Minute No. 233
Report - Standing Policy Committee on Property and Development - January 29, 2008

Item No. 4 Zoning Agreement Amendment - 1800/1810 Corydon Avenue (River Heights-Fort Garry Ward) File ZAA 10/2007

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That Zoning Agreement under File DASZ 23/2006 dated September 27, 2006 (By-law No. 115/07), be amended as follows:

   A. That Clause 2 be deleted and the following substituted therefore:

      The multiple-family development on the land shall be established in substantial conformity with Schedule "A".

   B. That Clause 4 be deleted and the following substituted therefore:

      The total number of dwelling units shall not exceed thirty-six (36).

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DASZ 23/2006 (By-law No. 115/07) as approved in aforesaid Recommendation 1.

3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

4. 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 - January 29, 2008

DECISION MAKING HISTORY:

Moved by Councillor Swandel,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 13, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 29, 2008, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 15, 2008, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Zoning Agreement Amendment - 1800/1810 Corydon Avenue**
File ZAA 10/2007 [c/r DAV 157585/2007D]

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

Prepared by: **Josie Marques, Senior Committee Clerk**
City Centre Community Committee

Report date: **January 17, 2008**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 15, 2008, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development:

1. That Zoning Agreement under File DASZ 23/2006 dated September 27, 2006 (By-law No. 115/07), be amended as follows:

   A. That Clause 2 be deleted and the following substituted therefore:

      The multiple-family development on the land shall be established in substantial conformity with Schedule "A".

   B. That Clause 4 be deleted and the following substituted therefore:

      The total number of dwelling units shall not exceed thirty-six (36).

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DASZ 23/2006 (By-Law No. 115/07) as approved in aforesaid Recommendation 1.

3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

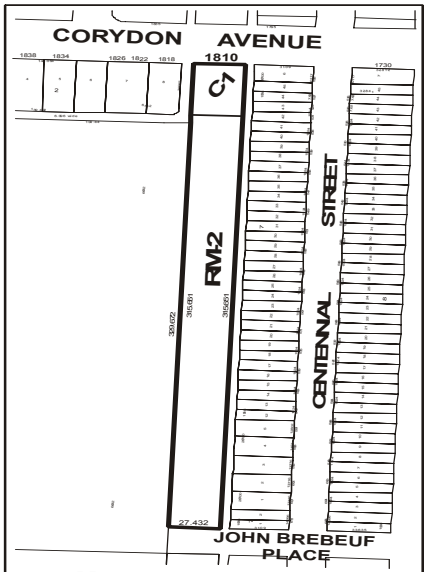
4. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

The City Centre Community Committee provided the following supporting reason(s) for its recommendation:

1. The developer has reduced the number of dwellings previously approved.
2. Public consultation was offered to the community.
3. The Winnipeg Public Service recommends approval of the proposal.

PUBLIC HEARING SUMMARY

File:	ZAA 10/2007 [c/r DAV 157585/2007D]]
Before:	City Centre Community Committee Councillor Gerbasi, Chairperson Councillor Leipsic Councillor Smith
Hearing:	January 15, 2008 Council Chamber, Council Building, 510 Main Street
Public Hearing:	January 15, 2008
Applicant:	Billinkoff Management Limited (Curtis Cove)
Subject:	



APPLICANT : BILLINKOFF MANAGEMENT LIMITED
FILE : ZAA 10/07
PROPOSAL : To amend the Zoning Agreement affecting the land shown outlined above as follows: (i) The plan previously approved by the City and attached to the Agreement as schedule "A" shall be deleted and substituted with a new plan of development which shall be approved and thereafter maintained to the satisfaction of the City's Director of Planning, Property and Development and (ii) By reducing the total number of dwelling units permitted on the land from fifty (50) units to thirty-six (36) units. **For information, phone Mr. G. Doney, Planner at 986-2688.**

Premises Affected: 1800/1810 Corydon Avenue

Exhibits Filed:

1. Application dated October 29, 2007
2. Notification of Public Hearing dated November 30, 2007
3. Title Searches 2251950 and 2251951
4. Letter of authorization dated October 24, 2007 from 5473072 Manitoba Ltd. to Billinkoff Management Ltd.
5. Zoning Agreement for DASZ 23/2006 dated September 27, 2006
6. Plans (9 pages)
7. Revised Plans (11 pages)
8. Report from the Planning and Land Use Division dated December 30, 2007
9. Inspection Report

10. Presentation in opposition to the application submitted by Leona Murphy at the public hearing
11. Photographs (9) in opposition to the application submitted by Leona Murphy at the public hearing
12. Presentation in opposition to the application submitted by Ken Klassen at the public hearing

REPRESENTATIONS:

In Support:

David Billinkoff, Billinkoff Management Limited
Curtis Cove, Billinkoff Management Limited
Marcello Mendlebaun, Billinkoff Management Limited
Kevin Olson

In Opposition:

Gail Henry
Ken Klassen
Deborah-Anne Lupien
John and Leona Murphy

For Information:

Mark Clarke
Marnie Loewen and Mike Smith

For the City:

Mr. G. Doney, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

The applicant, Curtis Cove, Billinkoff Management Limited, appeared in support of the application and stated concurrence with the report from the Planning and Land Use Division.

Leona Murphy appeared in opposition to the application. Ms Murphy read into the record a written presentation, placed on file as Exhibit 10, and submitted photographs (9), placed on file as Exhibit 11, in opposition to the application.

Ken Klassen appeared in opposition to the application. Mr. Klassen read into the record a presentation in opposition to the application placed on file as Exhibit 12.

Gail Henri appeared in opposition to the application. Ms Henri stated concerns with snow removal, the proposal's stairs not being in character with the neighbourhood, increased traffic, sewage problems, and the site not being large enough to be developed successfully.

In response to committee's questions, the Senior Planner stated the current proposal is for less density than previously permitted.

