Agenda – Council – November 21, 2024

Report – Executive Policy Committee – November 13, 2024

Item No. 11 Rezoning – 800 Crescent Drive
(Fort Rouge-East Fort Garry Ward)
File DAZ 211/2024

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 13, 2024, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the following to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 211/2024 by rezoning the subject land to a "R1-L" Residential Single-Family - Large District in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated September 6, 2024 and attached as Schedule "B" to this report.

2. That, in lieu of the dedication of land, the developer shall provide a cash payment representing ten percent 10% of the planned area value of the Development Application (the "Dedication Fee"), as determined by the City's 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 Recommendation 1 (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 all fees, charges or other amounts due in respect of DAZ 211/2024 (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 consideration for second and third reading.

5. That Development Application No. DAZ 211/2024 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.

Agenda – Council – November 21, 2024

Report – Executive Policy Committee – November 13, 2024

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 13, 2024, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On October 29, 2024, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

PUBLIC HEARING SUMMARY

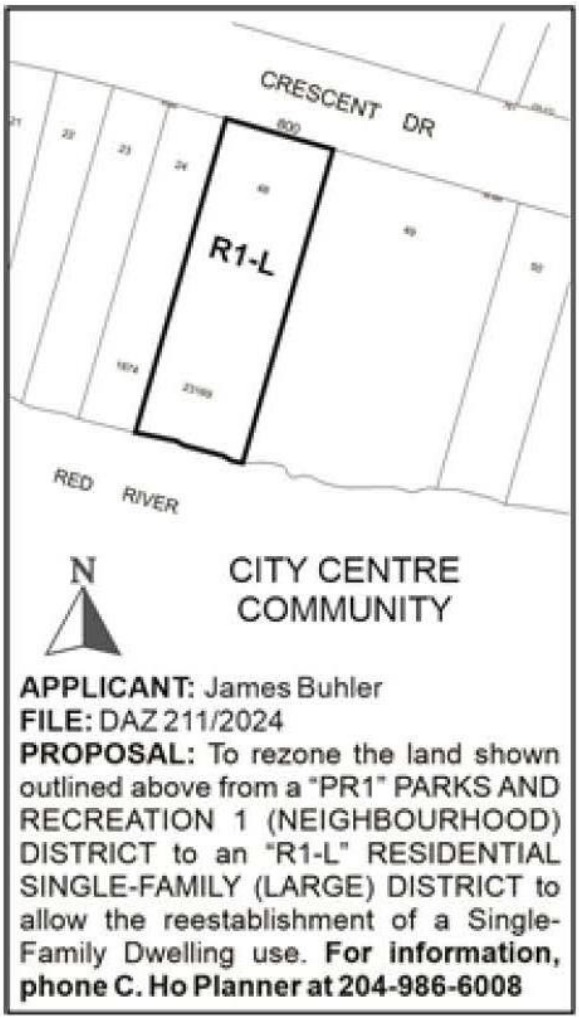
File: DAZ 211/2024

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

Public Hearing: October 29, 2024
Council Building, 510 Main Street

Applicant: James Buhler

Subject:



Premises Affected: 800 Crescent Drive

For submission to: Executive Policy Committee

Prepared by: S. Vickery, Committee Clerk
City Centre Community Committee

Report date: October 29, 2024

Community Committee Recommendation:

On October 29, 2024, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 211/2024 by rezoning the subject land to a "R1-L" Residential Single-Family - Large District in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated September 6, 2024 and attached as Schedule "B" to this report.

2. That, in lieu of the dedication of land, the developer shall provide a cash payment representing ten percent 10% of the planned area value of the Development Application (the "Dedication Fee"), as determined by the City's 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 Recommendation 1 (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 all fees, charges or other amounts due in respect of DAZ 211/2024 (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 consideration for second and third reading.

5. That Development Application No. DAZ 211/2024 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.

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

1. We did look into it, there is a house right now on the property. It will be a good new development.

2. The old housing stock that we saw is in rough condition. So I'm happy to move this along.

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 6, 2024
2. Notification of Public Hearing dated September 6, 2024
3. Manitoba Status of Title 3285180/1
4. Letter of authorization dated May 17, 2024 from Bertha Buhler to James Buhler
5. Surveyor's Staking and Building Location Certificate dated January 9, 2024
6. Plan of Subdivision Change from PR1 to RL-1
7. Arborist Report dated June 27, 2024
8. Plans (5 pages)
9. Report from the Urban Planning Division dated September 6, 2024
10. Inspection Report
11. Recording of Representations

REPRESENTATIONS:

In Support:

James Buhler

In Opposition:

Nil

For Information:

Nil

For the City:

C. Ho, Planner, Planning, Property and Development Department

Exhibit "9" referred to in File DAZ 211/2024

ADMINISTRATIVE REPORT

Title: DAZ 211/2024 – 800 Crescent Drive

Issue: An application for consideration at the public hearing to rezone the subject property from "PR-1" Parks and Recreation - Neighbourhood District to "R1-L" Residential Single-Family - Large District to allow for the construction of a single-family dwelling.

