Minutes – Council – January 25, 2024

Minute No. 138
Report – Standing Policy Committee on Property and Development – January 11, 2024

Item No. 10 Rezoning – 1115 Nairn Avenue
(Elmwood-East Kildonan Ward)
File DAZ 215/2023 [c/r DAV 200601/2023D]

COUNCIL DECISION:

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

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 215/2023 by rezoning the subject land to a "C1" Commercial Neighbourhood District in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated November 15, 2023 and attached as Schedule "C" to this report, subject to the following conditions:

    A. That the owner of the subject land (the "Owner") enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of the City of Winnipeg Charter in accordance with the following:

        i. the Owner must submit plans showing the location and design of any and all proposed:

            a. Buildings
            b. Accessory parking areas
            c. Private approaches
            d. Garbage enclosures
            e. Fencing
            f. Landscaping including sod in the front yard
            g. Free-standing signage

            on the Owner's Land ("Works") to the City for approval by the Director of Planning, Property and Development ("Director") and the East Kildonan-Transcona Community Committee prior to the issuance of any building or development permit and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

Report – Standing Policy Committee on Property and Development – January 11, 2024

COUNCIL DECISION (continued):

B. That the City enter into, execute and deliver with the Owner a Zoning 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 Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

2. 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 Development Application No. DAZ 215/2023 (the “Dedication Fee”), as determined by the Director of Planning, Property and Development.

3. 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 (the “By-law”) and bring same directly to Council by way of communication for first reading.

4. That upon instruction from the Director of Planning, Property and Development that the Developer has paid the Dedication Fee and all other associated ancillary fees (collectively, the “Fees”), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

5. That Development Application No. DAZ 215/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not paid the Fees within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.

6. That the By-law will come into force when the Zoning Agreement is fully executed and registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

Report – Standing Policy Committee on Property and Development – January 11, 2024

COUNCIL DECISION (continued):

7. That the By-law will be repealed without coming into force 1 year following the date it is enacted if the Zoning Agreement is not registered in accordance with recommendation 6, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

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

9. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File No. DAZ 215/2023.

Report – Standing Policy Committee on Property and Development – January 11, 2024

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

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

Carried

Councillors Schreyer and Wyatt were absent from the vote on the above motion.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 16, 2024, 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 11, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, with the following amendment:

- Delete Recommendations 2.A.ii, iii, iv, v, vi, vii, viii, ix, and x in their entirety

and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 3, 2024, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- In Recommendation 1, delete the period after the words “Schedule “C” to this report” and replace with the following:

  “, subject to the following conditions:

  A. That the owner of the subject land (the “Owner”) enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of the City of Winnipeg Charter in accordance with the following:

Report – Standing Policy Committee on Property and Development – January 11, 2024

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

i. the Owner must submit plans showing the location and design of any and all proposed:

   a. Buildings
   b. Accessory parking areas
   c. Private approaches
   d. Garbage enclosures
   e. Fencing
   f. Landscaping including sod in the front yard
   g. Free-standing signage

   on the Owner's Land ("Works") to the City for approval by the Director of Planning, Property and Development ("Director") and the East Kildonan-Transcona Community Committee prior to the issuance of any building or development permit and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

ii. That no signage be permitted on the building.

iii. That the front yard shall be landscaped with sod.

iv. That a fence be installed in the front yard along the west property line that is a maximum of three feet in height.

v. That a fence be installed along the east property line from the principal building to the rear property line.

vi. That the existing garage be removed within two years of the Zoning Agreement being registered.

vii. That the maximum permitted area for all principal structures on the property be 900 square feet, and the maximum permitted height for all principal structures be 20 feet.

viii. That an accessible washroom be installed within the principal building within two years of the Zoning Agreement being registered.

Report – Standing Policy Committee on Property and Development – January 11, 2024

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

ix. That the only commercial use permitted at the property is an immigration consultant.

x. That the following uses shall not be permitted on the land:

a. Assisted living facility
b. Care home
c. Neighbourhood rehabilitation home
d. Single room occupancy
e. Urban Agriculture, outdoor
f. Community/recreation centre
g. Library
h. Post office/carrier depot
i. Protection and emergency services
j. Social service facility
k. Community gardens
l. Park/plaza/square/ playground
m. Day care centre
n. Place of worship
o. Gallery/museum
p. Hostel
q. Hotel or motel
r. Animal hospital or veterinary clinic
s. Kennel
t. Restaurant
u. Personal services (unless otherwise listed)
v. Medical/dental/optical/ counselling clinic
w. Retail sales (unless otherwise listed)
x. Transit station
y. Utility facility, minor

B. That the City enter into, execute and deliver with the Owner a Zoning 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 11, 2024

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

C. That authority be delegated to the Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

- Delete Recommendation 6 in its entirety and replace with the following:

"6. That the By-law will come into force when the Zoning Agreement is fully executed and registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

7. That the By-law will be repealed without coming into force 1 year following the date it is enacted if the Zoning Agreement is not registered in accordance with recommendation 6, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

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

9. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File No. DAZ 215/2023."

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

COMMUNITY COMMITTEE RECOMMENDATION:

On November 15, 2023, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on January 3, 2024 at 10:30 a.m. in the Council Building at 510 Main Street.

PUBLIC HEARING SUMMARY

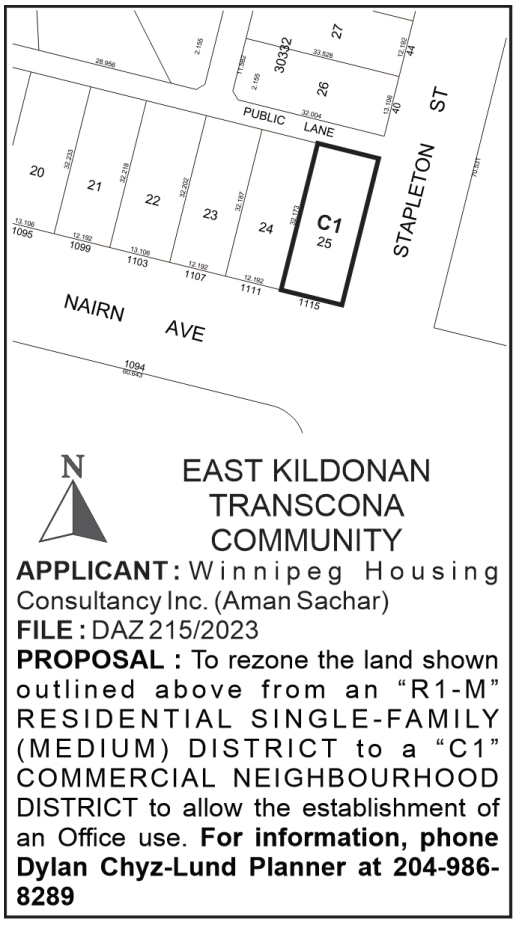
File: DAZ 215/2023

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

Public Hearing: January 3, 2024
November 15, 2023
Council Building, 510 Main Street

