Agenda – Council – January 26, 2023

Report – Standing Policy Committee on Property and Development – January 9, 2023

Item No. 8 Subdivision and Rezoning – 73 Inman Avenue (St. Vital Ward) File DASZ 51/2022 [c/r DAV 211918/2022D]

STANDING COMMITTEE RECOMMENDATION:

On January 17, 2023 the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the subdivision under Development Application No. DASZ 51/2022 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated November 25, 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, subject to the following conditions:

    A. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated December 6, 2022 and attached as Schedule "B" to this report, with the following amendment:

        i. Add the following new Condition under 'Section II – Servicing Conditions':

            "6. Public Lane

            The Developer shall pay to the City, in cash, on demand, $16,000 towards the cost to complete pulvimixer treatment for the Public Lane located between St. Thomas Road and the North-South Public Lane adjacent to the Planned Area**,** all as determined by and to the satisfaction of the Director of Public Works."

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

Report – Standing Policy Committee on Property and Development – January 9, 2023

STANDING COMMITTEE RECOMMENDATION (continued):

C. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Servicing 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.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMF-S" Residential Multi-Family (Small) District, as shown on the map dated November 25, 2022 and included within Schedule "A".

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 51/2022, 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 Servicing Agreement is fully executed and 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 plan is registered in the Winnipeg Land Titles Office.

Report – Standing Policy Committee on Property and Development – January 9, 2023

STANDING COMMITTEE RECOMMENDATION (continued):

9. 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 recommendations 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.

10. 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.

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

Report – Standing Policy Committee on Property and Development – January 9, 2023

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 17, 2023, 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 January 9, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 3, 2023, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- In Recommendation 1.A., delete the period after "Schedule "B" to this report", and replace with the following:

  ", with the following amendments:

  i. Add the following new Condition under 'Section II – Servicing Conditions'

  6. <u>Public Lane</u>

  The Developer shall pay to the City, in cash, on demand, $16,000 towards the cost to complete pulvimixer treatment for the Public Lane located between St. Thomas Road and the North-South Public Lane adjacent to the Planned Area**,** all as determined by and to the satisfaction of the Director of Public Works."

and forwarded the matter to the Standing Policy Committee on Property and Development.

Carried

PUBLIC HEARING SUMMARY

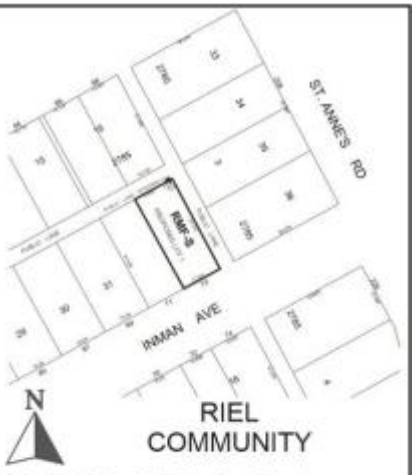
File: DASZ 51/2022

Before: Riel Community Committee
Councillor Chambers, Chairperson
Councillor Mayes

Public Hearing: January 3, 2023
Council Building, 510 Main Street

Applicant: Tajinder Pal Singh

Subject:



APPLICANT : Tajinder Pal Singh
FILE : DASZ 51/2022
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 "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to allow the establishment of a Multi-Family Dwelling use and to facilitate a road opening. **For information, phone D. Iskierski, Planner at 204-986-5337 .**
DEMANDEUR : Tajinder Pal Singh
N° DE DOSSIER : DALZ 51/2022
PROJET : Demande d'approbation par le conseil municipal du plan de lotissement indiqué 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 pour qu'ils passent de la catégorie R1-M (secteur d'habitations unifamiliales moyennes) à la catégorie RMF-S (secteur de petites habitations multifamiliales) afin de permettre l'aménagement d'une habitation multifamiliale et de faciliter l'ouverture d'une route. **Pour obtenir des renseignements, appelez D. Iskierski, urbaniste, au 204-986-5337.**

Premises Affected: 73 Inman Avenue

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

Prepared by: Rebecca Ford, Committee Clerk
Riel Community Committee

Report date: January 4, 2023

Community Committee Recommendation:

On January 3, 2023, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development:

1. That the subdivision under Development Application No. DASZ 51/2022 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated November 25, 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***, subject to the following conditions:***

    A. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated December 6, 2022 and attached as Schedule "B" to this report, with the following amendment:

        i. Add the following new Condition under 'Section II – Servicing Conditions':

            "6. <u>Public Lane</u>

            The Developer shall pay to the City, in cash, on demand, $16,000 towards the cost to complete pulvimixer treatment for the Public Lane located between St. Thomas Road and the North-South Public Lane adjacent to the Planned Area, all as determined by and to the satisfaction of the Director of Public Works."

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

C. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Servicing 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.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMF-S" Residential Multi-Family (Small) District, as shown on the map dated November 25, 2022 and included within Schedule "A".

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 51/2022, 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 Servicing Agreement is fully executed and 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 plan is registered in the Winnipeg Land Titles Office.

9. 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 recommendations 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.

10. 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.

11. 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. As indicated, there's a great irony here that we've spent the last five years with people saying it should be one building and these horrible lot-splits in Glenwood that keep happening over and over again and they are saying at least make it one house, make it a duplex.

2. Here we have it – it's a triplex, but at least its one structure which is more in-keeping with the neighbourhood and better environmentally to not have two separate new buildings

3. It is 28 feet. If you bought the property behind mine on St. Vital Road, you could build a 35-foot-tall single-family home. You could do that in a lot of places in the city. Where we have the infill guidelines, we've actually narrowed that down to 28 feet. There is no variance needed here on height. It doesn't sound like the front yard setback is a wildly out-of-whack with number 71.

4. I don't think adding three more units is going to tax the infrastructure. We don't have evidence of that from the Water and Waste people. We don't run Hydro, so whatever the impact if on hydro we can't really know.

5. I do think that this is different in that this is next to the lane. If it was number 71, I wouldn't approve it, because then you're starting to get in to the block. These ones that are next to the lane I think are different in character.

6. Are there other examples, or is this setting a precedent? No, this isn't setting a precedent. Look at the one on Barrington just west of St. Mary's Road. Look at the one on Moore. They wouldn't build three units, they insisted they should have six, and that's still not built. So here we have somebody saying "I'll take three". Look at the one on Havelock that's next to the lane just west of St. Anne's. I think its Havelock… mind you, further south than that.

7. We've approved a number of these because they're transitional. They're not on St. Mary's or St. Anne's, they're just in, but they're still on the lane

Objections under the Charter:

Total number of **v**alid objections as per section 125(2) – 1

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

Exhibits Filed:

1. Application dated October 21, 2022
2. Notification of Public Hearing dated November 24, 2022
3. Manitoba Status of Title 3197222/1
4. Letter of authorization dated August 30, 2022 from Karmjit Singh Sidhu and Sukhraj Kaur Sidhu to Tajinder Pal Singh
5. Drawing of subject property
6. Petition in support of the application purporting to contain 1 signature, submitted by the applicant
7. Plans (9 pages)
8. Report from the Urban Planning Division dated November 25, 2022
9. Inspection Report
10. Petition in opposition to the application purporting to contain 23 signaturesd, submitted by Jason Pendulak

REPRESENTATIONS:

In Support:

Tajinder Singh

In Opposition:

Angèle Abraham
Cris Ashton
Julia Balik
Lee Diez
Sheena Diez
Sharon Dulmage
Chris Gueret
Jo-Ann Kennett
Bailey Lakusta
Heather Lawrie
Anna Magyar
Frank Magyar
Michelle Major
Jackie Nadeau
Jenny Nadeau
Eric Neufeld
Johannes Oudenaar
Jason Pendulak
Jennifer Queau
Steve Queau
Corey Sabourin
Eric Singer
Cathy Topp
Ashly Wade

For Information:

Nil

For the City:

E. Finnigan, Planner, Planning, Property and Development Department
D. Iskierski, Planner, Planning, Property and Development Department
S. Jerez, Planner, Planning, Property and Development Department
D. Trenchard, Land Development Engineer, Planning, Property and Development Department

Exhibit “9” referred to in File DASZ 51/2022

ADMINISTRATIVE REPORT

Title: DASZ 51/2022 – 73 Inman Avenue

Issue: An application for consideration at the public hearing to subdivide and rezone from ‘R1-M’ Residential Single-Family Medium District to ‘RMF-S’ Residential Multi-Family Small District for the construction of a three-unit multi-family residential building.

