Minutes – Executive Policy Committee – December 8, 2010

Minute No. 48
Report – Standing Policy Committee on Property and Development – December 6, 2010

Item No. 10 Subdivision and Rezoning – west of Argue Street, east of rail right-of-way known as the Fort Rouge Yards – DASZ 33/2010 (Fort Rouge-East Fort Garry Ward)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee, as amended, and submits the following to Council:

1. That the City of Winnipeg enter into an Strategic Economic Agreement with the Developer for the development of a mixed-use residential and commercial development on the west side of Argue Street adjacent to the Southwest Rapid Transit Corridor, as shown on Schedule "A" to the report of the Winnipeg Public Service dated November 16, 2010, for File DASZ 33/2010, to include the following items:

    A. Cost and lands associated with the development of the new Jubilee Rapid Transit Station.

    B. Costs of all design services to be provided by a Consulting Engineer for the environmental works required to remediate the lands for the development of the Jubilee Rapid Transit Station; and costs of all supervision services provided on behalf of the City for field inspection, the preparation of progress estimates, and all other engineering consulting services related to the remediation.

    C. Costs of all design services to be provided by a Consulting Engineer for the design of the works required to provide geo-thermal heating to municipally owned facilities, and the costs of all construction supervision services provided on behalf of the City for field inspection, the preparation of progress estimates, the provision of as-built drawings within three months of the date of substantial completion of the work, and all other engineering consulting services related to the installation of the works required for geo-thermal heating of municipally owned facilities.

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2. That the Chief Administrative Officer be authorized to negotiate and approve the terms and conditions of any and all agreements required in respect of any land acquisitions needed for the Jubilee Rapid Transit Station to achieve the intent of Council for DASZ 33/2010.

3. That the Chief Administrative Officer be authorized to finalize and approve the terms and conditions of any and all agreements required in respect of the above noted including the City's contribution, and shall report this matter to Council.

4. That the plan of subdivision under File DASZ 33/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" to the report of the Winnipeg Public Service dated November 16, 2010, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group attached as Schedule "B" to the report of Winnipeg Public Service dated November 16, 2010, with the following amendment:

      i. Section C. Development Agreement:

         a. Amend Condition 4, by deleting the word "in" and replacing it with the words "as part of"

         b. Add the following new condition:

            "29. That the Developer shall pay to the City in cash the full cost of installation of traffic control signals and all related works including, but not necessarily limited to pedestrian and vehicular actuation and interconnection to adjacent traffic control signals and audible pedestrian signals at the intersection of Jubilee Avenue and Lilac Street, when and as determined by and to the satisfaction of the Director of Public Work."

5. That Winnipeg Zoning By-law No. 200/2006 be amended by adding Schedule "P", the Yards at Fort Rouge PDO-1 - Appendix "D" to the report of the Winnipeg Public Service dated November 16, 2010.

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6. That Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land, as shown on Schedule "A" to the report of the Winnipeg Public Service dated November 16, 2010, for File DASZ 33 /2010 to a "RMU PDO 1 – The Yards at Fort Rouge" Residential Mixed-Use District Planned Development Overlay – 1, subject to the following:

   A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter for the lands zoned "RMU PDO-1 – The Yards at Fort Rouge" to include the following conditions:

      i. That prior to the issuance of any new occupancy permit and/or upon the request of the Fire and Paramedic Chief, the Developer shall install and erect, at his own expense and at no cost to the City, signs depicting the Master Plan of development on the subject property as it exists from time to time. Such signs shall clearly show the location of all existing buildings, accessory parking areas, private approaches, garbage enclosures, internal roads, building addresses and/or unit numbers, and building names, and must be posted at outside locations near the public right-of-way and internal roads on the subject property. The location, quantity, size and illumination of such signs will be determined by the Fire and Paramedic Chief. The Developer shall maintain all such signs to the satisfaction of the Fire and Paramedic Chief.

      ii. That copies of the current Master Plan be provided to the Fire and Paramedic Chief prior to the issuance of any new occupancy permit and/or upon the request of the Fire and Paramedic Chief.

      iii. That the address number of every building on the subject property (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located.

      iv. That where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Fire and Paramedic Chief.

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v. That building numbers and names required to be attached or displayed by this Zoning Agreement must be of a colour that contrasts with the colour of the structure to which they are attached so as to be clearly visible from the street or internal road on which the building is located and of a height as determined by and to the satisfaction of the Fire and Paramedic Chief.

vi. That no other numbers or names are to be attached to any buildings on the subject property that could be confused with the address numbers or building names.

vii. That the owner/occupier of a building must ensure that the number assigned to a building is clearly visible from the street or internal road on which the building is located while the building is under construction as determined by and to the satisfaction of the Fire and Paramedic Chief.

viii. That the Developer and all successors in title to the lots in the subdivision shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the lots, private cross-access agreements with the owners of the other lots so as to ensure access to every lot at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners must submit the agreements or easements to the Director of Legal Services and City Solicitor for approval prior to execution.

ix. 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 as 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 of Planning, Property and Development may require that the light trespass and glare be limited to a reasonable level through fixture location, height and intensity.

x. That prior to any future expansion of the Planned Area an updated traffic impact study shall be required as determined by and to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development.

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xi. That prior to the issuance of any development permits, a parking management plan shall be submitted to and approved by the Director of Planning, Property and Development and thereafter maintained to the satisfaction of the Director of Planning, Property and Development.

xii. That prior to the issuance of any signage permits, a master signage plan shall be submitted to and approved by the Director of Planning, Property and Development and thereafter maintained to the satisfaction of the Director of Planning, Property and Development. All signage permits issued shall be in conformance with the master signage plan.

xiii. That for the development of any building, open space, or accessory parking area in the Planned Area, the Developer shall submit plans showing the location and design of the buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, and landscaping, to the Director of Planning, Property and Development and the City Centre 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.

xiv. That the developer shall erect and maintain two 4 feet by 8 feet signs on the vacant land indicating the location and zoning of the development; and plans for the signs showing their location and design shall be submitted to the Director of Planning, Property and Development for approval by June 30, 2011; and the signs shall be maintained to the satisfaction of the Director of Planning, Property and Development until such time as the land is either further rezoned or building permits issued.

xv. That the Developer shall grant to the City an easement on Lot 6 for the active transportation path connecting Argue Street to the Fort Rouge Station, and shall pay all associated surveying costs.

xvi. That the specific location and configuration of the Lot 6 Argue Street active transportation path and associated easement will be determined by the Director of Planning, Property and Development and the Director of Public Works in consultation with the Developer, and will be based on safety-of-access considerations, design requirements, (connecting ideally at the south limit on the west side of Argue and at the south limit of the Fort Rouge Station), Universal Design standards, and minimizing the impact on private property.

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xvii. That prior to the opening of the Fort Rouge Station, the Developer shall complete the construction of the proposed section of the Argue active transportation path to the Fort Rouge Station, as determined by, and to the satisfaction of the Director of Planning, Property and Development and the Director of Public Works.

xviii. That the Developer shall indicate, in all applicable site plans, the intended construction of the future Argue active transportation path to Fort Rouge Station within the designated easement.

xix. That if the proposed development should include condominiums on Lot 6, the Developer shall include in the condominium agreements a description of the proposed Argue active transportation path to Fort Rouge Station and the requirement that the path is to be accessible to the general public, and shall provide the City with a copy of the condominium agreement.

7. That all Public Right of Ways in the planned area shall maintain the existing street names which correspond with the existing streets east of Argue Street.

8. That the City shall apply the City Centre Community Committee share of the cash in lieu of dedication, for under-dedication, to a higher-quality development of plantings, pathways, site furnishings, athletic field amenities, and lighting (if required), in the park spaces provided and/or in other park sites in the neighbourhood, all as determined by, and to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development.

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

10. 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.

11. 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.

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12. That the City owned property shown in broken outline and identified as "Subject City Property" on Schedule “E”, Misc. Plan No. 13890, to the report of the Winnipeg Public Service dated November 16, 2010, be declared as surplus to the City's needs.

13. That the Director of Planning, Property and Development be authorized to negotiate and approve the sale of the "Subject City Property" as shown in broken outline on Schedule “E”, Misc. Plan No. 13890, to the report of the Winnipeg Public Service dated November 16, 2010, to the applicant on terms and conditions satisfactory to the Director of Planning, Property and Development and the Director of Legal Services and City Solicitor in order to protect the interests of the City and to achieve the intent of the Standing Policy Committee on Property and Development.

14. That in the event the matter of the subdivision and rezoning is not proceeded with expeditiously and the subdivision and rezoning by-law is not passed within twenty-four (24) months after adoption of the report by Council, the subdivision and rezoning 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.

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

16. That the Proper Officers of the City do all things necessary to implement the intent of the foregoing.

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DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Browaty,

That the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee, as amended, be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On December 6, 2010, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee with the following amendment, namely;

- Amend Recommendation 4.A.i. by adding the following amendment to the Development Agreement, namely:

  "a. Amend Condition 4, by deleting the word "in" and replacing it with the words "as part of""

  and renumber the remaining amendment accordingly,

and submitted the matter to the Executive Policy Committee and Council.

