Agenda – Council – May 24, 2006

Report - Standing Policy Committee on Property and Development - May 2, 2006

Item No. 2 Rezoning – 906 Dorchester Avenue
File DAZ 205/2006

STANDING COMMITTEE RECOMMENDATION:

On May 17, 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 205/2006 dated March 27, 2006, to an "RM-1" Multiple-Family District subject to the following:

    A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

        i. That the total number of dwelling units shall not exceed three (3).
        ii. That the maximum height of any buildings shall not exceed thirty-five (35) feet.
        iii. That the Multiple-Family development be established and maintained in substantial conformity with plans submitted and identified as Exhibit 6.

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 rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat against the subject land at the Winnipeg Land Titles Office provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

Report - Standing Policy Committee on Property and Development - May 2, 2006

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

7. 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 - May 2, 2006

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 17, 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 May 2, 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 April 4, 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 – 906 Dorchester Avenue**
File DAZ 205/2006 [c/r DAV 109220/2006D]

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

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

Report date: **April 6, 2006**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 4, 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 205/2006, dated March 27, 2006, to an "RM-1" Multiple-Family District, subject to the following:

    A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter, to provide for the following:

        i. that the total number of dwelling units shall not exceed 3;
        ii. that the maximum height of any buildings shall not exceed 35 feet;
        iii. that the Multiple-Family development be established and maintained in substantial conformity with plans submitted and identified as Exhibit 6.

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 rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

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

7. 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.

PUBLIC HEARING SUMMARY

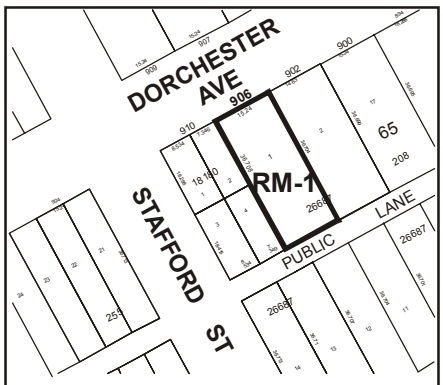
File: DAZ 205/2006 [c/r DAV 109220/2006D]

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

Public Hearing: April 4, 2006
Council Chamber, Council Building, 510 Main Street

Applicant: Ernie Walter Architect Inc. (Ernie Walter)

Subject:



APPLICANT : ERNIE WALTER ARCHITECT INC.
FILE : DAZ 205/06
PROPOSAL : To rezone the land shown outlined above from an "R2" TWO-FAMILY DISTRICT to an "RM-1" MULTIPLE-FAMILY DISTRICT.
For information, phone Mr. M. Sandhurst, Planner at 986-5066.

Premises Affected: 906 Dorchester Avenue

Exhibits Filed:
1. Application dated February 27, 2006
2. Notification of Public Hearing dated March 6, 2006
3. Manitoba Status of Title 1727753
4. Letter of authorization dated December 15, 2005 from Dennis Sarlis and Dimitrios Salris, to Ernie H.A. Walter, Architect

5. Surveyor's Building Location Certificate and sketch dated July 8, 1991
6. Plans (6 pages)
7. Report from the Planning and Land Use Division dated March 27, 2006
8. Inspection Report

REPRESENTATIONS:

In Support:

Ernie Walter, Ernie Walter Architect Inc.

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

No verbal representation was made at the public hearing.

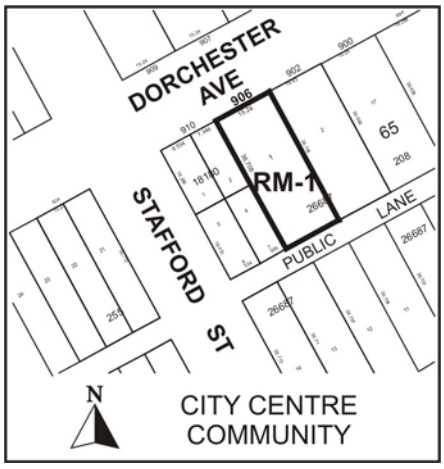
Exhibit "7" referred to in File DAZ 205/2006 [c/r DAV 109220/2006D]

Winnipeg

Planning, Property and Development Department Report

To City Centre Community Committee

Date: March 27, 2006
File: **DAZ 205/06**
Related Files: DAV 06-109220/D
Subject: To amend By-Law No. 6400/94 by rezoning the land shown below from an "R2" Two-Family District to an "RM-1" Multiple-Family District.



Location: 885 Dorchester Avenue

Legal Description: SP Lot 1, Plan 26687

Applicant: Ernie Walter Architect Inc – Ernie Walter
Owner: Jim & Dennis Sarlis

Recommendation: *Approved*

3038

Site Description

The subject site is located along the south side of Dorchester Avenue, east of Stafford Street. The site is currently developed with an older 2-1/2 storey dwelling containing three dwelling units. The approximately 50 foot wide by 120 foot deep lot is zoned "R2" Two-Family District. Neighbouring properties along both sides of Dorchester Avenue are also, for the most part, zoned "R2" Two-Family District. This block of Dorchester is characterized by large, 2-storey and 2-1/2-storey homes, many of which have been converted to duplexes and 3- and 4-plexes. Properties at the Stafford / Dorchester intersection, including the condominium development to the immediate west (at the south east corner of Stafford / Dorchester) and the salon and gallery (at the north east corner), are zoned commercial.

Description of the Proposed Development

The applicant proposes to renovate and expand the existing 3-unit residential building. Floor plans indicate the new units will be master-bedroom with den/spare bedroom. Significant additions include: 3-storey addition within the existing west side yard and south (rear) yard; and front yard veranda and decks. Variance file DAV 06-109220/D concerns yard deficiencies and a use variance.

Analysis

This portion of the McMillan neighbourhood is designated "Neighbourhood" under *Plan Winnipeg*. This designation accommodates residential renovations, particularly when the renovations sustain neighbourhood densities. The proposed building additions retain single-family and duplex setbacks on a large (approximately 6000 square foot) lot and will have no appreciable impacts on neighbouring properties.

Recommendation

The Planning and Land Use Division recommends approval for the following reasons:

- The proposal is consistent with *Plan Winnipeg*; and
- The expanded 3-unit residence achieves a reasonable scale and density at its specific location in McMillan.

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 205/06, attached hereto and dated March 27, 2006, to an "RM-1" Multiple-Family District, subject to the following:

   A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter, to provide for the following:

      1. That the total number of dwelling units shall not exceed 3;
      2. That the maximum height of any buildings shall not exceed 35 feet;
      3. That the Multiple-Family development be established and maintained in substantial conformity with plans submitted and identified as Exhibit ___, dated February 22, 2006.

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 rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

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

VII. 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: planner
PPD File # DAZ 205/06

3040

Schedule "A"

By-Law No. _____

File No. **DAZ 205/06**

Atlas Sheet No.

N

AC23 CITY CENTRE COMMUNITY

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located at 906 Dorchester Avenue from an "R2" TWO-FAMILY 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 205/06 dated March 27, 2006.