Minutes – Executive Policy Committee – July 9, 2014

Minute No. 489
Report – Standing Policy Committee on Property and Development – July 8, 2014

Item No. 11 Rezoning – 1166 Lorette Avenue
(River Heights-Fort Garry Ward)
File DAZ 212/2014 [c/r DAV 125017/2014D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development 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 212/2014 dated May 30, 2014 to an "R2" Residential Two-Family District, subject to the following:

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

        i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, and landscaping to the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

        ii. That no attached garage shall be permitted.

        iii. That no front approach shall be permitted.

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.

Report – Standing Policy Committee on Property and Development – July 8, 2014

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 zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

5. 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.

6. 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.

Minutes – Executive Policy Committee – July 9, 2014

Report – Standing Policy Committee on Property and Development – July 8, 2014

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Browaty,

That the recommendation of the Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On July 8, 2014, 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 June 10, 2014, the City Centre Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommended 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 212/2014 dated May 30, 2014 to an "R2" Residential Two-Family District, subject to the following:

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

        i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, and landscaping

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

to the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That no attached garage shall be permitted.

iii. That no front approach shall be permitted.

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 zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

5. 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.

6. 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.

On May 6, 2014, the City Centre Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on June 10, 2014, at 6:00 p.m. in the Council Building, 510 Main Street.

RE: **Rezoning – 1166 Lorette Avenue**
File DAZ 212/2014

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

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

Report date: **June 12, 2014**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 10, 2014, the City Centre Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommended 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 212/2014 dated May 30, 2014 to an "R2" Residential Two-Family District, subject to the following:

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

i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, and landscaping to the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That no attached garage shall be permitted.

iii. That no front approach shall be permitted.

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 zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

5. 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.

6. 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.

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

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

1. Nathaniel is an area that is more boxed in and has some significant issues and is not an area that should be hugely densified.
2. We're looking at the minimal impact and going from an R1 to an RMF zoning is too much.
3. R2 is the least injurious on surrounding areas.

PUBLIC HEARING SUMMARY

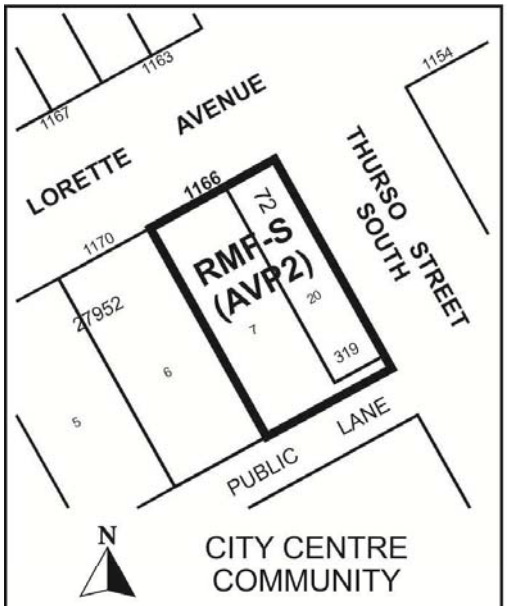
File: DAZ 212/2014

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

Public Hearing: June 10, 2014
May 6, 2014
Council Building, 510 Main Street

Applicant: Lisleford Holdings Ltd. (Dale Delise)

Subject:



APPLICANT : LISLEFORD HOLDINGS LTD.
FILE : DAZ 212/14
PROPOSAL : To rezone the land shown outlined above from an "R1-M AVP2" RESIDENTIAL SINGLE-FAMILY (Medium) AIRPORT VICINITY 2 DISTRICT to an "RMF-S AVP2" RESIDENTIAL MULTI-FAMILY (Small) AIRPORT VICINITY 2 DISTRICT to allow for the establishment of a multi-family dwelling use. **For information, phone Mr. M. Robinson, Planner, at 204-986-3213.**

Minutes – City Centre Community Committee – June 10, 2014

Premises Affected: 1166 Lorette Avenue

Exhibits Filed:

