Agenda - Executive Policy Committee - June 9, 2010

REPORTS

Item No. 1 Rezoning – 10 Euston Street
(North Kildonan Ward)
File DAZ 203/2010

COMMUNITY COMMITTEE RECOMMENDATION:

On May 25, 2010, 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 203/2010 dated April 20, 2010, to a "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 Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

5. That the Director of Legal Services and City Solicitor 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 May 25, 2010, 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 - 10 Euston Street**
File DAZ 203/2010

For submission to: **The Executive Policy Committee**

Prepared by: **Carlos Gameiro, Senior Committee Clerk**
East Kildonan-Transcona Community Committee

Report date: **May 27, 2010**

COMMUNITY COMMITTEE RECOMMENDATION:

On May 25, 2010, 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 203/2010 dated April 20, 2010, to a "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 Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

5. That the Director of Legal Services and City Solicitor 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 reason for its recommendation:

1. This type of development is suitable for this size of lot in the Neighbourhood.

PUBLIC HEARING SUMMARY

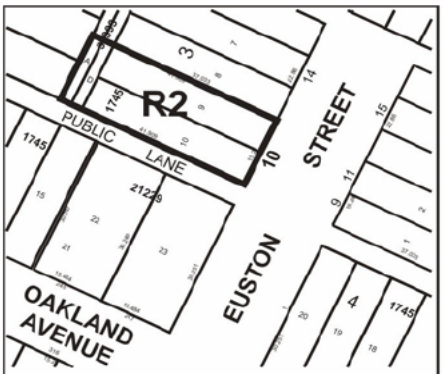
File: DAZ 203/2010

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

Public Hearing: May 25, 2010
Bronx Park Community Centre
720 Henderson Highway

Applicant: Benita Solleveld

Subject:



APPLICANT: BENITA RETTALER
FILE: DAZ 203/10
PROPOSAL : To rezone the land shown outlined above 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). **For information, phone Mr. J. Wintrup, Planner at 986-5102.**

Premises Affected: 10 Euston Street

Exhibits Filed:
1. Application dated February 26, 2010
2. Notification of Public Hearing dated April 22, 2010
3. Manitoba Status of Title 2123371
4. Letter of authorization dated February 24, 2010 from Glenn Solleveld to Benita Rettaler

5. Surveyor's Building Location Certificate and sketch
6. Report from the Planning and Land Use Division dated April 28, 2010
7. Inspection Report
8. Audio Recording of representations

REPRESENTATIONS:

In Support:

Benita Rettaler

In Opposition

Nil

For Information:

Nil

For the City:

Mr. J. Wintrup, Senior Planner, Planning, Property and Development Department

Exhibit "6" referred to in File DAZ 203/2010

ADMINISTRATIVE REPORT

Title: DAZ 203/2010 – 10 Euston St

Issue: For consideration at the public hearing for a proposed rezoning.

Critical Path: East Kildonan-Transcona Community Committee 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 203/2010 dated April 20, 2010, to a "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 Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

5. That the Director of Legal Services and City Solicitor 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	Michael Pyl
Date:	April 28, 2010
File No.	DAZ 203/2010

Winnipeg

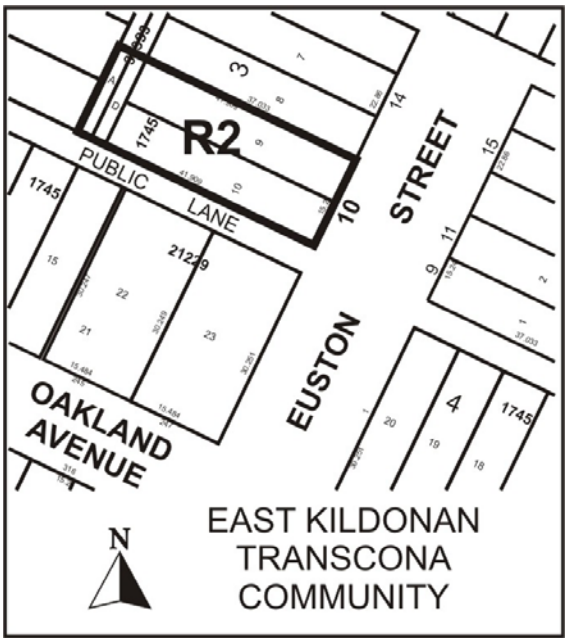
Planning, Property and Development Department Report

To the East Kildonan-Transcona Community Committee

Date: April 28, 2010
File: DAZ 203/2010
Related Files:

Subject: Rezone property from "R1-M" Single Family district to "R2" Residential Two-Family district to allow for the construction of a duplex.

