Agenda - Council - September 24, 2003

Report - Standing Policy Committee on Property and Development - September 4, 2003

Item No. 17 Zoning Agreement Amendment - 475 Lindenwood Avenue East File ZAA 7/2003 [c/r DASZ 15/2000, DAV 310135/2003D]

STANDING COMMITTEE RECOMMENDATION:

On September 17, 2003, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submits the following to Council:

1. That Zoning Agreement DASZ 15/2000 (By-law No. 7772/2001) dated December 13, 2000, be amended as follows:

   A. By replacing Clause 4 with the following new clause:
      "4. No building or structure shall be erected on the land exceeding four (4) storeys in height.

   B. By deleting Clause 5.

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement File DASZ 15/2000 (By-law No. 7772/2001) dated December 13, 2000, as approved in aforesaid Recommendation 1.

3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

4. 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 - Standing Policy Committee on Property and Development - September 4, 2003

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 17, 2003, 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 September 4, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 8, 2003, the City Centre Community Committee concurred in the administrative recommendation, and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Zoning Agreement Amendment - 475 Lindenwood Avenue East**
File ZAA 7/2003 [c/r DAV 310135/2003D]

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

Prepared by: **Carol R. Freeman, Clerk**
City Centre Community Committee

Report date: **July 14, 2003**

COMMUNITY COMMITTEE RECOMMENDATION:

The City Centre Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That Zoning Agreement DASZ 15/2000 (By-Law No. 7772/2001), dated December 13, 2000, be amended as follows:

    a) by replacing Clause 4 with the following new clause:

        "4. No building or structure shall be erected on the land exceeding four (4) storeys in height.

    b) by deleting clause 5.

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DASZ 15/2000 (By-Law No. 7772/2001), dated December 13, 2000, as approved in aforesaid Clause I.

3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

4. 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 for its recommendation:

1. The Lindenwood Manor assisted living apartment building project has been well received in the neighbourhood.

2. The vast majority of residents like to remain in close proximity to family members who reside in the area.

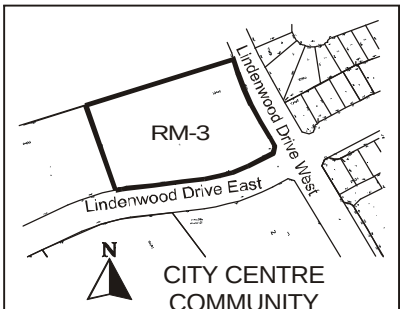
PUBLIC HEARING SUMMARY

File: ZAA 7/2003 [c/r DAV 310135/2003D]

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

Public Hearing: July 8, 2003
West Committee Room
Council Building
510 Main Street

Applicant: Friesen Tokar Architects (Grant McKercher)
200-2033 Portage Avenue
Winnipeg, MB R3J 0K8



APPLICANT : FRIESEN TOKAR ARCHITECTS
FILE : ZAA 7/03
PROPOSAL : To amend the Zoning Agreement affecting the land shown outlined above as follows: to permit a building or structure to be erected on the land to a maximum of four(4) stories in height instead of three(3) stories in height as permitted by the Agreement, and 2) to permit a maximum of one hundred and thirty-six(136) residential units instead of one hundred and one(101) units as presently permitted. **For information, phone Mr. R. Mitchell, Planner at 986-5017.**

Subject:

Premises Affected: 475 Lindenwood Avenue East

Exhibits Filed:

1. Application dated May 21, 2003
2. Advertising notice dated May 28, 2003
3. Manitoba Status of Title 1902814
4. Surveyor's Building Location Certificate and Sketches
5. Plans (5 pages)
6. Report from the Manager of Planning and Land Use dated June 17, 2003
7. Photographs of the Site and Inspection Notice

REPRESENTATIONS:

In Support:

Wally Baergen
John Dyck
Albert D. Friesen
Maurice Hunsberger
Wade Kastes
Grant McKercher
Jerald Peters

In Opposition:

Julie Bubnick

For the City:

Ross Mitchell, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Jerald Peters, appearing in support of the application, advised that the applicant concurred in the recommendations contained in the administrative report with one minor change on Page 2 to indicate that Phase 2 had been a 2-storey addition.

He indicated that there were presently 72 persons on a waiting list for units. He suggested the proposed amendments were within the guidelines of the "RM-3" regulations and the only building that would be 4 storeys would not exceed the 45-foot height limit. Although the number of suites would increase, the density would remain below the allowable limit.

Mr. Peters also suggested that the subject phase, which will include a terraced approach, would compliment and complete the development.

Julie Bubnick, appearing in opposition to the application, advised that there were a number of senior housing units currently available in the area, including 2,847 units in Lindenwoods not including the subject proposal. She suggested that the proportion of seniors housing appears to be very high and questioned what the appropriate mix of housing was, noting that there was nothing available for the younger age group.

