Agenda – Council – March 25, 2021

Report – Executive Policy Committee – March 17, 2021

Item No. 12 Rezoning – 762 McMillan Avenue
(Fort Rouge-East Fort Garry Ward)
File DAZ 211/2020 [c/r DAV 225077/2020D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 17, 2021, the Executive Policy Committee concurred in the recommendation of the City Centre 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 211/2020 by rezoning the subject land to an "RMF-S PDO-1 Corydon-Osborne" Residential Multifamily - Small District as shown on the map dated March 5, 2021 and attached as Schedule "A" to this report.

2. That the Developer meet all the conditions outlined in Schedule "B", the report of the Administrative Coordinating Group, dated February 11, 2021.

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 – Executive Policy Committee – March 17, 2021

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 17, 2021, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 5, 2021, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

PUBLIC HEARING SUMMARY

File: DAZ 211/2020

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

Public Hearing: March 5, 2021
Council Building, 510 Main Street

Applicant: Paris Developments Ltd. (Natalie Hrechkosy)

Subject:



Premises Affected: 762 McMillan Avenue

For submission to: Executive Policy Committee

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

Report date: March 5, 2021

Community Committee Recommendation:

On March 5, 2021, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 211/2020 by rezoning the subject land to an "RMF-S PDO-1 Corydon-Osborne" Residential Multifamily - Small District as shown on the map dated March 5, 2021 and attached as Schedule "A" to this report.

2. That the Developer meet all the conditions outlined in Schedule "B", the report of the Administrative Coordinating Group, dated February 11, 2021.

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. The scale and character is really complimentary to the mix of housing that you do find in the neighbourhood.

2. Acknowledge the consultation that was scaled appropriately to the development and brought about change. That's what you do want to see, including a really important discussion on height and the densification considerations here including the two storey and the compatibility of the design elements that stand out for me.

Exhibits Filed:

1. Application dated December 7, 2020
2. Notification of Public Hearing dated January 19, 2021
3. Manitoba Status of Title 1247462/1
4. Letter of authorization dated November 10, 2020 from Neil Woolston to Paris Developments
5. Surveyor's Building Location Certificate and sketch dated November 12, 2020
6. Plans (3 pages)
7. Report from the Urban Planning Division dated February 23, 2021
8. Inspection Report
9. Recording of Representations

REPRESENTATIONS:

In Support:

Evan Roskosz

In Opposition:

Nil

For Information:

Nil

For the City:

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

Exhibit "7" referred to in File DAZ 211/2020

ADMINISTRATIVE REPORT

Title: DAZ 211/2020 – 762 McMillan Avenue

Issue: For consideration at the public hearing for a rezoning to permit the development of a 3-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
A. Ross, RPP	n/a	n/a	

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 211/2020 by rezoning the subject land to an "RMF-S PDO-1 Corydon-Osborne" Residential Multifamily - Small District as shown on the map dated March 5, 2021 and attached as Schedule "A" to this report.
2. That the Developer meet all the conditions outlined in Schedule "B", the report of the Administrative Coordinating Group, dated February 11, 2021.
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 may be rezoned to an "RMF-S PDO-1 Corydon-Osborne" Residential Multifamily - Small District, to permit the development of a 3-unit multifamily building.

HISTORY

N/A

CONSULTATION

In preparing this Report there was consultation with:

N/A

SUBMITTED BY

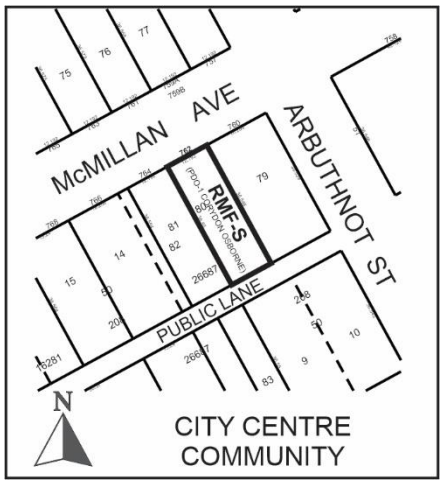
Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Andrew Ross, RPP, MCIP
Date:	February 23, 2021
File No.	DAZ 211/2020

