Minute No. 88
Report – Standing Policy Committee on Property and Development – November 30, 2022

Item No. 11 **Subdivision and Rezoning – 500 Regent Avenue West (Transcona Ward)**
File DASZ 29/2022 [c/r DCU 140451/2022D & DAV 140449/2022D]

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the subdivision under Development Application No. DASZ 29/2022 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated August 31st, 2022 and attached as Schedule "A" and with the Proposed By-law attached as Appendix "B" to this report, with such changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R2" Residential Two-Family District, as shown on the map dated August 31st, 2022 and included within Schedule "A", subject to the following conditions:

    A. That the maximum number of dwelling units shall be limited to five (5).

    B. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

        i. 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") and the East Kildonan Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

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STANDING COMMITTEE RECOMMENDATION (continued):

B. That the City enter into, execute and deliver with the Developer a Zoning Agreement in accordance with recommendation 2.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 (the "Director") to negotiate and approve the terms and conditions of the Zoning Agreement and any 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 interests of the City.

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 No. DASZ 29/2022, as determined by the City's Director of Planning, Property and Development.

4. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at the next available Council meeting.

5. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of subdivision (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with Recommendations 1 and 6 of this Report, and all associated ancillary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading.

6. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the "Fees") are not submitted within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.

7. That the subdivision section of the by-law shall come into force when the Plan is registered in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law shall come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

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STANDING COMMITTEE RECOMMENDATION (continued):

9. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 29/2022;

10. That the conditional use order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 29/2022;

11. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 8 and 9 unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

12. 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.

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

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DECISION MAKING HISTORY:

Moved by Councillor Rollins,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 7, 2022, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 30, 2022, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 23, 2022, the East Kildonan-Transcona Community Committee did not concur 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.

On August 31, 2022, the East Kildonan-Transcona Community Committee concluded public representations and adjourned the public hearing to its meeting on September 23, 2022, at 10:30 a.m. in the Council Building at 510 Main Street.

PUBLIC HEARING SUMMARY

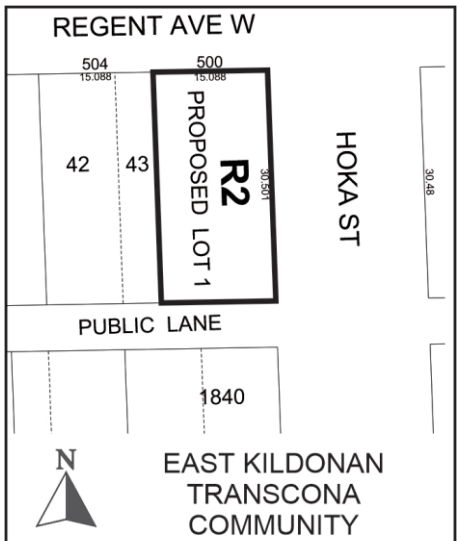
File: DASZ 29/2022

Before: East Kildonan-Transcona Community Committee
Councillor Nason, Chairperson
Councillor Browaty
Councillor Schreyer

Public Hearing: September 23, 2022
August 31, 2022
Council Building, 510 Main Street

Applicant: Richard + Wintrup Planning and Development (Brad McGregor)

Subject:



APPLICANT : Richard + Wintrup Planning and Development (Brad McGregor)
FILE : DASZ 29/2022
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 consolidation of lands for the construction of a Multi-Family Dwelling use. **For information, phone D. Chyz-Lund, Planner at 204-986-8289.**

Premises Affected: 500 Regent Avenue West

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

Prepared by: Tamara Pomanski, Committee Clerk
East Kildonan-Transcona Community Committee

Report date: September 23, 2022

Community Committee Recommendation:

On September 23, 2022, the East Kildonan-Transcona Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. ***That the subdivision under Development Application No. DASZ 29/2022 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated August 31st, 2022 and attached as Schedule "A" and with the Proposed By-law attached as Appendix "B" to this report, with such changes as may be required, and registration in the Winnipeg Land Titles Office.***

2. ***That, the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R2" Residential Two-Family District, as shown on the map dated August 31st, 2022 and included within Schedule "A", subject to the following conditions:***

    A. That the maximum number of dwelling units shall be limited to five (5).

    B. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

        i. 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") and the East Kildonan Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

C. That the City enter into, execute and deliver with the Developer a Zoning Agreement in accordance with recommendation 2.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").

D. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Zoning Agreement and any 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 interests of the City.

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 No. DASZ 29/2022, as determined by the City's Director of Planning, Property and Development.

4. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at the next available Council meeting.

5. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of subdivision (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with Recommendations 1 and 6 of this Report, and all associated ancillary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading.

6. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the "Fees") are not submitted within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

7. That the subdivision section of the by-law shall come into force when the Plan is registered in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law shall come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

9. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 29/2022;

10. That the conditional use order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 29/2022;

11. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 8 and 9 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

12. 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.

13. 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 East Kildonan-Transcona Community Committee provided the following supporting reasons for its recommendation:

1. I think four units would have been no question, five units is a bit of a push. There is parking to support five units, however the applicant wanted more than that without providing the parking agreements and plans. Working in good faith and providing that, six may have been the target. They had more than adequate position and time to do that, they chose to go a different route and here we are today.

Objections under the Charter:

Total number of **v**alid objections as per section 125(2) – 0

In accordance with section 236.1(1), the threshold for sufficient objection has not been met.

Exhibits Filed:

1. Application dated May 6, 2022
2. Notification of Public Hearing dated June 30, 2022
3. Manitoba Status of Title 2981686/1
4. Letter of authorization dated March 8, 2022 from Derek Siemens, Real Estate Revitalization Ltd., to John S. Wintrup
5. 500 Regent Avenue – Schedule A Rezoning Map
6. 500 Regent Avenue West – Schedule B Subdivision Map
7. Plans (6 pages)
8. Report from the Urban Planning Division dated August 23, 2022
9. Inspection Report
10. Communication dated August 29, 2022, from Ben McGillivary in support of the application
11. Presentation dated August 30, in support of the application submitted by Ryan Fox
12. Recording of Representations of the adjourned public hearing held on August 31, 2022
13. Notice of Adjournment dated September 6, 2022
14. Recording of Representations of the public hearing held on September 23, 2022

REPRESENTATIONS:

In Support:

Ryan Fox
Brad McGregor
Ben McGillivary
John Wintrup

In Opposition:

Nil

For Information:

Nil

For the City:

D. Chyz-Lund, Planner, Planning, Property and Development Department

Exhibit "8" referred to in File DASZ 29/2022

ADMINISTRATIVE REPORT

Title: DASZ 29/2022 at 500 Regent Avenue West

Issue: For consideration at the Public Hearing to rezone the subject lot into the "R2" Residential – Two-Family district for the construction of a six (6) unit multi-family residential use.

Critical Path: East Kildonan – Transcona Community Committee > Standing Policy Committee
on Property and Development > Executive Policy Committee > Council

AUTHORIZATION

Author	Division Head	Department Head	CFO	CAO
Dylan Chyz-Lund, MCP	n/a	n/a	n/a	

RECOMMENDATIONS

1.) That Development Application No. DASZ 29/2022 for the subdivision and rezoning of land located at 500 Regent Avenue West be **rejected**.

2.) 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

- The applicant wishes to rezone an existing lot from the "R1-M" Residential Single-Family – Medium district to the "R2" Residential Two-Family district to enable the establishment of a six (6) unit multi-family residential building.
- 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 and Design Division are concurred in, the proposed plan of subdivision and rezoning **cannot** proceed in accordance with Schedule "A" to this report.

