Minute No. 322
Report - Standing Policy Committee on Property and Development – April 5, 2011

Item No. 7 **Subdivision and Rezoning – 281 Henderson Highway (Elmwood-East Kildonan Ward) File DASZ 24/2010**

COUNCIL DECISION:

Council concurred in the recommendation of the recommendation of the Standing Policy Committee on Property and Development that the plan of subdivision and rezoning under File DASZ 24/2010 be rejected.

Report - Standing Policy Committee on Property and Development – April 5, 2011

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That the recommendation of the Standing Policy Committee on Property and Development, that the plan of subdivision and rezoning under File DASZ 24/2010 be rejected, be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 20, 2011, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 5, 2011, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

Report - Standing Policy Committee on Property and Development – April 5, 2011

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION:

On March 15, 2011, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended that the plan of subdivision and rezoning under File DASZ 24/2010 be rejected, and forwarded the matter to the Standing Policy Committee on Property and Development.

On February 15, 2011, the East Kildonan-Transcona Community Committee did not hear any representation on the application and further adjourned the public hearing to its meeting on March 15, 2011 at 6:30 p.m. at the Bronx Park Community Centre, 720 Henderson Highway, to allow the applicant more time to consult with area residents regarding the application.

On January 18, 2011, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on February 15, 2011 at 6:30 p.m. at the Royal Canadian Legion, Transcona Branch, 117 Regent Avenue East and requested the applicant to hold a Community Consultation meeting to present the proposed development and consult with area residents with any concerns they may have.

The East Kildonan - Transcona Community Committee further requested the Winnipeg Public Service to review the plans submitted at the public hearing and report back to the Committee on the proposed development

RE: **Subdivision and Rezoning – 281 Henderson Highway**
File DASZ 24/2010

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

Prepared by: **Carlos Gameiro, Senior Committee Clerk**
East Kildonan-Transcona Community Committee

Report date: **March 15, 2011**

COMMUNITY COMMITTEE RECOMMENDATION:

On March 15, 2011, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development that the plan of subdivision and the rezoning proposed under File DASZ 24/2010 be rejected.

The East Kildonan-Transcona Community Committee provided the following supporting reasons for its recommendation:

1. This property is very important to the residents of the area and the community was not properly consulted. The community meeting was not properly advertised and there was no information dropped in the surrounding resident's mailboxes.

2. The applicant has not given much thought to the development of this land.

PUBLIC HEARING SUMMARY

File: DASZ 24/2010

Before: East Kildonan-Transcona Community Committee
Councillor Wyatt, Chairperson
Councillor Browaty
Councillor Steen

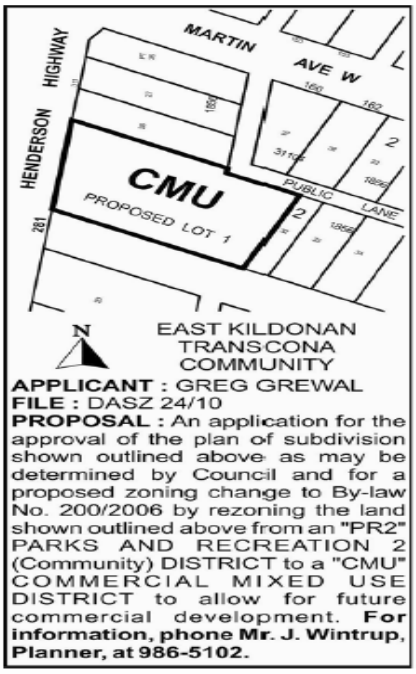
Public Hearing: March 15, 2011
Bronx Park Community Centre
720 Henderson Highway

February 15, 2011
The Royal Canadian Legion, Transcona Branch
117 Regent Avenue East

January 18, 2011
Bronx Park Community Centre
720 Henderson Highway

Applicant: Greg Grewal

Subject:



Premises Affected: 281 Henderson Highway

Exhibits Filed:

