Agenda - Council - January 29, 2003

Report - Standing Policy Committee on Property and Development - January 6, 2003

Item No. 7 Proposed Rezoning - 444 Langside Street
File DAZ 223/2002

STANDING COMMITTEE RECOMMENDATION:

On January 22, 2003, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee, and submits the following to Council:

1. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 223/2002 dated October 30, 2002, to a "C2"Commercial District.

2. That the requirement for ten percent (10%) dedication by a payment of a sum of money to the City in lieu of land dedication based on the increase in the market value of the land be waived inasmuch as the property is being used for parking in conjunction with the Magnus Eliason Recreation Centre.

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 Council extends that time.

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 readings.

5. That the Proper Officers of the City be authorized to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Report - Standing Policy Committee on Property and Development - January 6, 2003

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 22, 2003, the Executive Policy Committee concurred in the recommendation 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 January 6, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee, and submitted its recommendation to Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 12, 2002, the City Centre Community Committee concurred in the administrative recommendation(s) relative to the proposed rezoning and the waiving of the requirement for ten percent (10%) dedication by a payment of a sum of money to the City in lieu of land dedication, and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Proposed Zoning Change Report - 444 Langside Street – File DAZ 223/2002**

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

Prepared By: Carol Freeman, Clerk, City Centre Community Committee

Report date: **November 19, 2002**

COMMUNITY COMMITTEE RECOMMENDATION:

The City Centre Community Committee concurs in the administrative recommendation and recommends:

1. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 223/2002 dated October 30, 2002, to a "C2"Commercial District.

2. 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.

3. 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.

4. That the Proper Officers of the City be authorized to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

The City Centre Community Committee also recommends that the requirement for ten (10) per cent dedication by a payment of a sum of money to the City in lieu of land dedication based on the increase in the market value of the land be waived inasmuch as the property is being used for parking in conjunction with the Magnus Eliason Recreation Centre.

The City Centre Community Committee provided the following supporting reasons for its recommendations:

1. As a use variance can no longer be granted for the continuation of the parking lot, the current rezoning application is required.
2. The parking is used by the Magnus Eliason Recreation Centre and is paved, fenced and landscaped.

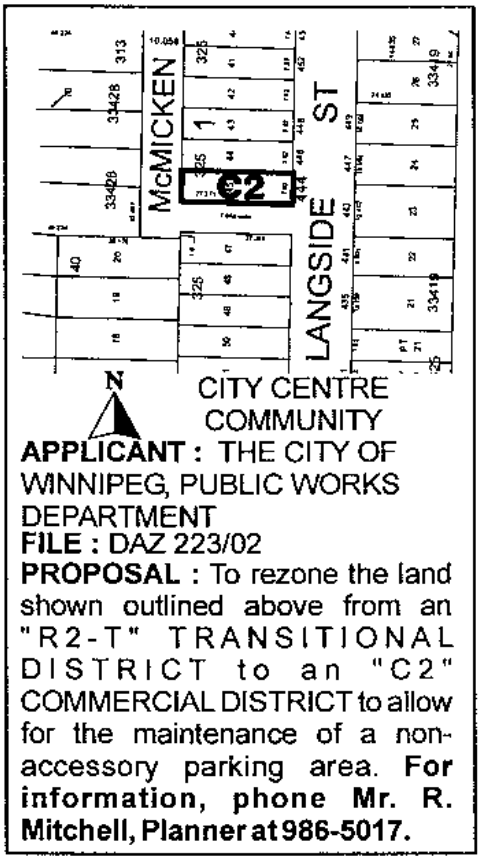
3. The application complies with Plan Winnipeg.

4. The Development Management Division of the Planning, Property and Development Department supports the rezoning.

REPORT SUMMARY

Public Hearing:	November 12, 2002 Community Committee Chamber, 300 Assiniboine Avenue
Before:	Councillor Steek, Chairperson Councillor Gerbasi Councillor Smith
Applicant:	The City of Winnipeg Public Works Department 100 Main Street Winnipeg, Manitoba R3C 1A4

SUBJECT:



Premises Affected: 444 Langside Street

Exhibits Filed:

1. Application dated October 3, 2002
2. Notification of Public Hearing to Applicant dated October 9, 2002
3. Manitoba Status of Title 1579396
4. Extract from Atlas Sheet Z23
5. Light-Proof Barrier/Fence Detail and Front and Sideview of Barrier/Fence plans dated September 1997 (2 pages)
6. Report from the Manager of Planning and Land Use dated October 30, 2002
7. Photographs of the site and Inspection Notice

REPRESENTATIONS:

In Support:

Lou Chubenko, Public Works Department, 100 Main Street, Winnipeg, R3C 1A4

In Opposition:

