Agenda – Council – January 27, 2010

Report – Executive Policy Committee – January 20, 2010

Item No. 2 Rezoning – 645/649 Keewatin Street
(Point Douglas Ward)
File DAZ 219/2009

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 20, 2010, the Executive Policy Committee concurred in the recommendation of the Lord Selkirk-West Kildonan 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 219/2009 dated December 10, 2009 to an "R2" Residential 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 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 – Executive Policy Committee – January 20, 2010

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 20, 2010, the Executive Policy Committee concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 12, 2010, the Lord Selkirk-West Kildonan 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 – 645/649 Keewatin Street**
File DAZ 219/ 2009

For submission to: **Executive Policy Committee**

Prepared by: **Inga Skundberg, Committee Clerk**
Lord Selkirk-West Kildonan Community Committee

Report date: **January 13, 2010**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 12, 2010, the Lord Selkirk-West Kildonan 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 219/2009 dated December 10, 2009 to an "R2" Residential 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 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 Lord Selkirk-West Kildonan Community Committee provided the following supporting reason for its recommendation:

1. The subject application is a good type of infill housing and is compatible with the surrounding neighbourhood.

PUBLIC HEARING SUMMARY

File: DAZ 219/2009

Before: Lord Selkirk-West Kildonan Community Committee
Councillor Lazarenko, Chairperson
Councillor Pagtakhan

Public Hearing: January 12, 2010
West Committee Room
Council Building, 510 Main Street

Applicant: 5121205 Manitoba Ltd. (Greg Grewal)

Subject:



Premises Affected: 645/649 Keewatin Street

Exhibits Filed:

1. Application dated October 27, 2009
2. Notification of Public Hearing dated November 26, 2009
3. Manitoba Status of Title 2399123
4. Surveyor's Building Location Certificate and sketch dated March 26, 2008
5. Plan
6. Report from the Planning and Land Use Division dated December 10, 2009
7. Inspection Report
8. Audio Recording of representations of public hearing held on January 12, 2010

REPRESENTATIONS:

In Support:

Gurpreet Grewal

In Opposition

Nil

For Information:

Nil

For the City:

Mr. G. Doney, Senior Planner, Planning, Property and Development Department

Exhibit "6" referred to in File DAZ 219/2009

ADMINISTRATIVE REPORT

ISSUE: DAZ 219/09 645 Keewatin Street Public Hearing

Critical Path: Lord Selkirk-West Kildonan Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee - Council as per the *Development Procedures By-Law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Himbeault	n/a	n/a	

RECOMMENDATIONS

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 219/2009 dated December 10, 2009 to an "R2" Residential 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 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.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, a development permit can be issued.

CONSULTATION

In preparing this Report there was consultation with:

N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by	Robert Kostiuk
Date:	December 10, 2009
File No.	DAZ 219/09

Appendix A	Administrative Report
Appendix B	Schedule “A”

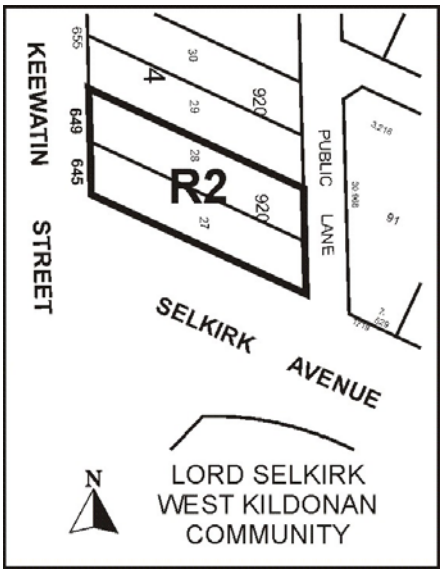
APPENDIX 'A'

DATE: December 10, 2009
FILE: DAZ 219/09

COMMUNITY: Lord Selkirk-West Kildonan Community
NEIGHBOURHOOD #: 3.307

SUBJECT: **To rezone the property from "R1-M" Residential Single Family to "R2" Residential Two-Family to construct a duplex (side-by-side).**