1. Application dated August 27, 2010
2. Notification of Public Hearing dated November 24, 2010
3. Manitoba Status of Title 1359682
4. Letter of authorization dated July 12, 2010, from The City of Winnipeg to Greg Grewal
5. Plans (3 pages)
6. Report from the Planning and Land Use Division dated January 10, 2011
7. Inspection Report
8. Property Information submitted at the public hearing on January 18, 2011 by Greg Grewal
9. Plans (5), submitted at the public hearing on January 18, 2011 by Greg Grewal
10. Communication from Shaneen Robinson in opposition to the application, submitted at the public hearing on January 18, 2011 by Carlos Sosa
11. Audio Recording of the adjourned public hearing held on January 18, 2011
12. Notice of Adjournment dated January 21, 2011
13. Communication dated February 15, 2011, from Valerie Denesiuk in opposition to the application
14. Notice of Adjournment dated February 16, 2011
15. Communication submitted at the public hearing on March 15, 2010 by Ed Innes
16. Photograph of the subject property, submitted at the public hearing on March 15, 2010 by Ed Innes by Valerie Denesiuk
17. Audio Recording of representations of public hearing held on March 15, 2011

REPRESENTATIONS:

In Support:

Greg Grewal
Manjinder Dhaliwal
Michael Knoll
Kala Ram Sharma
Barjinder Singh Tuind

In Opposition

Bill Blaikie, M.L.A. for Elmwood
Kevin Deck
Valerie Denesiuk
Anthony Dratowany
Ed Innes
D. G. Innes
John King
Linda King
John Kubi, Chairperson, East Kildonan-Transcona Resident Advisory Group
Martin Landy
Kelly Livingstone
June McDougald
Joanne Noble
Shaneen Robinson
Carlos Sosa
Nelson Sanderson
Lillian Thomas
Karl Zadnik

For Information:

Mark Gardner
Tania Lachance
H. Minderhoud
Jason Schreyer
Murray Sinclair
Anna Worobetz

For the City:

Mr. K. Raban, Land Development Administrator,
Planning, Property and Development Department
Mr. J. Wintrup, Senior Planner, Planning, Property and Development Department

Exhibit "6" referred to in File DASZ 24/2010

ADMINISTRATIVE REPORT

Title: DASZ 24/2010 – 281 Henderson Hwy

Issue: For consideration at the Public Hearing for a rezoning to allow for future commercial developments.

Critical Path: East Kildonan – Transcona Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan			

RECOMMENDATIONS

That the plan of subdivision and the rezoning proposed under File DASZ 24/10 be rejected at this time.

REASON FOR THE REPORT

- The applicant is proposing to subdivide 14,501 square feet out from the larger parcel and rezone the lot a mixed-use commercial district to allow future commercial / mixed use developments.
- No building, site plans or intention of use has been submitted as part of the development application – no public engagement process has been conducted to the best of the Division's knowledge.
- The Public Service, in general, supports the redevelopment of the subject lands with higher-density residential and/or commercial that is appropriate in terms of scale, and pedestrian orientation towards the street.
- Transitions between areas of intensification – from the high density mixed used development along the corridor to the lower density and less mixed use development within the adjacent areas - needs to be carefully addressed to fully realize the potential of the neighbourhood.
- This section of Henderson Hwy and the Elmwood area is undergoing a transformation as new residents, higher densities and new commercial businesses are incrementally

changing the neighbourhood. The development of these lands can potentially be the critical turning point for this community that may encourage or discourage the continual re-investment into the area.

- Information about the redevelopment needs to be provided to ensure the specific design and land-uses proposed on the subject lands will continue to encourage the re-investment in the surrounding area.
- The Division is recommending this application be rejected at this time, though is prepared to support future applications that enable mixed use redevelopment of the site once detailed information has been supplied for analysis.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, a Developer will be required to file a future application to rezone the property to accommodate future land-uses.

HISTORY

- On May 18, 2005, City Council adopted the Recreation, Leisure, and Libraries Facilities Policy. As part of that policy, the General Council of Winnipeg Community Centres (GCWCC) was directed to develop a business plan and to formulate a Community Centre District Plan. In addition, the Recreation, Leisure, and Libraries Facility Policy also identified that the proceeds from the property sales of former Community Centre sites would be reinvested in the Community Centre system through the establishment of a Recreation, Leisure and Libraries Investment Reserve Fund.

