Agenda – Council – January 25, 2012

Report – Executive Policy Committee – January 11, 2012

Item No. 1 Rezoning – 97 Keewatin Street
(St. James - Brooklands Ward)
File DAZ 227/2011

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 11, 2012, the Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee and submits the following to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DAZ 227/2011 dated November 28, 2011, to an "RMU" Residential Mixed Use District.

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 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 – January 11, 2012

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 11, 2012, the Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee and submitted that matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On December 6, 2011, the Assiniboia 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: **Rezoning – 97 Keewatin Street**
File DAZ 227/2011

For submission to: **Executive Policy Committee**

Prepared by: **Visa Hutter, Senior Committee Clerk**
Assiniboia Community Committee

Report date: **December 8, 2011**

COMMUNITY COMMITTEE RECOMMENDATION:

On December 6, 2011, the Assiniboia 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 planned area as shown on Schedule "A" for File DAZ 227/2011 dated November 28, 2011, to an "RMU" Residential Mixed Use District.

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.

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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 planned area, provided that the said effective date occurs within one year of the date by-law is passed.

6. 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 Assiniboia Community Committee provided the following supporting reasons for its recommendation:

1. The Assiniboia Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated November 28, 2011.

2. This is a very much needed facility to be utilized by the community.

PUBLIC HEARING SUMMARY

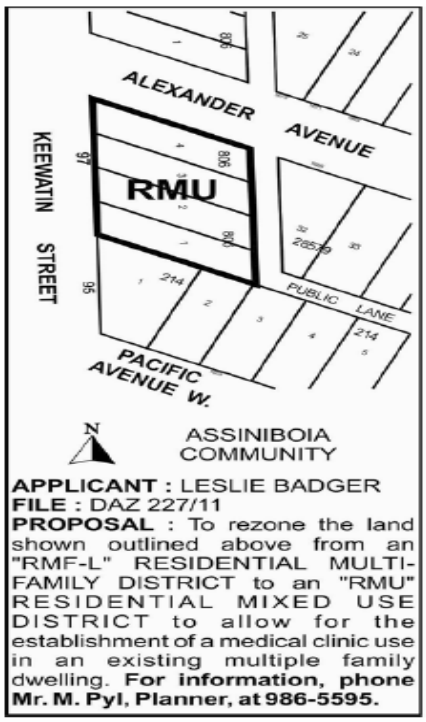
File: DAZ 227/2011

Before: Assiniboia Community Committee
Councillor Fielding, Chairperson
Councillor Havixbeck
Councillor Nordman

Public Hearing: December 6, 2011
Council Chamber, Council Building
510 Main Street

Applicant: Winnipeg Regional Health Authority
(Leslie Badger)

Subject:



Premises Affected: 97 Keewatin Street

Exhibits Filed:
1. Application dated October 17, 2011
2. Notification of Public Hearing dated October 25, 2011
3. Manitoba Status of Title 2349360
4. Letter of authorization dated October 14, 2011 from Manitoba Housing and Renewal Corporation to Winnipeg Regional Health Authority

5. Drawing of subject property
6. Plans (12 pages)
7. Report from the Planning and Land Use Division dated November 28, 2011
8. Inspection Report
9. Audio Recording of public hearing held on December 6, 2011

REPRESENTATIONS:

In Support:

Leslie Badger
Renata Cook
Andrea Furness
Nancy Heinrichs
Ron Keller

In Opposition

Nil

For Information:

Nil

For the City:

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

Exhibit "7" referred to in File DAZ 227/2011

ADMINISTRATIVE REPORT

Title: DAZ 227/2011 – 97 Keewatin Street

Issue: Application to rezone the subject property from an "RMF-L" Residential Multiple Family District to a "RMU" Residential Mixed Use District to permit the establishment of a Medical Clinic

Critical Path: Assiniboia 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 227/2011 dated November 28, 2011, to an "RMU" Residential Mixed Use District.
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 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 applicant seeks approval to rezone the subject property to 'RMU' Residential Mixed-Use to accommodate a Medical Clinic on the main floor of the existing multiple family building.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the property will be rezoned to 'RMU' and the Medical Clinic may be established pending the approval of the associated variances.

