Minutes – Executive Policy Committee – December 9, 2009

Minute No. 62
Report – Standing Policy Committee on Property and Development – December 3, 2009

Item No. 4 **Secondary Plan Amendment – West Alexander Avenue and Centennial Neighbourhood Plan (Point Douglas Ward) File SPA 2/2009 [c/r DAC 9/2009, DASZ 26/2009 and DAV 152341/2009D]**

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee, as amended, and submits the following to Council:

1. That By-law No. 105/2009, an amendment to the *West Alexander & Centennial Neighbourhood Plan* (By-law No. 64/2008), be forwarded to Council for second and third reading, with the following amendments:

   A. By striking out the wording of section 2 and substituting the following:

      In Chapter 4, Policy 25 is repealed.

   B. By striking out the wording of section 3 and substituting the following:

      In Appendix A, the following paragraph is added after the last paragraph:

      Notwithstanding the previous paragraph, the height of buildings on the Weston Bakery site may be increased proportional to the distance from a residential boundary outside of the Institutional Zone (measured at the property line), at a 1 to 1 ratio.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Minutes – Executive Policy Committee – December 9, 2009

Report – Standing Policy Committee on Property and Development – December 3, 2009

DECISION MAKING HISTORY:

Moved by Councillor Steeves,

That the recommendations of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee, as amended, be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On December 3, 2009, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community with the following amendment, namely:

- Amend Recommendation 1. B. by deleing the words “up to a maximum of 200 feet, or 20 storeys, whichever is less” after the words “1 to 1 ratio”

and forwarded to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 10, 2009, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

RE: **Secondary Plan Amendment – West Alexander Avenue and Centennial Neighbourhood Plan**
File SPA 2/2009 [c/r DAC 9/2009, DASZ 26/2009 and DAV 152341/2009D]

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

Prepared by: **Inga Skundberg, Clerk**
Lord Selkirk-West Community Committee

Report date: **November 13, 2009**

COMMUNITY COMMITTEE RECOMMENDATION:

1. That By-law No. 105/2009, an amendment to the *West Alexander & Centennial Neighbourhood Plan* (By-law No. 64/2008), be forwarded to Council for second and third reading, with the following amendments:

   A. By striking out the wording of section 2 and substituting the following:

      In Chapter 4, Policy 25 is repealed.

   B. By striking out the wording of section 3 and substituting the following:

      In Appendix A, the following paragraph is added after the last paragraph:

      Notwithstanding the previous paragraph, the height of buildings on the Weston Bakery site may be increased proportional to the distance from a residential boundary outside of the Institutional Zone (measured at the property line), at a 1 to 1 ratio, up to a maximum of 200 feet, or 20 storeys, whichever is less.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

The Lord Selkirk-West Kildonan Community Committee provided the following supporting reasons for its recommendation:

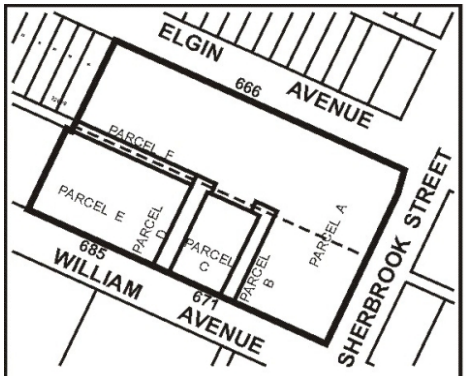
1. The West Alexander and Centennial Neighbourhood Plan has been awarded a Manitoba Provincial Award for Planning Excellence and Design which resulted in a detailed process that has developed a plan ensuring a level of protection within the neighbourhood and one which complements and enhances it.

2. The subject project's design, including shadowing, massing and setbacks, meet the intent of the secondary plan.

3. A tremendous amount of work by both the residents and applicants has resulted in a project that is a success story not only for the subject neighbourhood, but the City of Winnipeg, Manitoba, Northwestern Ontario and Nunavut.

PUBLIC HEARING SUMMARY

File:	SPA 2/2009 [c/r DAC 9/2009, DASZ 26/2009 and DAV 152341/2009D]
Before:	Lord Selkirk-West Kildonan Community Committee Councillor Lazarenko, Chairperson Councillor Pagtakhan
Public Hearing:	November 10, 2009 Council Chamber Council Building, 510 Main Street
Applicant:	Smith Carter Architects (Larry Hamilton)
Subject:	



LORD SELKIRK
WEST KILDONAN
COMMUNITY

APPLICANT : SMITH CARTER ARCHITECTS

FILE : SPA 2/2009

PROPOSAL : Council gave first reading to By-law No. 105/2009, which is to amend the West Alexander and Centennial Neighbourhood Plan By-law No. 64/2008 by permitting a reduced setback from the south side of Elgin Avenue, west of Sherbrook Street and by permitting minor building protrusions into the one-to-two building height restriction. **For information, phone Mr. G. Doney, Planner at 986-2688.**

Premises Affected:	665 William Avenue (666 Elgin Avenue) at Sherbrook Street

Exhibits Filed:

1. Application dated September 18, 2009
2. Notification of Public Hearing dated October 19, 2009
3. Council Decision of September 30, 2009; contains report from the Director of Planning, Property and Development dated September 1, 2009
4. First Reading of By-law No. 105/2009 by Council on September 30, 2009
5. Manitoba Status of Title(s) 1719133, 1719136, 1719141, 1719143, 1719145, 1723060, 1723064, 1723097, 1723102, 1723154, 1723192, 1723196, 1724173, 1724174, 1724176, 1809256, 2319741 and 2319744

6a. Letter of authorization dated July 30, 2009 from Winnipeg Regional Health Authority to Smith Carter Architects and Engineers Inc.

6b. Letter of authorization dated September 14, 2009 from Her Majesty The Queen in Right of The Province of Manitoba to Winnipeg Regional Health Authority and its Prime Consultants, Smith Carter

7. Surveyor's Building Location Certificate and sketch dated May 20, 2009
8. Site Plan
9. Title Plot
10. Sketch of Proposed Plan of Survey
11. Plans (15 pages)
12. Report from the Planning and Land Use Division dated November 1, 2009
13. Inspection Report
14. Communication dated November 4, 2009, from Catherine Collins, President, West Alexander Residents' Association Inc. in opposition to the application
15. Summary of West Alexander and Centennial Community involvement in the planning process of the Women's Hospital Redevelopment Project submitted by Andrew Konowalchuk, Regional Director, Capital Planning and Construction, Winnipeg Regional Health Authority
16. Health Science Centre Winnipeg Master Plan dated July 23, 2009 submitted by Andrew Konowalchuk, Regional Director, Capital Planning and Construction, Winnipeg Regional Health Authority
17. Shadow Study and Roof Plan (17 pages) submitted by Larry Hamilton, Architect, Smith Carter
18. Women's Hospital Redevelopment Project Update to Elgin Residents dated November 6, 2009 submitted by Andrew Konowalchuk, Regional Director, Capital Planning and Construction, Winnipeg Regional Health Authority

