Minutes – Executive Policy Committee – February 6, 2013

PUBLIC HEARING

Minute No. 145 **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]**

EXECUTIVE POLICY COMMITTEE DECISION:

The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and approved a Conditional Use on "the land" 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.

DECISION MAKING HISTORY:

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

Moved by Deputy Mayor Wyatt,
That the report of the Winnipeg Public Service be taken as read.

Carried

Moved by Deputy Mayor Wyatt,
That the receipt of public representations be concluded.

Carried

Moved by Deputy Mayor Wyatt,
That the recommendation of the Winnipeg Public Service be concurred in.

Carried

Moved by Deputy Mayor Wyatt,
That criteria (a), (b) and (d) of Subsection 247(3) and Section 254 of The City of Winnipeg Charter are satisfied.

Carried

Moved by Deputy Mayor Wyatt,
That the public hearing with respect to this application be concluded.

Carried

Winnipeg

THE CITY OF WINNIPEG
CONDITIONAL USE ORDER
EXECUTIVE POLICY COMMITTEE

DCU 174651/2012D
[c/r SPA 2/2012, DAZ 227/2012 and DAV 170517/2012D]

Before:	Executive Policy Committee His Worship Mayor Katz, Chairperson Deputy Mayor Wyatt Councillor Mayes Councillor Pagtakhan
Hearing:	February 6, 2013 West Committee Room Council Building, 510 Main Street
Applicant:	Wintec Building Services Inc. (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 (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.

It is the opinion of the Executive Policy Committee that subject to conditions listed below, if any, this Order meets the statutory criteria of The City of Winnipeg Charter in that it:

(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.

C.W. Charter Section 254 and Subsection 247 (3)

ORDER:

The Executive Policy Committee orders that 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 is approved on "the land".

THIS ORDER IS SUBJECT TO ALL BUILDING, HEALTH OR OTHER REGULATIONS PERTAINING TO THE LAND HEREIN REFERRED TO.

DATE OF ORDER: February 7, 2013

CERTIFIED BY:



Manager of the Decision Making Process

HOW TO APPEAL

You may appeal against either the whole of this order or part(s) of it by filing a letter of appeal.

That letter must be submitted in writing, be signed by the appellant, show the printed name of the appellant, contain the mailing address of the appellant, contain the contact telephone number of the appellant, and

(a) be addressed as set out below,

(b) be received at that office not later than 4:30 p.m. on February 26, 2013, [IF RECEIVED LATE YOUR APPEAL CANNOT BE HEARD.]

(c) refer to Conditional Use Order No. DCU 174651/2012D, give brief reasons for the appeal and must describe whether you appeal the whole order or only part(s) of it.

Any appeal letters not containing all of the above elements will be rejected by the City Clerk as invalid appeals and will not be heard at an appeal hearing.

You can attend the appeal hearing and speak on issues raised in someone else's appeal, but the appeal committee can only rule on issues raised in appeals filed. If you are not sure what others have appealed you should file your own appeal.

Address:	City Clerk, City of Winnipeg c/o Appeal Committee Main Floor, Administration Building, 510 Main Street Winnipeg, Manitoba, R3B 1B9
Fax:	204-947-3452
Email:	CLK-Appeals@winnipeg.ca

THE FOLLOWING PERSONS MADE REPRESENTATIONS AND ARE ENTITLED TO APPEAL:

In Support:

Michael Romani, Wintec Building Services Inc.

