Agenda – Council – July 23, 2020

Report – Executive Policy Committee – July 15, 2020

Item No. 3 Rezoning – 2895 King Edward Street
(Point Douglas Ward)
File DAZ 202/2020 [c/r DAV 108334/2020D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 15, 2020, the Executive Policy Committee concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the following to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 202/2020 by rezoning the subject land to a "RMF-S" Residential Multi-Family (Small) District as shown on the map dated June 16, 2020 and attached as Schedule "A" to this report, subject to the following conditions:

    A. That the owner of the subject land (the "Owner") enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of the City of Winnipeg Charter in accordance with the following:

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

            a. Buildings
            b. Accessory parking areas
            c. Private approaches
            d. Garbage enclosures
            e. Fencing
            f. Landscaping
            g. Free-standing signage

            On the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") 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.

    B. That the City enter into, execute and deliver with the Owner a Zoning Agreement in accordance with recommendation 1.A.and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

Report – Executive Policy Committee – July 15, 2020

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

C. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, and Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interest of the City.

2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated May 6, 2020 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 By-law will come into force when the Zoning Agreement is fully executed and registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

7. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Zoning Agreement is not registered in accordance with recommendation 6 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

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

Report – Executive Policy Committee – July 15, 2020

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 15, 2020, the Executive Policy Committee concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 23, 2020, the Lord Selkirk-West Kildonan 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.

PUBLIC HEARING SUMMARY

File: DAZ 202/2020

Before: Lord Selkirk-West Kildonan Community Committee
Councillor Sharma, Chairperson
Councillor Eadie
Councillor Santos

Public Hearing: June 23, 2020
Council Building, 510 Main Street

Applicant: Troika Management Corp. (Josh Klassen)

Subject:



Premises Affected: 2895 King Edward Street

For submission to: Executive Policy Committee

Prepared by: P. Prinsloo, Senior Committee Clerk
Lord Selkirk-West Kildonan Community Committee

Report date: June 23, 2020

Community Committee Recommendation:

On June 23, 2020, the Lord Selkirk-West Kildonan 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 Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 202/2020 by rezoning the subject land to a "RMF-S" Residential Multi-Family (Small) District as shown on the map dated June 16, 2020 and attached as Schedule "A" to this report, subject to the following conditions:

    A. That the owner of the subject land (the "Owner") enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of the City of Winnipeg Charter in accordance with the following:

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

            a. Buildings
            b. Accessory parking areas
            c. Private approaches
            d. Garbage enclosures
            e. Fencing
            f. Landscaping; and
            g. Free-standing signage

            On the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") 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.

    B. That the City enter into, execute and deliver with the Owner a Zoning Agreement in accordance with recommendation 1.A.and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

C. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, and Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interest of the City.

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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.

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7. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Zoning Agreement is not registered in accordance with recommendation 6 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

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

The Lord Selkirk-West Kildonan Community Committee provided the following supporting reason(s) for its recommendation:

1. This project sounds fantastic, it is a great infill that's going to be happening at the corner of King Edward and Jefferson; I greatly, greatly, appreciate the developers and owners to reach out to the community and reached out to my office and Councillor Sharma's office to discuss what's happening, and I appreciate all the thought pieces given to it, especially when they're thinking about the greater community, families, and children.

2. I really appreciate those extra amenities that they put into the project and I really do look forward to seeing the plan approval coming to this committee and I know too that they worked closely with our planner to ensure that everything aligns properly with the other areas of the community, so great work, it's been a long time coming, but this is very exciting for the community.

Exhibits Filed:

1. Application dated March 5, 2020
2. Notification of Public Hearing dated May 20, 2020
3. Manitoba Status of Title 1399354/1
4. Letter of authorization dated July 7, 2020 from Al Fedorak, District Superintendent, Canada Midwest District of the Christian and Missionary Alliance to Troika Developments Inc.
5. Drawing of subject property
6. Plans (6 pages)
7. Report from the Urban Planning Division dated June 16, 2020
8. Inspection Report
9. Presentation in support of the application submitted by the Applicant at the public hearing

REPRESENTATIONS:

In Support:

Josh Klassen
Renee Merrifield

In Opposition:

Nil

For Information:

Nil

For the City:

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

Exhibit "7" referred to in File DAZ 202/2020

ADMINISTRATIVE REPORT

Title: DAZ 202/2020 – 2895 King Edward Street

Issue: An application for consideration at the public hearing to rezone the property from "RR5" Rural Residential 5 to "RMF-S" Residential Multi-Family (Small) to facilitate the establishment of a proposed Multi-Family Dwelling use

Critical Path: Lord Selkirk-West Kildonan Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Hayer			

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 202/2020 by rezoning the subject land to a "RMF-S" Residential Multi-Family (Small) District as shown on the map dated June 16, 2020 and attached as Schedule "A" to this report, subject to the following conditions:

    A. That the owner of the subject land (the "Owner") enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of the City of Winnipeg Charter in accordance with the following:

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

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conformance with the approved plans and maintain the Works to the satisfaction of the Director.

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7. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Zoning Agreement is not registered in accordance with recommendation 6 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

8. That the proper Officers of the City be authorised to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

- The applicant is proposing to rezone the property from "RR5" Rural Residential 5 to "RMF-S" Residential Multi-Family (Small) to facilitate the establishment of a proposed Multi-Family Dwelling use (63 townhome style units).
- 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 proposal can proceed.

