**Agenda – Executive Policy Committee – February 6, 2013**

## PUBLIC HEARINGS

**Item No. 3 Conditional Use – 1270 Notre Dame Avenue**
**(Daniel McIntyre Ward)**
**File DCU 174651/2012D [c/r SPA 2/2012, DAZ 227/2012 and DAV 170517/2012D]**

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

The Urban Planning Division recommends approval of the application for a Conditional Use under Zoning By-Law No. 200/2006 to permit the establishment of a multiple family dwelling use in the PDO Airport Vicinity Area 2 with a lot density of 543.7 square feet (50.5 square metres) per dwelling unit instead of 1245 square feet (115.7 square meters) per dwelling unit.

**Agenda – Executive Policy Committee – February 6, 2013**

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|---|---|
| File: | DCU 174651/2012D |
| Applicant: | Wintec Building Services Inc.<br>(Jeff Eales) |
| Premises Affected: | 1270 Notre Dame Avenue |
| Legal Description: | Lot 8, Plan 32991, 53/55 St. JA OTM, hereinafter called "the land" |
| Property Zoned: | "M2 PDO Airport Vicinity" Manufacturing General Planned Development Overlay District<br>(Proposed "RMF-L PDO Airport Vicinity" Residential Multi-Family – Large Planned Development Overlay District) |
| Zoning Atlas Sheet: | Y21 |
| Nature of Application: | For a Conditional Use under the Winnipeg Zoning By-law No. 200/2006 to permit the establishment of a multiple family dwelling use in the PDO Airport Vicinity Area 2 with a lot density of 543.7 square feet (50.5 square metres) per dwelling unit instead of 1,245 square feet (115.7 square metres) per dwelling unit. |
| Exhibits Filed: | 1. Application dated November 23, 2012<br>2. Notification of Public Hearing dated January 9, 2013<br>3. Manitoba Status of Title 2599277/1<br>4. Letter of authorization dated July 10, 2012 from Clearwater Investments Inc. to Wintec Building Services<br>5. Surveyor's Building Location Certificate and sketch dated September 4, 1998<br>6. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising<br>7. Aerial Photograph of the subject property<br>8. Plans, Sheets 1 to 3 inclusive, for File DCU 174651/2012D dated November 6, 2012<br>9. Report from the Urban Planning dated January 30, 2013<br>10. Inspection Report |

The Winnipeg Public Service to advise that all statutory requirements with respect to this application have been complied with.

REPRESENTATIONS:

In Support:

In Opposition:

For Information:

For the City:

Moved by Councillor

That the report of the Winnipeg Public Service be taken as read.

Moved by Councillor

That the receipt of public representations be concluded.

Moved by Councillor

That the recommendation of the Winnipeg Public Service be / not be concurred in.

Moved by Councillor

That Section 254 and criteria (a), (b) and (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;

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

Moved by Councillor

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

Exhibit "9" referred to in File DCU 174651/2012D

# ADMINISTRATIVE REPORT

**Title:** DCU 12-174651/D - 1270 Notre Dame AVE

**Issue:** For consideration at the Public Hearing for a Conditional Use for DCU 12-174651/D - 1270 Notre Dame AVE

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

## AUTHORIZATION

| Author | Department Head | CFO | CAO |
|---|---|---|---|
| P. Regan | B. Thorgrimson | N/A | D. Joshi<br>COO |

## RECOMMENDATIONS

The Urban Planning Division recommends approval of the application for a Conditional Use under Zoning By-Law No. 200/2006 to permit the establishment of a multiple family dwelling use in the PDO Airport Vicinity Area 2 with a lot density of 543.7 square feet (50.5 square metres) per dwelling unit instead of 1245 square feet (115.7 square meters) per dwelling unit.

## 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, a development permit can be issued.*

**FINANCIAL IMPACT STATEMENT**

## Financial Impact Statement Date: January 30, 2013

## Project Name:

## Conditional Use (DCU 12 175651D ) - 1270 Notre Dame

**COMMENTS:**

There are no financial implications associated with this report.