Applicant: Winnipeg Housing Consultancy Inc. (Aman Sachar)

Subject:



Premises Affected: 1115 Nairn Avenue

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

Prepared by: B. Harris, Assistant Committee Clerk
East Kildonan-Transcona Community Committee

Report date: January 3, 2024

Community Committee Recommendation:

On January 3, 2024, the East Kildonan-Transcona 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 Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 215/2023 by rezoning the subject land to a "C1" Commercial Neighbourhood District in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated November 15, 2023 and attached as Schedule "C" to this report***, subject to the following conditions:***

    A. That the owner of the subject land (the "Owner") enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of the City of Winnipeg Charter in accordance with the following:

        i. the Owner must submit plans showing the location and design of any and all proposed:

            a. Buildings
            b. Accessory parking areas
            c. Private approaches
            d. Garbage enclosures
            e. Fencing
            f. Landscaping including sod in the front yard
            g. Free-standing signage

            on the Owner's Land ("Works") to the City for approval by the Director of Planning, Property and Development ("Director") and the East Kildonan-Transcona Community Committee prior to the issuance of any building or development permit and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

        ii. That no signage be permitted on the building.

        iii. That the front yard shall be landscaped with sod.

iv. ***That a fence be installed in the front yard along the west property line that is a maximum of three feet in height.***

v. ***That a fence be installed along the east property line from the principal building to the rear property line.***

vi. ***That the existing garage be removed within two years of the Zoning Agreement being registered.***

vii. ***That the maximum permitted area for all principal structures on the property be 900 square feet, and the maximum permitted height for all principal structures be 20 feet.***

viii. ***That an accessible washroom be installed within the principal building within two years of the Zoning Agreement being registered.***

ix. ***That the only commercial use permitted at the property is an immigration consultant.***

x. ***That the following uses shall not be permitted on the land:***

- ***a. Assisted living facility***
- ***b. Care home***
- ***c. Neighbourhood rehabilitation home***
- ***d. Single room occupancy***
- ***e. Urban Agriculture, outdoor***
- ***f. Community/recreation centre***
- ***g. Library***
- ***h. Post office/carrier depot***
- ***i. Protection and emergency services***
- ***j. Social service facility***
- ***k. Community gardens***
- ***l. Park/plaza/square/ playground***
- ***m. Day care centre***
- ***n. Place of worship***
- ***o. Gallery/museum***
- ***p. Hostel***
- ***q. Hotel or motel***
- ***r. Animal hospital or veterinary clinic***
- ***s. Kennel***
- ***t. Restaurant***
- ***u. Personal services (unless otherwise listed)***
- ***v. Medical/dental/optical/ counselling clinic***
- ***w. Retail sales (unless otherwise listed)***
- ***x. Transit station***
- ***y. Utility facility, minor***

B. That the City enter into, execute and deliver with the Owner a Zoning 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 Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

2. 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 Development Application No. DAZ 215/2023 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

3. 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 (the "By-law") and bring same directly to Council by way of communication for first reading.

4. That upon instruction from the Director of Planning, Property and Development that the Developer has paid the Dedication Fee and all other associated ancillary fees (collectively, the "Fees"), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

5. That Development Application No. DAZ 215/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not paid the Fees within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.

6. That the By-law will come into force when the Zoning Agreement is fully executed and registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

7. That the By-law will be repealed without coming into force 1 year following the date it is enacted if the Zoning Agreement is not registered in accordance with recommendation 6, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

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

9. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File No. DAZ 215/2023.

Note: The wording in bold and italics denotes amendments made by the Community Committee.

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

1. I do appreciate businesses coming in here on the corner. I know this corner as I've explained, I know exactly where it is.

2. I appreciate that this business is coming in here with plans to be part of a community, provide these services, and add to the aesthetic of the neighbourhood including with help of my fellow councillors, particularly councillor Wyatt, over his concern for the aesthetic of Regent Avenue and Nairn Avenue, and that our applicant is willing to comply with concerns over the look of Regent and Nairn.

3. I wish them well on their endeavour in terms of improving the lot because it will be a nice improvement of the lot and to their service to the community.

Objections under the Charter:	Total number of **v**alid objections as per section 125(2) – 0 In accordance with section 236.1(1), the threshold for sufficient objection has not been met.
Exhibits Filed:	1. Application dated August 31, 2023 2. Notification of Public Hearing dated October 5, 2023 3. Manitoba Status of Title 3149518/1 4. Letter of authorization dated June 12, 2023 from Jagsir Singh Johal and Ramandeep Kaur, to Winnipeg Housing Consultancy Inc. (Aman Sachar) 5. Plan of Rezoning dated June 30, 2023 6. Plans (7 pages) 7. Report from the Urban Planning Division dated October 26, 2023 8. Inspection Report 9. Presentation dated November 15, 2023 in support of the application submitted by Aman Sachar 10. Recording of Representations of the adjourned public hearing held on November 15, 2023 11. Notice of Adjournment dated November 17, 2023 12. Revised Presentation dated November 15, 2023 in support of the application submitted by the Aman Sachar 13. Recording of Representations

REPRESENTATIONS:

In Support:

Ramandeep Kaur
Aman Sachar

In Opposition:

Nil

For Information:

Nil

For the City:

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

Exhibit “7” referred to in File DAZ 215/2023

ADMINISTRATIVE REPORT

Title: DAZ 215/2023 at 1115 Nairn Avenue

Issue: For consideration at the Public Hearing to rezone one (1) existing lot from “R1-M” Residential Single-Family – Medium District to “C1” Commercial – Neighbourhood District for the conversion of an existing single-family dwelling into an office.

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

AUTHORIZATION

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

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 215/2023 by rezoning the subject land to a “C1” Commercial Neighbourhood District in accordance with the proposed by-law attached as Appendix “B” to this report and as shown on the map dated November 15, 2023 and attached as Schedule “C” to this report.
2. 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 Development Application No. DAZ 215/2023 (the “Dedication Fee”), as determined by the Director of Planning, Property and Development.
3. 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 (the “By-law”) and bring same directly to Council by way of communication for first reading.
4. That upon instruction from the Director of Planning, Property and Development that the Developer has paid the Dedication Fee and all other associated ancillary fees (collectively, the “Fees”), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.
5. That Development Application No. DAZ 215/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not paid the Fees within 2

years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.

6. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

- The applicant wishes to rezone one (1) existing lot from “R1-M” Residential Single-Family – Medium to “C1” Commercial – Neighbourhood District for the purpose of converting the existing building into an office space. The existing building and garage will be maintained.
- Rezoning applications require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee’s consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning and Design Division are concurred in, the proposed plan of subdivision and rezoning **can** proceed in accordance with Schedule “C” to this report.

CONSULTATION

In preparing this report there was consultation with:

Land Development Branch

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

- **Key Direction 4.2:** 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 Poverty Reduction Strategy (PRS) and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared By:	Dylan Chyz-Lund, MCP
Date:	October 26, 2023
File No.	DAZ 215/ 2023

List of Schedules and Attachments:

- Schedule A: Planning Discussion
- Schedule “C” of File No. DAZ 215/2023, East Kildonan – Transcona Community Committee, dated November 15, 2023

- Appendix B: Draft by-law

SCHEDULE A

DATE: February 15, 2022

FILE: **DAZ 215/2023**

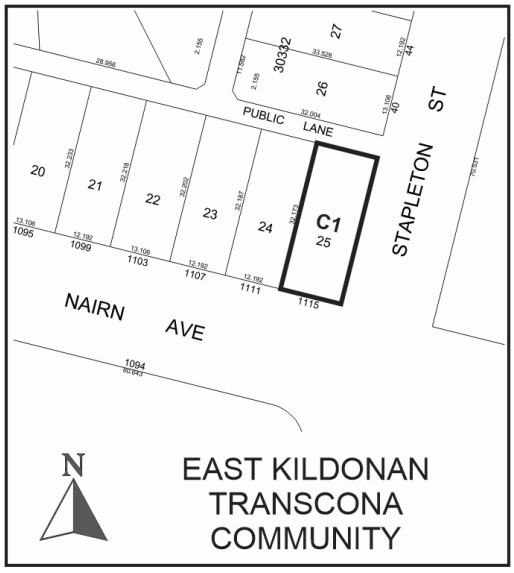
RELATED FILES: DAV 200601/23/D

COMMUNITY: East Kildonan – Transcona

NEIGHBOURHOOD #: 405 - East Elmwood

SUBJECT: DAZ - rezoning to rezone an existing lot from “R1-M” Residential Single-Family – Medium District to “C1” Commercial – Neighbourhood District for converting an existing single-family dwelling into an office space.

LOCATION: 1115 Nairn Avenue



LEGAL DESCRIPTION: SP LOT 25 PLAN 30332 WLTO IN RL 68 PARISH OF ST BONIFACE

APPLICANT: Winnipeg Housing Consultancy (Aman Sachar)

47 Lake Bend Road

R3Y 0M6

OWNER: Jagsir Johal & Ramandeep Kaur

227 Antrim Road

R2K 3M7

RECOMMENDATION: **Approval**

SITE DESCRIPTION

The subject site is located at the northwest corner of Nairn Avenue and Stapleton Street in the East Elmwood neighbourhood of the Elmwood – East Kildonan ward.

The subject property is currently zoned “R1-M” Residential Single-Family – Medium District.

The subject property is located in a “Regional Mixed Use Corridor” policy area as designated in *Complete Communities 2.0*.

The subject property has an assessed area of 4,616 square feet.

Currently on the property is a single-family dwelling that was constructed in 1955.



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

SURROUNDING LAND USE AND ZONING (See Figure 2)

The subject area is characterized by a mix of single family uses and commercial uses of varying scale.

North: Rear lane, then a single-family dwelling zoned “R1-M” Residential Single-Family – Medium.

South: Nairn Avenue, then a strip mall zoned “C3” Commercial – Corridor.

East: Stapleton Street, then a convenience store zoned “C3” Commercial – Corridor.

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



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant wishes to rezone the existing lot to the “C1” Commercial – Neighbourhood District for the purpose of converting the existing single-family dwelling into an office use.
- The existing one storey building and garage will be maintained.
- A sidewalk and ramp are proposed to connect from the east side of the building to the public sidewalk on Stapleton Street, which is consistent with the current building configuration that has an entrance facing Stapleton Street.
- Access to the parking area will remain from the rear lane.
- The parking area will include two (2) parking stalls that are each 10 feet wide.
- A 6’ tall wooden privacy fence is proposed along the west property line, which will also mitigate the effects of any vehicle headlights on the property to the west.
- Bicycle parking is proposed on the east side of the building, adjacent to Stapleton Street.
- Five (5) lilac trees are proposed in the front yard, along with multiple shrubs in the front and east side yards.
- Recycling and garbage bins will be located at the rear of the property, adjacent to the rear lane.

REASON FOR APPLICATION

- The subject property is currently zoned “R1-M” Residential Single-Family – Medium District. This district does not permit the establishment of an office use.
- The applicant wishes to establish an office use in the existing building, and therefore must rezone the subject property to the “C1” Commercial – Neighbourhood District to accommodate this use.
- In order to rezone the lot to accommodate the new use, a rezoning application is required.
- Additional variances for the existing side yards and the establishment of an accessory parking area are required. Please see the corresponding planners report for file DAV 23-200601\D.

Collaboration with the Public Service:

- The applicant worked with the Public Service in advance of their application and made changes to their site plan and overall application that responded to concerns raised by the Public Service. These items included:
    - Updating their landscaping plan to ensure compliance with the landscaping requirements of the Zoning By-Law.
    - Adding a light-proof fence along the west property line to mitigate the effects of headlights from parked vehicles on the abutting property.

ANALYSIS AND ISSUES

OURWINNIPEG

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

6.1 Sustainable Urban Growth

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

6.20 Corridors

- *Designate Corridors within the Urban Structure as targeted segments of the primary transit network that provide the best opportunity for mixed use intensification outside of the Downtown. Prioritize the creation and maintenance of vibrant pedestrian and transit-oriented places in Urban Mixed Use Corridors, while encouraging the transition of Regional Mixed Use Corridors towards this character over the longer term*.

