Proposed Rezoning - land located at 150 Brock Street
File DAZ 200/2002 [c/r DAV 84/2002D]

4. The Standing Policy Committee on Property and Development has been advised that an application has been received from ND-Lea Engineers and Planners Inc. (Donovan Toews), Suite 111-93 Lombard Avenue, Winnipeg, to rezone the subject property at 150 Brock Street from a/an "R1-4A" Single-Family Residential District to a/an "C1" Commercial District to allow for the conversion of the house to a retail store selling chocolate products.

The proposal is to convert an existing one-storey bungalow into a retail store for the sale of chocolate products. The owner currently operates the business from the premises at 431 Academy Road. The house is roughly 850 square feet with a basement. An attached garage is being demolished to make room for four (4) parking stalls off the public lane. The related variance would permit commercial parking off the public lane, the maintenance of the house (commercial building) with a substandard north side yard, and the elimination of the required 8-foot by 20-foot loading zone.

The subject site is located at the west end of the major Academy Road commercial strip that runs from the back lane between Oak and Ash Streets, to the back lane between Queenston and Brock Streets. East of the subject site, across the lane, is the Moule gift store. On the south side of Academy Road is a duplex fronting Brock Street, and across the back lane, a strip mall with stores including Flame and Comfort, Life Style Boutique, Simply Adorable children's clothing, European Shoe Shop, and a hair salon.

On April 9, 2002, the City Centre Community Committee held a public hearing to consider the subject rezoning application. Six persons registered in support of the application, twenty-two registered in opposition to the application, and one registered for information.

The City Centre Community Committee concurred in the recommendation contained in the report dated March 22, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department, and recommended that the application not be proceeded with for the following reasons:

1. The north-south orientation of the connecting residential streets precludes the separation of the commercial and residential land uses by a public lane, as in the case of Portage Avenue or Corydon Avenue east of Stafford Street.

2. The shortage of parking on commercial properties can have a detrimental impact on the residential streets where customers often go to park.

3. The store caters to a larger market than the immediate neighbourhood and is probably reliant upon the regional traffic flow on Academy Road.

4. The cost and complexity of converting a house to commercial use almost always precludes its subsequent conversion back to residential use.

5. The residents of the two adjacent residential streets appeared in opposition to the further commercial conversion of houses along Academy Road.

6. The conversion of the subject property to commercial use could well set a precedent for the conversion of other houses at the intersection of Brock Street and Academy Road.

7. The Planning, Property and Development Department believes that it would not be appropriate to allow the conversion of houses at intersections where the residential use of the corner properties remains intact, as is the case at Brock Street and Academy Road and is of the opinion that the subject rezoning should not proceed.

On April 30, 2002, the Standing Policy Committee on Property and Development considered and concurred in the recommendation 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 that the application to rezone the subject property at 150 Brock Street from an "R1-4A' Single-Family District to a "C1" Commercial District, under File DAZ 200/2002, not be proceeded with.

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

For the information of Council, ND Lea Engineers and Planners Inc., submitted communication dated May 2, 2002, advising that they were withdrawing the application under File DAZ 200/2002.

The Executive Policy Committee recommends that the clause be filed.

Attachment "A" referred to in Clause 4 of the Report of the Standing Policy Committee on Property and Development dated April 30, 2002

