Report of the Standing Policy Committee on Property and Development dated September 12, 2002

Proposed Rezoning - land located at 531 McGregor Street
DAZ 218/2002
[c/r DAV 657/2002C]

2. The Standing Policy Committee on Property and Development has been advised that an application has been received from Pasquale Russo, 541 Hartford Avenue, Winnipeg, to amend Winnipeg Zoning By-law No. 6400/94 by rezoning the subject land from a "R2" Residential District to a "C1-5" Commercial District to allow for the expansion of an existing restaurant to include a seated customer area.

The applicant has already re-established the drive through ice cream use at a recent Board of Adjustment hearing (Order DAV 657/2002C). In addition to the existing floor space, he intends to add an additional 346 square feet of floor space as a sit restaurant area. The new addition will occur on the Cathedral Avenue side of the lot. There will be at least six tables in the seating area. There are ten (10) parking stalls on the north half of the lot. The applicant has indicated that while the owner of Alycias has parking rights on the subject property, she has agreed to relinquish those rights (verified by letter).

On September 10, 2002, the Lord Selkirk-West Kildonan Community Committee held a public hearing to consider the subject rezoning application. One person registered in support of the application and no one registered in opposition thereto.

The Lord Selkirk-West Kildonan Community Committee concurred in the recommendation contained in the report dated September 2, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed rezoning for the following reason:

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report of the Manager of Planning and Land Use, Planning, Property and Development Department.

On September 12, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Zoning Change Report dated September 11, 2002, from the Lord Selkirk-West Kildonan Community Committee.

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The Standing Policy Committee on Property and Development recommends:

I. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule “A”, for File DAZ 218/2002 dated September 2, 2002, to a “C1-5” Commercial District.

II. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

III. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

IV. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

V. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Attachment "A" referred to in Clause 2 of the Report of the Standing Policy Committee on Property and Development dated September 12, 2002

By-Law No.

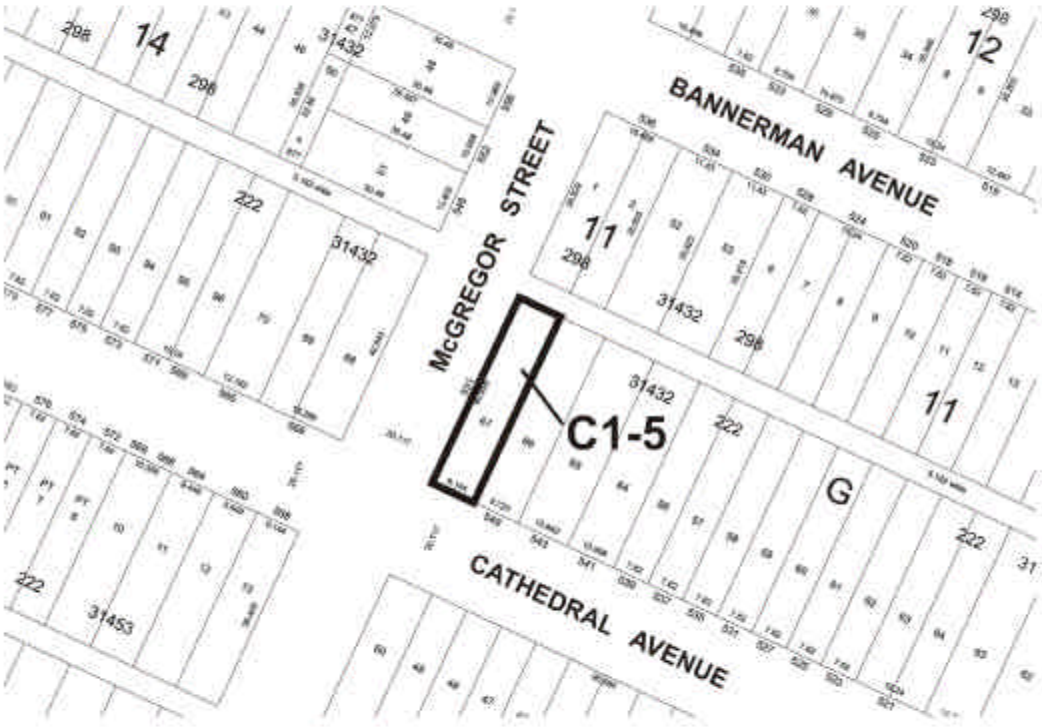
File No. DAZ 218/02

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land at 531 McGregor Street from an "R2" RESIDENTIAL DISTRICT to an "C1-5" COMMERCIAL DISTRICT as shown outlined below.

Atlas Sheet No. V25 LORD SELKIRK-WEST KILDONAN COMMUNITY

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Schedule "A" for File DAZ 218/02, LS/WK Community, dated September 2, 2002

THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.

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