Agenda – Standing Policy Committee on Downtown Development, Heritage and Riverbank Management – May 7, 2015

PUBLIC HEARINGS

Item No. 2 **Appeal - Conditional Use – 25 Fort Street**
(Fort Rouge - East Fort Garry Ward)
File DCU 117155A/2015B [c/r DAV 117142A/2015B]

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

The Winnipeg Public Service has requested that the Appeal Hearing be adjourned to May 25, 2015.

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File:	DCU 117155A/2015B
Appellant:	Jerry Gray
Applicant:	Jerry Gray (Friends of Upper Fort Garry)
Premises Affected:	25 Fort Street
Legal Description:	SHOWN ON MISC PL NO CC 6832/3 LOT 56,59/61 PLAN 23855 1 ST J, hereinafter called "the land"
Property Zoned:	Multiple Use Sector
Nature of the Application:	For a Conditional Use under the Winnipeg Zoning By-law No. 200/2006 to permit the establishment of a parking, non-accessory off-street at grade, use.
Exhibits Filed:	1. Order DCU 117155/2015B dated April 1, 2015 2. Notice of Appeal filed by Jerry Gray, received April 14, 2015 3. Notification of Public Hearing dated April 21, 2015 4. Manitoba Status of Titles 2660814/1, 2660817/1 and 2660818/1 5. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising 6. Site plan 7. Plan, Sheet 1, for File DCU 117155/2015B dated March 23, 2015 8. Communication dated May 1, 2015 from the Winnipeg Public Service, requesting that the Appeal Hearing be adjourned to May 25, 2015

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

REPRESENTATIONS:

In Support of the Appeal:

In Opposition to the Appeal:

For Information on the Appeal:

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.

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Moved by Councillor

That in accordance with Section 254 and Subsection 247(3) of The City of Winnipeg Charter, the Conditional Use,

(a) ☐ is consistent ☐ is not consistent
with Plan Winnipeg, and any applicable secondary plan;

(b) ☐ does not create ☐ does 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 ☐ is not
compatible with the area in which the property to be affected is situated.

Supporting Comments:

Moved by Councillor

That the appeal be allowed / allowed in part / denied and Order DCU 117155/2015B be confirmed / cancelled.

Moved by Councillor

That the decision of the Director of Planning, Property and Development be / not be concurred in.

Moved by Councillor

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

Exhibit " 8 " referred to in File DCU 117155A/2015B

From: Smith, Braden
Sent: Friday, May 01, 2015 3:39 PM
To: Marques, Josie; Lemoine, Marc
Cc: Pittet, Marc
Subject: 25 Fort Street - Appeal Hearing

Hello Josie;
I am requesting that the upcoming appeal hearings for 25 Fort Street be adjourned to the 25 May meeting of the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management.

The very best,
Braden

Braden Smith, MCIP
Chief Planner
Planning, Property and Development
City of Winnipeg
15-30 Fort Street
Winnipeg, MB R3C 4X5
T: 204.986.2699
F: 204.986.7524
E: bradensmith@winnipeg.ca
W: www.winnipeg.ca/ppd

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This e-mail is confidential and is intended for the above-named recipient(s) only. Any unauthorized use or disclosure of this e-mail is prohibited . If you are not the intended recipient, please notify the sender immediately and destroy the communication. The City of Winnipeg is subject to the Freedom of Information and Protection of Privacy Act.

