Agenda - Council – July 20, 2011

Report - Executive Policy Committee – July 13, 2011

Item No. 9 Subdivision and Rezoning - 149 - 155 Sherbrook Street (Fort Rouge-East Fort Garry Ward) File DASZ 18/2011

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 13, 2011, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submits the following to Council:

1. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 18/2011 dated June 28, 2011 to an "RMU" Residential Mixed Use District, subject to the following conditions:

    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 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 the height of any building shall be limited to 60 feet

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

5. 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 by-law is passed.

Report - Executive Policy Committee – July 13, 2011

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

7. 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 - Executive Policy Committee – July 13, 2011

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 13, 2011, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 5, 2011, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

RE: **Subdivision and Rezoning - 149 – 155 Sherbrook Street**
File DASZ 18/2011 [c/r DAV 124269/2011D]

For submission to: **Executive Policy Committee**

Prepared by: **Ms Josie Marques, Senior Committee Clerk**
City Centre Community Committee

Report date: **July 7, 2011**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 5, 2011, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommends to the Executive Policy Committee:

1. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 18/2011 dated June 28, 2011 to an "RMU" Residential Mixed Use District, subject to the following conditions:

    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 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.

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

7. 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 City Centre Community Committee provided the following supporting reason(s) for its recommendation:

1. The project has many benefits to community by providing more housing and a mixed use.

2. It fits well in area and has full support of the community

PUBLIC HEARING SUMMARY

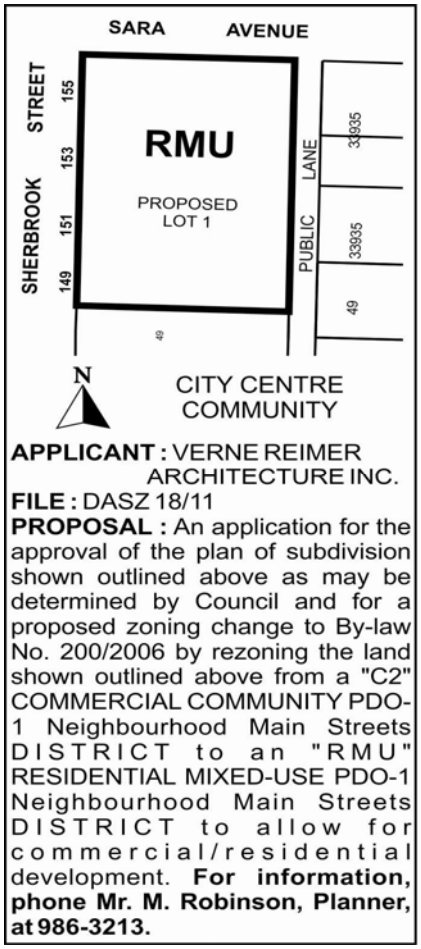
File: DASZ 18/2011

Before: City Centre Community Committee
Councillor Gerbasi, Chairperson
Councillor Orlikow
Councillor Smith

Public Hearing: July 5, 2011
West Committee Room
Council Building, 510 Main Street

Applicant: Verne Reimer Architecture Incorporated (Brent Lauman)

Subject:



Premises Affected: 149 – 155 Sherbrook Street

Exhibits Filed:

1. Application dated April 27, 2011
2a. Notification of Public Hearing dated June 8, 2011
2b. Notification of Public Hearing dated June 28, 2011
3. Manitoba Status of Titles 1659708, 1659710, 1682200 and 1897814
4. Letter of authorization dated April 13, 2011 from Cornelius L. Soorsma to Sandhu Developments, et al & Verne Reimer Architecture
5. Plans (6 pages)
6. Revised Plans (8 pages)
7. Report from the Planning and Land Use Division dated June 28, 2011
8. Communication dated April 20, 2011, from Marcel Ayotte, on behalf of West Broadway BIZ, in support of the application
9. Inspection Report
10. Communication dated May 16, 2011, from Dan Rempel, West Broadway Development Corporation, in support f the application submitted by the applicant at the public hearing
11. Audio Recording of representations of public hearing held on July 5, 2011

