Minutes – Executive Policy Committee – September 21, 2006

Minute No. 690
Report - Standing Policy Committee on Property and Development - September 19, 2006

Item No. 3 Rezoning – 99 Norquay Street
File DAZ 232/2006

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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 232/2006 dated August 28, 2006, to an "R2" Two-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.

Minutes - Executive Policy Committee – September 21, 2006

Report - Standing Policy Committee on Property and Development – September 12, 2006

DECISION MAKING HISTORY:

Moved by Councillor De Smedt,

That Rule 9.3 of the Procedure By-law be suspended in order that the following item, which was received too late to be placed on the regular agenda, be considered by Committee.

Carried

Moved by Councillor De Smedt,

That the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On September 19, 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 September 5, 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 – 99 Norquay Street**
File DAZ 232/2006 [c/r DAV 139178/2006D]

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

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

Report date: **September 8, 2006**

COMMUNITY COMMITTEE RECOMMENDATION:

On September 5, 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 232/2006, dated August 28, 2006, to an "R2" Two-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.

The City Centre Community Committee provided the following supporting reason(s) for its recommendation:

1. The development is fitting within the draft Osborne Village Plan and an appropriate use for the neighbourhood.

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PUBLIC HEARING SUMMARY

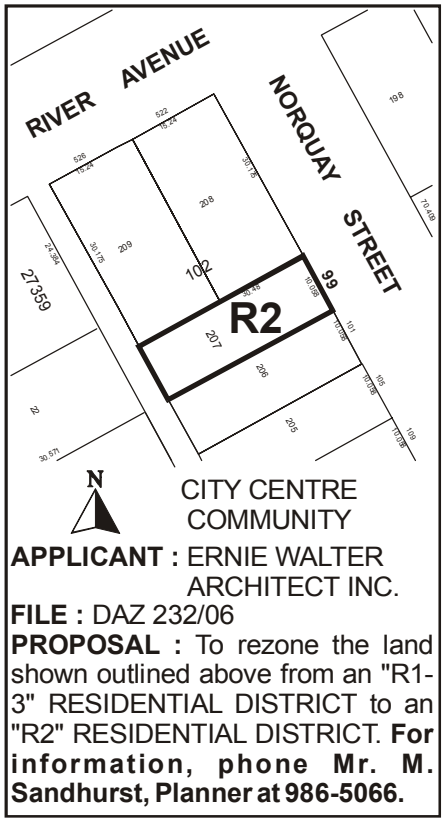
File: DAZ 232/2006 [c/r DAV 139178/2006D]

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

Public Hearing: September 5, 2006
West Committee Room
Council Building, 510 Main Street

Applicant: Ernie H. A. Walter Architect Inc. (Brian Wall)

Subject:



Premises Affected: 99 Norquay Street

Exhibits Filed:
1. Application dated June 23, 2006
2. Notification of Public Hearing dated July 20, 2006
3. Status of Title 1290958

4. Letter of authorization dated April 17, 2006 from JoAnn Greisman to Ernie H. A. Walter Architect
5. Surveyor's Building Location Certificate and sketch dated May 6, 1974
6. Plans (2 pages)
7. Report from the Planning and Land Use Division dated August 28, 2006
8. Inspection Report
9. Photographs and sketch of the subject property submitted by the applicant, Yarin Walter, Ernie H. A. Walter Architect at the public hearing

REPRESENTATIONS:

In Support:

Yarin Walter, Ernie H.A. Walter, Architect

In Opposition

Nil

For Information:

Klaus Fischer

For the City:

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

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

The applicant, Yarin Walter, Ernie H. A. Walter Architect, appeared in support of the application and gave a brief overview of the proposal. Mr. Walter submitted photographs and a sketch of subject property placed on file as Exhibit 9.

Mr. Fisher appeared for information and inquired as to the height of the development and privacy for the immediate neighbour.

Mr. Walter stated they could do a privacy wall on the south side of the development.

