REPORT OF THE STANDING POLICY COMMITTEE

ON PROPERTY AND DEVELOPMENT

DATED JANUARY 6, 2000

On motion of Councillor De Smedt, Clause 2 of the Report of the Standing Policy Committee on Property and Development, dated January 6, 2000, was considered.

Proposed Closing of parts of Bishop Grandin Boulevard and Sterling Avenue, east of Dakota Street - Riel Community
File DAC 14/97 [c/r FI-2.4(35) (Vol. 7)]

372 - 2. Council, at its reconvened meeting on March 26, 1998, adopted Clause 2 of the Report of the Standing Policy Committee on Property and Development dated March 2, 1998, with respect to the proposed closing of parts of Bishop Grandin Boulevard and Sterling Avenue, east of Dakota Street, and in doing so, instructed the City Solicitor/Manager of Legal Services to prepare the necessary by-law for submission to Council to effect the closing, in accordance with Misc. Plan No. 9923/9, as outlined on Schedule A.

On December 16, 1998, Council adopted Clause 15 of the Report of the Standing Policy Committee on Property and Development dated December 1, 1998, which rescinded its previous instruction to the City Solicitor/Manager of Legal Services to prepare the necessary by-law for submission to Council to effect the proposed street closing.

The Standing Policy Committee on Property and Development has further considered the matter and recommends:

I. That the Council direction of December 16, 1998, be rescinded, and the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closing, in accordance with Misc. Plan No. 9923/9, as outlined on Schedule “A”.

II. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

On January 19, 2000, the Executive Policy Committee referred the matter back to the Standing Policy Committee on Property and Development for referral back to the Riel Community Committee for the public hearing process.

Inasmuch as the Standing Policy Committee on Property and Development on February 1, 2000, instructed the Administration to initiate the public hearing on the proposed closing before the Riel Community Committee, the Executive Policy Committee recommends that this clause be filed.

Moved by Councillor De Smedt,
That the clause be filed.

Carried.

(See Minute No. 394 for attachment)

REPORT OF THE STANDING POLICY COMMITTEE

ON PROPERTY AND DEVELOPMENT

DATED FEBRUARY 1, 2000

On motion of Councillor De Smedt, the Report of the Standing Policy Committee on Property and Development, dated February 1, 2000, was considered clause by clause.

Moved by Councillor De Smedt,
That the Consent Agenda, Clauses 1,3,4,5 and 6, be adopted.

Carried.

Proposed Rezoning - land located at 868 Sturgeon Road, west side, north of Ness Avenue - Assiniboia Community
File DAZ 230/99

373 - 1. The Standing Policy Committee on Property and Development has been advised that an application has been received from Jack Goods, 189 Hendon Avenue, Winnipeg, to amend Zoning By-law No. 6400/94 by rezoning the subject land outlined from an "A5" Agricultural District to an "RM2" Residential District to allow for construction of a 57 unit multiple family dwelling for "active seniors" (age 55 plus).

The following is the present site description:

Site Area:	Approximately two (2) acres
Existing Land Use and Zoning:	Mostly vacant with one single family dwelling at the southeast corner of the site, zoned "A5" Agricultural District

The following is the present surrounding land use and zoning:

North:	Multiple family dwellings - four storey apartment building and townhouses; zoned "RM2" Residential District
South:	Multi-tenant commercial shopping centre; zoned "C2" Commercial District
East:	Across Sturgeon Road, single-family dwellings; zoned "R1-6A" Residential District
West:	Multi-tenant commercial shopping centre; zoned "C2" Commercial District and Multiple-family dwelling apartment complex; zoned "RM2" Residential District

The applicant intends to build a three-story 57 unit complex of life lease apartments for active seniors, age 55 plus. The project will include one and two-bedroom suites, a common activity room, lounge and kitchen facility. A walking path and lawn bowling area are also planned for the site. Sixty-five (65) parking spaces will be provided. According to preliminary site plans submitted with this application, site access involves two new approaches off of Sturgeon Road.

