Minute No. 247
Report – Standing Policy Committee on Property and Development – February 2, 2023

Item No. 16 Subdivision and Rezoning – 220 Helmsdale Avenue and 755 Henderson Highway (Elmwood-East Kildonan Ward) File DASZ 44/2022 [c/r DAC 2/2022 and DAV 189016/2022D]

COUNCIL DECISION:

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

1. That the application for subdivision and rezoning under File DASZ 44/2022 [c/r DAC 2/2022 and DAV 189016/2022D], be rejected for the following reasons:

    A. Closing the subject rear lane to enable expansion of a larger scale commercial use and its associated parking area into an Established Neighbourhood does not demonstrate contextually sensitive development given the residential character of this block of Helmsdale Avenue.

    B. The proposed closure of a public lane and subsequent expansion of a "C2" Commercial Community development into the Established Neighbourhood to accommodate surface parking in a residential context does not represent compatible growth as outlined in OurWinnipeg 2045 policy.

    C. The proposed development is seeking to close the public rear lane, which enables access to 755 Henderson Hwy. in the preferred manner for corridor fronting development. Closing a portion of the public lane would preclude long term redevelopment opportunities from having rear lane access and developing in the preferred fashion, which is contrary to Complete Communities 2.0 policy that seeks to minimize impacts of vehicular access and parking on the pedestrian environment by having vehicular access off of existing lanes.

    D. The proposed closure reduces permeability of the established grid, which is contrary to Complete Communities 2.0 policy that seeks to maintain the established street and sidewalk grid.

    E. The proposed expansion of the "C2" Zoning District would result in increased impact of this Henderson Hwy. oriented commercial development on the established residential uses on Helmsdale, which is inconsistent with the objectives of the Henderson Hwy Corridor Action Area Plan.

Report – Standing Policy Committee on Property and Development – February 2, 2023

COUNCIL DECISION (continued):

F. The applicant advised at the public hearing that they are amenable to keeping the public lane open for public access and therefore there is no need to close and sell the public lane as proposed in the application.

2. 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 – February 2, 2023

DECISION MAKING HISTORY:

Moved by Councillor Rollins,
That the recommendation of the Standing Policy Committee on Property and Development be adopted.

In amendment,
Moved by Councillor Rollins,
Seconded by Councillor Schreyer,

WHEREAS the Province of Manitoba recently amended the City of Winnipeg Charter and implemented a number of changes related to Planning and Development;

AND WHEREAS one of the aforementioned amendments to the City of Winnipeg Charter was to add the following:

> Reasons for rejection
> 281(2) Council must provide written reasons if council rejects a by-law under clause (1)(b).

AND WHEREAS the recommendation before Council is to reject to the Subdivision and Rezoning application for 220 Helmsdale Avenue and 755 Henderson Highway under file DASZ 44/2022 and in order to comply with the requirements of the Charter, Council must adopt supporting reason this rejection.

THEREFORE BE IT RESOLVED that Recommendation 1 of Item 16 of the Report of the Standing Policy Committee on Property and Development dated February 2, 2023 be amended as follows in order to comply with Section 281(2) of the City of Winnipeg Charter:

- In Recommendation 1, delete the period after "be rejected" and replace with the following:

  "for the following reasons:

  A. Closing the subject rear lane to enable expansion of a larger scale commercial use and its associated parking area into an Established Neighbourhood does not demonstrate contextually sensitive development given the residential character of this block of Helmsdale Avenue.

Report – Standing Policy Committee on Property and Development – February 2, 2023

DECISION MAKING HISTORY (continued):

B. The proposed closure of a public lane and subsequent expansion of a "C2" Commercial Community development into the Established Neighbourhood to accommodate surface parking in a residential context does not represent compatible growth as outlined in OurWinnipeg 2045 policy.

C. The proposed development is seeking to close the public rear lane, which enables access to 755 Henderson Hwy. in the preferred manner for corridor fronting development. Closing a portion of the public lane would preclude long term redevelopment opportunities from having rear lane access and developing in the preferred fashion, which is contrary to Complete Communities 2.0 policy that seeks to minimize impacts of vehicular access and parking on the pedestrian environment by having vehicular access off of existing lanes.

D. The proposed closure reduces permeability of the established grid, which is contrary to Complete Communities 2.0 policy that seeks to maintain the established street and sidewalk grid.

E. The proposed expansion of the "C2" Zoning District would result in increased impact of this Henderson Hwy. oriented commercial development on the established residential uses on Helmsdale, which is inconsistent with the objectives of the Henderson Hwy Corridor Action Area Plan.

F. The applicant advised at the public hearing that they are amenable to keeping the public lane open for public access and therefore there is no need to close and sell the public lane as proposed in the application.

The motion for the adoption of the amendment was put and declared carried.

His Worship Mayor Gillingham, Councillors Orlikow and Wyatt were absent from the vote on the above motion.

The motion for the adoption of the item, as amended, was put and declared carried.

His Worship Mayor Gillingham, Councillors Orlikow and Wyatt were absent from the vote on the above motion.

Report – Standing Policy Committee on Property and Development – February 2, 2023

DECISION MAKING HISTORY (continued):

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 14, 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 February 2, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE:

On January 25, 2023, due to a tie vote, the East Kildonan-Transcona Community Committee submitted the matter to the Standing Policy Committee on Property and Development without recommendation.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 3, 2023, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on January 25, 2023 at 10:30 a.m. in the Council Building at 510 Main Street.

HEARING SUMMARY

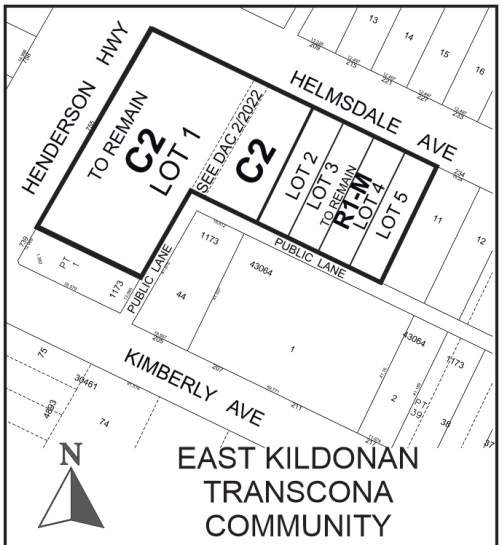
File: DASZ 44/2022

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

Public Hearing: January 25, 2023
January 3, 2023
Council Building, 510 Main Street

Applicant: Landmark Planning & Design Inc. (Brennan Johnson)

Subject:



APPLICANT: Landmark Planning & Design Inc. (Brennan Johnson)
FILE: DASZ 44/2022
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 a portion of the land shown outlined above from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to a "C2" COMMERCIAL COMMUNITY DISTRICT to facilitate the establishment of 4 residential building lots and an accessory parking area to an existing commercial building which will include a portion of the public lane to be closed (DAC 2/2022). **For information, phone Mr. Dylan Harris Planner at (204) 986-7211.**

Premises Affected: 220 Helmsdale Avenue and 755 Henderson Highway

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

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

Report date: January 25, 2023

Community Committee Recommendation:

On January 25, 2023, the East Kildonan-Transcona Community Committee submitted the matter to the Standing Policy Committee on Property and Development without recommendation.

Objections under the Charter:

Total number of **v**alid objections as per section 125(2) – 48

In accordance with section 236.1(1), the threshold for sufficient objection has been met.

