Minutes – Executive Policy Committee – April 16, 2019

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 1, 2019

Item No. 7 Secondary Plan Amendment – 700 Elgin Avenue (Point Douglas Ward) File SPA 1/2018 [c/r DASZ 23/2018 and DAV 170509/2018D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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 second and third reading be given to the By-law.

2. That the Proper Officers 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 – April 1, 2019

DECISION MAKING HISTORY:

Moved by Councillor Mayes,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On April 1, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 12, 2019, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

RE: **Secondary Plan Amendment – 700 Elgin Avenue**
File SPA 1/2018

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

Prepared by: **P. Prinsloo, Committee Clerk**
Lord Selkirk-West Kildonan Community Committee

Report date: **March 13, 2019**

COMMUNITY COMMITTEE RECOMMENDATION:

On March 12, 2019, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That Council give second and third reading to the By-law.

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

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

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report of the Urban Planning Division dated February 26, 2019.

2. I am quite familiar with this property from when I worked with my predecessor Councillor Mike and I know these guys have done an excellent job in working with the community and they've done two community consultations and have heard some great feedback and glad to see that we're revitalizing this area; and it's been really good to see and I am excited to see the Plan Approval come back to this committee so that we can talk more about the landscaping and the lighting and stuff like that.

3. This is a great project and I am supportive of it.

PUBLIC HEARING SUMMARY

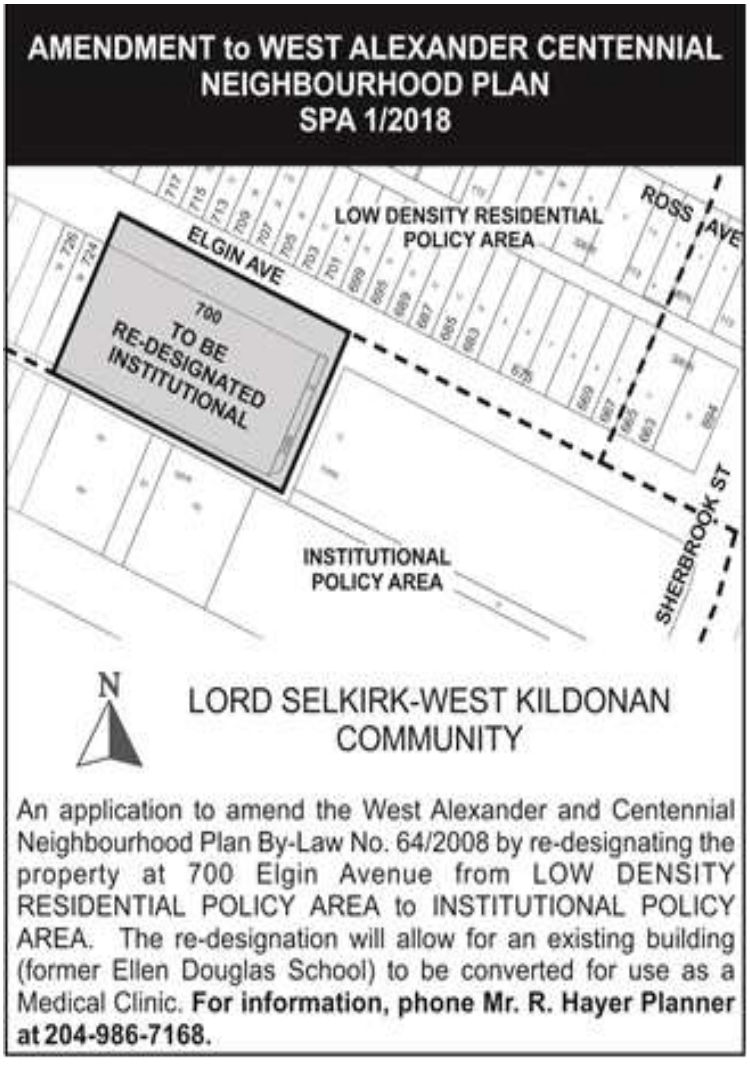
File: SPA 1/2018

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

Public Hearing: March 12, 2019
Council Building, 510 Main Street

Applicant: MMP Architects Inc.