Exhibit "7" referred to in File DAZ 232/2006 [c/r DAV 1139178/2006D]

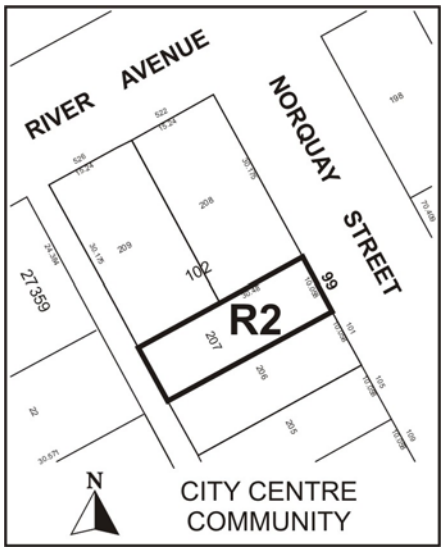
Winnipeg

Planning, Property and Development Department Report

To City Centre Community Committee

Date: August 28, 2006
File: **DAZ 232/06**
Related Files: DAV 06-139178/D
Subject: To amend By-Law No. 6400/94 by rezoning the land shown below from an "R1-3" Single-Family District to an "R2" Two-Family District.

Location: 99 Norquay Street
Legal Description: Lot 207 Plan 102



Applicant: Ernie H.A. Walter Architect Inc
Owner: Mary Jo Ann Greisman

Recommendation: *Approved*

Site Description

The subject site is located along the west side of Norquay Street, south of river Avenue. The site is currently developed with a 2-1/2 storey single family dwelling, zoned "R1-3" Single-Family District. Neighbouring properties are a mix of single-family and duplexes, with a church across Norquay to the east and multiple-family and commercial uses nearby. Norquay Street properties are zoned "R1-3", an anomaly in this portion of Osborne Village.



Subject site: aerial photo flown 2005.

Background

In September and November, 1995, City Centre Community Committee considered and recommended approval of a department-initiated rezoning application regarding the McMillan neighbourhood. This application (DAZ 212/95) included downzoning of Norquay Street properties from "R2-T" Two-Family Transitional District to "R1-3" Single-Family District.

Zoning rationalizations were also initiated in Earl Grey and Ebby-Wentworth neighbourhoods. The zoning rationalizations were intended to "reflect the predominantly single-family character of this area." Impetus for this action came from the *Fort Rouge Community Revitalization Strategy* (produced by the former Neighbourhood Programs Branch on behalf of the M/WCRP Fort Rouge Residents' Committee). This action was not intended to preclude consideration of responsible duplex developments; instead, it put the onus on the applicant to demonstrate the benefits of a duplex conversion.

Description of the Proposed Development
The applicant intends to convert the existing single-family dwelling into a two-family building. An approximately 435 square foot main floor addition is proposed to the rear (west) of the dwelling. Although the size of the property is not being reduced, lot area, lot width, and north side yard zoning by-law provisions must be varied in order to accommodate the proposed duplex (the subject of DAV 06-139178/D).

Analysis
This portion of Osborne Village is designated "Neighbourhood" under *Plan Winnipeg*. This designation accommodates a range of residential densities and forms, as well as commercial, institutional, and parks & recreation uses. The proposed duplex conversion represents a modest residential density increase in a neighbourhood characterized by a mix of housing densities. The site is located within an area well-served by neighbourhood amenities and public transit. In addition, the proposal is consistent with the "Village Medium Density Residential Policies" of the draft *Osborne Village Neighbourhood Plan* (presented to the community at open houses in June, 2006 and expected to be considered by Standing Policy Committee on Property & Development for secondary plan by-law initiation later this year). These draft policies encourage retention of existing residences, including through the conversion to duplexes and other modest density built forms.

Recommendation
The Planning and Land Use Division recommends approval for the following reasons:
- The proposal is consistent with *Plan Winnipeg*;
- The proposal is consistent with the "Village Medium Density Residential Policies" of the draft *Osborne Village Neighbourhood Plan*; and
- The proposed duplex can be effectively integrated into its immediate context and demonstrates a good land use – transportation fit.

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 232/06, attached hereto and dated August 28, 2006, to an "R2" Two-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.

