Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – May 10, 2016

Item No. 1 Subdivision and Rezoning – 1391 and 1395 Notre Dame Avenue (St. James-Brooklands-Weston Ward) File DASZ 4/2016 [c/r DAV 104222/2016D]

COUNCIL DECISION:

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

1. That the plan of subdivision under File DASZ 4/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 4/2016 dated April 5, 2016 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. The Developer shall, at no expense to the City, transfer to the City and legally open, property required for a 0.687m widening to the existing east-west public lane right-of-way, along the full length of the existing east-west public lane, abutting the north limit of the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

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 4/2016 dated April 5, 2016 to the "C2" Commercial Community zoning district, subject to the following:

    A. That Zoning Agreement DAZ 209/97 (By-law No. 7060/97), registered as Caveat No. 2183374/1 on the subject property, be discharged as it affects the subject property.

    B. 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:

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – May 10, 2016

COUNCIL DECISION (continued):

i. That for the development of any building and/or accessory parking area and/or freestanding signage plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping, lighting, bicycle parking and free standing signage to the Director of Planning, Property and Development and the Assiniboia Community Committee for plan approval 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. Mobile signage on the land is prohibited except upon issuance of a new Occupancy Permit for a new occupant or tenant on the land and then only for a period of time not exceeding 14 days.

iii. Any free-standing sign shall be located in the westerly 20 feet of the site and shall not exceed 20 feet in height.

iv. That the gravel surface parking lot be resurfaced with asphalt no later than October 30th, 2017.

3. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

5. That in the event the application is not proceeded with expeditiously and the by-law is not enacted 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 rezoning by-law and forward the same to Council for all three (3) readings.

7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law comes into force when 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 by-law is passed.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – May 10, 2016

COUNCIL DECISION (continued):

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year 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 an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

11. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

12. 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, Heritage and Downtown Development – May 10, 2016

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 11, 2016, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and the Assiniboia Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 10, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 12, 2016, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- Add Recommendation 2. B. iv:

  "That the gravel surface parking lot be resurfaced with asphalt no later than October 30th, 2017."

and forwarded to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

RE: **Subdivision and Rezoning - 1391 and 1395 Notre Avenue**
File DASZ 4/2016 [c/r DAV 104222/2016D]

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

Prepared by: **Destiny Watt, Senior Committee Clerk**
Assiniboia Community Committee

Report date: **April 13, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 12, 2016, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the plan of subdivision proposed under File DASZ 4/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 4/2016 dated April 5, 2016 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. The Developer shall, at no expense to the City, transfer to the City and legally open, property required for a 0.687m widening to the existing east-west public lane right-of-way, along the full length of the existing east-west public lane, abutting the north limit of the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 4/2016 dated April 5, 2016 to the "C2" Commercial Community zoning district, subject to the following:

    A. That Zoning Agreement DAZ 209/97 (By-law No. 7060/97), registered as Caveat No. 2183374/1 on the subject property, be discharged as it affects the subject property.

    B. 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 the development of any building and/or accessory parking area and/or freestanding signage plans shall be submitted showing the location

and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping, lighting, bicycle parking and free standing signage to the Director of Planning, Property and Development and the Assiniboia Community Committee for plan approval 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. Mobile signage on the land is prohibited except upon issuance of a new Occupancy Permit for a new occupant or tenant on the land and then only for a period of time not exceeding 14 days.

iii. Any free-standing sign shall be located in the westerly 20 feet of the site and shall not exceed 20 feet in height.

iv. That the gravel surface parking lot be resurfaced with asphalt no later than October 30th, 2017.

3. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

5. That in the event the application is not proceeded with expeditiously and the by-law is not enacted 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 rezoning by-law and forward the same to Council for all three (3) readings.

7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law comes into force when 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 by-law is passed.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year 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 an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

11. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

12. 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.

Note: The wording in bold and italics denotes amendments made by the Community Committee.