Subject:



Premises Affected: 700 Elgin Avenue

Exhibits Filed:

1. Application dated July 23, 2018
2. Notification of Public Hearing dated November 6, 2018
3. Manitoba Status of Titles 2887057/1, 2887058/1, 2887059/1, 2887061/1, 2887062/1, 2887063/1, 2887064/1, 2887066/1, 2887067/1, 2887068/1
4. Letter of authorization dated February 7, 2018 from The Winnipeg Regional Health Authority Capital Planning to Winnipeg Regional Health Authority
5. Letter of authorization dated September 7, 2018 from MMP Architects Inc., on behalf of The Winnipeg Regional Health Authority
6. Surveyor's Building Location Certificate and sketch dated March 9, 2018
7. Caveat 177622
8. Sketch of proposed subdivision dated August 30, 2018
9. Plans (7pages)
10. Report from the Urban Planning Division dated February 26, 2019
11. Inspection Report
12. Recording of Representations
13. Presentation in support of the application submitted by the Applicant at the public hearing

REPRESENTATIONS:

In Support:

Aaron Simoes
Carlos Vieira
Heidi Johnson

In Opposition:

Nil

For Information:

Nil

For the City:

R. Hayer, Planner, Planning, Property and Development Department

Exhibit "10" referred to in File SPA 1/2018

ADMINISTRATIVE REPORT

Title: By-law No. 94/2018 – Amendment to the West Alexander and Centennial Neighbourhood Plan By-Law No. 64/2008 in respect of 700 Elgin Ave.

Item: For consideration at the Public Hearing for a secondary plan amendment to re-designate a parcel of land at 700 Elgin Avenue.

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	J. Kiernan	n/a	n/a

EXECUTIVE SUMMARY

On Aug. 1, 2018 the Urban Planning and Design Division received an application to amend the *West Alexander and Centennial Neighbourhood Plan* By-Law No. 64/2008 (the 'Plan'), proposing to re-designate a 33,823 sq. ft. property located at 700 Elgin Ave (the 'subject parcel') from the 'Low Density Residential Policy Area' to the 'Institutional Policy Area' of the Plan. The proposed amendment also provides an exemption in respect of the subject parcel to the requirement that amendments to the Plan be applied to no less than one city block.

The applicant is proposing to amend the Plan to convert an existing building (former school that has been vacant for several years) to a medical clinic. The proposed use is not accommodated in the 'Low Density Residential Policy Area' of the Plan. The amendments as proposed will provide the policy environment to enable an associated rezoning to an 'EI' Educational and Institutional district, a zoning designation that will accommodate the proposed development. The subject property is immediately adjacent to the 'Institutional Policy Area'.

Council gave first reading to the By-law on January 31, 2019 and instructed the Lord Selkirk/West Kildonan Community Committee to hold a hearing prior to being considered for second and third reading by Council.

RECOMMENDATIONS

1. That Council give second and third reading to the By-law
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

- On January 31, 2019, Council gave first reading to By-law No. 94/2018 – which amends the *West Alexander and Centennial Neighbourhood Plan* (By-Law No. 64/2008) by re-designating property at 700 Elgin Ave to 'Institutional Policy Area' from 'Low Density Residential Policy Area'.
- Only Council can enact a by-law. A public hearing with respect to the secondary plan by-law is required to be held between first and second reading (as per subsection 234(3) of *The City of Winnipeg Charter*).

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Public Service are concurred in, By-law No. 94/2018 will be given second and third reading and Council will be able to consider a proposal (DASZ 23/2018) to rezone the subject land to 'EI' – Educational and Institutional to allow for the establishment of a medical clinic.

