Report - Standing Policy Committee on Property and Development - April 8, 2003

Item No. 3 Proposed Rezoning - 362, 364, 366 Young Street
File DAZ 200/2003 [c/r DAV 30/2003D]

STANDING COMMITTEE RECOMMENDATION:

On April 23, 2003, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee, and recommends to Council that the application under File DAZ 200/2003 not be proceeded with.

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 23, 2003, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee, and recommended that the application under File DAZ 200/2003 not be proceeded with.

STANDING COMMITTEE RECOMMENDATION:

On April 8, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted its recommendation to Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 4, 2003, the City Centre Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Proposed Zoning Change - 362, 364, 366 Young Street**
File DAZ 200/2003 (c/r DAV 30/2003 D)

For submission to: **Standing Policy Committee on Property and Development**

Prepared By: Carol Freeman, Clerk, City Centre Community Committee

Report date: **March 13, 2003**

COMMUNITY COMMITTEE RECOMMENDATION:

The City Centre Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development that the application under File DAZ 200/2003 not be proceeded with.

The City Centre Community Committee provided the following supporting reasons for its recommendation:

1. Plan Winnipeg does not support commercial rezonings that may be disruptive to the residential character of a neighbourhood including encouraging the demolition of existing housing stock.

2. Based on a windshield survey of area parking lots, there is enough surface parking in the area to service businesses, the CBC, and the University.

3. The proliferation of parking lots is having a detrimental impact on the appearance of the neighbourhood and the quality-of-life of local residents.

4. The proposed parking lot is located amidst the remaining section of intact housing on the street and may encourage further housing demolition.

5. The proposed parking lot is to be developed at a low standard without the proper yards, fencing, lighting, and landscaping.

6. The subject property should be reserved for infill housing to help rejuvenate the neighbourhood

7. Mid-block commercial rezonings are not typically supported by the Development Management Branch as they can destabilize the residential environment and encourage the commercial conversion of adjacent properties.

PUBLIC HEARING SUMMARY

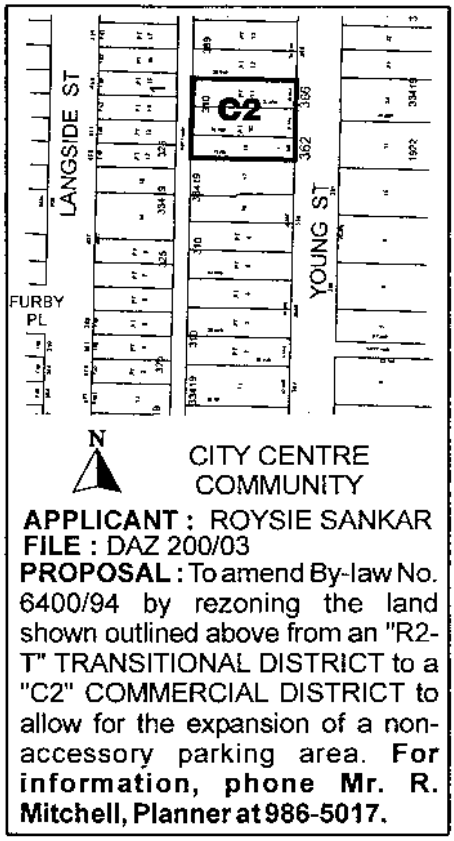
File File DAZ 200/2003 (c/r DAV 30/2003D)

Public Hearing: March 4, 2003
Community Committee Chamber, 300 Assiniboine Avenue

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

Applicant: Roysie Sankar
2041 Selkirk Avenue
Winnipeg, MB R2R 1R6

Subject:



Premises Affected: 362, 364, 366 Young Street,
west side between Ellice and Portage Avenues

Exhibits Filed:

1. Application dated January 14, 2003
2. Advertising notice dated January 28, 2003
3. Manitoba Status of Titles 1037607 and 1263434
4. Certificate of Title J 45684
5. Surveyor's Certificate and Sketch dated August 4, 1995
6. Letter of Authorization from Ena Sankar to Roysie Sankar dated January 3, 2003
7. Site Plan
8. Report of the Manager of Planning and Land Use dated February 19, 2003
9. Photographs of the Site and Inspection Notice
10. Communication dated March 3, 2003, from Inonge Aliaga, Housing Coordinator, Spence Neighbourhood Association, in opposition to the application
11. By-law No. 39/2003