CONSULTATION

In preparing this report there was consultation with:

Land Development Branch

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

- **Key Direction 4.1:** Increase strategic infill development that provides access to and capitalizes on existing and planned corridors with frequent transit service
- **Key Direction 4.2:** Ensure new areas of growth are designed according to the principles of Complete Communities.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the PRS and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared By:	Dylan Chyz-Lund, MCP
Date:	August 23, 2022
File No.	DASZ 29/ 2022

List of Schedules and Attachments

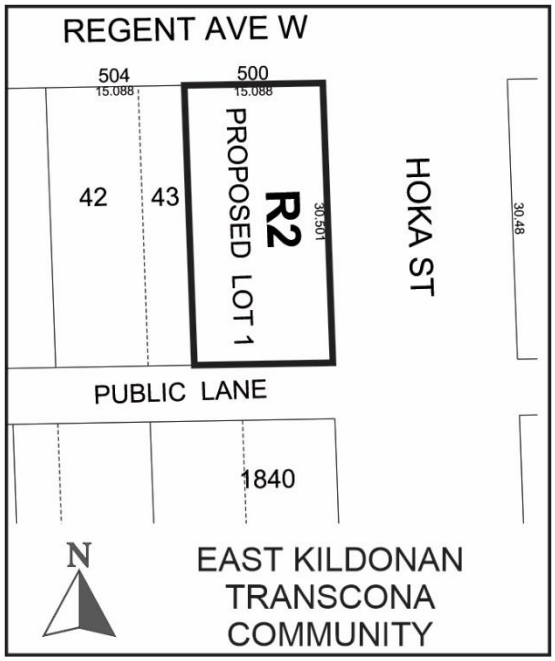
- Appendix A Planning Discussion
- Schedule "A" Recommended File No. DASZ 29/2022, dated August 31, 2022

APPENDIX 'A'

DATE:	August 23, 2022
FILE:	**DASZ 29/ 2022**
RELATED FILES:	DAV 22-140449/D
	DCU 22-140451/D
COMMUNITY:	East Kildonan – Transcona
NEIGHBOURHOOD #:	402 - Melrose

SUBJECT: DASZ-Plan of subdivision and rezoning from an "R1-M" Residential Single-Family – Medium District to an "R2" Residential Two-Family District to facilitate the consolidation of lots to allow for the construction of a multi-family dwelling development.

LOCATION: 500 Regent Avenue West



LEGAL DESCRIPTION: LOT 44 AND ELY 16.5 FEET OF LOT 43 BLOCK 127 PLAN 1840 WLTO IN NW ¼ 5-11-4 EPM

APPLICANT:	Brad McGregor (Richard + Wintrup Planning and Development) 202 – 885 Notre Dame Avenue Winnipeg, MB R3E 0M4
OWNER:	REAL ESTATE REVITALIZATION LTD. 6-1530 Taylor Avenue Winnipeg, MB R3N 1Y1
RECOMMENDATION:	**Rejection**

SITE DESCRIPTION

- The subject site consists of one lot with an underlying lot line, located on the southwest corner of Regent Avenue West and Hoka Street in the Melrose neighbourhood of the Transcona ward.
- The subject property is currently zoned “R1-M” Residential Single-Family – Medium District.
- The subject property is located in a Mature Community as designated in *Complete Communities 2.0*.
- The subject property is 49’ 6” in width and is 4948 square feet in area.
- A one & 1/2 storey, single-family dwelling is currently located on the property.



Figure 1: Subject site and surrounding area (flown 2021).

SURROUNDING LAND USE AND ZONING (See Figure 2)

The subject area is characterized by a mix of single family and higher density multi-family residential uses. A mix of commercial and residential uses are also located to the north across Regent Avenue West.

North: Regent Avenue West, then a commercial building zoned “C1” Commercial – Neighbourhood, and a multi-family building zoned “RMF-M” Residential – Multi-Family – Medium.

South: A rear lane, then a single-family dwelling zoned “R1-M” Residential Single-Family – Medium District.

East: Hoka Street, then a single-family dwelling zoned “R1-M” Residential Single-Family – Medium District.

West: A single-family dwelling zoned “R1-M” Residential Single-Family – Medium District.

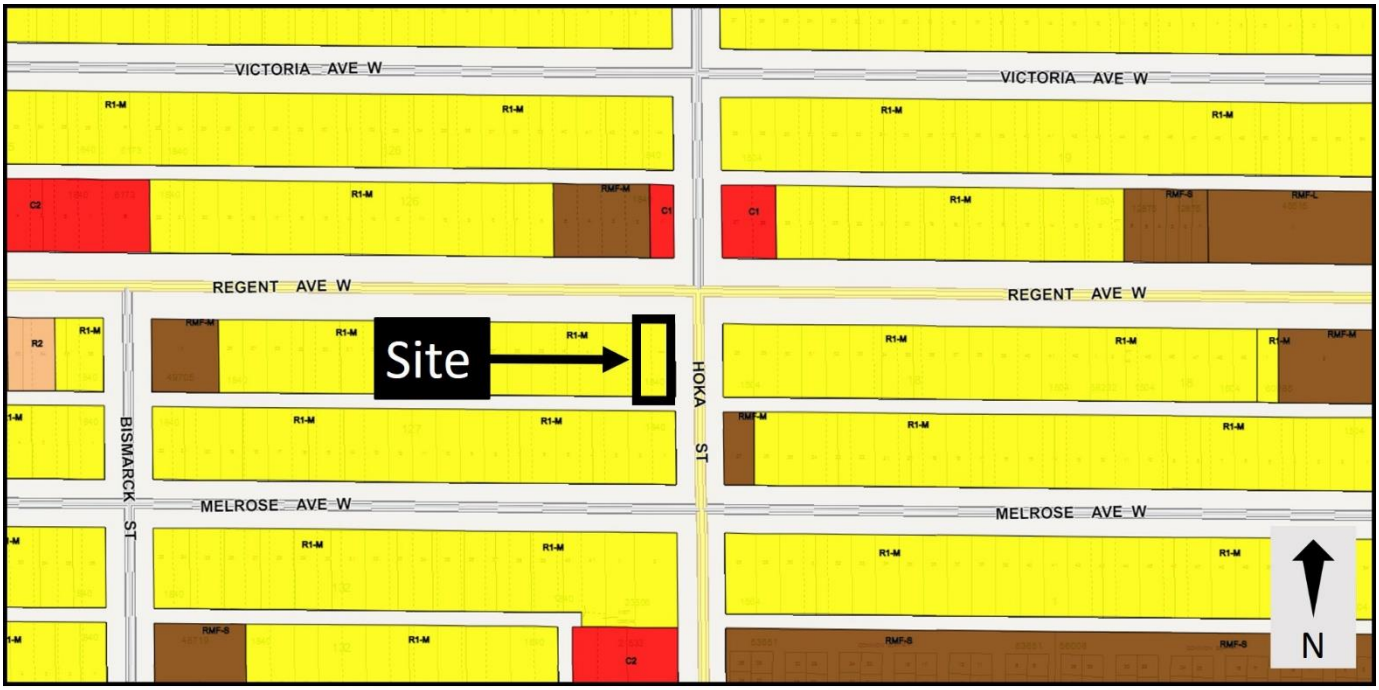


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant wishes to consolidate the underlying lots into one (1) parcel and rezone the property into the “R2” Residential Two-Family district to facilitate the construction of a six (6) unit multi-family residential use.
- Submitted elevations illustrate a building that is 27’ 9” in height.
- The building includes a projection on the front and rear elevation, as well as a balcony with a privacy screen on the front and rear elevation.
- Façade materials facing Regent Avenue West and Hoka Street include Hardie Siding, stone, and sculptural cladding.
- The building includes window coverage along the north, south, and east facades, with no windows on the west façade.
- The entrance to the building is shown on the west façade, adjacent to the single-family dwelling located at 504 Regent Avenue West.
- There is no entrance to the building located along the building front, facing Regent Avenue West.
- The site plans show that the front, rear, and side yards are landscaped with trees, shrubs, and a sodded area.
- There are a total of five (5) motor vehicle parking spaces proposed at the rear of the subject site, with access taken from the rear lane. Six (6) bicycle parking spaces are located in the rear yard.
- Pedestrian pathways are located in both proposed side yards, the rear yard, and the front yard, with one connection point to the public sidewalk on Regent Avenue West.

REASON FOR APPLICATION

- The subject property at 500 Regent Avenue West is currently zoned “R1-M” Residential Single-Family – Medium District. The “R1-M” district does not permit the establishment of a six (6) unit multi-family residential use.
- The applicant wishes to develop a six (6) unit multi-family residential use on the property.
- In order to consolidate the two (2) underlying lots and to accommodate this higher density development, a subdivision and rezoning application is required.
- The “R2” Residential Two-Family district enables a maximum density of one (1) residential unit per 800 square feet of site area for multi-family developments, through the conditional use process.
- Given the assessed land area of 4,948 square feet, the proposed six (6) unit dwelling would result in a compliant density.
- Additional variances for lot area, front yard setbacks, parking supply and parking buffering are also required. Please see the corresponding planners report for file DAV 22-140449/D.
- A conditional use is required to enable a multi-family development in the “R2” Zoning District. Please see the corresponding planners report for file DCU 22-140451/D.
- The Urban Planning Division indicated conditional support for a conditional use (DCU) to enable a multi-family building because it is the opinion of the Division that in this case, the “R2” Zoning District would more effectively regulate the building height, allowable density, and yard requirements. If the applicant were to apply to rezone the property to the “RMF-S” Residential Multi-Family – Small District or to the “RMF-M” Residential Multi-Family – Medium District, multiple additional variances and Zoning Agreement conditions would be needed.

