Agenda – Council – October 29, 2020

Report – Executive Policy Committee – October 20, 2020

Item No. 4 Subdivision and Rezoning – 29 Oakleigh Place (St. Vital Ward) File DASZ 12/2020 [c/r DAV 155391/2020D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 20, 2020, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee and submitted the following to Council:

1. That the subdivision under Development Application No. DASZ 12/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated August 31, 2020 and attached as Schedule 'A' to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the Developer shall meet all terms and conditions as outlined in Schedule 'B', the report of the Administrative Coordinating Group, dated August 7, 2020 to the satisfaction of the Director of Planning, Property and Development.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject lands land to an "R2" Residential Two-Family District as shown on the map dated August 31, 2020 and attached as Schedule "A" to this report.

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 Development Application No. DASZ 12/2020, 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 Director of Legal Services/City Solicitor prepares and bring it directly to Council for enactment the By-law in accordance with the above.

6. That the subdivision section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

Report – Executive Policy Committee – October 20, 2020

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

7. That the zoning section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

8. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with 7 and 8 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

9. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

10. 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 – October 20, 2020

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 20, 2020, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On October 1, 2020, the Riel 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

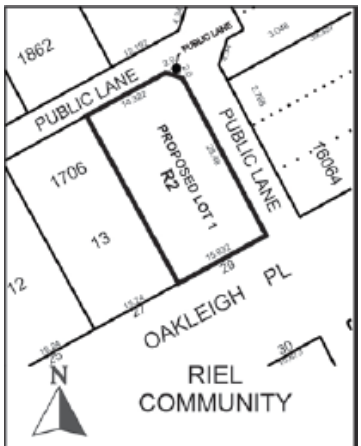
File: DASZ 12/2020

Before: Riel Community Committee
Councillor Chambers, Chairperson
Councillor Allard
Councillor Mayes

Public Hearing: October 1, 2020
Council Building, 510 Main Street

Applicant: Randall Homes (George Daterra)

Subject:



APPLICANT: Randall Homes (George Daterra)
FILE: DASZ 12/2020
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to facilitate the establishment of two lots and the construction of a Two-Family Dwelling. **For information, phone J. Hildebrand, Planner at 204-986-5337.**

DEMANDEUR: Randall Homes (George Daterra)
N° DE DOSSIER: DALZ 12/2020
PROJET: Demande d'approbation par le conseil municipal du plan de lotissement délinéé ci-dessus et proposition de modification du *Zoning By-law No. 200/2006* (règlement municipal sur le zonage) visant à changer le zonage des sols délinéés ci-dessus de sorte qu'ils passent de la catégorie R1-M (secteur d'habitations unifamiliales moyennes) à la catégorie R2 (secteur résidentiel bifamilial) afin de faciliter l'aménagement de deux lots et la construction d'une habitation bifamiliale. **Pour obtenir des renseignements, veuillez appeler J. Hildebrand, urbaniste, au 204-986-5337.**

Premises Affected: 29 Oakleigh Place

For submission to: Executive Policy Committee

Prepared by: Rebecca Ford, Committee Clerk
Riel Community Committee

Report date: October 5, 2020

Community Committee Recommendation:

On October 1, 2020, the Riel 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 subdivision under Development Application No. DASZ 12/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated August 31, 2020 and attached as Schedule 'A' to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the Developer shall meet all terms and conditions as outlined in Schedule 'B', the report of the Administrative Coordinating Group, dated August 7, 2020 to the satisfaction of the Director of Planning, Property and Development.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject lands land to an "R2" Residential Two-Family District as shown on the map dated August 31, 2020 and attached as Schedule "A" to this report.

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 Development Application No. DASZ 12/2020, 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 Director of Legal Services/City Solicitor prepares and bring it directly to Council for enactment the By-law in accordance with the above.

6. That the subdivision section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

7. That the zoning section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

8. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with 7 and 8 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

9. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

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

Note: The wording in bold and italics denotes amendments made by the Community Committee.

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

1. Not a gravel lane or a mud lane. I have some issues about future developments on asphalt lanes, but given today it's a duplex and not four units, I am prepared to support. Our lives would have been a little easier around here over the years if we had a few more of these.

2. Thanks to Ms. Finnigan for pointing out to me that there aren't secondary suites. Its an intensification but its one building where there was one building. Its an intensification, but its not four to one, its two to one. And the fact that its not on a gravel or a mud lane, its helpful.

3. No underlying 25 foot lots to deal with which is the source of much discussion here over the past three years, so this one seems much cleaner

Exhibits Filed:

1. Application dated June 26, 2020
2. Notification of Public Hearing dated August 31, 2020
3. Manitoba Status of Title 3045275/1
4. Letter of authorization dated June 18, 2020 from Jaquet Holdings Ltd. (Randy Jaquet) to Randall Homes
5. Surveyor's Building Location Certificate and sketch dated March 10 & 11, 2020
6. Plans (7 pages)
7. Report from the Urban Planning Division dated September 10, 2020
8. Inspection Report
9. Photos submitted by Randall Homes in support of the application

REPRESENTATIONS:

In Support:

George Daterra

In Opposition:

Nil

For Information:

Nil

For the City:

E. Finnigan, Planner, Planning Property and Development Department
J. Hildebrand, Planner, Planning Property and Development Department
D. Trenchard, Land Development Engineer, Planning Property and Development Department

Exhibit "7" referred to in File DASZ 12/2020

ADMINISTRATIVE REPORT

Title: DASZ 12/2020 – 29 Oakleigh Place

Issue: For consideration at the public hearing for a subdivision and rezoning of a single residential lot into two lots, and from an 'R1-M' Residential Single-Family Medium district to an 'R2' Residential Two-Family district.

