Minute No. 392
Report - Standing Policy Committee on Property and Development – May 4, 2010

Item No. 4 **Subdivision and Rezoning - 159 - 175 Mayfair Avenue (Fort Rouge-East Fort Garry Ward) File DASZ 42/2009**

COUNCIL DECISION:

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

1. That the plan of subdivision proposed under File DASZ 42/2009 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 14/2009 dated April 6, 2010 for registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 42/2009 dated April 6, 2010 to an "EI" Educational Institutional District and a "C1" Commercial District, subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

        i. That for any development, final plans showing the location and design of all buildings, private approaches, parking areas, fencing, landscaping, pathways, signage, and site lighting shall be submitted to and approved by the Director of Planning, Property, and Development prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development;

        ii. The Developer and all successors in title to the lots in the rezoning (Lot 48, Plan 334) and (Lot 45, Plan 334 + Lots 1-4, Plan 27520) shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the lots, private cross-access agreements so as to ensure access to the subject lands at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners must submit the agreements or easements to the City Solicitor for approval prior to execution.

Report - Standing Policy Committee on Property and Development – May 4, 2010

COUNCIL DECISION (continued):

iii. That a minimum of 9 off-street parking spaces be provided through a shared parking agreement with an adjacent property owner(s). Said agreement(s) shall be submitted prior to the issuance of any development permits, to the satisfaction of the Director of Planning, Property, and Development and shall be maintained thereafter to the satisfaction of the Director of Planning, Property, and Development

iv. That the height of any buildings on the "EI" zoned lands shall not exceed 60 feet;

v. a. That the following uses shall not be permitted on the "C1" Commercial District zoned lands:

1. Contractor's establishment;
2. Retail sales;
3. Restaurant;
4. Kennel;
5. Post office/carrier depot.

b. That the following uses shall be conditional uses on the "C1" Commercial District zoned lands:

1. Personal services;
2. Animal hospital or veterinary clinic.

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 and the creation of additional lots.

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

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed 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.

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

Report - Standing Policy Committee on Property and Development – May 4, 2010

COUNCIL DECISION (continued):

7. That the zoning section of the by-law comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years 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 Council extends that time.

9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

10. 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 - Standing Policy Committee on Property and Development – May 4, 2010

DECISION MAKING HISTORY:

Moved by Councillor Steeves,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 12, 2010, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 4, 2010, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 13, 2010, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning - 159 – 175 Mayfair Avenue**
File DASZ 42/2009 [c/r DCU 102804/2010D and DAV 102809/2010D]

For submission to: **The Standing Policy Committee on Property and Development**

Prepared by: **Josie Marques, Senior Committee Clerk**
City Centre Community Committee

Report date: **April 15, 2010**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 13, 2010, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 42/2009 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 14/2009 dated April 6, 2010 for registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 42/2009 dated April 6, 2010 to an "EI" Educational Institutional District and a "C1" Commercial District, subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

        i. That for any development, final plans showing the location and design of all buildings, private approaches, parking areas, fencing, landscaping, pathways, signage, and site lighting shall be submitted to and approved by the Director of Planning, Property, and Development prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development;

        ii. The Developer and all successors in title to the lots in the rezoning (Lot 48, Plan 334) and (Lot 45, Plan 334 + Lots 1-4, Plan 27520) shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the lots, private cross-access agreements so as to ensure access to the subject lands at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners

must submit the agreements or easements to the City Solicitor for approval prior to execution.

iii. That a minimum of 9 off-street parking spaces be provided through a shared parking agreement with an adjacent property owner(s). Said agreement(s) shall be submitted prior to the issuance of any development permits, to the satisfaction of the Director of Planning, Property, and Development and shall be maintained thereafter to the satisfaction of the Director of Planning, Property, and Development

iv. That the height of any buildings on the "EI" zoned lands shall not exceed 60 feet;

v. a. That the following uses shall not be permitted on the "C1" Commercial District zoned lands:

1. Contractor's establishment;
2. Retail sales;
3. Restaurant;
4. Kennel;
5. Post office/carrier depot.

b. That the following uses shall be conditional uses on the "C1" Commercial District zoned lands:

1. Personal services;
2. Animal hospital or veterinary clinic.

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 and the creation of additional lots.

