Agenda – Council – September 30, 2015

Report – Executive Policy Committee – September 16, 2015

Item No. 3 Rezoning – 212 Langside Street
(Fort Rouge-East Fort Garry Ward)
File DAZ 205/2015 [c/r DAV 114504/2015D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 16, 2015, 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 205/2015 dated June 16, 2015 to an "RMF-L" Residential Multi-Family (Large) 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 building height shall be limited to forty five (45) feet.

2. That the developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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 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 subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

Report – Executive Policy Committee – September 16, 2015

6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

7. 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 – September 16, 2015

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 16, 2015, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 7, 2015 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.

On June 10, 2015, the City Centre Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on July 7, 2015 at 6:00 p.m. in the Council Building at 510 Main Street.

RE: **Rezoning – 212 Langside Street**
File DAZ 205/2015

For submission to: **Executive Policy Committee**

Prepared by: **K. McMillan, Committee Clerk**
City Centre Community Committee

Report date: **July 8, 2015**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 7, 2015, 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 205/2015 dated June 16, 2015 to an "RMF-L" Residential Multi-Family (Large) 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 building height shall be limited to forty five (45) feet.

2. That the developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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 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 subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

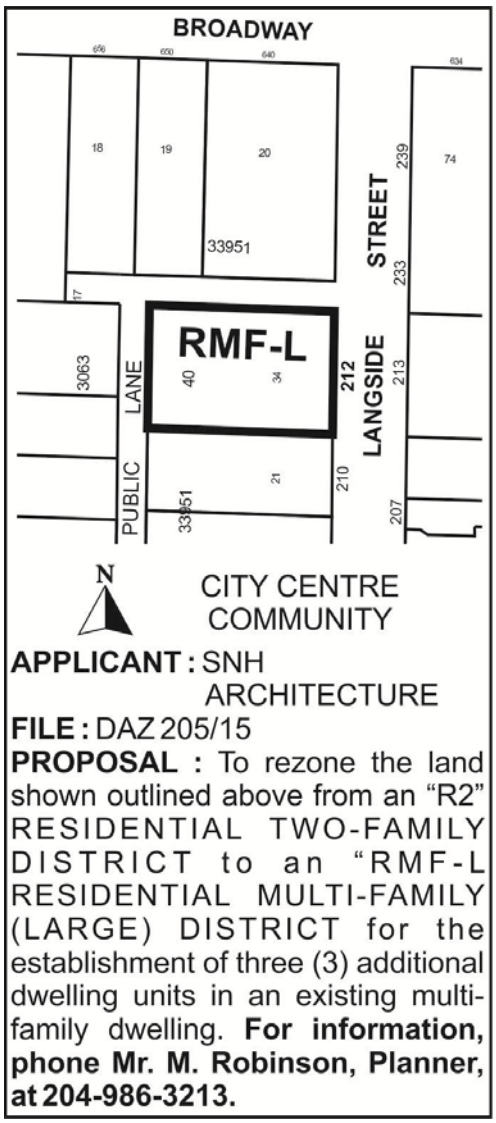
7. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

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

1. It's preserving the existing character and area of the footprint and adding a couple of additional units.

2. There's no opposition from the neighbourhood and I can't see a negative.

PUBLIC HEARING SUMMARY

File:	DAZ 205/2015
Before:	City Centre Community Committee Councillor Orlikow, Chairperson Councillor Gerbasi
Public Hearing:	July 7, 2015 June 10, 2015 Council Building, 510 Main Street
Applicant:	Affinity Architecture (Andrew Skelton)
Subject:	
Premises Affected:	212 Langside Street

Exhibits Filed:

1. Application dated March 20, 2015
2. Revised Application dated March 13, 2015
3. Notification of Public Hearing dated April 15, 2015
4. 2nd Revised Notification of Public Hearing dated May 25, 2015
5. Manitoba Status of Title 1368174/1
6. Manitoba Status of Title 2767168/1
7. Letter of authorization dated January 30, 2015 from Patrick Penner to Affinity Architecture
8. Plans (2 pages)
9. Report from the Planning and Land Use Division dated May 26, 2015
10. Notice of Adjournment dated June 15, 2015
11. Report from the Planning and Land Use Division dated June 16, 2015
12. Inspection Report
13. Communication dated July 6, 2015, from Daniel Simeone in support of the application
14. Recording of Representations of public hearing held on July 7, 2015

REPRESENTATIONS:

In Support:

Bert Friesen
Daniel Simeone

In Opposition

Nil

For Information:

Nil

For the City:

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

Exhibit "11" referred to in File DAZ 205/2015

ADMINISTRATIVE REPORT

Title: DAZ 205/2015 – 212 Langside Street

Issue: For consideration at the public hearing for a Rezoning for DAZ 205/2015 – 212 Langside Street

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 205/2015 dated June 16, 2015 to an "RMF-L" Residential Multi-Family (Large) 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 building height shall be limited to forty five (45) feet.

2. That the developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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 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 subject lands, provided that the said effective date occurs within one year from 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 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 item will be adjourned.

CONSULTATION

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

SUBMITTED BY

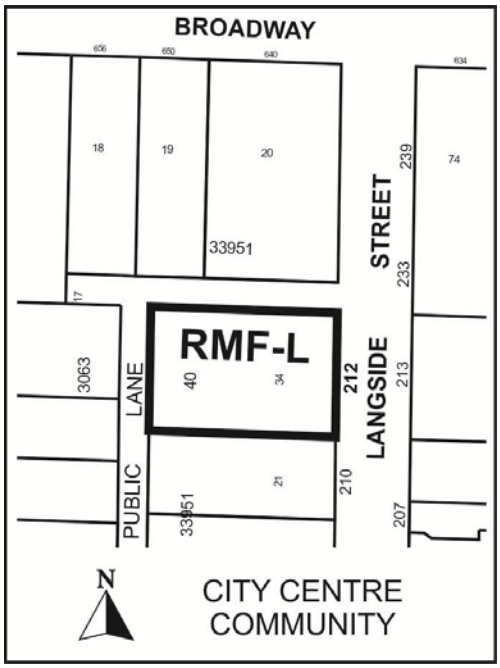
Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Michael Robinson, AICP, MCIP
Date:	June 16, 2015
File No.	DAZ 205/2015

APPENDIX 'A'

DATE: June 16, 2015
FILE: DAZ 205/2015
RELATED FILES: DAV 15-114504/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.103

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

LOCATION: 212 Langside Street
LEGAL DESCRIPTION: LOT 34 PLAN 40 81 ST JA



APPLICANT: Affinity Architecture

OWNER: 212 Langside Ltd.

RECOMMENDATION: **Approval**

SITE DESCRIPTION

The subject property, which is currently zoned "RMF-M" Residential Multi-Family Medium, is located on Langside Street, between Broadway and Sara Avenues, in the West Broadway neighbourhood of the Ft. Rouge-East Ft. Garry ward.

North: Commercial use zoned "C2" PDO-1 Neighbourhood Main Streets Commercial District
South: Residences zoned "R2" Residential Two-Family District
East: Residences zoned "R2" Residential Two-Family District
West: Residences 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-L" Residential Multi-Family District Large, in order to accommodate three additional suites in the basement. The building currently has twenty one (21) units, which will increase to twenty four (24), with the expansion.

The expansion is due to the present owner renovating/upgrading the building and being able to make better use of the existing space. The three additional suites will provide much needed housing to the area. It is recommended that this rezoning be approved.
The applicant seeks approval to add three units in the basement of an existing multiple-family building.

RECOMMENDATIONS
The Urban Planning Division recommends **approval**, with conditions for the following reasons:

- The rezoning is consistent with *Complete Communities*
- The proposal is consistent and compatible with the surrounding properties;
- The subject will be retaining the footprint of the existing structure.
- The proposed addition will not change the form and external appearance of the existing building thereby fitting the existing character.
- There is a need for a mix of housing opportunities throughout the City. This development is consistent with the increased need for more housing supply in the West Broadway neighborhood.

