Minutes – Executive Policy Committee – April 23, 2014

Minute No. 302
Report – Standing Policy Committee on Property and Development – April 15, 2014

Item No. 15 Subdivision and Rezoning – 1, 5, 7, 9 and 11 St. John Ambulance Way (St. James – Brooklands Ward)
File DASZ 1/2014

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the plan of subdivision under File DASZ 1/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 1/2014 dated March 31, 2014 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 1/2014 dated March 31, 2014 to a "C2" Commercial Community zoning district, subject to the following conditions:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions:

        i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, landscaping, bicycle parking, garbage enclosures and free standing signage to the Director of Planning, Property and Development and Assiniboia Community Committee for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

3. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional lots, be paid to the City for the purchase of land for purposes of the City other than streets.

Report – Standing Policy Committee on Property and Development – April 15, 2014

4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two years 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 the two-year period and Council approves the extension.

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon registration of the plan of subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land, provided that the said effective date occurs within one year from the date the by-law is passed.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which 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 the one-year period and Council approves the extension.

10. 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.

11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

Report – Standing Policy Committee on Property and Development – April 15, 2014

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That the recommendation of the Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On April 15, 2014, the Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 8, 2014, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Recommendation 2.A.i)
  Include the words “and Assiniboia Community Committee” before “for plan approval”

and forwarded to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning – 1, 5, 7, 9 and 11 St. John Ambulance Way File DASZ 1/2014**

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

Prepared by: **Destiny Watt, Committee Clerk**
Assiniboia Community Committee

Report date: **April 9, 2014**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 8, 2014, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 1/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 1/2014 dated March 31, 2014 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

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3. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional lots, be paid to the City for the purchase of land for purposes of the City other than streets.

4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

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8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land, provided that the said effective date occurs within one year from the date the by-law is passed.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which 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 the one-year period and Council approves the extension.

10. 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.

11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

Note: The wording in bold and italics denotes amendments made by the Community Committee.

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

1. This is a great project which has community support.

2. They have a good capital campaign underway.

3. The project is an important amenity for the community.

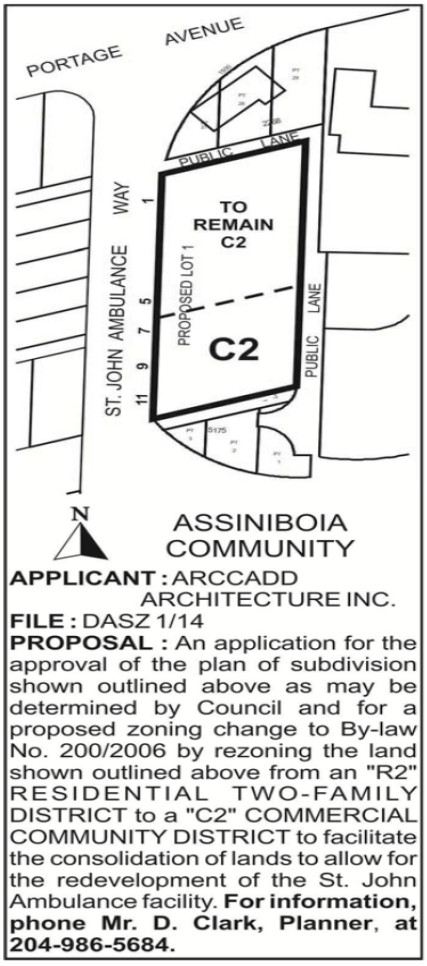
PUBLIC HEARING SUMMARY

File: DASZ 1/2014

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

Applicant: Arccadd Architecture Inc.
(Paige Lloyd)

Subject:



Premises Affected: 1, 5, 7, 9 and 11 St. John Ambulance Way

Exhibits Filed:

1. Application dated February 6, 2014
2. Notification of Public Hearing dated March 3, 2014
3. Manitoba Status of Titles 1995871/1, 1995896/1, 1995886/1, 1995889/1 and 1995899/1
4. Letter of authorization dated January 20, 2014 from St. John Council for Manitoba Inc. to Arccadd Architecture Inc.
5. Surveyor's Building Location Certificates and sketches
6. Caveat 88-18538
7. Plans (6 pages)
8. Report from the Urban Planning Division dated March 31, 2014
9. Inspection Report
10. Audio Recording of representations

