Agenda - Executive Policy Committee - October 3, 2008

REPORTS

Item No. 1 Rezoning - 361 Springfield Road (North Kildonan Ward) File DAZ 225/2008

COMMUNITY COMMITTEE RECOMMENDATION:

On September 15, 2008, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommends to the Executive Policy Committee:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 225 /2008 dated September 9, 2008 to an "R2" Residential 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 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.

DECISION MAKING HISTORY:

COMMUNITY COMMITTEE RECOMMENDATION:

On September 15, 2008, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

RE: **Rezoning – 361 Springfield Road**
File DAZ 225/2008

For submission to: **Executive Policy Committee**

Prepared by: **Monique Wright, Clerk**
East Kildonan-Transcona Community Committee

Report date: **September 16, 2008**

COMMUNITY COMMITTEE RECOMMENDATION:

On September 15, 2008, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommends to the Executive Policy Committee:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 225 /2008 dated September 9, 2008 to an "R2" Residential 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 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 reasons for its recommendation:

1. The East Kildonan-Transcona Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated September 9, 2008.

2. Redevelopment of this eyesore of a property is a good idea, as the area as a whole is improving.

3. With the completion of the Chief Peguis Trail, Springfield Road will become more of a residential collector street, as opposed to the major route it is today, so it will be more of a community type neighbourhood.

PUBLIC HEARING SUMMARY

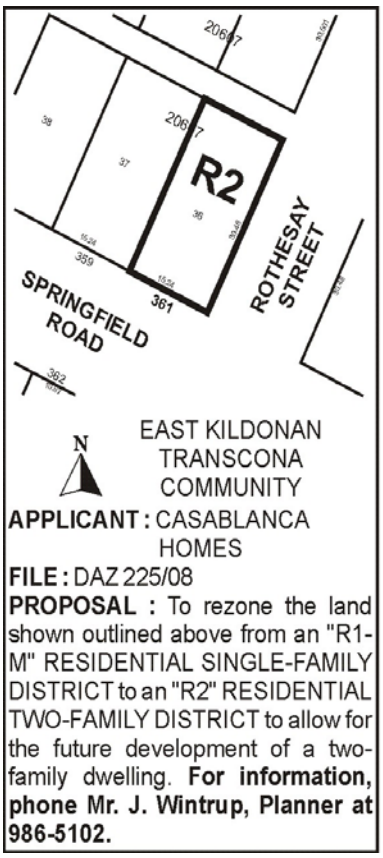
File: DAZ 225/2008

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

Public Hearing: September 15, 2008
755 Henderson Highway

Applicant: Casablanca Homes

Subject:



Premises Affected: 361 Springfield Road

Exhibits Filed:

1. Application dated July 21, 2008
2. Notification of Public Hearing dated August 6, 2008
3. Certificate of Title C 75420
4. Letter of authorization from Brian Crones and Rosemary Manchal to Casablanca Homes dated March 25, 2008
5. Surveyor's Building Location Certificate dated May 1, 2008
6. Plan (1 page)
7. Report from the Planning and Land Use Division dated September 9, 2008
8. Inspection Report
9. Building Elevations submitted at the public hearing by the applicant, George Goertzen
10. Audio Recording of representations of Public Hearing

REPRESENTATIONS:

In Support:

George Goertzen

In Opposition

Nil

For Information:

Nil

For the City:

John Wintrup, Senior Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DAZ 225/2008

Winnipeg

Planning, Property and Development Department Report

To the East Kildonan - Transcona Community Committee

Date: **September 9, 2008**
File: **DAZ 225 /2008**
Subject: **Rezone land to allow a side by side.**
Location: **361 Springfield Road**



Applicant: **Casablanca Homes Ltd. (George Goertzen)**
229 FORTIER AVE

Owner: **Rosemary Manchal & Brian Metro Crones**

Recommendation: **Approve**

Report Summary:

- The applicant would like to demolish the existing single family dwelling and construct a two family dwelling.
- No variances are required at this time as the lot compiles with the bulk regulations of the Zoning By-law for lot width and lot area.
- The property 2 doors down to the west is zoned R2 with a duplex on the land.
- A letter of intent indicates a two story, side by side dwelling will be constructed that will be 1,380 square feet and full basement.

Site Description

- The subject property is 5,000 square feet located on the northwest corner of Springfield Road and Rothesay in the Rossmere-A neighbourhood of the North Kildonan Ward.
- The site is zoned **"R1-M" Single Family Residential District - Medium** and is occupied by a 903 sq. ft. single family dwelling constructed in 1955.
- Adjacent lands include a single family dwelling to the west zoned "R1-M"; a two family dwelling zoned "R2" and an apartment dwelling zoned "R1" further to the west.
- Surrounding uses include single / two / multiple family residential uses along Springfield Road zoned "R1"; commercial uses at the north east corner of Springfield Road and Rothesay Avenue zoned "C2".