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

Report Prepared by: Michael Robinson, AICP, MCIP
PPD File # DAZ 205/2015



Figure 1: Aerial Photo (Flown in 2014)

APPENDIX 'B'
Schedule "A" for File No. DAZ 205/2015, City Centre Community Committee, dated June 16, 2015

By-Law No. _____

File No. **DAZ 205/15**

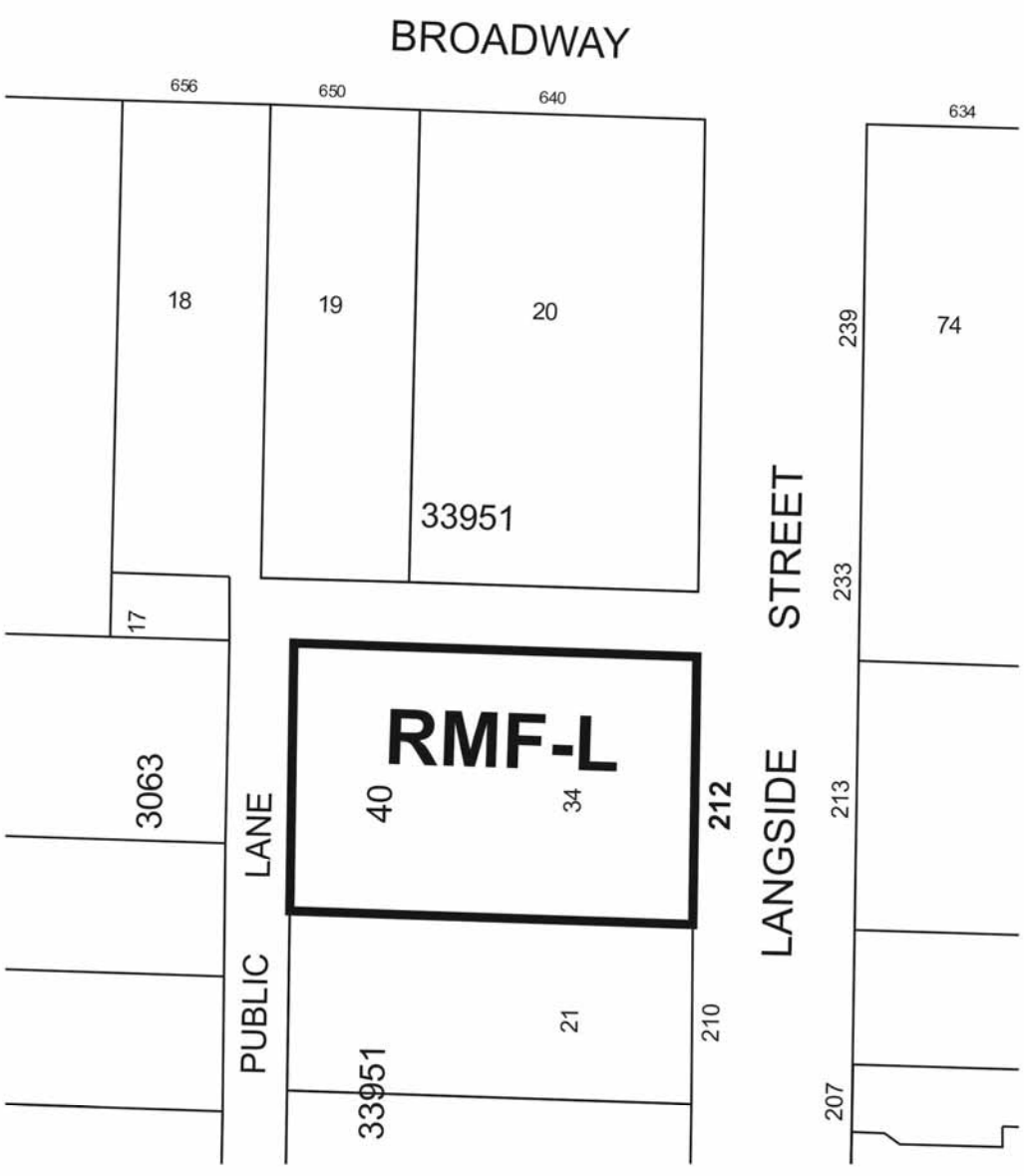
Atlas Sheet No.

