

THE CITY OF WINNIPEG

BY-LAW NO. 115/2014

A By-law of THE CITY OF WINNIPEG to amend Winnipeg Zoning By-law No. 200/2006 to rezone land located at 445 River Avenue in the City Centre Community.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

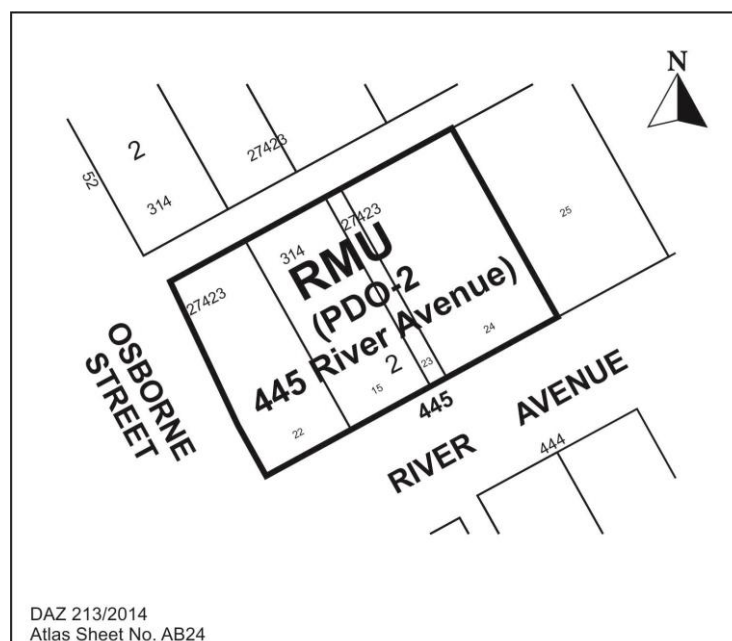
Zoning

1 *Winnipeg Zoning By-law No. 200/2006 is amended by:*

(1) *Adopting the attached document, entitled “445 River Avenue Planned Development Overlay 2 (PDO-2 445 River Avenue)”, as a Planned Development Overlay 2 district, adding it as Schedule V after Schedule U, and adding subsection 3(11) in Schedule B which will refer to it.*

(2) *Adding the following in Schedule B:*

2(318) Notwithstanding anything elsewhere contained in this By-law or shown on the Zoning Maps, the land designated on the plan below as “RMU (PDO-2 445 River Avenue)” is hereby zoned a Residential Mixed Use (445 River Avenue Planned Development Overlay 2) District, the zoning districts and zoning district boundaries are hereby located as shown on that plan, and the Zoning Maps shall hereafter be read and construed as shown on that plan, subject to a Zoning Agreement and a Servicing Agreement being entered into between The City of Winnipeg and the registered owner or persons entitled to be registered owner of the subject land.



Coming into force

2 Section 1 comes into force when:

(a) The City of Winnipeg executes the Servicing Agreement, which execution notwithstanding passage of this By-law shall remain in the absolute discretion of City Council; and

(b) Zoning Agreement DAZ 213/2014 is registered in the Winnipeg Land Titles Office by caveat against the subject land,

all within one year from the date this By-law is passed, failing which this By-law will expire unless an extension of time is applied for prior to expiry, Council approves the extension, and the caveat is registered before the extended date.

DONE AND PASSED this 10th day of December, 2014.

SCHEDULE V

445 RIVER AVENUE PLANNED DEVELOPMENT OVERLAY 2 **(PDO-2 445 River Avenue)**

Purpose

1. The purpose of this overlay is to support the development of 445 River Avenue as a residential mixed-use building in a manner that is consistent with the Osborne Village Neighbourhood Plan and Transit Oriented Development (TOD) principles.

Applicability

2. PDO-2 445 River Avenue overlay district is located as shown on the attached Map 1.

Development Standards

3. Except to the extent modified by the standards in this overlay, all standards of this By-law apply within the boundaries shown on the attached Map 1.

Permitted Use Regulations

4. Notwithstanding other provisions of this By-law, in the PDO-2 445 River Avenue, the following principal use shall be permitted in addition to the permitted and conditional uses of the underlying RMU zoning district.

- (1) Auditorium/concert hall/theatre/cinema

Use Specific Standards

5. Regardless of whether a use is allowed as a permitted or conditional use, the following additional standards must be met in respect of the uses identified, except as authorized by other sections of this By-law or by a Conditional Use or Variance Order.

