Agenda – Council – April 27, 2016

Report – Executive Policy Committee – April 20, 2016

Item No. 4 Rezoning – 419-421 Arnold Street
(Fort Rouge – East Fort Garry Ward)
File DAZ 201/2016 [c/r DCU 177052/2015D and DAV 105249/2016D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 20, 2016, 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 201/2016 dated April 4, 2016 to an "R2" Residential Two-Family District.

2. In lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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 rezoning by-law and forward the same to Council for all three (3) readings.

5. 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.

Agenda – Council – April 27, 2016

Report – Executive Policy Committee – April 20, 2016

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 20, 2016, 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 12, 2016, 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 – 419-421 Arnold Street**
File DAZ 201/2016

For submission to: **Executive Policy Committee**

Prepared by: **Kate McMillan, Committee Clerk**
City Centre Community Committee

Report date: **April 14, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 12, 2016, 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 201/2016 dated April 4, 2016 to an "R2" Residential Two-Family District.

2. In lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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 reasons for its recommendation:

1. There's support from the neighbourhood and the Planning Department and its proximity to transit and other things and there doesn't seem to be any concerns.

PUBLIC HEARING SUMMARY

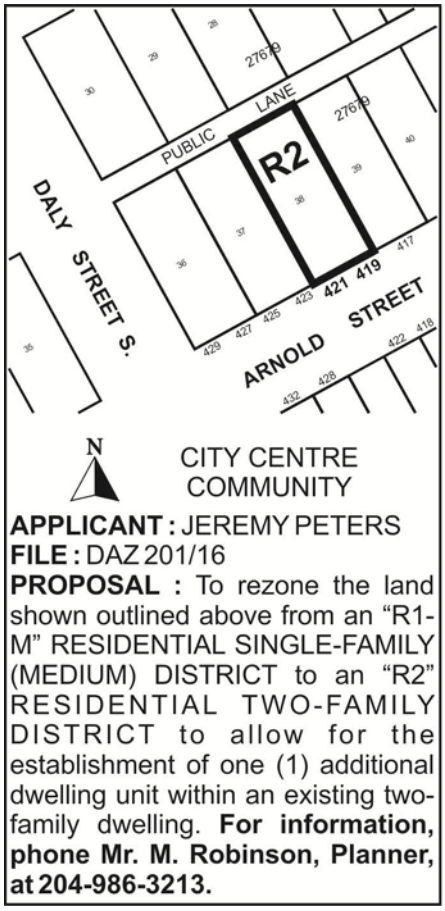
File: DAZ 201/2016

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

Public Hearing: April 12, 2016
Council Building, 510 Main Street

Applicant: Jeremy Peters

Subject:



Premises Affected: 419-421 Arnold Street

Exhibits Filed:

1. Application dated January 29, 2016
2. Notification of Public Hearing dated February 10, 2016
3. Manitoba Status of Title 1959761/1
4. Drawing of subject property
5. Plans (9 pages)
6. Report from the Urban Planning Division dated April 6, 2016
7. Inspection Report
8. Recording of Representations

REPRESENTATIONS:

In Support:

Jeremy Peters

In Opposition:

Nil

For Information:

Clarence Joyal
Melody Joyal
Barbara Polson
Denise English

For the City:

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

Exhibit " 6 " referred to in File DAZ 201/2016

ADMINISTRATIVE REPORT

Title: DAZ 201/2016 – 419-421 Arnold Avenue

Issue: For consideration at the public hearing for a Rezoning for DAZ 201/2016 – 419-421 Arnold Avenue

Critical Path: City Centre Community Committee as per the Development Procedures By-law and *The City of Winnipeg Charter.*

AUTHORIZATION

Author	Division Head	CFO	CAO
M. Robinson MCIP	B. Smith MCIP	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 201/2016 dated April 4, 2016 to an "R2" Residential Two-Family District.

2. In lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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, the property will be rezoned.

