Agenda - Council – December 16, 2009

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

Item No. 3 Subdivision and Rezoning – 665 William Avenue (666 Elgin Avenue) at Sherbrook Street (Point Douglas Ward) File DASZ 26/2009 [c/r SPA 2/2009, DAC 9/2009 and DAV 152341/2009D]

STANDING COMMITTEE RECOMMENDATION:

On December 9, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submits the following to Council:

1. That the plan of subdivision proposed under File DASZ 26/2009 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 26/2009 dated November 1, 2000 with such minor changes as may be required, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in Schedule "B," the report of the Administrative Coordinating Group dated October 27, 2009;

2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 26/2009 dated November 1, 2009, to "EI" Educational and Institutional District subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Subsection 240 (1) of The City of Winnipeg Charter to include the following conditions:

        i. That, for the development of any building, and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the Lord Selkirk-West Kildonan Community Committee for plan approval prior to the issuance of any building or development permit; and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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

ii. That the use of the subject land shall not include:
   a. jail / detention centre;
   b. sports or entertainment arena/stadium;
   c. bus depot;
   d. transit station; or
   e. recycling collection centre.

iii. That all exterior, non-directional illuminated signage in the north yard or on the north side of the building shall be off from 10:00 p.m. to 6:00 a.m.;

iv. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire property;

v. That, all lighting shall upon the request of the Director of Planning, Property and Development, be equipped with whatever additional shielding, lenses, or cut-off devices are required to eliminate light trespass onto any street or abutting lot or parcel and to eliminate glare perceptual to persons on any street or abutting lot or parcel. In addition, the Director may require that the light trespass and glare be limited to a reasonable level through fixture location, height and intensity;

vi. That a Manitoba Land Surveyor shall provide to the City of Winnipeg a building location certificate showing the setbacks to the foundation prior to a subsequent building permit being issued.

B. That, Caveat # 81-12116 be withdrawn as it affects the subject land as shown on Schedule "A" for File DASZ 26/2009.

3. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

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

6. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Servicing Agreement.

8. That the zoning section of the by-law comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

10. 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 – December 3, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 9, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submitted the matter to Council.

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 Committee and submitted the matter 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 with the following amendments, namely:

- Amend Recommendation No. 2.A.i. by adding the words "and the Lord Selkirk-West Kildonan Community Committee" after the words "Director of Planning, Property and Development", and before the words "for plan approval prior to"

- Delete Recommendation No. 2.A.vi. in its entirety and substitute with the following Recommendation:

  "2.A.vi. That a Manitoba Land Surveyor shall provide to the City of Winnipeg a building location certificate showing the setbacks to the foundation prior to a subsequent building permit being issued."

and forwarded the matter to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning - 665 William Avenue (666 Elgin Avenue) at Sherbrook Street**
File DASZ 26/2009 [c/r SPA 2/2009, DAC 9/2009 and DAV 152341/2009D

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

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

Report date: **November 13, 2009**

COMMUNITY COMMITTEE RECOMMENDATION:

On November 10, 2009, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 26/2009 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 26/2009 dated November 1, 2000 with such minor changes as may be required, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in Schedule "B," the report of the Administrative Coordinating Group dated October 27, 2009;

2. That the Winnipeg Zoning By-law 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 26/2009 dated November 1, 2009, to "EI" Educational and Institutional District subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Subsection 240 (1) of The City of Winnipeg Charter to include the following conditions:

        i. That, for the development of any building, and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development ***and the Lord Selkirk-West Kildonan Community Committee*** for plan approval prior to the issuance of any building or development permit; and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That the use of the subject land shall not include:
    a. jail / detention centre;
    b. sports or entertainment arena/stadium;
    c. bus depot;
    d. transit station; or
    e. recycling collection centre.

iii. That all exterior, non-directional illuminated signage in the north yard or on the north side of the building shall be off from 10:00 p.m. to 6:00 a.m.;

iv. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire property;

v. That, all lighting shall upon the request of the Director of Planning, Property and Development, be equipped with whatever additional shielding, lenses, or cut-off devices are required to eliminate light trespass onto any street or abutting lot or parcel and to eliminate glare perceptual to persons on any street or abutting lot or parcel. In addition, the Director may require that the light trespass and glare be limited to a reasonable level through fixture location, height and intensity;

~~***vi. That a Manitoba Land Surveyor shall provide to the City of Winnipeg a certificate showing the setbacks to the foundation prior to a final building permit being issued.***~~

vi. That a Manitoba Land Surveyor shall provide to the City of Winnipeg a building location certificate showing the setbacks to the foundation prior to a subsequent building permit being issued.