REPRESENTATIONS:

In Support:

Marcel Ayotte, on behalf of West Broadway BIZ
David J. Danyluk
Brian C. Grant, West Broadway Development Corporation
Brent Lauman, Verne Reimer Architecture Inc.
Mario Lopes
Verne Reimer
Dan Rempel, West Broadway Development Corporation
Martin Riazuddin
Karampaul Sandhu

In Opposition:

Nil

For Information:

Peter Robertson-Stovel
Reyn and Lori Vondyck

For the City:

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

Exhibit "7" referred to in File DASZ 18/2011

ADMINISTRATIVE REPORT

Title: DASZ 18/2011 – 149-155 Sherbrook Street

Issue: For consideration at the public hearing for a Rezoning for DASZ 18/2011 – 149-155 Sherbrook Street

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

AUTHORIZATION

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

RECOMMENDATIONS

1. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 18/2011 dated June 28, 2011 to an "RMU" Residential Mixed Use District, subject to the following conditions:

    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 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.
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5. 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 by-law is passed.

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

7. 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 Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, the property will be rezoned and permits may be issued.

CONSULTATION

In preparing this Report there was consultation with:
N/A

SUBMITTED BY

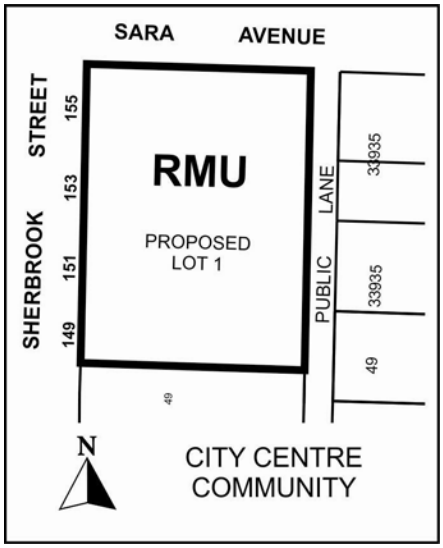
Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Michael Robinson, AICP
Date:	June 28, 2011
File No.	DASZ 18/2011

APPENDIX 'A'

DATE: June 28, 2011
FILE: DASZ 18/2011
RELATED FILES: DAV 11-124269/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.103

SUBJECT: To rezone the subject land from a "C2" Commercial District to an "RMU" Residential Mixed Use District

LOCATION: 149-155 Sherbrook STREET
LEGAL DESCRIPTION: Lots 45, 46, 47, & 48 Plan 33935



APPLICANT: Verne Reimer Architecture Inc. (Brent Lauman)

OWNER: Cornelius Leo Soorsma

RECOMMENDATION: Approval

SITE DESCRIPTION
The subject properties, which are currently zoned "C2" Commercial District, are located at the southeast corner of Sherbrook Street and Sara Avenue in the West Broadway neighborhood of the Fort Rouge – East Fort Garry ward.

North: Office use zoned "C2" PDO-1 Neighbourhood Main Streets
South: Residence, zoned 'C2" PDO-1 Neighbourhood Main Streets
East: Residences zoned "R2" Residential Two-Family District
West: Residences and commercial uses zoned "C2" PDO-1 Neighbourhood Main Streets

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to consolidate four existing lots into one lot and rezone from "C2" PDO-1 Neighbourhood Main Streets to "RMU" Residential Mixed Use District to allow for the

redevelopment of the site by constructing a new, four storey, 44 unit residential multi-family development with both one and two bedroom units ranging from 515 sq ft to 747 sq ft and a main floor commercial unit of 961 sq ft.

The development will have 32 ground level exterior parking spaces at the rear of the building.

Current Use
The subject properties are currently occupied by the following uses
155 Sherbrook – vacant commercial
153 Sherbrook – fourplex
151 Sherbrook – single-family dwelling
149 Sherbrook – single-family dwelling

Reason for application
The proposed density exceeds what is allowed in "C2" Commercial District as a conditional use. "RMU" Residential Mixed Use District, however, allows for a higher density. Consequently, to accommodate the proposed density, a rezoning to "RMU" is required.