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
D. Iskierski, MCP	J. Kiernan	N/A	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 51/2022 be approved for preparation as a plan of subdivision (the “Plan”) by a Manitoba Land Surveyor in accordance with the map dated November 25, 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, subject to the following conditions:

    A. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated December 6, 2022 and attached as Schedule “B” to this report.

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

    C. That authority be delegated to the City’s Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Servicing 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.

2. That, the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land to an “RMF-S” Residential Multi-Family (Small) District, as shown on the map dated November 25, 2022 and included within Schedule “A”.

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 51/2022, 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 Servicing Agreement is fully executed and 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 plan is registered in the Winnipeg Land Titles Office.

9. 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 recommendations 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.

10. 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.

11. 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 is proposing to subdivide a small portion of the property as requested by Public Works to expand the laneway and to rezone from ‘R1-M’ Residential Single-Family Medium District to ‘RMF-S’ Residential Multi-Family Small District for the construction of a three-unit residential multi-family building.

- Subdivisions and rezonings 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 subject site will be subdivided and rezoned consistent with the map provided in Schedule "A" of this report.

CONSULTATION

N/A

OURWINNIPEG POLICY ALIGNMENT

OurWinnipeg Goal: City Building

Objective 1: Responsibly plan, prioritize and accommodate growth in areas that best support *Complete Communities* principles, to achieve this Plan's sustainable development goals.

- Facilitate growth and change strategically within Winnipeg's unique Transformative Areas and Established Neighbourhoods, to enhance the ability of the urban environment to contribute towards this Plan's goals.

Objective 2: Integrate resilient land use, transportation and infrastructure planning, and investments.

- Ensure that land use, transportation, and infrastructure planning are aligned to provide the conditions for compact, complete and connected communities, supported by sustainable transportation options and municipal infrastructure capacity.

Objective 3: Facilitate development opportunities that complete established communities, and plan new communities as complete and connected from the outset.

- New and existing communities are complete when they demonstrate: universally designed environments; mixed-income neighbourhoods; a continuum of housing types; multi-modal connections within and to elsewhere in the city; heritage conservation; opportunities for physical activity, social interaction, and access to health, food, daily needs, employment, education, recreation, and green infrastructure.

Applicable Policies for Mature Communities

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*.

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 and Design
Prepared by:	Dan Iskierski, MCP
Date:	November 25, 2022
File No.	DASZ 51/2022

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Appendix B — Proposed By-law
3. Schedule “A” — Recommended File No. DASZ 51/2022 Riel Community Committee, dated November 25, 2022
4. Schedule “B” — Report of the Administrative Working Group – December 6, 2022
5. Appendix C — Arborist Report

APPENDIX 'A'

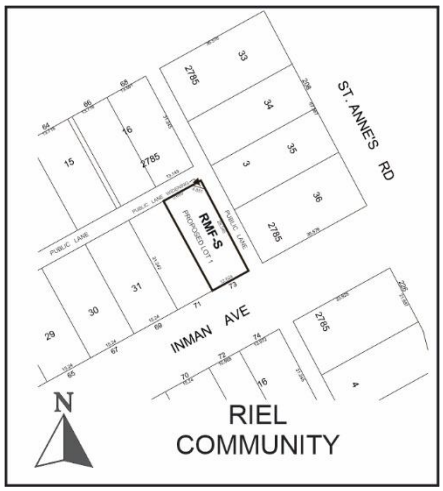
DATE: November 25, 2022

FILE: **DASZ 51/2022**
RELATED FILES: DAV 22-211918\D

COMMUNITY: Riel Committee
NEIGHBOURHOOD #: 5.516 – Varennes

SUBJECT: An application to subdivide and rezone to 'RMF-S' (Residential Multi-Family Small) for the construction of a three-unit residential multi-family building.

LOCATION: 73 Inman Avenue (see map below)



APPLICANT: Tajinder Pal Singh
1035 Kelsey Ave
Winnipeg, MB R3T 1R8

OWNER: Karmjit Sidhu
7 Pekary Pl
Winnipeg, MB R2K 4H4

RECOMMENDATION: Approval with Conditions

SITE DESCRIPTION

- The subject property is located on the north side of Inman Avenue in the Varennes neighbourhood of the St Vital ward.
- The subject site is 4320 square feet (401.34 square metres) in area. The site is currently occupied by a one-storey house built in 1924.
- Under the *Complete Communities Direction Strategy 2.0*, the site is within the Established Neighbourhoods - Mature Communities policy area. The property is zoned 'R1-M' Residential Single-Family Medium district.

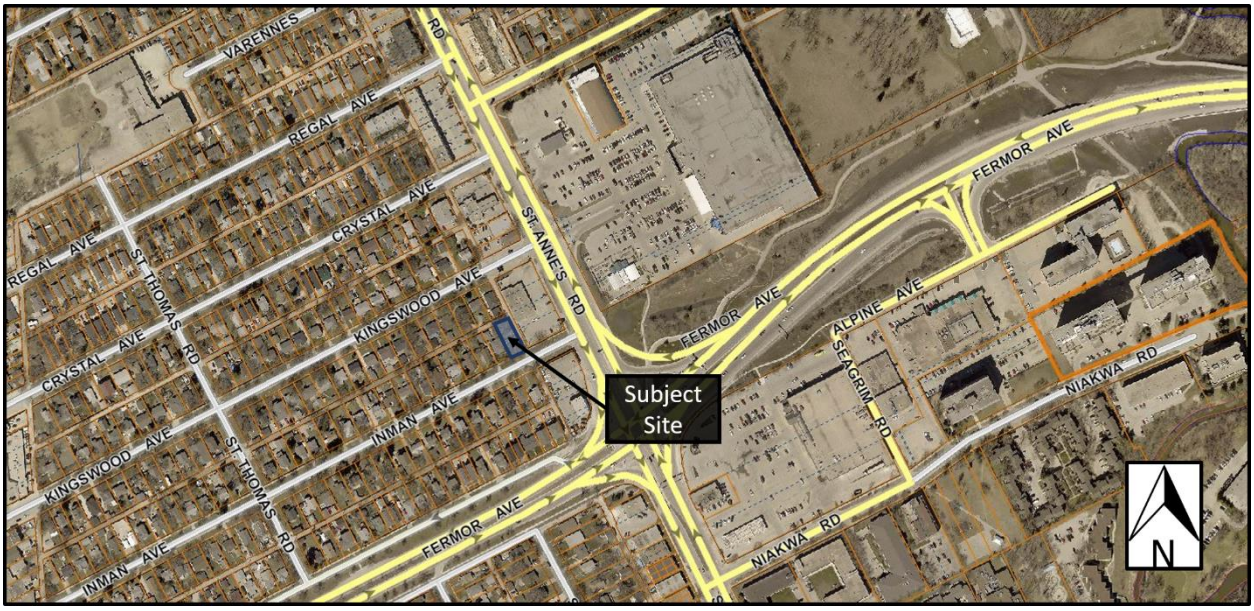


Figure 1: Aerial photo of subject site and surrounding area *(flown 2021).*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Laneway then detached single-family dwelling zoned "R1-M" Residential Single-Family Medium District.