SUBMITTED BY

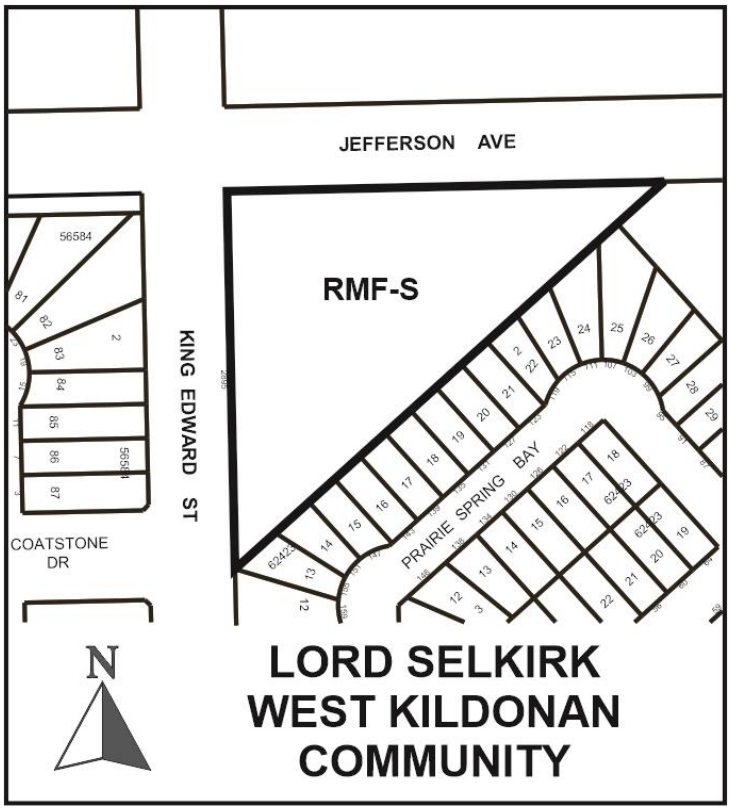
Department	Planning, Property and Development
Division	Urban Planning and Design
Prepared by	R. Hayer (MCP)
Date:	June 16, 2020
File No.	DAZ 202/2020

Attachments

- Appendix “A,” Planning Discussion
- Schedule “A,” of File DAZ 202/2020**,** Lord Selkirk - West Kildonan Community Committee, dated June 16, 2020**.**
- Schedule “B,” Report Of The Administrative Coordinating Group – May 6, 2020, RE: Proposed Rezoning of Land Located at 2895 King Edward Street.

APPENDIX 'A'

DATE:	June 16, 2020
FILE:	**DAZ 202/2020**
RELATED FILES:	DAV 20-108334/D
COMMUNITY:	Lord Selkirk-West Kildonan
NEIGHBOURHOOD #:	3.319 (Inkster Gardens)
SUBJECT:	To rezone the subject land from an from "RR5" Rural Residential 5 to "RMF-S" Residential Multi-Family (Small) District
LOCATION:	2895 King Edward Street
LEGAL DESCRIPTION:	PT LYING NW OF NW LIMIT CPR ROW PL 2444 NW 25 11 2E



APPLICANT:	Josh Klassen 554 Leon AVE Unit 302 Kelowna , British Columbia V1Y 6J6
OWNER:	Canadian Midwest Dist. of Christian & Missionary 2950 Arens RD E Regina, Saskatchewan S4V 1N8
RECOMMENDATION:	Approval, with conditions

SITE DESCRIPTION

- The subject property is located at the southeast intersection of Jefferson Avenue and King Edward Street in the Inkster Gardens Neighbourhood of the Point Douglas Ward.
- The property is currently vacant and zoned “RR5” Rural Residential 5 District.
- The site has +/-511 feet of frontage on Jefferson Avenue and +/- 440 feet on King Edward Street, for a total lot area of 113,085 sq. ft. (2.50 acres).
- The property falls within a “New Community” policy area under the *Complete Communities Direction Strategy* of *OurWinnipeg* and is identified as Precinct “C”.
- Under the Precinct Policies, the subject site falls within the “Low Density Residential” policy area.



Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2018)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Jefferson Avenue; then vacant lands zoned “A” Agricultural District.

South: Single-family dwellings zoned “R1-S” Residential Single-Family (Small) District.

East: Elementary School (under construction) on land zoned “R1-S” Residential Single-Family (Small) District.

West: King Edward Street; then single-family dwellings zoned “R1-M” Residential Single-Family (Medium) District