APPENDIX 'A'

DATE: February 22, 2021
FILE: **DAZ 211/2010**
RELATED FILES: DAV 20-225077D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: **1.110**- McMillan

SUBJECT: To rezone the land from an "R1-S PDO-1 Corydon-Osborne" Residential Single family - Small District, to an "RMF-S PDO-1 Corydon-Osborne" Residential Multifamily - Small District.

LOCATION: 762 McMillan AVE
LEGAL DESCRIPTION: LOT 80 PLAN 26687 34/35 ST B



APPLICANT: Natalie Hrechkosy (Paris Developments ltd)
528 Smithfield Ave (PO Box 49060)
Winnipeg, MB R2V 0E3

OWNER: Robert N Woolston
762 McMillan Ave
Winnipeg, MB R3M 0V3

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

The subject property is located on the south side of McMillan Avenue, one property west of Arbuthnot Street, 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 “R1-S PDO-1 Corydon-Osborne” Residential Single Family - Small, is 4,801 sq. ft. in size and contains a single family home.

The site falls within the boundaries of the Medium Density Residential area of the *Corydon-Osborne Area Plan* and the Corydon Planned Development Overlay (PDO-1).



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

The subject block is characterized by a wide mix of residential housing types and densities including single family dwellings, duplexes, triplexes and higher-density buildings ranging from 10 – 44 units. The property is located one block north of Corydon Avenue, a mixed use corridor and the neigbourhood’s commercial and mixed use ‘spine’.

Immediately adjacent land uses include:

North: McMillan Avenue, then two-family residential uses zoned R1-S Residential Single Family – Small; and vacant land uses zoned "R2" - Residential Two-Family.

South: Rear lane, then commercial uses zoned “C2” – Commercial Community.

East: Multifamily residential uses zoned "R2" Residential Two-Family.

West: Single family residential uses zoned “R1-S” – Residential Single-Family -Small).