In Opposition:

Nil

For Information:

Nil

For the City:

Mr. B. Thorgrimson, Director of Planning, Property and Development
Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Mr. B. Shenback, Acting Principal Planner, Planning, Property and Development Department

EXHIBITS FILED FOR DCU 174651/2012D

1. Application dated November 23, 2012
2. Notification of Public Hearing dated January 9, 2013
3. Manitoba Status of Title 2599277/1
4. Letter of authorization dated July 10, 2012 from Clearwater Investments Inc. to Wintec Building Services
5. Surveyor's Building Location Certificate and sketch dated September 4, 1998
6. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising
7. Aerial Photograph of the subject property
8. Plans, Sheets 1 to 3 inclusive, for File DCU 174651/2012D dated November 6, 2012
9. Report from the Urban Planning dated January 30, 2013
10. Inspection Report

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 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 56 MYRTLE ST WINNIPEG MB R3E 2R7
OWNER:	CLEARWATER INVESTMENTS INC. 56 MYRTLE ST 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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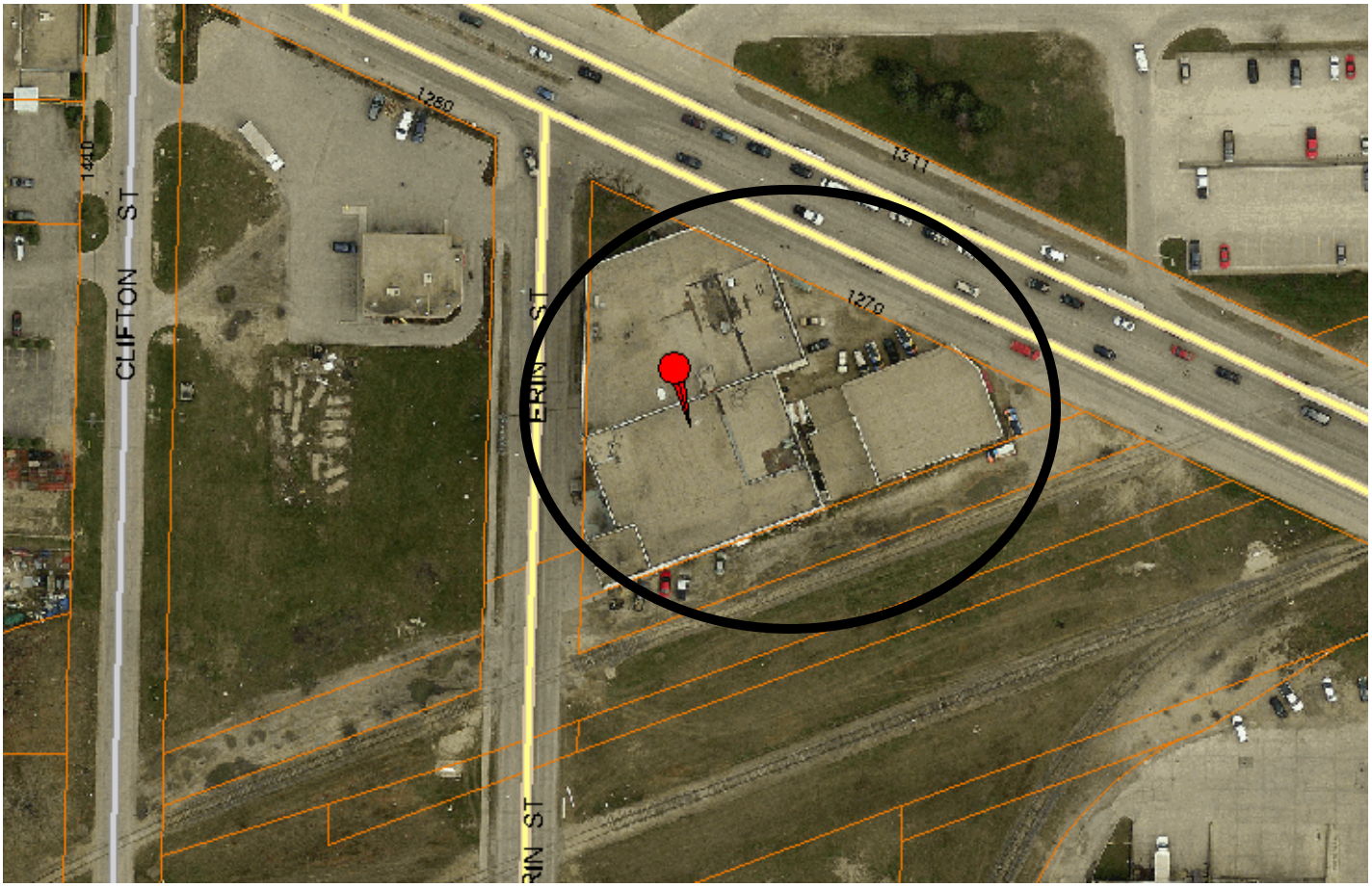
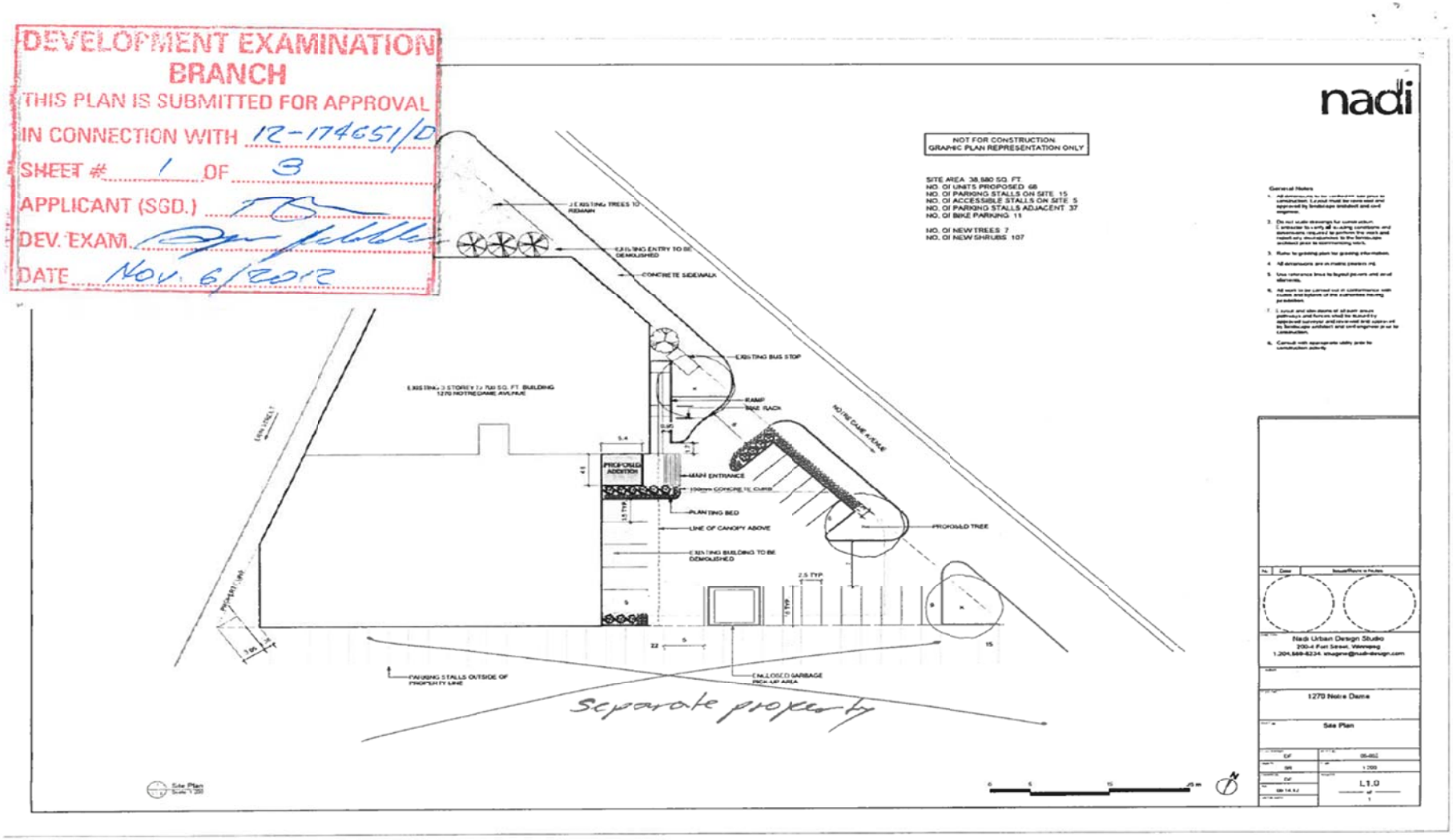
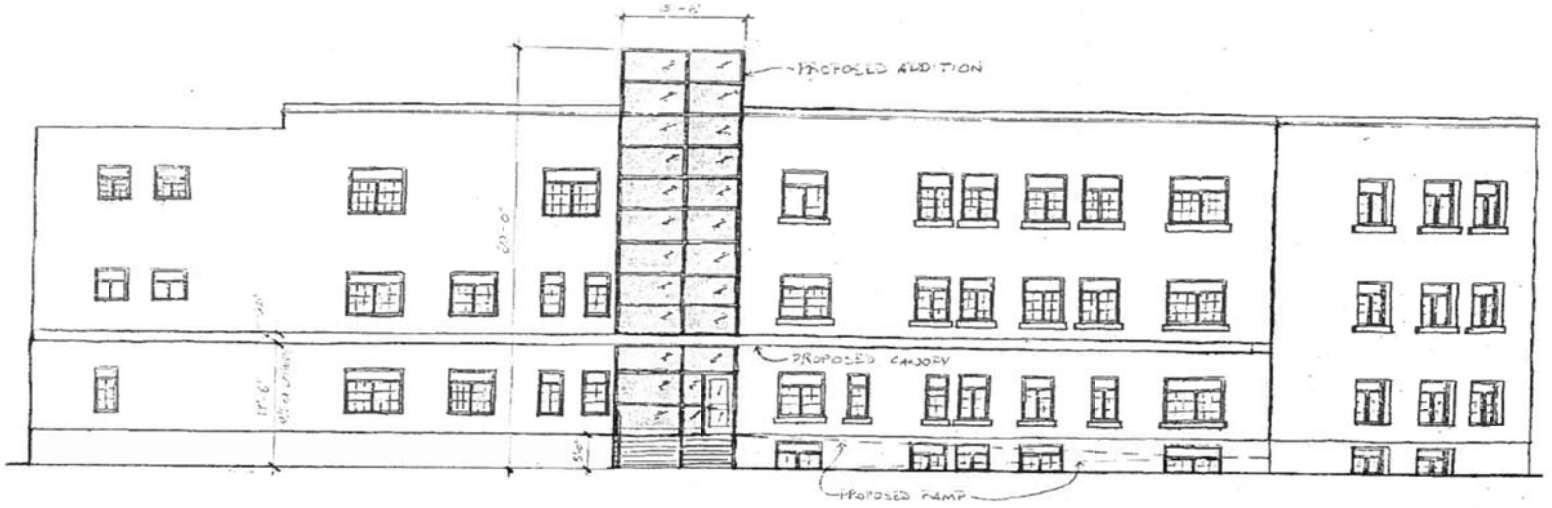