19. Communication dated November 10, 2009, from Allan Wise with respect to the application submitted at the public hearing
20. Bound Submission entitled "Women's Hospital Redevelopment Project" submitted by Andrew Konowalchuk, Regional Director, Capital Planning and Construction, Winnipeg Regional Health Authority at the public hearing
21. Audio Recording for public hearing held on November 10, 2009

REPRESENTATIONS:

In Support:

Helga Bryant
Helen Clark
Doug Corbett
Patricia Gregory
Larry Hamilton, Smith Carter Architects
Jaret Klymchuk
Robert and Lynn Kurylko
Andrew Konowalchuk, Winnipeg Regional Health Authority
GK Mills
Joan Rooke

In Opposition:

Gordon M. Anderson
Rowena Callahan
Fred Curry
Catherine Collins, West Alexander Residents' Association Inc.
Warren Goulet
Harold and Valerie Martinos
Susan Natynczyk
Cynthia and Shane Oleschak

For Information:

Norman Blackie
Jesse Mitchell
Allan A. Wise

For the City:

Mr. B. Buyachok, Real Property Officer, Planning, Property and Development Department
Mr. G. Doney, Senior Planner, Planning, Property and Development Department

Exhibit "12" referred to in File SPA 2/2009 [c/r DAC 9/2009, DASZ 26/2009 and DAV 152341/2009D]

ADMINISTRATIVE REPORT

ISSUE: SPA 2/2009, *West Alexander & Centennial Neighbourhood Plan* Amendment Application – Public Hearing

Critical Path: Lord Selkirk – West KIildonan Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Himbeault	N/a	N/a	

RECOMMENDATIONS

2. That By-law No. 105/2009, an amendment to the *West Alexander & Centennial Neighbourhood Plan* (By-law No. 64/2008), be forwarded to Council for second and third reading, with the following amendments:

    a. By striking out the wording of section 2 and substituting the following:

    In Chapter 4, Policy 25 is repealed.

    b. By striking out the wording of section 3 and substituting the following:

    In Appendix A, the following paragraph is added after the last paragraph:

    Notwithstanding the previous paragraph, the height of buildings on the Weston Bakery site may be increased proportional to the distance from a residential boundary outside of the Institutional Zone (measured at the property line), at a 1 to 1 ratio, up to a maximum of 200 feet, or 20 storeys, whichever is less.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, a development permit can be issued for the proposed Women's Hospital to be built in accordance with the *West Alexander & Centennial Neighbourhood Plan* as amended and in accordance with the recommendations in the reports for DASZ 26/2009 and DAV 09-152341/D.

HISTORY

On July 16, 2008, Council adopted By-law 64/2008, the *West Alexander & Centennial Neighbourhood Plan* as a secondary plan.

On September 30, 2009, Council concurred in the recommendation of the Standing Policy Committee on Property and Development and gave first reading to By-law 105/2009 (SPA 2/2009) to amend the *West Alexander & Centennial Neighbourhood Plan*, and proceed to a public hearing at the Lord Selkirk - West Kildonan Community Committee.

By-law 105/2009 stated that:

1. the *West Alexander and Centennial Neighbourhood Plan* By-law 64/2008 is amended as follows:

2. in Policy 25 of Chapter 4, the following is added after the word “street”:
except where the yard is directly across, or east of, Lot 11, Block 113, Plan 32676, where said yard must be landscaped and at least five feet deep; and

3. in Appendix A, the following is added after the last sentence:
The Director of the Planning, Property and Development Department may allow a proposed development, which would have a height greater than what is allowed in this appendix, to proceed only if the Director is satisfied that the proposed development will not have an adverse effect on the neighbourhood in terms of shadowing and privacy. The proposed development must be completed in substantial conformity with plans submitted to the City’s Director of Planning, Property and Development for approval, and thereafter maintained to the satisfaction of the said Director.

CONSULTATION

In preparing this Report there was consultation with:

Legal Services, Public Works, Water and Waste and Winnipeg Transit.

SUBMITTED BY

Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by	J. Glen Doney
Date	November 1, 2009
File	SPA 2/209

Attachment 1 – Analysis
Schedule A – By-law 105/2009
Attachment 2 – Proposed Heights and Setbacks
Attachment 3 – Shadow Study Illustrations

ATTACHMENT 1 – ANALYSIS

File SPA 2/2009

Related Files DASZ 26/2009, DAV 09-152341/D and DAC 9/2009

Subject To amend the *West Alexander & Centennial Neighbourhood Plan* By-law 64/2008 by permitting a reduced setback from the south side of Elgin Avenue, west of Sherbrook Street and by permitting minor building protrusions into the maximum building height allowance.

Location 666 Elgin Avenue and 665 William Avenue

Applicant Smith Carter Architects and Engineers Inc. – Larry Hamilton

Owners Winnipeg Regional Health Authority and The Province of Manitoba

1 SITE DESCRIPTION

The site is in the West Alexander Neighbourhood, zoned "C2" Commercial District and "EI" Education and Institutional District, an Institutional policy area of the *West Alexander & Centennial Neighbourhood Plan* and an area designated Neighbourhood in *Plan Winnipeg 2020 Vision.*

The site is south of a residential area and west of a commercial and residential area beyond which are residential uses.

The site encompasses the vacant Weston Bakery, a public lane immediately south of that land, the Community Services and Harry Medovy buildings (685 and 671 William Avenue, respectively) and surface parking, all of which are between William and Elgin Avenues and west of Sherbrook Street.

It is approximately 131,000 square feet (3.0 acres).

2 DESCRIPTION OF THE PROPOSED DEVELOPMENT

For a development permit to be issued for this proposal, the *West Alexander & Centennial Neighbourhood Plan* and Zoning By-law 200/2006 would have to be amended, a public lane would have to be closed and certain zoning by-law requirements would have to be varied.

The proposal is to:

- demolish the Weston Bakery building;
- close the Public Lane that is between and parallel to Elgin and William Streets where it is south of the Weston Bakery site;
- replace the existing lots and Public Lane with a Plan of Survey consisting of six parcels;
- retain the Community Services and Harry Medovy buildings; and
- construct a Women's Hospital.

The Women's Hospital would be five storeys plus a mechanical penthouse. As shown in the plans submitted: a large portion of the fourth floor would be set further back from Elgin than the floors below; and the mechanical penthouse level would be set further back from Elgin, William and Sherbrook than the floors below that level.

The building would be approximately 97 feet (29.6 metres) in height at the top of the parapet wall above the mechanical penthouse level. Portions of the building would exceed the maximum height allowance of Appendix "A" of the *West Alexander & Centennial Neighbourhood Plan*.

The building would include one level of underground parking for visitors.