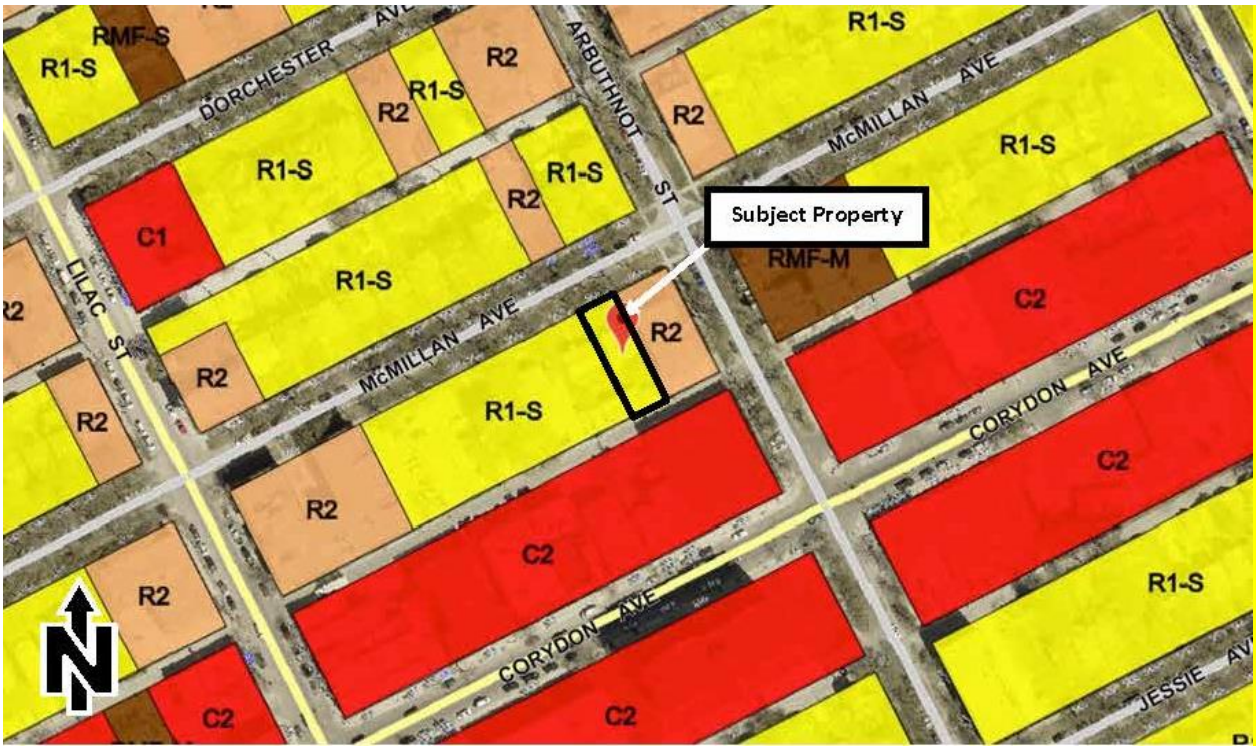


Figure 2: Zoning of the site and surrounding area (2018).

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant intends to demolish the existing onsite dwelling and rezone the property to an “RMF-S” - Residential Multifamily - Small District in order to establish a two storey residential development with 3 units on the subject property.

The proposal requires 1 variance. Information on the variance is provided in the Administrative Report for Associated File No. DAV 20-225077D.

ANALYSIS AND ISSUES

COLLABORATIVE PLANNING

The applicant worked with the Urban Planning Division to make adjustments to the project. Specifically, the following adjustments were made to the development through the collaborative planning process leading up to receipt of the application. At the request of the Division, the applicant:

- Conducted community consultation (see summary below under “Public Consultation”).
- Contacted the Water and Waste Department and received feedback regarding land drainage peak discharge which the applicant indicates will be met.
- Reduced the access height above grade to 4 ft. to best meet the Corydon-Osborne Plan Design Guidelines which support consistency with surrounding properties.
- Extended the front façade masonry finish back 5 ft. along the sides of the dwelling for added ‘fit and finish’.
- Provided fencing screening for the parking.
- Added side screening to balconies to preserve privacy for adjacent neighbours.
- Incorporated a window into the front door to best meet the Corydon-Osborne Plan Design Guidelines which support consistency with surrounding properties including doors.

Complete Communities Direction Strategy

As per the *Complete Communities Direction Strategy,* the proposed development falls within Areas of Stability – Mature Communities policy area. Key policies guiding development within Areas of Stability include:

- *Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form.*

  The proposed development including the agreed upon design changes will be built with a scale, form, massing and character that compliments the block of Dorchester on which it is situated.

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

  The proposed development adds to the diversity of housing options for the neighbourhood.

- *In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses.*

  The proposed development adds to the mix of housing types in the McMillan neighbourhood. This block of McMillan is composed of a mix of single family, duplexes, triplexes and some higher-density residential development.

The proposed development includes the following characteristics which provide compatibility with the context.

- The proposal is 2 storeys in height, which is lower than the *Corydon-Osborne Area Plan* policies of 3 storeys, and is compatible with the existing residential context of the block.
- The proposal contains more than one parking stall per dwelling unit and includes accessible parking.
- Façade materials include substantial types including 'heritage stone tile' on the front façade.
- The front yard setback meets the Front Yard Alignment requirement of 27 feet, and other yard dimensions are compatible with the range along the block and do not require variances.
- The design provides a pitched roof (mansard) which is compatible with the context.
- The proposal includes a walkway connecting the front and rear of the property.

