**Minute No. 456**
**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 5, 2016**

**Item No. 3 Subdivision and Rezoning – 255 Redonda Street (Transcona Ward) File DASZ 22/2016 [c/r DAV 118174/2016D and DCU 116545/2016D]**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development Committee and adopted the following:

1. That the plan of subdivision under File DASZ 22/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 22/2016 dated June 13, 2016, 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 a portion of the subject land as shown on Schedule "A" for File DASZ 22/2016 dated June 13, 2016, to "C2" Commercial Community District, subject to the following:

    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, parking area, private approach, walkway, plaza garbage enclosure, fencing and other landscaping, exterior lighting, bicycle parking and exterior signage on proposed Lot 1 (of Schedule "A" for File DASZ 22/2016), plans, showing the location and appearance of these aspects of the development, shall be submitted to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter all to be developed in substantial conformance with the approved plans and maintained to the satisfaction of the Director of Planning, Property and Development.

        ii. That the use of proposed Lot 1, of Schedule "A" for File DASZ 22/2016, shall be restricted as follows:

            a. The only uses that shall be permitted principal uses are as follows:

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 5, 2016**

COUNCIL DECISION (continued):

1. community gardens,
2. park/plaza/square/playground, and
3. utility facility, minor;

b. The only use that shall be a conditional principal use is as follows

1. non-accessory surface parking;

iii. That internally illuminated signage, digital signage, advertising signs, mobile signs, poster signs and A-frame signs shall not be permitted on proposed Lot 1, of Schedule "A" for File DASZ 22/2016, except a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit;

3. 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.

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 (2) 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 (2) year period and Council approves the extension.

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

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 comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land within one year from the date the by-law is passed, failing which the by-law will expire and 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.

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 5, 2016**

COUNCIL DECISION (continued):

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, 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.

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

12. 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.

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

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 5, 2016**

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 6, 2016, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and the East Kildonan-Transcona Community Committee, as amended, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 5, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, with the following amendment:

- That recommendation 3 be reinstated as follows:

    3. 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.

and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 21, 2016, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Delete recommendation 3 in its entirety

and forwarded to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

**RE:** **Subdivision and Rezoning – 255 Redonda Street**
**File DASZ 22/2016**

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

**Prepared by:** **Andrew Poitras, Senior Committee Clerk**
**East Kildonan Community Committee**

**Report date:** **June 23, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 21, 2016, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the plan of subdivision under File DASZ 22/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 22/2016 dated June 13, 2016, 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 a portion of the subject land as shown on Schedule "A" for File DASZ 22/2016 dated June 13, 2016, to "C2" Commercial Community District, subject to the following:

    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, parking area, private approach, walkway, plaza garbage enclosure, fencing and other landscaping, exterior lighting, bicycle parking and exterior signage on proposed Lot 1 (of Schedule "A" for File DASZ 22/2016), plans, showing the location and appearance of these aspects of the development, shall be submitted to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter all to be developed in substantial conformance with the approved plans and maintained to the satisfaction of the Director of Planning, Property and Development.

        ii. That the use of proposed Lot 1, of Schedule "A" for File DASZ 22/2016, shall be restricted as follows:

a. The only uses that shall be permitted principal uses are as follows:

1. community gardens,

2. park/plaza/square/playground, and

3. utility facility, minor;

b. The only use that shall be a conditional principal use is as follows

1. non-accessory surface parking;

iii. That internally illuminated signage, digital signage, advertising signs, mobile signs, poster signs and A-frame signs shall not be permitted on proposed Lot 1, of Schedule "A" for File DASZ 22/2016, except a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit;

3. ***Deleted***

~~***3. 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.***~~

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 (2) 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 (2) year period and Council approves the extension.

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

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 comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land within one year from the date the by-law is passed, failing which the by-law will expire and 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.

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, 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.

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

12. 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.

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

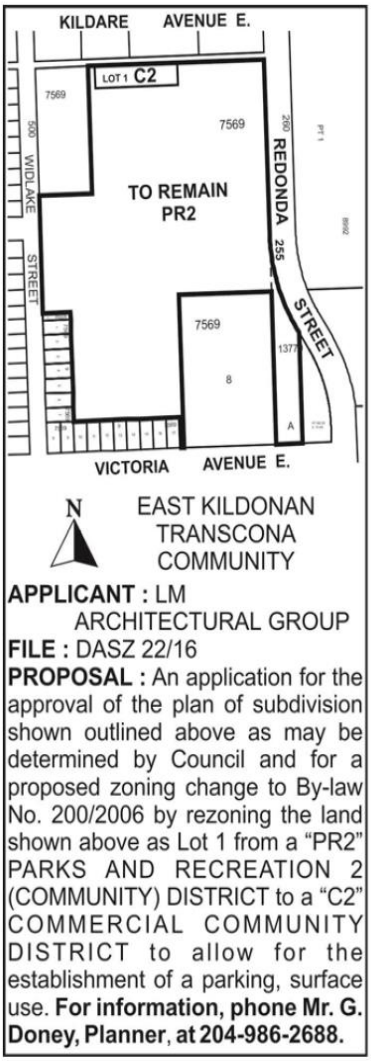
***Note: The wording in bold and italics denotes amendments made by the Community Committee.***