In rebuttal, Mr. Cove stated the site is currently approved for 48 dwellings and the proposal is for 36, the proposal's stair heights are consistent with what is allowed, public awareness meetings were held on August 21 and 28, 2007, said meetings were advertised via a mailing to 700 residences, and information was sent to people who could not make meetings. Mr. Cove further stated that the sidewalk extension was a City requirement and he had advised the Winnipeg Public Service he would be willing to move the extension to the south side of the property to protect the trees existing on the currently planned extension.

Exhibit "8" referred to in File ZAA 10/2007 [c/r DAV 157585/2007D]

Winnipeg

Planning, Property and Development Department Report

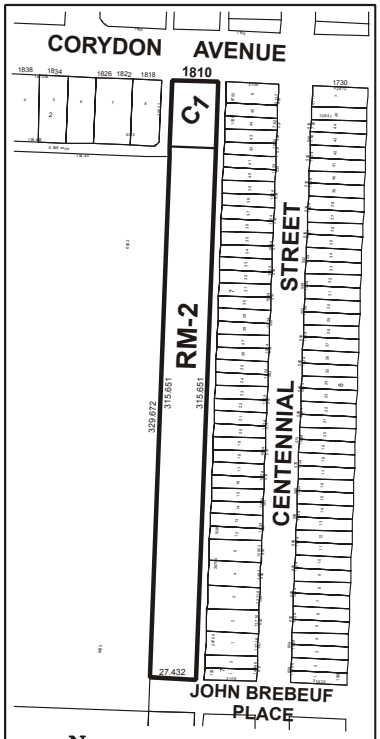
To the City Centre Community Committee

Date:	**December 30, 2007**
File:	**ZAA 10/2007**
Related File:	**Zoning Variance 07-157585/D**
Subject:	**alter existing zoning agreement to allow the establishment of two multiple family dwellings, each with 18 dwelling units**
Location:	**1800 and 1810 Corydon Avenue**
Legal Description:	**Lots 1 and 2, Plan 46593**
Applicant:	**Billinkoff Management Ltd.**
Owner:	**5473072 and 5473722 Manitoba Ltds., Lots 1 and 2, respectively**
Recommendation:	**approve with conditions**

Report Summary:
The applicant is requesting that

- Clause 2 of Zoning Agreement DASZ 23/06 (which is also Condition "C" of Council's approval that requires development of the proposal site to be in substantial conformity with the approved plans that are attached to the zoning agreement as Schedule "A") be deleted and
- Clause 4 of the aforementioned zoning agreement (which is also Condition "A" of Council's approval that limits the number of dwellings on the proposal site to no more than 50) be replaced by a clause that limits the number of dwellings on the proposal site to no more than 36.

The Planning and Land Use Division recommends approval of the aforementioned alteration of Clause 4 and,



APPLICANT : BILLINKOFF MANAGEMENT LIMITED
FILE : ZAA 10/07
PROPOSAL : To amend the Zoning Agreement affecting the land shown outlined above as follows: (i) The plan previously approved by the City and attached to the Agreement as schedule "A" shall be deleted and substituted with a new plan of development which shall be approved and thereafter maintained to the satisfaction of the City's Director of Planning, Property and Development and (ii) By reducing the total number of dwelling units permitted on the land from fifty (50) units to thirty-six (36) units. **For information, phone Mr. G. Doney, Planner at 986-2688.**

instead of deletion of the aforementioned Clause 2, replacement of this clause with one that requires development of the proposal site to be in substantial conformity with the plans submitted by the applicant to the City, the plans of which identify Billinkoff Management Ltd. as the owner of the plans, make reference to 1800 Corydon Ave. and are shown as Revision 2.

The Planning and Land Use Division generally supports the proposed development because it would

- provide 36 dwelling units – 25 percent less than the approved Schedule "A" plans and, quite likely therefore, a corresponding reduction in motor-vehicle traffic,
- have all proposed 102 parking spaces accessible from either Corydon Avenue (a regional street) or Jean Brebeuf Place (a local street), whereas the approved Schedule "A" plans show a development with 62 parking spaces accessible only from Jean Brebeuf Place,
- not have balconies with a view of existing residential parcels that are immediately west of Centennial Street (except for the east facing "faux" balconies to be less than one foot deep),
- have buildings that would obstruct the west view of the sky, from the back of existing residential parcels immediately west of Centennial Street, approximately the same or less than (depending on the view) the buildings of the approved Schedule "A" plans would,
- be immediately east of an existing residential development with a deep east yard containing relatively large stands of deciduous trees and shrubs, both of which would significantly offset the proposed three feet deep west yard,
- an east yard of approximately 20.7 feet – 44 percent more than the approved Schedule "A" plans,
- include fencing and landscaping to mitigate the proximity of proposed parking lots and a proposed private road/path to nearby land uses,
- it would be separated from existing residential developments to the southwest and the southeast by Jean Brebeauf Place. and
- be separated from existing residential uses northeast of the proposal site by Lot 2, Plan 46593, which is for a future commercial development.

Site Description

The proposal site is in the J.B. Mitchell Neighbourhood of the River Heights Fort Garry Ward. It is located at 1800 and 1810 Corydon Avenue and is immediately west of the west public lane of Centennial Street. The proposal site is two adjacent lots – Lots 1 and 2 of Plan 46593 – and encompasses an area of approximately 104,931 square feet (2.41 acres). As shown in Figure 1, Lot 1 is immediately north of John Brebeuf Place. It is 90.0 feet wide and extends north from John Brefeuf Place to a depth of 1,035.9 feet. Lot 2 is immediately south of Corydon Avenue. It too is 90.0 feet wide and extends south from Corydon Avenue to a depth of 130.0 feet.

The proposal site encompasses a portion of a former CNR rail line right-of-way. As shown in Figure 1, much of the site is grassed and has some clusters of small trees and shrubs.

