Agenda - Executive Policy Committee – October 12, 2005

PUBLIC HEARINGS

Item No. 3 Variance – 50 and 56 Dunkirk Drive
File DAV 129773/2005D [c/r DASZ 16/2005]

ADMINISTRATIVE RECOMMENDATION:

1. That the "PR2" Parks and Recreation District regulations of The Winnipeg Zoning By-law No. 6400/94 be varied:

    A. For the establishment of proposed parcel plan of survey (Parcels E, F and G) to permit no vehicular access to a public street;

    B. For the establishment of an accessory parking area for an existing golf course (Parcels E, F and G) to permit as follows:

        i. no front yard instead of 20 feet (6.10 metres);
        ii. no west side yard instead of 20 feet (6.10 metres);
        iii. no light-proof fence and no landscaping abutting a public street (Dunkirk Drive), and;

2. That the proposed "RM-3" Multiple Family District regulations of The Winnipeg Zoning By-law No. 6400/94 for the construction of a multiple family dwelling for seniors, be varied to permit an east side yard of 23.86 feet (7.27 metres) instead of 24.95 feet (7.60 metres),

subject to the following condition:

1. That if any variance granted by this Order is not established within two (2) years of the date hereof of this Order, in respect of that Variance shall terminate.

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File:	DAV 129773/2005D [c/r DASZ 16/2005]
Applicant:	Caleb Group of Companies (Matt Mann)
Premises Affected:	50 and 56 Dunkirk Drive
Legal Description:	Lot 2/3 Plan 27760 111/112 ST B, hereinafter called "the land"
Property Zoned:	"PR2" (Parks and Recreation District)
Zoning Atlas Sheet:	AE26

Nature of Application:

1. To vary the "PR2" Parks and Recreation District regulations of The Winnipeg Zoning By-law No. 6400/94:

    A. For the establishment of proposed parcel plan of survey (Parcels E, F & G) to permit no vehicular access to a public street;

    B. For the establishment of accessory parking area for an existing golf course (Parcels E, F & G) to permit as follows:

        i. no front yard instead of 20 feet (6.10 metres)

        ii. no west side yard instead of 20 feet (6.10 metres)

        iii. no light-proof fence and no landscaping abutting a public street (Dunkirk Drive).

2. To vary the proposed "RM-3" Multiple Family District regulations of The Winnipeg Zoning By-law No. 6400/94 for the construction of a multiple family dwelling for seniors to permit an east side yard of 23.86 feet (7.27 metres) instead of 24.95 feet (7.60 metres).

Exhibits Filed:

1. Application dated September 27, 2005
2. Notification of Public Hearing dated September 27, 2005
3a. Title Searches 1353001, 1353003, 1417623, 1802675, 1950038, 1950039, 1950041
3b. Certificate of Titles 778312, 344548, 394251, 419820, 444748, A48026, 488877, 56856, B86080
4. Letter of authorization dated February 9, 2005 from Manager of Real Estate Division, Planning, Property and Development Department, City of Winnipeg, to Caleb Construction Ltd., Attention: Matt Mann, Vice-President, Construction Division
5. Confirmation from the Zoning Development Administrator that the subject property may be posted in substitution for newspaper advertising
6. Misc. Plan Nos. 4750/19, 4750/26
7. Plans, Sheet 1 to 16 inclusive, for File DAV 129773/2005D dated May 11, 2005
8. Report from the Director of Planning, Property and Development dated October 3, 2005

The Administration to advise that all statutory requirements with respect to this application have been complied with.

Moved by Councillor

That the administrative report be taken as read.

REPRESENTATIONS:

In Support:

In Opposition:

For Information:

For the City:

Moved by Councillor

That the receipt of public representations be concluded.

Moved by Councillor

That criteria (a) to (d) of Subsection 247(3) of The City of Winnipeg Charter set out below, are / are not satisfied:

(a) is consistent with Plan Winnipeg, and any applicable secondary plan;

(b) does not create a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway;

(c) is the minimum modification of a zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and

(d) is compatible with the area in which the property to be affected is situated.

Moved by Councillor
That the administrative recommendation be concurred in / not be concurred in

Moved by Councillor
That the public hearing with respect to this application be concluded.