Description of the Proposed Development

The applicant would like to demolish the existing single family dwelling and construct a two family dwelling.

Analysis

PLAN WINNIPEG

The proposed concept in consistent with Plan Winnipeg in that a commercial rezoning is allowed in Neighbourhood Policy Areas.

ZONING

- A **"R2" Residential Two Family District** is intended to accommodate the development of single and two-family units and where appropriate limited multi-family units in lower density neighbourhoods. There is a front yard requirement of 20 feet and the maximum building height is 35 feet. The minimum lot width is 25 feet and lot area 5,000 square feet (2,500 per dwelling unit).
- **R1-M Residential Single-Family District** minimum lot sizes of 3,500 square feet are required. Side yards of 4 feet are required. Front yard requirements are 15 feet; rear yard requirements are 25 feet. Maximum building height is 35 feet.

LAND USE BYLAW ISSUES

- No variances are required at this time as the lot compiles with the bulk regulations of the Zoning By-law for lot width and lot area.
- The applicant, if granted this application, would have the right to construct two units (duplex) on the lots for a maximum of 2 units.
- The applicant would also maintain the right to construct a single family dwelling.

- Multiple Family Dwellings would be a 'conditional' use in the R2 District requiring a public hearing.
- An application may be made in the future to subdivide the lot with the new property line going down the common party wall to allow each unit to be on separate land titles.
- Variances may be required for substandard side yards as the common party wall would have no physical separation between them – thus no side yard.

COMPATIBILITY WITH SURROUNDING USES
The property two doors down to the west is zoned R2 with a duplex on the land. There are also other two family dwellings and apartment blocks in the surrounding area that are zoned R1. This apparent inconsistency between the on-ground land-uses and the single family zoning is likely the result of the blanket zoning done for the neighbourhood as part of Zoning By-law 6400/94.

TRANSPORTATION AND SITE ACCESS
Access to the subject land will be from the rear public lane.

SITE DESIGN ISSUES
A letter of intent indicates a two story, side by side dwelling will be constructed that will be 1,380 square feet and full basement. The site plan indicates 7 foot side yards, a 22 foot front yard, 40 foot rear yard. Parking areas for each unit will be located in the rear yard with access from the public lane. Each unit will be 18 feet wide and 38 feet long.

Recommendation

The Planning and Land-Use Division supports the rezoning application.

The zoning will allow a variety of residential land-uses to be established in a neighbourhood that has an existing diversity of dwelling unit types.

Recommended Conditions of Approval

1. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 225 /2008 dated September 9, 2008 to a "R2" Residential 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 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 225/2008

Schedule "A"