Figure 1 also shows existing land uses and other features in the vicinity of the proposal site. West and southwest of the proposal site is the Carpathia Housing Co-op

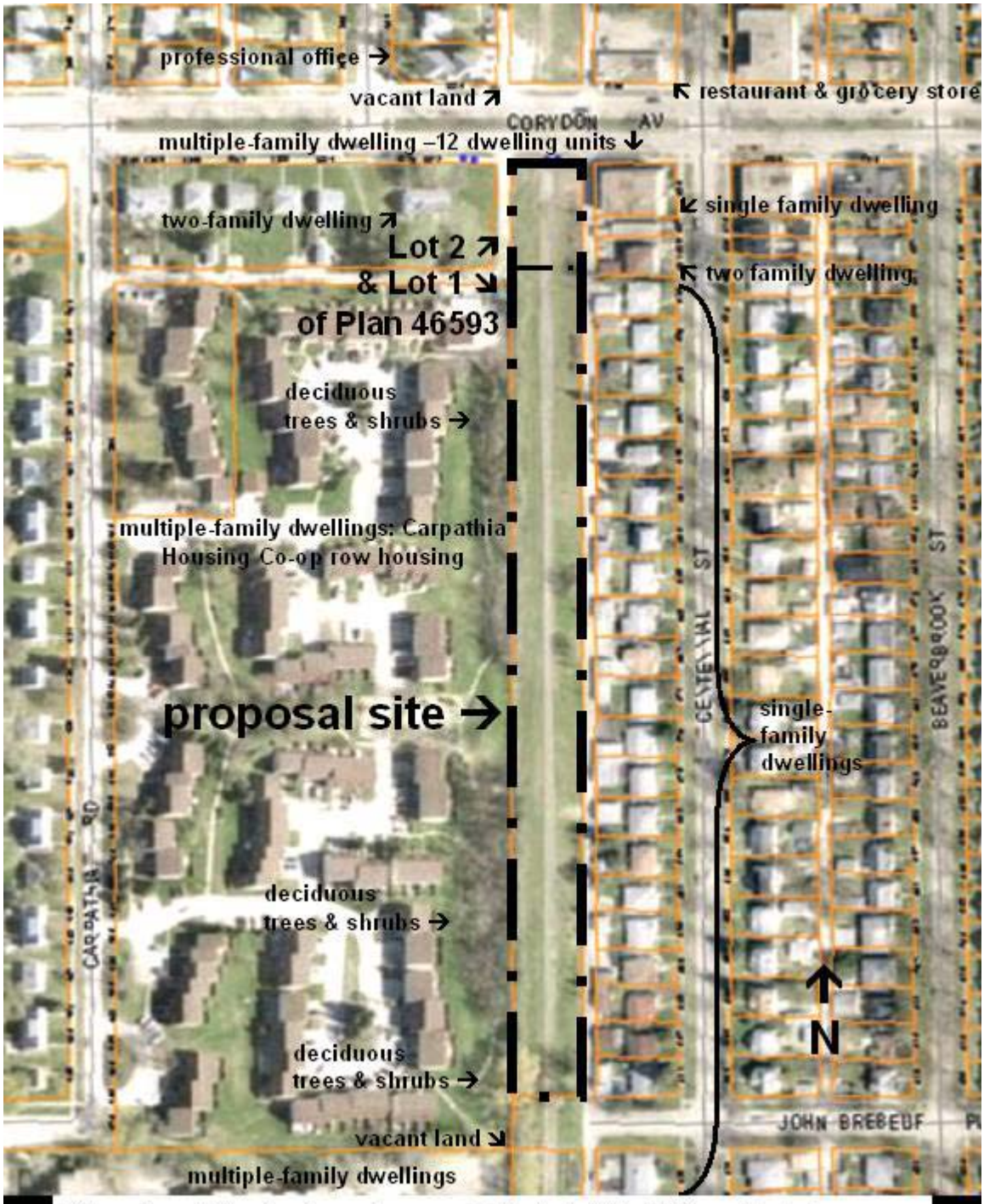


Figure 1: existing land use of proposal site & vicinity, 2005 aerial photo

development that includes several row house buildings, each of which consists of two or more dwelling units. 32 dwelling units of the development back onto its east yard and three dwelling units side onto its east yard. These dwelling units are between



Figure 2: existing stand of deciduous trees & shrubs within the east yard of the Carpathia Housing Co-op development and partly within the proposal site, Dec. 2007 photo looking southeast from east yard of the Carpathia Housing Co-op development

approximately 70 and 95 feet from the proposal site. (A utility building that is part of the development is near the proposal site as well.) Near the entire eastern limit of the east yard (of the Carpathia Housing Co-op development) is a chain link fence, approximately six feet in height with barbed wire on top. There is an opening in the fence of at least three feet at the southern limit of the development. Three stands of deciduous trees and shrubs are within the east yard of the development and partly extend into the proposal site. Figure 2 shows a portion of an existing stand of deciduous trees and shrubs within the east yard of the Carpathia Housing Co-op development and partly within the proposal site. The photo, which was taken in December 2007, looks southeast from the east yard of the Carpathia Housing Co-op development.

Other land uses in the vicinity of the proposal site are:

- to the west and immediately south of Corydon Avenue, a two-family dwelling that was part of the Kapyong Barracks;
- to the northwest and across Corydon Avenue, a professional office – Thomson House medical consultant;
- to the north and across Corydon Ave, a former CNR rail line right-of-way;
- to the northeast and across Corydon Avenue, a grocery store and a restaurant;

- to the east and immediately south of Corydon Avenue, a multiple-family dwellings with 12 dwelling units;
- to the east and southeast, one two-family dwelling and 23 single-family dwellings;
- to the south, an undeveloped portion of the Jean Brebeuf Place Public Road and, beyond that, a former CNR rail line right-of-way; and
- to the southwest and south of the Carpathia Housing Co-op development, multiple-family dwellings.

As shown in Figure 3, Lot 1 of Plan 46593 is zoned "RM2" Multiple-Family District and Lot 2 of that plan is zoned "C1" Commercial District. Immediately west of the proposal site the zoning is "RM3" Multiple-Family District and west, across a public lane from Lot 2, Plan 46593, "R2" Two-family District. Across Corydon Avenue, to the northwest, north and northeast, the zoning is "C1.5" Commercial District, "R1A" Single-Family (and airport vicinity) District and "C1" Commercial District.