Access and egress would be by means of Sherbrook Street. A passenger drop-off area would be near the south-east corner of the site, which is where the main entrance is to be. Ambulance access would be from William Avenue, between the Community Services and the Harry Medovy Buildings. Ambulance egress would be to William Avenue from a private road east of the Harry Medovy Building.

Up to 140 feet from the northeast corner of the site, as measured along the site's northern limit, the depth of the north (Elgin Avenue) yard would be 3.3 feet (1.0 metres). The remainder of the Elgin yard would be 13.1 feet (4.0 metres) in depth. The proposed Elgin yard depths are less than the minimum yard depth requirement of Chapter 4, Policy 25 of the *West Alexander & Centennial Neighbourhood Plan.*

Based on dimensions shown on the floor plans of the proposed building, some plans of which also show yard depths, the distance between the northern and southernmost site limits is approximately 276.6 feet. It is noteworthy that this is more than four feet less than what has been determined from Plan 19144, which was registered in the Winnipeg Land Titles Office in 1985.

3 LAND USE BY-LAW

- **Zoning By-law 200/06 E1 Educational and Institutional District** is intended to provide areas for the development of large and significant, multi-building, public, quasi-public, or private facilities of a non-commercial character that may have significant impacts on the surrounding areas. Typical uses may include places of worship, schools, colleges and universities, libraries, cultural facilities, hospitals, and large research facilities as well as supporting residential uses. Attractive, campus-style development is encouraged within this district.
    - EI zoning may be appropriate for clustered or core facilities, while supporting facilities on non-contiguous lots remain in other zoning districts.
    - There is a 25 foot front, corner side, and rear yard requirements.
    - Maximum building height is 100 feet.
    - Prior to the approval of any development application and/or construction of a building on land within an EI district, the owner of the land is required to prepare and submit a Master Plan

- **West Alexander & Centennial Planned Development Overlay (PDO-1)** purpose is to implement the policies of the West Alexander & Centennial Neighbourhood Plan.

- There are specific requirements for the dimensional standards of buildings.
    - The maximum height of buildings north of William Avenue and south of Elgin Avenue are restricted to 5 storyes or 45 feet in height (where they are within 90 feet of the north limit of Elgin Avenue).

- **West Alexander & Centennial Neigbourhood Plan** is based on the concept of a Health and Wellness District – where principles of a healthy neighbourhood are valued, promoted, and shared.
- There are specific requirements for the dimensional standards of buildings:
    - The maximum height of buildings anywhere within the Institutional Policy Area may not exceed 5 storyes or 45 feet in height.
    - The buildings in the Institutional policy area may increase proportional to the distance from a residential boundary to a 1 to 2 ratio (as measured from the residential boundary line), 200 feet, or 20 storeys, whichever less.
    - For the Weston Bakery site, provide a landscaped yard along Elgin Avenue at least 15 feet deep to match the residential character of the street.

4 *THE WEST ALEXANDER & CENTENNIAL NEIGHBOURHOOD PLAN*

4.1 Goal for the Plan

The goal for the *West Alexander & Centennial Neighbourhood Plan* is to build on the existing strengths and to establish policies to address the neighbourhoods' challenges, in order to foster a healthier, more sustainable community that will:

- support and encourage the growth and development of the local institutions;
- protect and enhance the quality of the residential neighbourhoods;
- maintain a balance of complementary land uses;
- create and reinforce a well designed, livable, integrated community;
- encourage building design, site layouts, and urban design features that promote safety, accessibility and contribute to the uniqueness of the community; and
- promote affordable and varied housing choices.

4.2 Intent for the Institutional policy area

As previously stated, the site is in an Institutional Policy area of the *West Alexander & Centennial Neighbourhood Plan*.

The general intent for this policy area is:

- to create an area that recognizes the importance of the institutions in the neighbourhood by providing parameters for their growth and development, as well as by enabling the establishment of complementary activities within the area;
- to provide a flexible land use approach for the provision of health services, education, and research and development; and
- to encourage compatible expansion and protect the features of residential policy areas.

The recommended amendments to the *West Alexander & Centennial Neighbourhood Plan* would allow the proposed development to proceed in a manner that is consistent with these goals.

4.3 Intent for the Residential policy areas

The site is south of a Low Density Residential policy area of the *West Alexander & Centennial Neighbourhood Plan*.

The general intent for all of the residential policy areas is:

- to foster a high quality living environment
- to preserve the strong sense of community
- to offer a wide variety of attractive and affordable housing choices that meet the changing needs of the West Alexander & Centennial community; and
- to encourage more housing in locations with convenient access to employment opportunities and to a broad range of community and commercial facilities.

The general intent for the Low Density Residential policy area is:

- to maintain single-family and two family housing;
- to ensure that new and renovated housing is compatible in mass and scale with existing housing, maintains sunlight and privacy on adjacent properties, and retains the pedestrian oriented character of the front street; and
- to maintain the existing housing stock until such time as may be appropriate for the area north of the Health Sciences Centre to transition to health care and related institutional uses.

4.4 Intent for the Commercial policy areas

The site is south of a Commercial Mixed-Use policy area of the *West Alexander & Centennial Neighbourhood Plan*.

The general intent for the commercial policy areas is to encourage commercial businesses that positively contribute to the community by supporting a pedestrian friendly neighbourhood, but also to provide opportunities for auto-oriented developments along parts of McPhillips Street and Logan Avenue. The intent for the Commercial Mixed-Use policy area is to encourage thriving, pedestrian-oriented commercial streets that connect the residential areas.

4.5 Policies for the "Weston Bakery Site"

The site of the proposed development is the same as the Weston Bakery Site described in the *West Alexander & Centennial Neighbourhood Plan*. The Weston Bakery Site encompasses the former location of the Weston Bakery and is the current location of the Community Services and Harry Medovy buildings and surface parking lots.

Any redevelopment of the Weston Bakery Site shall:

- not include vehicular ingress, egress or loading from/to Elgin Avenue;
- provide all primary building entrances and exits from/to Sherbrook Street or William Avenue;
- provide screening of mechanical equipment and locate that equipment away from residences; and
- provide a landscaped yard along Elgin Avenue at least 15 feet deep to match the residential character of the street.

4.6 Appendix "A" - Height Restrictions and Allowances

Appendix "A" requires new development in an Institutional Policy area to conform to a height envelope in order to reduce the potential for shadowing and loss of privacy from buildings in that:

- all areas in the Institutional Policy area, except along the east side of Tecumseh Street between Notre Dame and William Avenues, buildings may be five storeys or 45 feet in height, whichever is less; and
- building height may be increased proportional to the distance from a residential boundary that is outside of the Institutional Policy area (measured at the property line) at a rise-to-run ratio of 1 to 2, to a maximum of 200 feet or 20 storeys, whichever is less.