The Assiniboia Community Committee provided the following supporting reasons for its recommendation:

1. The Assiniboia Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated April 5, 2016.
2. Notre Dame Avenue supports commercial business.
3. For many years the current use of this site has been for commercial use and that use would be maintained.

PUBLIC HEARING SUMMARY

File: DASZ 4/2016

Before: Assiniboia Community Committee
Councillor Morantz, Chairperson
Councillor Dobson
Councillor Gillingham

Public Hearing: April 12, 2016
Council Building, 510 Main Street

Applicant: Applicant: Muhammad Arain

Subject:



Premises Affected: 1391 and 1395 Notre Avenue

Exhibits Filed:

1. Application dated January 27, 2016
2. Notification of Public Hearing dated February 18, 2016
3. Manitoba Status of Title 2038764/1 and 2038773/1
4. Surveyor's Building Location Certificate and sketch dated October 26, 2015
5. Zoning Agreement between The City of Winnipeg and Muhammad Sharif Arain and Mumtaz Arain
6. Caveat 2183374
7. Plans (3 pages)
8. Report from the Urban Planning Division dated April 5, 2016
9. Inspection Report
10. Recording of Representations of public hearing
11. Petition in support of the Installation for Time Limited Parking between Notre Dame Avenue and Winnipeg Avenue, submitted by Kenneth Hunter at the public hearing
12. Petition in opposition to the application purporting to contain the signatures of thirteen (13) area residents, submitted by Kenneth Hunter at the public hearing
13. Petition in support of the application purporting to contain the signatures of nine (9) area residents, submitted by the Applicant at the public hearing

REPRESENTATIONS:

In Support:
Muhammad Sharif Arain
Rakeeb Ali

In Opposition
Kenneth Hunter

For Information:
Nil

For the City:
Mr. D. Clark, Planner, Urban Planning Division, Planning, Property and Development Department

Exhibit "8" referred to in File DASZ 4/2016

ADMINISTRATIVE REPORT

Title: DASZ 4/16 – 1391 and 1395 Notre Dame Ave.

Issue: An application for consideration at the Assiniboia Community Committee public hearing to subdivide and rezone land from the "R2" Residential Two-Family zoning district to the "C2" Commercial Community zoning district.

Critical Path: Assiniboia Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	n/a	n/a	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 4/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 4/2016 dated April 5, 2016 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

   A. The Developer shall, at no expense to the City, transfer to the City and legally open, property required for a 0.687m widening to the existing east-west public lane right-of-way, along the full length of the existing east-west public lane, abutting the north limit of the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 4/2016 dated April 5, 2016 to the "C2" Commercial Community zoning district, subject to the following:

   A. That Zoning Agreement DAZ 209/97 (By-law No. 7060/97), registered as Caveat No. 2183374/1 on the subject property, be discharged as it affects the subject property.

B. 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 the development of any building and/or accessory parking area and/or freestanding signage plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping, lighting, bicycle parking and free standing signage to the Director of Planning, Property and Development and the Assiniboia Community Committee for plan approval 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. Mobile signage on the land is prohibited except upon issuance of a new Occupancy Permit for a new occupant or tenant on the land and then only for a period of time not exceeding 14 days.

iii. Any free-standing sign shall be located in the westerly 20 feet of the site and shall not exceed 20 feet in height.

3. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

5. That in the event the application is not proceeded with expeditiously and the by-law is not enacted 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 rezoning by-law and forward the same to Council for all three (3) readings.

7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law comes into force when 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 by-law is passed.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year 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 an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

11. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

12. 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.

REASON FOR THE REPORT

- The applicant intends to subdivide and rezone lands from the "R2" Residential Two-Family zoning district to the "C2" Commercial Community zoning district.
- Subdivisions and rezonings require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- 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, the subject lands will be subdivided and rezoned to the "C2" Commercial Community zoning district.