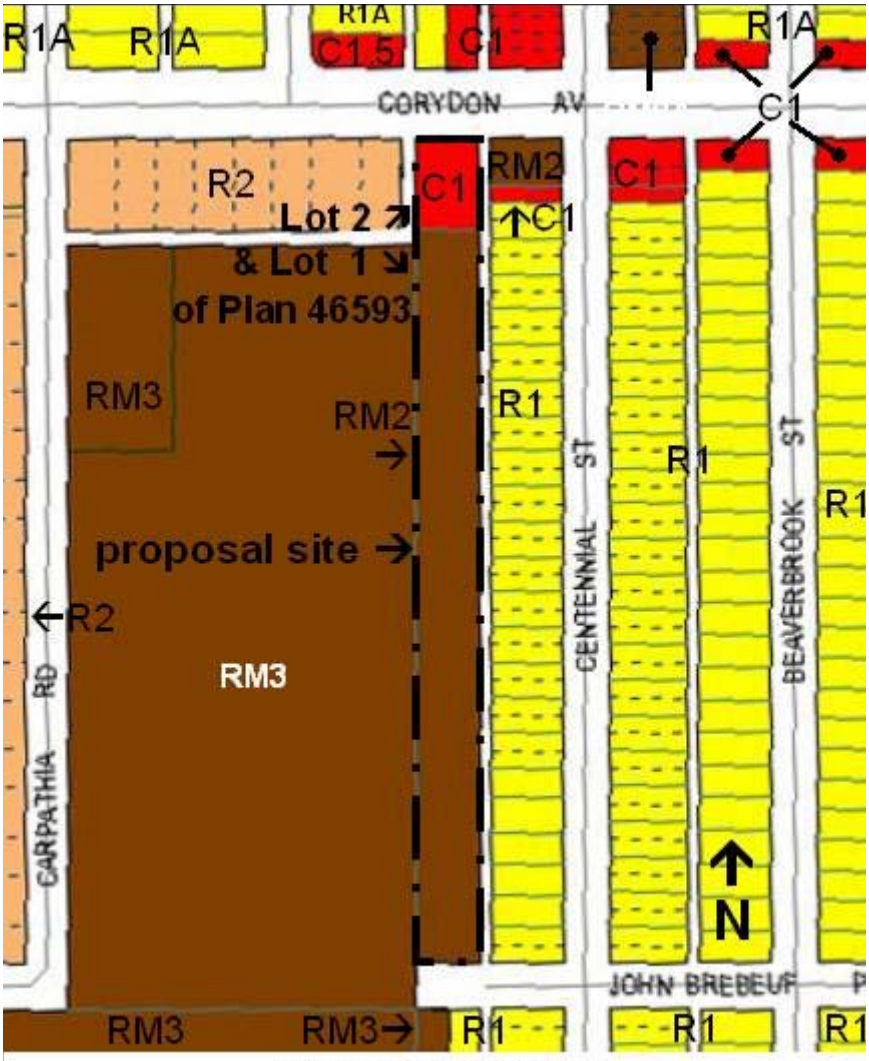


Figure 3: existing zoning

Background

Since 2002, several residential development proposals have been considered for the proposal site.

However, they were not carried out for a variety of reasons, including:

- local residents' concerns regarding
  - loss of privacy,
  - shadow effects,
  - less convenient motor vehicle access to, and egress from, their driveways and garages for residents living on the west side of Centennial Street,
  - motor vehicle traffic increases on the public lane parallel to, and west of, Centennial Street,
  - loss of an informal linear park – its use and its potential redevelopment into a formal linear park or into a public transit corridor; and
- challenges to developing the proposal site because
  - of its narrow width of 90 feet and significant depth of approximately 1,166 feet (between Corydon Avenue and John Brebeuf Place) and
  - access to, and egress from, the proposed developments could only be from Corydon Avenue and John Brebeuf Place, but not from the aforementioned public lane due to residents' concern regarding motor vehicle traffic increases on the public lane.

On September 27, 2006, Council approved an application to subdivide the proposal site into two lots (which became Lots 1 and 2, Plan 46593, as shown in Figure 1) and rezone the proposal site from "R1-4" Single-Family, "R2" Two-Family and "RM3" Multiple-Family Districts to "RM2" Multiple-Family District (for Lot 1, Plan 46593) and from "R1-4" Single-Family, "R2" Two-Family, "RM2" Multiple-Family and "C1" Commercial Districts to "C1" Commercial District (for Lot 2, Plan 46593), under File DASZ 23/2006, with several conditions, including the following:

That the applicant enters into a Zoning Agreement with the City pursuant to Section 240(1) of *The City of Winnipeg Charter* to include the conditions that:

A. the total number of dwelling units shall not exceed fifty (50);
B. the maximum height of any buildings shall not exceed thirty (30) feet;
C. the Multiple-Family development be established in substantial conformity with… [Schedule "A" plans (some of which are shown as Figures 4 to 6, below)];
D. for the development of any building, accessory parking area or signage, plans shall be submitted showing the locations and designs of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and free-standing signage to the City Centre Community Committee and the Director of Planning, Property, and Development for plan approval prior to the issuance of any building or development permit and

thereafter maintained to the satisfaction of the Director of Planning, Property, and Development;

E. vehicular access to, and egress from, the property be prohibited from the public lane west of, and parallel to, Centennial Street;

F. privacy fencing be constructed along the west side of the public lane with pedestrian access openings or gates provided and thereafter maintained to the satisfaction of the Director of Planning, Property, and Development;

G. loading areas be screened to reduce impacts of loading activities to the satisfaction of the Director of Planning, Property, and Development;

H. parking and loading area lighting be screened to reduce glare to the satisfaction of the Director of Planning, Property, and Development; and

I mobile and temporary signs be prohibited.

