Agenda - Council - September 30, 2009

Report - Standing Policy Committee on Property and Development - September 8, 2009

Item No. 3 Rezoning – 601 Aulneau Street
(St. Boniface Ward)
File DAZ 207/2009

STANDING COMMITTEE RECOMMENDATION:

On September 23, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submits the following to Council:

1. That The Winnipeg Zoning By-law 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 207/2009 dated July 6, 2009, to an "RMF-L" Multiple Family 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 Riel 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.

2. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

3. 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 market value of the land.

4. That in the event the matter of the rezoning is not proceeded with expeditiously and the by-law is not passed 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.

5. 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.

6. That the Proper Officers of the City do all things necessary to effect the intent of the foregoing.

Report - Standing Policy Committee on Property and Development – September 8, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 23, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 8, 2009, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 13, 2009, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Rezoning – 601 Aulneau Street**
File DAZ 207/2009 [c/r DAV 1256072009D]

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

Prepared by: **Marc Pittet, Senior Committee Clerk**
Riel Community Committee

Report date: **July 14, 2009**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 13, 2009, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development:

1. That The Winnipeg Zoning By-law 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 207/2009 dated July 6, 2009, to an "RMF-L" Multiple Family 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 Riel 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.

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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.

5. 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.

6. That the Proper Officers of the City do all things necessary to effect the intent of the foregoing.

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

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated July 6, 2009.

2. This is a positive development for the area and there is a need for this type of housing in the City of Winnipeg. Area residents will have the opportunity to move into this complex, freeing up homes for young families while remaining in their neighbourhood.

PUBLIC HEARING SUMMARY

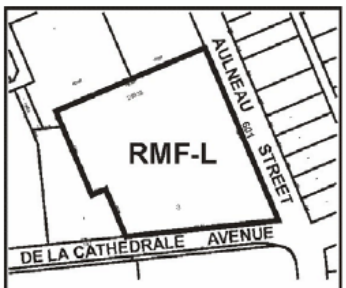
File: DAZ 207/2009 [c/r DAV 1256072009D]

Before: Riel Community Committee
Councillor Swandel, Chairperson
Councillor Steeves
Councillor Vandal

Public Hearing: July 13, 2009
Council Chamber, Council Building, 510 Main Street

Applicant: LM Architectural Group (Vince Kwiatkowski)

Subject:



APPLICANT: LM ARCHITECTURAL GROUP
FILE: DAZ 207/09
PROPOSAL: To rezone the land shown outlined above from an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY DISTRICT to facilitate the establishment of a multiple family dwelling (157 units). **For information, phone Mr. J. Wintrup, Planner at 986-5102.**
DEMANDEUR : LM ARCHITECTURAL GROUP
N° DE RÉFÉRENCE : DAZ 207/09
PROJET : Changer le zonage du bien-fonds délinéé ci-dessus afin de le faire passer de la catégorie R1-M (SECTEUR D'HABITATIONS UNIFAMILIALES) à la catégorie RMF-L (SECTEUR D'HABITATIONS MULTIFAMILIALES) et de permettre ainsi la construction d'une habitation multifamiliale (157 unités). **Pour plus de renseignements, veuillez communiquer avec M. J. Wintrup, urbaniste, au 986-5102.**

Premises Affected: 601 Aulneau Street

Exhibits Filed:

1. Application dated May 27, 2009
2. Notification of Public Hearing dated June 3, 2009
3. Manitoba Status of Title 1293137
4. Letter of authorization dated May 15, 2009 from Julie-Turenne-Maynard, Vice-Chairman, Résidence Despins to LM Architectural Group
5. Surveyor's Building Location Certificate and sketch dated August 10, 2005
6. Plans (6 pages)
7. Report from the Planning and Land Use Division dated July 6, 2009
8. Inspection Report
9. Letters in opposition to the application from Robert and Collette Gordon and Claude Grimard submitted by Francis Labossiere at the Public Hearing
10. Audio Recording of representations of public hearing held on July 13, 2009

