Agenda – Council – January 28, 2015

Report – Executive Policy Committee – January 21, 2015

Item No. 3 Rezoning – 757 Hector Avenue
(Fort Rouge-East Fort Garry Ward)
File DAZ 233/2014 [c/r DAV 167001/2014D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 2015, 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 233/2014 dated December 23, 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 Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

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 – January 28, 2015

Report – Executive Policy Committee – January 21, 2015

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 2015, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 13, 2015, 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 – 757 Hector Avenue**
File DAZ 233/2014

For submission to: **Executive Policy Committee**

Prepared by: **Ms K. McMillan, Committee Clerk**
City Centre Community Committee

Report date: **January 15, 2015**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 13, 2015, 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 233/2014 dated December 23, 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.

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

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 for its recommendation:

1. It is compatible with OurWinnipeg and with the neighbourhood.

PUBLIC HEARING SUMMARY

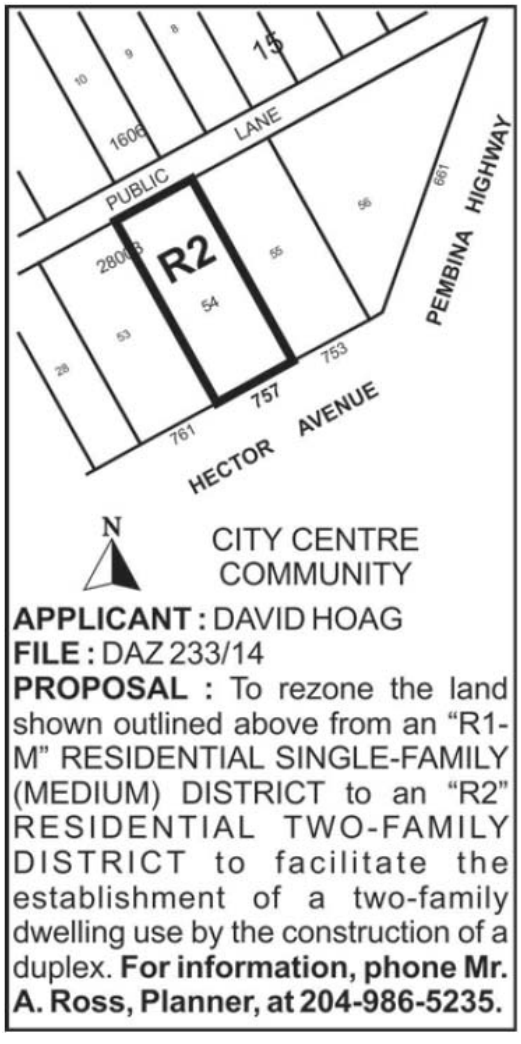
File: DAZ 233/2014

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

Public Hearing: January 13, 2015
Council Building, 510 Main Street

Applicant: David Hoag

Subject:



Premises Affected: 757 Hector Avenue

Exhibits Filed:

1. Application dated November 19, 2014
2. Notification of Public Hearing dated November 26, 2014
3. Manitoba Status of Title 2560167/1
4. Letter of authorization dated September 16, 2014 from Beverley Brucki to David Hoag
5. Surveyor's Building Location Certificate and sketch dated October 22, 2014
6. Plans (7 pages)
7. Report from the Planning and Land Use Division dated January 6, 2015
8. Inspection Report
9. Audio Recording of representations

REPRESENTATIONS:

In Support:

David Hoag

In Opposition:

Nil

For Information:

Nil

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Mr. A. Ross, Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DAZ 233/2014

ADMINISTRATIVE REPORT

Title: DAZ 233/2014 – 757 Hector AVE

Issue: For consideration at the public hearing for a Rezoning for DAZ 233/2014 – 757 Hector AVE

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 233/2014 dated December 23, 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 Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

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 applicant is proposing to rezone the subject site from an "R1" Residential Single-Family-Medium District to an "R2" Residential Two-Family District in order to build a duplex on the subject property.

Rezoning applications require a 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 Urban Planning Division are concurred in, the property will be rezoned.