The East Kildonan-Transcona Community Committee provided the following supporting reason(s) for its recommendation:

1. This is a project which is supported by all three levels of government.
2. The community has been extensively canvassed and there have been consultations in terms of the entire project.
3. The record of Park Manor is exemplary in terms of the service they have provided to the community over the past five decades looking after seniors.
4. It is crucial that this project go forward as it's something that the community knows there is a demand for as personal care home beds are in short supply across the city.
5. Having this in the community is important to families.
6. There is a joint use agreement in place for the parking lot so Park Manor staff can use it during business hours and the public can use it to access park amenities after hours.
7. It is important that the municipality continues to be a part of and support Park Manor.

## PUBLIC HEARING SUMMARY

| | |
|---|---|
| File: | DASZ 22/2016 |
| Before: | East Kildonan-Transcona Community Committee<br>Councillor Browaty, Chairperson<br>Councillor Wyatt |
| Public Hearing: | June 21, 2016<br>Council Building, 510 Main Street |
| Applicant: | LM Architectural Group (Matthew Bowering) |
| Subject: | |




Premises Affected: 255 Redonda Street

Exhibits Filed:

1. Application dated April 25, 2016
2. Notification of Public Hearing dated May 5, 2016
3. Manitoba Status of Title 2779944/1
4. Letter of authorization dated May 5, 2016 from the City of Winnipeg to Park Manor Care Inc.
5. Letter of authorization dated May 5, 2016 from Park Manor Care Inc. to LM Architecture Group
6. Plans (4 pages)
7. Report from the Urban Planning Division dated June 13, 2016
8. Inspection Report

9. Presentation in support of the application submitted by the Applicant at the public hearing
10. Presentation in support of the application submitted by the Collin Akre at the public hearing
11. Recording of Representations

REPRESENTATIONS:

In Support:

Matthew Bowering, LM Architectural Group
Collin Akre
Julia Dreger

In Opposition

Ruby Kenning
Dirk Kenning

For Information:

Nil

For the City:

Mr. G. Doney, Senior Planner, Planning, Property and Development Department
Ms J. Ewart, Park Services Administrator, Public Works Department

Exhibit "7" referred to in File DASZ 22/2016

# ADMINISTRATIVE REPORT

**Title:** DASZ 22/2016 – 255 Redonda St.

**Issue:** Proposed Plan of Subdivision and Rezoning that would:

- create one lot for a future surface parking area (primarily for the Park Manor Personal Care Home, after it is expanded) and a residual portion to encompass part of an existing park (Victoria Jason Park); and
- rezone said lot to "C2" Commercial Community District.

**Critical Path:** East Kildonan – Transcona 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 22/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 22/2016 dated June 13, 2016, 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 a portion of the subject land as shown on Schedule "A" for File DASZ 22/2016 dated June 13, 2016, to "C2" Commercial Community District, subject to the following:

   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, parking area, private approach, walkway, plaza garbage enclosure, fencing and other landscaping, exterior lighting, bicycle parking and exterior signage on proposed Lot 1 (of Schedule "A" for File DASZ 22/2016), plans, showing the location and appearance of these aspects of the

development, shall be submitted to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter all to be developed in substantial conformance with the approved plans and maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That the use of proposed Lot 1, of Schedule "A" for File DASZ 22/2016, shall be restricted as follows:

a. The only uses that shall be permitted principal uses are as follows:

1. community gardens,

2. park/plaza/square/playground, and

3. utility facility, minor;

b. The only use that shall be a conditional principal use is as follows

1. non-accessory surface parking;

iii. That internally illuminated signage, digital signage, advertising signs, mobile signs, poster signs and A-frame signs shall not be permitted on proposed Lot 1, of Schedule "A" for File DASZ 22/2016, except a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit;

3. 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.

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 (2) 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 (2) year period and Council approves the extension.

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

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 comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land within one year from the date the by-law is passed, failing which the by-law will expire and 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.

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, 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.

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

12. 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.*

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

## REASON FOR THE REPORT

This report provides information, and makes recommendations, regarding the subject application (DASZ 22/2016) in terms of compliance with the City's development plan – *OurWinnipeg* – and *Complete Communities*, which is one of four Direction Strategies supporting *OurWinnipeg.*

This report is available to the public and is for consideration by Council and committees of Council.

## IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, and the associated conditional use and variance applications are approved, the process of creating the proposed "C2" lot and obtaining permits to develop a surface parking area on it can proceed.

## HISTORY

On May 14, 2015, the City of Winnipeg was registered as the owner of the subject site. The previous owner was the Province of Manitoba.

