Agenda – Council – April 27, 2023

Report – Standing Policy Committee on Property and Development – April 6, 2023

Item No. 9 Subdivision and Rezoning – 963 Centennial Street
(River Heights-Fort Garry Ward)
File DASZ 34/2022 [c/r DAV 151948/2022D]

STANDING COMMITTEE RECOMMENDATION:

On April 18, 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 application for subdivision and rezoning under File DASZ 34/2022 [c/r DAV 151948/2022D] be rejected.

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 – April 6, 2023

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 18, 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 April 6, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 17, 2023, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development that the application for subdivision and rezoning under File DASZ 34/2022 [c/r DAV 151948/2022D] be rejected.

PUBLIC HEARING SUMMARY

File: DASZ 34/2022

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

Public Hearing: March 17, 2023
Council Building, 510 Main Street

Applicant: J. Wintrup Consulting Ltd. (John Wintrup)

Subject:



Premises Affected: 963 Centennial Street

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

Prepared by: Leah Cowan, Senior Committee Clerk
City Centre Community Committee

Report date: March 17, 2023

Community Committee Recommendation:

On March 17, 2023, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service recommended to the Standing Policy Committee on Property and Development that the application for subdivision and rezoning under File DASZ 34/2022 [c/r DAV 151948/2022D] be rejected.

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

1. It is rare to have the administration, I know we sometimes disagree, more often than not that we do agree, however the work that the administration generally does a lot with developers and area residents to try to find some place where they can at least put forward a recommendation going forward, so we don't see a lot of rejections often here. Because there's a lot of due diligence ahead of time. So that's rare, I haven't seen that that often.

2. And again, the reasons why I do support and the reason I concur with, one is the number of units in that back lane, that's a bad idea, I think. Especially right off the back lane at two feet, that number of units will cause significant problems.

3. I am worried about sight lines. Taylor is my mid-ward corridor to get traffic to go around our neighbourhoods not through our neighbourhoods. So again, I don't expect to see Taylor's traffic flow decrease in the future.

4. They did talk about there's duplexes around and I think maybe that's an opportunity they can look at going forward. But this is not a duplex, this is seven units. So that's another reason.

5. I did look at the arborist's report and I guess we can disagree that there are a number of very good trees in that area. There are some that are a little scraggly and could probably use some pruning and upkeep but again, I disagree that these trees are of such poor value that they don't warrant saving. So, I don't see any effort in this to save any of the trees or even re-planting, I didn't see any of that in any of the presentations going forward.

6. And again, I have to take some credence going forward about the idea of, there's no residents in support of the project, the residents that came out and I've heard from; You know COVID has had an issue recently, I feel I've seen it, where we're having a more difficult time engaging people, or people becoming engaged, I think this is still partly a COVID hangover. But again, the people who did come out today were very clear. And especially the neighbour, she lives right next door, a year and a half, so she's experienced that so that holds a lot of weight for me as well.

7. And the massing of the land is just too much. The building is too big for this awkward land, and as the developer indicated, he has other options going forward.

Objections under the Charter:

Total number of **v**alid objections as per section 125(2) – 3

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

Exhibits Filed:

1. Application dated December 21, 2022
2. Notification of Public Hearing dated January 27, 2023
3. Manitoba Status of Title 3008191/1
4. Letter of authorization dated April 21, 2022 from Justin Beaulieu, 10037922 Manitoba Ltd. to John S. Wintrup
5. Surveyor's Building Location Certificate and sketch dated April 13, 2022
6. Caveat 207739/1
7. Proposed Subdivision and Rezoning Maps
8. Plans (4 pages)
9. Report from the Urban Planning Division dated February 16, 2023
10. Inspection Report
11. Communication dated March 15, 2023, from Lawrence Strachan in opposition to the application
12. Presentation in support of the application, submitted by John Wintrup (Applicant) on March 16, 2023
13. Recording of Representations

REPRESENTATIONS:

In Support:

Justin Beaulieu
John Wintrup

In Opposition:

Robert Elendiuk
Heather Quinn
Lawrence Strachan
Kyle Williamson

For Information:

Nil

For the City:

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

Exhibit "9" referred to in File DASZ 34/2022

ADMINISTRATIVE REPORT

Title: DASZ 34/2022 – 963 Centennial Street

Issue: For consideration at the public hearing for a rezoning to "RMF-S" Residential Multi-Family Small to permit a townhouse development (seven units).