REPRESENTATIONS:

In Support:

Roysie Sankar, 2041 Selkirk Avenue, Winnipeg, R2R 1R6

In Opposition:

Cyril Keeper, 375 Agnes Street, Winnipeg, R3G 1N5
Inonge Aliaga, Housing Coordinator, Spence Neighbourhood Association,
430 Langside Street, Winnipeg, R3B 2T5

For the City:

Ross Mitchell, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING ON THE SUBJECT MATTER

Roysie Sankar, appearing in support of the application, advised that he has owned the subject property since 1988 and the house had burned down in 2002. He indicated that the property was located between Ellice and Portage Avenues, no one wants to live downtown, all his properties are vacant while he pays heating bills and the proposed parking lot would be paved.

Cyril Keeper, appearing in opposition to the application, read a prepared presentation from Inonge Aliago, Housing Coordinator, Spence Neighbourhood Association, filed as Exhibit No. 10, into the record

In reply please refer to / Référence à rappeler : Ross Mitchell

(204) 986-5017
Fax / Téléc. : (204) 986-3684

File No. DAZ 200/03 (c/r DAV 30/03D) February 19, 2003
Our c/f CP 500 (.104)

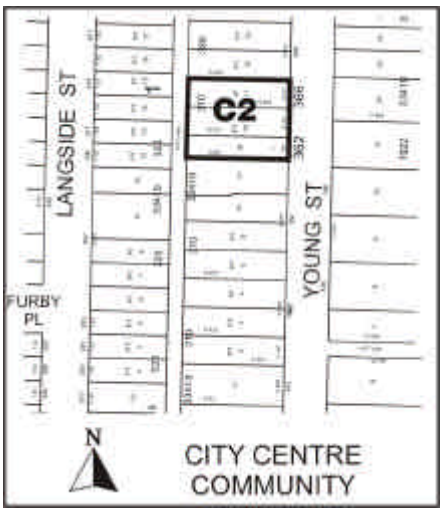
Ms. Carol Freeman, Clerk
City Centre Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear Ms. Freeman:

REZONING
West side of Young Street, between Portage and Ellice
City Centre Community Committee
File No. DAZ 200/03

An application has been received from Roysie Sankar, to amend By-Law No. 6400/94 by rezoning the land shown below from a/an "R2-T" Two-family Transitional Residential District to a/an "C2" Commercial District to allow for the establishment of a commercial parking lot.

RELATED FILES: DAV 30/03D



SITE DESCRIPTION:

Site Area: Approx. 8,940 square feet (83.5' by 107.1 feet).

Existing Land Use and Zoning:

- 362 Young, 2-storey, frame house zoned "R2-T"
- 366 Young, empty lot used for parking zoned "R2-T"
- 366 Young, vacant lot zoned "R2-T"

Surrounding Land Use and Zoning:

North: 3 storey apartment building, zoned "R2-T"
South: 6 storey apartment building, zoned "R2-T"
East: across Young Street, playground zoned ""Rc" and "NRc"
West: across public lane, mixed housing fronting Langside Street, zoned "R2-T"

DEVELOPMENT DESCRIPTION:

The development involves 3 residential lots, 362, 364 and 366 Young Street. A rooming house was recently demolished at 366 Young Street. The lot at 364 is used for parking. The lot at 362 contains a single-family house that the applicant intends to demolish. The site plan shows lots 364 and 366 combined into a parking lot for 24 cars with a centre aisle. The plan shows angle parking for 4 cars behind the house at 362 Young. The related variance application would allow the establishment of the parking lots without the necessary front and side yards and without the necessary fencing and landscaping.

PLAN WINNIPEG:

Under Plan Winnipeg, applications for commercial rezonings are permitted in Neighbourhood Policy Areas. However, Plan Winnipeg does not support commercial rezonings that may be disruptive to the residential character of a neighbourhood including encouraging the demolition of existing housing stock.