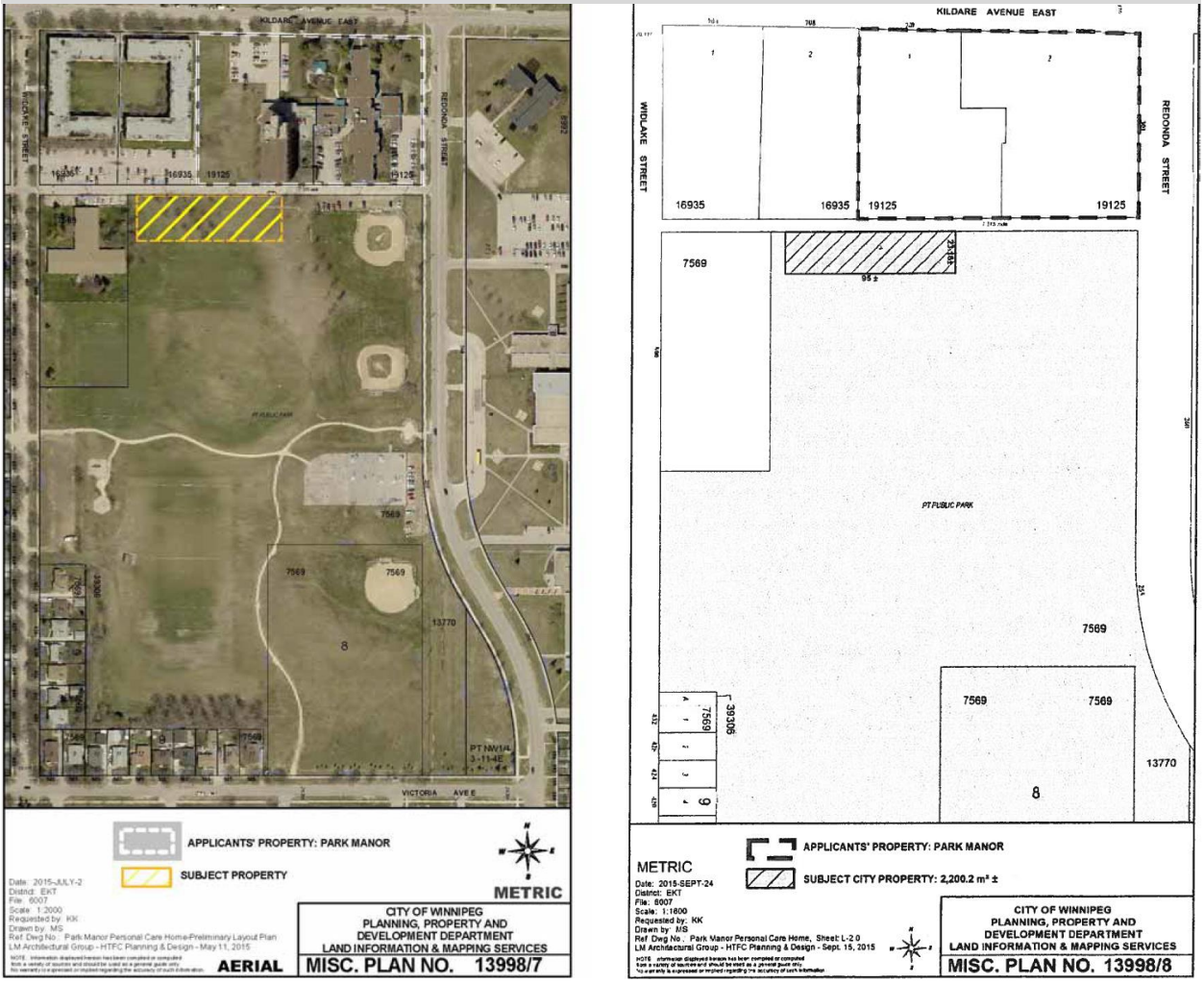
On July 15, 2015, Council declared a portion of Victoria Jason Park "surplus to the needs of the City." The minutes of the applicable portion of that meeting are as follows:

*Council concurred in the recommendation of the Standing Policy Committee on Property and*
*Development and adopted the following:*

