Agenda – Council – December 9, 2015

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 30, 2015

Item No. 4 Secondary Plan Amendment – 120 Scott Street
(Fort Rouge-East Fort Garry Ward)
File SPA 5/2015 [c/r DAZ 217/2015 and DAV 140781/2015D]

STANDING COMMITTEE RECOMMENDATION:

On December 2, 2015, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That By-law No. 91/2015, as per Appendix "A", be forwarded to Council for second and third reading.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Agenda – Council – December 9, 2015

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 30, 2015

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 2, 2015, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and the City Centre Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 30, 2015, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 10, 2015, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

RE: **Secondary Plan Amendment – 120 Scott Street**
File SPA 5/2015

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

Prepared by: **Ms I. Skundberg, Committee Clerk**
City Centre Community Committee

Report date: **November 12, 2015**

COMMUNITY COMMITTEE RECOMMENDATION:

On November 10, 2015, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development:

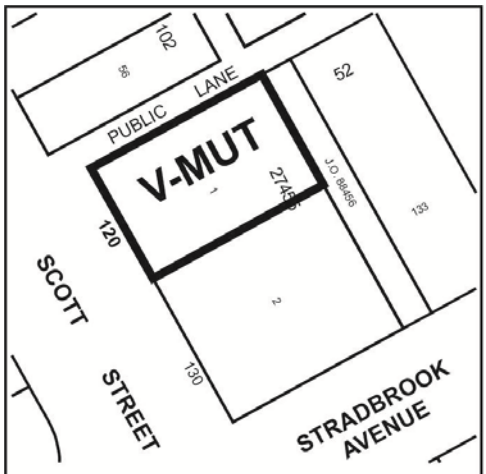
1. That By-law No. 91/2015, as per Appendix "A", be forwarded to Council for second and third reading.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

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

1. The amendment allows the commercial use which is a reasonable use in this area.
2. It is a low intensity use that does not require a lot of parking demands.

PUBLIC HEARING SUMMARY

File:	SPA 5/2015
Before:	City Centre Community Committee Councillor Orlikow, Chairperson Councillor Gerbasi Councillor Gilroy
Public Hearing:	November 10, 2015 Council Building, 510 Main Street
Applicant:	Sputnik Architecture (Joshua Adria)
Subject:	 **APPLICANT :** SPUTNIK ARCHITECTURE **FILE :** SPA 5/2015 **PROPOSAL :** Council has given first reading to By-law No. 91/2015 to amend the Osborne Village Neighbourhood Plan By-law No. 220/2006 by redesignating the land shown above from VILLAGE MEDIUM DENSITY RESIDENTIAL (V-MDR) to VILLAGE MIXED USE TRANSITION (V-MUT) to allow for the development of a mixed use building. **For information, phone Mr. M. Robinson, Planner, at 204-986-3213.**

Premises Affected: 120 Scott Street

Exhibits Filed:

1. Application dated July 16, 2015
2. Notification of Public Hearing dated September 18, 2015
3. Council Decision of September 30, 2015; contains report from the Director of Planning, Property and Development dated September 10, 2015
4. First Reading of By-law No. 91/2015 by Council on September 30, 2015
5. Manitoba Status of Title 2708256/1
6. Letter of authorization dated July 6, 2015 from Peter Hargraves, Scott Street Condo Development Inc. to Joshua Adria, Sputnik Architecture
7. Plans (9 pages)
8. Report from the Urban Planning Division dated November 4, 2015
9. Inspection Report
10. Aerial Photograph submitted by Michael Robinson, Senior Planner, Planning, Property and Development Department at the public hearing
11. Recording of Representations

REPRESENTATIONS:

In Support:

Joshua Adria, Sputnik Architecture
Peter Hargraves, Scott Street Condo Development Inc.
Andre Silva

In Opposition:

James Fielder
Ron Iftody
Thomas McLeod

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 “8” referred to in File SPA 5/2015

ADMINISTRATIVE REPORT

Title: SPA 5/2015 – 120 Scott Street

Issue: For consideration at the public hearing for a secondary plan amendment

Critical Path: City Centre Community Committee Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Division Head	CFO	CAO
Michael Robinson, MCIP	Braden Smith, MCIP	n/a	

RECOMMENDATIONS

1. That By-law No. 91/2015, as per Appendix “A”, be forwarded to Council for second and third reading.

2. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

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 Urban Planning Division are concurred in, the Osborne Village Neighbourhood Plan (By-law 220/2006) will be amended.

HISTORY

The Osborne Village Neighbourhood Plan By-law was adopted by Council on January 24, 2007.

There have been no previous Osborne Village Neighbourhood Plan amendments associated with the subject property.

The subject property currently contains a two-storey single family dwelling which was previously listed on the City of Winnipeg's List of Historical Resources. The designation was removed in 2014 when the Historical Buildings and Resources Committee deemed it not to possess adequate architectural or historic significance due to significant alterations which had been made to the building over time. The building has commemorative status but has no demolition or development restrictions.

The applicant intends to demolish this structure to accommodate the proposed new development.

