Agenda - Council – December 14, 2011

Report - Standing Policy Committee on Property and Development – November 29, 2011

Item No. 1 Rezoning – 700 Renfrew Street
(River Heights-Fort Garry Ward)
File DAZ 221/2011 [c/r DAV 160194/2011D]

STANDING COMMITTEE RECOMMENDATION:

On December 7, 2011, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee and recommends to Council that the application for rezoning under File DAZ 221/2011 be rejected.

Report - Standing Policy Committee on Property and Development – November 29, 2011

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 7, 2011, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 29, 2011, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 1, 2011, the City Centre Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development that the application for rezoning under File DAZ 221/2011be rejected.

RE : **Rezoning – 700 Renfrew**
File DAZ 221/2011[c/r DAV 160194/2011D]

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

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

Report date: **November 2, 2011**

COMMUNITY COMMITTEE RECOMMENDATION:

On November 1, 2011, the City Centre Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development that the application for rezoning under File DAZ 221/2001 [c/r DAV 160194/2011D] be rejected.

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

1. The applicant did community consultation, but the community is not supportive of commercial development on the block.

2. There is an issue of density in the neighbourhood and how we can maintain a historical residential neighbourhood.

3. There is no commercial need for this, as hairdressers are present in the neighbourhood.

PUBLIC HEARING SUMMARY

File: DAZ 221/2011[c/r DAV 160194/2011D]

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

Public Hearing: November 1, 2011
Council Chamber
Council Building, 510 Main Street

Applicant: Tatiana Crawford

Subject:



Premises Affected: 700 Renfrew Street

Exhibits Filed:

1. Application dated August 30, 2011
2. Notification of Public Hearing dated September 13, 2011
3. Manitoba Status of Title 1221582
4. Letter of authorization dated June 28, 2011 from Guseppina Guercio to Tatiana Crawford
5. Surveyor's Building Location Certificate and sketch dated June 29, 2011
6. Photographs (8) of subject property
7. Plan (1 page)
8. Report from the Planning and Land Use Division dated October 17, 2011
9. Communication dated October 26, 2011, from Debra Black, in opposition to the application
10. Communication dated October 26, 2011, in opposition to the application, from June and Red Ferguson, G & A Arnason, G & D Joyal, N. Markus, E & G Luy, G & P Gold, and R & D Perry
11. Communication dated November 1, 2011, from Pat Haase, in opposition to the application
12. Inspection Report
13. Communication dated November 1, 2011, from Donna Castellano, in support of the application
14. Communication dated November 1, 2011, from Cody Maicher, in support of the application
15. Communication dated November 1, 2011, from Niki Labossiere, in support of the application
16. Communication dated November 1, 2011, from Ashley Qually, in support of the application
17. Presentation, including seven (7) photographs, in support of the application submitted by the applicant at the public hearing
18. Presentation in opposition to the application submitted by Winn Adair at the public hearing
19. Copy of petition letter in opposition to the application submitted by Debra Black
20. Audio Recording of representations of public hearing held on November 1, 2011

REPRESENTATIONS:

In Support:

Donna Castellano
Gemma Cawaling
Wilma Cerqueira
Christopher Crawford
Reid Crawford
Tatiana Crawford
Mark Flaman
Lori Havorka
Niki Labossiere
Antonio Lupinetti
Cody Maicher
Monique Alasi
Arlene McLaughlin
Loretta Penner
Ashley Qually
Maria Ramos
Elaine Villaraza

In Opposition:

Marlene Ackman
G. and A. Arnason
Winn Adair
Michelle Barker
Brian Barker
Debra Black
Rene Bray
Antonio Chilelli
Lauren Chilelli
June and Red Ferguson
G. and P. Gold
Angelo Grande
Pat Haase
Jody Hancharyk
G. and D. Joyal
James Lunn
E. and G. Luy
N. Markus
R. and D. Perry
Judy Plotkin

For Information:

Nil

For the City:

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

Exhibit "8" referred to in File DAZ 221/2011

ADMINISTRATIVE REPORT

Title: DAZ 221/2011 – 700 Renfrew Street

Issue: Application to rezone the subject property from an "R1-M" Residential Single-Family District to a "C1" Commercial Neighbourhood District to permit the establishment of a personal service use (hair salon)