Auditorium/concert hall/theatre/cinema

6. Auditoriums, concert halls, theatres, cinemas, and similar uses are limited to a maximum 40,000 square feet of gross floor area.

Prohibited Use Regulations

7. Notwithstanding other provisions of this By-law, in the PDO-2 445 River Avenue, the following principal use(s) shall be prohibited.
 - (a) Dwelling, single-family detached
 - (b) Dwelling, two-family

Dimensional Standards

8. Notwithstanding other provisions of this By-law, in the PDO-2 445 River Avenue, development must comply with the dimensional standards listed in this section.

Zoning District	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum West Interior Side Yard (Ft.)	Minimum East Interior Side Yard (Ft.)	Maximum Building Height (Ft.)
Residential Mixed Use Structures					
PDO-2 445 River Avenue	0	0	0	0	135

Development Density

9. The maximum density is 85 dwelling units.

Parking, Bicycle Parking and Loading

10. Parking, Bicycle Parking and Loading Management Plan
- (1) Vehicle parking requirements shall not exceed the minimum required parking as prescribed in this By-law, in keeping with TOD principles.
 - (2) If a property does not comply with the required amount of parking, bicycle parking, or loading spaces, the property owner may propose to the Director a Parking, Bicycle Parking and Loading Management Plan prepared by a professional traffic engineer or parking consultant documenting that the amount of off-street parking, and/or bicycle parking, and/or loading is adequate to meet the needs of the proposed use or combination of uses and to prevent traffic and parking congestion on surrounding streets or public lanes.
 - (3) If the Director concludes that the proposed Parking, Bicycle Parking and Loading Management Plan will provide off-street parking, bicycle parking, and/or loading spaces adequate to meet the needs of the proposed use or combination of uses and to prevent traffic or parking congestion on surrounding streets and public lanes, the Director may approve the Parking, Bicycle Parking and Loading Management Plan and may reduce the amount of required off-street parking, bicycle parking, and/or loading required to conform with the approved plan.
 - (4) Once a Parking, Bicycle Parking and Loading Management Plan is approved, that owner shall provide parking spaces, bicycle parking spaces, and loading spaces in accordance with the Parking, Bicycle Parking, and Loading Management Plan which has been approved by the Director.

- (5) Any owner of land in the PDO-2 445 River Avenue may, in accordance with this overlay and this By-law, submit to the Director for approval:
 - (a) A Parking, Bicycle Parking and Loading Management Plan for the overlay district; or
 - (b) An amended Parking, Bicycle Parking and Loading Management Plan for the overlay district.
- 11. All bicycle parking spaces in the PDO-2 445 River Avenue must comply with the following design standards:
 - (1) The bicycle parking spaces must be located with convenient access to major building entrances.
 - (2) Bicycle parking spaces must be provided for both short-term and long-term bicycle parking.
 - (3) There must be suitable bicycle racks or lockers made from high quality materials and anchored with bolts to concrete or asphalt surfaces of the ground, floor, or nearby building wall.
 - (4) The bicycle parking spaces must be located in well-lit areas.
 - (5) The bicycle parking spaces must be located at ground level or easily accessible from ground level.