REPRESENTATIONS:

In Support:

Rajbir Bassi
Paige Lloyd, Arccadd Architecture Inc.
Bob Vandewater

In Opposition

Nil

For Information:

Nil

For the City:

Mr. J. Veitch, Principal Planner, Planning, Property and Development Department
Mr. D. Clark, Planner, Urban Planning Division, Planning, Property and Development Department
Mr. K. Raban, Land Development Administrator, Planning, Property and Development Department

Exhibit “8” referred to in File DASZ 1/2014

ADMINISTRATIVE REPORT

Title: DASZ 1/14– 1-11 St John Ambulance Way

Issue: An application for consideration at the Public Hearing to consolidate the site from eight (8) titles into one (1) lot and rezone a portion of the lands from the “R2” Residential Two Family zoning district to the “C2” Commercial Community zoning district for the purposes of building a new St John Ambulance office and training facility on the site.

Critical Path: Assiniboia Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	N/A	N/A	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 1/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule “A” for File DASZ 1/2014 dated March 31, 2014 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.
2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule “A” for File DASZ 1/2014 dated March 31, 2014 to a “C2” Commercial Community zoning district, subject to the following conditions:
   A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions:
      i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, landscaping, bicycle parking, garbage enclosures and free standing signage to the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.
3. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional lots, be paid to the City for the purchase of land for purposes of the City other than streets.

4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.
5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two years 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 the two-year period and Council approves the extension.
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REASON FOR THE REPORT

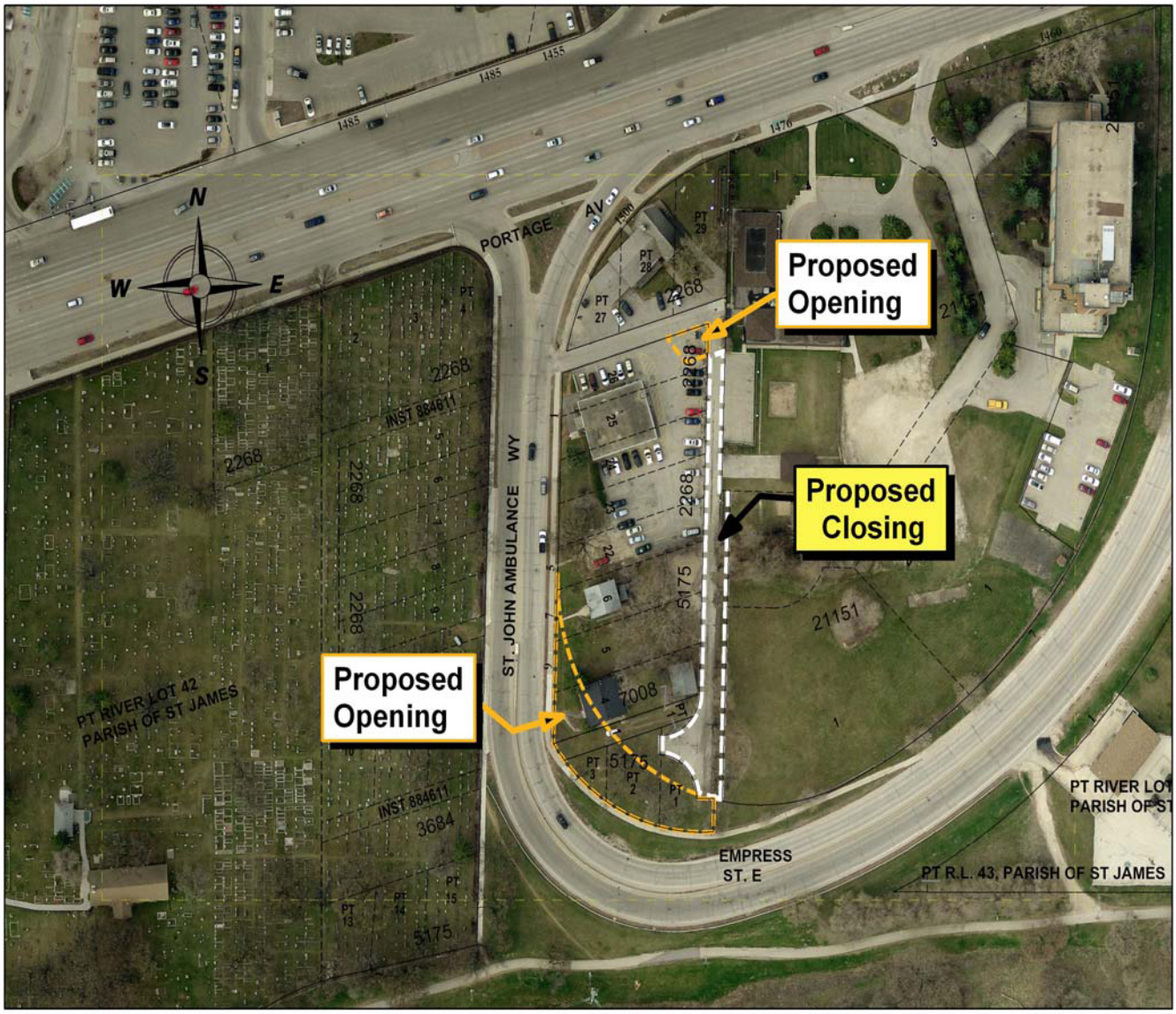
- The applicant is proposing to consolidate the site from eight (8) underlying titles into one (1) lot and rezone a portion of the lands from “R2” Residential Two Family to “C2” Commercial Community for the purposes of building a new St John Ambulance office and training facility on the site.
- Subdivisions and rezonings require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- 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 Urban Planning Division are concurred in, the subject site will be consolidated into one (1) lot and rezoned to the “C2” Commercial Community zoning district.