6.21 Regional Mixed Use Corridors

- *Recognize that a primary function of designated Regional Mixed-Use Corridors is for the efficient movement of people, goods and services, while transitioning the functional design over time to support mixed-use intensification and transit-orientation.*

The proposed development application **aligns** with *OurWinnipeg* for the following reasons:

- The proposal introduces commercial uses into a mixed-use environment and enhances the functional design of the property through the addition of accessible pathways and enhanced landscaping
- The proposal maintains the existing building that is one storey in height and proposes a privacy fence, thereby remaining context-sensitive to the single-family dwelling abutting to the west.

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The *Complete Communities Direction* Strategy 2.0 (*CCDS 2.0*) is one of four direction strategies supporting *OurWinnipeg*, the city's long-range development plan, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- The subject site is located in a "Regional Mixed-Use Corridor" policy area of *CCDS 2.0*. Certain goals and policies of CCDS 2.0 apply to the proposal.
- Goal 3 - *Ensure Corridors provide a comfortable pedestrian environment and attractive public realm.*
    - *3.7 Encourage development on Regional Mixed Use Corridors to enable a comfortable pedestrian environment and attractive public realm through the use of design elements which may include, but are not limited to the following:*

      3.7.2 Having entrances provide direct access to the public sidewalk.

      3.7.3 Promoting a fine-grained and transparent street-level façade with active ground floor uses.

      3.7.4 Minimizing impacts of vehicular access and parking on the pedestrian environment.

The proposed office use provides a ramp and sidewalk with direct access to the public sidewalk on Stapleton Street, promoting a comfortable and accessible pedestrian environment.

The maintenance of the existing one-storey building enables continued ground floor uses on a corner lot that fronts onto Nairn Avenue, a Regional Mixed Use Corridor.

The parking area will continue to be accessed from the rear lane, ensuring that the public sidewalks are not fractured and preserving pedestrian connections around the site.

- *3.8 Mitigate negative shadow impacts and ensure adequate sunlight penetration experienced by rear- and side-adjacent residential properties and the public sidewalk by:*

  3.8.1 Using Corridor right of way width as a guide to determine maximum building height, where appropriate.

  3.8.2 Using upper-level building step backs, where appropriate.

The proposal maintains the existing one-storey building. As a result, there are no concerns that the proposal will impose any additional shadow impacts on the abutting single-family dwelling.

- *3.9 Encourage pedestrian-oriented improvements to the design of the public realm and right-of-way.*

The submitted plans show the planting of five (5) lilac trees and multiple shrubs in the front and side yards of the property, enhancing the public realm.

ZONING BY-LAW 200/2006

- The “C1” Commercial - Neighbourhood District is intended to facilitate small, compact commercial uses within or surrounded by residential areas that are attractive and compatible in scale and character with surrounding residential uses.
- The subject site is located in an area characterized by a mixture of land uses, including higher intensity regional corridor oriented commercial uses, as well as lower intensity single-family dwellings.
- The proposed office use can be accommodated in the “C1” district.
- The “C1” designation was chosen because it enables a small-scale office use at the site, abutting a single-family dwelling while also being adjacent to larger scale commercial uses on a Regional Mixed Use Corridor.
- Proximity to high frequency transit, “R1” zoned lots, and adjacency to a range of higher intensity commercial land uses are supporting factors in the use of the “C1” zoning district.
- The applicant has submitted a site plan and elevations that have responded to feedback from the Urban Planning Division.
- The submitted design is of high quality and is consistent with policies guiding commercial development on this section of Nairn Avenue.
- Based on these considerations, the “C1” zoning district is the most appropriate zoning district to enable the proposed development.

ADDITIONAL CONSIDERATIONS

Parking

- No parking variances are being sought by the applicant

Site Servicing

- There is no Administrative Coordinating Group (ACG) report associated with this file.

SUMMARY

The Urban Planning Division recommends a**pproval** for the following reasons:

- The rezoning will result in the establishment of an office use that is consistent with policies in *OurWinnipeg 2045* and *Complete Communities 2.0*.
- The proposed development will enable small-scale commercial activity along a Regional Mixed Use Corridor that is complimentary to the existing land uses.

RECOMMENDATION

The Urban Planning Division recommends this application be **approved** and the subject property be rezoned to the “C1” Commercial – Neighbourhood District.

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

Report Prepared by: Dylan Chyz-Lund, MCP
PPD File # DAZ 215/2023

SCHEDULE "C" OF FILE DAZ 215/2023, East Kildonan – Transcona Community Committee, dated November 15, 2023

By-Law No.

File No. **DAZ 215/2023**

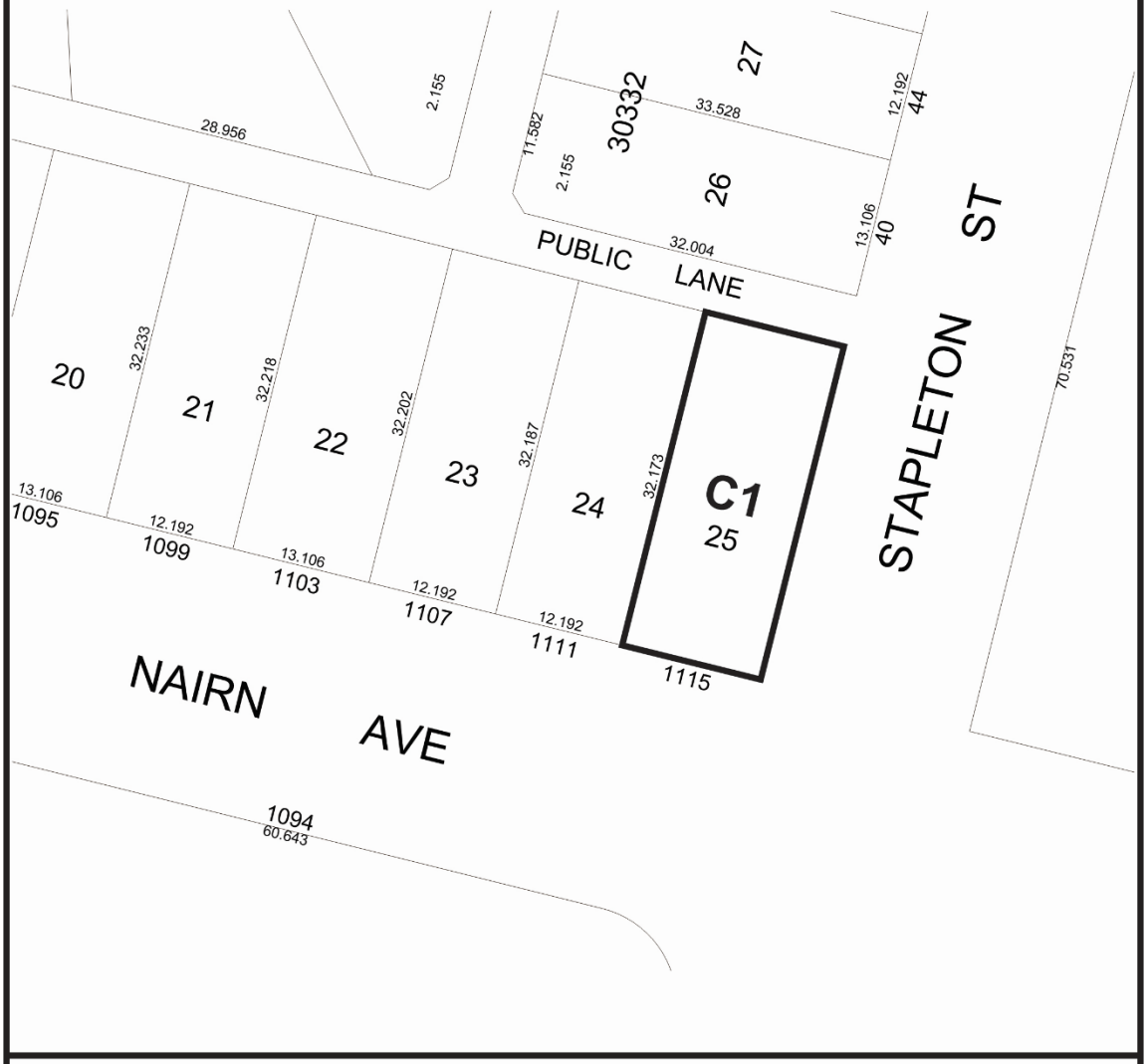
Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 1115 Nairn Avenue from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to a "C1" COMMERCIAL NEIGHBOURHOOD DISTRICT to allow the establishment of an Office use.