REPRESENTATIONS:

In Support:

John Bockstael
Tristan Carlson
Aurele Foidart
Glen Jackson
David Kressock
Vince Kwiatkowski
Raymond Lafond
Guy Lambert
Daniel Lussier
Guy Mao
Berthe O'Reilly
Ken Rech

In Opposition

Joanne Dandenault and Ted Pochinco
Richard Frechette
Yolande Freynet
Walter and Michele Kleinschmit
Diane and Francis Labossiere

For the City:

Mr. K. Kowalke, Planner, Planning, Property and Development Department
Ms. S. Matile, Land Development Engineer, Planning, Property and Development Department

Exhibit "7" referred to in File DAZ 207/2009 [c/r DAV 1256072009D]

ADMINISTRATIVE REPORT

ISSUE: DAZ 207/2009 601 Aulneau Street Public Hearing

Critical Path: RIEL Community Committee as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
Kevin Lalor Senior Planner			

RECOMMENDATIONS

The Planning and Land Use Division recommends:

1. That The Winnipeg Zoning By-law 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 207/2009 dated July 6, 2009, to a "RM-L" Multiple Family 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 Riel 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.

2. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

3. 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 market value of the land.

4. That in the event the matter of the rezoning is not proceeded with expeditiously and the by-law is not passed 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.

5. 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.

6. That the Proper Officers of the City do all things necessary to effect the intent of the foregoing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, a development permit can be issued.

CONSULTATION

In preparing this Report there was consultation with:

N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by	Kevin Lalor
Date:	July 6, 2009
File No.	DAZ 207/2009

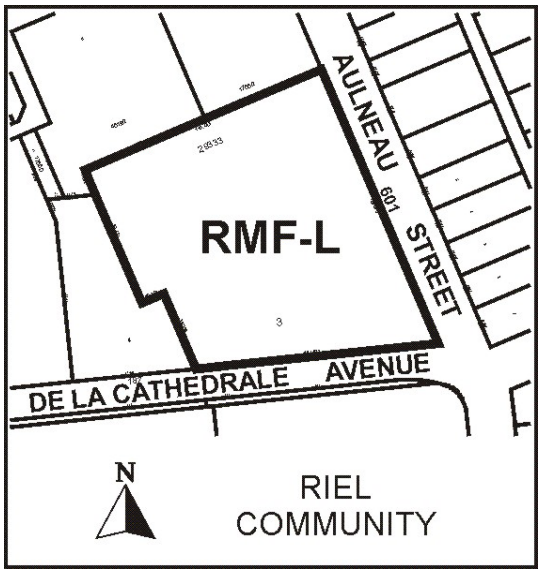
APPENDIX 'A'

Date: July 6/2009
File: DAZ 207/2009
Related Files: DAV 09 125607D

Subject: The purpose of the subject application is to rezone the overall property from its current "R1-M" Single Family designation to a "RM-L" Multiple Family category in order to permit construction of a new fifty five unit residence addition in the northwest corner of the site and renovations to the existing buildings.