On July 4, 2006, the City Centre Community Committee approved a variance application to vary the "RM2" Multiple-Family District regulations for a portion of the proposal site (Lot 1, Plan 46593), under File DAV 134496/2006D, to allow for:

1. the construction of two 2-storey 24-unit multiple family dwellings to permit as follows:

   A. an east side yard of 7 feet instead of 26.53 feet and
   B. a west side yard of 7 feet instead of 27.9 feet; and

2. the establishment of at-grade accessory parking areas to permit as follows:

   A. a front yard (John Brebreuf Place) of 7 feet instead of 25 feet,
   B. an east side yard of 5 feet to the south parking area instead of 8 feet,
   C. an east side yard of 4 feet to the north parking area instead of 8 feet and
   D. no west side yard to handicapped accessible spaces instead of 8 feet; and

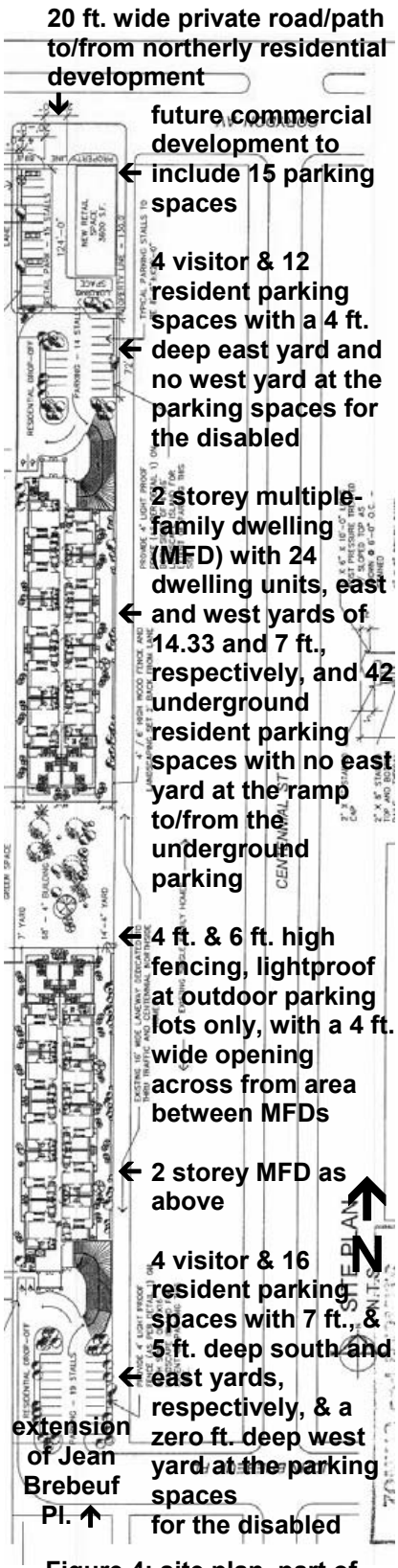


Figure 4: site plan, part of Schedule "A" (information from "Site Plan, [May 16/06], Centennial Infill Condominiums… David Goyer Architecture")

3. the establishment of two (2) below grade accessory parking facilities to permit no east side yard to the driveway ramp walls instead of 8 feet.



Figure 5: north elevation, part of Schedule "A"



Figure 6: east elevation of south bldg. & west elevation of north bldg., part of Schedule "A"

The City Centre Community Committee's July 4, 2006 decision was subsequently appealed. On December 14, 2006, the Appeal Committee denied the appeal and concurred in the decision of the City Centre Community Committee.

And, lastly, even though the subdivision and rezoning took place, the proposal site was not developed.

Description of the Proposed Development

As shown in Figures 7 to 10, the proposal is to construct 36 dwelling units in two row-house type buildings where each dwelling unit would have two enclosed parking spaces (end-to-end), one "faux" balcony less than one foot deep facing east and one 7.5 feet deep balcony facing west. The two enclosed parking spaces would be three feet below grade and would be below the dwelling unit they are accessory to. The main floors of the dwelling units are to be six feet above grade. Vehicular and pedestrian access to, and egress from, the dwelling units is to be by a 20-foot wide private road/path. To the south, the private road/path is to connect to a westerly and northerly extension of the Jean Brebeuf Place roadway and one of its sidewalks and, to the north, to Corydon Avenue. The northerly connection is to cross a separate lot that is for future commercial development. Visitor parking and landscaping are to be provided south of the southernmost proposed building, north of the northernmost proposed building and in-