CONSULTATION

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

SUBMITTED BY

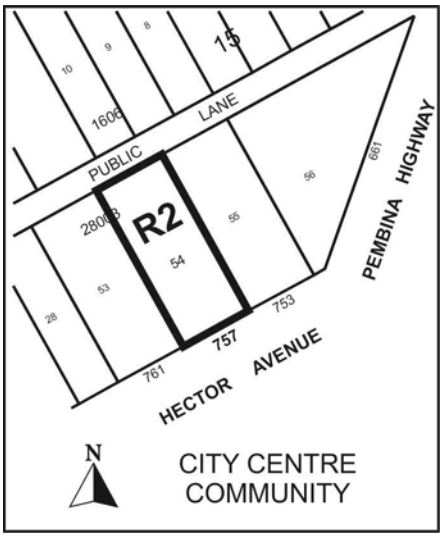
Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Andrew Ross, MCP, MCIP
Date:	January 6, 2015
File No.	DAZ 233/2014

APPENDIX 'A'

DATE: January 6, 2015
FILE: DAZ 233/2014 757 Hector Ave
RELATED FILES: DAV 14-167001/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.667

SUBJECT: To rezone the subject land from an "R1" Residential Single-Family-Medium District to an "R2" Residential Two-Family District.

LOCATION: 757 Hector Avenue
LEGAL DESCRIPTION: LOT 54 PLAN 28003 26/27 ST B



APPLICANT: DAVID HOAG
433 CAMBRIDGE ST
WINNIPEG MB R3M 3E9

OWNER: BEVERLEY BRUCKI
570 PARK BLVD W
WINNIPEG MB R3P 0H4

RECOMMENDATION: Approval

SITE DESCRIPTION

- The subject property is located on the north side of Hector Avenue, between Pembina Highway and Lilac Street in the Ebby-Wentworth neighbourhood of the Fort Rouge – East Fort Garry ward.
- The subject site is currently zoned "R1-M" – Residential Single Family - Medium.
- The subject site is 4,166 square feet in area and currently contains a single family home that will be demolished.
- The immediate area is characterized primarily by single family residential with some two-family and multiple-family; and by commercial/retail development along Pembina including a hotel at the

nearby corner of Arbuthnot and Pembina and a strip mall at the nearby corner of Lilac and Pembina. Immediately adjacent land uses include:

- **North:** Single family residential uses (zoned "R1-M" – Residential Single Family – Medium).
- **South:** Single family residential uses (zoned "R1-M" – Residential Single Family – Medium).
- **West:** Single family residential uses (zoned "R1-M" – Residential Single Family – Medium).
- **East:** Single family residential uses (zoned "R1-M" – Residential Single Family – Medium).



Figure 1: Air photo of the subject property and surrounding area (2012)



Figure 2: Zoning context

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant seeks approval to build a 1.5 storey, split level duplex on the subject property.

REASON FOR APPLICATION

The subject site is currently zoned "R1-M" – Residential Single Family – Medium and is proposed to be rezoned to "R2" Residential Two-Family in order to support the construction of a duplex, therefore a rezoning is required.

ANALYSIS AND ISSUES

Context

The immediate area is characterized by primarily single family residential with some two-family and multiple-family; and by a significant amount of commercial/retail development along Pembina Highway. The subject property is located in very close proximity to Pembina Highway.

Policies

Complete Communities Direction Strategy

As per the *Complete Communities Direction Strategy,* the proposed development falls within Areas of Stability – Mature Communities policy area. Key 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.
- Support Complete Communities by ensuring diverse and high quality housing stock.
- 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.

This proposed development adds to the mix of housing types in the Ebby-Wentworth neighbourhood and is complementary to the scale and character of housing in the area. The proposed development meets the intent of applicable policies in Complete Communities.

Zoning

The proposed zoning district, "R2" - Residential Two-Family, is intended to accommodate the development of single and two-family units and where appropriate limited multi-family units in lower density areas.

It is common for Mature Communities similar to this neighbourhood to be wholly zoned "R2" to provide increased support for two-family housing. Although Hector Street is currently zoned "R1-M", "R2" zoning and two-family housing is appropriate in this location given the following:

- *Complete Communities* supports minor to moderate density increases in Mature Communities where appropriate.
- There is an existing duplex, as well as some multiple family housing, across the back lane from the subject property.
- The subject property is located in very close proximity to Pembina Highway.

This rezoning allows for one additional dwelling unit to be provided, and allows the site to be developed in a manner that is consistent and compatible with surrounding properties.

For the above reasons, the Urban Planning Division believes the proposed rezoning to "R2" is suitable at this location and recommends that the rezoning be approved.

Summary

Complete Communities supports minor to moderate density increases in Mature Communities. The proposed development is 1.5 storeys, which provides a scale that is in keeping with that of neighbouring properties. The proposed development is located in very close proximity to Pembina Highway and will provide one additional dwelling unit to the site in a context sensitive manner.

RECOMMENDATIONS

The Urban Planning Division recommends approval of the rezoning for the following reasons:

- The rezoning is consistent with OurWinnipeg and Complete Communities.

