Minutes - Executive Policy Committee – November 16, 2005

Minute No. 33
Report - Standing Policy Committee on Property and Development – November 1, 2005

Item No. 3 Rezoning - 200 Woodlawn Street
File DAZ 237/2005

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Assiniboia Community Committee and submits the following to Council:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 237/2005 dated October 7, 2005, from a "R1-5.5A" Residential District to a "C2" Commercial District subject to the following:

   A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

      i. That for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the Assiniboia Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development;

      ii. That only the following uses shall be permitted on the land:

         a. church, synagogue, or similar place of religious worship
         b. convent, monastery, or similar place of religious retreat
         c. day care centre, for the children of customers, employees, or tenants on the same zoning lot
         d. hospital, or similar treatment centre
         e. institution, residential, including nursing home, personal care home, or similar use
         f. laboratory: medical, dental or optical
         g. medical, dental, optical, counseling, or other health or therapeutic clinic
         h. medical, dental, optical or other precision instruments prosthetics: rental, sale, service

i. medical, dental, optical or other precision instruments, prosthetics: custom manufacture
j. office
k. parish hall, accessory to a place of religious worship
l. shelter house
m. university, college, technical school

iii. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire site, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit.

iv. That no illuminated signage be erected on the north or west sides of the building.

v. That there be no flashing or scintillating signs.

vi. That prior to the issuance of any permits all garbage containers be fully enclosed by a brick/concrete and/or wood barrier fence that is at least six (6) inches above the top of the garbage containers and thereafter maintained to the satisfaction of the Director of Planning, Property and Development.

vii. That the height of the building be restricted to a maximum of four (4) storeys.

2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

Report - Standing Policy Committee on Property and Development – November 1, 2005

5. That the rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

7. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Minutes - Executive Policy Committee – November 16, 2005

Report - Standing Policy Committee on Property and Development – November 1, 2005

DECISION MAKING HISTORY:

Moved by Councillor De Smedt,

That the recommendation of the Standing Policy Committee on Property and Development and the Assiniboia Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On November 1, 2005, the Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On October 18, 2005, the Assiniboia Community Committee concurred in the administrative recommendation with the following amendments, namely:

- That Recommendation 1.A.iv be amended as follows:
  Add the word “or” between the words “north” and “west” and delete the words “or east”.

- That a new recommendation "1.A.vii" be added as follows:
  “1.A.vii. That the height of the building be restricted to a maximum of four (4) storeys”

and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Rezoning - 200 Woodlawn Street**
File DAZ 237/2005 [c/r DAV 144802/2005D]

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

Prepared by: **Josie Marques, Clerk,**
Assiniboia Community Committee

Report date: **October 20, 2005**

COMMUNITY COMMITTEE RECOMMENDATION:

On October 18, 2005, the Assiniboia Community Committee concurred in the administrative recommendation, as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for File DAZ 237/2005, dated October 7, 2005, from a "R1-5.5A" Residential District to a "C2" Commercial District, subject to the following:

    A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter, to provide for the following:

        i. That for the development of any building, and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the Assiniboia Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development;

        ii. That only the following uses shall be permitted on the land:

            a. church, synagogue, or similar place of religious worship
            b. convent, monastery, or similar place of religious retreat
            c. day care centre, for the children of customers, employees, or tenants on the same zoning lot
            d. hospital, or similar treatment centre
            e. institution, residential, including nursing home, personal care home, or similar use
            f. laboratory: medical, dental or optical
            g. medical, dental, optical, counseling, or other health or therapeutic clinic

h. medical, dental, optical or other precision instruments prosthetics: rental, sale, service
i. medical, dental, optical or other precision instruments, prosthetics: custom manufacture
j. office
k. parish hall, accessory to a place of religious worship
l. shelter house
m. university, college, technical school

iii. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire site, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit.

iv. That no illuminated signage be erected on the north ***or*** west ***~~or east~~*** sides of the building.

v. That there be no flashing or scintillating signs.

vi. That prior to the issuance of any permits, all garbage containers be fully enclosed by a brick/concrete, and/or wood barrier fence that is at least 6 inches above the top of the garbage containers, and thereafter maintained to the satisfaction of the Director of Planning, Property and Development.

vii. That the height of the building be restricted to a maximum of four (4) storeys.