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

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed 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.

6. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

7. That the zoning section of the by-law comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years 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 Council extends that time.

9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

10. 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(s) for its recommendation:

1. These types of developments are sensitive but this is a service that currently exists and is important to youth in province.

2. There has not been one concern about this organization.

3. There is a willingness from organization to work with community.

PUBLIC HEARING SUMMARY

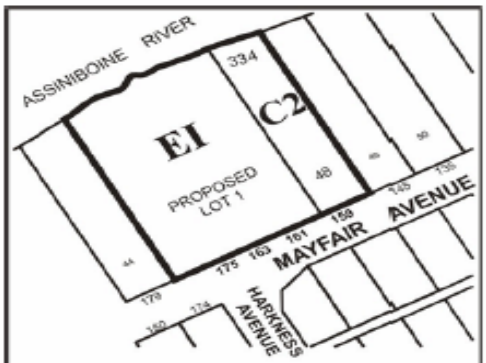
File: DASZ 42/2009 [c/r DCU 102804/2010D and DAV 102809/2010D]

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

Public Hearing: April 13, 2010
Council Chamber, Council Building
510 Main Street

Applicant: LM Architectural Group (Jon Trenholm)

Subject:



APPLICANT : LM ARCHITECTURAL GROUP
FILE : DASZ 42/09
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 "RMF-M" RESIDENTIAL MULTI-FAMILY DISTRICT to an "EI" EDUCATIONAL AND INSTITUTIONAL DISTRICT and a "C2" COMMERCIAL COMMUNITY DISTRICT to allow for the construction of a social services facility and for the maintenance of an existing social services facility. **For information, phone Mr. M. Robinson, Planner at 986-3213.**

Premises Affected: 159 – 175 Mayfair Avenue

Exhibits Filed:

1. Application dated February 25, 2010
2. Notification of Public Hearing dated March 4, 2010
3a. Manitoba Status of Title(s), 1224104, 2335209 and 1728093
3b. Certificate of Title 477125
4. Letter of authorization dated December 7, 2009 from Macdonald Youth Services – HJM Project to LM Architectural Group
5. Plans (14 pages)
6. Report from the Planning and Land Use Division dated April 6, 2010
7. Inspection Report
8. Audio Recording of representations of public hearing held on April 13, 2010

REPRESENTATIONS:

In Support:

Erma Chapman
Ian Hughes
Tina Leclair
Marcia Thomson
Jon Trenholm (LM Architectural Group)

In Opposition

Ilan Millo
Arlene Klassen
Reginald Klassen

For Information:

Brian Hodgson

For the City:

Mr. K. Raban, Land Development Administrator, Planning, Property and Development Department
Mr. M. Robinson, Senior Planner, Planning, Property and Development Department

Exhibit "6" referred to in File DASZ 42/2009 [c/r DCU 102804/2010D and DAV 102809/2010D]

ADMINISTRATIVE REPORT

Title: **DASZ 42/09 – 159-175 Mayfair Avenue**

Issue: **For consideration at the public hearing for a rezoning and subdivision 159-175 Mayfair Avenue - DASZ 42/09**

Critical Path: City Centre Community Committee-Standing Policy Committee on Property and Development – Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Himbeault	N/A	N/A	N/A

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 42/2009 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 14/2009 dated April 6, 2010 for registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 42/2009 dated April 6, 2010 to an "EI" Educational Institutional District and a "C1" Commercial District, subject to the following:

   A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

      i. That for any development, final plans showing the location and design of all buildings, private approaches, parking areas, fencing, landscaping, pathways, signage, and site lighting shall be submitted to and approved by the Director of Planning, Property, and Development prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development;

ii. The Developer and all successors in title to the lots in the rezoning (Lot 48, Plan 334) and (Lot 45, Plan 334 + Lots 1-4, Plan 27520) shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the lots, private cross-access agreements so as to ensure access to the subject lands at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners must submit the agreements or easements to the City Solicitor for approval prior to execution.

