Agenda - Council - February 25, 2004

Report - Standing Policy Committee on Property and Development - February 3, 2004

Item No. 7 Rezoning - 151 Bertrand Street
File DAZ 241/2003

STANDING COMMITTEE RECOMMENDATION:

On February 18, 2004, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submits the following to Council:

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 241/2003 dated January 13, 2004, to a "C2" Commercial 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 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 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 - February 3, 2004

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 18, 2004, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 3, 2004, the Standing Policy Committee on Property and Development concurred in the recommendation of Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 20, 2004, the Riel Community Committee concurred in the administrative recommendation, and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Rezoning - 151 Bertrand Street**
File DAZ 241/2003 [c/r DAV 340614/2003D]

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

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

Report date: **January 26, 2004**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 20, 2004, the Riel 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 241/2003 dated January 13, 2004, to a "C2" Commercial 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 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.

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

The Riel Community Committee provided the following supporting reason for its recommendation:

1. The Riel Community Committee agreed with the administrative comments contained in the report from the Manager of Planning and Land Use dated January 13, 2004.

PUBLIC HEARING SUMMARY

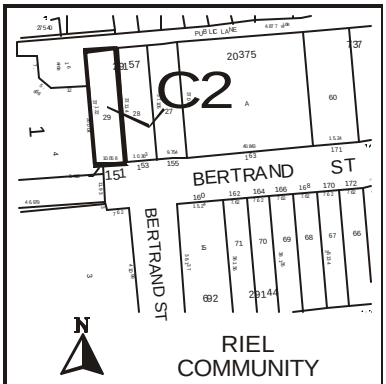
File: DAZ 241/2003 [c/r DAV 340614/2003D]

Before: Riel Community Committee
Councillor Vandal, Chairperson
Councillor Angus

Public Hearing: January 20, 2004
Community Committee Chamber, 219 Provencher Boulevard

Applicant: ND Lea (Veronica Hicks)

Subject:



RIEL
COMMUNITY

APPLICANT: ND LEA
FILE: DAZ 241/03
PROPOSAL: To rezone the land shown outlined above from an "R2-T" TRANSITIONAL DISTRICT to a "C2" COMMERCIAL DISTRICT to allow for the establishment of a non-accessory parking lot. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : ND LEA
RÉFÉRENCE : DAZ 241/03
PROJET : Rezonage des sols délinéés ci-dessus de sorte qu'ils passent de la catégorie R2-T (SECTEUR DE TRANSITION) à la catégorie C2 (SECTEUR COMMERCIAL) afin de permettre l'aménagement d'un terrain de stationnement contigu. **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: 151 Bertand Street

Exhibits Filed:

1. Application dated November 24, 2003
2. Notification of Public Hearing dated November 26, 2003
3. Manitoba Status of Title 1971638
4. Letter of authorization dated September 5, 2003 from Ms Linda Ratynski to the City of Winnipeg
5. Plans (2 pages)
6. Report from the Manager of Planning and Land Use dated January 13, 2004
7. Inspection Report

REPRESENTATIONS:

In Support:

Veronica Hicks
Paul McNeil

For Information:

Jim Middleton

For the City:

Kevin Lalor, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Veronica Hicks and Paul McNeil, ND LEA, appeared in support of the application. Ms. Hicks stated that the application was made to help alleviate St. Boniface Hospital's parking deficiencies. Ms. Hicks further stated that notices were sent out to neighbouring residents and an open house was held which was attended by a couple of area residents and the President of the Old Saint-Boniface Residents Association.

In response to a question from Councillor Vandal, Paul McNeil stated that the proposed parking lot would be for employees and, like the large lot adjacent to it, would likely be full during peak times.

Jim Middleton appeared for informational purposes. Mr. Middleton asked if St. Boniface Hospital was intending to buy 153 and 155 Bertrand in the near future. Mr. Middleton indicated that he was worried, should the parking lot continue to expand, it would eventually end up across

the street from his residence and his back door may be next to exhaust fumes generated by vehicles parked there.

