Agenda – Council – April 25, 2012

Report – Standing Policy Committee on Property and Development – April 10, 2012

Item No. 4 Rezoning – 770 Brazier Street
(Elmwood-East Kildonan Ward)
File DAZ 200/2012

STANDING COMMITTEE RECOMMENDATION:

On April 18, 2012, 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 the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 200/2012 dated March 6, 2012 to an "R2" Residential Two-Family District.

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following condition:

        i. That for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the East Kildonan-Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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.

Report – Standing Policy Committee on Property and Development – April 10, 2012

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.

Report – Standing Policy Committee on Property and Development – April 10, 2012

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 18, 2012, 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 April 10, 2012, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 13, 2012, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Add the following Recommendation 1. A.

    "A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following condition:

        i. That for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the East Kildonan-Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development."

and forwarded the matter to the Standing Policy Committee on Property and Development.

RE: **Rezoning – 770 Brazier Street**
File DAZ 200/2012

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

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

Report date: **March 15, 2012**

COMMUNITY COMMITTEE RECOMMENDATION:

On March 13, 2012, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service as amended, and recommends to the Standing Policy Committee on Property and Development:

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 200/2012 dated March 6, 2012 to an "R2" Residential Two-Family District.

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following condition:

        i. That for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the East Kildonan-Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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.

Note: The wording in bold and italics denotes amendments made by the Community Committee.

The East Kildonan-Transcona Community Committee provided the following supporting reasons for its recommendation:

1. This development will fit with the area.

2. Plan approval will be required for the design of the building.

PUBLIC HEARING SUMMARY

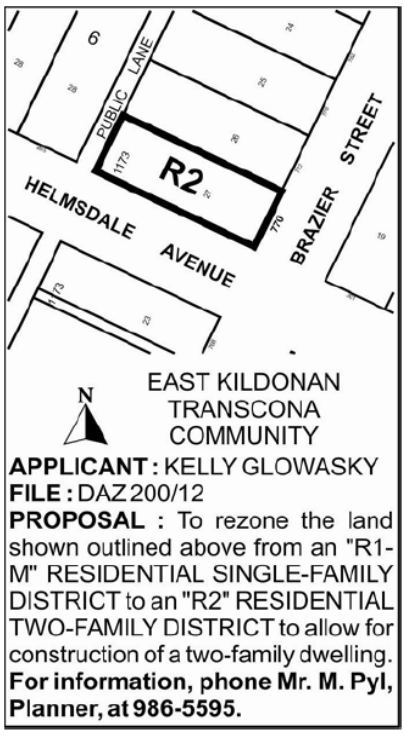
File: DAZ 200/2012

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

Public Hearing: March 13, 2012
Bronx Park Community Centre
720 Henderson Highway

Applicant: Kelly Glowasky

Subject:



Premises Affected: 770 Brazier Street

Exhibits Filed:

1. Application dated January 12, 2012
2. Notification of Public Hearing dated January 20, 2012
3. Manitoba Status of Title 2573093/1
4. Plans (5 pages)
5. Report from the Planning and Land Use Division dated March 6, 2012
6. Inspection Report

REPRESENTATIONS:

In Support:

Kelly Glowasky

In Opposition

Wayne Barbeau & Alana Antonchuk
Stephen & Laurel Bowen
Lucie Brisebois
Cindy Carriere
Japeth Hipolito & Rachel McPherson
Janina Kozlovskis
Joan McNichol
Giselle Pieczonka Pagani
Teresa Zaleski

For Information:

Phyllis Wicks

For the City:

Mr. M. Pyl, Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DAZ 200/2012

ADMINISTRATIVE REPORT

Title: DAZ 200/2012 – 770 Brazier St.

Issue: For consideration at the public hearing for a rezoning for a duplex

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
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 200/2012 dated March 6, 2012 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 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.

REASON FOR THE REPORT

The Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the land will be rezoned from R1-M to R2 and a duplex residential development will be permitted.

