Agenda – Council – April 30, 2014

Report – Executive Policy Committee – April 23, 2014

Item No. 4 Rezoning – 765 Scotland Avenue
(Fort Rouge-East Fort Garry Ward)
File DAZ 206/2014 [c/r DAV 107783/2014D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 23, 2014, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted 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 206/2014 dated April 1, 2014 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 City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward the 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.

Agenda – Council – April 30, 2014

Report – Executive Policy Committee – April 23, 2014

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 23, 2014, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 15, 2014, the City Centre 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 – 765 Scotland Avenue**
File DAZ 206/2014

For submission to: **Executive Policy Committee**

Prepared by: **Andrew Poitras, Senior Committee Clerk**
City Centre Community Committee

Report date: **April 16, 2014**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 15, 2014, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended 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 206/2014 dated April 1, 2014 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 City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward the 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. There is no opposition from the community.
2. It's going from a single family to a duplex which is common in this area.
3. Seems like a positive project.

PUBLIC HEARING SUMMARY

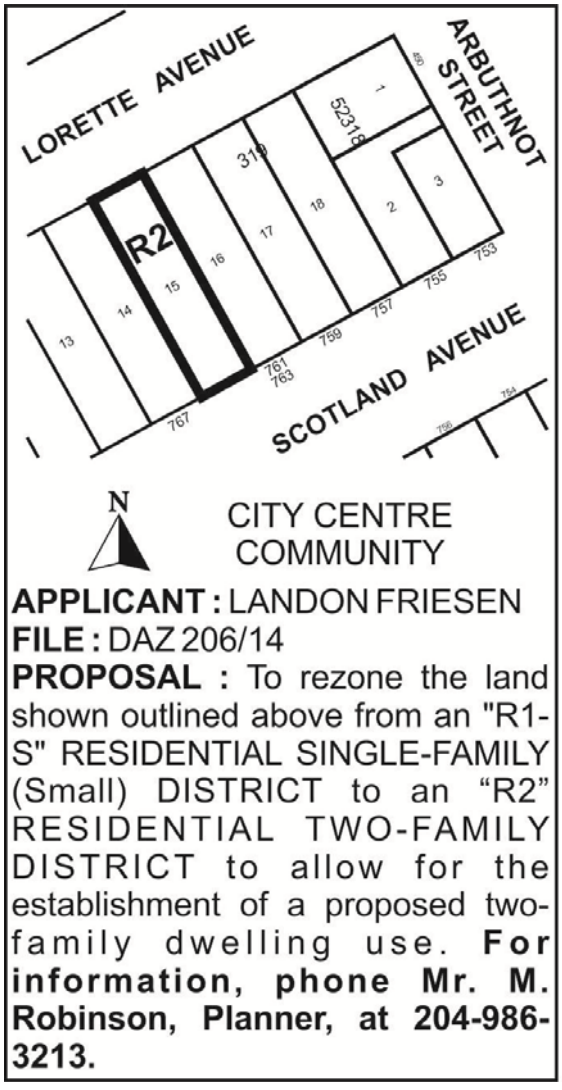
File: DAZ 206/2014

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

Public Hearing: April 15, 2014
Council Building, 510 Main Street

Applicant: Landon Friesen

Subject:



Premises Affected: 765 Scotland Avenue

Exhibits Filed:

1. Application dated February 13, 2014
2. Notification of Public Hearing dated February 27, 2014
3. Manitoba Status of Titles 2661804/1, 2661807/1
4. Letter of authorization dated January 18, 2014 from Clemente Adamo to Landon Friesen
5. Surveyor's Building Location Certificate and sketch dated April 29, 2008
6. Plans (9 pages)
7. Report from the Urban Planning Division dated April 1, 2014
8. Inspection Report
9. Audio Recording of representations

REPRESENTATIONS:

In Support:

Landon Friesen

In Opposition

Nil

For Information:

Nil

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department

Exhibit "7" referred to in File DAZ 206/2014

ADMINISTRATIVE REPORT

Title: DAZ 206/2014 - 765 Scotland AVE

Issue: For consideration at the public Hearing for a Rezoning for DAZ 206/2014 - 765 Scotland AVE

Critical Path: Board of Adjustment as per the Development Procedures By-law and *The City of Winnipeg Charter.*

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	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 206/2014 dated April 1, 2014 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 City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward the 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.