1. *That the "Subject Property" as identified on the attached Misc. Plan 13998/7* [shown in Figure A] *be declared surplus to the needs of the City.*
2. *That subject to the approval of recommendation 1., the authority be delegated to the Director of the Planning, Property and Development Department to finalize the terms and conditions of sale of an area of approximately 2,200 $m^2$ within the "Subject Property" to Park Manor Care Inc., or nominee, at fair market value to be determined by an independent appraisal, and upon such additional terms and conditions that the Director of Legal Services consider necessary to protect the interests of the City. The terms and conditions shall include, but not be limited to, the following:*
   A. *That the proceeds of sale be allocated to the Land Dedication Reserve Fund for upgrades to the Victoria Jason Park;*
   B. *That the proponent receives approval to subdivide and rezone the subject property;*
   C. *That the proponent receives approval for any conditional use and variance applications;*
   D. *That the proponent enter into an agreement with the City for the joint use of the subject property for the general public's use of the parking lot on evenings and weekends;*
   E. *That the proponent confirms substantial completion of the Park Manor Care Home expansion project within two years of the issuance of building permits;*
3. *That final site plans are subject to the approval of the Director of Planning Property and Development subject to:*
   A. *That the soccer area not be impacted and to ensure provision for a 50x100m field with a 5m off set on all sides to retain the run-off area;*
   B. *That any removal of existing trees from the subject property be approved by the City Forester and compensation for the value of the trees will be at fair market value payable to the City by the Purchaser in accordance with the City's Tree Removal Guidelines;*
   C. *That a perimeter fence be installed around the subject property by the proponent;*
4. *That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.*

On February 3, 2016, the Board of Adjustment approved Variance Application DAV 133948/2014C, which accommodates a proposed plan of subdivision and, in part, the associated expansion of the Park Manor Personal Care Home (which is a type of assisted living facility under Zoning By-law 200/2006). The site of the personal care home is immediately north of the public lane that is the northern limit of Victoria Jason Park.

***Figure A: Miscellaneous Plans 13998/7 and 13998/8***




The approved variances do not include a variance to the insufficient parking supply that would be on the site of the expansion because a parking management plan (PMP) has been submitted instead. The PMP (File 15-177630) states that a surface parking area for staff of Park Manor Care Home would be built in a future lot to be created from part of Victoria Jason Park. The PMP requires the approval of the Director of Planning, Property and Development.

On May 2, 2016, the City of Winnipeg provided Park Manor Care Inc. with a letter authorizing them to be the applicant of all development applications, including the application that is the subject of this report (DASZ 22/2016), needed to permit the establishment of a non-accessory surface parking area on what is presently part of Victoria Jason Park and identified on Misc. Plan 13998/8 (shown in Figure A). As previously stated, the parking area would primarily be for the Park Manor Personal Care Home, after it is expanded.

The creation and development of this future lot into a surface parking area are the focus of this report.

## CONSULTATION

The City's Administrative Coordinating Group was consulted in the preparation of this report.

## SUBMITTED BY

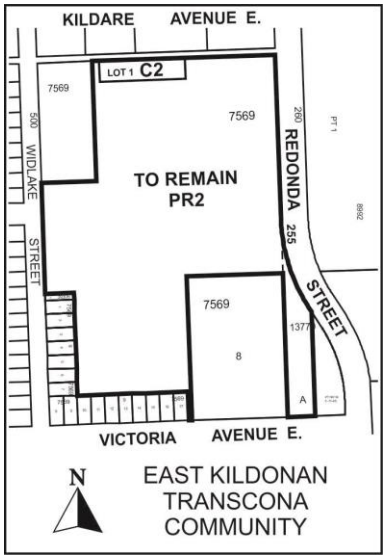
| | |
|---|---|
| Department | Planning, Property and Development |
| Division | Urban Planning |
| Prepared by | Glen Doney |
| Date | June 13, 2016 |
| File No. | DASZ 22/2016 |

**Attachments**

Appendix "A," Planning Discussion

**Appendix "A," Planning Discussion**

| | |
|---|---|
| **DATE:** | June 13, 2016 |
| **FILE:** | DASZ 22/2016 |
| **RELATED FILES:** | DCU 116545/2016D and DAV 118174/2016D |
| **COMMUNITY:** | East Kildonan - Transcona |
| **NEIGHBOURHOOD #:** | 4.410 |
| **SUBJECT:** | Proposed Plan of Subdivision and Rezoning that would:<br>- create one lot for a future surface parking area and a residual portion to encompass part of an existing park (Victoria Jason Park); and<br>- rezone said lot to "C2" Commercial Community District. |
| **LOCATION:** | 255 Redonda Street |
| **LEGAL DESCRIPTION:** | Part Plan 7569 WLTO |