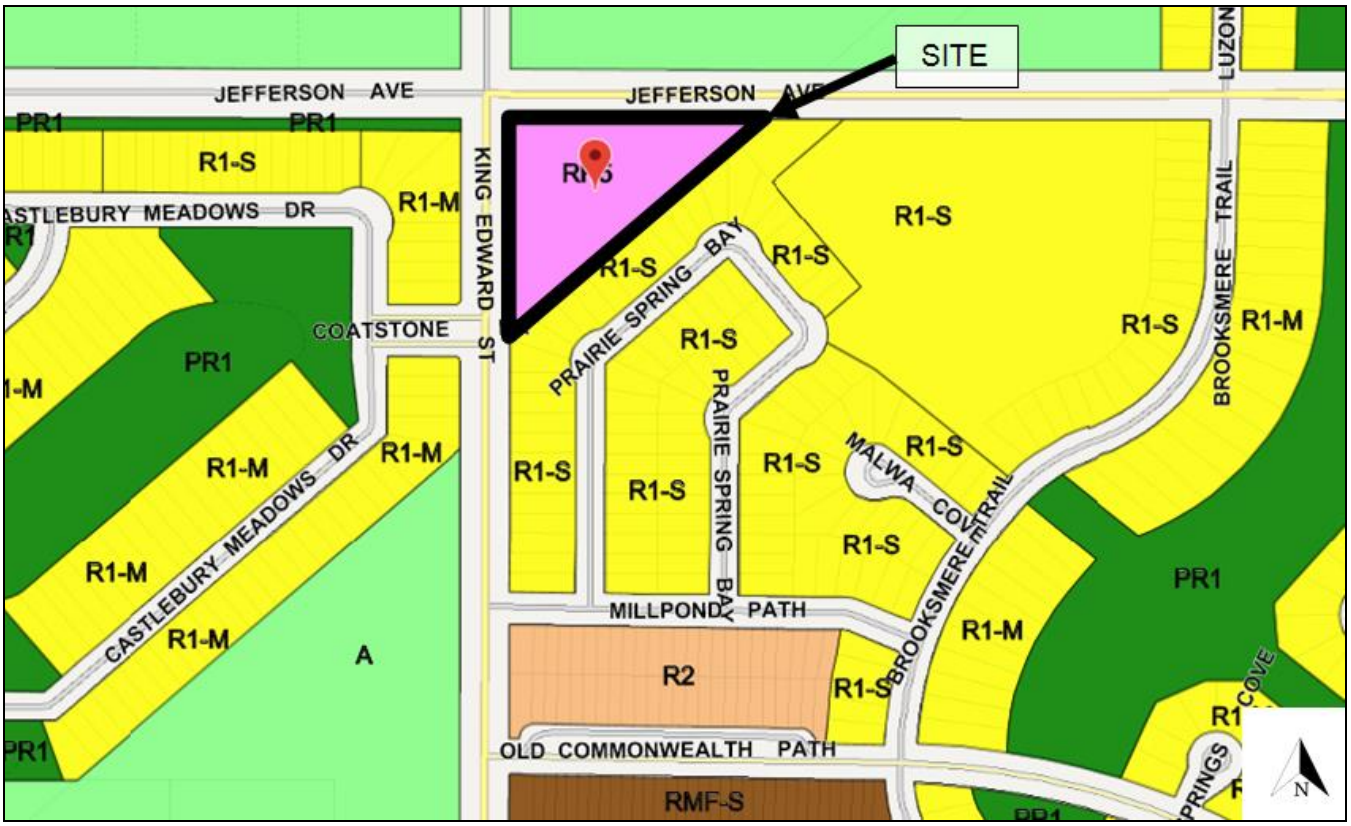


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the property from “RR5” Rural Residential to “RMF-S” Residential Multi-Family (Small) District.
- The proposed development involves construction of 63 townhome units.
- The units would be +/- 30 feet in height, or three storeys tall.
- Each unit would have an attached garage and single-car driveway. A total of 137 parking spaces are proposed. Eleven (11) visitor parking stalls would be provided in shared parking areas.
- All interior roads would be private lanes. Access to the development would be from Jefferson Avenue and King Edward Street.
- The development would include on-site greenspace, including a play structure and pathways connecting the site to the adjacent area.
- A conceptual site plan has been submitted with the application and it is recommended that the final site plan require Plan Approval through the Lord Selkirk-West Kildonan Community Committee. Drawings submitted with the subject application are shown on Figures 3 and 4.
- In addition to the proposed subdivision and rezoning, variances for a reduced front yard (Jefferson Avenue) and rear yard have been applied for under related file DAV 20-108334/D. A report detailing the variances has been submitted to the Lord Selkirk – West Kildonan Community Committee.



Figure 4: Proposed Building Typology (image provided by applicant)