B. That, Caveat # 81-12116 be withdrawn as it affects the subject land as shown on Schedule "A" for File DASZ 26/2009.

3. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

6. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Servicing Agreement.

8. That the zoning section of the by-law comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

10. 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.

Note: The wording in bold and italics denotes amendments made by the Community Committee.

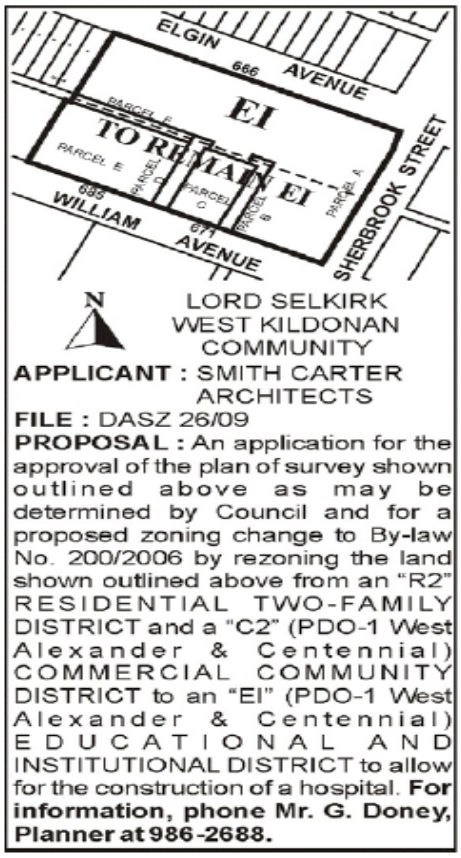
The Lord Selkirk-West Kildonan Community Committee provided the following supporting reasons for its recommendation:

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:	DASZ 26/2009 [c/r SPA 2/2009, DAC 9/2009 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:	
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 September 24, 2009

3. Manitoba Status of Title(s) 1719133, 1719136, 1719141, 1719143, 1719145, 1723060, 1723064, 1723097, 1723102, 1723154, 1723192, 1723196, 1724173, 1724174, 1724176, 1809256, 2319741, 2319744

4a. Letter of authorization dated July 30, 2009 from Winnipeg Regional Health Authority to Smith Carter Architects and Engineers Inc.

4b. 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

5. Surveyor's Building Location Certificate and sketch dated May 20, 2009

6. Site Plan

7. Title Plot

8. Sketch of Proposed Plan of Survey

9. Plans (15 pages)

10. Report from the Planning and Land Use Division dated November 1, 2009

11. Inspection Report

12. Communication dated November 4, 2009, from Catherine Collins, President, West Alexander Residents' Association Inc. in opposition to the application

13. 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

14. Health Science Centre Winnipeg Master Plan dated July 23, 2009 submitted by Andrew Konowalchuk, Regional Director, Capital Planning and Construction, Winnipeg Regional Health Authority

15. Shadow Study and Roof Plan (17 pages) submitted by Larry Hamilton, Architect, Smith Carter

16. 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

17. Communication dated November 10, 2009, from Allan Wise with respect to the application submitted at the public hearing

18. 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

19. 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 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 "10" referred to in File DASZ 26/2009 [c/r SPA 2/2009, DAC 9/2009and DAV 152341/2009D]

