

Agenda – Board of Adjustment – January 18, 2017

PUBLIC HEARINGS

**Item No. 7 Conditional Use – 625 McMillan Avenue
 (Fort Rouge – East Fort Garry Ward)
 File DCU 177422/2016C [c/r DAV 177416/2016C]**

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 multi-family dwelling use, subject to the following condition(s):

1. That if any development granted by the Order is not established within two (2) years of the date thereof, the Order, in respect of that Conditional Use shall terminate.
2. That the development shall be constructed in substantial conformance with plans submitted and attached hereto and identified as Sheets 1-5 for File No. DCU 16-177422/C, dated January 9, 2017.

Agenda – Board of Adjustment – January 18, 2017

File: DCU 177422/2016C

Applicant: Wande Akinpelu

Premises Affected: 625 McMillan Avenue

Legal Description: LOT 69 PLAN 27431 34/35 ST B, hereinafter called “the land”

Property Zoned: “R2 PDO-1 Corydon Osborne” – Residential Two-Family Planned Development Overlay Corydon Osborne District

Nature of Application: For a Conditional Use under the Winnipeg Zoning By-Law No. 200/2006 to permit the establishment of a multi-family dwelling use.

Exhibits Filed:

1. Application dated January 5, 2017
2. Notification of Public Hearing dated December 22, 2016
3. Manitoba Status of Title 2868767/1
4. Letter of authorization dated November 21, 2016 from Wande Akinpelu, 7336528 MB Ltd. to Wande Akinpelu
5. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising
6. Plans, Sheets 1 to 5 inclusive, for File DCU 177422/2016C dated January 9, 2017
7. Report from the Urban Planning Division dated January 10, 2017
8. Inspection Report

Agenda – Board of Adjustment – January 18, 2017

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

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

Moved by

That the receipt of public representations be concluded.

Agenda – Board of Adjustment – January 18, 2017

Moved by

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

That the recommendation of the Winnipeg Public Service be / not be concurred in and the Conditional Use be approved / rejected.

Moved by

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

ADMINISTRATIVE REPORT

Title: DCU 16-177422C – 625 McMillan AVE

Issue: For consideration at the public hearing for a conditional use.

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

AUTHORIZATION

Author	Division Head	Department Head	CFO	CAO
Michael Robinson, RPP	B. Smith, RPP	n/a	n/a	

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 multi-family dwelling use, subject to the following condition(s):

- 1) That if any development granted by the Order is not established within two (2) years of the date thereof, the Order, in respect of that Conditional Use shall terminate.
- 2) That the development shall be constructed in substantial conformance with plans submitted and attached hereto and identified as Sheets 1-5 for File No. DCU 16-177422/C, dated January 9, 2017

REASON FOR THE REPORT

Conditional Use applications require a public hearing as per *The Development Procedures By-law* No. 160/2011 and *The City of Winnipeg Charter*, section 249. The report is being submitted for the Board of Adjustment’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, development permits can be issued.

FILE/APPLICANT DETAILS

FILE: DCU 16-177422\C
RELATED FILES: DAV 16-177416/C
COMMUNITY: City Centre Committee
NEIGHBOURHOOD #: 1.110

SUBJECT: For a Conditional Use under Zoning By-Law No. 200/2006 to permit the establishment of a multi-family dwelling use.

LOCATION: 625 McMillan AVE
LEGAL DESCRIPTION: LOT 69 PLAN 27431 34/35 ST B

APPLICANT: Wande Akinpelu
289 Garry ST Unit 300
Winnipeg , Manitoba R3C1H9

OWNER:
289 GARRY ST 300
Winnipeg , Manitoba R3C 1H9

HISTORY

N/A

DISCUSSION

CRITERIA FOR APPROVAL

Pursuant to Section 247(3) of *The City of Winnipeg Charter*, an application for a conditional use with respect to a property may be approved if the conditional use:

- (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.

SITE DESCRIPTION

The subject property is located on McMillan Avenue, in the McMillan neighbourhood of the Fort Rouge - East Fort Garry ward

The site is Mature Communities under the Complete Communities Direction Strategy. The property is zoned “R2” Residential Two-Family District.