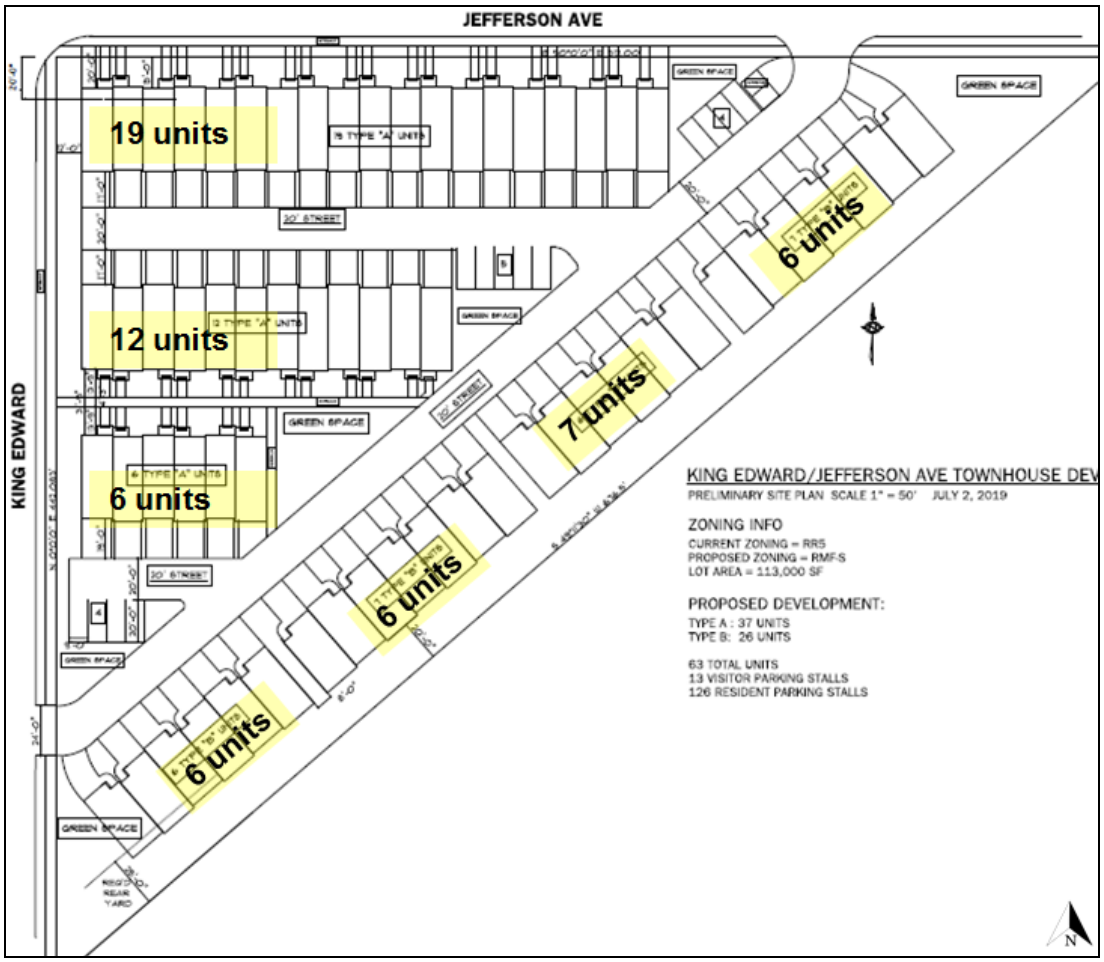


Figure 5: Proposed Site Plan.

Collaboration

The applicant submitted a Pre-Application in 2017 to solicit feedback from the Department. The applicant also met with and consulted the Urban Planning Division prior to submitting the subject application. In February 2020, the applicant also distributed consultation materials to nearby neighbours. An open house event was also held and the invitation was also shared with the Administration.

ANALYSIS AND ISSUES

OurWinnipeg and the Complete Communities Direction Strategy:

Under *OurWinnipeg* and *Complete Communities* the proposed development is within the "New Communities" Policy Area (Precinct 'C'). Per *OurWinnipeg,* the Key Direction for New Communities is the following:

- *New Communities will continue to play an important role in accommodating the city's projected population growth. These communities will be planned as complete from the outset and will continue to achieve a high standard of sustainability in planning, design, construction and management.*

Per *Complete Communities,* key policies include the following:

- *New Communities will be established through a planning process.*
- *New Communities will be developed with complete streets, enabling safe and convenient spaces for pedestrians, bicyclists, public transit ridership and motorists to promote physical activity, health and active transportation.*

A Planning Process has occurred and the Precinct 'C' Area Structure Plan has been adopted as Council policy.

Precinct 'C' Secondary Plan:

The Precinct "T" (Castlebury Meadows) Area Structure plan was endorsed by Council in December, 2012. Under the Area Structure plan, the property is within the "Low Density Residential policy area.

Key policies for the Low Density Residential policy area include:

- The Low Density Residential areas may be comprised… townhouses (which are considered in this Plan to be buildings comprised of at least three dwelling units each of which with direct access to the outdoors);
- The minimum density target is 5 units per gross acre.

The proposed rezoning is consistent with the Precinct 'C' Area Structure Plan.

Compatibility with the Surrounding Area:

The proposed rezoning would be compatible with the surrounding area. Although to the east, west, and south of the site are low density uses, the subject site is at the intersection of two major streets and therefore it is appropriate for the site to contain a moderate degree of density. The dimensional standards for the "RMF-S" Residential Multi-Family (Small) are similar to Single-Family zoning districts. Furthermore, the site is next to an elementary school, making it a good location for residential development.

Conditions of Approval

Plan Approval

- The Urban Planning Division is recommending that final plans be submitted to the Director of Planning, Property and Development and the Lord Selkirk – West Kildonan Community Committee for review prior to the issuance of a development permit on the site.

- The inclusion of this clause will allow the Urban Planning Division and the Lord Selkirk – West Kildonan Community Committee to review final plans prior to the issuance of any development permit on site.

Land Dedication

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.
- The amount of land is not less than 10%.
- The developer is to provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.
- The City is requesting cash in lieu for this application.

