Agenda - Council - July 23, 2003

Report - Standing Policy Committee on Property and Development - July 3, 2003

Item No. 8 Zoning Agreement Amendment - 555 Burnell Street
File ZAA 4/2003 [c/r DAZ 116/73]

STANDING COMMITTEE RECOMMENDATION:

On July 16, 2003, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submits the following to Council:

1. That Zoning Agreement DAZ 116/73 (Caveat No. 230661) dated March 28, 1974, be amended by deleting Clause 2 in its entirety.

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 116/73 (Caveat No. 230661) dated March 28, 1974, as approved in aforesaid Recommendation 1.

3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

4. 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 - July 3, 2003

DECISION HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 16, 2003, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 3, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 10, 2003, the City Centre Community Committee concurred in the administrative recommendation and submitted the matter to the Standing Policy Committee on Property and Development.

RE: **Proposed Zoning Agreement Amendment**
File ZAA 4/2003

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

Prepared by: **Carol R. Freeman, Clerk, City Centre Community Committee**

Report date: **June 20, 2003**

COMMUNITY COMMITTEE RECOMMENDATION:

The City Centre Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That Zoning Agreement DAZ 116/73 (Caveat No. 230661) dated March 28, 1974, be amended by deleting Clause 2 in its entirety.

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 116/73 (Caveat No. 230661) dated March 28, 1974, as approved in aforesaid Recommendation 1. .

3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

4. 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.

The City Centre Community Committee provided the following supporting reasons for its recommendation:

1. The proposed amendment to the Zoning Agreement will not be a problem for the community.

2. The mounting of an antenna on the roof the apartment building will be helpful to the residents.

PUBLIC HEARING SUMMARY

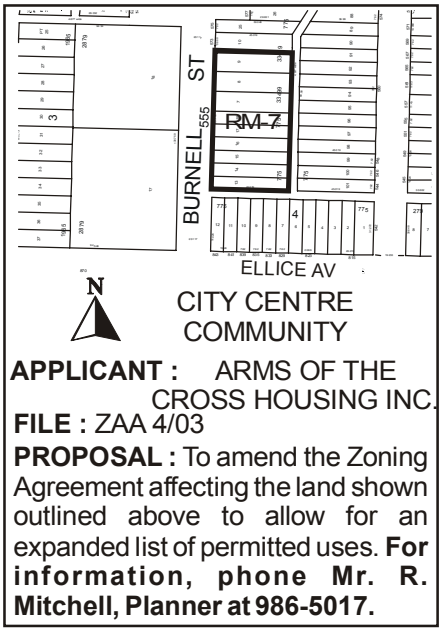
File: ZAA 4/2003

Before: City Centre Community Committee
Councillor Steek, Chairperson
Councillor Gerbasi
Councillor Smith

Public Hearing: June 10, 2003
West Committee Room
Council Building
510 Main Street

Applicant: Arms of the Cross Housing Inc. (Raymond Massey)
515 Country Club Boulevard
Winnipeg, MB R3K 2A9

Subject:



Premises Affected: 555 Burnell Street

Exhibits Filed:

1. Application dated May 1, 2003
2. Advertising notice dated May 20, 2003
3. Manitoba Status of Titles 1279904, 1283515,1283615, 1285594, 1285597, 1279900, 1449995, 1449997, 1449998 and 1289531

4. Zoning Agreement and Caveat
5. Report from the Manager of Planning and Land Use dated May 28, 2003
6. Photographs of the Site and Inspection Notice

REPRESENTATIONS:

In Support:

Raymond Massey,
Brock Enderton, TM Mobile Inc.,

In Opposition:

Nil

For the City:

Ross Mitchell, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Mr. Massey, appearing in support of the application, advised that the application was to amend the Zoning Agreement affecting the property to permit a proposal from Telus Communications to mount antennae on the roof of the subject apartment building.

In reply please refer to / Référence à rappeler :

Ross Mitchell
(204) 986-5017
Fax / Téléc. : (204) 986-3684

File No. ZAA 4/03 May 28, 2003
Our c/f CP 500 (.108)

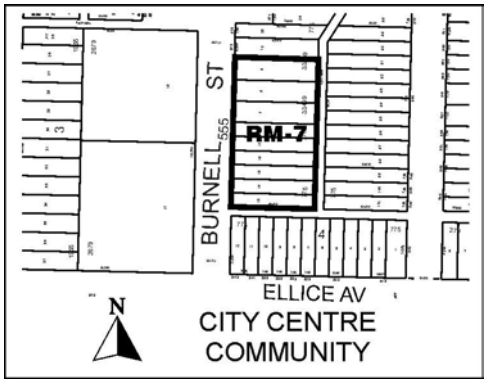
Ms. Carol Freeman, Community Clerk
City Centre Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear Ms. Freeman:

ZONING AGREEMENT AMENDMENT
East side of Burnell, north of Ellice
City Centre Community
File No. ZAA 4/03

An application has been received from the Arms of the Cross Housing Inc. (Raymond Massey), to amend the Zoning Agreement affecting the property shown below to allow for an expanded list of permitted uses.

RELATED FILES: N.A.



SITE DESCRIPTION:

Dimensions: 265' frontage on Burnell by 147' approx.

Site Area: approx. 38,955 square feet

Existing Land Use and Zoning: Non-profit seniors apartment building zoned "RM-7"

DEVELOPMENT DESCRIPTION:

The site contains a 9-storey seniors apartment building constructed in 1975. Surrounding development includes the General Wolfe School to the west, single-family housing to the north, the Lutheran Church of the Cross to the east, and commercial development fronting Ellice to the south. The Zoning Agreement running with the land restricts the use of the property to a Senior Citizens' Residence not exceeding 9 storeys in height and 137 residential units. The subject application would expand the list of permitted uses to include the uses listed as Permitted, Conditional, or Accessory under the "RM" Multiple-Family zoning district. This application was prompted by a proposal by Telus Communications to mount antennae on the roof of the apartment building. Antennae are listed as a permitted use under the "RM" zoning category.

ADMINISTRATIVE COMMENTS:

The Division is of the opinion that the deletion of Clause 2 of the Zoning Agreement will not have a detrimental impact on the development or the adjacent properties and surrounding neighbourhood.

RECOMMENDATION:

I. That Zoning Agreement DAZ 116/73 (Caveat #230661), dated March 28, 1974, be amended by deleting Clause 2 in its entirety.

II. That the City Solicitor be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 116/73 (Caveat #230661), dated March 28, 1974, as approved in aforesaid Clause I.

III. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

IV. That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Yours truly,

C. Knoll
Acting Manager of Planning and Land Use

Per: _____
Ross Mitchell, Senior Planner
(City Centre and Assiniboia Communities)
986-5017

/jc