CONSULTATION

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

SUBMITTED BY

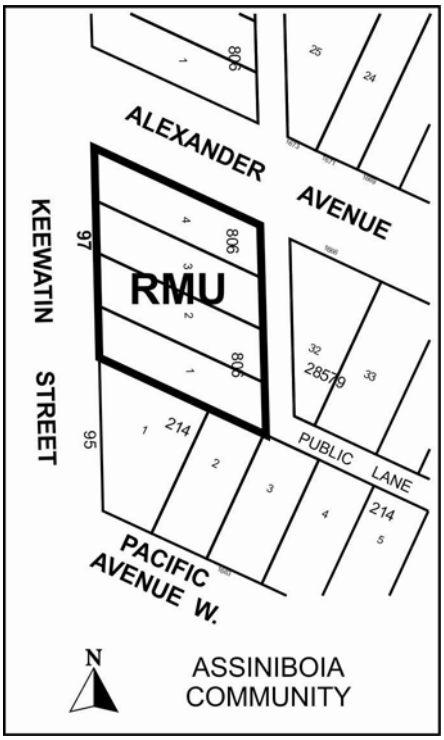
Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	James Veitch
Date:	November 28, 2011
File No.	DAZ 227/2011

APPENDIX 'A'

DATE: November 28, 2011
FILE: **DAZ 227/2011**
RELATED FILES: DAV 11-169759/D
COMMUNITY: Assiniboia Community
NEIGHBOURHOOD #: 2.114 (Weston)

SUBJECT: To rezone the subject land from an "RMF-L" Residential Multiple Family District to an "RMU" Residential Mixed Use District

LOCATION: 97 Keewatin Street
LEGAL DESCRIPTION: Lots 1 through 4, block B, Plan 806 11A St. J



APPLICANT: Leslie Badger
720 McDermot Ave.
WINNIPEG MB R3L 0P2

OWNER: Manitoba Housing and Renewal Corporation

RECOMMENDATION: Approval

SITE DESCRIPTION

Existing Land Use and Zoning

The subject property is currently zoned "RMF-L" Residential Multiple Family Large District and located in the Weston Neighbourhood of the St. James / Brooklands Ward. The site is occupied by an existing 11-storey multiple family building known as the Bluebird Lodge Annex – 97 Keewatin Street.



Figure 1: Subject Site, 97 Keewatin Street (Aerial Flown 2009)

Surrounding Zoning and Land Use

North: Alexander Avenue then 'C1' Commercial Neighbourhood (Take-out Restaurant)
South: 'R2' Residential Two-family (Church)
East: Back Lane then 'R2' Residential Two-family (dwellings)
West: Keewatin Street then 'C2' Commercial Community (Mohawk Gas Station)

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Winnipeg Regional Health Authority is working with the Manitoba Housing Corporation, the owners of the existing multiple family complex to establish a Medical Clinic on the main floor of the 11-storey seniors housing complex.

ANALYSIS AND ISSUES
The Urban Planning Division is supportive of the establishment of the Medical Clinic use within the existing multiple family building at 97 Keewatin Avenue. The Clinic will operate under the Winnipeg Regional Health Authority:

- Located on the main floor of the existing seniors housing complex – 97 Keewatin Street
- Approximately 931 square feet
- 8:30 am to 4:30 pm - typical hours of operation
- 3-5 staff
- 5-10 patients maximum
- Nurse practitioners / health aide / clinical reception
- Primary health care for the surrounding neighbourhood

A. Context
The subject site, 97 Keewatin Street is located within a small mixed use node including a mix of commercial and residential uses. The establishment of a Medical Clinic use on the main floor of the existing housing complex would be a good fit, complimenting the adjacent pharmacy, dental clinic and convenience store uses serving the neighbourhood.

B. OurWinnipeg / Complete Communities Policies
OurWinnipeg (Complete Communities Direction Strategy)
This portion of Keewatin Street can be characterized as 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, *Community Mixed Use Corridors* will experience a fairly significant amount of change: including the enhancement of existing corridors, like Keewatin Street.

By encouraging more compatible mixed use, the proposed rezoning complies with the City's *Complete Communities Direction Strategy'.* The addition of the Medical Clinic at this location is reinforced by one of the *Community Mixed Use Corridor* characteristics outlined in the *Complete Communities Direction Strategy;*

'Contain public and private facilities, amenities and other community services within reasonable close proximity.' (p. 55)

C. Zoning By-law
The subject site is currently zoned 'RMF-L' Residential Multiple Family Large, the Medical Clinic use is not permitted within the Multiple family zone, therefore the rezoning application to 'RMU' Residential Mixed Use is required to allow its establishment within the existing multiple family building.

