Agenda – Council – April 26, 2017

Report – Executive Policy Committee – April 12, 2017

Item No. 1 Subdivision and Rezoning – 650 Burrows Avenue (Mynarski Ward) File DASZ 2/2017 [c/r DCU 102956/2017D and DAV 102968/2017D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 12, 2017, the Executive Policy Committee concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the following to Council:

1. That the plan of subdivision proposed under File DASZ 2/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 2/2017 dated Jan. 27, 2017 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 2/2017 dated January 27, 2017, to a "C1" Commercial Neighbourhood District subject to the following condition:

    A. That the applicant enter into, execute and deliver a Zoning Agreement with the City of Winnipeg pursuant to Section 240(1) of The City of Winnipeg Charter to include the following condition:

        i. That, for the development of any new building, and/or accessory parking area and/or signage within the lands zoned "C1" Commercial Neighbourhood District, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, and landscaping to the Director of Planning, Property and Development and the Lord Selkirk-West Kildonan Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

3. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

Report – Executive Policy Committee – April 12, 2017

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 by-law in accordance with the above.

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 shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office and 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 the by-law is passed.

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 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.

Report – Executive Policy Committee – April 12, 2017

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 12, 2017, the Executive Policy Committee concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 14, 2017, the Lord Selkirk-West Kildonan 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: **Subdivision and Rezoning – 650 Burrows Avenue**
File DASZ 2/2017

For submission to: **Executive Policy Committee**

Prepared by: **I. Skundberg, Committee Clerk**
Lord Selkirk-West Kildonan Community Committee

Report date: **March 17, 2017**

COMMUNITY COMMITTEE RECOMMENDATION:

On, March 14, 2017, the Lord Selkirk-West Kildonan 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 plan of subdivision proposed under File DASZ 2/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 2/2017 dated Jan. 27, 2017 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

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3. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

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11. 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.

The Lord Selkirk-West Kildonan Community Committee provided the following supporting reasons for its recommendation:

1. This is an excellent usage for this building right in the heart of the North End.

2. Its' location is not on a really busy street, although rush hour may be busier. Burrows Avenue is a beautiful street.

3. It is close to a couple of schools where some kids who get older may come back to the same area for helping with the housing issues.

4. The Lord Selkirk-West Kildonan Community Committee supports this type of move to have this type of programming, and to help young people get a foot up and move on with a life of good health.

PUBLIC HEARING SUMMARY

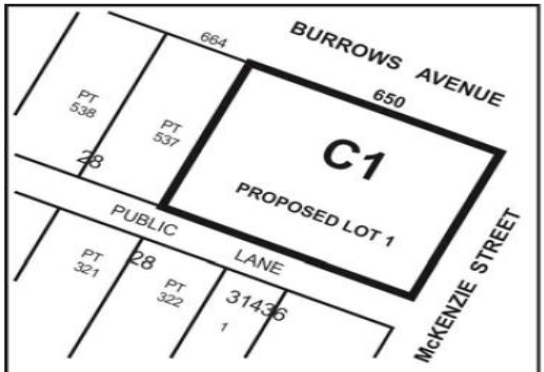
File: DASZ 2/2017

Before: Lord Selkirk-West Kildonan Community Committee
Councillor Eadie, Chairperson
Councillor Pagtakhan
Councillor Sharma

Public Hearing: March 14, 2017
Council Building, 510 Main Street

Applicant: Tammy Christensen, Ndinawemaaganag Endaawaad Inc.

Subject:



APPLICANT :
NDINAWEMAAGANAG
ENDAAWAAD INC.
FILE : DASZ 2/17
PROPOSAL : An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to a "C1" COMMERCIAL NEIGHBOURHOOD DISTRICT to facilitate the consolidation of lands for the establishment of a Social Service Facility use. **For information, phone Mr. N. Yauk, Planner, at 204-986-4560.**

Premises Affected: 650 Burrows Avenue

Exhibits Filed:

1. Application dated January 26, 2017
2. Notification of Public Hearing dated February 2, 2017
3. Manitoba Status of Titles 2535322/1 and 2535324/1
4. Letter of authorization dated January 29, 2017, from Gai Chung, President, Chanh Dao Vietnamese Buddhist Association of Manitoba, to Ndinawemaaganag Endaawaad Inc.
5. Surveyor's Building Location Certificate and sketch dated September 4, 1984
6. Plans (8 pages)
7. Report from the Urban Planning Division dated March 1, 2017
8. Inspection Report
9. Recording of Representations

REPRESENTATIONS:

In Support:

Tammy Christensen
Elizabeth Edel
Faron Edel
Damon Johnston
Kayla Stubbs
Jackie Stubbs

In Opposition

Nil

For Information:

Nil

For the City:

L. Rempel, Planner, Planning, Property and Development Department
N. Yauk, Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 2/2017 [c/r DCU 102956/2017D and DAV 102968/2017D]

ADMINISTRATIVE REPORT

Title: DASZ 2/2017 – 650 Burrows Ave

Issue: An application for consideration at the Public Hearing to rezone an existing R2 residential two-family zoning district to a "C1" Commercial Neighbourhood zoning district and consolidate all lands involved.