The Planning and Land Use Division of the Planning, Property and Development Department supported the application for rezoning as it is compatible with land use in the immediate area and beneficial to the neighborhood. The site is an excellent location for seniors housing. The proposed scale of residential development offers a good transition between the residential development to the north and east and the commercial development to the west and south. The services in the immediate vicinity will provide the kinds of supports and amenities necessary to complement a seniors life lease project, including a grocery store, restaurant, hairdresser, travel agency, pharmacy and banking facilities. The Grace General Hospital and Medical Clinic are only a couple of blocks south of the proposed development.

Development with a higher density than proposed would not necessarily be appropriate on this site as it would be out of character with the adjacent uses and even higher levels of traffic on Sturgeon Road. For this reason, the Zoning Agreement should address restrictions relating to the density on the site. A requirement for Schedule “A” Plan Approval will allow the Community Committee to ensure that there is adequate separation and screening between the site and adjacent uses. In particular, the south side of the site faces the rear wall of the adjacent commercial strip mall and the north side of the site abuts townhouses.

Report of the Standing Policy Committee on Property and Development dated February 1, 2000

Public Hearings were held before the Assiniboia Community Committee on December 14, 1999 and January 18, 2000. Four persons appeared in support of the application, and no one registered in opposition thereto.

The Assiniboia Community Committee recommended that the proposed rezoning be approved for the following reason:

1. The proposed rezoning is appropriate at the referenced location.

The Standing Policy Committee on Property and Development concurred in the recommendations of the Assiniboia Community Committee and recommends:

I. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule “A” for File DAZ 230/99 dated December 6, 1999, to an "RM2" Residential District, subject to the following:

   A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 591(1) of The City of Winnipeg Act, to provide for the following:

      1. That no more than 57 dwelling units shall be permitted on the lands;

      2. That no building or structure shall be erected on the land exceeding three (3) storeys in height;

      3. That the most southerly 5 feet of the site shall be landscaped, screened and maintained in accordance with the plans approved as per item #4 below;

      4. That no buildings, structures or works shall be erected on the land and no building permits issued for construction on the land unless and until plans showing the location and design of the proposed buildings, accessory parking areas, private approaches, driveways, fencing, garbage enclosures, and landscaping are submitted to and approved by Assiniboia Community Committee and by the Chief Administrative Officer or designate, as identified under the designation as Schedule “A” to Zoning Agreement DAZ 230/99 and no buildings, structures, or works shall be constructed or placed on the land except in accordance with Schedule “A” to the Agreement.

II. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated December 6, 1999.

III. 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.

IV. 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.

V. 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.

VI. That the rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

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

VIII. 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.

Adopted by consent.

(See Minute No. 395 for attachment)

Report of the Standing Policy Committee on Property and Development dated February 1, 2000

Proposed Rezoning - land located at 715 St. Anne's Road - Riel Community
File DAZ 232/99 [c/r DASZ 12/97]

374 - 2. The Standing Policy Committee on Property and Development has been advised that an application has been received from MMP Architects, 500 - 321 McDermot Avenue, Winnipeg, to amend Zoning By-law No. 6400/94 by rezoning the subject land outlined from an "A-5" Agricultural District to a "C2" Commercial District to allow for a Personal Care Home and accessory historic residential buildings.

The following is the present site description:

Site Area:	There is 268.33 feet of frontage and approximately 300 feet of depth (approximately 2 acres overall)
Existing Land Use and Zoning:	Currently zoned "A-5" Agricultural and currently occupied with a close to hundred year old residential dwelling and accessory building.

The following is the present surrounding land use and zoning:

North:	To the north is a mix of "C2" Commercial businesses, single-family homes ("A-5" Agricultural land) and "RM-2" Multiple-Family developments
South:	Large lot single-family and multiple-family
East:	Lands east of the Seine River remain generally vacant and are zoned "A-5" Agricultural
West:	To the west is a mobile home park zoned "A-5" Agricultural

It is the intention of the Board of Faith Lutheran Church to construct an 80 bed personal care home on the subject property. Existing residential structures which have historic value are to be retained, maintained and incorporated into the overall site plan.