Nil

For the City:

Ross Mitchell, Senior Planner

In reply please refer to / Référence à rappeler :

Ross Mitchell
(204) 986-5017
Fax / TJlJc. : (204) 986-3684

File No. DAZ 223/02 (c/r DAV908/02D) October 30, 2002
Our c/f CP 500 (.104)

Ms. Carol Freeman, Clerk
City Centre Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear Ms. Freeman:

REZONING
444 Langside Street
City Centre Community Committee
File No. DAZ 223/02

An application has been received from Public Works (Lou Chubenko), to amend By-Law No. 6400/94 by rezoning the land shown below from a/an "R2-T" Two-Family Transitional Residential District to a/an "C2" Commercial District to allow for the establishment of a non-accessory parking lot.

RELATED FILES: DAV 908/02D



SITE DESCRIPTION:

Site Area: 25' by 89.5' – 2,237.5 square feet

Existing Land Use: non-accessory parking lot

Surrounding Land Use and Zoning: housing zoned "R2-T"

DEVELOPMENT DESCRIPTION:

The property is located on the west side of Langside. The property is bounded on the south by a public lane. Beyond the lane is the Magnus Eliason Recreation Centre. Under DAV 738/97, the parking lot was approved for a period of 5 years ending November 3, 2002. As a use variance can no longer be granted for the continuation of the parking lot, the current rezoning application is required. The parking is used by the Recreation Centre and is paved, fenced and landscaped.

PLAN WINNIPEG:

The application complies with Plan Winnipeg.

ADMINISTRATIVE COMMENTS:

The Development Management Division supports the rezoning. It is recommended that the park dedication fee be waived as the property is used for parking in conjunction with the Magnus Eliason Recreation Centre.

RECOMMENDATION:

1. That By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 223/02, attached hereto and dated, October 30, 2002, to a "C2"Commercial District.

2. 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.