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, a development permit can be issued.

HISTORY

765 Scotland Avenue was at one time owned in two parts by the respective owners of 761 and 767 Scotland. It was subsequently all part of a single land holding with 767 Scotland. No short form subdivision was ever created. The historical lots of subdivision are all smaller than the minimum lot area in the zoning by-law, which triggers the associated variance – DAV 14-107783D.

CONSULTATION

In preparing this Report there was consultation with:

N/A

SUBMITTED BY

Department	*Planning, Property and Development*
Division	*Urban Planning*
Prepared by	Kurtis Kowalke
Date:	April 1, 2014
File No.	DAZ 206/14

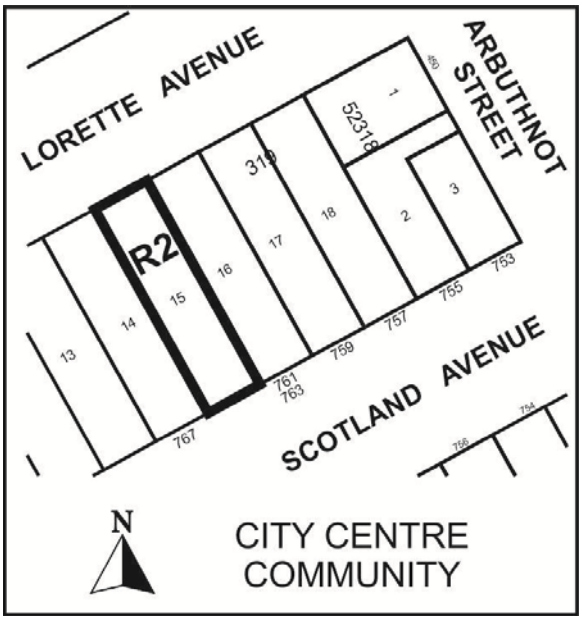
List of Schedules and Attachments

1. Appendix A – Planning Discussion
2. Schedule "A" for File No. DAZ 206/2014

APPENDIX 'A'

DATE: April 1, 2014
FILE: DAZ 206/14
RELATED FILES: DAV 14-107783/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.106
SUBJECT: To rezone the subject land from an "R1-S" Residential Single-Family District to an "R2" Residential Two-Family District

LOCATION: 765 Scotland AVE
LEGAL DESCRIPTION: LOT 15 BLOCK 32 PLAN 319 29 ST B



APPLICANT: Landon Friesen KNH Sawatzky & Association
128 JAMES AVE
WINNIPEG MB

OWNER: CLEMENTE ADAMO
788 WEATHERDON AVE
WINNIPEG MB R3M 2B8

RECOMMENDATION: Approval

SITE DESCRIPTION

The subject property, which is currently zoned "R1-S" Residential Single-Family District, is located on the north side of Scotland Avenue between Lilac Street and Arbuthnot Street in the Earl Grey Neighbourhood of the Fort Rouge - East Fort Garry ward. It occupies approximately 4900 square feet. Surrounding properties are all zoned "R1-S" and are predominantly single-family residential with a duplex to the south and a duplex on the abutting property to the east.