Exhibits Filed:

1. Application dated August 23, 2022
2. Notification of Public Hearing dated November 28, 2022
3. Manitoba Status of Titles 2796292/1, 2796294/1, 2796295/1, 2989114/1, 2989116/1, 2989117/1
4. Letter of authorization dated April 12, 2022 from Marlene Spletzer, Henderson Business Centre Ltd., to Landmark Planning & Design
5. Letter of authorization dated April 12, 2022 from Marlene Spletzer, 220 Helmsdale Ltd., to Landmark Planning & Design
6. Plans (5 pages)
7. Report from the Urban Planning Division dated December 21, 2022
8. Inspection Report
9. Presentation/Photos/Documentation dated January 3, 2023, in support of the application submitted by Jeff Pratte
10. Communication dated December 29, 2022, from Gordon Sumka in opposition to the application
11. Communication dated December 30, 2022, from John Fryatt in opposition to the application
12. Communication dated December 30, 2022, from Evar Balodis in opposition to the application
13. Communication dated December 31, 2022, from Gail James in opposition to the application
14. Communication dated January 1, 2023, from Matthew Parkinson in opposition to the application
15. Petition in opposition to the application purporting to contain 38 signatures, submitted by Matthew Parkinson
16. Communication dated January 2, 2023, from Murray Botterill in opposition to the application
17. Communication dated January 2, 2023, from Don Murray in opposition to the application
18. Presentation and Photos in opposition to the application submitted by Robert James at the hearing
19. Recording of Representations of public hearing held on January 3, 2023
20. Notice of Adjournment dated January 10, 2023
21. Communication dated January 18, 2023, from Gilbert Ludwig in support of the application
22. Communication dated January 21, 2023, from Carol Parkinson in opposition to the application

23. Communication dated January 23, 2023, from Hannah Parkinson in opposition to the application
24. Communication dated January 23, 2023, from Gordon Sumka in opposition to the application
25. Presentation dated January 24, 2023, in support of the application submitted by Jeff Pratte
26. Presentation dated January 24, 2023, in opposition to the application submitted by Matthew Parkinson
27. Communication dated January 25 2023, from Brenda and Jack Kwiatkowski in opposition to the application
28. Presentation in opposition to the application submitted by Robert James at the public hearing
29. Presentation in opposition to the application submitted by Matthew Parkinson at the public hearing
30. Recording of Representations

REPRESENTATIONS:

In Support:

Brennan Johnson
Gilbert Ludwig
Jeff Pratte
Rubin Spletzer

In Opposition:

Raegan Ahlbaum
Colleen Aramnchuk
Chris Ausborn
Tricia Ball
Evar Balodis
Wayne Barbeau
Rosalyn Borcha
Murray Botterill
Denise Brown
Sara Carey
Mike Cwiak
Julie Doan
Tessany Evenson
John Fryatt
Ardyn Gray
Clifford Hardy
Eric Hazlehurst
Gail James
Robert James
Kelly Knight
Kirstin Knight
Kevin Komula
Chris Kostynyk
Kevin Kruse
Kim Kruse
Kevin Lotecki
Chris Mapes
Donna Mattern
Matthew Mattern
Julia Melo
Megan Melo
Don Murray
Andrea Myshkowsky
Alice Niskala
Melissa Normand
Ezekwem Obiefuna
Jeff Okrainec
Carol Parkinson
Hannah Parkinson
Matthew Parkinson
Audrey Pinette
Michael Romanow
Brian Scott
Gordon Sumka
Brett Torwart
Riley Webster
Jeff Zink
Nancy Zink
Brenda Kwiatkowski
Jack Kwiatkowski

For Information:

Nil

For the City:

D. Harris, Planner, Planning, Property and Development, Department
D. Trenchard, Land Development Engineer, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 44/2022

ADMINISTRATIVE REPORT

Title: DASZ 44/2022 at 220 Helmsdale Ave. and 755 Henderson Hwy.

Issue: For consideration at the public hearing of a subdivision and rezoning application to rezone a portion of the subject lands, including a public lane to be closed, from an "R1-M" Residential Single-Family Medium district to a "C2" Commercial Community district in order to develop a new accessory parking area for an existing commercial building. The balance of the subject lands are proposed to remain under the "R1-M" district and to be subdivided into four (4) lots for future development of single family dwellings.

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

AUTHORIZATION

Author	Division Head	Department Head	CFO	CAO
Dylan Harris RPP, MCIP	n/a	n/a	n/a	

RECOMMENDATIONS

1. That Development Application DASZ 44/2022 for the subdivision and rezoning of land located at 755 Henderson Hwy. and 220 Helmsdale Ave. 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 close a public lane and consolidate 755 Henderson Hwy. with a portion of 220 Helmsdale Ave. and rezone the newly created lot into the "C2" Commercial Community district to enable creation of an accessory surface parking area for an existing commercial building at 755 Henderson Hwy. The remainder of what is currently 220 Helmsdale would maintain "R1-M" residential single family medium zoning and would be subdivided into four (4) lots to enable future construction of four (4) single family dwelling.

- Rezoning applications require a public hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee's consideration of the development application at the public hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the land **will not** be subdivided and rezoned.

CONSULTATION

In preparing this report there was consultation with:

N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared By:	Dylan Harris, RPP, MCIP
Date:	December 21, 2022
File No.	DASZ 44/ 2022

Attachments:

Appendix A: Draft by-law
Appendix B: Public engagement report

APPENDIX 'A'

DATE: December 21, 2022

FILE: **DASZ 44/2022**

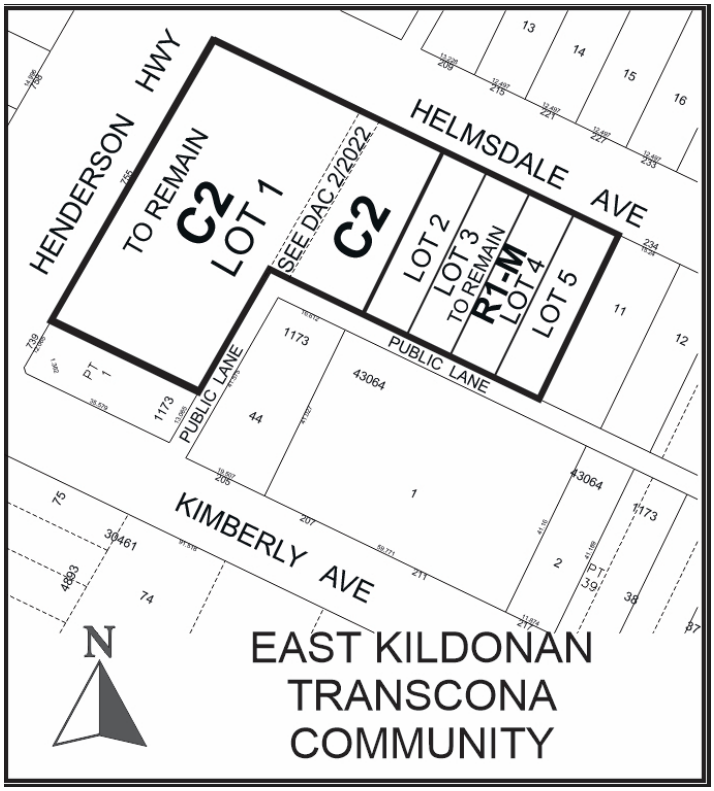
RELATED FILES: DAV 22-189016\D, DAC 2/2022

COMMUNITY: East Kildonan-Transcona

NEIGHBOURHOOD #: 4.434 Rossmere.

SUBJECT: For consideration at the public hearing of a subdivision and rezoning application to rezone a portion of the subject lands, including a public lane to be closed, from an "R1-M" Residential Single-Family Medium district to a "C2" Commercial Community district in order to develop a new accessory parking area for an existing commercial building. The balance of the subject lands are proposed to remain under the "R1-M" district and to be subdivided into four (4) lots for future development of single family dwellings.

LOCATION: 755 Henderson Hwy. and 220 Helmsdale Ave.



LEGAL DESCRIPTION: LOT 2/6 BLOCK 5 PLAN 1173 85/86 K

APPLICANT: Brennan Johnson (Landmark Planning & Design Inc)
298 Waterfront Dr
Winnipeg, MB R3B 0G5

OWNER: HENDERSON BUSINESS CENTRE LTD.
755 Henderson Hwy 201
Winnipeg, MB R2K 2K5

RECOMMENDATION: **Rejection**

SITE DESCRIPTION

- The proposed subject site is located on the south east corner of Henderson Hwy. and Helmsdale Ave., in the Rossmere neighbourhood of the Elmwood-East Kildonan ward.
- The subject site consists of two (2) properties currently separated by a public lane.
- The two (2) properties contain the following characteristics:

  755 Henderson Hwy:

  - Fronts onto Henderson Hwy.
  - Located in the Urban Mixed Use Corridor policy area as identified in *Complete Communities 2.0.*
  - Contains an existing three (3) storey commercial building and accessory surface parking area.
  - Zoned “C2” Commercial Community district.
  - 28 494 sq. ft. in area.

