Agenda - Council - January 28, 2009

Report - Standing Policy Committee on Property and Development - January 6, 2009

Item No. 3 Amendment to the Osborne Village Neighbourhood Plan By-law No. 220/2006
File SPA 2/2008

STANDING COMMITTEE RECOMMENDATION:

On January 21, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submits the following to Council:

1. That Osborne Village Neighbourhood Plan By-law No. 220/2006 be amended, by adding an exception to Section 4.1.2.A, to permit the conversion of single room occupancies to multiple-family dwellings as a conditional use and that the said amendment be forwarded to Council for First Reading.

2. That the City Centre Community Committee schedule a Public Hearing in accordance with the Development Procedures By-law No. 5893/92 and Section 234(3) of The City of Winnipeg Charter.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report - Standing Policy Committee on Property and Development - January 6, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 6, 2009, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

RE: SPA 2/08, a proposed amendment to the Osborne Village Neighbourhood Plan (By-Law #220/06)

FOR SUBMISSION TO: Standing Policy Committee on Property and Development

ORIGINAL REPORT SIGNED BY: Director of Planning, Property and Development

REPORT DATE: December 10, 2008

RECOMMENDATION:

1. That By-law **No. 220/2006** be amended, by adding an exception to Section 4.1.2.A, to permit the conversion of single room occupancies to multiple-family dwellings as a conditional use
2. That the amendment be forwarded to Council for First Reading.
3. That the City Centre Community Committee schedule a Public Hearing in accordance with the Development Procedures By-Law (5893/92) and Section 234(3) of the City of Winnipeg Charter.

Report Summary

Key Issues:

- Secondary Plan amendment applications require first reading of the by-laws at Council, followed procedurally by a public hearing at community committee, and second and third reading at Council to put the proposed amendment(s) into force and effect.

- City Centre Community Committee should be the committee designated for public hearing should Council give first reading to the subject application.

- The proposed amendment would allow multiple family dwellings within the V-LDR (Village Low Density Residential Area), under special circumstances, as a conditional use.

- Multiple-family dwellings are currently not permitted in the V-LDR (Village Low Density Residential Area).

- The Planning, Property and Development Department support this proposal, as it encourages the removal of single room occupancies, which is an objective of the Plan.

- The City has initiated the plan amendment, as the concern is not site specific, but pertains to five properties within the Plan area.

Implications of the Recommendation(s):

General Implications

(x) None

( ) For the organization overall and/or for other departments

( ) For the community and/or organizations external to the City

( ) Involves a multi-year contract

Comment(s):

Policy Implications

(x) No

( ) Yes

Comment(s):

Regulatory Implications

( ) None

(X) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s):

Environmental Implications

(x) No

( ) Yes

Comment(s):

Human Resources Implications

(x) No

( ) Yes

Comment(s):

Financial Implications

(x) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s):

Report

REASON FOR THE REPORT:
Standing Policy Committee on Property and Development has the authority to consider, provide recommendations, and forward secondary plan amendment by-laws through Executive Policy Committee to Council for first reading of Secondary Plan Amendment applications.

BACKGROUND:
The Osborne Village Secondary Plan was adopted as By-law by City Council on January 24, 2007. Within the designated Village Low Density Residential Area (V-LDR) of the Plan, the following policy is present:

4.1.2 Village Low Density Residential (V-LDR) Policies:

4.1.2.A Development in this category will be limited to single- and two family;

DISCUSSION:

Recently, a property owner approached the City about converting their four-unit single room occupancy (rooming house) at 525 Gertrude into a three unit, multiple-family dwelling. However, in light of current Plan policy, this conversion is not possible, as only single and two family dwellings are permitted in this area.

While the Department does not support permitting multiple-family dwellings in the area, as a conditional use, in all circumstances, the Department believes that an exception should be provided for when an existing legal non-conforming single room occupancy is being converted to a multiple-family dwelling. This would facilitate the removal of the few remaining single room occupancies in this area, over time.

Therefore, to address this issue, the Public Service is recommending a minor amendment to the Osborne Village Plan which would allow single room occupancies to be converted into multiple family dwellings, provided that the number of units does not increase. This amendment would ease the removal of the remaining existing legal non-conforming single room occupancies, while still upholding the overall intent of the V-LDR area. (see Map 1)

Existing Single Room Occupancies

There are currently five existing legal non-conforming single room occupancies in the V-LDR area. They are the following:

589 Gertrude	4 units
503 Wardlaw	4 units

525 Gertrude 4 units
511 Gertrude 3 units
497 Gertrude 3 units

Proposed Amendment

The proposed amendment to the Plan would be as follows (proposed change in italics):

4.1.2 Village Low Density Residential Policies

4.1.2.A Development in this category will be limited to single- and two-family, with the following exception:

i) When existing legal non-conforming single room occupancy is converted into a multiple-family dwelling, a density equal to or less than the number of existing dwelling units may be accommodated through a discretionary review process.

RECOMMENDATION:
This report has been prepared in support of first reading, as there is sufficient information to allow for a public hearing to be conducted.

Consequently, the Public Service recommends that this amendment be forwarded to Council for First Reading and that the City Centre Community Committee schedule a Public Hearing in accordance with the Development Procedures By-Law (5893/92) and Section 234(3) of the City of Winnipeg Charter.

