Proposed Rezoning - land located at 902 Home Street
File DAZ 202/2002 [c/r DCU 31/2002D, DAV 111/2002D]

5. The Standing Policy Committee on Property and Development has been advised that an application has been received from Leon A. Brown Ltd. (Bob Brown), Room 200, 460 Main Street, Winnipeg, to amend Zoning By-law No. 6400/94 by rezoning the subject property at 902 Home Street from an "R2-T" Transitional District to a "C2" Commercial District to reflect the long-term use of the building and property.

The proposal is rezone the subject property and three-storey commercial building to "C2" Commercial District in order to legalize the presently non-conforming use of the land. The brick building was constructed around 1910. The building footprint of about 6,000 square feet essentially fills the lot. The total floor area including basement is 18,000 square feet. The site provides no on-site parking, however the building leases 4 stalls on the adjacent gas bar site and the boulevard in front of the building is used for angular parking for about 5 vehicles. Loading occurs off the public lane at the rear of the building. According to the owner, the building was initially occupied by an aircraft manufacturer (bi-planes). Present tenants include Pine Falls Clothing on the main floor (makers of jackets and parkas), Mid-West Karate in the basement, and an antique dealer on the second floor. The third floor is currently vacant. Presently, about 20 people are employed on the premises.

The commercial property at the northwest corner of Home Street and Notre Dame Avenue contains a Tempo Gas Bar and auto repair. The northeast corner contains the Blue Room, a licensed private club with residential apartments above. The area provides a mix of housing types including apartments, single-family and two-family dwellings and converted multi-family houses and rooming houses. The south side of Notre Dame Avenue is zoned "C1.5" Commercial District, while the north side is zoned "C2" Commercial District.

On April 9, 2002, the City Centre Community Committee held a public hearing to consider the subject rezoning application. Two persons registered in support of the application, and no one registered in opposition thereto.

The City Centre Community Committee concurred in the recommendations contained in the report dated March 22, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed rezoning for the following reasons:

1. The application complies with Plan Winnipeg in that commercial rezonings are allowed in Neighbourhood Policy Areas.

2. The Planning, Property and Development Department supports the subject rezoning with conditions, based on the fact that the building has been a part of the neighbourhood for many years and it is considered better to have a viable, well-managed building on the site than a vacant, deteriorating structure, or a vacant lot with little immediate prospect for residential redevelopment.
3. It is the opinion of the Planning, Property and Development Department that the building and residential neighbourhood can co-exist as they have in the past given the fact that the property is located at the end of the block close to a busy regional street.

Report of the Standing Policy Committee on Property and Development dated April 30, 2002

On April 30, 2002, the Standing Policy Committee on Property and Development considered and concurred in the recommendations contained in the Zoning Change Report dated April 22, 2002, from the City Centre Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 202/2002, dated March 22, 2002, to a "C2"Commercial District, subject to the following:

A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 591(1) of The City of Winnipeg Act, to provide for the following:

1. That the following uses be permitted subject to the necessary approvals:

a. art/antique: sales, service
b. artisan, crafting of custom products from finished materials
c. barber shop, beauty salon
d. clothing, manufacture, needle trades
e. clothing, alteration, repair, sales
f. convent, monastery
g. day care centre
h. dressmaker, furrier, tailor
i. dwelling units
j. office (except insurance or real estate)
k. studio
l. repair, restoration, refinishing of household goods

2. That no outside display or storage of materials be permitted.

3. That no free-standing signs, pylon signs, roof-top signs, poster boards, sandwich boards, mobile signs or temporary signs be permitted on the property, and that facia signage be unlit, be of uniform design, location and construction, and be limited to a maximum of twelve (12) square feet per tenant.

4. That the zoning revert to "R2-T" Transitional District should the building be destroyed or demolished.

5. That, prior to the issuance of a development permit for signage or exterior alterations, plans be submitted for the approval of the City Centre Community Committee.

II. 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.

III. 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 Council extends that time.

IV. 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.

V. That the rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

VI. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

VII. 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 Act.

Copies of the documents referred to in the above clause are on file in the office of the City Clerk.

Attachment "A" referred to in Clause 5 of the Report of the Standing Policy Committee on Property and Development dated April 30, 2002

By-Law No.