iii. That a minimum of 9 off-street parking spaces be provided through a shared parking agreement with an adjacent property owner(s). Said agreement(s) shall be submitted prior to the issuance of any development permits, to the satisfaction of the Director of Planning, Property, and Development and shall be maintained thereafter to the satisfaction of the Director of Planning, Property, and Development

iv. That the height of any buildings on the "EI" zoned lands shall not exceed 60 feet;

v. That the following uses shall not be permitted on the "C1" zoned lands

1. Contractor's establishment
2. Retail sales
3. Restaurant
4. Kennel
5. Post office/carrier depot

That the following uses shall be conditional uses on the "C1" zoned lands

1. Personal services
2. Animal hospital or veterinary clinic

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 and the creation of additional lots.

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

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed 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.

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7. That the zoning section of the by-law comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

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9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

10. 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

An application has been received to subdivide and rezone land at 159-175 Mayfair Avenue and associated applications have been received for a conditional use and variances to Zoning By-law 200/2006. The Development Procedures By-Law (5893/92) specifies that the required public hearings shall be combined and heard by the designated committee, which is the City Centre Community Committee.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, a development permit can be issued.

CONSULTATION

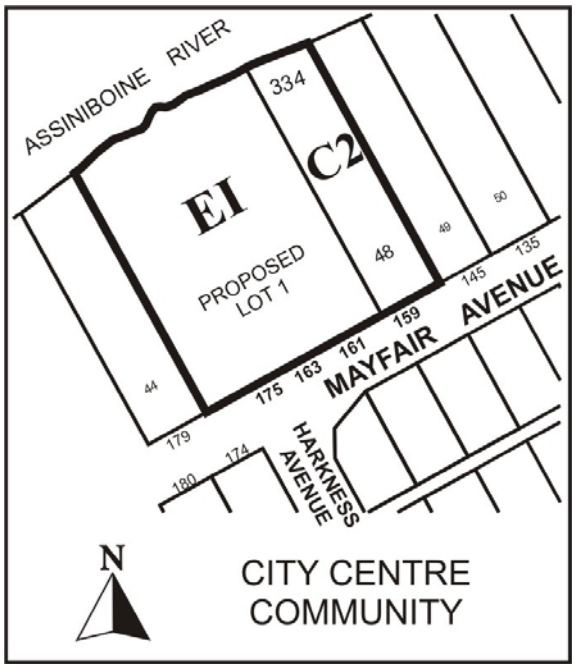
In preparing this report there was consultation with:
N/A

SUBMITTED BY

Department: Planning, Property, and Development
Division: Planning and Land Use
Prepared by: M. Robinson, AICP
Date: April 6, 2010
File No: DASZ 42/09

Attachment 1 – Planning Discussion

DATE	April 6, 2010
FILE	DASZ 42/2009
RELATED FILES	DAV 10-102809/D, DCU 10-102804/D
COMMUNITY	City Centre Community
NEIGHBOURHOOD	1.111
SUBJECT	Rezoning and subdivision to facilitate the construction of a social service facility and for the maintenance of an existing social service facility
LOCATION:	159-175 Mayfair Avenue
LEGAL DESCRIPTION:	Lots 45&48, Plan 334; Lots 1-4, Plan 27520
APPLICANT:	LM Architectural Group (Jon Trenholm) 500-136 MARKET AVENUE WINNIPEG MB R3B 0P4
OWNER:	MACDONALD YOUTH SERVICES 175 MAYFAIR AVENUE WINNIPEG MB R3L 0A1



RECOMMENDATION	Approve, as modified, with conditions

REPORT SUMMARY:

- **The applicant seeks a rezoning in order to construct a new 4 storey administrative and social services facility for Macdonald Youth Services (MYS)**

- **The ± 60,000 sq ft facility will be primarily comprised of MYS offices, meeting and program therapy space, and ± 10,000 sq ft devoted to tenant space.**

- **The majority of the tenant space will be occupied by Marymound Inc, for housing a 10 bed youth additions stabilization unit on the second floor and a two bed intoxicated persons recovery unit on the first floor**

- **The Planning and Land Use Division recommends that the "EI" portion be approved**

- **The Planning and Land Use Division recommends that the "C2" portion be modified to "C1"**

SITE DESCRIPTION AND SURROUNDING LAND USES:
The subject property, which is currently zoned "RMF-M" Multiple-Family Residential, is located on Mayfair Avenue, east of Donald Street, in the River-Osborne neighbourhood of the Fort Rouge-East Fort Garry ward.