Critical Path: City Centre Community Committee – Standing Policy Committee on Property and Development, Heritage and Downtown Development – Executive Policy Committee – Council.

AUTHORIZATION

Author	Department Head	CFO	CAO
S. Costello, BURPl.	n/a	n/a	

RECOMMENDATIONS

1. That Development Application No. DASZ 34/2022 for the subdivision and rezoning of land located at 963 Centennial Street 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 is proposing to consolidate two underlying lots at 963 Centennial Street and rezone the lot from Residential Single-Family Medium (R1-M) to Residential Multi-Family Small (RMF-S) in order to develop the property with seven side-by-side townhouse units with attached garages.
- 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.

OURWINNIPEG 2045 POLICY ALIGNMENT

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.

City Building 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 healthy food, daily needs, employment, education, recreation, and green infrastructure.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether the PRS is applicable, however it was determined that it does not apply.

SUBMITTED BY

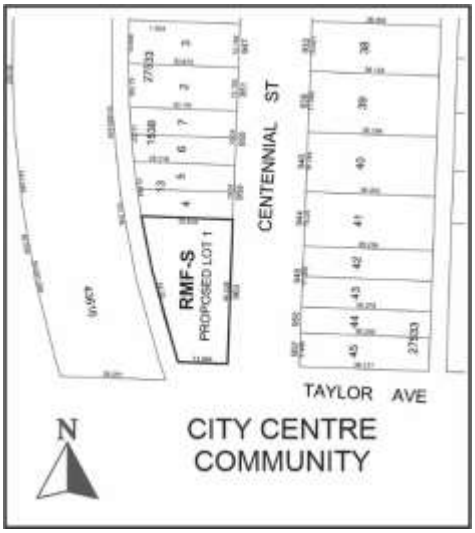
Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Shaylyn Costello, BURPl.
Date:	February 16, 2023
File No.	DASZ 34/2022

List of Schedules and Attachments

- Schedule A – Planning Discussion.
- Schedule B – Report of the Administrative Coordinating Group.
- Schedule C for File no. 34/2022.
- Appendix A – Arborist Report.
- Appendix B – Draft By-law.

Schedule A

DATE:	March 17, 2023
FILE:	**DASZ 34/2022**
RELATED FILES:	DAV 22-151948\D
COMMUNITY:	City Centre Committee
NEIGHBOURHOOD #:	1.618 Mathers
SUBJECT:	For Consolidation and Rezoning to “RMF-S” Residential Multi-Family (Small).
LOCATION:	963 Centennial St
LEGAL DESCRIPTION:	LOT 3 BLOCK 13 PLAN 1538 60 ST B LOT 1 PLAN 27533 59/60 ST B



APPLICANT:	John Wintrup (J. Wintrup Consulting Ltd.) 139 Roslyn Rd Unit 301 Winnipeg, MB R3L 0G7
OWNER:	10037922 MANITOBA LTD. 1601 Buffalo Pl Winnipeg, MB R3T 3K7

HISTORY
DASZ 22/2019

- The property was subject to an application to consolidate two lots into one lot and rezone the subject property from “R1-M” Residential Single-Family Medium to “RMU” Residential Mixed-Use District to allow for the construction of a mixed-use building with 12 dwelling units and a commercial unit at grade.

- The City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service to reject the application on November 5, 2019. The application was then withdrawn prior to being considered at Standing Policy Committee on Property and Development, Heritage and Downtown Development.

SITE DESCRIPTION

- The subject property is located on the north-west corner of Centennial Street and Taylor Avenue, in the Mathers neighbourhood of the River Heights - Fort Garry ward.
- The site is designated Established Neighbourhood – Mature Community under the *Complete Communities Direction Strategy 2.0.* The property is zoned “R1-M” Residential Single-family (medium).
- The property is an irregular shape. It is 133 feet wide, the north property line is 84 feet deep and the south property line is 45.5 feet deep. The total lot area is 8877 square feet. The subject property currently has two underlying lots and contains a single-family dwelling built in 1968.