SURROUNDING LAND USE AND ZONING

North: Multi-family residences zoned “RMF-M” Residential Multi-Family District

South: Multi-family residences zoned “R2” Residential Two-Family District

East: Multi-family residences zoned “R2” Residential Two-Family District
West: Single-family residence zoned “R2” Residential Two-Family District

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant seeks approval to construct a four storey, four unit residential building on the subject property. The subject property is currently a vacant lot.

One of the four units would have its main entrance located on McMillan Avenue and the remaining three units would have their entrances facing onto Daly Street. Parking will be located at the rear, off the back lane.

Reason for application

In the “R2” Residential Two-Family District, multi-family dwellings (three or more units) require a conditional use approval.

Design Review

The new Corydon Osborne PDO-1 requires design review approval for all new development other than single-family, within the plan area. This development has been reviewed and has received preliminary design review approval, pending the outcome of the conditional use and variance applications.

ANALYSIS AND ISSUES

Corydon Osborne Area Plan

The subject property is located within the Higher Density Residential Area of the Corydon Osborne Area Plan. Within this area, medium multi-family development may be accommodated on corners, subject to design guidelines, a maximum density of 1 unit per 800 sq. ft. of lot area, a height of 4 storeys, and a public hearing.

In this instance, the proposed development complies with the design guidelines from the Corydon Osborne Plan (see Appendix A) as well as the density and height criteria in the Plan.

Neighbourhood Compatibility

The subject property is located on a corner and is adjacent to multi-family buildings on three sides.

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

CONSULTATION

In preparing this report there was internal consultation with:

N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning
Prepared by: Michael Robinson, RPP
Date: January 10, 2017
File No. DCU 16-177422\C