3. That the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

4. That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

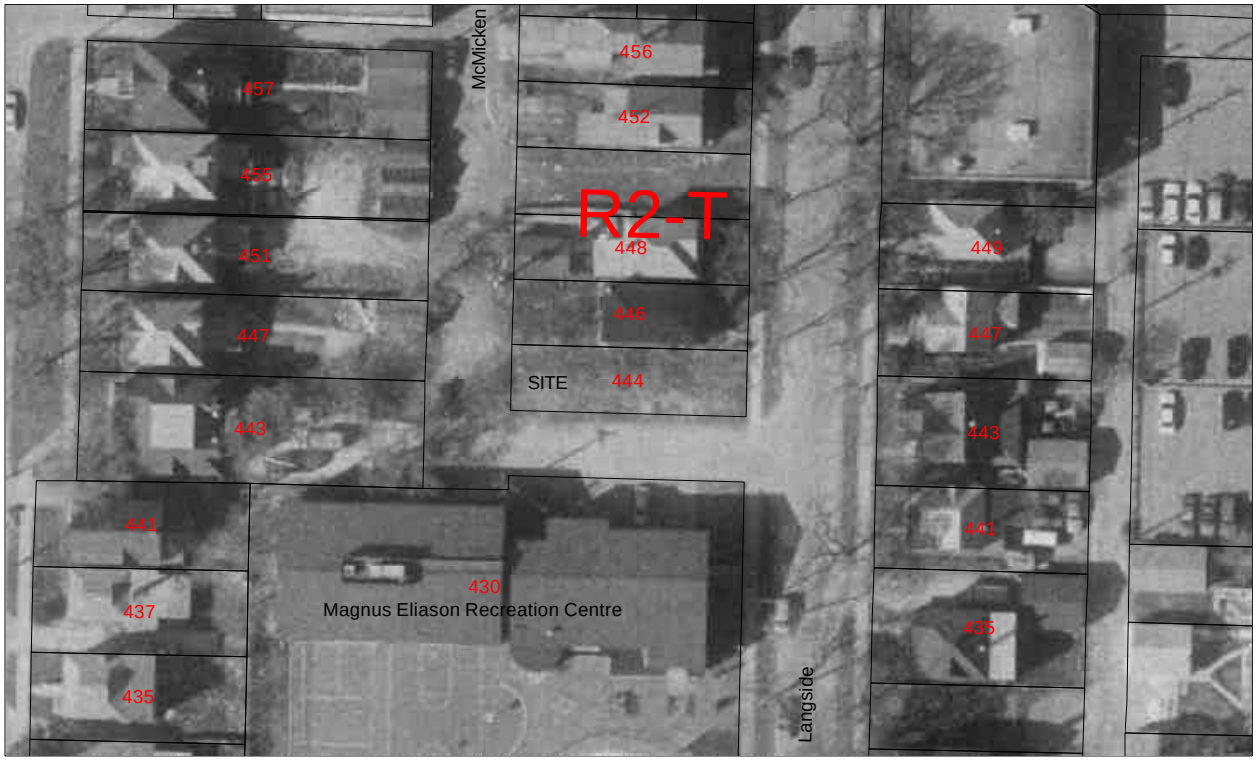
Sincerely,

V. Buckley
Manager of Planning and Land Use

_____

Per: Ross Mitchell, Senior Planner
(Assiniboia Community)
986-5017

/jc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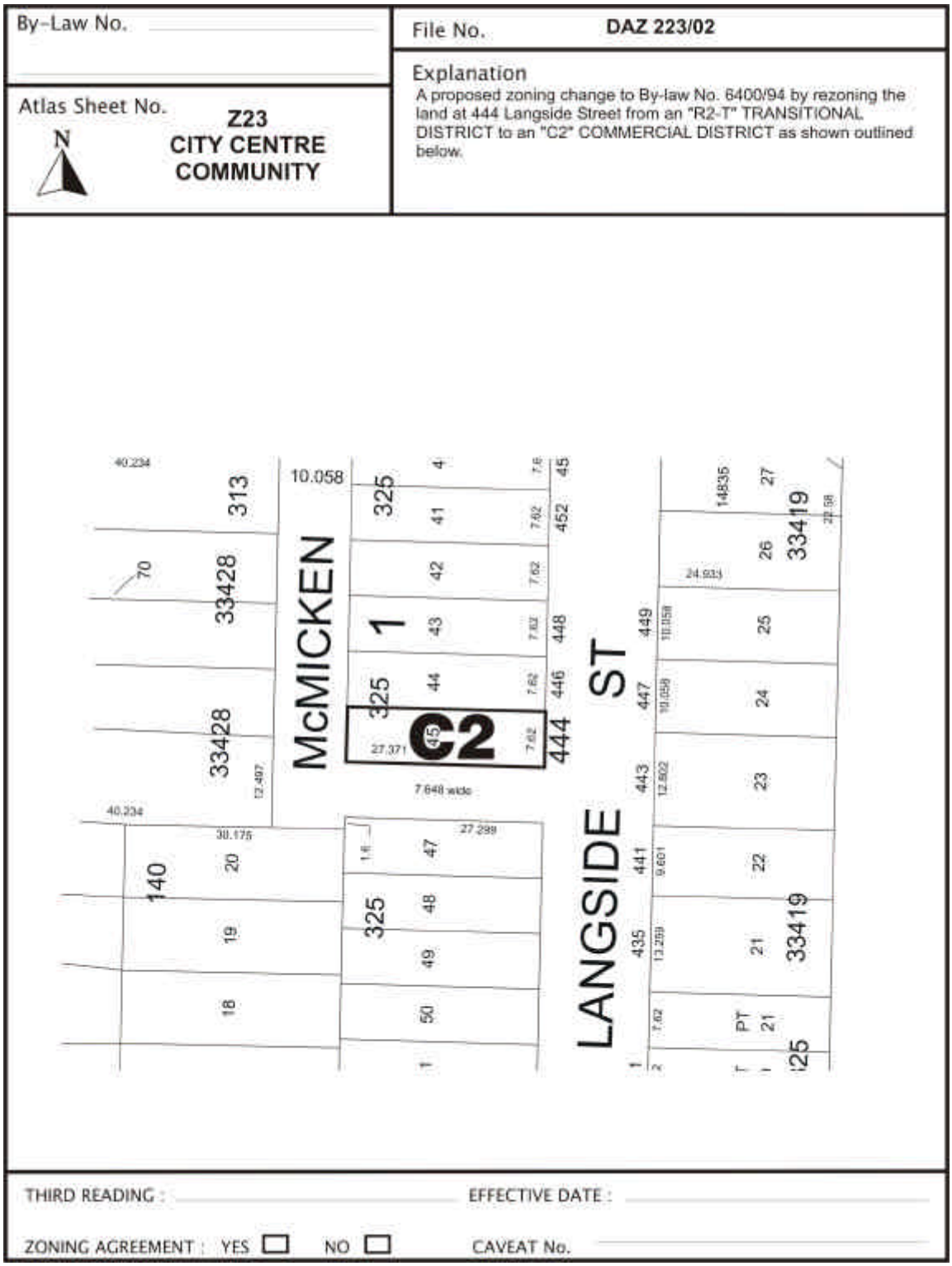

Figure 1: Schedule "A" to the report to the City Centre Community Committee for File No. DAZ 223/02, dated October 30. 2002.