2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

5. That the rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

7. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

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

The Assiniboia Community Committee provided the following supporting reason(s) for its recommendation:

1. The Assiniboia Community Committee agreed with the administrative comments contained in the report from the Manager of Planning and Land Use dated October 7, 2005.

PUBLIC HEARING SUMMARY

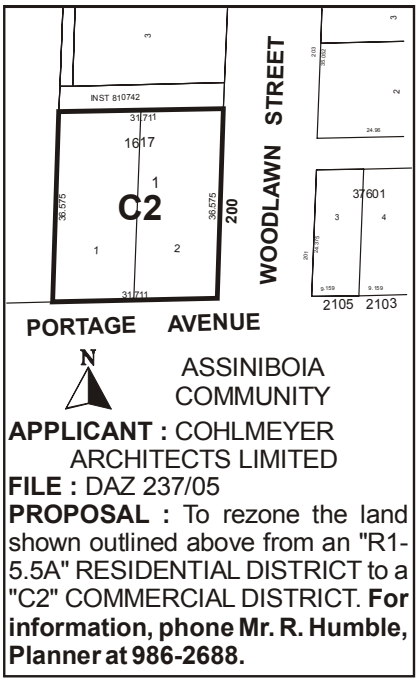
File: DAZ 237/2005 [c/r DAV 144802/2005D]

Before: Assiniboia Community Committee
Councillor Eadie, Chairperson
Councillor Clement
Councillor De Smedt

Public Hearing: October 18, 2005
Community Committee Chamber
5006 Roblin Boulevard

Applicant: Cohlmeyer Architects Limited (James R. Wagner)

Subject:



Premises Affected: 200 Woodlawn Street

Exhibits Filed:
1. Application dated August 12, 2005
2. Notification of Public Hearing dated September 15, 2005
3. Manitoba Status of Title 1898481
4. Surveyor's Building Location Certificate and sketch dated June 13, 2005
5. Letter of authorization dated May 31, 2005 from Guy Gagné, Chief Planning and Facilities Management Officer,

Winnipeg Regional Health authority to Cohlmeyer Architects Limited

6. Plans (6 pages)
7. Report from the Manager of Planning and Land Use dated October 7, 2005
8. Inspection Report

REPRESENTATIONS:

In Support:

James Wagner

In Opposition

Nil

For Information:

Nil

For the City:

Mr. J. Wintrup, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

The applicant, James R. Wagner, Cohlmeyer Architects Limited, appeared in support of the application and gave a brief overview of the proposal. Mr. Wagner inquired as to the removal of the restriction of illuminated signs on the east side of the property being that was entranceway.

Councillor Eadie concurred with the request of removing the restriction of illuminated signage on the east side, inasmuch as signage would require plan approval by the Community Committee. He further suggested the addition of a height restriction on the building in order to protect the nearby residential area.

Mr. Wagner concurred to the height restriction.

Exhibit "7" referred to in File DAZ 237/2005 [c/r DAV 144802/2005D]

