Agenda - Council - July 21, 2004

Report - Standing Policy Committee on Property and Development - July 9, 2004

Item No. 4 Subdivision and Rezoning - 196 Innovation Drive
File DASZ 13/2004

STANDING COMMITTEE RECOMMENDATION:

On July 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 submits the following to Council:

1. That the plan of subdivision proposed under File DASZ 13/2004 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 13/2004 dated May 11, 2004, for registration in the Winnipeg Land Titles Office.

2. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

3. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 13/2004 dated May 11, 2004, to an "MP-2" Industrial District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to, to include the following conditions:

    A. That the following uses be prohibited on the subject land:

        i. Automobile, including motorcycle: customizing
        ii. Automobile, including motorcycle: rental, sales, including accessory repair, service, installation of supplies, parts
        iii. Automobile, including motorcycle supplies, parts: sale
        iv. Awning: manufacture, rental, sales
        v. Bakery
        vi. Beverages: manufacture, bottling excluding a brewery or distillery
        vii. Bicycle – manufacture
        viii. Boats – manufacture, docking, launching, rental
        ix. Brewery or winery, not exceeding a floor area of 5,000 square feet, entirely contained within a completely enclosed building and operated without venting to the exterior of such building.
        x. Contractors establishment

xi. Dry cleaning, pressing dying, including accessory deport, unlimited solvents
xii. Exterminator business
xiii. Fish: packing, processing
xiv. Furnishing, household or office, including carpet and furniture: manufacture
xv. Laundry: linen supply service: including accessory depot
xvi. Leather: hides, fur, bone; hair products: manufacture from finished materials
xvii. Luggage: manufacture
xviii. Manufacturers agent – including retail sales
xix. Motors or machines, recreational or utility, including power toboggans outboard motors, lawn mowers; rental; sale: Service
xx. Moving or storage establishment
xxi. Outside display
xxii. Outside storage
xxiii. Poultry hatchery
xxiv. Recycling: materials baling, treatment or other processing
xxv. Retail sales of goods produced or stored upon the same zoning lot
xxvi. Signage: manufacture, rental, sales
xxvii. Soap, detergent, perfume or cosmetics: manufacture
xxviii. Terminal for haulage: motor freight station, excluding an inter-modal terminal
xxix. Terminal for courier/delivery and express service: cleaning service, key and lock service: security service, taxi, or similarly services
xxx. Towing service, excluding vehicle compound
xxxi. Truck, trailer, recreational vehicle, bus; repair
xxxii. Warehousing, cold storage, rental, storage units
xxxiii. Wholesale establishments

B. That the following uses be permitted on the subject land:

i. Accessory uses (not listed)
ii. Bank; credit union; or similar financial service
iii. Catering; commissary
iv. Day care centre for the children of customers, employees, or tenants on the same zoning lot
v. Laboratory: medical dental, optical
vi. Laboratory: research, experimental or testing
vii. Medical, dental, optical, counseling, or other health or therapeutic clinic

viii. Medical, dental, optical or other precision instruments; prosthetics: manufacture
ix. Pharmaceuticals: manufacture
x. Photographic developing/printing
xi. Printing; photocopying: or similar service
xii. Printing; publishing
xiii. Post office; carrier depot
xiv. Public utility or service, excluding garbage incineration, reduction, transfer, or landfill, sewage treatment, or a public works yard
xv. Radio or television station
xvi. Recycling: material sorting, baling or storage, completely contained in an enclosed building (limited to internal recycling by individual tenants of the Industrial Park)
xvii. Studio, motion picture
xviii. University; college; technical school
xix. Welding or soldering shop (accessory)