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

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Hildebrand	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 12/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated August 31, 2020 and attached as Schedule 'A' to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

A. That the Developer shall meet all terms and conditions as outlined in Schedule 'B', the report of the Administrative Coordinating Group, dated August 7, 2020 to the satisfaction of the Director of Planning, Property and Development.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject lands land to an "R2" Residential Two-Family District as shown on the map dated August 31, 2020 and attached as Schedule "A" to this report.

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 Development Application No. DASZ 12/2020, 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.

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

REASON FOR THE REPORT

- This report provides information and makes recommendations regarding the subject application's compliance with The City of Winnipeg Charter.
- 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 may be rezoned and subdivided, subject to conditions.

HISTORY

N/A

CONSULTATION

In preparing this Report there was internal consultation with: N/A

OURWINNIPEG POLICY ALIGNMENT

01-1a OurWinnipeg's Approach to City Building

- **Direction 3: Promote compact urban form and manage the extension of municipal services for new growth:**
    - Support new developments that are contiguous with existing developments to minimize the spatial use of land and the extension of services.

01-1c Key Directions for Specific Areas – Areas of Stability

- **Key Direction:** Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population.
- **Key Direction:** Support the completion of Areas of Stability.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #4: Facilitate Compact, Complete Development and Increase Density

- **Key Direction 4.2:** Ensure new areas of growth are designed according to the principles of Complete Communities.

SUBMITTED BY

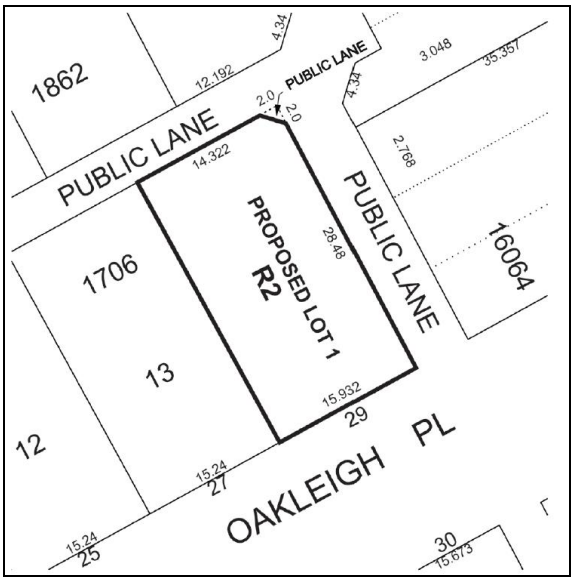
Department	Planning, Property and Development
Division	Urban Planning & Design
Prepared by	Jonathan Hildebrand MCIP, RPP
Date:	September 10, 2020
File No.	DASZ 12/2020

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule "A" Committee, — Recommended File No. DASZ 12/2020 Riel Community dated August 31, 2020
3. Schedule "B" — Report of the Administrative Working Group – August 7, 2020

APPENDIX 'A'

DATE:	September 10, 2020
FILE:	**DASZ 12/2020**
RELATED FILES:	DAV 155391/D
COMMUNITY:	Riel Community
NEIGHBOURHOOD #:	5.516 (Varennes)
SUBJECT:	To subdivide and rezone a single residential lot into two lots, and from an 'R1-M' Residential Single-Family Medium district to an 'R2' Residential Two-Family district.
LOCATION:	29 Oakleigh Place
LEGAL DESCRIPTION:	LOT 14 BLOCK 1 PLAN 1706 WLTO IN RL 106 PARISH OF ST. BONIFACE



APPLICANT:	Randall Homes (George Daterra) 80 St. Anne's Road Winnipeg, Manitoba R2M 2Y7
OWNER:	Jaquet Holdings Ltd. 80 St. Anne's Road Winnipeg, Manitoba R2M 2Y7
RECOMMENDATION:	Approval

SITE DESCRIPTION

- The subject property is located on the north side of Oakleigh Place, between St. Mary's and St. Anne's Roads, in the Varennes neighbourhood of the St. Vital ward.
- The site is approximately 5,300 square feet in area and currently contains a one-and-a-half-storey single-family dwelling built in 1941. It is situated at the corner of two rear lanes.
- The site falls within the 'Areas of Stability – Mature Community' policy area of the *Complete Communities Direction Strategy*.
- The site is currently zoned 'R1-M' Residential Single-Family Medium.



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

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Rear lane, then residential uses zoned 'R2' Residential Two-Family, then Loraine Street, then residential uses zoned 'R1-M' Residential Single-Family Medium.

South: Oakleigh Place, then residential uses zoned 'R1-M' Residential Single-Family Medium.