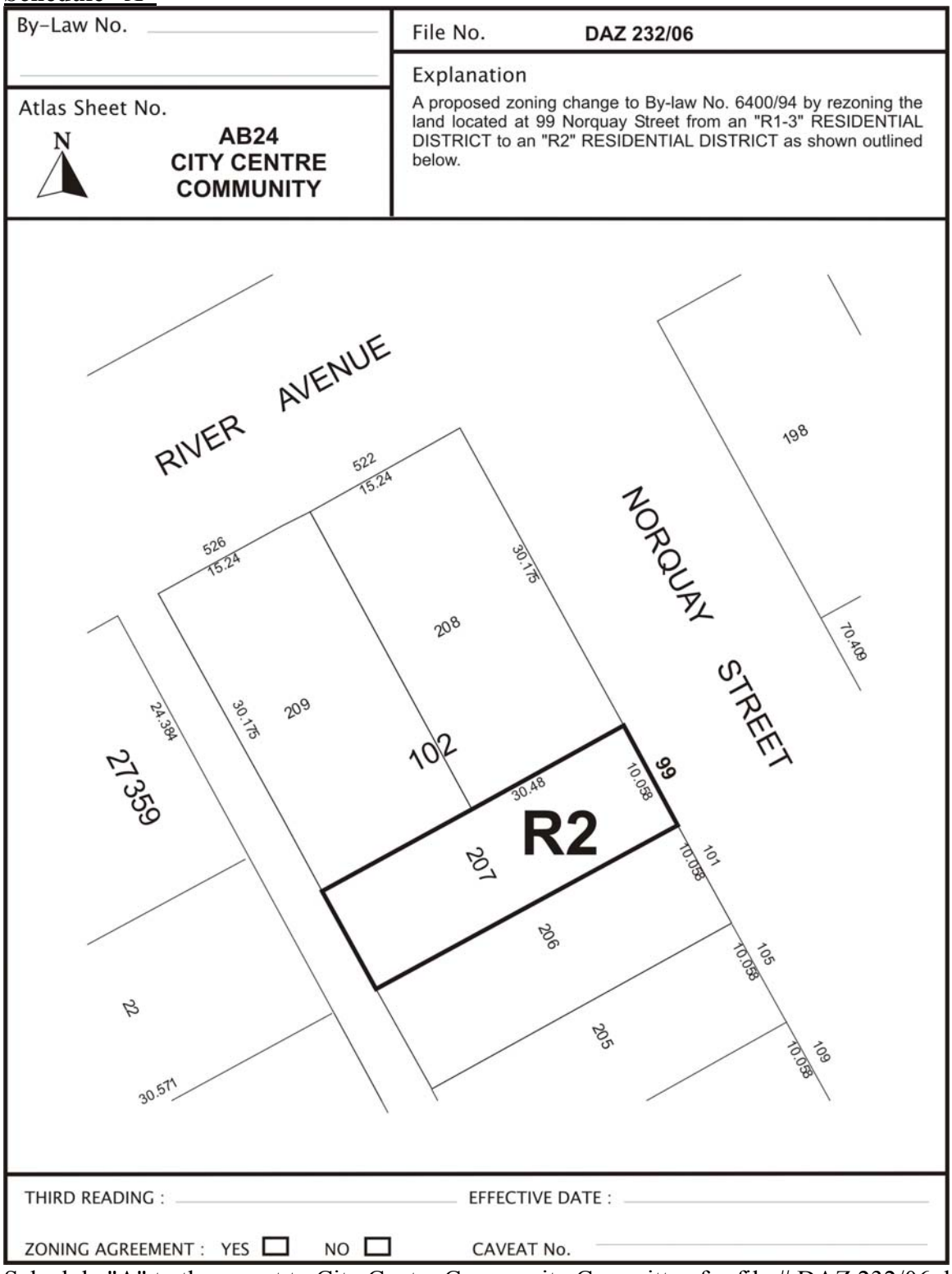
IV. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

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 232/06

Schedule "A"



Schedule "A" to the report to City Centre Community Committee for file # DAZ 232/06 dated August 28, 2006.

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