Report – Standing Policy Committee on Property and Development – December 6, 2010

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION:

On November 23, 2010, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Recommendation 4.A., add the following words:

  "with the following amendment:

  i. Section C Development Agreement

     a. add the following new condition:

        "29. That the Developer shall pay to the City in cash the full cost of installation of traffic control signals and all related works including, but not necessarily limited to pedestrian and vehicular actuation and interconnection to adjacent traffic control signals and audible pedestrian signals at the intersection of Jubilee Avenue and Lilac Street, when and as determined by and to the satisfaction of the Director of Public Work.",

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

RE: Subdivision and Rezoning – west of Argue Street, east of rail right-of-way known as the Fort Rouge Yards - File DASZ 33/2010

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

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

Report date: November 24, 2010

COMMUNITY COMMITTEE RECOMMENDATION:

On November 23, 2010 the City Centre 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 City of Winnipeg enter into an Strategic Economic Agreement with the Developer for the development of a mixed-use residential and commercial development on the west side of Argue Street adjacent to the Southwest Rapid Transit Corridor, as shown on Schedule "A" to the report of the Winnipeg Public Service dated November 16, 2010, for File No. DASZ 33/2010, to include the following items:

    A. Cost and lands associated with the development of the new Jubilee Rapid Transit Station.

    B. Costs of all design services to be provided by a Consulting Engineer for the environmental works required to remediate the lands for the development of the Jubilee Rapid Transit Station; and costs of all supervision services provided on behalf of the City for field inspection, the preparation of progress estimates, and all other engineering consulting services related to the remediation.

    C. Costs of all design services to be provided by a Consulting Engineer for the design of the works required to provide geo-thermal heating to municipally owned facilities, and the costs of all construction supervision services provided on behalf of the City for field inspection, the preparation of progress estimates, the provision of as-built drawings within three months of the date of substantial completion of the work, and all other engineering consulting services related to the installation of the works required for geo-thermal heating of municipally owned facilities.

2. That the Chief Administrative Officer be authorized to negotiate and approve the terms and conditions of any and all agreements required in respect of any land acquisitions needed for the Jubilee Rapid Transit Station to achieve the intent of Council for File DASZ 33 /2010.

3. That the Chief Administrative Officer be authorized to finalize and approve the terms and conditions of any and all agreements required in respect of the above noted including the City's contribution, and shall report this matter to Council.

4. That the plan of subdivision under File DASZ 33/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" to the report of the Winnipeg Public Service dated November 16, 2010, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group attached as Schedule "B" to the report of Winnipeg Public Service dated November 16, 2010, ***with the following amendment:***

i. Section C Development Agreement

a. add the following new condition:

"29. That the Developer shall pay to the City in cash the full cost of installation of traffic control signals and all related works including, but not necessarily limited to pedestrian and vehicular actuation and interconnection to adjacent traffic control signals and audible pedestrian signals at the intersection of Jubilee Avenue and Lilac Street, when and as determined by and to the satisfaction of the Director of Public Work."

5. That Winnipeg Zoning By-law No. 200/2006 be amended by adding Schedule "P", the Yards at Fort Rouge PDO-1, attached as Appendix "D" to the report of the Winnipeg Public Service dated November 16, 2010.

6. That Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land, as shown on Schedule "A" to the report of the Winnipeg Public Service dated November 16, 2010, for File DASZ 33 /2010 to a "RMU PDO 1 – The Yards at Fort Rouge" Residential Mixed-Use District Planned Development Overlay – 1, subject to the following:

A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter for the lands zoned "RMU PDO-1 – The Yards at Fort Rouge" to include the following conditions:

i. That prior to the issuance of any new occupancy permit and/or upon the request of the Fire and Paramedic Chief, the Developer shall install and erect, at his own expense and at no cost to the City, signs depicting the Master Plan of development on the subject property as it exists from time to time. Such signs shall clearly show the location of all existing buildings, accessory parking areas, private approaches, garbage enclosures, internal roads, building addresses and/or unit numbers, and building names, and must be posted at outside locations near the public right-of-way and internal roads on the subject property. The location, quantity, size and illumination of such signs will be determined by the Fire and Paramedic Chief. The Developer shall maintain all such signs to the satisfaction of the Fire and Paramedic Chief.

ii. That copies of the current Master Plan be provided to the Fire and Paramedic Chief prior to the issuance of any new occupancy permit and/or upon the request of the Fire and Paramedic Chief.

iii. That the address number of every building on the subject property (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located.

iv. That where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Fire and Paramedic Chief.

v. That building numbers and names required to be attached or displayed by this Zoning Agreement must be of a colour that contrasts with the colour of the structure to which they are attached so as to be clearly visible from the street or internal road on which the building is located and of a height as determined by and to the satisfaction of the Fire and Paramedic Chief.

vi. That no other numbers or names are to be attached to any buildings on the subject property that could be confused with the address numbers or building names.

vii. That the owner/occupier of a building must ensure that the number assigned to a building is clearly visible from the street or internal road on which the building is located while the building is under construction as determined by and to the satisfaction of the Fire and Paramedic Chief.

viii. That the Developer and all successors in title to the lots in the subdivision shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the lots, private cross-access agreements with the owners of the other lots so as to ensure access to every lot at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners must submit the agreements or easements to the Director of Legal Services and City Solicitor for approval prior to execution.

ix. 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 as 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 of Planning, Property and Development may require that the light trespass and glare be limited to a reasonable level through fixture location, height and intensity.

x. That prior to any future expansion of the Planned Area an updated traffic impact study shall be required as determined by and to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development.

xi. That prior to the issuance of any development permits, a parking management plan shall be submitted to and approved by the Director of Planning, Property and Development and thereafter maintained to the satisfaction of the Director of Planning, Property and Development.

xii. That prior to the issuance of any signage permits, a master signage plan shall be submitted to and approved by the Director of Planning, Property and Development and thereafter maintained to the satisfaction of the Director of Planning, Property and Development. All signage permits issued shall be in conformance with the master signage plan.

xiii. That for the development of any building, open space, or accessory parking area in the Planned Area, the Developer shall submit plans showing the location and design of the buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, and landscaping, to the Director of Planning, Property and Development and the City Centre 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.

xiv. That the developer shall erect and maintain two 4 feet by 8 feet signs on the vacant land indicating the location and zoning of the development; and plans for the signs showing their location and design shall be submitted to the Director of Planning, Property and Development for approval by June 30, 2011; and the signs shall be maintained to the satisfaction of the Director of Planning, Property and Development until such time as the land is either further rezoned or building permits issued.

xv. That the Developer shall grant to the City an easement on Lot 6 for the active transportation path connecting Argue Street to the Fort Rouge Station, and shall pay all associated surveying costs.

xvi. That the specific location and configuration of the Lot 6 Argue Street active transportation path and associated easement will be determined by the Director of Planning, Property and Development and the Director of Public Works in consultation with the Developer, and will be based on safety-of-access considerations, design requirements, (connecting ideally at the south limit on the west side of Argue and at the south limit of the Fort Rouge Station), Universal Design standards, and minimizing the impact on private property.

xvii. That prior to the opening of the Fort Rouge Station, the Developer shall complete the construction of the proposed section of the Argue active transportation path to the Fort Rouge Station, as determined by, and to the satisfaction of the Director of Planning, Property and Development and the Director of Public Works.

xviii. That the Developer shall indicate, in all applicable site plans, the intended construction of the future Argue active transportation path to Fort Rouge Station within the designated easement.

xix. That if the proposed development should include condominiums on Lot 6, the Developer shall include in the condominium agreements a description of the proposed Argue active transportation path to Fort Rouge Station and the requirement that the path is to be accessible to the general public, and shall provide the City with a copy of the condominium agreement.

7. That all Public Right of Ways in the planned area shall maintain the existing street names which correspond with the existing streets east of Argue Street.

8. That the City shall apply the City Centre Community Committee share of the cash in lieu of dedication, for under-dedication, to a higher-quality development of plantings, pathways, site furnishings, athletic field amenities, and lighting (if required), in the park spaces provided and/or in other park sites in the neighbourhood, all as determined by, and to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development.

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

10. 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.

11. 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.

12. That Council declare the City owned property shown in broken outline and identified as "Subject City Property" on Schedule “E”, Misc. Plan No. 13890, to the report of the Winnipeg Public Service dated November 16, 2010, as surplus to the City's needs.

13. That the Director of Planning, Property and Development be authorized to negotiate and approve the sale of the "Subject City Property" as shown in broken outline on Schedule “E”, Misc. Plan No. 13890, to the report of the Winnipeg Public Service dated November 16, 2010, to the applicant on terms and conditions satisfactory to the Director of Planning, Property and Development and the Director of Legal Services and City Solicitor in order to protect the interests of the City and to achieve the intent of the Standing Policy Committee on Property and Development.

14. That in the event the matter of the subdivision and rezoning is not proceeded with expeditiously and the subdivision and rezoning by-law is not passed within twenty-four (24) months after adoption of the report by Council, the subdivision and rezoning 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.