N

AA23
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 212 Langside Street from an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to an "RMF-L RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT for the establishment of three (3) additional dwelling units in an existing multi-family dwelling use as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Exhibit "9" referred to in File DAZ 205/2015

ADMINISTRATIVE REPORT

Title: DAZ 205/2015 – 212 Langside Street

Issue: For consideration at the public hearing for a Rezoning for DAZ 205/2015 – 212 Langside Street

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

That the subdivision and rezoning for File No. DAZ 205/2015 be **adjourned** to the July 7, 2015 City Centre Community Committee meeting

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 item will be adjourned.

CONSULTATION

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

SUBMITTED BY

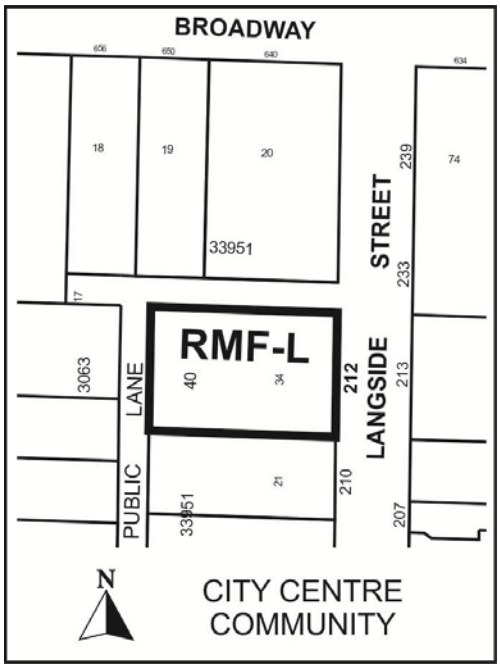
Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Michael Robinson, AICP, MCIP
Date:	May 26, 2015
File No.	DAZ 205/2015

APPENDIX 'A'

DATE: May 26, 2015
FILE: DAZ 205/2015
RELATED FILES: DAV 15-114504/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.103

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

LOCATION: 212 Langside Street
LEGAL DESCRIPTION: LOT 34 PLAN 40 81 ST JA



APPLICANT: Affinity Architecture

OWNER: 212 Langside Ltd.

RECOMMENDATION: **Adjournment**

SITE DESCRIPTION

The subject property, which is currently zoned "RMF-M" Residential Multi-Family Medium, is located on Langside Street, between Broadway and Sara Avenues, in the West Broadway neighbourhood of the Ft. Rouge-East Ft. Garry ward.

North: Commercial use zoned "C2" PDO-1 Neighbourhood Main Streets Commercial District
South: Residences zoned "R2" Residential Two-Family District
East: Residences zoned "R2" Residential Two-Family District
West: Residences zoned "R2" Residential Two-Family District

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to add three units in the basement of an existing multiple-family building. A rezoning and several variances (see associated report for DAV 15-114504/D) are required to accommodate the additional suites.

RECOMMENDATIONS
This application must be **adjourned** due to the applicant requesting a change to the name of the applicant and the owner.