1. Application dated March 18, 2014
2. Notification of Public Hearing dated March 24, 2014
3. Manitoba Status of Title 1574311/1
4. Surveyor's Building Location Certificate and sketch dated September 22, 1995
5. Caveat 177906
6. Plans (1 page)
7. Petition in support of the application purporting to contain the signatures of 6 area residents, submitted by the applicant
8. Report from the Planning and Land Use Division dated April 29, 2014
9. Inspection Report
10. Notice of Adjournment dated May 20, 2014
11. Revised Report from the Planning and Land Use Division dated May 30, 2014
12. Inspection Report
13. Audio Recording of representations of public hearing held on June 10, 2014

REPRESENTATIONS:

In Support:

Dale Delisle, Lisleford Holdings Ltd.

In Opposition:

Lloyd Evoy

For Information:

Nil

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Mr. R. Mahé, Planner, Planning, Property and Development Department

Exhibit "11" referred to in File DAZ 212/2014

ADMINISTRATIVE REPORT

Title: DAZ 212/2014 – 1166 Lorette Avenue

Issue: For consideration at the public hearing for a rezoning for DAZ 212/2014 – 1166 Lorette Avenue

Critical Path: City Centre Community Committee 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 205/2014 dated May 30, 2014 to an "RMF-S" Residential Multi-Family District, subject to the following:

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

        i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, and landscaping to the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

        ii. That the subject property shall be limited to a maximum of four (4) dwelling units
        iii. That no attached garage shall be permitted
        iv. That no front approach shall be permitted

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 zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

5. 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.

6. 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 Planning and Land Use Division are concurred in, the property will be rezoned.

CONSULTATION

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

SUBMITTED BY

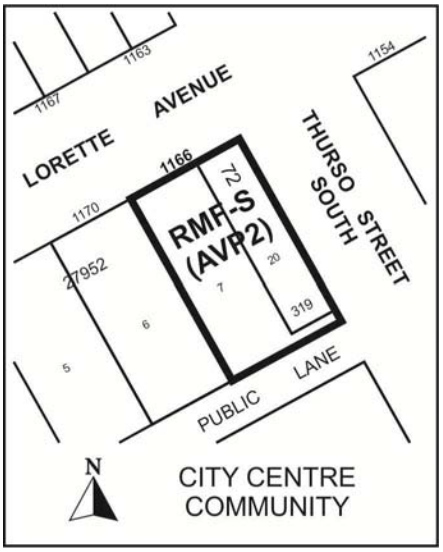
Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Michael Robinson, AICP, MCIP
Date:	May 30, 2014
File No.	DAZ 212/2014

APPENDIX 'A'

DATE: May 30, 2014
FILE: DAZ 212/2014
RELATED FILES: DAV 14-125017D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.607

SUBJECT: To rezone the subject land from an "R1-M" Residential Single-Family PDO Airport Vicinity Protection Area 2 District to an "RMF-S" Residential Multi-Family District PDO Airport Vicinity Protection Area 2 District

LOCATION: 1166 Lorette Avenue
LEGAL DESCRIPTION: See application



APPLICANT: Lisleford Holdings (Dale Delisle)

OWNER: Same

RECOMMENDATION: Approval, with conditions

SITE DESCRIPTION

The subject property, which is currently zoned "R1-M" Residential Single-Family District, is located on the southwest corner of Lorette Avenue and Thurso Street South in the Rockwood neighbourhood of the River Heights – Fort Garry ward.

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

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to rezone the subject property from an "R1-M" Residential Single-Family District to an "RMF-S" Residential Multi-Family District in order to construct a fourplex. A rendering of the proposed development is shown in Appendix 'C'.

The existing residence will be demolished in order to construct the new structure

Reason for application
In order to construct a fourplex on one lot, the property must be rezoned from the current "R1-M" Residential Single-Family District to an "RMF-S" Residential Multi--Family District.

