Agenda - Council - June 23, 2004

Report - Standing Policy Committee on Property and Development - June 8, 2004

Item No. 20 Rezoning - 170 Goulet Street
File DAZ 218/2004

STANDING COMMITTEE RECOMMENDATION:

On June 16, 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 218/2004 dated May 11, 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 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 - June 8, 2004

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 16, 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 June 8, 2004, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 18, 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 - 170 Goulet Street**
File DAZ 218/2004

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

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

Report date: **May 20, 2004**

COMMUNITY COMMITTEE RECOMMENDATION:

On May 18, 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 218/2004, dated May 11, 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 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 May 11, 2004.

PUBLIC HEARING SUMMARY

File: DAZ 218/2004

Before: Riel Community Committee
Councillor Steeves, Chairperson
Councillor Angus

Public Hearing: May 18, 2004, 2004
Community Committee Chamber, 604 St. Mary's Road

Applicant: 4436032 Manitoba Ltd. (Serge Bibeau)

Subject:



APPLICANT: 4436032 MANITOBA LTD.
FILE: DAZ 218/04
PROPOSAL: To rezone the land shown outlined above from an "RM-4" MULTIPLE-FAMILY DISTRICT and an "RM-7" MULTIPLE-FAMILY DISTRICT to a "C2" COMMERCIAL DISTRICT to allow for the establishment of a non-accessory parking area. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
D E M A N D E U R : 4436032 MANITOBA LTD.
N° DE DOSSIER : DAZ 218/04
PROJET : Changer le zonage du bien-fonds délinéé ci-dessus afin de le faire passer de la catégorie RM-4 (SECTEUR D ' H A B I T A T I O N S MULTIFAMILIALES) et de la catégorie RM-7 (SECTEUR D ' H A B I T A T I O N S MULTIFAMILIALES) à la catégorie C2 (SECTEUR COMMERCIAL) et de permettre l'aménagement d'un terrain de stationnement non contigu. **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: 170 Goulet Street

Exhibits Filed:

1. Application dated March 26, 2004
2. Notification of Public Hearing dated March 30, 2004
3. Manitoba Status of Titles 1834561, 1834565, 1834566, 1834569, 1834571, 1834573, 1928973, 1929221
4. Surveyor's Staking Certificate and sketch dated November 26, 2002
5. Surveyor's Staking Certificate and sketch dated December 16, 2003
6. Plan
7. Report from the Manager of Planning and Land Use dated May 11, 2004
8. Inspection Report

REPRESENTATIONS:

In Support:

Serge Bibeau
Justin Dupuis

In Opposition:

Nil

For the City:

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

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

The applicant, Serge Bibeau accompanied by Justin Dupuis, appeared in support of the application, provided a brief overview of the proposal and indicated concurrence in the recommendations contained in the administrative report from the Manager of Planning and Land Use dated May 11, 2004.

Exhibit "7" referred to in File DAZ 218/2004

In reply please refer to / Référence à rappeler : **Kevin Lalor**
(204) 986-5069
Fax / Téléc. : (204) 986-7524

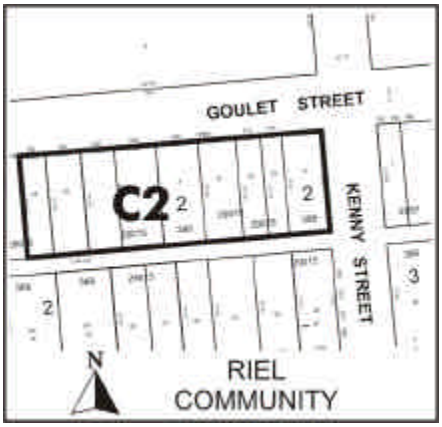
File No. DAZ 218 /04 May 11, 2004
Our c/f CP 500 (. 502)

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

Dear Mr. Pittet:

REZONING
Location : 170 Goulet St.
Riel Community Committee
File No. DAZ 218 /04

An application has been received from Mr. Serge Bibeau (4436032 Manitoba Ltd.), to amend By-Law No. 6400/94 by rezoning the land shown below from an " RM-4" Multiple Family District and an " RM-7" Multiple Family District to a " C2 " Commercial District to allow for the establishment of a non accessory parking area.



RELATED FILES:

SITE DESCRIPTION:

Site Area:

The overall site area totals 1.86 acres. There is 288' of frontage along Goulet Street and 122' of depth to the rear lane.

Existing Land Use and Zoning:

Three quarters of the land is currently zoned RM-7 Multiple Family and was approved under a previous application DAZ 203/02. It is currently being used as a temporary parking lot as per DAV 1078/02C .The most westerly portion of the site is zoned RM-4 Multiple Family and has been occupied with several single family dwellings for many years.

Surrounding Land Use and Zoning:

North: Properties to the north along Goulet are a mix of commercial businesses zoned C2 Commercial.
South: Properties to the south abutting Marion St. are essentially all commercial businesses zoned C2 Commercial (i.e. Caisse Populaire & Aldor Enterprises).
East: Properties to the east are a mix of commercial businesses and medium to high density Housing projects; C2, RM-7 & RM-4.
West: Properties to the west as far as Tache Ave. are commercially zoned businesses and parking areas.

DEVELOPMENT DESCRIPTION:

The applicant has given up on his initial idea of constructing multiple family housing along this stretch of Goulet St. Because of the increase in demand for parking , particularly from the St. Boniface Hospital, the applicant obtained a temporary variance several years ago to operate an interim surface parking facility. He has done so well that he is expanding on the original parking area by adding several adjoining parcels to the west zoned RM-4. However, it was always understood that should he ever proceed to establish a larger more permanent parking area, he would be expected to rezone accordingly and build a parking area that would fully comply with the By-Law requirements for proper fencing, landscaping and hard surfacing of the entire area. The new parking area will provide for 147 stalls with approaches off of both Goulet and the rear lane and will be well landscaped particularly along existing street rights-of-way.