HISTORY

On March 20, 2013 Council concurred in the recommendation to approve a public lane opening and closing and public road opening adjacent to the subject site under file DAOC 1/2012



- As part of the DAOC application, St. John Ambulance will be providing portions of their property for a lane turnaround at the terminus of the remaining open east/west lane and for the opening of St. John Ambulance Way at Empress Street East. A portion of City property has also been included in this street opening application. The balance of the City land not included in the opening will form part of a land exchange/sales agreement with the applicant. The Public Works Department has advised that no time frame has been identified for the construction of the roadway improvements to St. John Ambulance Way.

- The lane, once closed, is to be incorporated into the redevelopment of the existing training and community services centre on St. John Ambulance Way.

CONSULTATION

In preparing this report there was consultation with:

- Water & Waste
- Winnipeg Emergency Services
- Public works

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by:	Devin Clark
Date:	March 31, 2014
File No.	DASZ 1/14

List of Schedules and Attachments

1. Appendix A – Planning Discussion
2. Schedule “A” Recommended File No. DASZ 1/14 Assiniboia Community Committee, dated March 31, 2014.

APPENDIX 'A'

DATE: March 31, 2014

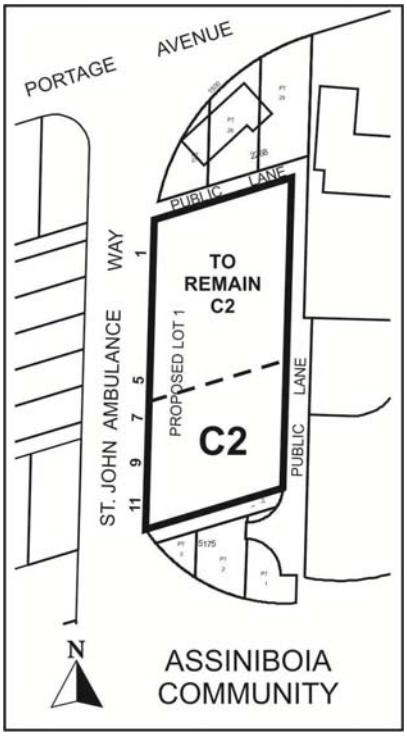
FILE: DASZ 1/14
RELATED FILES: DAOC 1/2012

COMMUNITY: Assiniboia
NEIGHBOURHOOD #: 2.226

SUBJECT: To consolidate the site into one (1) lot and rezone a portion of the land from "R2" Residential Two Family to "C2" Commercial Community

LOCATION: 1-11 St John Ambulance Way.