LOCATION: 645 Keewatin Street
LEGAL DESCRIPTION: Lots 27 & 28, Block 4, Plan 920



APPLICANT: 5121205 Manitoba Ltd. (Greg Grewal)
64 Raphael Street
Winnipeg, MB R3T 2R4

OWNER: 5121205 Manitoba Ltd. (Greg Grewal)
64 Raphael Street
Winnipeg, MB R3T 2R4

RECOMMENDATION: Approval with Conditions

REPORT SUMMARY:

- The applicant would like to construct a two-family dwelling (side-by-side or duplex).

- The subject property is classified as one zoning lot that consists of two lots of a plan of subdivision (Lots 27 and 28, Block 4, Plan 920).
- There are a number of lots zoned “R2” Residential Two-Family within the area. Most notably there are six (6) existing lots zoned “R2” Residential Two-Family 150 metres north of the subject property on the west side of Keewatin Street.
- The Planning and Land Use Division supports this rezoning application because the rezoning and proposed development are compatible with the surrounding neighbourhood and the rezoning is consistent with Plan Winnipeg policy to provide infill housing at appropriate locations.

SITE DESCRIPTION:

- The subject property is approximately **5,000 square feet** located on the northeast side of the Keewatin Street and Selkirk Avenue intersection in the Burrows-Keewatin neighbourhood of the Point Douglas Ward.
- The site is zoned “R1-M” Residential Single Family Medium.
- The subject property is classified as one zoning lot that consists of two lots of a plan of subdivision (Lots 27 and 28, Block 4, Plan 920).
- The site is predominantly surrounded by single-family homes with detached garages.
- The subject property is currently vacant.



Figure 1: Air photo (flown 2009) of the subject property and surrounding area

SURROUNDING ZONING & USES (See Figure 2)

North: Single-family detached homes zoned “R1-M” Residential-Single Family Medium.

South: Industrial uses zoned “M2” Manufacturing General (immediately south), and “M1” Manufacturing Light (southwest of the subject property).

East: Single-family detached homes zoned “R1-M” Residential-Single Family Medium.

West: Single-family detached homes zoned “R1-M” Residential-Single Family Medium.



Figure 2: Zoning of the subject property and surrounding area

BACKGROUND

- The applicant applied for a variance for this property (DAV 09-152565/C), but subsequently withdrew the application prior to the application being processed.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant would like to construct a two-family dwelling (side-by-side or duplex).
- The proposed area of development for each of the two residences is approximately 1,020 square feet (94.8 square metres).
- The proposed height of the development would be below thirty-five (35) feet, which is the maximum height permitted in the “R2” Residential Two-Family zone.
- The draft site plans for the development show that the two buildings would have side yards of just over four (4) feet, rear yards greater than twenty-six feet (26), and front yards of twenty (20) feet.

ANALYSIS

PLAN WINNIPEG COMPLIANCE

- The proposed rezoning complies with *Plan Winnipeg 2020.*

ZONING

- **"R1-M" Residential Single-Family District** is intended to accommodate primarily single-family residential development in lower-density neighbourhoods. Minimum lot sizes of 3,500 square feet and minimum lot widths of 25 feet are required. Side yards of 4 feet are required. Front yard requirements are 15 feet; rear yard requirements are 25 feet. The maximum building height is 35 feet.

- **"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 side yard requirement is 4 feet and the minimum reverse side yard requirement is 10 feet. The minimum lot width is 25 feet and lot area 5,000 square feet (2,500 per dwelling unit).

LAND USE BY-LAW ISSUES

- 'Two-family dwellings' are not permitted in the "R1" Residential Single-Family zoning district.
- 'Two-family dwellings' are permitted in the "R2" Residential Two-Family zoning district.

