Agenda - Executive Policy Committee – December 4, 2013

Moved by Councillor

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

Report - Standing Policy Committee on Property and Development – December 3, 2013

Item No. 1 Rezoning – Multiple Sites along Brookside Boulevard, Oak Point Highway, King Edward Street (Old Kildonan and Point Douglas Wards) File DAZ 223/2013

STANDING COMMITTEE RECOMMENDATION:

On December 3, 2013, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the following to Council:

1. That the Winnipeg Zoning By-law 200/2006 be amended by rezoning the subject properties as shown on Schedule "A" for File DAZ 223/2013 dated October 22, 2013, to an "M1" Manufacturing Light District.

2. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

3. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Agenda - Executive Policy Committee – December 4, 2013

Report - Standing Policy Committee on Property and Development – December 3, 2013

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On December 3, 2013, 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 November 5, 2013, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded to the Standing Policy Committee on Property and Development.

RE: **Rezoning – Multiple Sites along Brookside Boulevard, Oak Point Highway, King Edward Street**
File DAZ 223/2013

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

Prepared by: **Inga Skundberg, Committee Clerk**
Lord Selkirk-West Kildonan Community Committee

Report date: **November 7, 2013**

COMMUNITY COMMITTEE RECOMMENDATION:

On November 5, 2013, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development:

1. That the Winnipeg Zoning By-law 200/2006 be amended by rezoning the subject properties as shown on Schedule "A" for File DAZ 223/2013 dated October 22, 2013, to an "M1" Manufacturing Light District.

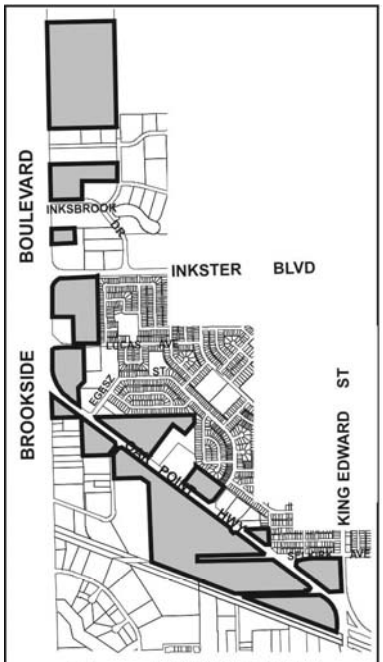
2. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

3. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

The Lord Selkirk-West Kildonan Community Committee provided the following supporting reason for its recommendation:

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report of the Urban Planning Division dated October 28, 2013.

PUBLIC HEARING SUMMARY

File:	DAZ 223/2013
Before:	Lord Selkirk-West Kildonan Community Committee Councillor Pagtakhan, Chairperson Councillor Eadie Councillor Sharma
Public Hearing:	November 5, 2013 Council Building, 510 Main Street
Applicant:	The City of Winnipeg (Director of Planning, Property and Development)
Subject:	 **APPLICANT :** CITY OF WINNIPEG, PLANNING, PROPERTY AND DEVELOPMENT DEPARTMENT **FILE :** DAZ 223/13 **PROPOSAL :** To rezone the lands shown outlined and shaded above from a "C3" COMMERCIAL CORRIDOR DISTRICT and an "A" AGRICULTURAL DISTRICT to an "M1" MANUFACTURING LIGHT DISTRICT to re-establish, as much as possible, the land use regulations that were in place when Zoning By-law 6400/1994 was in effect. **For information, phone Mr. G. Doney, Planner, at 204-986-2688.**

Premises Affected:	Multiple Sites along Brookside Boulevard, Oak Point Highway, King Edward Street
Exhibits Filed:	1. Application dated September 9, 2013 2. Notification of Public Hearing dated September 23, 2013 3. Report from the Urban Planning Division dated October 28, 2013 4. Communication dated November 5, 2013 from Bryant Stevens submitted at the public hearing 5. Photographs (22) submitted by Bryant Stevens at the public hearing 6. Photographs (4) submitted by Greg Shaw at the public hearing 7. Audio Recording of representations

REPRESENTATIONS:

In Support:

Glen Doney, Senior Planner, Planning, Property and Development Department

In Opposition

Bernice Wiebe
Marion Hucul
Bryant Stevens
Greg Shaw

For Information:

Nil

For the City:

Mr. N. Yauk, Planner, Planning, Property and Development Department

Exhibit "3" referred to in File DAZ 223/2013

ADMINISTRATIVE REPORT

Title: DAZ 223/2013 – Oak Point – Brookside Area Rezoning

Issue: To consider an application by the Planning, Property and Development Department to rezone 49 properties from "C3" Commercial Corridor District, and one property from "C3" Commercial Corridor District and "A" Agricultural District to "M1" Manufacturing - Light District.

Critical Path: Lord Selkirk – West Kildonan Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council as per the Development Procedures By-*law* and *The City of Winnipeg Charter*

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	N/A	N/A	

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law 200/2006 be amended by rezoning the subject properties as shown on Schedule "A" for File DAZ 223/2013 dated October 22, 2013, to an "M1" Manufacturing Light District.
2. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.
3. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

REASON FOR THE REPORT

In addition to providing recommendations, this report provides:

- the reasons for the rezoning application; and
- an analysis of the rezoning application in terms of
  - its compliance with *Complete Communities* and
  - how it will affect the subject properties and properties in their immediate vicinity;

for consideration by the applicable committees of Council and Council, as per the Development Procedures By-law and *The City of Winnipeg Charter*.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the Winnipeg Zoning By-law 200/2006 will be amended by rezoning the subject properties, shown on Schedule "A" of File DAZ 223/2013 dated October 22, 2013, to "M1".

DISCUSSION

BACKGROUND

Zoning By-law 200/2006 came into force, and repealed Zoning By-law 6400/1994, on March 1, 2008. According to the mapping rules that were used to convert former zoning districts under By-law 6400/1994 to the current districts under By-law 200/2006, the "C3-1" and "C3-2" Districts of Zoning By-law 6400/94 were replaced by the "C3" District of Zoning By-law 200/2006.

One of the major results of replacing the "C3-1" and "C3-2" Districts of By-law 6400/1994 with the "C3" District of By-law 200/2006 is that the zoning no longer has "a significant orientation to… truck-related uses" (from By-law 6400/1994). Specifically, this has resulted in several lawfully existing uses that are along or near Oak Point Highway, Brookside Boulevard or a small portion of King Edward Street to become non-conforming uses, which prevents their expansion and their establishment on other "C3" properties. Attachment 2 shows how these existing uses were regulated under the "C3-1" and "C3-2" Districts By-law 6400/1994 and how they are presently regulated under the "C3" District of By-law 200/2006.

In addition, when Zoning By-law 6400/1994 was in effect, one property extended across two zoning districts. This situation did not change when Zoning By-law 200/2006 replaced Zoning By-law 6400/1994.

SUBJECT PROPERTIES – CHARACTERISTICS AND CONTEXT

There are 49 subject properties by roll number. Some of these properties are in the North Inkster Industrial Neighbourhood and the Old Kildonan Ward and others are in the Oak Point Highway Neighbourhood and the Point Douglas Ward. All of these properties are alongside or near Brookside Boulevard, Oak Point Highway or King Edward Street. The RM of Rosser is immediately west of Brookside Boulevard.

Since being developed, the predominant land use in these Neighbourhoods has been trucking and trucking-related uses.

Attachment 1 lists the subject properties by roll number and provides their legal descriptions.

Existing Uses

Attachment 2 shows that:

- a freight or truck yard, or a portion thereof, is on 15 of the subject properties;
- a heavy equipment sales, service and rental use, or a portion thereof, is on 12 of the subject properties;
- a restaurant is on four the subject properties;
- an auto/light-truck/motorcycle repair and service use is on four of the subject properties;
- outside storage of goods/materials, other than a storage compound for boats, mobile homes, vehicles or trailers, is on two of the subject properties; and
- a mini-warehouse (self storage), a fleet services use, an auto/light-truck/motorcycle sales and rental use, a cheque-cashing facility and a retail sales use are each on one of the subject properties.

Industrial uses, rail lines, low-density residential uses and a storm water retention basin are adjacent or near the subject properties.

