Agenda – Council – February 23, 2011

Report "A" – Executive Policy Committee – February 16, 2011

Item No. 4 Rezoning – 783 Pritchard Avenue
(Point Douglas Ward)
File DAZ 227/2010

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 16, 2011, 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 227/2010 dated January 20, 2011, to 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 and the creation of additional lots.

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 thing necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Report "A" – Executive Policy Committee – February 16, 2011

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 16, 2011, 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 February 8, 2011, 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 – 783 Pritchard Avenue**
File DAZ 227/2010 [c/r DAV 166303/2010D]

For submission to: **Executive Policy Committee**

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

Report date: **February 9, 2011**

COMMUNITY COMMITTEE RECOMMENDATION:

On February 8, 2011, 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 227/2010 dated January 20, 2011, to 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 and the creation of additional lots.

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5. That the Director of Legal Services and City Solicitor be requested to do all thing 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 applicant does good work, and the project satisfies a need for housing in the neighbourhood.

PUBLIC HEARING SUMMARY

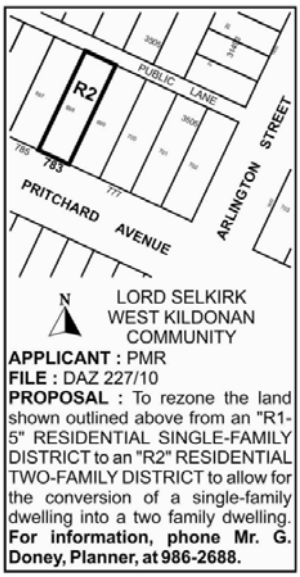
File: DAZ 227/2010 [c/r DAV 166303/2010D]

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

Public Hearing: February 8, 2011
North Committee Room
Council Building, 510 Main Street

Applicant: PMR Project Management Residential (Harold Teynor)

Subject:



Premises Affected: 783 Pritchard Avenue

Exhibits Filed:

1. Application dated November 24, 2010
2. Notification of Public Hearing dated December 14, 2010
3. Manitoba Status of Title 2374961
4. Letter of authorization dated February 15, 2010 from 5819319 Manitoba Ltd., to Harold Teynor
5. Surveyor's Building Location Certificate and sketch dated May 12, 2010
6. Plans (4 pages)
7. Report from the Planning and Land Use Division dated January 20, 2011
8. Inspection Report

9. Audio Recording of representations

REPRESENTATIONS:

In Support:

Peter Draguik
Matthew Penner
Darren Zawislak

In Opposition:

Nil

For Information:

Nil

For the City:

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

Exhibit "7" referred to in File DAZ 227/2010

ADMINISTRATIVE REPORT

Title: DAZ 227/2010 – 783 Pritchard Avenue

Issue: For consideration at the Public Hearing for a rezoning to allow the conversion of a single family dwelling into a two-family dwelling.

Critical Path: Lord Selkirk – West Kildonan Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	n/a	n/a	

RECOMMENDATIONS

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 227/2010 dated January 20, 2011, to 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 and the creation of additional lots.

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 be requested to do all thing necessary for implementation in accordance with the terms of The City of Winnipeg Charter

REASON FOR THE REPORT

- The subject land is occupied by a vacant, insecure fire damaged two story dwelling with structural integrity concerns that was constructed in 1914.
- The Developer intends convert the single-family dwelling into a two family dwelling.
- The proposed redevelopment of the boarded up, burnt out, house into a two family dwelling unit is considered a positive improvement.
- Rezoning the land to 'R2' will establish livable dwellings in close proximity to other nearby residential dwellings and the school.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, a two-family dwelling will be allowed on the land.

HISTORY

The City of Winnipeg and Winnipeg Police Service received and acted on several complaints over the years regarding the condition of the structure, living conditions within the building, and the condition of the yard.

The building was placed on the Vacant Building Registry in September 29, 2008.

August, 2008 on wards the City of Winnipeg received and acted on several complaints regarding the substandard condition of the boarded up structure, condition of the yard, and under-age drinking occurring on the premises.