ADMINISTRATIVE COMMENTS:

The subject lands are located in the Spence Neighbourhood. In recent years, the Spence Neighbourhood has been the focus of a concerted effort to revitalize the neighbourhood involving the City, Province, and local residents, business owners and community leaders. One of the major initiatives has been to improve housing in the area. Illegal or substandard housing is being eliminated through the improved enforcement of zoning and building codes. Programs are available to assist homeowners with renovations and repairs. Community groups are renovating houses for resale to new residents. And The University of Winnipeg is renovating buildings for student housing. These initiatives are aimed at reversing the steep decline in the quality of housing and the value of residential properties in the neighbourhood over the past 20 years.

A major issue facing the Spence neighbourhood, and other inner-city neighbourhoods, is the proliferation of substandard parking lots. Some of these parking lots are a function of the devaluation of residential properties. Specifically, houses deteriorate to the point where demolition is the only option and, in the absence of infill housing development, parking becomes the "highest and best use" in real estate terms. In fact, vacant lots on Langside across the lane from the subject site are being used for illegal parking since the demolition of the house at 415.

In the Spence Neighbourhood, the University of Winnipeg creates pressure for surface parking. Much of Young Street is already developed with parking lots serving students and staff. In fact, administration support was extended to recent rezonings at 336 and 348 Young Street towards the south end of the block. Young Street.

However, within the context of the above discussion, the Development Management Branch is not prepared to support this application for the following reasons:

- based on a wind-shield survey of area parking lots, there is enough surface parking in the area to service businesses, the CBC, and the University;
- the proliferation of parking lots is having a detrimental impact on the appearance of the neighbourhood and the quality-of-life of local residents;
- the proposed parking lot is located amidst the remaining section of intact housing on the street and may encourage further housing demolition;
- the proposed parking lot is to be developed at a low standard without the proper yards, fencing, lighting, and landscaping;
- the subject property should be reserved for infill housing to help rejuvenate the neighbourhood;
- mid-block commercial rezonings are not typically supported by the Development Management Branch as they can destabilize the residential environment and encourage the commercial conversion of adjacent properties.

RECOMMENDATION:

It is therefore recommended that the rezoning application, and the related zoning variance application be denied. However, should your Committee choose to approve the application, the following conditions of approval are necessary.

I. That By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 200/03, attached hereto and dated, February 20, 2003, to a "C2"Commercial District, subject to the following:

1. That the use of the land be limited to the following:

- accessory and non-accessory parking lot;
- professional office;
- dwelling units;

- medical/dental or similar office;
- trade school, business college;
- university, college, technical school.

2. That, prior to the issuance of a development permit, plans showing the lot layout, fencing, landscaping, surfacing, drainage, access, signage, parking, garbage enclosures, building elevations, exterior materials, and site lighting be submitted for the approval of the City Centre Community Committee.