C. Recognizing the unique character of the proposed development, that the following uses be permitted, however, the scale of activity be limited to prototype development and fabrication/manufacture, pilot plants, limited production or testing:

i. Appliances, including major appliances: manufacture
ii Automobile, including motorcycle: manufacture
iii. Clothing, including hats, shoes, other wearing apparel and accessories: manufacture needle trades
iv. Communication equipment manufacture, including satellite dishes and radio towers
v. Electronic equipment, including audio-video, communication, copying, data processing, security, and similar equipment, excluding satellite dishes and radio towers: manufacture
vi. Farm implements manufacture
vii. Food products: processing
viii. Glass products: manufacture from finished glass
x. Machinery/heavy equipment: manufacture
xi. Metal products: manufacture from finished metal
xii. Motors or machines, recreational or utility, including power toboggans,
xiii. outboard motors, lawn mower; manufacture
xiv. Musical instruments; manufacture

xv. Paper products, manufacture from finished paper
xvi. Plastic products: manufacture from finished plastic
xvii. Rubber products: manufacture from finished rubber
xviii. Textiles products: manufacture from finished textiles
xix. Tile or other ceramic products: manufacture
xx. Track, trailer, recreational vehicle, bus: manufacture
xxi. Wood products: manufacture from finished wood, including cabinet shops

D. That the following uses be conditional:

i. Day care centre
ii. Parking structure, accessory
iii. Parking structure, non-accessory
iv. Adhesives; manufacture,) limited to prototype development
v. Aircraft: manufacture, services) and fabrication/manufacture; pilot plants; limited production or testing

E. That final construction and site plans showing landscaping, building locations, approaches, signage, fencing, parking, garbage enclosures and external lighting be subject to the approval of the Riel Community Committee and the Director of Planning, Property and Development prior to the issuance of a building permit.

F. That the maximum building height be limited to 25 feet (7.62 metres) for a distance of 400 feet (122 metres) from the south property line of the development and the building height be restricted to 50 feet (15.3 metres) on the remainder of the property.

4. 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 market value of the land and the creation of additional sites.

5. 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.

6. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

Report - Standing Policy Committee on Property and Development – July 9, 2004

7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan and Subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and the Zoning Agreement has been filed by caveat in the Winnipeg Land Titles Office against those lands, provided that the said effective date occurs within twenty-four (24) months from the date the said rezoning by-law is adopted by Council.

9. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Report - Standing Policy Committee on Property and Development - July 9, 2004

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 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 July 9, 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 June 14, 2004, the Riel Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning - 196 Innovation Drive**
File DASZ 13/2004

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

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

Report date: **June 28, 2004**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 14, 2004, the Riel Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 13/2004 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 13/2004 dated May 11, 2004, for registration in the Winnipeg Land Titles Office.

2. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

3. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 13/2004 dated May 11, 2004, to an "MP-2" Industrial District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to, to include the following conditions:

    A. That the following uses be prohibited on the subject land:

        i. Automobile, including motorcycle: customizing
        ii. Automobile, including motorcycle: rental, sales, including accessory repair, service, installation of supplies, parts
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        v. Bakery
        vi. Beverages: manufacture, bottling excluding a brewery or distillery
        vii. Bicycle – manufacture
        viii. Boats – manufacture, docking, launching, rental
        ix. Brewery or winery, not exceeding a floor area of 5,000 square feet, entirely contained within a completely enclosed building and operated without venting to the exterior of such building.
        x. Contractors establishment

xi. Dry cleaning, pressing dying, including accessory deport, unlimited solvents
xii. Exterminator business
xiii. Fish: packing, processing
xiv. Furnishing, household or office, including carpet and furniture: manufacture
xv. Laundry: linen supply service: including accessory depot
xvi. Leather: hides, fur, bone; hair products: manufacture from finished materials
xvii. Luggage: manufacture
xviii. Manufacturers agent – including retail sales
xix. Motors or machines, recreational or utility, including power toboggans outboard motors, lawn mowers; rental; sale: Service
xx. Moving or storage establishment
xxi. Outside display
xxii. Outside storage
xxiii. Poultry hatchery
xxiv. Recycling: materials baling, treatment or other processing
xxv. Retail sales of goods produced or stored upon the same zoning lot
xxvi. Signage: manufacture, rental, sales
xxvii. Soap, detergent, perfume or cosmetics: manufacture
xxviii. Terminal for haulage: motor freight station, excluding an inter-modal terminal
xxix. Terminal for courier/delivery and express service: cleaning service, key and lock service: security service, taxi, or similarly services
xxx. Towing service, excluding vehicle compound
xxxi. Truck, trailer, recreational vehicle, bus; repair
xxxii. Warehousing, cold storage, rental, storage units
xxxiii. Wholesale establishments