North: Assiniboine River
South: Residences zoned "RMF-M" Multiple-Family Residential
East: Residences zoned "RMF-M" Multiple-Family Residential
West: Public right of way and city owned land zoned "RMF-M" Multiple-Family Residential

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks a rezoning in order to construct a new 4 storey administrative and social services facility for Macdonald Youth Services (MYS). The new facility is to be located on the proposed lot formed by the consolidation of properties 161, 163, and 175 Mayfair Avenue. The ± 60,000 sq ft facility will be primarily comprised of MYS offices, meeting and program therapy space, with ± 10,000 sq ft devoted to tenant space. The majority of the tenant space will be occupied by Marymound Inc, for housing a 10 bed youth additions stabilization unit on the second floor and a two bed intoxicated persons recovery unit on the first floor, put forth in partnership with Manitoba Health.

In addition to the MYS program space, an eleven bed, individual room shelter for overnight stay will be accommodated on the main floor.

MYS currently runs programs throughout the City and the new facility will consolidate many of those activities at this new location.

ANALYSIS AND ISSUES
MYS has been at the subject location for many years. The proposed development allows MYS to modernize and to enhance their scope of programs to serve the youth of the community.

Proposed "EI" lands
Zoning
The proposed zoning of the westernmost parcel is "EI" Educational and Institutional District. This zoning district is intended to provide areas for the development of large and significant, multi-building, public, quasi-public, or private facilities of a non-commercial nature that may have significant impacts on surrounding areas. Typical uses include places of worship, schools, colleges and universities, libraries, cultural facilities, hospitals, and large research facilities as well as supporting residential uses. Attractive, campus style development is encouraged within this district.
While "EI" is typically used for very large campuses, such as the University of Manitoba, it is recently being applied to smaller institutional campuses, such as Grant Memorial Baptist Church and MBCI school in Elmwood.

In this case, "EI" is the only zoning district that permits the range of uses that will be occurring at the facility. While the "EI" District is appropriate for this use, given its context within a residential neighbourhood, the Division is recommending a zoning agreement, which will place limits on height of buildings.

Master Plan
One of the requirements of the "EI" District is the submission of a Master Plan, which identifies both current and anticipated future development. MYS has indicated that their submission of a Master Plan is forthcoming, upon approval of the subject zoning change. They have indicated that the Master Plan will be very similar to the plans that are under consideration at this time, since no additional expansions are contemplated in the near future.

The Planning and Land Use Division is recommending that the Master Plan be approved by the Director of Planning, Property, and Development.

Compatibility with existing neighbourhood and surrounding uses

Increase in size
The overall site area measures 1.94 acres. Currently, there are four buildings on the site, with a cumulative square footage of 19,266 square feet.

The proposed development will result in a cumulative square footage of ± 67,000 sq ft, which is a three fold increase in square footage.

Site Configuration
With that said, the site is both extremely wide (300 ft) and deep (325 ft), and can easily accommodate the increased building footprint. The site is located at the end of the street and is flanked by open space on one side. Furthermore, the new building will be located on the westernmost portion of the site and the largest mass of the building will be setback from the street – all factors which reduce the impact of the facility on residential uses further down the block and across the street.

Access and Traffic
The site is located on a regional street and is also part of the designated route for the southwest rapid transit corridor. Furthermore, the site has excellent pedestrian connections to both Downtown and the new rapid transit station, which will be built at Harkness and Stradbrook. In light of this, the property is well situated for this use from both a traffic and access perspective.

Use
MYS has a long standing history at this location, going back to 1931. While the scope of services will be expanding, the core function of the facility will remain the same; to provide treatment services to youth. To that point, the use has co-existed with the surrounding neighbourhood for almost 80 years and there is no reason to think that the use will not be able to continue to co-exist with the neighbourhood in the future.

Design
The Planning and Land Use Division has been working with the applicant to address landscaping, urban design, and building design issues, to ensure overall compatibility and quality design.

