**Agenda – Council - September 27, 2006**

**Report - Standing Policy Committee on Property and Development - September 19, 2006**

**Item No. 13 Subdivision and Rezoning - 458 and 468 Ross Avenue**
**File DASZ 34/2006**

STANDING COMMITTEE RECOMMENDATION:

On September 21, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submits the following to Council:

1. That the plan of subdivision proposed under File DASZ 34/2006 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 34/2006 dated August 31, 2006, for registration in the Winnipeg Land Titles Office.

2. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

3 That The Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 34/2006 dated August 31, 2006, to an "RM-4" Multiple-Family District.

4. That a ten per cent (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 market value of the land and the creation of additional sites, (if applicable).

5. 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.

6. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in 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.

**Report - Standing Policy Committee on Property and Development - September 19, 2006**

8. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

10. 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.

**Agenda – Council – September 27, 2006**

**Report - Standing Policy Committee on Property and Development - September 19, 2006**

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 21, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Lord Selkirk – West Kildonan Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 19, 2006, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 12, 2006, the Lord Selkirk-West Kildonan Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

**RE:** **Subdivision and Rezoning - 458 and 468 Ross Avenue**
**File DASZ 34/2006**

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

**Prepared by:** **Diane Timmins, Clerk**
**Lord Selkirk-West Kildonan Community Committee**

**Report date:** **September 15, 2006**

COMMUNITY COMMITTEE RECOMMENDATION:

On September 12, 2006, the Lord Selkirk-West Kildonan Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 34/2006 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 34/2006, dated September 1, 2006 for registration in the Winnipeg Land Titles Office.

2. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

3 That The Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 34/2006, dated September 1, 2006, to an "RM-4" Multiple-Family District.

4. That a ten per cent (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 market value of the land and the creation of additional sites, (if applicable).

5. 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.

6. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in 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.

8. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

10. 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.

The Lord Selkirk-West Kildonan Community Committee provided the following supporting reason for its recommendation:

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report from the Planning and Land Use Division dated August 31, 2006.

**PUBLIC HEARING SUMMARY**

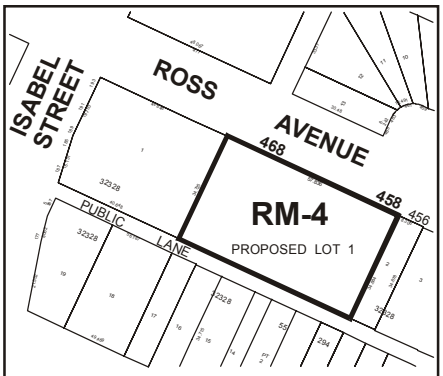
File: DASZ 34/2006 [c/r DAV 145262/2006D]

Before: Lord Selkirk-West Kildonan Community Committee
Councillor Pagtakhan, Chairperson
Councillor Lazarenko
Councillor O'Shaughnessy

Public Hearing: September 12, 2006
West Committee Room, Council Building
510 Main Street

Applicant: Kinkora Developments (Maureen Pendergast)

Subject:




LORD SELKIRK WEST KILDONAN COMMUNITY

**APPLICANT :** KINKORA DEVELOPMENTS

**FILE :** DASZ 34/06

**PROPOSAL :** An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 6400/94 by rezoning the land shown outlined above from an "R2" RESIDENTIAL DISTRICT to an "RM-4" MULTIPLE-FAMILY DISTRICT. **For information, phone Mr. M. Robinson, Planner at 986-3213.**

Premises Affected: 458 and 468 Ross Avenue

Exhibits Filed:

1. Application dated August 2, 2006
2. Notification of Public Hearing dated August 8, 2006
3. Manitoba Status of Titles 1943317 and 2163546
4a. Letter of authorization dated July 27, 2006 from The City of Winnipeg to Centennial Community Improvement Association
4b. Letter of authorization (undated) from Centennial Community Improvement Association to Kinkora Developments Limited
5. Drawings (2 pages)
6. Photographs of the subject property (6 pages)
7. Plans (3 pages)
8. Report from the Planning and Land Use Division dated August 31, 2006
9. Presentation submitted by Molly Roulette, on behalf of the Centennial Community Improvement Association, made at the public hearing, in support of the application

