Agenda – Council – January 28, 2009

Report - Executive Policy Committee – January 16, 2009

Item No. 2 Rezoning - 116 Norquay Street
(Fort Rouge-East Fort Garry Ward)
File DAZ 236/2008

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 16, 2009, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submits the following to Council:

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 236/2008 dated December 31, 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 Acting 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 Acting 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 - Executive Policy Committee - January 16, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 16, 2009, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 6, 2009, the City Centre 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 - 116 Norquay Street**
File DAZ 236/2008 [c/r DAV 116507/2008D]

For submission to: **Executive Policy Committee**

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

Report date: **January 7, 2009**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 6, 2009, the City Centre 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 236/2008 dated December 31, 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 City Centre Community Committee provided the following supporting reason(s) for its recommendation:

1. The neighbours are in support.
2. A compromise was reached that works for everyone.
3. The applicant consulted with the area residents.

PUBLIC HEARING SUMMARY

File: DAZ 236/2008 [c/r DAV 116507/2008D]

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

Public Hearing: January 6, 2009
North Committee Room
Council Building, 510 Main Street

Applicant: RAP Management Ltd. (Roy Poltronetti)

Subject:



Premises Affected: 116 Norquay Street

Exhibits Filed:
1. Application dated November 21, 2008
2. Notification of Public Hearing dated November 25, 2008
3. Manitoba Status of Title 1508571
4. Letter of authorization dated April 16, 2008 from the Archdioceses of Winnipeg to RAP Management Ltd.
5. Plan (1 page)

6. Communication (undated) from Patricia Brown in support of the application
7. Communication (undated) from David Rice in support of the application
8. Communication (undated) from Steve Hunt-Lesage in support of the application
9. Report from the Planning and Land Use Division dated December 31, 2008
10. Inspection Report
11. Audio Recording of representations

REPRESENTATIONS:

In Support:

Sam Argenziano
Patricia Brown
Vincent W. Catalano
Tat-Liang Cheam, Nejmark Architect
Steve Hunt-Lesage
Roy Poltronetti
David Rice

In Opposition

Nil

For Information:

Nil

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department

Exhibit "9" referred to in File DAZ 236/2008 [c/r DAV 116507/2008D]

Winnipeg

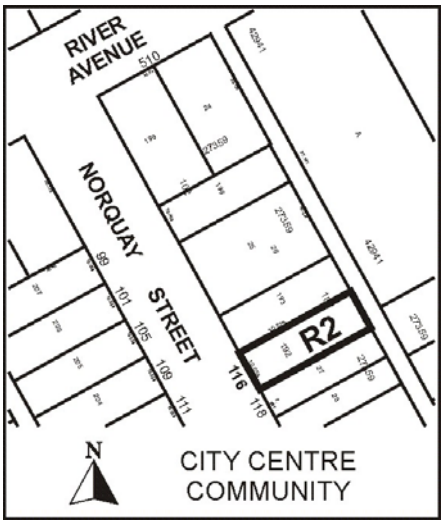
Planning, Property and Development Department Report

To the City Centre Community Committee

Date: **December 31, 2008**
File: **DAZ 236/2008**
Related Files: **DAV 08-116507D**

Subject: **Application to amend Zoning By-law 200/2006 by rezoning the subject property from an "R1-S" Single-Family District to an "R2" Two-family District**

Location: **116 Norquay Street**



Applicant: **RAP Management Ltd. (Roy Poltronetti)**
Owner: **Roman Catholic Archiepiscopal Corporation of Winnipeg**

Recommendation: **Approval**

Report Summary:

- Holy Rosary Parish is seeking approval to construct a duplex, to serve as living quarters for priests
- The Osborne Village Neighbourhood Plan supports duplexes in this area
- The Planning and Land Use Division recommends approval

Site Description

The subject property, which is zoned "R1-S" Single-family residential, is located on Norquay Street, east of River Avenue, in the Osborne Village neighbourhood of the Fort Rouge – East Fort Garry ward.

North: Church, zoned "R1-S" Single-family residential
South: Residences zoned "R1-S" Single-family residential
East: Condominiums zoned "RMF-L" Multiple-family residential
West: Residences zoned "R1-S" Single-family residential

Description of the Proposed Development

Holy Rosary Parish is seeking approval to demolish the existing home and to replace it with a duplex, to serve as living quarters for priests from the church.

Given that the current zoning "R1-S" Single-family residential does not permit duplexes, a rezoning to "R2" Two-family residential is required.

Analysis

Plan Winnipeg

The subject application constitutes development within a Neighbourhood Policy Area. Neighbourhood Policy Areas are intended to include a residential mix together with a variety of educational, recreational, institutional, commercial and possibly industrial uses, at a scale and density compatible with each other.