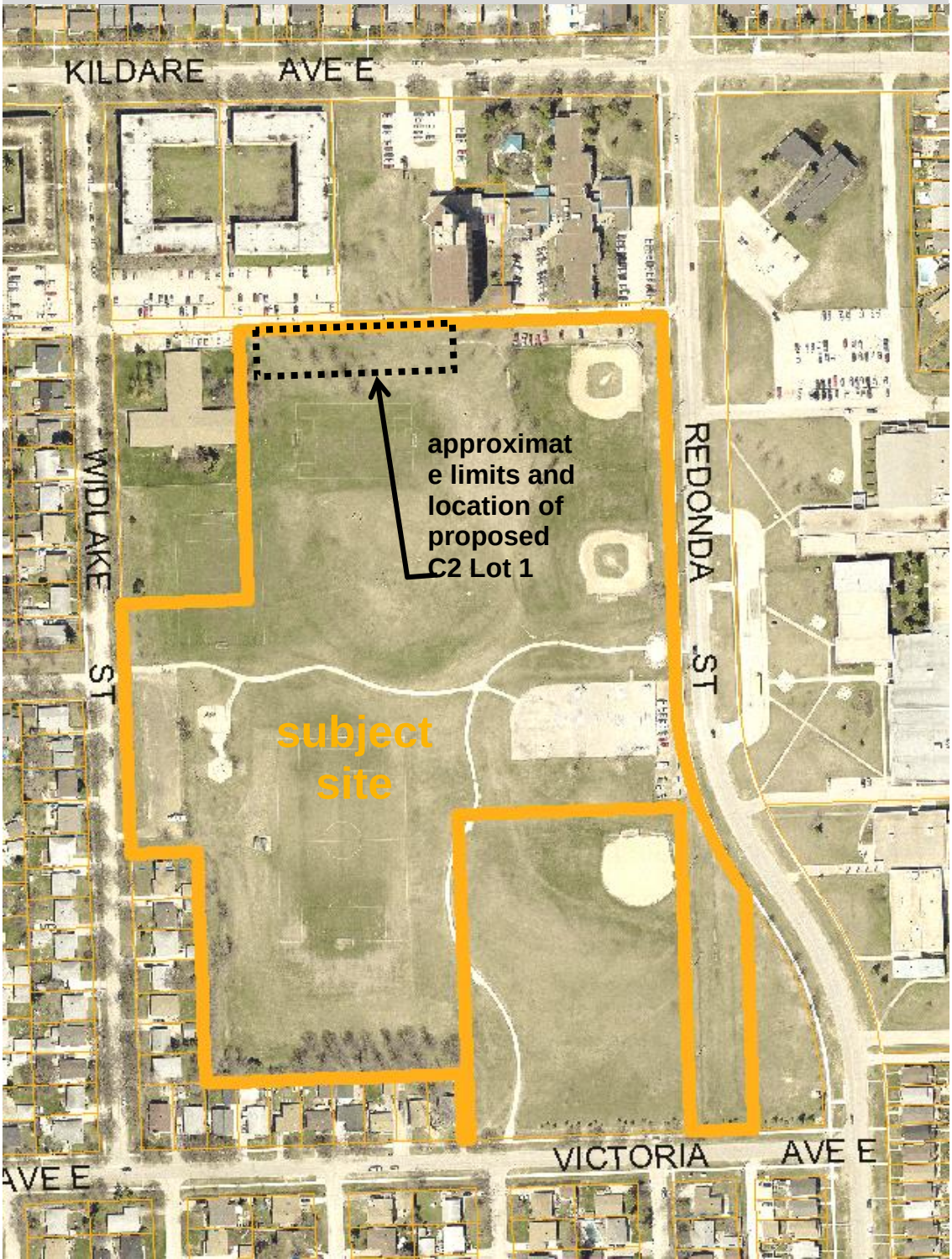

| | |
|---|---|
| **APPLICANT:** | Matthew Bowering, LM Architectural Group<br>500 – 136 Market Avenue<br>Winnipeg, MB<br>R3B 0P4 |
| **OWNER:** | The City of Winnipeg<br>510 Main Street<br>Winnipeg, MB<br>R3B1B9 |
| **RECOMMENDATION:** | Approval with Conditions |

**SITE DESCRIPTION**

The subject site, identified on Figures 1, 2 and 3, is:

- abutting Widlake and Redonda streets, Victoria Avenue East and a public lane (forming its northern limit);
- in the Kildare-Redonda Neighbourhood and the Transcona Ward; approximately 19 acres;

***Figure 1: 2014 Aerial Photography*** **North**



- the largest of three areas of land comprising Victoria Jason Park;
- containing, near its northern limit, several medium to large size trees, a baseball field, a soccer pitch and accessory parking;
- in a “PR2” Parks and Recreation 2 (Community) District of Zoning By-law 200/2006; and
- in a Recent Communities Area, which is a type of Areas of Stability policy area of *OurWinnipeg* and *Complete Communities*.