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
Patti Regan	n/a	n/a	n/a

RECOMMENDATIONS

1. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the planned area as shown on Schedule "A" for File DAZ 221/2011 dated October 17, 2011, to a "C1" Commercial Neighbourhood 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 the following uses shall not be permitted on the land:
         A. Contractor's establishment.
         B. Restaurant
         C. Post office/carrier depot
         D. Protection and emergency services

      ii. That the site development shall occur in substantial conformance with plans submitted and attached hereto and identified as Schedule "A" for File No. DAZ 221/2011 dated October 17, 2011

      iii. That for the development of any new building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, fencing and landscaping to the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit, and thereafter to be maintained to the satisfaction of the Director of Planning, Property and Development.

      iv. For the erection of any signage, plans shall be submitted showing the location and design of proposed signage to the Director of Planning,

Property, and Development for plan approval prior to the issuance of any sign permit, and thereafter to be maintained to the satisfaction of the Director of Planning, Property and Development.

v. That there shall be no advertising signs, mobile signs, poster signs, and A-frame signs on the entire site.

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 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 planned area, provided that the said effective date occurs within one year of 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.

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, MCIP
Date:	October 17, 2011
File No.	DAZ 221/2011

APPENDIX 'A'

DATE: October 17, 2011
FILE: DAZ 221/2011
RELATED FILES: DAV 11-160194D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.628

SUBJECT: Rezone the subject property from an "R1-M" Residential Single-Family District to a "C1" Commercial Neighbourhood District to permit the establishment of a personal service use (hair salon)

LOCATION: 700 Renfrew STREET
LEGAL DESCRIPTION: SP Lot 64, Plan 27335



APPLICANT: Tatiana Crawford
48 Tangle Ridge Crescent
WINNIPEG MB

OWNER: Tatiana Crawford

RECOMMENDATION: Approval

SITE DESCRIPTION

The subject property zoned "R1-M" Residential Single Family District is located on the southeast corner of Grant Avenue and Renfrew Street in the South River Heights neighbourhood of the River Heights – Fort Garry ward.

North: Grant Avenue, then residences zoned "R1-M" Residential Single-Family District
South: Residences zoned "R1-M" Residential Single-Family District
East: Residences zoned "R1-M" Residential Single-Family District
West: Residences zoned "R1-M" Residential Single-Family District

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The subject site is zoned "R1-M" Residential Single-Family District and up until recently, it was used as a single-family residence.

The intent of the rezoning is to allow the existing structure to be converted to a hair salon.

The applicant has indicated that she will be maintaining the existing structure while improving the overall aesthetics of the property with new landscaping and physical improvements to the building (new windows, etc). Parking will be accommodated in the rear, off the back lane, where there are approximately 13 parking stalls.

Reason for application
Commercial uses are not permitted in the "R1-M" Residential Single-Family District. Consequently, a rezoning to "C1" Commercial Neighbourhood District is required.

ANALYSIS AND ISSUES
A. Context
Frontage properties on Grant Avenue, west of the railroad tracks, are single-family residential for a distance of several blocks from the subject property.

Frontage properties on Grant Avenue, immediately east of the railroad tracks, are zoned "C1" Commercial District. Further to the east, properties are zoned "R1-M" Residential Single-Family District for a distance of several blocks. (See Figures 2 and 3)

B. Policies
OurWinnipeg (Complete Communities Direction Strategy)
Community Mixed Use Corridor
Grant Avenue has the characteristics of a community mixed use corridor. Community mixed use corridors act as "main streets" for one or more neighbourhoods. In order to accommodate the city's anticipated increase in residential, commercial, and employment densities, portions of community mixed use corridors will experience a fairly significant amount of change, including the introduction of new commercial development, when contextually suitable and required by market demand.

While commercial development is not appropriate at all locations along corridors, Complete Communities supports a cluster approach, whereby multi-block sections of corridors, which already have existing commercial development patterns, key intersections, and/or other property influences are encouraged to intensify.

By accommodating commercial development on a corridor, adjacent to an existing commercial development node, the location of the proposed rezoning complies with the intent of Complete Communities.

Commercial Land Supply
Complete Communities also states (Commercial Areas, Direction 2 Strategy 4) the following:

Approve new locations for commercial development where significant residential areas are not well served with commercial space, where existing commercial areas cannot accommodate expansion, where the long-term negative impact impacts on existing regional and commercial centres will be minimal, where additions to the regional street system can be demonstrated to

have long-term benefits and where a full range of municipal services can be provided in an environmentally sound, economical, and timely manner.

