Agenda - Council - June 23, 2004

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

Item No. 22 Rezoning - 527 St. Anne's Road
File DAZ 220/2004

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 220/2004 dated May11, 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 - 527 St. Anne's Road**
File DAZ 220 /2004 [c/r DAV 116690/2004D]

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 220/2004 dated May11, 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 Act.

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

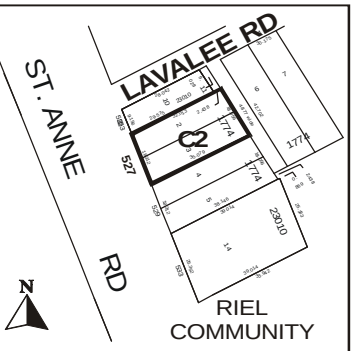
File: DAZ 220/2004 [c/r DAV 116690/2004D]

Before: Riel Community Committee
Councillor Steeves, Chairperson
Councillor Angus

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

Applicant: Gino's Construction Ltd.

Subject:



APPLICANT: GINO'S CONSTRUCTION LTD.
FILE: DAZ 220/04
PROPOSAL: To rezone the land shown outlined above from an "R1-20" SINGLE-FAMILY DISTRICT to a "C2" COMMERCIAL DISTRICT to allow for commercial development. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : GINO'S CONSTRUCTION LTD.
N° DE DOSSIER :DAZ 220/04
PROJET : Rezoner le bien-fonds indiqué ci-dessus en le faisant passer de la catégorie R1-20 (SECTEUR D'HABITATIONS UNIFAMILIALES) à la catégorie C2 (SECTEUR COMMERCIAL) afin d'y permettre le développement commercial. **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: 527 St. Anne's Road

Exhibits Filed:

1. Application dated April 21, 2004
2. Notification of Public Hearing dated April 22, 2004
3. Manitoba Status of Title 1372449
4. Letter of authorization dated March 4, 2004 from Alfid Carloni
5. Site Plan
6. Report from the Manager of Planning and Land Use dated May 11, 2004
7. Inspection Report

REPRESENTATIONS:

In Support:

Frank and Robert Cotroneo

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

Frank and Robert Cotroneo, Gino's Construction Ltd., appeared in support of the application and provided a brief overview of the proposal.

Exhibit "6" referred to in File DAZ 220/2004 [c/r DAV 116690/2004D]

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

File No. DAZ 220 /04 May 11, 2004
Our c/f CP 500 (. 510)

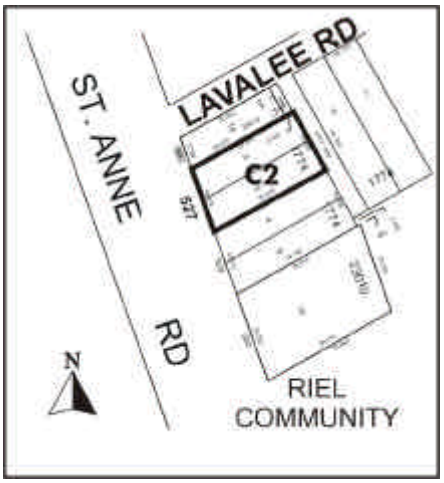
Marc Pittet, Clerk
Riel Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear Mr. Pittet

REZONING
Location: 527 St. Annes Rd.
Riel Community Committee
File No. DAZ 220 /04

An application has been received from Gino's construction Ltd., to amend By-Law No. 6400/94 by rezoning the land shown below from an "R1-20" Residential District to a " C2" Commercial District to allow for a two storey office building.

RELATED FILES:DAV04-116690D



2300

SITE DESCRIPTION:

Site Area:

The subject lot is an interior lot, approximately 6900 sq. ft. in area with 60' of frontage along St. Anne's Rd.

Existing Land Use and Zoning:

The land is currently vacant and zoned for single family development (R1-20).

Surrounding Land Use and Zoning:

North: The property immediately adjacent to the north is zoned C2 Commercial.
South: There is a dwelling on the lot adjacent to the south zoned R1-20 Residential.
East: To the east are residential homes zoned R1-20 Residential.
West: To the west across St. Annes is a mix of commercial businesses zoned C2.

DEVELOPMENT DESCRIPTION:

The applicant wishes to construct a two storey office building for his general contracting business. There is to be no outdoor storage of materials or heavy vehicles / equipment on site. Access is to be via St. Annes Rd. to a front parking area which has a total of eight (8) stalls. There is no rear lane access to the building. A number of yard variances have also been applied for.

PLAN WINNIPEG:

The site is located in Neighbourhood Policy Area which allows for rezoning applications for commercial development to be processed.