Development Standards for Parking Areas

Dimensions of Parking Spaces

12. Parking Layout

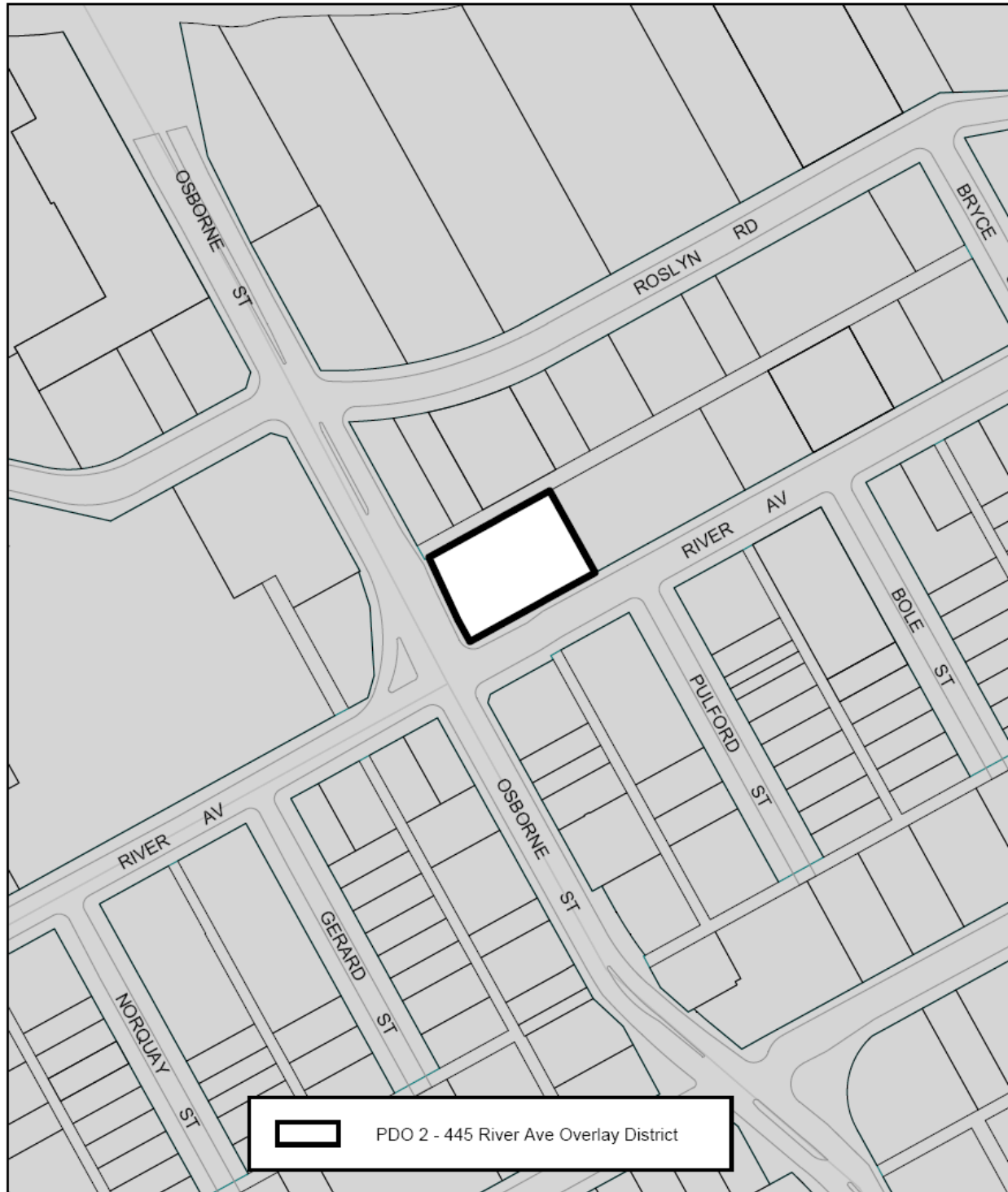
Minimum Required Parking Space Dimensions

Angle of Parking [note a]	Minimum Dimensions of Parking Space	Minimum Parking Driveway Width
75 to 90 degrees	8 feet wide by 20 feet long; or 10 feet wide by 18 feet long, or any combination in between where the sum of the width and length equals 28 feet [note b, note c, note d]	20 [note e, note f]
50 to 74 degrees		18
Less than 50 degrees		12
Parallel		12

Notes:

- a. The angle of parking must be measured between the centre line of the parking space and the centre line of the parking aisle or parking driveway
- b. A maximum of 25% of the total number of parking spaces for non-residential uses, and a maximum of 33% of the total number of parking spaces for multi-family residential uses, may be reduced to 16 feet in length and designated for small cars only
- c. Width must be increased to 10 feet if long dimension is immediately adjacent to a fence or wall
- d. Width may be reduced to 7 feet if there is a structural column located next to the parking space, provided that a professional engineer or parking consultant verifies that the structural column does not interfere with vehicles entering and exiting the parking space and does not obstruct vehicle doors from opening and closing.
- e. Drive aisle width may be reduced to 18 feet if the drive aisle is parallel to the long dimension of abutting parking stalls
- f. Drive aisle width may be reduced to 9 feet in width if there is a structural column within the drive aisle, provided that a professional engineer or parking consultant verifies that the aisle width provides sufficient space for vehicles to drive past the column and to back out of parking spaces.

13. Accessory off-street parking stalls may take access directly from a public lane.



**Map 1 - 445 River Ave
Principal Overlay Map**



0 15 30 45 60 75
Meters