The applicants on behalf of the prospective owners, Faith Lutheran Church, have applied for a rezoning of the subject land in order to facilitate development of an 80 bed personal care facility. The proposed building will occupy the south half of the property and will be two-storeys high. Two main wings (each with 40 units) will be linked to a dining and service area. Planned also is an activity room and a large outdoor court yard on the west side of the building. On the north side of the structure are the old residential buildings to be retained and possibly utilized and four small parking areas providing a total of 40 parking stalls. A single approach provides access to the property from St. Anne's Road. The Planning and Land Use Division has evaluated the subject proposal and is of the view that the proposed rezoning should be approved in accordance with conditions outlined in the accompanying zoning agreement. The proposed use is of a scale which will not be out of character with uses of a similar nature, particularly the seniors housing complexes common along the east side of St. Anne's Road. There is adequate access to the site and significant buffering between the proposed development and adjacent uses both north and south. Because many of the listed permitted uses under the "C2" Commercial zoning category are not deemed to be appropriate at the subject location, the use of the land is to be restricted in the ensuing zoning agreement.

It should be noted that the Seine River Parkway Plan mandates the City to acquire a portion of the riverbank area in this case, the land lying below the 755 foot contour line. That land will eventually be developed for passive park development purposes. The Report of the Administrative Coordinating Group dated December 14, 1999, clearly indicates that as a condition of approval, the Developer be required to submit a plan of subdivision to the City delineating the land below the 755 foot contour. There is therefore no logical reason to rezone the land below the 755 foot contour to a commercial category given that eventually it will constitute a portion of the lineal public park-way system.

Furthermore the applicants have provided accompanying information supporting their contention that the proposed use is a non-profit organization. City Policy allows for the waiving of the ten percent (10%) cash dedication for non-profit citizen housing. Therefore in this instance this application would qualify.

A Public Hearing was held before the Riel Community Committee on January 18, 2000. Fourteen persons registered in support of the application, and two persons registered for information thereon, and no one registered in opposition thereto.

Report of the Standing Policy Committee on Property and Development dated February 1, 2000

The Riel Community Committee recommended that the proposed rezoning be approved for the following reasons:

1. The proposed personal care home is a worthwhile project and approval of the rezoning is considered to be compatible with the surrounding area.

2. The applicant and the Developer have demonstrated their willingness to work with the community and address the concerns of the Save Our Seine Group.

3. There is substantial support and no opposition to this application.

4. The plan approval process will give the Community Committee control over how the property should be developed and a further opportunity for community input.

On February 1, 2000, the Standing Policy Committee on Property and Development considered the Report of the Riel Community Committee dated January 25, 2000, and approved the following amendment which has been incorporated in the recommendations as set out below:

- That Recommendation 1.B.(ii) be deleted in its entirety and replaced with the following:

  ii) That the Servicing Agreement contain a clause to allow the servicing costs, as determined in amended Clause 2, to be secured by a Letter of Credit, and that said Letter of Credit provide for the servicing costs to be paid at the then chargeable rate and the opportunity for the Developer to prepay the servicing costs.

The Standing Policy Committee on Property and Development concurred in the recommendations of the Riel Community Committee, as amended, and recommends:

I. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule “A” for File DAZ 232/99 dated January 10, 2000, to a "C2" Commercial District, subject to the following:

   A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 591(1) of The City of Winnipeg Act, to provide for the following:

      1. That the use of the land be restricted to a personal care home, the existing residential dwelling and accessory buildings, accessory parking areas and offices.

      2. That final plans indicating building design and locations, parking, landscaping, fencing, approaches and garbage enclosure locations be submitted to be approved by the Riel Community Committee and the Chief Administrative Officer or designate prior to the issuance of building permits.

   B. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the Report of the Administrative Coordinating Group dated December 14, 1999, with the following amendments:

      i) That the charges outlined in Clauses 2, 3b) and 3c) be amended to reflect that said costs are to be based on 2.3 acres or 52% (being the amount of land the Developer will actually be using for the proposed development) rather than on the entire site;

      ii) That the Servicing Agreement contain a clause to allow the servicing costs, as determined in amended Clause 2, to be secured by a Letter of Credit, and that said Letter of Credit provide for the servicing costs to be paid at the then chargeable rate and the opportunity for the Developer to prepay the servicing costs.

