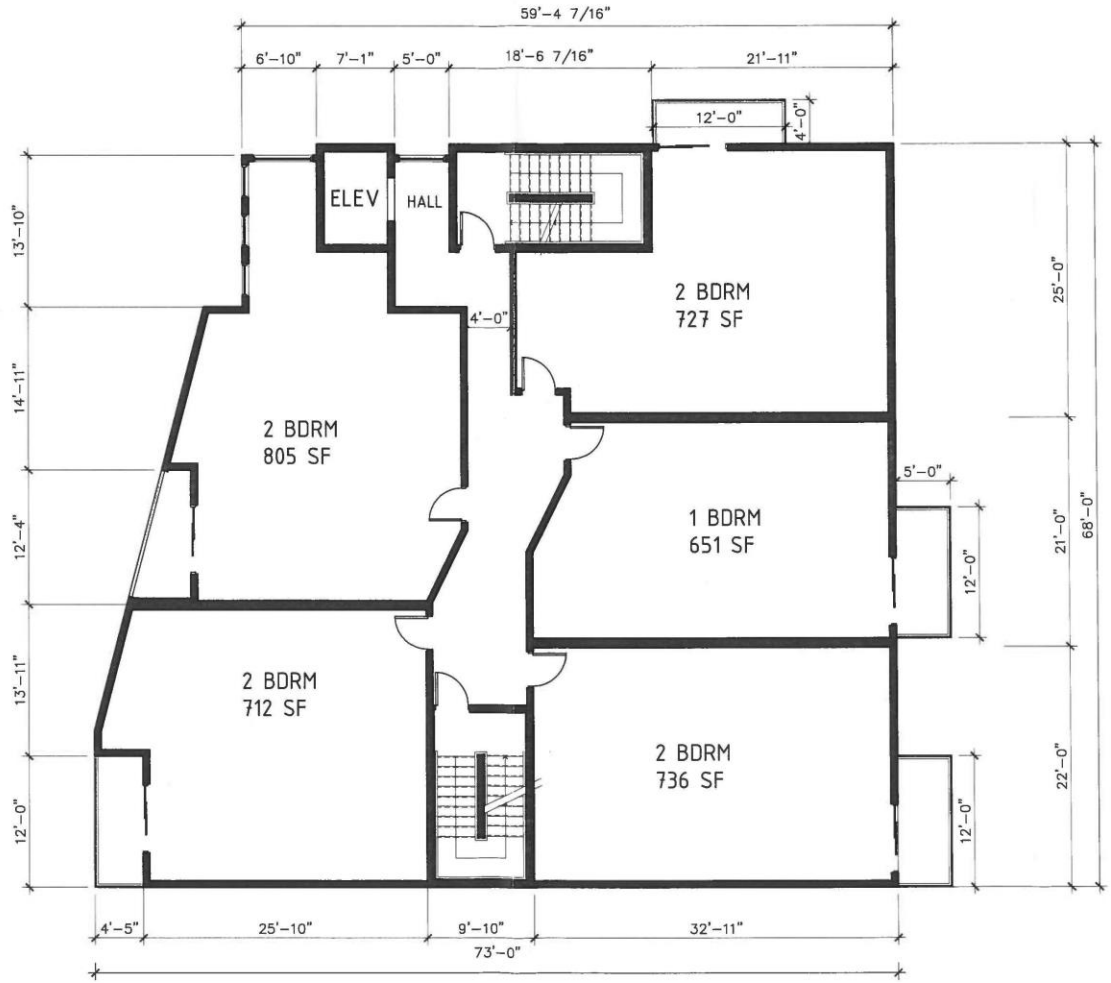


AFFINITY ARCHITECTURE Inc.
Unit 200 - 4 Fort Street • Winnipeg, Manitoba R3C 1C4
Phone 204-982-6940 • Fax 204-453-4556 • info@affinityarch.com

Project:
530 RIVER AVENUE
REZONING APPLICATION

Drawing Title:
PARKADE

Designed:	DS	Reference Drawing No.:	
Drawn:	MF/ VL	Sheet No.:	A2.1
Date:	19/01/15		
Comm. No.:	18032	Scale:	3/32" = 1'-0"



AFFINITY ARCHITECTURE Inc.
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Phone 204-982-6940 • Fax 204-453-4556 • info@affinityarch.com

Project:
530 RIVER AVENUE
REZONING APPLICATION

Drawing Title:
TYPICAL FLOOR
2ND TO 4TH FLOOR

Designed:	DS
Drawn:	MF/ VL
Date:	19/04/08
Comm. No.:	18032

Reference Drawing No.:

Sheet No.: A2.2

Scale: 3/32" = 1'-0"



AFFINITY ARCHITECTURE Inc.
Unit 200 - 4 Fort Street • Winnipeg, Manitoba R3C 1C4
Phone 204-982-6940 • Fax 204-453-4556 • info@affinityarch.com

Project:
530 RIVER AVENUE
REZONING APPLICATION

Drawing Title:
WEST ELEVATION

Designed:	DS	Reference Drawing No.:	
Drawn:	MF	Sheet No.:	A3.1
Date:	19/01/15		
Comm. No.:	18032	Scale:	1/8" = 1'-0"



AFFINITY ARCHITECTURE Inc.
Unit 200 - 4 Fort Street • Winnipeg, Manitoba R3C 1C4
Phone 204-982-6940 • Fax 204-453-4556 • info@affinityarch.com

Project:
530 RIVER AVENUE
REZONING APPLICATION

Drawing Title:
NORTH ELEVATION

Designed:	DS	Reference Drawing No.:	
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Date:	19/01/15		
Comm. No.:	18032	Scale:	1/8" = 1'-0"