CONSULTATION

In preparing this Report there was consultation with:
N/A

SUBMITTED BY

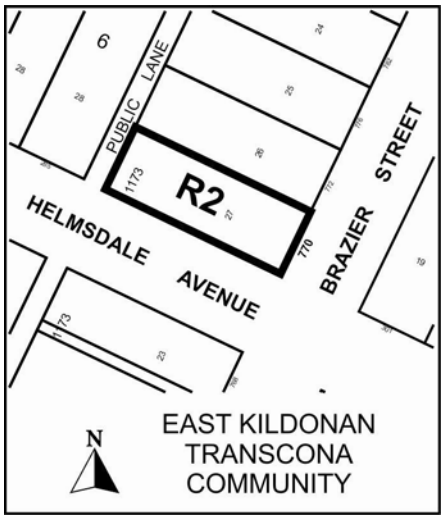
Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Devin Clark
Date:	March 6, 2012
File No.	DAZ 200/2012

APPENDIX 'A'

DATE: March 6, 2012
FILE: DAZ 200/2012
RELATED FILES:
COMMUNITY: East Kildonan/Transcona Community
NEIGHBOURHOOD #: 4.434

SUBJECT: To rezone the subject land from an "R1-M" Single-Family Residential District to an "R2" Two-Family District

LOCATION: 770 Brazier St.
LEGAL DESCRIPTION: Lot 27 Block 6 Plan 1173



APPLICANT: Kelly Glowasky
Box 38076
East St. Paul MB R2E 1H3

OWNER: Kelly Glowasky

RECOMMENDATION: Approval

SITE DESCRIPTION
The subject property is currently zoned "R1-M" Single-Family Residential District and is located on the north west corner of Brazier St. and Helmsdale Ave., in the Rossmere B neighbourhood of the Elmwood – East Kildonan ward. Presently there is a 576 square foot single storey dwelling on the property built in1946.

North: Residences zoned "R1-M" Single-Family Residential District
South: Residences zoned "R1-M" Single-Family Residential District
East: Residences zoned "R1-L" Single-Family Residential District
West: Residences zoned "R1-M" Single-Family Residential District

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to demolish the existing single-family dwelling and to construct a two-storey duplex with a floor area of 1186 square feet on the subject property. There are no associated Variances or Conditional Uses with this application which means the proposed development will conform to the R2 dimensional standards.

Note that tolerances will be necessary to allow for side yards of 3.75 ft. instead of 4 feet if site plans do not change. This process is internal to the City of Winnipeg administration and does not require a public hearing.

ANALYSIS AND ISSUES

A. Context

- The Rossmere B neighbourhood predominantly consists of single-family residential dwellings.
- The addition of a two-storey duplex may stray from the majority of housing type in the neighbourhood, but the form will be consistent as there are a number of one and-a-half storey and two-storey dwellings already established.
- Further north on Brazier there are a number of apartment complexes located across the street from single family dwellings (1010, 1030, 1060 Brazier St.)
- This property is ideal for this type of infill as it is a corner lot, with a public lane at the rear.
- The property is located close to public transit on Kimberley Ave. and on Henderson Hwy.

B. Policies

OurWinnipeg (Complete Communities Direction Strategy)
This portion of the Rossmere B neighbourhood is designated as an Area of Stability. Policies which are relevant to this application are as follows:

- Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character, and built form
- Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments
- In order to meet the full life cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, and townhouses.

The subject property is also located in close proximity to a Regional Mixed-Use Corridor. The Regional Mixed Use Corridors discussion from Complete Communities reads as follows:
"Transitions between areas of intensification and the surrounding areas need to be carefully addressed, from high-density mixed use development along the corridor to the lower density and less mixed use development within adjacent areas" (p.48).

Policies which are relevant to this application are as follows:

- Support a range of housing opportunities in terms of type, tenure, unit size.
- Focus a broad mix of residential, employment and retail development within strategic locations along corridors.
- Where appropriate, develop corridors in accordance with transit oriented development principles.

C. Summary

The Urban Planning Division supports the rezoning and development of a duplex at the subject location. Because the duplex is to be located on a corner lot there will be minimal impact on the community. The subject property is located one block from Henderson Highway which is identified as a Regional Mixed-Use corridor (the policies explained in previous section). This type of development supports a range of housing opportunities, enhances development that is oriented toward the corridor and node along the corridor, and supports public transit along Henderson Highway and Kimberley Ave.

RECOMMENDATIONS

The Urban Planning Division recommends approval for the following reasons:

- The subject site is an appropriate location for a development with slightly higher density than the community norm

- This portion of the Rossmere B neighbourhood is located in close proximity to Henderson Highway which is a Regional Mixed-Use Centre. A diversity of housing options located around these corridors is encouraged.

- The proposal is consistent with *OurWinnipeg* and *Complete Communities*,

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

Report Prepared by: Devin Clark
PPD File # DAZ 200/2012

APPENDIX "B"
Schedule "A" for File No. DAZ 200/2012, East Kildonan/ Transcona Community Committee, dated March 6, 2012

By-Law No. _____

File No. **DAZ 200/12**

Atlas Sheet No. **V28**
EAST KILDONAN TRANSCONA COMMUNITY

N

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 770 Brazier Street from an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to allow for construction of a two-family dwelling as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____



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