ADMINISTRATIVE REPORT

ISSUE: DASZ 26/09 – 666 Elgin Avenue and 665 William Avenue – Public Hearing

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

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Himbeault	NA	NA	

RECOMMENDATIONS

11. That the plan of subdivision proposed under File DASZ 26/2009 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 26/2009 dated November 1, 2000 with such minor changes as may be required, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in Schedule "B," the report of the Administrative Coordinating Group dated October 27, 2009;

12. That the Winnipeg Zoning By-law 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 26/2009 dated November 1, 2009, to "EI" Educational and Institutional District subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Subsection 240 (1) of *The City of Winnipeg Charter* to include the following conditions:

        i. That, for the development of any building, and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development for plan approval

prior to the issuance of any building or development permit; and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That the use of the subject land shall not include:
   a. jail / detention centre;
   b. sports or entertainment arena/stadium;
   c. bus depot;
   d. transit station; or
   e. recycling collection centre.

iii. That all exterior, non-directional illuminated signage in the north yard or on the north side of the building shall be off from 10:00 p.m. to 6:00 a.m.;

iv. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire property;

v. That, all lighting shall upon the request of the Director of Planning, Property and Development, be equipped with whatever additional shielding, lenses, or cut-off devices are required to eliminate light trespass onto any street or abutting lot or parcel and to eliminate glare perceptual to persons on any street or abutting lot or parcel. In addition, the Director may require that the light trespass and glare be limited to a reasonable level through fixture location, height and intensity;

vi. That a Manitoba Land Surveyor shall provide to the City of Winnipeg a certificate showing the setbacks to the foundation prior to a final building permit being issued.

B. That, Caveat # 81-12116 be withdrawn as it affects the subject land as shown on Schedule “A” for File DASZ 26/2009.

13. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

14. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

15. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

16. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

17. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Servicing Agreement.

18. That the zoning section of the by-law comes into force when the plan of subdivision SURVEY? is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

19. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

20. 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*.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations in this report and in the reports for Secondary Plan Amendment Application SPA 2/2009 and Variance Application DAV 09-152341D are implemented, a development permit can be issued for the redevelopment of the subject land into a hospital, subject to the recommended conditions of approval.

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. G. Doney
Date	November 1, 2009
File	DASZ 26/2009

List of Schedules and Attachments

1. Attachment 1 – Planning Discussion
2. Schedule “A” for File No. DASZ 26/2009, Lord Selkirk – West Kildonan Community Committee, dated November 1, 2009
3. Schedule “B” – Administrative Coordinating Group Servicing Agreement dated October 27, 2009

Attachment 1 – Planning Discussion

DATE	November 1, 2009
FILE	DASZ 26/2009
RELATED FILES	SPA 2/2009, DAV 09-152341D and DAC 9/2009
COMMUNITY	Lord Selkirk – West Kildonan Community
NEIGHBOURHOOD	3.105
SUBJECT	To rezone that portion of the subject land that is north of the public lane parallel to and between Elgin and William Avenues from "C2" Commercial Community District to "EI" Educational and Institutional District and to create a plan of survey to divide the subject land into six parcels.
LOCATION	666 Elgin Avenue and 665 William Avenue
LEGAL DESCRIPTION	LOTS 161/2 PLAN 43 13/17 63/78 PLAN 32676 TOG WITH ROW FOR ALL PURPOSES AS APPURT TO SAID LOT 15 OVER & UPON LOT 14 ON SAID PL LOT C/D PLAN 273 8/9 ST J
APPLICANT Hamilton	Smith Carter Architects and Engineers Incorporated – Larry 1600 BUFFALO PL WINNIPEG MB, R3T 6B8
OWNER	Winnipeg Regional Health Authority and The Province of Manitoba



RECOMMENDATION	Approve with conditions

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 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.
    - provide a landscaped yard along Elgin Avenue at least 15 feet deep to match the residential character of the street.

4 ANALYSIS

4.1 Plan Winnipeg

The proposed concept complies with Plan Winnipeg in that a rezoning is allowed in Neighbourhood Policy Areas.