- On July 26, 2006, City Council adopted the GCWCC 2006 Community Centre District Plan. As part of that plan, the Brooklands Community Centre site at 26 Oddy Street was declared surplus to City needs. In addition, the Kelvin Community Centre site at 281 Henderson Highway was also declared surplus to City needs; with the exception of the field house and remaining sports fields.

- On September 20th and October 11th, 2007, the Community Services Department requested that the Planning, Property, and Development Department demolish the buildings and structures on the Brooklands (26 Oddy Street) and Kelvin (281 Henderson Highway) Community Centre sites respectively, and to dispose of the sites in accordance with Council's July 26, 2006 motion.

- On January 8, 2008 the Standing Policy Committee on Property and Development granted the approval to demolish or remove the City-owned buildings and structures located at 281 Henderson Highway and 26 Oddy Street.

- On November 19, 2008 Council approved a plan of subdivision and rezoning to consolidate two lots into one lot to convert an existing building into a 20 unit multiple family dwelling at 263 Henderson HWY.

CONSULTATION

In preparing this report there was consultation with:

N/A

SUBMITTED BY

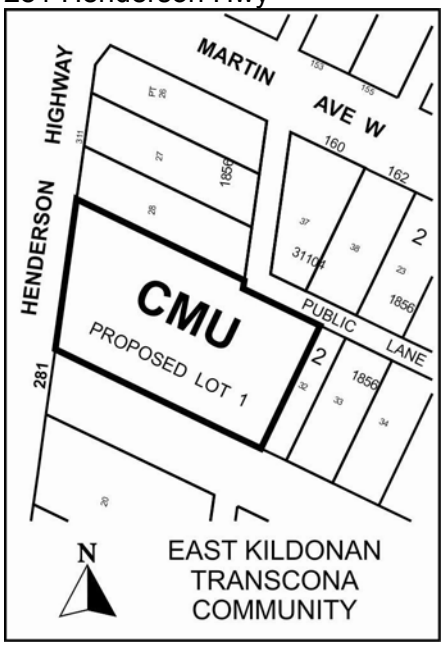
Department *Planning, Property and Development*
Division *Planning and Land Use*
Prepared by *John Wintrup*
Date: *January 10, 2011*
File No. *DASZ 24/10*

APPENDIX 'A'

DATE:
FILE: DASZ 24/10
RELATED FILES: DASZ 21/08
COMMUNITY: Chalmers
NEIGHBOURHOOD #: 4.401

SUBJECT: Subdivision and Rezoning to create a commercial lot for future development.

LOCATION: 281 Henderson Hwy



APPLICANT: Greg Grewal
360 McMillian Ave
WINNIPEG MB R3L 0N2

OWNER: City of Winnipeg

RECOMMENDATION: **Rejection**

REPORT SUMMARY

- The applicant is proposing to subdivide 14,501 square feet out from the larger parcel and rezone the lot a mixed-use commercial district to allow future commercial / mixed use developments.
- No building, site plans or intention of use has been submitted as part of the development application – no public engagement process has been conducted to the best of the Division's knowledge.
- The Public Service, in general, supports the redevelopment of the subject lands with higher-density residential and/or commercial that is appropriate in terms of scale, and pedestrian orientation towards the street.
- Transitions between areas of intensification – from the high density mixed used development along the corridor to the lower density and less mixed use development within the adjacent areas - needs to be carefully addressed to fully realize the potential of the neighbourhood.
- This section of Henderson Hwy and the Elmwood area is undergoing a transformation as new residents, higher densities and new commercial businesses are incrementally changing the neighbourhood. The development of these lands can potentially be the critical turning point for this community that may encourage or discourage the continual re-investment into the area.
- Information about the redevelopment needs to be provided to ensure the specific design and land-uses proposed on the subject lands will continue to encourage the re-investment in the surrounding area.
- The Division is recommending this application be rejected at this time, though is prepared to support future applications that enable mixed use redevelopment of the site once detailed information has been supplied for analysis.