II. That a 10 per cent 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 the market value of the land.

III. That, in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

IV. That the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

V. That the rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

VI. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

VII. That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Yours truly,

V. Buckley
Manager of Planning and Land Use

_____

Per: Ross Mitchell, Senior Planner
(City Centre Community) 986-5017

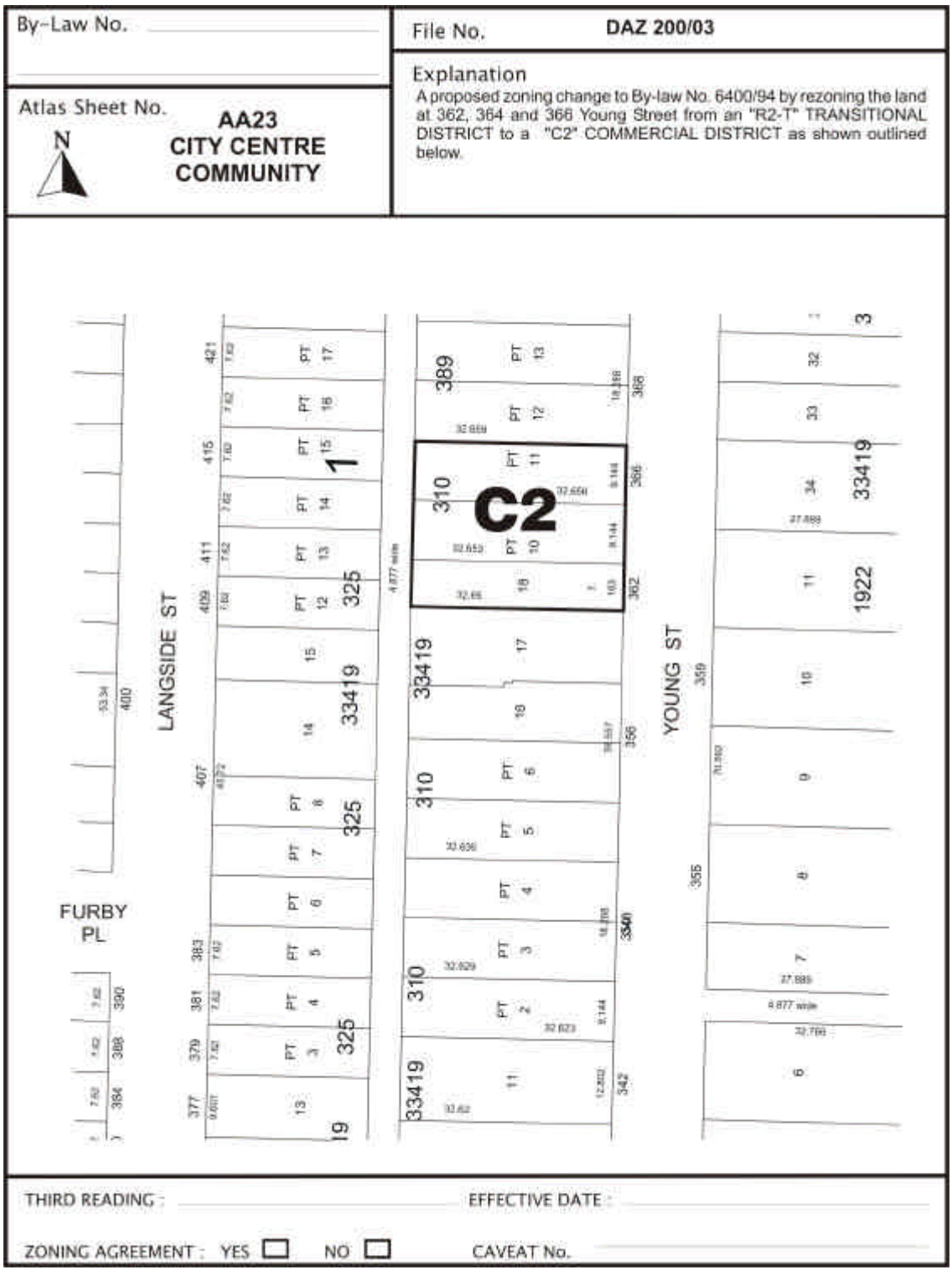


Figure 1: Schedule "A" to the report to the City Centre Community Committee for File No. DAZ 200/03, dated February 20, 2003.

REFERENCE: FILE NO. DAZ 200/03

THE CITY OF WINNIPEG

BY-LAW NO. 39/2003

A By-law of THE CITY OF WINNIPEG to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 362, 364 and 366 Young Street in the CITY CENTRE COMMUNITY.

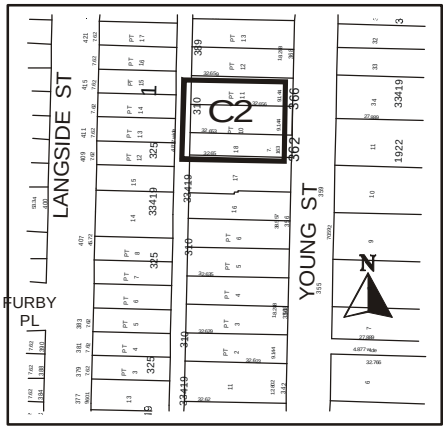
THE CITY OF WINNIPEG in Council assembled, enacts as follows:

ZONING

1. By-law No. 6400/94, as amended, is hereby further amended as follows:

(a) Notwithstanding anything elsewhere contained in this By-law or shown on the District Map the lands outlined on the Plan included in clause (b) of this subsection and designated thereon as "C2" are hereby zoned as a "C2" COMMERCIAL DISTRICT and the District Maps shall hereafter be read and construed as shown on that Plan.