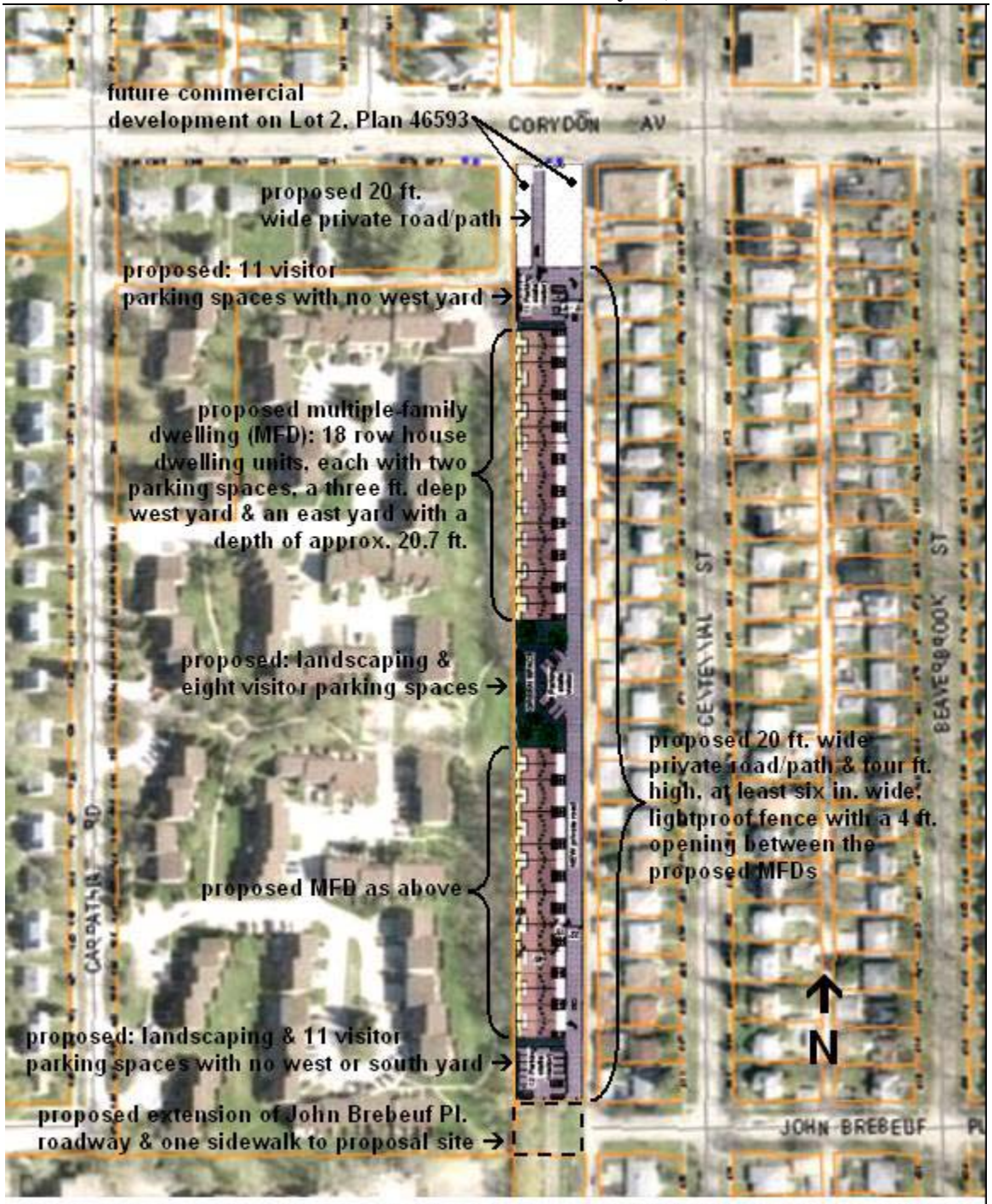


Figure 7: proposed development, 2005 aerial photo & July 13/07 drawing from applicant

between the two proposed buildings. A four-foot high lightproof fence is to separate the parking areas and the private road/path from the public lane that is west of, and parallel to, Centennial Street. The fence would have a four-foot wide opening across from the open area that would be between the two proposed buildings. This opening would provide another location for pedestrian access to, and egress from, the proposal site.

The applicant and the Planning and Land Use Division discussed revising the proposal to increase its compatibility with existing uses and to avoid creating areas that could,



Figure 8: perspective illustration of east and south sides of the proposed southerly multiple-family dwelling, 2007 drawing from applicant, labeled by Planning and Land Use Division

potentially, lead to safety from crime concerns. Originally, no west yard was proposed and the areas below the proposed balconies were not to be enclosed.

After the aforementioned discussions, the applicant and the Planning and Land Use Division concurred that the proposal is to include:

- a west yard of three feet to
  - improve compatibility of the proposal with existing development to the west by retaining a larger number of trees and shrubs than would have likely been the case had there been no west yard and
  - provide a space for maintenance of the west exteriors of the buildings; and

- an east yard of at least 20 feet plus the width of the proposed lightproof fence; and

- non-combustible chain link fences extending at least from grade up to the underside of the proposed balconies at the six foot height to prevent access to these areas (especially by people with criminal intent).



Figure 9: perspective illustration of west side of the proposed northerly multiple-family dwelling, 2007 drawing from applicant modified and labeled by the Planning and Land Use Division to show chain link fence

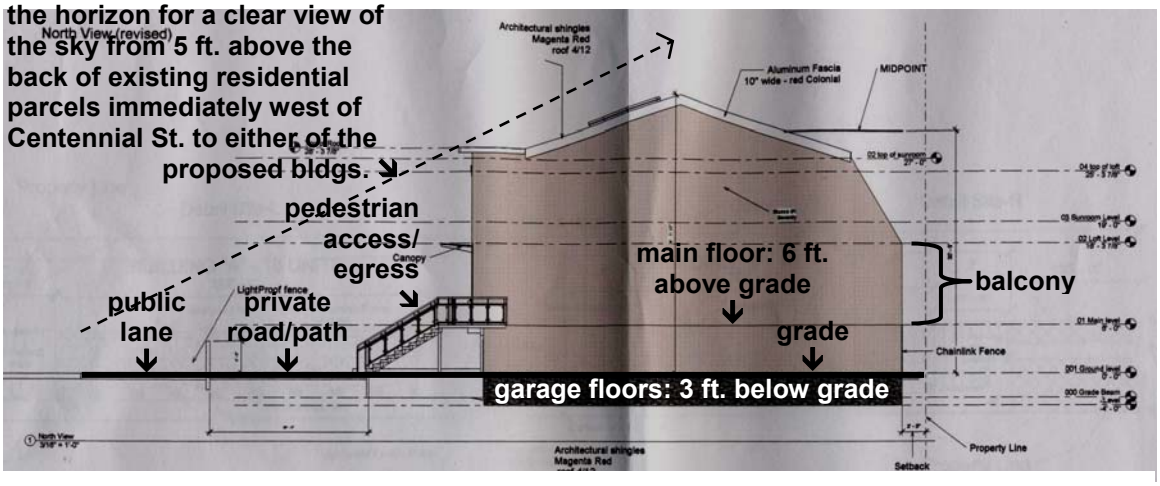


Figure 10: north elevation, Dec. 17/07 drawing from applicant modified and labeled by the Planning and Land Use Division

As previously stated, the applicant intends to landscape areas north and south of the two proposed buildings. This can be done in a manner that mitigates the industrial aesthetic of the proposed chain link fences.

