Agenda - Council - March 22, 2006

Report - Standing Policy Committee on Property and Development - February 28, 2006

Item No. 3 Rezoning – 405 Agnes Street
File DAZ 200/2006

STANDING COMMITTEE RECOMMENDATION:

On March 15, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submits the following to Council:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 200/2006 dated January 20, 2006, to an "RM-1" Multiple-Family District.

2. 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 the market value of the land.

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 same to Council for all three (3) readings.

5. 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 - Standing Policy Committee on Property and Development - February 28, 2006

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 15, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 28, 2006, the Standing Policy Committee on Property and 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 January 31, 2006, the City Centre Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Rezoning – 405 Agnes Street**
File DAZ 200/2006 [c/r DAV 108043/2006D]

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

Prepared by: **Josie Marques, Clerk,**
City Centre Community Committee

Report date: **February 2, 2006**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 31, 2006, the City Centre Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 200/2006 dated January 20, 2006, to an "RM-1" Multiple-Family District.

2. 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 the market value of the land.

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5. 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 reason(s) for its recommendation:

1. The development is consistent with Plan Winnipeg and there is no reason not to approve it.

PUBLIC HEARING SUMMARY

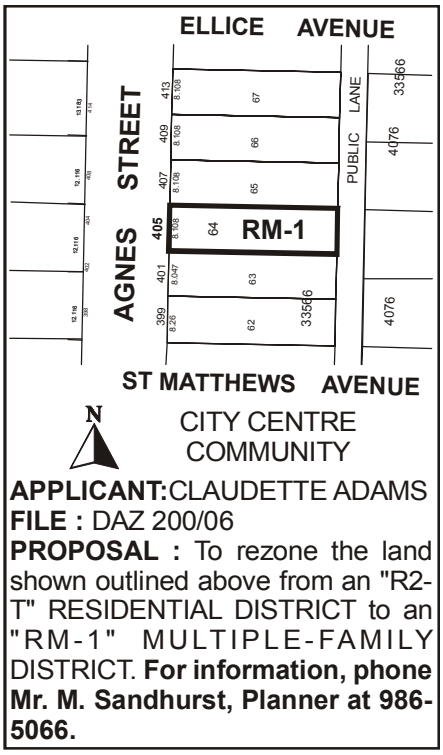
File: DAZ 200/2006 [c/r DAV 108043/2006D]

Before: City Centre Community Committee
Councillor Gerbasi, Chairperson
Councillor Benham
Councillor Smith

Public Hearing: January 31, 2006
West Committee Room
Council Building, 510 Main Street

Applicant: Claudette Adams

Subject:



Premises Affected: 405 Agnes Street

Exhibits Filed:

1. Application dated January 5, 2006
2. Notification of Public Hearing dated January 9, 2006
3. Manitoba Status of Title 1451120
4. Surveyor's Building Location Certificate and sketch dated March 6, 1987
5. Plan (1 page)

6. Report from the Manager of Planning and Land Use dated January 20, 2006
7. Inspection Report

REPRESENTATIONS:

In Support:

Claudette Adams

In Opposition

Nil

For Information:

Nil

For the City:

Mr. M. Sandhurst, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

The applicant, Claudette Adams, appeared in support and gave an overview on the proposal.

Exhibit "6" referred to in File DAZ 200/2006 [c/r DAV 108043/2006D]

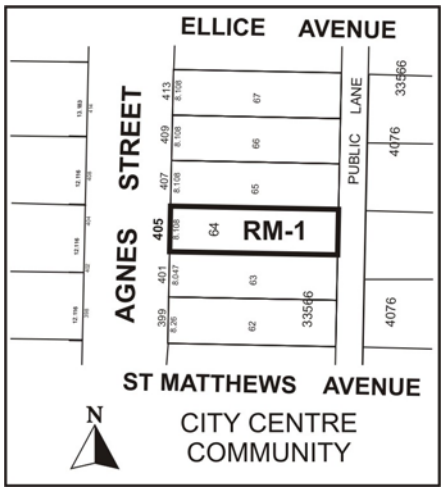
Winnipeg

Planning, Property and Development Department Report

To City Centre Community Committee

Date: January 20, 2006
File: **DAZ 200/06**
Related Files: DAV 06-108043D
Subject: To amend By-Law No. 6400/94 by rezoning the land shown below from an "R2-T" Two-Family Transitional District to an "RM-1" Multiple-Family District.