Corydon-Osborne Area Plan

The Medium Density Residential policies of the *Corydon-Osborne Area Plan* apply to this property. Policies for mid-block development in the Medium Density Residential policy area include:

- *Up to two-unit development will be permitted, subject to design guidelines / controls.*
- *Small multi-family development may be accommodated subject to design guidelines / controls and the discretionary review process.*
- *The maximum building height in these areas should be 3 storeys.*

The building is 2 storeys in height (lower than the maximum permitted 3 storeys).

In the "Process for Development" section, the *Corydon-Osborne Area Plan* defines small multi-family development as being equivalent to 1,250 sq. ft. per unit. Based on the size of this property, this allows for 3 units. The development meets this requirement.

The *Corydon-Osborne Area Plan* also contains Design Guidelines that apply to this property. The North of Corydon Residential Design Guidelines contain a number of criteria that help shape developments that are complementary to the context in which they are built. The criteria and assessment are found in Appendix 'A' of the Administrative Report for Associated File No. DAV 20-225077D.

Winnipeg Zoning By-Law 200/06

<u>Corydon-Osborne Planned Development Overlay (PDO)</u>

For the Medium Density Residential Area, the PDO contains the following regulations governing dimensional and design standards that are applicable to this property:

- *Maximum height of a principal building: 35 ft. (*proposed building to be 27 ft. 7 in. in height).
- *For multiple-family dwellings, lot coverage is not applicable.*
- *Maximum density of 1,250 sq. ft. of lot area per dwelling unit = 3 units* (provided 3 units).

- *For multi-family dwellings, the required interior side yard setback is a minimum of 4 feet and increases 2 feet per storey above the second storey = 4 ft.* (provided ~6.5 ft. east side setback; ~9.5 ft. west side setback).
- *All buildings must provide a main entrance facing a street* (provided).
- *Parking must be located behind buildings* (provided).

This development complies with all of the PDO standards.

Variances

Applicable zoning regulations that are not covered within the Corydon-Osborne PDO default to other standards of the Winnipeg Zoning By-Law.

In this case the proposed development meets all regulations of the PDO, and all but one other regulation of the Winnipeg Zoning By-Law (minimum lot area). This variance is required in order to support the development which complies with the *Corydon-Osborne Area Plan* and the PDO.

See the Administrative Report for Associated File No. DAV 20-225077D for more information on the variance.

Site servicing

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

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

OTHER CONSIDERATIONS

Public Consultation

The applicant indicates the following regarding consultation:

> *"Our Community engagement strategy included a detail oriented pamphlet with dwelling elevation and footprint displaying size of building, appearance, and function.*
>
> *When canvassing, any neighbour we communicated with was given a pamphlet as well as a brief summary of 762 McMillan.*
>
> *As we wanted to be present to answer questions, neighbours that were not home or did not answer the door were not given a pamphlet. We adhered to this on canvassing attempts 1 through 3.*
>
> *On our 4th attempt, all neighbours who we have yet to speak with (not home or did not answer the door) were left with a pamphlet in the mailbox. We found this strategy to be effective, as a few neighbours ended up enquiring and supporting – based on the criteria left in their mailbox.*
>
> *Out of 20 canvassed neighbours, we received 14 signatures of support.*
>
> *Community engagement was accomplished by visiting the immediate neighbours (outlined on canvas map below) on 4 separate occasions on weekdays and weekends at separate times as follows:*

- Saturday, Oct 10th 2020 from 1-3 PM

- Tuesday, Oct 13th from 11 AM - 12 PM

- Wednesday Oct 14th from 2 - 4 PM

- Sunday, Oct 18th from 2 PM - 3:15 PM"

Substantial Conformance

Given the attention paid to design factors in relation to the *Corydon-Osborne Area Plan*, the Urban Planning Division includes a condition of approval that the development be built in substantial conformance with the plans as submitted. In the event of any adjustments that do not substantially conform to the plans attached to this application, the applicant will be required to submit an application for Plan Approval.

