Minute No. 709
Report - Standing Policy Committee on Property and Development - October 5, 2004

Item No. 8 Rezoning - 1147 - 1153 Sanford Street
File DAZ 243/2004

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 shown on Schedule "A" for File DAZ 243/2004 dated September 3, 2004, to a "M2" Industrial District.

2. That a ten percent (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 Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

6. 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 Assiniboia 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 Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 14, 2004, the Assiniboia Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Rezoning - 1147 - 1153 Sanford Street**
File DAZ 243/2004

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

Prepared by: **Marc Pittet, Clerk,**
Assiniboia Community Committee

Report date: **September 14, 2004**

COMMUNITY COMMITTEE RECOMMENDATION:

On September 14, 2004, the Assiniboia 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 shown on Schedule "A" for File DAZ 243/2004 dated September 3, 2004, to a "M2" Industrial District.

2. That a ten percent (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 Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

6. 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 Assiniboia Community Committee provided the following supporting reason for its recommendation:

1. The Assiniboia Community Committee agreed with the administrative comments contained in the report from the Manager of Planning and Land Use dated September 3, 2004.

PUBLIC HEARING SUMMARY

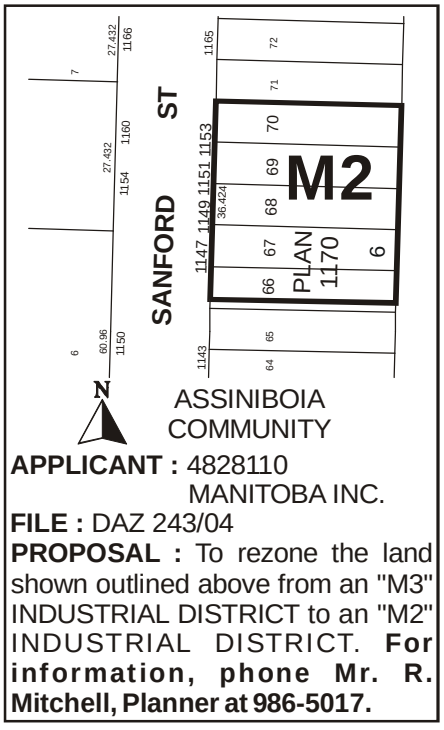
File: DAZ 243/2004

Before: Assiniboia Community Committee
Councillor De Smedt, Chairperson
Councillor Clement
Councillor Eadie

Public Hearing: September 14, 2004
Council Building, 510 Main Street

Applicant: 4828110 Manitoba Inc. (Eric Lindokken)

Subject:



Premises Affected: 1147-1153 Sanford Street

2. Notification of Public Hearing dated July 20, 2004
3. Manitoba Status of Title 1989436
4. Surveyor's Building Location Certificate and sketch dated September 9, 2003
5. Extract of Atlas Sheet Z21
6. Drawing of subject property dated April 17, 2004
7. Report from the Manager of Planning and Land Use dated September 3, 2004
8. Inspection Report

REPRESENTATIONS:

In Support:

Eric Lindokken

In Opposition

Nil

For the City:

Ross Mitchell, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Eric Lindokken, the applicant, appeared in support of the application and provided a brief overview of the proposal.

Exhibit "7" referred to in File DAZ 243/2004

In reply please refer to / Référence à rappeler :

Ross Mitchell
(204) 986-5017
Fax / Téléc. : (204) 986-7524

File No. DAZ 243/04
Our c/f CP 500 (.221)

September 3, 2004

Ms. Josie Marques, Clerk
Assiniboia Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear Ms. Marques:

REZONING
1147-1153 Sanford Street
Assiniboia Community Committee
File No. DAZ 243/04

An application has been received from Eric Lindokken (4828110 Manitoba Inc.), to amend By-Law No. 6400/94 by rezoning the land shown below from a "M3" Industrial District to a "M2" Industrial District to allow for an expanded range of uses.