B. That the following uses be permitted on the subject land:

i. Accessory uses (not listed)
ii. Bank; credit union; or similar financial service
iii. Catering; commissary
iv. Day care centre for the children of customers, employees, or tenants on the same zoning lot
v. Laboratory: medical dental, optical
vi. Laboratory: research, experimental or testing
vii. Medical, dental, optical, counseling, or other health or therapeutic clinic
viii. Medical, dental, optical or other precision instruments; prosthetics: manufacture
ix. Pharmaceuticals: manufacture
x. Photographic developing/printing
xi. Printing; photocopying: or similar service

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xiii. Post office; carrier depot
xiv. Public utility or service, excluding garbage incineration, reduction, transfer, or landfill, sewage treatment, or a public works yard
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xvii. Studio, motion picture
xviii. University; college; technical school
xix. Welding or soldering shop (accessory)

C. Recognizing the unique character of the proposed development, that the following uses be permitted, however, the scale of activity be limited to prototype development and fabrication/manufacture; pilot plants; limited production or testing:

i. Appliances, including major appliances: manufacture
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iv. Communication equipment manufacture, including satellite dishes and radio towers
v. Electronic equipment, including audio-video, communication, copying, data processing, security, and similar equipment, excluding satellite dishes and radio towers: manufacture
vi. Farm implements manufacture
vii. Food products: processing
viii. Glass products: manufacture from finished glass
ix. Machinery/heavy equipment: manufacture
x. Metal products: manufacture from finished metal
xi. Motors or machines, recreational or utility, including power toboggans, outboard motors, lawn mower; manufacture
xii. Musical instruments; manufacture
xiii. Paper products, manufacture from finished paper
xiv. Plastic products: manufacture from finished plastic
xv. Rubber products: manufacture from finished rubber
xvi. Textiles products: manufacture from finished textiles
xvii. Tile or other ceramic products: manufacture
xviii. Track, trailer, recreational vehicle, bus: manufacture
xix. Wood products: manufacture from finished wood, including cabinet shops

D. That the following uses be conditional:

i. Day care centre
ii. Parking structure, accessory
iii. Parking structure, non-accessory
iv. Adhesives; manufacture,) limited to prototype development
v. Aircraft: manufacture, services) and fabrication/manufacture; pilot plants; limited production or testing

E. That final construction and site plans showing landscaping, building locations, approaches, signage, fencing, parking, garbage enclosures, and external lighting be subject to the approval of the Riel Community Committee and the Director of Planning, Property and Development prior to the issuance of a building permit.

F. That the maximum building height be limited to 25 feet (7.62 metres) for a distance of 400 feet (122 metres) from the south property line of the development, and the building height be restricted to 50 feet (15.3 metres) on the remainder of the property.

4. 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 market value of the land and the creation of additional sites.

5. 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.

6. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan and Subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office, and the Zoning Agreement has been filed by caveat in the Winnipeg Land Titles Office against those lands 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.

9. The Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

10. In the event that the necessary City of Winnipeg mylar approval signatures have not been secured within 24 months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

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

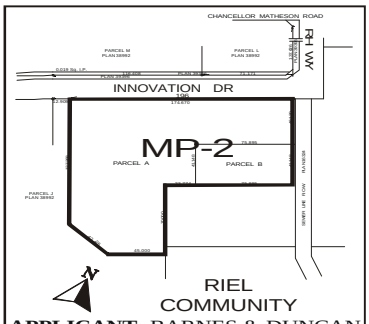
File: DASZ 13/2004

Before: Riel Community Committee
Councillor Angus, Chairperson
Councillor Steeves

Public Hearing: June 14, 2004
St. Norbert Community Centre, 3450 Pembina Highway
May 18, 2004
Community Committee Chamber, 604 St. Mary's Road