Attachment 3 lists the subject properties and provides their roll numbers, addresses, uses and map numbers that correspond with the numbers on the maps in Attachments 4 and 5.

Existing Zoning

Attachment 4 shows that:

the most northerly subject property is partly in a C3 District and partly in an "A" District and the other subject properties are in "C3" Districts; and

the subject properties are adjacent or near "M1" Manufacturing Light, "M2" Manufacturing General, "M3" Manufacturing Heavy, "R1" Residential Single-Family and "C3" Commercial Corridor Districts and a "PR2" Parks and Recreation 2 District.

The aforementioned rail lines are within the "C3" Districts that are adjacent or near the subject properties and the aforementioned storm water retention basin is in the "PR2" District that is near the subject properties.

Complete Communities Policy Areas

Attachment 5 shows that:

- all but two of the subject properties are in a Recent Communities policy area and a General Manufacturing Policy area;
- two of the subject properties are in a Recent Communities policy area; and
- all of the subject properties are near a Recent Communities policy area.

SELECTING THE "M1" DISTRICT

The M1 and M2 Districts of By-law 200/2006 are the only two zoning districts that are similar to the "C3-1" and "C3-2" Districts of By-law 6400/94.

Attachment 6 compares the use regulations of the "M1" District to those of the "M2" District of By-law 200/2006 in terms of which district is most like the use regulations of the "C3-1" and "C3-2" Districts of By-law 6400/94. It shows that the use regulations of the "M1" District, rather than the use regulations of the "M2" District, are most like the use regulations of the "C3-1" and "C3-2" Districts. It shows:

that outside storage of goods and materials is a permitted use in the "M2" District whereas it is only allowed as an accessory use in the "M1" District and was only allowed in the "C3-1" and "C3-2" Districts if it was a storage compound for boats, mobile homes, recreational vehicles, trailers, trucks, buses or new automobiles; and

that very few types of personal service or retail sales uses are allowed in the "M2" District whereas a wide range is allowed in the "M1" District and was allowed in the "C3-1" and "C3-2" Districts.

The principal use of the two subject properties given Map Numbers 44 and 45 is outside storage of goods and/or materials, other than a storage compound for boats, mobile homes, recreational vehicles, trailers, trucks, buses or new automobiles. Even though this use is a permitted use in the "M2" District but allowed only as an accessory use in the "M1" District, rezoning to "M2" would not be appropriate because the purpose of this rezoning is to rezone the subject properties to a zoning district with use regulations most like those of the "C3-1" and "C3-2" Districts, not to rezone properties to a zoning district that allows uses that were not allowed in the "C3-1" and "C3-2" Districts of By-law 6400/1994.

Complete Communities

As previously stated, all but two of the subject properties are in a General Manufacturing policy area of *Complete Communities*. The "M1" and "M2" Districts are consistent with the General Manufacturing polices of *Complete Communities.*

The two subject properties that are not in a General Manufacturing policy area have Map Numbers 39 and 47. They are northeast of Oak Point Highway and south of Selkirk Avenue. The principal uses of the property with Map Number 39 are, or had recently been, restaurant, cheque-cashing facility and retail sales. The principal use of the property with Map Number 47 is heavy equipment sales, service and rental.

These properties are in a Recent Communities policy area and, being alongside Oak Point Highway, can be considered to be in a Corridor policy area as well. Oak Point Highway does not have the same characteristics as any of the four types of Corridors described in *Complete Communities.* However, it is consistent with the general description of Corridors in 03-2b of *Complete Communities* and Direction 1 of that subsection, which states: "Focus a broad mix of … retail development within strategic locations along corridors." Given that the "M1" District accommodates a wide range of personal service and retail sales uses but the "M2" District does

not, the “M1” District is generally consistent with the Corridors policies of *Complete Communities* but the “M2” District is not.

CONSULTATION

All owners of the subject properties, owners of properties abutting or quite near at least one of the subject properties and the RM of Rosser were informed of the proposed rezoning by mail and encouraged to contact the Urban Planning Division should they want additional information or to express their concerns. The letter to the owners is Attachment 7 to this report and the letter to the RM of Rosser is Attachment 8. None of the owners of the subject properties requested their property be omitted from the proposed rezoning. While the Urban Planning Division did receive inquiries from property owners as to how the proposed rezoning would affect their properties, no one expressed a concern once the effect on their properties was explained.

Internal consultation was not warranted to prepare this report.

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Urban Planning
Prepared By:	Glen Doney
Date:	October 28, 2013
File No.	DAZ 223/2013

List of Attachments and Schedules

1. Attachment 1 – Subject Properties’ Legal Descriptions
2. Attachment 2 – Subject Properties’ Existing Uses & Associated Use Regulations of the C3-1, C3-2, C3, M1 & M2 Districts
3. Attachment 3 – Subject Properties’ Map #, Address, Roll # & Existing Uses
4. Attachment 4 – Existing Zoning
5. Attachment 5 – *Complete Communities’* Policy Areas
6. Attachment 6 – Principal Use Regulations of the C3-1, C3-2, M1 & M2 Districts
7. Attachment 7 – Letter to Property Owners
8. Attachment 8 – Letter to RM of Rosser
9. Schedule “A” for File DAZ 223/2013

Attachment 1, Page 1 of 3
Legal Descriptions of Subject Properties

Roll #	Lot #	Block #	Plan #	Dominion Land Survey	Part Lot
7092001000	1		24254	NE 14 11 2E	
7092040500	B		15318	NE 14 11 2E	
7092050200	65		24342	14 11 2E	
7092071200	63		24342	14 11 2E	
	64		24342	14 11 2E	
7092094000	60		24342	14 11 2E	
7092097100	59		24342	14 11 2E	
7092127100	58		24342	14 11 2E	
7092163000	52		24342	14 11 2E	
	56		24342	14 11 2E	
	57		24342	14 11 2E	
7092190000	55		24342	14 11 2E	
7092238000	53		24342	14 11 2E	
	53A		24342	14 11 2E	
7092304000	54		24342	14 11 2E	
7092308000	50		24342	14 11 2E	
7092313000	51		24342	14 11 2E	
7092321000	49		24342	14 11 2E	
7569036700	61		24342	E 1/2 14-11-2E	
	62		24342	E 1/2 14-11-2E	
7569082300	2		24254	NE 14 11 2E	
	2		7598	NE 14 11 2E	
	66		24342	NE 14 11 2E	
	67		24342	NE 14 11 2E	
	68		24342	NE 14 11 2E	
	69		24342	NE 14 11 2E	
	70		24342	NE 14 11 2E	
	71		24342	NE 14 11 2E	
14095740100	3		26101	NW 23 11 2E	
14095743500	2		26101	NW 23 11 2E	
14095750100	4		26101	NW 23 11 2E	
14096180500	1		13689	23 11 2E	

Attachment 1, Page 2 of 3
Legal Descriptions of Subject Properties

Roll #	Lot #	Block #	Plan #	Dominion Land Survey	Part Lot
14096181200	3		9218	SE 23 11 2E	EXC RD PL 15318
14096344100	7		9218	SE 23 11 2E	EXC PLS 15318 & 21937
14096344400	1		21937	SE 23 11 2E	
	A		23406	SE 23 11 2E	
14096380000	2		17578	SW 23 11 2E	
14096382100	1		24109	SW 23 11 2E	
14096431100	1		11895	SW 23 11 2E	
	2		11895	SW 23 11 2E	
14096435500	3		11895	SW 23 11 2E	
	4		11895	SW 23 11 2E	EXC RD PL 15318
14096460000		3	17744	SE 23 11 2E	
14096465000	5	4	17744	SE 23 11 2E	
	6	4	17744	SE 23 11 2E	
14096492500	1		18859	SW 23 11 2E	
14096620700	1		18211	SW 23 11 2E	
14096620900	2		18211	SW 23 11 2E	
14096621100[1]	15[1]		9475[1]	SW 23 11 2E[1]	T[1]
14096627500	A		16157	SW 23 11 2E	
	B		16157	SW 23 11 2E	
14098388000				(NW 26 11 2E)	S 1/2 OF LS 12 EXC RD PL 34585
14098388300				NW 26 11 2E	S 1/2 LS 13 EXC RD PL 34585
				NW 26 11 2E	N 1/2 LS 12 EXC RD PL 34585
14098694100	1		13167	SW 26 11 2E	
14098770100	1		30944	SW 26 11 2E	
14098773500	3	3	34286	SW 26 11 2E	EXC RD PL 34585
14099967100	A		42897	NW 23 11 2E	