South: Inman Avenue then detached single-family dwelling zoned "R1-M" Residential Single-Family Medium District.

East: Laneway then land zoned "C2" Commercial Community District.

West: Detached single-family dwelling zoned "R1-M" Residential Single-Family Medium District.

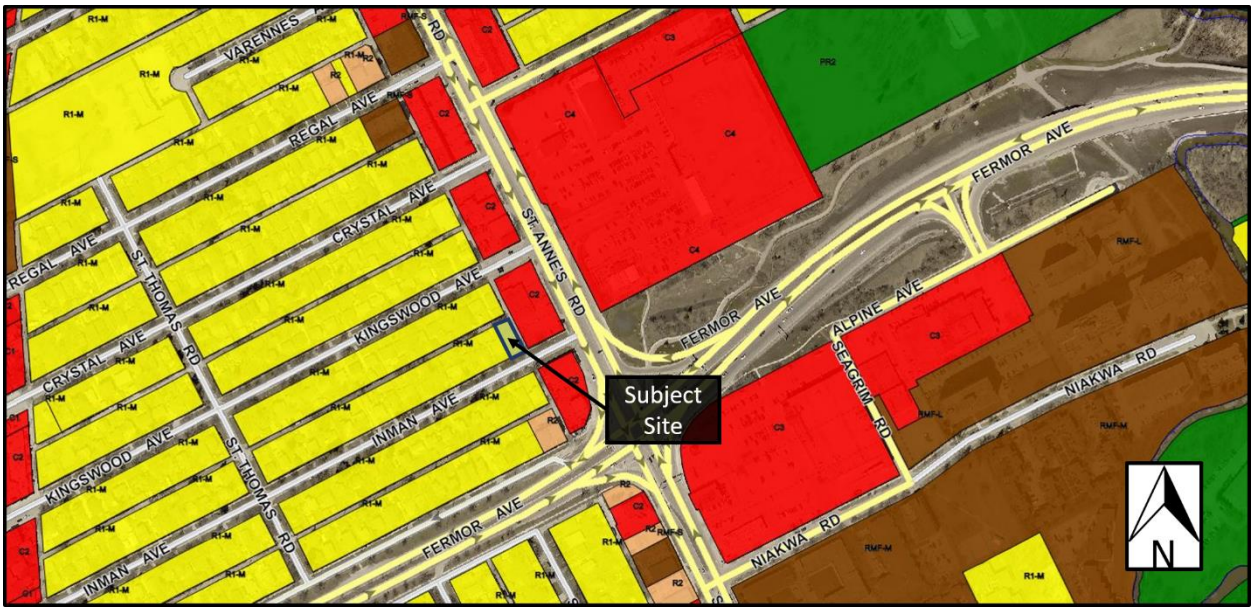


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to construct a multi-family building with three (3) residential units.
- The building being proposed is two storeys in height with entrances on the front façade facing Inman Avenue and along the east façade in the corner side yard and along the rear façade in the rear yard.
- The building footprint is 22 feet (6.71 metres) wide by 39 feet (11.89 metres) in length which represents a lot area coverage of 25.1% with soft landscaping covering 40% of the lot area.
- A total of three (3) parking stalls will be provided behind the building.
- Of the three (3) parking stalls, one (1) is designated as an accessible parking stall.
- Vehicular access to the property is proposed by way of the existing rear laneway accessed from Inman Avenue or Kingswood Avenue to the north.
- Garbage is located in an enclosure adjacent the parking area and rear laneway.
- A site plan, landscaping plan, floor plans, elevations and renderings have been provided.
- The proposed development requires variances to reduce the minimum lot area and parking requirements of the *Winnipeg Zoning Bylaw* (see associated Variance application and planner's report for DAV 22-211918D).

COLLABORATIVE PLANNING and CONSULTATION

With the Urban Planning and Design Division

The applicant engaged the Urban Planning and Design Division for preliminary discussions prior to making a formal application and revised the site plan and elevation drawings as per the recommendations of the Urban Planning and Design Division to align the proposed development with the newly adopted *Small Scale and Low-Rise Residential Development Guidelines for Mature Communities.*

With the Public

The applicant included one letter of support in their application. The resident that supported the proposal is the neighbour directly across the street.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The *Complete Communities Direction Strategy 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.
- As part of *Complete Communities Direction Strategy 2.0*, the City has an intensification target under Section B1. General Growth Goal 2 - Policy 2.1 states that a minimum of 50% of all new dwelling units be accommodated in the intensification target area of the city of which this property is located within.
- The subject property is located in an Established Neighbourhood designated as a "Mature Community" as outlined in *Complete Communities Direction Strategy 2.0.*
- The Vision for Established Neighbourhoods is for them to continue to evolve as complete communities to increase the diversity of housing choices, improve housing affordability, and more efficiently use land, infrastructure and services.
- Goal 1 states "encourage compatible residential development within Established Neighbourhoods to build more *Complete Communities* and align with the City's residential intensification target.
- General policies for Established Neighbourhoods that relate to the subject proposal are as follows:

  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.

  1.6 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;

  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.

1.9 Small-scale residential uses other than single-family residential may be accommodated

2 *Complete Communities Direction Strategy 2.0* states Mature Communities "present some of the best opportunities to accommodate infill development, to increase housing choice and to maximize the use of existing infrastructure."

3 Goal 2 states "design new development in Established Neighbourhoods to a high standard of urban design and construction to ensure new development adds value to public and private urban spaces to create a sense of place and civic pride." More specifically, policies that relate to the subject proposal are as follows:

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.

2.4 Encourage the use of high-quality, energy efficient, and durable exterior building façade materials.

2.5 Encourage a variety of architectural styles.

2.6 Encourage building design to include a range of architectural features that create visual interest and positively contribute to the aesthetics of the street and neighbourhood.

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.

2.12 New developments should respect and complement the existing character of the built form of surrounding properties.

2.14 Avoid buildings that create long blank walls facing public streets.

2.15 Encourage the use of architectural features to articulate building walls in order to mitigate the impact of new building mass.

2.16 For properties with public lane access, vehicular access should be taken from the public lane in order to:

a. Reduce potential conflict between pedestrians using sidewalks and motor vehicles crossing the public right-of-way to access private property;

b. Preserve green space and protect existing trees that can be impacted by the establishment of front approaches and corresponding private driveways; and

c. Prevent fragmentation of the public boulevard in order to better accommodate on-street motor vehicle parking and public snow clearing.

2.17 Locate commercial, mixed-use, or multiple family residential parking underground or behind buildings in order to create a more pedestrian-oriented built form. Active uses should be located at grade when these buildings face public streets.

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.

2.22 Create or reinforce compact, pedestrian-oriented urban development patterns by ensuring the siting, form and scale of new development has a strong relationship to the street, public spaces and amenities in a way that is consistent with neighbourhood context.

4 Goal 3 states "ensure all communities provide a diversity of housing options and meet resident life-cycle housing needs." More specifically, policies that relate to the subject proposal are as follows:

3.1 Encourage a variety of housing types and tenures within Established Neighbourhoods to meet life-cycle housing needs and affordability ranges.

3.2 Encourage a mix of types, tenures and unit sizes within residential developments. Make provisions for unit sizes that can accommodate varying family sizes and multi-generational households.

3.6 Encourage new developments that incorporates housing types that enable "aging in place" in Established Neighbourhoods.