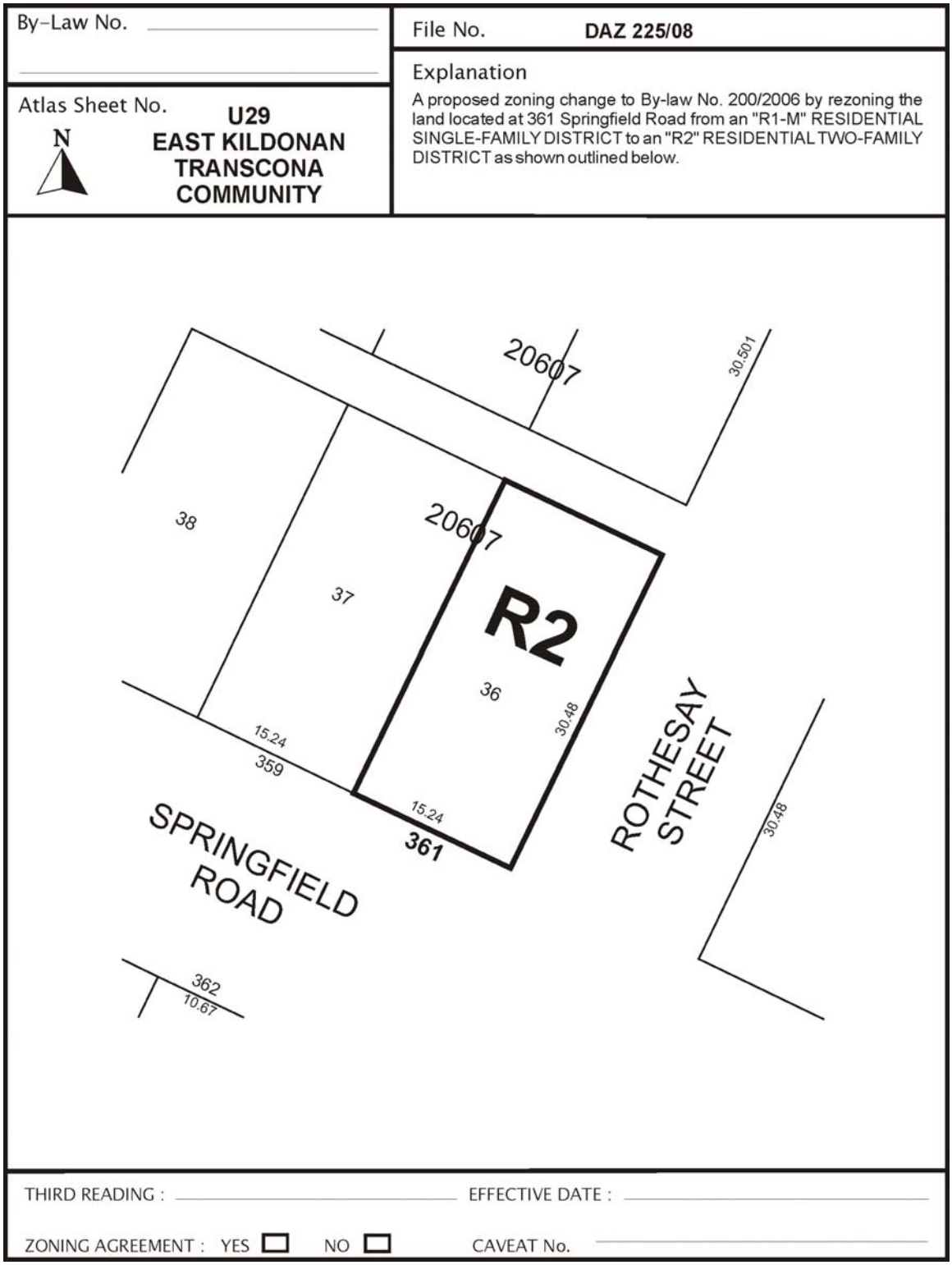


Figure 1: Schedule "A" to the report to the East Kildonan - Transcona Community Committee for File DAZ 225/2008, dated September 9, 2008.