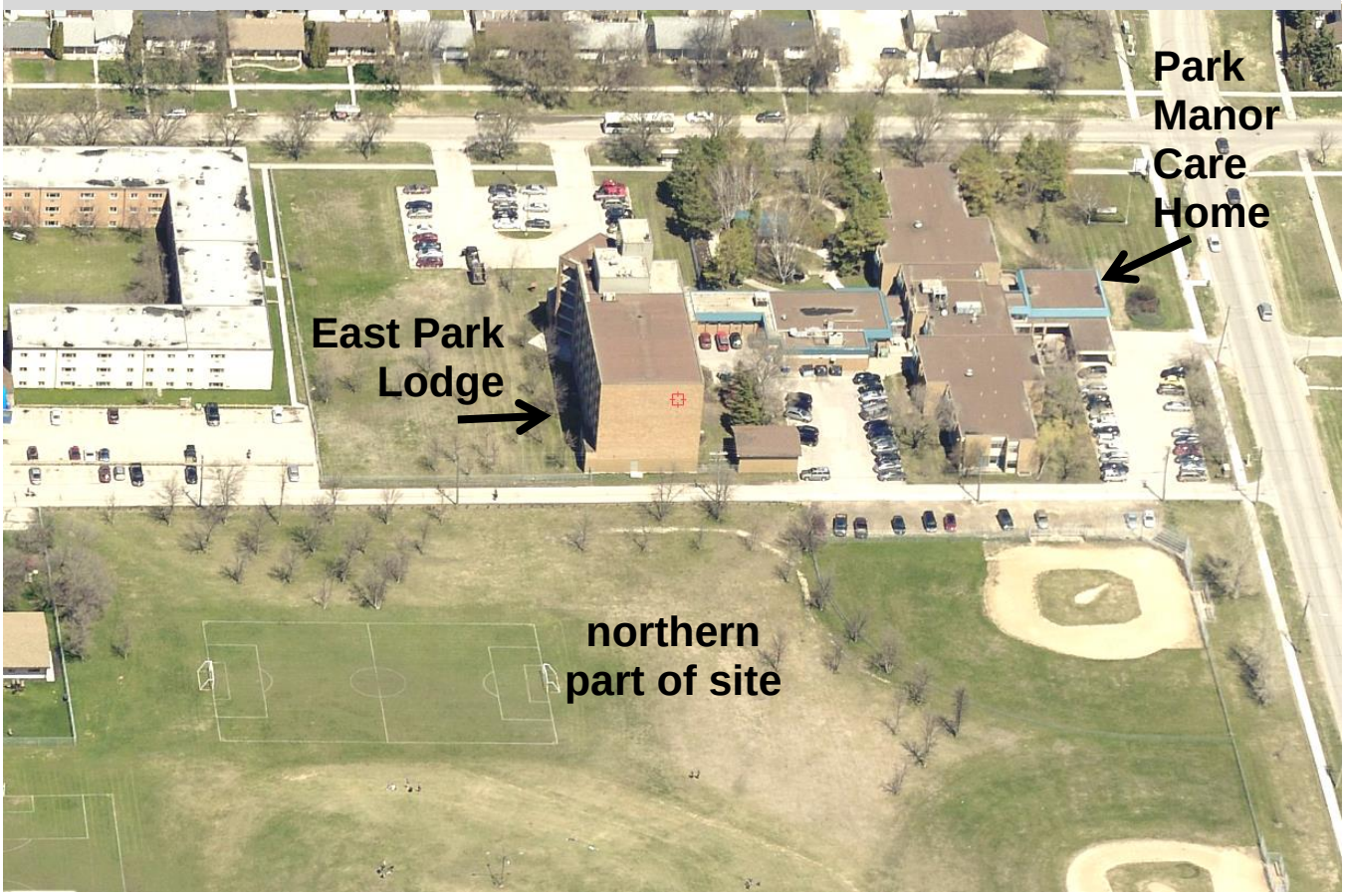
**SITE CONTEXT**

West and south of the site, on both sides of Widlake Street and Victoria Avenue East, are residential uses.

East of the site is Redonda Street and east of that are a school and school division offices.

North of the site is a public lane. The roadway in the public lane is concrete. North of the public lane are multi-family dwellings (MFDs) and a personal care home (Park Manor Care Home). One of the MFDs is East Park Lodge. East Park Lodge is connected to the Park Manor Care Home. The undeveloped area west of East Park Lodge (and shown in Figure 2) is where the bulk of the expansion to Park Manor Care Home is to be built.

***Figure 2: Looking North at Northern Part of the Site and Park Manor Care Home and East Park Lodge, Pictometry of 2014 Aerial Photography***