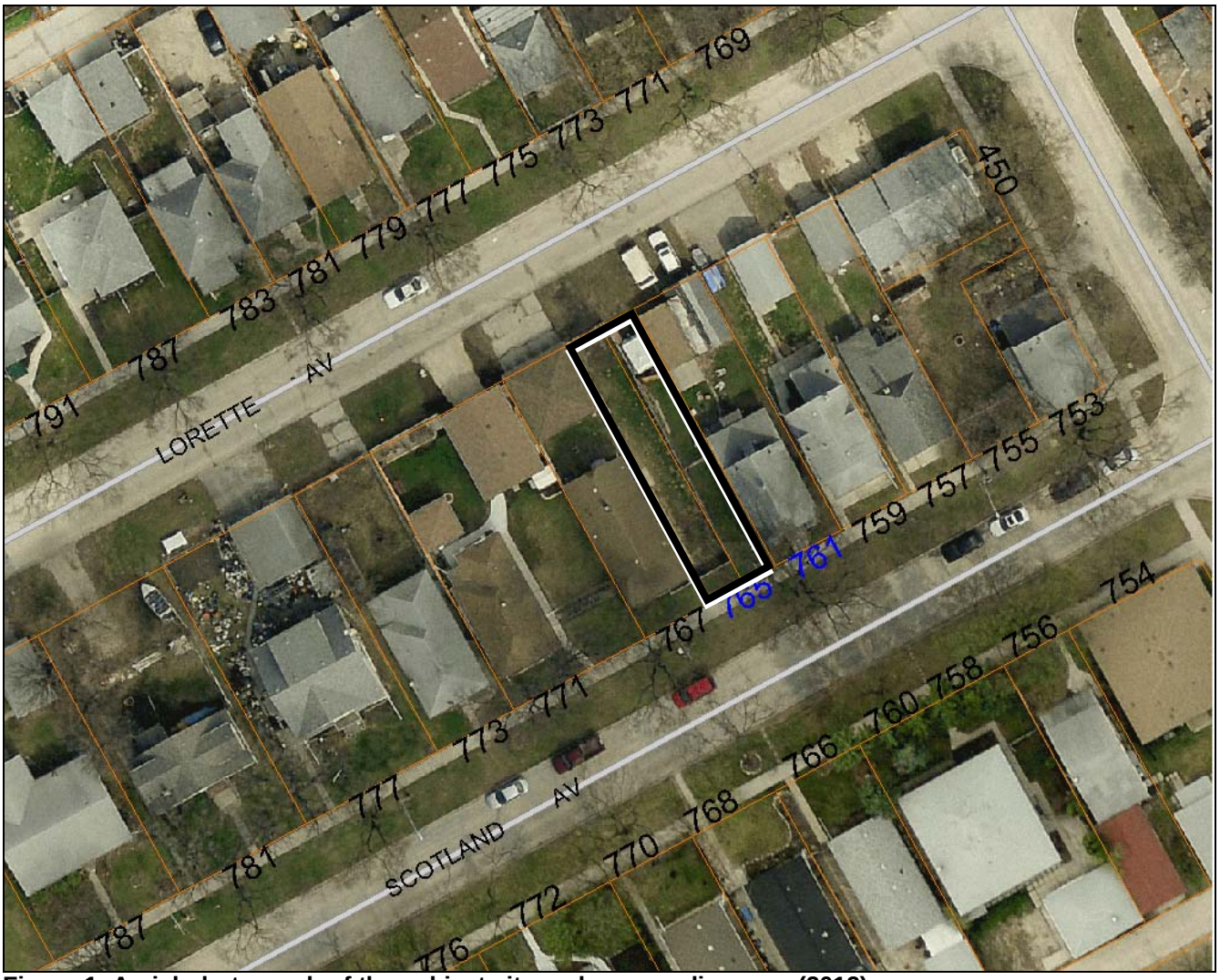


Figure 1: Aerial photograph of the subject site and surrounding area (2012)

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant seeks approval to rezone the subject property from an "R1-S" Residential Single-Family District to an "R2" Residential Two-Family District in order to construct a duplex on the lot. The proposed building is two-storeys with one unit in the lower level and the other unit occupying the main and upper levels. Both have a front entrance and rear balconies. There is an open parking pad at the rear. The front and rear yards are compliant. Only the east side yard is proposed to be reduced by one foot through the associated variance DAV 14-107783D.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *Complete Communities Direction Strategy* the proposed development is located within the Areas of Stability – Mature Communities policy area. Key relevant policies guiding development within Areas of Stability include:

- 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.
- Support the subdivision of a parcel of land into two or more lots when it is done in a context sensitive manner.

The Conference Board of Canada has projected a substantial shift in the share of new units, away from single-family, and towards apartment/condo multiple-family units, over the next 20+ years. As per the Conference Board forecast from 2009 to 2031

- Single-family is projected to decrease from a 71% share to a 35% share of housing starts
- Multiple-family is projected to rise from a 29% share to a 65% share of housing starts.

A key assumption in the Conference Board projections is that, as the 'boomer' generation ages, they will generally leave their single-family homes and move into condos or apartments.

By providing a variety of different housing types in each neighbourhood, people have an opportunity to "age in place" – staying in familiar surroundings and keeping the same networks of friends.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The proposed development is consistent in massing and form with adjacent properties.
- Two-family dwellings are consistent with character of this neighbourhood, with two such properties immediately adjacent.
- The change from "R1-S" to "R2" is among the most minor forms of intensification possible in an established neighbourhood.