4.2 The *West Alexander & Centennial Neighbourhood Plan*

SPA 2/2009 is an application to amend the *West Alexander & Centennial Neighbourhood Plan* in order to accommodate the proposed development in terms of the proposed building setbacks from Elgin Avenue and its heights and setbacks from residential boundaries.

As stated in the planner's report for this application, the proposed amendments are consistent with the *West Alexander & Centennial Neighbourhood Plan's* goals and its intents for:

- the Institutional policy areas;
- the Low Density Residential policy areas, one of which is near the proposal site; and
- the Commercial Mixed Use policy areas, one of which is also near the proposal site.

The site of the proposed development is the same as the Weston Bakery Site described in the *West Alexander & Centennial Neighbourhood Plan.*

The proposed development is consistent with four of the five policies for this site.

These policies are that 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; and
- provide screening of mechanical equipment and locate that equipment away from residences.

However, the development does not conform to the policy to provide a landscaped yard along Elgin Avenue at least 15 feet deep to match the residential character of the street because:

- a yard depth of 3.3 feet is proposed for up to 140 feet of the easterly portion of the yard; and
- a depth of 13.1 feet is proposed for the remainder.

As stated in the planner's report for File SPA 2/2009, it is recommended to amend the *West Alexander & Centennial Neighbourhood Plan* to delete the minimum yard setback requirement along Elgin Avenue this will allow a yard depth of at least five feet for up to 140 feet of the easterly portion of the yard and to allow a yard depth of at least 15 feet (the current plan requirement) for the remainder.

4.3 Transportation And Site Access

DAC 9/2009, is an application to close the existing east/west public lane that connects to Sherbrook Street. There will be no new lanes connecting to Elgin Avenue, however, Public Works has indicated a public lane will be needed to connect Elgin to the existing of the east end of the existing east/west public lane. The Development Agreement requires the public lane

connection be made, which will have to be done at a later date through a subsequent development application.

4.4 Site Design

Figure 3, provided by the applicant, is a conceptual illustration of the north sides of the proposed building, the boulevard and the associated north yards. It indicates that the building would include illuminated ground level corridors adjacent to exterior glass curtain walls with building edge landscaping, enhanced boulevard landscaping and landscaping of an upper terrace of the building. This high level of design would provide non-glare illumination of the pedestrian environment on Elgin Avenue which would enhance one's sense of safety from crime. The building edge, boulevard and terrace plantings would provide soft edges that would increase the development's compatibility with the residential uses across Elgin Avenue.

Part 5: Development and Design Standards of Zoning By-law 200/2006 has requirements for parking, loading, signs, landscaping, buffering, fencing, screening, lighting and building design. By ensuring that the development conforms to all of these requirements as they apply to the subject land, the development would be more compatible with the area in which it is to be located than would otherwise be the case.

Section 149-150 Master Plan of Zoning By-law 200/2006 requires the owner of the land to prepare and submit a Master Plan for any development or redevelopment that meets one or more of a number of characteristics as outlined in the Zoning By-law.

4.5 Public Consultation

The applicant held a public open houses on October 8, 2009. The applicant also had on-going consultations with the public through working groups during the design of this project.

5 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.