East: Rear lane, then commercial uses zoned 'C2' Commercial Community, then St. Anne's Road, then commercial uses zoned 'C1' Commercial Neighbourhood and 'C2' Commercial Community.

West: Residential uses zoned ‘R1-M’ Residential Single-Family Medium then uses zoned ‘C1’ Commercial Neighbourhood and ‘RMF-S’ Residential Multi-Family Small, then St. Mary’s Road.

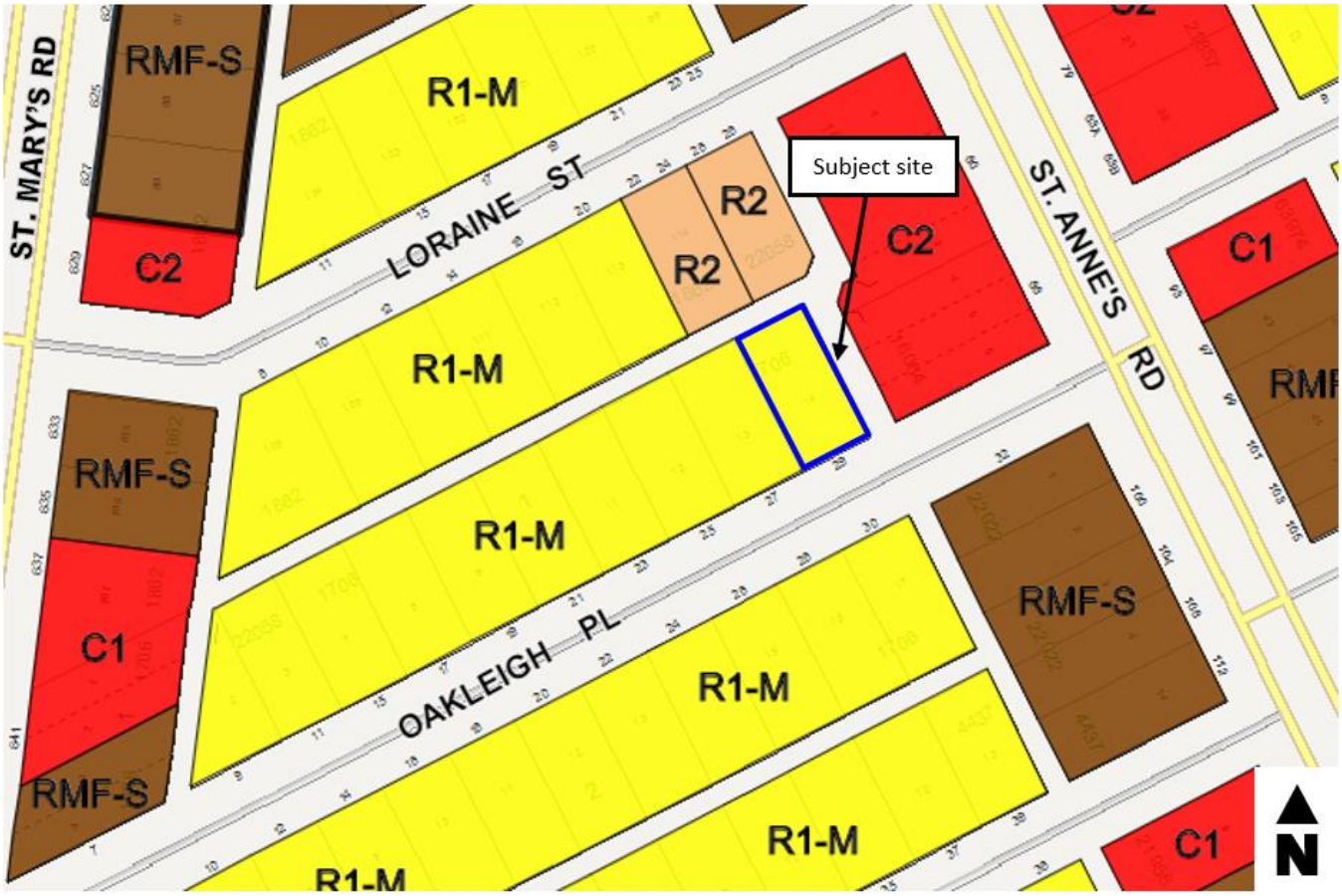


Figure 2: Zoning of the Site and Surrounding Area

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide and rezone the existing residential lot by creating two lots and changing the zoning district from ‘R1-M’ to ‘R2.’ A new side-by-side duplex, approximately 29 feet in height, is proposed to be constructed, with the new subdivision line running down the party wall between the units. The existing dwelling will be demolished to accommodate the proposed development.
- This application includes the subdivision of the northeast corner of the lot to accommodate a corner expansion of the lane, as the subject site is located at the junction of the north-south and east-west public lanes.
- Both units will front onto Oakleigh Place, and will also have front and rear entrances. Parking for the eastern unit will be accessed from the public lane to the east; parking for the western unit will be accessed from the public lane to the north. Four parking stalls in total will be provided (two stalls for each unit). The existing front approach will be closed.
- There is an associated Variance application (DAV 20-155391/D) to vary depth of the front yard. The Urban Planning Division is supportive of the variance. Please see the planner’s report on that application for more information.