CONSULTATION

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

SUBMITTED BY

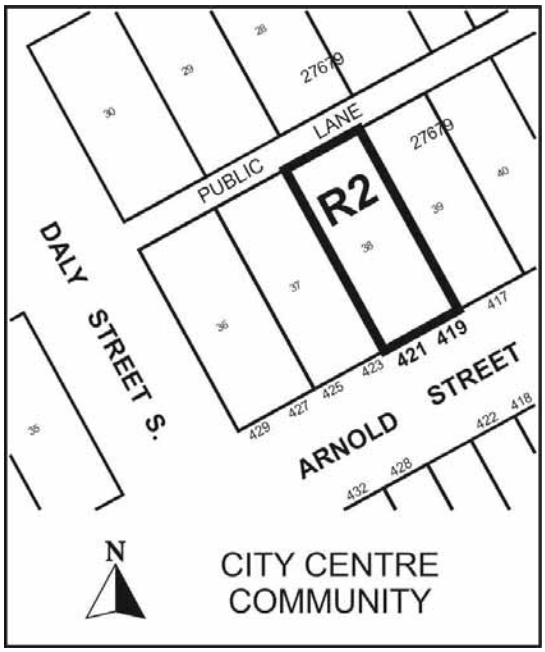
Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Michael Robinson, MCIP
Date:	April 6, 2016
File No.	DAZ 201/2016

APPENDIX 'A'

DATE: April 6, 2016
FILE: DAZ 201/2016
RELATED FILES: DAV 16-105249/D, DCU 15-177052/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.665

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

LOCATION: 419-421 Arnold Avenue
LEGAL DESCRIPTION: Lot 38 Plan 27679 25/27 ST B



APPLICANT: Jeremy Peters

OWNER: Same

RECOMMENDATION: **Approval**

SITE DESCRIPTION

The subject property is located on Arnold Avenue, between Daly Street South and Nassau Street South in the Lord Roberts neighbourhood of the Fort Rouge - East Fort Garry ward

The site is Mature Communities under the Complete Communities Direction Strategy. The property is zoned "R1-M" Residential Single-Family District.

SURROUNDING LAND USE AND ZONING
North: Residences zoned "R1-M" Residential Single-Family District
South: Residences zoned "R1-M" Residential Single-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 add a basement unit to the existing duplex at 419-421 Arnold Avenue. A letter of intent from the applicant is attached at Appendix 'C'.

The existing duplex is currently non-conforming within the "R1-M" Residential Single-Family District.

ANALYSIS AND ISSUES
The duplex, while zoned "R1-M", is the first in a row of 12 duplexes on the north side of Arnold Avenue. Of these 12 duplexes, the majority are already zoned "R2" Residential Two-Family District. Only the three that are east of Daly Street are zoned "R1-M" Single-Family Residential.

It should also be noted that the property is located approximately 1.5 blocks away from the Fort Rouge rapid transit station.

The proposed rezoning to "R2" would formally recognize the duplex and would allow it to be reconstructed, in the event that it was ever destroyed.

The rezoning will also allow the applicant to apply for a multiple-family dwelling as a conditional use, which is the subject of an associated application (DCU 15-177052/D).

RECOMMENDATION
It is recommended that the rezoning be approved for the following reasons:

1. The property approximately 1.5 blocks away from the Fort Rouge Rapid Transit station.
2. The property already contains a duplex.
3. Other properties of a similar size, in the immediate vicinity, have "R2" Residential Two-Family zoning

