Minute No. 352
Report - Standing Policy Committee on Property and Development - April 8, 2004

Item No. 6 Rezoning - 270 St. Anne's Road
File DAZ 209/2004

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 209/2004 dated March 15, 2004, to a "C2" Commercial District.

2. That a ten (10) percent 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 - April 8, 2004

DECISION MAKING HISTORY:

Moved by Councillor Vandal,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 14, 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 April 8, 2004, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and forwarded the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 22, 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 - 270 St. Anne's Road**
File DAZ 209/2004 [c/r DAV 112142/2004D and DCU 112117/2004D]

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

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

Report date: **March 24, 2004**

COMMUNITY COMMITTEE RECOMMENDATION:

On March 22, 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 209/2004 dated March 15, 2004, to a "C2" Commercial District.

2. That a ten (10) percent 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 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 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 March 15, 2004.

PUBLIC HEARING SUMMARY

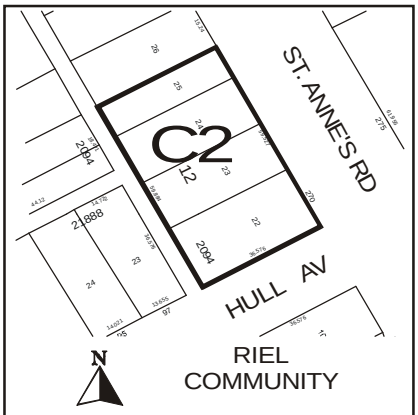
File: DAZ 209/2004 [c/r DAV 112142/2004D and DCU 112117/2004D]

Before: Riel Community Committee
Councillor Angus, Chairperson
Councillor Steeves

Public Hearing: March 22, 2004
St. Norbert Community Centre, 3450 Pembina Highway

Applicant: Campbell, Marr, Kenton & Fast

Subject:



APPLICANT: CAMPBELL, MARR
FILE: DAZ 209/04
PROPOSAL: To rezone the land shown outlined above from a "C1" COMMERCIAL DISTRICT to a "C2" COMMERCIAL DISTRICT to allow for commercial development. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : CAMPBELL, MARR
N° DE DOSSIER : DAZ 209/04
PROJET : Rezonage des sols délinéés ci-dessus de sorte qu'ils passent de la catégorie C1 (SECTEUR COMMERCIAL) à la catégorie C2 (SECTEUR COMMERCIAL) afin de permettre le lotissement à des fins commerciales. **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: 270 St. Anne's Road

Exhibits Filed:

1. Application dated February 23, 2004
2. Notification of Public Hearing dated February 25, 2004
3. Manitoba Status of Title 1974455
4. Letter of authorization dated February 4, 2004, from 4779259 Manitoba Ltd. to Campbell Marr
5. Plan
6. Report from the Manager of Planning and Land Use dated March 15, 2004
7. Inspection Report

REPRESENTATIONS:

In Support:

Mark Olson

In Opposition:

Nil

For the City:

K. Lalor, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

The applicant, Mark Olson, appeared in support of the application and gave a brief overview of the proposal.

Exhibit "6" referred to in File DAZ 209/2004

Winnipeg

Planning, Property & Development Department · Service de l'urbanisme, des biens et de l'aménagement

Planning and Land Use Division • Division de l'urbanisme et de l'usage des sols

In reply please refer to / Référence à rappeler :

Kevin Lalor
(204) 986-5069
Fax / Téléc. : (204) 986-3684

File No. DAZ 209 /04 March 15, 2004
Our c/f CP 500 (. 515)

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

Dear Mr. Marc Pittet:

REZONING
Location : 270 St. Anne's Road
Riel Community Committee
File No. DAZ 209 /04

An application has been received from Campbell, Marr, Kenton & Fast, to amend By-Law No. 6400/94 by rezoning the land shown below from a " C1" Commercial District to a " C2" Commercial District to allow for a drive through banking facility.

RELATED FILES:DCU04112117D, DAV04112142D

SITE DESCRIPTION:

Site Area:
Overall site area totals approximately 22,736 sq. ft.(or one half an acre). There is 196' of frontage along St. Anne's and 116 ' along Hull Avenue.

Existing Land Use and Zoning:
In the past, this site has been occupied by a number of restaurants, the Thunderbird and prior to that a Country Kitchen. The land is currently zoned C1 Commercial and vacant.

Surrounding Land Use and Zoning:

North: Under a recent rezoning, the adjoining property was recently rezoned to a C2 Commercial category for an office building. Development has not as yet been undertaken.
South: The land to the south, currently occupied by a take-out restaurant and offices is presently zoned C1 but is the subject of an accompanying application(DAZ 201/04)to rezone to a C2 category to broaden the commercial use base.
East: Land to the east is zoned RM-4 Multiple and occupied with medium density apartment blocks.
West: To the west of the adjacent lane are established single family dwellings which front onto St. Elmo Rd.