LEGAL DESCRIPTION: LOT 22/26 PLAN 2268 LOT 4,6 42 ST JA LOT 5 PLAN 5175 52 ST JA



APPLICANT: Paige Lloyd – Arccadd Architecture Inc.
109-340 Waterfront Drive
WINNIPEG MB R3B 0M2

OWNER: St John Council for Manitoba Inc.
1 St John Ambulance Way
WINNIPEG MB R3G 3H5

RECOMMENDATION: Approval with one condition

REPORT SUMMARY

- The applicant is proposing to consolidate the property and rezone the land to the "C2" Commercial Community zoning district.
- The intent is to remove the existing buildings on the property and build a new office and training facility. The new building will be two storeys in height and 20,000 square feet.
- The applicant wishes to proceed with the subdivision and rezoning while details are finalized with respect to the road widening and lane closing associated with file DAOC 1/2012.
- The Urban Planning Division recommends approval of this application with the condition that final plans be submitted and approved by the Director of Planning, Property and Development.

SITE DESCRIPTION

- The subject property is located south of Portage Avenue near the Polo Park shopping centre. The property is in the West Wolseley neighbourhood of the St. James – Brooklands ward.
- The proposed subdivision for the property would combine eight (8) titles into one (1) for a total of 41,087 square feet (3817.1 square metres).
- Currently on the property there are four structures that are to be demolished.
- Under the Complete Communities Direction Strategy, the site is located within the Areas of Stability – Mature Communities policy area.