Collaboration with the Public Service:

- The applicant first contacted the Urban Planning Division regarding potential site and building design at 500 Regent Avenue West in the winter of 2021.
- The Urban Planning Division indicated that establishment of a multi-family development was possible contingent upon:
    - A 1:1 parking ratio being achieved on the site
    - Submission of a design that met all of the criteria for the *Small Scale and Low Rise Residential and Development Guidelines for Mature Communities*
- In subsequent discussions, the applicant submitted additional sets of drawings, although none met the *Infill Guidelines*. The Urban Planning Division offered to meet with the applicant and the property owner on two occasions to discuss the proposal further to ensure compliance with the *Infill Guidelines*, and this was not accepted by the applicant.
- The applicant indicated that a leasing agreement would be sought with a neighbouring property in order to ensure a 1:1 parking ratio would be achieved by including five (5) parking stalls at 500 Regent Avenue West, and one (1) parking stall at the adjacent

property. The Urban Planning Division asked for written proof of this agreement, however no proof of this arrangement was provided.

- In June of 2022, the Urban Planning Division indicated to the applicant that it would not support the application as currently proposed, and the applicant indicated that they would like the application processed.
- The Urban Planning Division inquired which set of drawings the applicant would like included as the final reviewed in the application, as multiple sets of drawings were received after the initial application as part of File Number DAV 22-140449/D. No answer was provided by the applicant, and therefore the original set of drawings were included without revisions.

ANALYSIS AND ISSUES

OURWINNIPEG

OurWinnipeg is the City of Winnipeg's long-range development plan. Applicable Policies for Mature Communities include the following:

6.1 Sustainable Urban Growth

- The City must accommodate physical development that reflects this Plan's goals, and achieves a continuum of complete and connected communities over the lifecycle of the Plan.

6.6 Intensification Target

- Achieve the intensification target by making development in intensification target areas easier and more desirable and predictable, as directed by *Complete Communities*.

6.16 Established Neighbourhoods

- Designate Established Neighbourhoods within the Urban Structure, representing lands that will accommodate additional growth in a context-sensitive manner, while promoting the efficient use of land, cost-effective municipal servicing, enhanced housing choice and affordability, and conservation of green infrastructure and heritage resources and districts, as defined in *Complete Communities*.

The proposed plan of subdivision and rezoning application **does not** align with *OurWinnipeg* because the design of the building and site are not context-sensitive development to the mature neighbourhood they are proposed for, in that adequate parking is not proposed and the building design does not meet the *Infill Guidelines*.

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The *Complete Communities Direction* Strategy 2.0 (*CCDS 2.0*) is one of four direction strategies supporting *OurWinnipeg*, the city's long-range development plan, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.

- The subject site is located in an "Established Neighbourhood – Mature Communities" policy area of *CCDS 2.0*. Certain goals and policies of CCDS 2.0 apply to the proposal.
- Goal 1 - *Encourage compatible residential development within Established Neighbourhoods to build more Complete Communities and align with the City's residential intensification target.*
    - *1.1 Encourage residential development that positively contributes to neighbourhood character while expanding housing options for residents in a manner that is sensitive and complementary to existing development.*
    - *1.2 Increase the population within Established Neighbourhoods to contribute to the physical renewal and revitalization of older neighbourhoods.*
    - *1.5 Support up to mid-rise residential development in Established Neighbourhoods that is compatible with neighbourhood context.*
    - *1.6 In the absence of a secondary plan guiding the local development of an Established Neighbourhood, intensification should be guided by a number of factors to ensure compatible development, including:*
        a. *Applicable City-endorsed policies or guidelines;*
        b. *Existing zoning of the property and adjacent properties;*
        c. *Characteristics of the immediately surrounding built form including building mass, height, lot coverage, setbacks, and layout;*
        d. *Surrounding uses and their characteristics including residential density and the intensity of commercial and other non-residential uses;*
        e. *Characteristics of the lot, including whether it is a corner lot, a larger lot than is typical for the neighbourhood, or the shape of the lot;*
        f. *Proximity to Downtown, Mixed Use Centres, Major Redevelopment Sites and Mixed Use Corridors;*
        g. *The supporting street network(ex. local, collector, or arterial streets) and the street network's ability to support proposed development;*
        h. *The supporting transit, pedestrian and active transportation network; and*
        i. *The supporting water, wastewater, and land drainage infrastructure and capacity to accommodate a proposed development or ability to make the required upgrades necessary to accommodate a proposed development.*
    - 1.8 *Low-rise residential uses will generally be encouraged on arterial roads and collector streets where compatible with adjacent land uses, where they can be conveniently served by transit and local commercial amenities, and in consideration of the factors listed in Policy section 1.6.*
- Goal 2 - *Encourage compatible residential development within Established Neighbourhoods to build more Complete Communities and align with the City's residential intensification target.*
    - 2.3 *Encourage, where contextually suitable, the location of multi-family buildings at or near the front and corner side property lines to create a pedestrian orientation that is respectful of the area context. Use setbacks to provide landscaping, front*

courtyards for individual units or other amenities that support the pedestrian environment, building design and relationship to the street.

- 2.9 *Buildings with multi unit residential uses should be designed to support pedestrian activity and reinforce the public realm through thoughtful use of architectural features which may include, but are not limited to, the following:*
    a. *Window placement that supports passive surveillance;*
    b. *Unit entrances with direct access to the street;*
    c. *Front porches;*
    d. *Balconies;*
    e. *Awnings;*
    f. *Lighting; and*
    g. *Height of primary entrances.*
- *2.21 Site design should take cues from the character of the neighbourhood or street and should mitigate the potential for land use conflict with adjacent properties that have different scales, densities and uses. Parking location (motor vehicle and bicycle), vehicular access, servicing elements, building placement and landscaping treatment will be important design elements to ensure context-sensitive design.*

The plan of subdivision and rezoning application and the associated development proposal **do not** comply with the above policies for the following reasons:

- The subject site, located in a mature community, can support further intensification. However, this should be accomplished in a context-sensitive manner that respects the existing neighbourhood and contributes positively to the public realm. By providing no primary entrance on the front of the building facing Regent Avenue West, and instead locating the entrance on the west side of the building directly adjacent to an existing single-family dwelling, the proposed development:
    - Is not aligned with the Council-endorsed Infill Guidelines, which require primary entrances be located on the front façade of the building (see Figure 3).
    - Is not sensitive and complementary to existing development in that it:
        - Creates a privacy concern for the neighbouring property owner by locating four (4) building entrance points in the adjacent side yard, rather than locating the building entrances on the front of the building.
        - Would create one of only two buildings on the block that do not have an entrance fronting Regent Avenue West.
- The proposal is providing five (5) parking stalls for a six (6) unit multi-family development. It is the Urban Planning Division's opinion that less than a 1:1 parking ratio at the subject site is not compatible with the surrounding land uses and characteristics of the neighbourhood, as there are parking restrictions in place on both Regent Avenue West and Hoka Street.



Figure 3: Adjacent properties to 500 Regent Avenue West with entrances fronting Regent Avenue West.

SMALL SCALE AND LOW RISE RESIDENTIAL AND DEVELOPMENT GUIDELINES FOR MATURE COMMUNITIES

- The *Residential Infill Guidelines* were approved by City Council on June 24, 2021 and apply to all residential development in the Mature Community policy area as identified in the *Complete Communities Direction Strategy 2.0* (https://winnipeg.ca/ppd/PublicEngagement/InfillStrategy/default.stm#tab-documents).
- The subject property at 500 Regent Avenue West is located in Area 1 of the *Infill Guidelines* planned area.

Preferred Location Criteria:

- The following criteria must be met in order to support the establishment of low-rise multi-family residential uses in Area 2:
    - **Scenario 1 – Where all of the following criteria are met**

        a. on sites where the rear yard abuts a lane;

        b. on sites located within 1,312 feet (400 metres) of the Primary Transit Network or rapid transit station; and

        c. where the property abuts an arterial street;

        The proposed consolidated lot at 500 Regent Avenue West meets the Preferred Location Criteria for Low Rise Multi-Unit development in that:

        - The subject property's rear yard abuts a public lane.
        - The site fronts onto Regent Avenue West, which is part of the Primary Transit Network.
        - The property is a corner lot which flanks a public street.
- The proposal meets the above *Preferred Location Criteria*.

