Agenda - Council - April 25, 2007

Report - Standing Policy Committee on Property and Development – April 3, 2007

Item No. 5 Rezoning – 897-899 Garwood Avenue
File DAZ 251/2006

STANDING COMMITTEE RECOMMENDATION:

On April 18, 2007, 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 251/2006 dated February 20, 2007, to an "R2A" 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.

Report - Standing Policy Committee on Property and Development – April 3, 2007

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 18, 2007, 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 April 3, 2007, 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 February 27, 2007, 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 – 897/899 Garwood Avenue**
File DAZ 251/2006 [c/r DAV 165222/2006D]

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

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

Report date: **March 2, 2007**

COMMUNITY COMMITTEE RECOMMENDATION:

On February 27, 2007, 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 251/2006, dated February 20, 2007, to an "R2A" 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 City Centre Community Committee agreed with the administrative comments contained in the report from the Planning and Land Use Division dated February 20, 2007.

PUBLIC HEARING SUMMARY

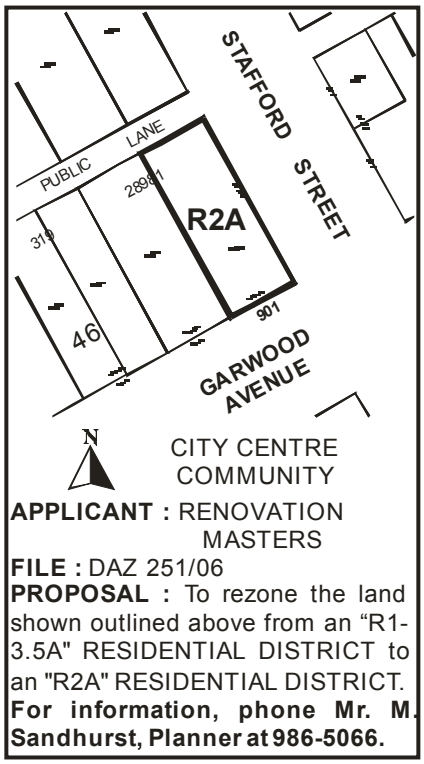
File: DAZ 251/2006 [c/r DAV 165222/2006D]

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

Public Hearing: February 27, 2007
North Committee Room
Council Building, 510 Main Street

Applicant: Renovation Masters (Damien Rakowski)

Subject:



Premises Affected: 897 / 899 Garwood Avenue

Exhibits Filed:
1. Application dated February 2, 2007
2. Notification of Public Hearing dated February 6, 2007
3. Manitoba Status of Title(s) 2193704
4. Letter of authorization dated February 2007 from 5170061 Manitoba Ltd. to Renovation Masters

5. Surveyor's Building Location Certificate and sketch dated November 23, 2006
6. Drawing of subject property (6 pages)
7. Plans (1 page)
8. Report from the Planning and Land Use Division dated February 20, 2007
9. Inspection Report

REPRESENTATIONS:

In Support:

Nil

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 persons registered with respect to the application.

Exhibit "8" referred to in File DAZ 251/2006 [c/r DAV 165222/2006D]

Winnipeg

Planning, Property and Development Department Report

To City Centre Community Committee

Date: February 20, 2007
File: **DAZ 251/06**
Related Files: DAV 06-165222/D
Subject: To rezone the land shown outlined below from an "R1-3.5A" Single-Family District to an "R2A" Two-Family District.



Location: 901 Garwood Avenue
Legal Description: SP Lot 75, Plan 28981

Applicant: Renovation Masters (Damien Rakowski)
Owner: 5710061 Manitoba Ltd

Recommendation: *Approved*

6052

Site Description

The subject site is located at the north west corner of Garwood Avenue and Stafford Street. The site is developed with an older, 1-storey dwelling. It's zoned "R1-3.5A" Single-Family District. Adjacent properties include single-family dwellings (to the west and north across the public lane, zoned "R1.3.5A"); personal services (to the east across Stafford, zoned "R1-3A" Single-Family District); and office and single-family dwellings (to the south across Garwood, zoned "C1" Commercial District and "R1-3.5A", respectively).



Subject site: aerial photo flown 2005.

Description of the Proposed Development

The applicant intends to demolish the existing dwelling and develop a 2-storey residential duplex. Each suite is proposed to have two-bedrooms and be comprised of approximately 1100 square feet. Parking spaces are provided to the rear (north) of the site, with direct access via the public lane. Under DAV 06-165222/D, the applicant seeks relief from lot area and lot width requirements. In addition, in order to establish the duplex prior to the rezoning being put into force and effect, use variance application has been made (also under DAV 06-165222/D).

Analysis

This portion of the Rockwood neighbourhood is designated "Neighbourhood" under *Plan Winnipeg*. This designation accommodates a range of residential densities, along with commercial, institutional, and parks & recreation uses. The proposed duplex represents modest residential infill along a regional street (Stafford Street) that is also served by Winnipeg Transit.

This development is compatible with its immediate context and exhibits responsible residential densification at an appropriate location.

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

- the proposal is consistent with *Plan Winnipeg*; and
- the proposed duplex complements the neighbourhood context and demonstrates a good land use – transportation fit.

Recommended Conditions of Approval

I. That The Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File No. DAZ 251/06, attached hereto and dated February 20, 2007, to an "R2A" 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 251/06

Schedule "A"

By-Law No. _____

File No. **DAZ 251/06**

Atlas Sheet No.

N

AD23
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located at 897/899 Garwood Avenue from an "R1-3.5A" RESIDENTIAL DISTRICT to an "R2A" RESIDENTIAL 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 251/06 dated February 20, 2007.