HISTORY

DAZ 209/97
The owner made application to have the land rezoned to a "C2" Commercial district. The rezoning was approved subject to a zoning agreement. Conditions in the zoning agreement are as follows:

1) Limitations to the permitted uses on the land
2) No exterior alterations or additions shall be made to the existing building(s) and no new building(s), structure(s) or works, accessory parking and loading areas, fencing, landscaping and garbage enclosures shall be erected or located on the land and no building permit issued for construction on the land unless and until final construction plans indicating the design and location are submitted to and approved by the Lord Selkirk-West Kildonan Community Committee and the Commissioner of Planning and Community Services.

3) Signs shall not be permitted on the land and no sign shall be erected on or attached to any building on the land unless first approved by the Commissioner of Planning and Community Services. It is understood that any permitted free-standing sign shall be located in the westerly 20 feet of the site and shall not exceed 20 feet in height.

4) Mobile signage on the land is prohibited except upon issuance of a new Occupancy Permit for a new occupant or tenant on the land and then only for a period of time not exceeding 14 days.

5) Vehicular access to the public lane shall be prohibited.

CONSULTATION

In preparing this report there was consultation with:

- Public Works

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Devin Clark
Date:	April 5, 2016
File No.	DASZ 4/16

APPENDIX 'A'

DATE: April 5, 2016
FILE: **DASZ 4/16**
RELATED FILES:
COMMUNITY: Assiniboia
NEIGHBOURHOOD #: 2.114

SUBJECT: To subdivide and rezone lands to the "C2" Commercial Community zoning district.

LOCATION: 1391 and 1395 Notre Dame Avenue
LEGAL DESCRIPTION: SP LOTS 34/36 PLAN 32196 WLTO IN OTM LOT 5A PARISH OF ST JOHN



APPLICANT: Muhammad Arain
22 Amberwood Place
Winnipeg MB R2R 1E7

OWNER: Same as Applicant

RECOMMENDATION: Approval, with conditions

SITE DESCRIPTION

- The subject land is located on the north side of Notre Dame Avenue near Flint Street in the Weston Neighbourhood of the St. James-Brooklands-Weston ward.
- The current site consists of two properties (1391 and 1395 Notre Dame). 1391 Notre Dame is zoned "R2", with a lot size of 4,021 square feet and is currently being used for

the storage of vehicles. 1395 Notre Dame is zoned "C2" with a lot size of 8,046 square feet and is currently used as a vehicle sale and display use. The applicant is proposing to subdivide and rezone the land by consolidating the two properties into one which would result in a total lot area of 12,067 square feet.

- The existing building on site is single storey and has an approximate footprint of 725 square feet.