Applicant: Barnes & Duncan (Don Shiach)

Subject:



APPLICANT: BARNES & DUNCAN LAND SURVEYORS
FILE: DASZ 13/04
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 6400/94 by rezoning the land shown outlined above from an "RM-1" MULTIPLE-FAMILY DISTRICT to an "MP-2" INDUSTRIAL DISTRICT to allow for industrial development.
For information, phone Mr. K. Lalor, Planner at 986-5069.
DEMANDEUR :BARNES & DUNCAN LAND SURVEYORS
N° DE DOSSIER : DALZ 13/04
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du *Règlement municipal n° 6400/94* visant à changer le zonage des sols délinéés ci-dessus qui passeraient de la catégorie RM-1 (SECTEUR D'HABITATIONS MULTIFAMILIALES) à la catégorie MP-2 (SECTEUR INDUSTRIEL) afin de permettre le développement industriel. **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: 196 Innovation Drive

Exhibits Filed:

1. Application dated April 19, 2004
2. Notification of Public Hearing dated April 21, 2004
3. Manitoba Status of Titles 1760940 and 1761383
4. Letter of authorization dated April 2, 2004 from University of Manitoba to Barnes & Duncan
5. Surveyor's Building Location Certificate and sketch
6. Zoning Agreement DAZ 218/1997
7. Report from the Manager of Planning and Land Use dated May 11, 2004
8. Inspection Report
9. Communication dated June 11, 2004 from Jesse Vorst in opposition to the application.

REPRESENTATIONS:

In Support:

Art Martin
Don Shiach
Alan Simms

In Opposition:

Jesse Vorst

For Information:

Dr. C. C. Merry

For the City:

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

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

June 14, 2004
The applicant, Don Shiach, Barnes & Duncan Land Surveyors, accompanied by Art Martin, appeared in support of the application and provided an overview of the proposal. In response to

a question from Councillor Angus, Mr. Shiach stated that the application before Committee was not discussed at the Smartpark informational session held in May.

Alan Simms, President, Smartpark, appeared in support of the application. Mr. Simms stated that the subject property will be the site of the Richardson Centre for Functional Foods and that the building that will house the centre was discussed at the annual Smartpark Informational Seminar that was held on May 6, 2004. In response to a question from Councillor Angus, Mr. Simms stated that the application itself was not discussed at said informational session.

Dr. C. C. Merry appeared for informational purposes. Dr. Merry asked if the application would provide additional for parking on the University Campus. Dr. Merry stated that if this application would result in more parking for the University, he would be supportive of it.

The applicant, Don Shiach, Barnes & Duncan Land Surveyors, appeared in support of the application and gave a brief overview of the proposal.

Professor J. I. Vorst appeared in opposition to the application. Professor Vorst questioned if the public hearing could continue as he was not sure if the property had been adequately posted and area residents were not aware of the application. Councillor Angus replied that the posting had been done to City of Winnipeg standards and the application had been advertised in both major newspapers in the Winnipeg. Councillor Angus explained that the application would be heard but asserted that the applicant had a moral obligation to notify area residents of the proposal.

Professor Vorst iterated that in 1997 when Smartpark was originally approved, there was a clear commitment by the University of Manitoba that construction would take place along Bison Drive before other areas would be developed. Professor Vorst further iterated that a large parcel of land along Bison Drive has yet to be developed and that the proposal before Committee would be detrimental to area residents due to increased pollution.

The applicant, Don Shiach, returned in rebuttal. Mr. Shiach stated that only a small portion of land was being rezoned with this application and no additional building would be created as a result of it. Should the application be approved, a building on the adjacent parcel of land will be extended by ten (10) or fifteen (15) feet and the remaining area will be used for parking. Mr. Shiach further stated that the application was time sensitive.

In response to a question from Councillor Angus, Mr. Shiach did not have a response as to why the University of Manitoba was not building closer to Pembina Highway. Mr. Shiach further stated that a Variance will also be required prior to the start of construction.