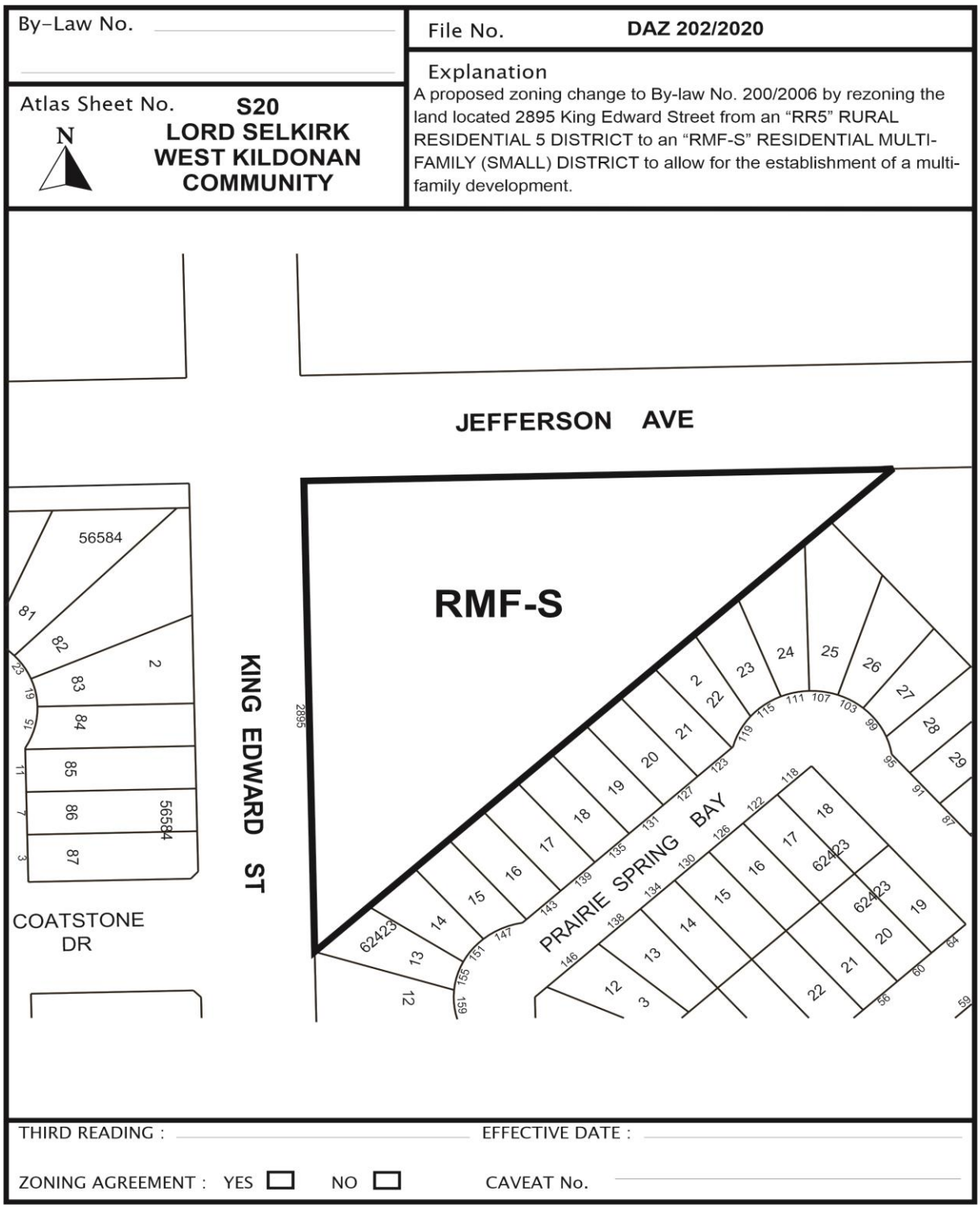
RECOMMENDATIONS

The Urban Planning Division recommends **approval, with conditions** for the following reasons:

- The proposed development is consistent with existing development pattern in the area. It is also important to note that the proposal aligns with key policies of *Our Winnipeg and Complete Communities Direction Strategy* and the Precinct 'C' Area Structure Plan.
- The Urban Planning Division recommends that the proposed rezoning be approved.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning & Design Division
Report Prepared by: R. Hayer
PPD File # DAZ 202/2020

APPENDIX "B"
Schedule "A" for File No. DAZ 202/2020, Lord Selkirk-West Kildonan Community Committee, dated June 16, 2020.



SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP – May 6, 2020

RE: PROPOSED REZONING OF LAND LOCATED AT 2895 KING EDWARD STREET

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DAZ 202/2020. The applicant should take into consideration the following servicing costs in the redevelopment of the site:

Section I - Servicing Costs

1) Share of Services in King Edward Street

The Developer shall pay to the City, in cash, prior to release of the zoning agreement, their share of the following services previously installed or to be installed by others, for the full length of the subject property abutting the east side of King Edward Street:

(a) Water main;

(b) Wastewater sewer;

(c) Land drainage lateral sewer;

(d) 5.0m wide by 200mm thick Portland cement concrete pavement and all related works;

(e) 1.5m wide by 100mm thick Portland cement concrete sidewalk in the east boulevard;

(f) Ornamental street lighting in the east boulevard;

(g) Landscaping in the east boulevard,

All as determined by and to the satisfaction of the Director of Water and Waste and the Director of Public Works.

2) Share of Services in Jefferson Avenue

The Developer shall pay to the City, in cash, prior to the release of the zoning agreement, their share of the following services previously installed or to be installed by others, for the full length of the subject property abutting the east side of King Edward Street:

(a) Water main;

(b) Land drainage lateral sewer;

(c) 5.0m wide by 200mm thick Portland cement concrete pavement and all related works;

(d) 1.5m wide by 100mm thick Portland cement concrete sidewalk in the south boulevard;

(e) Ornamental street lighting in the south boulevard;

(f) Landscaping in the south boulevard,

All as determined by and to the satisfaction of the Director of Water and Waste and the Director of Public Works.

3) Regional Land Drainage System

The Developer shall pay to the City, in cash, prior to the release of the zoning agreement, their share of the regional land drainage system.

