Agenda – Council – September 24, 2014

Report – Executive Policy Committee – September 17, 2014

Item No. 3 Subdivision and Rezoning – 603 and 611 Redwood Avenue (Mynarski Ward)
File DASZ 17/2014 [c/r DAV 133881/2014D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 17, 2014, the Executive Policy Committee concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the following to Council:

1. That the plan of subdivision proposed under File DASZ 17/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 17/2014 dated June 23, 2014 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2. That Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 17/2014 dated June 23, 2014 to a "C1" Commercial District.

3. 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.

4. That Caveat 87 – 132566 / 1 be withdrawn as it affects Lot 42, Block 2, Plan 871.

5. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years 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 the two (2)-year period and Council approves the extension.

7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

8. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

Report – Executive Policy Committee – September 17, 2014

9. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which 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 the one-year period and Council approves the extension.

11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

12. 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 – Executive Policy Committee – September 17, 2014

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 17, 2014, the Executive Policy Committee concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 8, 2014, the Lord Selkirk-West Kildonan 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: **Subdivision and Rezoning - 603 and 611 Redwood Avenue**
File DASZ 17/2014

For submission to: **Executive Policy Committee**

Prepared by: **Inga Skundberg, Committee Clerk**
Lord Selkirk-West Kildonan Community Committee

Report date: **September 8, 2014**

COMMUNITY COMMITTEE RECOMMENDATION:

On September 8, 2014, the Lord Selkirk-West Kildonan 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 plan of subdivision proposed under File DASZ 17/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 17/2014 dated June 23, 2014 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2. That Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 17/2014 dated June 23, 2014 to a "C1" Commercial District.

3. 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.

4. That Caveat 87 – 132566 / 1 be withdrawn as it affects Lot 42, Block 2, Plan 871.

5. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years 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 the two (2)-year period and Council approves the extension.

7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

8. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

9. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which 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 the one-year period and Council approves the extension.

11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

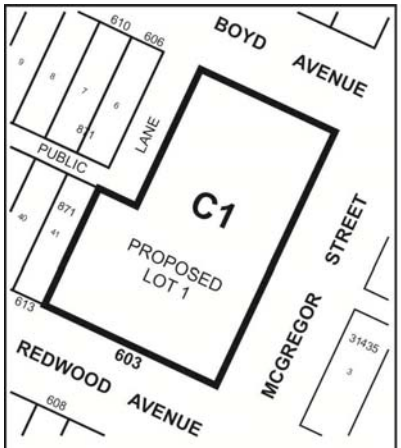
12. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

The Lord Selkirk-West Kildonan Community Committee provided the following supporting reason for its recommendation:

1. The construction of an addition to the existing northend fire hall is necessary in order to make it more operational.

PUBLIC HEARING SUMMARY

File:	DASZ 17/2014
Before:	Lord Selkirk-West Kildonan Community Committee Councillor Sharma, Chairperson Councillor Eadie Councillor Pagtakhan
Public Hearing:	September 8, 2014 Council Building, 510 Main Street
Applicant:	The City of Winnipeg (Ruby Li on behalf of the Director of Planning, Property and Development)
Subject:	



APPLICANT : CITY OF WINNIPEG
FILE : DASZ 17/14
PROPOSAL : An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "R1-S" RESIDENTIAL SINGLE-FAMILY (Small) DISTRICT and an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to a "C1" COMMERCIAL NEIGHBOURHOOD DISTRICT to allow for the construction of an addition to an existing fire hall. **For information, phone Mr. N. Yauk, Planner, at 204-986-4560.**

Premises Affected: 603 and 611 Redwood Avenue

Exhibits Filed:

1. Application dated June 19, 2014
2. Notification of Public Hearing dated June 27, 2014
3. Manitoba Status of Titles 1396100/1, 1396271/1, 1401305/1, 1511441/1 and 1515810/1
4. Letter of authorization dated June 6, 2014 from Robert Loudfoot, The City of Winnipeg to Ruby Li, The City of Winnipeg
5. Surveyor's Building Location Certificate and sketch dated April 29, 2014
6. Drawing of subject property
7. Plans (4 pages)
8. Report from the Urban Planning Division dated August 28, 2014
9. Inspection Report
10. Audio Recording of representations