The building and land were sold to a new owner who would like to redeveloped the existing structure into a two-family dwelling

CONSULTATION

In preparing this report there was consultation with:

N/A

SUBMITTED BY

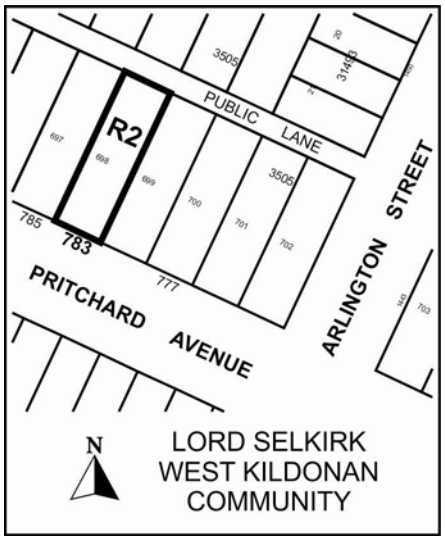
Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	*John Wintrup*
Date:	*January 20, 2011*
File No.	*DAZ 227/10*

APPENDIX 'A'

DATE: January 20, 2011
FILE: DAZ 227/10
RELATED FILES: DAV 10-166303/D
COMMUNITY: Burrows Central
NEIGHBOURHOOD #: 3.303

SUBJECT: Rezoning to allow the conversion of a single-family dwelling into a two family dwelling.

LOCATION: 783 Pritchard Ave



APPLICANT: PMR (Harold Teynor)
Selkirk, MB

OWNER: 5819319 Manitoba Ltd.

RECOMMENDATION: Approval

REPORT SUMMARY

- The subject land is occupied by a vacant, insecure fire damaged two story dwelling with structural integrity concerns that was constructed in 1914.
- The Developer intends convert the single-family dwelling into a two family dwelling.
- The proposed redevelopment of the boarded up, burnt out, house into a two family dwelling unit is considered a positive improvement.
- Rezoning the land to 'R2' will establish livable dwellings in close proximity to other nearby residential dwellings and the school.

SURROUNDING LAND USES AND ZONING

- The subject land is 3,548 sq. ft. located on the north side of Pritchard Ave between Arlington Ave and Sinclair Ave in the Burrows Central neighbourhood of the Point Douglas ward.
- The subject land is occupied by a vacant, insecure fire damaged two story dwelling with structural integrity concerns that was constructed in 1914.
- Adjacent properties are lands zoned 'R1' to the west that is a single family dwelling; to the east is the "Ukrainian Canadian Institute Prosvita" zoned R2.
- Surrounding properties include to the immediate south across Pritchard Ave, is "King Edward Community School" lands zoned **PR2 Parks and Recreation 2 (Community) District**.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The Developer intends convert the single-family dwelling into a two family dwelling.

ANALYSIS AND ISSUES

ZONING (BY-LAW 200/2006)

- **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.
    - Side yards are minimum 4 feet.
    - The minimum lot width is 25 feet and lot area 5,000 square feet (2,500 per dwelling unit).

- **R1-S Single Family Residential District - Small** is intended to accommodate primarily single family residential development in lower-density neighbourhood.
    - There is a minimum lot size of 2,500 square feet.
    - A side yard of 4 feet is required.
    - Maximum building height is 35 feet.

- **PR2 Parks and Recreation 2 (Community) District** is intended for sites that include community recreation facilities and parks that are accessed by a mix of pedestrian and vehicular traffic.
    - These sites may provide active programs and activities, including community centres, hockey pens, arenas, indoor soccer, wading pools, spray parks, skateboard parks and athletic fields.
    - Parking facilities ranging from 10 to 100 stalls may be associated with these uses.
    - These parks and facilities typically occur along collector streets.

LAND USE BY-LAW

- The decision of the Committee for the variance may be appealed to the Appeals Committee for a new public hearing, the rezoning application proceeds to Council without any further Public Hearings.
- Variances are required for sub standard lot area, west side yard and for an overhanging eve on the west side of the structure (DAV 10-166303/D).

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.
- If dedication is 'cash in lieu' of land, then the developer is required to pay the City its share of the costs of landscaping and services that it would have expended had a dedication of the land been made, which will equal 10 %.
- 'Cash in lieu' of land will be required under this development application.