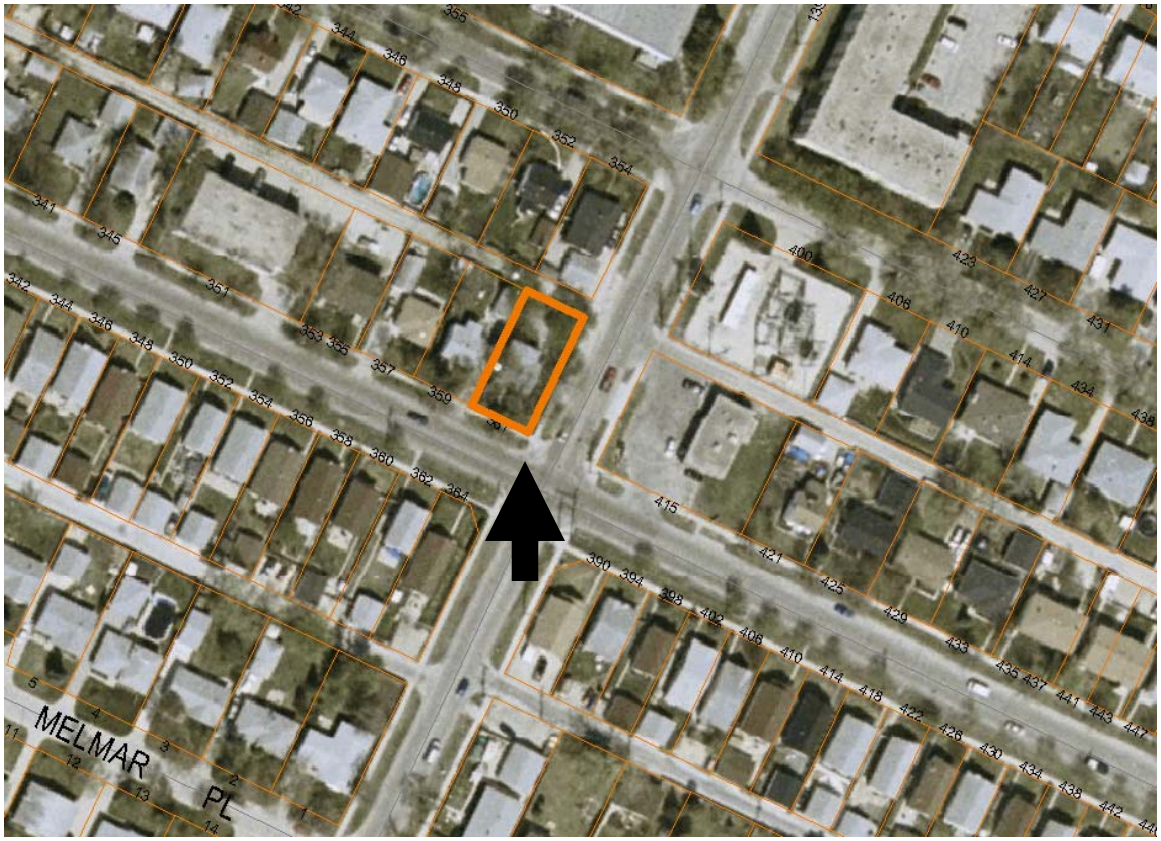


Figure 2: Existing Land-Uses for subject property and Surrounding Area.

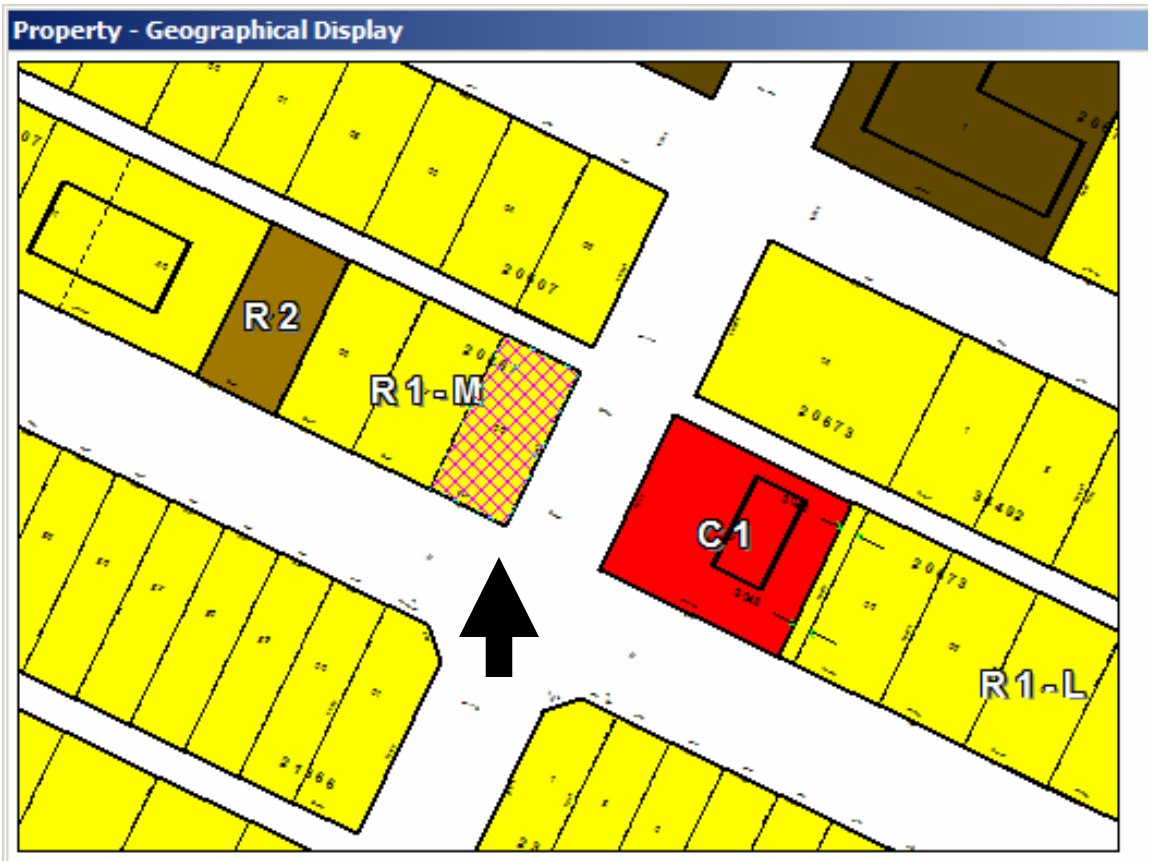


Figure 3: Existing Zoning for subject property and Surrounding Area.

Exhibit "6" referred to in File DAZ 225/2008

