Minute No. 606
Report - Standing Policy Committee on Property and Development - June 6, 2006

Item No. 13 Zoning Agreement Amendment – 595 Clifton Street
File ZAA 2/2006 [c/r DAZ 238/99]

COUNCIL DECISION:

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

1. That Zoning Agreement Caveat No. 2508272 under File DAZ 238/99 dated February 23, 2000 (By-law No. 7576/2000), be amended by adding the following uses under Clause 3:
   A. office;
   B. dwelling units.

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 238/99 (By-law No. 7576/2000) dated February 23, 2000, as approved in aforesaid Recommendation 1.

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

4. 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 - June 6, 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 June 21, 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 June 6, 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 May 2, 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: **Zoning Agreement Amendment – 595 Clifton Street**
File ZAA 2/2006 [c/r DAV 116084/2006D]

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

Prepared by: **Carlos Gameiro, Clerk,**
City Centre Community Committee

Report date: **May 3, 2006**

COMMUNITY COMMITTEE RECOMMENDATION:

On May 2, 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 Zoning Agreement Caveat No. 2508272 under File DAZ 238/99, dated February 23, 2000 (By-Law No. 7576/2000), be amended by adding the following uses under Clause 3:

   A. office;
   B. dwelling units.

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 238/99 (By-Law No. 7576/2000), dated February 23, 2000, as approved in aforesaid Recommendation 1.

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

4. 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 for its recommendation:

1. It is an enhancement of the building and the neighborhood.

PUBLIC HEARING SUMMARY

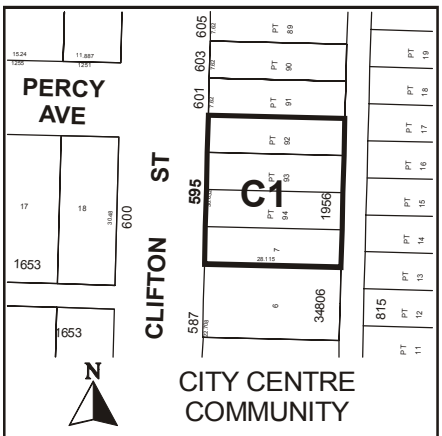
File: ZAA 2/2006 [c/r DAV 116084/2006D]

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

Public Hearing: May 2, 2006
Council Building, 510 Main Street

Applicant: Leeco Holdings Inc. (David Lee)

Subject:



APPLICANT : DAVID LEE
FILE : ZAA 2/06
PROPOSAL : To amend the Zoning Agreement affecting the land shown outlined above by adding to the list of permitted uses the following: (i) office, (ii) dwelling units. **For information, phone Mr. M. Sandhurst, Planner at 986-5066.**

Premises Affected: 595 Clifton Street

Exhibits Filed:

1. Application dated February 27, 2006
2. Notification of Public Hearing dated March 17, 2006
3. Manitoba Status of Title 2118755
4. Surveyor's Building Location Certificate and sketch dated December 14, 2005
5. Caveat No. 2508272 dated July 32, 2000
6. Plans (2 pages)

7. Report from the Planning and Land Use Division dated April 24, 2006
8. Inspection Report

REPRESENTATIONS:

In Support:

David Lee

In Opposition

Nil

For the City:

Mr. M. Sandhurst, Senior Planner, Planning Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

The applicant, David Lee, Leeco Holdings Inc., appeared in support of the application and gave a brief overview of the proposal.

Exhibit "7" referred to in File ZAA 2/2006 [c/r DAV 116084/2006D]

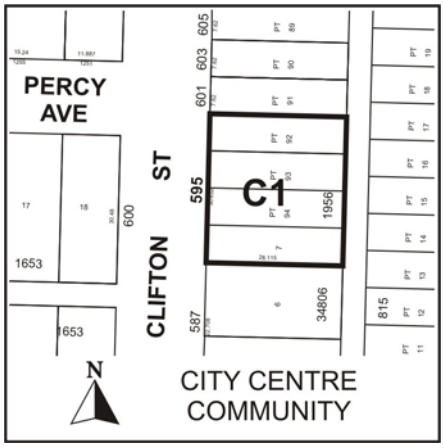
Winnipeg

Planning, Property and Development Department Report

To City Centre Community Committee

Date: April 24, 2006
File: **ZAA 2/06**
Related Files: DAV 06-116084/D
Subject: To amend the Zoning Agreement affecting the land shown below by adding to the list of permitted uses the following:
1) Office; and
2) Dwelling units.

Location: 595 Clifton Street
Legal Description: SP Lot 7 Plan 34806 WLTO in RL 51 and 52 Parish of St. James; Lots 92, 93, and 94 Plan 1956 WLTO except easterly 8 feet in RL 51 Parish of St. James



Applicant: David Lee
Owner: David Lee

Recommendation: *Approved*

Site Description
The subject site is located along the east side of Clifton Street, north of Portage Avenue. The site is zoned "C1" Commercial District and is developed with an older commercial building that was rezoned to accommodate an "Electronic equipment sales/service" use under DAZ 238/99. The building had previously been occupied by a cultural facility. Surrounding properties include single-family dwellings, low-intensity commercial uses, and industrial uses—zoned "R1-4A", "C2", "CF", and "M2" district.

Description of the Proposed Development
The existing approximately 6200 square foot building is currently occupied by an "Electronic equipment sales/service" use approved in 1999. The applicant proposes to lease surplus space (not an addition) within the building for office uses. To do so requires an amendment to the Zoning Agreement put in place in 1999 that restricts use of the property to "Electronic equipment sales/service" only.

Under DAV 06-116084/D, the applicant requests relief from required parking space requirements.

Analysis
This portion of the Minto neighbourhood is designated "Neighbourhood" under *Plan Winnipeg*. This designation accommodates residential, commercial, and low-intensity industrial uses—such as are evident in close proximity to this location. As anticipated, the "Electronic equipment sales/service" use has been a good fit since approved in 1999. The proposed "Office" uses will have similar operational characteristics as the current use. The addition of "Dwelling units" to the list of allowable uses under the Zoning Agreement will simplify future site redevelopment to residential uses.

Recommendation
The Planning and Land Use Division recommend approval for the following reasons:
- The proposal is consistent with *Plan Winnipeg*; and
- The proposed amendment will accommodate uses that are compatible with the neighbourhood.

Recommended Conditions of Approval

I. That the Zoning Agreement Caveat No. 2508272 under file no. DAZ 238/99, dated, February 23, 2000 (By-Law #7576/2000), be amended by adding the following uses under Clause 3:

Office;
Dwelling units.

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 238/99 (By-Law #7576/2000), dated February 23, 2000, as approved in aforesaid Clause 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 Charter.

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

Report Prepared by: M. Sandhurst
PPD File # ZAA 2/06