Atlas Sheet No. **Y29**

N

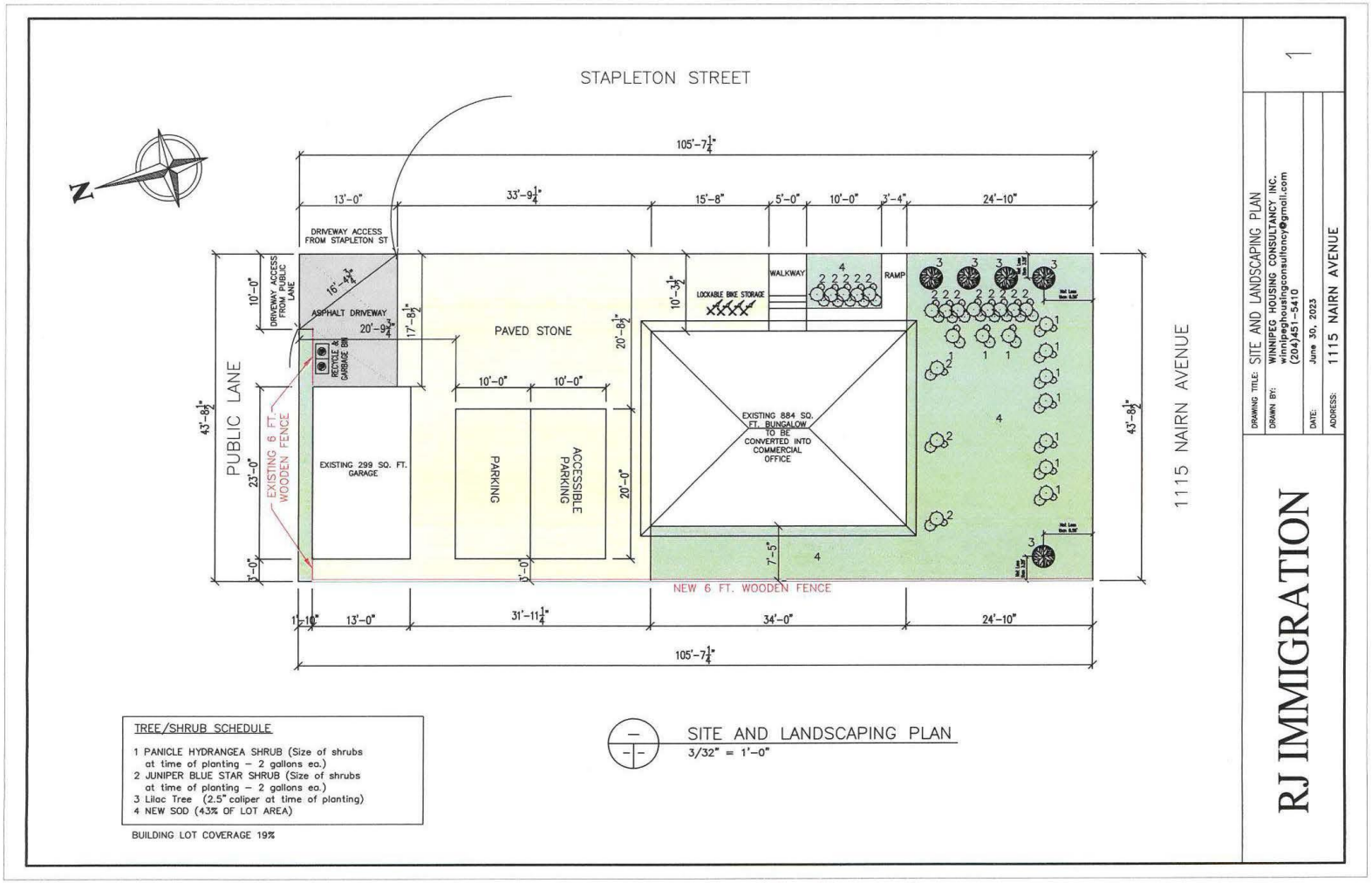
EAST KILDONAN TRANSCONA COMMUNITY

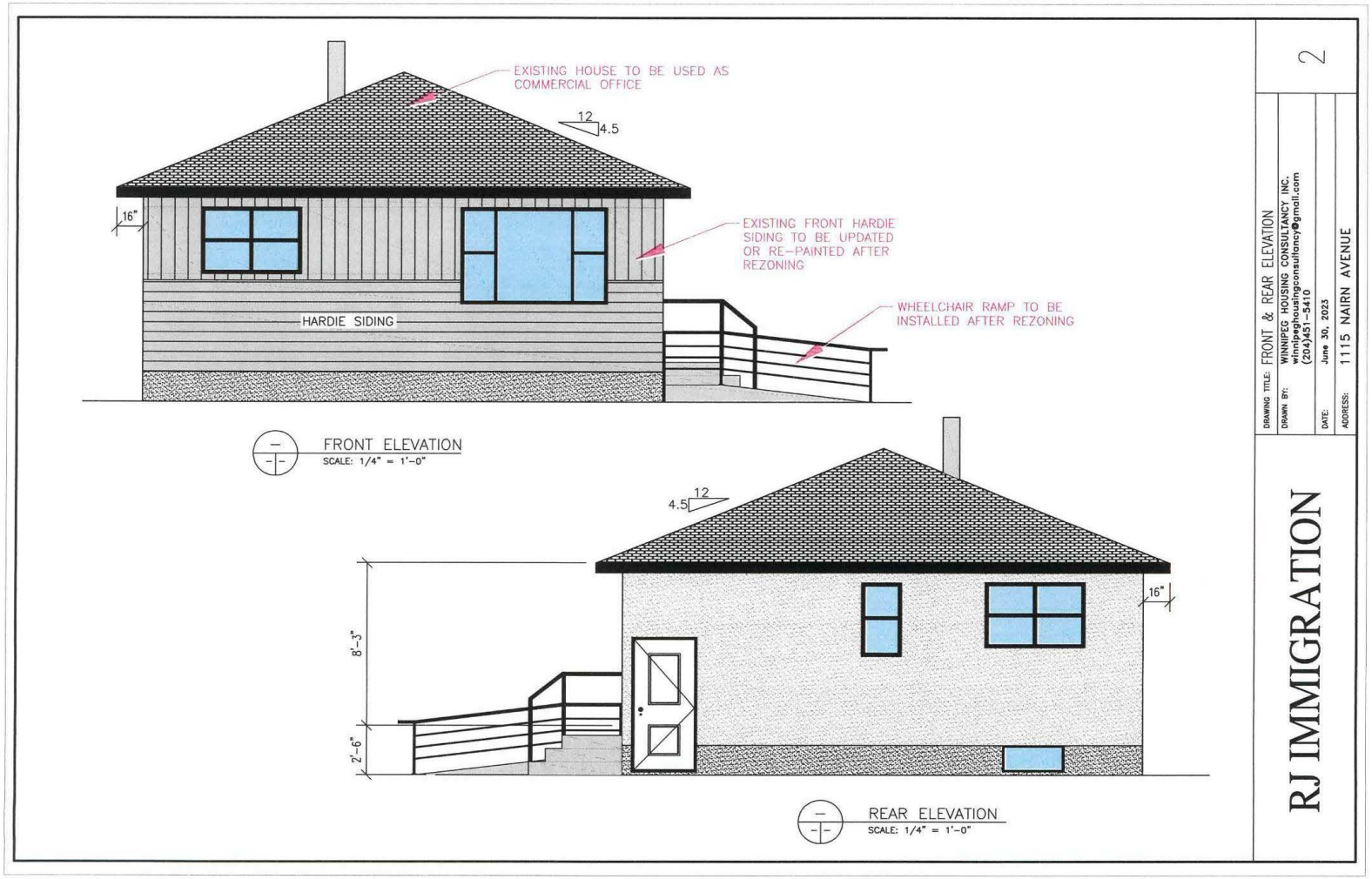


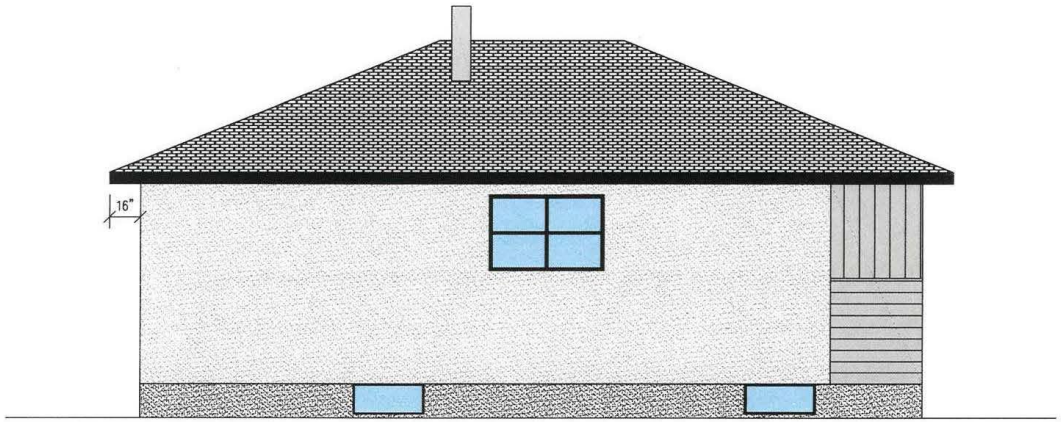
THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.

Exhibit “6” referred to in File DAZ 215/2023




EXISTING HOUSE TO BE USED AS COMMERCIAL OFFICE
12
4.5
16"
EXISTING FRONT HARDIE SIDING TO BE UPDATED OR RE-PAINTED AFTER REZONING
WHEELCHAIR RAMP TO BE INSTALLED AFTER REZONING
HARDIE SIDING
FRONT ELEVATION
SCALE: 1/4" = 1'-0"
4.5
12
16"
8'-3"
2'-6"
REAR ELEVATION
SCALE: 1/4" = 1'-0"
RJ IMMIGRATION
DRAWING TITLE: FRONT & REAR ELEVATION
DRAWN BY: WINNIPEG HOUSING CONSULTANCY INC.
winnipeghousingconsultancy@gmail.com
(204)451-5410
DATE: June 30, 2023
ADDRESS: 1115 NAIRN AVENUE
2