SURROUNDING LAND USES AND ZONING

- The subject property is 14,501 square feet zoned **PR2 Parks and Recreation 2 (Community) District** located on the east side of Henderson Hwy, between Martin Avenue West and Chalmers Avenue West the Chalmers neighbourhood of the Elmwood – East Kildonan Ward.
- The subject property has 97.44 feet of frontage on Henderson Hwy and is vacant land: the former Kelvin Community Centre site at 281 Henderson Highway was declared surplus to City needs.
- Adjacent properties include commercial properties to the north and south zoned C2 Commercial Community District.
- Surrounding lands to the west across Henderson Hwy are commercial businesses zoned C2 Commercial Community District.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide 14,501 square feet out from the larger parcel and rezone the lot a mixed-use commercial district to allow future commercial / mixed use developments.
- No building, site plans or intention of use has been submitted as part of the development application.

- The new easterly property line is approx. 5.5 m from the existing rink boards: this is to accommodate tractor, or equipment access for rinks, so as not to compromise use and maintenance and snow clearing of the Kelvin CC rinks, and that other existing infrastructure not be compromised by the new development to the west

ANALYSIS AND ISSUES

Henderson Highway Corridor Action Area Plan

- The Henderson Highway Corridor Action Area Plan (HHCAAP) was approved by City Council on February 2, 1983.
- The redevelopment of commercial properties and the conversion of complete blocks to commercial, but not the conversion of single residential properties to commercial.
- A majority of residential properties along the Highway tend to be predominantly well maintained, with very few in decline. Well-maintained properties are especially noted along the section of Henderson Highway that has been the primary target for commercial redevelopment in the past.
- The proposed development is consistent with the HHCAAP since it will complete the block of commercial / high density zoning between Martin Avenue West and Chalmers Avenue West.

Zoning By-law 200/06

- **PR2 Parks and Recreation 2 (Community) District** is intended for sites that include community recreation facilities and parks that are accessed by a mix of pedestrian and vehicular traffic.
    - These sites may provide active programs and activities, including hockey pens, arenas, indoor soccer, wading pools, spray parks, skateboard parks and athletic fields.
    - These parks and facilities typically occur along collector streets.

- **C2 Commercial Community District** is intended to accommodate more intensive commercial sites that do not have a local or neighbourhood orientation.
    - The district is intended to include attractive commercial, institutional, recreational, and service facilities needed to support the surrounding neighbourhoods and the broader community.
    - C2 districts are generally located along collector streets, at arterial/collector intersections, or along portions of arterial streets with relatively shallow lots.
    - There is a rear yard requirement of 25 feet and a maximum building height of 49 feet.
    - Multi-family residential structures in the C2 district must meet the requirements of the RMF-M zone and are ‘Conditional Uses’.

- **CMU Commercial Mixed Use District** is intended to provide for community-serving mixed use development at a higher scale than is appropriate for neighbourhood locations.
    - The CMU district is intended for use along selected corridors and at important nodes in the city.
    - The district is intended to include attractive commercial, institutional, recreational, and service facilities needed to support surrounding neighbourhoods and the community at-large.

- Although the area, site, or building should have a predominantly commercial character, multi-family housing may be incorporated within the district, and development should facilitate pedestrian connections between residential and nonresidential uses.
- Multi-family residential structures in the CMU district must meet the requirements of the RMF-M zone and are considered permitted uses.
- There is no front or side yard requirement and maximum building height is 60 feet.

Land Drainage

- Proper grading needs to be ensured within the new development because of potential water concerns due to annual flooding/thawing of rinks by the Community Club operations.

Land Dedication

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.
- The amount of lands is not less than 10%. The developer will provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.
- If dedication is 'cash in lieu' of land, then the developer is required to pay the City its share of the costs of landscaping and services that it would have expended had a dedication of the land been made, which will equal 10 %.
- 'Cash in lieu' of land will be required under this development application.
- The net proceeds of the sale of the land will be put into the Recreation, Leisure and Libraries Investment Reserve Fund, for reinvestment in the Community Centre system.

RECOMMENDATIONS

The Division is recommending this application be rejected at this time, though is prepared to support future applications that enable mixed use redevelopment of the site once detailed information has been supplied for analysis.

- The Public Service, in general, supports the redevelopment of the subject lands with higher-density residential and/or commercial that is appropriate in terms of scale, and pedestrian orientation towards the street.
- Transitions between areas of intensification – from the high density mixed used development along the corridor to the lower density and less mixed use development within the adjacent areas - needs to be carefully addressed to fully realize the potential of the neighbourhood.
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- Information about the redevelopment needs to be provided to ensure the specific design and land-uses proposed on the subject lands will continue to encourage the re-investment in the surrounding area.