REPRESENTATIONS:

In Support:

Maureen Pendergast, Kinkora Developments
Byron Gryba
Sharon Pchojek
Molly Roulette, on behalf of the Centennial Community Improvement Association
Tom Simms

In Opposition

Nil

For the City:

Mr. M. Robinson, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Maureen Pendergast, on behalf of Kinkora Developments, appeared in support of the application. She stated concurrence in the recommendations outlined in the report of the Planning and Land

Use Division dated August 31, 2006 with the exception of the requirement for the cash in lieu of land dedication. She gave an overview of the proposed redevelopment of the property which will result in the creation of twenty-four (24) affordable housing units. She advised Committee they are partnering with the Centennial Community Improvement Association on this project (CCIA) because this organization is ready to step up and take back its neighbourhood to begin making some positive changes. Committee was advised Kinkora Developments will own and operate the facility, as they will be putting up the cash and mortgage, achieving the grant monies, and will license it to the CCIA who will assist them in running it. Committee was advised the CCIA will determine what the criteria will be for living there given that there will be an income limitation for future tenants. Ms Pendergast also drew Committee's attention to the fact that the subject property, which housed a warehouse, was the site of the largest grow-up in Winnipeg and that the City of Winnipeg Fire Department has an Order issued against it. After cleaning up the combustibles and material on the property, Committee was advised that in the first three days, a total of 42 tons of material was removed from the premises and taken to a City landfill site. Ms Pendergast also informed Committee of the fact that they have applied to vary the parking requirements as many of their tenants will not own vehicles, and to allow for a turning radius and fire lane for emergency vehicles at the back of the lot. In answer to Councillor Lazarenko's question, Ms Pendergast confirmed there would be a resident superintendent on the premises. In summary, Ms Pendergast commented she was very excited about the project as well as the fact they will be working with CCIA, and requested Committee's support for the rezoning and subdivision application.

Molly Roulette, on behalf of the Centennial Community Improvement Association, also appearing in support of the application, submitted and read into the record her presentation filed as Exhibit 9.

Tom Simms, also appeared in support of the application and advised Committee that he works at Dufferin School on Alexander Avenue. He stated the opinion this project is a very good example of the City's housing improvement initiative in action and voiced his appreciation and support for the work Kinkora Developments has done and what it is doing with and for the community.

Exhibit "8" referred to in File DASZ 34/2006

Winnipeg

## Planning, Property and Development Department Report

**To the Lord Selkirk-West Kildonan Community Committee**

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**Date:** August 31, 2006
**File:** DASZ 34/06
**Related Files:** DAV 06-145262/D
**Subject:** Application to rezone and subdivide the subject lands for the establishment of a multiple family dwelling with accessory parking

**Location:** 458 and 468 Ross Avenue




**Applicant:** Kinkora Developments (Maureen Pendergast)
**Owner:** City of Winnipeg

**Recommendation:** Approval

**Report Summary:**

- **Redevelopment of a vacant commercial building to create 24 affordable housing units**
- **The proposed redevelopment will provide safe, affordable housing for the community;**

- **The proposed rezoning and site design are compatible with the surrounding community in scale, the intensity of development, and the nature of the use;**
- **The proposed rezoning advances Plan Winnipeg and its policies;**
- **The project is supported by the Centennial Community Improvement Association**
- **The proposed rezoning will not create an adverse effect on the amenities, use, safety and convenience of the adjoining properties and adjacent area;**

**Site Description**

The subject properties, which are currently zoned "R2" Two-Family Residential, are located on Ross Avenue, between Isabel and Ellen Streets, in the Centennial neighbourhood of the Point Douglas ward.