Secondary Plans

The subject property is located with the Medium Density Residential (V-MDR) area, as defined by the Osborne Village Neighbourhood Plan. Within this area, a mix of single-family, duplexes, townhouses, and multiple-family buildings is encouraged. In light of this, the proposed development is consistent with the Plan.

Site Design Issues

Given the character of the block, it is important that the new building follow the existing front yard alignment, as closely as possible. It is also key that the new building be residential in character, to mimic the local context. In that regard, the applicant changed the initial design from a flat roof to a pitched roof, in response to comments from neighbours. Further to this, final plan approval will be required to ensure that the building meets the design intent of the Osborne Village Neighbourhood Plan.

Public Input
The architect met with neighbours on June 16, 2008 to inform them of the proposed development. According to the architect, four residents were in attendance at this meeting.

Recommendation

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

- The Osborne Village Neighbourhood Plan encourages a mix of housing types, including duplexes, in this area
- The subject property is transitional in nature, as it abuts a church parking lot on one side
- The proposed development is compatible with the area

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 236/2008 dated December 31, 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.

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

Report Prepared by: Michael Robinson, AICP
PPD File # DAZ 236/2008

Schedule "A"

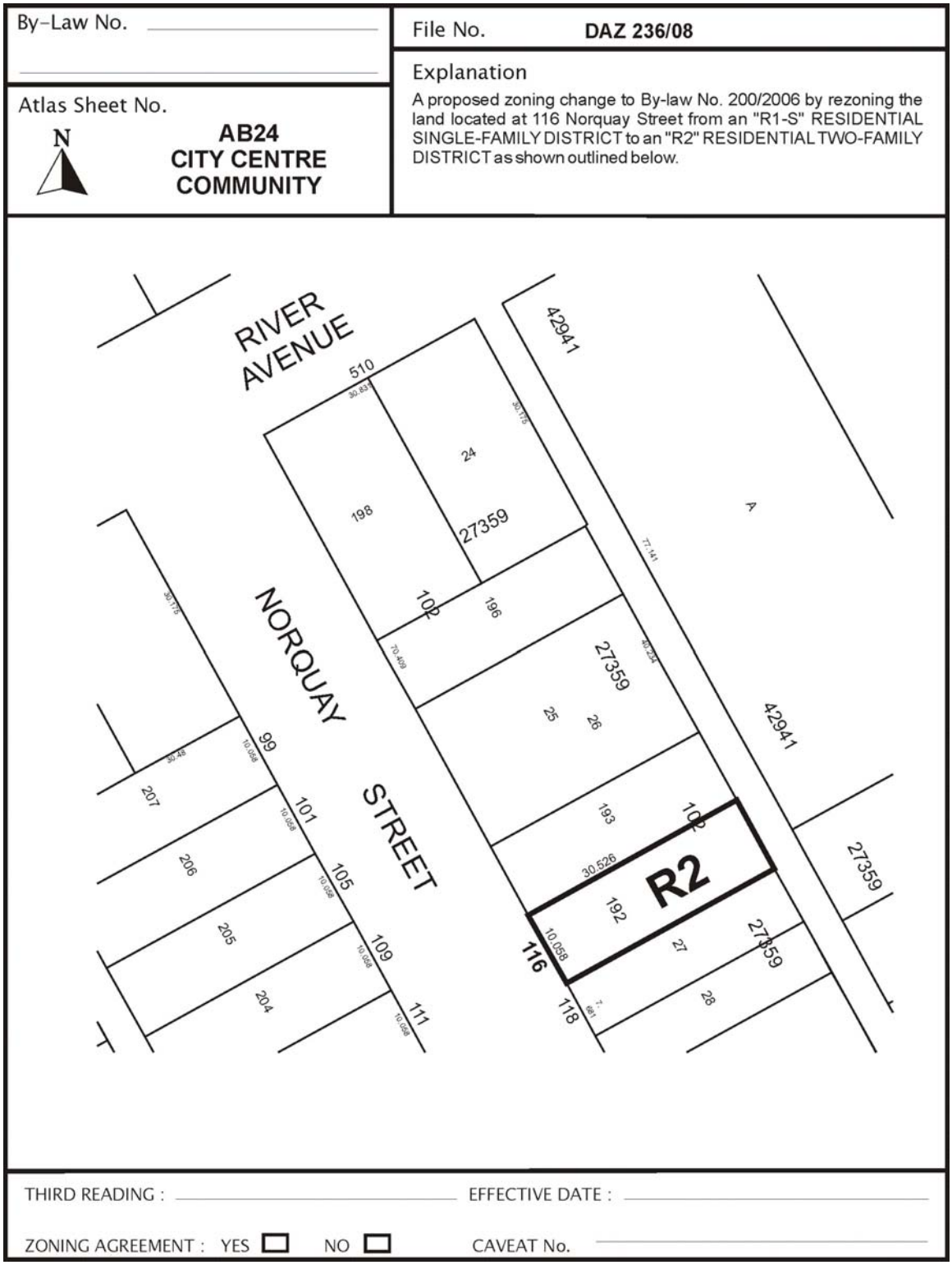


Figure 1: Schedule "A" to the report to the City Centre Community Committee for File DAZ 236/2008, dated December 31, 2008.

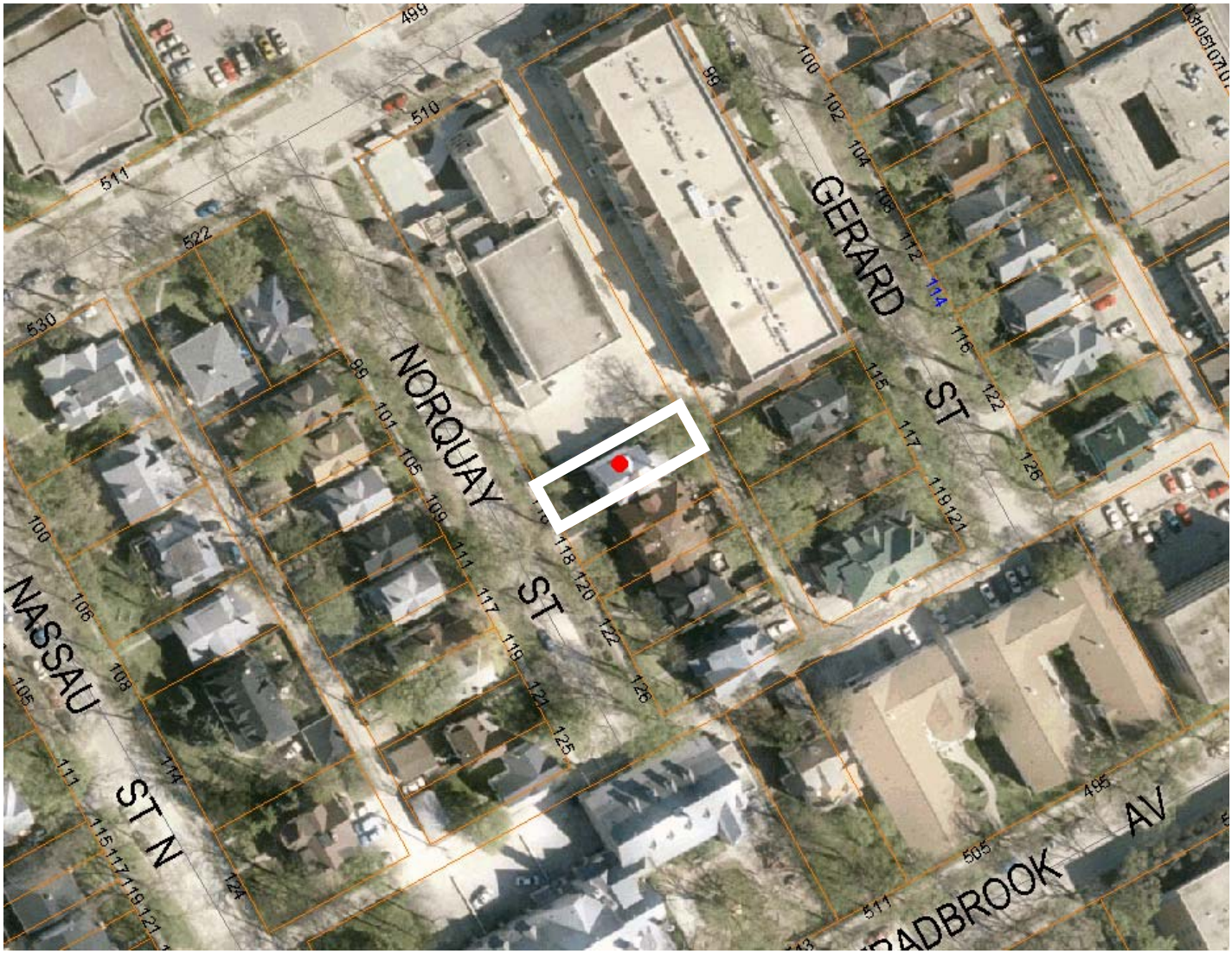


Figure 1: Aerial Photo (Flown in 2005)