DEVELOPMENT DESCRIPTION:
The applicants are acting on behalf of their client, Toronto Dominion Canada Trust which is proposing to build a new 5800 sq. ft . banking centre with drive through at the subject corner. Drive through components are not permitted under the current zoning, so the new owners are opting to rezone the property fully to a C2 category. The current approaches from both St. Anne's and Hull will continue to be used. There will be no additional approach to the adjoining lane. There is provision made for thirty(30) parking stalls. The proposed entranceway will be oriented towards Hull Ave.

PLAN WINNIPEG:
The application is not in conflict wth Plan Winnipeg policy. The site falls within a designated Neighbourhood Policy Area which allows for commercial development.

ADMINISTRATIVE COMMENTS:
As previously outlined, the TD Canada Trust plans to construct a banking facility with a drive through component on the site . There will be no access to the adjoining lane and the existing approaches will be retained. It is the view of the Planning and Land Use Division that the proposed use is completely compatible with the surrounding neighbourhood and will, in all likelihood , have less adverse effect and generate less traffic than previous uses at that location. It

should be noted that most of the frontage lands along St. Anne's south of Fermor are now zoned C2 Commercial. It should further be noted that there is no indication at this time what the anticipated hours of operation will be, although its expected that the drive through will be a 24 hour operation.

RECOMMENDATION:

I. That By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 209/04, attached hereto and dated March 15, 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/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three re

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,

Chris Knoll
Manager of Planning and Land Use

Per: Kevin Lalor, Senior Planner,

(Riel Community)
986-5069

KL/jc

By-Law No. _____

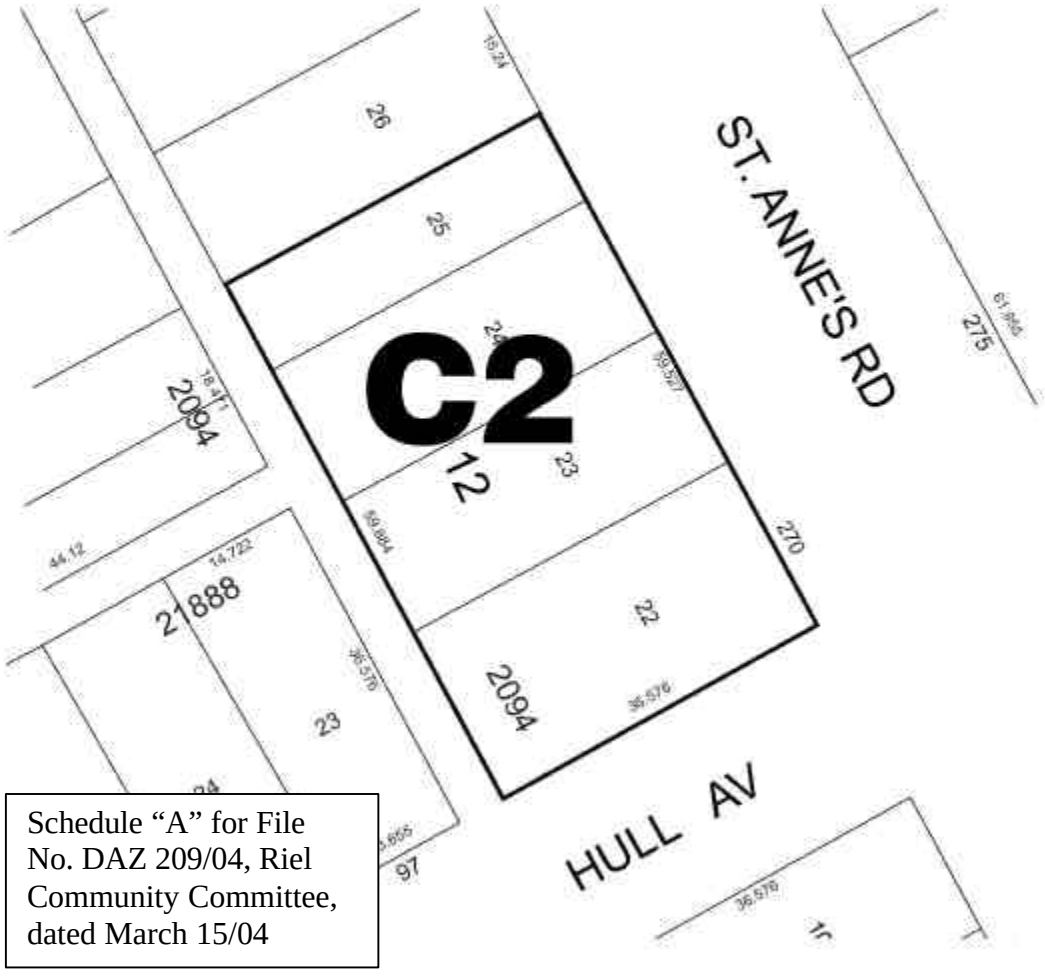
File No. **DAZ 209/04**

Atlas Sheet No. **AE27 RIEL COMMUNITY**

N

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located at 270 St. Anne's Road from a "C1" COMMERCIAL DISTRICT to a "C2" COMMERCIAL DISTRICT as shown outlined below.



Schedule "A" for File No. DAZ 209/04, Riel Community Committee, dated March 15/04

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____