The subject proposal aligns with the above applicable policies for Mature Communities for the following reasons:

- The development will help achieve residential intensification targets;
- The development will positively contribute to the surrounding neighbourhood by providing additional housing options;
- The proposed development will better utilize existing infrastructure including the street network, active transportation paths to the east, water and wastewater service capacity and city services such as library, recreation and education;
- The proposed density is compatible with the surrounding context of this section of Inman Avenue in that it is only a slight increase from the adjacent detached single-family dwellings;
- The subject property is a transitional lot at the eastern end of this block of Inman Avenue where commercial businesses along St. Anne's Road are adjacent to the property across the laneway; and

- The proposed design meets the design policies mentioned above. Namely, the building is oriented to the street, has a height and scale similar to surrounding buildings, uses a variety of building materials, adds to the architectural interest of the area, includes features such as porches and balconies that increase activity along the street edge, and takes vehicular access from the rear laneway.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

- Currently, the land is zoned "R1-M" Residential Single-Family Medium District. The Residential Single-Family district is intended to accommodate primarily single-family residential development in lower-density areas.
- The applicant is proposing to rezone the property to "RMF-S" – Residential Multi-Family Small to permit a lot area per dwelling unit of 1440 square feet (133.78 square metres) which is required for the three-unit multi-family residential building. The dimensional standards for multi-family structures in the "RMF-S" zone are: a minimum front yard of 20 feet; a minimum rear yard of 25 feet; a minimum interior side yard of 4 feet, a minimum corner side yard of 5 feet and, a maximum building height of 35 feet. The minimum lot area is 9000 square feet (836.13 square metres) and the minimum lot area per dwelling unit is 1250 square feet (116.13 square metres).

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

- The *Small Scale and Low-Rise Residential Development Guidelines for Mature Communities (Infill Guidelines)* were adopted by Council on June 24, 2021.
- The subject application was submitted to the Urban Planning Division after the adoption of the *Infill Guidelines* therefore the *Infill Guidelines* apply.
- The proposed development meets the Preferred Location Criteria for Triplexes and all of the applicable site design guidelines including front, rear and side yard setbacks, lot coverage and landscaping.
- The proposed development meets all of the applicable building design guidelines including building height, roof pitches, façade materials and architectural features, main floor height, entrances, projections into setbacks, privacy and utilities servicing and mechanical.
- The only *Design Guidelines* that the proposed development does not meet from the *Infill Guidelines* is to design for accessible suites and that the design of the building takes cues from surrounding architectural features.
    - Please note that the language in the *Infill Guidelines* used is 'encouraged' therefore this is not a requirement.

CONSISTENCY WITH OURWINNIPEG 2045 AND THE COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0 AND COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The proposed multi-family residential development will be a moderate change from the existing detached single-family uses and will provide a subtle change to multi-family use on a corner property where commercial uses exist just across the laneway.
- The proposed development is consistent with the objectives and policies directing development under Established Neighbourhood – Mature Communities of the *Complete Communities Direction Strategy 2.0*. More specifically:

- The proposal to construct a three-unit multi-family residential building with a lot area per dwelling unit of 1440 square feet (133.78 square metres) aligns with the objectives of the Established Neighbourhood – Mature Communities policy area as noted above. Specifically, introducing multi-family housing at this location contributes to the range of housing options available to residents and maximizes existing infrastructure. The additional density will help introduce more people to utilize existing community amenities in the neighbourhood such as libraries, schools, recreational facilities and park space.
- The applicant has worked closely with the Urban Planning and Design Division to develop a proposal that is complementary to the existing scale, character and built form of the area. More specifically, the building and site design encompass the following considerations:
    - The building has a similar front yard setback with the single-family housing to the west with attractive landscaping and front entrances which helps to support a more pedestrian-oriented, active street edge along Inman Avenue;
    - There is one parking stall provided for each individual unit at the rear of the property with one being designated as accessible; and
    - The building incorporates a high-quality façade design with varying articulations, a combination of cladding materials which helps to break-up the massing of the building and enhance the overall look of the street edge along Inman Avenue.
- The proposed development also meets sustainable development objectives by minimizing the spatial use of land.

RECOMMENDED SERVICING AGREEMENT

- Per the report of the Administrative Coordination Group (Schedule "B" of this report), conditions in the servicing agreement include a requirement that the northeast corner of the applicant's property be open as right-of-way in order to widen the public lane to improve the turning radius for vehicles.

LAND DEDICATION

- *As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes or an equivalent amount as a cash dedication (cash in lieu).*
- *The amount of land is not less than 10%.*
- *In this instance, the Public Service is recommending the developer provide 'cash in lieu' as determined by the Planning, Property and Development Department.*

RECOMMENDATION

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

- The proposed development is consistent with the policies of *OurWinnipeg 2045* and the *Complete Communities Direction Strategy 2.0*;
- The proposal is consistent with the policies guiding development in Established Neighbourhoods – Mature Communities in the *Complete Communities Direction Strategy 2.0* by increase housing choice, options for aging in place, and maximizing the use of existing infrastructure while supporting low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form; and
- The proposal is designed with a high degree of quality and enhances the overall look of the street edge along Inman Avenue.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning and Design Division
Report Prepared By: Dan Iskierski, MCP
PPD File # DASZ 51/2022

Schedule "A" for File No. DASZ 51/2022, Riel Community Committee, dated November 25, 2022