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

Report Prepared by: Michael Robinson, MCIP
PPD File # DAZ 201/2016

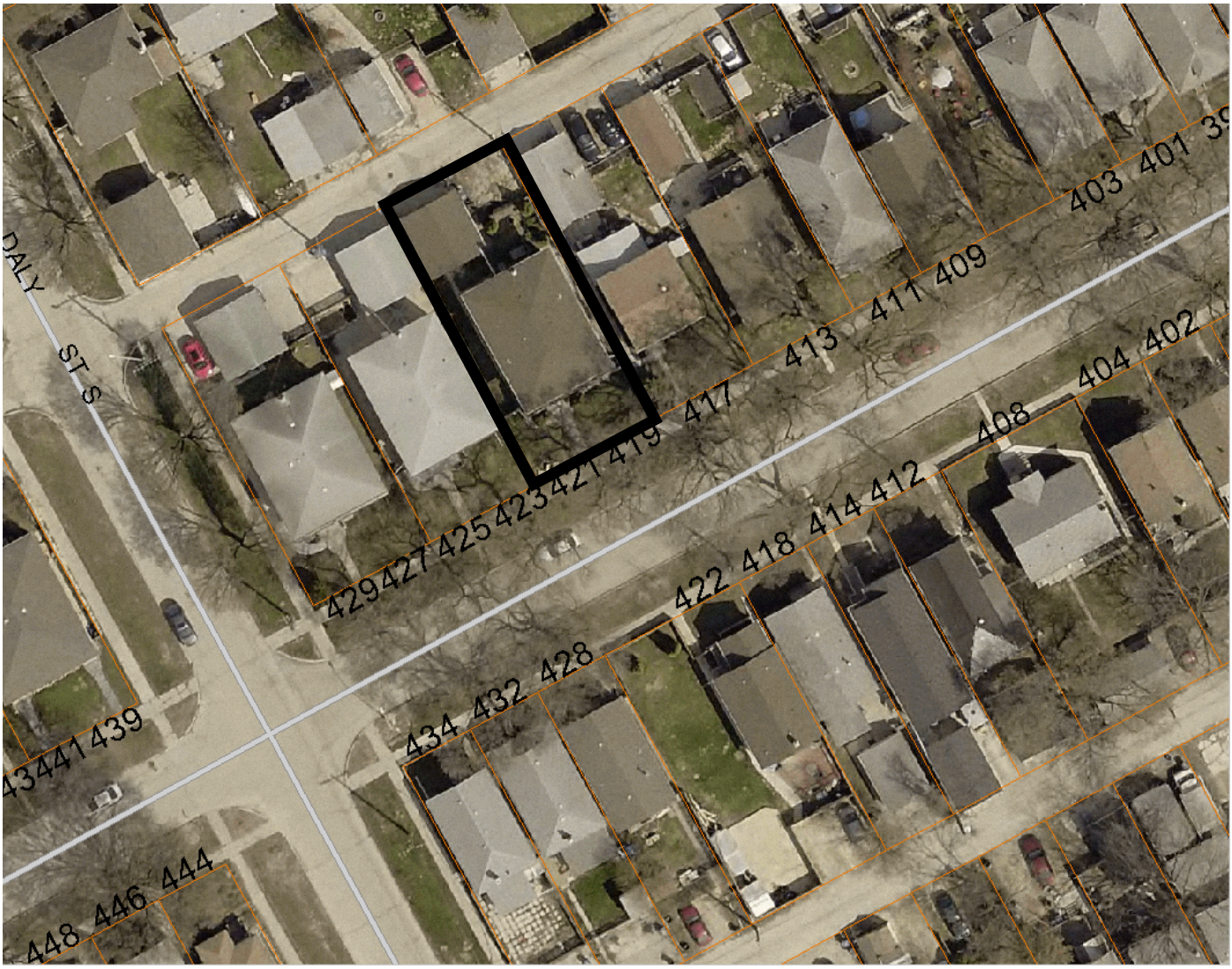


Figure 1: Aerial Photo (Flown in 2014)

APPENDIX 'B'
Schedule "A" for File No. DAZ 201/2016, City Centre Community Committee, dated April 6, 2016

By-Law No.	File No. **DAZ 201/16**
Atlas Sheet No. N **AD25 CITY CENTRE COMMUNITY**	Explanation: A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 419 & 421 Arnold Street from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to allow for the establishment of one (1) additional dwelling unit within an existing two-family dwelling as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____