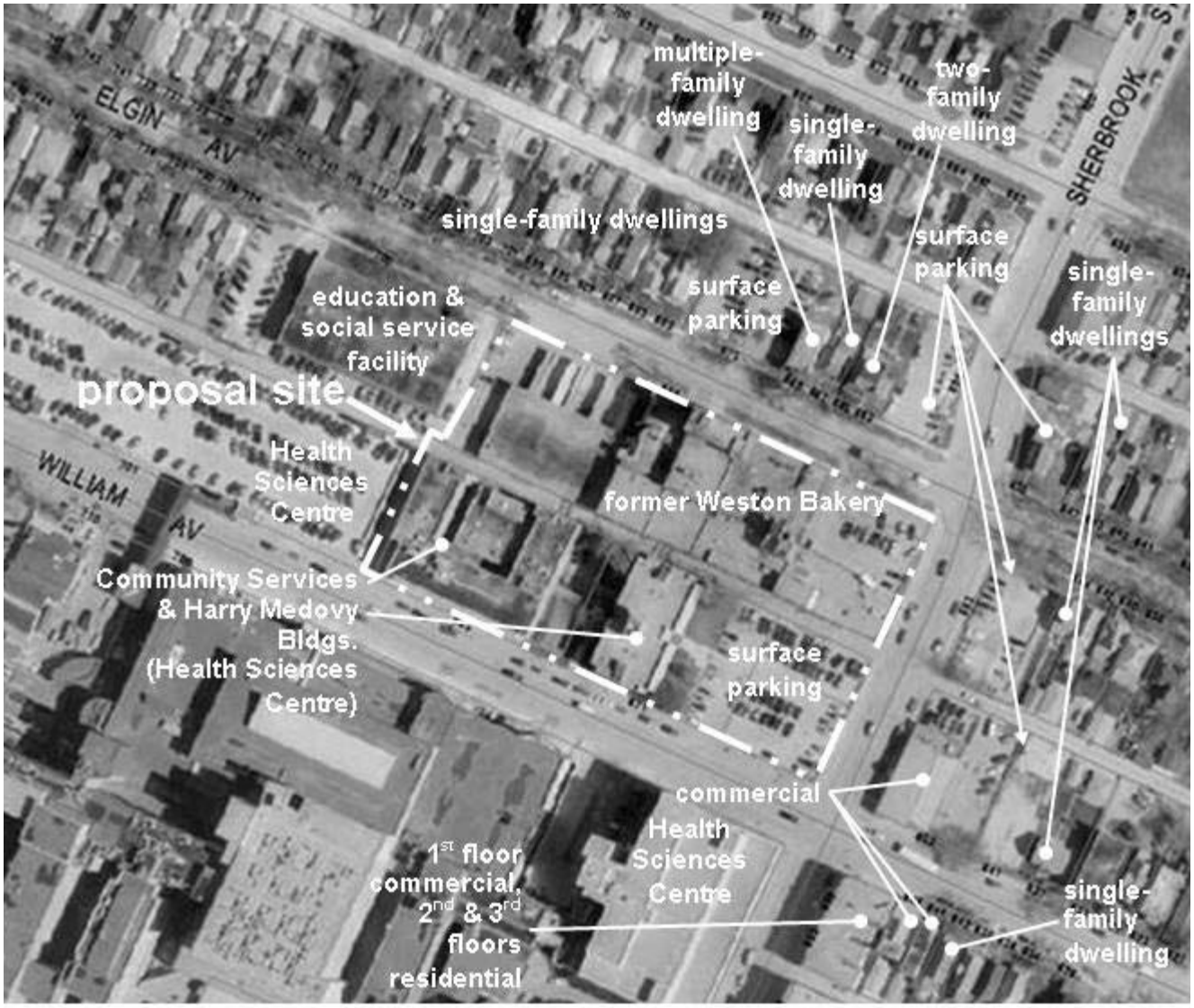
The Division is recommending that previous Zoning Agreement (Caveat # 81-12116) filed under DAZ 334/1979 that restricted land-uses and required site plan approval be discharged and replaced with a new zoning agreement.

The Division is recommending that the new Zoning Agreement contain site plan approval for be reviewed and approved by the Director of Planning, Property and Development to ensure the final design of the development meets the sprit and intention of the West Alexander Centennial Neighbourhood Plan, and provides any mitigating elements needs to address the concerns of nearby residents.

The Division is recommending that less-than-compatible uses such as a jail or detention centre, sports or entertainment arena or stadium, bus depot, transit station or recycling collection centre be prohibited from the subject land. The Division is also recommending that exterior, non-directional illuminated signage in the north yard or on the north side of the building is not illuminated from, say, 10:00 p.m. to 6:00 a.m.; and advertising signs, mobile signs, poster signs and A-frame signs be prohibited from the subject land.

Finally, the Division is recommending that a Manitoba Land SurveyOR determine the exact location of the foundation just after it has been poured and prior to the structure being completed to ensure that the building will be constructed in the exact location as provided under all approvals granted at the Public Hearing.