By–Law No. _____

File No. **DASZ 51/2022**

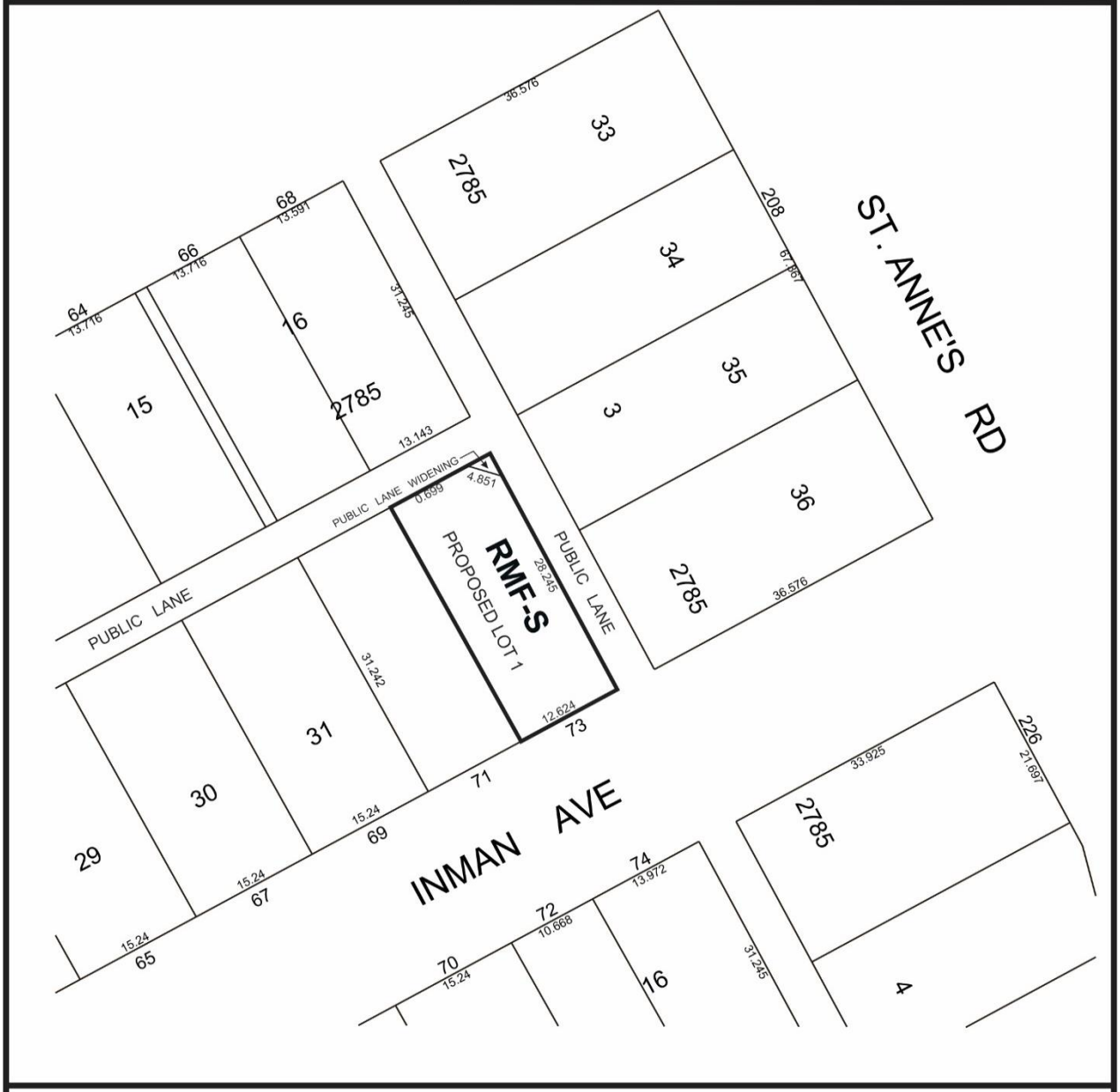
Atlas Sheet No. **AE27**

RIEL COMMUNITY

N

Explanation

An application for the approval of the plan of subdivision shownoutlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 73 Inman Avenue from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to allow the establishment of a Multi-Family Dwelling use and to facilitate a road opening.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 73 INMAN AVENUE

It is recommended that approval of DASZ 51/2022, if granted, be subject to the applicant entering into a Servicing Agreement containing the following conditions:

Section I – Plan Considerations

1) The Developer shall, at no expense to the City, legally open property required for a 3.0m x 3.0m corner cut where two Public Lanes intersect, as determined by and to the satisfaction of the Director of Public Works.

Section II - Servicing Conditions

1) Land Drainage Sewers

   a) The Developer shall, at no expense to the City, extend the land drainage system as required to service the Planned Area and adjacent lands, as determined by and to the satisfaction of the Director of Water and Waste.

2) Construction Traffic

   a) The Developer shall ensure that construction traffic uses access routes as determined by the Director of Public Works.

   b) The Developer shall maintain, at no expense to the City, the access routes in a clean, dust free and safe condition, free of dropped and tracked-on mud, and shall undertake regular scraping and sweeping of streets until building construction, including landscaping is complete, all as determined by and to the satisfaction of the Director of Public Works.

3) Utilities

   a) The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the Planned Area and will pay the full cost to convert any existing overhead services within the Planned Area to underground to the satisfaction of the Director of Public Works.

   b) The Developer shall pay all costs associated with the relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to be constructed by the Developer to serve the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

4) Litter and Refuse Control and Clean-Up

a) The Developer shall, at no expense to the City, and of its own volition, initiate and control the regular cleanup of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction, as determined by and to the satisfaction of the Director of Public Works.

b) The cleanup of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

5) Survey Monuments

a) Subsequent to completion of the Planned Area, as determined by the Director of Planning, Property and Development, the Developer shall pay the full costs of having all survey monuments within the Planned Area verified and/or restored by a Manitoba Land Surveyor and shall prepare a Plan of Survey Perpetuating Certain Monuments, confirming the position of all the survey monumentation within the Planned Area, for filing in The Property Registry.

b) In certain circumstances where all the survey monuments within the Planned Area have been found or restored to their original positions, upon approval by the Director of Planning, Property and Development, the requirements for Plan of Survey Perpetuating Certain Monuments may be waived.

Section III – Costs and Fees

1) By-laws and Approvals

The Developer shall pay all of its and the City's costs, fees, and expenses associated with the preparation and attainment of approval for registration of the Zoning By-law(s) and plan(s) of subdivision, including all Municipal Board, Land Titles Office and other fees and expenses, all survey, engineering and advertising fees and costs, and all expenses incidental to the preparation of this Agreement and the physical development of the Planned Area.

2) Professional Fees

a) The Developer shall pay the full cost of all design services, including preliminary engineering studies, servicing reports, servicing criteria, construction drawings and specifications, and grading and landscaping plans and specifications, to be provided by Consulting Engineer(s) approved by the City, for the design of the municipal services, parklands, parkways and associated works required to serve the Planned Area;

b) The Developer shall pay the full cost of construction and landscaping supervision services provided by or on behalf of the City for field inspection, preparation of progress estimates, provision of as-built drawings by March 31 of the year following substantial performance of the work, and all other engineering consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

3) Administration Fees

The Developer shall pay to the City, prior to the release of the agreements for registration in the Land Titles Office, an administration fee plus applicable GST to help defray the City's administration and related costs associated with the preparation and implementation of the Servicing Agreement.

THIS REPORT SUBMITTED BY:

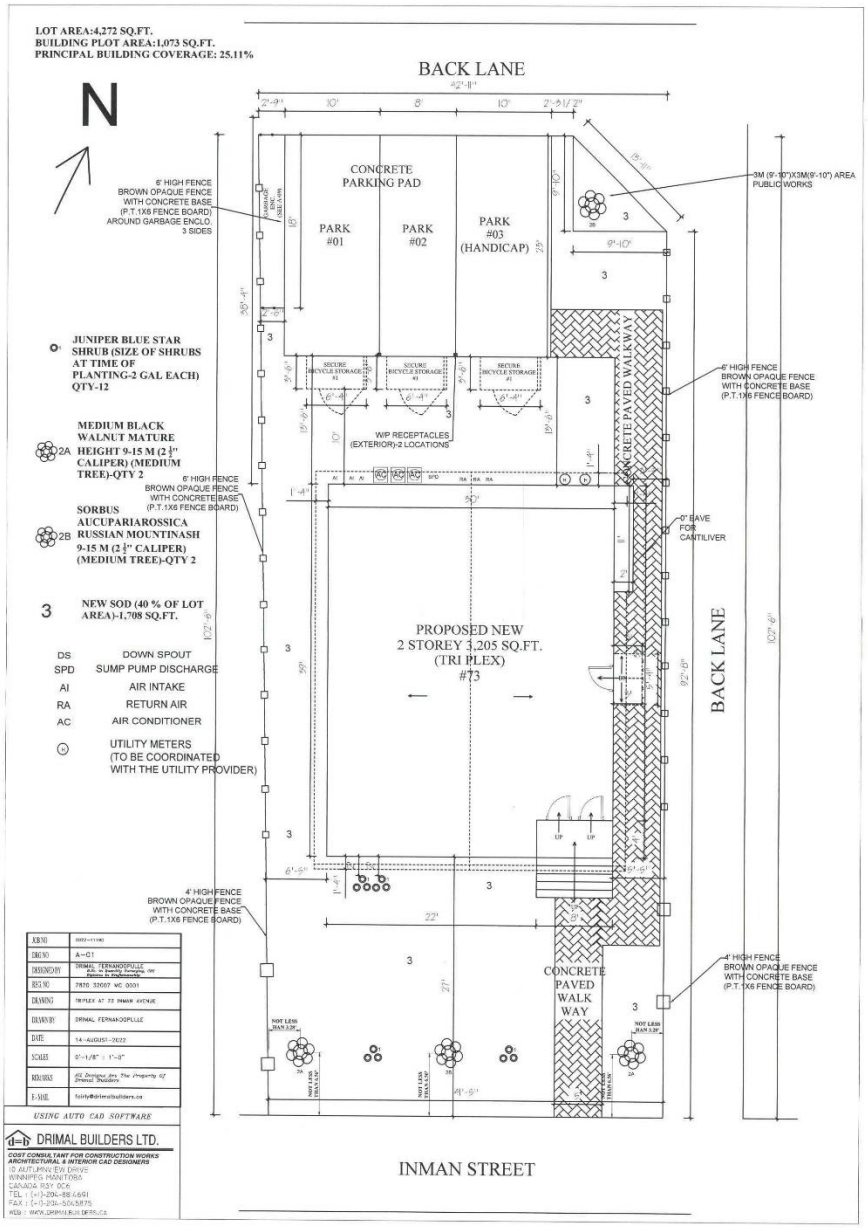
Administrative Co-ordinating Group
File No. DASZ 51/2022
December 6, 2022