THIS REPORT SUBMITTED BY:

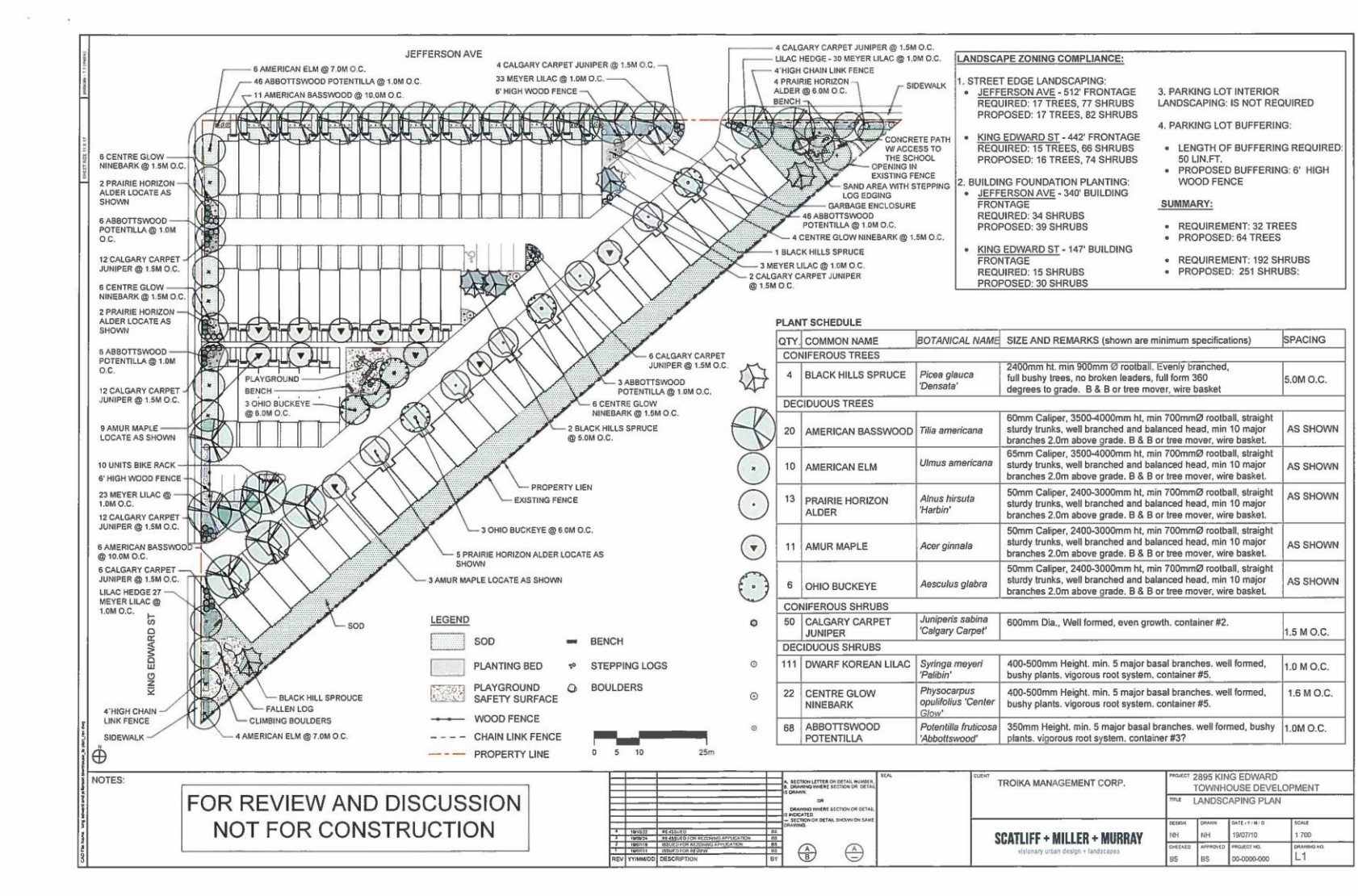
Administrative Co-ordinating Group
File No. DAZ 202/2020
June 11, 2020

"*Original Signed by D. Trenchard"*
D. Trenchard, P. Eng.
Land Development Branch
Planning, Property and Development Department

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

"*Original Signed by C. Desjardine"*
C. Desjardine, M. Sc., P. Eng.
Engineering Division
Public Works Department