II. That the "C2" Commercial zoning proposed encompass only that area extending from St. Anne’s Road as far east as the 755 foot contour line (that line to be determined by a plan of subdivision.)

III. That the ten percent (10%) dedication to 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 be waived.

IV. 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.

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V. 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.

VI. That third reading of the rezoning by-law not be given until such time as the final plans identified in Clause I.A.2 above have been approved.

VII. That the rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

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

IX. 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.

The Executive Policy Committee concurs with the recommendations of the Standing Policy Committee on Property and Development with the following amendment to Recommendation I. B. ii) to read as follows:

I. B. ii) That the Servicing Agreement contain a clause to allow the servicing costs, as determined in amended Clause 2, to be secured by either a Letter of Credit, or a Letter of Agreement from the Province of Manitoba providing for the servicing costs to be paid at the then chargeable rate and the opportunity for the Developer to prepay the servicing costs.

Moved by Councillor De Smedt,
Adoption of the clause.

In amendment,

Moved by Councillor Eadie,
That the recommendation of the Executive Policy Committee be adopted.

The amendment proposed by the Executive Policy Committee was put and declared carried.

The motion for the adoption of the clause, as amended, was put and declared carried.

(See Minute No. 396 for attachment)

Proposed Rezoning - land located at 1450 Logan Avenue - Lord Selkirk-West Kildonan Community
File DAZ 237/99 [c/r DCU 347/99D]

375 - 3. The Standing Policy Committee on Property and Development has been advised that an application has been received from Samton Inc. (Sam Train), 801 Simcoe Street, Winnipeg, to amend Zoning By-law No. 6400/94 by rezoning the subject land outlined from an "R2" Residential District to a "C1-5" Commercial District to allow for the establishment of the manufacture of furniture (wood products: manufacturing) with limited retail sales.

The following is the present site description:

Site Area: The subject lot is 37.5 feet wide and encompasses an area of 3,750 square feet.

Existing Land Use and Zoning: The existing building, while zoned “R2-A” Residential, has been occupied by a second hand store which was approved by variance in 1996 (File DAV 39/96C).

The following is the present surrounding land use and zoning:

North: Land north of Logan Avenue is primarily zoned "R2" Residential with pockets of "C1" Commercial

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South:	Residential areas zoned "R2" Residential
East:	Pockets of "C1" Commercial north of Logan Avenue and residential "R2" on the south side
West:	"C1" and "C2" Commercial north of Logan Avenue and residential "R2" on the south side

The applicant would like to convert the premises from a second hand dealership into a small wholesale/retail furniture store. The manufacture/assembling of some furniture (i.e., coffee tables, bunk bed frames) will be done on premises on a periodic basis.

As previously indicated, a retail business has been operating at the subject location for almost four years. The previous business which had a floor space of 2,127 square feet was a second hand store. The applicant proposes to convert the floor space into a furniture retail store with some assembly/manufacture of light furniture (coffee tables, etc.) on site. The front portion of the store will constitute the retail floor area. To the rear are the shelves, racks and assembly areas. The building is a one-storey brick structure with parking at the rear. The properties on the east side are zoned and operated commercial businesses. There are residential buildings to the west. The applicant proposes to rezone the property to a restricted commercial category and operate only between the hours of 8:00 a.m. and 8:00 p.m., Monday to Saturday. The Planning and Land Use Division is of the view that the proposed zoning is consistent with zoning along segments of Logan Avenue. The proposed business is similarly not out of character with properties along Logan Avenue and in terms of scale is probably more a neighbourhood business than a regional business. While the Planning and Land Use Division supports the proposed use, it is the Division's opinion that the requested hours of operation are not restrictive enough given the proximity of the business to residential homes on the west side. It would be the suggestion of the Planning and Land Use Division that the hours of operation be modified such that the time of closure be 6:00 p.m. instead of the requested 8:00 p.m. The Administration also recommended that there be no outside storage of materials.

