Minute No. 706
Report - Standing Policy Committee on Property and Development - October 5, 2004

Item No. 5 Rezoning -1409 Notre Dame Avenue
File DAZ 239/2003

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 239/2003 dated August 31, 2004, to a "C2" Commercial District.

2. That a ten per cent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

5. 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 - October 5, 2004

DECISION MAKING HISTORY:

Moved by Councillor De Smedt,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 20, 2004, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On October 5, 2004, 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 September 7, 2004, the Lord Selkirk-West Kildonan Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: Rezoning -1409 Notre Dame Avenue
File DAZ 239/2003

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

Prepared by: Diane Timmins, Clerk, Lord Selkirk-West Kildonan Community Committee

Report date: September 10, 2004

COMMUNITY COMMITTEE RECOMMENDATION:

On September 7, 2004, the Lord Selkirk-West Kildonan Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 239/2003 dated August 31, 2004, to a "C2" Commercial District.

2. That a ten per cent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

5. 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 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 from the Manager of Planning and Land Use dated August 31, 2004.

PUBLIC HEARING SUMMARY

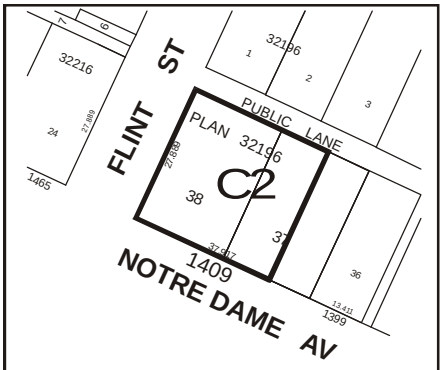
File: DAZ 239/2003

Before: Lord Selkirk-West Kildonan Community Committee
Councillor Pagtakhan, Chairperson
Councillor Lazarenko
Councillor O'Shaughnessy

Public Hearing: September 7, 2004
West Committee Room
Council Building
510 Main Street

Applicant: Ahmad S. Azmat

Subject:



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LORD SELKIRK
WEST KILDONAN
COMMUNITY

APPLICANT: MR. A. AZMAT
FILE: DAZ 239/03
PROPOSAL: To rezone the land shown outlined above from a "C1" COMMERCIAL DISTRICT to a "C2" COMMERCIAL DISTRICT. **For information, phone Mr. D. Marsh, Planner at 986-5549.**

Premises Affected:	1409 Notre Dame Avenue	
Exhibits Filed:	1.	Application dated November 6, 2003
	2.	Notification of Public Hearing dated July 20, 2004
	3.	Manitoba Status of Title 1518316
	4.	Letter of authorization dated October 8, 2003 from Hoo Ja Lee to Ahmad Said Azmat and Gordon Snifeld
	5.	Site and Floor Plans (2 pages)
	6.	Report from the Manager of Planning and Land Use dated August 31, 2004
	7.	Inspection Report

REPRESENTATIONS:

In Support:
Nil

In Opposition:
Nil

For the City:
Mr. D. Marsh, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

No persons registered with respect to the application.

Exhibit "6" referred to in File DAZ 239/2003

In reply please refer to / Référence à rappeler :

David Marsh AICP
(204) 986-5549
Fax / Téléc. : (204) 986-7524

File No. DAZ 239/03 August 31st, 2004
Our c/f CP 300 (.114)

Ms. Diane Timmins, Community Clerk
Lord Selkirk – West Kildonan Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear Ms. Timmins:

REZONING
1409 Notre Dame Ave
Lord Selkirk – West Kildonan Community
File No. DAZ 239/03

An application has been received from Ahmad Azmat, to amend By-Law No. 6400/94 by rezoning the land shown below from a "C1" Commercial District to a "C2" Commercial District to permit the maintenance of an automobile sales and service establishment.

RELATED FILES: None.



SITE DESCRIPTION:

Site Area, Existing Land Use, and Zoning:

The subject property is currently zoned 'C1' Commercial and is occupied by an existing automobile sales and service establishment. The property is approximately 12,000 square feet (0.27 acres) in size.

Surrounding Land Use and Zoning:

North: A public lane, then detached residential buildings (R2A)
South: Notre Dame Ave, then industrial buildings (M3)
East: A commercial building (C2), then detached residential buildings (R2A)
West: Flint St, then commercial (C2) and detached & attached residential buildings (R2A & RM-2A)

DEVELOPMENT DESCRIPTION:

The applicant is proposing to rezone the site to 'C2' Commercial to permit the continuation of an existing automobile sales and service establishment on-site. The business occupies a former gas station site, and contains a vehicle display area abutting Notre Dame Ave and Flint St., a service garage, and a vehicle parking compound enclosed by a 6' fence towards the rear of the site.

PLAN WINNIPEG:

The subject property falls within a designated Neighbourhood Policy Area under Plan Winnipeg, which allows for mixed use, commercial, residential, and parks & recreation development; thus, the proposed rezoning is in conformance with Plan Winnipeg 2020.

ADMINISTRATIVE COMMENTS:

The Planning & Land Use Division has no objections to the proposed rezoning, as it will permit continuation of an established commercial enterprise on-site. The proposed rezoning is compatible with the surrounding area, and will not adversely impact adjacent properties.

RECOMMENDATION:

I. That By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 239/03, attached hereto and dated August 31st, 2004, to a "C2" Commercial District.

II. That a 10 per cent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

III. That, in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

IV. That the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

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

Yours truly,

C. Knoll
Manager of Planning and Land Use

_____

Per: David Marsh AICP, Planner III
986-5549

By-Law No. _____

File No. **DAZ 239/03**

Atlas Sheet No. **X21**

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LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located at 1409 Notre Dame Avenue from a "C1" COMMERCIAL DISTRICT to a "C2" COMMERCIAL DISTRICT as shown outlined below.



Schedule "A" for File No. DAZ 239/03, LS/WK Community, dated August 31/04

THIRD READING : _____ EFFECTIVE DATE : _____