Proposed Zoning Agreement Amendment - 2230 McPhillips Street
File ZAA 15/2001

7. The Standing Policy Committee on Property and Development has been advised that an application has been received from Stevenson Advisors Ltd. (Patrick Hamilton), 276A Colony Street, Winnipeg, to amend the Zoning Agreement (By-law No. 2968/81) affecting the subject property by removing City of Winnipeg Caveats 82-26492, 82-26493, 84-96558 and 84-96560.

The property in question is situated at the southwest corner of Leila Avenue and McPhillips Street. It lies on the midst of an area of relatively intense commercial land institutional activity. Garden City Shopping Centre lies to the east and directly to the north is the Seven Oaks Hospital.

When the site was rezoned commercial back in the late 1970's, there was still uncertainty as to how the immediate area was going to develop so some sites had very restrictive caveats placed on them, which clearly limited development options. In the intervening years, the area has experienced extensive and varied commercial institutional and residential development and the majority of zoning agreements on adjoining ands have no use restrictions.

The applicants, on behalf of the owners, wish to rectify this situation and remove the existing caveats related to the use of the site and the signage heights. Removing the caveats in no way automatically assures that certain uses like drive-thru restaurants, car washes, etc. will be allowed to occupy the site. What it will do is permit a broader range of permitted uses and make provision for a number of conditional uses such as those mentioned previously.

The Planning, Property and Development Department supported the proposed amendment/removal of subject caveats on the basis that most recent agreements for commercial developments along McPhillips Street do not have restriction on use. They are no longer necessary, as most potentially contentious uses under the "C2" Commercial District category are required conditional use approval.

On February 12, 2002, a Public Hearing was held before the Lord Selkirk-West Kildonan Community Committee. One person appeared in support of the application, and no one registered in opposition thereto.

The Lord Selkirk-West Kildonan Community Committee concurred in the recommendations contained in the report dated February 5, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended that the proposed zoning agreement amendment be approved for the following reason:

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report of the Manager of Planning and Land Use.

On March 5, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations of the Zoning Agreement Amendment report dated February 15, 2002, from the Lord Selkirk-West Kildonan Community Committee.

Report of the Standing Policy Committee on Property and Development dated March 5, 2002

The Standing Policy Committee on Property and Development recommends:

I. That Zoning Agreement DAZ 236/80 (By-law No. 2698/81) be amended by removing City of Winnipeg Caveats 82-26492, 82-26493, 84-96558 and 84-96560.

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 236/80 (By-law No. 2698/81), as approved in 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.