5 *PROPOSED AMENDMENTS*

The Division's report dated August 27, 2009 submitted to Council for First Reading contained a rough draft of clauses that were specific to the initial development proposal submitted several months ago. As the public consultation process proceed, and the applicant generated more substantial conceptual plans for submission, the Division recognized that the proposed clauses in the First Reading report needed to be made more easier to understand for implementation and broad enough to capture the possibility of minor changes to the development at the building permit stage. The spirit and intention of these subsequent revised clauses is still consistent with the intention of the original amending clauses proposed on August 27, 2009.

5.1 The Recommendation is to delete the minimum front yard setback on Elgin Avenue for the Weston Bakery site under the West Alexander & Centennial Neighbourhood Plan. The front yard requirement under the Zoning By-law would still apply.

The Secondary Plan requires a 15 foot front yard along Elgin Avenue.

The Zoning By-law requires a 25 foot front yard requirement.

The applicant is proposing a yard along the south side of Elgin Avenue to be mostly 14.8 feet and 3.3 feet where it is within 140 feet of the southeast corner of the intersection of Elgin Avenue and Sherbrook Street (northeast corner of the site).

Across from the portion of the building that will be 3.3 feet from Elgin is a surface parking lot, a two family dwelling and a portion (less than 10 feet) of a single-family dwelling lot. The surface parking lot and the two-family dwelling are in a Commercial Mixed-Use policy area of the *West Alexander & Centennial Neighbourhood Plan.* The strip of land for the single family dwelling is less than 10 feet wide and is in a Low Density Residential policy area.

As previously stated, an intention for Commercial Mixed-Use policy areas is to encourage thriving, pedestrian-oriented commercial streets. Pedestrian oriented commercial streets are generally characterized by buildings being quite close to the street's public sidewalks.

Given this intention, and that very little of the area in which a yard depth of only five feet is across from a Low Density residential policy area and a single-family dwelling lot, this proposed amendment to allow a yard along the south side of Elgin Avenue of at least five feet deep, where it is within 140 feet of the southeast corner of the intersection of the Public Streets of Elgin Avenue and Sherbrook Street, instead of the current minimum of 15 feet, is consistent with the goal for *West Alexander & Centennial Neighbourhood Plan* and the intents for the Institutional, Residential and Commercial policy areas of the plan.

The Division notes that the distance from the north to the southernmost limit of the site is over four feet greater than is shown in the plans submitted by the applicant. It appears that there would be no hardship or injurious affect on the proposed development if that portion of the proposed north (Elgin Avenue) yard is increased to at least five feet.

For this reason, the remainder of the Elgin Avenue yard depth can be increased from the proposed 13.1 feet to at least 15 feet, which complies with the policies for the Weston Bakery Site. However, considering final site plans are not submitted until a building permit application has been applied for at the start of construction, it is recommend that the yard requirement along Elgin be deleted in the Secondary Plan for the Weston Bakery site, as this clause only applies to this site. The Zoning by-law, would still need to be varied (requiring a public hearing) for a more stringent yard depth of 25 feet on Elgin Avenue.

5.2 The Recommendation is to permit a building height with a rise to run ratio of 1 to 1, up to a maximum of 200 feet, or 20 storeys, whichever is less

The purpose of the rise to run ratio clause in the Secondary Plan is to require a 'wedding cake' designed building that terraces back from Elgin Avenue. This building form helps mitigate the negative effects of a tall building at the property line dominating the streetscape for the pedestrian as well as casting shadows on the adjacent properties. The proposed amendment is still within the spirit of this clause with exception allowing a taller building further back from the Elgin streetscape. Shadow studies completed indicate this building form as guided by the spirit of the height requirements of the Secondary Plan will not have an adverse effect on the nearby residential properties with the proposed amendment.

6 RECOMMENDATION

The Planning and Land Use Division recommends approval because, subject to the conditions stated in the section of this report titled "Recommendations," the proposed development and associated rezoning is compatible with the neighbourhood:

- The West Alexander & Centennial Neighbourhood Plan is based on the understanding that bio-medical land-uses such as those found in the EI district would be established in the area.
- This development strikes a balance that supports the growth of a vitally important institution for this community, region, and province while not compromising the quality of the residential neighbourhood.
- The existing C2 Commercial lands with a former large scale bakery is not the best or high use of these lands and would allow many intensive commercial uses.
- The proposed development as illustrated in the Shadow Study will not cast darkness on any residential unit for a considerable part of the year; and not have any direct access to Elgin.
- The proposed development as illustrated in the Shadow Study will not cast darkness on any residential for a considerable part of the year; and not have any direct access to Elgin.
- Plan Approval for the entire site, as required as a condition of the Zoning Agreement, will ensure the development adheres to the spirit of the Secondary Plan policies to achieve the mitigation results that the front yard and height requirements are attempting to achieve.

Schedule A – BY- LAW 105/2009

THE CITY OF WINNIPEG

BY-LAW NO. 105/2009

A By-law of THE CITY OF WINNIPEG to amend the
West Alexander & Centennial Neighbourhood Plan By-law No. 64/2008

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

1 *The West Alexander & Centennial Neighbourhood Plan By-law No. 64/2008 is amended as follows.*

2 In Chapter 4, Policy 25 is repealed.

3 In Appendix A, the following paragraph is added after the last paragraph:

Notwithstanding the previous paragraph, the height of buildings on the Weston Bakery site may be increased proportional to the distance from a residential boundary outside of the Institutional Zone (measured at the property line), at a 1 to 1 ratio, up to a maximum of 200 feet, or 20 storeys, whichever is less

RECEIVED FIRST READING on this day of , 2009.

RECEIVED SECOND READING on this day of , 2009.

RECEIVED THIRD READING on this day of , 2009.

DONE AND PASSED this day of . 2009.

_____
Mayor

_____
City Clerk

Approved as to planning details:

_____

for Director of Planning, Property & Development

Approved as to form:

_____

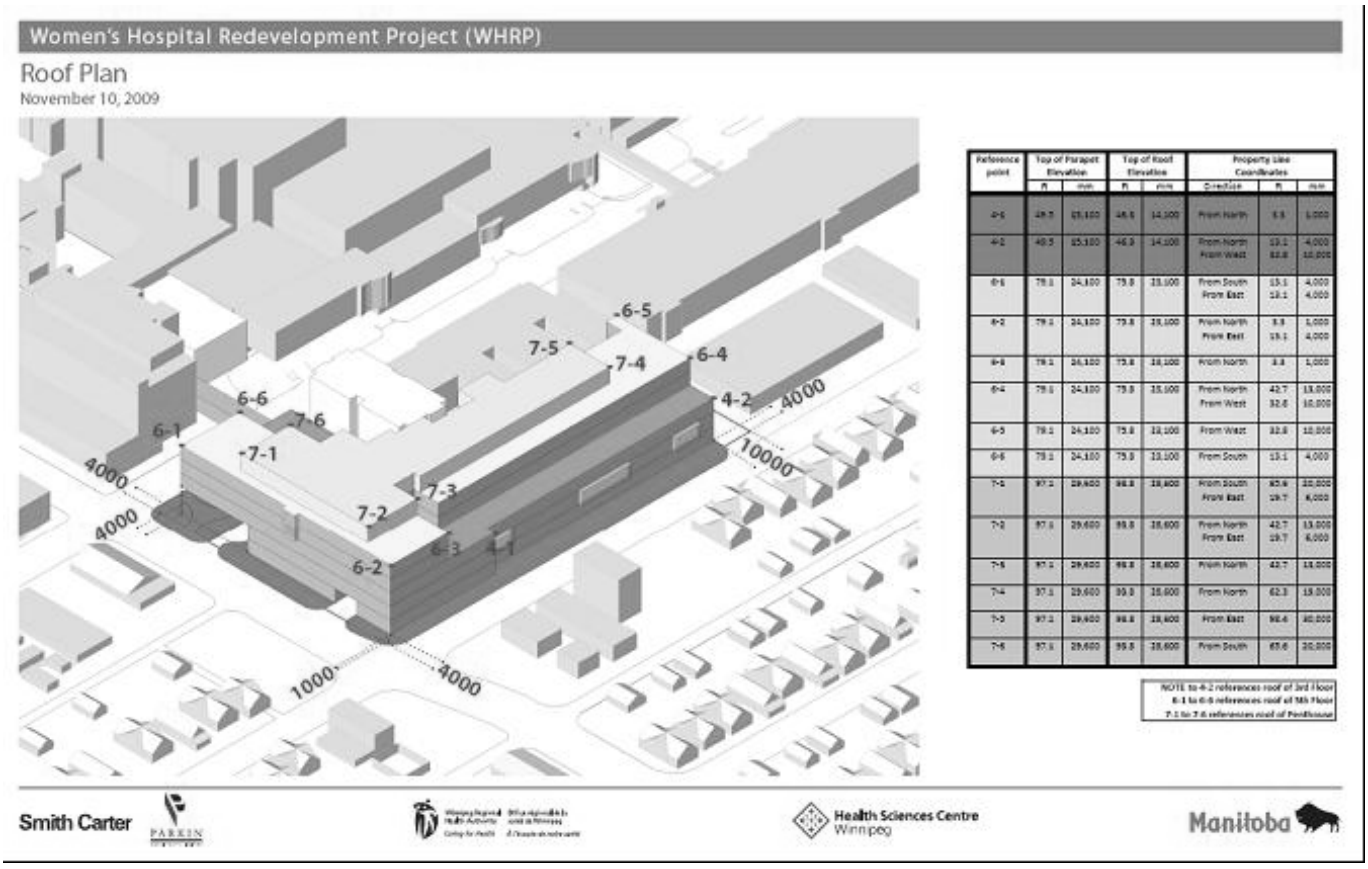
for Acting City Solicitor/Manager of Legal Services

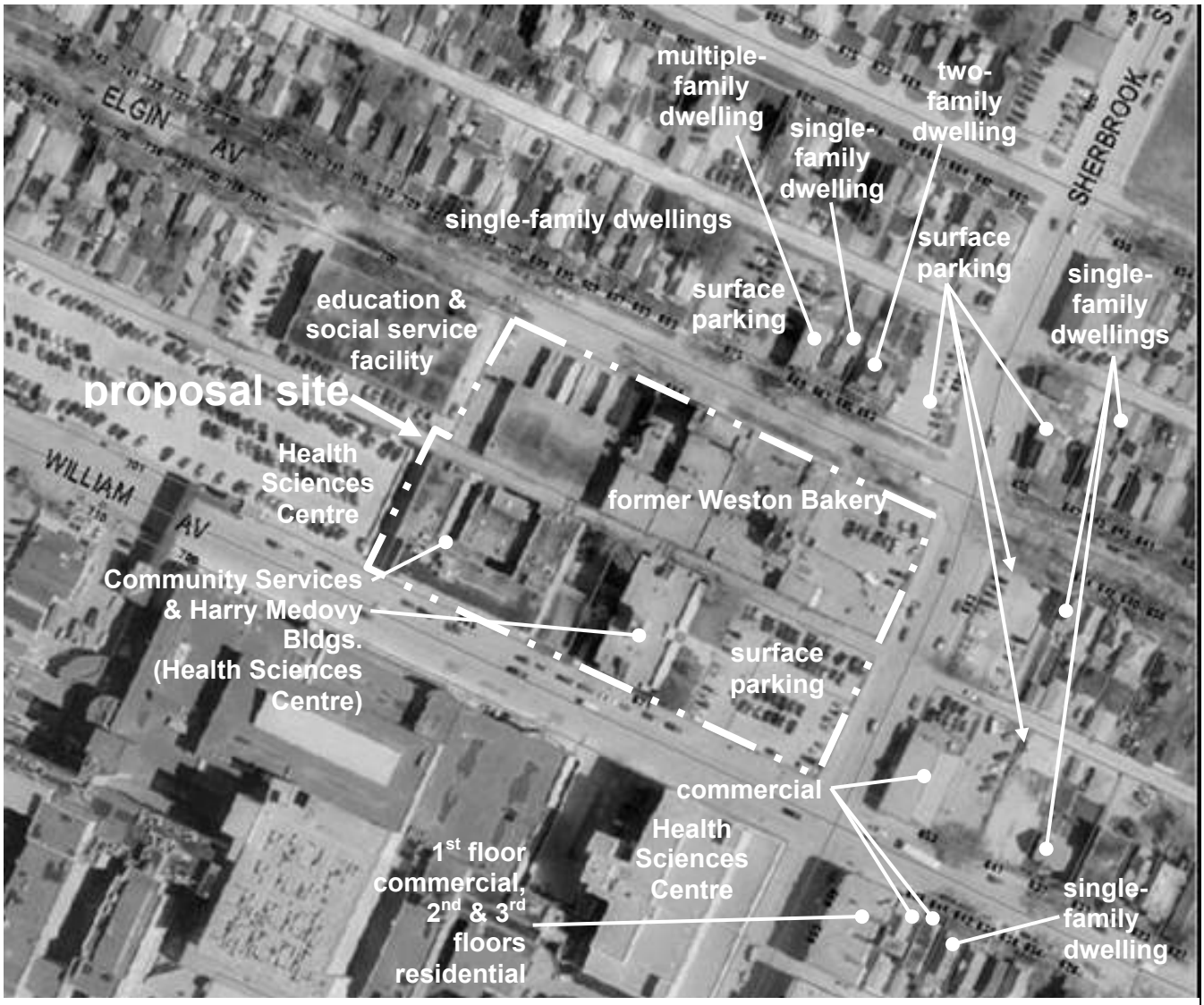
ATTACHMENT 2 – PROPOSED HEIGHTS AND SETBACKS

The applicant provided information showing proposed building heights, to the top of parapet walls, and setbacks from site boundaries. Using this information, survey data and land use information, the following maximum heights that may be allowed as per Appendix "A" of *The West Alexander & Centennial Neighbourhood Plan* have been calculated.