Councillor Angus indicated that Mr. Middleton should sit down with the people from St. Boniface Hospital, as a preemptive move, to discuss their intentions and to voice his concerns.

Ms. Hicks and Mr. McNeil returned in rebuttal. In response to a question from Councillor Vandal, Mr. McNeil indicated that he could not really speculate on when or whether St. Boniface Hospital would stop building parking lots. Mr. McNeil spoke of the hospital precinct area and stated that there were no plans to expand parking at this time but he indicated that he was not precluding further expansion in the future. Mr. McNeil indicated that he would ensure that Mr. Middleton was put in contact with someone from St. Boniface Hospital.

Exhibit “8” referred to in File DAZ 241/2003

In reply please refer to / Référence à rappeler : **Kevin Lalor**
(204) 986-5069
Fax / Téléc. : (204) 986-3684

File No. DAZ 241 /03 January 13, 2004
Our c/f CP 500 (.502)

Mr. Marc Pittet, Clerk
Riel Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear: Mr. Pittet

REZONING
Location: 151 Bertrand Avenue
Riel Community Committee
File No. DAZ 241/03

An application has been received from ND LEA on behalf of the St. Boniface Hospital, to amend By-Law No. 6400/94 by rezoning the land shown below from a “R2-T” Residential District to a “C2” Commercial District to allow for a non -accessory parking lot.

RELATED FILES:DAV03-340614/C



SITE DESCRIPTION:

Site Area:

Approximately 4840 sq. feet

Existing Land Use and Zoning:

The subject lot is the most westerly property on Bertrand . It is one of only five single family residential properties on Bertrand west of Kenny St.; the remainder being multiple family sites. It is occupied with a dwelling and is currently zoned 'R2-T' Residential.

Surrounding Land Use and Zoning:

North: To the north along Dollard Blvd. , there is a mix of single family homes zoned R2-T Residential and Hospital /Clinic parking zoned C2 Commercial.

South: To the south is a mix of single family and multiple family housing zoned R2-T Residential along the south side of Bertrand and multi storey parkade zoned C2 Commercial.

East: To the east are several single family homes and several large multiple family Complexeszoned R2-T Residential.

West: To the west are commercial buildings(clinics/offices) and parking areas zoned C2 Commercial.

DEVELOPMENT DESCRIPTION:

The St. Boniface proposes to consolidate the subject property with its reconfigured existing parking area and use it for additional staff/employee parking. The additional area and reconfiguration should allow for a minimum 10-11 extra stalls. There are currently tenants occupying the dwelling on the subject lot but once their lease arrangement expires in May, a demolition application will be immediately forthcoming. There will be no new accesses proposed to either the rear lane or onto Bertrand Street.

PLAN WINNIPEG:

The site in question falls within a designated Neighbourhood Policy Area which does allow for accessory and non accessory parking areas.

ADMINISTRATIVE COMMENTS:

There is , in our view, no outstanding issues with the proposed rezoning and use of the property. The most easterly boundary of the expanded parking area will be no further east than the current boundary of the existing parkade. This application is just the latest in a series of applications by the St. Boniface Hospital to address its parking deficiency problem. In the interim, until a new parkade is constructed, small usually non –accessory parking areas have to be identified and established to meet the demand. It should further be noted that there have been meetings with adjoining residents to inform them of the Hospital's intentions and to solicit

feedback from those same residents. There has , to date, not been any registered opposition to the proposal from immediately adjacent property owners.It is therefore recommended that your Committee endorse the proposed change in zoning as submitted.

RECOMMENDATION:

I. That By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 241/03, attached hereto and dated January 13/04, 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 Charter.