ANALYSIS AND ISSUES
A. Context
There are several properties on the block that duplexes or multi-family residences

1214 Lorette	Fourplex
1213-1215 Lorette	Duplex
1210-1212 Lorette	Duplex
1196 Lorette	Duplex

Directly across the back lane is an eight (8) storey, 92 unit multi-family building.

On the next block to the west, there is also a fourplex near the corner as well as two duplexes.

1220 Lorette	Fourplex
1221 Lorette	Duplex
1223 Lorette	Duplex

OurWinnipeg/Complete Communities
B. Policies
This portion of the Rockwood neighbourhood is designated as an Area of Stability. Policies which are relevant to this application are as follows:

1) Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character, and built form

2) Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments

3) Encourage intensification to occur at centres and along corridors

4) 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.

5) Provide clarity and promote compatibility between existing developments and new developments through design and development standards, such as creation of *Infill Development Guidelines for Multiple-Family Developments in Low Density Neighbourhoods.*

Other
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.

iii. Draft Infill Development Guidelines
Below are the applicable guidelines for this project from the *Draft Infill Guidelines* and a discussion of how they have been addressed by the applicant.

Guideline #1

2.2.2 iii) Establish rear yard setbacks that are consistent with the pattern of the neighbourhood

The Zoning By-law requires a 25 foot rear yard setback. The principal reason for the rear yard setback is to allow for privacy and sunlight penetration at the rear of properties.

The proposed development provides a rear yard setback of approximately 30 feet.

Guideline #2

2.2.2 iv) Front yard setbacks should respect the established street pattern by providing setbacks typical of the neighbourhood

The front yard alignment for this property is 30 feet. The applicant has indicated that he will provide a front yard setback that is consistent with this alignment, which is the average of the front yard setback of other homes on the street.

Guideline #3

2.2.3 i) The main building façade should be oriented to face the public street and encourage opportunities for informal surveillance and human activity on the street

The proposed development will orient its main entrance to Lorette Avenue.

Guideline #4

5.2 i) Massing and height of new buildings should take into consideration the area context
The applicant has not submitted detailed designs of the proposed building at this time. The Winnipeg Public Service is recommending that if approved, final plans be submitted to the Director of Planning, Property, and Development and City Centre Community Committee for plan approval.

The massing and height of the building are components of the plan approval.

C. *Summary*
The Division supports the development of a four-plex on the subject property. Increasing the density moderately on corner sites adjacent to community mixed use centres, with appropriately designed infill projects provides a mix of housing type and tenure– to meet the future needs of the community.

There is an example of a fourplex on the corner on the same block and another example of a fourplex near the corner on the next block to the west.

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

- The proposal is consistent with *Complete Communities and the draft Infill Guidelines for Multiple-Family Development in Areas of Stability*
- The subject site is an appropriate location for a development with a moderately higher density than the community norm

Plan Approval
It is recommended that final plans be approved by City Centre Community Committee and the Director of PP&D, prior to the issuance of permits.

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

- The proposal is consistent with *Complete Communities*
- There is an example of a fourplex on the corner on the same block and another example of a fourplex near the corner on the next block to the west.
- The subject site is an appropriate location for a development with a moderately higher density than the community norm, given the corner location and proximity to a community mixed use centre

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

Report Prepared by: Michael Robinson, AICP, MCIP
PPD File # DAZ 212/2014



Figure 1: Aerial Photo (Flown in 2012)

APPENDIX 'B'
Schedule "A" for File No. DAZ 212/2014, City Centre Community Committee, dated May 30, 2014