  220 Helmsdale Ave:

  - Fronts onto Helmsdale Ave.
  - Located in the Established Neighbourhood-Mature Community policy area as identified in *Complete Communities 2.0.*
  - Zoned “R1-M” Residential Single Family Medium district.
  - The site is 26 574 sq. ft. in area and is currently vacant.
  - A place of worship was formerly located on site (demolition permit issued in 2019).

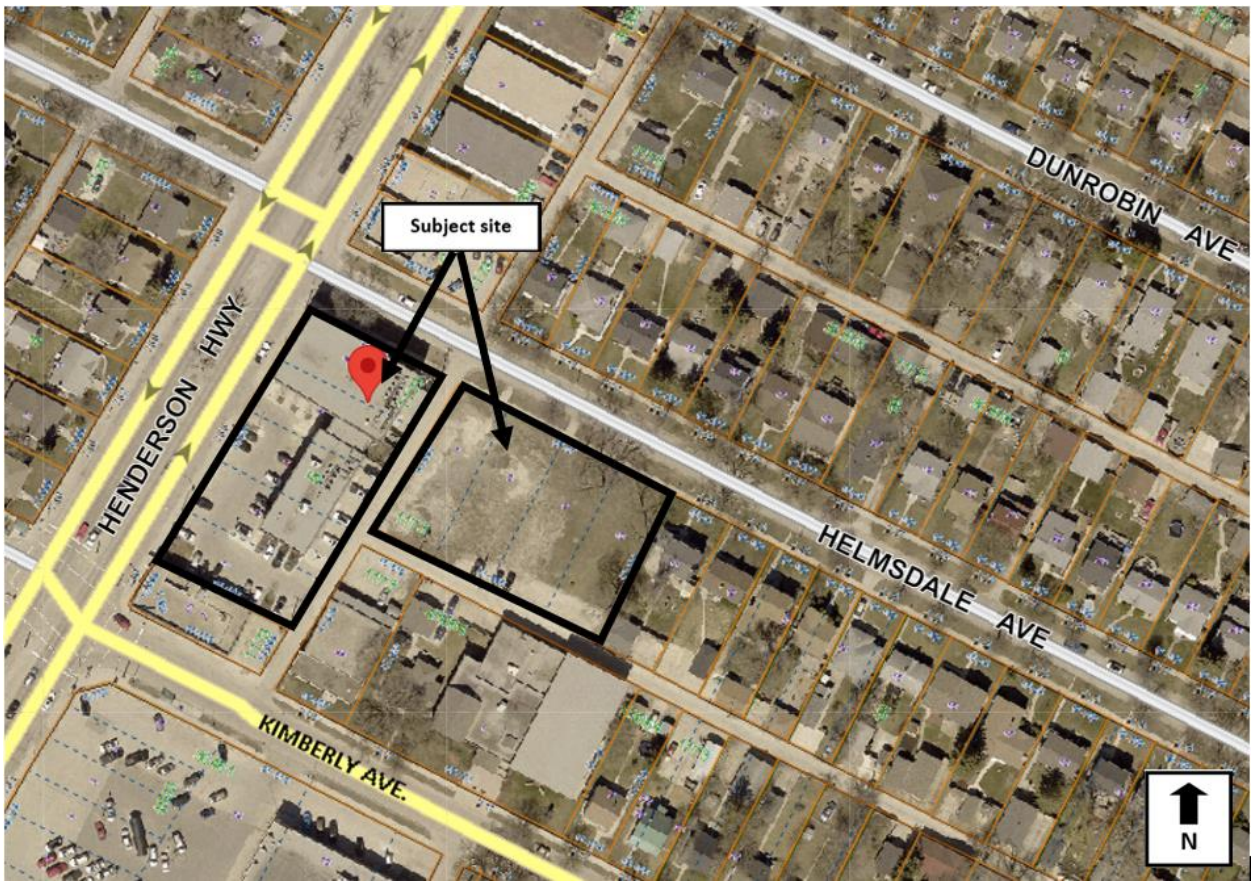


Figure 1: Subject site and surrounding area (flown 2021)

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Helmsdale Ave. then commercial uses zoned “C2” Commercial Community district and single family residential uses zoned “R1-M” Residential Single Family Medium District.

South: Commercial uses zoned “C2” Commercial Community district and a rear lane then a banquet hall, a place of worship and a single family residential uses zoned “R1-M” Residential Single Family Medium District.

East: A rear lane, then a banquet hall and single family residential uses zoned “R1-M” Residential Single Family Medium District.

West: Henderson Hwy. then single family residential uses zoned “R1-M” Residential Single Family Medium District.

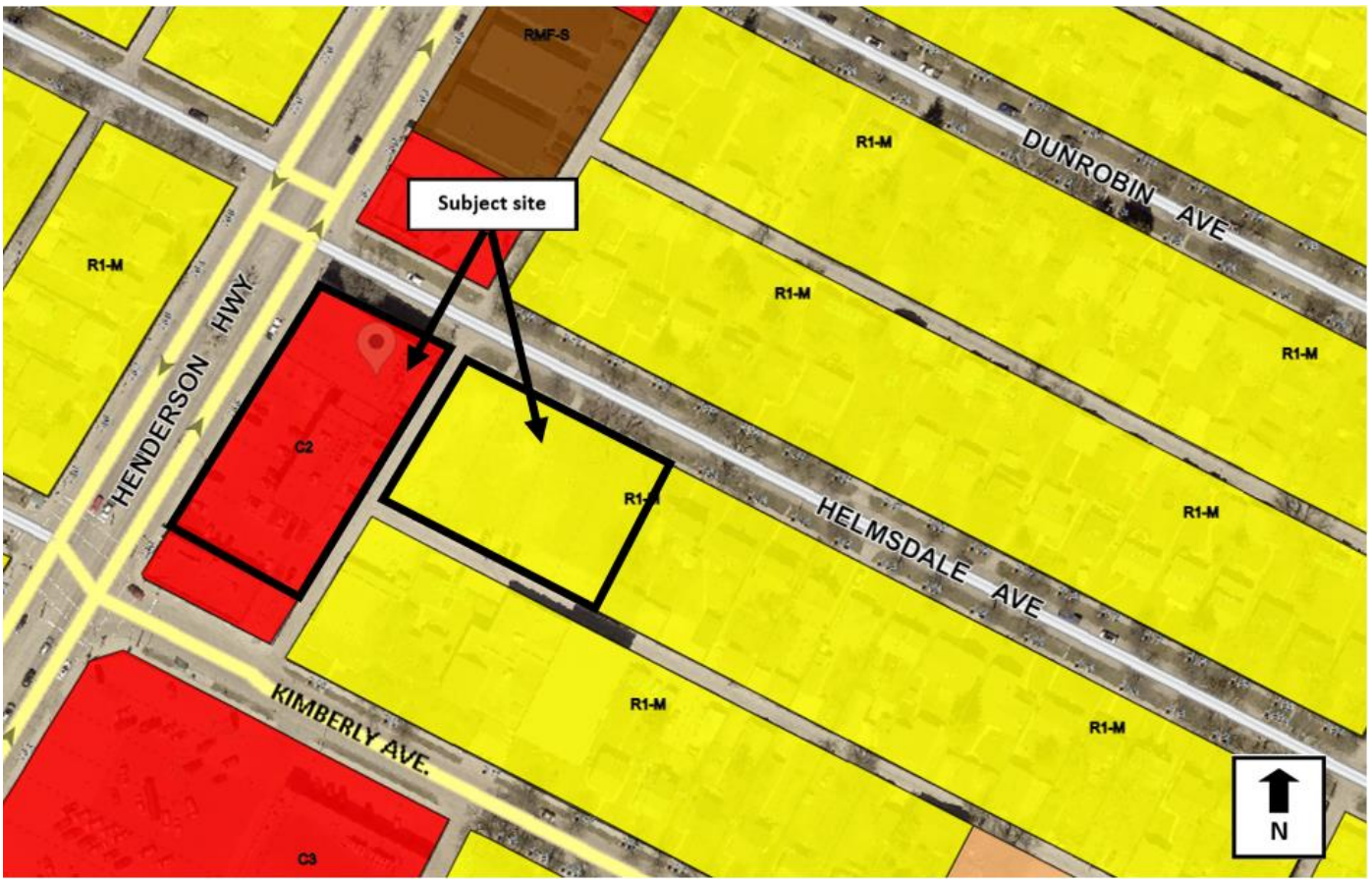


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant wishes to close the public lane which separates 755 Henderson Hwy. and 220 Helmsdale, to enable:
    - Consolidation and rezoning of 755 Henderson Hwy. with the closed lane and a portion of 220 Helmsdale to enable establishment of an accessory surface parking area.
    - Subdivision of the remaining 142 feet of frontage along Helmsdale Ave. into four (4) 35 foot wide lots to enable future construction of four (4) new single family dwellings.
- The newly created surface parking area would provide additional parking supply for the existing commercial building at 755 Henderson Hwy.
- The proposed accessory parking area is approximately 9650 sq. ft. in area and contains 21 vehicular parking spaces.
- The proposed lot would contain interior landscaping as well as installation of wood fencing and landscaping to screen the proposed parking area from Helmsdale Ave.
- A six (6) foot privacy fence is proposed along the eastern boundary of the parking lot, to screen the parking area from the proposed single family uses to the east.