Critical Path: City Centre Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
Choi Ho, RPP, MCIP	n/a	n/a	

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 211/2024 by rezoning the subject land to a "R1-L" Residential Single-Family - Large District in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated September 6, 2024 and attached as Schedule "B" to this report.

2. That, in lieu of the dedication of land, the developer shall provide a cash payment representing ten percent 10% of the planned area value of the Development Application (the "Dedication Fee"), as determined by the City's 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 recommendation 1 (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 all fees, charges or other amounts due in respect of DAZ 211/2024 (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 consideration for second and third reading.

5. That Development Application No. DAZ 211/2024 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 is proposing to rezone the subject property from “PR-1” Parks and Recreation - Neighbourhood District to “R1-L” Residential Single-Family - Large District for the construction of a new 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 and Design Division are concurred in, the subject property will be rezoned from “PR-1” Parks and Recreation - Neighbourhood District to “R1-L” Residential Single-Family - Large District

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

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

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.

- 4.1 *Increase Strategic Infill Development that provides access to and capitalizes on existing and planned corridors with frequent transit service.*

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

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

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Urban Planning and Design
Prepared by:	Choi Ho, RPP, MCIP
Date:	September 6, 2024
File No.	DAZ 211/2024

List of Schedules and Appendices

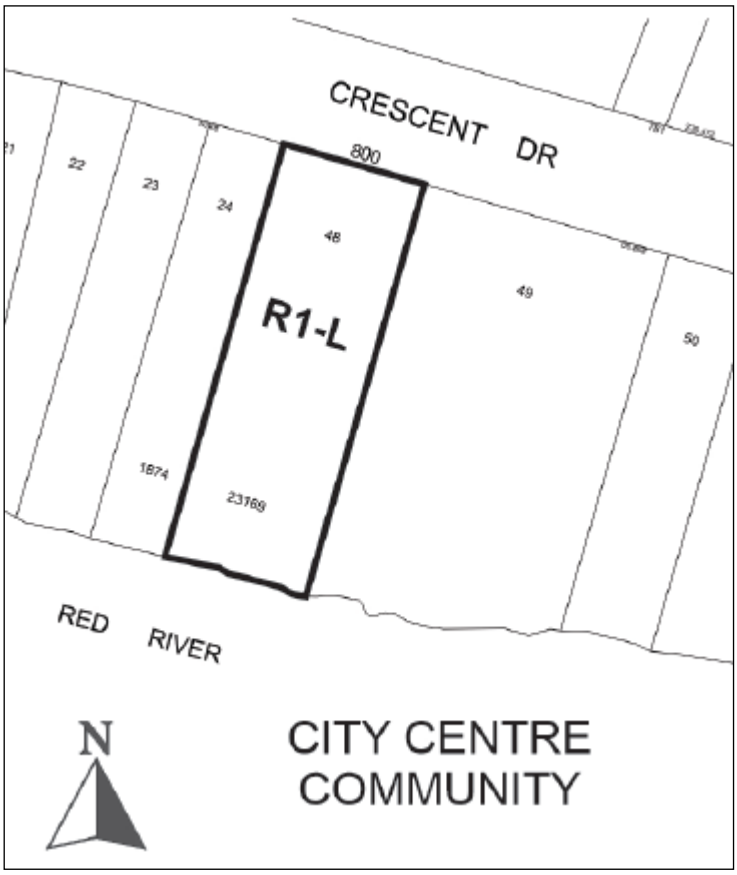
- Schedule A – Planning Discussion
- Schedule B – Recommended File No. DAZ 211/2024
- Appendix A – Proposed By-law
- Appendix B – Arborist Report

SCHEDULE A

DATE: **September 6, 2024**
FILE: **DAZ 211/2024**
RELATED FILES: N/A
COMMUNITY: City Centre Committee
NEIGHBOURHOOD #: 1.612 - (Crescent Park)

SUBJECT: To rezone the subject property from “PR-1” Parks and Recreation - Neighbourhood to “R1-L” Residential Single-Family - Large District

LOCATION: 800 Crescent Drive



APPLICANT: James Buhler
4 Vanderbilt Drive
Winnipeg, MB R3Y 1M8

OWNER: Bertha Agnes Buhler
4 Vanderbilt Drive
Winnipeg, MB R3Y 1M8

RECOMMENDATION: **Approval with conditions**

SITE DESCRIPTION

- The subject property is located on Crescent Drive, in the Crescent Park neighbourhood of the Fort Rouge - East Fort Garry ward.
- The subject site is 24,940 square feet (2317.0 square metres or 0.57 acres) in area.
- The site is currently occupied by a two-storey single-family dwelling with two (2) attached garages.
- The subject site is accessed from two front driveway approaches.
- Under the *Complete Communities Direction Strategy 2.0*, the site is within the "Established Neighbourhoods – Mature Communities" policy area.
- Under the *Small Scale and Low-Rise Residential Development Guidelines for Mature Communities* (Infill Guidelines), the subject site falls within Area 1 of the *Infill Guidelines*.
- The property is in the "PR-1" Parks and Recreation - Neighbourhood) zoning district.

