Agenda – Council – April 30, 2014

Report – Executive Policy Committee – April 23, 2014

Item No. 3 Rezoning – 277 Young Street
(Fort Rouge-East Fort Garry Ward)
File DAZ 234/2013 [c/r DAV 105217/2014D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 23, 2014, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted 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 DAZ 234/2013 dated March 18, 2014 to an "RMF-S" Residential Multi-Family 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 City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

5. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Report – Executive Policy Committee – April 23, 2014

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 23, 2014, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 15, 2014, 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: **Rezoning – 277 Young Street**
File DAZ 234/2013

For submission to: **Executive Policy Committee**

Prepared by: **Andrew Poitras, Senior Committee Clerk**
City Centre Community Committee

Report date: **April 16, 2014**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 15, 2014, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended 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 DAZ 234/2013 dated March 18, 2014 to an "RMF-S" Residential Multi-Family 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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4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

5. That the City Solicitor/Manager of Legal Services 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. This is legitimizing an existing use.
2. There is no opposition from the community.

PUBLIC HEARING SUMMARY

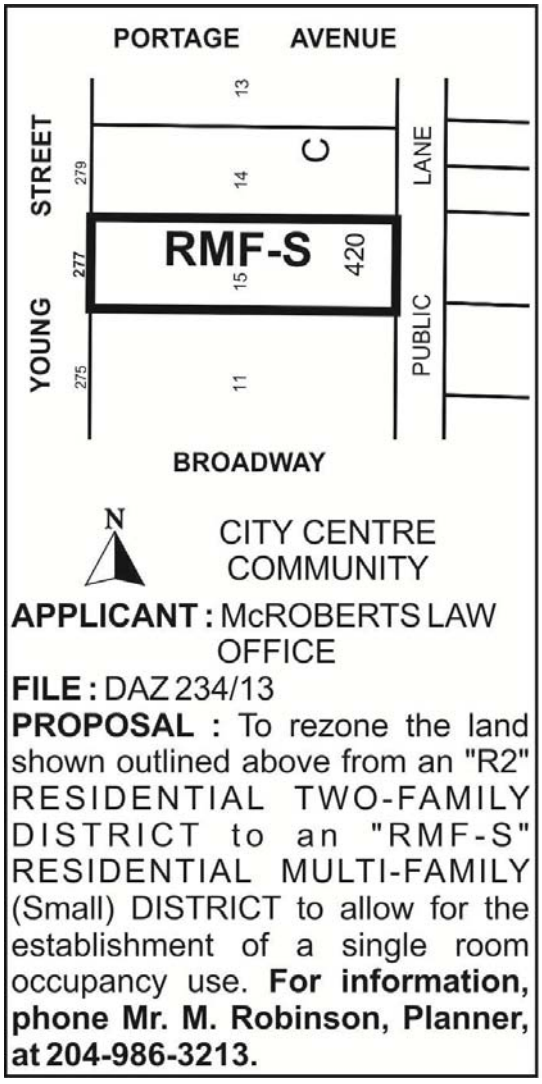
File: DAZ 234/2013

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

Public Hearing: April 15, 2014
Council Building, 510 Main Street

Applicant: McRoberts Law Office (G. Alex Cudney)

Subject:



Premises Affected: 277 Young Street

Agenda – City Centre Community Committee – April 15, 2014

Exhibits Filed:

1. Application dated February 6, 2014
2. Notification of Public Hearing dated February 14, 2014
3. Manitoba Status of Title 2360291/1
4. Letter of authorization dated December 3, 2013 from Sandra and Richard Motkaluk to McRoberts Law Office
5. Surveyor's Building Location Certificate and sketch dated December 6, 2013
6. Plans (4 pages)
7. Report from the Planning and Land Use Division dated March 18, 2014
8. Inspection Report
9. Audio Recording of representations

REPRESENTATIONS:

In Support:

Alex Cudney
Sandy and Richard Motkaluk

In Opposition

Nil

For Information:

Nil

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department

Exhibit "7" referred to in File DAZ 234/2013

ADMINISTRATIVE REPORT

Title: DAZ 234/2013 – 277 Young Avenue

Issue: For consideration at the public hearing for a Rezoning for DAZ 234/2013 – 277 Young Avenue

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
B. Smith	n/a	n/a	

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 234/2013 dated March 18, 2014 to an "RMF-S" Residential Multi-Family 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 City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

