Agenda - Council – September 22, 2010

Report - Standing Policy Committee on Property and Development – September 14, 2010

Item No. 22 Zoning Agreement Amendment – 50 Ridgecrest Avenue (Old Kildonan Ward) File ZAA 7/2010 [c/r DASZ 22/2008]

STANDING COMMITTEE RECOMMENDATION:

On September 15, 2010, the Executive Policy Committee concurred in the recommendation 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 Zoning Agreement under File DASZ 22/2008, approved by Council on October 22, 2008 be amended as follows:

   A. That Clause 2. A. ii. be deleted and the following substituted therefore:

      That no structure on the subject land shall exceed six (6) storeys in height.

2. That the Director of Legal Services and City Solicitor be requested to prepare the necessary Amending Agreement to Zoning Agreement DASZ 22/2008 as approved in aforesaid Recommendation 1.

3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

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

Report - Standing Policy Committee on Property and Development – September 14, 2010

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 15, 2010, the Executive Policy Committee concurred in the recommendation 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 14, 2010, 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 7, 2010, the Lord Selkirk - West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

RE: **Zoning Agreement Amendment – 50 Ridgecrest Avenue**
File ZAA 7/2010 [c/r DASZ 22/2008]

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

Prepared by: **Inga Slundberg, Committee Clerk**
Lord Selkirk - West Kildonan Community Committee

Report date: **September 8, 2010**

COMMUNITY COMMITTEE RECOMMENDATION:

On September 7, 2010, the Lord Selkirk - West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development:

1. That Zoning Agreement under File DASZ 22/2008, approved by Council on October 22, 2008 be amended as follows:

   A. That Clause 2. A. ii. be deleted and the following substituted therefore:

      That no structure on the subject land shall exceed six (6) storeys in height.

2. That the Director of Legal Services and City Solicitor be requested to prepare the necessary Amending Agreement to Zoning Agreement DASZ 22/2008 as approved in aforesaid Recommendation 1.

3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

4. That the Director of Legal Services and City Solicitor 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 reasons for its recommendation:

1. Although the subject application is regarding an allowance for building height from four (4) to six (6) stories, the proposal is not a six (6) storey building replacing a four (4) storey building but instead is for a facility that steps up to six (6) stories in height at the furthest location to the street.

2. The subject proposal for assisted living is a more attractive development and has resulted in less concerns expressed that the original proposal for the site prior to the current zoning agreement amendment application.

PUBLIC HEARING SUMMARY

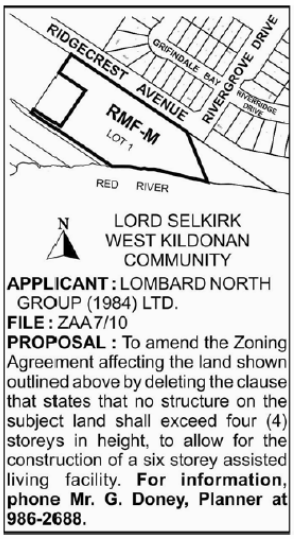
File: ZAA 7/2010 [c/r DASZ 22/2008]

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

Public Hearing: September 7, 2010
Council Chamber
Council Building, 510 Main Street

Applicant: Lombard North Group (1984) Ltd. (David Palubeski)

Subject:



Premises Affected: 50 Ridgecrest Avenue

Exhibits Filed:

1. Application dated August 12, 2010
2. Notification of Public Hearing dated August 17, 2010
3. Manitoba Status of Title 1068881
4. Letter of authorization dated July 22, 2010 from Doug Machan to Lombard North Group
5. Zoning Development Information and By-law
6. Plans (9 pages)
7. Report from the Planning and Land Use Division dated August 31, 2010
8. Inspection Report
9. Communication dated July 21, 2010, from David Watkin Architect addressed to David Palubeski, Lombard North Group (1984) Ltd., with respect to the application,

including Plans (5 pages) submitted by David Palubeski, Lombard North Group (1984) Ltd. at the public hearing

10. Map of River Ridge submitted by Ritchie Reif at the public hearing
11. Cover Letter dated September 7, 2010 to a Petition in opposition to the application purporting to contain the signatures of 163 area residents, submitted by Ritchie Reif at the public hearing
12. Communication dated September 7, 2010, from Linda Bjornson in opposition to the application submitted by Ritchie Reif at the public hearing
13. Communication dated September 7, 2010, from Gary Sideen in opposition to the application submitted by Ritchie Reif at the public hearing
14. Audio Recording of representations of public hearing held on September 7, 2010

REPRESENTATIONS:

In Support:

Jay Lev
Mark Macdonald
Douglas Malhan
David Palubeski, Lombard North Group (1984) Ltd.
David Watkin

In Opposition

Linda Bjornson
Julian Givbega
Ritchie Reif
Gary Sideen

For Information:

Robert Grancich
David Hay

For the City:

Mr. G. Doney, Senior Planner, Planning, Property and Development Department

Exhibit "7" referred to in File ZAA 7/2010 [c/r DASZ 22/2008]

ADMINISTRATIVE REPORT

Title: ZAA 7/2010 – 50 Ridgecrest Drive.

