Agenda – Council – January 23, 2008

Report – Standing Policy Committee on Property and Development – January 8, 2008

Item No. 3 Rezoning - 826 Main Street
(Mynarski Ward)
File DAZ 231/2007

STANDING COMMITTEE RECOMMENDATION:

On January 16, 2008, the Executive Policy Committee concurred in the recommendation 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 shown on Schedule "A" for File DAZ 231/2007 dated December 4, 2007, to a "C2" Commercial 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 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 – January 8, 2008

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 16, 2008, the Executive Policy Committee concurred in the recommendation 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 January 8, 2008, 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 December 11, 2007, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Rezoning - 826 Main Street**
(Mynarski Ward)
File DAZ 231/2007 [c/r DCU 157052/2007D, DAV 157066/2007D]

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

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

Report date: **December 17, 2007**

COMMUNITY COMMITTEE RECOMMENDATION:

On December 11, 2007, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service 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 231/2007 dated December 4, 2007, to a "C2" Commercial 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 market value of the land.

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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.

PUBLIC HEARING SUMMARY

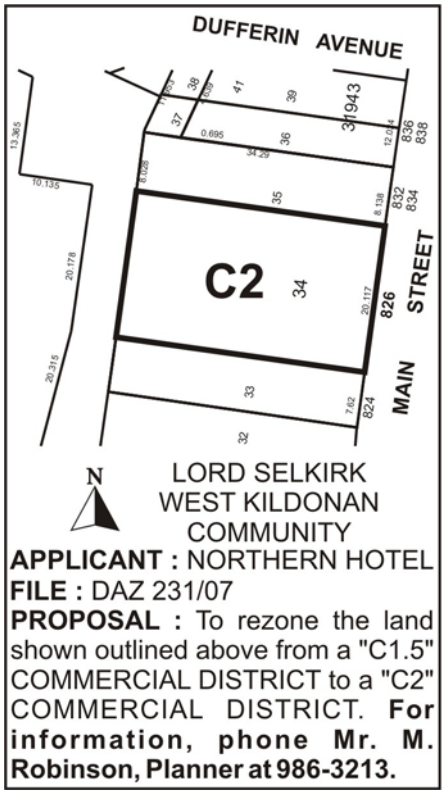
File: DAZ 231/2007 [c/r DCU 157052/2007D, DAV 157066/2007D]

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

Public Hearing: December 11, 2007
Council Chamber
Council Building, 510 Main Street

Applicant: Northern Hotel (Keith Horn, Manager)

Subject:



Premises Affected: 826 Main Street

Exhibits Filed:
1. Application dated October 7, 2007
2. Notification of Public Hearing dated October 31, 2007
3. Manitoba Status of Title 1500662
4. Letter of authorization dated October 19, 2007 from Vladimir Krukovsky to Northern Hotel

5. Surveyor's Building Location Certificate and sketch dated April 11, 1988
6. Zoning Memorandum dated October 5, 1988
7. Plans (3 pages)
8. Communication dated February 21, 2007, from Tony Longo, Owner, Honesty Sportswear, in support of the application
9. Report from the Planning and Land Use Division dated December 4, 2007
10. Inspection Report

REPRESENTATIONS:

In Support:

Keith Horn, Manager, Northern Hotel

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

Keith Horn, Manager, Northern Hotel, appeared in support of the application and indicated concurrence in the recommendations outlined in the report of the Planning and Land Use Division dated December 4, 2007.

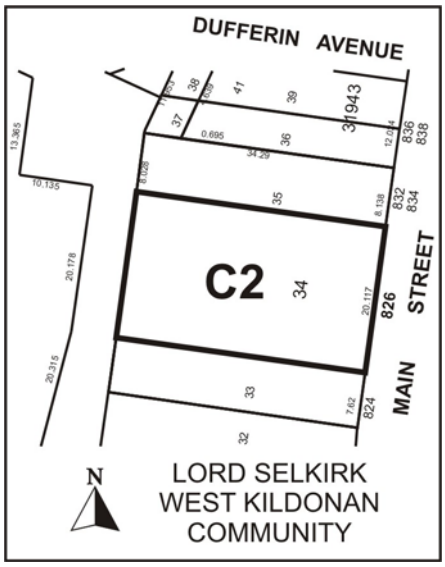
Exhibit "9" referred to in File DAZ 231/2007 [c/r DCU 157052/2007D, DAV 157066/2007D]