ANALYSIS AND ISSUES
Plan Winnipeg Compliance
Under Plan Winnipeg 2020, the subject area is, in its entirety, 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. This development meets several key goals of Plan Winnipeg including *infilling of vacant lands* (3A-02 iv) and *supporting new development which is adjacent to, and compatible with, existing development and designed to minimize the spatial use of land* (3A-02v). There is a demonstrated need for a mix of residential housing types in the City and a growing recognition that infill lands, with existing services in place, are the best place to accommodate it.

To that point, the Conference Board of Canada has projected a substantial shift in the share of new units, away from single-family, and towards apartment/condo multiple-family units, over the next 20+ years. As per the Conference Board forecast from 2009 to 2031

- Single-family is projected to decrease from a 71% share to a 35% share of housing starts
- Multiple-family is projected to rise from a 29% share to a 65% share of housing starts.

The proposed development helps to meet this growing trend in the City.

Draft Our Winnipeg/Complete Communities Direction Strategy
The subject property is situated within a community mixed use corridor. Community Mixed Use Corridors are city routes which connect neighbourhoods, are well served by public transit, and accommodate a mix of uses, functioning as vibrant urban places for Winnipeggers to live, work and play.

Complete Communities Direction Strategy says the following about community mixed use corridors:

Community Mixed Use Corridors provide the opportunity to complete communities; areas of mixed use will largely be concentrated here. In order to accommodate the city's anticipated

increases in residential, commercial and employment densities, Community Mixed Use Corridors will experience a fairly significant amount of change: existing corridors will be enhanced and new corridors will be built in New Communities as community hubs.

Public Consultation
The applicant held a public open house on Wednesday June 15, 2011 at Young United Church in the West Broadway neighbourhood.

Zoning
The 'Residential Mixed Use District" is described as follows in Zoning By-law 200/2006:

The Residential Mixed Use District is intended to facilitate the development of primarily medium – to higher-density residential development, though it may also contain limited small-scale commercial, institutional, recreational, and service facilities needed to support residential development. The area, site, or building should retain a predominantly residential character. Development in the "RMU" District should encourage and facilitate pedestrian travel between residential and non-residential uses. This district is often adjacent and incidental to a town centre, neighbourhood commercial centre, or other type of mixed use or major employment centre.

With that said, the "RMU" District is an appropriate zoning category for the proposed site location and type of development which are proposed. However, in light of the fact that "RMU" permits a maximum height of 100 feet, the Public Service is recommending a zoning agreement to limit the height to 60 feet, which is more in keeping with the scale of this community mixed use corridor.

Use
The applicant is proposing a mixed use building with some commercial use and work/live units on the first floor and residential uses on the upper floors. This type of development is desirable because it promotes pedestrian activity at the ground level while accommodating residences, which assists in accommodating Winnipeg's population growth in a sustainable way and builds a critical population mass to enhance the vitality of the street and local amenities.

Design
T he applicant is proposing a four storey building which provides significant transparency and articulation, in order to break down the overall massing and to provide visual interest from the street.

At the street level, the commercial unit and work/live units, which have entrances at street level will provide a physical and visual connection between the building, the sidewalk, and the neighbourhood. The proposed design, while modern, appears to fit the context and makes a bold statement about the ongoing revitalization of this neighbourhood and corridor.