Figure 1: Aerial photo of subject site and surrounding area *(flown 2024)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Crescent Drive, then 775 Crescent Drive – recreational multiple-use buildings and parking areas zoned "PR-2" Parks and Recreation – Active Neighbourhood/Community

South: The Red River

East: Passive vacant park space (City-owned parcel) zoned "PR-1" Parks and Recreation - Neighbourhood

West: 826 Crescent Drive – a cemetery use zoned "PR-1" Parks and Recreation - Neighbourhood

Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant proposes to rezone the subject property from “PR-1” Parks and Recreation - Neighbourhood to “R1-L” Residential Single-Family - Large District to construct a new one-storey single-family dwelling with an attached 3-car garage.
    - Although the site is zoned “PR-1” it is privately owned and has been developed with a single-family home for some time.
- The existing two-storey single-family dwelling with two (2) attached garages on the subject site will be demolished.
- The submitted site plans show the proposed single-family dwelling will be approximately 83 feet (25.29 metres) wide and approximately 64 feet (19.50 metres) deep.
- The proposed dwelling with an attached 3-car garage will take up approximately 4,141 square feet (384.71 square metres) in area.
- The submitted elevations indicate a building height of approximately 28 feet (8.53 metres).
- The proposed single-family dwelling will have a 5-foot (1.52 metres) east side yard setback and a 6-foot (1.82 metres) west side yard setback.
- The submitted Arborist Report indicates of the 18 trees surveyed, three (3) trees are recommended for removal due to the new construction and 15 trees are to be retained and protected.
- The proposed rezoning does not require any Variances.

COLLABORATIVE PLANNING AND CONSULTATION

With the Urban Planning and Design Division

The applicant worked with the Urban Planning and Design Division to submit an Arborist Report.

With the Public

The applicant did not provide any signatures or letters of support with their application.

ANALYSIS AND ISSUES

Complete Communities Direction Strategy 2.0

- The *Complete Communities Direction Strategy 2.0* (CCDS 2.0) is a citywide secondary plan that guides growth, development, and land use in the city of Winnipeg.

- In *CCDS 2.0*, the subject site meets the City's aim for a minimum of 50% of all new dwellings to be accommodated in the residential intensification target area outlined in Section B1. General Growth Goal 2: 2.0 Encourage strategic intensification.
- The subject site is located in the "Established Neighbourhoods - Mature Communities" policy area in *CCDS 2.0.* The proposal aligns with the following goals and policies for 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.*
        - *1.6 In the absence of a secondary plan guiding the local development of an Established Neighbourhood, intensification should be guided by a number of factors to ensure compatible development, including:*
            - *a. Applicable City-endorsed policies or guidelines;*
            - *b. Existing zoning of the property and adjacent properties;*
            - *c. Characteristics of the immediately surrounding built form including building mass, height, lot coverage, setbacks, and layout;*
            - *d. Surrounding uses and their characteristics including residential density and the intensity of commercial and other non-residential uses;*
            - *e. Characteristics of the lot, including whether it is a corner lot, a larger lot than is typical for the neighbourhood, or the shape of the lot;*
            - *f. Proximity to Downtown, Mixed Use Centres, Major Redevelopment Sites and Mixed Use Corridors;*
            - *g. The supporting street network (ex. local, collector, or arterial streets) and the street network's ability to support proposed development;*

        - *h. The supporting transit, pedestrian and active transportation network; and*
        - *i. The supporting water, wastewater, and land drainage infrastructure and capacity to accommodate a proposed development or ability to make the required upgrades necessary to accommodate a proposed development.*
    - *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.*
        - *2.4 Encourage the use of high-quality, energy efficient, and durable exterior building façade materials.*
        - *2.5 Encourage a variety of architectural styles.*
        - *2.6 Encourage building design to include a range of architectural features that create visual interest and positively contribute to the aesthetics of the street and neighbourhood.*
        - *2.12 New developments should respect and complement the existing character of the built form of surrounding properties.*
        - *2.14 Avoid buildings that create long blank walls facing public streets.*
        - *2.15 Encourage the use of architectural features to articulate building walls in order to mitigate the impact of new building mass.*
        - *2.21 Site design should take cues from the character of the neighbourhood or street and should mitigate the potential for land use conflict with adjacent properties that have different scales, densities and uses. Parking location (motor vehicle and bicycle), vehicular access, servicing elements, building placement and landscaping treatment will be important design elements to ensure context-sensitive design.*
        - *2.22 Create or reinforce compact, pedestrian-oriented urban development patterns by ensuring the siting, form and scale of new development has a strong relationship to the street, public spaces and amenities in a way that is consistent with neighbourhood context.*

Small-Scale and Low-Rise Residential Development Guidelines for Mature Communities

- The *Small Scale and Low-Rise Residential Development Guidelines for Mature Communities* (Infill Guidelines) helps determine what are appropriate designs for smaller scale residential buildings in their local context.
- The *Infill Guidelines* also helps create a standard of development within mature communities that respects the character of the neighbourhood it is in.
- The proposed development meets the Preferred Location Criteria for a Single-Family Detached Dwelling in Area 1.
- The proposed development meets all the applicable site design guidelines including front, rear and side yard setbacks, lot coverage and landscaping.
- The proposed development meets all the applicable building design guidelines including building height, roof pitches, façade materials and architectural features, main floor height, entrances, projections into setbacks, privacy, and utilities servicing and mechanical.