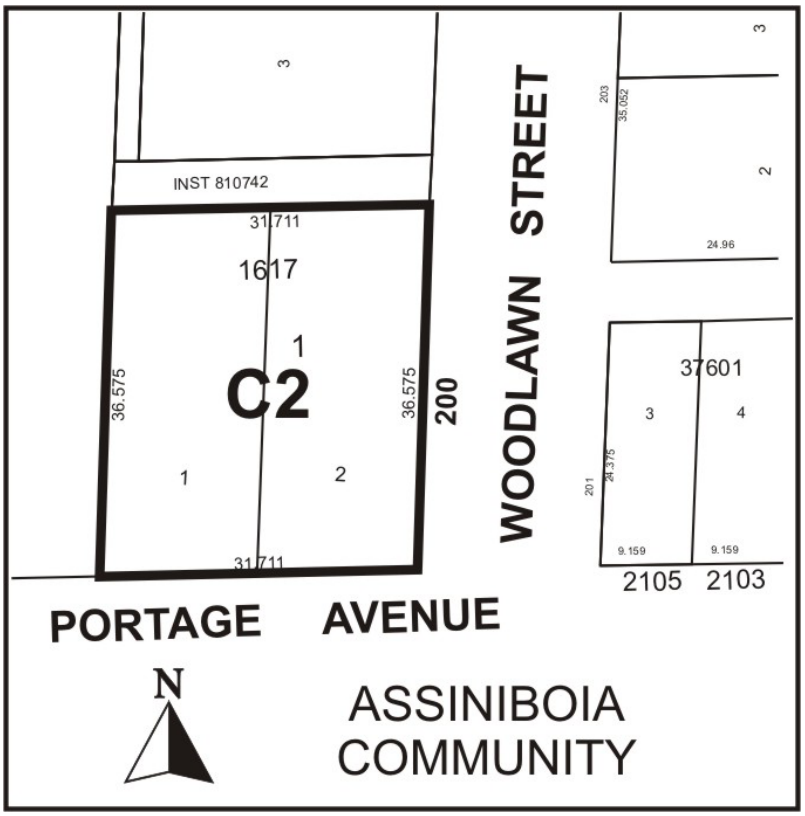
Winnipeg

Planning, Property and Development Department Report

To the Assiniboia Community Committee

Date: **October 7, 2005**
File: **DAZ 237/05**
Related Files: **DAV 05-144802/D**
Subject: **Rezone the land to allow the establishment of a Movement Disorder Clinic.**

Location: **200 Woodlawn Street**



Applicant: **Cohlmeyer Architects (James Wagner)**
Owner: **Winnipeg Regional Health Authority**

Recommendation: **Approve with Conditions.**

Report Summary:

- The applicant intends to renovate and expand the existing historical building to establish a 'movement disorder clinic'.
- The expansion will be on the north side with the construction of a two story and three story addition.
- A new 'U' shaped asphalt driveway will be connected to the west side of Woodlawn Street to facilitate a drop off location for patients without impacting traffic on Woodlawn Street.
- There is an associated variance for parking since no additional parking spaces will be provided.

Site Description

The subject property is approximately **120 feet by 104 feet**, **12,461 square feet (1,1158 square metres)** located on the northwest corner of Portage Avenue and Woodlawn Street in the Deer Lodge neighbourhood of the St. James - Brooklands Ward. The site is zoned **"R1-5.5" Single Family Residential District** and is occupied by a two story historical building commonly known as 'The Women's Tribute Memorial Lodge'. Adjacent lands include Deer Lodge Hospital zoned "**R1-5.5**". Surrounding lands include commercial properties zoned "C2" on the northeast corner of Portage Ave and Woodlawn St.

Background

This two-story commemorative building constructed in 1931 was initiated by a group of Winnipeg women as an active symbol of gratitude and remembrance for those who served in World War I. The buff brick and tyndall stone building stands on a concrete foundation with cut limestone as a decorative base. The second floor rises from the centre of the building and is distinguished by a tyndall stone band which outlines a flat roof.

In the inter-war years and the early post-war years the Women's Tribute Memorial was a scene of much activity, as it offered club rooms, a lecture and entertainment auditorium, a billiards room, canteen and lunch room operated by the women's auxiliary of the Deer Lodge Branch. In 1978, custodial duties of the building were transferred to the Valour Road Branch of the Canadian Legion who continued to use the building until December, 1986 when the responsibility of the building passed on to the Winnipeg Foundation. The building is presently closed.