The following issues identified below were of particular interest to the Division. Below each item is a response from the applicant indicating how they have addressed the issue.

Design issue 1
a) Ensure that high quality materials and design are used to provide a visually appealing street edge and to screen the parking area in the front.
b) Provide landscaping/naturalization features to break up/screen the rear parking area from across the river (north).

Applicant response
Existing vegetation will be refurbished and supplemented to soften and screen the parking areas. Further, the visitors parking area is additional screened by a series of stepped fences along its western edge which frame and define the front walkway. Along Mayfair Avenue, new foundation planting, planting beds, and hedges will be introduced to buffer the building edge and to create a new outdoor sitting area framed below a large existing elm tree. To the north, a re-naturalization strategy including new tree planting is being introduced to re-establish the continuity of the riverbank's edge and frame views of the downtown context along the Assiniboine River. Further, the north edge of the staff parking area will be defined by an alternating pattern of shrub planting and parking fence with climbing vines, intended to provide both visual interest and a level of transparency for security reasons.

Design issue 2
Provide a 5-10 foot setback for the westernmost portion of the building, which is situated closer to Mayfair Avenue

Applicant response
The building itself is sited and scaled to be sensitive to the existing neighbourhood context. The two storey wing at the southwest corner of the property has been setback 5 ft from the south property line, as recommended by the City. The main façade is setback from the street, aligned with the adjacent heritage house at 159 Mayfair Avenue, and defined by a stepped, extended front porch that references its residential surroundings.

Design issue 3
Encourage an attractive façade on all sides of the building that are visible by the public.

Applicant response
Consideration was given to material selection, colour and scale. There was a design strategy for both the front and back facades and a specific site analysis was undertaken in the early stages on design to study the visual impact of the structure from both the north and south banks of the Assiniboine River

Plan Approval
Finally, at the time of plan approval, final details, which will include the overall building design and orientation, landscaping, and fencing will be coordinated. It is expected that the final plans will be in substantial conformance with the plans already submitted to the City.

Other
Public Consultation
MYS indicated that they have had two meetings with a local neighbourhood group, which MYS attends as one of the neighbourhood resources.

The first meeting, which occurred in spring 2009, was informal. At that meeting, MYS informed the community that they were planning to build a new facility.

In December 2009, MYS attended a second meeting on a more formal basis to discuss the IPDA temporary facility (no longer proceeding) and their new larger facility. MYS indicated that they asked whether the group recommended a larger community meeting and at that time, the answer was “no”.

MYS has indicated that once they have plans in the “construction drawing” phase, they intend to have an open house for the neighbourhood to see the overall plan.

Proposed “C2” lands
The applicant seeks approval to have the existing parcel at 159 Mayfair zoned “C2”, to allow more flexibility for future use of the existing building. The building is currently used by MYS for programming and is an existing non-conforming use, under the current zoning. This means that they could not replace the building if it was damaged beyond 100% of its assessed value.

They seek to have this site zoned differently from the rest of the property because they are uncertain as to whether they intend to keep this parcel in the future.

The intent of the "C2" District is as follows:
To accommodate more intensive commercial sites that do not have a local or neighbourhood orientation. The district is intended to include commercial, institutional, recreational, and service facilities needed to support the surrounding neighbourhoods and the broader community. "C2" districts are generally located along collector streets, at arterial/collector intersections, or along portions of arterial streets with relatively shallow lots.

The intent of the "C1" District is as follows:
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.

Given the context of the subject property, which is in a residential neighbourhood, it appears as if the "C1" District is more in keeping with the intent of the By-law and with the characteristics of the property.

The "C1" District, would be able to accommodate a social service facility, as a conditional use, and offices, as a permitted use. With that said, some uses in "C1", such as retail, are not compatible at this location. In light of this, the Division is recommending that they be restricted through a zoning agreement.