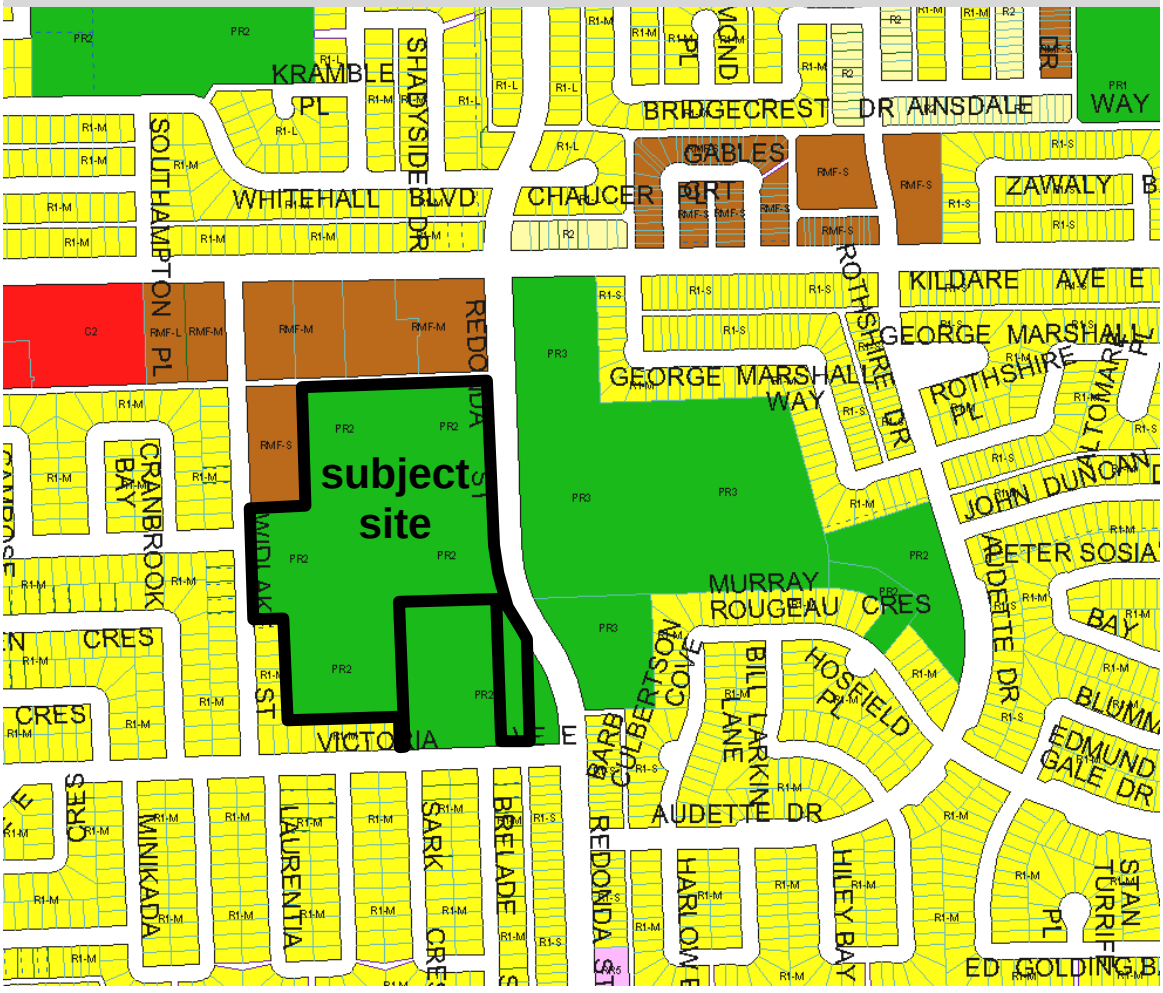
**DESCRIPTION OF THE PROPOSED SUBDIVISION AND REZONING**

As shown on Figure 1 and Schedule "A" to this report, the proposal is to create a lot from a portion of a public park (Victoria Jason Park). Plans submitted by the applicant show that the proposed lot would be approximately 27 feet east of 500 Widlake, 312 feet wide (measured parallel to the public lane) and 76 feet deep. The proposed lot would be zoned to "C2" because that zoning district is the most restrictive of the zoning districts in which surface parking (as a principal use) is allowed. The remainder of the park would remain zoned "PR2."

However, Table 1, which shows the principal uses allowed in the "C2" District, shows many allowed uses that would not be appropriate on the proposed lot. Therefore, a zoning agreement, limiting the allowed principal-uses, is warranted.

Conditional use approval of the proposed surface parking, a use variance and a landscaping variance are also required. They are described in the reports regarding DCU 116545/2016D and DAV 118174/2016D.

***Figure 3: Existing Zoning and Lot Lines*** **North↑**



**DESCRIPTION OF THE PROPOSED DEVELOPMENT**

Before the site can be developed, approximately 14 trees would have to be removed. After their removal, a non-accessory surface parking area would be developed on the proposed "C2" lot. This lot would be paved and would contain 71 parking spaces. These spaces would be primarily for staff of Park Manor Personal Care Home. The submitted plans show that six Hackberry trees and 43 Compact Highbush Cranberry shrubs would be planted in the proposed lot. These plans also show that three Hackberry trees would be planted just west of the proposed lot and three just east of the proposed lot.

In addition, and as previously stated, the minutes of City Council's July 15, 2015, meeting state, in-part:

- *That the proponent enter into an agreement with the City for the joint use of the subject property for the general public's use of the parking lot* [16 of the 71 parking spaces] *on evenings and weekends;*
- *That final site plans are subject to the approval of the Director of Planning Property and Development subject to:*
  - *That the soccer area not be impacted and to ensure provision for a 50x100m field with a 5m off set on all sides to retain the run-off area;*
  - *That any removal of existing trees from the subject property be approved by the City Forester and compensation for the value of the trees will be at fair market value payable to the City by the Purchaser in accordance with the City's Tree Removal Guidelines;*
  - *That a perimeter fence be installed around the subject property by the proponent* (so that baseballs are less likely to enter the lot).