Critical Path: Lord Selkirk West Kildonan 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 2/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 2/2017 dated Jan. 27, 2017 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

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11. 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.

REASON FOR THE REPORT

- The applicant is proposing to rezone the property to C1 to accommodate the proposed social service facility.
- Subdivisions and re-zonings require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.
- 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 subject site will be rezoned consistent with the map provided in Schedule "A" of this report.

HISTORY

N/A

CONSULTATION

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Noah Yauk
Date:	March 1, 2017
File No.	DASZ 2/2017

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule "A" — Recommended File No. DASZ 2/2017 Lord Selkirk West Kildonan Community Committee, dated January 27, 2017

APPENDIX 'A'

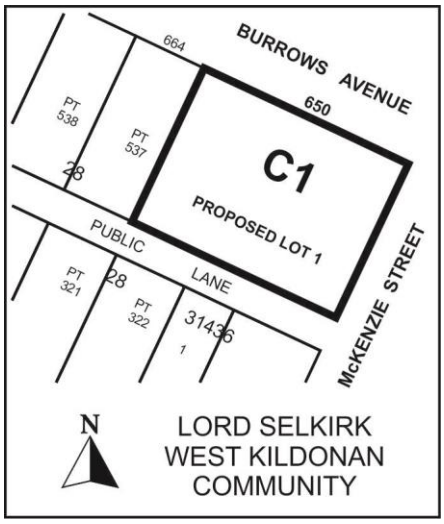
DATE: February 27, 2017

FILE: DASZ 2/2017
RELATED FILES:
COMMUNITY: Lord Selkirk West Kildonan
NEIGHBOURHOOD #: 3.302

SUBJECT: To rezone an existing R2 residential two-family zoning district to a C1 zoning district and consolidate all lands involved.

LOCATION: 650 Burrows Ave (see map below)

LEGAL DESCRIPTION: LOTS 534, 535, AND 536 PLAN 28 WLTO (W DIV) EXEC OUT OF ALL SAID LOTS SLY 8 FEET IN RL 39 PARISH OF ST. JOHN



APPLICANT: Ndinawemaaganag Endaawaad Inc. (Tammy Christensen)
370 Flora AVE
Winnipeg , Manitoba R2W 2R5

OWNER: Chanh Dao Vietnamese Buddhist Association of Manitoba Inc.
650 Burrows AVE
Winnipeg , Manitoba R2W 2A8

RECOMMENDATION: Approval with Conditions

SITE DESCRIPTION

- The subject property is located at 650 Burrows Ave, in the William Whyte neighbourhood of the Mynarski ward.

