Minute No. 399
Report - Standing Policy Committee on Property and Development - February 28, 2006

Item No. 4 Rezoning – 1560 Seel Avenue
File DAZ 263/2005

COUNCIL DECISION:

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

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 263/2005 dated January 23, 2006, to an "M1-B" Light Industrial District.

2. 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.

3. 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.

4. 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 (3) readings.

5. 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 Charter.

Report - Standing Policy Committee on Property and Development - February 28, 2006

DECISION MAKING HISTORY:

Moved by Councillor De Smedt,
That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 15, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 28, 2006, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 31, 2006, the City Centre Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Rezoning – 1560 Seel Avenue**
File DAZ 263/2005 [c/r DCU 170428/2005D]

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

Prepared by: **Josie Marques, Clerk**
City Centre Community Committee

Report date: **February 2, 2006**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 31, 2006, the City Centre Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 263/2005 dated January 23, 2006, to an "M1-B" Light Industrial District.

2. 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.

3. 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.

4. 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 (3) readings.

5. 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 Charter.

The City Centre Community Committee provided the following supporting reason(s) for its recommendation:

1. The City Centre Community Committee agreed with the administrative comments contained in the report from the Manager of Planning and Land Use dated January 23, 2006.

PUBLIC HEARING SUMMARY

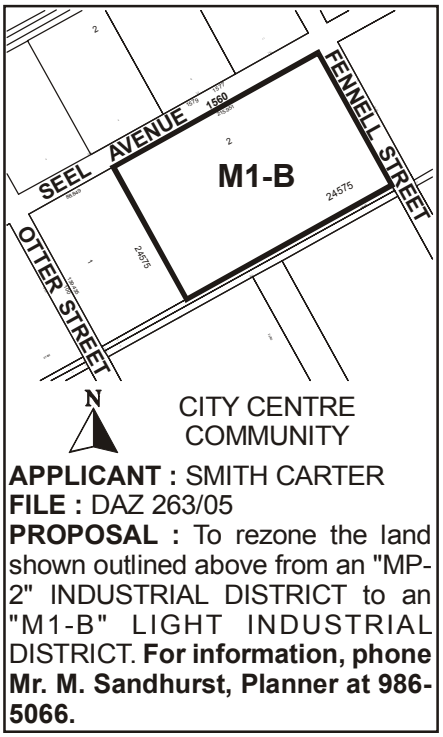
File: DAZ 263/2005 [c/r DAV 170428/2005D]

Before: City Centre Community Committee
Councillor Gerbasi, Chairperson
Councillor Benham
Councillor Smith

Public Hearing: January 31, 2006
West Committee Room
Council Building, 510 Main Street

Applicant: Smith Carter Architects and Engineers Incorporated
(Larry Hamilton)

Subject:



Premises Affected: 1560 Steel Avenue

Exhibits Filed:

1. Application dated December 22, 2005
2. Notification of Public Hearing dated January 4, 2006
3. Manitoba Status of Title(s) 2107507
4. Surveyor's Building Location Certificate and sketch dated July 13, 2001
5. Letter of authorization dated December 20, 2005 from Roslyn E. Scott, President of Rebel Holdings Ltd., to Smith Carter Architects
6. Plans (5 pages)
7. Report from the Manager of Planning and Land Use dated January 23, 2006

REPRESENTATIONS:

In Support:
Maxwell Benson
Larry Hamilton, Smith Carter Architects and Engineers Incorporated
Roslyn Scott

In Opposition
Nil

For Information:
Nil

For the City:
Mr. M. Sandhurst, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS MADE AT THE PUBLIC HEARING

The applicant, Larry Hamilton, Smith Carter Architects and Engineers Incorporated, appeared in support of the application and gave an overview on the proposal.

Exhibit "7" referred to in File DAZ 263/2005 [c/r DAV 170428/2005D]

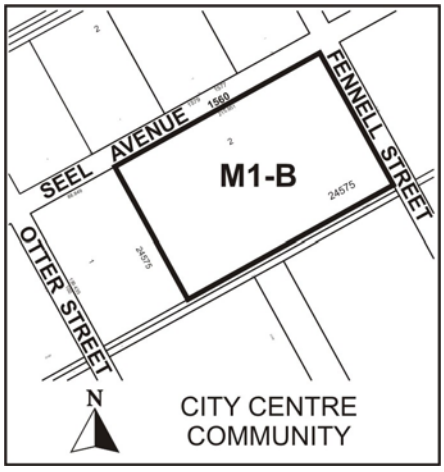
Winnipeg

Planning, Property and Development Department Report

To City Centre Community Committee

Date: January 23, 2006
File: **DAZ 263/05**
Related Files: DCU 05-170428/D, DAV 05-170763/D, BDB 40/05
Subject: To amend By-Law No. 6400/94 by rezoning the land shown below from an "MP-2" Industrial Park District to an "M1-B" Light Industrial District.