**North:** An apartment building, zoned "RM-4" Multiple Family Residential and residences zoned "R2" Two-Family Residential
**South:** Residences zoned "R2" Two-Family Residential
**East:** Residences zoned "R2" Two-Family Residential
**West:** Commercial use zoned "C2" Commercial

**Background**

The City's Real Estate Division recently completed the tax seizure of the former Hallmark furniture warehouse at 468 Ross, and is now completing the transfer of it and a vacant City owned lot immediately to the east (458 Ross) to the Centennial Community Improvement Association (CCIA).

CCIA intends for possession of the properties to be transferred to Kinkora Developments, who will redevelop the vacant building and adjoining lot for housing with accessory parking.

**Description of the Proposed Development**

- The applicant, Kinkora Developments, intends to redevelop a boarded up warehouse and vacant lot at 458 & 468 Ross to create 24 affordable housing units.

- The plans call for 19 one-bedroom apartments and 5 two-bedroom apartments.

- The proposed access to the property will be off an existing curb cut on Ross Avenue. The approach feeds into an 18-stall parking lot which exits onto the existing back lane.

- On the west side of the building, a private yard with green space will be created for the use of tenants.

**Analysis**

*Plan Winnipeg Compliance*

The subject application constitutes redevelopment within a Neighbourhood Policy Area. Neighbourhood Policy Areas are intended to include a residential mix together with a variety of

educational, recreational, institutional, commercial and possibly industrial uses, at a scale and density compatible with each other.

In addition, this development meets several key goals of Plan Winnipeg including *supporting neighbourhood revitalization* (1B-01iv) *facilitating the provision of safe and affordable housing* (1C-01), and *promoting compact urban form* (3A-02).

In that vein, there is a recognition that adaptive reuse of existing buildings maximizes the use of existing infrastructure, helps revitalize existing neighbourhoods, and preserves older structures, which helps us sustain our architectural heritage.

*City of Winnipeg Housing Policy*
This project falls within the stated goals of the Winnipeg Housing Policy, which included enhancing neighbourhood stability and integrity, increasing property assessments, providing affordable accommodation and generally improving the overall health of Winnipeg.

*Compatibility with existing neighbourhood and surrounding uses*
The boarded up warehouse is situated among both single-family and multiple-family residences and several older commercial buildings.

The building, which has been vacant for some time, is seen as a hazard and blight in the neighbourhood and its redevelopment for housing will improve its overall compatibility with the area.

It should be noted that the plan provides for landscaping to act as a buffer between adjacent properties to both the east and west.

*Zoning*
The property is currently zoned "R2" Two-Family Residential. Because the building has been vacant for some time, any non-conforming rights which it may have held have been lost.

Over time, development patterns have changed the character of the block from mixed-use (commercial and residential) to almost exclusively residential. As a result, most of the commercial buildings that remain on the block are vacant and boarded.

Therefore, in light of changing patterns of land use in the area, an adaptive reuse of the existing building for multiple-family housing appears to be the highest and best use of the property.

Consequently, a rezoning is necessary in order to redevelop and reutilize the existing structure.

*Public Input*
The applicant has received support for this project for the Centennial Community Improvement Association.

**Recommendation**

The Planning and Land Use Division recommend approval for the following reasons:

- **The proposed redevelopment will provide safe, affordable housing for the community;**
- **The proposed rezoning and site design are compatible with the surrounding community in scale, the intensity of development, and the nature of the use;**
- **The proposed rezoning advances Plan Winnipeg and its policies;**
- **The project is supported by the Centennial Community Improvement Association**
- **The proposed rezoning will not create an adverse effect on the amenities, use, safety and convenience of the adjoining properties and adjacent area;**

**Recommended Conditions of Approval**

I. That the plan of subdivision proposed under File No. DASZ 34/06 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 34/06, attached hereto and dated August 31, 2006 for registration in the Winnipeg Land Titles Office.

II. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

III That The Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 34/06, attached hereto and dated August 31, 2006, to an "RM-4" Multiple-Family District.