SUMMARY

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

- The development is built with a scale, form, massing and character that compliments the block of McMillan on which it is situated. This block of McMillan is composed of a mix of single family, duplexes, triplexes and some higher-density residential development.
- The proposed development adds to the mix of housing types in the McMillan neighbourhood.
- The proposal is two storeys in height and contains 3 dwelling units. The height and density align with the *Corydon-Osborne Area Plan* policies, and the Corydon-Osborne PDO regulations, affecting the property.
- The yard dimensions are compatible with the range along the block and do not require variances.
- The proposal contains more than one parking stall per dwelling unit.
- Façade materials include substantial types including 'heritage stone tile' on front façade.
- The development meets the North of Corydon Residential Design Guidelines applicable to the property.

RECOMMENDATIONS

The Urban Planning Division recommends that the application be approved with conditions and that the subject property be rezoned to an "RMF-S PDO-1 Corydon-Osborne" Residential Multifamily - Small District.

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

Report Prepared by: Andrew Ross, RPP, MCIP
File No. DAZ 200/19

Schedule “A” for File No. DAZ 211/2020, City Centre Community Committee, March 5, 2021

By–Law No. _____

File No. **DAZ 211/2020**

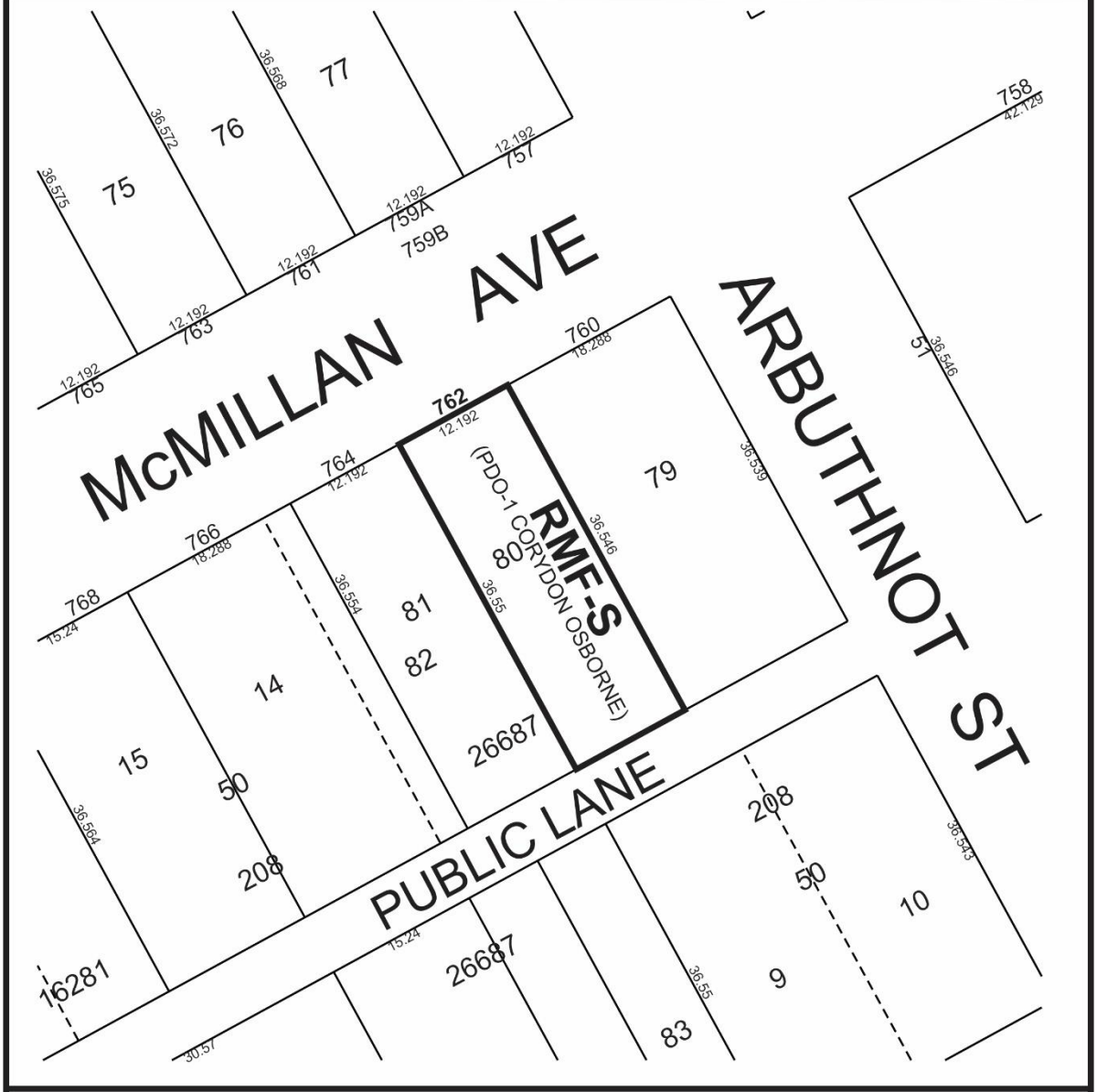
Atlas Sheet No. **AC23**

N

CITY CENTRE COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 762 McMillan Avenue from an “R1-S PDO-1 CORYDON OSBORNE” RESIDENTIAL SINGLE-FAMILY (SMALL) DISTRICT to an “RMF-S PDO-1 CORYDON OSBORNE” RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to allow for the establishment of a three (3)-unit Multi-Family Dwelling use.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED REZONING OF LAND LOCATED AT 762 McMILLAN AVENUE

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DAZ 211/2020. The applicant should take into consideration the following servicing and design requirements and considerations in the redevelopment of the site:

Section I - Servicing Considerations

1) Water System Assessment

The Water and Waste Department has advised that there is adequate servicing for the proposed development based on the development plans provided. Additional review will be required by their Department should the plans of development change during the design process.

2) Combined Sewer District

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:

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

ii. 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.

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

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DAZ 211/2020
February 11, 2021