HISTORY/DISCUSSION

- On January 31, 2019, Council gave first reading to By-law No. 94/2018 (an amendment to the *West Alexander and Centennial Neighbourhood Plan* By-Law No. 64/2008) and directed the Lord Selkirk – West Kildonan Community Committee to conduct a public hearing on the matter (see Council Minutes – Item No. 28 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development, dated January 7, 2019: http://clkapps.winnipeg.ca/dmis/ViewPdf.asp?SectionId=520343)
- The *West Alexander and Centennial Neighbourhood Plan* By –law 64/2008 (the 'Plan') was adopted by Council on July 16th, 2008.
- The subject property at 700 Elgin Avenue is located in the 'Low Density Residential Policy Area' of the Plan and is zoned 'R2' Residential Two-Family district.
- Properties adjacent to both the east and south of the subject parcel are designated 'Institutional Policy Area'. The property to the east contains the new HSC Women's Hospital and the property to the south contains the William Avenue Parkade. Properties west of the subject parcel contain single family residential.

- The applicant intends to repurpose the existing building (formerly Ellen Douglas School) into a medical clinic as part of the Health Sciences Centre campus.
- The subject parcel is currently designated 'Low Density Residential Policy Area' which restricts development to single and two-family dwellings. The policies of the 'Institutional Policy Area' allow for the intended use (i.e. medical centre).
- Two (2) amendments are required to the Plan to allow for a medical centre to be established on the subject parcel:
    - The subject parcel must be re-designated to 'Institutional Policy Area', and
    - An amendment is required to a policy which requires that expansion of the 'Institutional Policy Area' only be considered if the proposed re-designation applies to all lots on one side of a City block.
- The Plan provides an 'Institutional Expansion Area' into which the 'Institutional Policy Area' may be expanded through a Plan Amendment. The subject parcel is within the 'Institutional Expansion Area'.
- Even though the properties to the west are also within the 'Institutional Expansion Area', it is pre-mature to extend the 'Institutional Policy Area' beyond the subject land to the remainder of the City block. Doing so would negatively affect the residential property owners west of the subject land.
- The proposed amendment should be supported as the subject parcel is contiguous to the existing 'Institutional Policy Area' and will repurpose an existing building which has sat vacant for several years with little or no development opportunities based on existing Plan policies.

CONSULTATION

This Report has been prepared in consultation with:

N/A

OURWINNIPEG POLICY ALIGNMENT

The subject property is located within the 'Areas of Stability – Mature Communities Policy Area' (Section 4) as designated by the *Complete Communities Direction Strategy*.

Areas of Stability accommodate low to moderate change in a contextually suitable manner. Supporting Direction and Enabling Strategies for 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.*
- *Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments***.**

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning and Design
Prepared by: Mike Lennon, Planner
Date: February 26, 2019
File No. SPA 1/2018