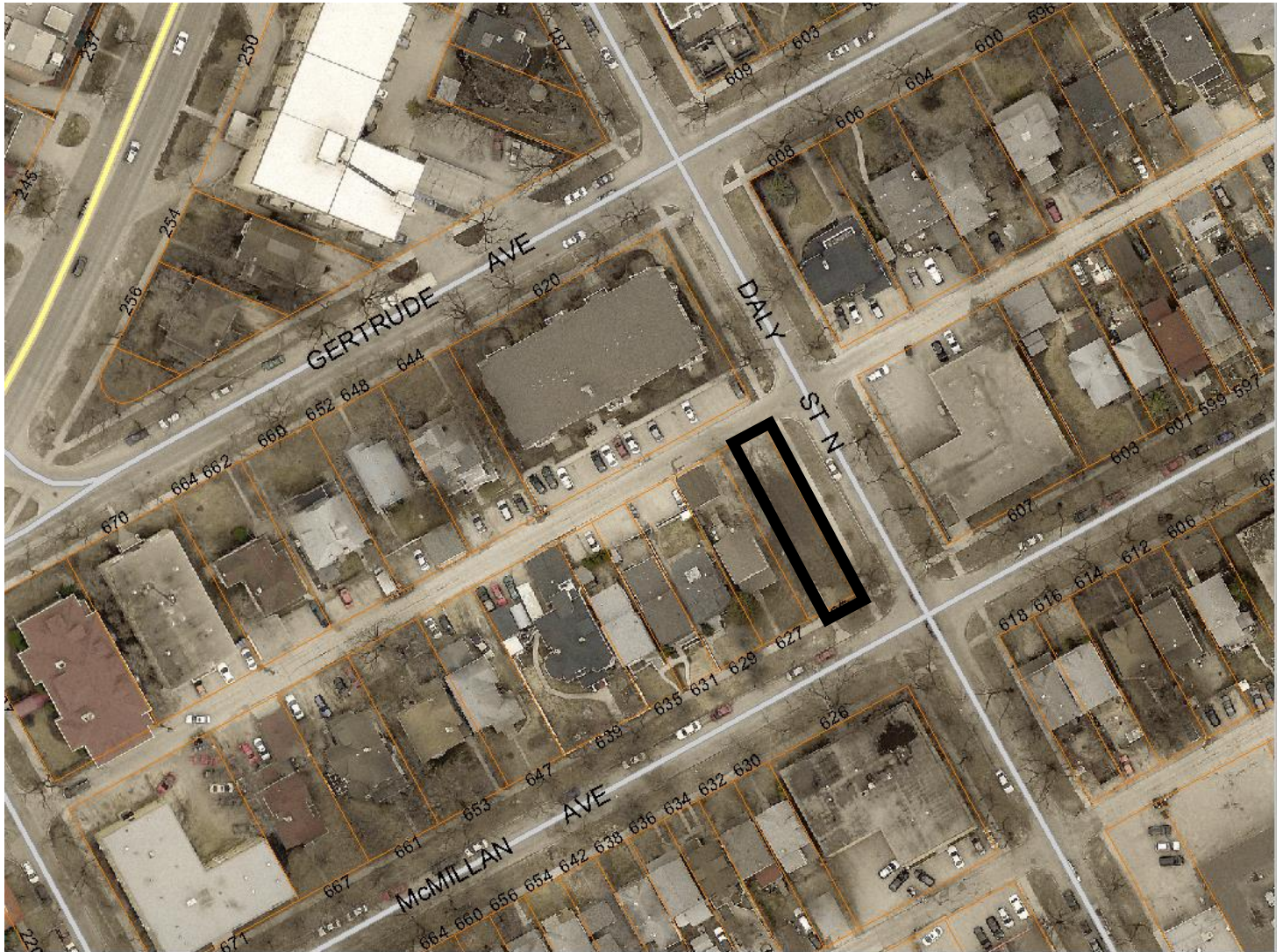


Figure 1: Aerial Photo (Flown in 2016)

Appendix A

Corydon Osborne North of Corydon Residential Design Guidelines	Comply (Yes or No)
i) Buildings should be parallel to the street frontage property line	Yes
ii) Building setbacks should be within 1.5 metres (5 feet) of the average of the two adjacent buildings' setbacks	Yes
iii) Roofs should be pitched unless adjacent buildings are flat roofed	Yes
iv) Buildings should have their main entrance facing the street	Yes
v) Windows and entrances should be articulated	Yes
vi) Façade lighting should be wall mounted luminaries no higher than top of first floor and all light should be cast down and fully shielded	Yes
vii) Front yard fences should be less than 1.2 metres(4 feet) and mostly transparent	Yes
viii) Multi-family buildings should reflect the surrounding residential building character	Yes
ix) Multi-family buildings should have a variable setback across the facade	Yes
x) Corner lots may have greater lot coverage	
xi) Multiple lot development may be contiguous but should articulate the appearance of the original lot line	N/A
xii) Signs should be flush with the building	N/A
xiii) Residential development should maintain the existing pattern of detached garages rather than attached garages	N/A
xiv) All parking lots should provide appropriate screening to preserve the residential character of the area	Yes
xv) Residential developments should provide pedestrian access at street level and locate parking, loading, and service entrances at the rear of buildings.	Yes
xvi) Residential development should have consideration for light, view, and privacy of adjacent buildings and area	Yes

xvii) Residential development should ensure pedestrian access is a predominant feature in the site design	Yes
xviii) Residential development should ensure the use of building design elements that are consistent with surrounding properties, including materials, finishing, signage, placement of windows, and doors and height and massing of buildings	Yes
xix) Residential development should ensure sensitive design that clearly defines public, semi-private, and private space	Yes
xx) Residential development should encourage preservation of mature canopy shade trees and natural areas through good design	Due to the site constraints, existing vegetation cannot be preserved. The applicant will be planting a new tree and shrubs to replace what is removed.
xxi) Residential design should strongly encourage the incorporation of concepts of Universal Design and Crime Prevention Through Environmental Design (CPTED) into building, streetscape, and site design	Yes



MCMILLAN AVENUE



1 SITE PLAN
Scale = 1"=10'

DALY STREET

**DEVELOPMENT EXAMINATION
BRANCH**
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DEVELOPMENT
SHEET # 2 OF 5
APPLICANT (DOB) [Signature]
DEV. EXAM [Signature]
DATE [Signature]