Figure 1: Air Photo Map of Property and Surrounding Area *(flown 2021)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Single-family dwellings zoned “R1-M.”

South: Taylor Avenue, then vacant land and a City of Winnipeg Fire Hall zoned ““C2.”

East: Centennial Street, then single-family dwellings zoned “R1-M.”

West: Joe Malone Park zoned “PR1” then the Kapyong Barracks Major Redevelopment site zoned “RR5.”



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant is proposing a two-storey townhouse building with seven side-by-side units and individual entrances facing Centennial Street. The proposed building has a footprint of 5690 square feet. Each unit includes an attached garage which is accessed by the back lane. Unit 6 proposes a two-car garage, for a total of 8 parking stalls on the site. Landscaping is provided along Centennial Street and Taylor Avenue.

Variances are required to accommodate the proposal, as well as a rezoning from “R1-M” to “RMF-S” to permit multi-family development on the property. The Administrative Report for the variances can be found under file DAV 22-151948\D.

ANALYSIS AND ISSUES

COLLABORATIVE PLANNING

A pre-application was submitted to the architect of the project on behalf of the property owner in March 2022 for a rezoning to establish 7 side-by-side townhouse units. The feedback stated that the Urban Planning Department would be unable to support the proposed lot coverage, rear yard, front yard, and interior side yard. The plans remained substantially unchanged with the exception of reducing the corner side yard (contrary to the feedback of the Department), and adding landscaping (consistent with the feedback of the Department).

An Arborist Report was requested in support of the application, which was submitted after the application was made. Details on the Arborist Report can be found in greater detail below.

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

The City of Winnipeg's development plan, *OurWinnipeg*, and its citywide secondary plan, the *Complete Communities Direction Strategy 2.0* (CCDS 2.0), lay out the framework for how our City will grow over the next 25 years and how all other plans and City Council decisions must be consistent with it. The subject site is designated "Established Neighbourhoods - Mature Community" under CCDS 2.0 and applicable goals and policies that apply to the proposal are noted below.

- *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.*
- *1.3 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.*
- *1.6 In the absence of a secondary plan guiding the local development of an Established Neighbourhood, intensification should be guided by a number of factors to ensure compatible development, including:*
    a. *Applicable City-endorsed policies or guidelines;*
    b. *Existing zoning of the property and adjacent properties;*
    c. *Characteristics of the immediately surrounding built form including building mass, height, lot coverage, setbacks, and layout;*
    d. *Surrounding uses and their characteristics including residential density and the intensity of commercial and other non-residential uses;*
    e. *Characteristics of the lot, including whether it is a corner lot, a larger lot than is typical for the neighbourhood, or the shape of the lot;*
    f. *Proximity to Downtown, Mixed Use Centres, Major Redevelopment Sites and Mixed-Use Corridors;*
    g. *The supporting street network (ex. local, collector, or arterial streets) and the street network's ability to support proposed development;*
    h. *The supporting transit, pedestrian and active transportation network; and*

i. *The supporting water, wastewater, and land drainage infrastructure and capacity to accommodate a proposed development or the ability to make the required upgrades necessary to accommodate a proposed development.*

- *1.12 (A): Develop small-scale and low-rise residential development guidelines that will direct the location and design of residential infill development in Mature Communities through the use of planning and design guidelines implemented through regulation…*

CCDS 2.0 places emphasis on developing Mature Communities in a context-sensitive manner, and making use of the *Infill Guidelines* to ensure that intensification takes place in suitable locations and exhibit high quality design.

The establishment of a well-designed townhouse development has potential to add moderate, contextually sensitive dwelling units to this neighbourhood. The subject site abuts the Taylor Avenue corridor and is a suitable location for contextually sensitive residential densification. Provision of multi-family townhouse style units increase housing options in this area.

With that said, in order for the proposal to be supported, the proposed design needs to demonstrate contextual sensitivity in alignment with *Complete Communities* policy. In this case, since the plans do not meet the *Infill Guidelines* design criteria, the proposed plans are inconsistent with *CCDS 2.0* as per the policies above.