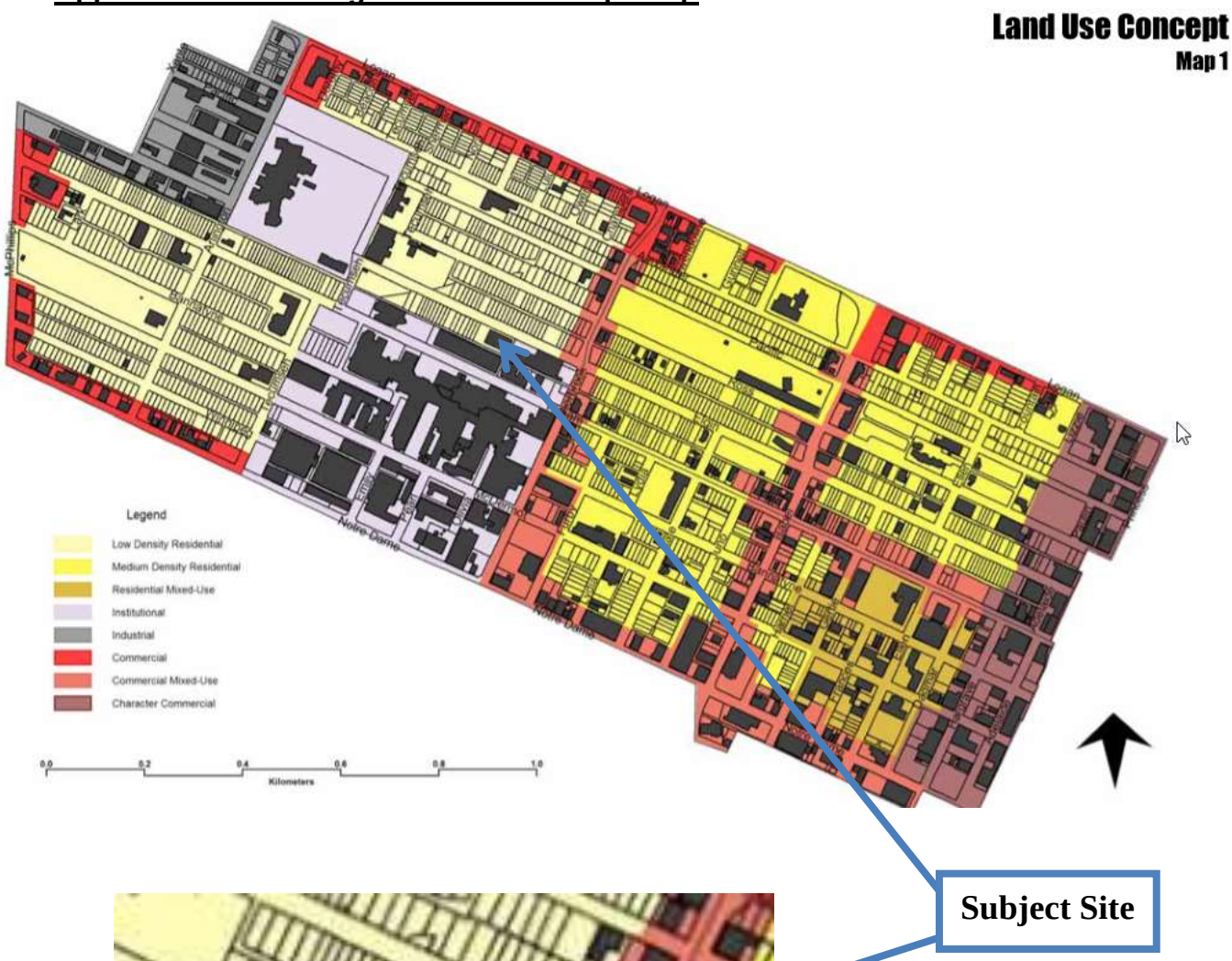
List of Schedules and Attachments

Appendix ‘A’ – Draft By-Law
Appendix ‘B’ – Aerial Photo of Subject Property
Appendix ‘C’ – Existing Land Use Concept Map
Appendix ‘D’ – Planning Discussion

Appendix 'B': Aerial photo of subject property



Appendix ‘C’: Existing Land Use Concept Map



Appendix ‘D’: Planning Discussion

DATE:	October 9, 2018
FILE NUMBER:	SPA 1/2018
RELATED FILES:	DAZ 206/2018D
COMMUNITY:	West Alexander, Point Douglas Ward
SUBJECT:	Proposed Amendment to the *West Alexander and Centennial Neighbourhood Plan* (Secondary Plan By-law 64/2008).
LOCATION:	700 Elgin Ave
APPLICANT:	MMP Architects (Aaron Simoes)
OWNER:	Winnipeg Regional Health Authority

SUMMARY

- The applicant is proposing to amend the West Alexander and Centennial Neighbourhood Plan (Secondary Plan By-law 64/2008).
- The proposed amendment seeks to re-designate the subject lands to Institutional Policy Area from the Low Density Residential Policy Area.
- The proposed amendment also requires that Policy 1. Of Chapter 11 be altered to allow for less than a full block to be re-designated at a single time.

SITE DESCRIPTION

The subject property is located on the south side of Elgin Ave between Sherbrook St and Tecumseh St in the West Alexander neighbourhood of the Point Douglas ward.

The site is designated as ‘Areas of Stability – Mature Communities Policy Area’ under the *Complete Communities Direction Strategy*. The property is zoned ‘R2’ Residential Two-Family district. Existing on the property is a former school (Ellen Douglas School) which is approximately 15,000 square feet in size.



Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2018)*

North: Elgin Ave, then single-family dwellings zoned 'R2' Residential Two-Family District.

South: A four storey parkade zoned 'EI' Educational and Institutional District.

