Minutes - Executive Policy Committee – April 19, 2006

Minute No. 359
Report - Standing Policy Committee on Property and Development - April 4, 2006

Item No. 12 Rezoning - 133 Pandora Avenue
File DAZ 210/2006

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona 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 210/2006 dated February 24, 2006, to a "R1-2.5" Residential District.

2. 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.

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.

Minutes - Executive Policy Committee – April 19, 2006

Report - Standing Policy Committee on Property and Development – April 4, 2006

DECISION MAKING HISTORY:

Moved by Councillor De Smedt,

That the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On April 4, 2006, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 21, 2006, the East Kildonan-Transcona Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Rezoning - 133 Pandora Avenue**
File DAZ 210/2006

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

Prepared by: **Inga K. Skundberg, Clerk,**
East Kildonan-Transcona Community Committee

Report date: **March 27, 2006**

COMMUNITY COMMITTEE RECOMMENDATION:

On March 21, 2006, the East Kildonan-Transcona 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 210/2006 dated February 24, 2006, to a "R1-2.5" Residential District.

2. 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.

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.

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

1. The subject application is consistent with the neighbouring area, and creates in-fill housing which strengthens the existing residential district.

PUBLIC HEARING SUMMARY

File: DAZ 210/2006

Before: East Kildonan-Transcona Community Committee
Councillor Lubosch, Chairperson
Councillor Thomas
Councillor Wyatt

Public Hearing: March 21, 2006
Community Committee Chambers, 755 Henderson Highway

Applicant: Global Homes Ltd.
(Bernhard Goertzen)

Subject:



Premises Affected: 133 Pandora Avenue

Exhibits Filed:

1. Application dated February 21, 2006
2. Notification of Public Hearing dated February 27, 2006
3. Manitoba Status of Title 2130458
4. Report from the Planning and Land Use Division dated February 24, 2006
5. Inspection Report

REPRESENTATIONS:

In Support:

Alvin Kleinsasser

In Opposition

Nil

For the City:

Mr. J. Wintrup, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Alvin Kleinsasser appeared in support of the application, and indicated concurrence in the recommendations contained in the administrative report from the Planning and Land Use Division dated February 24, 2006.

Exhibit "4" referred to in File DAZ 210/2006

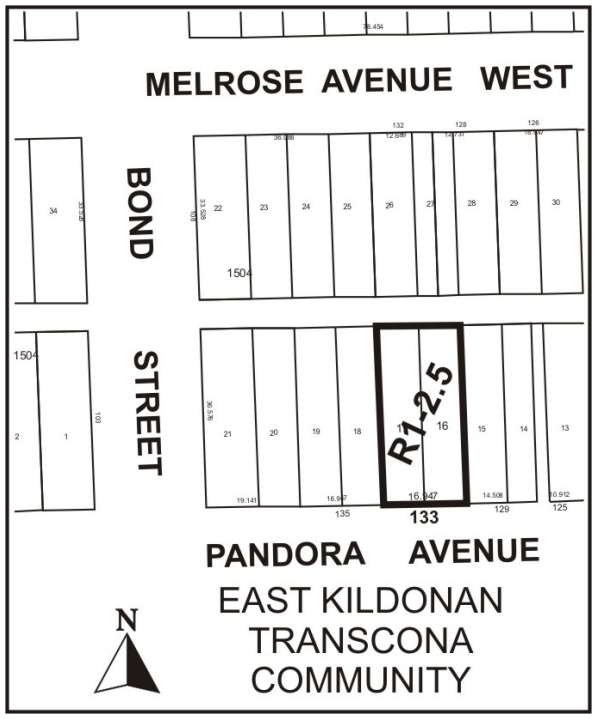
Winnipeg

Planning, Property and Development Department Report

To the East Kildonan - Transcona Community Committee

Date: **February 24, 2006**
File: **DAZ 210/06**
Related Files: **DAZ 241/04**
Subject: **Rezone the land to allow the construction of two (2) single family dwellings.**

Location: **133 Pandora Avenue West**



Applicant: **Global Homes Ltd. (Bernhard Goertzen)**
Owner: **Global Homes Ltd. (Bernhard Goertzen)**

Recommendation: **Approve with Conditions.**

Report Summary:

- The applicant intends to construct a single family residential dwelling on each lot.
- The characteristics of Pandora Avenue along the north side is mainly residential.
- Adjacent lands include single family dwellings to the east zoned **"M1" Industrial District.**
- Additional residential dwellings will compliment the existing residential dwellings.

Site Description

The subject properties are 27 feet by 120 feet and **3,336 square feet** located on the north side of Pandora Avenue West between Day and Bond Streets in the Melrose neighbourhood of the Transcona Ward. The site is zoned **"M1" Industrial District** and is vacant. Adjacent lands include single family dwellings to the east and a multiple family dwelling to the west all zoned **"M1" Industrial District**. Surrounding uses include single family dwellings to the north and the CNR Transcona Yards to the south.

