Proposed Zoning Agreement Amendment - 3584 and 3586 Portage Avenue File ZAA 16/2001[c/r DCU 240/2001D, DAV 904/2001D, and DASSF 551/2001]

5. The Standing Policy Committee on Property and Development Department has been advised that an application has been received from the Army, Navy and Air Force Veterans of Canada, Assiniboia Unit 283 (Fred Stevens), to amend the Zoning Agreement affecting the property at 3584 and 3586 Portage Avenue by amending Clause 4, to permit parking or loading spaces within 200 feet of the southerly limit of Portage Avenue.

The property is owned by the Army, Navy and Air force Veterans in Canada. The Association owns the veterans' hall at 3584 Portage Avenue on Lot 2, Plan 27064. The Association also owns the adjacent lot to the west (Lot 2, Plan 29887). This lot contains a building at 3586 Portage Avenue, originally a restaurant and currently leased to CKVN radio station, and a large vacant area to the west of the radio station with the address 3590 Portage Avenue. The applicant is proposing to subdivide the property into two lots under File DASSF 551/2001. Proposed Lot 1 will be sold off for development purposes. Purchased from Imperial Oil, the property was previously approved for multiple-family housing under File DASZ 10/99 with no opposition. The development was not proceeded with and the site retains its "R1-5.5" Residential District and "C4" Commercial District zoning. Proposed Lot 2, containing the radio station will be retained for the time being. The entire site is bounded on the west by an Esso Gas Bar and Cam Clark Ford, on the north by a vacant restaurant and Boyd Auto Body head office, on the east by the vacant Canadian Tire Store and on the south by single-family housing.

The easterly portion of the site was originally rezoned from residential to "C2" Commercial District under File DAZ 228/79 to permit the construction of a roller rink, now the veterans' hall. The present application is required as the Zoning Agreement under File DAZ 228/79 prohibited parking within 200 feet of Portage Avenue. There is no information in the file pointing to the rationale for the condition.

The driveway is to be reconfigured to provide parking along the east side. A sidewalk will be provided down the west side of the driveway and landscaping is proposed for both east and west property limits. The driveway is located on Proposed Lot 2 containing the radio station. The parking is located on the lot containing the veteran's hall. Proposed Lot 1 has no frontage on a public street. Cross-access agreements will ensure that all lots have access to Portage Avenue.

The Assiniboia Community Committee concurred in the recommendations contained in the report dated November 7, 2001, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed subdivision and rezoning for the following reason:

1. The subject application will not be detrimental to the adjacent area.

On January 8, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations of the Zoning Agreement Amendment Report dated November 25, 2001, from the Assiniboia Community Committee.

The Standing Policy Committee on Property and Development recommends:

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

I. That Zoning Agreement DAZ 228/79 (By-law No. 2330/79) dated May 2, 1979, be amended by deleting Clause 4 and replacing it with the following:

"4. No building entrance except emergency exits shall be permitted in the southerly wall of any structure abutting the fifty (50) foot landscaping strip referred to in Clauses 2 and 3 above."

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 228/79 (By-law No. 2330/79) dated May 2, 1979, as approved in aforesaid Recommendation 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 Act.

Copies of the documents referred to in the above clause are on file in the office of the City Clerk.