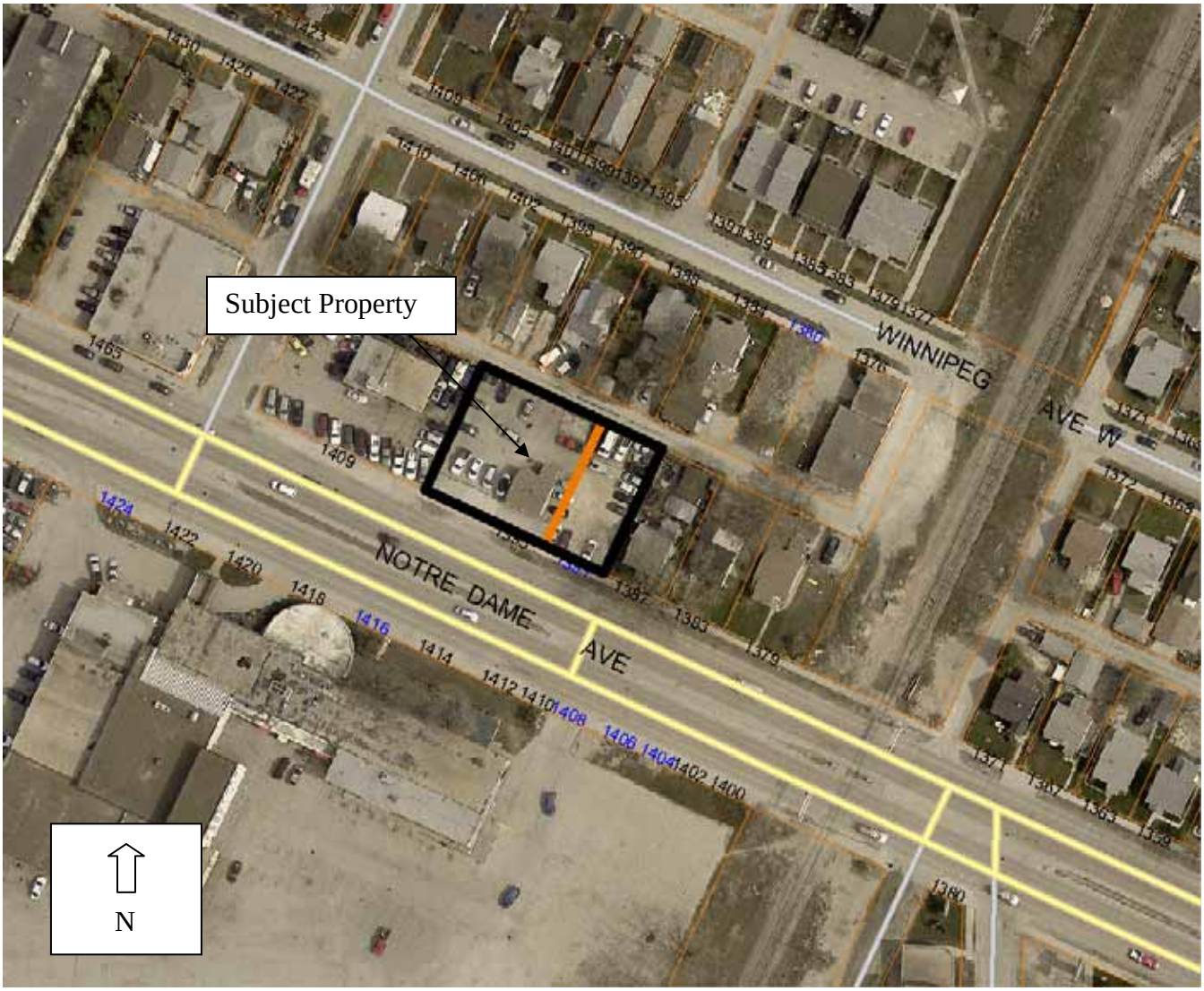


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2014)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Public lane then single family housing zoned "R2" Residential Two-Family.

South: Notre Dame Avenue then commercial uses zoned "M" Manufacturing Light.

East: Single family housing zoned “R2” Residential Two-Family.

West: Commercial uses zoned “C2” Commercial Community.