Location: 601 Rue Aulneau

Legal Description: SP Lot 3, Plan 29333

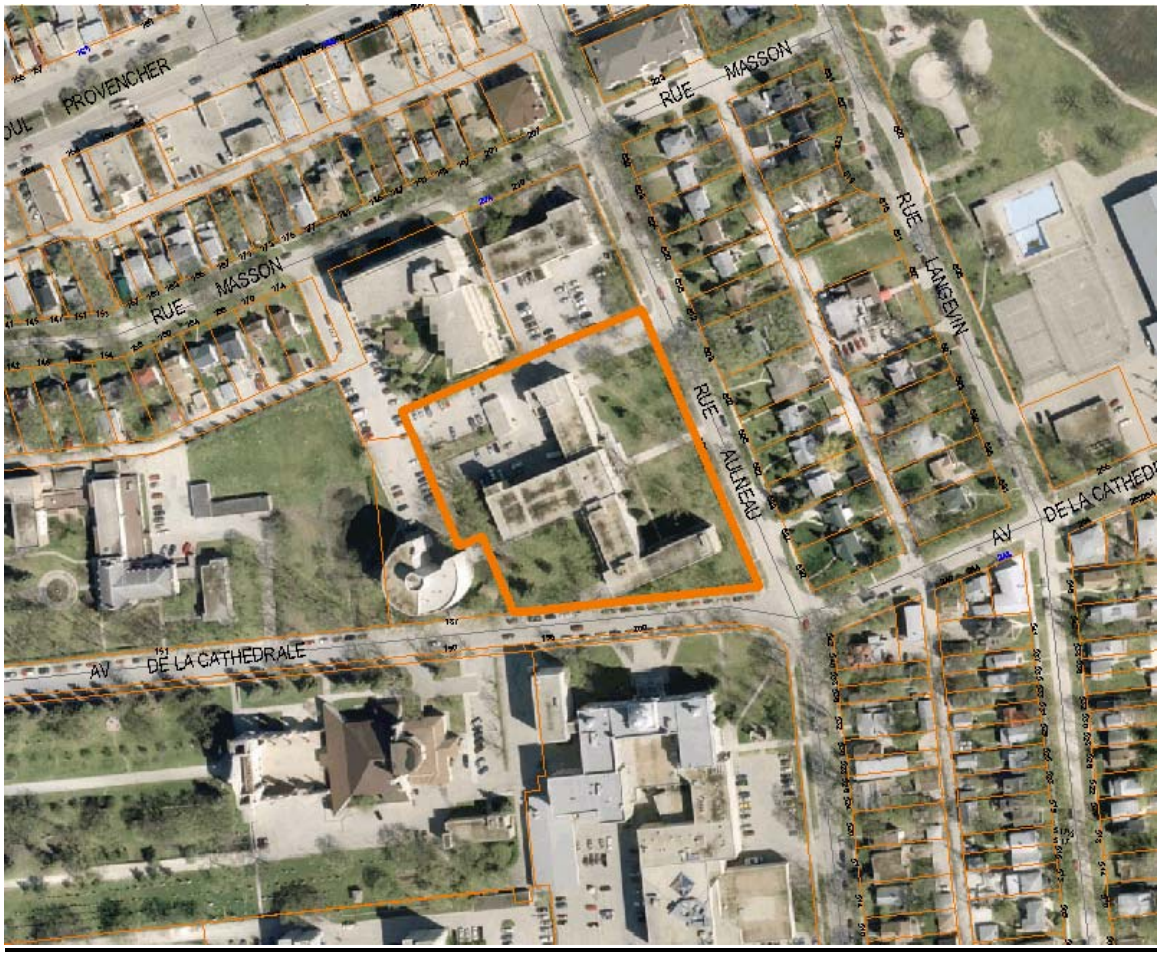


Applicant: LM Architectural Group

Owner: Les Missionnaires Oblates De St. Boniface

Recommendation: *Approval with conditions*

Site Description:



Surrounding Land Use:

North: To the immediate north are two connected residential / institutional structures owned by L' Accueil Colombien. One is an eight story senior's residence/ group home zoned " RMF-L" Multiple and the second (over a hundred years old and zoned " R1-M" Single Family) is partially occupied with dining and community support services (i.e. daycare) . The second building which was constructed in 1903, and was used initially as a normal school is currently the subject of an ongoing application (DAZ 225/05) and review to replace the old three story building with a seven (7) story senior's residence .

South: On the south side of De La Cathedrale Avenue is Le College de St. Boniface, a concentration of educational and institutional buildings zoned "EI". To the west of Le College is the Basilica.

East: To the east of Rue Aulneau is an older residential neighbourhood, predominantly single family in nature, zoned “R1-M” Single Family.

West: To the immediate west is a 9 story housing complex (Chez Nous) and a school, both zoned “ R1-M” Single Family.

