Agenda - Council - November 26, 2003

Report - Standing Policy Committee on Property and Development - October 28, 2003

Item No. 5 Zoning Agreement Amendment - 655 Leila Avenue
File ZAA 11/2003 [c/r DAZ 202/96]

STANDING COMMITTEE RECOMMENDATION:

On November 19, 2003, 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 Zoning Agreement DAZ 202/96 (By-law No. 6844/96) be amended as follows:

   A. Amend Clause No. 2 to permit a maximum of thirty (30) dwelling units.

   B. Amend Clause No. 3 to permit a maximum building height of six (6) storeys.

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 202/96 (By-law No. 6844/96).

3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

4. 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 - Standing Policy Committee on Property and Development - October 28, 2003

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 19, 2003, 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 September 28, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On October 14, 2003, the Lord Selkirk-West Kildonan Community Committee concurred in the administrative recommendation, and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: Zoning Agreement Amendment - 655 Leila Avenue - File ZAA 11/2003 [c/r DAV 326551/2003D]

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

Prepared by: **Diane Timmins, Clerk, Lord Selkirk-West Kildonan Community Committee**

Report date: **October 20, 2003**

COMMUNITY COMMITTEE RECOMMENDATION:

The Lord Selkirk-West Kildonan Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That Zoning Agreement DAZ 202/96 (By-Law 6844/96), be amended by amending Clause No. 2 to permit a maximum of thirty (30) dwelling units; and by amending Clause No. 3 to permit a maximum building height of six (6) storeys.

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 202/96 (By-Law 6844/96), as approved in aforesaid recommendation 1.

3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

4. 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 Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report from the Manager of Planning and Land Use dated October 6, 2003.

PUBLIC HEARING SUMMARY

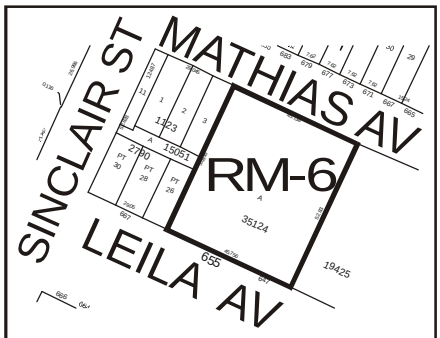
File: ZAA 11/2003 [c/r DAV 326551/2003D]

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

Public Hearing: October 14, 2003
Community Committee Chamber
1760 Main Street

Applicant: Raymond S. C. Wan, Architect

Subject:



LORD SELKIRK
WEST KILDONAN
COMMUNITY

APPLICANT : RAYMOND S. C. WAN, ARCHITECT

FILE : ZAA 11/03

PROPOSAL : To amend the Zoning Agreement affecting the land shown outlined above as follows : 1) to permit thirty (30) dwelling units on the land instead of twenty-nine (29) as permitted by the agreement and 2) to allow the height of any building or structure erected or located on the land to be six (6) storeys in height instead of five (5) storeys as permitted by the agreement. **For information, phone Mr. D. Marsh, Planner at 986-5549.**

Premises Affected: 655 Leila Avenue

Exhibits Filed: 1. Application dated August 28, 2003

2. Notification of Public Hearing to Applicant dated September 2, 2003
3. Title Search 1828821
4. Letter of authorization dated August 20, 2003 from Greater Kildonan Development Corp. to S. C. Wan, Architect
5. Zoning Agreement DAZ 202/96 dated May 22, 1996
6. Variance Orders DAV 757/95C and DAV 90/96D
7. West and North Elevation plans comprising two (2) pages
8. Site and Floor plans comprising six (6) pages
9. Report from the Manager of Planning and Land Use dated October 6, 2003
10. Inspection Report

REPRESENTATIONS:

In Support:

Raymond Wan

In Opposition:

Nil

For Information:

Maurice Jeroff

For the City:

Mr. D. Marsh, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS MADE AT THE PUBLIC HEARING

Raymond Wan appeared in support of the application and indicated concurrence in the recommendations outlined in the report from the Manager of Planning and Land Use dated October 6, 2003.

Winnipeg

Planning, Property & Development Department · Service de l'urbanisme, des biens et de l'aménagement

Planning and Land Use Division • Division de l'urbanisme et de l'usage des sols

In reply please refer to / Référence à rappeler :

David Marsh, AICP
(204) 986-5549
Fax / Téléc. : (204) 986-7524

File No. ZAA 11/03 (c/r DAV 03-326551D) October 6th, 2003
Our c/f CP 300 (.324)

Ms. Diane Timmins, Community Clerk
Lord Selkirk-West Kildonan Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear Ms. Timmins:

ZONING AGREEMENT AMENDMENT
655 Leila Avenue
Lord Selkirk – West Kildonan Community
File No. ZAA 11/03

An application has been received from Raymond Wan Architect, on behalf of the Greater Kildonan Development Corporation, to amend the Zoning Agreement affecting the property shown below by amending Clause #2 to permit a maximum of thirty (30) dwelling units, and amending Clause #3 to permit a maximum building height of six (6) storeys.

RELATED FILES: DAZ 202/96; Zoning By-Law 6844/96; DAV 03-326551D



SITE DESCRIPTION:

Existing Land Use and Zoning:

The site is currently vacant, and is zoned RM-6 Multi-Family Residential. The overall site area is approximately 26,250 square feet (0.6 acres).

Surrounding Land Use and Zoning:

North: Mathias Avenue, then detached and attached residential buildings (R2 & R1-5).
South: Leila Avenue, then strip mall commercial (C-2), then detached residential buildings (R1-5 & R1-6).
East: Multi-family residential (RM-6), then Monsey Street, then Multi-family residential (RM-4).
West: Multi-family residential (RM-2), then Sinclair Street, then Multi-family residential (RM-L).

DEVELOPMENT DESCRIPTION:

The applicants propose to amend Zoning Agreement DAZ 202/96 by amending Clause No. 2 from a maximum of twenty-nine (29) dwelling units to a maximum of thirty (30) dwelling units, and amending Clause No.3, from a maximum building height of five (5) storeys to a maximum building height of six (6) storeys. If the amendment is granted, the applicant would be permitted to construct a multi-family residential building with one additional dwelling unit and one storey higher than currently permitted on site under the existing zoning agreement.

ADMINISTRATIVE COMMENTS:

The Planning and Land Use Division has no objection to this request. The number of dwelling units and the proposed maximum height of six (6) storeys are consistent with the existing multi-family residential building immediately adjacent. Moreover, this portion of Leila Avenue is predominantly multi-family residential in character, and the proposed amendments are consistent with this character. An associated variance application (DAV 03-326551D) has been filed for this property, requesting variances in terms of setbacks and maximum projections of balconies into required yards.

RECOMMENDATION:

I. That Zoning Agreement DAZ 202/96 (By-Law 6844/96), be amended by amending Clause No. 2 to permit a maximum of thirty (30) dwelling units; and by amending Clause No. 3 to permit a maximum building height of six (6) storeys.

II. That the City Solicitor be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 202/96 (By-Law 6844/96), as approved in aforesaid Clause I.

III. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

IV. 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,

C. Knoll
Manager of Planning and Land Use

Per: David Marsh, AICP
Planner
(Lord Selkirk-West Kildonan Community)
986-5549