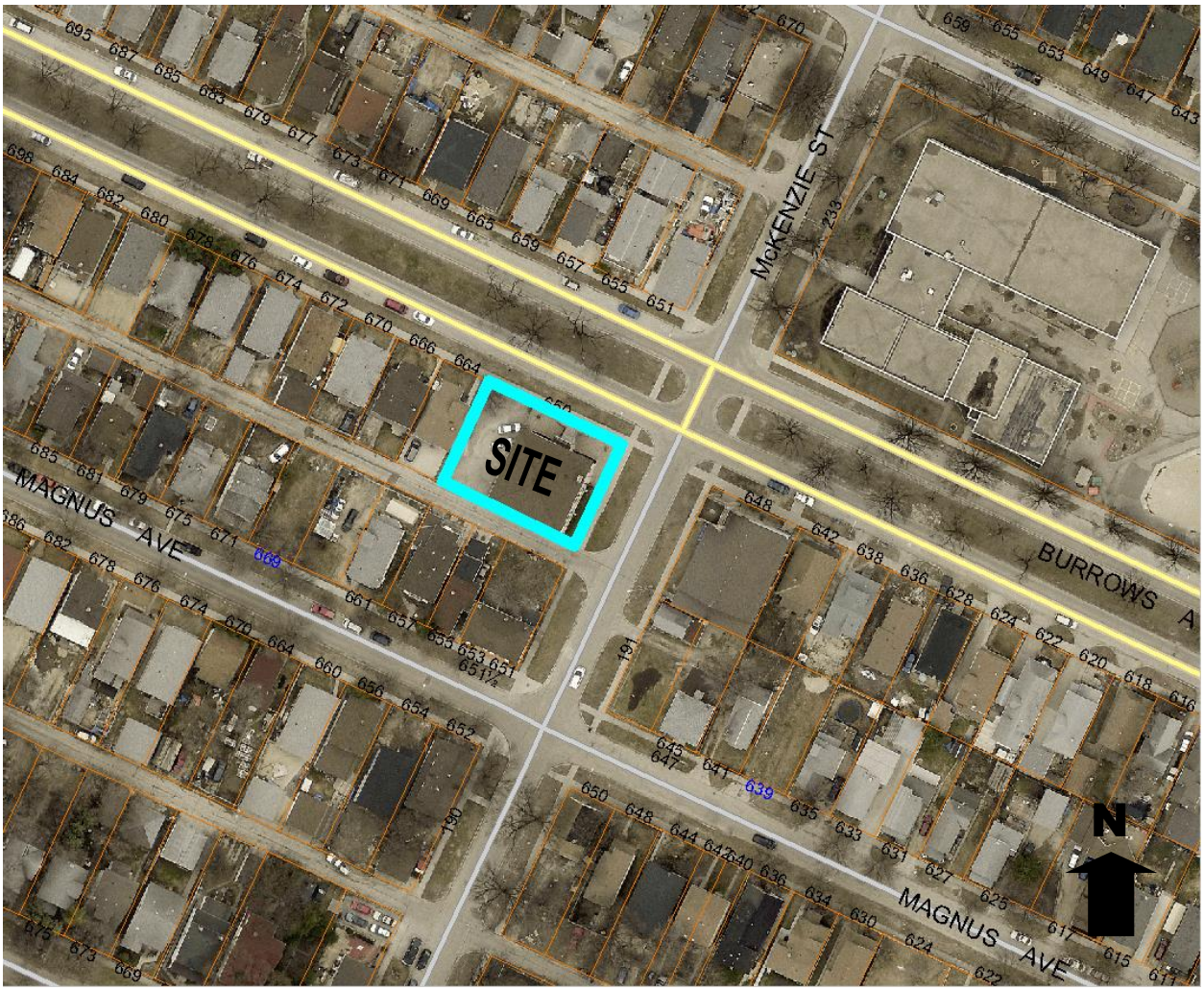


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2016)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Burrows Avenue, then single-family dwellings zoned “R2” Residential Two-Family District.

South: Single-family and multi-family dwellings zoned “R2” Residential Two-Family District.

East: McKenzie Street, then a place of worship zoned “R2” Residential Two-Family District.

West: A Single-family dwelling zoned “R2” Residential Two-Family District.

