Agenda - Council - April 25, 2007

Report - Standing Policy Committee on Property and Development – April 3, 2007

Item No. 6 Rezoning - 1839 Inkster Boulevard
File DAZ 201/2007

STANDING COMMITTEE RECOMMENDATION:

On April 18, 2007, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submits the following to Council:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 201/2007 dated March 1, 2007, to an "M1-B" Industrial District.

2. That a ten (10%) percent 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 twelve (12) 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 twelve (12) 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 Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

6. 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 – April 3, 2007

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 18, 2007, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 3, 2007, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 12, 2007, the Lord Selkirk-West Kildonan Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Rezoning - 1839 Inkster Boulevard**
File DAZ 201/2007 [c/r DAV 165010/2006D]

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

Prepared by: **Diane Timmins, Clerk,**
Lord Selkirk-West Kildonan Community Committee

Report date: **March 16, 2007**

COMMUNITY COMMITTEE RECOMMENDATION:

On March 12, 2007, the Lord Selkirk-West Kildonan 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 outlined on Schedule "A", for File DAZ 201/2007 dated March 1, 2007 to an "M1-B" Industrial District.

2. That a ten per cent (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.

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

6. 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 Lord Selkirk-West Kildonan Community Committee provided the following supporting reason for its recommendation:

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report from the Planning and Land Use Division dated March 1, 2007.

PUBLIC HEARING SUMMARY

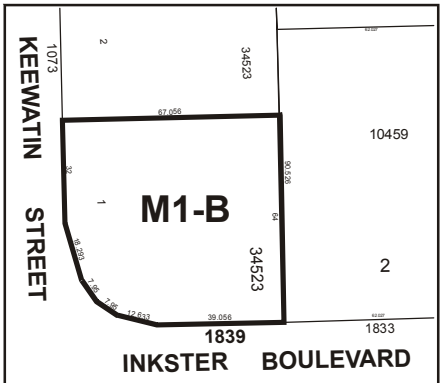
File: DAZ 201/2007 [c/r DAV 165010/2006D]

Before: Lord Selkirk-West Kildonan Community Committee
Councillor O'Shaughnessy, Chairperson
Councillor Lazarenko
Councillor Pagtakhan

Public Hearing: March 12, 2007
West Committee Room
Council Building, 510 Main Street

Applicant: CB Richard Ellis Ltd. (Robert Scaletta)

Subject:



Premises Affected: land located at 1839 Inkster Boulevard

Exhibits Filed:
1. Application dated January 22, 2007
2. Notification of Public Hearing dated February 5, 2007
3. Manitoba Status of Title 1574931

4a. Letter of authorization dated January 9, 2007 from Norwin Properties Ltd. to 5397899 Manitoba Limited, on behalf of Mosaic Funeral Cremation and Cemetery Services
4b. Letter of authorization dated January 9, 2007 from 5397899 Manitoba Limited, on behalf of Mosaic Funeral Cremation and Cemetery Services to Robert Scaletta
5. Surveyor's Building Location Certificate and sketch dated November 10, 1995
6. Caveat 2122311
7. Site Plans (2 pages)
8. Report from the Planning and Land Use Division dated March 1, 2007
9. Inspection Report

REPRESENTATIONS:

In Support:

Robert Scaletta

In Opposition

Nil

For the City:

Mr. M. Robinson, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Robert Scaletta, on behalf of the applicant, appeared in support of the application and indicated concurrence in the recommendations outlined in the report of the Planning and Land Use Division dated March 1, 2007.

Exhibit "9" referred to in File DAZ 201/2007

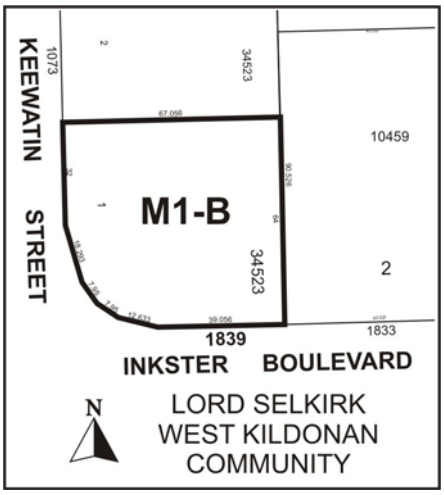
Winnipeg

Planning, Property and Development Department Report

To the Lord Selkirk-West Kildonan Community Committee

Date: **March 1, 2007**
File: **DAZ 201/07**
Related Files: **DAV 06-165010/D**
Subject: **Application to rezone the subject property from an "MP-2" Industrial District to an "M1-B" Industrial District for the purpose of establishing a funeral home use**

Location: **Northeast corner of Inskter Boulevard and Keewatin Street**



Applicant: **CB Richard Ellis Ltd. (Robert Scaletta)**
Owner: **Norwin Properties Ltd.**

Recommendation: **Approval**

Site Description
The subject property, which is currently zoned "MP-2" Industrial, is located at the northeast corner of Inkster Boulevard and Keewatin Street, in the Inskter Industrial Park neighbourhood of the Point Douglas ward.

