

Neighbours wary of zoning change owners want to market their plaza

By BRAD REAUME
The Champion

Perhaps it's the domino theory of zoning. Property managers of an industrial plaza have fashioned the theory that a business manufacturing meals was technically abiding by zoning requirements.

Figuring that Domino's Pizza was manufacturing pizzas for sale, and hearing no objections for 10 years, they extended the theory to a fish and chip shop in the same Main Street location.

The current zoning on the property at the corner of Wilson Avenue and Main Street designates it as restricted industrial, which does not allow restaurants.

Property owners are trying to get the zoning changed to shopping centre commercial to allow more retail uses. They are willing to strike from an agreement any uses which would create a neighbourhood nuisance or parking problems, according to property manager Mark Reitter.

Despite some serious concerns, last week residents agreed to seeing some commercial operations into the plaza, but requested strong restrictions and close monitoring. The municipal planning department will hammer out the details and report back to council in several weeks.

A Domino's Pizza outlet has been in the building for about 10 years, town council heard last week. The facility is only supposed to have manufacturing business and professional offices.

However, "the owners have had difficulty finding tenants for business and professional offices," said town planner Anne Bouck. "All inquiries seem to be for commercial uses."

Councillor Gerry Brooks said some form of municipal policy is necessary in cases like these. Not only were several businesses not registered with the municipality, but their illegal occupation was not acted upon because there were no complaints.

"We figured they manufactured pizza," said architect Susan Black of Black Developments, who spoke for the property owners.

Mr. Reitter, who has been the property manager since 1994, said there was no intention of malice in the contravention of the zoning bylaw. He said several eating establishments have occupied space in the plaza but no seating has been allowed because it was believed that would be in violation of the bylaw.

"It would be best for everyone for this plaza to be successful rather than a skeleton with paper on the windows and no taxes being paid," said Mr. Reitter. "What's to gain with what we have now?"

Sheena Wigglesworth of the newly formed Dorset Park Ratepayers Association spoke for local residents. She slammed Mr. Reitter for what she saw as a lack of communication with residents, and accused him of dodging phone calls and meetings.

She said residents were concerned if high-volume businesses were to be allowed into the plaza, especially, late night convenience stores or anything with a liquor licence.

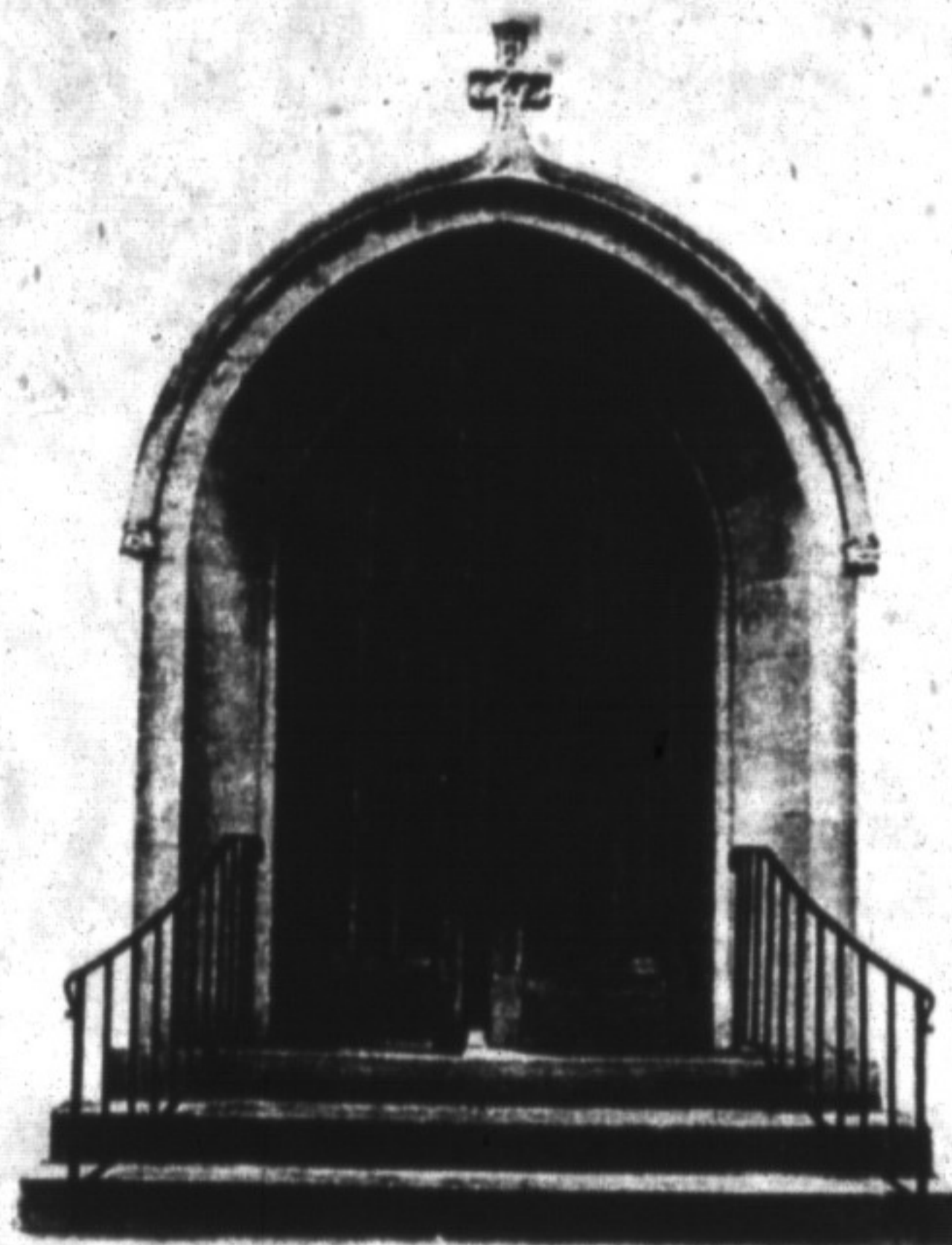
"We do not totally oppose the rezoning. We don't want the plaza to be vacant either, that causes problems too," Ms. Wigglesworth said. However, "the residents are very angry about the illegal tenants. We rely on the town and planning department to uphold zoning requirements. I don't think anyone would say Domino's Pizza is a manufacturing plant."