RECOMMENDATIONS

The Planning and Land Use Division recommends approval because, subject to the conditions stated in the section of this report titled "Recommendations," the proposed development and associated rezoning is compatible with the neighbourhood:

- Rezoning the land to 'R2' will establish livable dwellings in close proximity to other nearby residential dwellings and the school.

- The proposed redevelopment of the boarded up, burnt out, house into a two family dwelling unit is considered a positive improvement

- R2 zoning exists adjacent to the subject lands as well as along Pritchard Avenue from Arlington to Main Street.

This Report Submitted by: John Wintrup
Planning, Property and Development Department
Planning and Land Use Division
Report Prepared by:
PPD File # DAZ 227/10

Schedule “A” for File No. DAZ 227/2010, Lord Selkirk – West Kildonan Community Committee, dated January 20, 2011.

By-Law No. _____

File No. **DAZ 227/10**

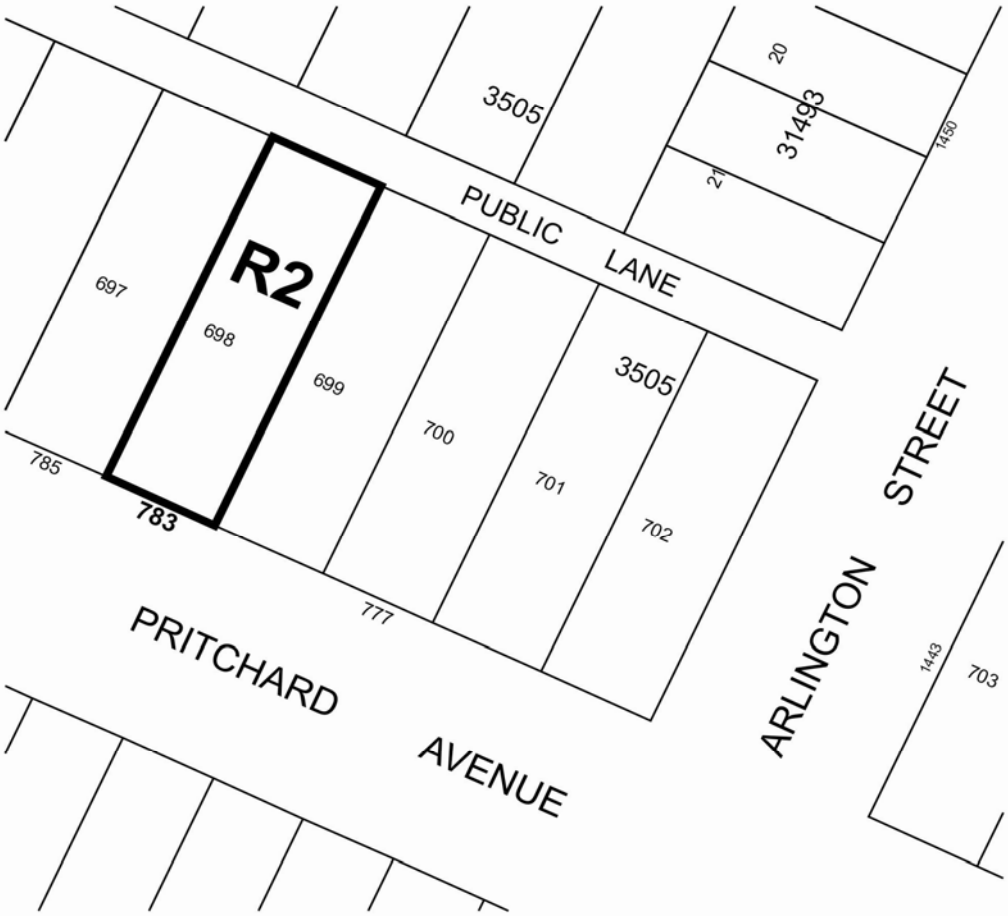
Atlas Sheet No. **W23**

N

LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 783 Pritchard Avenue from an "R1-5" RESIDENTIAL SINGLE-FAMILY DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to allow for the conversion of a single-family dwelling into a two family dwelling as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