Councillor Angus stated that the proposal would be subject to plan approval by the Riel Community Committee. Councillor Angus further stated that he would be adjourning the public hearing and asked that the Senior Planner ensure that the Variance application would be heard concurrently with the rezoning at the next meeting of the Riel Community Committee scheduled for June 14, 2004.

Exhibit “7” referred to in File DASZ 13/2004

In reply please refer to / Référence à rappeler :

Kevin Lalor
(204) 986-5069
Fax / Téléc. : (204) 986-7524

File No. DASZ 13/04
Our c/f CP 500 (5.656)

May 11, 2004

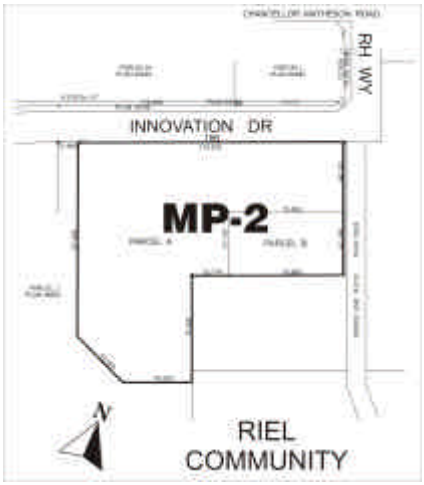
Marc Pittet
Riel Community Committee
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Dear Mr. Pittet:

SUBDIVISION AND REZONING
196 Innovation Drive
Riel Community
File No. DASZ 13/04

An application has been received from Don Shiach of Barnes and Duncan for approval of a plan of subdivision and related zoning change to Zoning By-Law No. 6400/94 by rezoning the subject lands from an “RM-1” Multiple Family District to a “MP-2” Industrial District to extend the University of Manitoba Smart Park development.

RELATED FILES:



SITE DESCRIPTION:

Site Area: approximately 0.77 acres or 33614.91 feet^2 (3122.93 metres^2)

Existing Land Use and Zoning:
The site is next to the University of Manitoba Smart Park. It is an open field next to two poultry brooding and grooming houses.

Surrounding Land Use and Zoning:
North: North of the property is a University of Manitoba building, and past this is Chancellor Matheson Road.
South: Immediately south of the subject site are two poultry brooding and grooming houses.
East: East of the property are University of Manitoba buildings.
West: There is a storm water retention lake as well as field, west of the subject property.

DEVELOPMENT DESCRIPTION:
The application is proposing to rezone and subdivide the "RM-1" Multiple Family District land with existing "MP-2" Industrial District Land for a future extension of the University of Manitoba Smart Park. The original application, DAZ 218/97, created a list of permitted and prohibited uses for the entire Smart Park.

PLAN WINNIPEG:
The proposed concept complies with Plan Winnipeg.

ADMINISTRATIVE COMMENTS:
The University of Manitoba developed Smart Park as an attractive and accessible link between research at the University and the practical application of that research in industry and business.

Under the "MP2" Industrial Park zoning category, a number of uses are permitted. It is recommended that these uses should be limited in order to minimize the impact of the "Smart Park" on the surrounding neighbourhood. The administration supports the subject rezoning, and after some discussion with the University and the area residents dating from the original application DAZ 218/97, the Planning and Land Use Division has developed a list of permitted and prohibitive uses.

RECOMMENDATION:

I. That the plan of subdivision proposed under File No. DASZ 13/04 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 13/04, attached hereto and dated May 11, 2004 for registration in the Winnipeg Land Titles Office.

II. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

III. That Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 13/04, attached hereto and dated May 11, 2004, to an "MP-2" Industrial District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to, to include the following conditions:

~~1.~~G. That the following uses be prohibited on the subject land:

~~?~~ i. Automobile, including motorcycle: customizing

~~?~~ ii. Automobile, including motorcycle: rental, sales, including accessory repair, service, installation of supplies, parts

~~?~~ iii. Automobile, including motorcycle supplies, parts: sales

~~?~~ iv. Awning: manufacture, rental, sales

~~?~~ v. Bakery

~~?~~ vi. Beverages: manufacture, bottling excluding a brewery or distillery

~~?~~ vii. Bicycle – manufacture

~~?~~ viii. Boats – manufacture, docking, launching, rental

~~?~~ ix. Brewery or winery, not exceeding a floor area of 5,000 square feet, entirely contained within a completely enclosed building and operated without venting to the exterior of such building.