Exhibit “6” referred to in File DAZ 202/2020

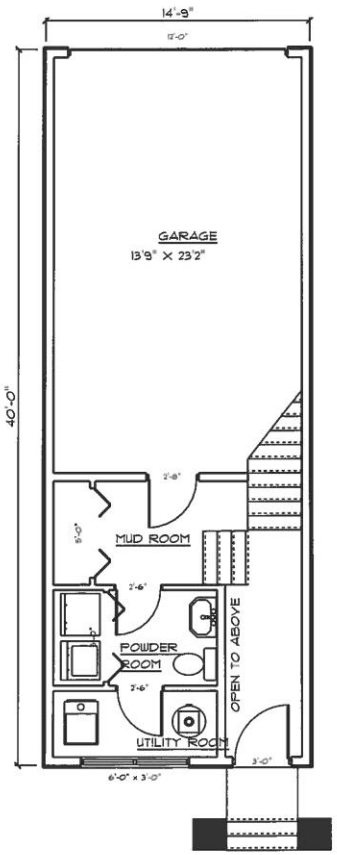


TYPE-A LAYOUTS

1200 SQ FT FINISHED SCALE 1" = 10'

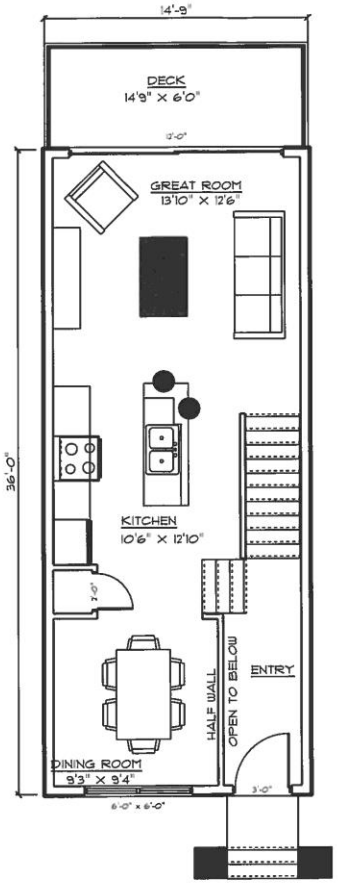
FIRST FLOOR

122 SQ FT FINISHED



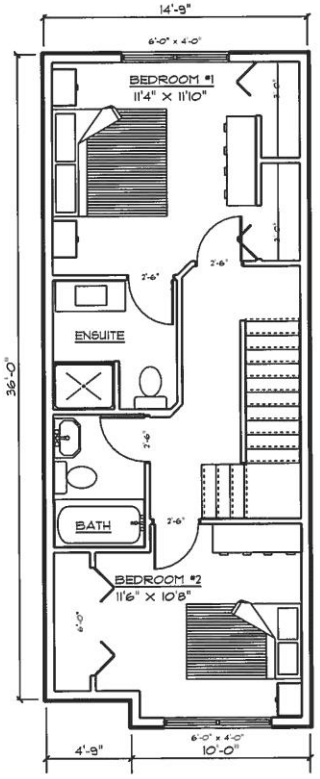
SECOND FLOOR

531 SQ FT



THIRD FLOOR

547 SQ FT



TYPE-A ELEVATION

SCALE 1" = 10'

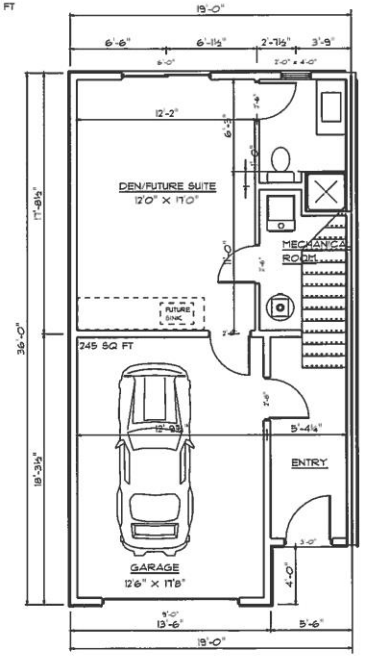


TYPE -B LAYOUTS

SCALE 1" = 10' 1558 SQ FT

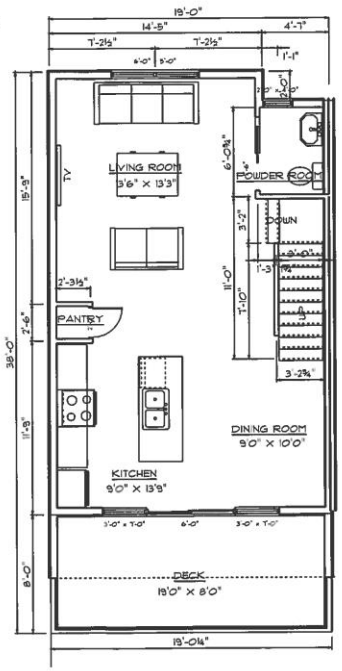
FIRST FLOOR

SCALE 1" = 10'
GARAGE - 245 SQ FT
DEN/ENTRY - 411 SQ FT



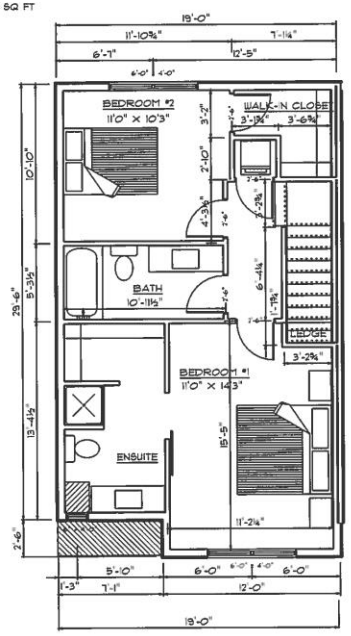
SECOND FLOOR

SCALE 1" = 10'
LIVING SPACE - 561 SQ FT



3RD FLOOR

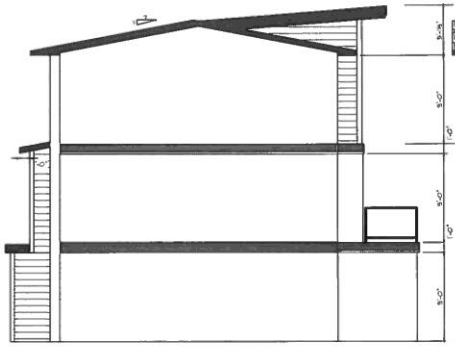
SCALE - 1" = 10'
TOTAL LIVING - 580 SQ FT