SITE DESCRIPTION:

Site Area, Existing Land Use and Zoning:

The subject property is zoned "M3" and is located on the east side of Sanford between Sargent and Wellington. The site measures approximately 119 feet wide by 112 feet deep, for an area of 13,450 square feet. The property contains a one-storey, 4 unit, brick and cinder block commercial building with a gross floor area of about 7,730 square feet. The site plan indicates non-conforming, on-site parking for 9 vehicles at the rear of the building. Building loading occurs at the rear of the building. Building tenants include Columbus Radio at 1151 Sanford (electronics repair) and Malcolm Campbell and Son Ltd. at 1153 Sanford (safety supplies), and Max Wilde at 1147 Sanford (window cleaning). The subject unit was previously occupied by a silk screener. The unit measures about 2,000 square feet, with about 1,000 square feet of warehouse and the balance demised for an office, display area and washrooms.

Surrounding Land Use and Zoning:

North: Multi-tenant commercial building zoned "M3" Industrial District.

South: Multi-tenant commercial building zoned "M3" Industrial District.

East: CPR La Riviere Subdivision (rail line).

West: Across Sanford, Donwood industries at 1150 Sanford (wood door manufacturers) and an auto-body shop at 1154-1160 Sanford, zoned "M3".

DEVELOPMENT DESCRIPTION:

The applicant is requesting rezoning of the subject site from a "M3" Industrial District to a "M2" Industrial District to accommodate a tenant who wishes to establish an internet toy sales business. The use is categorized as Retail Toy Sales, and is not permitted in "M3" Industrial Districts, which are intended to accommodate a "heavy" category of industrial land use. The business is called Outer Perimeter Hobbies and Collectibles, specializing in action figures. About 70% of the business will be conducted via the internet.

PLAN WINNIPEG:

The application complies with Plan Winnipeg. The area is currently designated Industrial Policy

ADMINISTRATIVE COMMENTS:

The Planning and Land Use Division has no objection to the proposed rezoning of the site to "M2" Industrial District, a zoning which is more reflective of existing land use and commercial enterprise on adjacent properties and in the surrounding area.

RECOMMENDATION:

I. That By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 243/04, attached hereto and dated, September 3, 2004, to a "M2" Industrial 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 Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

VI. 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
Manager of Planning and Land Use

_____

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

By-Law No. _____

File No. **DAZ 243/04**

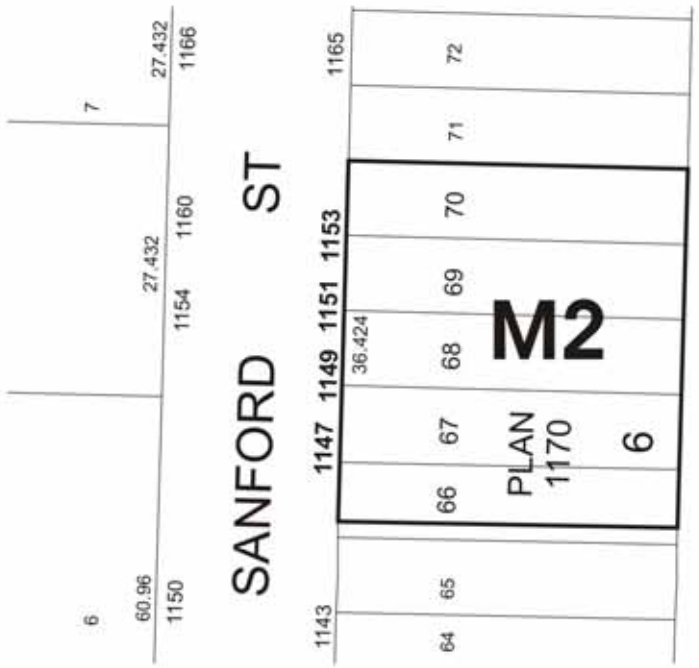
Atlas Sheet No.

N

Z21
ASSINIBOIA
COMMUNITY

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located at 1147-1153 Sanford Street from an "M3" INDUSTRIAL DISTRICT to an "M2" INDUSTRIAL DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Figure 1: Schedule "A" to the report to the City Centre Community Committee for File No. DAZ 243/04, dated September 3, 2004.



Figure 2: Air Photo of Site.



Figure 3: Air Photo of Area.