Existing Zoning & Use:

There are two main components to the existing structure; one of which is four stories high and contains residential suites and a chapel and dining room facility. The second smaller component which is attached and three stories in height only contain residential suites. All thirty two existing parking stalls and loading areas are at the rear of the building and accessed from Rue Aulneau. The property, is zoned, in its entirety, “R1-M” Single Family District.

Background:

The most northerly of the existing buildings was built in 1948 to help provide residence for the more than 200 members of the Order of Grey Nuns, many of whom taught or performed other duties at the St. Boniface Hospital. A second, much larger addition was constructed in 1956 which housed a chapel and larger dining facility.

1.1 Description of the Proposed Development:

Several significant site design and building changes are being proposed as part of the subject rezoning. To begin with, many of the residential suites in the existing structure are aging and generally to small to provide a full range of services for those preferring to have a more independent lifestyle. Therefore, if the subject application is ratified, work will begin on fully renovating and upgrading all existing facilities in the older structures. In addition, a fully new five story residential wing will be added as part of the ongoing redevelopment process. It is estimated that, once construction starts, the overall time frame for making the improvements and adding the new wing will be in the neighbourhood of 16-18 months. From a site design standpoint, a regular vehicle and emergency vehicle drive-through and visitor parking zone is to be added to the frontage area along Rue Aulneau. This area is currently treed green space. Access to an additional larger parking area at the rear of the existing structure will be via Avenue De La Cathedrale. It is expected that, under the new plan, there will be 22 new parking stalls in the front of the building with an additional 40 established at the rear. If approved, the new site plan will make provision for an additional 30 employee and visitor parking stalls. The construction of a new wing will add fifty five (55) fully modern residential suites to Villa Aulneau for an overall total of one hundred and fifty seven (157). While most of the new and upgraded suites are intended to provide housing for aging members of the Order of Grey Nuns, some may eventually be allotted to lay members of the Catholic Church and/or other seniors currently residing in the local community.

1.2 Analysis:

A major overhauling to the interior of the existing building, given its age, is not wholly unexpected. And that alone would have triggered a need to change the current single family zoning in order to acquire the necessary development permits etc. However, the owners have decided to take the redevelopment one step further by adding a modern new residential wing and fifty five (55) new dwelling units in the north west corner of the property. They are also proposing changes to the frontage lands on Rue Aulneau which will have the effect of removing a portion of the long standing existing green space and replacing it with twenty two parking stalls and a drive through for visitors and emergency vehicles. This loss of green space, including a projected loss of some of the trees, may be of some concern to neighbouring residents and extensive new landscaping may be required via the Plan Approval process to address this potential issue. However, given that the new assisted -living facility, if approved, will house one hundred and fifty seven (157) residents, many of them seniors with an array of health problems, it is imperative, in our view, that emergency vehicles (fire & ambulance) be able to easily access the front entranceway of the building. The overall building mass/footprint of the new building will not change significantly and the location of the new wing is unlikely to have any adverse effect on adjoining residential properties. The proposed building height of the new wing is to be five stories; however, it will lie adjacent to an existing eight (8) story residence to the north and an existing nine (9) story residence immediately to the west. It will therefore not be out of character with neighbouring developments. It should further be noted that the proposed new site plan calls for the creation of thirty (30) new parking stalls. It is anticipated that the majority of the new stalls will be visitor, in nature. That should reduce the problem of off site parking at times of peak usages. It is our understanding that the applicants LM Architecture, on behalf of the owners have conducted several outreach meetings with both L'Accueil Colombien to the immediate north and the neighbourhood at large. If there have been concerns registered by the neighbouring property owners and they can be addressed and possibly reflected in the final Plan Approval, then the proposed changes to Ville Aulneau will ultimately prove beneficial to the local community. Finally, it should be noted that several variances are accompanying the subject rezoning, the most important of which is a use variance. If the proposed rezoning is deemed to be appropriate by your Committee and recommended for approval, then it is also recommended that the subject use variance DAV 09 125607/D also be granted for a period of three years. That will allow procedurally for the applicants to begin construction several months in advance of the rezoning application receiving final reading by City Council.