City of Winnipeg Zoning By-Law 200/2006

- The applicant is proposing to rezone from “PR-1” Parks and Recreation - Neighbourhood to “R1-L” Residential Single-Family - Large for the purposes of constructing a new single-family dwelling.

- The “R1-L” zoning district is the most suitable zoning district to accommodate the proposed development for the following reasons:

    - The proposed new single-family dwelling will replace the existing non-conforming single-family dwelling use.

    - The “R1-L” zoning district is intended to accommodate primarily single-family residential development in lower-density neighbourhoods.

    - The subject site is located on a block of Crescent Drive characterized by low density residential uses similar in scale and built form to what is being proposed.
    - The proposed density is aligned with the minimum 5,500 square feet (510.96 square metres) lot area per dwelling unit permitted in the “R1-L” zoning district.

CONDITIONS OF APPROVAL

Land Dedication

- As a condition of a rezoning or subdivision application, a developer is required to contribute a portion of the land to be developed to the City for parks purposes. The amount of land is not less than 10%. In the case of the proposed rezoning, the Planning, Property and Development Department is recommending the developer provide ‘cash in lieu’ of a dedication of land for the appraised value of the subject site.

REASONS FOR RECOMMENDATIONS

The Urban Planning and Design Division recommends **approval** of the rezoning for the following reasons:

- The development meets several of the intents and policies outlined in *OurWinnipeg 2045*, *Complete Communities Direction Strategy 2.0*, and the *Infill Guidelines*.
- The proposal replaces an existing single-family dwelling in disrepair.
- The current “PR-1” zoning does not reflect the way the property has been developed and used for many years as a single-family dwelling and use.
- The proposal is well-designed to a high-standard of urban design and supports pedestrian activity and reinforces the public realm along Crescent Drive.

Report Submitted by:
Planning, Property and Development Department
Urban Planning and Design Division
Report Prepared by: Choi Ho, RPP, MCIP
PPD File #: DAZ 211/2024