Winnipeg

Planning, Property and Development Department Report

To the Lord Selkirk-West Kildonan Community Committee

Date: December 4, 2007
File: DAZ 231/2007
Related Files: DAV 07-157066/D, DCU 07-157052/D
Subject: Application to amend Zoning By-Law 6400/94 by rezoning a portion of the subject lands from an "C1.5" Commercial District to a "C2" Commercial District
Location: 826 Main Street



Applicant: Keith Horn (Northern Hotel)
Owner: Vladimir Krukovsky
Recommendation: Approval

Report Summary:

- The subject property is currently zoned both "C1.5" Commercial.
- The applicant is proposing the addition of a patio to the beverage room and 3 additional suites to the hotel.
- The proposed uses are all permitted or conditional in the "C2" Commercial District

- The Planning and Land Use Division believes that the proposed zoning and uses are appropriate for this site
- The Planning and Land Use Division recommends approval

Site Description

The subject property, which is currently zoned "C1.5" Commercial, is located at the middle of the block on Main Street between Dufferin Street and Jarvis Street.

North: Commercial Uses
South: Commercial Uses
East: Commercial uses and further east medium density residential.
West: Manitoba Public Insurance building and further industrial lands.

Description of the Proposed Development

The applicant is proposing to make two additions to the existing hotel/beverage room facility.

Firstly the applicant would like to build a patio outside the back of the hotel on the existing cement pad. The patio will be approximately 500 square feet and located within the 25 foot rear yard specified in the Zoning By-Law. The entrance to the patio will be through the back exit door in the beverage room so that the staff can manage who enters and leaves. In addition the patio will be completely surrounded by an eight foot tall fence so that items cannot be easily passed over the fence and to stop people from climbing over.

Secondly, the applicant would like to construct three additional units in the hotel. They would be converting an old managers suite into three suites that could be rented out. The area is currently being used for storage. Each suite will be self contained with kitchenettes and bathrooms.

The applicant has provided the following reasons to make the additions:

1. The secure patio area will be a place where they can have the smokers congregate.
2. This will discourage the smokers from standing in the front of the building where it is not only an unsupervised area but it also creates quite an eyesore.
3. The patrons are constantly being bothered and accosted in front of the building by undesirables. It is out belief that if we have a secured patio in the back we can better control the undesirables that lurk around our building and bother our patrons.
4. We also believe that by having a patio it will make the hotel more economically sustainable. Since the smoking ban, business has dropped off and it is considered this will help bring back some of the people that no longer frequent hotels.

A letter of support was received for the patio addition, with the application, from the owner of the property at 822 Main Street.

There are associated Variance (DAV 07-157066/D) and Conditional Use (DCU 07-157052/D) applications as part of the rezoning.

Analysis

Plan Winnipeg
The subject site is in the Industrial Policy Area. The proposed addition to the existing hotel and beverage room is consistent with the provisions of Plan Winnipeg.

Compatibility
The proposed development is not considered a significant expansion to the existing development on site. There are no residential developments in proximity to the subject site. Adjoining uses are industrial and commercial and it is not anticipated they will be affected by the proposal. The proposed patio will provide a better location for patrons to smoke and create an improved pedestrian environment on Main Street.

The applicant is proposing a chainlink fence which does not provide any screening to the proposed patio. As such screening shall be provided in the form of landscaping or screen fencing and a condition to this effect shall be recommended.

The subject site is proposed to be zoned C2 in the draft zoning by-law. As such, the proposed rezoning is consistent with the future vision for the area as demonstrated by the draft zoning by-law.

Transportation and Site Access
No additional parks are being provided as part of the application. This is not expected to cause any considerable impact as there is very good public transport nearby to the site.

Recommendation

The Planning and Land Use Division recommend approval for the following reasons:
- The proposed uses are compatible with the area
- The proposed uses will not have an adverse impact on adjacent properties
- The proposed zoning is the most appropriate for the site, given its location on a regional street

Recommended Conditions of Approval

1. That The Winnipeg Zoning By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 231/2007 dated December 4, 2007, to a "C2" Commercial District.