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

## CONSULTATION

In preparing this Report there was consultation with:

N/A

## SUBMITTED BY

| | |
|---|---|
| *Department* | *Planning, Property and Development* |
| *Division* | *Urban Planning* |
| *Prepared by* | Michael Robinson, AICP, MCIP |
| *Date:* | January 30, 2013 |
| *File No.* | DCU 12-174651/D |

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**APPENDIX 'A'**

| | |
|---|---|
| **DATE:** | January 7, 2013 |
| **FILE:** | DCU 12-174651/D |
| **RELATED FILES:** | 09-131050 VC, 10-143778 VC SPA 2/2012, DAZ 227/2012, DAV 12-170517/D |
| **COMMUNITY:** | City Centre Community |
| **NEIGHBOURHOOD #:** | 1.118 |
| **SUBJECT:** | For a Conditional Use under Zoning By-Law No. 200/2006 to permit the establishment of a multiple family dwelling use in the PDO Airport Vicinity Area 2 with a lot density of 543.7 square feet (50.5 square metres) per dwelling unit instead of 1245 square feet (115.7 square meters) per dwelling unit. |
| **LOCATION:** | 1270 Notre Dame AVE |
| **LEGAL DESCRIPTION:** | LOT 8 PLAN 32991 53/55 ST JA OTM |
| **APPLICANT:** | Jeff Eales Wintec Building Services<br>56 MYRTLE ST<br>WINNIPEG MB R3E 2R7 |
| **OWNER:** | CLEARWATER INVESTMENTS INC.<br>56 MYRTLE ST<br>WINNIPEG MB R3E 2R1 |
| **RECOMMENDATION:** | Approval, with conditions |

**CRITERIA FOR APPROVAL**

Pursuant to Section 247(3) of the City of Winnipeg Charter, a Conditional Use application can be approved for posters if the proposed development:

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

**SITE DESCRIPTION**

The subject property, which is currently zoned "M2" Manufacturing District, is located at the southeast corner of Notre Dame Avenue and Erin Street, in the Sargent Park neighbourhood of the Daniel McIntyre ward.

**North:** Manufacturing uses zoned "M2" Manufacturing District
**South:** Railroad tracks, then manufacturing uses zoned "M2" Manufacturing District
**East:** Railroad tracks, then manufacturing uses zoned "M2" Manufacturing District
**West:** Restaurant and vacant land zoned "M3" Manufacturing District[1]

[1] Council recently approved a rezoning of this parcel from "M3" to "M1" to allow for a commercial and office development. However, the rezoning has not yet been given third reading.

**DESCRIPTION OF THE PROPOSED DEVELOPMENT**
The applicant seeks approval to rezone the subject parcel in order to convert the existing 4 storey commercial warehouse building into a 72 unit multiple-family residential development. In addition, the applicant requires a conditional use to establish the proposed density.

*Reason for application*
In Area 2 of the Airport Vicinity Protection Area Plan and associated PDO-1 (PDO-1 Airport Vicinity), multiple family dwellings with a density more than 35 units per acre require conditional use approval.

**ANALYSIS AND ISSUES**
The Winnipeg Public Service supports the associated rezoning application (DAZ 227/2012). Accordingly, the Public Service also supports the conditional use that is required in order to establish the proposed density.

**REASONS FOR RECOMMENDATIONS**
In the context of Section 247(3), the Urban Planning Division recommends **approval** for the following reasons:
(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; and
(d) is compatible with the area in which the property to be affected is situated.