This Report Submitted by: John Wintrup
Planning, Property and Development Department
Planning and Land Use Division
Report Prepared by:
PPD File # DASZ 24/10

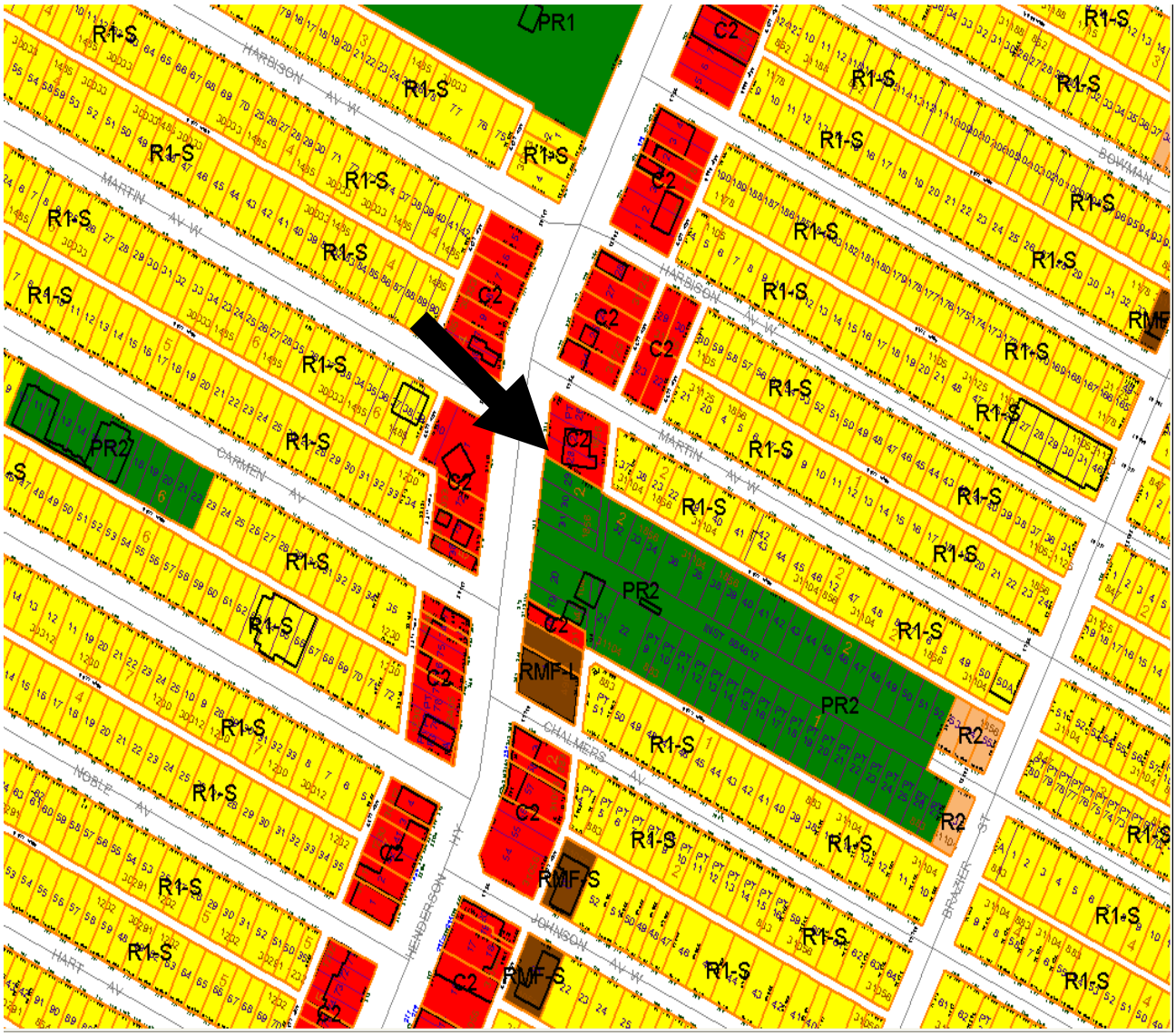

Figure 1: Existing Zoning for subject property and Surrounding Area.