Issue: For consideration at the Public Hearing for a zoning agreement amendment to allow for 6 storey multiple family dwellings instead of 4 storey.

Critical Path: Lord Selkirk – West Kildonan Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	n/a	n/a	

RECOMMENDATIONS

1. That Zoning Agreement under File DASZ 22/2008, approved by Council on October 22, 2008 be amended as follows:

   A. That Clause 2. A. ii. be deleted and the following substituted therefore:

   That no structure on the subject land shall exceed six (6) storeys in height.

2. That the Director of Legal Services and City Solicitor be requested to prepare the necessary Amending Agreement to Zoning Agreement DASZ 22/2008 as approved in aforesaid Recommendation 1.

3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

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

REASON FOR THE REPORT

- The subject property is **4.4 acres** located on the south side of Ridgecrest Drive at Rivergrove Drive in the Rivergrove Neighbourhood of the Old Kildonan ward.
- The proposed development will be for a 6 story, seniors residential care home with 169 suites with 48 surface parking stalls and 33 underground parking stalls.
- The building height steps back from the street in a series of terraces beginning with 2 storey height stepping back to 3 storey height and then 4 to 6 stories at the furthest location to the street and the existing single family dwellings on Grifindale Bay.
- An amendment is required for the Zoning Agreement which currently restricts building height to four (4) storeys.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, the subdivision and rezoning will proceed with the amended zoning agreement that allows six (6) story building on the planned area.

HISTORY

On October 22, 2008 Council approved File DASZ 22/2008 for the rezoning of the subject land to a "RMF-M" Multiple Family Residential District subject to 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 Lord Selkirk-West Kildonan Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That no structure on the subject land shall exceed four (4) storeys in height.

CONSULTATION

In preparing this report there was consultation with:

N/A

SUBMITTED BY

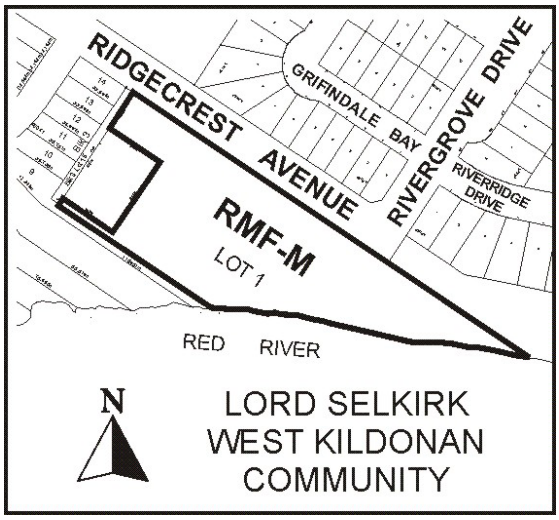
Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	*John Wintrup*
Date:	*August 31, 2010*
File No.	*ZAA 07/10*

APPENDIX 'A'

DATE: August 31, 2010
FILE: ZAA 07/10
RELATED FILES: DASZ 22/08
COMMUNITY: Rivergrove
NEIGHBOURHOOD #: 4.417

SUBJECT: Zoning agreement amendment to allow for 6 storey multiple family dwellings instead of 4 storey

LOCATION: 50 Ridgecrest Drive



APPLICANT: Lombard North Group (1984) Ltd.
505 – 93 Lombard Ave
WINNIPEG MB

OWNER: Doug Machan
50 Ridgecrest Ave
WINNIPEG MB

RECOMMENDATION: Approval

REPORT SUMMARY

- The subject property is **4.4 acres** located on the south side of Ridgecrest Drive at Rivergrove Drive in the Rivergrove Neighbourhood of the Old Kildonan ward.
- The proposed development will be for a 6 story, seniors residential care home with 169 suites with 48 surface parking stalls and 33 underground parking stalls.
- The building height steps back from the street in a series of terraces beginning with 2 storey height stepping back to 3 storey height and then 4 to 6 stories at the furthest location to the street and the existing single family dwellings on Grifindale Bay.

- An amendment is required for the Zoning Agreement which currently restricts building height to four (4) storeys.

