Proposed Zoning Agreement Amendment
- 472 Stradbrook Avenue
File ZAA 19/2001

8. The Standing Policy Committee on Property and Development has been advised that an application has been received from Winipax Inc., Heon-Woong Kim, 40 - 169 Allegheny Drive, Winnipeg, to amend the Zoning Agreement affecting the subject property to allow for the establishment of a restaurant, said use not permitted under existing agreement.

The building is an older 2.5 storey house with a storefront addition. Parking is provided for upwards of 9 vehicles at the rear of the property off the public lane. The applicant currently operates a retail tea outlet in leased premises on the main floor specializing in oriental teas. The proposal is to add restaurant seating for light meal and licensed and unlicensed beverage service. The main floor space is about 1,550 square feet. The space is equipped with table seating, a stand-up bar, a kitchen, and two washrooms. The kitchen includes a refrigerator, commercial range and sinks. The capacity of the restaurant is 50 patrons with the current toilet facilities. The basement contains about 800 square feet of floor area and is used for storage. The leased space previously contained Tamarak, an outdoor clothing retailer.

The building houses Hirsch and Associates Realtors on the second and third floors, the building owner. The adjacent property to the west contains a converted 2.5 storey home occupied by Ellis Lehmann and Associates, counsellors and, beyond a five-storey apartment building. To the east is a two-storey commercial building that previously held a Japanese restaurant and, beyond that, the Happy Cooker retail outlet. Across Stradbrook Street to the north is the City parking lot beside the Tap and Grill restaurant and, to the west, a five-storey apartment block. Across the back lane are century homes fronting Wardlaw Avenue, some of which have been converted to multiple-family occupancy. The subject site falls within that part of the City that is exempt under the Winnipeg Zoning By-law No. 6400/94 from the parking requirements for restaurants.

A Public Hearing was held before the City Centre Community Committee on February 5, 2002. Two persons appeared in support of the application, and no one registered in opposition thereto.

The City Centre Community Committee concurred in the recommendations contained in the report dated January 22, 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 reasons:

1. The Planning, Property and Development Department is prepared to support the application to the extent of allowing a licensed restaurant within the premises.

2. The recommendation is supported by Asher Webb, Executive Director, Osborne Village Business Improvement Zone.

3. The subject site falls within that part of the City that is exempt under the Winnipeg Zoning By-law No. 6400/94 from the parking requirements for restaurants.

4. In "C1.5" Commercial Districts, restaurants over 2,500 square feet require a Public Hearing under a Conditional Use approval. Given that the subject premises include a main floor area of

1,550 square feet and a basement of 800 square feet, for a total floor area of 2,350 square feet, if the restaurant use was to be expanded within the existing building or a replacement building, a further public hearing would be required if the floor area exceeded 2,500 square feet. This would provide an opportunity for further community input into the use of the subject property, which input may be important given the proximity of the site to nearby residential properties.

5. The Planning, Property and Development Department recommended that "cocktail lounge" be added to the list of prohibited uses so as to limit the scale and impact of any restaurant on the property.

On March 5, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations of the Zoning Agreement Amendment report dated February 12, 2002, from the City Centre Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That Zoning Agreement DAZ 207/75 (By-law No. 3214/82) dated June 16, 1982, be amended by replacing "restaurant" with "cocktail lounge" in Clause 2 of said agreement.

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 207/75 (By-law No. 3214/82), dated June 16, 1982, 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.