Description of the Proposed Development

The applicant intends to construct a single family residential dwelling on each lot.

Analysis

PLAN WINNIPEG
The proposed concept is consistent with Plan Winnipeg in that a residential rezoning is allowed in Neighbourhood Policy Areas. The subject properties are designated 'Neighbourhood' in Plan Winnipeg and not 'Industrial'.

SECONDARY PLAN
The recently approved 'Transcona Yards Industrial Neighbourhood Area Redevelopment Plan' northern boundary is Pandora Avenue and southern boundary is Dugald Rd. The subject property is located outside this secondary plan area.

ZONING

- The **"R1-2.5" Single Family Residential District** will require a minimum lot size of 2,500 square feet and minimum lot width of 25 feet. Side yards of 3 feet are required. This zoning lot also requires access to a public lane.
- The **"M-1" Industrial District** allows for higher standard industrial operations with all operations contained in an enclosed building with 137 Permitted Uses and 28 Conditional Uses.

LAND USE BY-LAW ISSUES
The **"M-1" Industrial District** allows industrial and commercial uses such as: contractors establishments, exterminator, fish packing/processing, gas station, lumber yard, motor repair, restaurant, second hand store, etc.

TRANSPORTATION AND SITE ACCESS
The lots will be accessed from the existing rear public lane.

SITE PLAN
The applicant has not submitted a plan illustrating the proposed building foot prints.

COMPATIBILITY WITH SURROUNDING USES
The characteristics of Pandora Avenue along the north side is mainly residential. There are a few commercial and industrial related uses mixed in with the residential dwellings. This can be expected given that Pandora Avenue serves as a boundary between the CNR Transcona Yards to the south and the residential neighbourhood of Transcona to the north. The property to the immediate west is an apartment building. The properties to the east at 119, 121, 125, and 129 Pandora Ave are family dwellings.

Recommendation

The Planning and Land-Use Division supports the rezoning application. Additional residential dwellings will compliment the existing residential component along Pandora Avenue especially the residential dwellings immediately to the east. And, there is a large amount of vacant land in the Transcona Yards Industrial Neighbourhood to the south that can meet any additional demand for industrial uses.

Recommended Conditions of Approval

1. That The Winnipeg Zoning By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file **DAZ 210/06**, attached hereto and dated, **February 24, 2006**, to a "**R1-2.5" Residential District.**

2. 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.

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.

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

Report Prepared by: John S. Wintrup
PPD File # DAZ 210/06

Schedule "A"