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

Report Prepared by: Michael Robinson, AICP, MCIP
PPD File # DCU 12-174651/D
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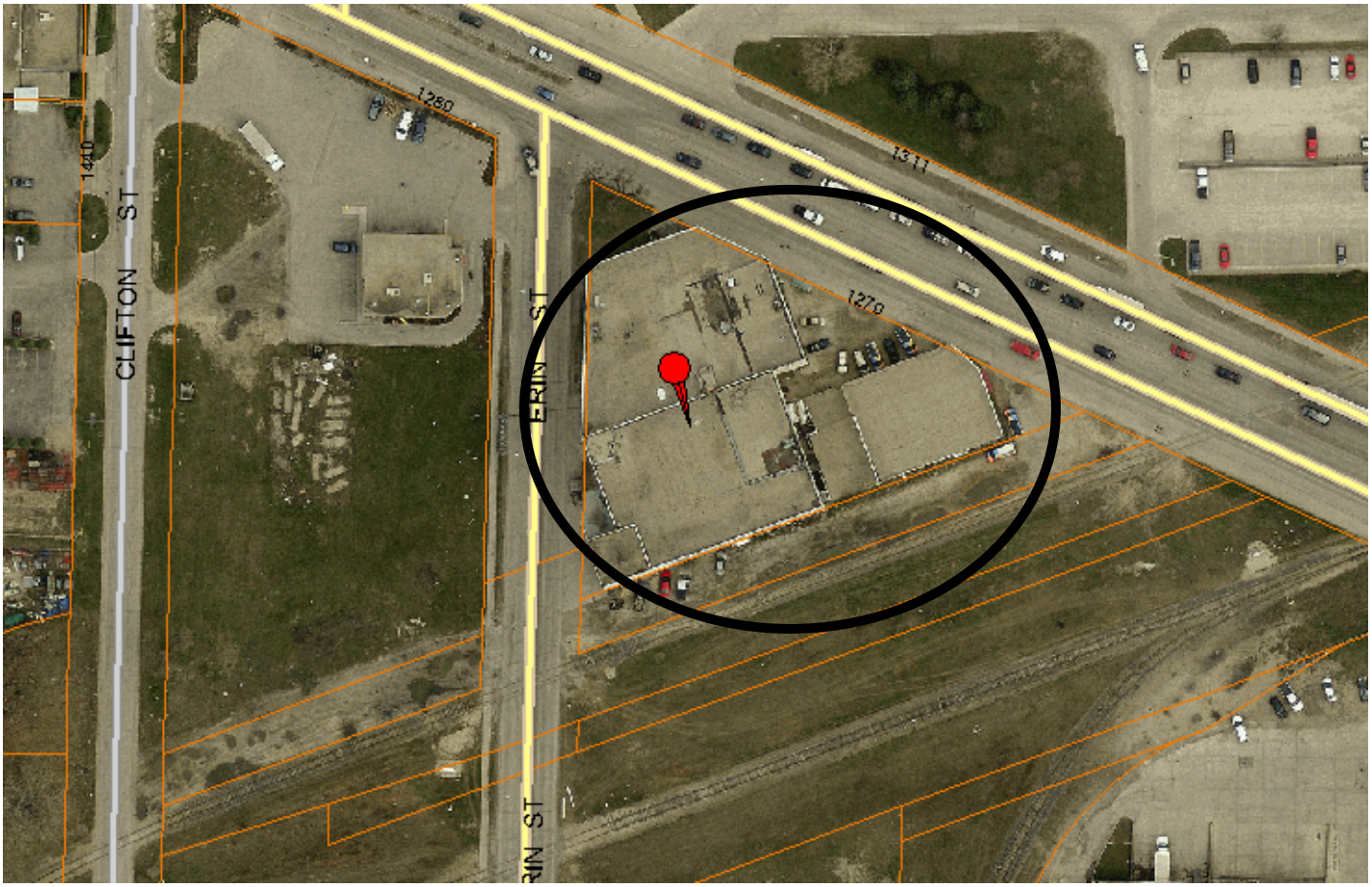
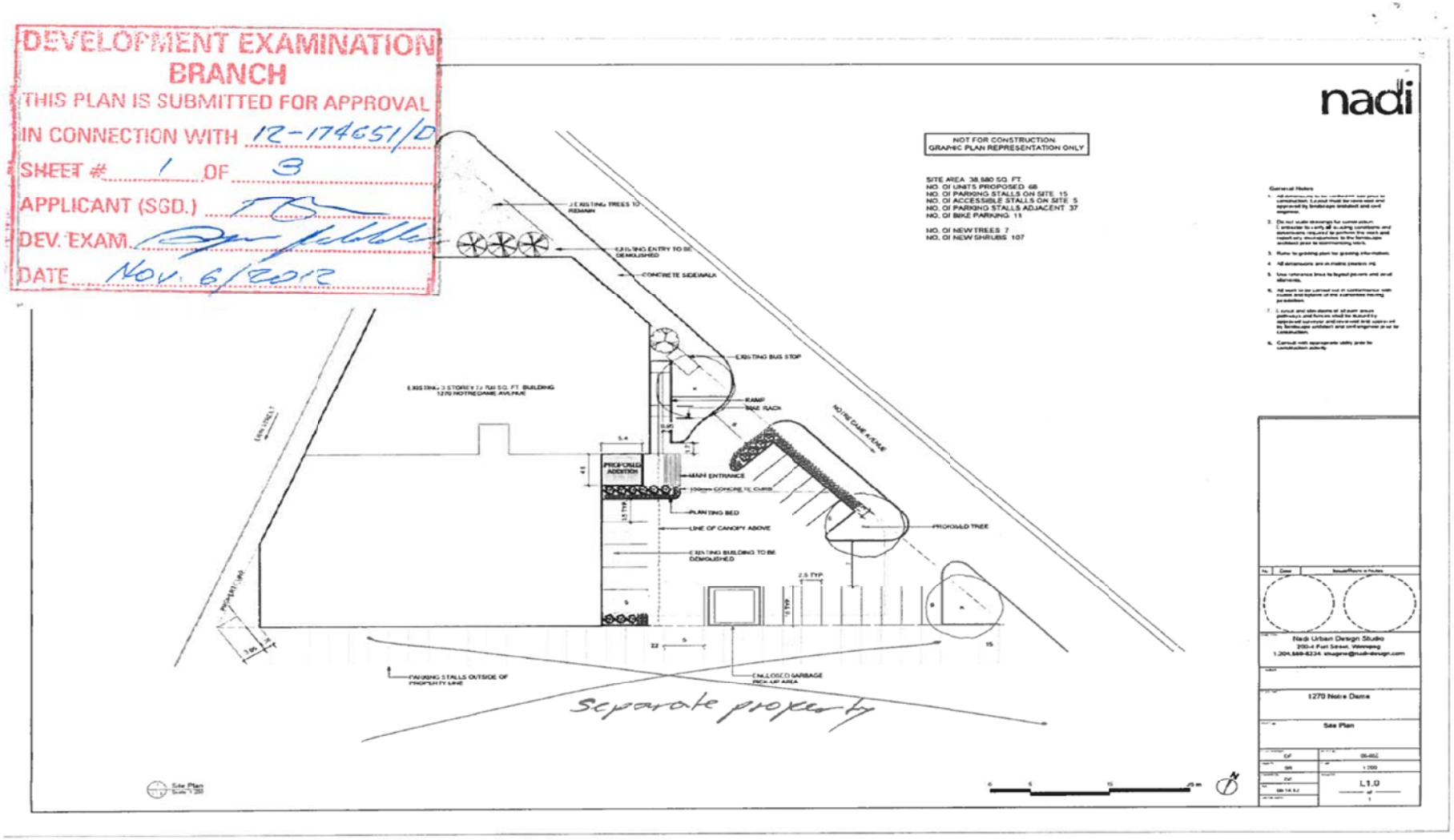
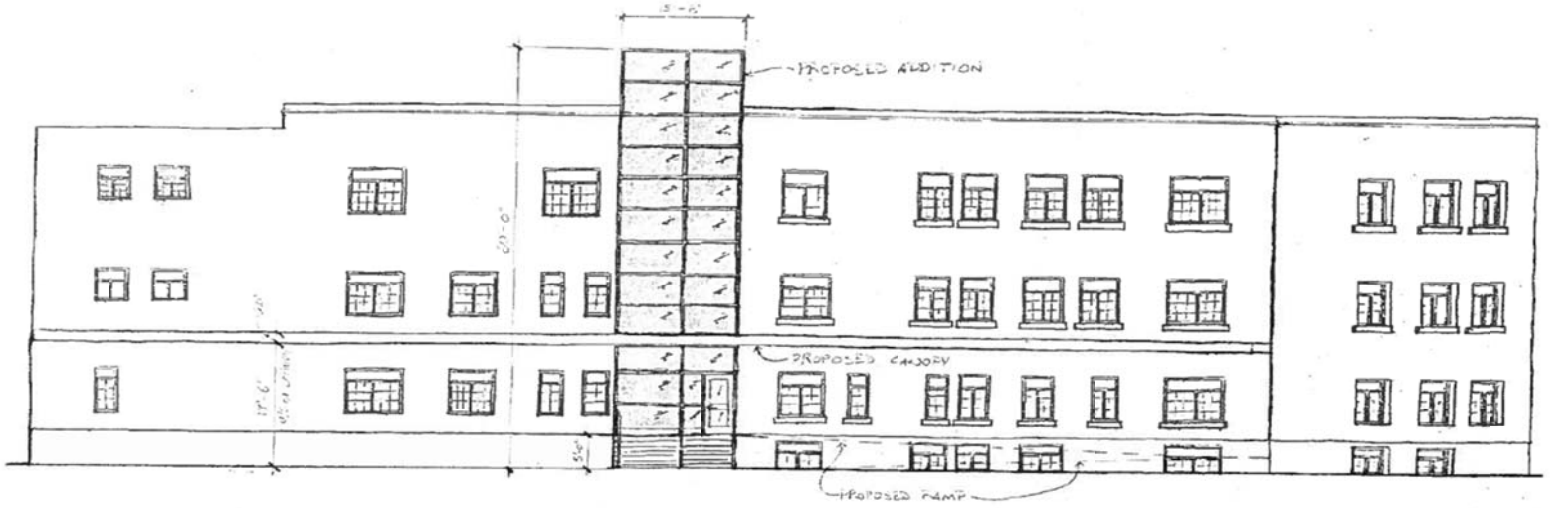