Reference Point	Proposed Height, ft.	Policy Maximum, ft.	Residential Boundary
4-1	49.5	45.0	N side Elgin
4-2	49.5	45.0	N side Elgin
6-1	79.1	55.9 plus 1 floor *	NW corner 859 Sherbrook
6-2	79.1	53.6 ±	SE corner 663 Elgin
6-3	79.1	45.0	SE corner 663 Elgin
6-4	79.1	54.3	N side Elgin
7-1	97.1	78.5 plus 1 floor *	NW corner 859 Sherbrook
7-2	97.1	66.0 ±	SE corner 663 Elgin
7-3	97.1	54.6 ±	SE corner 663 Elgin
7-4	49.5	64.2	N side Elgin

* Commercial uses are on the first floor and residences are above.





Existing Land Uses

November 1, 2009

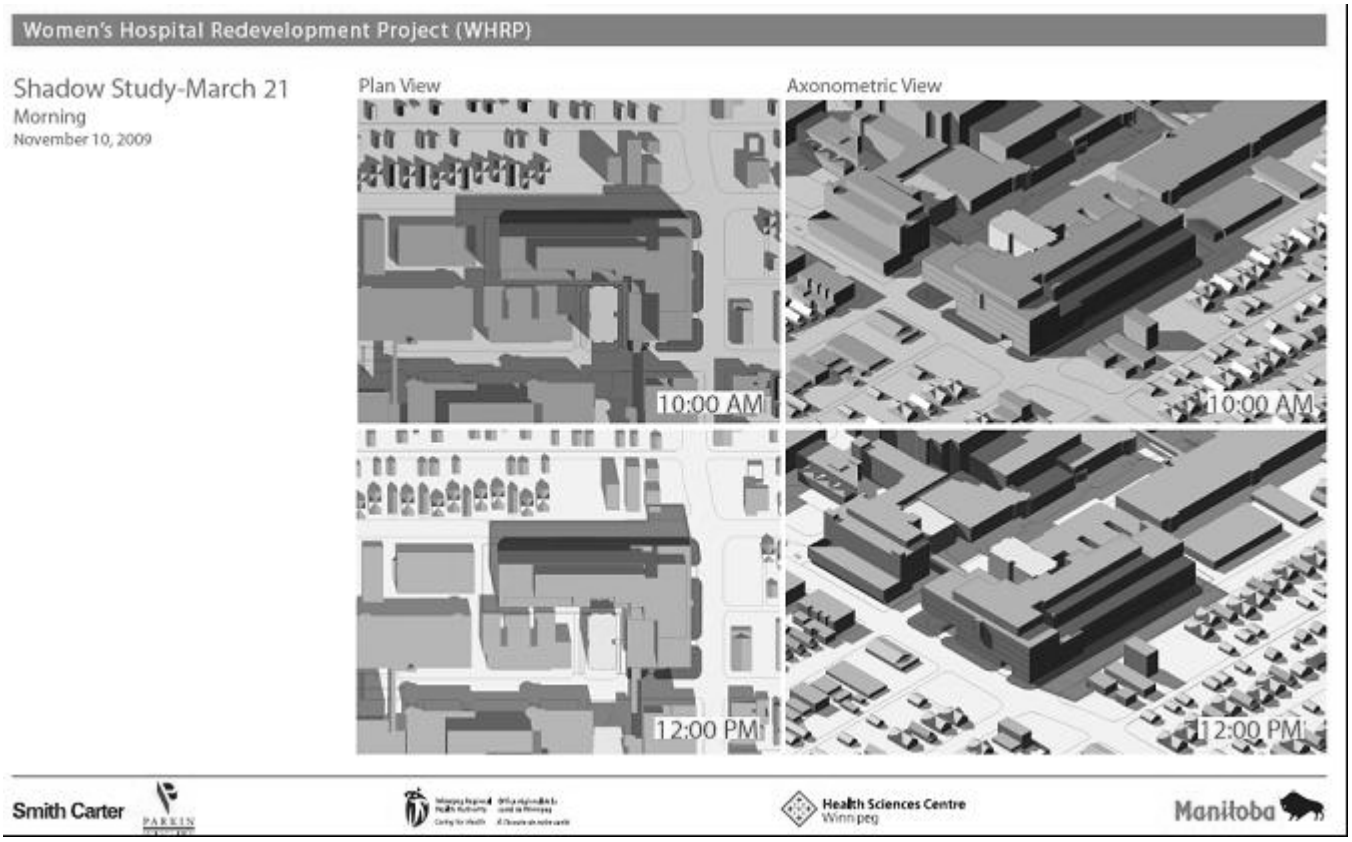
ATTACHMENT 3 – SHADOW STUDY ILLUSTRATIONS

Shadow study illustrations for the summer and winter solstices and the equinox (spring and autumn) have been provided by the applicant. These illustrations model the shadow casting of the proposed building at 10 a.m., 12 p.m., 2 p.m. and 4 p.m.

They show that the shadows cast during:

- the summer solstice would not extend onto residential properties;
- the spring and autumn equinox would extend onto residential properties to a small degree for somewhat short periods of time; and
- the winter solstice would extend onto residential properties to a large degree and, for some properties, for much of the day.

Given how low the sun is in the sky during the winter solstice, any building on the site would have to be quite low to not cast significant shadows onto residential properties.

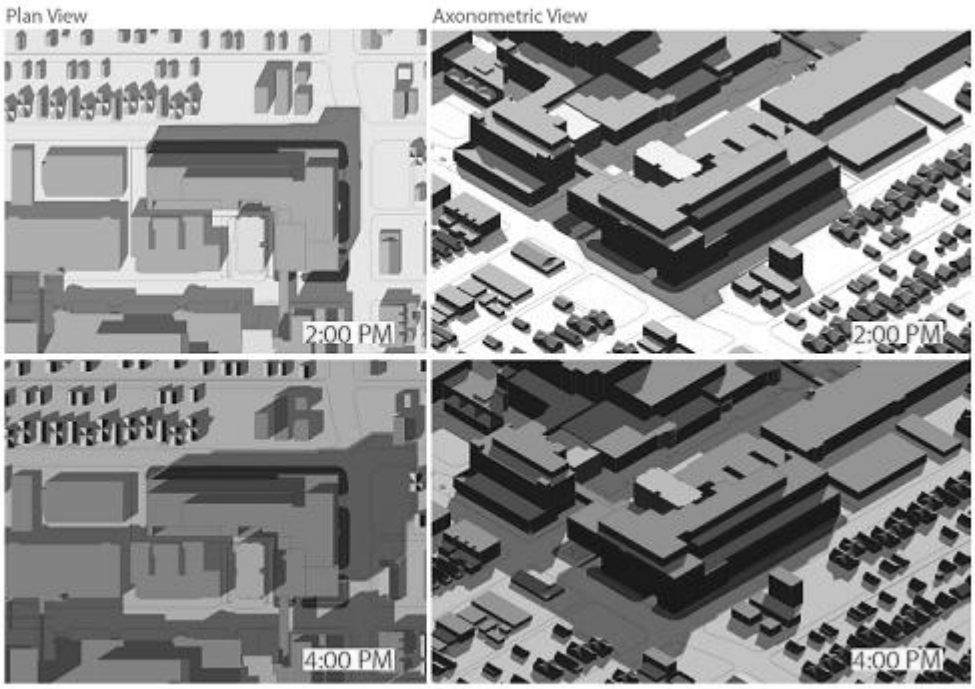


Women's Hospital Redevelopment Project (WHRP)