A Public Hearing was held before the Lord Selkirk-West Kildonan Community Committee on January 11, 2000. One person appeared in support of the application, and no one registered in opposition thereto.

The Lord Selkirk-West Kildonan Community Committee recommended that the proposed rezoning be approved for the following reason:

1. The proposed rezoning is appropriate at this location.

On February 1, 2000, the Standing Policy Committee on Property and Development considered the Report of the Lord Selkirk-West Kildonan Community Committee dated January 14, 2000, and approved the following amendment which has been incorporated in the recommendations as set out below:

- That the following Recommendation V. be deleted in its entirety, namely:

  That the rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

  and the remaining recommendations be renumbered.

The Standing Policy Committee on Property and Development concurred in the recommendations of the Lord Selkirk-West Kildonan Community Committee, as amended, and recommends:

I. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 237/99 dated December 31, 1999, 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 Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

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VI. 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.

Adopted by consent.

(See Minute No. 397 for attachment)

Proposed Rezoning - land located at 595 Clifton Street - City Centre Community
File DAZ 238/99 [c/r DAV 952/99D]

376 - 4. The Standing Policy Committee on Property and Development has been advised that an application has been received from Colin Milroy Planning Services, 2506 - 5 Nassau Street North, Winnipeg, to amend Zoning By-law No. 6400/94 by rezoning the subject land outlined from an “R1-4A” Residential District to a "C1" Commercial District to allow for commercial development.

The following is the present site description:

Site Area: 100.5 feet by 92.25 feet; 9271.13 square feet

Existing Land Use and Zoning: “R1-4A” Single-family Residential District

The following is the surrounding land use and zoning:

North: “R1-4A” Single-family Residential District; houses
South: “R1-4A” Single-family Residential District; two storey commercial building
East: "M1" Industrial District; industrial development
West: “R1-4A” Single-family Residential District; two storey, multi-tenant commercial building

The proposal is to establish a cash register sales and service office in an existing commercial building. The building is an older, single-storey brick building that is currently vacant and was previously occupied by the Caribbean-Canadian Association of Winnipeg Inc. and used as a cultural centre. The building provides about 6,200 square feet of floor area. The building is “T” shaped, spanning the entire width of the property at the public lane to the rear (east) while providing parking and loading areas off Clifton Street on the north and south sides of the building. The accompanying variance would allow the establishment of four sub-standard parking spaces.

The prospective building owner and occupant is Key Tech Canada Inc. Key Tech markets and services a line of cash registers. The company ships from warehouses in Winnipeg, Toronto and Vancouver. They are currently located in about 3,800 square feet of space in a multi-tenant commercial building at Scurfield and Waverley. Staff includes one receptionist, one accountant, one telephone order person, one telephone sales person, three service technicians, and three outside sales people including the owner and his son. Most of Key Tech’s clients are located outside of the province. Shipments are generally handled by the post office or bus parcel express. The owner maintains that, with no local sales force and limited local customer service, vehicular traffic to and from the business on a daily basis is minimal. The owner intends to improve the appearance of the building and contends that Key Tech would be a good neighbour to adjacent houses.

The area is primarily single-family residential. However, the subject building is one of three older industrial/ commercial buildings in the immediate vicinity which appear to predate housing in the area. Across Clifton Street from the site is an old foundry/warehouse, which was used for piano and organ storage by Yamaha Music and, more recently, has been demised into multi-tenant commercial space. Immediately south of the subject building is an older two storey building which houses the owner King Auto Upholstery and several smaller tenants.

These commercial buildings and their occupants have coexisted with housing in the Minto Neighbourhood for many decades. In addition, residential properties on the east side of Clifton Street share their back lane with commercial and industrial businesses fronting Erin Street. The issue for the Planners and for the City Centre Community Committee is whether or not to prolong the life of these non-conforming buildings by allowing commercial rezonings or use variances. The alternative of abandoned, derelict buildings or vacant lots would not contribute to the neighbourhood, while the prospect for residential redevelopment is questionable. Short of pursuing these alternatives, the best option might be to ensure that the buildings are occupied by uses that are compatible with the

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mixed-use character of the area. The compatibility factor is important because the subject property provides insufficient parking and, moreover, access to the loading and parking areas occurs across a public sidewalk. Sidewalks are active play areas for children in inner city neighbourhoods. In addition, the Issac Brock public school and community club are located to the north of the property and generate substantial pedestrian traffic.