SCHEDULE B

File DAZ 211/2024, City Centre Community Committee, September 6, 2024

By–Law No. _____

File No. **DAZ 211/2024**

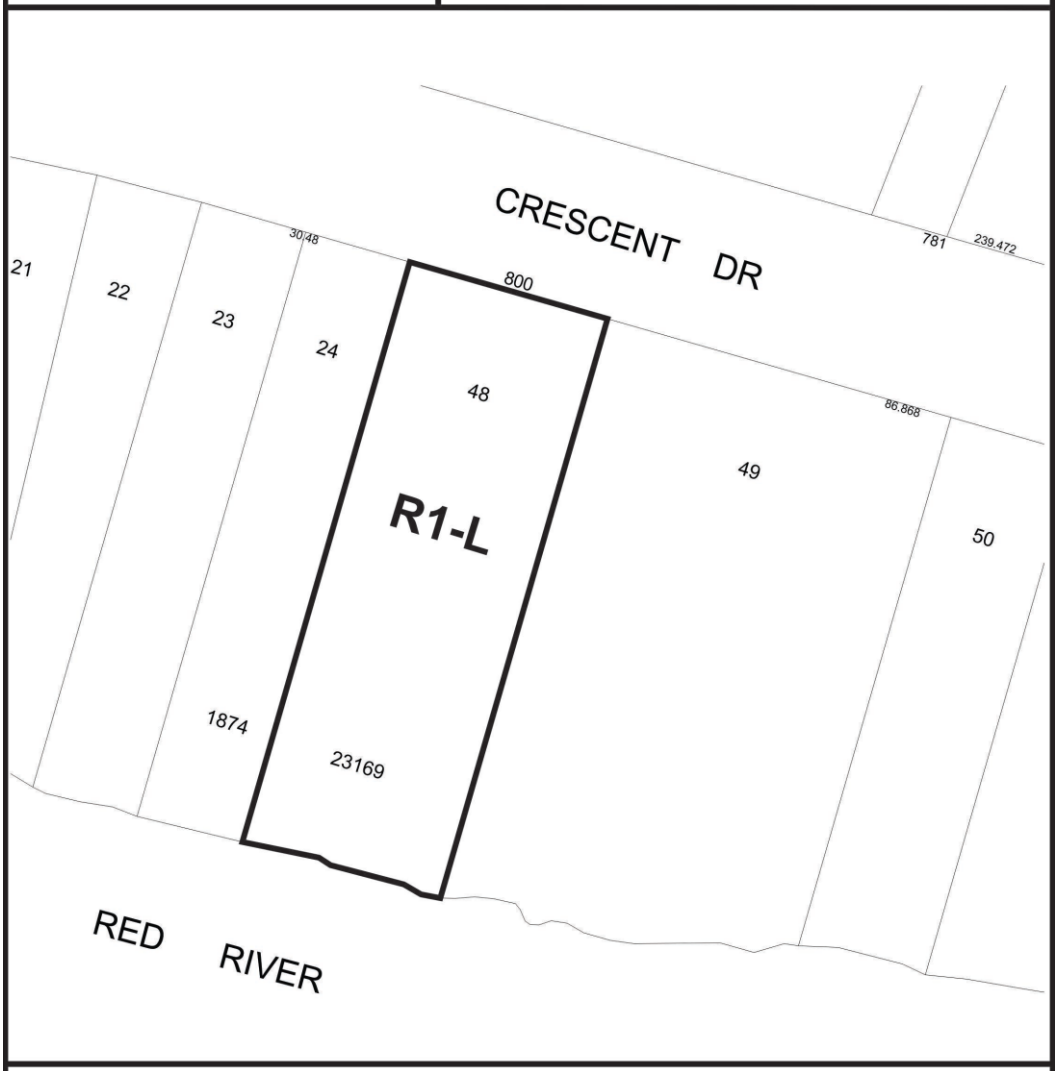
Atlas Sheet No. **AG24**

N

CITY CENTRE COMMUNITY

Explanation

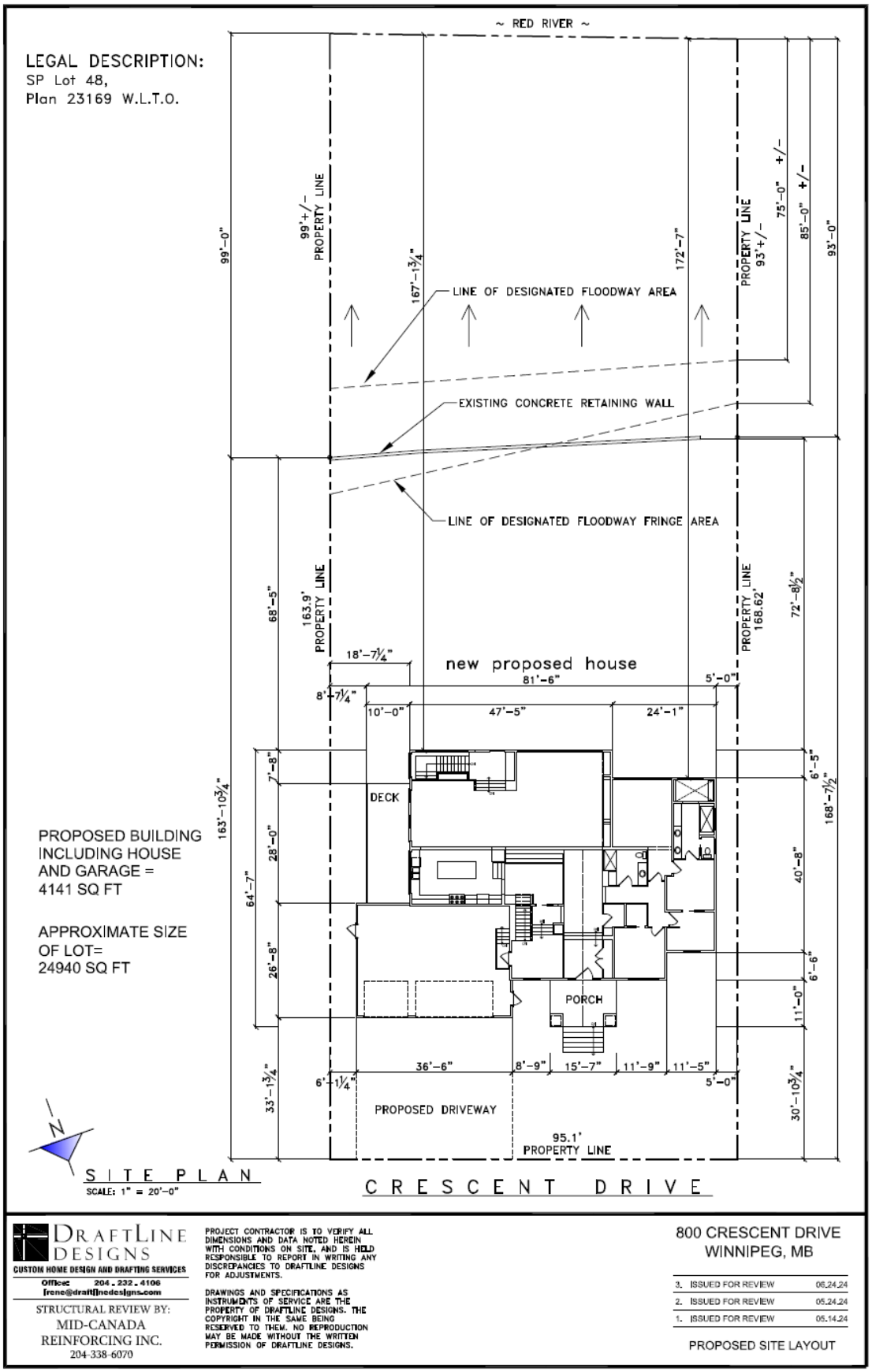
A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 800 Crescent Drive from a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT to allow the reestablishment of a Single-Family Dwelling use.