Design Guidelines:

- The proposed site plan and building elevations have been evaluated against the Design Guidelines for low rise multi-unit development as outlined in the *Low Rise Residential Development Guidelines for Mature Communities*.
- Based on this review the application has been deemed to **not comply** with the guidelines in that:

  - The primary entrance to the building is not located on the front façade of the building. There are no building entrances on the front of the building facing Regent Avenue West. All four (4) doors are located on the west side of the building, adjacent to the neighbouring property that contains a single-family dwelling.
  - The amount of onsite parking is not sufficient to meet the development, as five (5) stalls have been proposed for a six (6) unit building.

- The *Infill Guidelines* require that "*Primary entrances for a shared building entrance shall be located on the front façade of the building, be clearly visible from the street, and have a direct path to the public sidewalk."*
  - Primary entrances are a core part of building design, and can dramatically alter the character of a building and streetscape.
  - Primary entrances located on a front façade are intended to create an active streetscape where the overall street, and the individual buildings located on it, are aesthetically attractive and add to the overall character of the neighbourhood and street. They enable people to see other people interacting with a building, and they limit the amount of dead space experienced by pedestrians.
  - A direct pedestrian connection from a front entrance promotes an easy, visible access point for those moving in and out of a building, maximizing site lines for those using the entrance.
  - For the above reasons, a primary entrance located on the front of a building is important to creating human scaled buildings.
- Based on these considerations, the Urban Planning Division **is not supportive** of the submitted design.

ADDITIONAL CONSIDERATIONS

Variances

- Variances are also needed to accommodate the proposed development. An application and an administrative report have been submitted for the variances under File Number 22-140449/D. The report recommends rejection of the variance application.

Site Servicing

- There is no Administrative Coordinating Group (ACG) report associated with this file.
- Adequate site servicing exists to enable six (6) dwelling units at the subject site.

CONDITIONS OF APPROVAL

N/A

SUMMARY

The Urban Planning Division recommends **rejection** for the following reasons:

- It is the opinion of the Urban Planning Division that the subject rezoning is not aligned with *OurWinnipeg, Complete Communities Direction Strategy 2.0*, or the *Infill Guidelines* in that:
    - The lack of a primary entrance on the front façade of the building is a requirement of the Infill Guidelines, and without this direct access to Regent Avenue West the building is not compatible with the surrounding area.
    - The provision of five (5) parking stalls for a six (6) unit building at this location is not an adequate amount of parking, and is therefore not a context-sensitive design.

RECOMMENDATION

The Urban Planning Division recommends this application be **rejected** and the subject property not be rezoned into the “R2” Residential Two-Family district.

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

Report Prepared by: Dylan Chyz-Lund, MCP
PPD File # DASZ 29/2022

SCHEDULE "A" OF FILE DASZ 29/2022, East Kildonan – Transcona Community Committee,
dated August 31, 2022