Figure 1: Existing Land Use, 2005 aerial photography



Existing Land Uses

November 1, 2009

Figure 2: Existing Zoning

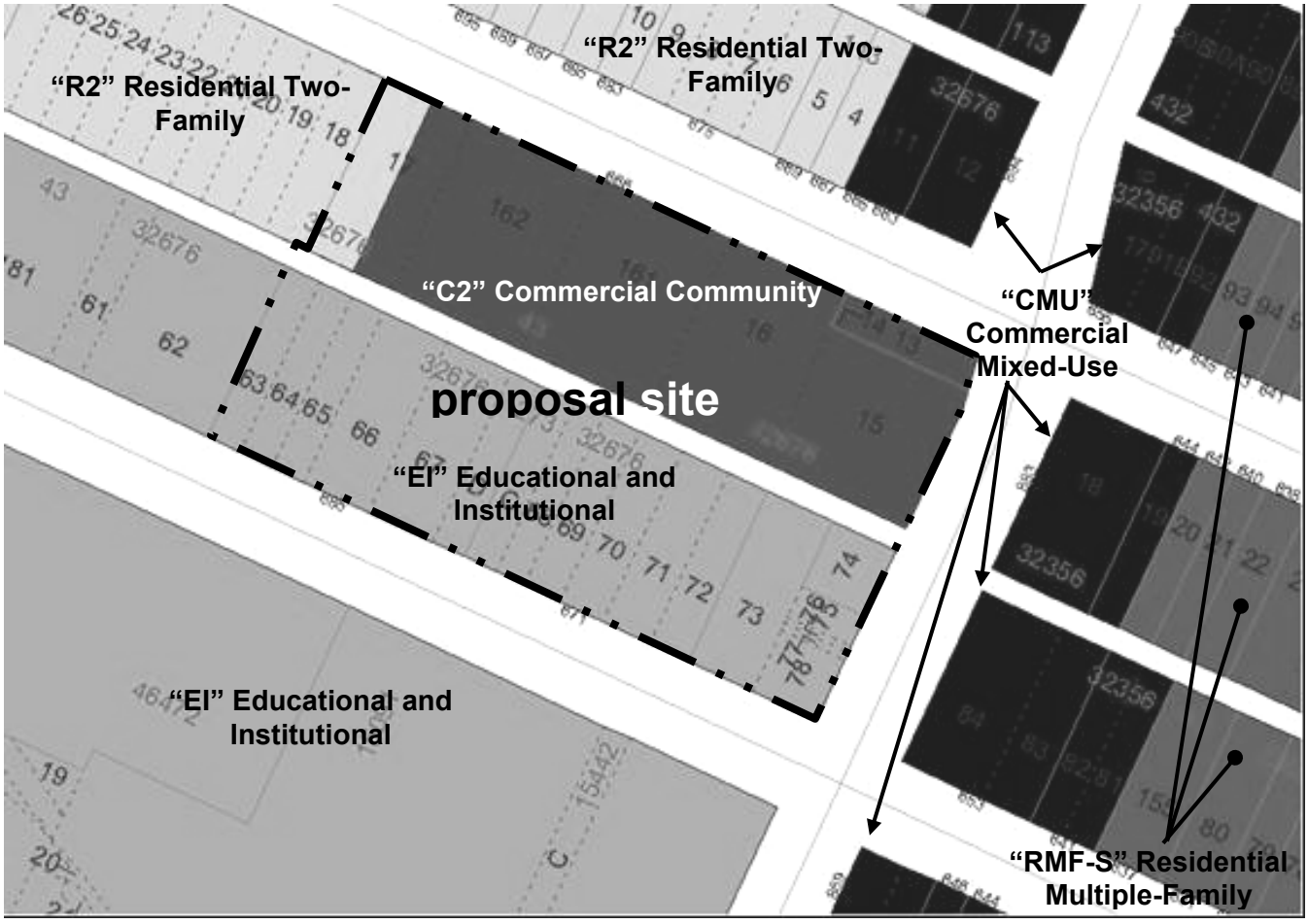


Figure 3: conceptual illustration of the north sides of the proposed building, boulevard and associated north yards