First reading

- In accordance with Section 234 of the City of Winnipeg Charter Act, this application was given first reading by Council on September 30, 2015.
- Council also designated the City Centre Community Committee as the public hearing body for this application.

Osborne Village Neighbourhood Plan amendment history
There have been two previous amendments to the plan since it came into effect in 2007. They are:

Address	By-law no.	Subject
Not address specific	5/2009	Conversion of rooming houses to multi-family dwellings
Not address specific	100/2014	Boundary change

CONSULTATION

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

SUBMITTED BY

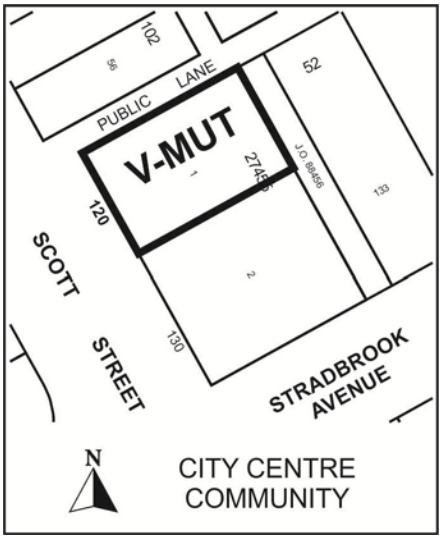
Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Michael Robinson, MCIP
Date:	November 4, 2015
File No.	SPA 5/2015

APPENDIX 'A'

DATE: November 4, 2015
FILE: SPA 5/2015
RELATED FILES: DAZ 217/2015, DAV 15-140781/D
COMMUNITY: City Centre
NEIGHBOURHOOD #: 1.111

SUBJECT: Application to amend the Osborne Village Neighbourhood Plan (By-law 220/2006) to change the subject property from a Village Medium Density Residential (V-MDR) to a Village Mixed Use Transition (V-MUT) to accommodate a mixed use development

LOCATION: 120 Scott Street



APPLICANT: Sputnik Architecture (Joshua Adria)
9-107 Osborne Street
Winnipeg, MB R3L 1X3

OWNER: Scott Street Development Inc. (Peter Hargraves)
9-107 Osborne Street
Winnipeg, MB R3L 1X3

RECOMMENDATION: Approval

SITE DESCRIPTION
The subject property, which is currently zoned "RMF-M" Residential Multi-Family District, is located on Scott Street, between Stradbrook and River Avenues, in the Osborne Village Neighbourhood of the Fort Rouge-East Fort Garry ward.

North: Residences zoned "R2" Residential Two-Family District
South: Commercial use zoned "RMF-M" Residential Multi-Family District
East: Multi-family residential uses zoned "RMF-M" Residential Multi-Family District
West: Multi-family residential use zoned "RMF-M" Residential Multi-Family District

DESCRIPTION OF THE PROPOSED DEVELOPMENT
Reason for application
The subject property, located at 120 Scott Street, is currently located within Village Medium Density Residential Area (V-MDR) of the Osborne Village Neighbourhood Plan. Within the V-MDR area, commercial development is permitted in specific areas only, which do not include this property.

The applicant seeks approval to accommodate commercial development on the ground floor of a new mixed use development.

Consequently, the applicant is requesting a secondary plan amendment to redesignate the subject property as Village Mixed Use Transition (V-MUT), which would accommodate a commercial use.

The amendment does not change the zoning of the property, but would allow the City to entertain an application to rezone the property to a zoning category that would accommodate a mixed use development. (see associated application DAZ 217/2015)

ANALYSIS AND ISSUES
Osborne Village Neighbourhood Plan
The Osborne Village Neighbourhood Plan envisions a small mixed use node on Scott Street between Wardlaw and Stradbrook Avenues. Properties within this area are designated Village Mixed Use Transition (V-MUT), which allows mixed use development up to four stories.

Intent
The intent of the Village Mixed Use Transition area is "*to provide a transition between commercial concentrations and predominantly residential areas, where residential and low-impact commercial activities can co-exist in a mixed use environment. Development within this category is to retain current built forms and lot configurations, and to encourage mixed use redevelopment."*

The proposed development meets the intent of the Village Mixed Use Transition area in that the back lane between the subject property and residential properties to the north provides the desired transition between commercial development and predominantly residential areas.

Also, given that this property is on the commercial side of the back lane, it is better suited to being within the mixed use area.

Policies
The Plan meets the policies for the Village Mixed Use Transition area in the following way:

6.1.1.A Residential development in Mixed Use Transition areas will conform to the Village Medium Density Residential (V-MDR) policies

The proposed development will have 8 residential units, which is consistent with "RMF-M", Residential Multi-Family Medium density.

6.1.1.B Commercial and employment uses in Mixed Use transition areas should be compatible in lot size, building scale, and character to the existing context

The lot size, building scale, and character are consistent with the area

6.1.1.C New development and additions will have a minimum height of two stories and a maximum height of four stories

The proposed development will be four stories

6.1.1.D Non-residential uses are not to emit any noise, odour, dust, smoke, or similarly objectionable operational characteristics detectable outside the building

The proposed commercial use will be an architecture office. It will not have operational characteristics that are incompatible with the area.