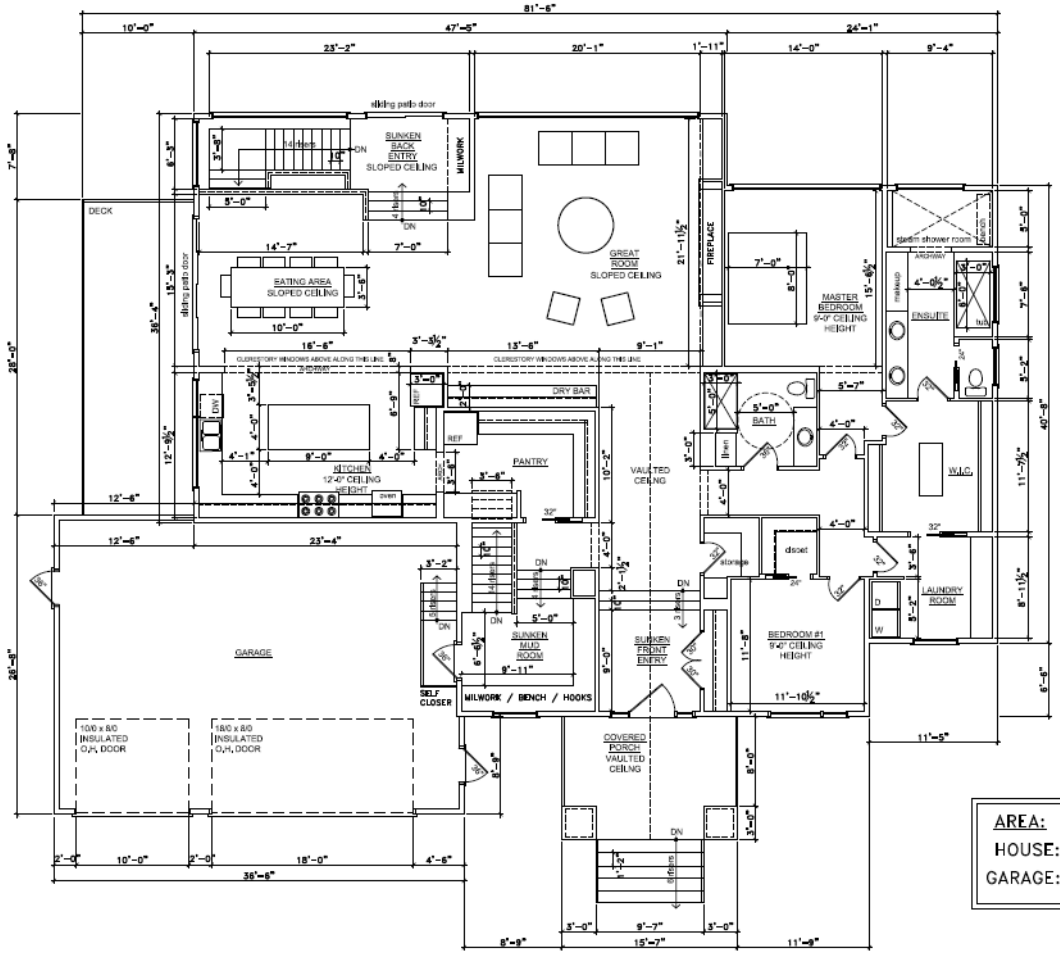


THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Exhibit “8” referred to in File DAZ 211/2024





MAIN FLOOR PLAN

SCALE: 3/32"=1'-0"

AREA:	
HOUSE:	3,200 SQ. FT.
GARAGE:	945 SQ. FT.

PROJECT CONTRACTOR IS TO VERIFY ALL DIMENSIONS AND DATA NOTED HEREIN WITH CONDITIONS ON SITE, AND IS HELD RESPONSIBLE TO REPORT IN WRITING ANY DISCREPANCIES TO DRAFTLINE DESIGNS FOR ADJUSTMENTS.

DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF DRAFTLINE DESIGNS. THE COPYRIGHT IN THE SAME BEING RESERVED TO THEM. NO REPRODUCTION MAY BE MADE WITHOUT THE WRITTEN PERMISSION OF DRAFTLINE DESIGNS.

DRAFTLINE DESIGNS
CUSTOM HOME DESIGN AND DRAFTING SERVICES
Office: 204 . 232 . 4106
irene@draftlinedesigns.com