ADMINISTRATIVE COMMENTS:

Most of the remaining residential frontage lots along St. Annes Rd. have been rezoned and converted into commercial businesses in recent years. Most are simply not condusive for residential use anymore given the increased level of activity and traffic that has been on the upswing along major traffic arterials like St. Annes in the past ten years. However most of these lots, including the subject property are ideal for small businesses i.e. offices, hair salons, small retail outlets. And in most instances, they are not large enough to accommodate businesses like carwashs, drive-thru restaurants etc., which are often the kind of businesses that can cause problems for adjoining residential neighbourhoods. The subject business is to be fully oriented towards St. Annes and should not have any adverse effects on the residential areas to the east.

RECOMMENDATION:

I. That By-law 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 220/04, attached hereto and dated May11/04 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 Act.

Final

Yours truly,

C. Knoll
Manager of Planning and Land Use

_____

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

/jc

2302

By-Law No. _____

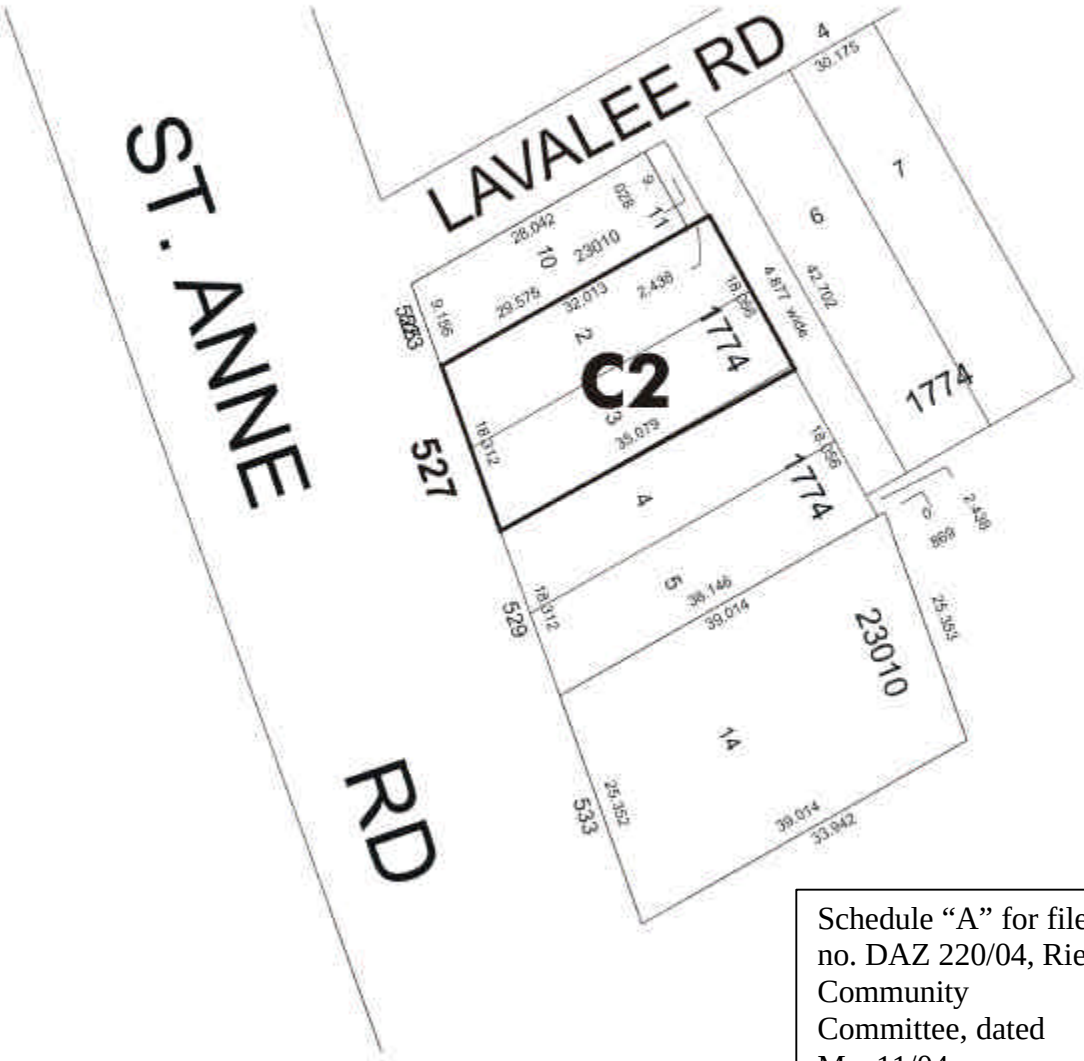
File No. **DAZ 220/04**

Atlas Sheet No. **AF28**
RIEL COMMUNITY

N

Explanation

A proposed zoning change to By-Law No. 6400/94 by rezoning the land located at 527 St.Anne's Road from an "R1-20" SINGLE-FAMILY DISTRICT to a "C2" COMMERCIAL DISTRICT as shown outlined below.



Schedule "A" for file no. DAZ 220/04, Riel Community Committee, dated May11/04

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____