~~?~~ x. Contractors establishment

~~?~~ xi. Dry cleaning, pressing dying, including accessory deport, unlimited solvents

~~?~~ xii. Exterminator business

~~?~~ xiii. Fish: packing, processing

~~?~~ xiv. Furnishing, household or office, including carpet and furniture: manufacture

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~~?~~ xx. Moving or storage establishment

~~?~~ xxi. Outside display

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2.H. That the following uses be permitted on the subject land:

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?. vi. Laboratory: research, experimental or testing
?. vii. Medical, dental, optical, counseling, or other health or therapeutic clinic
?. viii. Medical, dental, optical or other precision instruments; prosthetics: manufacture
?. ix. Pharmaceuticals: manufacture
?. x. Photographic developing/printing
?. xi. Printing; photocopying: or similar service
?. xii. Printing; publishing
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?. xiv. Public utility or service, excluding garbage incineration, reduction, transfer, or landfill, sewage treatment, or a public works yard
?. xv. Radio or television station
?. xvi. Recycling: material sorting, baling or storage, completely contained in an enclosed building (limited to internal recycling by individual tenants of the Industrial Park)
?. xvii. Studio, motion picture
?. xviii. University; college; technical school
?. xix. Welding or soldering shop (accessory)

3.I. Recognizing the unique character of the proposed development, that the following uses be permitted, however, the scale of

activity be limited to prototype development and fabrication/manufacture; pilot plants; limited production or testing:

- ~~?~~ i. Appliances, including major appliances: manufacture
- ~~?~~ ii. Automobile, including motorcycle: manufacture
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- ~~?~~ vii. Food products: processing
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- ~~?~~ x. Metal products: manufacture from finished metal
- ~~?~~ xi. Motors or machines, recreational or utility, including power toboggans, outboard motors, lawn mower; manufacture
- ~~?~~ xii. Musical instruments; manufacture
- ~~?~~ xiii. Paper products, manufacture from finished paper
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- ~~?~~ xvii. Tile or other ceramic products: manufacture
- ~~?~~ xviii. Track, trailer, recreational vehicle, bus: manufacture
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~~4.~~ J. That the following uses be conditional:

- ~~?~~ i. Day care centre
- ~~?~~ ii. Parking structure, accessory
- ~~?~~ iii. Parking structure, non-accessory
- ~~?~~ iv. Adhesives; manufacture,) limited to prototype development
- ~~?~~ v. Aircraft: manufacture, services) and fabrication/manufacture; pilot plants; limited production or testing

~~5.~~ K. That final construction and site plans showing landscaping, building locations, approaches, signange, fencing, parking, garbage enclosures, and external lighting be subject to the approval of the Riel Community Committee and the Director of

Planning, Property and Development prior to the issuance of a building permit.

~~6.~~L. That the maximum building height be limited to 25 feet (7.62 metres) for a distance of 400 feet (122 metres) from the south property line of the development, and the building height be restricted to 50 feet (15.3 metres) on the remainder of the property.

IV. That a 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 market value of the land and the creation of additional sites.

V. 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.

VI. That the City Solicitor be requested to prepare the necessary by-law in accordance with the above.

VII. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan and Subdivision in the Winnipeg Land Titles Office.

VIII. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office, and the Zoning Agreement has been filed by caveat in the Winnipeg Land Titles Office against those lands 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.