RECOMMENDATION
It is recommended that the application be approved.

This Report Submitted by: Michael Robinson, MCIP
Planning, Property and Development Department
Urban Planning Division
Report Prepared by: PPD File # SPA 5/2015



Figure 1: Aerial Photo (Flown in 2014)

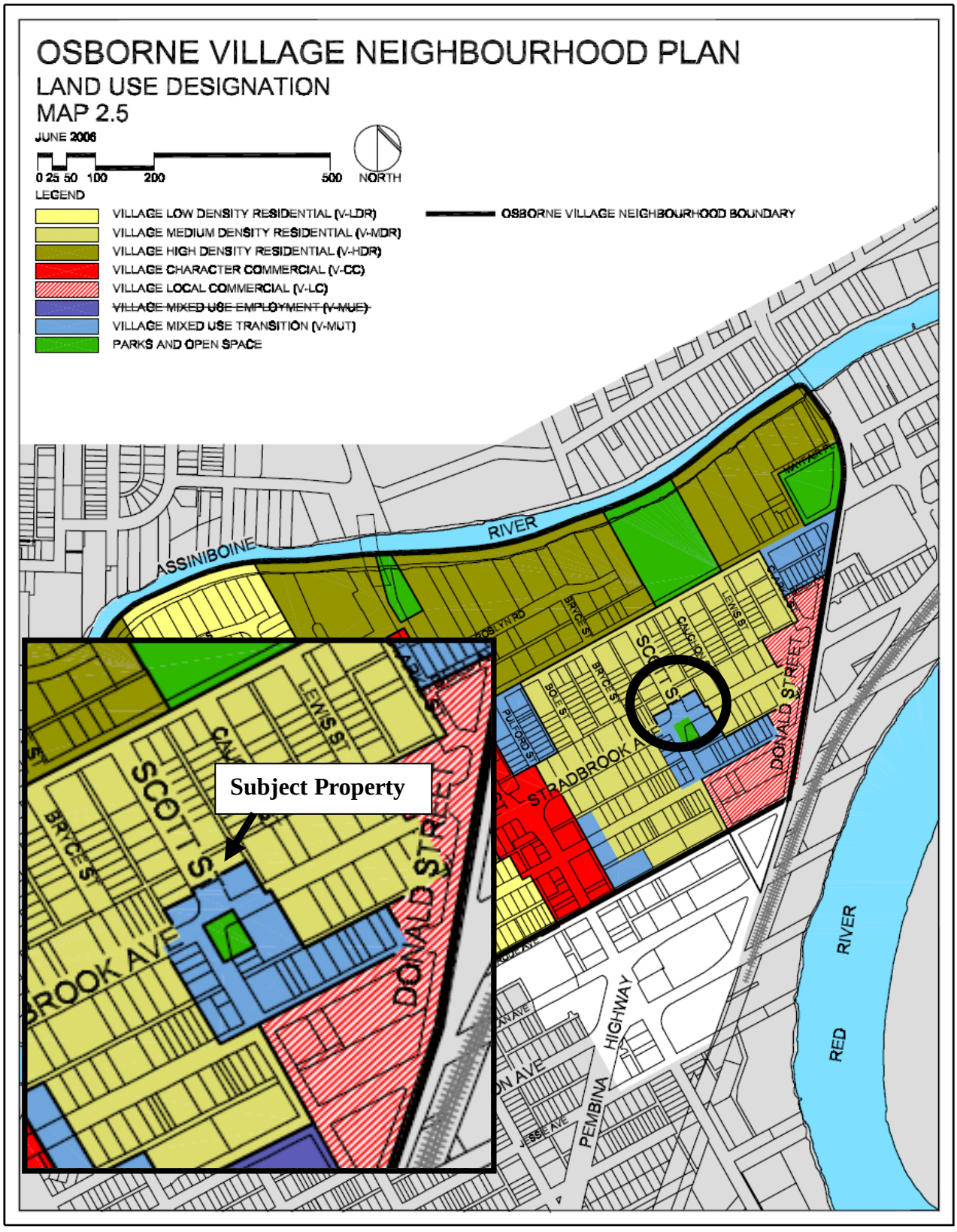


Figure 2: Map of proposed amendment

APPENDIX "A"

THE CITY OF WINNIPEG

BY-LAW NO. 91/2015

A By-law of THE CITY OF WINNIPEG to amend the Osborne Village Neighbourhood Plan By-Law No. 220/2006.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1 *The Osborne Village Neighbourhood Plan By-Law No. 220/2006 is amended by this by-law.*

2 *In section 2.0, the map titled "*Map 2.5 Land Use Designation*" is repealed and replaced with Attachment "A".*

RECEIVED FIRST READING this day of , 2015.

RECEIVED SECOND READING this day of , 2015.

RECEIVED THIRD READING this day of , 2015.

DONE AND PASSED this day of , 2015.

_____
Mayor

_____
City Clerk

Approved as to planning details:

_____
for Director of Planning, Property and Development

Approved as to form:

_____
for Director of Legal Services and City Solicitor

ATTACHMENT “A” - New Map 2.5