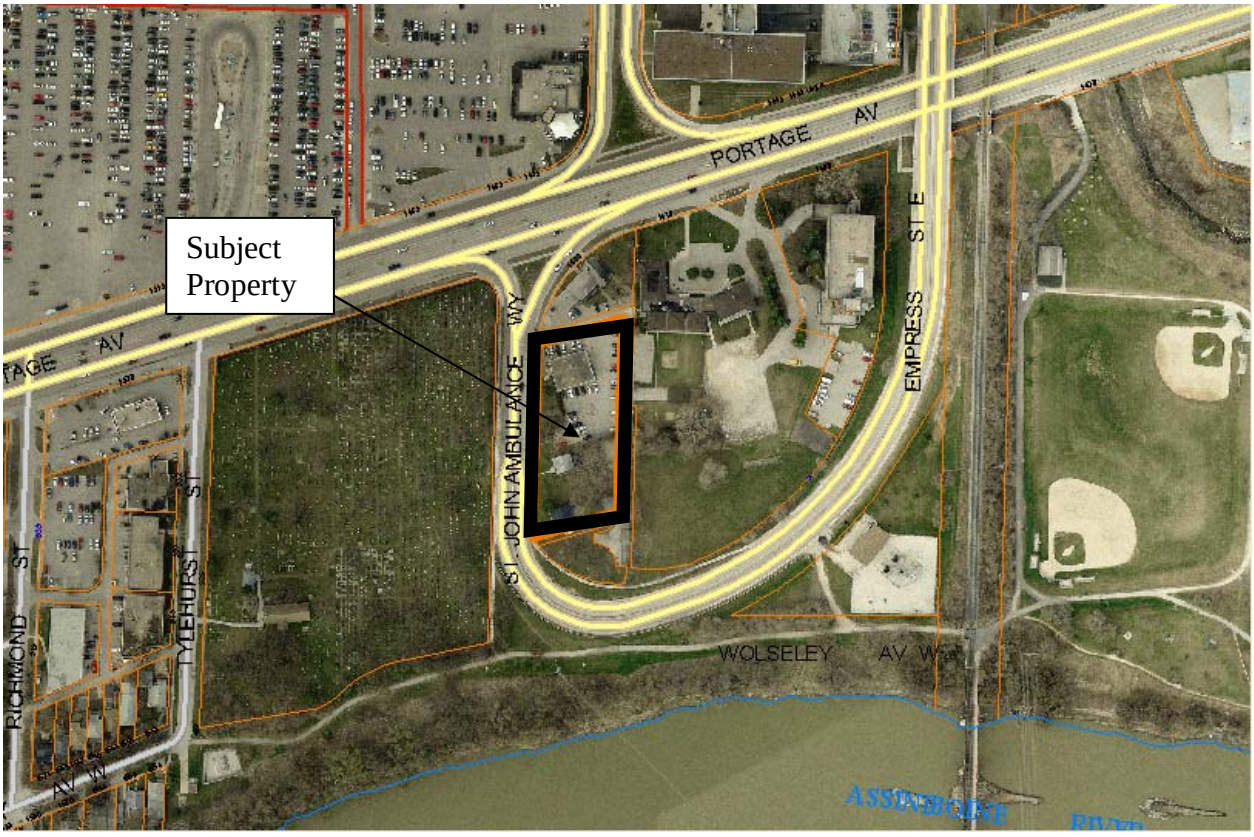


Figure 1: Aerial photograph showing subject property (flown 2012)

SURROUNDING LAND USES & ZONING (See Figure 2)

North: Commercial retail use zoned “C2” Commercial Community.

South: Vacant land zoned “R2” Residential Two Family.

East: A church zoned “R2” Residential Two Family and “RMF-M” Residential Multi Family – Medium.

West: St. John Ambulance Way then a cemetery zoned “R2” Residential Two Family.