"*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

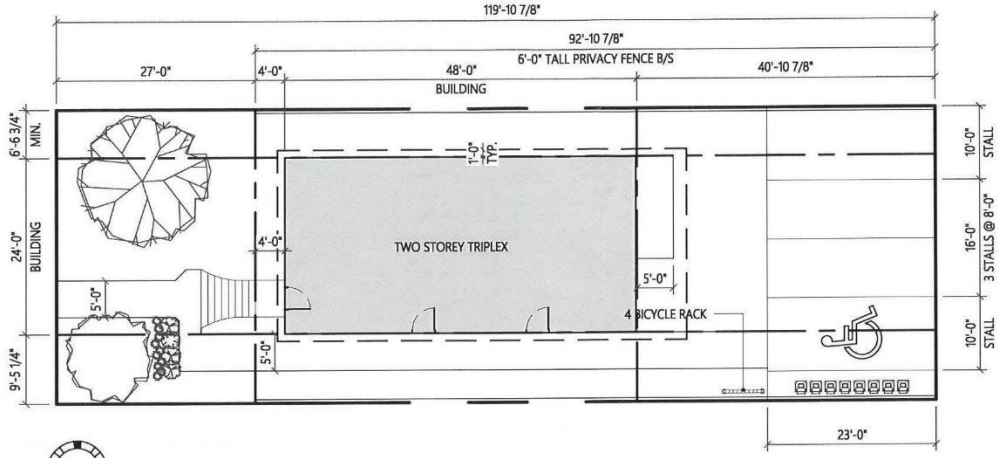
"*Original Signed by D. Trenchard"*

D. Trenchard, P. Eng.
Land Development Branch

"*Original Signed by M. Gajda"*

M. Gajda, P. Eng.
Water & Waste Department

Exhibit “6” referred to in File DAZ 211/2020



POTENTIAL TREE SPECIES:
GOLDEN RUSH AMUR CHOKECHERRY
SILVER CLOUD MAPLE
PRAIRIE SKY POPLAR
COLORADO SPRUCE

POTENTIAL SHRUB SPECIES:
DAYLILY DWARF YELLOW
MUGHO PINE
HUGHES JUNIPER
GLOBE CEDAR

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Triplex

762 McMillan

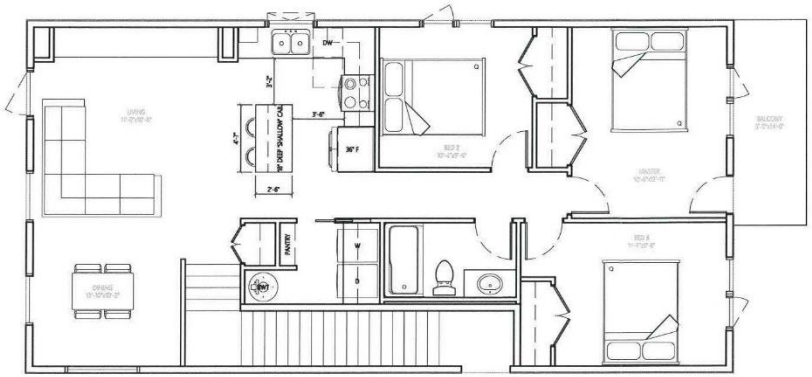
Draftsperson: Andrew Wilkinson

Professional: N/A

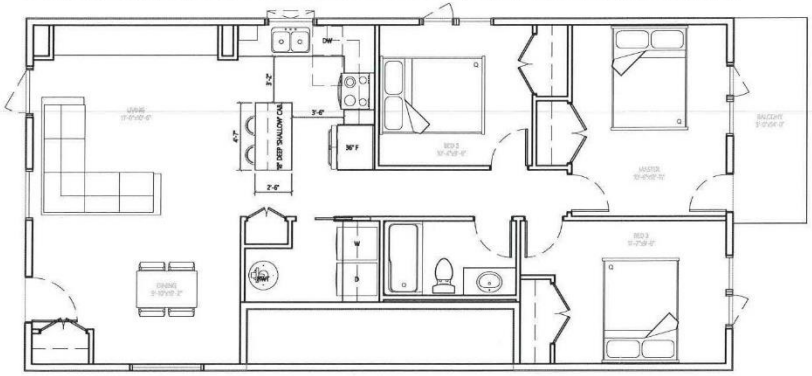
IFC | Feb. 3, 21

Site Plan

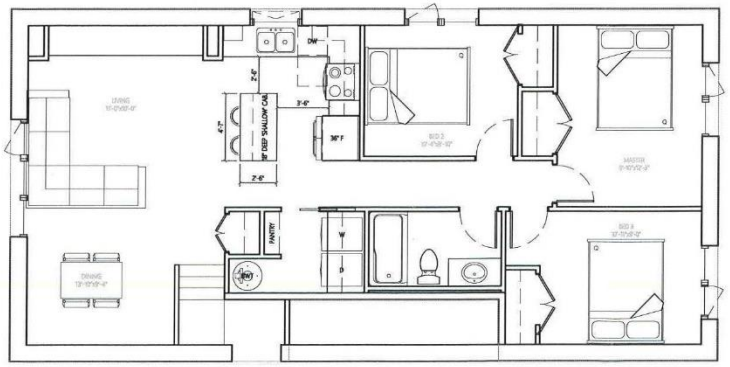
A101



3 | 2nd LEVEL SUITE - 1,152 SQ. FT.



2 | MAIN FLOOR SUITE - 1,072 SQ. FT.



1 | BASEMENT SUITE - 1,092 SQ. FT.