Zoning Agreement
The Division is recommending that a zoning agreement be included which will require final plan approval by the Director of Planning, Property, and Development prior to the issuance of any development permits

RECOMMENDATIONS

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

- The proposed use is compatible with the area
- The proposal is consistent with Plan Winnipeg 2020 and Complete Communities Direction Strategy

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division

Report Prepared by: Michael Robinson, AICP
PPD File # DAZ 230/2010

APPENDIX "A"
Schedule "A" for File No. DASZ 18/2011, City Centre Community Committee, dated June 28, 2011

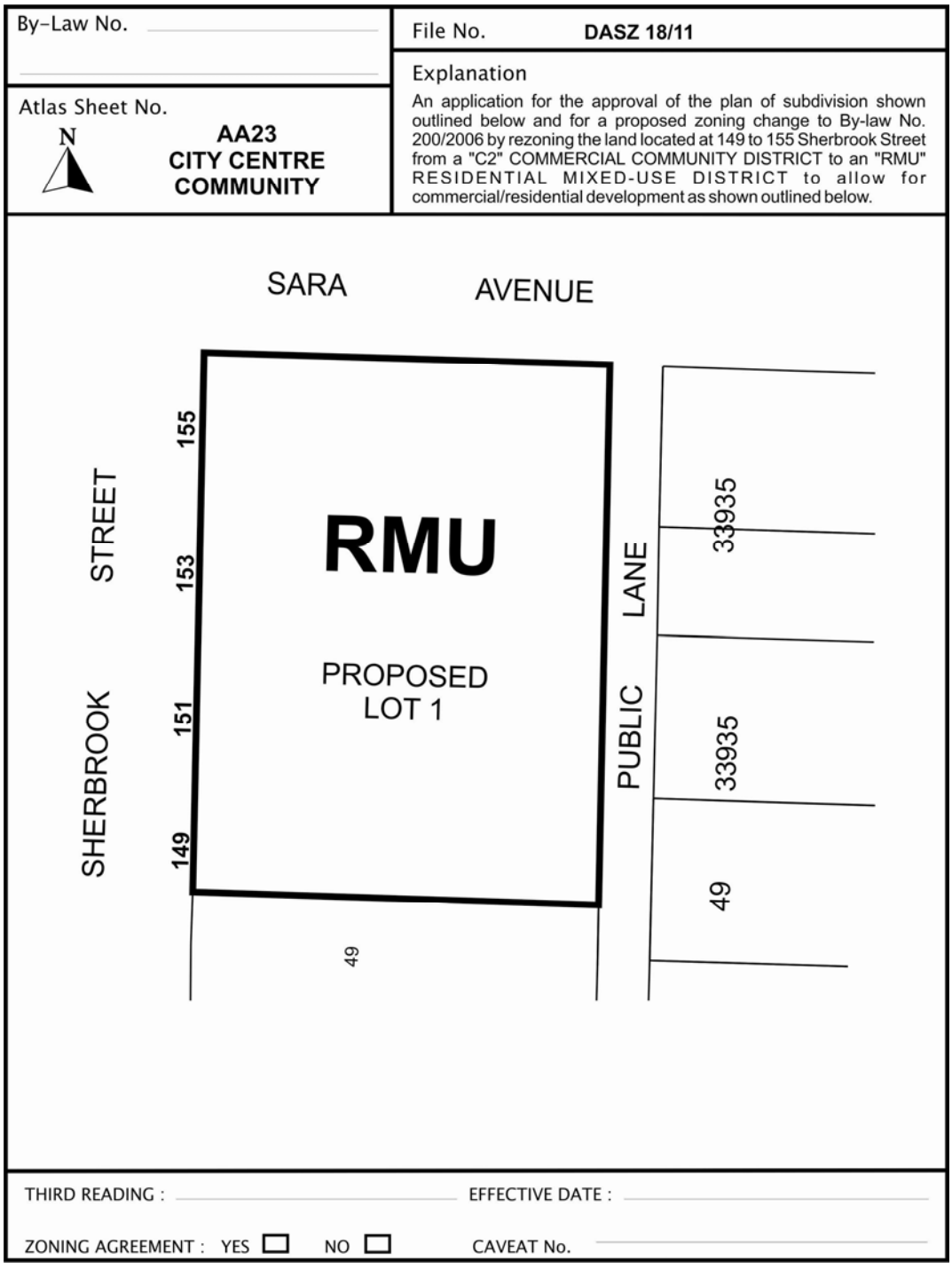




Figure 1: Aerial Photo (Flown in 2009)