IX. The Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

X. In the event that the necessary City of Winnipeg mylar approval signatures have not been secured within 24 months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Yours truly,

C. Knoll
Manager of Planning and Land Use

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



By-Law No. _____

File No. **DASZ 13/04**

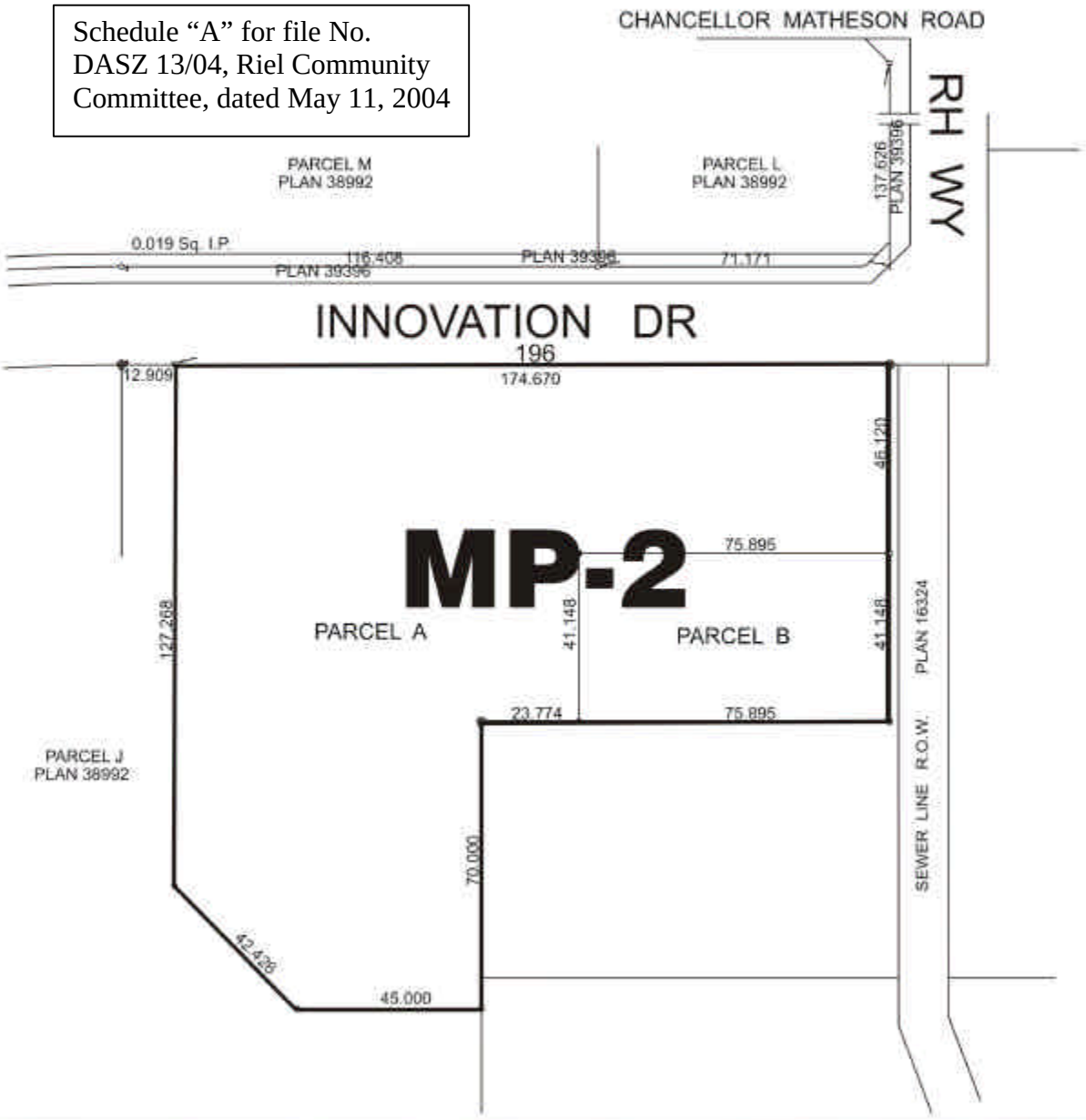
Atlas Sheet No.

AK25
RIEL
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land located 196 Innovation Drive from an "RM-1" MULTIPLE-FAMILY DISTRICT to an "MP-2" INDUSTRIAL DISTRICT as shown outlined below.

Schedule "A" for file No. DASZ 13/04, Riel Community Committee, dated May 11, 2004



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____