Description of the Proposed Development

The land owner intends to renovate the existing historical building, and expand the facility for a movement disorder clinic. The 'movement disorder clinic' will occupy the main and second floors of the existing building with exam rooms, offices, labs, and therapy rooms. A new 'Universal Designed' entrance, waiting area with atrium, will be added as a two story structure to the rear of the existing building. A three story structure will also be added adjacent to the new, two story addition, to provide an elevator and waiting area for the second story of the existing building. The total floor area of the movement disorder clinic will be **6,630 square feet**.

No additional parking will be provided and is subject to a variance application. A new 'U' shaped asphalt driveway will be connected to the west side of Woodlawn Street to facilitate the dropping off of patients without impacting traffic on Woodlawn Street.

Analysis

PLAN WINNIPEG
The proposed concept complies with Plan Winnipeg in that a commercial rezoning is allowed in Neighbourhood Policy Areas.

ZONING

- The **"R1-5.5" Single Family Residential District** requires a minimum lot size of 5,500 square feet and a minimum lot width of 50 feet.
- A **"C2" Commercial District** has 104 Permitted Uses and 47 Conditional Uses that are generally orientated to a community wide market.

TRANSPORTATION AND SITE ACCESS
A new 'U' shaped asphalt driveway will be connected to the west side of Woodlawn Street to facilitate the dropping off of patients without impacting traffic on Woodlawn Street.

HERITAGE STATUS
The building is listed on the City of Winnipeg's Buildings Conservation List. The redevelopment requires approval of the designs by the City of Winnipeg's Historical Buildings Committee. The final plans of the renovation and expansion are being reviewed by the Planning and Land-Use Division's Historical Building's Officer, who has been working with the applicant on this project since March, 2005. Status of the building as a Provincial Heritage Site is pending, requiring a Heritage Permit from the Province of Manitoba's Historical Resources Branch.

Recommendation

The Division recommends approval of the application. The existing building has been a fixture in the neighbourhood for many years. The development of the movement disorder clinic will complement the existing hospital use and retain the historical structure.

The Division is further recommending that the type of uses permitted on the land should be restricted to ensure future commercial uses are compatible with the surrounding residential dwellings, historical nature of the building, and activities of the Deer Lodge Centre. The uses being recommended are generally considered to be **institutional uses** compatible with the hospital and consistent with the historical nature of the facility.
Signage is a particular concern considering the close proximity of the grounds and open green space of the Deer Lodge Centre that includes public art honouring fallen soldiers. It would not be appropriate to have illuminated signage on the east or west side of the building since it may cause a negative impact. Flashing signage would also prove detrimental to the adjacent Deer Lodge Centre.

Recommended Conditions of Approval

1. That The Winnipeg Zoning By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file **DAZ 237/05**, attached hereto and dated, **October 7, 2005**, to a "**C2**" **Commercial District**, subject to the following:

   A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter, to provide for the following:

      i. That for the development of any building, and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the **Director of Planning, Property and Development** and **the Assiniboia Community Committee** for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development;

      ii. That only the following uses shall be permitted on the land:

         a CHURCH, SYNAGOGUE, or similar place of religious worship
         b CONVENT, MONASTERY, or similar place of religious retreat
         c DAY CARE CENTRE, for the children of customers, employees, or tenants on the same zoning lot
         d HOSPITAL, or similar treatment centre
         e INSTITUTION, RESIDENTIAL, including nursing home, personal care home, or similar use
         f LABORATORY: MEDICAL, DENTAL or OPTICAL
         g MEDICAL, DENTAL, OPTICAL, COUNSELLING, or other health or therapeutic CLINIC
         h MEDICAL, DENTAL, OPTICAL or other PRECISION INSTRUMENTS, PROSTHETICS: RENTAL, SALE, SERVICE
         i MEDICAL, DENTAL, OPTICAL or other PRECISION INSTRUMENTS, PROSTHETICS: CUSTOM MANUFACTURE
         j OFFICE
         k PARISH HALL, accessory to a place of religious worship
         l SHELTER HOUSE

m UNIVERSITY, COLLEGE, TECHNICAL SCHOOL

iii. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire site, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit;

iv. That no illuminated signage be erected on the north, west or east sides of the building.