COLLABORATION

- The applicant discussed the proposal with the Urban Planning Division, providing a site plan, building elevations, and a rendering.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under *OurWinnipeg* and the *Complete Communities Direction Strategy*, the subject land is designated as an 'Area of Stability – Mature Community.' Key relevant 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.
    - Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
    - Focus housing growth to areas that have municipal service capacity to support intensification, in addition to commercial and recreational amenities.
    - 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.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

- The 'R2' Residential Two-Family district requires a minimum lot width of 25 feet, a minimum lot area of 5,000 square feet (2,500 square feet per dwelling unit for a two-family dwelling), side yard of 4 feet, a front yard of 20 feet, and a rear yard of 25 feet. The maximum building height is 35 feet.

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- The subject site is located in the 'Areas of Stability - Recent Communities' policy area under the *Complete Communities Direction Strategy*. As stated above, this policy area supports infill development that is context-sensitive and complementary to the existing scale, character and built form of the neighbourhood.
- As part of analyzing whether a project is 'complementary' to existing development, the Urban Planning Division takes into consideration such things as land use, building heights, built form, density, setbacks, parking, site access, and landscaping/buffering.
- The subject property is located at the end of the block bordered by a back lane to the north and to the east. Across the back lane to the north are two lots zoned 'R2' Residential Two-Family, on the other side of the lane to the east are commercially zoned properties fronting onto St. Anne's Road.
- The subject site is a transitional lot at the east end of the block, at the corner of Oakleigh Place and the public lane serving the St. Anne's Road 'Regional Mixed-Use Corridor,' meaning there are a mix of zones in this immediate context and this lot serves as the transition back down to the single family uses further west along the Oakleigh Place. The area is well serviced by Winnipeg Transit and a mix of commercial and multi-family uses.
- In terms of scale and built form, the applicant is proposing a height of approximately 29 feet to the mid-point of the roof, which is 6 feet below the maximum of 35 feet within both the

'R1' and 'R2' zones. In addition, side yards of over 4 feet are proposed, which exceed the requirements of the Zoning Bylaw.

- The proposal to develop a duplex on the subject site provides a transition between the existing single-family context to the west on this block of Oakleigh Place, and the more dense and mixed uses along the St. Anne's Road Regional Mixed-Use Corridor. Rezoning the subject property from 'R1-M' to 'R2' for the the creation of a two-unit use fits the land-use context of the existing development surrounding the subject site.