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

16. That the Proper Officers of the City do all things necessary to effect the intent of the foregoing.

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

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

1. The proposal fits with the policy on transit oriented development.

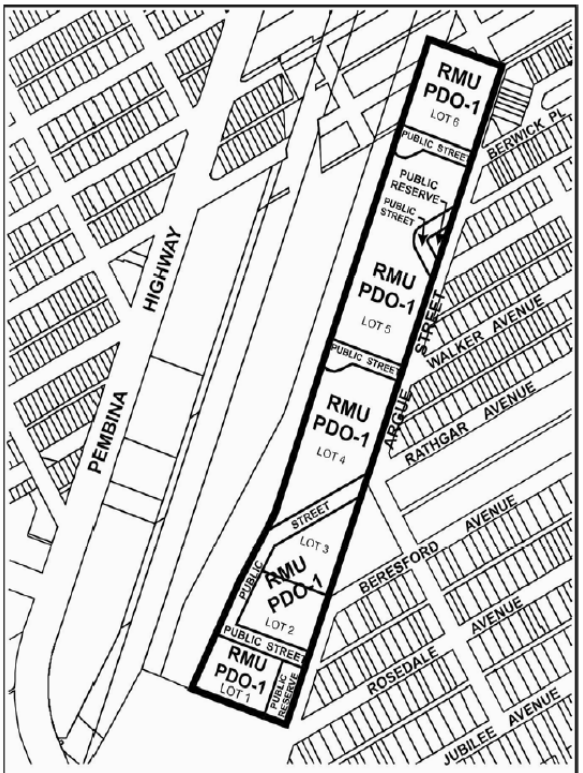
2. The proposal uses geothermal heating.

3. The proposal is pedestrian oriented.

4. The proposal works towards urban development.

PUBLIC HEARING SUMMARY

File:	DASZ 33/2010
Before:	City Centre Community Committee Councillor Gerbasi, Chairperson Councillor Smith Councillor Orlikow
Public Hearing:	November 23, 2010 Council Chambers Council Building, 510 Main Street
Applicant:	Lexington Investment Corporation / GEM Equities (Geoff Zywina)
Subject:	



APPLICANT : LEXINGTON INVESTMENT CORP.
FILE : DASZ 33/10
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "M2" GENERAL MANUFACTURING DISTRICT to an "RMU PDO 1 – The Yards at Fort Rouge" RESIDENTIAL MIXED USE DISTRICT to allow for multiple-family residential and small scale commercial, institutional, recreational, and service facilities needed to support residential development. **For information, phone Mr. M. Robinson, Planner at 986-3213.**

Premises Affected:	west of Argue Street, east of rail right-of-way known as the Fort Rouge Yards

Exhibits Filed:

1. Application dated October 27, 2010
2. Notification of Public Hearing dated October 28, 2010
3. Manitoba Status of Title(s) 2284854, 2435903 and 2435948
4. Letter of authorization dated September 30, 2010 from Gem Equities Inc. to The City of Winnipeg
5. Plans (4 pages)
6. Communication dated November 4, 2010, from David Watt, in opposition to the application
7. Communication dated November 10, 2010, from David Watt, in opposition to the application
8. Communication dated November 14, 2010, from Glenn Merritt in opposition to the application
9. Report from the Planning and Land Use Division dated November 16, 2010
10. Inspection Report
11. Communication dated November 21, 2010, from Craig Lemoine in opposition to the application
12. Communication dated November 22, 2010, from Leanne Murphy, submitted by Bev Pike at the public hearing.
13. Presentation (undated) from Bev Pike, in opposition to the application
14. Presentation dated November 23, 2010, from Peter Richards, in opposition to the application
15. Communication dated November 23, 2010, from Kara McLean, in opposition to the application
16. Presentation dated November 23, 2010, from Ed Boudreaux, in opposition to the application
17. Copy of "the Yards at Fort Rouge – A T.O.D. Development – Area Master Plan" dated November 2010, submitted by the applicant, in support of the application
18. Copy of "Fort Rouge Yards Development – Traffic Impact Study", submitted by the applicant, in support of the application
19. Copy of "Fort Rouge Yards Development – Watermain Distribution, Land Drainage Sewer, and Wastewater Sewer Study", submitted by the applicant, in support of the application
20. Copy of first Open House mail out invoice and pamphlets, submitted by applicant, in support of the application
21. Copy of second Open House mail out invoice and pamphlets, submitted by applicant, in support of the application

22. Audio Recording of the public hearing

REPRESENTATIONS:

In Support:

Ryan Behie
Larry A. Carter, on behalf of Lexington Investment Corporation
Donn Coppens
Shane Cooper
Adam Dooley
Paul Hesse
Bill Kavanagh
Shane Nestruck
Geoff Zywina, on behalf of Gem Equities
Todd White

In Opposition

Dana and Colin Baxter
Edward A. Boudreaux
Valdine Clemens
Enid Dorward
Brandon Graham
Shirley Grierson
Karen Jones
Monica Kew
Craig Lemoine
Anne Lindsey
Carrie Logan
Bernice Mariash
Kara McLean
Mr. and Mrs.s A D Mctavish
Glenn Merritt
Leanne Murphy
Janet Olford
Kim Parke
Irene Pauls
Jame and Kevin Pfau
Bev Pike
Laura Pearson
Steve Rauh
Peter Richards
Daniel Bruce & Jaclyn Rutherford

Jules Saurette
D. Sealey
Marlene Serafin
Jonn Swirsky
Peter L. Vanderelst
David Watt
Rob and Lressa Whitledge

For Information:

David Arnott
Laura Belanger
John Bruce
Claude Davis
Tom Dobson
Dustin Dufour
Ralph Fyfe
Colleen Galbraith
Monica Gerrie
Peter Giesbrecht
Roberto Granados
Heather James
Ravi Joshi
Marc Kipnes
Lynda Linster
Jeff Kovalik-Plouffe
Amy Quinton
Peter Squire

For the City:

Mr. R. Hartmann, Traffic Assessment Engineer, Public Works Department
Mr. B. Menzies, Manager of Service Development, Transit Department
Ms S. Matile, Land Development Engineer, Planning, Property and Development Department
Ms M. Richard, Long Range Planning Coordinator, Planning, Property and Development Department
Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Mr. B. Ward, Planner, Planning, Property and Development Department
Mr. J. Wintrup, Coordinator of Current Planning, Planning, Property and Development Department

ADMINISTRATIVE REPORT

Title: DASZ 33/10 – Argue Street (Yards at Fort Rouge)

Issue: For consideration at the Public Hearing for a subdivision and rezoning to create public streets, six development lots, and two lots for public reserve - for the development of 900 multiple-family dwellings and small scale commercial, institutional, recreational, and service facilities needed to support residential development.

Critical Path: City Centre Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	N/A	N/A	

RECOMMENDATIONS

1. That the City of Winnipeg enter into an Strategic Economic Agreement with the Developer for the development of a mixed-use residential and commercial development on the west side of Argue Street adjacent to the Southwest Rapid Transit Corridor, as shown on Schedule "A" for File No. DASZ 33/2010 dated November 16, 2010, to include the following items:

   A. Costs and lands associated with the development of the new Jubilee Rapid Transit Station;

   B. Costs of all design services to be provided by a Consulting Engineer for the environmental works required to remediate the lands for the development of the Jubilee Rapid Transit Station; and costs of all supervision services provided on behalf of the City for field inspection, the preparation of progress estimates, and all other engineering consulting services related to the remediation;

   C. Cost of all design services to be provided by a Consulting Engineer for the design of the works required to provide geo-thermal heating to municipally

owned facilities, and the costs of all construction supervision services provided on behalf of the City for field inspection, the preparation of progress estimates, the provision of as-built drawings within three months of the date of substantial completion of the work, and all other engineering consulting services related to the installation of the works required for geo-thermal heating of municipally owned facilities;

2. That the Chief Administrative Officer be authorized to negotiate and approve the terms and conditions of any and all agreements required in respect of any land acquisitions needed for the Jubilee Rapid Transit Station to achieve the intent of Council for File DASZ 33 /2010;

3. That the Chief Administrative Officer be authorized to finalize and approve the terms and conditions of any and all agreements required in respect of the above noted including the City's contribution, and shall report this matter to Council;

4. That the plan of subdivision under File DASZ 33/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" dated November 16, 2010 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in Schedule "B", the Report of the Administrative Coordinating Group dated November 15, 2010.

5. That Winnipeg Zoning By-law No. 200/2006 be amended by adding Schedule "P", the Yards at Fort Rouge PDO-1, attached as Appendix "D".

6. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 33 /2010 dated November 16, 2010 to a "RMU PDO 1 – The Yards at Fort Rouge" Residential Mixed-Use District Planned Development Overlay – 1, subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter for the lands zoned "RMU PDO-1 – The Yards at Fort Rouge" to include the following conditions:

        i. That prior to the issuance of any new occupancy permit and/or upon the request of the Chief of the Winnipeg Fire Paramedic Service ("WFPS"), the Developer shall install and erect, at his own expense and at no cost to the City, signs depicting the Master Plan of development on the subject property as it exists from time to time. Such signs shall clearly show the location of all existing buildings, accessory parking areas, private approaches, garbage enclosures, internal roads, building addresses and/or unit numbers, and building names, and must be posted at outside locations near the public right-of-way and internal roads on the subject property. The location, quantity, size and illumination of such signs will be determined by the Chief of WFPS. The Developer shall maintain all such signs to the satisfaction of the Chief of the WFPS;

ii. That copies of the current Master Plan be provided to the Chief of WFPS prior to the issuance of any new occupancy permit and/or upon the request of the Chief of WFPS;

iii. That the address number of every building on the subject property (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located;

iv. Where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the WFPS;

v. That building numbers and names required to be attached or displayed by this Zoning Agreement must be of a colour that contrasts with the colour of the structure to which they are attached so as to be clearly visible from the street or internal road on which the building is located and of a height as determined by and to the satisfaction of the Chief of the WFPS;

vi. That no other numbers or names are to be attached to any buildings on the subject property that could be confused with the address numbers or building names;

vii. That the owner / occupier of a building must ensure that the number assigned to a building is clearly visible from the street or internal road on which the building is located while the building is under construction as determined by and to the satisfaction of the Chief of WFPS;

viii. The Developer and all successors in title to the lots in the subdivision shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the lots, private cross-access agreements with the owners of the other lots so as to ensure access to every lot at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners must submit the agreements or easements to the City Solicitor for approval prior to execution;

ix. 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 as 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;

x. That prior to any future expansion of the Planned Area an updated traffic impact study shall be required as determined by and to the satisfaction of the Director of Public Works and the Director of Planning, Property, and Development;

xi. That prior to the issuance of any development permits, a parking management plan shall be submitted to and approved by the Director of Planning, Property, and Development and thereafter maintained to the satisfaction of the Director of Planning, Property, and Development

xii. That prior to the issuance of any signage permits, a master signage plan shall be submitted to and approved by the Director of Planning, Property, and Development and thereafter maintained to the satisfaction of the Director of Planning, Property, and Development. All signage permits issued shall be in conformance with the master signage plan.

xiii. That for the development of any building, open space, or accessory parking area in the Planned Area, the Developer shall submit plans showing the location and design of the buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, and landscaping, to the Director of Planning, Property and Development and the City Centre 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;

xiv. That the developer shall erect and maintain two, 4 feet by 8 feet signs on the vacant land indicating the location and zoning of the development; and plans for the signs showing their location and design shall be submitted to the Director of Planning, Property and Development for approval by June 30, 2011; and the signs shall be maintained to the satisfaction of the Director of Planning, Property and Development until such time as the land is either further rezoned or building permits issued;

xv. The Developer shall grant to the City an easement on Lot 6 for the active transportation path connecting Argue Street to the Fort Rouge Station, and shall pay all associated surveying costs;

xvi. The specific location and configuration of the Lot 6 Argue Street active transportation path and associated easement will be determined by the Director of Planning, Property, & Development and the Director of Public Work in consultation with the Developer, and will be based on safety-of-access considerations, design requirements, (connecting ideally at the south limit on the west side of Argue and at the south limit of the Fort Rouge Station), Universal Design standards, and minimizing the impact on private property;

xvii. Prior to the opening of the Fort Rouge Station, the Developer shall complete the construction of the proposed section of the Argue active transportation path to the Fort Rouge Station, as determined by, and to the satisfaction of, the Director of Planning, Property, & Development and the Director of Public Works;

xviii. The Developer shall indicate, in all applicable site plans, the intended construction of the future Argue active transportation path to Fort Rouge Station within the designated easement;

xix. If the proposed Development should include condominiums on Lot 6, the Developer shall include in the condominium agreements a description of the proposed Argue active transportation path to Fort Rouge Station and the requirement that the path is to be accessible to the general public, and shall provide the City with a copy of the condominium agreement;

7. That all Public Right Of Ways in the planned area shall maintain the existing street names which correspond with the existing streets east of Argue Street

8. The CIty shall apply the City Centre Community Committee share of the cash in lieu of dedication, for under-dedication, to a higher-quality development of plantings, pathways, site furnishings, athletic field amenities, and lighting (if required), in the park spaces provided and/or in other park sites in the neighbourhood, all as determined by, and to the satisfaction of, the Directors of Public Works and Planning, Property, and Development.

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

10. 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.

11. 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.

12. That Council declare the City owned property shown in broken outline and identified as "Subject City Property" shown on Schedule “E” Misc. Plan No. 13890 as surplus to the City's needs.

13. That the Director of Planning, Property and Development be authorized to negotiate and approve the sale of the "Subject City Property" as shown in broken outline on Schedule “E” Misc. Plan No. 13890, to the applicant on terms and conditions satisfactory to the Director of Planning, Property and Development and the Director of Legal Services and City Solicitor in order to protect the interests of the City and to achieve the intent of the Standing Policy Committee on Property and Development.

14. That in the event the matter of the subdivision and rezoning is not proceeded with expeditiously and the subdivision and rezoning by-law is not passed within twenty-four (24) months after adoption of the report by Council, the subdivision and rezoning 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.

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

16. That the Proper Officers of the City do all things necessary to effect the intent of the foregoing.

REASON FOR THE REPORT

This report is for consideration of File DASZ 33/2010, an application to subdivide and rezone a ±18 acre site to create

- Four Public Streets
- Six lots for multiple-family dwellings and small scale commercial, institutional, recreational, and service facilities needed to support residential development
- Two lots for public reserve

This report recommends that the proposed plan of subdivision and rezoning be approved with conditions.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Winnipeg Public Service are concurred in, the land will be rezoned and subdivided into eight (8) lots. The lots would be zoned “RMU” Residential Mixed Use District with a Planned Development Overlay (PDO-1). Two of the lots will be dedicated as public reserve to the City of Winnipeg.
- Four public streets will be created: extensions of Rathgar Avenue, Walker Avenue, and Berwick Place and a realignment of Argue Street

HISTORY

- In 2004, City Council approved By-law No. 145/2004, which amended Plan Winnipeg 2020 Vision by re-designating the subject lands on Policy Plate A from an Industrial Policy Area to Neighbourhood Policy Area

- For property history, see Area Master Plan (Section 1.0 History)

CONSULTATION

In preparing this report there was consultation with:
Legal Services Division
Public Works Department
Winnipeg Transit
Water and Waste Department

SUBMITTED BY

Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by:	Michael Robinson, AICP
Date:	November 16, 2010
File No.	DASZ 33/10

List of Schedules and Attachments

1. Appendix A – Planning Discussion
2. Schedule “A” for File No. DASZ 20/10
3. Schedule “B” – Report of the Administrative Coordinating Group
4. Appendix B – Design Guidelines
5. Appendix C – Fort Rouge Yards High-Rise Assessment Study
6. Appendix D - Planned Development Overlay
7. Schedule “E” – Misc. Plan 13890

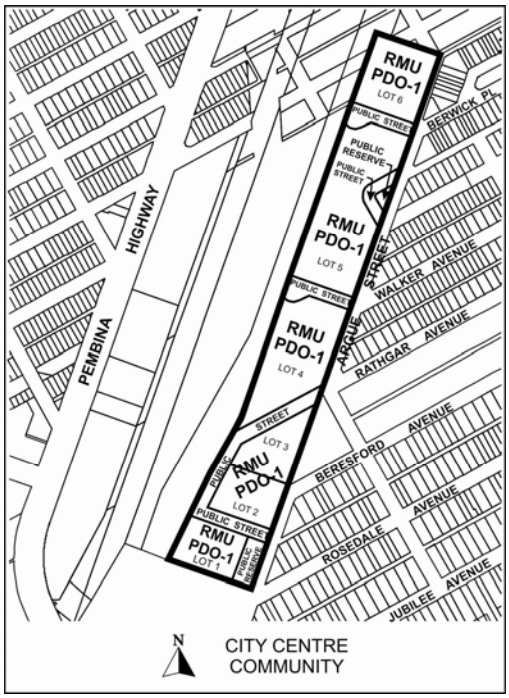
APPENDIX 'A'

DATE: November 16, 2010
FILE: DASZ 33/10
RELATED FILES: PW 3/2004
COMMUNITY: City Centre
NEIGHBOURHOOD #: 1.665

SUBJECT: To rezone and subdivide the subject land from an "M2" General Manufacturing District to an "RMU PDO 1 – The Yards at Fort Rouge" Residential Mixed Use District to allow for multiple-family residential and small scale commercial, institutional, recreational, and service facilities needed to support residential development.

LOCATION: Unaddressed property on Argue Street

LEGAL DESCRIPTION: Parcel "C" Plan 41210 WLTO in RL 18 to 33 Parish of St. Boniface
Parcel "D" Plan 49761 in RL 25 to 27 Parish of St. Boniface
Part of Parcels A, A1,A2,A3 and A4 Plan 41210 WLTO in RL 18 to 33, Parish of St. Boniface



APPLICANT: Lexington Investments (Larry Carter)
1308,817 – 15th Avenue SW
Calgary, AB T2R 0H8

OWNER: Gem Equities/City of Winnipeg

RECOMMENDATION: Approval with conditions

REPORT SUMMARY

- The applicant seeks approval to subdivide and rezone the subject land into eight (8) lots. The lots would be zoned “RMU” Residential Mixed Use District with a Planned Development Overlay (PDO-1). Two of the lots, identified as public reserve, would be dedicated as public reserve to the City of Winnipeg.
- Four public streets will be created: extensions of Rathgar Avenue, Walker Avenue, and Berwick Place and a realignment of Argue Street
- The property is located immediately east of the Southwest Rapid Transit Corridor and is the first transit oriented development along the corridor
- The development proposal consists of three forms of multi-family housing.
  - The lowest density, on Lots 2-5, is comprised on double stacked townhomes.
  - Lots 6 will include townhomes with a midrise building adjacent to the Fort Rouge rapid transit station.
  - Lots 1&2 will accommodate the highest density in the form of two residential towers that will step down towards Argue Street.
  - In total, approximately 400 three bedroom townhouse and 500 one and two bedroom apartments are proposed for the site
- The development aligns with City policy including Our Winnipeg, Complete Communities, A Sustainable Winnipeg, and Plan Winnipeg 2020
- The Public Service recommends approval with conditions

SITE DESCRIPTION

The subject property, which is currently zoned “M2” Manufacturing District, is located on the western edge of the Lord Roberts neighbourhood. The site itself is a ± 18 acre parcel of land that was previously part of the old rail yards complex. The site is bounded by:

North: The future Fort Rouge Station on the Southwest Rapid Transit Corridor.
South: Berwick Field and the Jubilee Avenue right-of-way
East: Argue Street
West: The Southwest Rapid Transit Corridor

MASTER PLAN

Given the unique nature of this project, the City requested that the applicant create an Area Master Plan, to serve as a guide for the public, elected officials, and the developer during the approval process and through the various stages of project implementation.