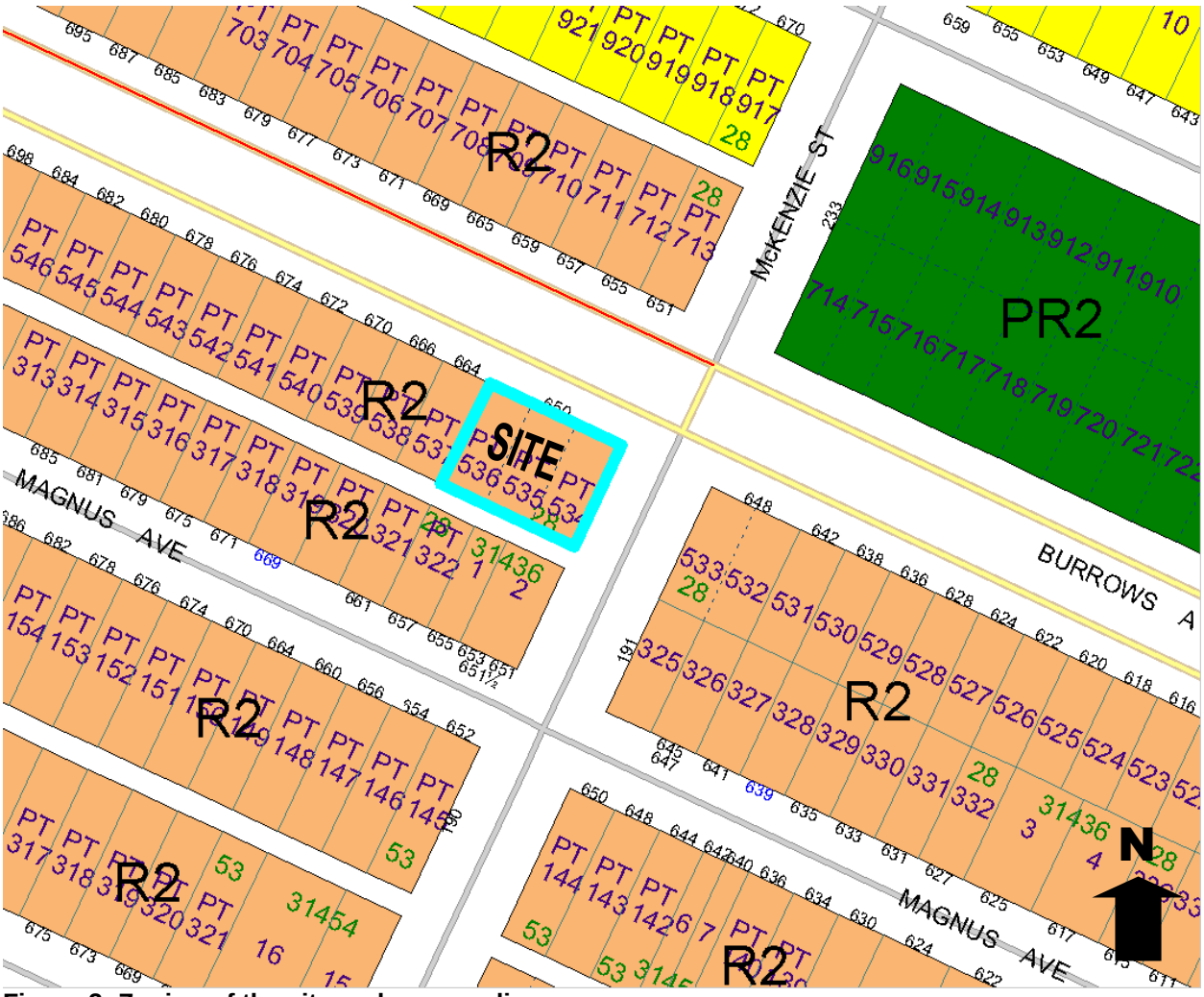


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone 650 Burrows Ave to C1 to facilitate the conversion of the existing building to a social service facility use.
- A social service facility use is a conditional use in the C1 zone. The applicant has applied for a conditional use (see File No. DCU 17-102956D) to establish a social service facility use.
- The applicant has applied for variances (see File No. DAV 17-102968D). Most variances are to accommodate the existing site conditions.

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ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

Under the Complete Communities Direction Strategy the proposed development is within the Areas of Stability – Mature Communities policy area. Key policies guiding development within Areas of Stability include:

- Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form.
- Support a mix of commercial services and employment uses that serve the local community.
- Approve new locations for commercial development where significant residential areas are not well served with commercial space, where existing commercial areas cannot accommodate expansion, where the long-term negative impacts on existing regional and commercial centres will be minimal, where additions to the regional street system can be demonstrated to have long-term benefits and where a full range of municipal infrastructure can be provided in an environmentally-sound, economical, and timely manner.

From a policy perspective, the proposed rezoning and land use are seen to be consistent with planning policies. The use itself can be classified as a public/institutional use which is appropriate in a neighbourhood setting. Should the use of the property change in the future, the proposed “C1” zoning district also accommodates a variety of neighbourhood commercial uses that can serve residential uses in the area. It is also noted that there are many corner lots on Burrows Ave that are zoned for commercial uses such as those that intersect with streets like Arlington, Salter and McGregor.

ZONING

- The Commercial Neighbourhood (C1) district is intended to accommodate small, compact commercial uses within or surrounded by residential areas that are attractive and compatible in scale and character with surrounding residential uses, to serve the convenience needs of the surrounding neighbourhood. This district is not intended to accommodate businesses sized or designed to serve a trade area more than one-half mile from the business. C1 districts are generally located in Neighbourhood or Community mixed use centres or along Neighbourhood or Community mixed use corridors.

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COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- It is important to recognize the existing site has functioned as a non-residential use in the neighbourhood for many decades. In this sense, the building and the activity that has been associated with it, is part of the community context in which it is situated. The proposed redevelopment will repurpose and upgrade the existing building into a use that will provide community based programming to support indigenous youth by creating opportunities to foster independence, self-sufficiency and success. Activity on the site will consist of administrative duties, a child and youth care training program, and a housing support program.

- The proposed rezoning will serve to put an existing, and currently vacant building back to a productive use, a use that will serve the local community.
- The proposed “C1” zoning designation will accommodate the proposed use as well as provide flexibility for a variety of neighbourhood community uses in the future.