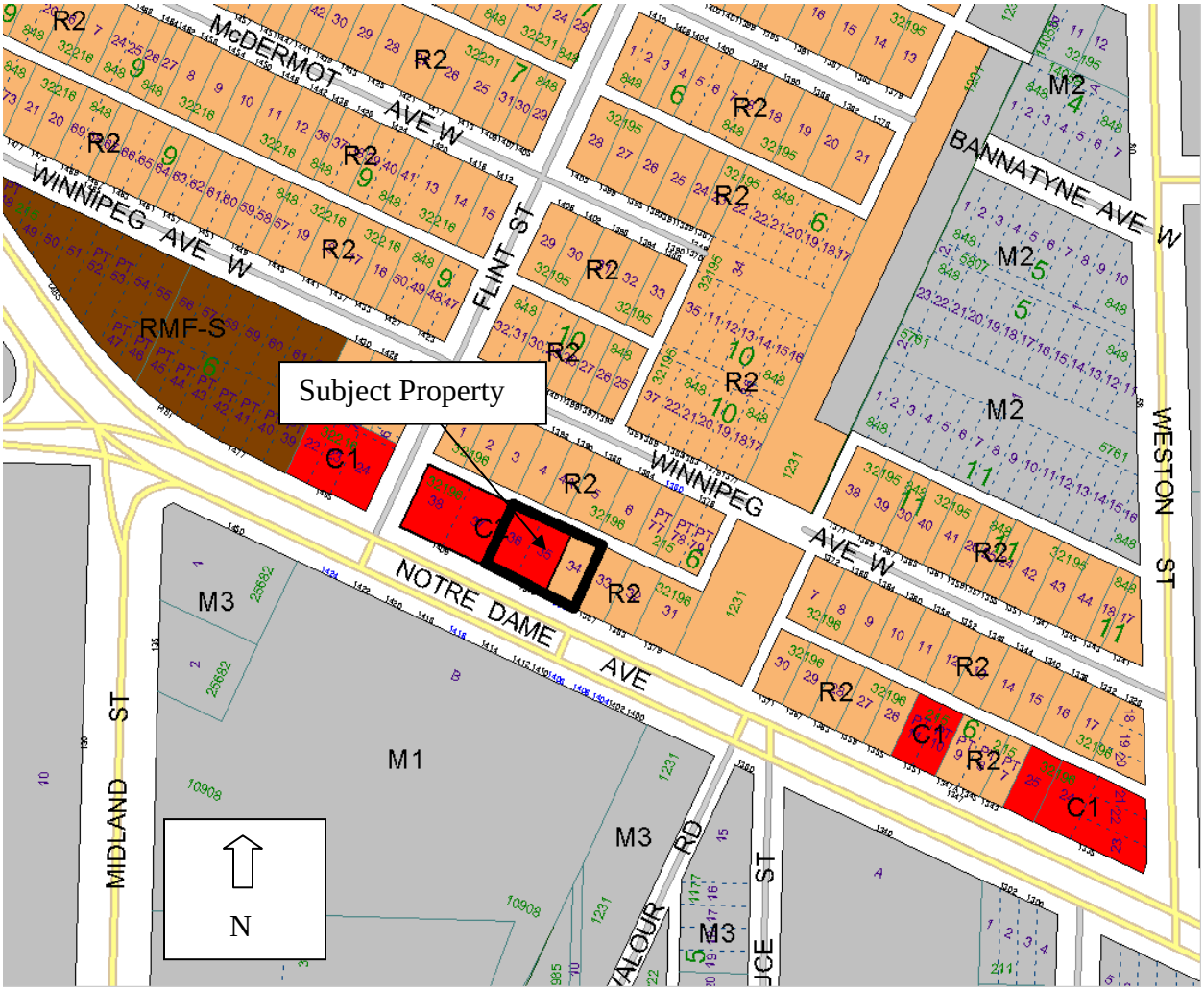


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to consolidate 1391 and 1395 Notre Dame Avenue into one property and rezone 1391 Notre Dame from the “R2” zoning district to the “C2’ zoning district.
- The purpose of the application is to formally establish the space that is currently being used as parking for the existing car dealership at 1395 Notre Dame.
- 1391 Notre Dame is currently primarily gravel surface parking and the applicant has indicated in their letter of intent that they will surface it with asphalt in order to comply with the Zoning By-law.

- Submitted plans indicate that a new garage is proposed at the rear of the property that would be approximately 432 square feet.
- The applicant has requested three variances, including:
    - Providing a 0 foot side yard instead of the 10 feet required when a commercial district abuts a residential zoning district.
    - Maintaining a 6 foot tall chain link fence instead of a bumper guard or post and chain fence in conjunction with the vehicle display area.
    - Insufficient street edge landscaping.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *Complete Communities Direction Strategy* the proposed development is within the Areas of Stability – Mature Communities policy area. Key policies guiding development within Areas of Stability include:
    - *Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form.*
    - *Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.*
    - *Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.*
    - *Support a mix of commercial services and employment uses that serve the local community.*
- Policies with regard to Urban Design are also applicable to the subject application, including:
    - Consider the comfort, convenience, safety and visual interest of streetscapes, recognizing that streets are places where people gather.
    - Encourage new buildings that fit compatibly into the surrounding context, improving the quality of the public realm.
    - Strengthen vibrancy, animation and economic health through the cultivation of compact, human-scale streets, blocks and buildings.