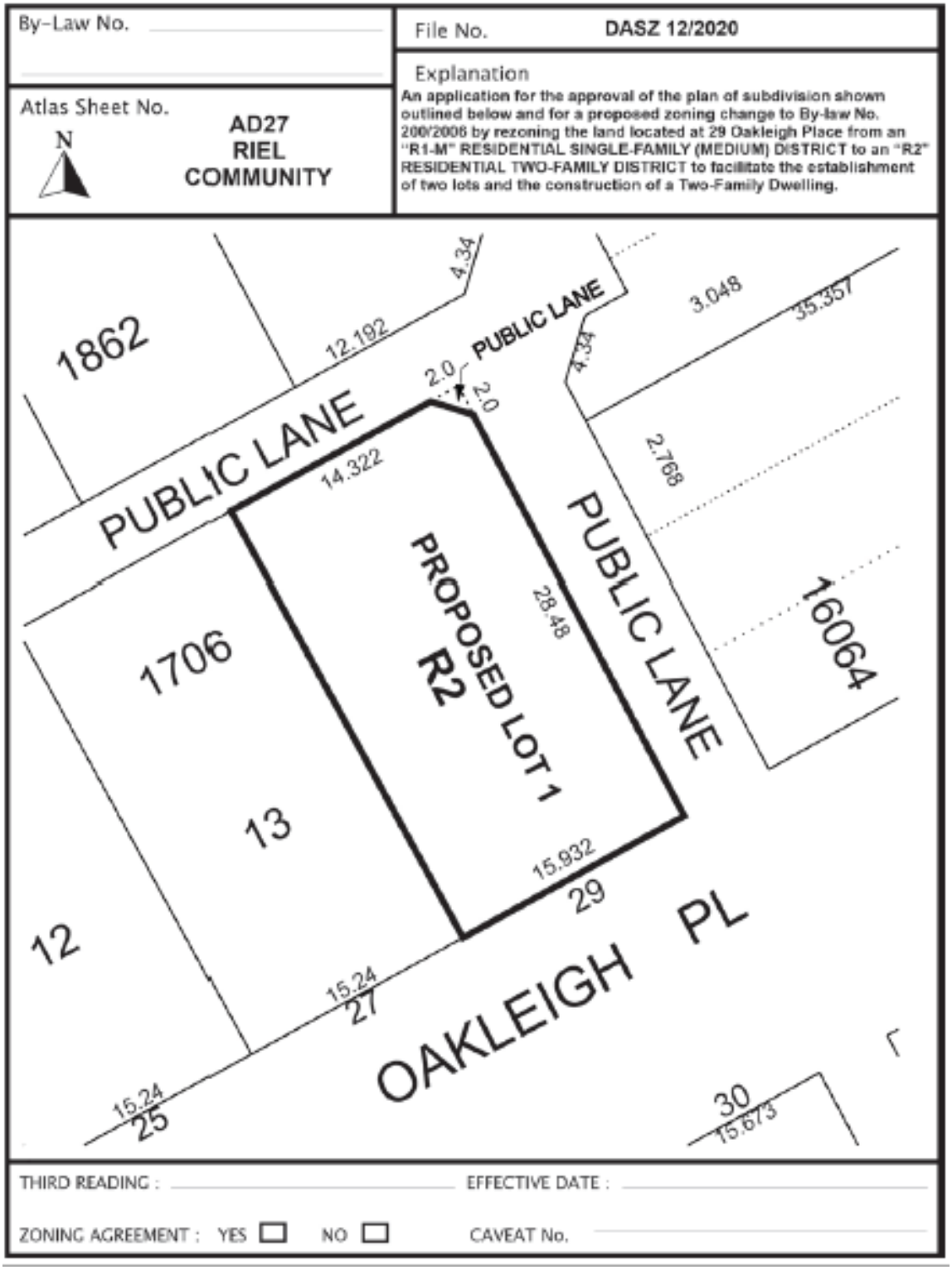
RECOMMENDATION

The Urban Planning Division recommends **approval** as the subject rezoning and subdivision is consistent with the 'Area of Stability' policies in the *Complete Communities Direction Strategy*, in that it promotes a mix of housing type and tenure in a context-sensitive manner in order to meet the full life-cycle of housing needs within the community.

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

Report Prepared by: Jonathan Hildebrand MCIP, RPP
PPD File #: DASZ 9/2020

Schedule "A" for File No. DASZ 12/2020, Riel Committee, dated August 31, 2020



SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – August 7, 2020

RE: PROPOSED REZONING OF LAND LOCATED AT 29 OAKLEIGH PLACE

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DASZ 12/2020. The applicant should take into consideration the following servicing and design requirements and considerations in the redevelopment of the site:

Section I - Plan Considerations

1) The Developer shall, at no expense to the City, legally open property required for a 2.0m x 2.0m corner cut where two Public Lanes intersect, as determined by and to the satisfaction of the Director of Public Works.

Section II – General Comments

1) Local Improvements

   The Developer shall pay all outstanding local improvement costs associated with the asphaltic concrete lane pavement completed in accordance with assessment by-law no. 10/2018.

2) Consultation with Manitoba Hydro

   The Public Works Department has advised that the Developer should consult with Manitoba Hydro regarding the guy wire and anchor rod abutting the north limit of the Planned Area. The Developer shall be responsible for all costs if modifications are required by Manitoba Hydro.

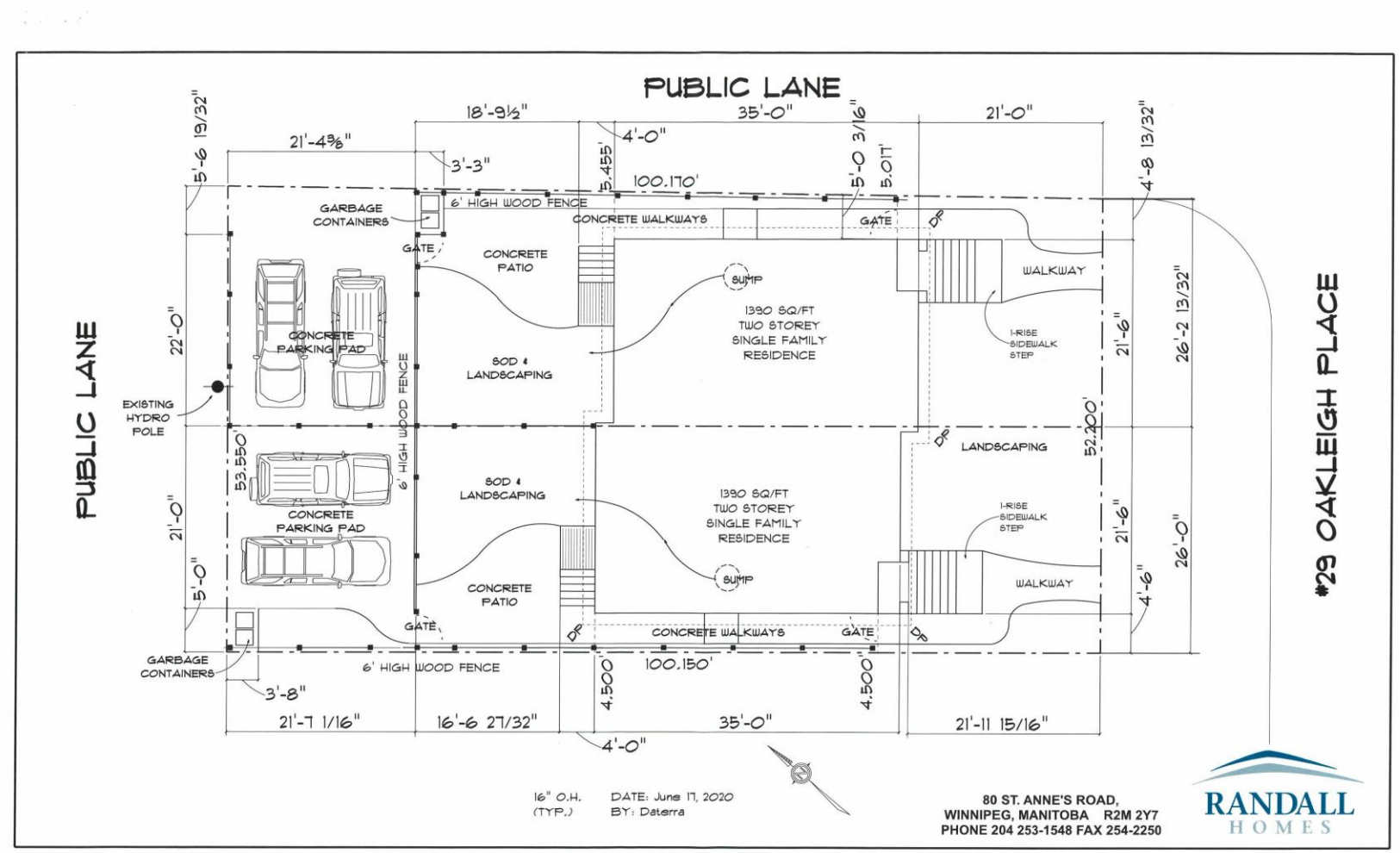
THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 12/2020
August 7, 2020