Associated Variances
The proposal to establish the Medical Clinic use requires several variances to allow the existing 11-storey multiple family building to conform with the proposed 'RMU' Residential Mixed Use bulk requirements of the Zoning By-law 200/06.

A 'Use Variance' is also included to permit the establishment of the Medical Clinic on a more accelerated time line then the typical rezoning process allows.

The associated variance application, DAV 11-169759/D will be considered in conjunction with the subject rezoning application.

RECOMMENDATIONS
The Urban Planning Division recommends approval for the following reasons:

- The proposed use is not a significant change in the function or intensity of use that is occurring on the property,
- The proposed rezoning is a good fit with the '*Community Mixed Use Corridor*' characterization of Keewatin Avenue as outlined in the Complete Communities Direction Strategy,
- The rezoning is compatible with the area and will not have an adverse impact on adjoining properties,
- The proposed Medical Clinic will provide a much needed service for the residents of the building as well as the local neighbourhood.

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

Report Prepared by: James Veitch
PPD File # DAZ 227/2011

APPENDIX "B"

Schedule "A" for File No. DAZ 227/2011, Assiniboia Community Committee, dated November 28, 2011

By-Law No. _____

File No. **DAZ 227/11**

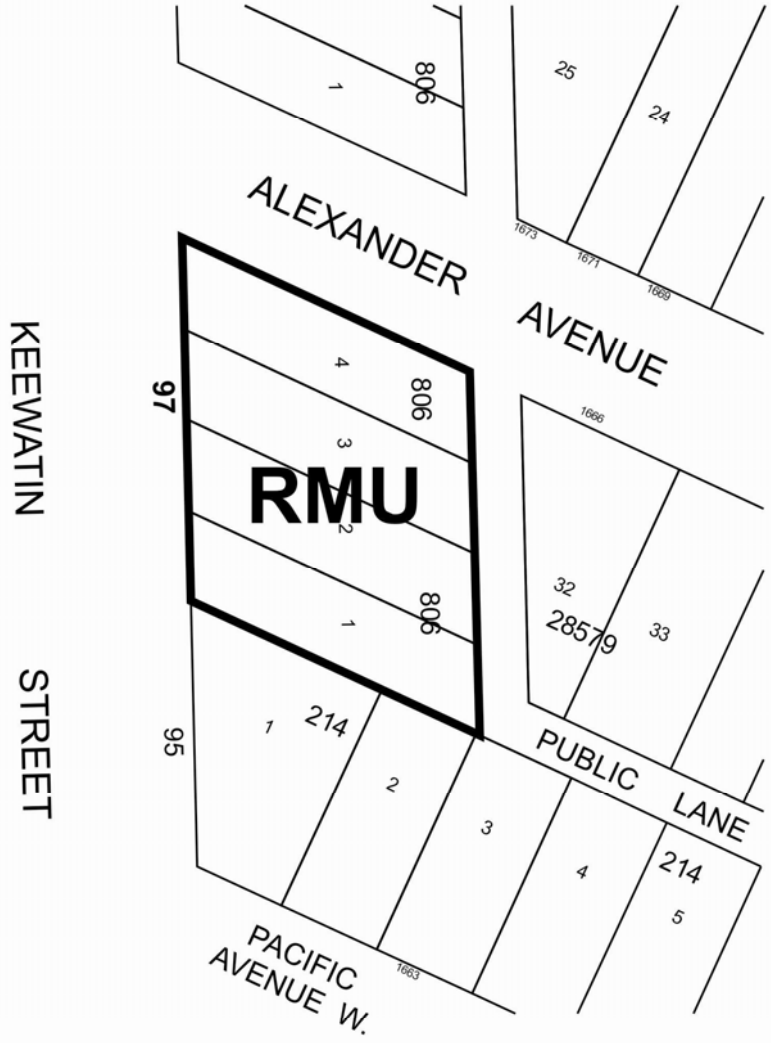
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N

W21
ASSINIBOIA
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 97 Keewatin Street from an "RMF-L" RESIDENTIAL MULTI-FAMILY DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT to allow for the establishment of a medical clinic use in an existing multiple family dwelling as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____