(b) The zoning district and zoning district boundaries referred to in clause (a) of this subsection are hereby located as shown on the Plan below."



DONE AND PASSED in Council assembled this.....day of ..... A.D. 20 .....

.....
Mayor

.....
City Clerk

Certified as to Planning Details:

.....
for Director of Planning, Property & Development

Certified as to Form:

.....
for City Solicitor

Reference: File No. DAZ 200/03 Atlas Sheet No. AA 23

By-Law No. _____

File No. **DAZ 200/03**

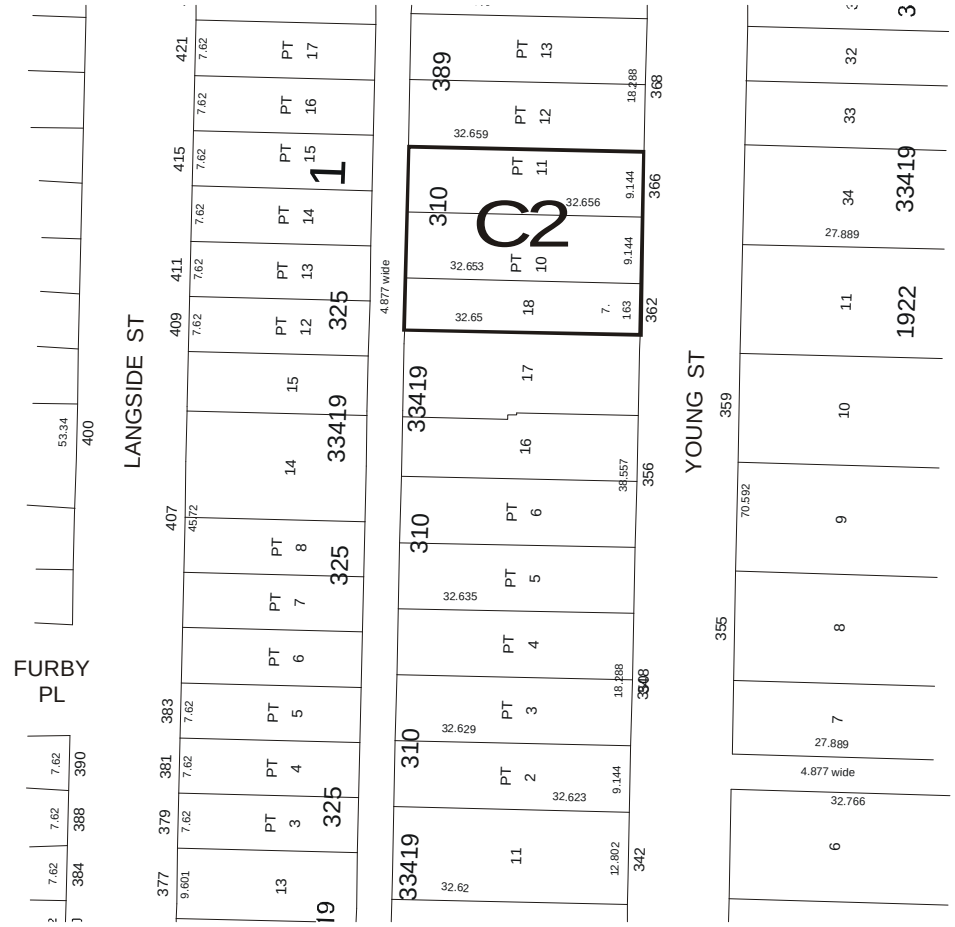
Atlas Sheet No. **AA23**

CITY CENTRE COMMUNITY

N

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land at 362, 364 and 366 Young Street from an "R2-T" TRANSITIONAL DISTRICT to a "C2" COMMERCIAL DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____