North: Industrial uses zoned "MP-2" Industrial
South: Industrial uses zoned "MP-2" Industrial
East: Industrial uses zoned "MP-2" Industrial
West: Keewatin Street, then uses zoned "C2" Commercial

Description of the Proposed Development
The applicant is requesting a rezoning of the subject property in order to accommodate a funeral home.

A funeral home is not permitted in the "MP-2" Industrial District. In light of this, a rezoning is required.

Analysis

Plan Winnipeg Compliance
Inkster Industrial Park is a carefully planned area characterized by a high standard of strictly controlled industrial uses. The park was established by the City of Winnipeg with the objective of stimulating industrial development, which was reflected in the initial selling price of the industrial park lands. There have been ongoing attempts to maintain the high level of development in the park

With that said, the Division has recommended a limited introduction of non-industrial uses into the Industrial Park in the past, on Inkster Boulevard, when those uses meet one of the two following objectives identified in Plan Winnipeg:

Plan Winnipeg - Policy 3B-06
Allowing the possible introduction of commercial uses into industrial areas **to act as a buffer between the industrial uses and adjacent uses** or **to service the needs of the local industrial population.**

In this case, the subject property is on the western edge on the park and is bounded by residential and commercial land uses to the immediate west, across Keewatin Street. In this way, the proposed use will act as a buffer for lands to the west from the industrial uses permitted in the "MP-2" District.

In light of this, the Planning and Land Use Division feels that the proposed rezoning meets the policy goals of Plan Winnipeg 2020.

New Zoning By-Law
If the draft Zoning By-Law is enacted in its current form, the subject property would be rezoned "M2" Industrial, where funeral homes are a permitted use. In this way, the proposed rezoning is in step with zoning changes that may be taking place in the area.

Other factors
It should also be noted that the subject building has been vacant for some time and may not be suitable for some industrial users because of tight turning radii on the site.

Recommendation

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

- The proposed rezoning complies with Plan Winnipeg Policy
- Limited non-industrial uses have been permitted in the past in the Inkster Industrial Park, on Inkster Boulevard
- The proposed use is compatible with the area
- The proposed use will not have an adverse impact on adjacent properties
- "M1-B" zoning will protect the higher design standard that exists in the industrial park
- The building has been vacant for some time

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 201/2007, attached hereto and dated March 1, 2007, to an "M1-B" Industrial District.

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 twelve (12) 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 twelve (12) 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 Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

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 Charter.