Schedule "A"
for File DASZ 26/09, Lord Selkirk – West Kildonan Community Committee, dated November 1, 2009

By-Law No. _____

File No. **DASZ 26/09**

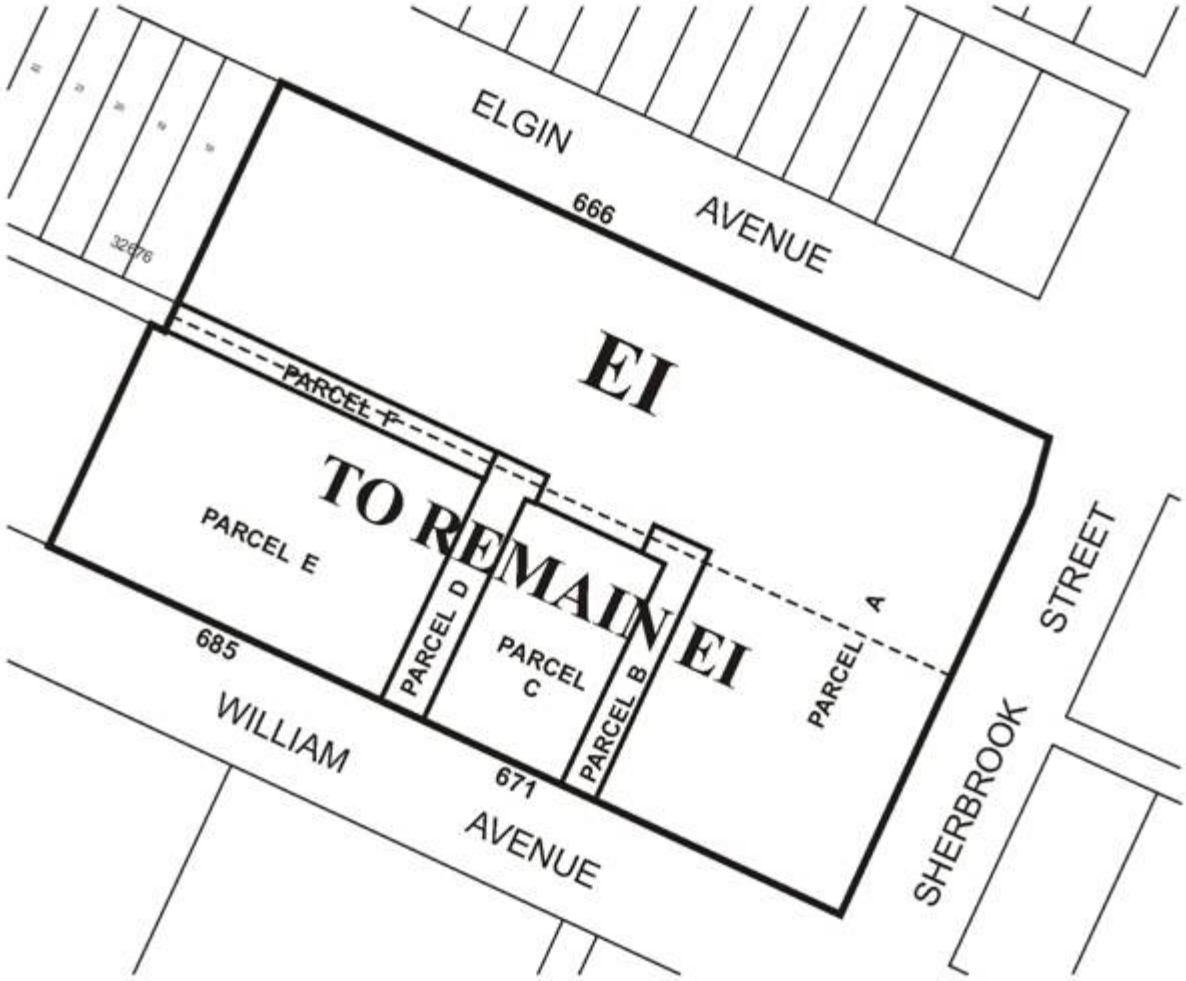
Explanation

An application for the approval of the plan of survey shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 666 Elgin Avenue & Sherbrook Street from an "R2" RESIDENTIAL TWO-FAMILY DISTRICT and a "C2" (PDO-1 West Alexander & Centennial) COMMERCIAL COMMUNITY DISTRICT to an "EI" (PDO-1 West Alexander & Centennial) EDUCATIONAL AND INSTITUTIONAL DISTRICT to allow for the construction of a hospital as shown outlined below.

Atlas Sheet No. **Y23**

N

LORD SELKIRK WEST KILDONAN COMMUNITY



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule "B"
Report of the Administrative Coordinating Group
Re: Proposed Subdivision And Rezoning Of Land At 666 Elgin Avenue and 665 William Avenue – WRHA (Former Weston Bakery Site) - DASZ 26/09

It is recommended that the approval of DASZ 26/09 be subject to the following:

A. Plan Considerations

The Applicant shall, at no cost to the City, provide, and legally open as Public Lane right-of-way, property, to a width of 6.25 m complete with a 3.0-m by 3.0-m corner-cut on the inside corner of the 90^{o} deflection, for a north-south Public Lane at the west limit of the Planned Area, from the existing east-west Public Lane proposed to be legally closed (approximately 140 m west of Sherbrook Street) to Elgin Avenue.

B. Development Agreement

The applicant entering into a **Development Agreement** with the City of Winnipeg, containing the following conditions:

1. The Developer shall, at no expense to the City, construct, in the new north-south Public Lane at the west limit of the Planned Area, a 150-mm-thick portland cement concrete pavement, 5.0 m wide, with an appropriate radius in the corner-cut, and all related works, all as determined by, and to the satisfaction of, the Director of Public Works.

2. The Developer shall, at no expense to the City, remove the existing lane turnout on the west side of Sherbrook Street for the lane proposed to be legally closed, and restore the curb and sidewalk, as determined by, and to the satisfaction of, the Director of Public Works.

3. The Developer shall, at no expense to the City, remove the two existing pole-mounted street lights within the closing area.