Shadow Study-March 21

Afternoon

November 10, 2009



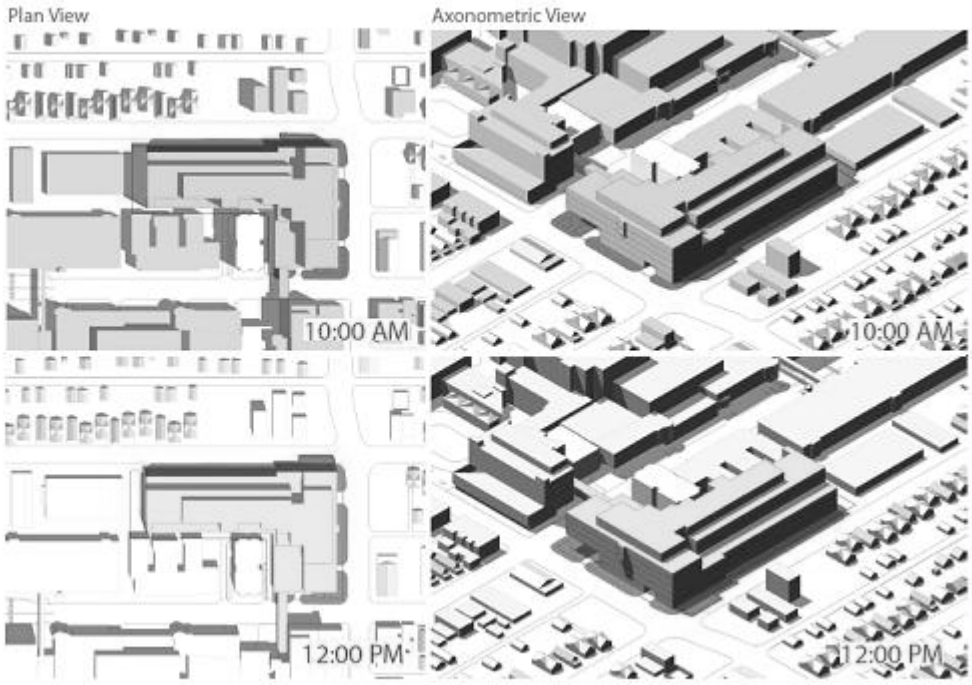
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Women's Hospital Redevelopment Project (WHRP)

Shadow Study-June 22

Morning

November 10, 2009



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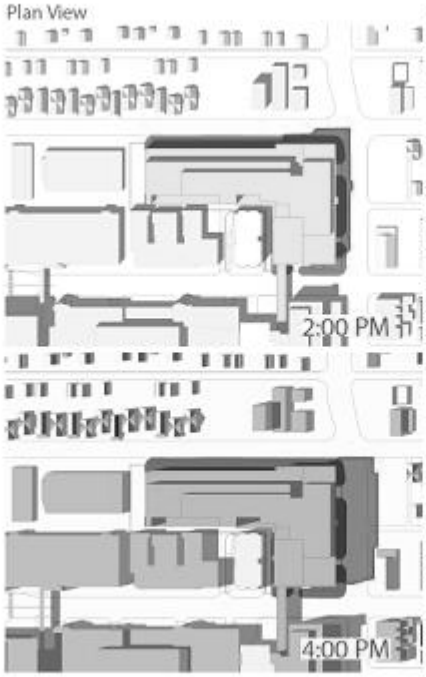
Women's Hospital Redevelopment Project (WHRP)

Shadow Study-June 22

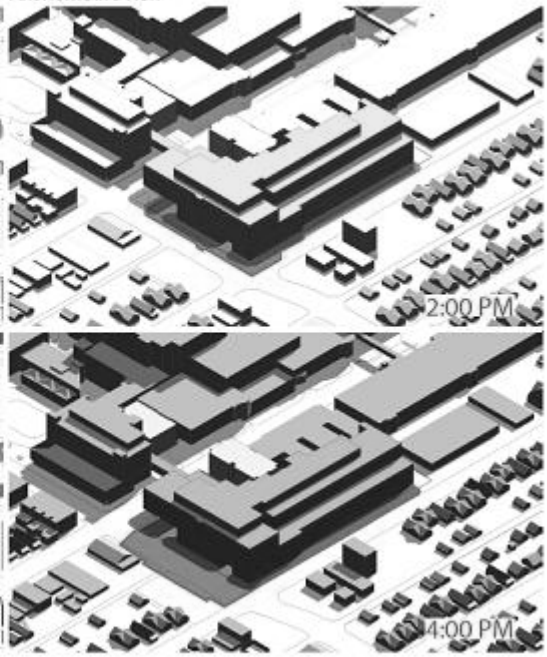
Afternoon

November 10, 2009

Plan View



Axonometric View



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Women's Hospital Redevelopment Project (WHRP)

Shadow Study-September 21

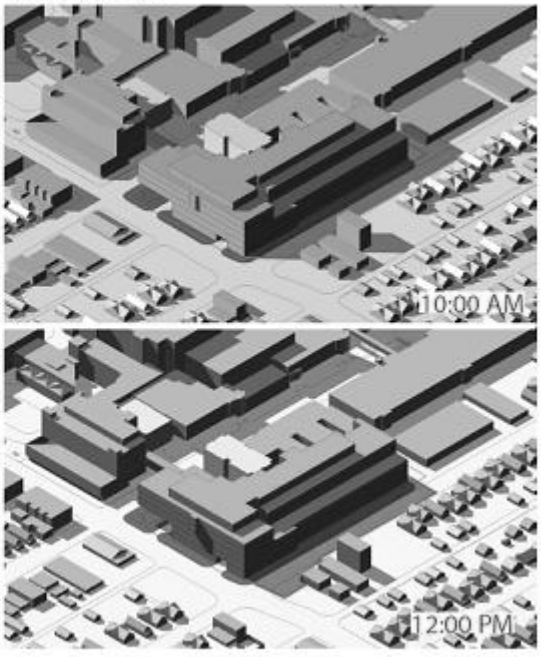
Morning

November 10, 2009

Plan View



Axonometric View



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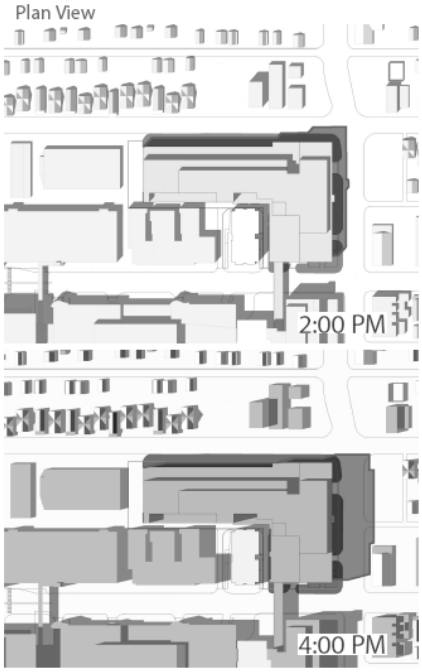
Women's Hospital Redevelopment Project (WHRP)