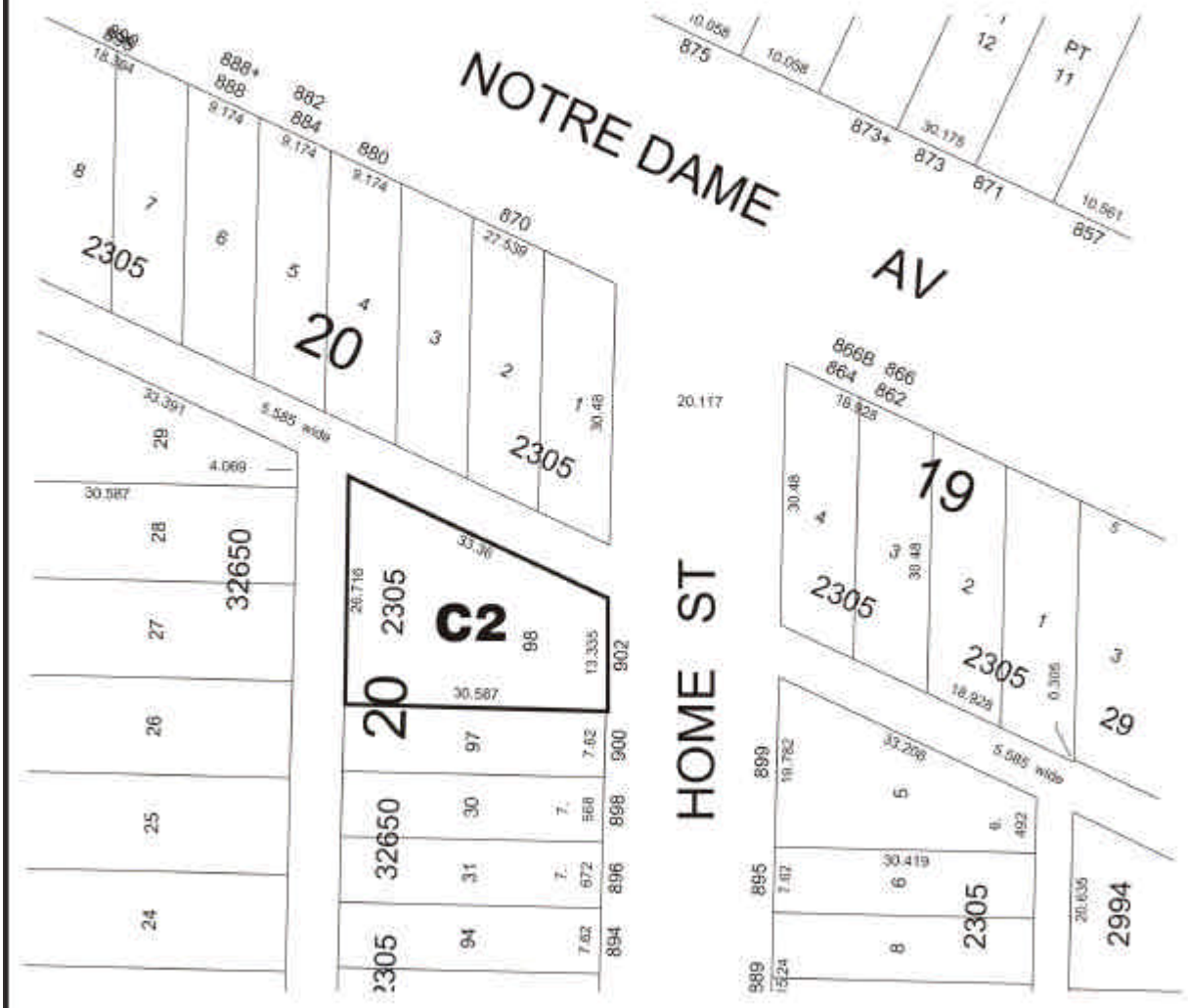
File No. **DAZ 202/02**

Atlas Sheet No. **Y23 CITY CENTRE COMMUNITY**

N

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land at 902 Home Street from an "R2-T" TRANSITIONAL DISTRICT to a "C2" COMMERCIAL DISTRICT as shown outlined below.



THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.