IV. That a ten (10) percent 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 market value of the land and the creation of additional sites, (if applicable).

V. 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.

VI. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

VII. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in 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.**

VIII. The Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

IX. In the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

X. 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: Michael Robinson, AICP
PPD File # 3.102

**Schedule "A"**

By-Law No. _____

File No. **DASZ 34/06**

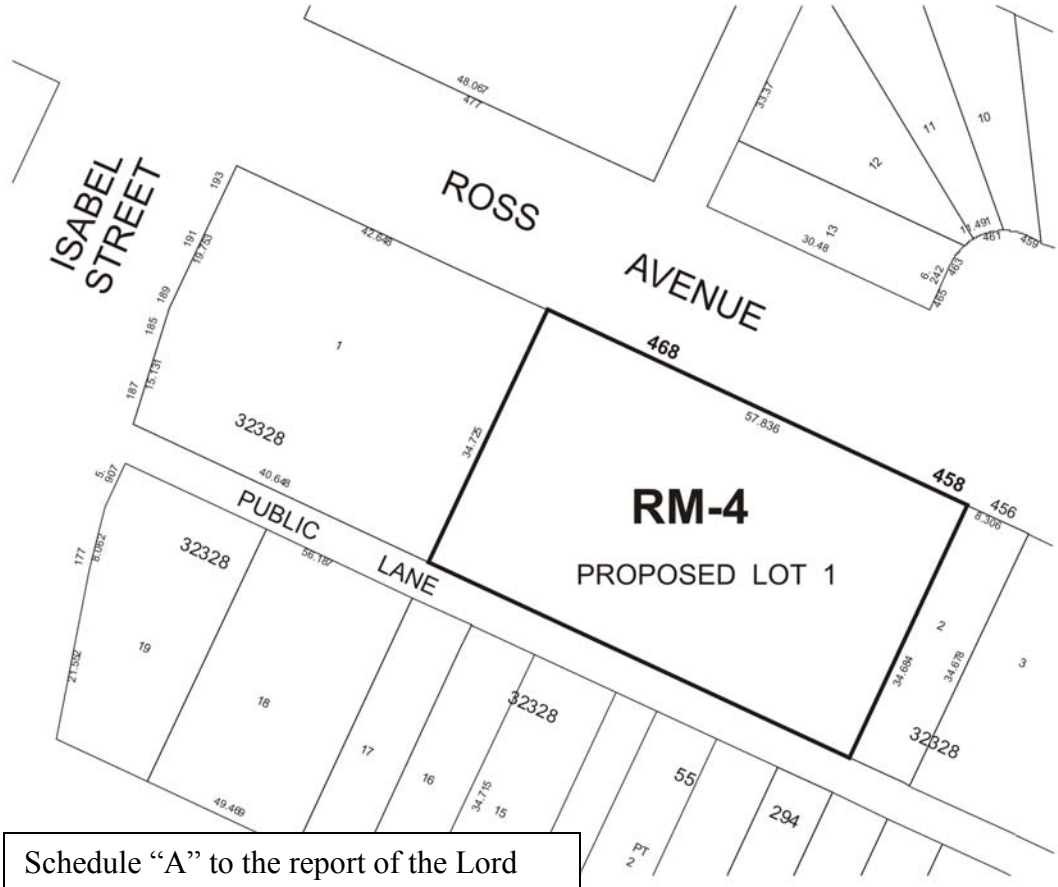
Atlas Sheet No. **Y24**

N

**LORD SELKIRK WEST KILDONAN COMMUNITY**

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land located at 458 and 468 Ross Avenue from an "R2" RESIDENTIAL DISTRICT to an "RM-4" MULTIPLE-FAMILY DISTRICT as shown outlined below.




Schedule "A" to the report of the Lord Selkirk-West Kildonan Community Committee for File No. DASZ 34/06, dated August 31, 2006.

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____




**Figure 1: Aerial Photo (Flown in 2005)**