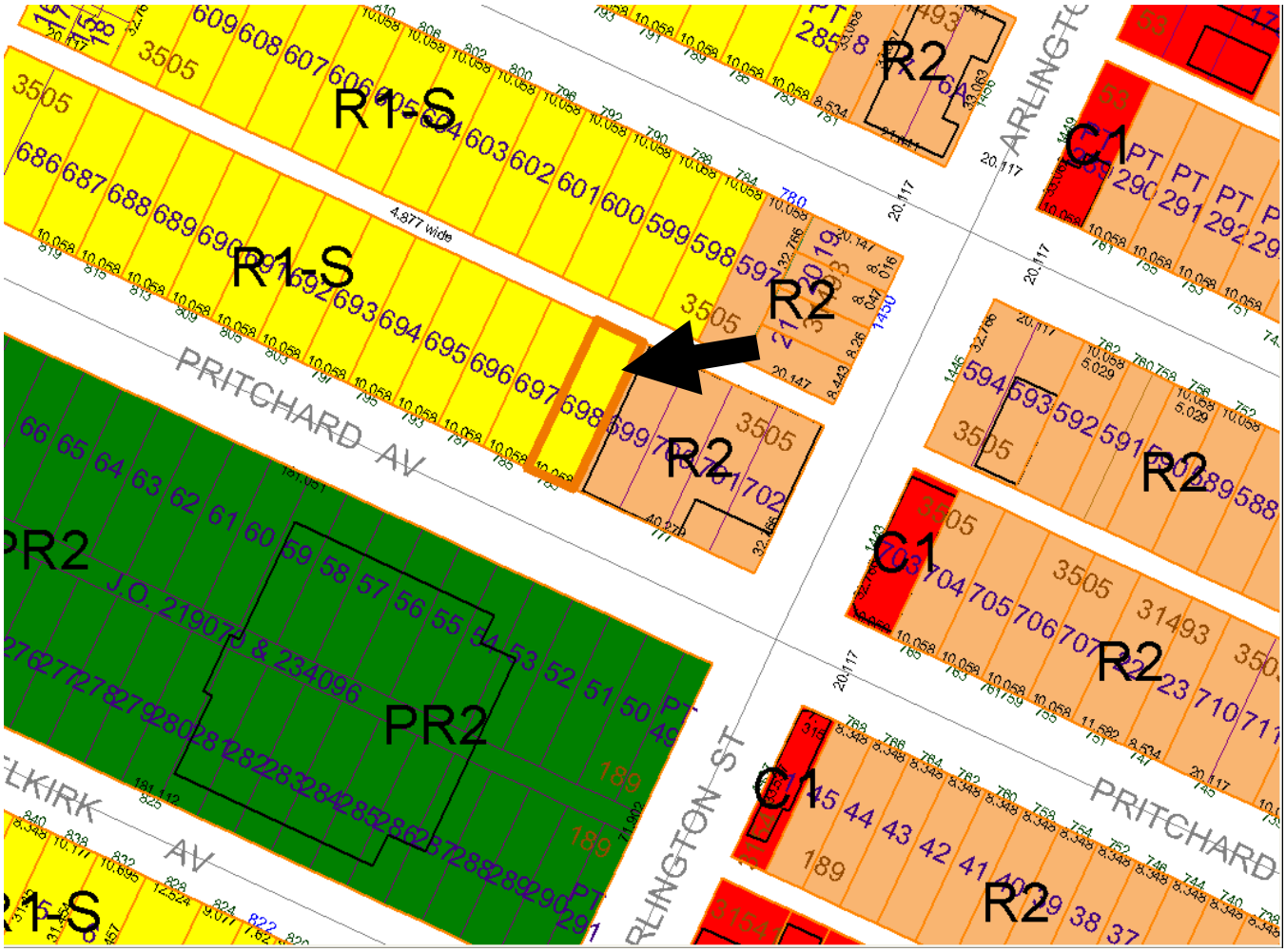


Figure 1: Existing Zoning for subject property and Surrounding Area.



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