Final

Yours truly,

C. Knoll
Manager of Planning and Land Use

Per: Kevin Lalor, Senior Planner
(Riel Community)
986-5069

/jc

By-Law No. _____

File No. **DAZ 241/03**

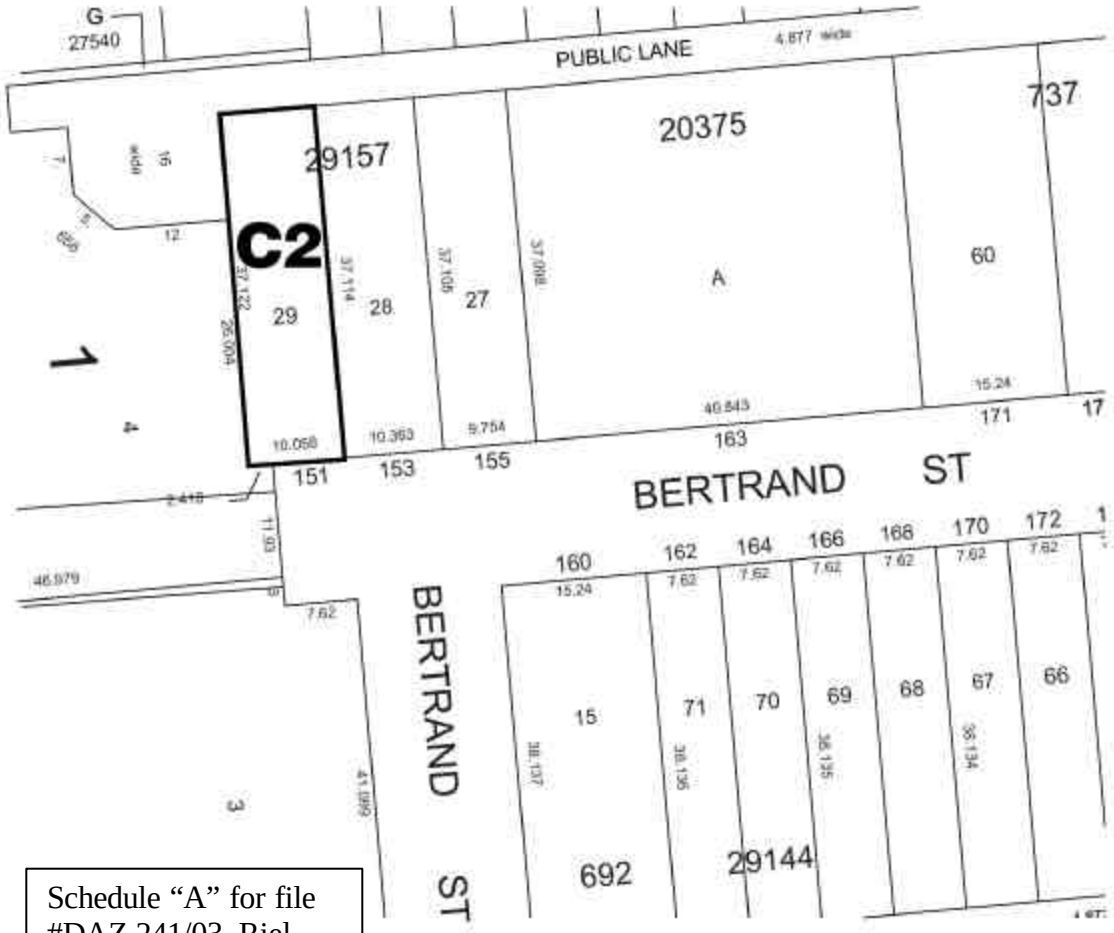
Atlas Sheet No.

N

AA26
RIEL
COMMUNITY

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located at 151 Bertrand Street from an "R2-T" TRANSITIONAL DISTRICT to a "C2" COMMERCIAL DISTRICT as shown outlined below.



Schedule "A" for file #DAZ 241/03, Riel Community, dated January 13/04

TH _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____