Location: 10 Euston St
Legal Description: LOT 9/10 BLOCK 3 PLAN 1745 PCL A,D PLAN 34393 65 K



Applicant: Benita Rettaler
Owner: Glenn Solleveld and Benita Rettaler

Recommendation: *Approved with conditions*

Report Summary:

- The applicant eventually intends to demolish the existing single family dwelling and replace it with a duplex. However, detailed plans were not submitted as part of this application.
- The site is currently zoned "R1-M" Residential Single-Family district; it will require a rezoning to "R2" Residential Two-Family district to accommodate a duplex.

Site Description

- The subject property is located on the west side of Euston St north of Oakland Ave in the Rossmere-A neighbourhood of the North Kildonan Ward.
- The site is currently zoned "R1-M" Single Family district. It is 50 ft. wide, 121.5 ft. deep, and 6,075 sq. ft. in area, and is currently occupied by a 528 sq. ft., 1 ½ storey single family dwelling as well as a 130 sq. ft. shed in the southwest corner of the property.
- Adjacent properties include duplexes zoned "R2" to the west and east and single family dwellings zoned "R1-M" to the north and south. There is a public lane directly adjacent to the subject property to the south.



Figure 1: Site map of subject property and surrounding neighbourhood

Description of the Proposed Development

- The applicant eventually intends to demolish the existing single family dwelling and replace it with a duplex. However, detailed plans were not submitted as part of this application.
- The current property owners plan to live in one of the units, and rent out the other.
- A rezoning from "R1-M" to "R2" is necessary because a two-family dwelling is not permitted in an "R1" district.

Background

DASZ 4/94

- On November 5, 1995, Council approved By-law No. 6723/95, which rezoned 1111-1115 Brazier St from "R1-5" Single-Family district to "R2" Two-Family Residential district to allow for the construction of two two-family dwellings.
- The administration supported the proposed rezoning as it was deemed to be consistent with both the type and density of neighbouring residential development.

Analysis

PLAN WINNIPEG

- The subject property is designated as Neighbourhood Policy Area in Plan Winnipeg.
- Policy 3A-02 Promote Compact Urban Form "encourages infilling of vacant lands and the revitalization of existing neighbourhoods to maximize the use of existing infrastructure", and supports "new development which is adjacent to, and compatible with, existing development which is designed to minimize the spatial use of land".

HENDERSON HIGHWAY CORRIDOR ACTION AREA PLAN

- The subject property falls within the boundaries of the Henderson Highway Corridor Action Area Plan.
- The objective of the plan, as it relates to proposed residential development, is to prevent the conversion of single family dwellings to commercial units along Henderson Highway.
- The proposed development is compatible with the Henderson Highway Corridor Action Area Plan.

ZONING

- The subject property is currently zoned "R1-M" Residential Single-Family district, which is intended to accommodate primarily single-family residential development in lower-density neighbourhoods. "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.