In River Heights, it is evident that there is significant demand for commercial space and very little vacant commercial space available. Consequently, the addition of incremental commercial space, as proposed under the subject application, meets the criteria in the Plan and will not have a negative impact on existing commercial centres in the neighbourhood.

C. *Summary*
The Winnipeg Public Service takes a very restrained approach to commercial conversions of residential properties. In general, they should only occur on corners, on regional streets, and within or adjacent to existing clusters of commercial properties. Furthermore, they should be encouraged to keep the residential structure, whenever possible, to maintain a residential character. In this instance, the subject property meets all of these criteria. For these reasons, the Winnipeg Public Service supports the proposed rezoning, with conditions, to ensure future compatibility with the area.

D. Conditions
The Winnipeg Public Service is recommending several conditions in a Zoning Agreement

1. Several uses have been listed as not permitted. These "C1" uses are deemed to be not compatible at this location.

2. The site plan submitted to the City indicates maintaining an existing residential structure with specific site development (parking in the rear, landscaping, fencing, garbage enclosures, etc). This condition ensures that the site is developed in this manner. For instance, if the existing building were demolished and replaced with a new structure, it would not comply with this condition.

3. In the future, if the site is redeveloped, final plans will have to be approved by City Centre Community Committee prior to the issuance of any building or development permits.

4. Any sign permit will require approval from the Director of Planning, Property, and Development prior to the issuance of sign permits. This will provide a review to ensure that signage proposed is compatible with the area.

5. Given the residential character of the area, this condition prohibits advertising signs, mobile signs, poster signs, and A-frame signs on the entire site.

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

- The proposed rezoning is consistent with Complete Communities
- The rezoning is compatible with the area and will not have an adverse impact on adjoining properties.

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division
Report Prepared by: Michael Robinson, AICP, MCIP
PPD File # DAZ 221/2011

APPENDIX "B"
Schedule "A" for File No. DAZ 221/2011, City Centre Community Committee, dated October 17, 2011

By-Law No.

File No. **DAZ 221/11**

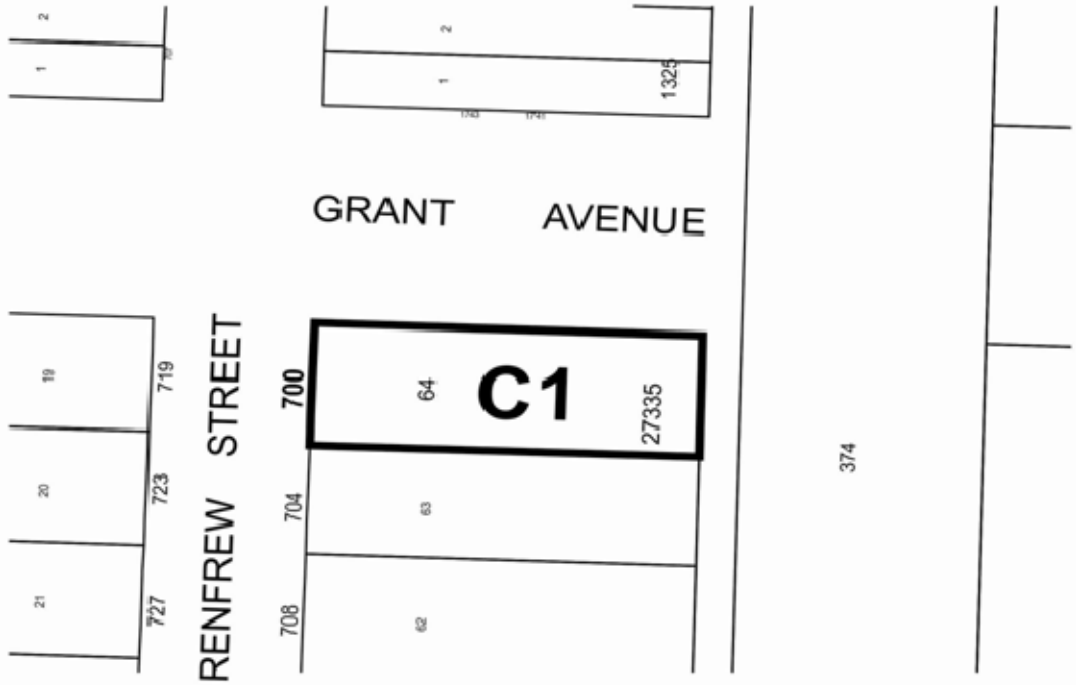
Atlas Sheet No.