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

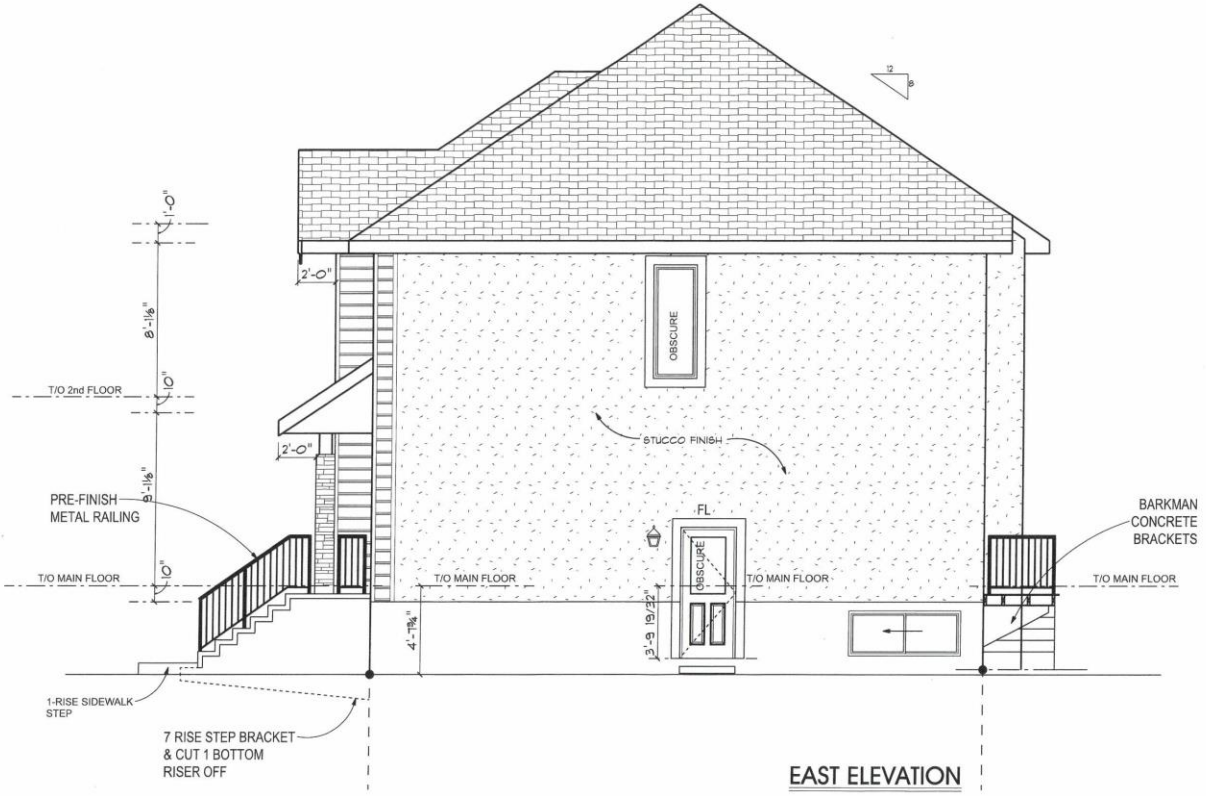
"*Original Signed by C. Desjardine"*
C. Desjardine, M. Sc., P. Eng.
Engineering Division
Public Works Department