SURROUNDING LAND USES AND ZONING
North: Ridgecrest Avenue, then single-family residences zoned "R1-M" Residential
South: Undeveloped land zoned "R1-E" Single-Family Estate Residential
East: Red River
West: Single-family residence and undeveloped land zoned "R1-E" Single-Family Estate Residential

DESCRIPTION OF THE PROPOSED DEVELOPMENT
- The proposed development will be for a 6 story, seniors residential care home with 169 suites with 48 surface parking stalls and 33 underground parking stalls.
- The building height steps back from the street in a series of terraces beginning with 2 storey height stepping back to 3 storey height and then 4 to 6 stories at the furthest location to the street and the existing single family dwellings on Grifindale Bay

ANALYSIS AND ISSUES
ZONING (BY-LAW 200/2006)
- **R1-M Residential Single-Family District – Medium** minimum lot sizes of 3,500 square feet are required.
    - Side yards of 4 feet are required.
    - Front yard requirements are 15 feet; rear yard requirements are 25 feet.
    - Maximum building height is 35 feet.

- **RMF- M Residential Multi-Family District - Medium** is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities.
    - There is a front & rear yard requirement of 25 feet and the maximum building height is 60 feet.
    - The minimum lot area per dwelling unit is 800 square feet per dwelling unit.

LAND USE BY-LAW
- An amendment is required for the Zoning Agreement which currently restricts building height to four (4) storeys.

RECOMMENDATIONS
The Planning and Land-Use Division supports the amendment to zoning agreement to allow the construction of a six (6) storey residential dwelling:

- The location and design of the residential development will require plan approval from the LSWK and Director of Planning, Property and Development - - a process that still ensures that the building height will step back from the street in a series of terraces beginning with 2 storey height stepping back to 3 storey height and then 4 to 6 stories at the furthest location to the street and the existing single family dwellings on Grifindale Bay

This Report Submitted by: John Wintrup
Planning, Property and Development Department
Planning and Land Use Division
Report Prepared by:
PPD File # ZAA 07/10