- Detailed plans of development for the proposed four (4) single family residential lots have yet to be provided. The applicant has indicated the lots would be sold to facilitate custom home construction in the future.
- A corresponding subdivision and variance application (DAV 22-1189016/D) is required to enable the proposed development. Please refer to the DAV report for additional information.
- A corresponding closing application (DAC 2/2022) is also required to enable the proposed development. Please refer to the associated DAC report for additional information.

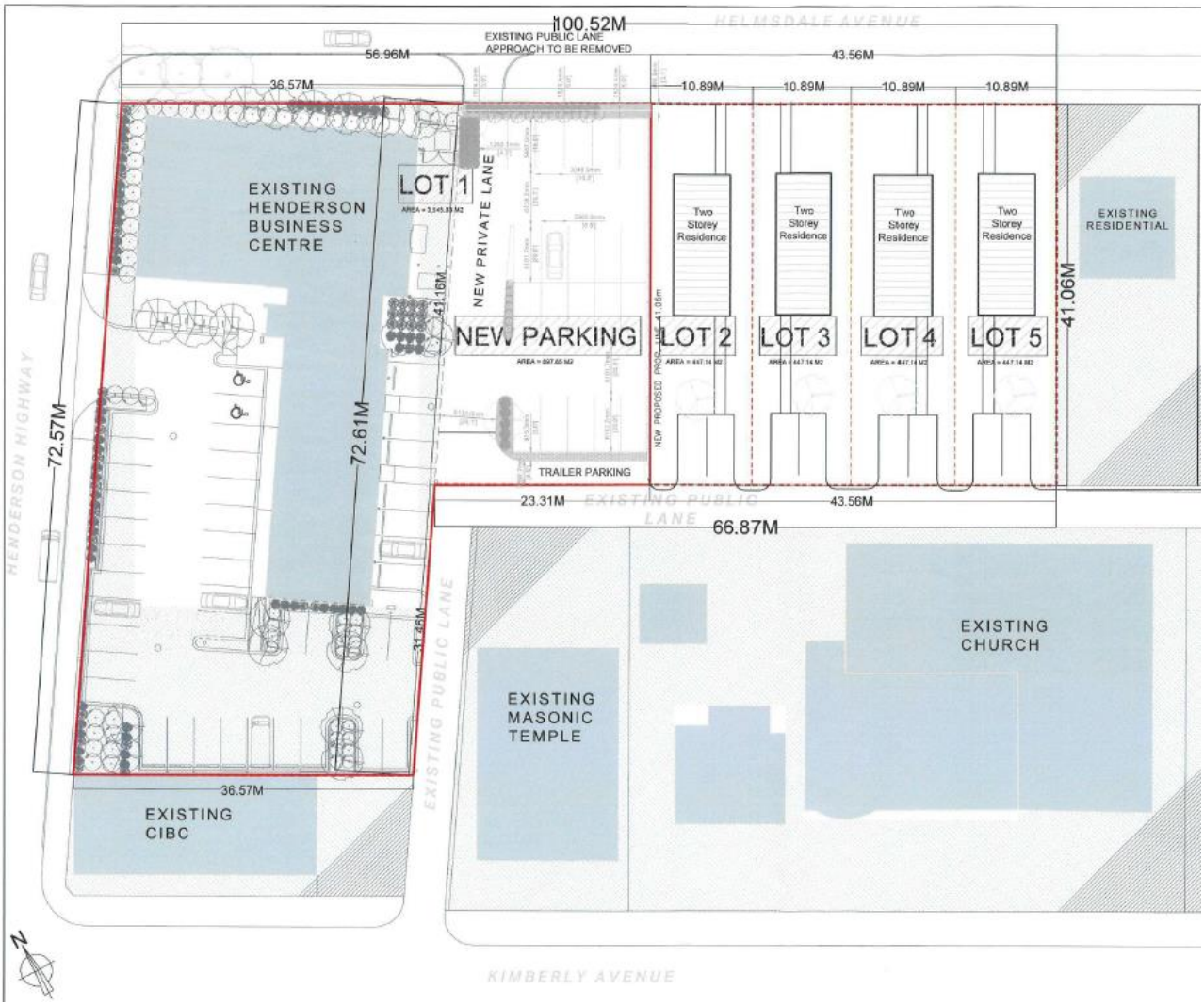


Figure 3: Site plan of proposed development

REASON FOR APPLICATION

- The applicant wishes to expand their clients vehicular parking supply to better accommodate the existing commercial building at 755 Henderson Hwy.
- The proposed surface parking expansion would occur on what is currently a public lane and a portion of 220 Helmsdale Ave.
- The subject properties have the following land use designations:
    - 755 Henderson Hwy: "C2" Commercial Community district.
    - 220 Helmsdale: "R1-M" Residential Single Family Medium district.
    - The rear lane east of 755 Henderson Hwy is designated at public right of way.
- The "R1-M" district which currently applies to the entirety of 220 Helmsdale Ave. does not permit the establishment of principal use surface parking.
- Further, the lane is open public right of way, which cannot accommodate any private land use.
- In order to accommodate the applicant's proposal, the following must occur:
    - The public lane must be closed (see report for associated closing application DAC 2/2022)
    - 755 Henderson Hwy. must be consolidated with the closed lane and a portion of 220 Helmsdale Ave. to create an approximately 9600 sq. ft. surface parking area.
    - The newly consolidated parcel now referred to as 755 Henderson Hwy. must be rezoned into the "C2" Commercial Community district to accommodate the proposed accessory surface parking area.
    - The remaining 19 248 sq. ft. of 220 Helmsdale Ave. needs to be subdivided into four (4) 4800 sq. ft. lots.
- The proposed four (4) new single family lots do not meet the Special Boundary Condition requirements for lot area and width and therefore require a variance.
- Variances for parking area rear yard and parking stall width are required to enable the proposed parking area.
- Lastly, variances for street edge landscaping, building foundation landscaping and modification of a substantial conformance clause relating to landscaping are required to legalize the existing commercial building at 755 Henderson Hwy.
- For complete analysis of required variances , please see the corresponding planners report for file DAV 22-189016/D.

Collaboration with the Public Service:

- As stated in the submitted letter of intent, the applicant did submit a Pre-Application in the spring of 2020.
- The submitted concept at pre-application stage proposed the closure of the rear lane between 755 Henderson Hwy. and 220 Helmsdale Ave. to enable establishment of an accessory surface parking area.