Exhibit “6” referred to in File DASZ 12/2020



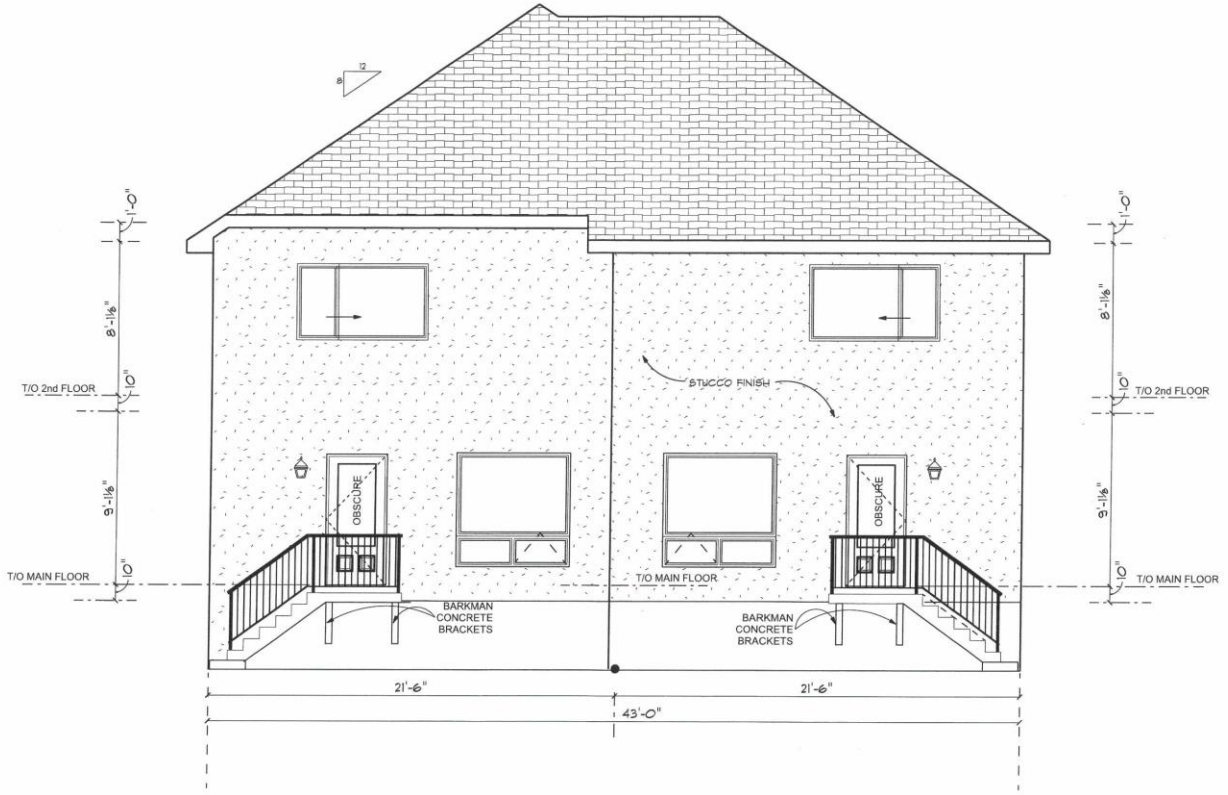


SOUTH ELEVATION


12
6
1'-0"
8'-1⅛"
T/O 2nd FLOOR
10"
2'-0"
2'-0"
8'-1⅛"
PRE-FINISH
METAL RAILING
T/O MAIN FLOOR
0"
OBSCURE
STUCCO FINISH
FL
OBSCURE
T/O MAIN FLOOR
T/O MAIN FLOOR
T/O MAIN FLOOR
4'-7¾"
3'-9 19/32"
BARKMAN
CONCRETE
BRACKETS
1-RISE SIDEWALK
STEP
7 RISE STEP BRACKET
& CUT 1 BOTTOM
RISER OFF
EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



- MC = MEDICINE CABINET 14"x24.5" R.O. @ 54" A.F.
- TB = TOWEL BAR BACKING @ 48" A.F.
- TR = TOWEL BAR BACKING @ 48" A.F.
- HR = HANDRAIL BACKING @ 36" A.F.
- C-HR = CONTINUOUS HANDRAIL

GLUE & SCREW ALL SUBFLOORS

ALL INTERIOR & EXTERIOR DOORS TO HAVE 3`` MIN ON EACH SIDE OF ROUGH OPENINGS UNLESS NOTED OTHERWISE.