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

Report Prepared by: Michael Robinson, AICP
PPD File # 3.329

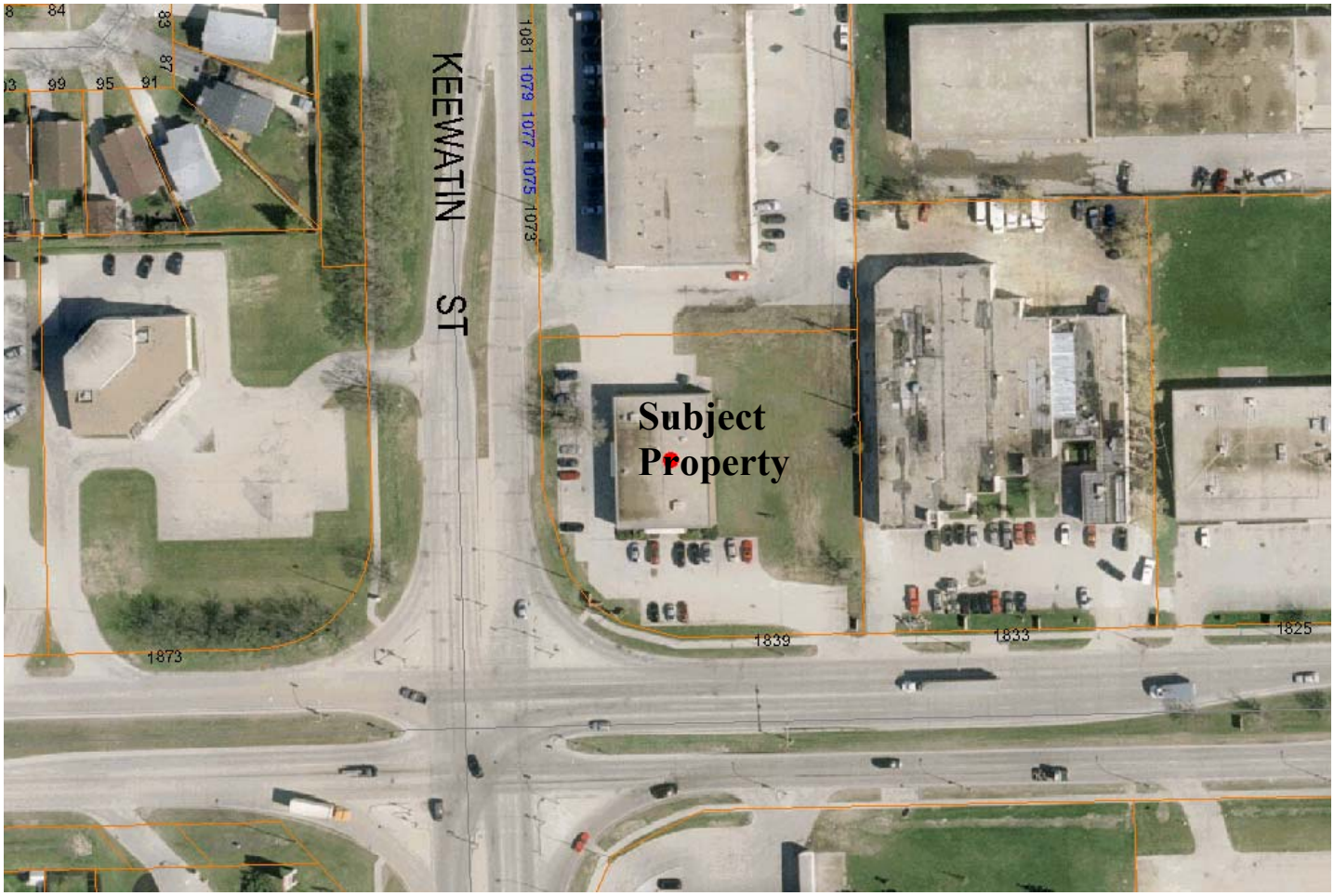


Figure 1: Aerial Photo (Flown in 2005)

Schedule "A"

By-Law No. _____

File No. **DAZ 201/07**

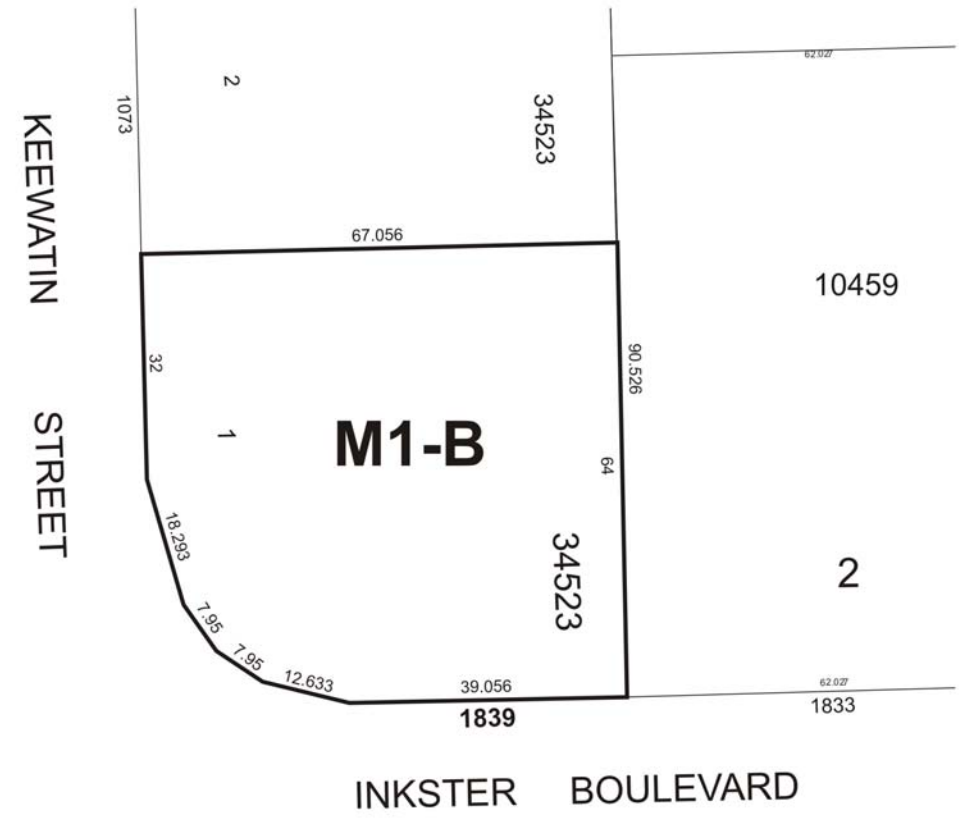
Atlas Sheet No. **T21**

N

LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located at 1839 Inkster Boulevard from an "MP-2" INDUSTRIAL DISTRICT to an "M1-B" LIGHT INDUSTRIAL DISTRICT as shown outlined below.



Schedule "A" to the report of the Lord Selkirk-West Kildonan Community Committee for File No. DAZ 201/2007, dated March 1, 2007

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____