5. That the City Solicitor/Manager of Legal Services 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

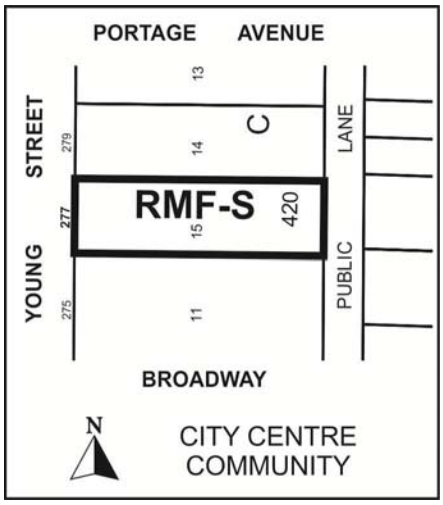
Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Michael Robinson, AICP, MCIP
Date:	March 18, 2014
File No.	DAZ 234/2013

APPENDIX 'A'

DATE: March 18, 2014
FILE: DAZ 234/2013
RELATED FILES: DAV 14-105217/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.103

SUBJECT: To rezone the subject land from an "R2" Residential Two-Family District to an "RMF-S" Residential Multi-Family District

LOCATION: 277 Young Street
LEGAL DESCRIPTION: Lot 15, Block C, Plan 420 WLTO



APPLICANT: McRoberts Law Office (G. Alex Cudney)

OWNER: Sandra and Richard Motkaluk

RECOMMENDATION: Approval

SITE DESCRIPTION
The subject property, which is currently zoned "R2" Residential Two-Family District, is located on Young Street, between Broadway and Portage Avenues, in the West Broadway neighbourhood of the Fort Rouge – East Fort Garry ward.

North: Vacant lot zoned "R2" Residential Two-Family District
South: Residences zoned "R2" Residential Two-Family District
East: Residences zoned "R2" Residential Two-Family District
West: Surface parking lot zoned "R2" Residential Two-Family District

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to rezone the subject property from an "R2" Residential Two-Family District to an "RMF-S" Residential Multi-Family District in order to legalize a non-conforming 10 room single room occupancy use.

Reason for application
Single room occupancies are not a permitted use in the "R2" Residential Two-Family District but are a permitted use in the "RMF-S" Residential Multi-Family District. For this reason, the property must be rezoned in order to accommodate an expansion of this use.

ANALYSIS AND ISSUES
A. Background
When the current owners purchased the subject single room occupancy use in 2009, there were 10 rooms. However, it recently came to the attention of the owners and the City of Winnipeg that 3 of the 10 rooms were established without zoning approval and permits.

The applicant wishes to maintain these 3 suites by obtaining all necessary zoning and building permit approvals.

B. Context
All of the residences in the vicinity are zoned "R2" Residential Two-Family District.

OurWinnipeg/Complete Communities
C. Policies
This portion of the West Broadway neighbourhood is designated as an Area of Stability. Policies which are relevant to this application are as follows:

1) Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character, and built form

2) Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments

3) Encourage intensification to occur at centres and along corridors

4) In order to meet the full life cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, and townhouses.

The subject neighbourhood includes a variety of housing forms and options including apartment buildings, single room occupancies, and single-family detached homes. The proposed use is compatible with the area and provides a clean, safe, and affordable housing option in the West Broadway neighbourhood.

D. Public Consultation
The applicant has provided a letter of support from the West Broadway Community Organization (WBCO). They indicate that the subject property is, in their opinion, a model

rooming house that provides SRO accommodations for Winnipeg's most vulnerable, and in some cases, difficult to house citizens. (see Appendix "C").

RECOMMENDATIONS

The Urban Planning Division recommends approval for the following reasons:

- The subject rooming house expansion is endorsed by the West Broadway Community Organization
- The proposed use is compatible with the neighbourhood
- The subject property provides a clean, safe, and affordable housing option in the West Broadway neighbourhood

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

Report Prepared by: Michael Robinson, AICP, MCIP
PPD File # DAZ 234/2013



Figure 1: Aerial Photo (Flown in 2012)

APPENDIX "B"
Schedule "A" for File No. DAZ 234/2013, City Centre Community Committee, dated March 18,