JEFFERSON TOWNHOUSE PROJECT

TYPE B ELEVATION

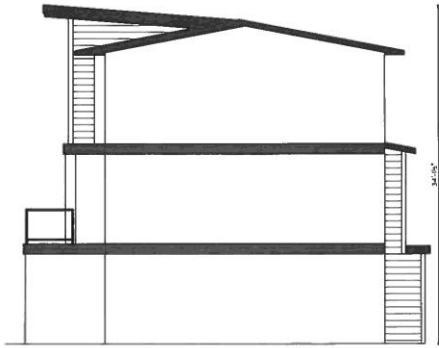
LEFT ELEVATION



FRONT ELEVATION

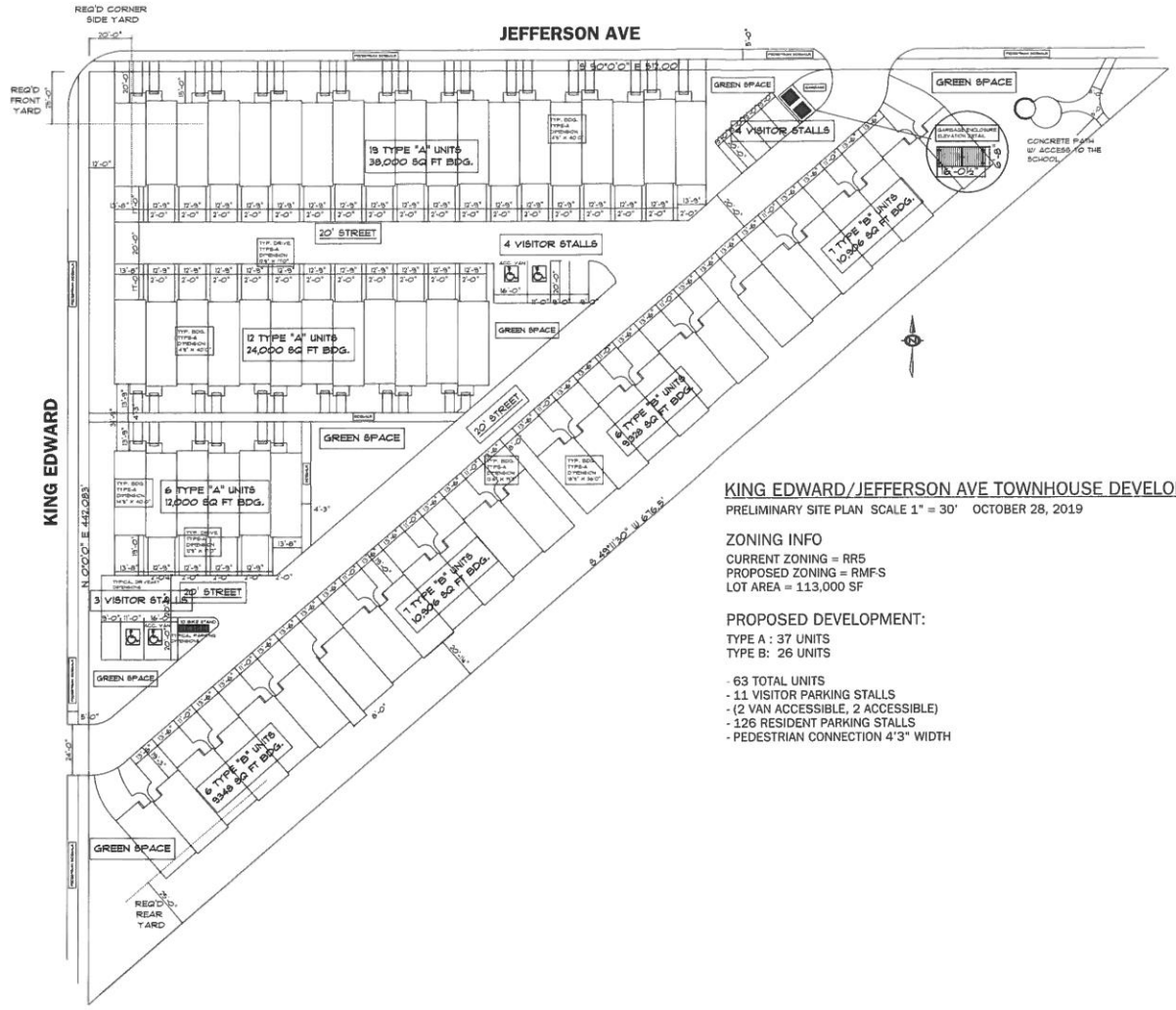


RIGHT ELEVATION



BACK ELEVATION





KING EDWARD/JEFFERSON AVE TOWNHOUSE DEVELOPMENT

PRELIMINARY SITE PLAN SCALE 1" = 30' OCTOBER 28, 2019

ZONING INFO

CURRENT ZONING = RR5
PROPOSED ZONING = RMF-S
LOT AREA = 113,000 SF

PROPOSED DEVELOPMENT:

TYPE A : 37 UNITS
TYPE B: 26 UNITS

- 63 TOTAL UNITS
- 11 VISITOR PARKING STALLS
- (2 VAN ACCESSIBLE, 2 ACCESSIBLE)
- 126 RESIDENT PARKING STALLS
- PEDESTRIAN CONNECTION 4'3" WIDTH