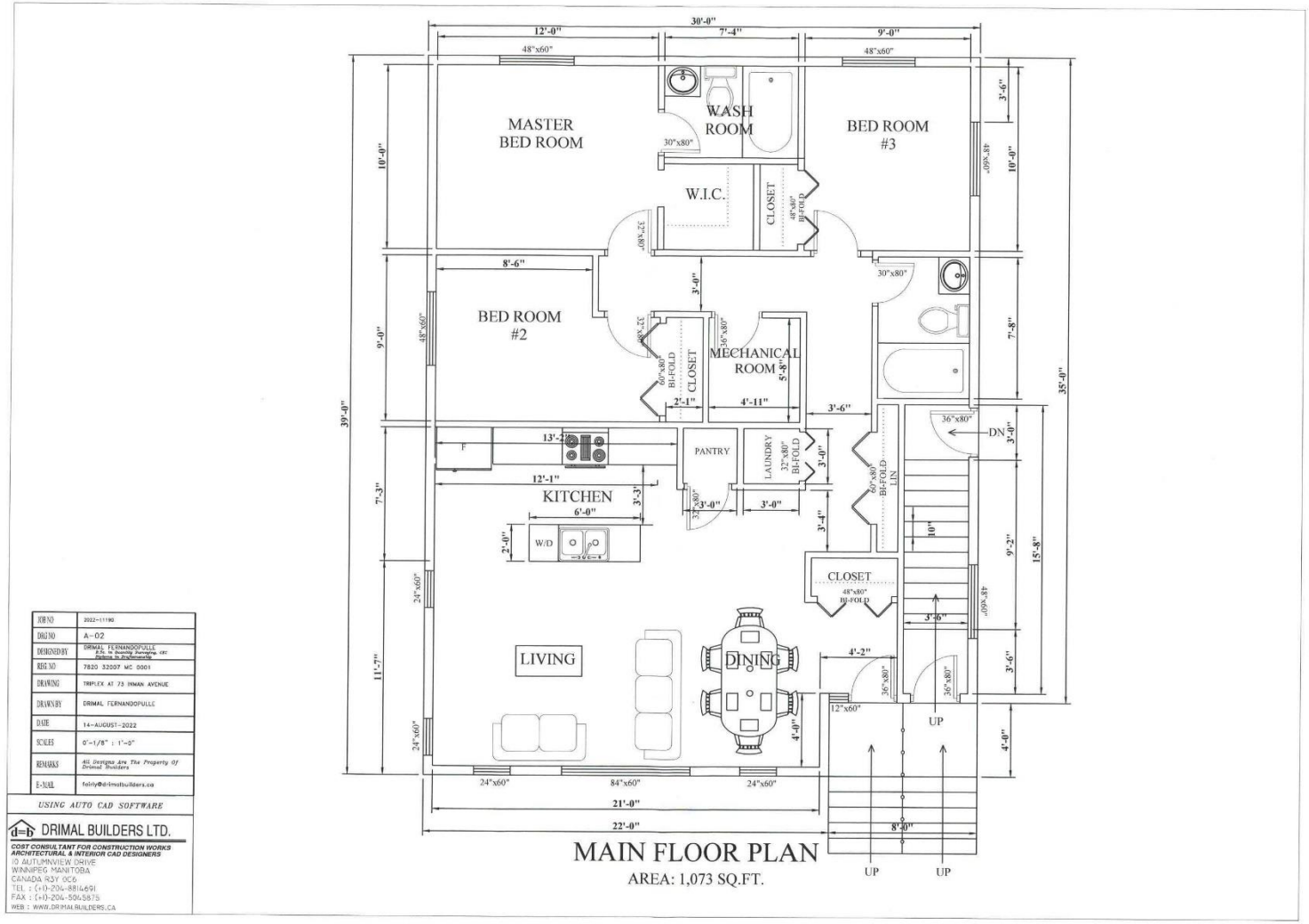
"*Original Signed by D. Trenchard"*
D. Trenchard, P. Eng.
Land Development Branch
Planning, Property and Development Department

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

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

Exhibit “8” referred to in File DASZ 51/2022





MAIN FLOOR PLAN

AREA: 1,073 SQ.FT.

JOB NO	2022-11190
DRG NO	A-02
DESIGNED BY	DRIMAL FERNANDOPULLE B.Sc. in Quantity Surveying, CEC Diploma in Civil Technology
REG NO	7820 32007 MC 0001
DRAWING	TRIPLEX AT 73 INMAN AVENUE
DRAWN BY	DRIMAL FERNANDOPULLE
DATE	14-AUGUST-2022
SCALES	0"-1/8" : 1'-0"
REMARKS	All Designs Are The Property Of Drimal Builders
E-MAIL	falnly@drimalbuilders.ca

USING AUTO CAD SOFTWARE

DRIMAL BUILDERS LTD.

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ARCHITECTURAL & INTERIOR CAD DESIGNERS

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WINNIPEG MANITOBA
CANADA R3Y 0C6
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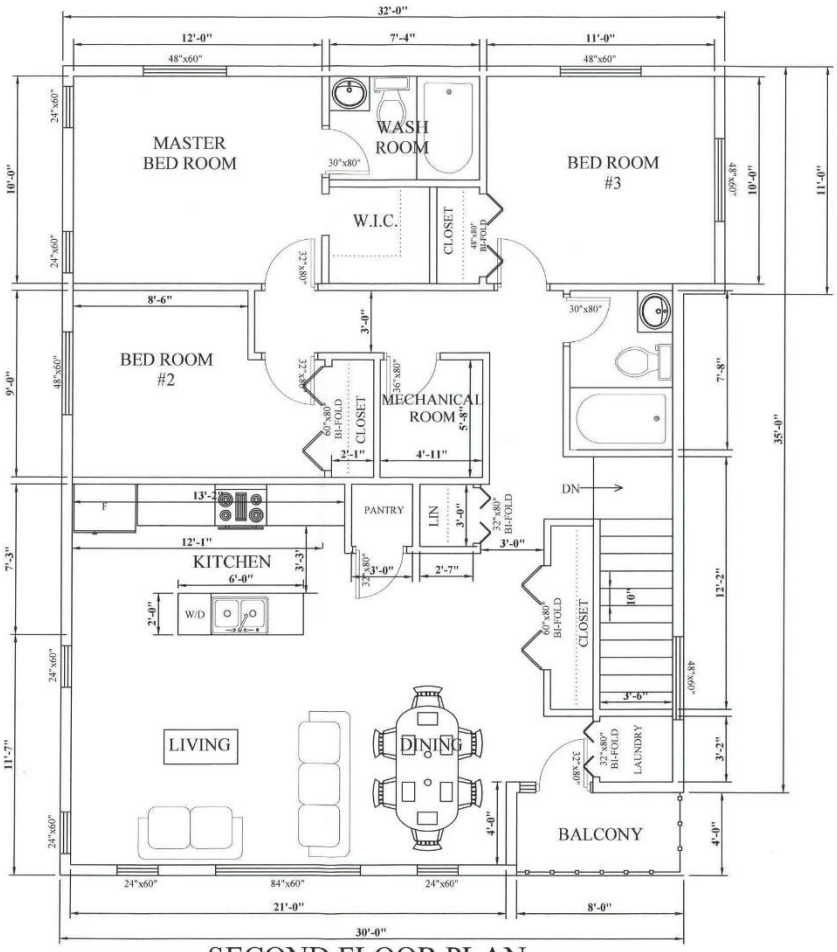
FAX : (+1)-204-5065875
WEB : WWW.DRIMALBUILDERS.CA



SECOND FLOOR PLAN

AREA:1,260 SQ.FT.