Ms Bubnick suggested that a traffic impact study should be done from Lindenwood Drive East to Lindenwood Drive West and Kenaston Boulevard given the very heavy traffic already in the area.

Mr. Peters indicated approximately half the units would be occupied by persons with connections to the community. He also indicated the developer anticipated 10 per cent of the residents would have vehicles, a one-third reduction in the number of vehicles since the project had commenced and that the new building would not be located any closer than the existing buildings.

In reply please refer to / Référence à rappeler :

Ross Mitchell
(204) 986-5017
Fax / Téléc. : (204) 986-3684

File No. ZAA 7/03 June 17, 2003
Our c/f CP 500 (.634)

Carol Freeman, Community Clerk
City Centre Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear Ms. Freeman:

ZONING AGREEMENT AMENDMENT
Northwest corner of Lindenwood Drive East and Lindenwood Drive West
City Centre Community
File No. ZAA 7/03

An application has been received from Freisen Tokar Architects (Grant McKercher), to amend the Zoning Agreement affecting the property shown below as follows:

a) to permit a building or structure to be erected on the land to a maximum height of four (4) storeys instead of three (3) storeys;
b) to permit a maximum of one-hundred and thirty-six (136) residential units on the land instead of one-hundred and one (101).

RELATED FILES: 03-310135D (Zero foot west side yard instead of 8 feet)



SITE DESCRIPTION:

Dimensions: Lot 2: approx. 535 feet on Lindenwood Drive East and 345 feet on Lindenwood Drive West.

Site Area: Lot 1 – 2.75 ac.; Lot 2 (subject lot) 4.25 ac.

Existing Land Use and Zoning: Seniors complex zoned "RM-3".

DEVELOPMENT DESCRIPTION:

The project involves the Lindenwood Estates life lease apartment building and Lindenwood Manor assisted living apartment building developed by Wellington Mennonite Personal Care Inc. The life lease apartment building and the assisted living apartment building are on separate titles. The subject application deals with construction of "Phase 3" of the assisted living complex on Lot 1.

Phase "1" of the assisted living building is a 3-storey structure containing 77 residential units. Phase "2" was a 3-storey addition onto the east end of Phase "1" containing another 23 units. Phase "3", the subject phase, is a 4-storey addition to the west end of Phase "1" containing 36 residential units and a main-floor multi-purpose room. Phase "3" will connect to the life lease apartment building on Lot 2 to the west. While it was initially intended that the life lease and assisted living buildings be connected by a recreation centre, the success of the project dictates that additional residential units be added.

The Zoning Agreement on the site (DASZ 15/00) limited the height of buildings on the site to 3 storeys and the number of units to 101. The subject application would permit "Phase 3" of Lindenwood Manor to be 4 storeys in height, and would permit the total number of units on Lot 1 to increase to 136. Including Lindenwood Estates at 52 units, the total number of units on the entire development would increase to 188. The site is underdeveloped in relation to the "RM-3" zoning that permits 1 unit per 1,000 square feet of lot area. At this ratio, the 2 lots combined could accommodate over 300 residential units in comparison to the 188 provided.

Access to the development is provided by two all-turns approaches off Lindenwood Drive East. The westerly approach would provides access to the underground parking on Lot 2, while the easterly approach provides access to the main project entry and surface parking area on Lot 1. The staff parking and service entry is accessed from an all-turns approach off Lindenwood Drive West. Parking is provide on Lots 1 and 2 for 204 vehicles, well in excess of the by-law requirement.

The related zoning variance would permit the subject Phase "3" building to have a zero-foot west side yard against the life-lease building. This is acceptable because, as the buildings are connected, they function as one building despite being located on separate zoning lots.

ADMINISTRATIVE COMMENTS:

The Branch supports the application for the following reasons:

- The Department supports the construction of seniors' housing projects in suburban areas so as to increase the range of housing opportunities in newer subdivisions for people in all stages of the life-cycle.

- The subject site is large enough to accommodate the proposed development. The building setbacks comply with zoning and allow for generous yards and landscaped buffer.

- The development provides a suitable transition between the commercial development to the west and the single-family housing to the east.

The Administrative Coordinating Group has reviewed the application and has no outstanding concerns.

RECOMMENDATION:

I. That Zoning Agreement DASZ 15/00 (By-Law #7772/01), dated December 13, 2000, be amended as follows:

a) by replacing Clause 4 with the following new clause:

4. No building or structure shall be erected on the land exceeding four (4) storeys in height.

b) by deleting clause 5.

II. That the City Solicitor be requested to prepare the necessary Amending Agreement to Zoning Agreement DASZ 15/00 (By-Law #7772/01), dated December 13, 2000, as approved in aforesaid Clause I.

III. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

IV. That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Yours truly,

C. Knoll
Acting Manager of Planning and Land Use

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Per: Ross Mitchell, Senior Planner
(City Centre and Assiniboia Communities)
986-5017

/jc