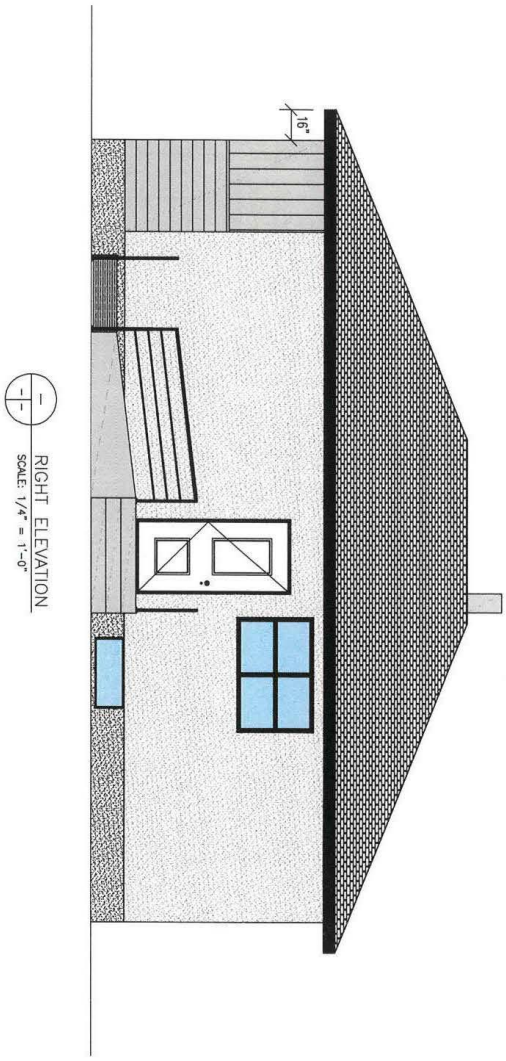


LEFT ELEVATION
SCALE: 1/4" = 1'-0"

RJ IMMIGRATION

DRAWING TITLE: LEFT ELEVATION
DRAWN BY: WINNIPEG HOUSING CONSULTANCY INC.
winnipeghousingconsultancy@gmail.com
(204)451-5410
DATE: June 30, 2023
ADDRESS: 1115 NAIRN AVENUE

3

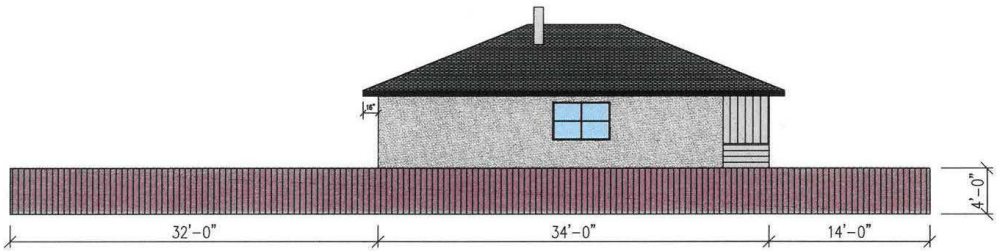


RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

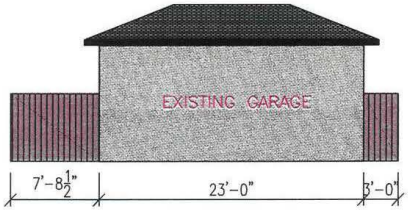
RJ IMMIGRATION

DRAWING TITLE:	RIGHT ELEVATION
DRAWN BY:	WINNIPEG HOUSING CONSULTANCY INC. winnipeghousingconsultancy@gmail.com (204)451-5410
DATE:	June 30, 2023
ADDRESS:	1115 NAIRN AVENUE

4



FENCE – LEFT ELEVATION
1/8" = 1'-0"