REPRESENTATIONS:

In Support:

Ruby Li, on behalf of the Director of Planning, Property and Development, City of Winnipeg
Joe Seewald
Evan Wiebe

In Opposition

Nil

For Information:

Nil

For the City:

Mr. N. Yauk, Senior Planner, Planning, Property and Development Department

Exhibit “8” referred to in File DASZ 17/2014

ADMINISTRATIVE REPORT

Title: DASZ 17/14 – 603 - 611 Redwood Ave

Issue: For consideration at the Public Hearing to rezone land from “R1-S” Residential Single-Family District and “R2” Residential Two-Family District to “C1” Commercial District.

Critical Path: Lord Selkirk – West Kildonan Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	B. Thorgrimson	N/A	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 17/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule “A” for File DASZ 17/2014 dated June 23, 2014 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.
2. That Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule “A” for File DASZ 17/2014 dated June 23, 2014 to a “C1” Commercial District.
3. 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.
4. That Caveat 87 – 132566 / 1 be withdrawn as it affects Lot 42, Block 2, Plan 871.
5. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.
6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years 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 the two (2)-year period and Council approves the extension.
7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.
8. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

9. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which 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 the one-year period and Council approves the extension.

11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

12. 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 applicant (The City of Winnipeg) intends to rezone the property to a “C1” Commercial District to accommodate the expansion of an existing fire hall.
- The existing fire hall lands will be consolidated with a city owned property that abuts the site to the west. The proposed rezoning is necessary as neither of the existing zoning districts accommodate a fire hall which falls under the “protection and emergency services” use in Zoning By-law 200/2006.
- The intended use of the land requires a rezoning and subsequent Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- 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 can be rezoned as proposed.

CONSULTATION

In preparing this report there was consultation with:

The Administrative Coordinating Group of the City of Winnipeg

SUBMITTED BY

Department	Planning, Property and Development
Division	Planning and Land Use
Date:	Aug. 28, 2014
File No.	DASZ 17/14

List of Attachments:

- APPENDIX 'A': Planners Report
- Schedule "A" for File No. DASZ 17/2014, LSWK Community Committee, dated June 23, 2014.

APPENDIX 'A'

DATE: Aug.28, 2014

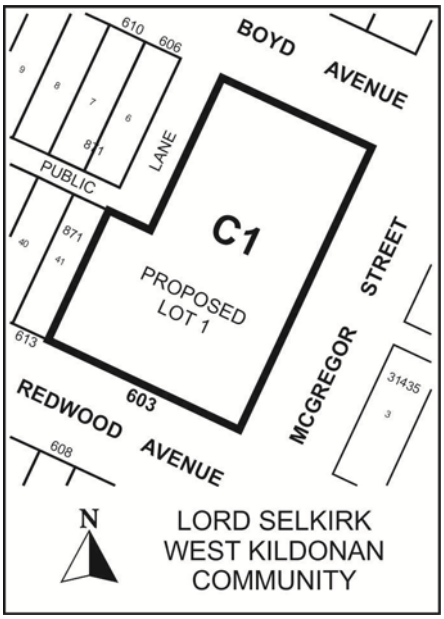
FILE: **DASZ 17/14**
RELATED FILES: **DAV 14-133881D**

COMMUNITY: Lord Selkirk / West Kildonan
NEIGHBOURHOOD #: 3.308

SUBJECT: For consideration at the Public Hearing to rezone from "R1-S" Residential Single-Family District and "R2" Residential Two-Family District to a "C1" Commercial District to facilitate the expansion of an existing fire hall use.