Location: 405 Agnes Street
Legal Description: SP Lot 64, Plan 33566



Applicant: Claudette Adams
Owner: Claudette Adams

Recommendation: *Approved*
6026

Site Description
The subject site is located on the east side of Agnes Street, between St. Matthews and Ellice avenues. It's currently developed with a 2-1/2 storey dwelling that is occupied by a seven-unit rooming house. The property is currently zoned "R2-T" Two-Family Transitional District. Neighbouring properties are also zoned "R2-T" and are developed with a variety of single-family dwellings, two-family dwellings, and rooming house conversions.

Background
This property has been occupied as a rooming house (seven units) at least as early as 1994, when it was inspected under the Fire Safety Upgrading and granted a Rooming House License.

Description of the Proposed Development
The applicant intends to continue operation of the seven-unit rooming house, with no expansion of the existing building and no addition to the number of units. The rezoning is necessary in order to maintain the current use of this property—since "Boarding or Rooming House, for not more than 12 persons" is only permitted in "RM" Multiple-Family Districts. The related variance application (DAV 06-108043D) recognizes existing building site dimensions, site area, building setbacks, and parking deficiencies.

Analysis
The subject site is located within the St. Matthews neighbourhood. *Plan Winnipeg* designates St. Matthews a "Neighbourhood" policy area. This rooming house has evidently operated without incident since initially granted a license in 1994. With the rezoning coming into force and effect, Zoning & Permits Branch will inform License Branch that annual Rooming House Licenses will be required for the ongoing operation at this location.

Recommendation

The Planning and Land Use Division recommend approval for the following reasons:
- The proposal is consistent with Plan Winnipeg;
- The rezoning is necessary to maintain an existing use that has operated without incident.

Recommended Conditions of Approval

I. That The Winnipeg Zoning By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 200/06, attached hereto and dated January 20, 2006, to an "RM-1" Multiple-Family District.

II. That a ten (10) per cent 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 the market value of the land.

III. 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.

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

V. 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.

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

Report Prepared by: M. Sandhurst
PPD File # DAZ 200/06

Schedule "A"

By-Law No. _____

File No. **DAZ 200/06**

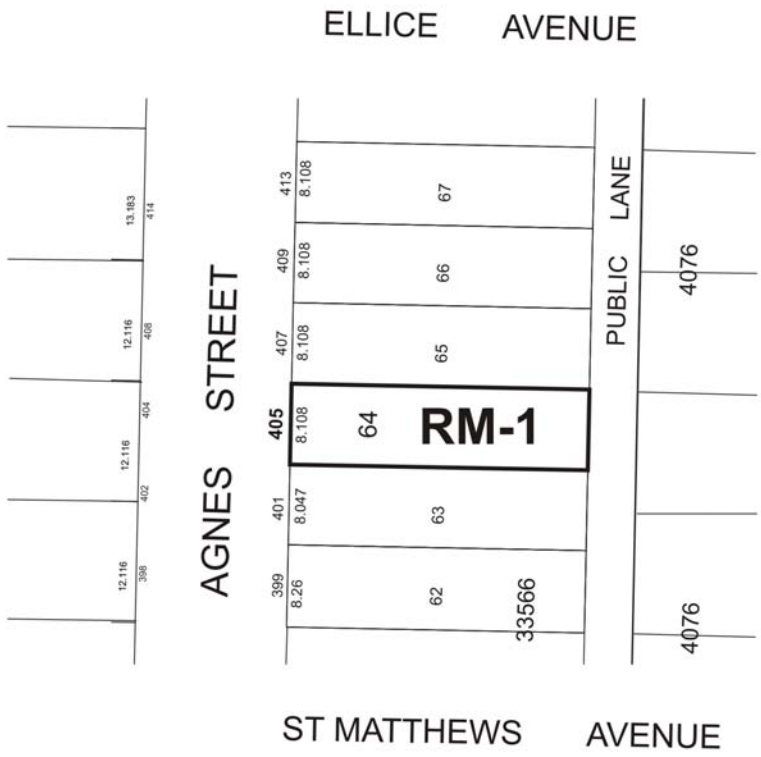
Atlas Sheet No.

N

AA23
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located at 405 Agnes Street from an "R2-T" RESIDENTIAL DISTRICT to an "RM-1" MULTIPLE-FAMILY DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule "A" to the report to City Centre Community Committee for file # DAZ 200/06 dated January 20, 2006.