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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.

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

Report Prepared by: Leah Sorohan
PPD File # DAZ 231/2007

Schedule "A"

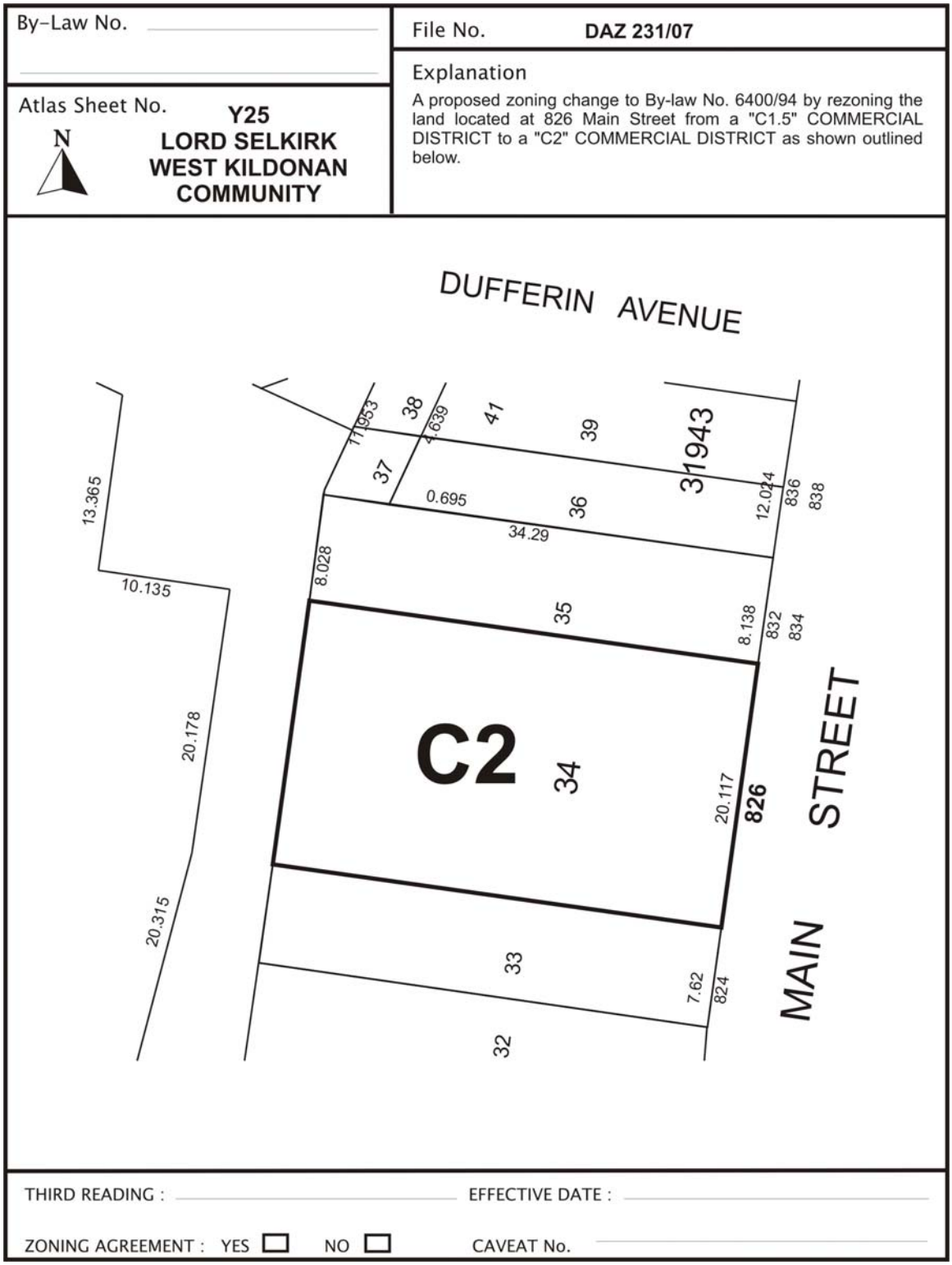

Figure 1: Schedule "A" to the report to the Lord Selkirk-West Kildonan Community Committee for File DAZ 231/2007 dated December 4, 2007.


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