LOCATION: 603-611 Redwood Ave

LEGAL DESCRIPTION: Lots 1, 2, 3, 43 Block 2 Plan 871 40/42 ST J; SP Lots 4, 5 Plan 31423 40/42 ST J; Parcels A, B Plan 34904 41 ST J; Parcel A Plan 32376 41 ST J; Lot 42 Block 2 Plan 871 40/2W ST J



APPLICANT: City of Winnipeg (Rubi Lee)
3rd FLR – 65 Garry St
Wpg, MB R3C 4K4

OWNER: City of Winnipeg

RECOMMENDATION: Approval

REPORT SUMMARY

- The applicant (The City of Winnipeg) intends to rezone the property to a “C1” Commercial District to accommodate the expansion of an existing fire hall.
- The existing fire hall lands will be consolidated with a city owned property that abuts the site to the west. The proposed rezoning is necessary as neither of the existing zoning districts accommodate a fire hall which falls under the “protection and emergency services” use in Zoning By-law 200/2006.
- The intended use of the land requires a rezoning and subsequent Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The report is being submitted for the Committee’s consideration of the development application at the Public Hearing.
- The Urban Planning Division is supportive of the proposed rezoning.

SITE DESCRIPTION

Land Use and Zoning

The subject property is located on the northwest corner of Redwood Avenue and McGregor Street in the Inkster - Faraday Neighbourhood of the Mynarski ward.

The subject lands consist of an existing fire hall and a vacant lot both owned by the City of Winnipeg. The lands are currently zoned “R2” Residential Two-Family District and “R1-S” Residential Single-Family District – The existing fire hall is located on lands that are split zoned “R2” and “R1-S” Residential Single-Family District.

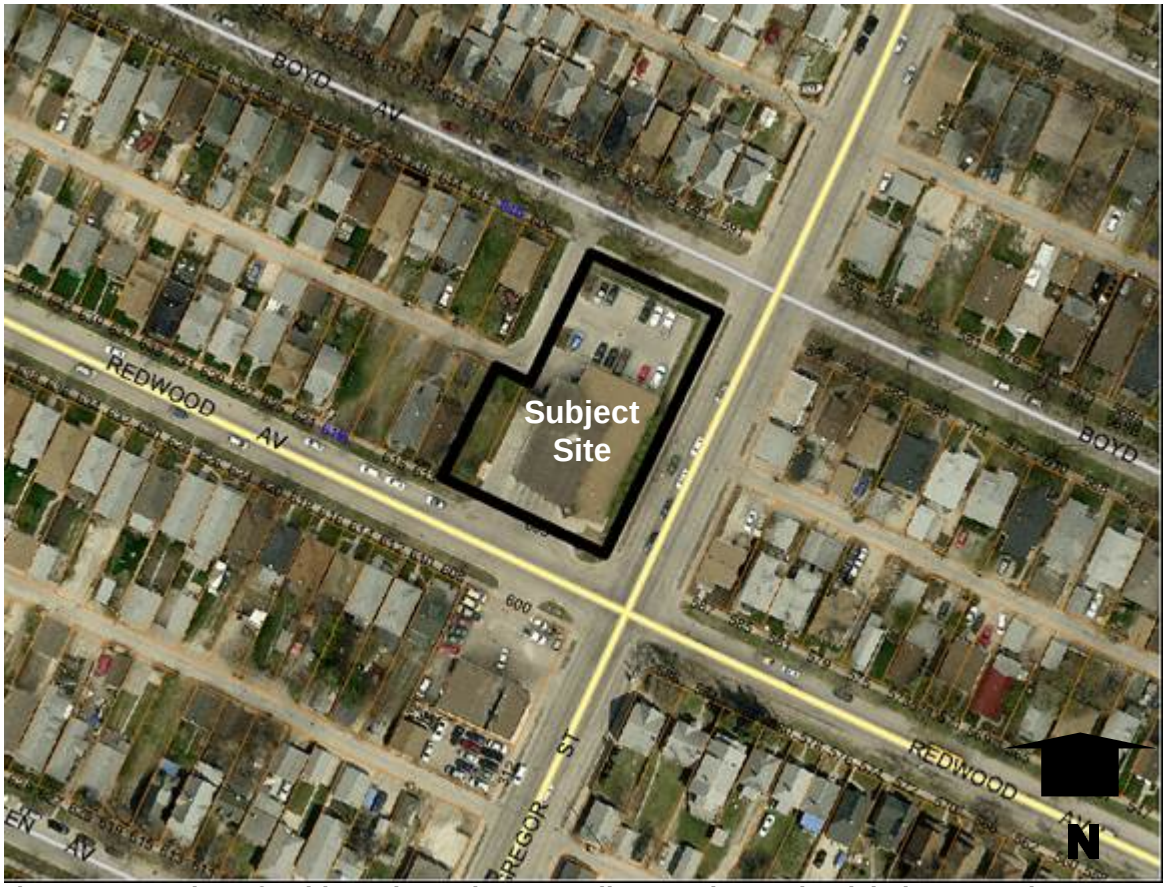


Figure 1: Location of Subject Site and Surrounding Land Uses (Aerial Flown 2009)

SURROUNDING LAND USES & ZONING (See Figure 1)

North: Boyd Avenue then single-family homes zoned "R2" Residential Two-Family District.