CONDITIONS OF APPROVAL

- Given that the redevelopment is the conversion of an existing building there are limitations in terms of site design. However, should the site be redeveloped in the future, it should be done in a manner that is sensitive to neighbouring land uses. As a result, a recommended condition of approval is that any future plans for development require development plans to be approved by the Director, Planning, Property and Development as well as the Lord Selkirk West Kildonan Community Committee.

RECOMMENDATION

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

- The proposed development is consistent with the policies of the Complete Communities Direction Strategy; and
- The proposed development occurs within an existing building and will not have a substantial negative impact on adjoining land uses.

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

Report Prepared By: Noah Yauk
PPD File # DASZ 2/2017

Schedule "A" for File No. DASZ 2/2017, Lord Selkirk – West KIldonan Community Committee, dated January 27, 2017

By-Law No. _____

File No. **DASZ 2/17**

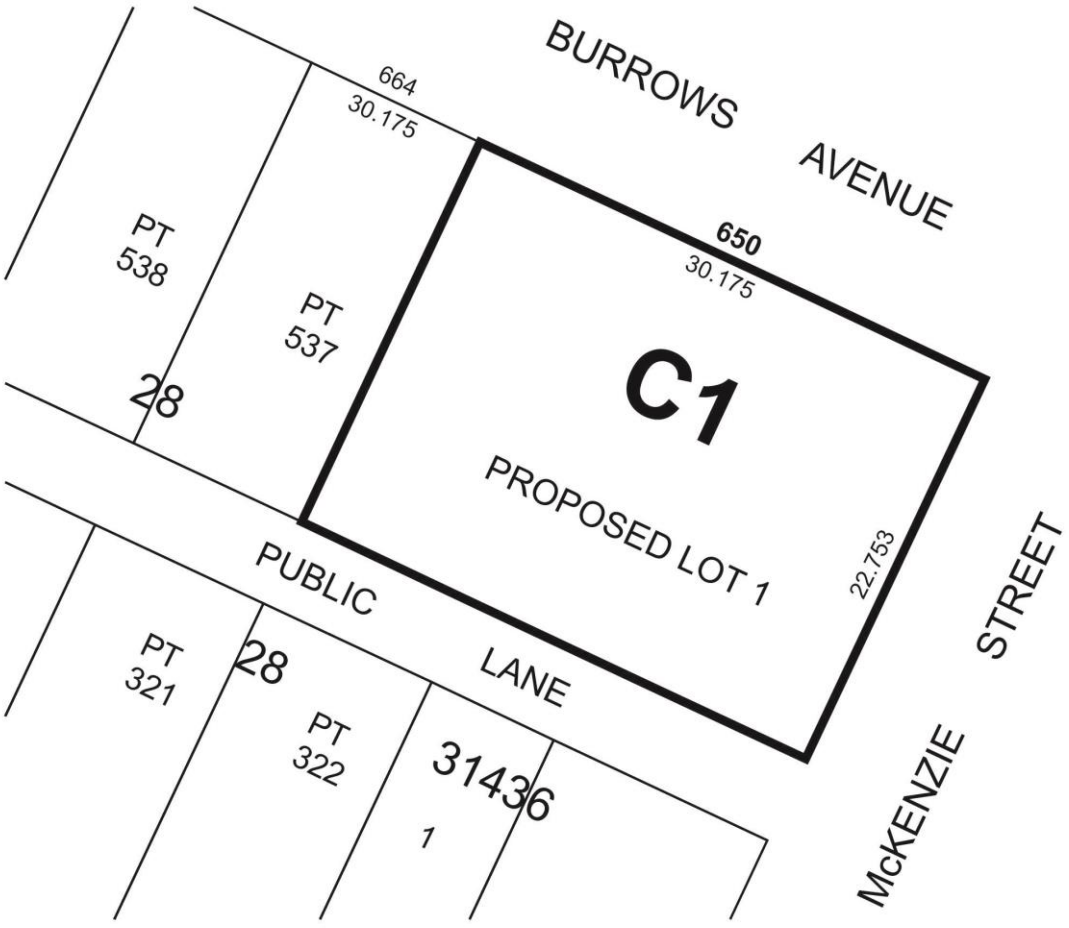
Atlas Sheet No. **W24**

N

LORD SELKIRK WEST KILDONAN COMMUNITY

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 650 Burrows Avenue from an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to a "C1" COMMERCIAL NEIGHBOURHOOD DISTRICT to facilitate the consolidation of lands for the establishment of a Social Service Facility use as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____