BICYCLE RACK

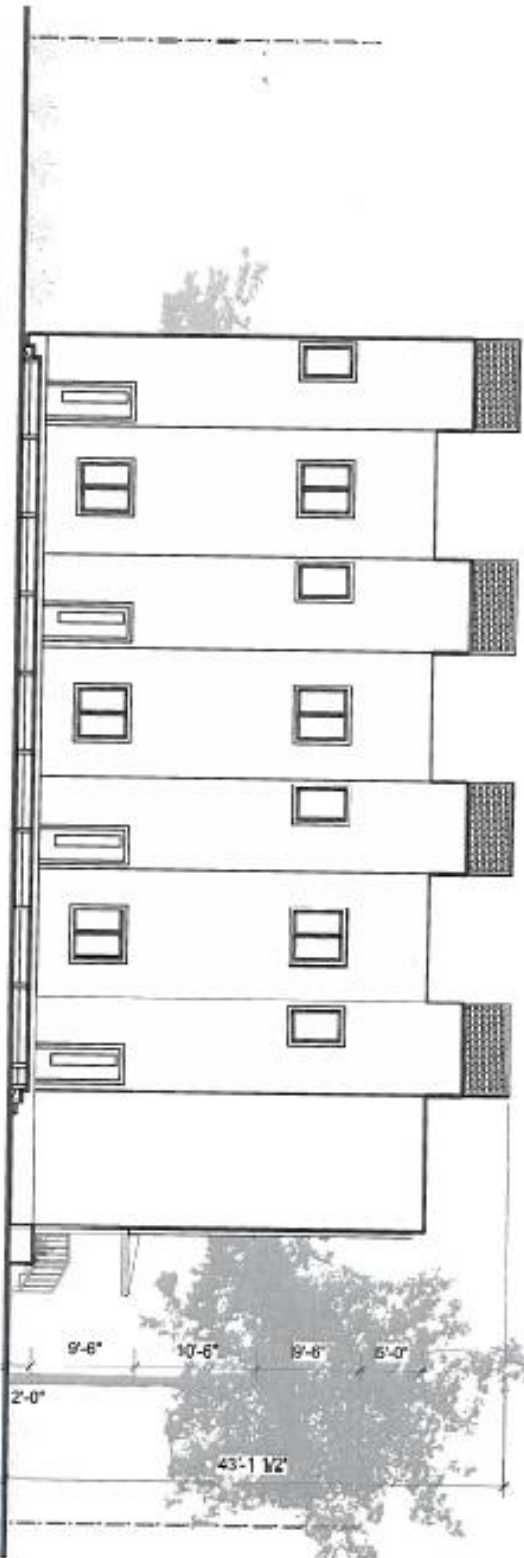
8' HIGH SIDE FENCE

BACK LANE

<p>PROJECT: 800 BROADWAY AVE</p> <p>DATE: 11/11/11</p> <p>SCALE: 1"=10'</p> <p>SHEET: 1 OF 5</p>	<p>DESIGNER: [Signature]</p> <p>CHECKED: [Signature]</p> <p>DATE: 11/11/11</p>	<p>PROJECT: 800 BROADWAY AVE</p> <p>DATE: 11/11/11</p> <p>SCALE: 1"=10'</p> <p>SHEET: 1 OF 5</p>	<p>PROJECT: 800 BROADWAY AVE</p> <p>DATE: 11/11/11</p> <p>SCALE: 1"=10'</p> <p>SHEET: 1 OF 5</p>
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**DEVELOPMENT EXAMINATION
BRANCH**
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DEVELOPMENT
SHEET # 5 OF 5
APPLICANT (SDD) *[Signature]*
DEV. EVID. *[Signature]*
DATE *Jan. 4, 2017*

1
IN-107 WEST ELEVATION
1/8" = 1'-0"



<p>DATE: 01/04/17 2ND FLOOR PLAN 100% PERM</p>	<p>Project Name: 635 WOODLAND AVE WEST ELEVATION</p>	<p>Project Address: 635 WOODLAND AVE 100% PERM</p>
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