Local resident Adrian Strank told council Domino's Pizza does not cause too many problems, save patrons leaving garbage around. However, he was upset with the odour he said was coming from a waste container used by owners of a new fish and chip shop in the plaza.

The planning department will prepare a report on the situation and likely recommend a zoning change with restrictions, similar to an agreement which was recently struck for plaza owners on Dery Road.

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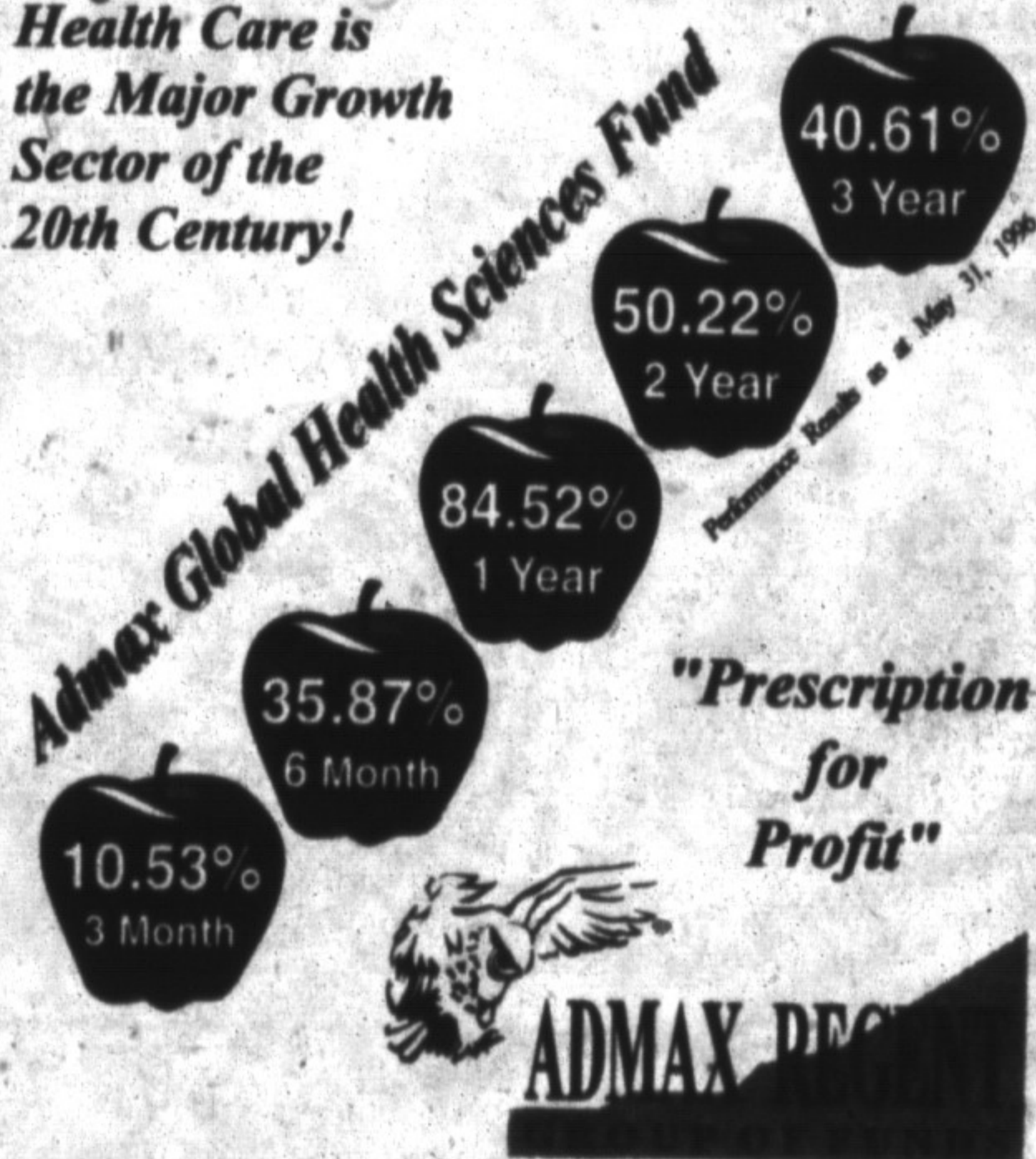
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