Figure 1: Aerial Photo (Flown in 2012)

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

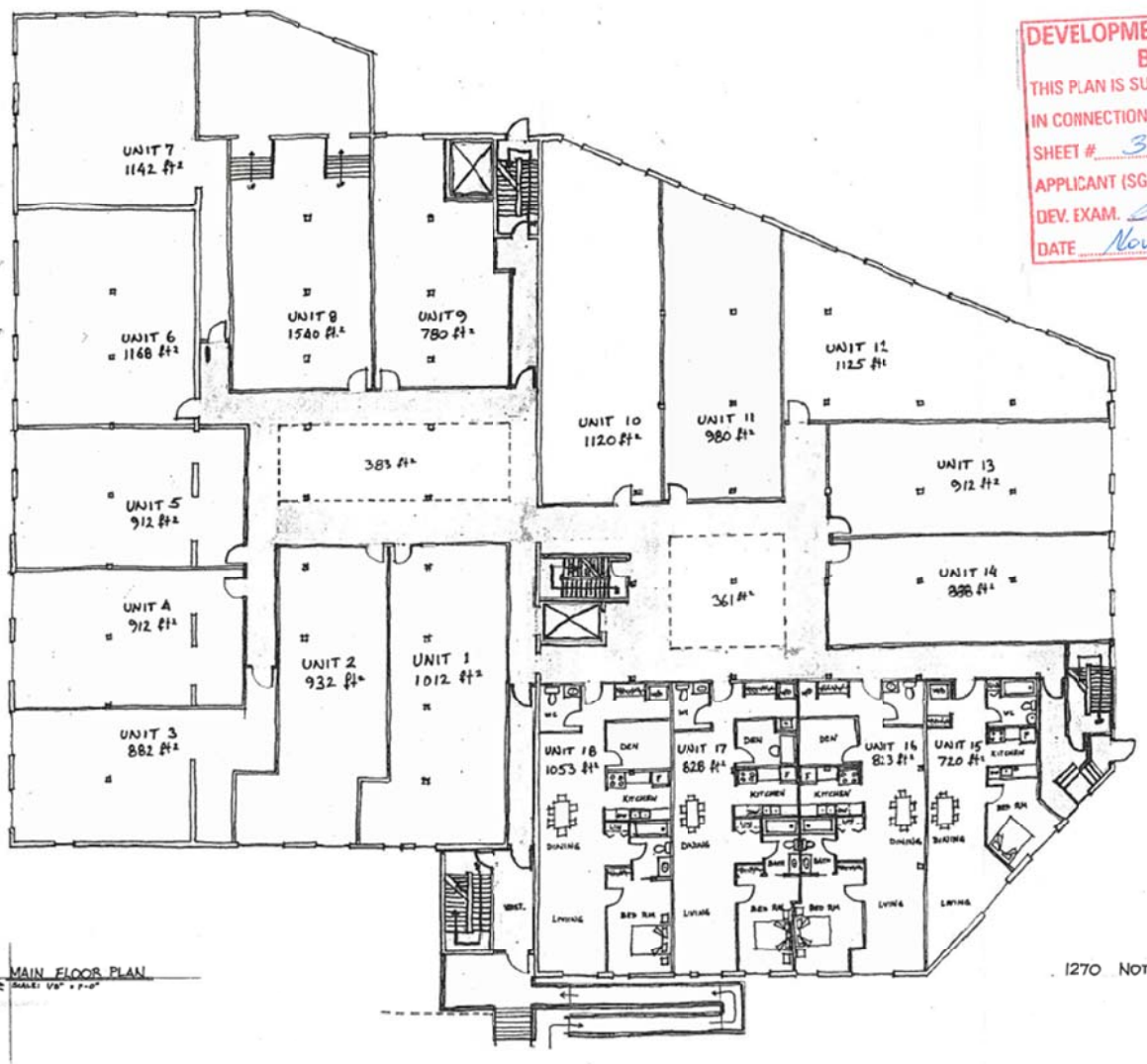




EAST ELEVATION

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.) RS
DEV. EXAM.
DATE Nov. 6/2012
UNIT 7 1142 ft²
UNIT 6 1168 ft²
UNIT 8 1540 ft²
UNIT 9 780 ft²
UNIT 10 1120 ft²
UNIT 11 980 ft²
UNIT 12 1125 ft²
UNIT 13 912 ft²
UNIT 14 888 ft²
383 ft²
361 ft²
UNIT 5 912 ft²
UNIT A 912 ft²
UNIT 3 882 ft²
UNIT 2 932 ft²
UNIT 1 1012 ft²
UNIT 18 1053 ft²
UNIT 17 828 ft²
UNIT 16 813 ft²
UNIT 15 720 ft²
DEN
KITCHEN
DINING
LIVING
BED RM
BATH
MAIN FLOOR PLAN
1270 NOTRE DAME AVE.