Given that the Area Master Plan goes into great detail on all aspects of the project, this report will, at times, refer readers to the Area Master Plan document, to avoid redundancy.

BACKGROUND

See Site Information in the Area Master Plan (Section B)

DESCRIPTION OF THE PROPOSED DEVELOPMENT

Overview
The Fort Rouge Yards is a ±18 acre site located immediately to the east of the first stage of the Southwest Rapid Transit Corridor and within 2.5 km of Downtown. The proposed development will be the first transit-oriented development in Winnipeg along the new SW Rapid Transit Corridor

The applicant is proposing to subdivide and rezone the site to an "RMU" Residential Mixed Use District with a Planned Development Overlay (PDO-1), in order to accommodate 900 multi-family dwelling units and the possible introduction of small scale supportive uses, such as neighbourhood commercial uses and offices.

The subdivision plan will create eight (8) lots. Six of the lots will accommodate development and two of the lots will be dedicated to the City for open space.

The site will include high rise development on the southern portion of the site (Lots 1-2), hereafter referred to as **Area 1**, low rise development in the central portion of the site (Lots 3-5), hereafter referred to as **Area 3**, and low to mid rise development on the northern portion of the site (Lot 6), hereafter referred to as **Area 2**.

Area 1	Southern portion of site (Lots 1&2)
Area 2	Northern portion of site (Lot 6)
Area 3	Central portion of site (Lots 3-5)

Area 1 (Lots 1&2)

Buildings
The proposed high rise towers occupy an area of approximately 3.0 acres on the south end of the site on Lots 1&2 and will accommodate approximately 500 dwelling units. The proposed height of the two towers is up to 220 feet. Each building would be comprised of three components: a residential tower (up to 220 feet), a mid rise (6-10 storeys), and 3-4 storey townhouses wrapped around the base of the building. (See Figure 19, *High rise typology* - Area Master Plan).

Land Use
This area will accommodate both multiple-family residential units as well as permitting commercial uses on the first and second floors of the high rise buildings. The commercial uses that may be accommodated are those which are permitted or conditional in the "RMU" Residential Mixed Use District, with some exceptions, which are identified in the accompanying Planned Development Overlay (PDO-1 The Yards at Fort Rouge) Appendix D.

Open Space
The applicant is proposing the dedication of a ± .5 acre parcel immediately to the south of Lot 1, as public open space. The open space will be improved in accordance with the design standards identified in Appendix B, Design Guidelines.

Transit Station
The Public Service is proposing the development of a rapid transit station to the north of Lots 1 and 2 (see Figure 15, *Master Plan, Site Development* – Area Master Plan). This station (Jubilee Station) would serve the southern portion of the Yards at Fort Rouge development as well as portions of the Lord Roberts and adjacent neighbourhoods.

The transit station would include a public plaza on the developer's property, between the high rises and the transit station. The design of the transit station and plaza would occur through a collaborative process involving all stakeholders.

Streets and Sidewalks
Area 1 will be accessed by an extension of Rathgar Avenue, which would loop through the site. (See Figure 39, *Street Types and Networks* - Area Master Plan) The road would service some townhouses in Area 2, the high rise buildings, and the proposed rapid transit station. The street would have a boulevard and slightly wider than standard sidewalks on both sides of the street. (See Figure 37, *Streetscape Concepts* - Area Master Plan). A standard width sidewalk will also be constructed on the west side of Argue Street.

Parking
Parking will be accommodated through parking structures, which are within the buildings. They will be a combination of above and below grade parking with wrapped townhouses around the perimeter to hide the parkade. (See Figure 19, *High rise typology* – Area Master Plan). Some on street parking may also be accommodated.

Area 2 (Lot 6)

Buildings
This area will include ±70 units on ±2 acres on the northernmost portion of the site. The buildings will consist of low rise townhouses (3-4 storeys) and one midrise building between 6-8 storeys (max 100 feet), (see Figure 27, *Proposed building heights* – Area Master Plan)

Land Use
This area will accommodate both multiple-family residential units as well as permitting commercial uses on the first and second floors of the buildings. The commercial uses that may be accommodated are those which are permitted or conditional in the "RMU" Residential Mixed Use District, with some exceptions, which are identified in the accompanying Planned Development Overlay (PDO-1 The Yards at Fort Rouge). The restrictions are more extensive than in Area 1, given the different context.

Open Space
No open space is being dedicated in this area. However, the developer is creating an interior pedestrian corridor which will provide access from this development and the adjacent neigbourhood to the Fort Rouge transit station. (See Figure 38, *Gateways and View Corridors* – Area Master Plan) The developer is also providing private open space in the form of front yards, patios, and decks.

Streets and Sidewalks
Area 2 will be accessed by an extension of Berwick Place, which will dead end with a cul-de-sac at the active transportation corridor. (See Figure 39, *Street Types and Networks* - Area Master Plan) The street will have a boulevard and standard sidewalks on both sides of the street. (See Figure 37, *Streetscape Concepts* - Area Master Plan). The new public ROW will provide public access to the Active Transportation corridor.

Parking
Parking will be accommodated through surface parking at the rear of the property and street parking.

Area 3 (Lots 3-5)

Buildings
The low rise residential townhouses (3-4 storeys) occupy an area of ± 10 acres in the central portions of the site on Lots 3-5 and will accommodate ± 330 units. The proposed height of the townhouses is up to 40 feet without a top storey setback, and 45 feet with a top storey setback. (See Figure 27, *Proposed building heights* – Area Master Plan)

Land Use
This area will accommodate multiple-family residential units and very limited commercial uses only in corner units fronting on Argue Street. The restricted uses are in the accompanying Planned Development Overlay (PDO-1 The Yards at Fort Rouge). The restrictions are more extensive than in Area 1 and Area 2, given the context.

Open Space
The applicant is proposing the dedication of a small parcel of land to expand the Lord Roberts Community Centre Park, immediately south of Lot 5. By dedicating this land, the park can be reconfigured to accommodate a soccer pitch. (See Figure 26, FRY Greenspace and Streetscaping – Area Master Plan). The developer is also providing private open space in the form of front yards, patios, decks, courtyards, and play spaces for children.

Street and Sidewalks
Area 2 will be accessed by an extension of Walker Avenue and Rathgar Avenue (discussed in Area 1 summary). Walker Avenue will dead end with a cul-de-sac at the active transportation corridor. (See Figure 39, *Street Types and Networks* - Area Master Plan) The street will have a boulevard and standard sidewalks on both sides of the street. (See Figure 37, *Streetscape Concepts* - Area Master Plan) The new public ROW's will provide public access to the Active Transportation corridor.

In addition, Argue Street will be realigned at Lord Roberts Community Centre Park. It will deflect at a 90 degree angle, which will provide traffic calming and create an enhanced park space, which several townhomes will front upon. A standard width sidewalk will be constructed on the west side of Argue Street. (See Figure 26, FRY Greenspace and Streetscaping – Area Master Plan)

Parking
Parking will be accommodated through surface parking at the rear of the property and behind the townhomes, on Lot 2, as well as street parking.

Area Wide

Urban Design
Active Edges
A pedestrian-friendly environment with newly treed boulevards, sidewalks, street furniture, pedestrian lighting, and front garden plots are proposed to create active pedestrian spaces.

See also Section 4.0 *Urban Design Strategy/Design Criteria* – Area Master Plan.

Underground Infrastructure Services
See *Overview of Infrastructure Services* in Section 9.0 of the Area Master Plan and *Infrastructure* in Section 6.2 of the Area Master Plan

Transportation
The applicant has submitted a Traffic Study which was reviewed by the City of Winnipeg Public Works Department. See Analysis and Issues section for discussion.

Active Transportation
See Active Transportation (AT) Network in Section 5.3 of the Area Master Plan

Street Design Standards
Sidewalks, boulevards, boulevard trees, street furniture, and pedestrian lighting are proposed for all public streets. Traffic calming measures such as on street parking and traffic circles are proposed in certain locations.

Sustainable Development
See Sustainable Design Elements in Section 6.1 of the Area Master Plan and the Analysis and Issues section for discussion

Phasing of Development
The site will be built out over 4 to 5 years

- Phase 1 – low-rise townhouses (construction expected to begin in 2011)
- Phase 2 – mid-rise apartments and condominiums (2012-14)
- Phase 3 – high-rise apartments and condominiums (2013-15)

See also Phasing in Section 8.0 of the Area Master Plan

Other

Public Consultation
The applicant conducted a very thorough public engagement process that equaled or surpassed anything done previously for a private development in Winnipeg. The process included a total of four public meetings. They were as follows:

- A design charette, held at Fort Rouge Leisure Centre on July 8, 2010

Attended by ±30 people

- A public open house, held at Lord Roberts Community Centre on July 29, 2010

Attended by ±200 people

The open house was advertised in the Winnipeg Free Press and invitations (3,400 copies) were delivered by Canada Post to all residents in the Lord Roberts and Riverview areas. The developer also gave the notice to local media outlets. News of the meeting was reported in advance in the Winnipeg Free Press. The notice of the meeting was also placed at Lord Roberts Community Centre and invitations were placed in businesses along Osborne South including at the Fort Rouge Leisure Centre and Safeway. Email invitations were also sent out to community leaders, including the Osborne South BIZ, community centre, school principals, parent council, etc.