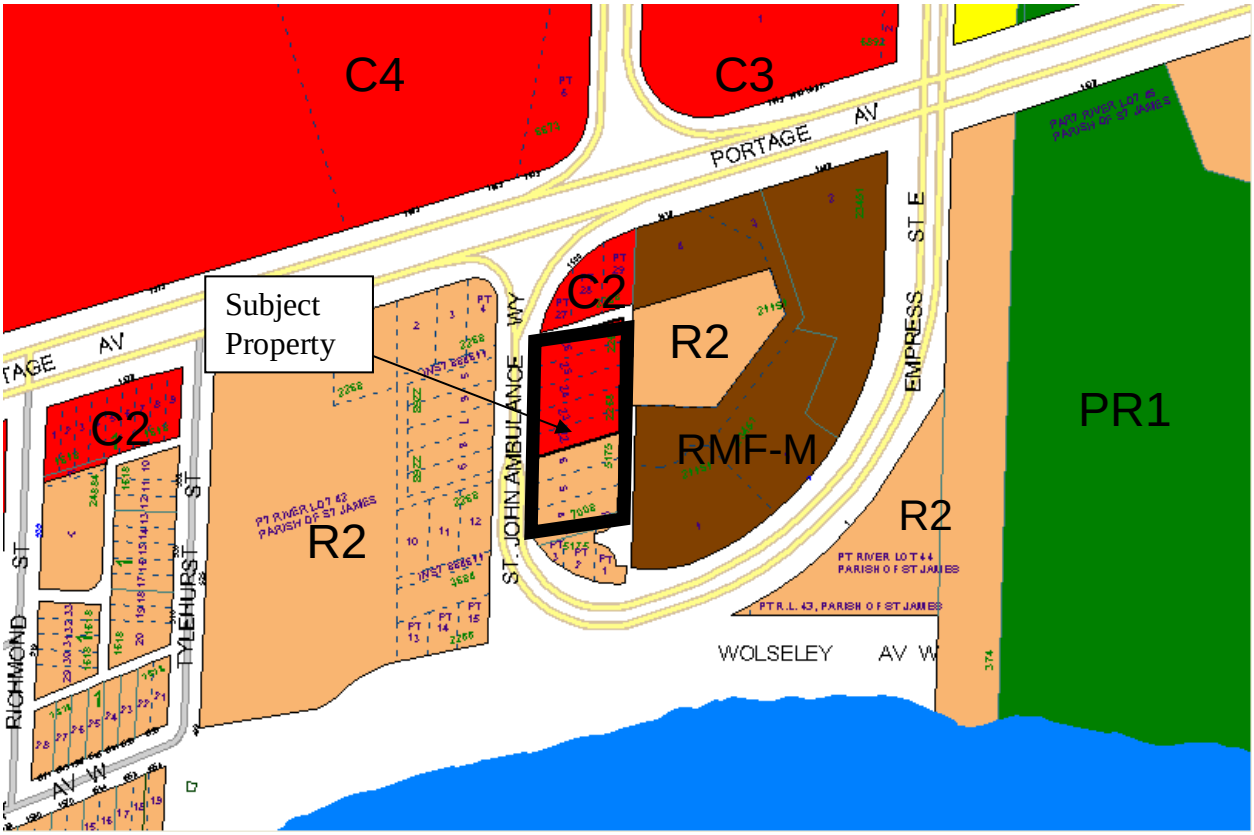


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The owners wish to replace the existing buildings on the site with a new office building and training facility.
- The applicant has indicated that they wish to proceed with the consolidation and rezoning of the lands while the road opening and lane closing/opening process associated with file DAOC 1/12 is underway.
- The attached plans show how the project will fit on the current site, prior to the lane closing and road opening. The applicant indicates that the building should be able to be constructed in a manner that complies with the Zoning By-law (200/2006) before and after the land is taken for the road widening along St John Ambulance Way. The attached plans are preliminary, but provide an idea how the site lay out will generally work.

- According to the applicant, the new building will be two storeys (34 feet) with an approximate 11,686 square foot building footprint and 20,038 square feet of floor space. The newly developed site will be completely landscaped in accordance with the current Zoning By-law and will meet the requirements for off street parking, complete with barrier free spaces and designated off street loading. Submitted plans show 30 parking stalls.
- The new facility will contain 5,000 sq. ft. of training rooms for a total of 90 students who attend one day seminars on an annual basis.
- There will be no outdoor storage of any kind on the site.
- The hours of operation for St. John Ambulance are between 8:00 Am to 9:00 PM, six days a week with business conducted on an appointment basis.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- The site is located within the Areas of Stability – Mature Communities policy area. The key relevant policies guiding the development of Areas of Stability under the *Complete Communities Direction Strategy* include:
    - Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
    - Encourage intensification to occur at centres and along corridors.
    - Support a mix of commercial services and employment uses that serve the local community.
    - Provide opportunities to increase multi-modal connectivity when redevelopment occurs.
    - Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.

ZONING

"C2" Commercial Community

- The Commercial Community (C2) 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.

- Dimensional standards for the C2 district are as follows:

Zoning District	Minimum/Maximum Front Yard (Ft.) [note a]	Minimum Rear Yard (Ft.)	Minimum Interior Side Yard (Ft.) [note b]	Minimum Corner Side Yard (Ft.)	Maximum Height of Building (Ft.)	Maximum Floor Area Ratio
C2	0 / NA	25 [note c]	0	0	49	3.0

NOTES:

a. Where a maximum front yard requirement applies, a minimum of 50 percent of the ground floor front façade of the principal structure must meet the maximum front yard requirement; other portions of the front faced may be located further from the street.

b. Where a side or rear lot line in a commercial or institutional zoning district abuts a side or rear lot line of an R1 or R2 zoning district, a yard of 10 feet must be provided along the side or rear lot line in the commercial or institutional zoning district. The 10 foot side yard must be landscaped pursuant to sections 188 through 193, *Landscaping and Buffering,* and must not be used for parking or loading areas, storage of refuse or materials, or commercial activities of any kind.

c. No rear yard is required for lots in the C2 district located in the Urban Infill Areas on Maps 1 and 2 in Schedule C

LAND USE BY-LAW

Subdivision and Rezoning

- The applicant is proposing to consolidate the property into one (1) lot and rezone a portion of the lands from the “R2” Residential Two-Family to “C2” Commercial Community for the purposes of building a new office and training facility for St. John Ambulance.
- The subdivision of lands will result in the consolidation of eight (8) contiguous titles into one (1) lot. The consolidation is a standard requirement during rezoning applications where the property has several underlying titles. The Urban Planning Division is supportive of this consolidation.
- The subject property is zoned “C2” on the northern portion and “R2” on the southern portion. The “R2” lands consist of detached dwellings that are owned and used by St. John Ambulance. Rezoning the rest of the site to “C2” is necessary for the office use to be constructed.
- The “R2” zoning district is no longer consistent with the uses in the surrounding area.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- St. John Ambulance currently operates out of the subject site. The area has evolved to include higher density multifamily dwellings, a church and commercial uses.
- The Urban Planning Division believes that rezoning the lands to “C2” allows for development that is consistent and compatible with the surrounding uses.