INFILL GUIDELINES

The *Small Scale and Low-Rise Residential Development Guidelines for Mature Communities* (*Infill Guidelines*) were adopted by Winnipeg City Council on June 24, 2021, following multiple years of engagement and consultation with the public.

The Guidelines apply to small-scale residential development within Winnipeg's Mature Communities and are intended to help City of Winnipeg employees, land developers, and individual residents interpret the policies within *OurWinnipeg* and *CCDS 2.0*.

The Guidelines also supplement the regulations outlined in the City of Winnipeg Zoning By-law No. 200/2006 in assessing how well a proposed development design fits the local context and whether it is an appropriate location for proposed development within an existing neighbourhood.

The subject property meets the Preferred Location Criteria (PLC) for townhouses and low-rise multi-unit residential buildings development in the *Infill Guidelines.*

<u>Preferred Location Criteria</u>

The subject property is in Area 1 of the Infill Guidelines. It is consistent with the criteria for townhouses under scenario 1.

2.1.5 TOWNHOUSES (5 OR MORE UNITS)

1. The Preferred Location Criteria for townhouse multi-unit buildings in Area 1 should be on the following basis:

Scenario 1 – Where all of the following criteria are met:

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

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

c. where the property abuts an arterial street.

Given the lot dimensions, which become increasingly narrow towards Taylor Ave (45 feet deep), it would appear that the proposed seven-unit townhouse style development could not be accommodated on the subject site while meeting the *Infill Guidelines* and would require substantial front and/or rear yard variances. The document states: “The City of Winnipeg expects that those who develop properties within our Mature Communities will use a suitable building type and design to ensure the new development fits well and responds appropriately to the particular conditions of that site and its surrounding neighbourhood.”

Design Guidelines

While the property is consistent with the preferred location criteria, it must also be consistent with the applicable design guidelines in order to ensure high-quality, context-sensitive development. The proposed development has a number of major inconsistencies with the design guidelines for townhouses, which include the following:

- Lot coverage: 42% permitted, 64% proposed
- Rear yard: Minimum 25 feet required, 2 feet proposed
- Front yard: 25 feet based on front yard alignment (variances permitted within 5 feet of alignment), 15 feet proposed (variance of 10 feet).
- Side yards: Minimum required side yards are 6 feet on each side, 5 feet are provided on each side.
- Corner façade condition: Required window coverage on elevation flanking Taylor Avenue is 15%, 7.2% is proposed. A unit facing the corner street is strongly encouraged.
- One-storey projections into front yard: For a stoop or porch may extend into the required front yard setback 5 feet, but not less than 10 feet from the property line. It appears they are 6-7 feet from the property line. Dimension not shown.
- Soft landscaping: Percentage of coverage is unknown. 20% is required.
- Trees: Required to be planted not less than 6.56 feet (2.0 metres) from a public sidewalk, a minimum of 3.28 feet (1.0 metres) from a property line, and should be located at a sufficient distance from the dwelling to allow for full canopy and root system development. The proposed trees appear to be shown less than 5 feet from sidewalks on Centennial Street and Taylor Avenue.

The plans show major inconsistencies with the design guidelines and as such, a context-sensitive townhouse development has not been demonstrated at this time.

SUBDIVISION & REZONING

- The applicant is proposing to rezone the lands to ‘RMF-S” from its existing “R1-M” and consolidate the underlying lots.
- The “RMF-S” district is intended to accommodate the development of low-rise multi-family units in areas with medium to high residential densities. Specifically, this district accommodates a density up to 1250 sq. ft. per unit.

- The lands to the west are identified as Major Redevelopment Site (Kapyong Barracks) and South of Taylor Avenue is Recent Community, as per *CCDS 2.0.*
- The subject property is a large property with an irregular shape. Given the lot is approximately 45 feet deep at its smallest depth, it's unlikely that a townhouse development could fit on the property without substantial front and rear yard variances. Support for a rezoning would be dependent on high-quality, context sensitive plans that are consistent with the *Infill Guidelines*.
- In addition, there are variances to the proposed "RMF-S" District associated with the development pertaining to front and rear yards, and minimum lot area. These are analyzed in the Administrative Report for Associated file No. DAV 22-151948\D.
- The proposed subdivision/rezoning application is not considered compatible with the surrounding area given it is unable to meet design guidelines such as front, rear, side yards and lot coverage, as well as glazing requirements, which minimize concerns related to massing.