***Table 1: "C2" Principal-Use Regulations***
*P = permitted, C = conditional, * = use specific standard*
*Uses not listed are not allowed.*

| principal use | regulation |
|---|---|
| dwelling, live-work | C* |
| dwelling, multi-family | P* |
| dwelling, single-family detached | C |
| dwelling, two-family | C |
| assisted living facility | P |
| care home | P* |
| neighbourhood rehabilitation home | P* |
| single room occupancy | P* |
| community/recreation centre | P |
| library | P |
| post office/carrier depot | P |
| protection and emergency services | P |
| social service facility | P |
| college or university | P |
| commercial school | P |
| boat dock, public | C |
| community gardens | P |
| park/plaza/square/playground | P |
| day care centre | P* |
| hospital | C* |
| place of worship | P* |
| cultural centre | C |
| gallery/museum | P |
| amusement enterprise, indoor | P* |
| auditorium/concert hall/theatre/cinema | P* |
| hall rental | C |
| private club, not licensed | C* |
| studio, radio/tv/motion picture broadcast and production | P |
| amusement enterprise, outdoor | C |
| hostel | P |
| hotel or motel | P |
| animal hospital or veterinary clinic | P |
| kennel | P* |
| drinking establishment | P* |
| restaurant | P* |
| office | P |
| personal services (unless otherwise listed) | P* |
| body modification establishment | C |
| cheque-cashing facility | C* |
| funeral chapel or mortuary | C |
| medical/dental/optical/ counselling clinic | P |
| retail sales (unless otherwise listed) | P* |
| auction room | C |
| landscape or garden supplies | P |
| supermarket | P* |
| pawnshop | C* |
| x-rated store | C* |
| billboard, digital static copy | C* |
| billboard, poster | C* |
| auto/light truck/motorcycle, repair and service | P* |
| auto/light truck/motorcycle, sales and rental | P* |
| auto parts and supplies, sales | P |
| car wash | C |
| drive-in or drive-through | P* |
| fuel sales | P* |
| parking, structured | P |
| parking, surface | C |
| bus depot | C |
| commercial marina | C |

The offer to purchase the land comprising the proposed lot includes requirements consistent with these minutes.

Lastly, the development should provide, on the proposed lot, information identifying which parking spaces that are for public use and the periods of time they are available for public use.

## ANALYSIS AND ISSUES

### *OurWinnipeg* and *Complete Communities*

OurWinnipeg is the City's development plan and *Complete Communities* is a "Direction Strategy" of *OurWinnipeg* that provides additional directions and policies on land use and development in the city.

The Key Direction of *OurWinnipeg* and *Complete Communities* that applies to the Areas of Stability policy area states: "Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population."

Given that the proposed parking area is necessary to facilitate the expansion of the Park Manor Care Home by 120 beds and that the care home expansion would provide more new rooms for personal care home residents, the expansion of the care home complies with the aforementioned Key Direction. Therefore, the proposed subdivision, rezoning and development also comply with the Key Direction.

The first and eighth policies of Direction 1 of Section 04 of *Complete Communities* state, respectively:

> *Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complementary to the existing scale, character and built form.*
>
> *In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure…*

The proposed subdivision plan, rezoning and development are consistent with these policies because:

- only approximately 14 trees would have to be removed;
- no sports or recreation facilities would have to be removed; and
- the size, approximately 23,683 square feet, and location of the proposed lot, are consistent with the size and location of the area Council declared surplus on July 15, 2015.

In addition, because the proposal includes making 16 parking spaces available to park users during certain periods of time, it complies with the fourth policy of Direction 1 of Section 07 of

*Complete Communities*, which states: "*To best serve the population, parks must be accessible, available and inclusive…"*

**REASONS FOR THE RECOMMENDATIONS**

The Urban Planning Division recommends approval because, subject to the recommended zoning agreement and Council's conditions with-respect-to their declaration that the land is surplus to the City's need (as well as the clauses in the offer to purchase), the proposed plan of subdivision, rezoning and development are consistent with *OurWinnipeg* and *Complete Communities*.

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

Report Prepared by:
Glen Doney

PPD File #:
DASZ 22/2016

**Schedule "A" for File DASZ 22/2016, East Kildonan – Transcona Community Committee, dated June 13, 2016**

By-Law No. _____

File No. **DASZ 22/16**

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 255 Redonda Street from a "PR2" PARKS AND RECREATION 2 (COMMUNITY) DISTRICT to a "C2" COMMERCIAL COMMUNITY DISTRICT to allow for the establishment of a parking, surface use as shown outlined below.

Atlas Sheet No. **Z36**

N

**EAST KILDONAN TRANSCONA COMMUNITY**




THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____