- The pre-application concept proposed rezoning the remaining portion of 220 Helmsdale Ave. into the “RMF-M” Residential Multi-Family Medium district to enable establishment of a 27 unit multi-family residential use.
- On May 14, 2020, the Urban Planning Division provided the applicant with a pre-application feedback letter which indicated support for the proposed development provided:
    - A five (5) foot setback, quality landscaping and a wood decorative fence be provided along the Helmsdale frontage to screen the parking area and limit impact to Helmsdale Ave.
    - That no permanent structures be developed on the parking area to enable potential re-establishment of the lane in the future if needed.
    - That massing of the proposed multi-family building should be consistent with area context to the east and north.
    - The multi-family development should be consistent with the “RMF-S” Residential Multi-Family Small district dimensional standards.
    - The proposed design must be consistent with the servicing parameters provided by the Water and waste department.
    - One parking space per dwelling unit shall be provided.
    - An arborist report will be provided to determine what trees may be maintained and protected through the redevelopment process.
- The applicant applied for subdivision and rezoning (DASZ 44/22) and variance (DAV 22-189016/D) in summer of 2022.
- The revised concept proposes a similar concept in regards to lane closure and surface parking establishment.
- The revised concept is no longer pursuing multi-family residential development on 220 Helmsdale Ave. due to limited servicing capacity that cannot accommodate multi-family development.
- The applicant has indicated a maximum four (4) dwelling units can be accommodated on site given current servicing capacity.
- The *Complete Communities 2.0* document was adopted by Council on May 26, 2022.
- The updated *Complete Communities* document provides more detailed policies on Urban Mixed Use corridor development and Established Neighbourhood- Mature Community development.
- Based on these revised policies, the proposed expansion of a surface parking area into a Mature Community as proposed, is not supportable.
- The Urban Planning Division contacted the applicant in early fall of 2022 to communicate our revised position and to discuss potential development alternatives.
- Despite productive discussion, an alternative development concept is not feasible.
- As a result, the Urban Planning Division indicated we are unable to support the proposal and would recommend rejection of the proposed development.

PUBLIC ENGAGEMENT

- The Urban Planning Division encourages all applicants to undertake public engagement prior to submission of a formal application.
- As part of pre-application feedback, the Urban Planning Division advised the applicant to undertake a public engagement process.
- The applicant has indicated they have undertaken a detailed public consultation process over a three (3) year period.
- The applicant has indicated they met with adjacent and nearby residents to discuss the proposal.
- In addition to these conversations, three (3) public open houses were held, the most recent occuring on April 4, 2022.
- The applicant has indicated their submitted design responds to concerns raised regarding residential density, parking and privacy.
- Detailed public engagement methodology has been outlined in the applicant's letter of intent.

Our Winnipeg 2045 Development Plan:

City Building

> ***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.*

A key element of the proposed development is the expansion of a commercial use and its surface parking area into an Established Neighbourhood-Mature Community area. *OurWinnipeg 2045* is supportive of growth and development in Established Neighbourhoods provided it occurs in a context sensitive manner. Closing the subject rear lane to enable expansion of a larger scale commercial use and its associated parking area into an Established Neighbourhood **does not demonstrate contextually sensitive development** given the residential character of this block of Helmsdale Ave.

> ***6.44 Compatible Growth:*** *Plan for and protect green and built infrastructure and resources from incompatible development that would compromise achievement of this Plan's goals.*

The proposed closure of a public lane and subsequent expansion of a "C2" Commercial Community development into the Established Neighbourhood to accommodate surface parking in a residential context **does not represent compatible growth** as outlined in *OurWinnipeg 2045* policy.

Complete Communities 2.0 An OurWinnipeg Direction Strategy

C2. Corridors

> ***Goal 3****: Ensure corridors provide a comfortable pedestrian environment and attractive public realm.*
>
> > *3.1.5 Minimize impacts of vehicular access and parking on the pedestrian environment by having vehicular access off of existing lanes.*

The proposed development is seeking to close the public rear lane, which enables access to 755 Henderson Hwy. in the preferred manner for corridor fronting development. Closing a portion of the public lane would preclude long term redevelopment opportunities from having rear lane access and developing in the preferred fashion. The Urban Planning Division find this proposal **inconsistent** with *Complete Communities* policy.

D1: Established Neighbourhoods

> ***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.*
> >
> > *1.3 The subdivision of land or the consolidation of land may occur when it is done in a context-sensitive manner, and only when in compliance with policy section 9.1 of the Strategic Infrastructure and Resources section.*

The proposed application seeks to expand an established corridor oriented, commercial use into the Established Neighbourhood Mature Community context. Policies above indicate support for contextually appropriate residential intensification that is considerate of and compatible with area context. Establishment a surface parking area within this residential mature community context is **inconsistent** with *Complete Communities* policy.

> ***Goal 2****: 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.*
>
> *Parking and loading*
>
> > *2.18 Strongly discourage locating surface parking lots between streets and building fronts.*

Site design

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 as a strong relationship to the street, public spaces and amenities in a way that is consistent with neighbourhood context.

Complete Communities policy strongly discourages locating surface parking areas on properties that are visible from the street. The proposed surface parking area at 220 Helmsdale is visible from the street and is not consistent with area context, nor does it take cues from this context in an effort to mitigate potential for land use conflict of the proposed development. The proposed parking area does not improve pedestrian orientation of this property nor does it strengthen this properties relationship to the street in manner consistent with neighbourhood context.

***Goal 4**: Ensure neighbourhoods accommodate a range of commercial services and amenities within walking distance to meet daily needs.*

4.4 New commercial development should be complementary and context sensitive to nearby uses.

4.10 Consider the establishment of new neighbourhood focused, small scale commercial uses where at least one of the following criteria are met:

a. The property is a corner lot fronting a collector or arterial street;
b. The property abuts an existing commercial use on a collector or arterial street
c. Immediately adjacent uses render the subject property unsuitable for residential development
d. The property contains existing non-residential uses or buildings that were not designed to accommodate residential uses

Although there is an established commercial use at 755 Henderson Hwy, the proposed development is proposing to expand this commercial use through a subdivision and rezoning application. The requested increase in entitlement to facilitate further commercial development and to expand accessory surface parking is not complementary and context sensitive to nearby, residential uses. Policy 4.10 identifies specific criteria that should be present in order to support new neighbourhood focused commercial uses. The subject property does not meet the criteria outlined under policy 4.10 to support new commercial uses. Further, the Urban Planning Division does not believe the proposed parking area expansion to further accommodate a corridor fronting commercial / office building constitutes “neighbourhood focused, small scale commercial uses” as identified in policy 4.4 above.

> ***Goal 8****: Facilitate the redevelopment of Established Neighbourhoods that contributes to the further development of walkable, bikeable and transit-oriented communities in accordance with city pedestrian and cycling strategies.*
>
> *8.7 Maintain the established street and sidewalk grid.*

The proposed development and associated closing application (DAC 2/2022) seeks to close the public lane currently separating 220 Helmsdale Ave. and 755 Henderson Hwy, removing access to a portion of rear lane for properties on this block of Helmsdale Ave. The proposed closure reduces permeability of the established grid, contrary to the above *Complete Communities* policy.

Henderson Highway Corridor Action Area Plan

- The subject property is located within the Henderson Highway Corridor planned area.
- Although this plan was adopted in 1982 and does not directly align with *Complete Communities 2.0,* its status as a statutory plan (by-law) remains in effect.
- There are few policies in the *Henderson Corridor* plan which apply to the subject development.
- The following *Henderson Corridor Plan* objectives do provide some direction regarding the proposed development:

> *4. ii) To endeavor to preclude encroachment by incompatible uses upon the residential environment.*
>
> *iv) To endeavor to minimize the impact of commercial development along Henderson Hwy. upon the character of the adjacent residential areas.*

The proposed closing, subdivision and rezoning would enable encroachment of commercial uses in the form of a surface parking area, further into the residential environment on Helmsdale Ave. The proposed expansion would result in increased impact of this Henderson Hwy. oriented commercial development on established residential uses on Helmsdale. Based on these factors, the Urban Planning Division believes the application is **inconsistent** with the objectives of the *Henderson Hwy Corridor Action Area Plan.*

ZONING BY-LAW 200/2006

- The applicant is proposing to consolidate 755 Henderson Hwy. with a closed public lane and a portion of 220 Helmsdale Ave.
- A rezoning of the newly created parcel into the “C2” Commercial Community district is required to enable the proposal.
- As explained above, the proposal does not meet *OurWinnipeg 2045, Complete Communities 2.0* and Henderson Hwy. Corridor Action Plan policies for commercial redevelopment of this site.
- As a result, the Urban Planning Division **does not support** the consolidation and rezoning of this proposed site into the “C2” district.

ADDITIONAL CONSIDERATIONS

Site servicing

- In the event the proposed development were to proceed; the owner will be required to meet the conditions outlined in the report by the Administrative Coordinating Group (ACG) as outlined in Schedule B of this report.

