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

PUBLIC HEARINGS

Item No. 3 Appeal - Variance – 25 Fort Street
(Fort Rouge-East Fort Garry Ward)
File DAV 117142A/2015B [c/r DCU 117155A/2015B]

STANDING COMMITTEE RECOMMENDATION:

The Standing Policy Committee on Downtown Development, Heritage and Riverbank Management did not hear any representation on the application and adjourned the Appeal Hearing to its meeting on May 25, 2015 at 9:30 a.m. in the Council Building, 510 Main Street.

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That no representation be heard on the application, and the Appeal Hearing be adjourned to the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management meeting on May 25, 2015.

Carried

PUBLIC HEARING SUMMARY

File:	DAV 117142A/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:	To vary the "Multiple Use Sector" regulations of Downtown Zoning By-Law No. 100/2004 for the establishment of a Parking, non-accessory off-street at grade, use to permit the following: 1. no van accessible parking space instead of 1 van accessible parking space; 2. gravel surfacing instead of asphalt, concrete, concrete pavers, or combination thereof; 3. no drainage system; 4. insufficient street edge landscaping; 5. screening of parking facility with a wooden fence, said material not permitted
Exhibit Filed:	1. Order DAV 117142/2015B 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 DAV 117142/2015B 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 9. Inspection Report 10. Notice of Adjournment dated May 7, 2015

REPRESENTATIONS:

In Support:

Gord Steeves

In Opposition:

Nil

For Information:

Nil

For the City:

Mr. M. Pittet, Acting Director of Planning, Property and Development

Exhibit " 8 " referred to in File DAV 117142A/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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Exhibit " 7 " referred to in File DAV 117142A/2015B

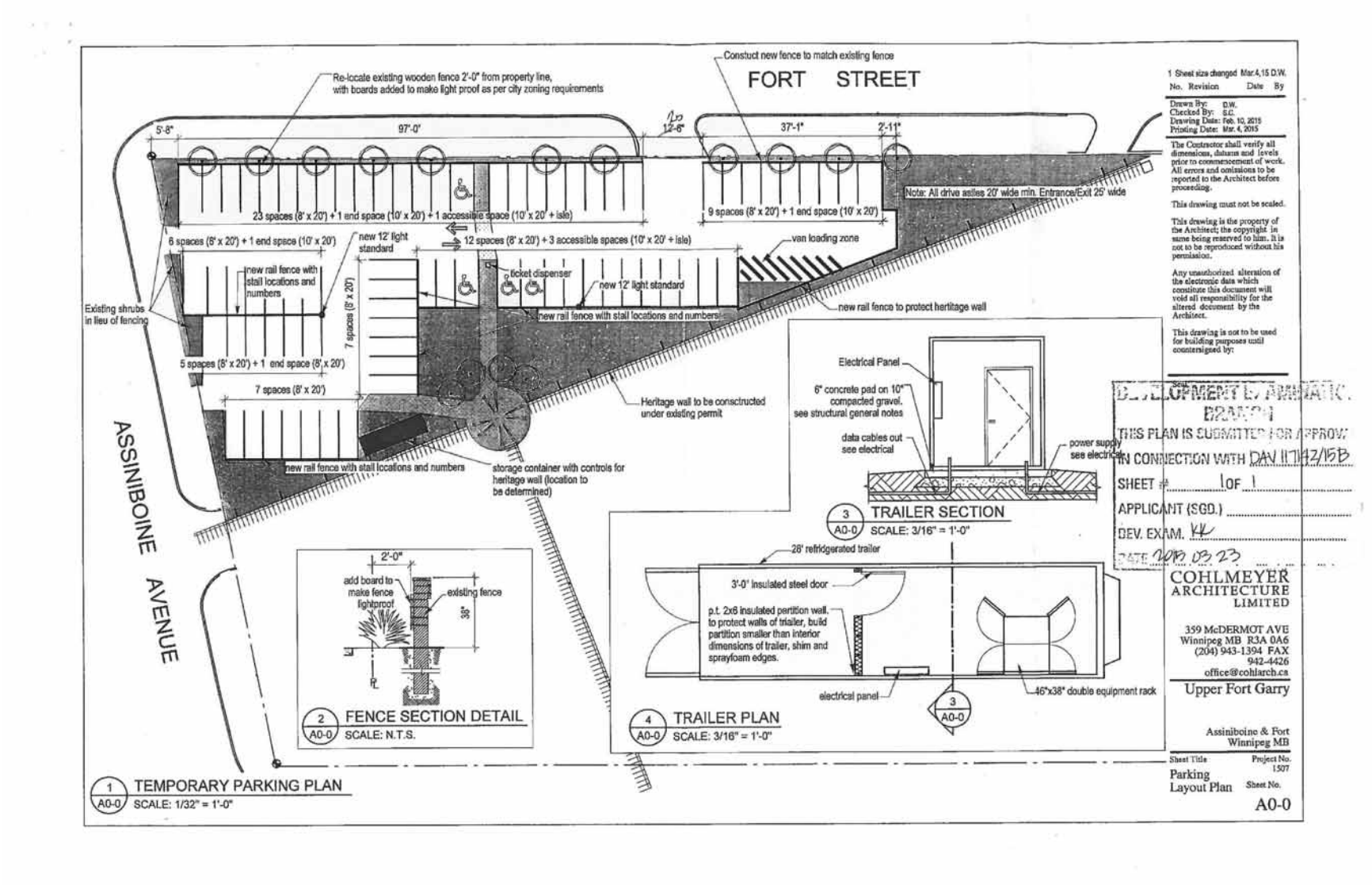

Exhibit " 2 " referred to in File DAV 117142A/2015B

CITY CLERKS WPG '15 APR 14 12:16

FRIENDS OF | AMIS DE
UPPER FORT GARRY

Honorary Patrons
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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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 DAV 117142A/2015B

DAV 15-117142/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:

To vary the "Multiple Use Sector" regulations of Downtown Zoning By-Law No. 100/2004 for the establishment of a Parking, non-accessory off-street at grade, use to permit the following:
1) no van accessible parking space instead of 1 van accessible parking space;
2) gravel surfacing instead of asphalt, concrete, concrete pavers, or combination thereof;
3) no drainage system;
4) insufficient street edge landscaping;
5) screening of parking facility with a wooden fence, said material not permitted

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;
(c) is not 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 not compatible with the area in which the property to be affected is situated.

C.W. Charter Subsection 247(3)

ORDER:
RE: 25 Fort ST

The Director of Planning, Property and Development Department hereby orders that the provisions of the "M" dimensional standards of Zoning By-Law No. 100/2004 and amendments thereto for the the establishment of a Parking, non-accessory off-street at grade, use to permit the following:

1) no van accessible parking space instead of 1 van accessible parking space;
2) gravel surfacing instead of asphalt, concrete, concrete pavers, or combination thereof;
3) no drainage system;
4) insufficient street edge landscaping;
5) screening of parking facility with a wooden fence, said material not permitted
are hereby REJECTED.

DATE OF ORDER: April 1, 2015 CERTIFIED BY:

_____
for 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 Variance Order No. DAV 15-117142/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