**Figure 1: Aerial Photo (Flown in 2012)**

Exhibit “8” referred to in File DCU 174651/2012D

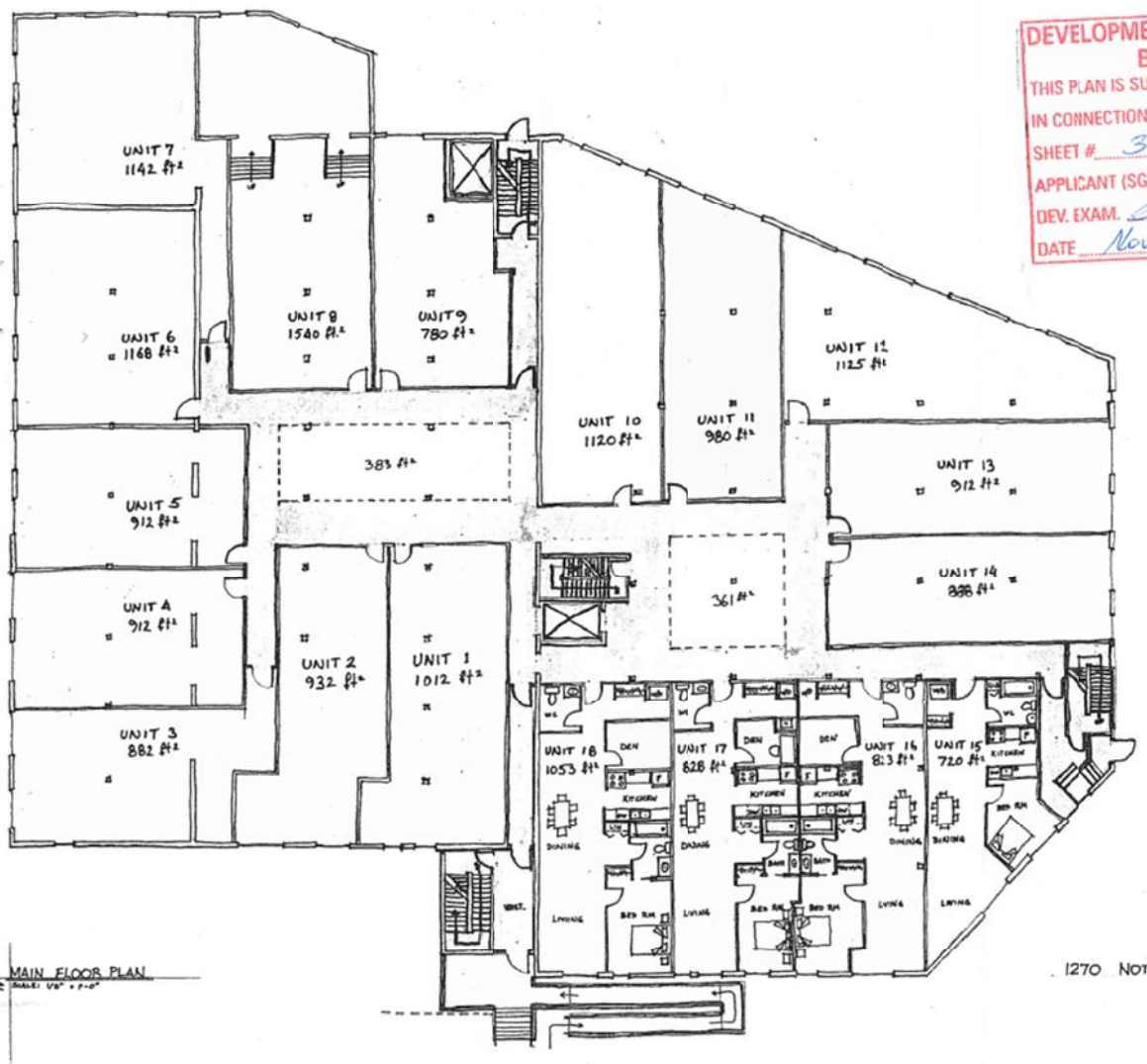





EAST ELEVATION

DEVELOPMENT EXAMINATION BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH .....
SHEET # 2 OF 3
APPLICANT (SGD.) .....
DEV. EXAM. .....
DATE Nov. 6/2012

nadi
200-4 Fort Street, Winnipeg, Manitoba
Tel: 204-669-8234 Fax: 204-453-4536




DEVELOPMENT EXAMINATION BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH .....
SHEET # 3 OF 3
APPLICANT (SGD.) .....
DEV. EXAM. .....
DATE Nov. 6/2012