Attachment 1, Page 3 of 3
Legal Descriptions of Subject Properties

Roll #	Lot #	Block #	Plan #	Dominion Land Survey	Part Lot
14099991900	1		9511	NW 23 11 2E	EXC PL 14379 & EXC RD PL 45021
	2		9511	NW 23 11 2E	EXC RD PL 45021
	3		9511	NW 23 11 2E	
14100045700	1		49336	SW 23 11 2E	
14100045800	2		49336	SW 23 11 2E	
14100045900	3		49336	SW 23 11 2E	
14100046000	4		49336	SW 23 11 2E	
14100057800	A		14924	NW 23 11 2E	
	A		23309	NW 23 11 2E	
	B		14924	NW 23 11 2E	
	B		23309	NW 23 11 2E	
	C		14924	NW 23 11 2E	
	D		14924	NW 23 11 2E	
14100063900	B		42897	NW 23-11-2E	
14100064000	A		51559	NW 23-11-2E	
14100064100	B		51559	NW 23-11-2E	
14100064200	C		51559	NW 23-11-2E	

Note 1: The long legal description of this land is: PT LOT 15 PLAN 9475 SW 23 11 2E LYING TO SE OF LINE DRAWN N ELY AT RT ANGLES TO NE LIMIT SAID LOT FROM POINT IN E LIMIT OF LOT 17 DIST SLY THEREON 16.55F FROM N LIMIT SAID LOT 17 EXC RD PL 15318.

Attachment 2

Existing Uses of the Subject Properties & Associated Principal Use Regulations of the C3-1 & C3-2 Districts of By-law 6400/94 & the C3, M1 & M2 Districts of By-law 200/2006

P = permitted; C = conditional; A = only allowed as an accessory use;
NP = not permitted; * = use specific standard applies

# of assessed land areas[1]	existing uses	C3-1 of By-law 6400/94	C3-2 of By-law 6400/94	C3 of By-law 200/2006	M1 of By-law 200/2006	M2 of By-law 200/2006
15	freight or truck yard[2]	C or P	C or NP	NP	P	P
12	heavy equipment sales, service & rental	C or P	P	NP	C	P
4 1	restaurant[3] accessory drive-through	C or P C	C or P C	P P*	P P*	P P*
4	auto/light-truck/motorcycle repair & service	P	P	P*	P*	P*
2	outside storage of goods/materials[4]	NP	NP	A	A	P*
1	mini-warehouse, self storage	C	C	P*	P	P
1	fleet services[5]	C	C or P	C	P	P
1	auto/light-truck/motorcycle sales, & rental	P	P	P*	P*	P*
1	cheque-cashing facilitiy	P	P	C*	C*	NP
1	retail sales[5]	C or P	C or P	P*	P*	NP

Note 1: This identifies the number of assessed land areas (subject properties) on which a particular use, or portion of a particular use, is located.
Note 2: By-law 6400/94 distinguishes between 3 types of freight or truck yards. Only a key-lock fuel sales station was not permitted in the C3-2 District.
Note 3: By-law 6400/94 distinguishes between 3 types of restaurants.
Note 4: In this table, “outside storage of goods/materials” does not include a storage compound for boats, mobile homes, recreational vehicles, trailers, trucks, buses or new automobiles.
Note 5: By-law 6400/94 distinguishes between 2 types of fleet services.
Note 6: By-law 6400/94 distinguishes between several types of retails sales uses.

Attachment 3 – Subject Properties' Map #, Address, Roll # & Existing Uses, Page 1 of 2

# on maps	address	Roll #	existing use(s)[1]
1	2165 Brookside Blvd.	14098388300	freight or truck yard & heavy equipment sales, service & rental
2	2091 Brookside Blvd.	14098388000	freight or truck yard
3	1987 Brookside Blvd.	14098773500	freight or truck yard
4	1975 Brookside Blvd.	14098694100	freight or truck yard
5	1909 Brookside Blvd.	14098770100	heavy equipment sales, service & rental
6	NA	14100057800	vacant
7	NA	14100064000	vacant – proposed place of worship
8	NA	14100064200	
9	NA	14100063900	driveway to #s 7.1, 7.2 & 8
10	NA	14100064100	vacant
11	1795 Brookside Blvd.	14099967100	restaurant with accessory drive-through
12	1747 Brookside Blvd.	14095743500	freight or truck yard
13	489 Oak Point Hwy.	14099991900	heavy equipment sales, service & rental
14	533 Oak Point Hwy.	14095740100	restaurant
15	500 Oak Point Hwy.	14095750100	freight or truck yard
16	440 Oak Point Hwy.	14096621100	heavy equipment sales, service & rental
17	NA	14096620700	heavy equipment sales, service & rental auto/light-truck/motorcycle repair & service
18	410 Oak Point Hwy.	14096620900	
19	433 Oak Point Hwy.	14096435500	restaurant
20	425 Oak Point Hwy.	14096431100	heavy equipment sales, service & rental
21	391 Oak Point Hwy.	14096380000	mini-warehouse, self storage & freight or truck yard
22	375 Oak Point Hwy.	14096382100	fleet services
23	400 Oak Point Hwy.	14096492500	freight or truck yard
24	NA	14100045700	freight or truck yard
25	344 Oak Point Hwy.	14100045800	heavy equipment sales, service & rental & auto/light-truck/motorcycle repair & service
26	300 Oak Point Hwy.	14100045900	freight or truck yard
27	272 Oak Point Hwy.	14100046000	freight or truck yard & heavy equipment sales, service & rental
28	NA	14096344100	freight or truck yard
29	261 Oak Point Hwy.	14096180500	heavy equipment sales, service & rental, auto/light-truck/motorcycle repair & service & freight or truck yard
30	249 Oak Point Hwy.	14096181200	heavy equipment sales, service & rental
31	149 Oak Point Hwy.	14096465000	auto/light-truck/motorcycle sales & rental
32	200 Oak Point Hwy.	14096344400	heavy equipment sales, service & rental
33	NA	14096460000	vacant
34	NA	7092321000	freight or truck yard
35	NA	7092308000	vacant
36	NA	7092163000	vacant
37	100 Oak Point Hwy.	7092127100	freight or truck yard
38	70 Oak Point Hwy.	7092097100	heavy equipment sales, service & rental & light manufacturing
39	71 Oak Point Hwy.	7092001000	restaurant, cheque-cashing facility & retail sales
40	NA	7092313000	vacant
41	NA	7092238000	vacant
42	NA	7092304000	vacant
43	NA	7092190000	vacant