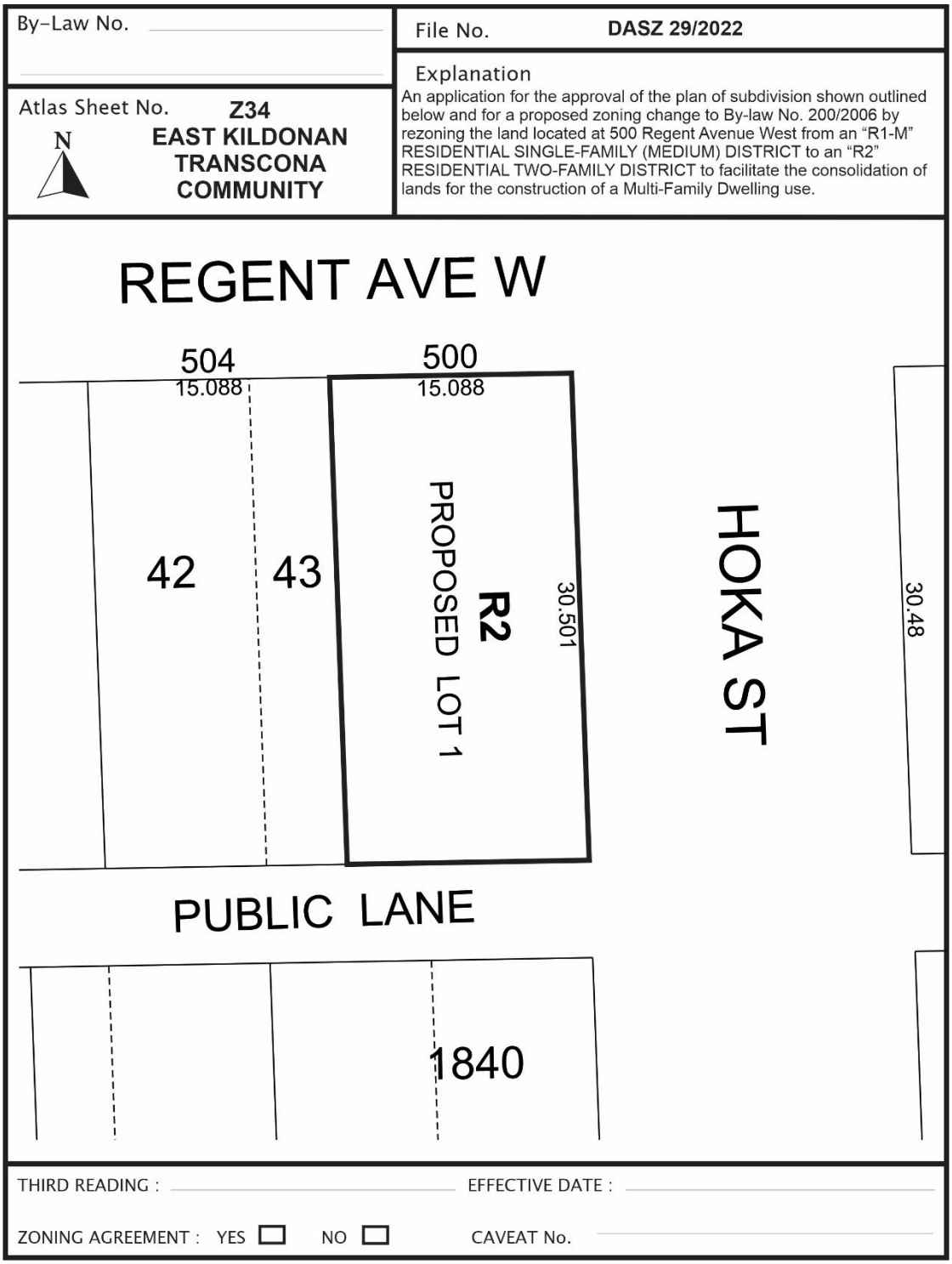
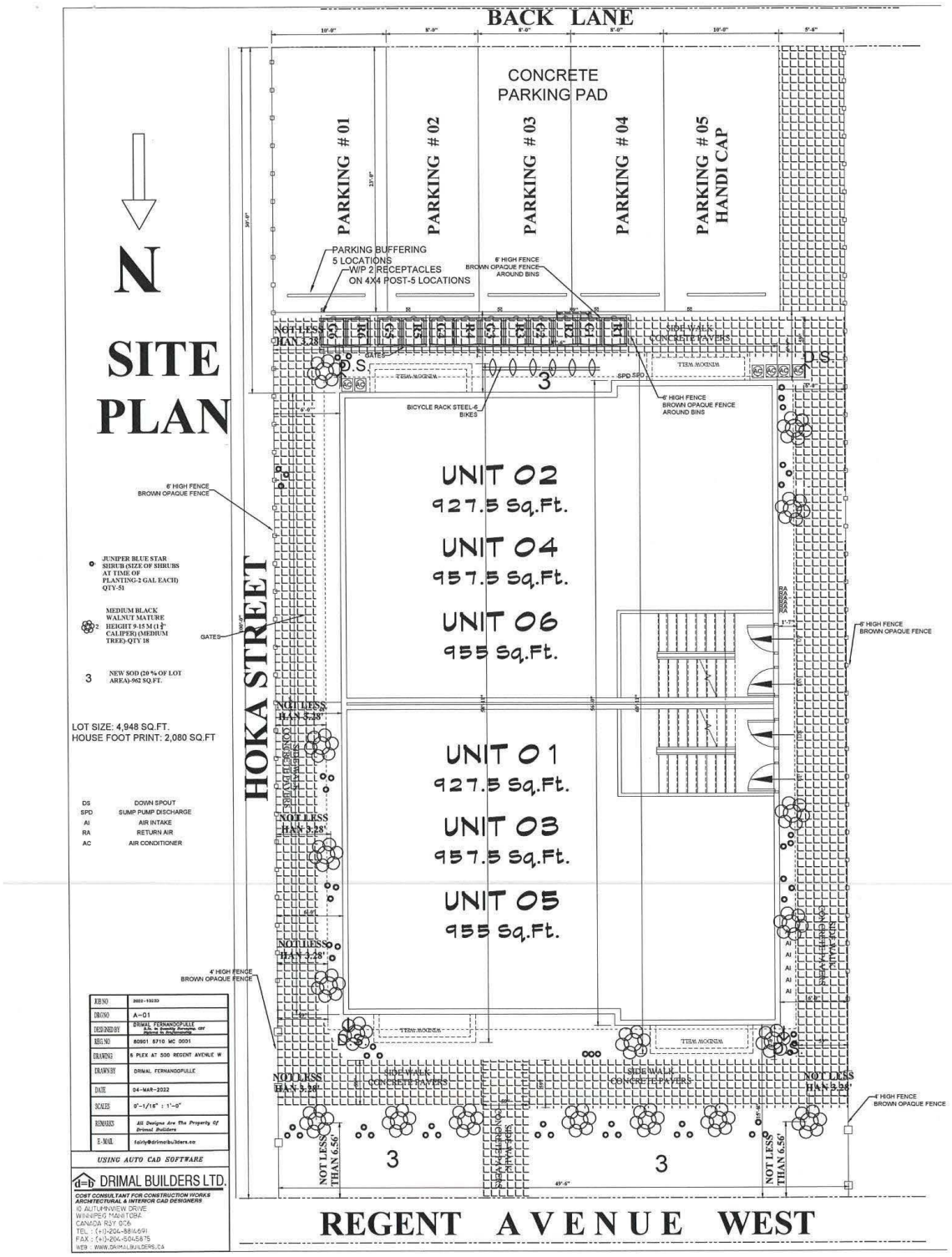
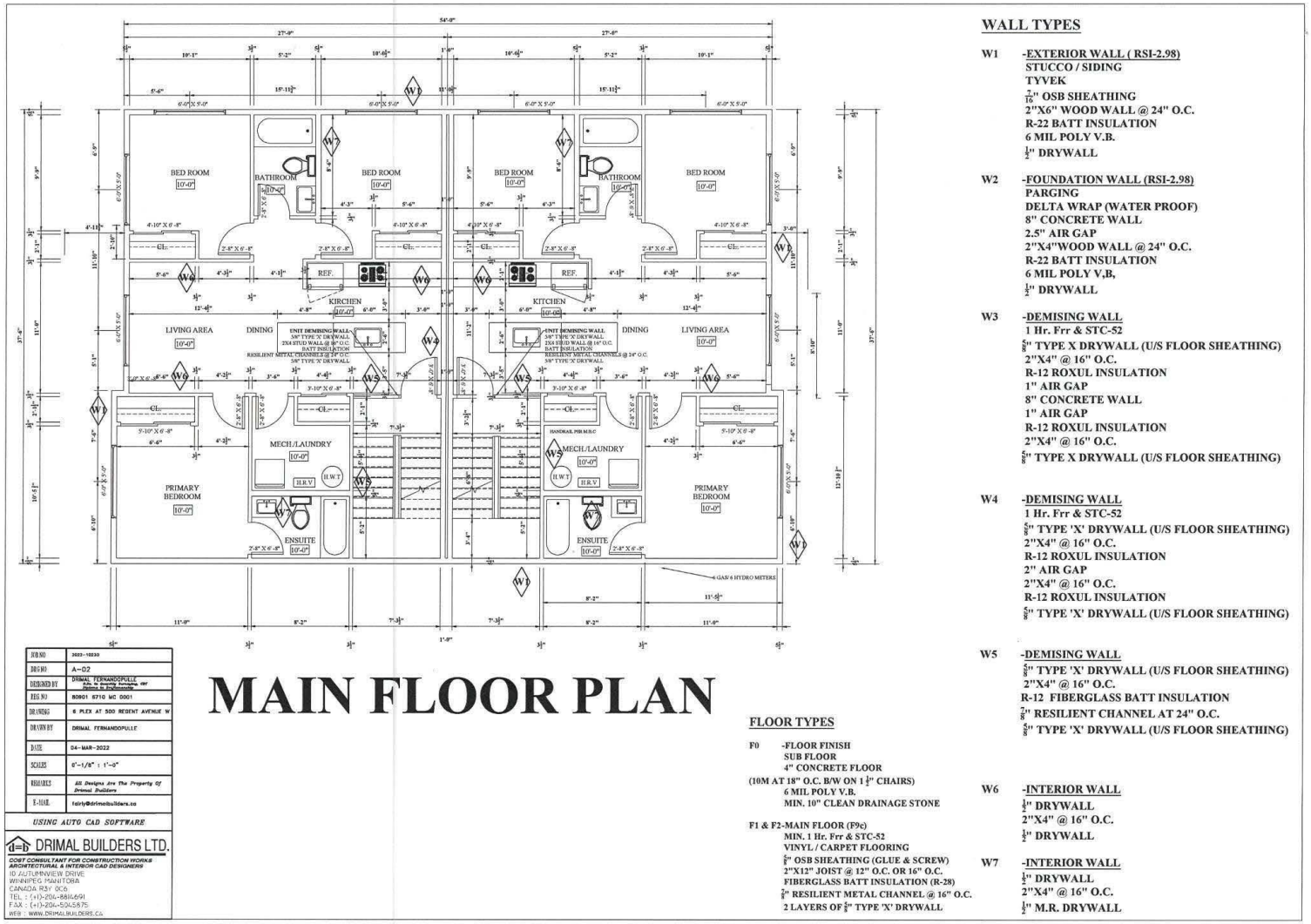


Exhibit "7" referred to in File DASZ 29/2022





MAIN FLOOR PLAN

JOB NO	2022-10330
DRG NO	A-02
DESIGNED BY	DRIMAL FERNANDOPULLE
REG NO	80801 5710 MC 0001
DRAWING	6 PLEX AT 500 REGENT AVENUE W
DRAWN BY	DRIMAL FERNANDOPULLE
DATE	04-MAR-2022
SCALES	0"-1/8" = 1'-0"
REMARKS	All Designs Are The Property Of Drimal Builders
E-MAIL	fairly@drimalbuilders.ca

USING AUTO CAD SOFTWARE

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CANADA R3Y 0C6
TEL : (+1)-204-8816691
FAX : (+1)-204-5045875
WEB : WWW.DRIMALBUILDERS.CA

WALL TYPES

W1 -EXTERIOR WALL (RSI-2.98)
STUCCO / SIDING
TYVEK
7/16" OSB SHEATHING
2"X6" WOOD WALL @ 24" O.C.
R-22 BATT INSULATION
6 MIL POLY V.B.
1/2" DRYWALL

W2 -FOUNDATION WALL (RSI-2.98)
PARGING
DELTA WRAP (WATER PROOF)
8" CONCRETE WALL
2.5" AIR GAP
2"X4"WOOD WALL @ 24" O.C.
R-22 BATT INSULATION
6 MIL POLY V,B,
1/2" DRYWALL

W3 -DEMISING WALL
1 Hr. Frr & STC-52
5/8" TYPE X DRYWALL (U/S FLOOR SHEATHING)
2"X4" @ 16" O.C.
R-12 ROXUL INSULATION
1" AIR GAP
8" CONCRETE WALL
1" AIR GAP
R-12 ROXUL INSULATION
2"X4" @ 16" O.C.
5/8" TYPE X DRYWALL (U/S FLOOR SHEATHING)

W4 -DEMISING WALL
1 Hr. Frr & STC-52
5/8" TYPE 'X' DRYWALL (U/S FLOOR SHEATHING)
2"X4" @ 16" O.C.
R-12 ROXUL INSULATION
2" AIR GAP
2"X4" @ 16" O.C.
R-12 ROXUL INSULATION
5/8" TYPE 'X' DRYWALL (U/S FLOOR SHEATHING)

W5 -DEMISING WALL
5/8" TYPE 'X' DRYWALL (U/S FLOOR SHEATHING)
2"X4" @ 16" O.C.
R-12 FIBERGLASS BATT INSULATION
7/8" RESILIENT CHANNEL AT 24" O.C.
5/8" TYPE 'X' DRYWALL (U/S FLOOR SHEATHING)