N

AE20
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 700 Renfrew Street from an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT to a "C1" COMMERCIAL NEIGHBOURHOOD DISTRICT to allow for the establishment of a personal service use (Hair Salon) as shown outlined below.



THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.



Figure 1: Aerial Photo (Flown in 2009)



Figure 2: Zoning Map (Local Context)

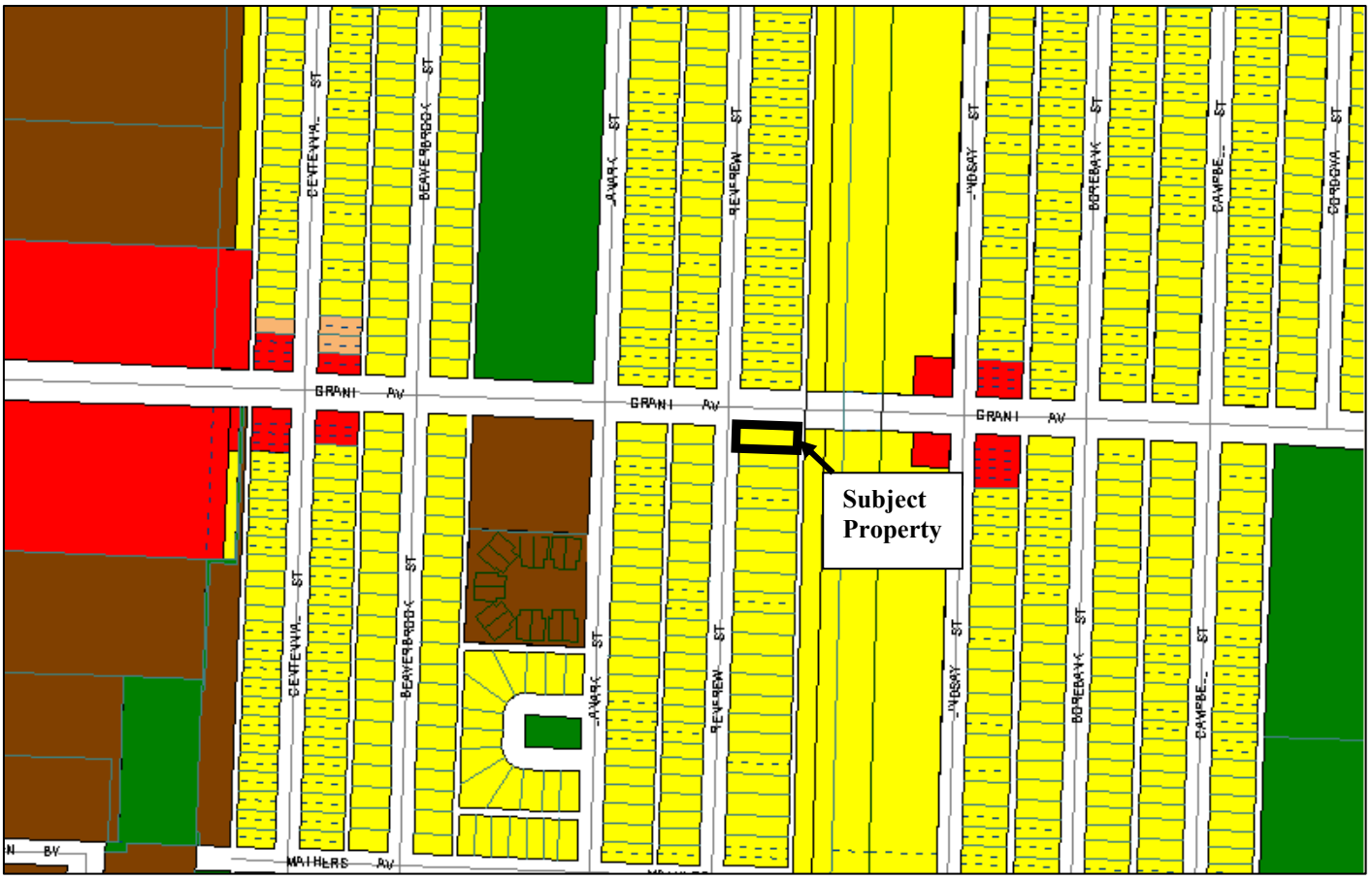


Figure 3: Zoning Map (Wider Context)