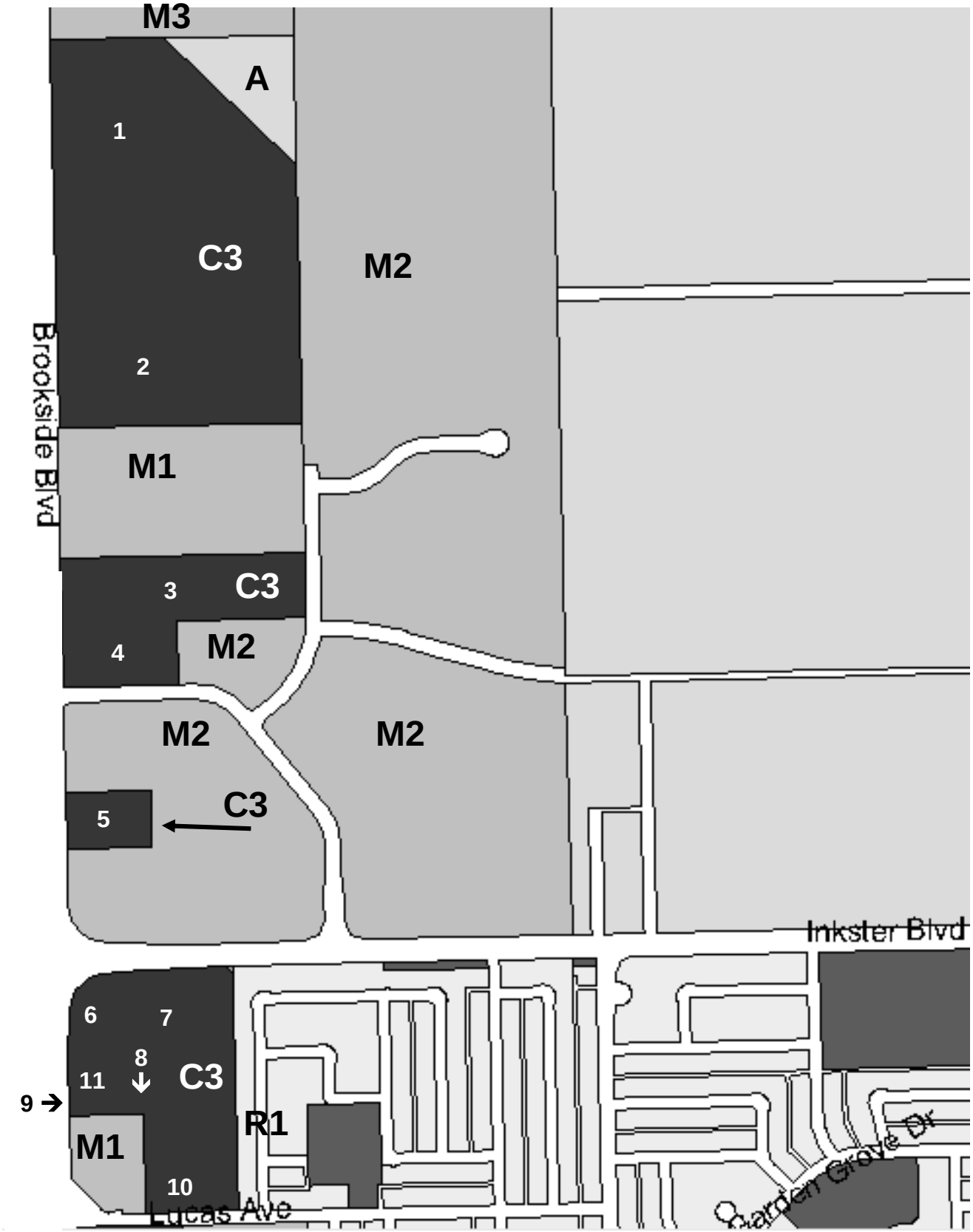
Attachment 3 – Subject Properties' Map #, Address, Roll # & Existing Uses, Page 2 of 2

# on maps	address	Roll #	existing use(s)
44	NA	7569036700	outside storage of goods/materials[2]
45	NA	7092094000	outside storage of goods/materials[2]
46	NA	7092040500	vacant
47	33 Oak Point Hwy.	7569082300	heavy equipment sales, service & rental
48	1870 King Edward St.	7092050200	heavy equipment sales, service & rental
49	1866 King Edward St.	7092071200	freight or truck yard

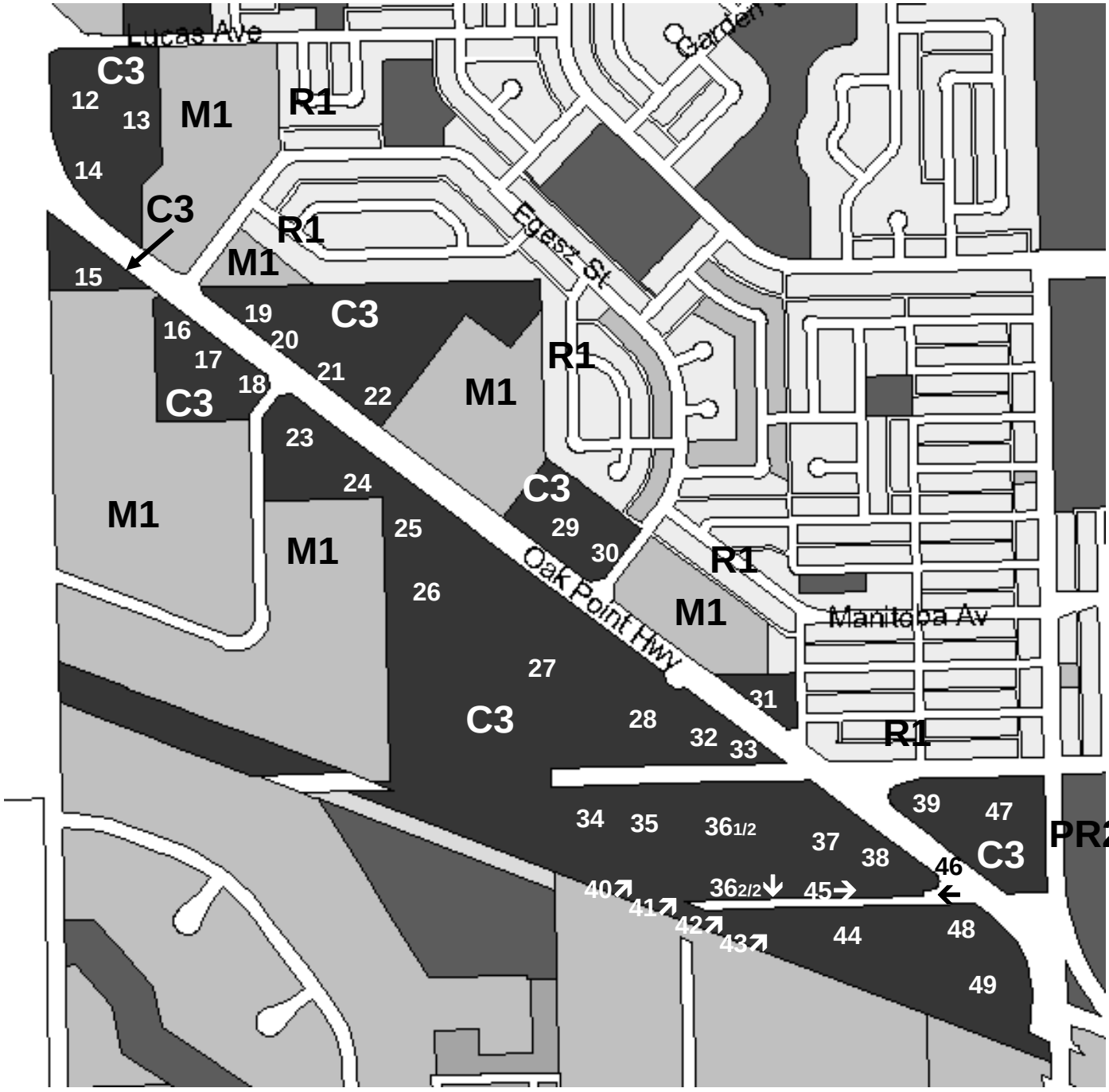
Note 1: Existing uses were determined by visual inspection from public streets in November 2011 and updated by interpretation of 2012 aerial photography.

Note 2: This excludes a storage compound for boats, mobile homes, recreational vehicles, trailers, trucks, buses or new automobiles.