Shadow Study-September 21

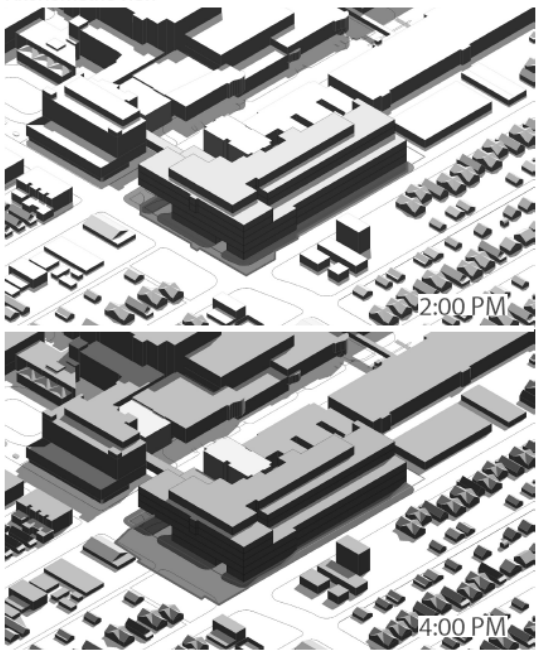
Afternoon

November 10, 2009

Plan View



Axonometric View



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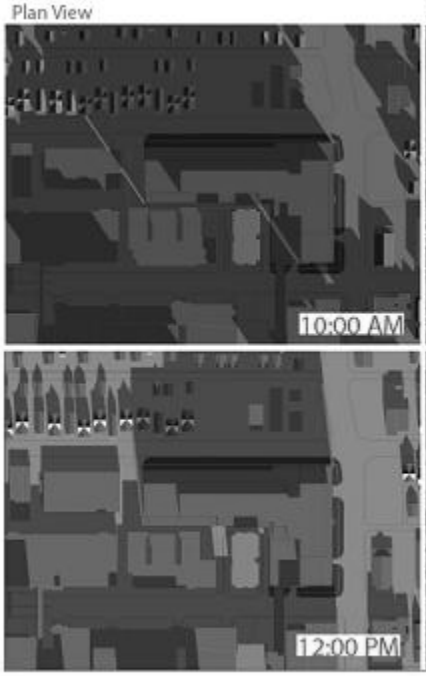
Women's Hospital Redevelopment Project (WHRP)

Shadow Study-December 22

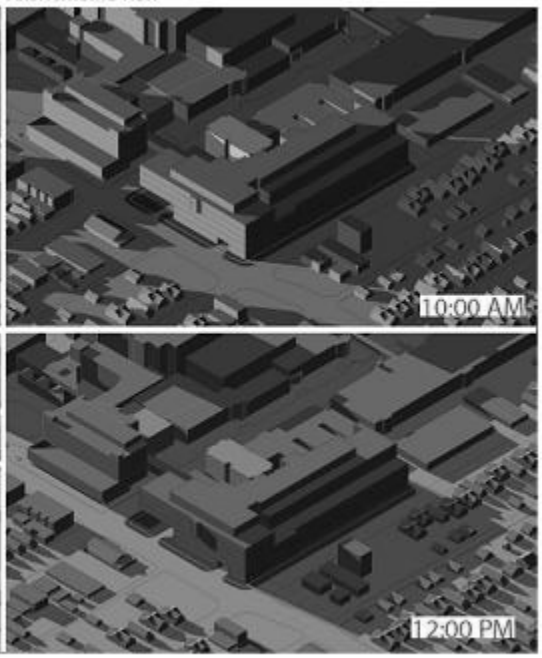
Morning

November 10, 2009

Plan View



Axonometric View



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Women's Hospital Redevelopment Project (WHRP)

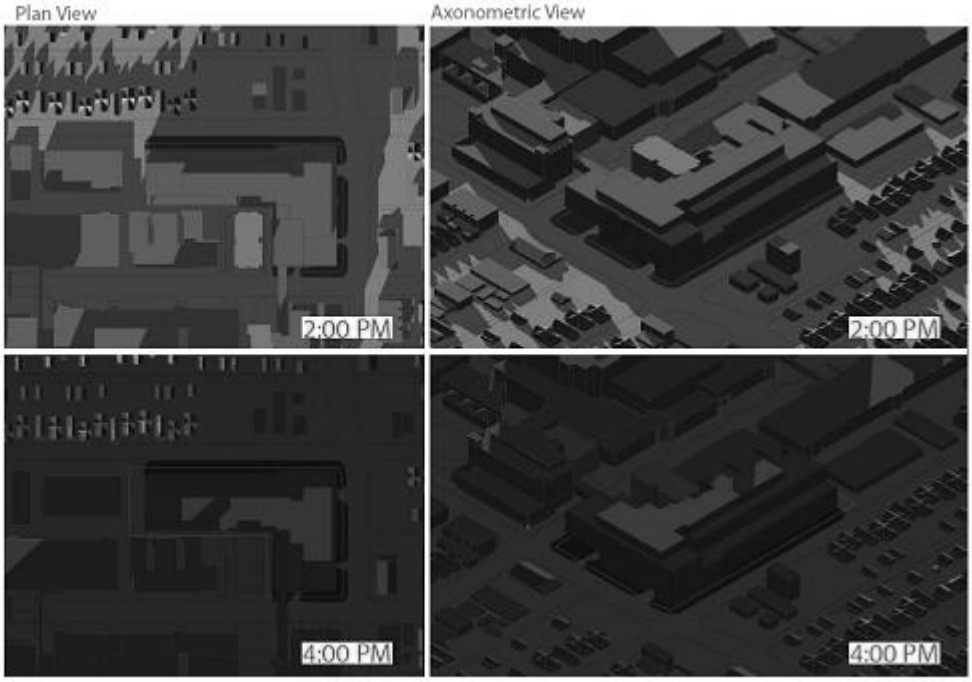
Shadow Study-December 21

Afternoon

November 10, 2009

Plan View

Axonometric View



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