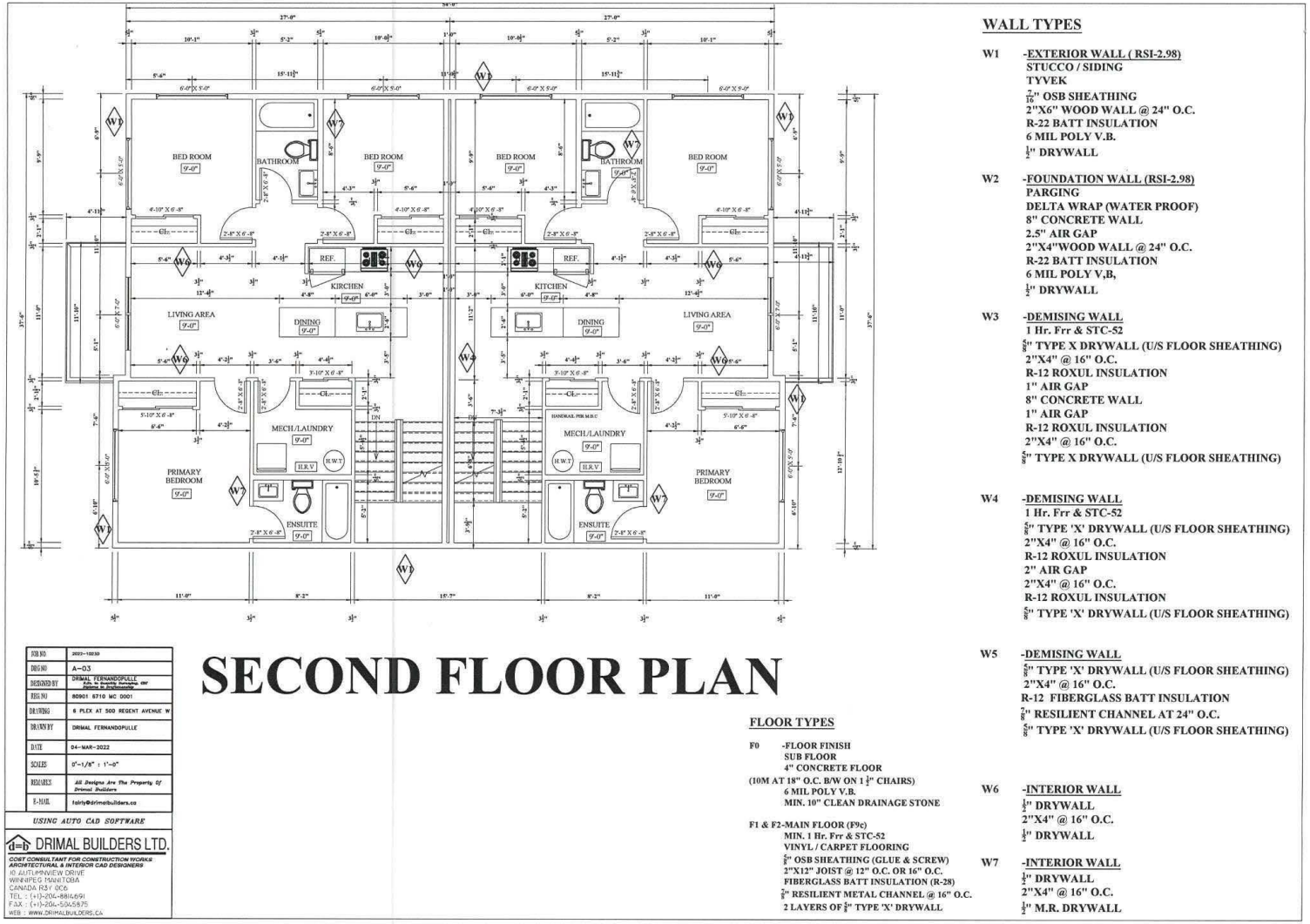
W6 -INTERIOR WALL
1/2" DRYWALL
2"X4" @ 16" O.C.
1/2" DRYWALL

W7 -INTERIOR WALL
1/2" DRYWALL
2"X4" @ 16" O.C.
1/2" M.R. DRYWALL

FLOOR TYPES

F0 -FLOOR FINISH
SUB FLOOR
4" CONCRETE FLOOR
(10M AT 18" O.C. B/W ON 1 1/2" CHAIRS)
6 MIL POLY V.B.
MIN. 10" CLEAN DRAINAGE STONE

F1 & F2-MAIN FLOOR (F9c)
MIN. 1 Hr. Frr & STC-52
VINYL / CARPET FLOORING
5/8" OSB SHEATHING (GLUE & SCREW)
2"X12" JOIST @ 12" O.C. OR 16" O.C.
FIBERGLASS BATT INSULATION (R-28)
7/8" RESILIENT METAL CHANNEL @ 16" O.C.
2 LAYERS OF 5/8" TYPE 'X' DRYWALL



SECOND FLOOR PLAN

JOB NO.	2022-10230
DRG NO	A-03
DESIGNED BY	DRIMAL FERNANDOPULLE
REG NO	80901 6710 MC 0001
DRAWING	6 PLEX AT 500 REGENT AVENUE W
DRAWN BY	DRIMAL FERNANDOPULLE
DATE	04-MAR-2022
SCALES	0"-1/8" : 1'-0"
REMARKS	All Designs Are The Property Of Drimal Builders
E-MAIL	fairly@drimalbuilders.ca

USING AUTO CAD SOFTWARE

DRIMAL BUILDERS LTD.
COST CONSULTANT FOR CONSTRUCTION WORKS
ARCHITECTURAL & INTERIOR CAD DESIGNERS
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WINNIPEG MANITOBA
CANADA R3Y 0C6
TEL : (+1)-204-8816491
FAX : (+1)-204-5345875
WEB : WWW.DRIMALBUILDERS.CA

WALL TYPES

W1 -EXTERIOR WALL (RSI-2.98)
STUCCO / SIDING
TYVEK
$\frac{7}{16}$" OSB SHEATHING
2"X6" WOOD WALL @ 24" O.C.
R-22 BATT INSULATION
6 MIL POLY V.B.
$\frac{1}{2}$" DRYWALL

W2 -FOUNDATION WALL (RSI-2.98)
PARGING
DELTA WRAP (WATER PROOF)
8" CONCRETE WALL
2.5" AIR GAP
2"X4"WOOD WALL @ 24" O.C.
R-22 BATT INSULATION
6 MIL POLY V,B,
$\frac{1}{2}$" DRYWALL

W3 -DEMISING WALL
1 Hr. Frr & STC-52
$\frac{5}{8}$" TYPE X DRYWALL (U/S FLOOR SHEATHING)
2"X4" @ 16" O.C.
R-12 ROXUL INSULATION
1" AIR GAP
8" CONCRETE WALL
1" AIR GAP
R-12 ROXUL INSULATION
2"X4" @ 16" O.C.
$\frac{5}{8}$" TYPE X DRYWALL (U/S FLOOR SHEATHING)

W4 -DEMISING WALL
1 Hr. Frr & STC-52
$\frac{5}{8}$" TYPE 'X' DRYWALL (U/S FLOOR SHEATHING)
2"X4" @ 16" O.C.
R-12 ROXUL INSULATION
2" AIR GAP
2"X4" @ 16" O.C.
R-12 ROXUL INSULATION
$\frac{5}{8}$" TYPE 'X' DRYWALL (U/S FLOOR SHEATHING)

W5 -DEMISING WALL
$\frac{5}{8}$" TYPE 'X' DRYWALL (U/S FLOOR SHEATHING)
2"X4" @ 16" O.C.
R-12 FIBERGLASS BATT INSULATION
$\frac{7}{8}$" RESILIENT CHANNEL AT 24" O.C.
$\frac{5}{8}$" TYPE 'X' DRYWALL (U/S FLOOR SHEATHING)