- A second design charette held at Fort Rouge Leisure Centre on September 16, 2010
Attended by ±20 people

- A second public open house, held at Lord Roberts School on September 23, 2010
Attended by ±150 people

The September open house was advertised on the www.FortRougeYards.com website, and by newsletter (3,800 copies) delivered to all residents in the Lord Roberts and Riverview areas (delivered by Winnipeg Free Press). Again, several media outlets reported on it prior to the open house including the Winnipeg Free Press, CJOB and CBC Radio. Posters advertising the open house were put up at Lord Roberts School, Lord Roberts Community Centre, Fort Rouge Leisure Centre, Safeway, plus numerous businesses along Osborne South. Email invitations were sent to 100+ people who had signed up to receive notices on the website. Email invitations were also sent out to community leaders, including the Osborne South BIZ, community centre, school principals, parent council, etc.

In addition, the applicant set up a website www.FortRougeYards.com
The website, which was available shortly after the first public open house, includes plans, a FAQ section, information on the public consultation process, news, and a place to sign up for project updates via e-mail

Results of the public open house questionnaires are provided in Appendix D of the Area Master Plan

ANALYSIS AND ISSUES

Area 1

Buildings

One of the significant concerns heard from area residents at the public consultations was the height of the high rise buildings proposed on Lots 1&2 in the southern portion of the site.

More specifically, residents were concerned about potential shadowing and the visual impact on tall buildings in the neighbourhood.

In order to provide a thorough, objective analysis of these issues, the City of Winnipeg retained Harold Funk Architect Inc. (HFA) to review the high-rise buildings that are proposed as part of the development. They prepared an independent review of the shadow and view implications for the surrounding community, and discussed general design guidelines to be considered for plan approval.

HFA has extensive experience in the design and construction of residential multi-storey buildings and are well qualified to do this analysis.

The full report is attached as Appendix C. In this Section, a summary of key points will be provided. All items are quoted directly from the report.

Shadowing
The proposed high-rise buildings have been arranged with the higher building masses situated as far as possible to the west away from Argue Street, therefore providing maximum sky view from the sidewalk while resulting in negligible shadows beyond Argue Street on the east.

Shadow studies were conducted at four points throughout the day: 10am, 12pm, 2pm, and 4pm. Each of these is presented for days near the Vernal and Autumnal Equinox (March 21st and September 21st) when the length of day and night are of approximately equal length, and the Summer and Winter Solstice (June 21st and December 21st), when the sun is at its highest and lowest point in the sky, respectively. (See Appendix B of report for shadow diagrams)

The report concludes the following:

10am: The 10am shadow analysis demonstrates **no adverse shadow effects at any time of year on the existing neighbourhood** or on the new proposed townhouse development areas

12pm: The 12pm shadow analysis demonstrates **no adverse shadow effects on the existing neighbourhood.** The proposed townhouses towards the north of the northern tower will have minimal direct sunlight at this time of day in the winter months

2pm: The 2 pm shadow analysis demonstrates **no adverse shadow effects on the existing neighbourhood.** The proposed townhouses towards the north of the northern tower will have reduced direct sunlight at the vernal and autumnal equinox, with more substantially reduced sun in the summer months

4pm: The 4pm shadow analysis demonstrates **no adverse shadow effects on the existing neighbourhood.** Some shadows may be cast into the existing neighbourhood at 4pm during the middle winter months, however, this is considered negligible because of the low angle of the sun just prior to sunset, which occurs at approximately 4:30pm at this time of year. Effects on the proposed townhouses are negligible.

Transition in Scale

A significant transition must occur from the twenty-two storey height of the residential towers to the one and two storey bungalow low-density character of the existing neighbourhood. As mentioned, due to the narrow width of the site, there is not a great amount of space available for making this transition because the footprint of the building occupies the buildable width of the site.

The conceptual design of the towers accordingly locates the high-rise construction farthest away from the street and steps down to mid-rise height and then steps down again, this time to townhouses at a more residential scale along the street-front. The band of townhouses encircles the parkades, and provides a building base that interfaces with the surrounding context at a

more suitable scale. The mass of the high-rise is therefore partly obscured from the immediately adjacent street-level by the more pedestrian and neighbourhood appropriate townhouses.

Views

The resulting stepped building mass presents a more iconic larger mass to views from farther away, while presenting a more nuanced view of the tower for view-lines from the adjacent street-front. The exception would be short to mid-range views where the large size of the towers is more readily apparent because the view of the towers is not obscured by the townhouses, trees or nearby buildings. This includes areas such as Beresford Avenue at Lilac Street (Appendix A, View 9), McKittrick Park baseball diamond (Appendix A, View 2) and, to a lesser extent, further north on Argue Street (Appendix A, View 1). Of the two buildings, the southern building is stepped back farther from Argue Street, resulting in a height to distance ratio of 1 to 1.5 (34º view angle) from Argue Street to the top of the tower. The northern building is placed closer to Argue Street, resulting in a more aggressive height to distance ratio of 1 to 1 (45% view angle). Because the northern tower is closer to the street and more directly visible to the surrounding Lord Roberts neighbourhood, it is recommended that:

Short-range views: Consideration could be given to moving the north tower farther back, however, a lack of space for relocating the building farther back means that this option is not feasible. Alternately, the height of the northern tower can be reduced and the height of the southern tower be increased accordingly to result in approximately 41º view angles for both towers. This would permit the northern tower's setback distance to remain as designed, preserving the streetscape character proposed between the northern tower's townhouses and the adjacent sidewalk on Argue Street.

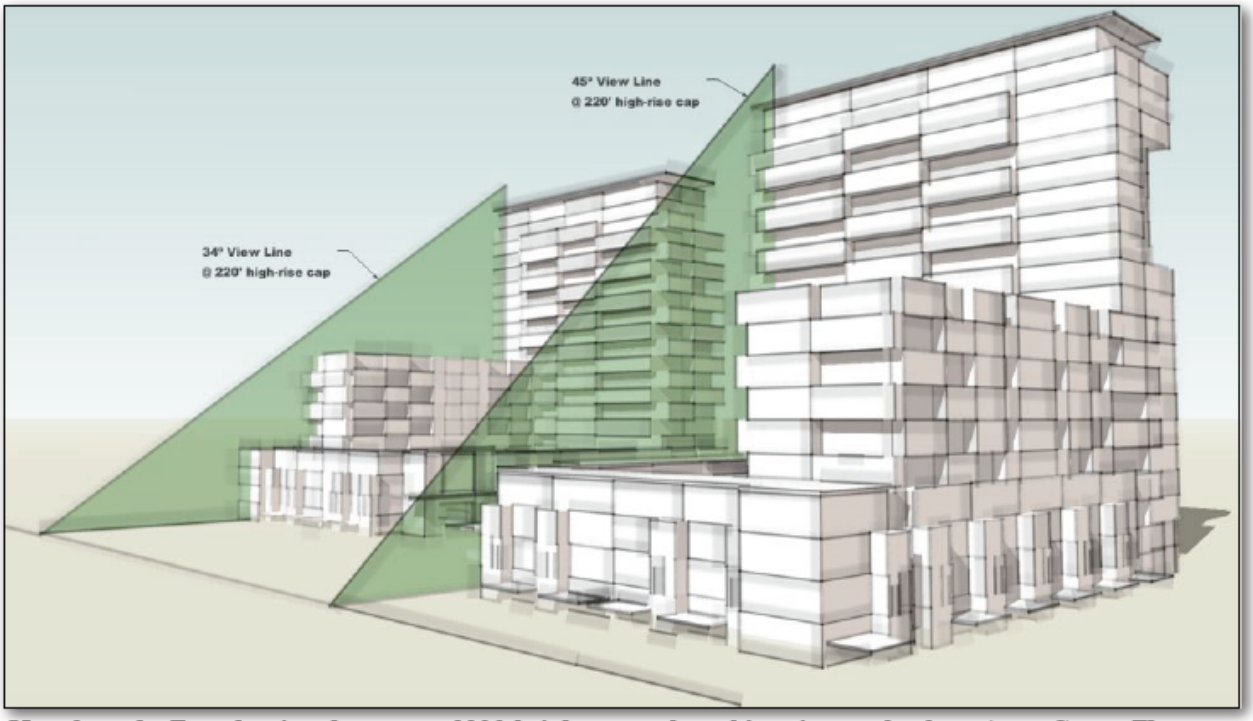
Mid-range views: Consideration can again be given to having the height of the northern tower's high-rise and mid-rise portions reduced and the southern tower's height increased accordingly; thereby creating a more graduated and stepped down view to Argue Street and the view-lines from McKittrick Park. This would create a more subtle presentation of the towers to the adjacent neighbourhood due to a lower initial height as viewed from the East, and a resultantly more gradual increase in building heights. It is therefore recommended that the twenty-two storey building height cap be increased for the southern tower by 30ft to 250ft and decreased for the northern tower by 30ft to 190ft. The mid-rise construction heights could be adjusted accordingly to a 110ft cap for the southern tower and a 90ft cap for the northern tower.