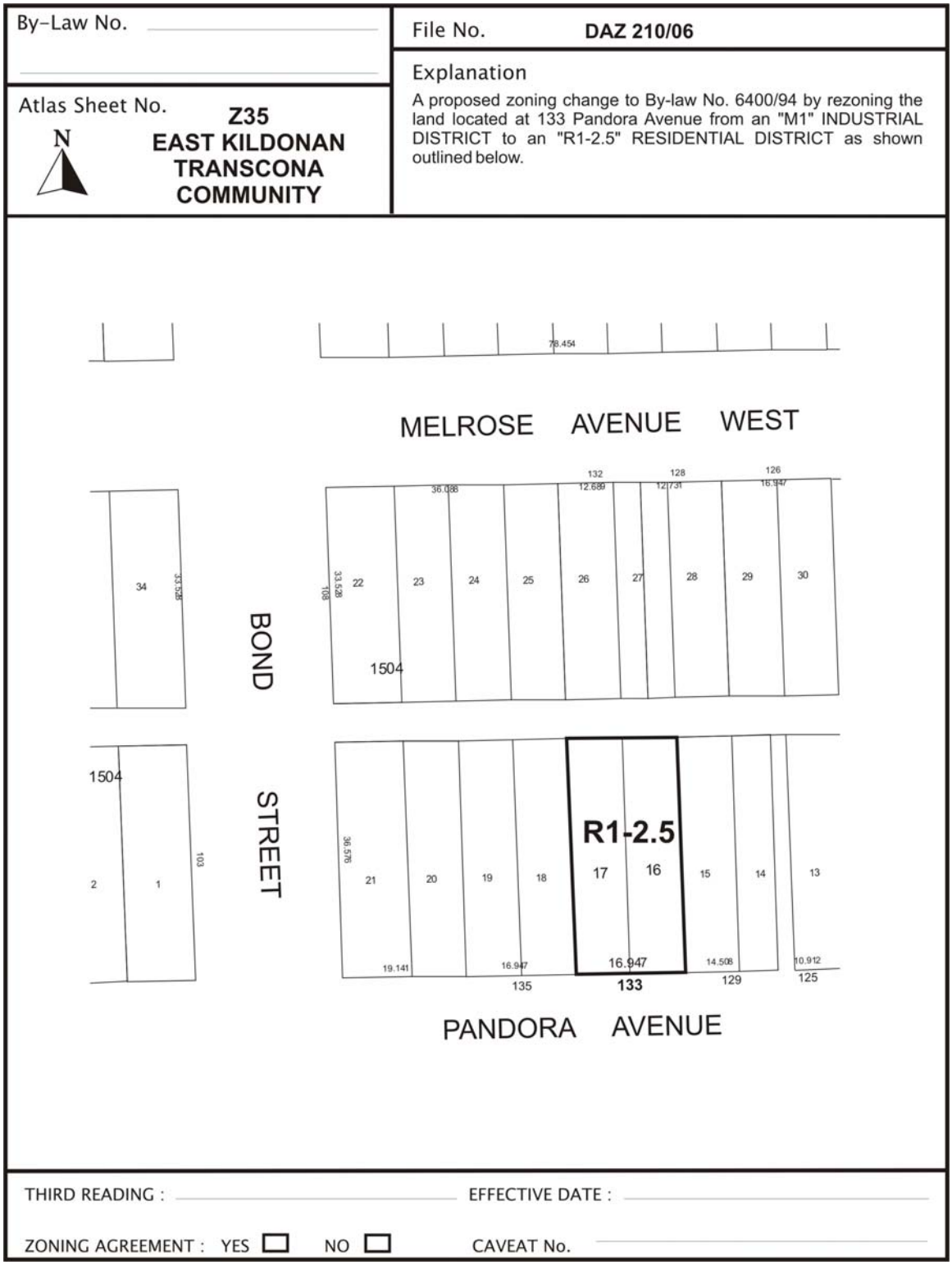


Figure 1: Schedule "A" to the report to the East Kildonan -Transcona Community Committee for File No. DAZ 210/06, dated February 24, 2006.

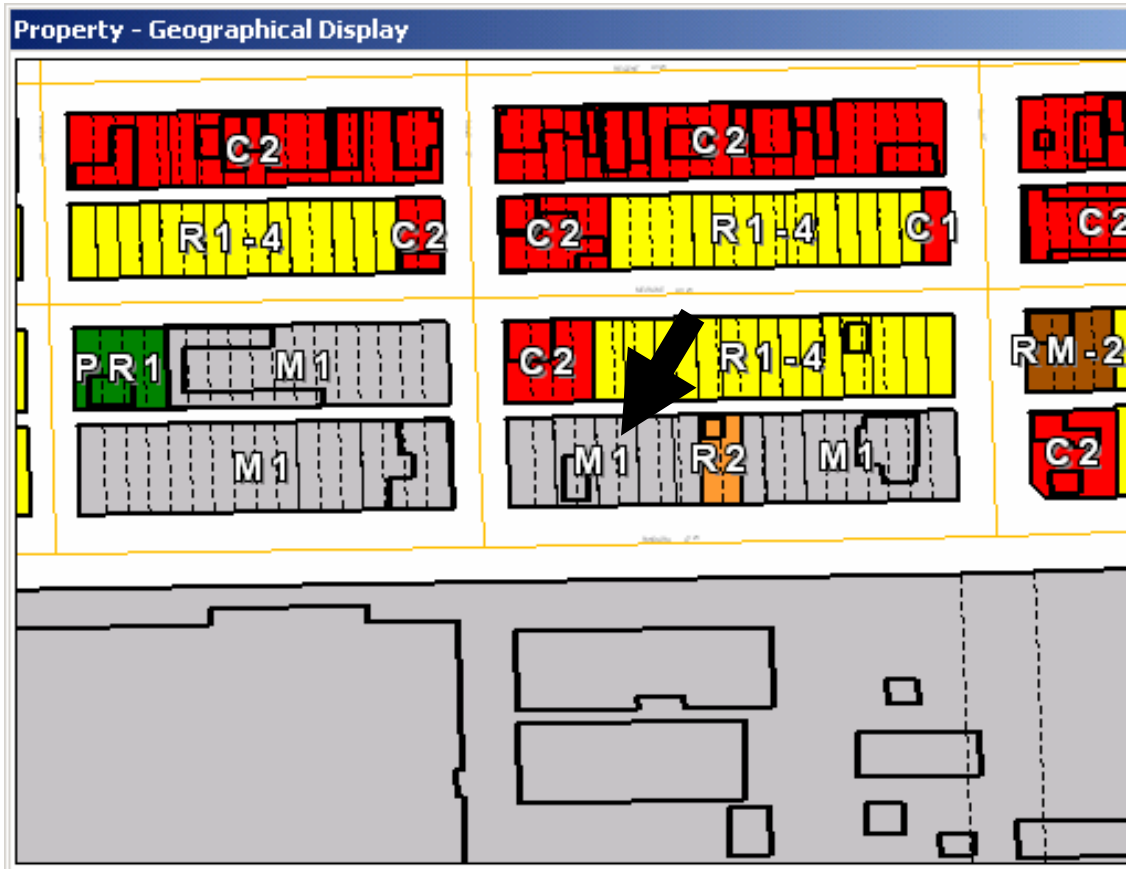


Figure 2: Existing Zoning for subject property and Surrounding Area.



Figure 3: Existing Land-Uses for subject property and Surrounding Area.