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Triplex

762 McMillan

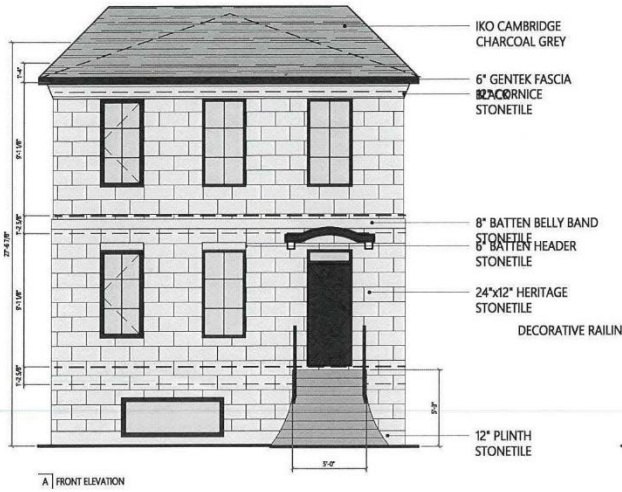
Draftsperson: Andrew Wilkinson

Professional: N/A

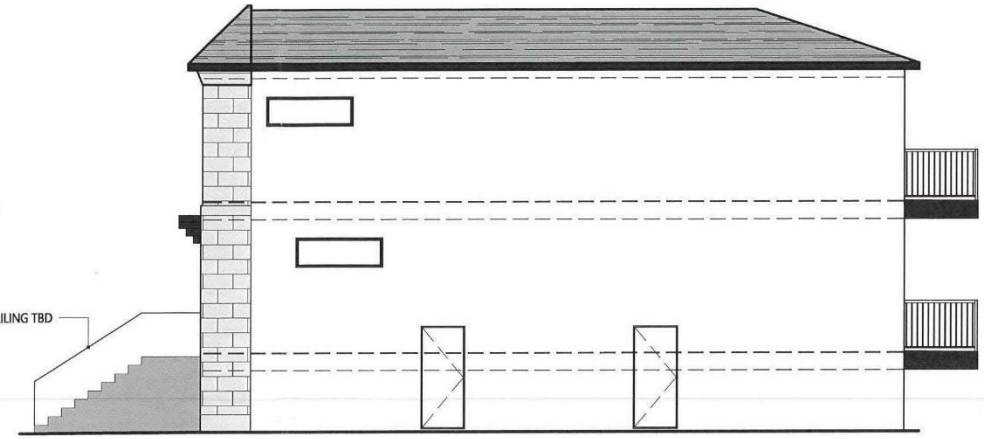
IFC | Jan. 26, 21

Plans

A201



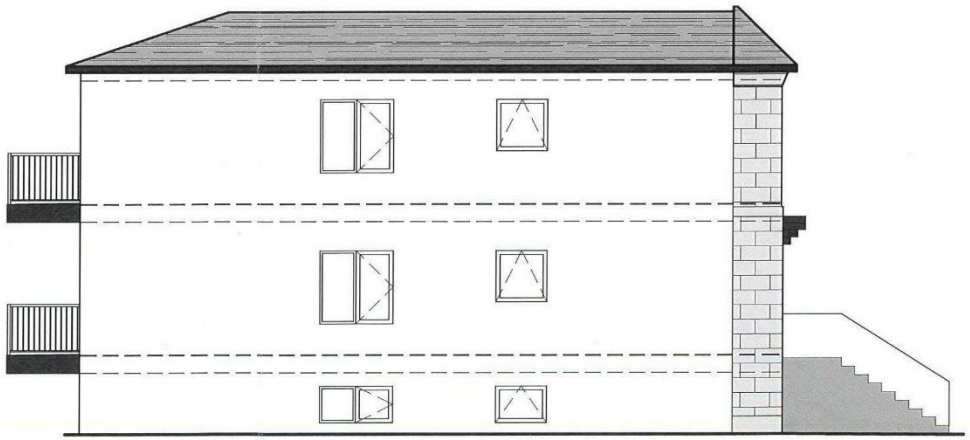
A FRONT ELEVATION



B SIDE ELEVATION



C REAR ELEVATION



B SIDE ELEVATION

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Triplex

762 McMillan

Draftsperson: Andrew Wilkinson

Professional: N/A

IFC	Jan. 26, 21	A401
Elevations		