By-Law No. _____

File No. **DAZ 234/13**

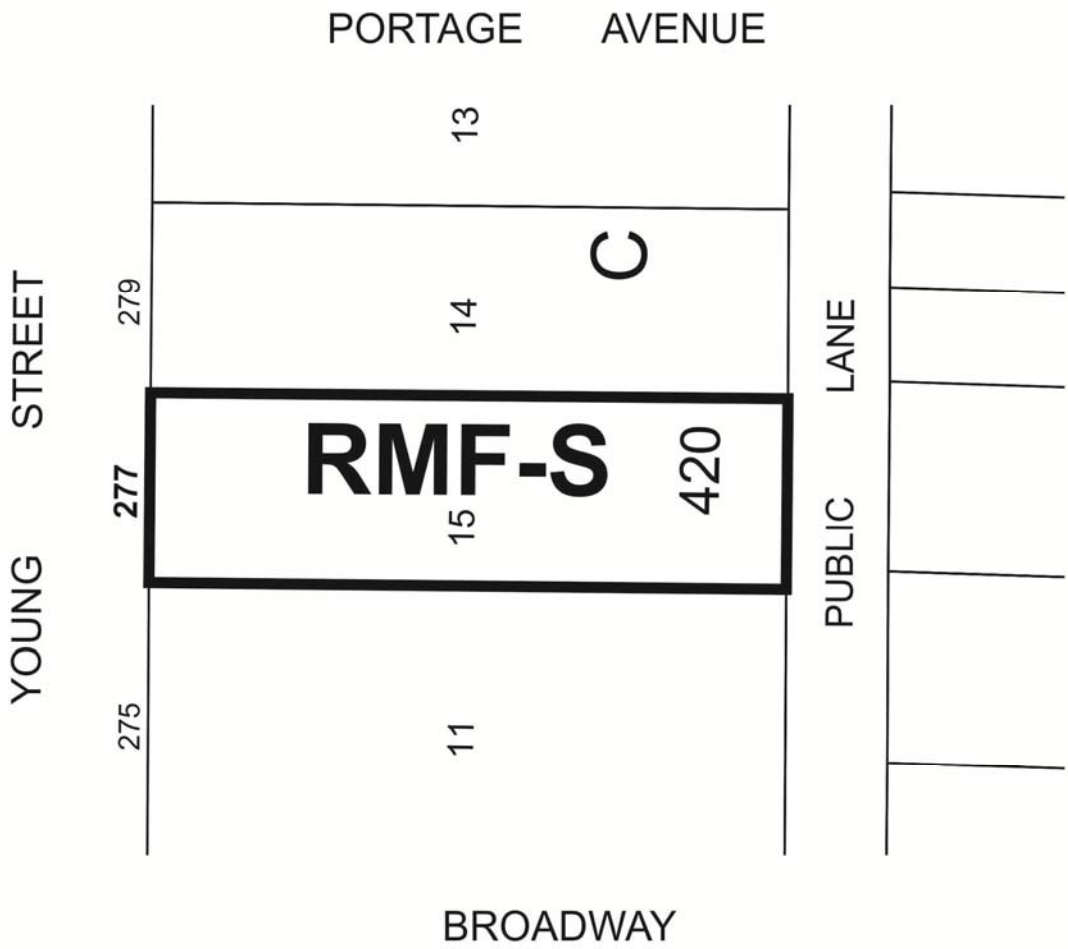
Atlas Sheet No.

N

AA23
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 277 Young Street from an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY (Small) DISTRICT to allow for the establishment of a single room occupancy use as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

2014
APPENDIX "C"
Letter of support from the WBCO

West Broadway
COMMUNITY
ORGANIZATION

December 6, 2013

Michele Hammerberg
Chief Zoning Officer
Zoning and Permits Branch
City of Winnipeg
31- 30 Fort St. R3C 4X7

Dear Michele Hammerberg,

Re: 277 Young St.

On behalf of West Broadway Community Organization we are writing in support of the licensed rooming house at 277 Young Street, owned and operated by Richard and Sandy Motkaluk.

We have a long working relationship in West Broadway with the Motkaluks, including the 277 Young St. rooming house. This property, in our opinion, is a model rooming house, providing above standard single-room occupancy accommodations for Winnipeg's most vulnerable and, in some cases, difficult to house citizens.

WBCO was surprised to hear that three bed-units were closed by the City of Winnipeg, putting those tenants at-risk of homelessness. Our understanding is these 3 units are not new and have been operated with tenants prior to the Motkaluks purchasing this licensed rooming house. There are many rooming houses in the West Broadway that are questionable in meeting the minimum fire, health and safety standards. However, 277 Young is not one of them. We are gravely concerned that the recourse taken in this instance was unit closure. Surely a more collaborative, less absolute solution could have been found, preventing the displacement of vulnerable people.

The Motkaluks consistently surpass our expectations for the operation and maintenance of rooming houses. Where many rooming house owners in West Broadway, at best, will do the bare minimum to maintain their property, these owners go beyond the standard, providing an exceptionally clean, safe and affordable form of housing. Additionally, 277 Young is a participant partner in WBCO's Rooming House Outreach Program and accesses the Property Improvement Program.

WBCO urges an immediate reopening of these three bedroom units, otherwise this closure represents a loss of the most affordable and an essential form of housing in West Broadway.

Sincerely,
Greg MacPherson,
Executive Director

West Broadway Community Organization
608 Broadway, Winnipeg, Manitoba R3C 0W8
P: (204) 774-7201 F: (204) 779-2203