The Property and Development Services Department is prepared to support the current application on the basis that the proposed use is a low traffic generator and is less intrusive than the previous use (cultural centre). Also, the use of the property will be restricted through a Zoning Agreement to the sales and service of cash registers, with a reversionary clause taking the zoning back to residential use should the building be destroyed or demolished.

A Public Hearing was held before the City Centre Community Committee on January 11, 2000. One person appeared in support of the application, and no one registered in opposition thereto.

The City Centre Community Committee recommended that the proposed rezoning be approved for the following reasons:

1. The subject building is one of three older industrial/commercial buildings in the immediate vicinity which appear to predate housing in the area.

2. Across Clifton Street from the site is an old foundry/warehouse, which was used for piano and organ storage by Yamaha Music and, more recently, has been demised into multi-tenant commercial space while immediately south of the subject building is an older 2 storey building which houses the owner King Auto Upholstery and several smaller tenants.

3. Residential properties on the east side of Clifton Street share their back lane with commercial and industrial businesses fronting Erin Street.

4. Abandoned, derelict buildings or vacant lots would not contribute to the neighbourhood, while the prospect for residential redevelopment is questionable. Short of pursuing those alternatives, the best option might be to ensure that the buildings are occupied by uses that are compatible with the mixed-use character of the area. The compatibility factor is important because the subject property provides insufficient parking and, moreover, access to the loading and parking areas occurs across a public sidewalk. Sidewalks are active play areas for children in inner city neighbourhoods. In addition, the Isaac Brock public school and community club are located to the north of the property and generate substantial pedestrian traffic.

5. The Planning and Land Use Division is prepared to support the current application on the basis that the proposed use is a low traffic generator and is less intrusive than the previous use (cultural centre).

6. The use of the property will be restricted through a Zoning Agreement to the sale and service of cash registers.

The Standing Policy Committee on Property and Development concurred in the recommendations of the City Centre Community Committee and recommends:

I. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule “A” for File DAZ 238/99 dated January 5, 2000, to a "C1" Commercial District, subject to the following:

   A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 591(1) of The City of Winnipeg Act, to provide for the following:

      1. That the use of the land be restricted to the following:

         (i) electronic equipment (cash registers and related equipment only) sales and service.

      2. That no freestanding signs, mobile signs, or poster signs be allowed, and that facia signage be permitted to a maximum of 10 square feet.

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 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 Council extends that time.

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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 rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

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

VII. 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.

Adopted by consent.

(See Minute No. 398 for attachment)

Proposed Zoning Agreement Amendment - land located at 107 Meadowbank Road, east side, north of Marygrove Crescent - Assiniboia Community
File ZAA 19/99 [c/r DASZ 4/92]

377 - 5. The Standing Policy Committee on Property and Development has been advised that an application has been received from 2374323 Manitoba Inc., (Lyne Jones), 30 Speers Road, Winnipeg, to amend the Zoning Agreement affecting the subject property outlined.

The existing land is vacant and zoned "R1-4" Single-Family Residential. The proposal is to construct a house protruding a distance of 7.15 feet into the special rear yard of 55.8 feet. The purpose of the increased rear yard setback to the principle dwelling is to provide additional separation space between habitable space within the dwelling and the adjacent Kenaston Boulevard. This separation space helps to attenuate traffic noise, reducing stress on the homeowners and complaints to the City.

The position of the City is that a house should be located on the site with a footprint that can accommodate the special rear yard. Alternatively, the lots could have been made deeper in this location when the land was subdivided. The Public Works Department is opposed to a relaxation of the special setback, however minor. The Development Management Branch is prepared to defer to the judgement of the Public Works Department in this matter, and recommended that the application be denied. It is noted that, according to the site plans submitted, the subject property will require a 5 foot front yard variance as well.

A Public Hearing was held before the Assiniboia Community Committee on January 18, 2000. One person appeared in support of the application, and no one registered in opposition thereto.