STRUCTURAL REVIEW BY:
MID-CANADA REINFORCING INC.
204-338-6070

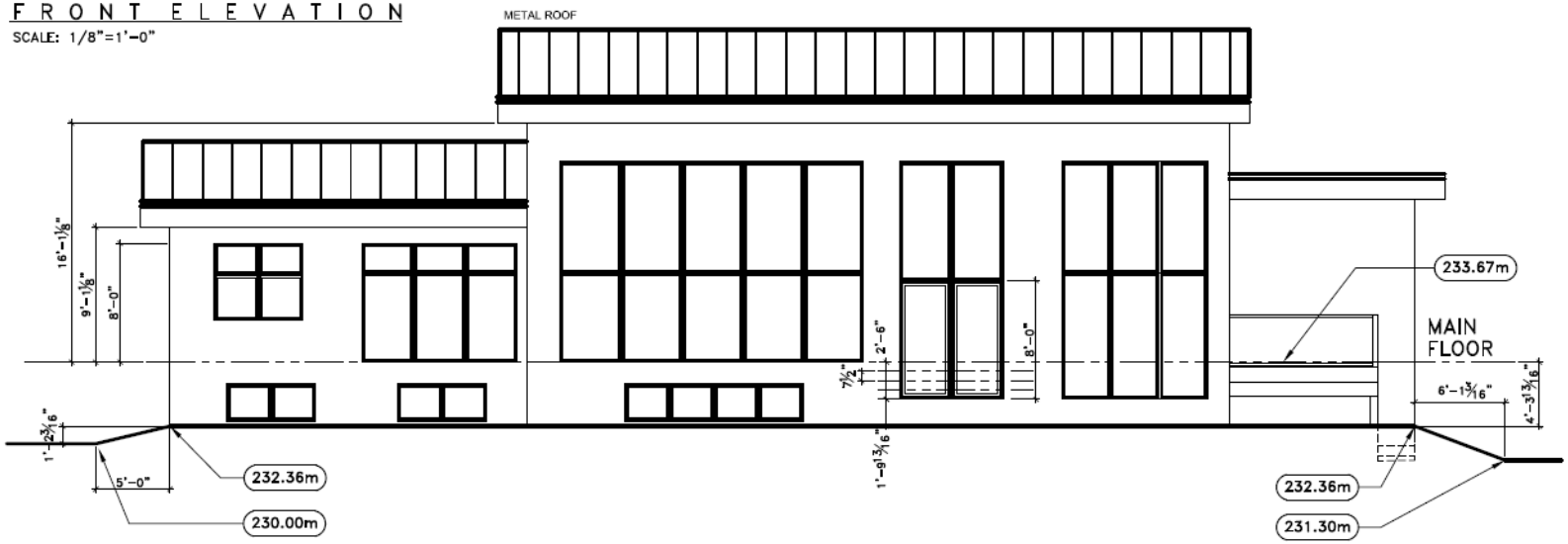
800 CRESCENT DRIVE
WINNIPEG, MB

3.	ISSUED FOR REVIEW	06.24.24
2.	ISSUED FOR REVIEW	05.24.24
1.	ISSUED FOR REVIEW	05.14.24

PROPOSED MAIN FLOOR

FRONT ELEVATION

SCALE: 1/8"=1'-0"



REAR ELEVATION

SCALE: 1/8"=1'-0"

PROJECT CONTRACTOR IS TO VERIFY ALL DIMENSIONS AND DATA NOTED HEREIN WITH CONDITIONS ON SITE, AND IS HELD RESPONSIBLE TO REPORT IN WRITING ANY DISCREPANCIES TO DRAFTLINE DESIGNS FOR ADJUSTMENTS.

DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF DRAFTLINE DESIGNS. THE COPYRIGHT IN THE SAME BEING RESERVED TO THEM. NO REPRODUCTION MAY BE MADE WITHOUT THE WRITTEN PERMISSION OF DRAFTLINE DESIGNS.

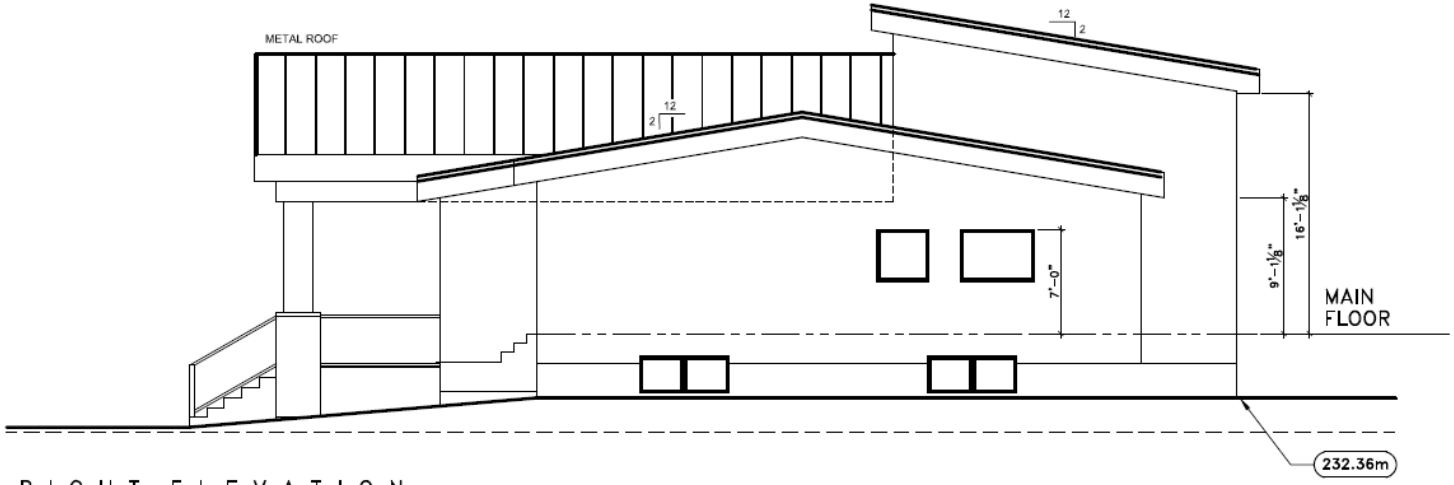
DRAFTLINE DESIGNS
CUSTOM HOME DESIGN AND DRAFTING SERVICES
Office: 204 . 232 . 4196
Irene@draftlinedesigns.com

