Minute No. 387
Report – Standing Policy Committee on Property and Development – May 12, 2015

Item No. 14 **Secondary Plan Amendment to the North Henderson Highway Secondary Plan (By-law 1300/76) – First Reading (North Kildonan Ward) File SPA 1/2015**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That By-law No. 43/2015, a by-law to amend the North Henderson Highway Secondary Plan (By-law 1300/76), receive First Reading in order to allow the East Kildonan-Transcona Community Committee to conduct a Public Hearing.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Standing Policy Committee on Property and Development – May 12, 2015

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 20, 2015, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 12, 2015, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

REVISED ADMINISTRATIVE REPORT

Title: SPA 1/2015 Secondary Plan Amendment to the North Henderson Highway Secondary Plan (By-law 1300/76) – First Reading

Critical Path: Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	M. Pittet	n/a	M. Jack A/COO

RECOMMENDATIONS

That By-law No. 43/2015, a by-law to amend the North Henderson Highway Secondary Plan (By-law 1300/76), be forwarded to Council for First Reading to allow for the East Kildonan-Transcona Community Committee to conduct a Public Hearing.

REASON FOR THE REPORT

The subject property is located on the west side of Henderson Hwy between Bonner Av and Knowles Av, and is 23,430 sq. ft. in area. It is located in the Valhalla neighbourhood of the North Kildonan ward and is currently zoned “R1-E” Residential Single Family district.

The applicant intends to develop the subject property for a 14 unit, three storey multifamily apartment block style development, with parking at grade on the main floor, below the second and third floors. This new proposal increases the residential density originally proposed by an additional 4 units. This will require the demolition of the existing single family dwelling. Plans for development were submitted with this application.

The *North Henderson Highway Secondary Plan* designates the subject property as “Low Density Residential” development, limiting the site’s density to a maximum of 12 units per acre. In order to accommodate the proposed development, the property would need to be redesignated to a “Medium Density Residential” designation, which would allow up to a maximum of 30 units per acre.

The applicant has applied to rezone the subject property from "R1-E" Residential Single Family (Estate) district to "RMF-S" Residential Multifamily (Small) district under development application DAZ 202/15 in concurrence with their application to amend the secondary plan. The rezoning to the proposed "RMF-S" dimensional standards will likely include an associated variance application to reduce some of the Zoning by-law regulations, and to repeal the variances approved under file DAV 109880A/2013D concurrently with the original rezoning.

A Secondary Plan by-law requires First Reading at Council and then a Public Hearing at the East Kildonan-Transcona Community Committee prior to Second and Third Reading at Council in accordance with the Development Procedures By-law (160/11) and Section 234(3) of the City of Winnipeg Charter. It is intended that this public hearing would be conducted in concurrence with the public hearing for DAZ 202/15.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendation is concurred in, the East Kildonan-Transcona Community Committee will conduct a Public Hearing on the proposed secondary plan amendment.

HISTORY

The *North Henderson Highway Secondary Plan* was passed by Council on January 19, 1977 with the intent to establish a land use plan for the improvement of the North Henderson Highway District in conformance with the City's development plan at that time. There have been numerous amendments to this plan to allow for multifamily residential development in Low Density Residential areas (max. density 12 units/acre) since the plan came into effect in 1977. These include:

Address	By-law no.	New designation	New max. density (u/a)
1900 Henderson	2274/79	Low Density Res	12.54
1820-50 Henderson	5048/88	High Density Res	No max. density
1970 Henderson	5220/89	High Density Res	No max. density
1950 Henderson	6682/95	Medium Density Res	30
1745 Henderson	3/2013	High Density Res	No max. density

On July 20, 2011, Council approved as a secondary plan the Complete Communities Direction Strategy, one of four direction strategies supporting OurWinnipeg, the City's development plan. Complete Communities designates Henderson Highway as a "Regional Mixed Use Corridor". These corridors are identified as transformative areas, which are specific areas that provide the best opportunity to accommodate growth and change throughout the city through intensification. Supporting Direction and Enabling Strategies include:

- Focus a broad mix of residential, employment, and retail development within strategic locations along corridors.