RECOMMENDATION

161-175 Mayfair
The Planning and Land Use Division recommends that 161-175 Mayfair be rezoned to "EI" Educational and Institutional District, for the following reasons:

- The size of the site, its location, and the building orientation are all factors which mitigate the impact of the use on the surrounding residential neighbourhood
- The property is well situated for this use from both a traffic and access perspective.
- The use has coexisted with the surrounding neighbourhood at this location for almost 80 years
- "EI" is the only zoning district which permits the range of uses that will be occurring at the facility

159 Mayfair
The Planning and Land Use Division recommends that 159 Mayfair be rezoned to "C1" Commercial, for the following reasons:

- "C1" will permit both social services (as a conditional use) and office uses
- With a zoning agreement, "C1" is compatible with the surrounding area
- "C1" is for commercial uses that have a neighbourhood orientation
- "C2" is not intended for this location

Schedule “A” for File No. DASZ 42/09, CITY CENTRE Community Committee, dated April 6, 2010.

By-Law No. _____

File No. **DASZ 42/09**

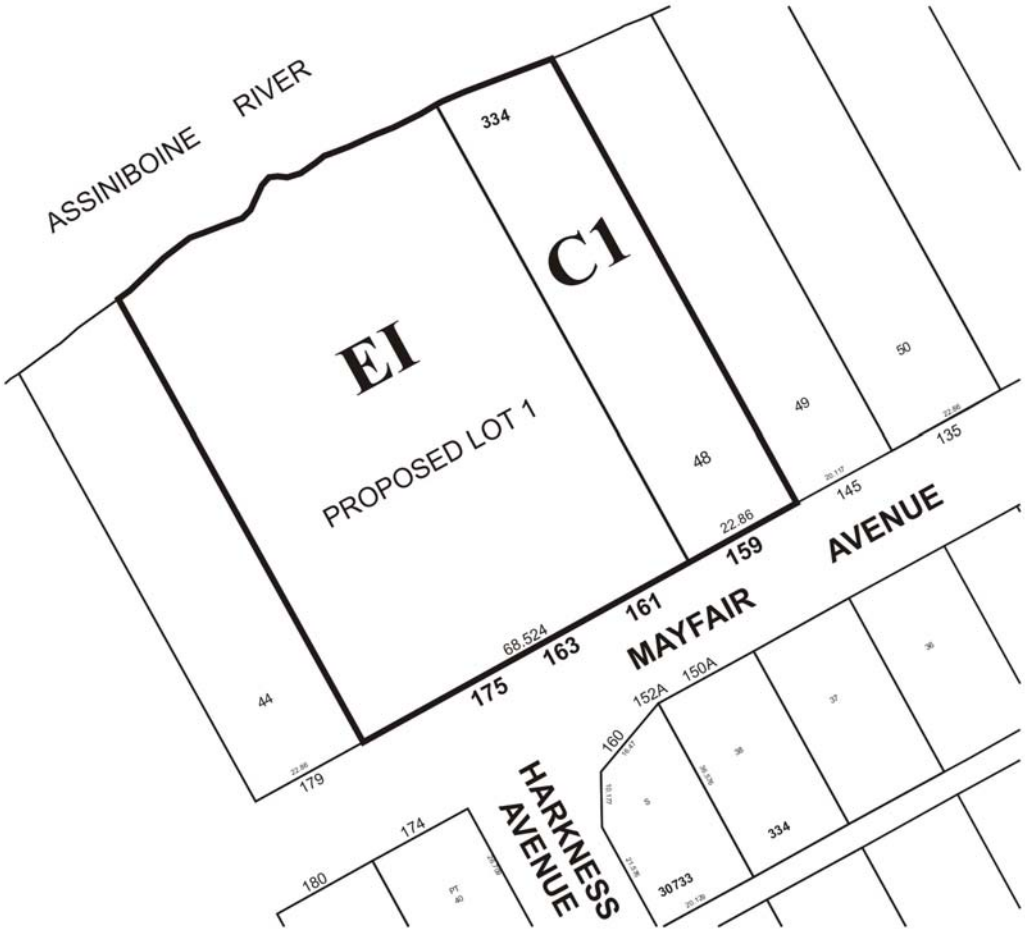
Atlas Sheet No.