ADDITIONAL CONSIDERATIONS

ARBORIST REPORT

An Arborist Report was prepared by Main Branch Tree Service to review the health and size of the trees on the property and indicate which trees may be preserved through the demolition and construction process. There are currently 18 trees on the property ranging in condition from very poor to average health. All 18 trees were recommended for removal, either due to poor health/structure of the tree, or because the tree is too close or within the proposed building footprint.

It may be worth noting that the front, side and rear yards, as well as lot coverage are not supported by the Department. If a reduced building footprint was provided, it may be possible to preserve more trees than is currently indicated. The report can be found at Appendix A of this report.

REASONS FOR RECOMMENDATIONS

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

- The proposal is not consistent with the policies guiding development within *Established Neighbourhoods* in the *Complete Communities Direction Strategy 2.0* which *"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."* The subject application will have an adverse effect on the neighbourhood as it will result in a built form that is not complementary or sensitive to existing development.
- The proposal is not consistent with the Council-endorsed *Residential Infill Guidelines*, which guides intensification to help ensure compatible development (as stated in CCDS 2.0). The development provides insufficient front, rear, and side yards, and exceeds lot coverage permitted as per these design guidelines.

This Report Submitted by:
Planning, Property and Development Department

Urban Planning and Design Division
Report Prepared by: Shaylyn Costello, B.U.R.Pl.
DASZ File Number: 34/2022

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED REZONING OF LAND LOCATED AT 963 CENTENNIAL STREET

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DASZ 34/2022. 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 Water and Waste Department wishes to advise that there is adequate water servicing for the proposed development based on the development plans provided. Additional review will be required by their Department should the plans of development change during the design process.

2) An existing blanket easement for a sewer connection from the catch basin in the Public Lane to the fronting Public right-of-way is registered against the Planned Area by means of caveat no. 207739.

   This caveat may be discharged in series with registration of an easement, at no expense to the City, for land drainage sewer for the northerly 2.0 meters of the Planned Area. The proposed building would need to be set back this distance from the north property line.

Section II – Servicing Considerations

1) Combined Sewer District

   The proposed development is located in a combined sewer district; the sum of the wastewater and land drainage runoff peak discharge from the proposed development cannot exceed the allowable discharge rate:

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

   ii. The peak land drainage discharged from the site must be based on a c-value of 0.30, with a 5 year rainfall event applied.

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

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 34/2022
January 26, 2023

"*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

SCHEDULE C FOR FILE NO. DASZ 34/2022, CITY CENTRE COMMUNITY COMMITTEE, MARCH 17, 2023

By-Law No. _____

File No. **DASZ 34/2022**

Atlas Sheet No. **AE20**
CITY CENTRE 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 963 Centennial Street from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to facilitate the consolidation of land and allow the construction of a Multi-Family Dwelling use.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Exhibit “8” referred to in File DASZ 34/2022





2ND FLOOR PLAN
Not to Scale



10 NOV. /22

963 CENTENNIAL 019

UNIT7 ARCHITECTURE INC.