v. That there be no flashing or scintillating signs.

vi. That, prior to the issuance of any permits, all garbage containers be fully enclosed by a brick/concrete, and/or wood barrier fence that is at least 6 inches above the top of the garbage containers, and thereafter maintained to the satisfaction of the Director of Planning, Property and Development;

2. That a ten (10) per cent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

3. That, in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

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6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

7. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division
Report Prepared by: John S. Wintrup
PPD File # 2.205

Schedule "A"

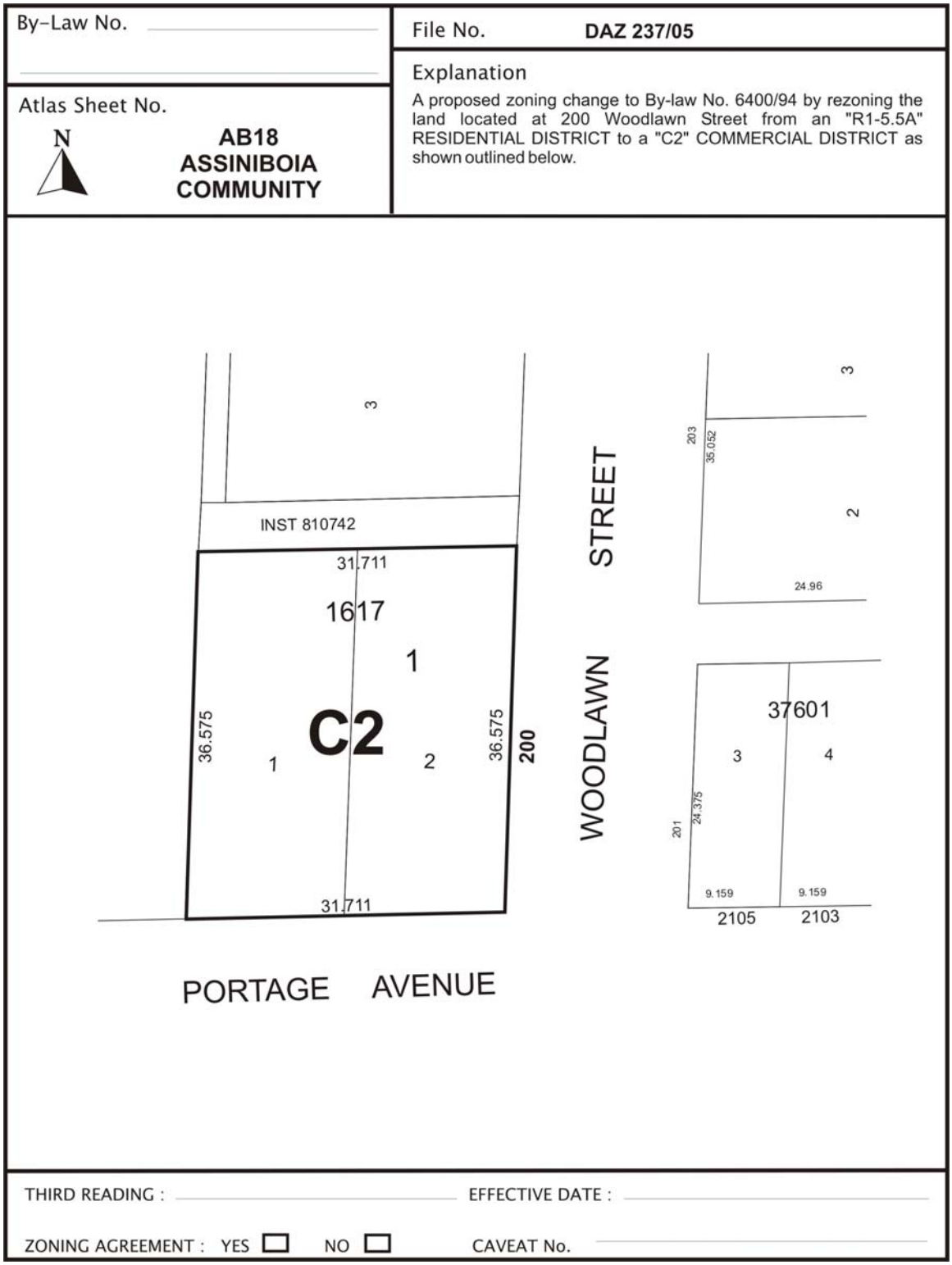


Figure 1: Schedule "A" to the report to the Assiniboia Community Committee for File No. DAZ 237/05, dated October 7, 2005.

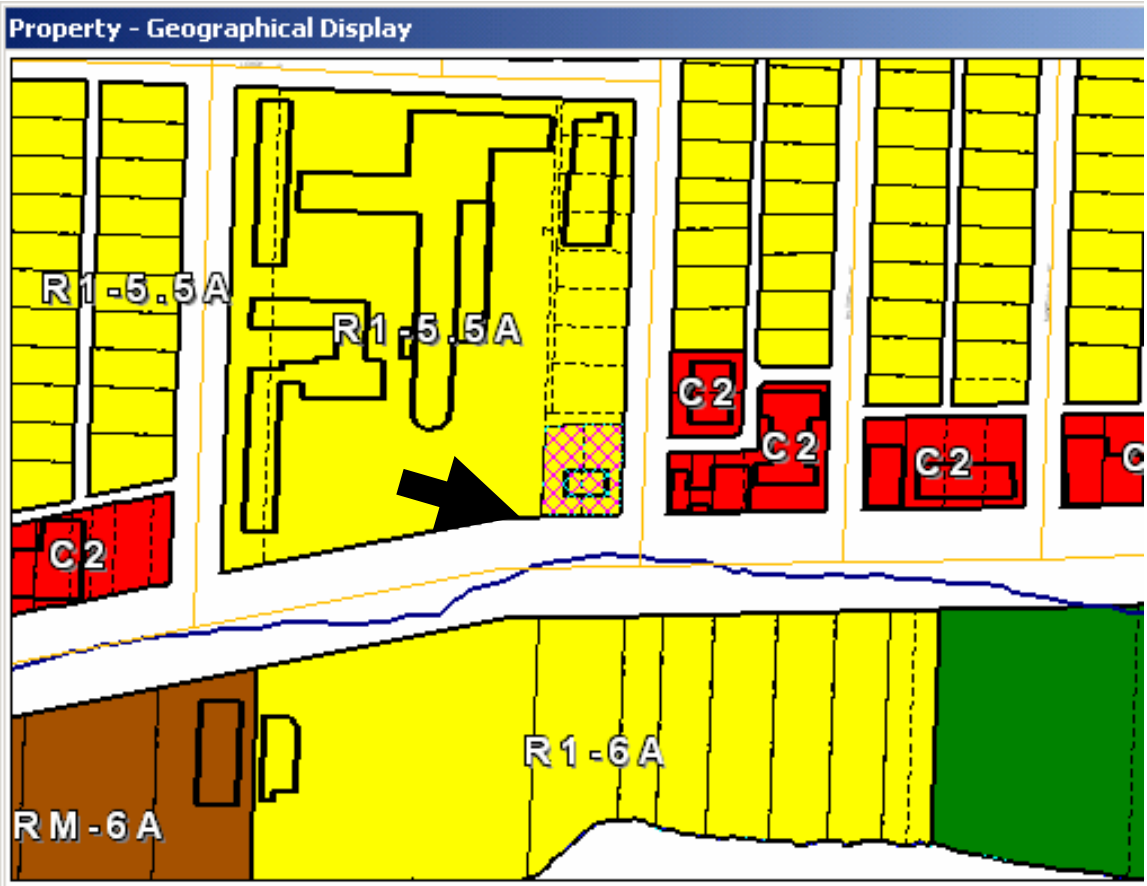


Figure 2: Existing Zoning for subject property and Surrounding Area.