SUMMARY

- The proposed subdivision and rezoning would result in the expansion of a commercial use in the form of surface parking, into an adjacent mature community, in a fashion **contrary** to applicable planning policy.
- The proposed development would increase the impact of commercial uses on established residential uses in the area.
- The establishment of a surface parking area in a mature community is **inconsistent** with area character.

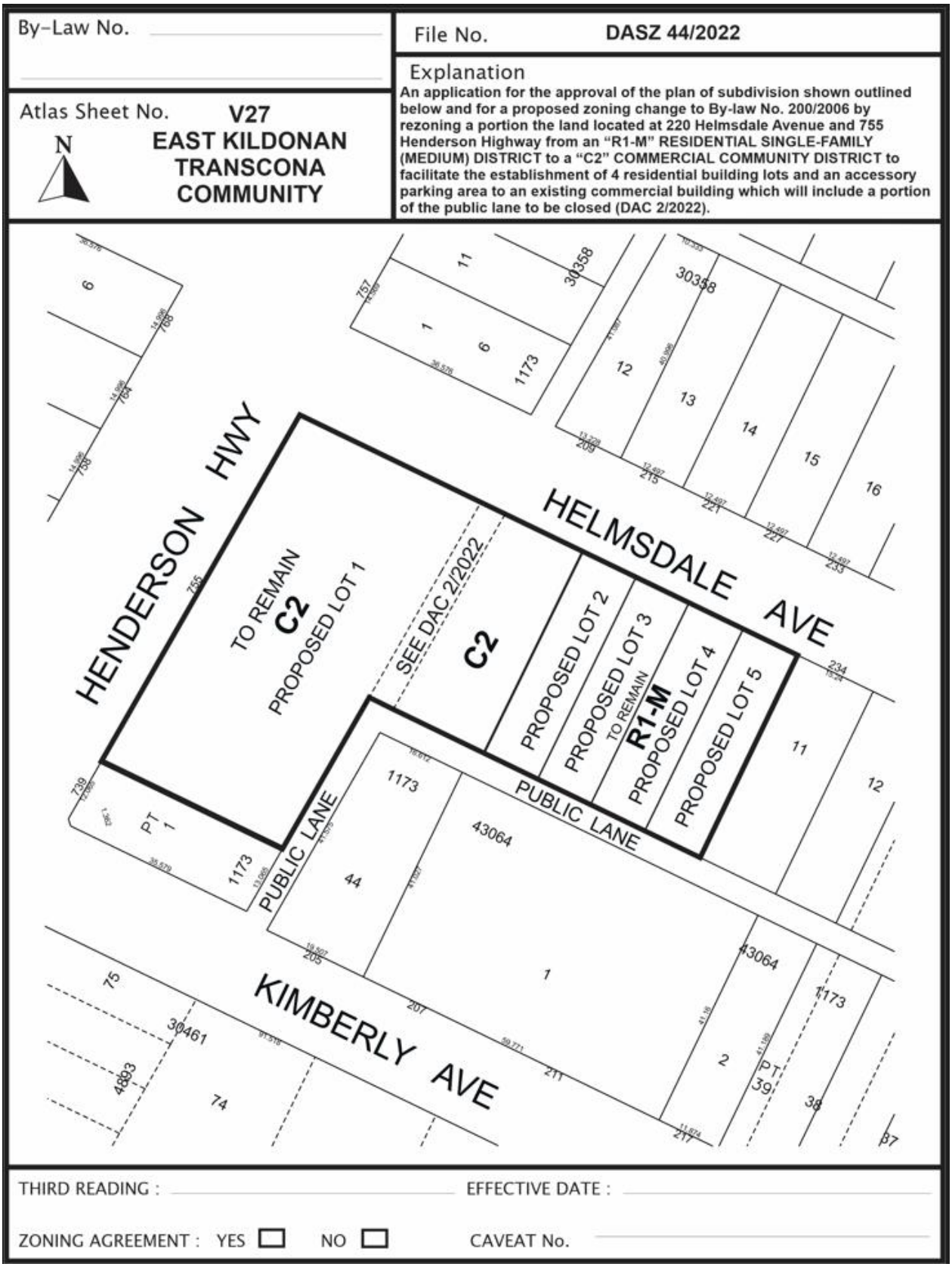
RECOMMENDATIONS

The Urban Planning Division recommends this application for subdivision and rezoning be **rejected.**

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

Report Prepared by: Dylan Harris, RPP, MCIP
PPD File # DASZ 44/2022

Schedule "A" for File DASZ 44/2022, City Centre Community Committee January 3, 2023



SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 220 HELMSDALE AVENUE AND 755 HENDERSON HIGHWAY

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DASZ 44/2022. The Developer should take into consideration the following servicing and design requirements and considerations in the redevelopment of the site:

Section I – General Comments

1) The Urban Forestry Division wishes to advise that the Developer is required to preserve and protect existing mature trees that are within City-owned land, including those immediately adjacent to the subject site, and within the right-of-way. The Developer shall adhere to the City's Tree Protection Specifications:

   https://winnipeg.ca/publicworks/parksOpenSpace/UrbanForestry/PDF/Tree_Removal_Guidelines.pdf

   The Developer will be required to compensate the City for any damage or removal thereof. The removal of City-owned trees must be pre-approved by Urban Forestry.

Section II - Servicing Considerations

1) Lot Line Servicing

a) The Developer shall provide a signed letter to the City of Winnipeg's Land Development Branch stating that:

   i. the Developer understands that they are responsible for the full costs to install separate sewer and water lot line services from the respective mains in Helmsdale Avenue to the property line of the newly created Lots 2, 3, 4 and 5; and,

   ii. if the Developer sells any of the newly created Lots 2, 3, 4 and 5 before they have installed the lot line services referred to above, they will undertake to inform the purchaser (new owner) in writing that the purchaser is responsible for the costs to install the lot line services referred to in *i*.

b) The Developer shall be required to retain a qualified municipal engineer to provide inspection/as-builts for the new services on Lots 2, 3, 4 and 5.

2) Lot Grading

a) The Developer shall, at no expense to the City and prior to release of subdivision mylars for registration in the Winnipeg Land Titles Office, provide a lot grading plan for the Planned Area, prepared by a qualified municipal engineer, to the satisfaction of the Director of Water and Waste.

b) The Developer shall, at no expense to the City, construct all drainage works necessitated by the lot grading plan of record to the satisfaction of the Director of Water and Waste.

c) Upon registration of the approved subdivision mylars in the Land Titles Office, the Developer shall, at no expense whatsoever to the City, grant to the City and register easements in respect of all swales, catchbasins and leads for lot drainage within the Planned Area.

d) The Developer shall, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, post security deposits for all catch basin(s) and leads, as required by the approved lot grading plan, to the satisfaction of the Director of Water and Waste.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 44/2022
October 28, 2022