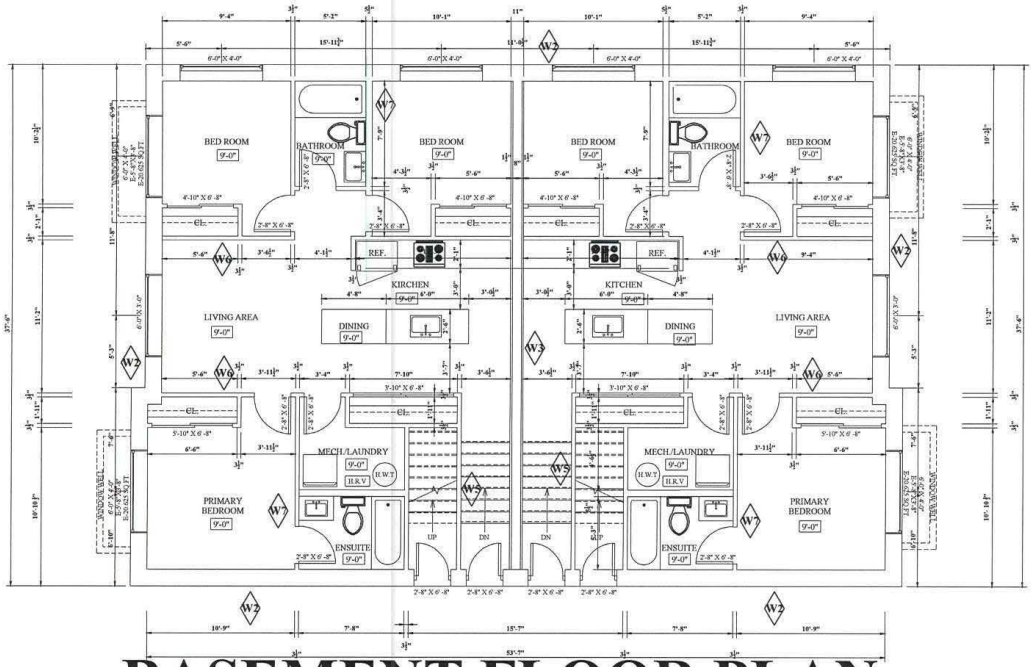
W6 -INTERIOR WALL
$\frac{1}{2}$" DRYWALL
2"X4" @ 16" O.C.
$\frac{1}{2}$" DRYWALL

W7 -INTERIOR WALL
$\frac{1}{2}$" DRYWALL
2"X4" @ 16" O.C.
$\frac{1}{2}$" M.R. DRYWALL

FLOOR TYPES

F0 -FLOOR FINISH
SUB FLOOR
4" CONCRETE FLOOR
(10M AT 18" O.C. B/W ON 1 $\frac{1}{2}$" CHAIRS)
6 MIL POLY V.B.
MIN. 10" CLEAN DRAINAGE STONE

F1 & F2-MAIN FLOOR (F9c)
MIN. 1 Hr. Frr & STC-52
VINYL / CARPET FLOORING
$\frac{5}{8}$" OSB SHEATHING (GLUE & SCREW)
2"X12" JOIST @ 12" O.C. OR 16" O.C.
FIBERGLASS BATT INSULATION (R-28)
$\frac{7}{8}$" RESILIENT METAL CHANNEL @ 16" O.C.
2 LAYERS OF $\frac{5}{8}$" TYPE 'X' DRYWALL



BASEMENT FLOOR PLAN

JOB NO	2022-10230
DRG NO	A-04
DESIGNED BY	DRIMAL FERNANDOPULLE
REG NO	80901 6710 MC 0001
DRAWING	6 PLEX AT 500 REGENT AVENUE W
DRAWN BY	DRIMAL FERNANDOPULLE
DATE	04-MAR-2022
SCALES	0"-1/8" : 1'-0"
REMARKS	All Designs Are The Property Of Drimal Builders
E-MAIL	fairly@drimalbuilders.ca

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FAX : (+1)-204-5045875
WEB : WWW.DRIMALBUILDERS.CA

WALL TYPES

W1 -EXTERIOR WALL (RSI-2.98)
STUCCO / SIDING
TYVEK
7/16" OSB SHEATHING
2"X6" WOOD WALL @ 24" O.C.
R-22 BATT INSULATION
6 MIL POLY V.B.
1/2" DRYWALL

W2 -FOUNDATION WALL (RSI-2.98)
PARGING
DELTA WRAP (WATER PROOF)
8" CONCRETE WALL
2.5" AIR GAP
2"X4"WOOD WALL @ 24" O.C.
R-22 BATT INSULATION
6 MIL POLY V,B,
1/2" DRYWALL

W3 -DEMISING WALL
1 Hr. Frr & STC-52
5/8" TYPE X DRYWALL (U/S FLOOR SHEATHING)
2"X4" @ 16" O.C.
R-12 ROXUL INSULATION
1" AIR GAP
8" CONCRETE WALL
1" AIR GAP
R-12 ROXUL INSULATION
2"X4" @ 16" O.C.
5/8" TYPE X DRYWALL (U/S FLOOR SHEATHING)

W4 -DEMISING WALL
1 Hr. Frr & STC-52
5/8" TYPE 'X' DRYWALL (U/S FLOOR SHEATHING)
2"X4" @ 16" O.C.
R-12 ROXUL INSULATION
2" AIR GAP
2"X4" @ 16" O.C.
R-12 ROXUL INSULATION
5/8" TYPE 'X' DRYWALL (U/S FLOOR SHEATHING)

W5 -DEMISING WALL
5/8" TYPE 'X' DRYWALL (U/S FLOOR SHEATHING)
2"X4" @ 16" O.C.
R-12 FIBERGLASS BATT INSULATION
7/8" RESILIENT CHANNEL AT 24" O.C.
5/8" TYPE 'X' DRYWALL (U/S FLOOR SHEATHING)

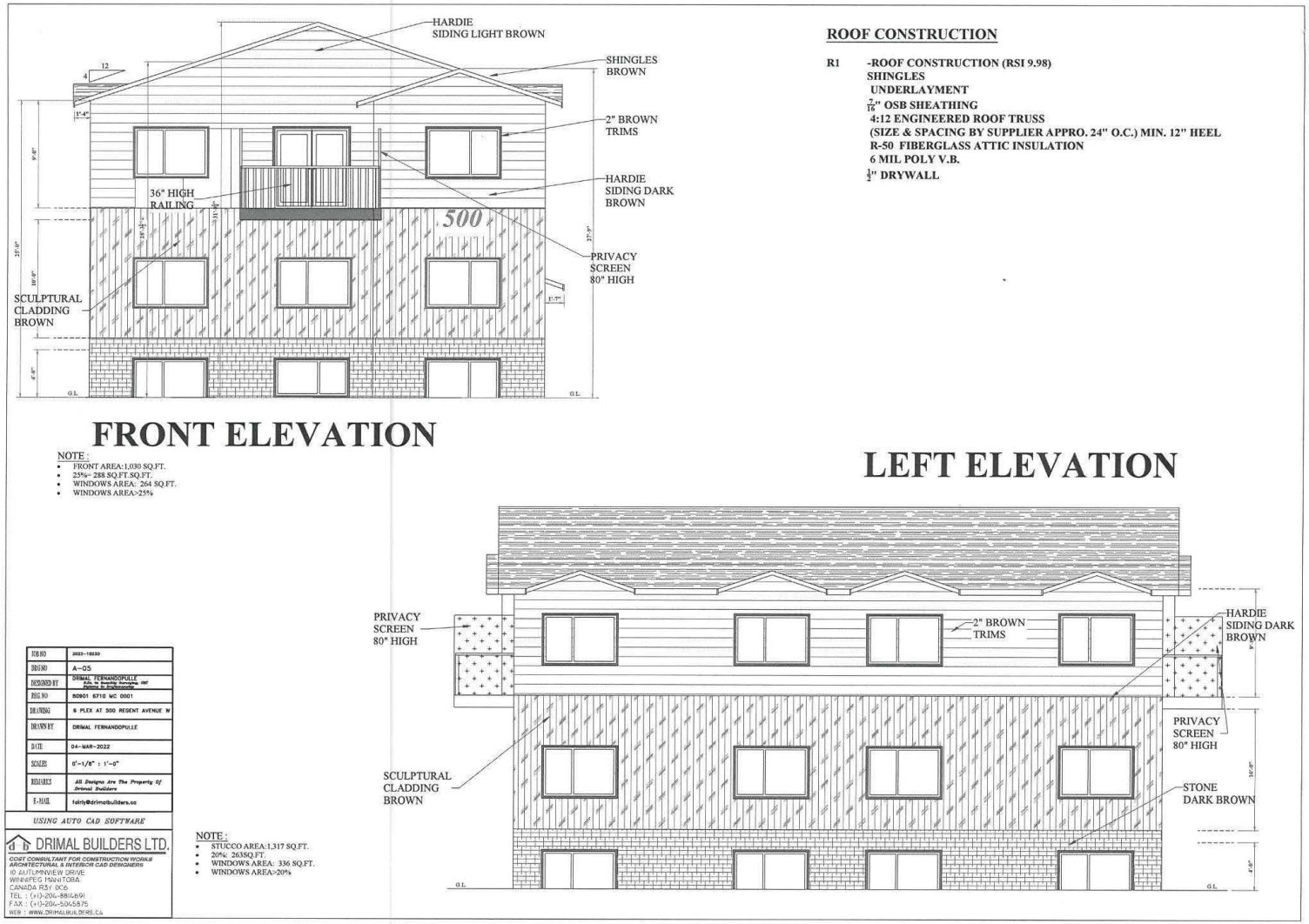
W6 -INTERIOR WALL
1/2" DRYWALL
2"X4" @ 16" O.C.
1/2" DRYWALL