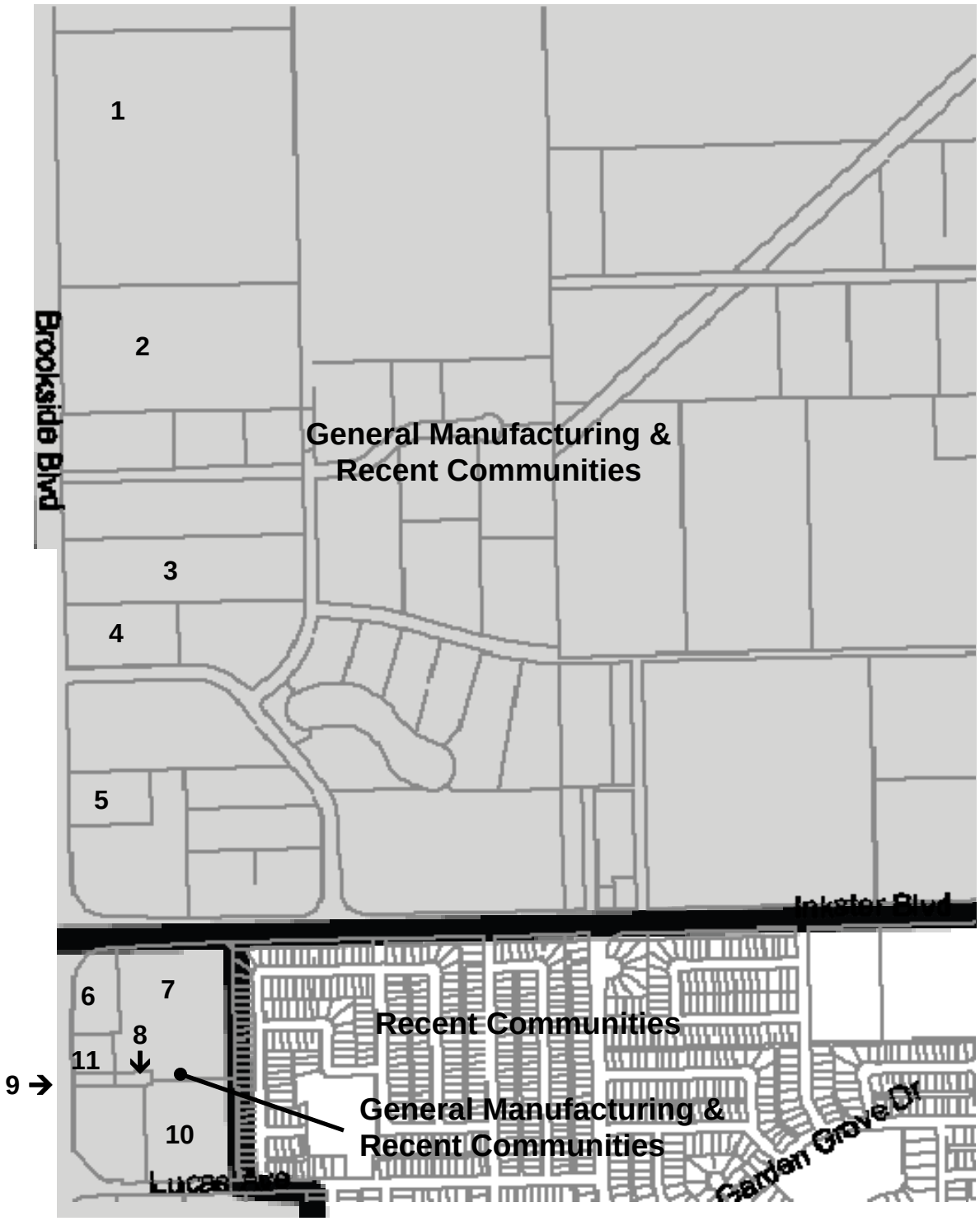
Attachment 4 – Subject Properties and Existing Zoning, Page 1 of 2



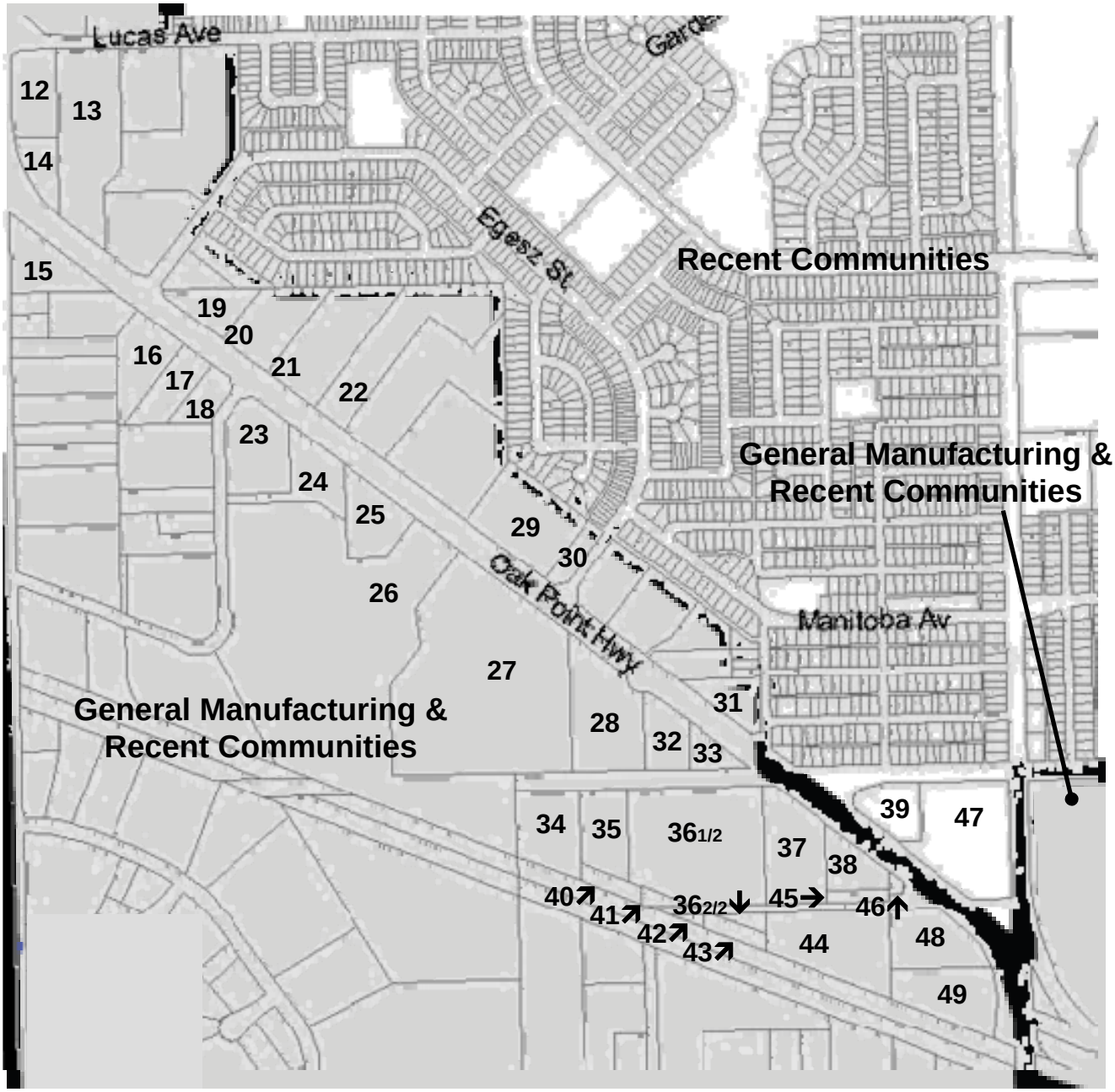
Attachment 4 – Subject Properties and Existing Zoning, Page 2 of 2



Attachment 5 – Subject Properties and *Complete Communities* Policy Areas, Page 1 of 2



Attachment 5 – Subject Properties and *Complete Communities* Policy Areas, Page 2 of 2



Attachment 6, Page 1 of 6
Principal Use Regulations of the C3-1 & C3-2 Districts of By-law 6400/94 & the M1 & M2 Districts of By-law 200/2006

P = permitted; C = conditional; A = only allowed as an accessory use;
NP = not permitted; * = use specific standard applies

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thick border = best fit with By-law 6400/94, where applicable, regardless of shading or font style