Analysis

Plan Winnipeg 2020 Vision

The proposal site is in a neighbourhood policy area as shown in *Policy Plate "A", Land Use, Plan Winnipeg 2020 Vision*. Therefore, the proposed construction of two row house type buildings, each with 18 dwelling units and accessory uses, conforms to *Plan Winnipeg 2020 Vision*.

The Applicant's Proposed Plans and The Approved Schedule "A" Plans

The applicant's proposed plans differ from the approved Schedule "A" plans in several ways, including that:

- the applicant's proposed plans show two two-storey row-house type buildings with
  - west and east yards with depths of three feet and approximately 20.7 feet, respectively,
  - a clear view of the sky, from five feet above the back of existing residential parcels immediately west of Centennial Street to either of the proposed buildings, at an angle above the horizon of at least approximately 26 degrees (as shown in Figure 10) and
  - 36 dwelling units, each of which would have a west facing balcony, an east facing "faux" balcony less than one foot deep and two enclosed parking spaces below the first floor that would be accessed from a private road/path to be at-grade and less than one foot from the western limit of the public lane that is west of, and parallel to, Centennial Street;

- the approved Schedule "A" plans show two two-storey apartment type buildings with
  - west and east yards with depths of seven feet and approximately 14.33 feet, respectively,
  - a clear view of the sky, from five feet above the back of existing residential parcels immediately west of Centennial Street to either of the proposed buildings, at an angle above the horizon of at least approximately 25 to 34 degrees, depending on the view (as shown in Figure 5) and
  - 48 dwelling units, each of which would have a west, east, north or south facing balcony and, quite likely, one or more underground parking spaces that would be accessed from an underground aisle connected to a ramp that would slope up to grade and be adjacent to the western limit of the public lane that is west of, and parallel to, Centennial Street;

- the applicant's proposed plans show 102 parking spaces, of which

- 72 are to be for residents and would be located three feet below grade, below the proposed dwelling units,
- 30 are to be for visitors and would be located at-grade and
- all the parking spaces are accessible from Corydon Avenue and from Jean Brebeuf Place;

- the approved Schedule "A" plans show 120 parking spaces, of which
  - 84 are to be for residents and would be located in two underground parkades below the proposed dwelling units,
  - 28 are to be for residents and would be located at-grade,
  - eight are to be for visitors and would be located at-grade and
  - 58 are accessible only from Corydon Avenue and 62 are accessible only from Jean Brebeuf Place.

Compatibility of the Applicant's Proposed Plans/Development with Nearby Land Uses and the Neighbourhood Compared to that of the Approved Schedule "A" Plans/Development

Based on these differences it is apparent that the applicant's proposed plans show a development that would be significantly more compatible with the J.B. Mitchell Neighbourhood and nearby uses than the approved Schedule "A" plans because the applicant's proposed plans show a development that would have:

- 36 dwelling units – 25 percent less than the approved Schedule "A" plans and, quite likely therefore, a corresponding decrease in motor-vehicle traffic;
- 102 parking spaces – 15 percent less than the approved Schedule "A" plans;
- all 102 parking spaces accessible from either Corydon Avenue (a regional street) or Jean Brebeuf Place (a local street), whereas the approved Schedule "A" plans show a development with 58 parking spaces accessible only from Corydon Avenue and 62 parking spaces accessible only from Jean Brebeuf Place (a local street);
- balconies without a view of existing residential parcels that are immediately west of Centennial Street (except for the east facing "faux" balconies to be less than one foot deep);
- an east yard of approximately 20.7 feet – 44 percent more than the approved Schedule "A" plans; and
- buildings that would obstruct the west view of the sky, from the back of existing residential parcels immediately west of Centennial Street, approximately the same or less than (depending on the view) the buildings of the approved Schedule "A" plans would.

While the applicant's proposed plans show a development that would have a three foot deep west yard – approximately 57 percent less than the approved Schedule "A" plans – the existing residential development that is immediately west of the proposal site

(Carpathia Housing Co-op) would not be significantly affected by the proximity of the proposed buildings because this development:

- has a deep east yard, ranging from approximately 70 to 95 feet; and
- has an east yard that contains relatively large stands of deciduous trees and shrubs that screen, to a large degree, the proposal site.

While the applicant's proposed plans show motor-vehicle access to residents' parking by means of a private road/path that would be less than one foot from the existing public lane that is west of, and parallel to, Centennial Street, the approved Schedule "A" plans show motor-vehicle access to residents' underground parking by means of an underground aisle connected to a ramp that would slope up to grade and be adjacent to the western limit of the public lane that is west of, and parallel to, Centennial Street. This shows that both sets of plans present developments that would have some impact on existing residential uses east of the proposal site. However, both sets of plans include fencing alongside the eastern limit of the proposal site that would mitigate or screen motor-vehicle effects, such as noise or glare from vehicle lights, on nearby residential uses.

Compatibility of the Applicant's Proposed At-Grade Parking Lots with Nearby Land Uses and the Neighbourhood

The northernmost parking lot shown on the applicant's proposed plans would have little impact on existing nearby land uses because:

- a utility building, part of the Carpathia Housing Co-op development, is west of the location of the proposed parking lot;
- lightproof fencing and landscaping can be provided alongside the western limit of the proposed parking lot to improve its compatibility with the two-family dwelling to the northwest;
- Lot 2, Plan 46593, which is between Corydon Avenue and the proposed row-house type buildings and accessory parking areas, is for a future commercial development, which would separate the current proposed residential development from uses north of Corydon Avenue and from the existing multiple-family dwelling at the southwest corner of Corydon Avenue and Centennial Street; and
- it would be separated from existing single- and two-family dwellings to the east by the proposed private road/path, the proposed lightproof fence and the existing public lane.