- Promote the highest levels of intensification at significant intersections. Between each centre, lower intensities of commercial, residential, and mixed use development are appropriate.
- Where appropriate, develop corridors in accordance with transit-oriented development principles.

On January 30, 2013, Council enacted By-law No. 136/2012 to amend the North Henderson Highway Secondary Plan (SPA 3/2012). On March 20, 2013, Council enacted By-law No. 46/2013 to amend Zoning By-law No. 200/2006 to rezone the land located at 2090 Henderson Hwy from "R1-E" Residential Single Family district to "RMF-S" Residential Multifamily district (DAZ 234/2012). Both applications were intended to accommodate a previous proposal for development on the subject property.

On November 28, 2014, the Court of Queen's Bench of Manitoba found By-laws Nos. 136/2012 and 46/2013 to be invalid and quashed both by-laws on the basis that the City had failed to follow its own processes when it proceeded with public hearings prior to the submission of development plans. However, leave was given to the applicant to reapply to amend both of the original by-laws upon the filing of the required development plans.

The applicant has now reapplied to amend By-law 1300/76 and the Winnipeg Zoning By-law No. 200/2006 and has submitted all required development plans prior to public hearings.

FINANCIAL IMPACT

Financial Impact Statement **Date:** April 23, 2015

Project Name:

SPA 1/2015 Secondary Plan Amendment to the North Henderson Highway Secondary Plan (By-law 1300/76) – First Reading

COMMENTS:

There are no financial implications associated with the recommendations contained in this report.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

CONSULTATION

In preparing this report there was consultation with:

Legal Services Department

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Urban Planning
Prepared by:	James Veitch
Date:	April 23, 2015
File No.:	O:\Reports Directive\Planning and Land Use\Urban Planning Reports\2015 Reports\SPA 01 15 2090 Henderson - First Reading REVISED.doc

ATTACHMENT "A"

THE CITY OF WINNIPEG

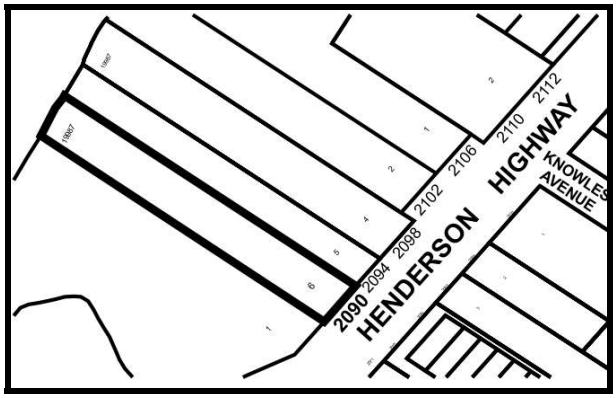
BY-LAW NO. 43/2015

A By-law of THE CITY OF WINNIPEG to amend the North Henderson Highway Secondary Plan By-law No. 1300/1976.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1 The North Henderson Highway Secondary Plan By-law No. 1300/1976 is amended by this By-law.

2 The North Henderson Highway District Plan – Proposed Land Use map is amended by reclassifying the land identified below from a "LOW DENSITY RESIDENTIAL" proposed land use to a "MEDIUM DENSITY RESIDENTIAL" proposed land use.



RECEIVED FIRST READING on this day of , 2015.

RECEIVED SECOND READING on this day of , 201 .

RECEIVED THIRD READING on this day of , 201 .

DONE AND PASSED this day of , 201 .