South: Redwood Avenue then a vehicle repair shop zoned "C1" Commercial District.

East: McGregor Street then single-family homes zoned "R1-S" Residential Single-Family District and "R2" Residential Two-Family District.

West: Single-family homes zoned "R1-S" Residential Single-Family District.



Figure 2: Current Zoning of the Subject Lands and Surrounding Area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends expand an existing fire hall by consolidating it with a vacant residential lot to the west.
- The expansion will result in the addition of two bays at the existing Fire Station #6.
- Figure 3 (below) shows the lands associated with the existing fire hall and the area of proposed expansion.
- It is noted that the applicant has also applied for some variances associated with this development (see file # DAV 14-133881D). Most of these are to accommodate the existing development, the components of which were approved in 1996 under DAV 807/96C and DCU 262/96C.



Figure 3: Area of proposed expansion

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *Complete Communities Direction Strategy* the proposed development is 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.
    - Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.
    - 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, townhouses.
    - Ensure that existing public open spaces meet the neighbourhood's current and future requirements.

The expansion of a fire station in an existing neighbourhood is consistent with the goals of *Complete Communities.*

Zoning By-Law 200/2006: Proposed "C1" Zoning

The zoning district proposed for the development is the "C1" Zoning District. A rezoning is necessary because the existing zonings do not accommodate the proposed use: "protection and emergency services". Given that the existing fire hall contains two zoning designations neither of which allow for a fire hall, the subject application will better match the zoning of the property with the use and also provide consistent zoning for the entire development. Though it is anticipated that fire hall use will remain on the site for years to come, the "C1" zoning designation will allow for future redevelopment that is appropriate for the local context. This is because the "C1" zoning district accommodates commercial uses at the neighbourhood scale as well as limited residential development.

As noted in Zoning By-law 200/2006:

> *The Commercial Neighbourhood (C1) district is intended to accommodate small, compact commercial uses within or surrounded by residential areas that are attractive and compatible in scale and character with surrounding residential uses, to serve the convenience needs of the surrounding neighbourhood. This district is not intended to accommodate businesses sized or designed to serve a trade area more than one-half mile from the business. C1 districts are generally located along local streets or at local/collector intersections.*

Compatibility with neighbouring land uses

It should be noted that the fire hall is a use that currently operates on the subject site and within this Inkster-Faraday neighbourhood. Being an existing fixture in the community suggests that the site and neighbouring development has co-existed for some time. Fire halls are obviously important to the safety of all residents of our city and need to be located somewhere. The proposed expansion to allow two additional bays at this location is seen as appropriate. The site itself has good access being located at a controlled intersection of two collector streets.

Other:

Removal of caveat

It is noted that a caveat is registered on the title of the city owned vacant lot (Lot 42 Block 2 Plan 871). The caveat is with respect to a former dwelling on the subject property whose eave encroached on the neighbouring lot at 613 Redwood Avenue. Since the dwelling no longer exists, the caveat has no bearing and therefore its removal is immaterial. The public is recommending the caveat be withdrawn for this reason.

RECOMMENDATION

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

- The proposed development is compatible with the surrounding neighbourhood context. The fire hall already exists on a site with good access and the proposed expansion will enable the facility to operate more effectively in the community.