Long-range views: Views of the towers from the surrounding neighbourhood areas farther towards the East will not be greatly affected because adjacent buildings and trees would generally obscure the view of the towers, particularly during summer months. The exception would be views from open areas where the view is not hidden by surrounding trees and buildings, such as portions of Jubilee Avenue.

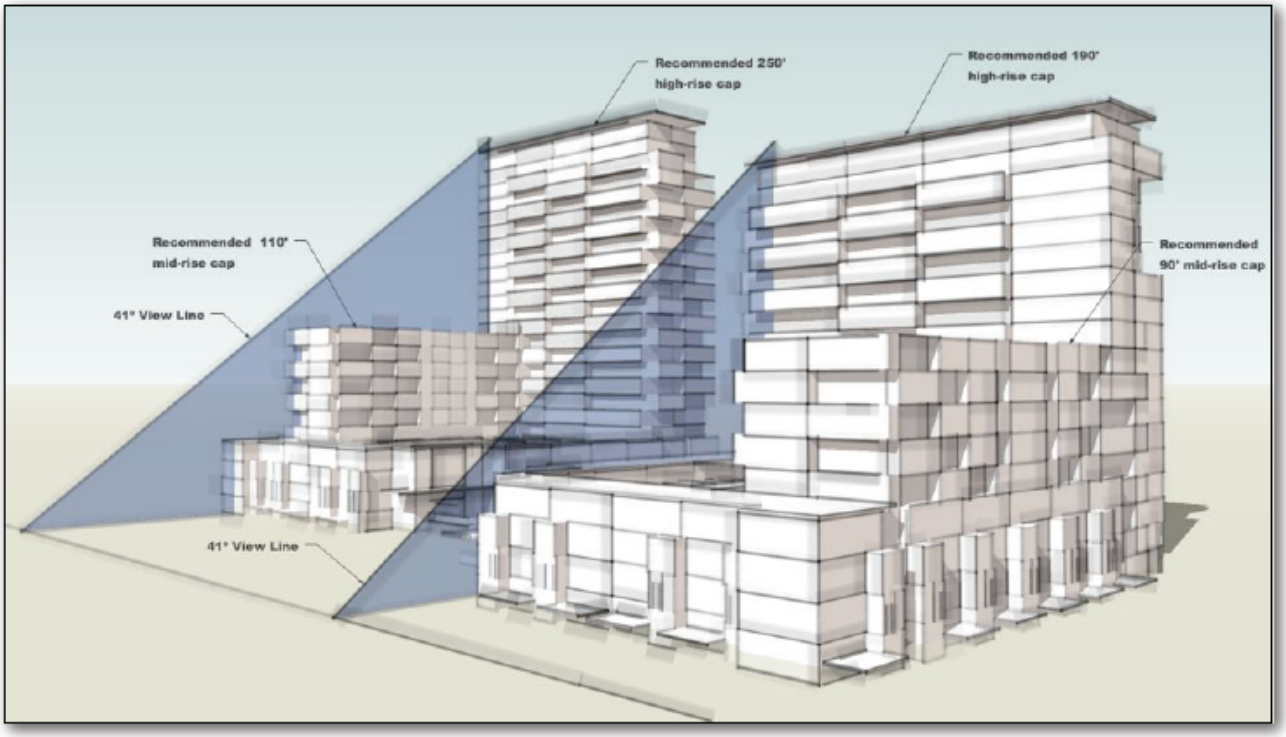
Views of the towers from these locations is not seen as detrimental because the portions of Jubilee Avenue with potential views of the tower are less residential in character due to the wider street width, higher traffic volumes, and presence of scattered commercial buildings such as the BDI ice-cream shop and area businesses. Note that discussion about building heights and incremental increases or decreases is based on an average of 10ft per floor. Therefore a 220ft cap represents approximately 22 storeys, whereas a 250ft and 190ft cap would represent 25 storeys and 19 storeys, respectively. The recommendations therefore increase the height of the southern tower by 3 storeys and decrease the northern tower by 3 storeys. The mid-rise portions would increase by 1 storey for the southern tower and decrease for the northern tower by 1 storey.

Table summarising comparison of South and North Tower scale from Argue Street:

	South Tower	*North Tower*
Distance from Argue Street to face of high-rise tower:	*290 ft.*	*220 ft.*
Height from Argue Street to top of high-rise tower:	*220 ft. (22 Storeys @ 10ft per floor)* *Based on 220ft height cap*	*220 ft. (22 Storeys @ 10ft per floor)* *Based on 220ft height cap*
Resultant view angle from Argue Street:	*height / length: 1/1.5* *As angle = 34°*	*height / length: 1/1* *As angle = 45°*
Recommended view angles from Argue Street:	*height / length: 1/1.15* *As percentage = 41°* *Resultant high-rise cap = 250ft* *Recommended mid-rise cap = 110ft*	*height / length: 1/1.15* *As angle = 41°* *Resultant high-rise cap = 190ft* *Recommended mid-rise cap = 90ft*



View from the East showing the current 220ft height cap and resulting view angles from Argue Street. The South tower is on the left and the North tower is on the right.



View from the East showing proposed height limits for a more subtle stepped height increase from East and North views.

Iconic Views

Along the western side of the proposed towers, views from along Pembina Highway are immediately exposed to the full 220ft / twenty-two storey facade of the towers, which is not of concern in this case due to the more commercial character of the Pembina corridor. The intersection of Pembina Highway and Jubilee Avenue as well as Pembina Highway and Stafford Street create locations where high prominence views are important and desirable. These locations are highly suited to the creation of iconic buildings, and the immediacy of the height and scale of the towers from Pembina Highway therefore presents an opportunity to create a focal point and an iconic addition to the Winnipeg downtown skyline beyond.

Another advantage to the prominence of the views from the Pembina corridor is that of way finding and the creation of a landmark at the major confluences of Pembina / Jubilee and Pembina / Stafford, therefore a major route place-marker for cars, busses, cyclists and pedestrians. This will be of significance not only to Pembina Highway, but also to the future Rapid Transit and Active Transportation corridor where the towers will mark the beginning / termination of the first phase of the corridor. The towers will also demarcate the location of the proposed Jubilee Rapid Transit station, giving passengers an easily memorized and intuitive way-finding point, while achieving the developer's goal of creating a *'recognizable icon within the community that will help to demarcate the location of the station and act as a 'signpost' or gateway for those travelling north or south down Pembina Highway.'* (Page 45, FRY Area Master Plan.)

It should be noted that, should the height of the northern tower be reduced and the height of the southern tower be increased accordingly, that this would place more emphasis on the southern tower, which may be preferable due to increased proximity of the southern tower to the confluence of Pembina, Jubilee, Stafford and the future BRT intersection locations.

Recommended design change

To ensure the most contextually suitable design, it is recommended that the PDO-1 be adopted, which reduces the height of north tower to a maximum of 190 feet and increase the height of south tower to a maximum of 250 feet

Land Use and Zoning

The Winnipeg Public Service is recommending the adoption of a Planned Development Overlay District for the Yards at Fort Rouge.

The purpose of the Planned Development Overlay 1 (PDO-1) overlay district is to provide a means to alter or specify allowed uses and/or development standards in otherwise appropriate zones, in unique of special circumstances, in order to achieve local planning objectives in specially designated areas.

Within Area 1, the following modifications to the Zoning By-law 200/2006 will come into place through the adoption of the PDO-1 The Yards at Fort Rouge: (see PDO-1 The Yards at Fort Rouge in Appendix D)

1. Restricts two uses and modifies several other uses to ensure compatibility

2. Increases the maximum height from 100 feet to 220 feet

3. Adds a provision requiring a height to setback ratio to ensure an adequate transition in scale

4. Reduces the required setbacks

Area 2

Land Use and Zoning
Within Area 2, the following modifications to the Zoning By-law 200/2006 will come into place through the adoption of the PDO-1 The Yards at Fort Rouge: (see PDO-1 The Yards at Fort Rouge in Appendix D)

1. Restricts three uses and modifies several other uses to ensure compatibility

2. Adds a provision requiring a height to setback ratio to ensure an adequate transition in scale

3. Reduces the required setbacks

Area 3

Land Use and Zoning

Within Area 3, the following modifications to the Zoning By-law 200/2006 will come into place through the adoption of the PDO-1 The Yards at Fort Rouge: (see PDO-1 The Yards at Fort Rouge in Appendix D)

1. Restricts nine uses and modifies several other uses to ensure compatibility

2. Reduces height from 100 feet to 45 feet

3. Adds a setback provision for any building over 40 feet

4. Reduces the required setbacks and building separation distances

Area Wide

POLICY
OUR WINNIPEG

Complete Communities Direction Strategy
In Complete Communities, the City's new land use and development plan (still awaiting approval from the Province of Manitoba and third reading by City Council), the subject property is designated as a **Major Redevelopment Site**. Major Redevelopment Sites are large, functionally obsolete or underutilized lands, such as former industrial areas, that are located within the existing urban framework and present opportunities for transformative and strategic mixed use infill and intensification.