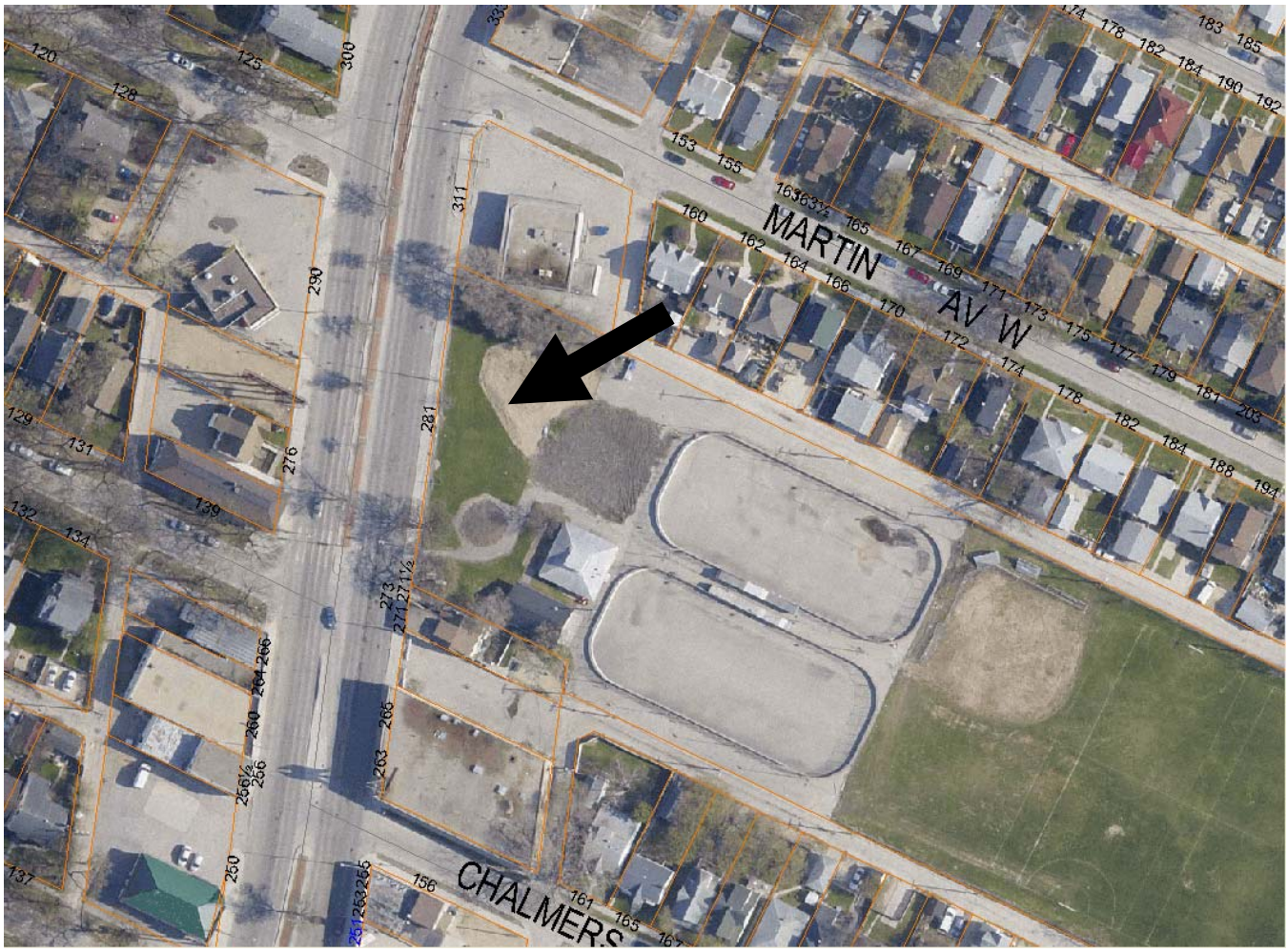

Figure 2: Existing Land-Uses for subject property and Surrounding Area.