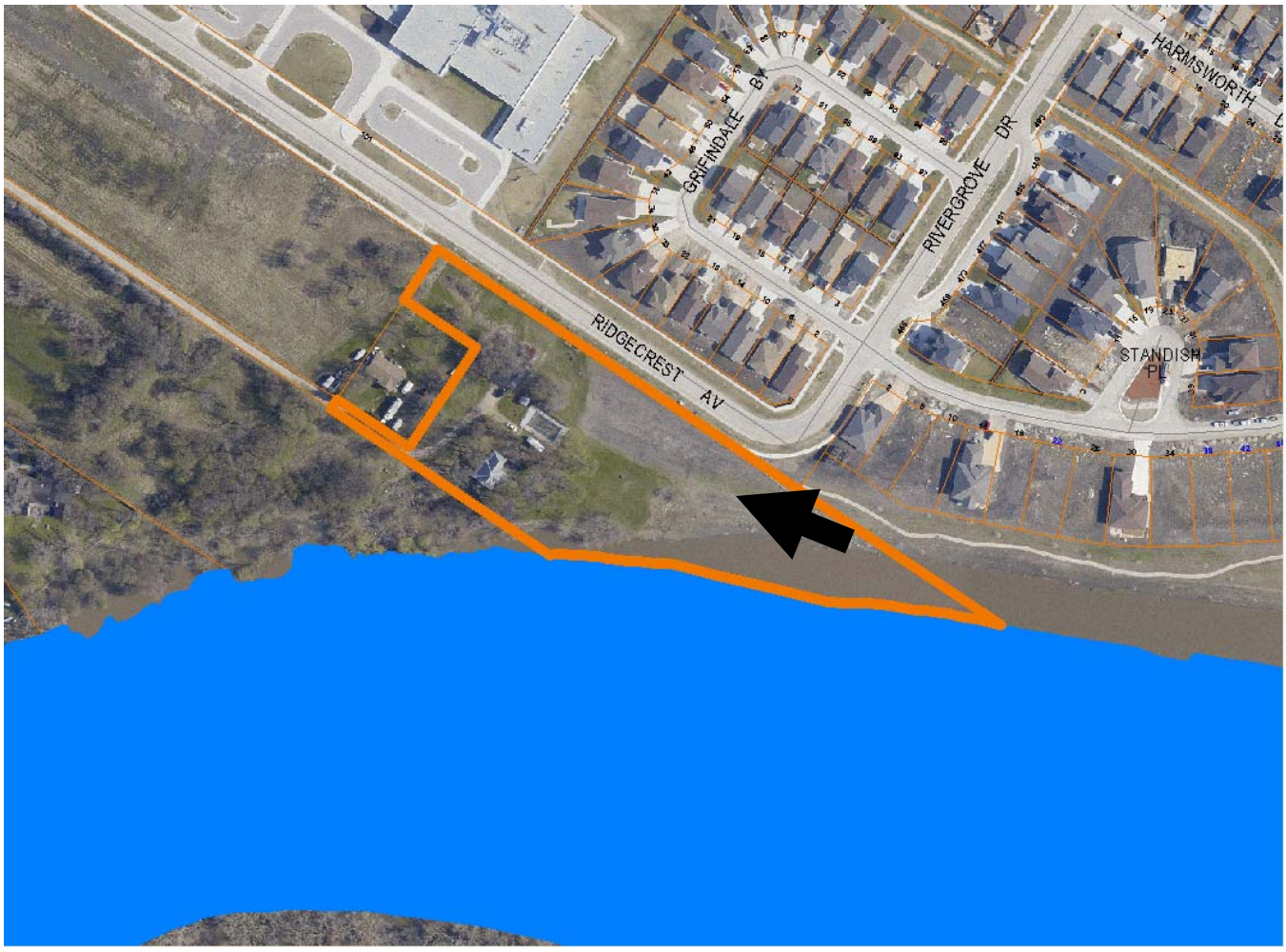


Figure 1: Air Photo of subject property and Surrounding Context.

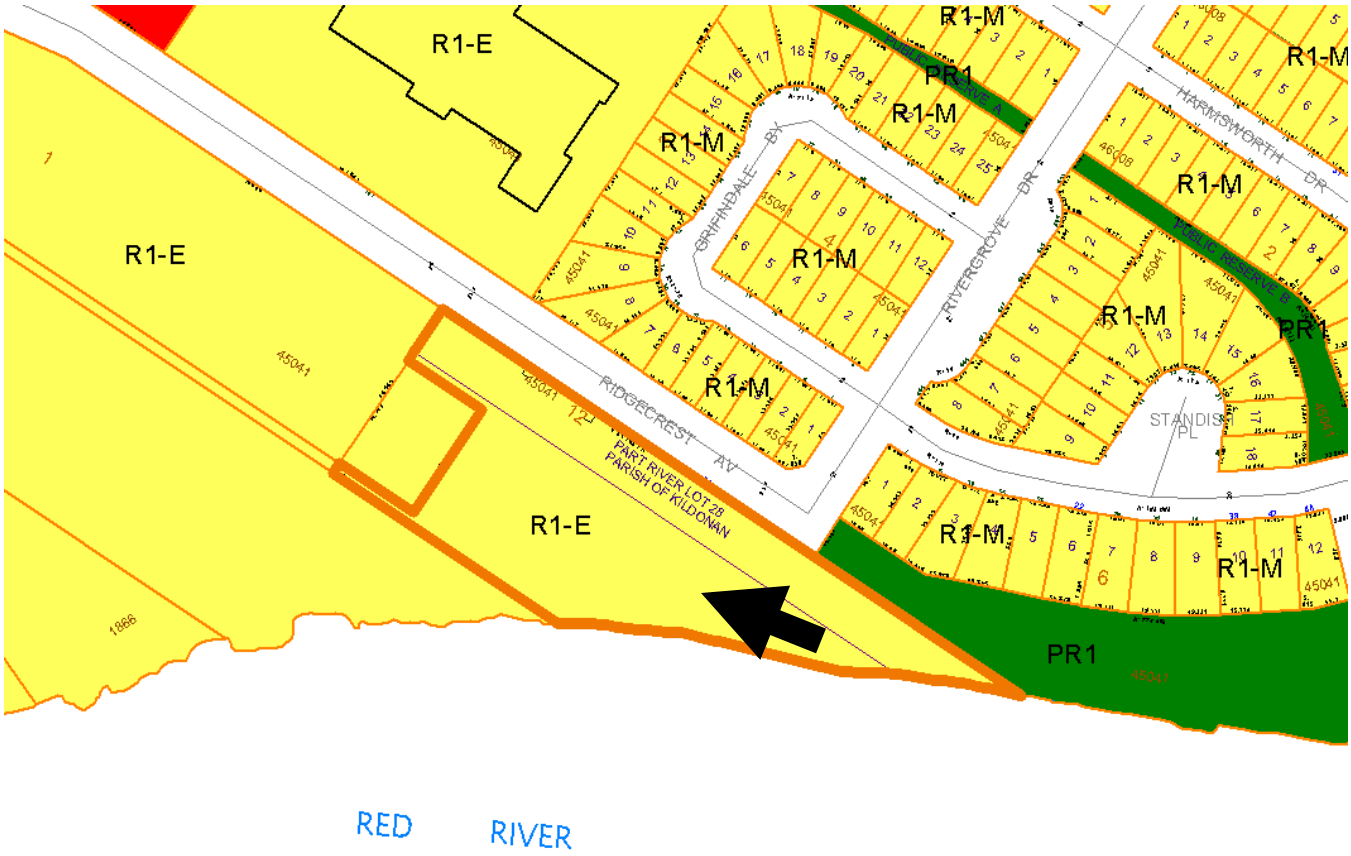


Figure 2: Zoning Map of subject property and Surrounding Context.