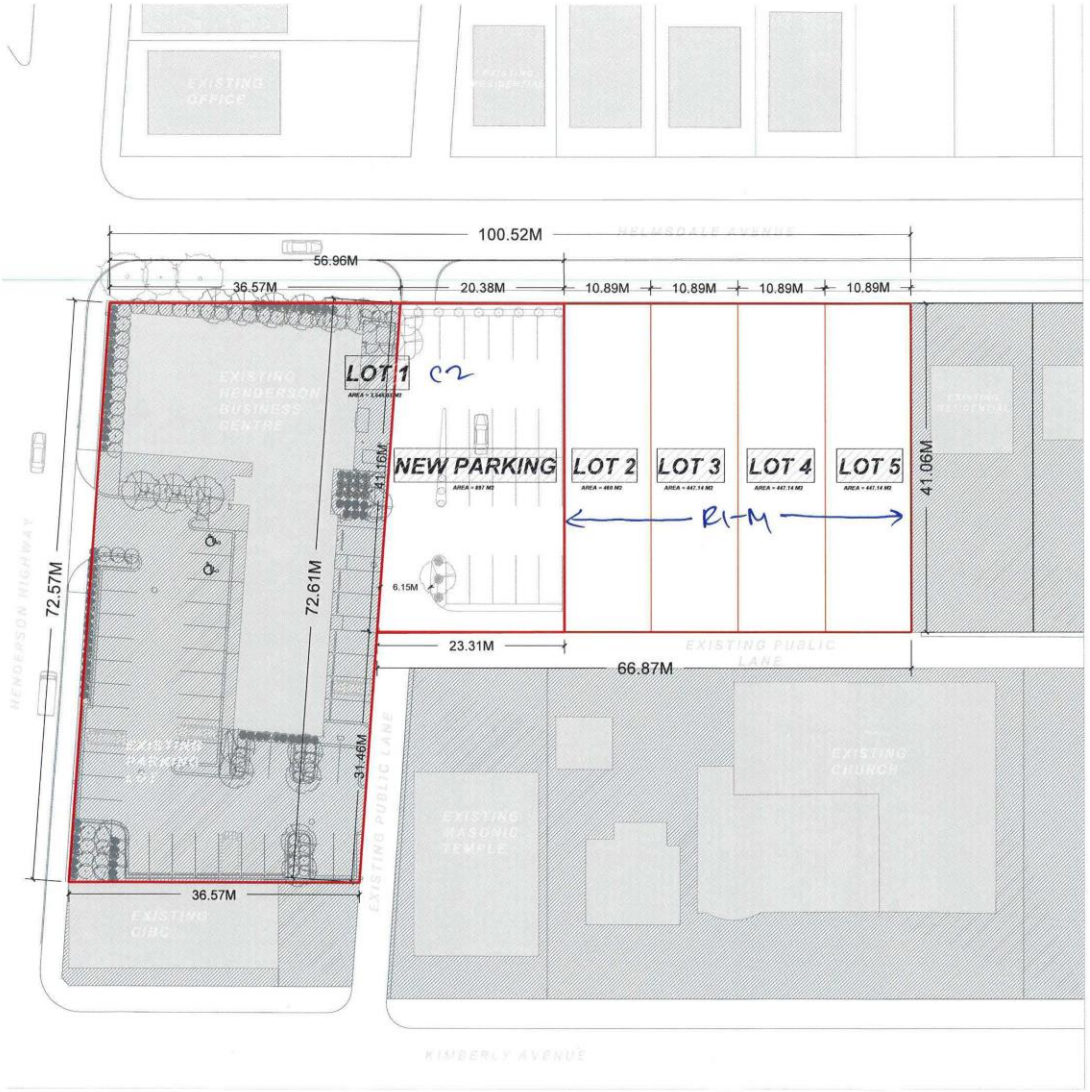
"*Original Signed by D. Trenchard"*
D. Trenchard, P. Eng.
Land Development Branch
Planning, Property and Development Department

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

Exhibit "6" referred to in File DASZ 44/2022




Any measurements, if shown hereon, are approximate and will be confirmed on a plan registered in the Winnipeg Land Titles Office at some future date.
HELMSDALE AVENUE
KIMBERLY AVENUE
PUBLIC LANE
LANE
HIGHWAY
HENDERSON
Proposed Closing - DAC 2/2022
Area: 199.3±m² (2,146±ft²)
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT
DEPARTMENT
LAND INFORMATION SERVICES
MISC. PLAN NO. 15831
METRIC



PROJECT NOTES:

LOT DIMENSIONS			
NAME	WIDTH (M)	LENGTH (M)	AREA (M2)
LOT 1	56.96	72.57, 72.61	3,545.03
PARKING LOT	20.38, 23.31	41.16, 41.06	897.00
LOT 2	10.89	41.06	447.14
LOT 3	10.89	41.06	447.14
LOT 4	10.89	41.06	447.14
LOT 5	10.89	41.06	447.14

LEGEND

- SUBJECT SITE
- PROPERTY LINES
- EXISTING BUILDINGS
- EXISTING SITE

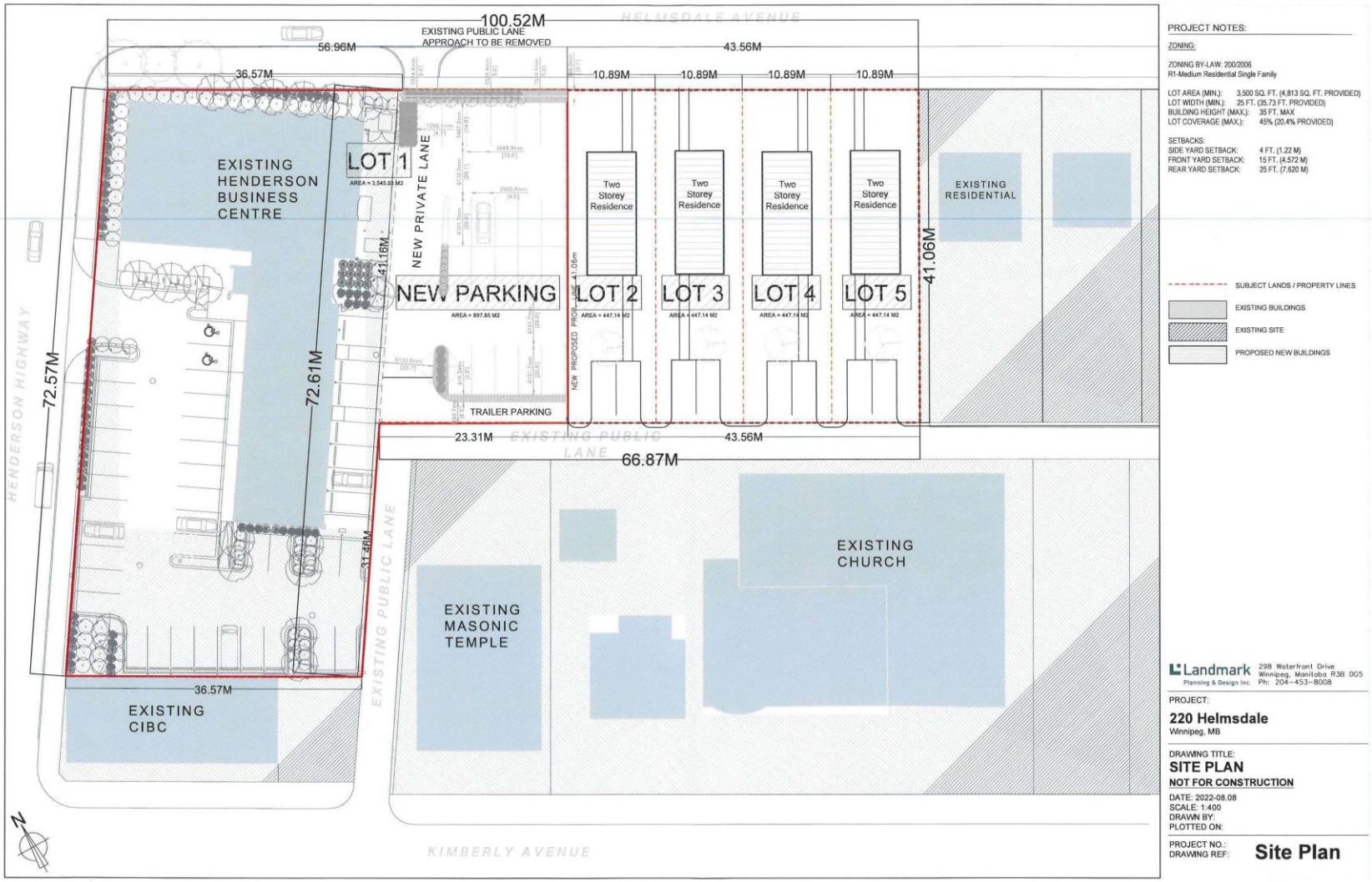
Landmark Planning & Design Inc
298 Waterfront Drive
Winnipeg, Manitoba R3B 0G5
Ph: 204-453-8008