NEIGHBOURHOOD COMPATIBILITY

- The subject property is located at the corner of Keewatin Street and Selkirk Avenue.
- Manufacturing zones are located to the south of the property.
- There are a number of lots zoned "R2" Residential Two-Family within the area. Most notably there are six (6) existing lots zoned "R2" Residential Two-Family 150 metres north of the subject property on the west side of Keewatin Street.
- The Planning and Land Use Division has supported numerous minor intensifications such as two-family dwellings in predominantly single-family neighbourhoods, especially when the property is located on the corner.
- Bearing in mind the points listed above, the proposed "R2" zoning is compatible with the neighbourhood.

SITE DESIGN ISSUES

- The subject property is classified as one zoning lot that consists of two lots of a plan of subdivision (Lots 27 and 28, Block 4, Plan 920).
- The City of Winnipeg Plan Examination Branch will require that the party wall is centred on the boundary between Lots 27 and 28, Block 4, Plan 920 prior to a final building permit being issued.

LAND DEDICATION

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.
- The amount of lands is not less than 10%.
- The developer will provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.
- The Planning, Property and Development is requesting 'cash in lieu' for this application.

RECOMMENDATION

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

- The proposed development and rezoning is compatible with the surrounding neighbourhood.
- The rezoning is consistent with Plan Winnipeg policy to provide infill housing at appropriate locations.

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

Report Prepared by: Robert Kostiuk
PPD File # DAZ 219/09

APPENDIX 'B'

Schedule "**A**" for File No. DAZ 219/09, Lord Selkirk - West Kildonan Community Committee, dated December 10, 2009.

By-Law No. _____

File No. **DAZ 219/09**

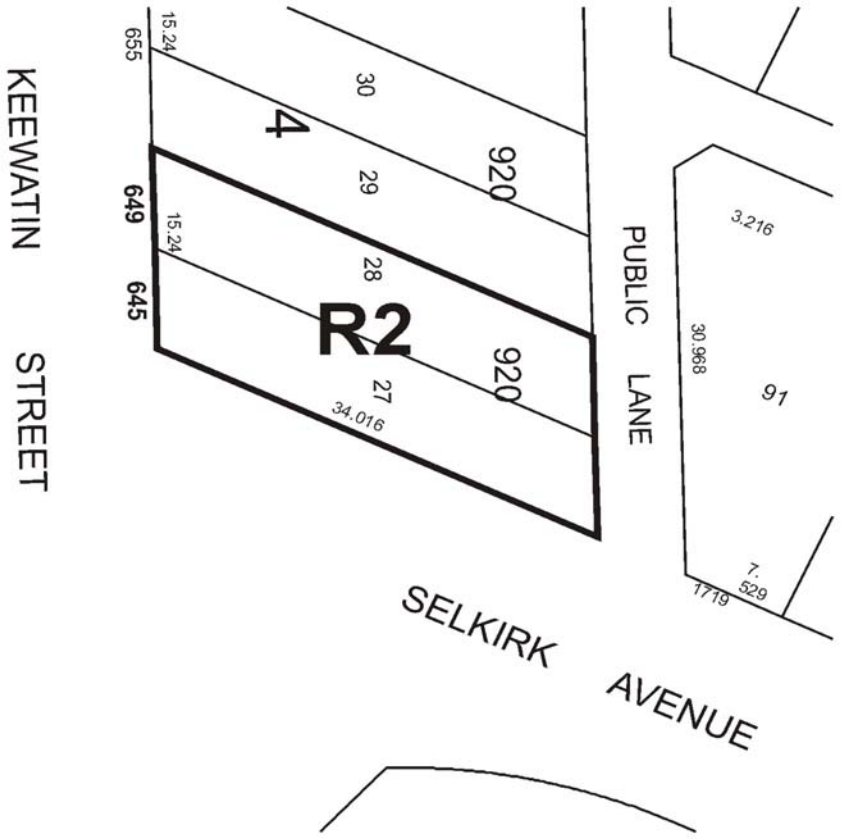
Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 645 & 649 Keewatin Street from an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to allow for the construction of a two-family dwelling (side-by-side) as shown outlined below.

Atlas Sheet No. **V21**

N

LORD SELKIRK WEST KILDONAN COMMUNITY



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____