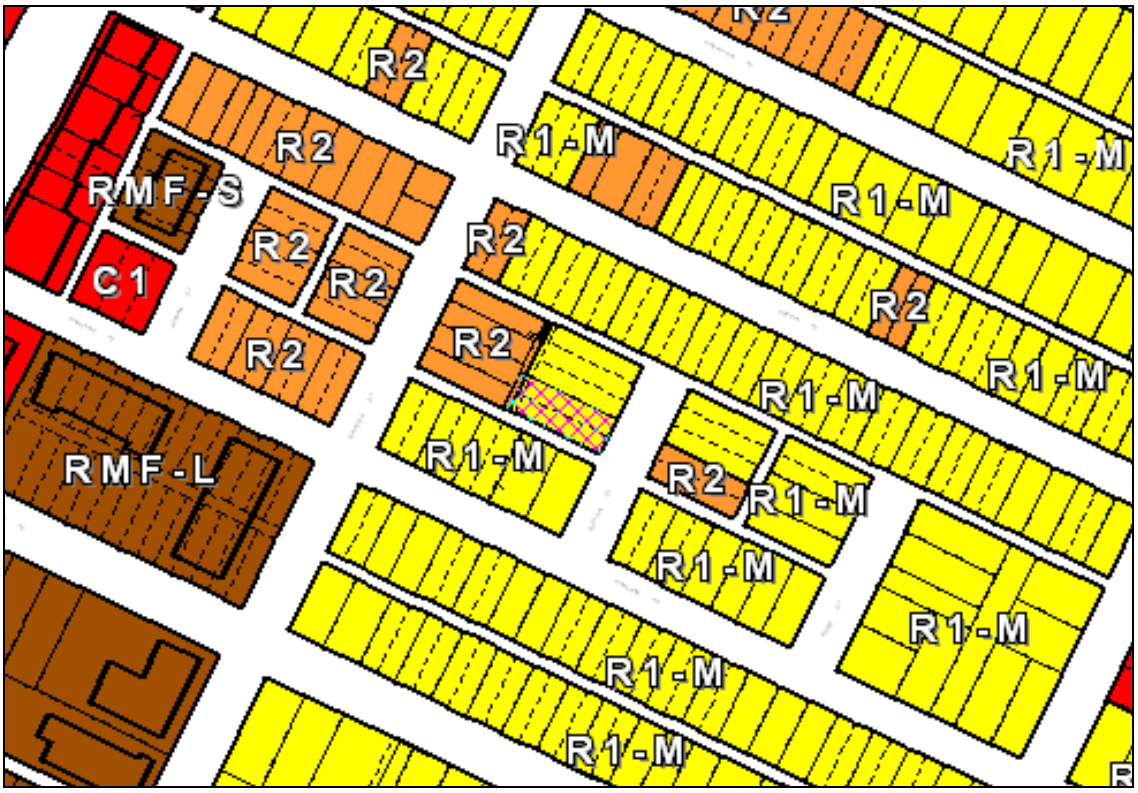


Figure 2: Zoning map of subject property and surrounding neighbourhood

- Section 143 of Zoning By-law No. 200/06 prescribes the following dimensional standards for the "R1-M" Residential Single-Family district:

Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Front Yard (ft.)	Min. Rear Yard (ft.)	Min. Side Yard (ft.)	Min. Reverse Corner Street Side Yard (ft.)	Max. Building Height (ft.)	Max. Lot Coverage (%)
3,500	25	15	25	4	4	35	45
b. Where the width of the lot is less than 40 ft., the side yards may be reduced to 10% of the width of the lot but must not be less than 3 ft. c. Portions of the front façade that do not include garages and carports must have a minimum front yard of 15 ft.. Driveway length is measured between the garage door or the edge of the carport closest to the street and the front property line.							

Figure 3: Dimensional standards for the "R1-M" district.

- Section 143 of Zoning By-law No. 200/06 prescribes the following dimensional standards for the "R2" Residential Two-Family district:

Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Front Yard (ft.)	Min. Rear Yard (ft.)	Min. Side Yard (ft.)	Min. Reverse Corner Street Side Yard (ft.)	Max. Building Height (ft.)	Max. Lot Coverage (%)
5,000*	25	20	25	4	10	35	NA
* - 2,500 per dwelling unit for two-family; 800 per dwelling unit for multi-family.							

Figure 4: Dimensional standards for the "R2" district.

- According to Section 62 of the zoning by-law, which identifies all permitted and conditional land uses within all zoning districts, two-family dwellings are not permitted in the "R1" district. In the "R2" district, both single-family and two-family dwellings are permitted; multi-family dwellings are a conditional use.
- Section 161 of the zoning by-law prescribes the minimum amount of parking necessary for each use type. A two-family dwelling is classified as Parking Category 1, which requires one parking space per dwelling unit to a maximum of six per unit.

LAND USE BY-LAW ISSUES

- Given that the applicant has not submitted plans for the construction of the duplex as part of this application, it is possible that it may require variances. If this is the case though, a public hearing will be required.

PROXIMITY TO TRANSIT

- The subject property is located just over 200 metres from McLeod Ave, which is serviced by Winnipeg Transit route 77.
- The subject property is also located approximately 300 metres from Henderson Hwy, which is serviced with high frequency public transit.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- There is a significant cluster of "R2" properties in the immediate neighbourhood, particularly at the nearby corner of Brazier St and Devon Ave. There are duplexes to the immediate west and east of the subject property. Since duplexes are a predominant characteristic of the immediate neighbourhood, the proposed rezoning does not represent a significant departure.

- The Planning and Land Use Division is generally supportive of infill development. Not only does it maximize existing infrastructure and minimize the spatial use of land, it helps provide a wider range of housing options. This has a number of benefits, including the opportunity to "age in place" – as baby boomers retire and seek to downsize their living accommodations, the construction of multi-family units in existing areas will help them remain in their neighbourhoods.

Recommendation

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

- A two-family dwelling would be compatible with the surrounding neighbourhood.
- A duplex would help provide a wider range of housing options.

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 203/2010 dated April 20, 2010, to a "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 Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

5. That the Director of Legal Services and City Solicitor 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 Pyl
PPD File # DAZ 203/2010