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

Report Prepared by: Andrew Ross, MCP, MCIP
PPD File # DAZ 233/2014 757 Hector Ave

Schedule “A” for File No. DAZ 233/2014, City Centre Community Committee January 13, 2015.

By-Law No. _____

File No. **DAZ 233/14**

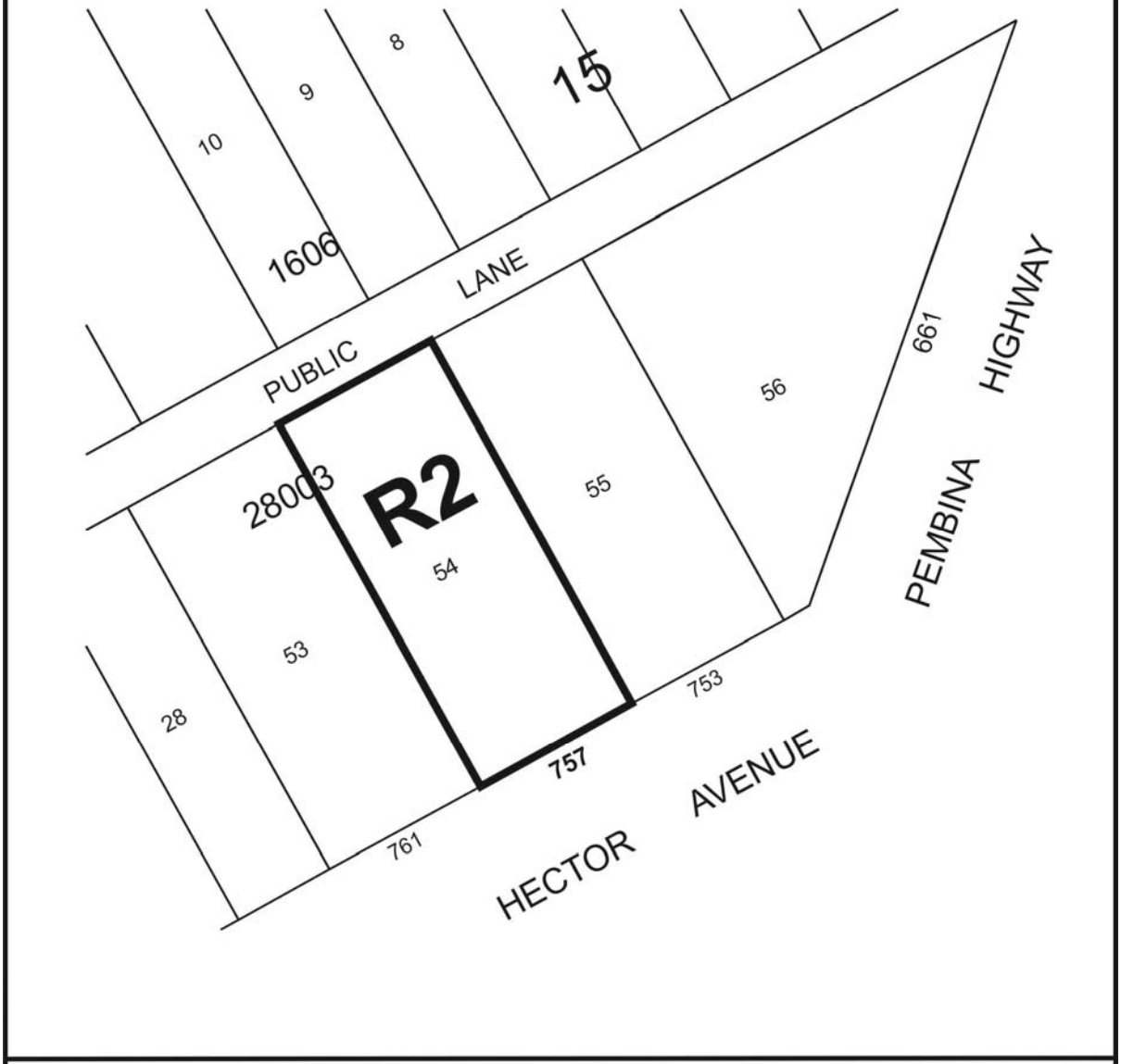
Atlas Sheet No.

N

AD24
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 757 Hector Avenue from an “R1-M” RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an “R2” RESIDENTIAL TWO-FAMILY DISTRICT to facilitate the establishment of a two-family dwelling use by the construction of a duplex as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____