JOB NO	2022-11180
DRG NO	A-03
DESIGNED BY	DRIMAL FERNANDOPULLE
REG NO	7820 32007 MC 0001
DRAWING	TRIPLEX AT 73 INNAN AVENUE
DRAWN BY	DRIMAL FERNANDOPULLE
DATE	14-AUGUST-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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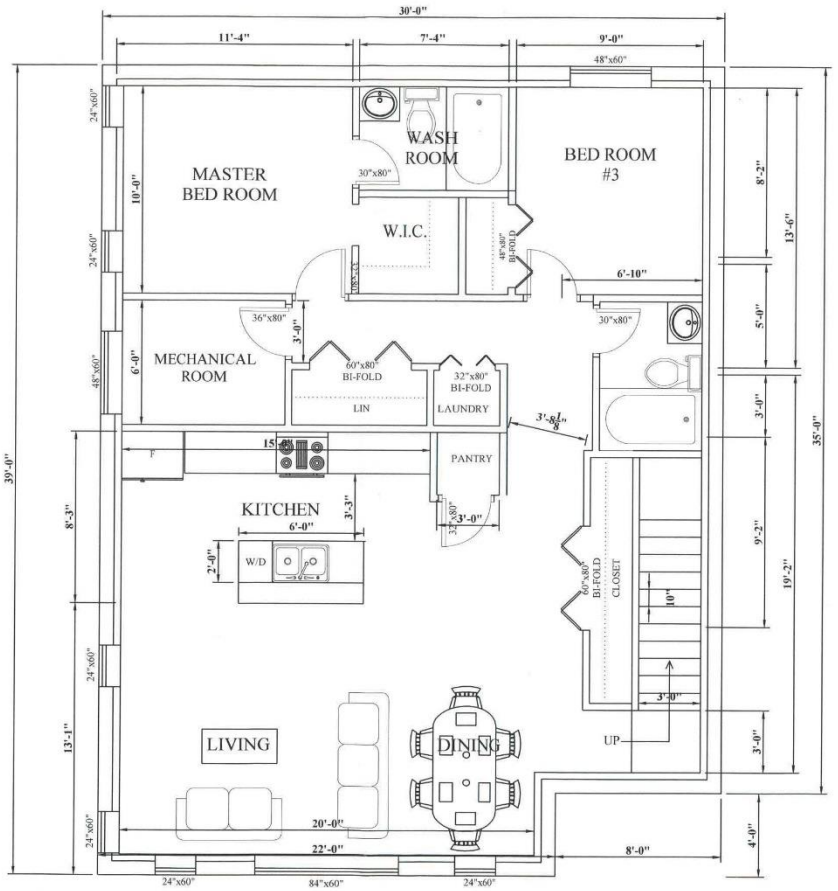

BASEMENT PLAN

AREA:1,138 SQ.FT.

JOB NO	2022-11190
DRG NO	A-04
DESIGNED BY	DRIMAL FERNANDOPULLE B.Sc. in Building Surveying, CEI Diploma in Engineering
REG. NO	7820 32007 MC 0001
DRAWING	TRIPLEX AT 73 HINAN AVENUE
DRAWN BY	DRIMAL FERNANDOPULLE
DATE	14-AUGUST-2022
SCALES	0"-1/8" : 1'-0"
REMARKS	All Designs Are The Property Of Drimal Builders
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FAX : (+1)-204-5065875
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SOUTH ELEVATION

JOB NO	2022-11190
DRG NO	A-05
DESIGNED BY	DRIMAL FERNANDOPULLE B.Sc. in Building Surveying, 1st Diploma in Engineering
REG NO	7820 32007 MC 0001
DRAWING	TRIPLEX AT 73 INNAN AVENUE
DRAWN BY	DRIMAL FERNANDOPULLE
DATE	14-AUGUST-2022
SCALES	0"-1/8" = 1'-0"
REMARKS	All Designs Are The Property Of Drimal Builders
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FAX : (+0-204-5045875
WEB : WWW.DRIMALBUILDERS.CA

FRONT AREA: 816 SQ.FT.
HARDIE BOARDS: 311 SQ.FT.-33%
ALUMINUM CLADDING: 158 SQ.FT.-24%
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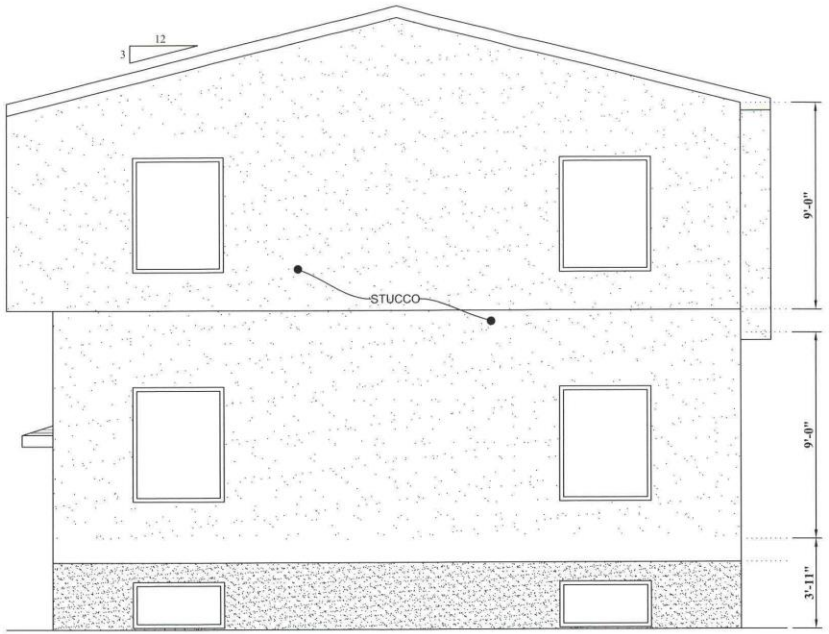

NORTH ELEVATION

JOB NO	2022-11190
DRG NO	A-06
DESIGNED BY	DRIMAL FERNANDOPULLE B.Sc. in Building Surveying, CIV Diploma in Professionality
REG. NO	7820 32007 MC 0001
DRAWING	TRIPLEX AT 73 INMAN AVENUE
DRAWN BY	DRIMAL FERNANDOPULLE
DATE	14-AUGUST-2022
SCALES	0'-1/8" = 1'-0"
REMARKS	All Designs Are The Property Of Drimal Builders
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FAX : (+1)-204-5045875
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EAST ELEVATION