Location: 1560 Seel Avenue
Legal Description: Lot 2, Plan 24575



Applicant: Smith Carter
Owner: Rebel Holdings Ltd.
Recommendation: *Approval*

Site Description

The subject site is located at the south east corner of Seel Avenue and Fennell Street. It's currently developed with an industrial/warehouse building and accessory parking area. It and surrounding properties are zoned "MP-2" Industrial Park District.

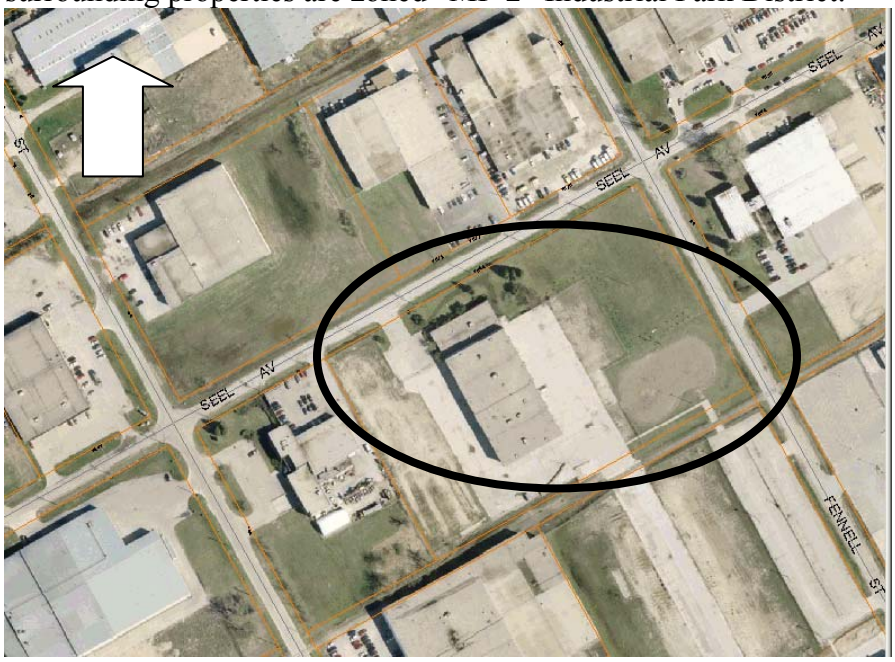


Figure 1: subject site (aerial photo flown 2005)

Description of the Proposed Development

The applicant intends to establish a manufacturing operation and associated uses within an expanded building (approximately 19 200 square foot addition). In addition to the primary manufacturing use, several other uses are proposed which cannot be established within the "MP-2" district. These include: "Machinery/Heavy Equipment Supplies and Parts: Sales; Installation; Service"; "Machinery/Heavy Equipment: Rental; Sales; Service"; and "Dwelling Unit for staff/family employed upon the premises". With the exception of the "Machinery/Heavy Equipment: Rental; Sales; Service" use (which is the subject of DCU 05-170428/D), all are permitted in the proposed "M1-B" district.

Analysis

The subject site is located within the Fort Garry Industrial Park. *Plan Winnipeg* designates the industrial park an "Industrial" policy area. Surrounding uses are industrial and are zoned "MP-2" Industrial Park District. The "MP-2" district regulations provide for enhanced development standards and are more restrictive in accommodating land uses than "M1", "M2", and "M3" districts. The "M1-B" is a hybrid district that accommodates a broader range of land uses, while maintaining the enhanced industrial park development standards. Although a rezoning within the interior of an industrial park is unusual, where they've occurred, the "M1-B" district has successfully maintained the integrity of the industrial park while modestly expanding land use development opportunities.

It should be noted that "MP-2" and "M1-B" districts are subject to enhanced development standards and that development plans must be reviewed in accordance with the Building Design Board provisions.

Recommendation

The Planning and Land Use Division recommends approval for the following reasons:

- The proposal is consistent with Plan Winnipeg; and
- The proposed uses will be a positive addition to the industrial park.

Recommended Conditions of Approval

I. That The Winnipeg Zoning By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 263/05, attached hereto and dated January 23, 2006, to an "M1-B" Light Industrial District, subject to the following:

II. That a ten (10) per cent 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 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.

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 (3) 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 Charter.

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division

Report Prepared by: planner
PPD File # DAZ 263/05

Schedule "A"

By-Law No.

File No. **DAZ 263/05**

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located at 1560 Seel Avenue Street from an "MP-2" INDUSTRIAL DISTRICT to an "M1-B" LIGHT INDUSTRIAL DISTRICT as shown outlined below.

Atlas Sheet No.

N

AF22
CITY CENTRE
COMMUNITY



THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.

Schedule "A" to the report to City Centre Community Committee for file # DAZ 263/05 dated January 23, 2006.