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 land is not less than 10%.
- The developer is to provide land or ‘cash in lieu’ as determined by the Planning, Property and Development Department.
- The City is requesting cash in lieu for this application.

RECOMMENDATION

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

- The proposal is consistent with a number of policies of the Complete Communities Direction Strategy.
- The proposed rezoning is compatible with the adjacent area

This Report Submitted by:

Planning, Property and Development Department
Urban Planning Division

Report Prepared By: Devin Clark
PPD File # DASZ 1/14

Schedule "A" for File No. DASZ 1/2014, Assiniboia Community Committee, dated March 31, 2014

By-Law No. _____

File No. **DASZ 1/14**

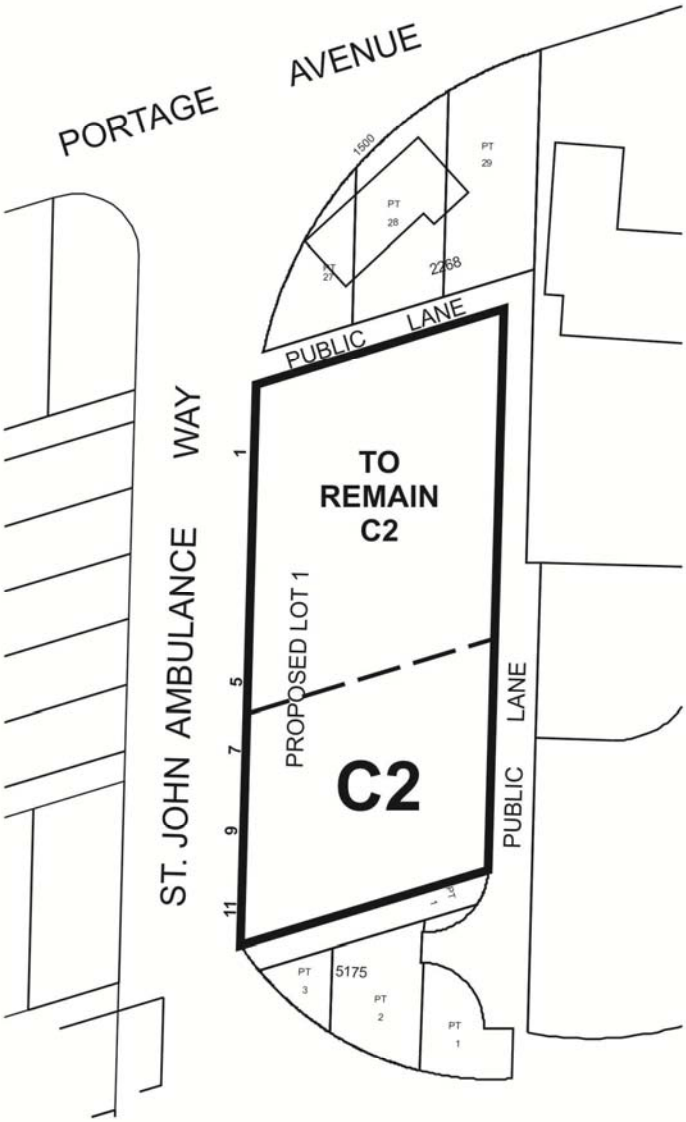
Atlas Sheet No.

N

AB20 ASSINIBOIA COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 1, 5, 7, 9 & 11 St. John Ambulance Way from an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to a "C2" COMMERCIAL COMMUNITY DISTRICT to facilitate the consolidation of lands to allow for the redevelopment of the St. John Ambulance facility as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____