Financial Impact Statement Date: December 3, 2008

Project Name:

Proposed Amendment to the Osborne Village Neighbourhood Plan

COMMENTS:

The recommendation contained in this report is that the request to amend the Osborne Village Neighbourhood Plan (By-Law No.220/2006) be proceeded with.

There are no financial implications associated with this recommendation.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT THERE WAS:

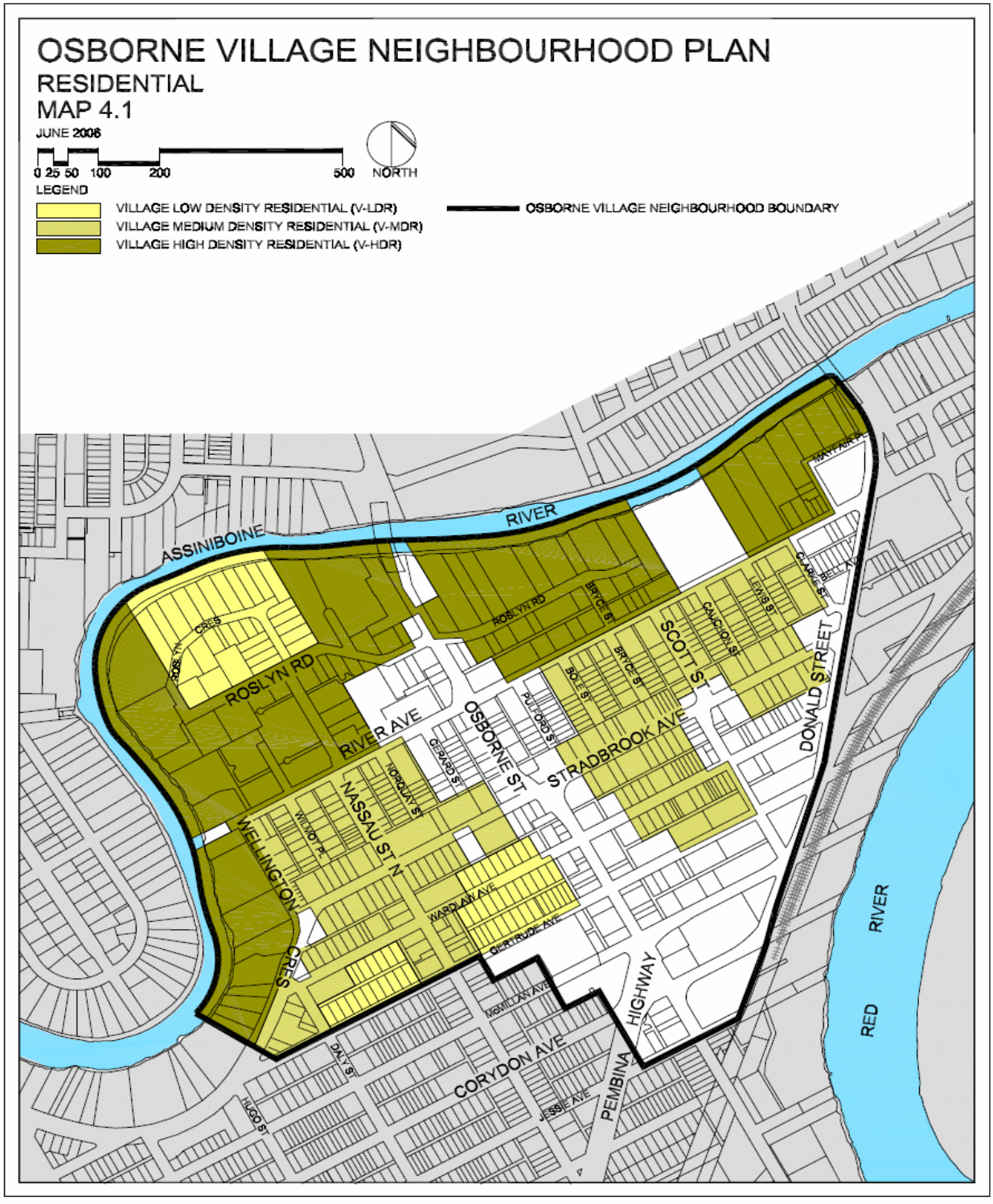
Internal Consultation With and Concurrence By:
N/A

External Consultation With:
N/A

THIS REPORT SUBMITTED BY:
Department: The Planning, Property & Development Department
Division: Planning & Land Use Division
Prepared by: Michael Robinson, AICP
PPD File No.: SPA 2/08

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Map 1


OSBORNE VILLAGE NEIGHBOURHOOD PLAN
RESIDENTIAL
MAP 4.1
JUNE 2006
0 25 50 100 200 500
NORTH
LEGEND
VILLAGE LOW DENSITY RESIDENTIAL (V-LDR)
VILLAGE MEDIUM DENSITY RESIDENTIAL (V-MDR)
VILLAGE HIGH DENSITY RESIDENTIAL (V-HDR)
OSBORNE VILLAGE NEIGHBOURHOOD BOUNDARY
ASSINIBOINE
RIVER
ROSLYN RD
RIVER AVE
OSBORNE ST
SCOTT ST
STRADBROOK AVE
DONALD STREET
NASSAU ST N
WELLINGTON CRES
CORYDON AVE
PEMBINA HIGHWAY
RED
RIVER