N

AA25
CITY CENTRE
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 159-175 Mayfair Avenue from an "RMF-M" RESIDENTIAL MULTI-FAMILY DISTRICT to an “EI” EDUCATIONAL AND INSTITUTIONAL DISTRICT and a "C1" COMMERCIAL NEIGHBOURHOOD DISTRICT to allow for the construction of a social services facility and for the maintenance of an existing social services facility as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

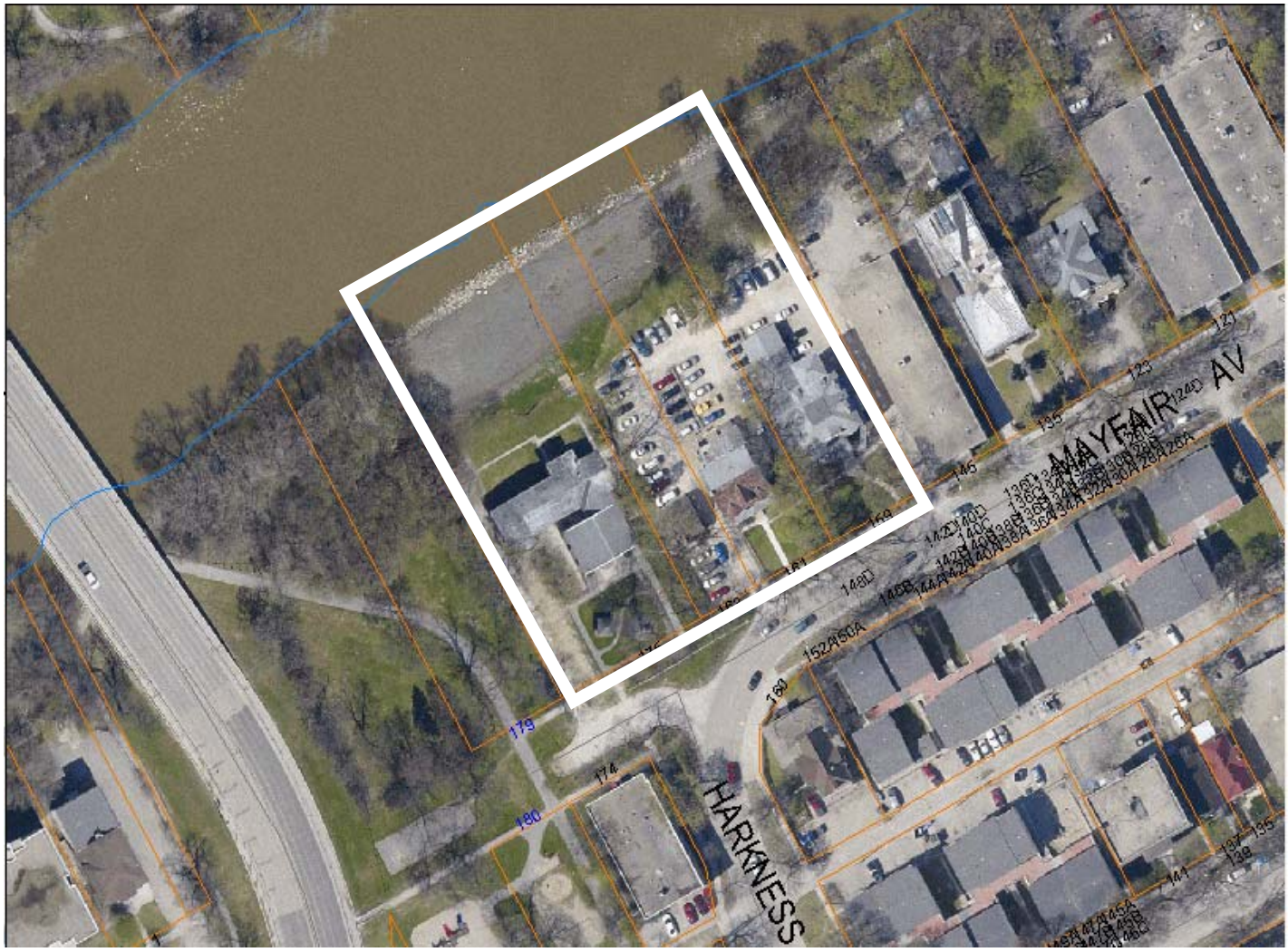


Figure 1: Aerial Photo (Flown in 2009)