The Assiniboia Community Committee recommended that the proposed zoning agreement amendment be approved for the following reason:

1. The rear yard reduction will not have a detrimental impact on the property enjoyment of future occupants of the subject dwelling.

The Standing Policy Committee on Property and Development concurred in the recommendations of the Assiniboia Community Committee and recommends:

I. That Zoning Agreement DASZ 4/92 dated June 17, 1992, be amended by changing Clause 3 to read as follows:

....that all lots within the land shall have a minimum rear yard of 17 metres as illustrated on the plan submitted as Schedule “A”, except for Lot 27, Block 1, Plan 28797, which shall provide a 48.6 foot (14.82 metre) rear yard.

Report of the Standing Policy Committee on Property and Development dated February 1, 2000

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DASZ 4/92 (By-law No. 5994/92) dated June 17, 1992, as approved in aforesaid Recommendation I.

III. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

IV. 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.

Adopted by consent.

Council Appointments to the Historic Winnipeg Advisory Committee
Files G-3 (Vol. 9) and GC-7 (Vol. 30)

378 - 6. Council, at its Organizational Meeting on November 3, 1999, referred to the Standing Policy Committee on Property and Development the matter of recommending the appointment of eight citizen members for two-year terms, unless otherwise specified.

The Downtown Winnipeg Zoning By-law No. 4800/88 states:

"704(2) The Downtown Design Board may appoint an Advisory Committee (or Committees) from time to time for the purpose of preparing or reviewing guidelines, or for the purpose of preparing advice to the Board in respect of applications for approval by the Board."

The current membership of the Historic Winnipeg Advisory Committee is as follows:

Architect	-	Mr. Leslie J. Stechesen, Stechesen Katz Architects
Historian	-	Mr. Greg Thomas, Canadian Parks Service
Graphic Designer	-	Mr. Glen Tinley, Glen Tinley Design (Chairperson)
Real Estate Appraiser	-	Mr. Karl Farstad, E. Karl Farstad and Associates
Landscape Architect	-	Mr. Gary Hilderman, Hilderman and Associates
Property Owners	-	Ms E. Haid, Haidco Developments
and/or Tenants	-	Mr. Rod Sasaki, Warehouse Art Works
	-	Mr. Bill Ketcheson, No. 10 Architectural Group
Executive Director, Exchange District BIZ	-	Mr. Wayne Copet

On November 23, 1999, the Standing Policy Committee on Property and Development laid over the matter to its meeting on February 1, 2000, and requested the Administration to submit a report containing the following:

1. the number of meetings held by the Historic Winnipeg Advisory Committee in 1999,
2. the members in attendance at the meetings,
3. the proposed involvement of CentreVenture in the "design review" process.

On November 23, 1999, the Standing Policy Committee also requested the Administration to canvass the current membership of the Historic Winnipeg Advisory Committee to determine if the current members would agree to serve for an additional term.

On February 1, 2000, the Standing Policy Committee on Property and Development considered documentation from the Senior Urban Designer, Planning and Land Use Division, Planning Property and Development Department, in response to its November 23, 1999 request.

The Standing Policy Committee on Property and Development recommends:

I. That the current membership of the Winnipeg Historic Advisory Committee remain in place until Council has considered the involvement of CentreVenture in the "design review" process.

Report of the Standing Policy Committee on Property and Development dated February 1, 2000

II. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Adopted by consent.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

CONSIDERATION OF BY-LAWS

379 - On motion of Councillor De Smedt, the following by-laws were read a first, second and third time, the rule being suspended for the third reading of each by-law, and were passed and ordered to be signed and sealed, namely

By-law No. 7575/2000, a by-law of The City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 1450 Logan Avenue in the Lord Selkirk-West Kildonan Community. File DAZ 237/99

By-law No. 7576/2000, a by-law of The City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 595 Clifton Street in the City Centre Community. File DAZ 238/99

By-law No. 7577/2000, a by-law of The City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the northeast corner of Main Street and Henry Avenue in the Lord Selkirk-West Kildonan Community. File DASZ 6/99