Mayor

City Clerk

Approved as to planning details:

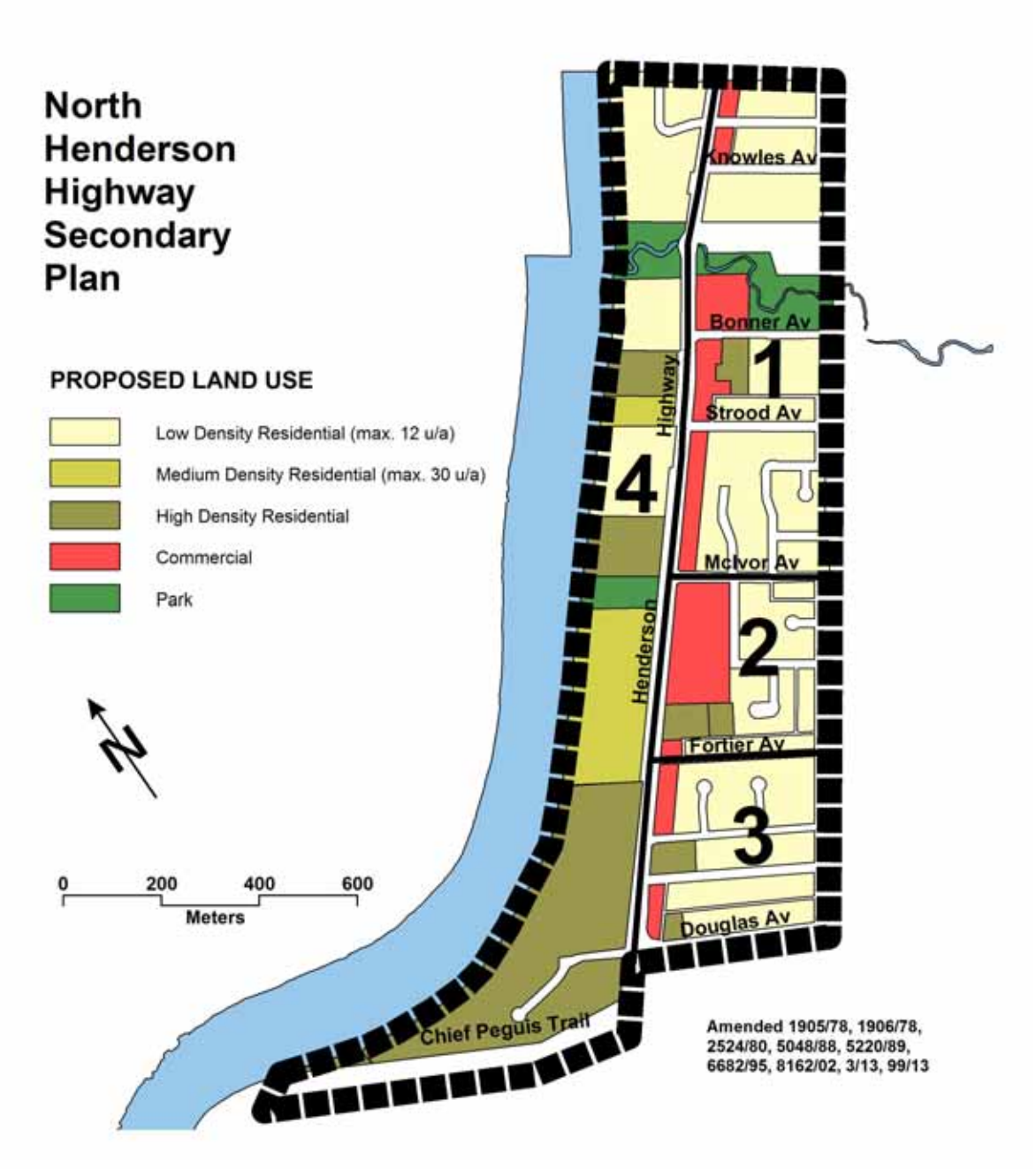
for Director of Planning, Property and Development

Approved as to form:

for Director of Legal Services and City Solicitor

ATTACHMENT “B”

Proposed Land Use Map, by-law no. 1300/76



ATTACHMENT “C”

Site map of subject property and surrounding neighbourhood