By-law 6400/94	C3-1	C3-2	By-law 200/2006	M1	M2
dating & escort service	C	C	dating & escort service	NP	NP
no comparable use in C3-1 or C3-2	NP	NP	adult service or entertainment establishment	C*	C*
sign, advertising	C	C	advertising sign	C	C
amusement enterprise, indoor: including driving range, go-cart track, miniature golf course, range for target sports, roller skating, or similar facility	P	P	amusement enterprise, indoor	P	P
amusement parlour	C	C			
billiard parlour	C	P			
bingo parlour	C	P			
bowling alley	P	P			
amusement enterprise, outdoor: including driving range, miniature golf course, range for target sports, or similar facility	P	P	amusement enterprise, outdoor	P	P
theatre, drive-in	C	C			
animal hospital, veterinary clinic	P	P	animal hospital or veterinary clinic	P	P
auction room	C	P	auction room	P*	P
theatre, cinema, concert hall	C	C	auditorium/concert hall/theatre/cinema	P*	NP
automobile, including motorcycle: supplies/parts, sales	P	P	auto parts & supplies, sales	P	P
tire: sales, service	P	P	auto/light truck/motorcycle, repair & service	P*	P*
automobile, including motorcycle: repair, service, installation of supplies/parts	P	P			
automobile, including motorcycle: rental, sales, including accessory repair, service, installation of supplies/parts	P	P	auto/light truck/motorcycle, sales & rental	P*	P*
bus station	C	C	bus depot	P	P
automobile, including motorcycle: cleaning	P	P	car wash	P	P
automobile washing: drive-through or self-service	P	P			
trade school, business college	C	C	commercial school	P	P
recreation centre, including indoor or outdoor courts, ranges, rinks, tracks, or similar sports or fitness facility	P	P	community/recreation centre	P	P
swimming pool, public	C	C			
contractors' establishment	C	P	contractor's establishment	P	P
day care centre	P	P	day care centre	P*	P*

Attachment 6, Page 2 of 6
Principal Use Regulations of the C3-1 & C3-2 Districts of By-law 6400/94 & the M1 & M2 Districts of By-law 200/2006

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By-law 6400/94	C3-1	C3-2	By-law 200/2006	M1	M2
cabaret	C	C	drinking establishment	P*	P*
amusement enterprise, licensed as a sports facility (b/l 7102/97 - 97 10 22)	C	C			
club, including licensed premises	C	C			
cocktail lounge	C	C			
hotel, including a beverage room or any conditional use	C	C			
drive-through facility, excluding a drive-through restaurant or automobile washing	C	C	drive-in or drive-through	P*	P*
restaurant, drive-through	C	C			
dispatch for courier/delivery/ express service, cleaning service, key & lock service, security service, taxi, or similar service, excluding terminal	C	C	fleet services	P	P
terminal for courier/delivery/ express service, cleaning service, key & lock service, security service, taxi, or similar service	C	P			
terminal for haulage, motor freight station, excluding an intermodal terminal	C	C	**freight or truck yard**	**P**	**P**
fuel: sales, key-lock station	P	**NP**			
fuel: sales kiosk	C	C	fuel sales	P*	P*
funeral chapel or parlour, mortuary	C	NP	funeral chapel or mortuary	P	P
museum, art gallery	P	P	gallery/museum	P*	P
banquet hall, dance hall	C	C	hall rental	P	NP
machinery/heavy equipment supplies & parts: sales, installation, service	C	P	heavy equipment sales, service, & rental	C	P
truck, trailer, recreational vehicle or bus, rental, sales	P	P			
hospital, or similar treatment centre	C	C	hospital	C*	NP
hotel, including motel, limited to guest rooms	P	P	hotel or motel	C	C
jail/detention centre	NP	NP	jail/detention centre	NP	C
animal pound, animal training, kennel	C	P	kennel	P	P
landscape/garden supplies: sales, including outside display limited to packaged supplies, plants or trees	P	P	landscape or garden supplies	P	P
landscape/garden supplies: sales, landscape contractor, production, including greenhouses or nursery, & sale of supplies, plants, trees & landscaping materials	P	P	landscape/garden contractor or production	C	P

Attachment 6, Page 3 of 6
Principal Use Regulations of the C3-1 & C3-2 Districts of By-law 6400/94 & the M1 & M2 Districts of By-law 200/2006

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By-law 6400/94	C3-1	C3-2	By-law 200/2006	M1	M2
signage: manufacture, rental, sales	P	P	light manufacturing	P	P
taxidermist	P	P			
tire: retreading, including accessory sales	C	C			
upholstering, custom draperies, blinds, shades	P	P			
wood products: manufacture from finished wood, including a cabinet shop	P	P			
butcher, with production area exceeding 1,000 sq. ft.	P	P			
dry cleaning, pressing, dyeing, including accessory depot, limited to non-inflammable, non-explosive solvents	C	P			
laundry, linen supply/service, including accessory depot	C	P			
medical, dental, optical or other precision instruments, prosthetics: custom manufacture	P	P			
office, conversion of a dwelling listed on the buildings conservation list	P	P	office, call centre, medical/dental/optical/ counseling clinic or research institution	P	P
office	C	P			
storage compound for new automobiles	**C**	**P**	**outside storage of goods/materials**	**A**	**P***
storage compound for boats, mobile homes, recreational vehicles, trailers, trucks or buses	**C**	**P**			
park	C	C	park/plaza/square/ playground	P	P
parking area, non-accessory	P	P	parking, structured	P	P
			parking, surface	P	P
no comparable use in C3-1 or C3-2	NP	NP	pawnshop	C*	C*
bank, credit union, or similar financial service	**P**	**P**	**cheque-cashing facility**	C*	**NP**
barber shop, beauty salon, or similar grooming service	C	**P**	**personal services (unless otherwise listed)**	**P**	**NP**
clothing, including hats, shoes, other wearing apparel & accessories: alteration & repair	**NP**	**P**			
driving school	**P**	**P**			
exterminator	**P**	**P**			
photographic developing/printing	C	**P**			
printing, photocopying, or similar service	**P**	**P**			
reducing salon, health spa, steam bath, tanning salon, or other similar facility	C	**P**			
church, synagogue, or similar place of religious worship	P	P	place of worship	P	P
post office, carrier depot	P	P	post office/carrier depot	P	P

Attachment 6, Page 4 of 6
Principal Use Regulations of the C3-1 & C3-2 Districts of By-law 6400/94 & the M1 & M2 Districts of By-law 200/2006

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By-law 6400/94	C3-1	C3-2	By-law 200/2006	M1	M2
club, excluding licensed premises	**P**	**P**	**private club, not licensed**	C	**NP**
			cultural centre	P*	**NP**
race track	C	C	race track	C	C
recycling depot for collection of materials, in conjunction with a principal use, provided all recyclable goods are stored entirely in an enclosed container constructed in compliance with a design endorsed by the commissioner of planning & community services	A	A	recycling collection centre	P	P
recycling depot for collection of materials, accessory to schools, community clubs, churches & public buildings & lands, provided all recyclable goods are stored entirely in an enclosed container constructed in compliance with a design endorsed by the commissioner of planning & community services	A	A			
no comparable use in C3-1 or C3-2	**NP**	**NP**	**recycling plant**	**P***	**P***
restaurant	P	P	restaurant	P	P
restaurant, exceeding a floor area of 2,500 sq. ft.	C	C			
restaurant, drive-in	C	C			

Attachment 6, Page 5 of 6
Principal Use Regulations of the C3-1 & C3-2 Districts of By-law 6400/94 & the M1 & M2 Districts of By-law 200/2006

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By-law 6400/94	C3-1	C3-2	By-law 200/2006	M1	M2
appliances, excluding major appliances: rental, sale or service	C	**P**	**retail sales (unless otherwise listed)**	**P***	**NP**
appliances, including major appliances: rental, sale or service	C	**P**			
bakery, baked goods: sales, limited to 1,000 sq. ft. of production area	C	**P**			
beer: sales	C	C			
boat: sales, service	**P**	**P**			
building materials, hardware, home improvement supplies or equipment: sales	**P**	**P**			
clothing, including hats, shoes, other wearing apparel & accessories: sales	**NP**	**P**			
convenience store	C	C			
farm supplies: sales	C	**P**			
farmers' market limited to between April 1 & September 30	C	**P**			
flea market	**P**	**P**			
furnishings, household or office, including carpet & furniture: sales, rental	C	**P**			
hardware store	**P**	**P**			
luggage: rental, sale, service	C	**P**			
pet sales, pet supplies sales, pet grooming	C	**P**			
medical, dental, optical or other precision instruments, prosthetics: rental, sale, service	**P**	**P**			
second-h& store	C	C			
sporting goods: rental, sales, service, trophy sales, including incidental assembly & engraving	**P**	**P**			
stone or monument: sales, including incidental finishing	**P**	**P**			
rental establishment, including household, office, gardening or home improvement equipment, banquet or part supplies	**P**	**P**			
motors or machines, recreational or utility, including power toboggans, outboard motors, lawn mowers: rental, sale, service	**P**	**P**			
communication equipment, including satellite dishes & radio towers: rental, sale, service	**P**	**P**			
no comparable use in C3-1 or C3-2	**NP**	**NP**	**social service facility**	**P**	NP
arena, auditorium, stadium	C	C	sports or entertainment arena/stadium, indoor	P	C
			sports or entertainment arena/stadium, outdoor	C	C