ZONING

- Current zoning of the subject land is “C2” Commercial Community and “R2” Residential Two-Family. The applicant is proposing to consolidate two properties into one and rezone the east lot to the “C2” zoning district.

- The Commercial Community (C2) district is intended to accommodate more intensive commercial sites that do not have a local or neighbourhood orientation. The district is intended to include attractive commercial, institutional, recreational, and service facilities needed to support the surrounding neighbourhoods and the broader community. C2 districts are generally located in Community or Regional mixed use centres or along Community or Regional mixed use corridors.

COMPATIBILITY WITH THE SURROUNDING AREA

- The proposal to rezone the lands at 1391 Notre Dame to the "C2" district and consolidate 1391 and 1395 Notre Dame into one lot is consistent and compatible with the surrounding area. The subject lot fronts onto Notre Dame Avenue, which is an arterial street with significant volumes of traffic. It is reasonable to see the transition of development along this roadway from single family and two family residential uses to a mix of low and medium density residential and commercial uses.
- 1391 Notre Dame is currently operating as a vehicle storage area which is not permitted under the "R2" zoning district. The intent of the application is to bring the property into conformance with the permitted uses of the "C2" district by way of this application.
- The applicant has applied for three variances to maintain the vehicle storage/display area in the manner that it currently exists. The Urban Planning Division does not support these variances as there is ample room to reconfigure the site in a manner that would align with the Zoning By-law requirements. See associated variance report (DAV 16-104222D) for further analysis.

PUBLIC CONSULTATION

- The applicant has submitted a letter with signatures indicating support for the rezoning of the land from "R2" to "C2." The applicant's submission includes residents at 1388 and 1390 Winnipeg Ave., 1383, 1387 and 1409 Notre Dame Ave that are in support of the subdivision and rezoning application.

CONDITIONS OF APPROVAL

Plan Approval – The Urban Planning Division is recommending Plan Approval as a condition of for this application. As part of the plan approval condition the Urban Planning Division expects the following:

- Building location and elevations – For any new building established on the land, plans showing the location of the building and elevations with colour renderings should be provided as part of the plan approval package.
- Landscaping – With the plan submission the Urban Planning Division will expect a landscape design that applies a consistent theme that is well integrated throughout the site. In particular, focus should be placed on establishing a high quality and natural

looking buffer along the east edge of the property as well as in the front yard. Species, quantities and location of plants should be clearly identified on submitted plans.

- Garbage bins and enclosures should be located on site in a manner that is accessible for waste collection. The garbage enclosures are to be constructed of wood, brick, stone, or another compatible material and should be sufficiently screened and not visible from the public street.
- Lighting – any lighting on site should not provide glare or spill over onto any adjacent property. Plans shall include location and design of light standards.
- Fencing - Any proposed fencing should be made of high quality materials and design details and location of fencing on site shall be submitted with the plan approval package.

Conditions to limit signage

- The Urban Planning Division is recommending conditions that restrict mobile signage and regulate the location of free standing signage on site. This is to help maintain the aesthetics of the site and to limit any impacts from signage on adjacent residential uses to the east.

LAND DEDICATION

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City.
- The amount of land is not less than 10%.
- The developer is to provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.

RECOMMENDATION

The Urban Planning Division recommends **approval** for the following reasons:

- The establishment and expansion of commercial uses along Notre Dame Avenue is generally consistent and compatible with the current context.
- The proposed auto sales use is also consistent with the current context, though the Urban Planning Division does not support the variances applied for and expects that high quality landscaping and other design treatments be incorporated into the site to promote a high quality aesthetic and mitigate impacts on the adjacent residential uses.
- Plan approval is recommended as a required condition so that plans may be reviewed prior to any development permits being issued.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division
Report Prepared By: Devin Clark
PPD File # DASZ 4/16

Schedule "A" for File No. DASZ 4/2016, Assiniboia Community Committee, dated April 5, 2016