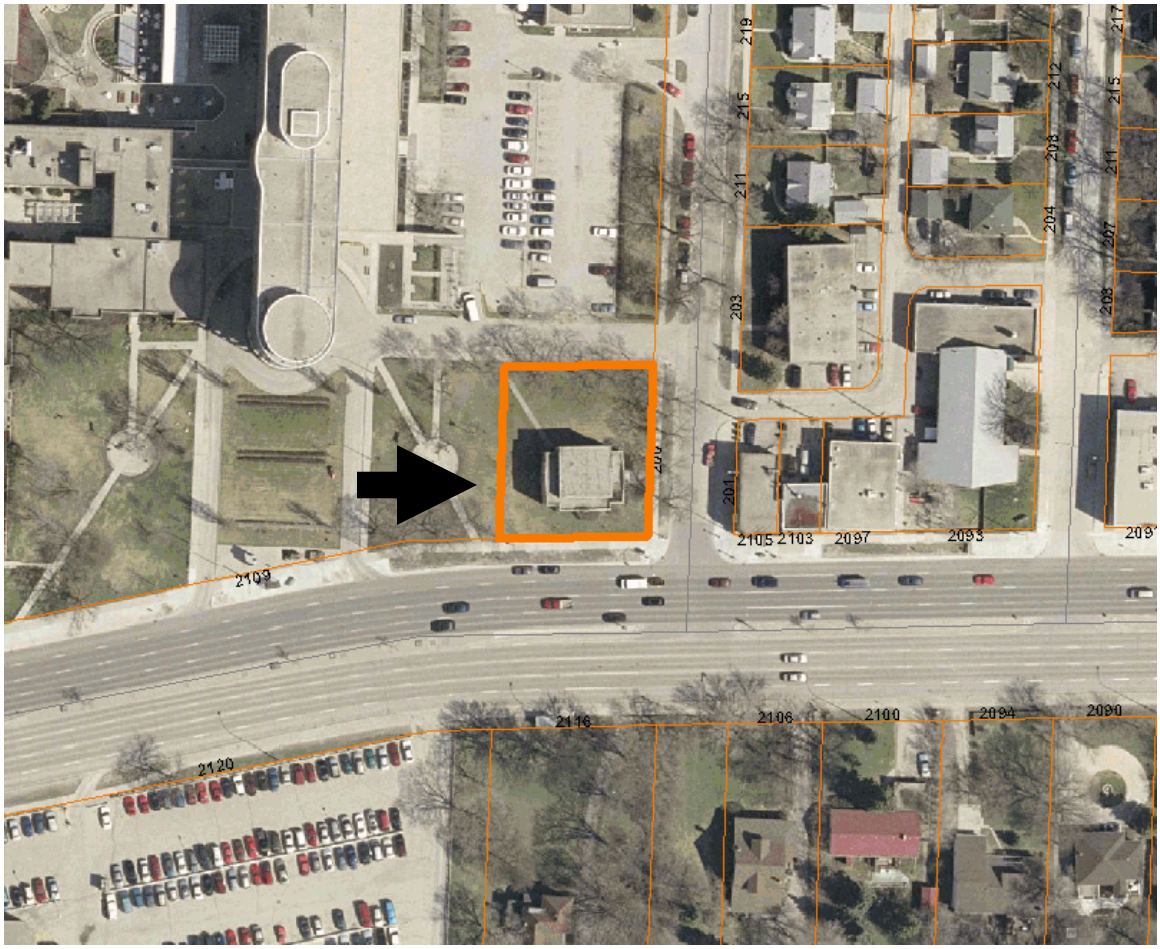


Figure 3: Existing Land-Uses for subject property and Surrounding Area.