By-Law No. _____

File No. **DAZ 212/14**

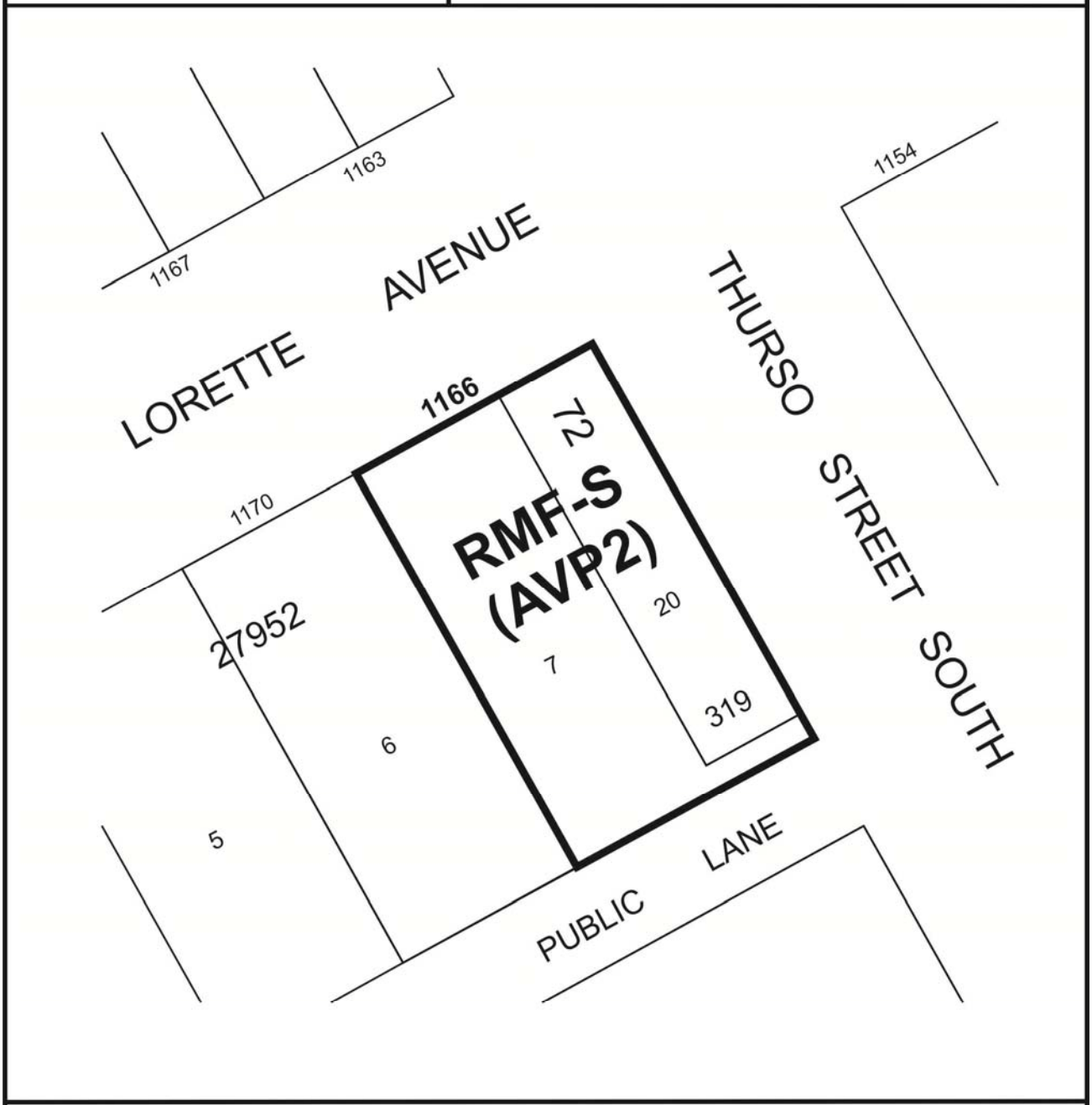
Atlas Sheet No.

N

AD22
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 1166 Lorette Avenue from an "R1-M AVP2" RESIDENTIAL SINGLE-FAMILY (Medium) AIRPORT VICINITY 2 DISTRICT to an "RMF-S AVP2" RESIDENTIAL MULTI-FAMILY (Small) AIRPORT VICINITY 2 DISTRICT to allow for the establishment of a multi-family dwelling use as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX 'C'
Renderings of the proposed fourplex