JOB NO	2022-11190
DRG NO	A-07
DESIGNED BY	DRIMAL FERNANDOPULLE
REG NO	7820 32007 MC 0001
DRAWING	TRIPLEX AT 73 RIMAN AVENUE
DRAWN BY	DRIMAL FERNANDOPULLE
DATE	14-AUGUST-2022
SCALES	0'-1/8" = 1'-0"
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FRONT AREA: 784 SQ.FT.
HARDIE BOARDS: 258 SQ.FT.-33%
ACRYLIC STUCCO: 300 SQ.FT. - 38%
BRICK:102 SQ.FT. - 13%
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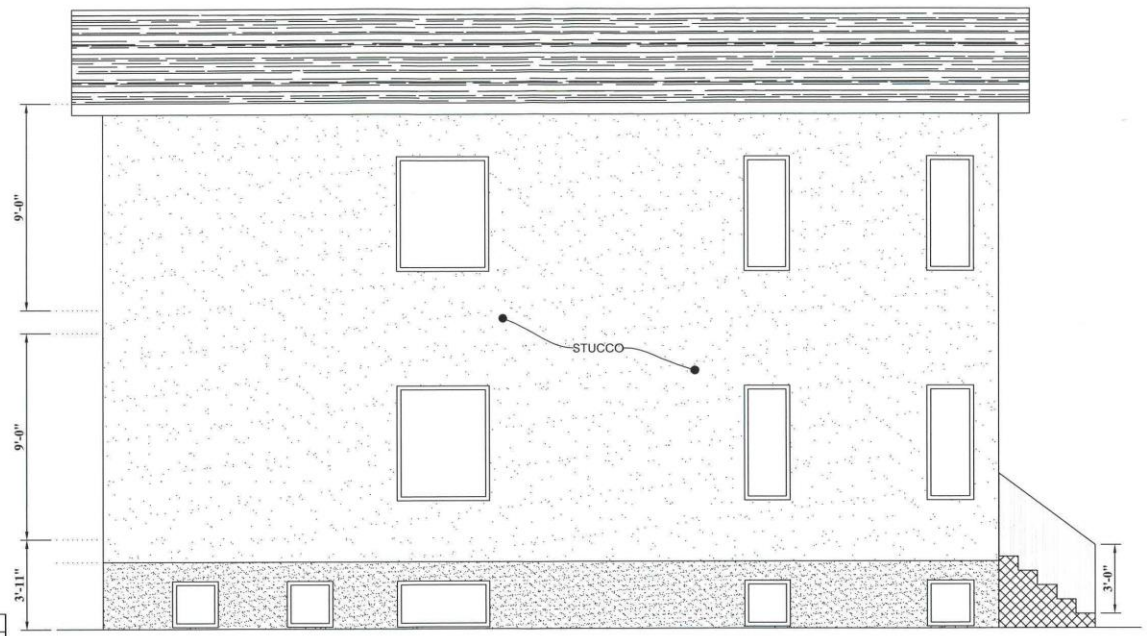

WEST ELEVATION

JOB NO	2022-11190
DRG NO	A-08
DESIGNED BY	DRIMAL FERNANDOPULLE B.Sc. in Bearing Surveying, (R) Diploma in Engineering
REG. NO	7820 32007 MC 0001
DRAWING	TRIPLEX AT 73 INMAN AVENUE
DRAWN BY	DRIMAL FERNANDOPULLE
DATE	14-AUGUST-2022
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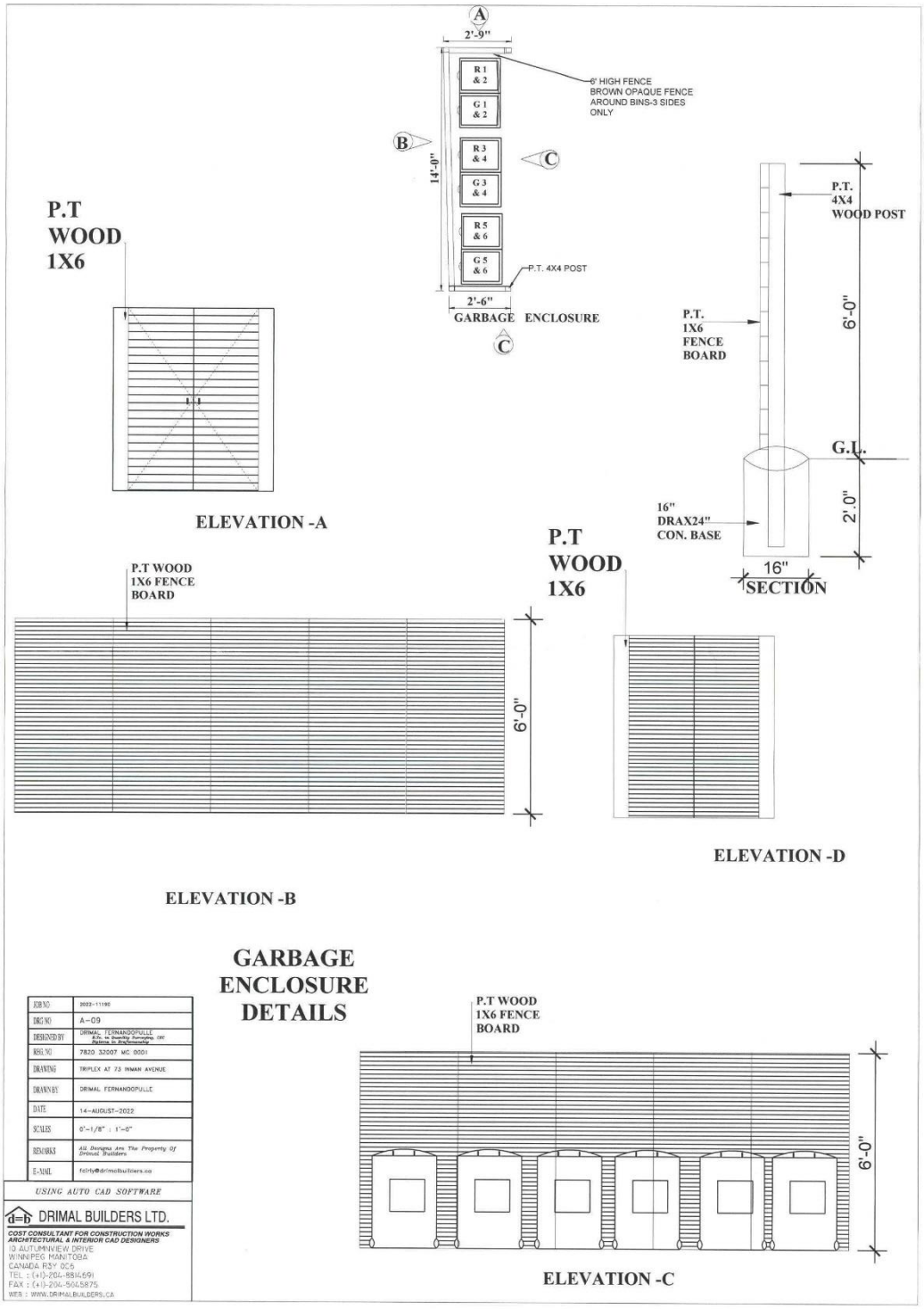
A
2'-9"
R 1 & 2
G 1 & 2
R 3 & 4
G 3 & 4
R 5 & 6
G 5 & 6
6' HIGH FENCE
BROWN OPAQUE FENCE
AROUND BINS-3 SIDES
ONLY
B
C
14'-0"
P.T. 4X4 POST
2'-6"
GARBAGE ENCLOSURE
C
P.T
WOOD
1X6
ELEVATION -A
P.T.
4X4
WOOD POST
P.T.
1X6
FENCE
BOARD
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G.L.
2'.0"
16"
DRAX24"
CON. BASE
16"
SECTION
P.T WOOD
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BOARD
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P.T
WOOD
1X6
ELEVATION -D
GARBAGE
ENCLOSURE
DETAILS
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BOARD
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ELEVATION -C
JOB NO 2022-11190
DRG NO A-09
DESIGNED BY DRIMAL FERNANDOPULLE
REG. NO 7820 32007 MC 0001
DRAWING TRIPLEX AT 73 INMAN AVENUE
DRAWN BY DRIMAL FERNANDOPULLE
DATE 14-AUGUST-2022
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