**Agenda – Council - January 25, 2006**

**Report - Standing Policy Committee on Property and Development - January 10, 2006**

**Item No. 12 Rezoning – 721 Carter Avenue**
**File DAZ 257/2005**

STANDING COMMITTEE RECOMMENDATION:

On January 18, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submits the following to Council:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 257/2005 dated December 23, 2005, to an "R2" 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 the 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 City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

5. 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 - January 10, 2006**

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 18, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 10, 2006, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 3, 2006, the City Centre Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

**RE:** **Rezoning – 721 Carter Avenue**
**File DAZ 257/2005 [c/r DAV 166871/2005D]**

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

**Prepared by:** **Josie Marques, Clerk,**
**City Centre Community Committee**

**Report date:** **January 4, 2006**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 3, 2006, the City Centre Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 257/2005, dated December 23, 2005, to an "R2" 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 the 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 City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

5. 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 City Centre Community Committee provided the following supporting reason(s) for its recommendation:

1. The proposal fits in with the character of the neighbourhood.

**PUBLIC HEARING SUMMARY**

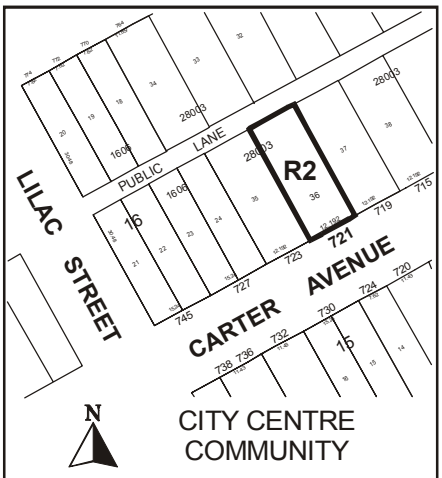
File: DAZ 257/2005 [c/r DAV 166871/2005D]

Before: City Centre Community Committee
Councillor Gerbasi, Chairperson
Councillor Benham
Councillor Smith

Public Hearing: January 3, 2006
Council Building, 510 Main Street

Applicant: Rowland Phillip Wright

Subject:




**APPLICANT :** R.P. WRIGHT
**FILE :** DAZ 257/05
**PROPOSAL :** To rezone the land shown outlined above from an "R1-3.5" RESIDENTIAL DISTRICT to an "R2" RESIDENTIAL DISTRICT. **For information, phone Mr. M. Sandhurst, Planner at 986-5066.**

Premises Affected: 721 Carter Avenue

Exhibits Filed:
1. Application dated November 22, 2005
2. Notification of Public Hearing dated November 30, 2005
3. Manitoba Status of Title 2110147
4. Surveyor's Building Location Certificate and sketch dated August 30, 2005

5. Letter of authorization dated November 20, 2005 from Rowland Phillip Wright, Dianne Elizabeth Wright, Kathleen Anne Russell, and Kevin Donal Russell to R. Phil Wright
6. Plans (5 pages)
7. Petition in support of the application purporting to contain the signatures of for (4) area residents, submitted by applicant.
8. Report from the Manager of Planning and Land Use dated December 23, 2005
9. Inspection Report

REPRESENTATIONS:

In Support:

Kathleen Russell and Kevin Russell

In Opposition

Nil

For Information:

Nil

For the City:

Mr. M. Sandhurst, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

No verbal representation was made at the public hearing.

Exhibit "8" referred to in File DAZ 257/2005 [c/r DAV 166871/2005D]

Winnipeg

## Planning, Property and Development Department Report

**To City Centre Community Committee**

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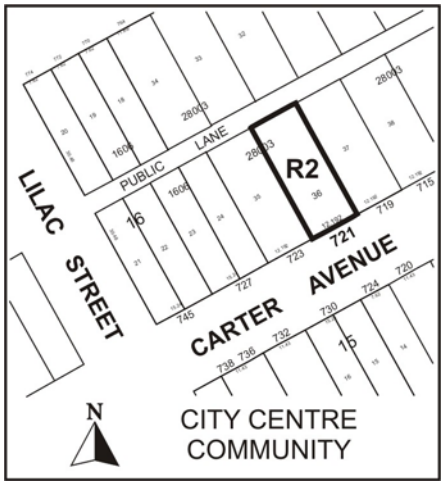
**Date:** December 23, 2005
**File:** **DAZ 257/05**
**Related Files:** DAV 05-166871/D
**Subject:** To amend By-Law No. 6400/94 by rezoning the land shown below from an "R1-3.5" Single-Family District to an "R2" Two-Family District.




**Location:** 721 Carter Avenue
**Legal Description:** Lot 36, Plan 28003 26/27 St. Boniface
**Applicant:** Rowland Phillip Wright
**Owner:** Rowland Phillip Wright

**Recommendation:** *Approved*

**Site Description**

The subject site is located on the north side of Carter Avenue, between Lilac and Arbuthnot streets. The site is currently developed with a 2-storey dwelling. The 40 foot by 100 foot site

and neighbouring properties are zoned "R1-3.5" Single-Family District. Surrounding land uses are predominantly single-family, with a number of duplexes in the immediate vicinity and throughout the Ebby-Wentworth neighbourhood.

**Background**

Prior to 1995 properties in the Ebby-Wentworth neighbourhood were zoned "R2" Two-Family District, which permitted duplex conversions as of right. Rezoning file DAZ 240/94 was initiated by the Planning Department as part of a series of zoning rationalizations in Fort Rouge. Rationalizations were also initiated in Earl Grey and McMillan neighbourhoods. The zoning rationalizations were intended to "reflect the predominantly single-family character of this area." Impetus for this action came from the *Fort Rouge Community Revitalization Strategy* (produced by the former Neighbourhood Programs Branch on behalf of the M/WCRP Fort Rouge Residents' Committee). This action was not intended to preclude consideration of responsible duplex developments; instead, it put the onus on the applicant to demonstrate the benefits of a duplex conversion.

**Description of the Proposed Development**

The existing 2-storey dwelling is to be redeveloped to provide two self-contained dwelling units. No increases in building height or footprint are intended. Variance file DAV 05-166871/D concerns existing lot width and lot area deficiencies.

**Analysis**

Ebby-Wentworth neighbourhood is designated "Neighbourhood" under *Plan Winnipeg*. The proposed duplex represents modest residential infill in a neighbourhood characterized by a number of purpose-built and converted duplexes. Its proximity to regional streets (Pembina Highway, Stafford Street, and Grant Avenue) that are well-served by Winnipeg Transit makes this location a suitable candidate for responsible residential intensification.

**Recommendation**

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

- The proposal is consistent with *Plan Winnipeg*;
- The proposed duplex can be effectively integrated into its immediate context and demonstrates a good land use – transportation fit.

**Recommended Conditions of Approval**

I. That The Winnipeg Zoning By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 257/05, attached hereto and dated December 23, 2005, to an "R2" Two-Family District.

II. That a ten (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 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.

IV. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings.

V. 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.

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

Report Prepared by: M. Sandhurst
PPD File # DAZ 257/05

**Schedule "A"**

By-Law No.

File No. **DAZ 257/05**

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located at 721 Carter Avenue from an "R1-3.5" RESIDENTIAL DISTRICT to an "R2" RESIDENTIAL DISTRICT as shown outlined below.

Atlas Sheet No.

N

**AD24**
**CITY CENTRE**
**COMMUNITY**




THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.

Schedule "A" to the report to City Centre Community Committee for file # DAZ 257/05 dated December 23, 2005.