Figure 2: Zoning Map (Local Context)

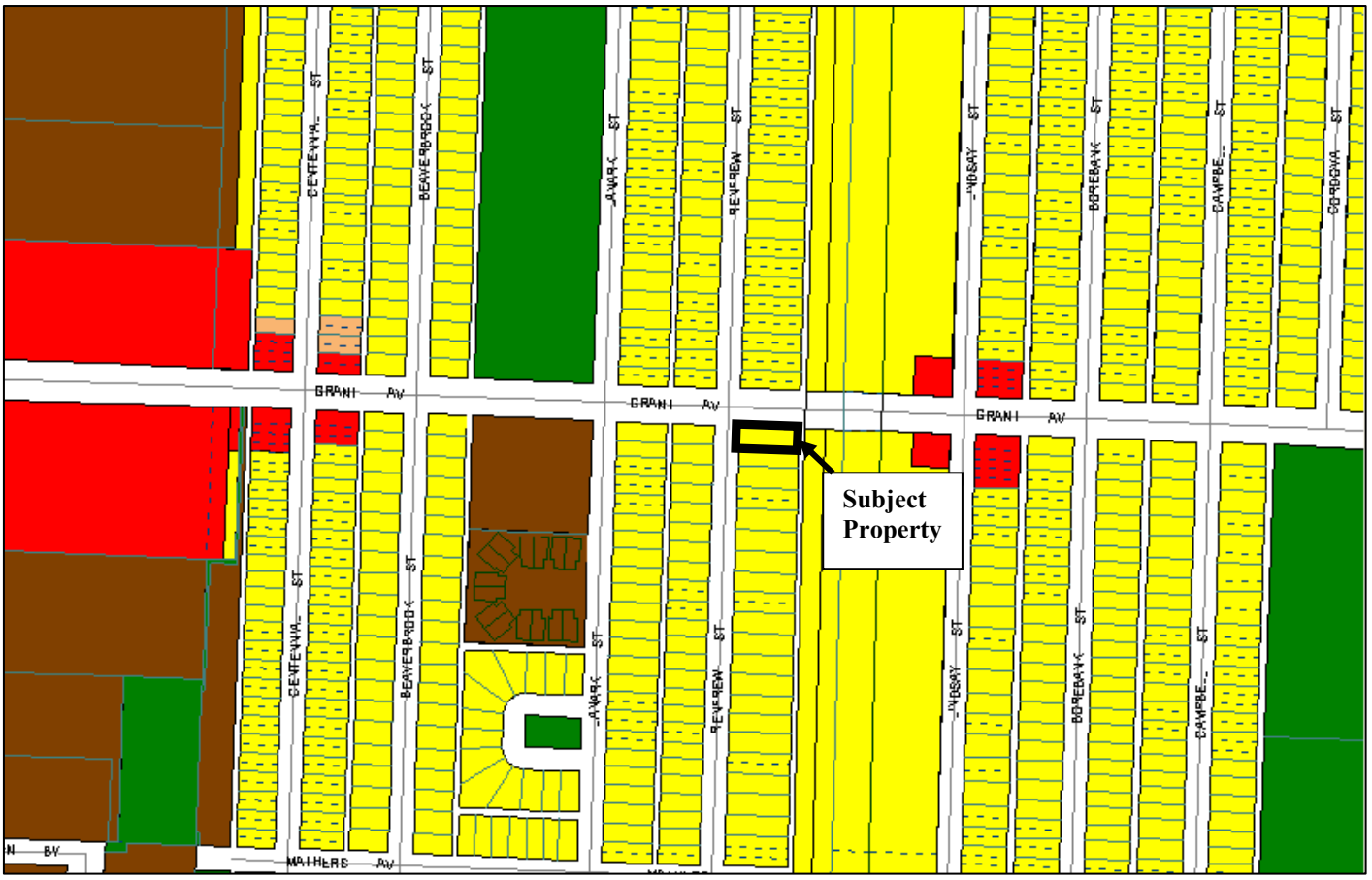


Figure 3: Zoning Map (Wider Context)