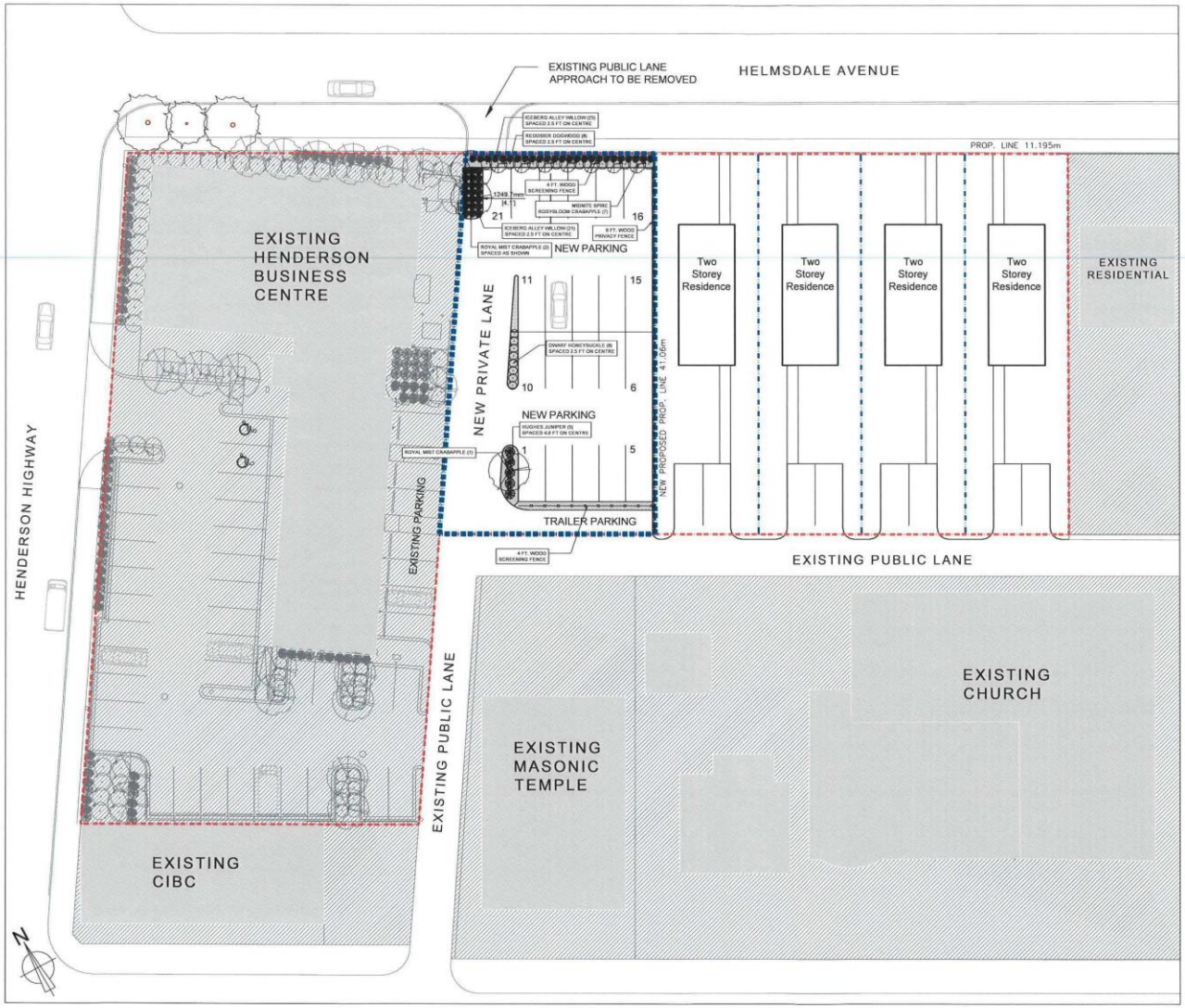
PROJECT:
220 Helmsdale
Winnipeg, Manitoba

DRAWING TITLE:
SUBDIVISION PLAN

DATE: 2022-07-26
SCALE: 1:500
DRAWN BY: BAD
PLOTTED ON:

PROJECT NO.:
DRAWING REF:


100.52M
EXISTING PUBLIC LANE APPROACH TO BE REMOVED
HELMSDALE AVENUE
56.96M
43.56M
36.57M
10.89M
10.89M
10.89M
10.89M
EXISTING HENDERSON BUSINESS CENTRE
LOT 1
AREA = 3,545.83 M2
NEW PRIVATE LANE
41.16M
NEW PARKING
AREA = 897.65 M2
LOT 2
LOT 3
LOT 4
LOT 5
AREA = 447.14 M2
Two Storey Residence
Two Storey Residence
Two Storey Residence
Two Storey Residence
EXISTING RESIDENTIAL
41.06M
NEW PROPOSED PROPERTY LINE 41.06m
TRAILER PARKING
72.57M
72.61M
HENDERSON HIGHWAY
23.31M
EXISTING PUBLIC LANE
43.56M
66.87M
EXISTING CHURCH
EXISTING MASONIC TEMPLE
31.46M
EXISTING PUBLIC LANE
36.57M
EXISTING CIBC
KIMBERLY AVENUE
N
PROJECT NOTES:
ZONING:
ZONING BY-LAW: 200/2006
R1-Medium Residential Single Family
LOT AREA (MIN.): 3,500 SQ. FT. (4,813 SQ. FT. PROVIDED)
LOT WIDTH (MIN.): 25 FT. (35.73 FT. PROVIDED)
BUILDING HEIGHT (MAX.): 35 FT. MAX
LOT COVERAGE (MAX.): 45% (20.4% PROVIDED)
SETBACKS:
SIDE YARD SETBACK: 4 FT. (1.22 M)
FRONT YARD SETBACK: 15 FT. (4.572 M)
REAR YARD SETBACK: 25 FT. (7.620 M)
SUBJECT LANDS / PROPERTY LINES
EXISTING BUILDINGS
EXISTING SITE
PROPOSED NEW BUILDINGS
Landmark Planning & Design Inc.
298 Waterfront Drive Winnipeg, Manitoba R3B 0G5 Ph: 204-453-8008
PROJECT:
220 Helmsdale
Winnipeg, MB
DRAWING TITLE:
SITE PLAN
NOT FOR CONSTRUCTION
DATE: 2022-08.08
SCALE: 1:400
DRAWN BY:
PLOTTED ON:
PROJECT NO.:
DRAWING REF: Site Plan



PROJECT NOTES:

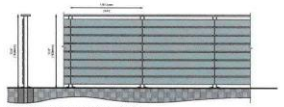
SUBJECT LANDS / PROPERTY LINES
LIMITS OF LANDSCAPE PLAN
WOOD PRIVACY FENCE (4 AND 6FT)

EXISTING BUILDINGS
EXISTING SITE
WOOD MULCH
CRUSHED AGGREGATE
CONCRETE
LAWN

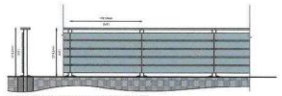
PLANT LIST

Count	Plant Name	Remarks
TREES		
3	Royal Mist Rosybloom Crabapple *Malus x adstringens 'Jefmist'*	Minimum of 75mm caliper, well formed. Staked as required.
7	Midnite Spire Rosybloom Crabapple *Malus x adstringens 'Jefnite'*	Minimum of 75mm caliper, well formed. Staked as required.
SHRUBS		
46	Iceberg Alley Willow *Salix candida 'Jefberg'*	Minimum height of 600mm. Well formed, full and bushy with a minimum of 5 branches.
5	Hughes Juniper *Juniperus horizontalis 'Hughesi'*	Minimum height of 600mm. Well formed, full and bushy with a minimum of 5 branches.
8	Dwarf Honeysuckle *Dievilla lonicera*	Minimum height of 600mm. Well formed, full and bushy with a minimum of 5 branches.
8	Redosier Dogwood *Cornus sericea*	Minimum height of 600mm. Well formed, full and bushy with a minimum of 5 branches.

PARKING LOT INTERIOR LANDSCAPING - *5% of gross parking lot area to be landscaped*
Area of New Parking Area: 9654.65 sqft
5% of area: 482.73 sqft
Trees required: 2 **[3 provided]**
Shrubs required: 48 **[67 provided]**



6-FOOT WOOD PRIVACY FENCE



4-FOOT WOOD SCREENING FENCE

No.	ISSUED FOR	DATE	BY
2	ISSUED FOR APPLICATION	2022-07-04	MEE
1	REVIEW	2022-06-27	MEE

Landmark Planning & Design Inc.
298 Waterfront Drive
Winnipeg, Manitoba R3B 0G5
Ph: 204-453-8008

PROJECT:
220 Helmsdale
Winnipeg, MB

DRAWING TITLE:
LANDSCAPE PLAN
NOT FOR CONSTRUCTION

DATE: 2022-06-27
SCALE: 1:400
DRAWN BY:
PLOTTED ON:

PROJECT NO.:
DRAWING REF: **L01**