East: a public lane, the Women's Hospital zoned 'C2' Commercial Community District.

West: Single-family dwellings zoned 'R2' Residential Two-Family District.



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to repurpose the existing building and use it as a medical clinic as part of the Health Sciences Centre campus.
- The proposed development requires an amendment to the *West Alexander and Centennial Neighbourhood Plan* by re-designating the site so as to include it in the Institutional policy area. The proposed amendment also requires relief from a procedural element of the plan which requires future amendments into the Institutional policy area to come forward at a minimum of one side of a city block.
- The applicant has also submitted an associated application (DAZ 206/2018) to rezone the subject lands to an 'EI' Educational and Institutional zoning district.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

The subject property is located within the Areas of Stability – Mature Communities Policy Area as designated by the *Complete Communities Direction Strategy*.

Areas of Stability accommodate low to moderate change in a contextually suitable manner. Supporting Direction and Enabling Strategies for Areas of Stability include:

Direction 1

- *Support low to moderate change in low density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character, and built form.*
- *Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.*

WEST ALEXANDER AND CENTENNIAL NEIGHBOURHOOD PLAN

With respect to the development proposal, the policies of the *West Alexander and Centennial Neighbourhood Plan* provide the most important policy direction.

While the subject site is currently designated as Low Density Residential Policy Area, it is worth noting that the plan contemplates a future re-designation of the site and others within the Institutional policy area. In fact, part of the reason for the Plan's existence was to provide some certainty and direction as to how the institutional footprint of the Health Sciences Centre might grow in the long term. For this reason the Plan includes a map called 'Institution with Proposed Expansion Area' (see figure 3) which includes the existing Institutional policy area footprint and a future expanded footprint. The subject site is included on the 'Institution with Proposed Expansion Area' map and is the first property directly north and west of the existing Institutional Policy Area boundary. In this fashion the proposed amendment would shift the boundary of the Institutional Policy Area contiguously to include the subject site, which for all intents and purposes is an institutional building (a former school). In light of this, the proposed amendment seems a logical and somewhat planned expansion of the Institutional Policy Area. It is also important to consider that the existing policy area, which essentially limits development to single and two family dwellings, makes it almost impossible to redevelop the site without the need to remove the existing building. The amendment as proposed will allow a vacant building to be put to productive use without altering the character of the neighbourhood.