W7 -INTERIOR WALL
1/2" DRYWALL
2"X4" @ 16" O.C.
1/2" M.R. DRYWALL

FLOOR TYPES

F0 -FLOOR FINISH
SUB FLOOR
4" CONCRETE FLOOR
(10M AT 18" O.C. B/W ON 1 1/2" CHAIRS)
6 MIL POLY V.B.
MIN. 10" CLEAN DRAINAGE STONE

F1 & F2-MAIN FLOOR (F9c)
MIN. 1 Hr. Frr & STC-52
VINYL / CARPET FLOORING
3/8" OSB SHEATHING (GLUE & SCREW)
2"X12" JOIST @ 12" O.C. OR 16" O.C.
FIBERGLASS BATT INSULATION (R-28)
7/8" RESILIENT METAL CHANNEL @ 16" O.C.
2 LAYERS OF 5/8" TYPE 'X' DRYWALL


HARDIE
SIDING LIGHT BROWN
SHINGLES
BROWN
2" BROWN
TRIMS
HARDIE
SIDING DARK
BROWN
36" HIGH
RAILING
PRIVACY
SCREEN
80" HIGH
SCULPTURAL
CLADDING
BROWN
500
ROOF CONSTRUCTION
R1 -ROOF CONSTRUCTION (RSI 9.98)
SHINGLES
UNDERLAYMENT
7/16" OSB SHEATHING
4:12 ENGINEERED ROOF TRUSS
(SIZE & SPACING BY SUPPLIER APPRO. 24" O.C.) MIN. 12" HEEL
R-50 FIBERGLASS ATTIC INSULATION
6 MIL POLY V.B.
1/2" DRYWALL
FRONT ELEVATION
NOTE :
FRONT AREA:1,030 SQ.FT.
25%= 288 SQ.FT.SQ.FT.
WINDOWS AREA: 264 SQ.FT.
WINDOWS AREA>25%
LEFT ELEVATION
PRIVACY
SCREEN
80" HIGH
2" BROWN
TRIMS
HARDIE
SIDING DARK
BROWN
PRIVACY
SCREEN
80" HIGH
SCULPTURAL
CLADDING
BROWN
STONE
DARK BROWN
JOB NO 2022-10230
DRG NO A-05
DESIGNED BY DRIMAL FERNANDOPULLE
REG NO 80901 6710 MC 0001
BUILDING 6 PLEX AT 300 REGENT AVENUE W
DRAWN BY DRIMAL FERNANDOPULLE
DATE 04-MAR-2022
SCALES 0"-1/8" : 1'-0"
REMARKS All Designs Are The Property Of Drimal Builders
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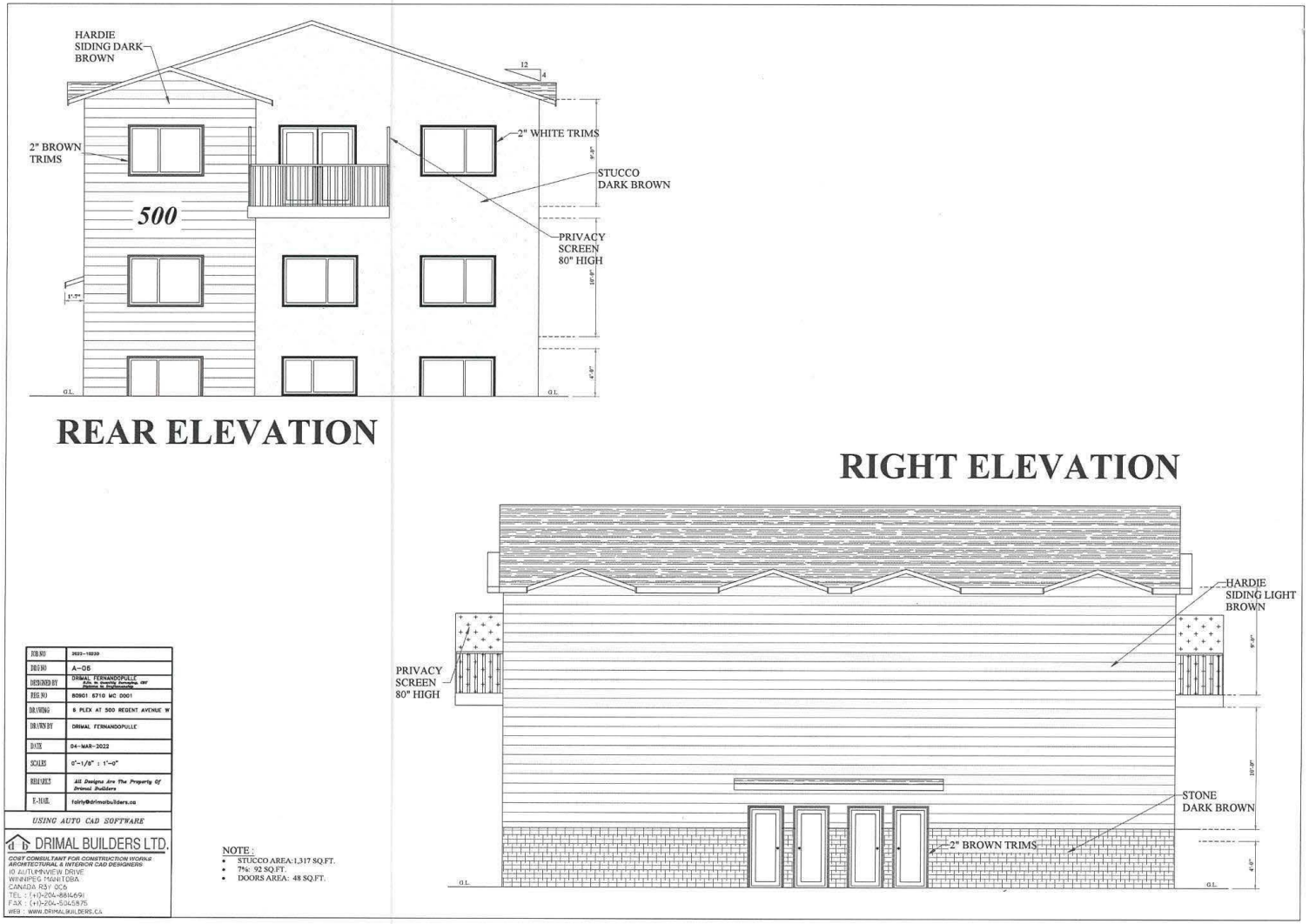
CANADA R3Y 0C6
TEL : (+1)-204-8816691
FAX : (+1)-204-504-5875
WEB : WWW.DRIMALBUILDERS.CA
NOTE :
STUCCO AREA:1,317 SQ.FT.
20%= 263SQ.FT.
WINDOWS AREA: 336 SQ.FT.
WINDOWS AREA>20%


HARDIE
SIDING DARK
BROWN
2" BROWN
TRIMS
2" WHITE TRIMS
STUCCO
DARK BROWN
PRIVACY
SCREEN
80" HIGH
500
REAR ELEVATION
RIGHT ELEVATION
HARDIE
SIDING LIGHT
BROWN
PRIVACY
SCREEN
80" HIGH
STONE
DARK BROWN
2" BROWN TRIMS
JOB NO 2022-10220
DRG NO A-05
DESIGNED BY DRIMAL FERNANDOPULLE
REG NO 80901 6710 MC 0001
DRAWING 6 PLEX AT 500 REGENT AVENUE W
DRAWN BY DRIMAL FERNANDOPULLE
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TEL : (+1)-204-8816691
FAX : (+1)-204-5345875
WEB : WWW.DRIMALBUILDERS.CA
NOTE :
STUCCO AREA:1,317 SQ.FT.
7%: 92 SQ.FT.
DOORS AREA: 48 SQ.FT.