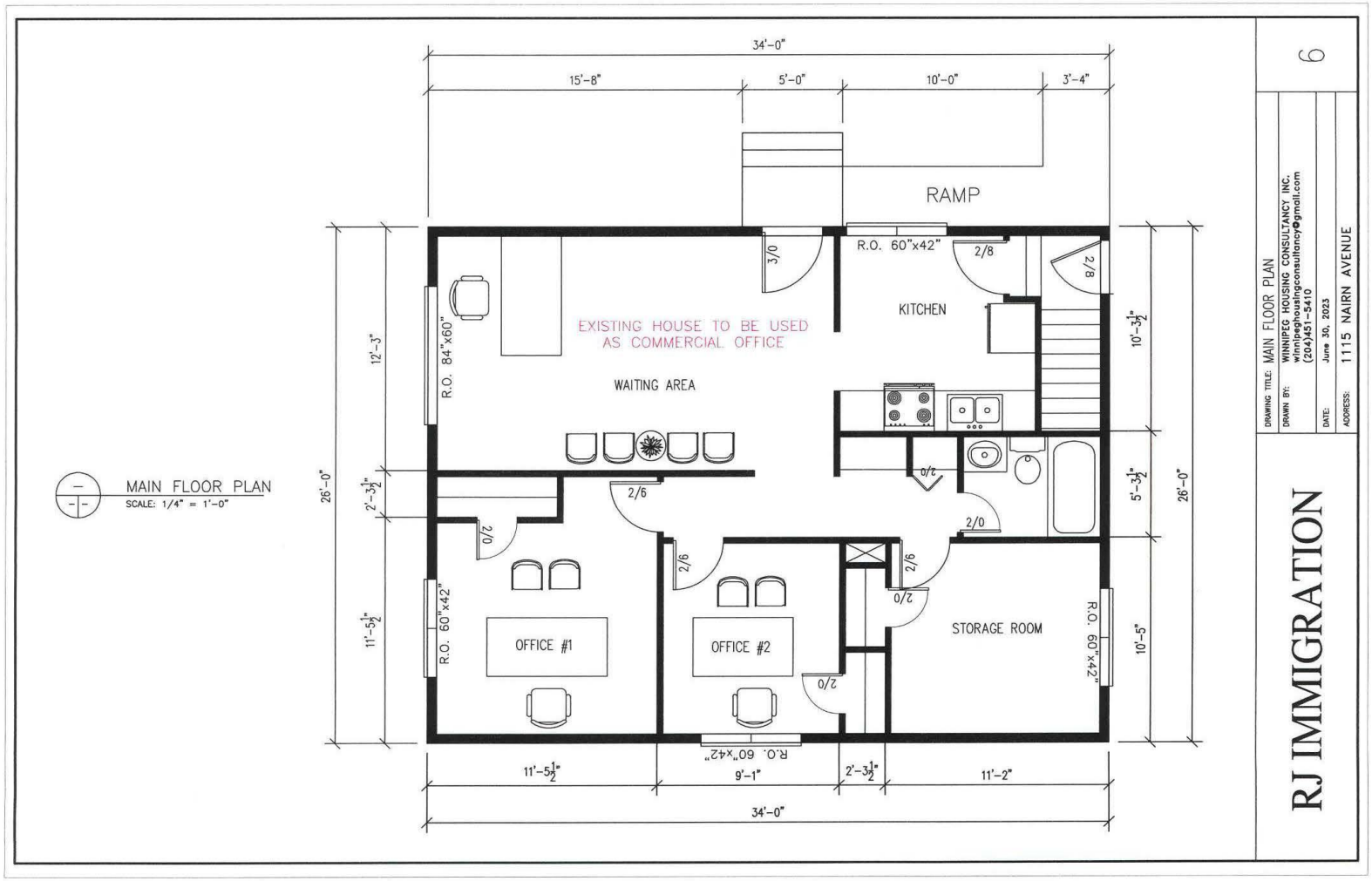


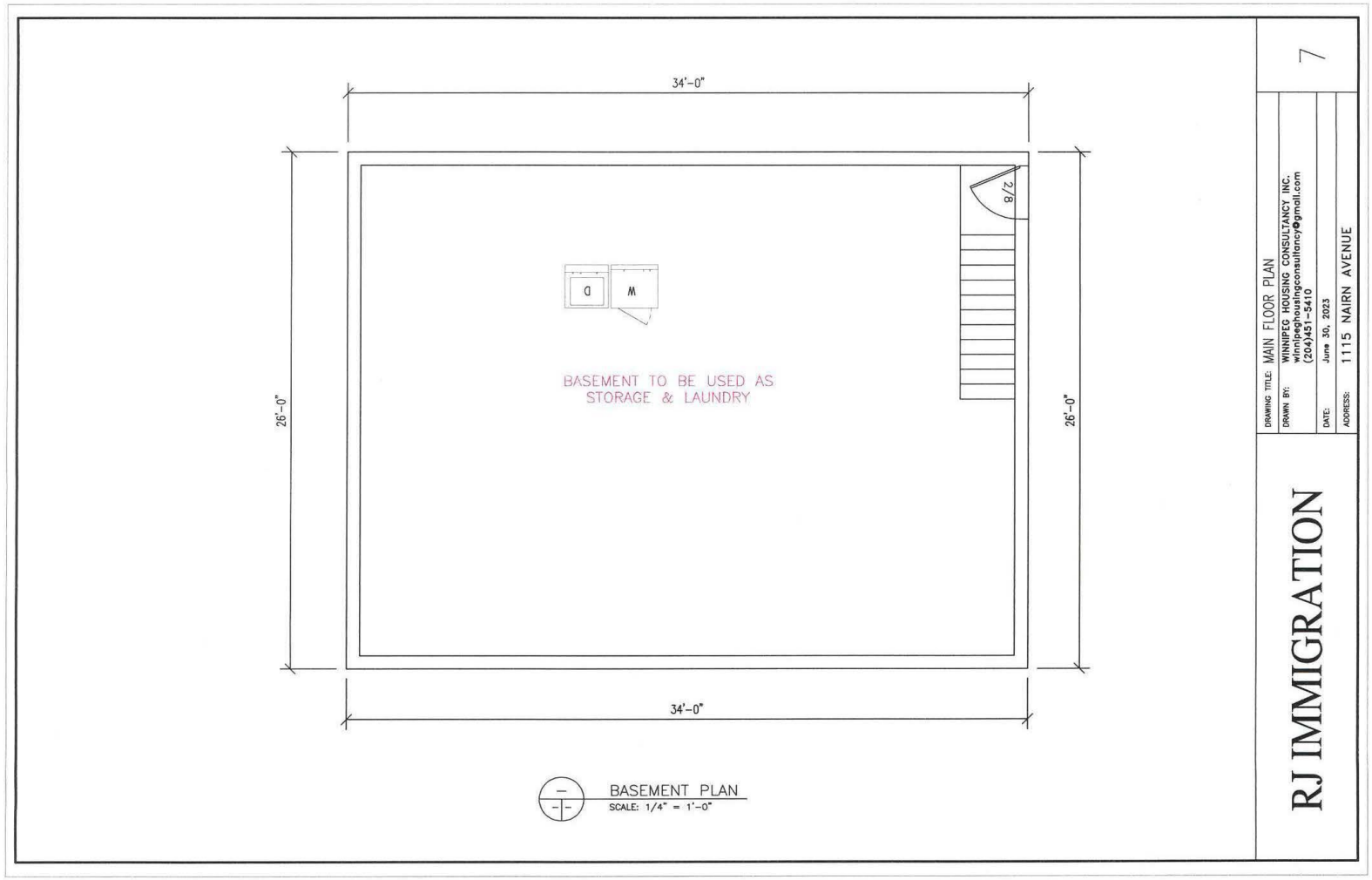
FENCE – REAR ELEVATION
1/8" = 1'-0"

RJ IMMIGRATION

DRAWING TITLE: FENCE – LEFT & REAR ELEVATIONS
DRAWN BY: WINNIPEG HOUSING CONSULTANCY INC.
winnipeghousingconsultancy@gmail.com
(204)451-5410
DATE: June 30, 2023
ADDRESS: 1115 NAIRN AVENUE

5


34'-0"
15'-8"
5'-0"
10'-0"
3'-4"
RAMP
R.O. 60"x42"
2/8
2/8
3/0
KITCHEN
EXISTING HOUSE TO BE USED
AS COMMERCIAL OFFICE
WAITING AREA
R.O. 84"x60"
12'-3"
10'-3½"
26'-0"
2'-3½"
2/6
0/2
2/0
5'-3½"
26'-0"
2/6
2/6
0/2
2/0
R.O. 60"x42"
OFFICE #1
OFFICE #2
STORAGE ROOM
R.O. 60"x42"
11'-5½"
10'-5"
0/2
R.O. 60"x42"
11'-5½"
9'-1"
2'-3½"
11'-2"
34'-0"
MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"
6
DRAWING TITLE: MAIN FLOOR PLAN
DRAWN BY: WINNIPEG HOUSING CONSULTANCY INC.
winnipeghousingconsultancy@gmail.com
(204)451-5410
DATE: June 30, 2023
ADDRESS: 1115 NAIRN AVENUE
RJ IMMIGRATION


34'-0"
26'-0"
26'-0"
34'-0"
2/8
D
W
BASEMENT TO BE USED AS
STORAGE & LAUNDRY
BASEMENT PLAN
SCALE: 1/4" = 1'-0"
RJ IMMIGRATION
DRAWING TITLE: MAIN FLOOR PLAN
DRAWN BY: WINNIPEG HOUSING CONSULTANCY, INC.
winnipeghousingconsultancy@gmail.com
(204)451-5410
DATE: June 30, 2023
ADDRESS: 1115 NAIRN AVENUE
7