PLAN WINNIPEG:

The area falls within a designated Neighbourhood Policy Area which allows for commercial parking lot areas to be applied for and established, pending approval by the local Community Committee.

ADMINISTRATIVE COMMENTS:

There is a lot of background history to the subject site. In April of 2002, the same applicant submitted a proposal for a sixty unit seniors housing complex on a portion of the above noted lands. That application was eventually approved but after a year of being unsuccessful at finding the financing necessary to construct the complex, the applicant/owner opted to utilize the property at least, on an interim basis, for parking. A variance, for temporary use of the site for parking with limited landscaping, fencing and no hard surfacing was applied for and approved. However the City's position was made clear to the applicant at that time. Specifically, long term use of the site for parking would only be endorsed by the City if all By-Law requirements were met, particularly hard surfacing of the entire parking area. It was also understood that if the lot was to be utilized as a longterm parking lot, it should be zoned accordingly. In the interim, the owner, Mr. Bibeau has opted to expand upon the initial property and develop and rezone the site for long term parking purposes. It is the view of this Department that given the proximity of the Hospital and several affiliated clinics, the lands along Goulet are highly suitable for development for a range of land uses, including Seniors Housing and properly designed parking facilities. The proposed site plan affords satisfactory access to and from the site, should not have any adverse effect on adjoining businesses and should, in fact, help to address the issue of parking deficiency in and around the Hospital precinct. It is therefore recommended that your Committee endorse the proposal as submitted.

RECOMMENDATION:

I. That By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 218/04, attached hereto and dated May 11, 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 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

2280

By-Law No. _____

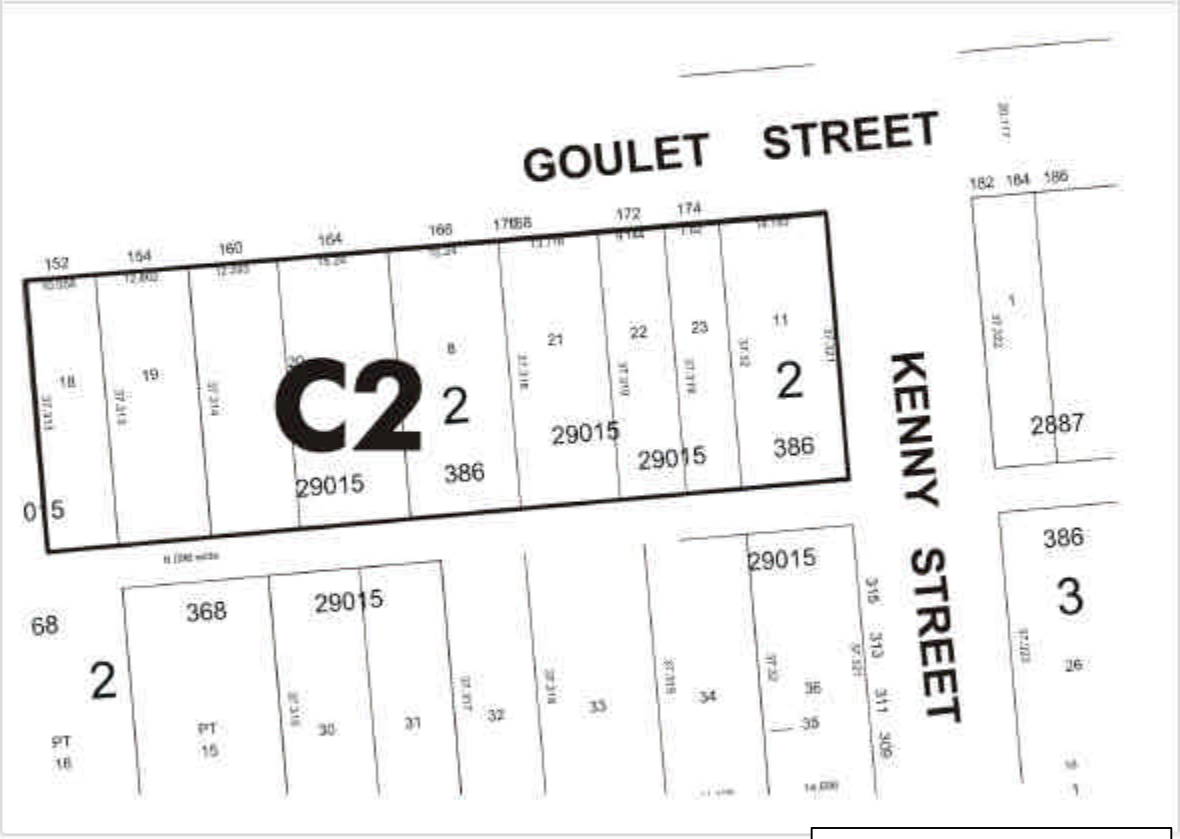
File No. **DAZ 218/04**

Atlas Sheet No. **AB 26**
RIEL COMMUNITY

N

Explanation

A proposed zoning change to By-Law No. 6400/94 by rezoning the land located at 170 Goulet Street from an "RM-4" MULTIPLE-FAMILY DISTRICT and an "RM-7" MULTIPLE-FAMILY DISTRICT to a "C2" COMMERCIAL DISTRICT as shown below.



Schedule "A" for File No. DAZ 218/04, Riel Community Committee, dated May11/04

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____