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

Report Prepared By: Noah Yauk
PPD File # DASZ 17/14

Schedule "A" for File No. DASZ 17/14, LSWK Community Committee, dated June 23, 2014

By-Law No. _____

File No. **DASZ 17/14**

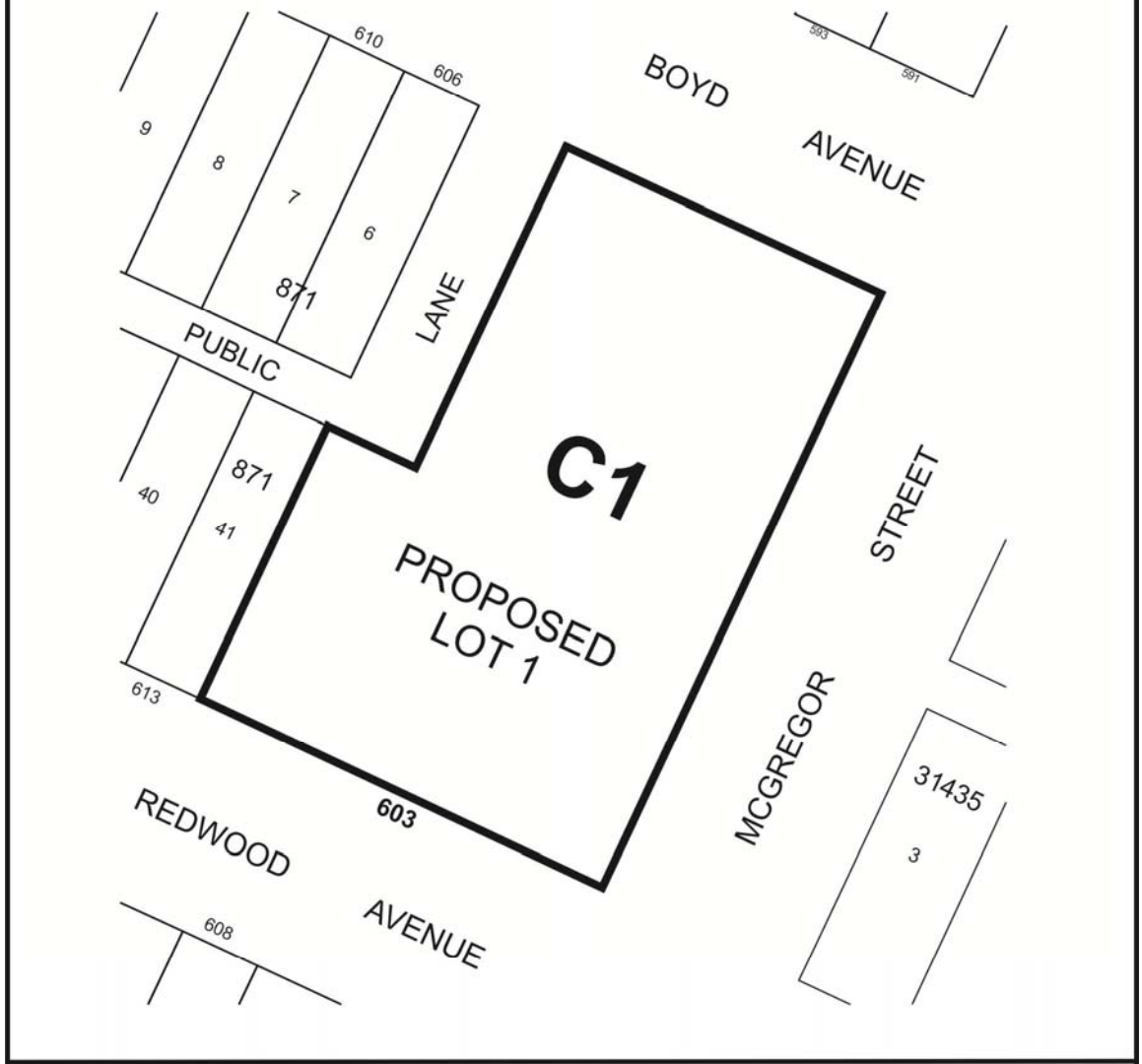
Atlas Sheet No. **W24**

N

LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 603 & 611 Redwood Avenue from an "R1-S" RESIDENTIAL SINGLE-FAMILY (Small) DISTRICT and an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to a "C1" COMMERCIAL NEIGHBOURHOOD DISTRICT to allow for the construction of an addition to an existing fire hall as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____