MS DELTA WRAP

9' Main Floor Ceilings

RANDALL HOMES
80 ST. ANNE'S ROAD, WINNIPEG, MANITOBA, R2M 2Y7
PHONE: 204-253-1548 FAX: 204-254-2250

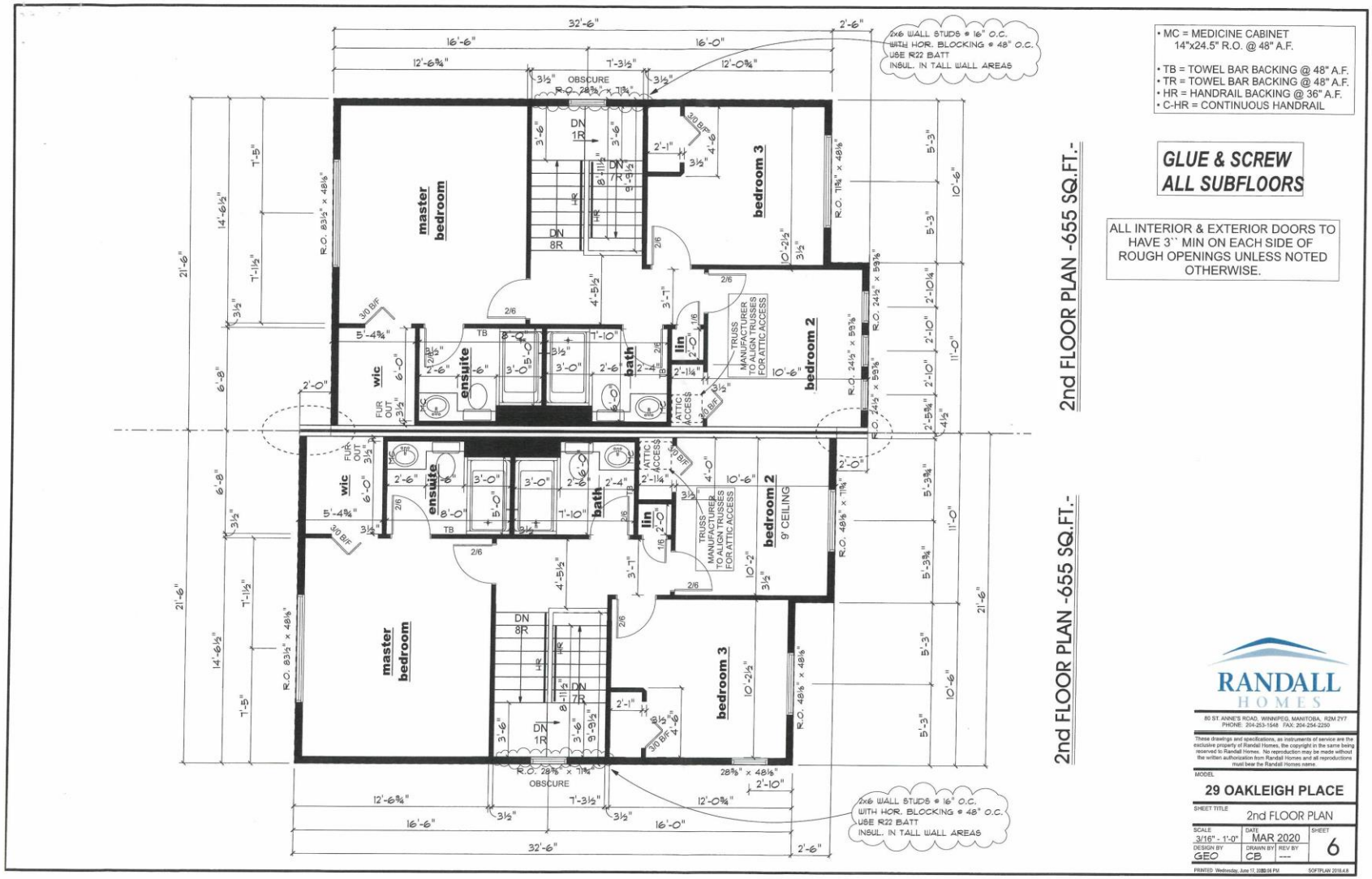
These drawings and specifications, as instruments of service are the exclusive property of Randall Homes, the copyright in the same being reserved to Randall Homes. No reproduction may be made without the written authorization from Randall Homes and all reproductions must bear the Randall Homes name.

MODEL
29 OAKLEIGH PLACE

SHEET TITLE
MAIN FLOOR PLAN

SCALE	DATE	SHEET
3/16" - 1'-0"	MAR 2020	4
DESIGN BY: GEO	DRAWN BY: CB	REV BY: ---

PRINTED Wednesday, June 17, 2020 8:30 AM SOFTPLAN 2018-4.8


2nd FLOOR PLAN -655 SQ.FT.-
2nd FLOOR PLAN -655 SQ.FT.-
• MC = MEDICINE CABINET 14"x24.5" R.O. @ 48" A.F.
• TB = TOWEL BAR BACKING @ 48" A.F.
• TR = TOWEL BAR BACKING @ 48" A.F.
• HR = HANDRAIL BACKING @ 36" A.F.
• C-HR = CONTINUOUS HANDRAIL
GLUE & SCREW ALL SUBFLOORS
ALL INTERIOR & EXTERIOR DOORS TO HAVE 3`` MIN ON EACH SIDE OF ROUGH OPENINGS UNLESS NOTED OTHERWISE.
2x6 WALL STUDS @ 16" O.C. WITH HOR. BLOCKING @ 48" O.C. USE R22 BATT INSUL. IN TALL WALL AREAS
master bedroom
bedroom 3
bedroom 2
ensuite
wic
bath
lin
TRUSS MANUFACTURER TO ALIGN TRUSSES FOR ATTIC ACCESS
9' CEILING
OBSCURE
RANDALL HOMES
80 ST. ANNE'S ROAD, WINNIPEG, MANITOBA, R2M 2Y7
PHONE: 204-253-1548 FAX: 204-254-2250
These drawings and specifications, as instruments of service are the exclusive property of Randall Homes, the copyright in the same being reserved to Randall Homes. No reproduction may be made without the written authorization from Randall Homes and all reproductions must bear the Randall Homes name.
MODEL
29 OAKLEIGH PLACE
SHEET TITLE
2nd FLOOR PLAN
SCALE 3/16" - 1'-0"
DATE MAR 2020
SHEET 6
DESIGN BY GEO
DRAWN BY CB
REV BY ---
PRINTED Wednesday, June 17, 2020 5:55 PM
SOFTPLAN 2018.4.6