SUMMARY

- Under the *Complete Communities Direction Strategy***,** all neighbourhoods are expected to accommodate growth and change.
- Scotland Avenue is adjacent to Grant Avenue, which is a major transit route. Intensification is typically support in locations nearest to transit. (No properties front onto this portion of Grant Avenue.) The subject property is approximately 100 metres from a transit stop.

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 land is not less than 10%.

- The developer is to provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.

- The City is requesting cash in lieu for this application.

RECOMMENDATIONS
The Urban Planning Division recommends approval for the following reasons:

- The proposed zoning and density for the subject site is compatible with the immediate area.

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

Report Prepared by: Kurtis Kowalke
PPD File # DAZ 206/14

Schedule “A” for File No. DAZ 206/2014, City Centre Community Committee, dated April 1, 2014

By-Law No. _____

File No. **DAZ 206/14**

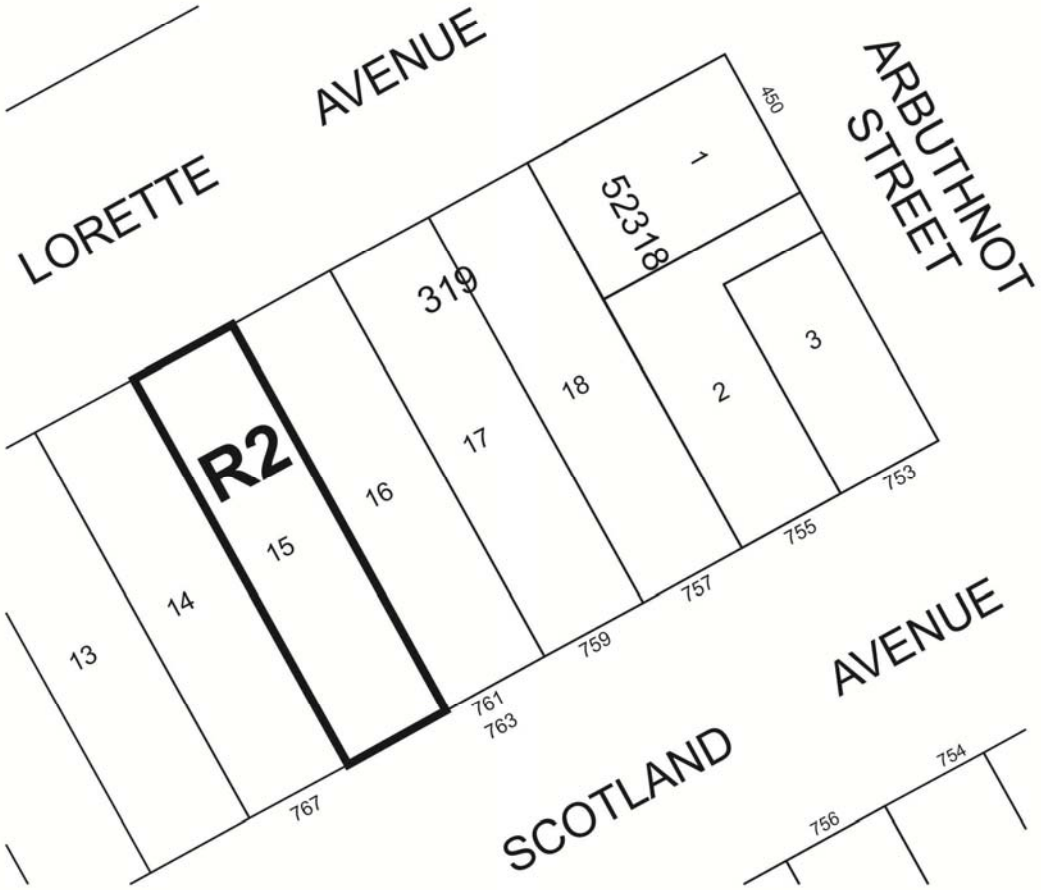
Atlas Sheet No.

N

AD24
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the subject land from an "R1-S" RESIDENTIAL SINGLE-FAMILY (Small) DISTRICT to an “R2” RESIDENTIAL TWO-FAMILY DISTRICT to allow for the establishment of a proposed two-family dwelling use as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____