STRUCTURAL REVIEW BY:
MID-CANADA REINFORCING INC.
204-338-6070

800 CRESCENT DRIVE
WINNIPEG, MB

3.	ISSUED FOR REVIEW	06.24.24
2.	ISSUED FOR REVIEW	05.24.24
1.	ISSUED FOR REVIEW	05.14.24

PROPOSED ELEVATIONS



RIGHT ELEVATION

PROJECT CONTRACTOR IS TO VERIFY ALL DIMENSIONS AND DATA NOTED HEREIN WITH CONDITIONS ON SITE, AND IS HELD RESPONSIBLE TO REPORT IN WRITING ANY DISCREPANCIES TO DRAFTLINE DESIGNS FOR ADJUSTMENTS.

DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF DRAFTLINE DESIGNS. THE COPYRIGHT IN THE SAME BEING RESERVED TO THEM. NO REPRODUCTION MAY BE MADE WITHOUT THE WRITTEN PERMISSION OF DRAFTLINE DESIGNS.

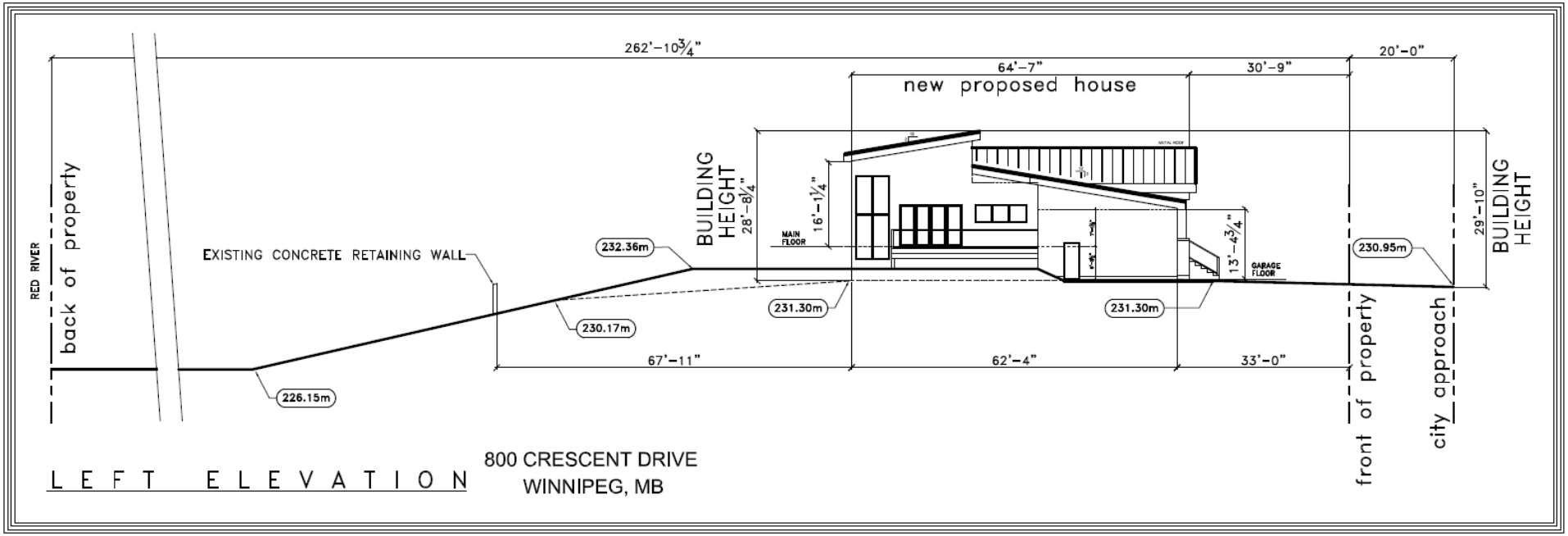
DRAFTLINE DESIGNS
CUSTOM HOME DESIGN AND DRAFTING SERVICES
Office: 204 . 232 . 4106
Irene@draftlinedesigns.com

STRUCTURAL REVIEW BY:
MID-CANADA
REINFORCING INC.
204-338-6070

800 CRESCENT DRIVE
WINNIPEG, MB

3.	ISSUED FOR REVIEW	06.24.24
2.	ISSUED FOR REVIEW	05.24.24
1.	ISSUED FOR REVIEW	05.14.24

PROPOSED ELEVATIONS



L E F T E L E V A T I O N

800 CRESCENT DRIVE
WINNIPEG, MB