The parking lot between the proposed buildings shown on the applicant's proposed plans would have little impact on existing nearby land uses because:

- lightproof fencing and landscaping can be provided between the western limit of the proposal site and the proposed parking lot to improve its compatibility with the Carpathia Housing Co-op development to the west; and

- it would be separated from existing single- and two-family dwellings to the east by the proposed private road/path, the proposed lightproof fence and the existing public lane.

The southernmost parking lot shown on the applicant's proposed plans would have little impact on existing nearby land uses because:

- lightproof fencing and landscaping can be provided alongside the western limit of the proposed parking lot to improve its compatibility with the Carpathia Housing Co-op development to the west;
- it would be separated from existing single- and two-family dwellings to the east by the proposed private road/path, the proposed lightproof fence and the existing public lane; and
- it would be separated from residential developments to the southwest and the southeast by Jean Brebeauf Place.

Transportation and Site Access

As shown in Figure 11, the proposal site (Lots 1 and 2, Plan 46593) is immediately south of Corydon Avenue, which is a regional street developed with four motor-vehicle lanes, a landscaped median and two sidewalks at the proposal site. Several Winnipeg Transit bus routes have stops near the proposal site on Corydon Avenue and other nearby routes provide public transit users with access to the city in general. Therefore, the proposal site is well-serviced by public transit and pedestrian and motor-vehicle infrastructure.



Figure 11: Winnipeg Transit Bus Routes near proposal site

As previously stated, access/egress for the 36 proposed dwelling units is to be provided by a 20-foot wide private road/path. This private road/path is to connect with Corydon Avenue, cross Lot 2, Plan 46593 and connect with a westerly and northerly extension of Jean Brebeuf Place roadway and one of its sidewalks. Since this road/path is to accommodate motor vehicles and pedestrians, it should be designed in a manner that provides pedestrians with a path that is reasonably safe from motor-vehicles and from people with criminal intent. These issues can be addressed by delineating a portion, say three feet in width, of the road/path for pedestrians through the incorporation of textured materials, pavement marking, signage and lighting (that would not cause glare on to nearby residential parcels) into the road/path and the adjacent stairs and parking ramps.

Proposed Zoning By-law Variances

The proposed development would require:

- for the construction of two multiple family dwellings, to permit a three foot west side yard instead of 33.5 feet;

- for the construction of two accessory parking lots, to permit
  - for the south parking lot no front yard instead of 25 feet and
  - for the south and north parking lots no west yard instead of eight feet; and,

- DAV 134496A/2006D to be repealed (as recommended by the Planning, Property and Development Department).

Public Input

In August 2007, Billinkoff Management Ltd. invited residents in proximity to the proposal site to two informal meetings. The residents were provided with site plans, a detail plan of the proposed lightproof fence and five perspective illustrations of the proposed buildings. Residents were asked to register at the meeting and were given the opportunity to request proposal information to be mailed to their homes.

The applicant stated that none of the residents expressed opposition to the proposal.

Recommendation

The Planning and Land Use Division recommends approval of the aforementioned alteration of Clause 4 and, instead of deletion of the aforementioned Clause 2, replacement of this clause with one that requires development of the proposal site to be in substantial conformity with the plans submitted by the applicant to the City, the plans of which identify Billinkoff Management Ltd. as the owner of the plans, make reference to 1800 Corydon Ave. and are shown as Revision 2.

The Planning and Land Use Division generally supports the proposed development because it would:

- provide 36 dwelling units – 25 percent less than the approved Schedule "A" plans and, quite likely therefore, a corresponding reduction in motor-vehicle traffic;
- have all proposed 102 parking spaces accessible from either Corydon Avenue (a regional street) or Jean Brebeuf Place (a local street), whereas the approved Schedule "A" plans show a development with 62 parking spaces accessible only from Jean Brebeuf Place;
- not have balconies with a view of existing residential parcels that are immediately west of Centennial Street (except for the east facing "faux" balconies to be less than one foot deep);

- have buildings that would obstruct the west view of the sky, from the back of existing residential parcels immediately west of Centennial Street, approximately the same or less than (depending on the view) the buildings of the approved Schedule "A" plans would;
- be immediately east of an existing residential development with a deep east yard containing relatively large stands of deciduous trees and shrubs, both of which would significantly offset the proposed three feet deep west yard;
- include fencing and landscaping to mitigate the proximity of proposed parking;
- have an east yard of approximately 20.7 feet – 44 percent more than shown on the approved Schedule "A" plans;
- have at-grade parking lots separated from existing single- and two-family dwellings to the east by a proposed private road/path, a proposed lightproof fence and an existing public lane;
- have an at-grade parking lot separated from residential developments to the southwest and the southeast by Jean Brebeuf Place and
- be separated from existing residential uses northeast of the proposal site by Lot 2, Plan 46593, which is for a future commercial development.

Also, the Planning and Land Use Division encourages the developer to:

- direct development of the proposal site such that a significantly large portion of the existing trees and shrubs are not damaged;
- develop the private road/path and exterior lighting of the proposal site in a manner that provides pedestrians with a safe route to/from the proposed dwellings; and
- determine the suitability of installing do-not-enter signs, facing north and south, at the southern limit of the proposed private road/path and, if appropriate, install them accordingly.

The aforementioned do-not-enter signs (if obeyed) would result in none of the motor-vehicle traffic of the residents of the proposed dwellings using residential streets for motor-vehicle access/egress.

Recommended Conditions of Approval

5. That Zoning Agreement under File DASZ 23/2006 dated September 27, 2006 (By-law No. 115/07), be amended as follows:

    1. That Clause 2 be deleted and the following substituted therefore:

        The multiple-family development on the land shall be established in substantial conformity with Schedule "A".

    2. That Clause 4 be deleted and the following substituted therefore:

The total number of dwelling units shall not exceed thirty-six (36).

6. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DASZ 23/2006 (By-Law No. 115/07) as approved in aforesaid Recommendation 1.

7. That the proper officers of the City are hereby authorized to execute said Amending Agreement.

8. 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.

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division

Report Prepared by: J. Glen Doney
PPD File 10/07