This item will be readvertised for a public hearing at the **July 7, 2015 City Centre Community Committee.**

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

Report Prepared by: Michael Robinson, AICP, MCIP
PPD File # DAZ 205/2015



Figure 1: Aerial Photo (Flown in 2014)

APPENDIX 'B'
Schedule "A" for File No. DAZ 205/2015, City Centre Community Committee, dated May 26, 2015

By-Law No. _____

File No. **DAZ 205/15**

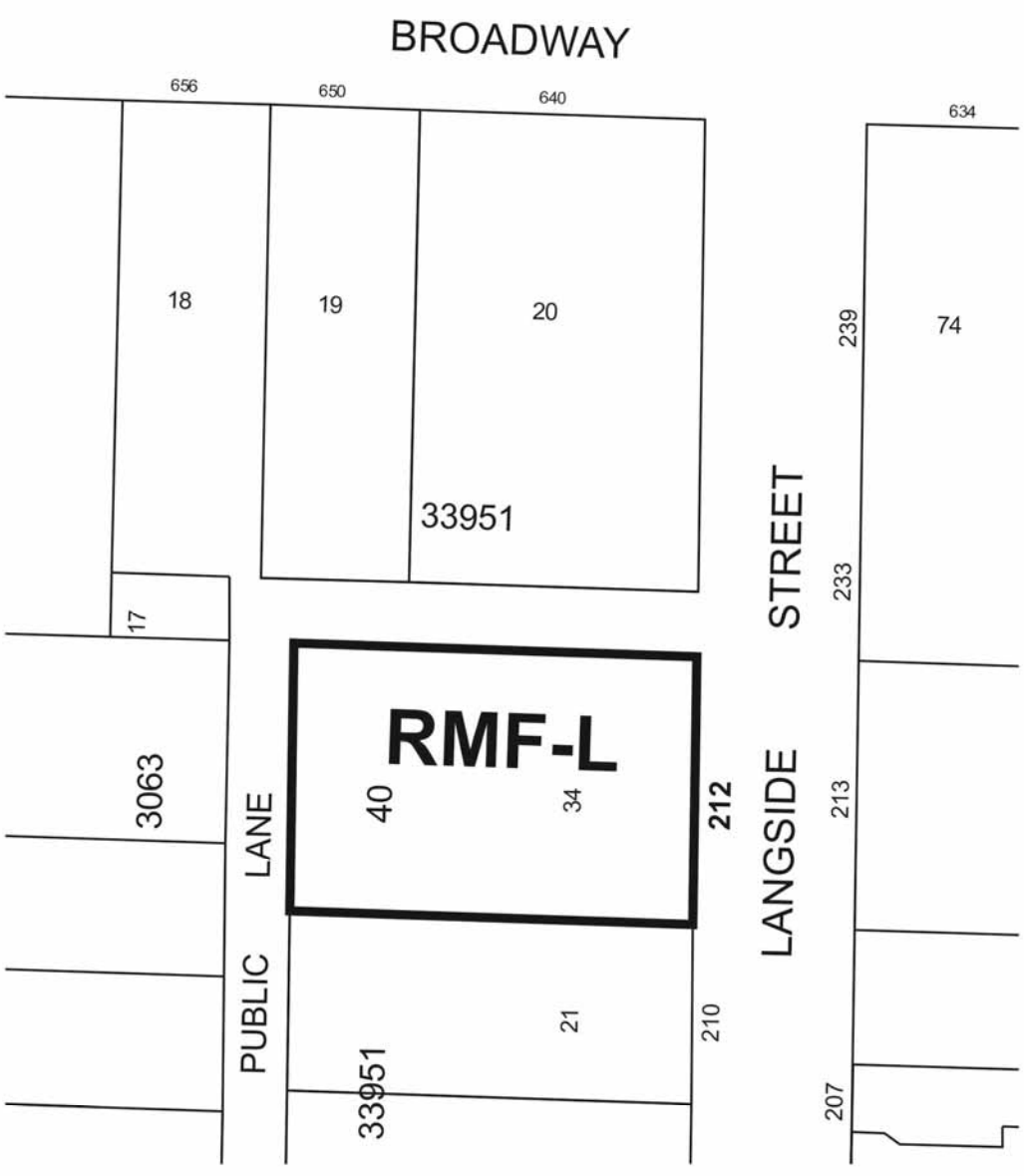
Atlas Sheet No.

N

AA23
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 212 Langside Street from an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to an "RMF-L RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT for the establishment of three (3) additional dwelling units in an existing multi-family dwelling use as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____