4. The Developer shall pay all costs associated with the installation and/or relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to be constructed by the Developer to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Public Works.

5. The Developer shall, at no expense to the City, ensure that construction traffic uses access routes determined by the Director of Public Works; maintain those access routes, at no expense to the City, in a clean, dust-free condition, free of dropped and tracked-on mud; and undertake the regular cleaning of streets – all until building construction, including landscaping, is complete, and all as determined by, and to the satisfaction of, the Director of Public Works.

6. The Developer shall, at no expense to the City, initiate and control the regular cleanup of litter and refuse from the contractors and builders for this development, both on-site and

off-site, during the installation of services and construction of buildings, until completion of all construction, as determined by, and to the satisfaction of, the Director of Public Works.

7. Following completion of all major construction works, the Developer shall, at its cost, have the locations of the survey monuments within the Planned Area verified and, where the survey monuments have been disturbed, moved, covered, mutilated, or destroyed, have them replaced by a Manitoba Land Surveyor, who shall provide the Director of Planning, Property & Development with a certificate that all survey monuments within the Planned Area have been verified and/or replaced.

8. The Developer shall pay cash in lieu of dedication of land for public open space, in accordance with City Policy.

9. The Developer shall pay the full cost of engineering services provided by or on behalf of the City in connection with the installation of, and provision of as-built drawings within three months of substantial performance showing, the services required to serve the Planned Area.

10. The Developer shall pay to the City $1,650.00 plus GST to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 26/09
October 27, 2009

"original signed by S.M. Matile, P. Eng."
S. M. Matile, P. Eng., Chair
Land Development Branch

"original signed by R.J. Hartmann, P. Eng."
R. J. Hartmann, P. Eng.
Public Works Department, Transportation Division

"original signed by F. Mazur, P. Eng."
F. Mazur, P. Eng.
Water & Waste Department