Attachment 6, Page 6 of 6

Principal Use Regulations of the C3-1 & C3-2 Districts of By-law 6400/94 & the M1 & M2 Districts of By-law 200/2006

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By-law 6400/94	C3-1	C3-2	By-law 200/2006	M1	M2
radio or television station	P	P	studio, radio/TV/motion picture broadcast & production	P	P
studio, motion picture	C	P			
department store, supermarket	C	C	supermarket	P	NP
no comparable use in C3-1 or C3-2	**NP**	**NP**	towing & storage facility	C	**P**
bus station	C	C	transit station	P	P
public utility or service, excluding garbage incineration, reduction, transfer, or landfill, sewage treatment, or a public works yard	P	P	protection & emergency services	P	P
			utility facility, minor	P*	P*
			utility facility, major	C	P
warehousing, cold storage, rental storage units	C	C	warehouse	P	P
			mini-warehouse, self-storage	P	P
wholesale establishment, including offices & showrooms	C	C	wholesaling	P	P
no comparable use in C3-1 or C3-2	NP	NP	x-rated store	C*	C*
mobile home park	C	C	*no comparable use in M1 or M2*	NP	NP
shelter house	NP	**P**	***no comparable use in M1 or M2***	**NP**	**NP**
university, college, technical school	C	C	*no comparable use in M1 or M2*	NP	NP

Attachment 7 – Letter to Property Owners, Page 1 of 3

Winnipeg

Planning, Property & Development Department • Service de l'urbanisme, des biens et de l'aménagement

Planning and Land Use Division • Division de l'urbanisme et de l'usage des sols

In reply please refer to / Référence à rappeler :

Glen Doney: (204) 986-2688
Fax / Téléc. : (204) 986-7524

September 6, 2013

2886589 MANITOBA LTD
450 OAK POINT HWY
WINNIPEG, MB
R2R 1V3

Dear Property Owner:

RE: REZONING PROPERTIES ALONG A PORTION OF: OAK POINT HIGHWAY, BROOKSIDE BOULEVARD OR KING EDWARD STREET

The Planning, Property and Development Department of the City of Winnipeg will be recommending that Winnipeg City Council approve a rezoning to M1, of properties along Oak Point Highway, Brookside Boulevard and King Edward Street, that are currently zoned C3 (and one property partly zoned C3 and partly zoned A), in the area identified on the map at the end of this letter. This recommendation is being put forward to restore, as much as possible, land use rights that were in place under the previous zoning by-law. We are advising you of this as you have been identified as an owner of at least one of these properties or as an owner of at least one property adjacent or quite close to a property recommended for rezoning.

Properties in this area were zoned C3-1 or C3-2 under the previous zoning by-law. C3-1 and C3-2 Zoning Districts in the previous by-law had a significant orientation to tractor-trailer, and related, uses and were reflective of the actual uses in the area. The C3 Zoning District in the current by-law (adopted in 2006) is intended primarily for uses that provide commercial goods and services in areas that are dependent on automobile access, but not including regional shopping facilities.

The Planning, Property and Development Department has determined that the land use regulations of the current M1 Zoning District are most like those of the previous C3-1 and C3-2 Zoning Districts. The M1 Zoning District is intended to provide for light manufacturing, processing, service, storage, wholesale, and distribution operations, with all operations taking place in an enclosed building, as well as a limited amount of outside storage. A rezoning to M1 will allow some of the existing types of uses, which were lawfully established under the previous zoning by-law, to expand, and would also allow more of those types of uses to be established on other M1 properties.

Attachment 7 – Letter to Property Owners, Page 2 of 3

Uses Not Allowed in M1

It is important to note that the M1 Zoning District use regulations do not allow:

- outside storage of goods or materials as the main use of a property;
- outside operations; or
- any type of use that may require significant mitigation to avoid sound, noise, or odour from the use impacting neighbouring properties.

Existing Uses Zoned C3

It is also important to note that, if these properties are rezoned, an existing type of land use that is usually not allowed in the M1 District can continue as a non-conforming use, at its current location and size, if:

- it is allowed in the current C3 Zoning District and it was lawfully established after the current zoning by-law came into effect; or
- it was allowed when an earlier zoning by-law was in effect and it was lawfully established when that earlier zoning by-law was in effect.

Public Hearing

We anticipate that a public hearing will be held to consider this matter in the Fall of 2013. Notice of this hearing will appear in the major Winnipeg newspapers at least fourteen days before the hearing, and will provide details of the time and place for the hearing.

For More Information or to Provide Comments:

For more information on this proposed rezoning, or to provide comments, please contact:

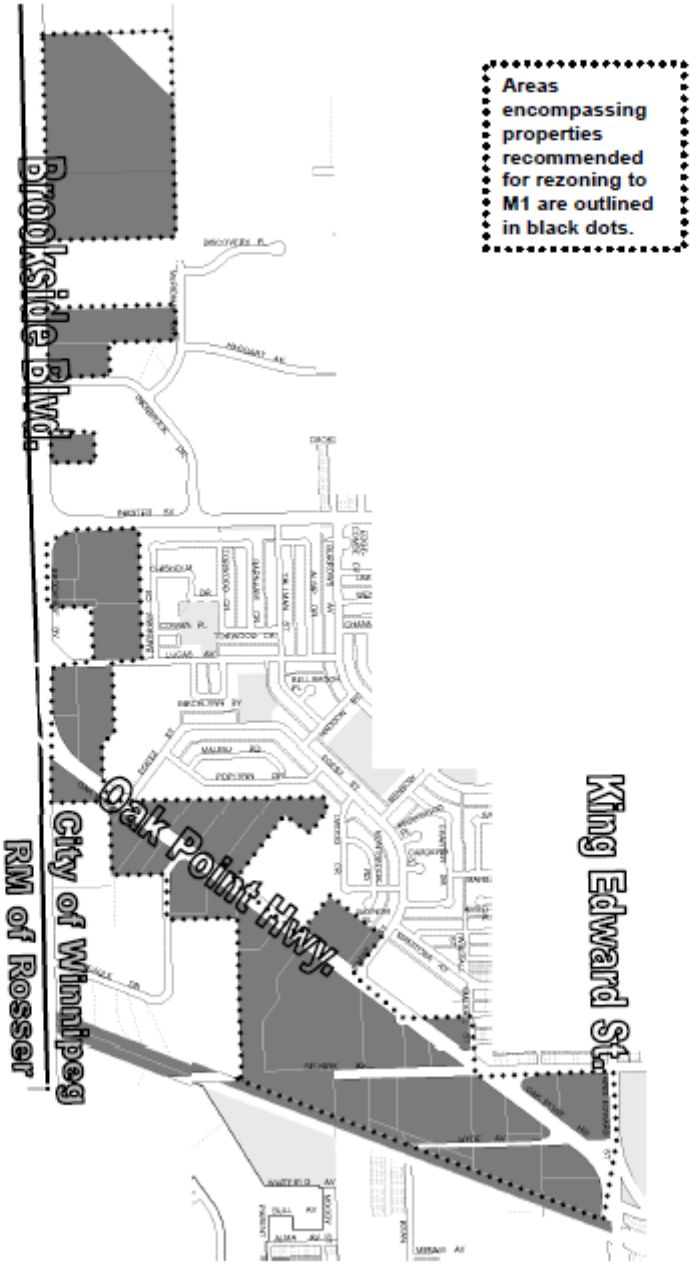
Glen Doney, Senior Planner

- by telephone 204-986-2688
- by e-mail at gdoney@winnipeg.ca

Sincerely,

Glen Doney, Senior Planner
Planning, Property and Development Department
City of Winnipeg
15-30 Fort Street
Winnipeg, Manitoba
R3C 4X5