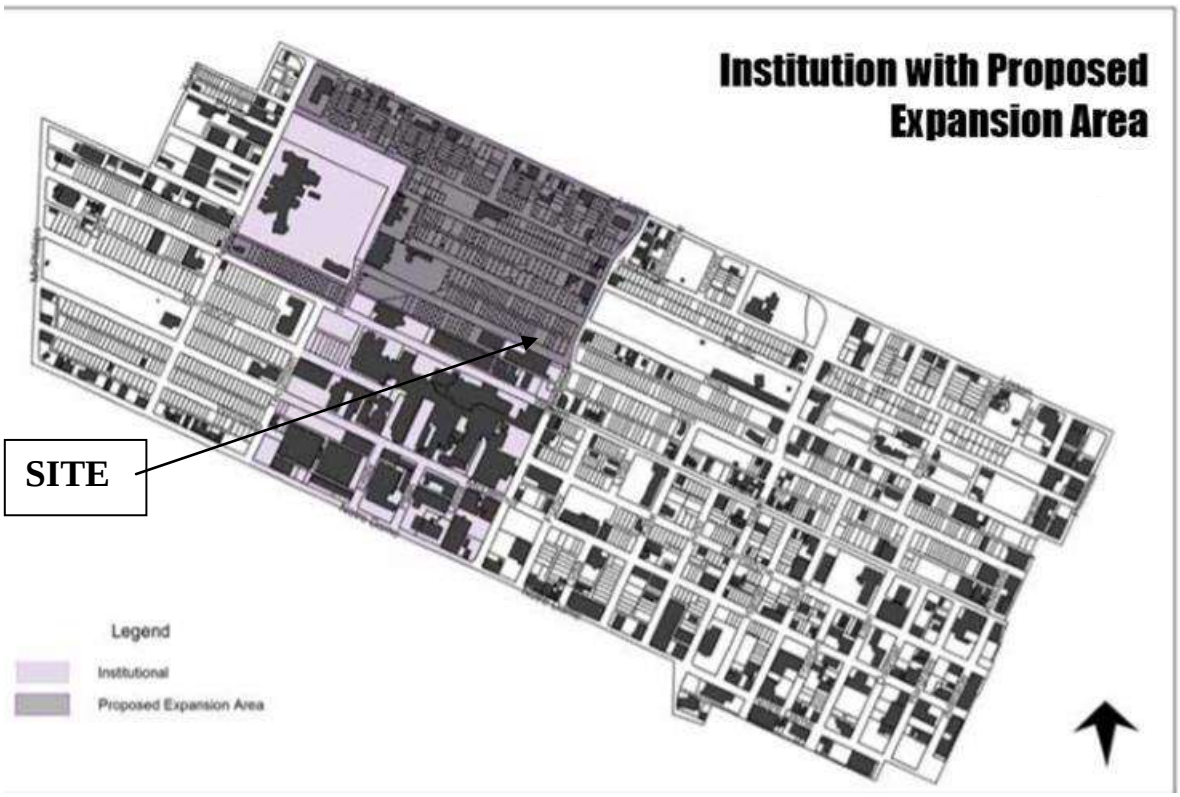


Figure 3: Institution with Proposed Expansion Area

Plan Amendments – Institutional Sector

In the context of a future expanded Institutional Policy Area, the Plan does outline a specific process to be followed. This requirement, under the heading Plan Amendments – Institutional Sector, requires that:

Chapter 11, Plan Amendments – Institutional Sector

1. *"Fifty percent (50%) +1 of the properties within the area defined for re-designation must be included as participants in an amendment application…*
2. *A minimum of one side of a City block is required (excluding the Public Works Yards), but plans should consider future development on both sides of the street."*

The above *Policy 1.* requires proposed re-designations (Plan Amendments) to include at least 50% of a city block. This process makes sense in that amendments will need to occur in a contiguous and well thought out manner as opposed to an ad-hoc process that would typically occur if amendments were on a site by site basis. However, with respect to the subject site and surrounding land uses there are some unique considerations that suggest a re-designation is appropriate at the site level, not the block level. These considerations include:

1) The Institutional Policy Area abuts the subject site to the south and east. This makes the amendment contiguous to the existing Institutional Policy Area footprint.
2) The subject site contains a building that is institutional in nature (a former school). Therefore the building typology is consistent with the Institutional policy area.
3) The existing policy designation provides a significant hardship to the re-purposing of the existing building in that uses are limited to single and two-family dwellings. Development that adheres to those land uses would require the removal of the building.
4) An amendment at the minimum geography required (one side of a city block) could potentially cause detriment to properties from a policy perspective in that most of the properties on this block of Elgin Ave are single-family homes. Including, or attempting to include those properties in an amendment could result in a land use designation where those homes would be deemed non-conforming with respect to policy. Leaving these properties out of the mix allows them to maintain a policy designation that aligns with existing land uses. In accordance with amending the one specific property, the subject site could be excluded from the block minimum as are the Public Works Yards.

CONCLUSION

The proposed amendment, to re-designate lands at the edge of an existing Institutional Policy Area of the Plan to be included in the Institutional Policy Area meets the intent of the Plan. As noted, the lands are also deemed appropriate for future inclusion in the Institutional policy area as described in the Plan and illustrated in Map 10 'Institution with Proposed Expansion Area'. This policy context along with the institutional nature of the existing building suggests that an Institutional policy designation would be a better fit for the subject site. That the site has sat vacant for several years speaks to the challenges of site redevelopment in the current policy context. While good intentioned, the process policies prescribed in the Plan with respect to the expanding the Institutional area are pre-mature at the block level in that the nature of the predominant land uses (single-family dwellings) best fit with the existing Low Density Residential Policy Area.

RECOMMENDATIONS

That the proposed amendment to re-designate the subject lands to Institutional Policy Area proceed to a public hearing at the Lord Selkirk- West Kildonan Community Committee.