MAIN FLOOR PLAN

Not to Scale

UNIT AREA TAKE OFFS

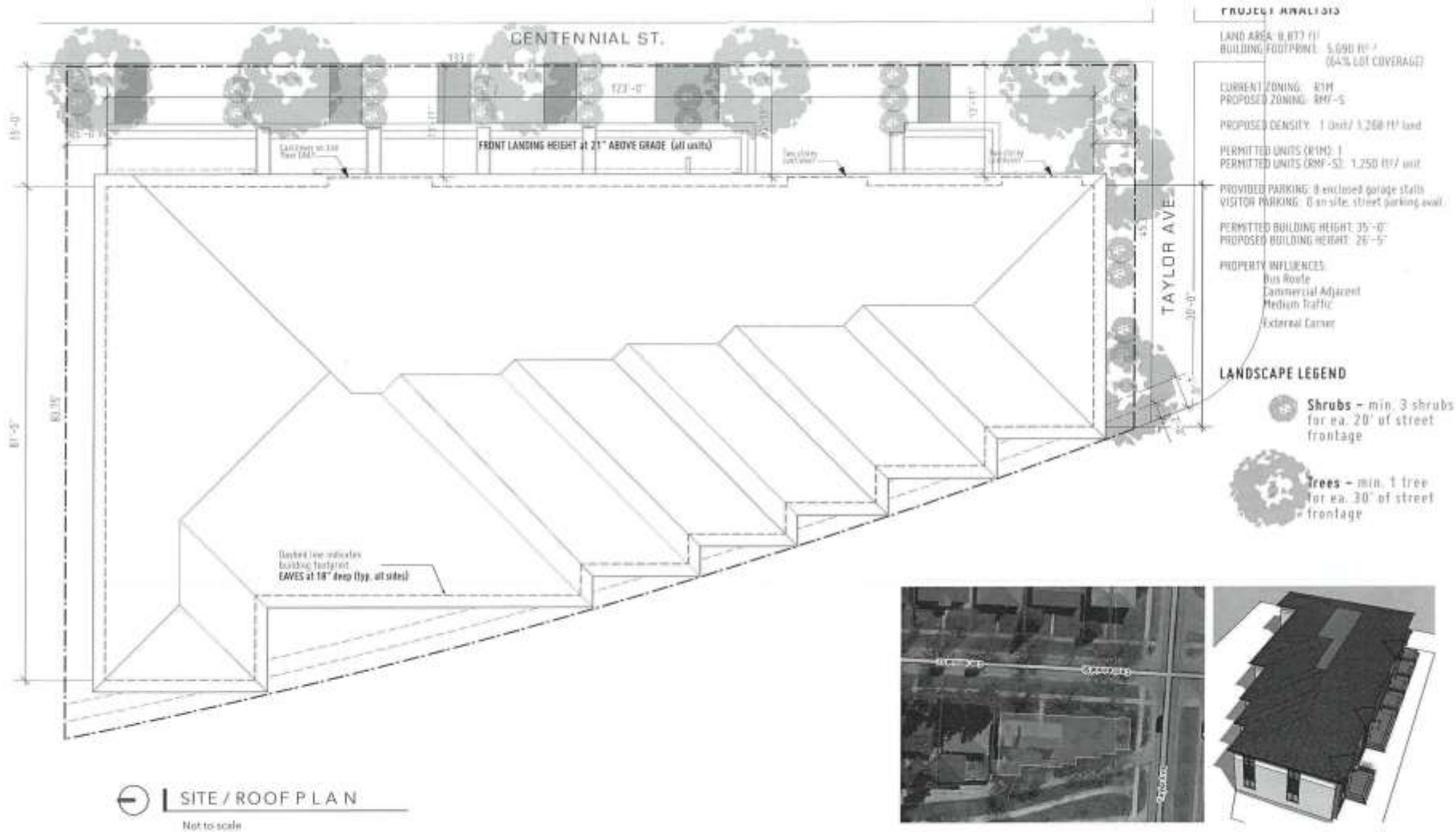
Not including garages

UNIT 1	Main Flr	623 ft²	
	2nd Flr	1025 ft²	
		1,648 ft²	
UNIT 2	Main Flr	329 ft²	
	2nd Flr	640 ft²	
		969 ft²	
UNIT 3	Main Flr	329 ft²	
	2nd Flr	657 ft²	
		986 ft²	
UNIT 4	Main Flr	329 ft²	
	2nd Flr	617 ft²	
		946 ft²	
UNIT 5	Main Flr	329 ft²	
	2nd Flr	567 ft²	
		896 ft²	
UNIT 6	Main Flr	422 ft²	
	2nd Flr	888 ft²	
		1310 ft²	
UNIT 7	Main Flr	539 ft²	
	2nd Flr	790 ft²	
		1329 ft²	

10 NOV. /22

963 CENTENNIAL 020

UNIT7 ARCHITECTURE INC.



SITE / ROOF PLAN

Not to scale

10 NOV. /22

963 CENTENNIAL

021 UNIT7 ARCHITECTURE INC.