Attachment 7 – Letter to Property Owners, Page 3 of 3



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Attachment 8 – Letter to RM of Rosser, Page 1 of 3

Winnipeg

Planning, Property & Development Department • Service de l'urbanisme, des biens et de l'aménagement

Planning and Land Use Division • Division de l'urbanisme et de l'usage des sols

In reply please refer to / Référence à rappeler :

Glen Doney: (204) 986-2688
Fax / Telec. : (204) 986-7524

September 6, 2013

Beverley Wells, Chief Administrative Officer
Rural Municipality of Rosser
info@rmofrosser.com

Dear Ms. Wells:

RE: REZONING PROPERTIES ALONG A PORTION OF: OAK POINT HIGHWAY, BROOKSIDE BOULEVARD OR KING EDWARD STREET

The Planning, Property and Development Department of the City of Winnipeg will be recommending that Winnipeg City Council approve a rezoning to M1, of properties along Oak Point Highway, Brookside Boulevard and King Edward Street, that are currently zoned C3 (and one property partly zoned C3 and partly zoned A), in the area identified on the map at the end of this letter. This recommendation is being put forward to restore, as much as possible, land use rights that were in place under the previous zoning by-law. We are advising you of this as you have been identified as an owner of at least one of these properties or as an owner of at least one property adjacent or quite close to a property recommended for rezoning.

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Uses Not Allowed in M1

Attachment 8 – Letter to RM of Rosser, Page 2 of 3

It is important to note that the M1 Zoning District use regulations do not allow:

- outside storage of goods or materials as the main use of a property;
- outside operations; or
- any type of use that may require significant mitigation to avoid sound, noise, or odour from the use impacting neighbouring properties.

Existing Uses Zoned C3

It is also important to note that, if these properties are rezoned, an existing type of land use that is usually not allowed in the M1 District can continue as a non-conforming use, at its current location and size, if:

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- by e-mail at gdoney@winnipeg.ca

Sincerely,

Glen Doney, Senior Planner
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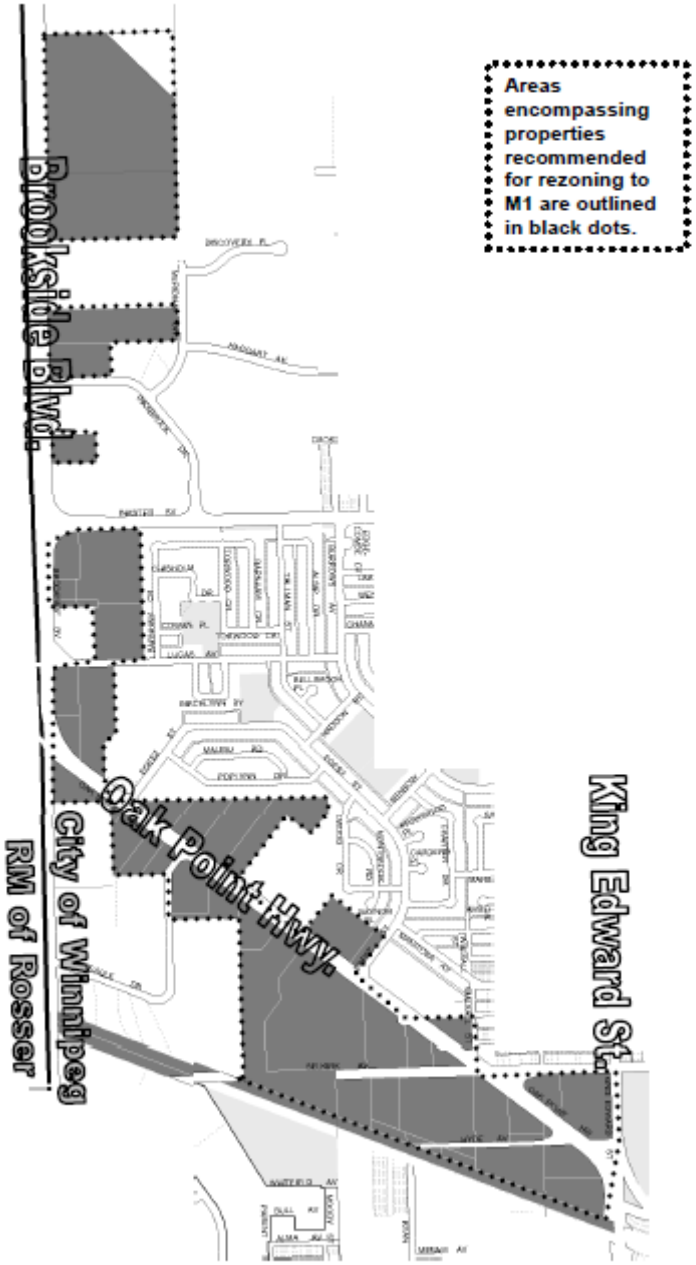
City of Winnipeg
15-30 Fort Street
Winnipeg, Manitoba
R3C 4X5

Attachment 8 – Letter to RM of Rosser, Page 3 of 3



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Schedule "A" of File DAZ 223/2013, October 22, 2013

By-Law No. _____

File No. **DAZ 223/13**

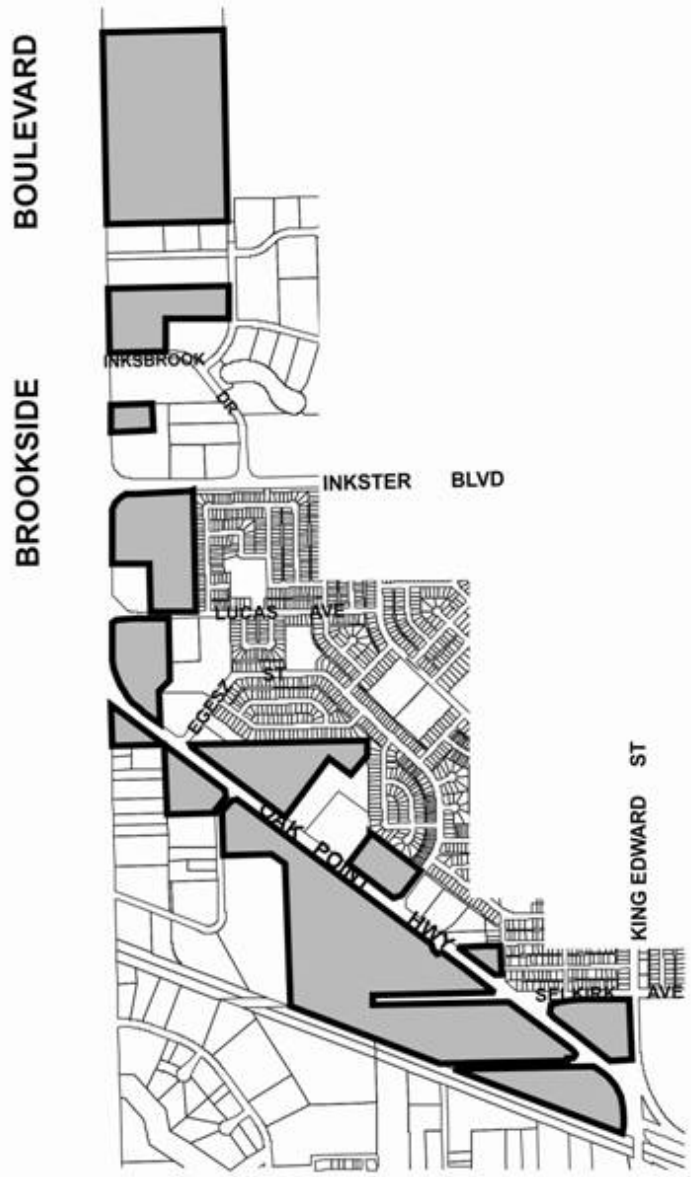
Atlas Sheet No. **S19, V19**

N

LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the multiple lands located on Brookside Boulevard, Oak Point Highway and King Edward Street from a "C3" COMMERCIAL CORRIDOR DISTRICT and an "A" AGRICULTURAL DISTRICT to an "M1" MANUFACTURING LIGHT DISTRICT to re-establish, as much as possible, the land use regulations that were in place when Zoning By-law 6400/1994 was in effect as shown outlined and shaded below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____