Exhibit " 7 " referred to in File DCU 117155A/2015B

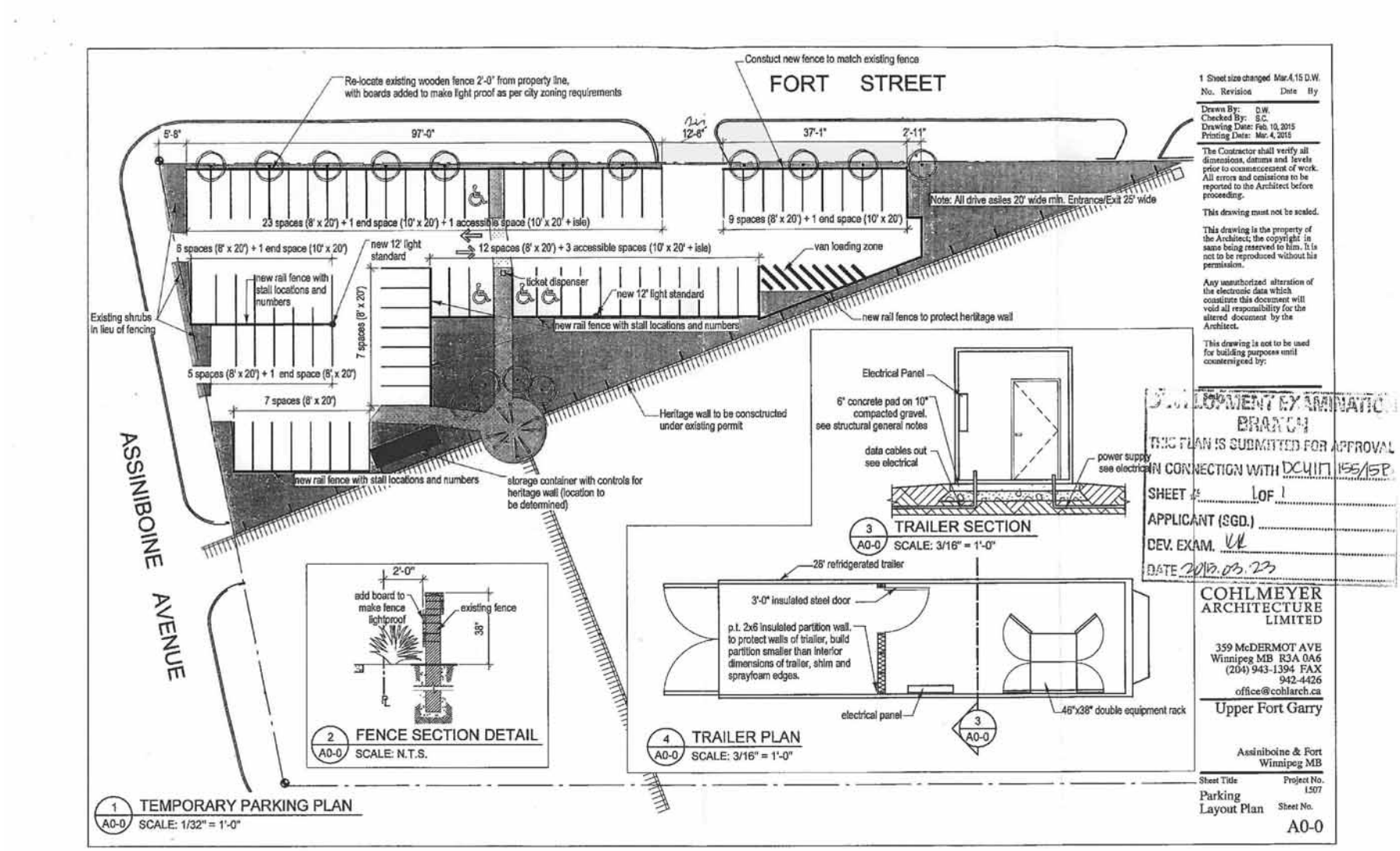

Exhibit " 2 " referred to in File DCU 117155A/2015B

CITY CLERKS WPG '15 APR 14 12:16

FRIENDS OF | AMIS DE
UPPER FORT GARRY

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Rt. Hon. Edward Schreyer, P.C., C.C., O.M.
Hon. Gary Filmon, P.C., O.C., O.M.
Richard A.N. Bonnycastle

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Hon. Peter M. Liba, C.M., O.M. (1940 - 2007)

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Cindy Tugwell
Honorary Board Members
Dee Buchwald
Shirley Liba

April 13, 2015

City Clerk
c/o Appeals Committee
City of Winnipeg
510 Main Street
Winnipeg, Manitoba
R3B 1B9

Re: Conditional Use Application #15-117155/B and
Variance Order #15/117142/B

The Friends of Upper Fort Garry wish to appeal the City ruling regarding the above noted applications.

Sincerely,

Jerry Gray, Chair

JLG:ms

Exhibit " 1 " referred to in File DCU 117155A/2015B

DCU 15-117155/B

APPLICANT: Jerry Gray Friends of Upper Fort Garry
259 - 393 PORTAGE AVE
WINNIPEG MB R3B 3H6

PREMISES AFFECTED: 25 Fort ST
LEGAL DESCRIPTION: SHOWN ON MISC PL NO CC 6832/3 LOT 56,59/61 PLAN 23855 1 ST J

hereinafter called "the land".
PROPERTY ZONED: Multiple Use Sector
ZONING ATLAS SHEET: AA25
NATURE OF APPLICATION:

For a Conditional Use under Downtown Zoning By-Law No. 100/2004 to permit the establishment of a parking, non-accessory off-street at grade, use.

It is the opinion of the Director of Planning, Property and Development Department that this application does not meet the statutory criteria of the City of Winnipeg Charter in that it:

(a) is not consistent with Plan Winnipeg and any applicable secondary plan;
(b) does 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 not compatible with the area in which the property to be affected is situated.

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

ORDER:
RE: 25 Fort ST

The Director of Planning, Property and Development Department hereby orders that the establishment of a parking, non-accessory off-street at grade, use **is hereby REJECTED.**

DATE OF ORDER: April 1, 2015

CERTIFIED BY:

_____
for the Director Planning, Property and Development Department

HOW TO APPEAL

You must appeal against either the whole of this order or part(s) of it by filing a letter of appeal. This appeal will be heard by the Appeals Committee. That letter must:

(a) be addressed as set out below,

(b) be received at that office not later than 4:30 p.m. on April 15, 2015, [IF RECEIVED LATE YOUR APPEAL CANNOT BE HEARD.]

(c) refer to Conditional Use Order DCU 15-117155/B, give brief reasons and describe whether you appeal the whole order or only part(s) of it.

You can attend the appeal hearing and speak on issues raised in someone else's appeal; but the Appeals 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 Standing Policy Committee on Downtown Development,
Heritage and Riverbank Management
510 Main Street
Winnipeg, MB, R3B 1B9
Fax 947-3452
Email: clk-appeals@winnipeg.ca