1.3 Recommendation:

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

- The proposed new residential wing will provide much needed additional independent living quarters for aging members of the Order of Grey Nuns.
- The new addition is sited at the rear of the property and will not have any adverse effect on adjoining residential uses.
- The redevelopment of the overall site will ultimately result in the creation of thirty new parking stalls.

SCHEDULE 'A' to the report to the Riel Community Committee for File DAZ 207/2009, dated July 6 2009.

By-Law No. _____

File No. **DAZ 207/09**

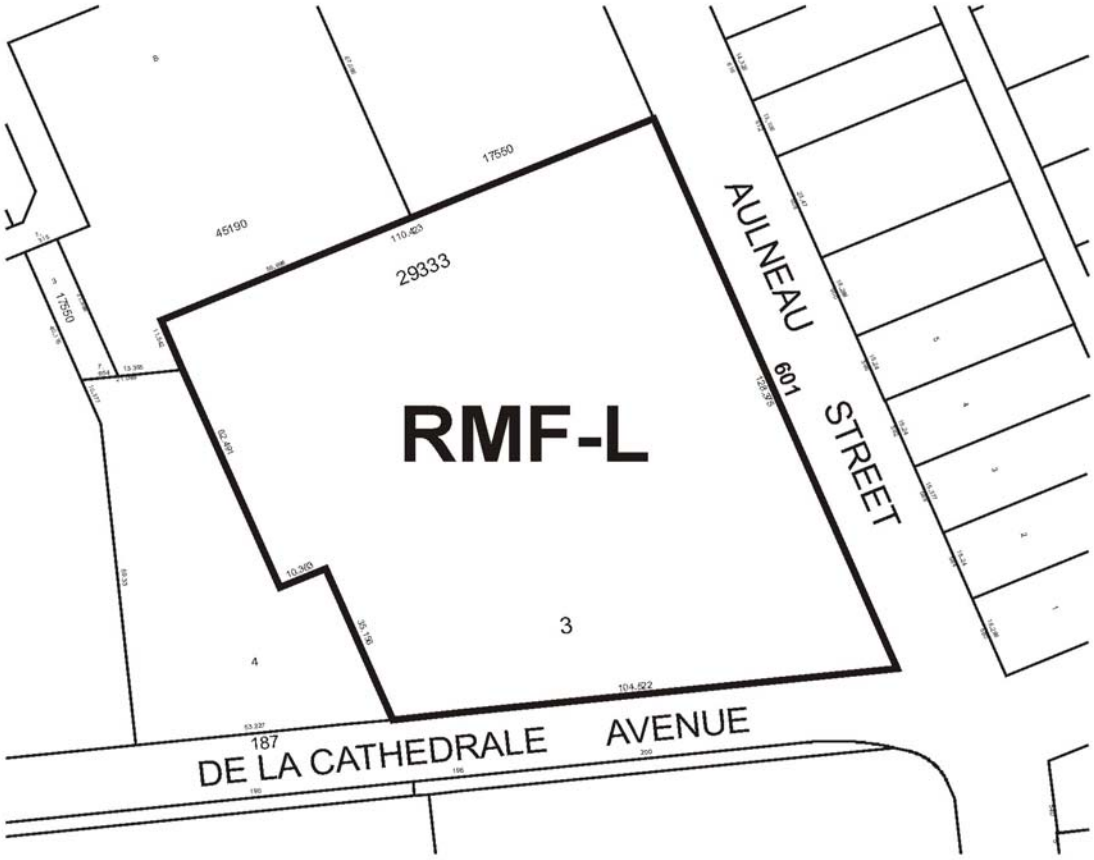
Atlas Sheet No.

N

AA26
RIEL
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 601 Aulneau Street from an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY DISTRICT to facilitate the establishment of a multiple family dwelling (157 units) as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____