Supporting Directions and Strategies for Major Redevelopment Sites guide the City to accommodate higher density residential development and a mix of uses at Major Redevelopment Sites, to capitalize upon existing infrastructure, including transit service, and to ensure that new development is compatible with existing communities through proactive and collaborative planning. (See description of Major Redevelopment Sites and policies, Pages 64-69 of Complete Communities)

The proposed development conforms with Complete Communities.

A Sustainable Winnipeg Direction Strategy

The proposed Fort Rouge Yards project will contribute to multiple sustainable development goals.

Sustainable city building: The site is within the City's built footprint, a brownfield site, and largely serviceable with existing infrastructure. As proposed, The Yards will have medium to higher density - greater than the community average.

Sustainable transportation: The project will be purpose-built to synchronize with rapid transit, contains walkability features (sidewalks, cut-throughs, small blocks, traffic calming) and fits with the City's active transportation network. Neighbourhood connectivity will be enhanced by the project. These features are anticipated contribute to make a variety of sustainable transportation options practical and efficient for new residents, and to enhance choices available to current neighbourhood residents.

Complete communities: the project includes a mix of housing types, tenures and sizes; enables future possibilities for light commercial use; and provides outdoor activity and play opportunities.

Resource conservation: the project aims to reduce the use of non-renewable energy (supports sustainable transportation, building energy efficiency (Manitoba Hydro PowerSmart), geothermal heating, low-flow water fixtures). As compared to traditional developments, this project will have a much smaller carbon footprint.

Healthy communities: The Yards will facilitate an active lifestyle (walkable, enhanced recreation opportunities nearby (soccer field on Argue Street). Opportunities for small-scale local food growing will be supported by front-yard garden plots.

Healthy environment and green buildings: in addition to remediation of a contaminated site, the project will be substantially landscaped which promotes access to greenspace, provides shade, sequesters carbon, reduces heat island effects and reduces storm water runoff. Rainwater harvesting and porous pavement are also contemplated, which could further contribute to storm water management.

Climate Change Mitigation and Adaptation: As compared to traditional developments, this project will have a much smaller carbon footprint and reduced greenhouse gas emissions (potentially approaching zero from building heating/cooling loads). The application of water sensitive urban design strategies will reduce peak storm water flows into combined sewers during heavy rainfall events.

PLAN WINNIPEG 2020

Under Plan Winnipeg 2020, the subject area is, in its entirety, within a Neighbourhood Policy Area. Neighbourhood Policy Areas are intended to include a residential mix together with a variety of educational, recreational, institutional, commercial and limited industrial uses, at a scale and density compatible with each other.

The proposed development conforms with Plan Winnipeg 2020.

TRANSIT ORIENTED DEVELOPMENT (TOD) HANDBOOK

The City has completed a draft TOD handbook, which is a synthesis of "best practice" TOD principles to help policymakers, developers, the Public Service, and members of the public in Winnipeg facilitate the broader implementation of TOD.

TOD focuses compact growth within an easy walk of transit stations, bringing potential riders closer to transit facilities, and promotes increased ridership by making riding transit that much easier. TOD can be defined as:

Moderate to higher density compact mixed-use development, located within an easy five to ten minute (approximately 400m to 800m) walk of a major transit stop. TOD involves high quality urban development with a mix of residential, employment and shopping opportunities, designed in a pedestrian oriented manner without excluding the automobile. TOD can be new construction or redevelopment of one or more buildings whose design and orientation facilitate the use of convenient and sustainable modes of transportation, including public transit and Active Transportation.

The applicant has applied the TOD handbook in the planning of their project and makes reference to specific components of it in Section C of the Area Master Plan.

Urban Design
The proposed development shows a sophisticated appreciation of the role of urban design in creating great urban spaces. Design guidelines for the development are being included to ensure that final plans, when submitted and approved through Schedule "A" plan approval by Community Committee, are consistent with the Vision in the Area Master Plan. Design guidelines are attached in Appendix B.

Sustainable Development
The sustainability approaches and technologies suggested in the Master Plan for The Yards at Fort Rouge have each been proven to be effective. Considered individually, few of these tools are groundbreaking. However, their deployment as a comprehensive group would be unique in Winnipeg and would position the project in the top tier of sustainable urban development in Canada. Further, the impacts of sustainable design will be experienced not only by future residents but also by the City of Winnipeg (reduced stormwater runoff, compact urban form, promotion of options for car-free mobility) and by the existing neighbourhood (enhanced connectivity, new recreational opportunities).

The design approach used so far in this project has employed many tenets of an integrated design process; a best practice in sustainable development.

Infrastructure

Underground Infrastructure Services

Dillon Consulting was hired to do detailed studies on the impact the proposed development might have on the sewer and water needs of the neighbourhood.

The results of the study are as follows:

- A new water main is to be installed to service the new development.
- There is the potential to tie the water into the existing water distribution system to ensure better reliability and pressure through the existing system.

- New land drainage sewers are already installed as part of the Southwest Rapid Transit Corridor project.
- All drainage on developable lands are to be directed to the land drainage sewer
- Wastewater flows generated by the new development are less than the land drainage flows removed from the Cockburn combined sewer district
- What results is a net reduction in wet weather flows to the Cockburn combined sewer district.

Public Service recommendations regarding required underground services and obligations are identified in the attached Administrative Coordinating Group (ACG) report

Transportation

Dillon Consulting was hired to undertake a traffic and engineering impact study to investigate impacts on the existing roadway infrastructure by the new development. A summary of the conclusions drawn from the study is a follows:

- A 25% reduction in trips generated by the development and a 10% reduction in background
  neighbourhood traffic volumes are expected as a result of the implementation/installation of a
  SWBRT transit system through the Fort Rouge Yards.
- All collector streets remained within acceptable daily traffic volume limits of under 5,000 vehicles per day.
- The study concluded that traffic signals are not required at the Lilac/Jubilee intersection during the 20-year study time frame (i.e. through 2030).
- AM- and PM-peak hour traffic operations at the Lilac/Jubilee, Cockburn/Jubilee, Daly/ Jubilee, Morley/Osborne, and Brandon/Osborne intersections will continue to operate within acceptable limits for both background and anticipated traffic volumes.
- PM peak hour traffic overall intersection operations at Osborne/Jubilee remain relatively unchanged, but it is noted that the northbound left-turn movement is operating at capacity and operates at an unacceptable LOS “E”. It is recommended that the City of Winnipeg considers changing the split allocation (increase NBL by 3 sec., decrease SB by -3 sec.) at this intersection to improve the level of service of this movement.

The Public Works Department has indicated that they accept the findings of the Traffic Study. Public Service requirements regarding transporation are included in the attached Administrative Coordinating Group (ACG) report

Transit Station

As previously discussed, the Public Service is proposing the development of a rapid transit station to the north of Lots 1 and 2 (see Figure 15, *Master Plan, Site Development* – Area Master Plan). This station (Jubilee Station) would serve the southern portion of the Yards at Fort Rouge development as well as portions of the Lord Roberts and adjacent neighbourhoods.

The transit station would include a public plaza on the developer's property, between the high rises and the transit station. The design of the transit station and plaza would occur through a collaborative process involving all stakeholders.

The Public Service is recommending that the developer and City enter into a Strategic Economic Agreement with the developer to share the costs of constructing the rapid transit station.

Open Space Dedication

As previously discussed, the developer is dedicating two parcels as public reserve. The Winnipeg Public Service is recommending that any cash resulting from under dedication be allocated to higher quality development of planting, pathways, site furnishings, athletic field amenities, and lighting (if required) in the park spaces for this development or in the Lord Roberts neighbourhood.

Easement on Lot 6

As previously discussed, the developer is creating an interior pedestrian corridor which will provide access from this development and the adjacent neigbourhood to the Fort Rouge transit station. (See Figure 38, *Gateways and View Corridors* – Area Master Plan. The Developer will provide an easement to the City of Winnipeg for this pedestrian corridor prior to the issuance of building permits for Lot 6.

RECOMMENDATION

The Winnipeg Public Service recommends **approval of DASZ 33/2010** for the following reasons:

- The development aligns with City policy including Our Winnipeg, Complete Communities, A Sustainable Winnipeg, and Plan Winnipeg 2020
- The planning of the development closely followed the Transit Oriented Development Handbook, which is a synthesis of best practice TOD principles
- The development will revitalize a vacant industrial site
- The development will provide housing alternatives not available in all parts of the City
- The development will successfully integrate new housing into an existing neighbourhood
- The proposed development shows a sophisticated appreciation of the role of urban design in creating great urban spaces.
- The design approach used so far in this project has employed many tenets of an integrated design process; a best practice in sustainable development.
- The development will enhance the Southwest Rapid Transit Corridor through synchronization with the transit stations and increased population at the stations. This is anticipated to increase transit ridership and enhance the appeal of the stations.
- The development improves connectivity to the rapid transit station and active transportation network

The Winnipeg Public Service also recommends **approval** of PDO-1, the Yards at Fort Rouge for the following reasons:

- To achieve the objectives of the Yards at Fort Rouge Area Master Plan
- To ensure compatibility in land use, height and massing, and signage
- To allow for innovative parking and design solutions

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

Report Prepared by: M. Robinson, AICP
PPD File # DASZ 33/2010

Schedule "A" for File No. DASZ 33/2010, City Centre Community Committee, dated November 16, 2010.

By-Law No. _____

File No. **DASZ 33/10**

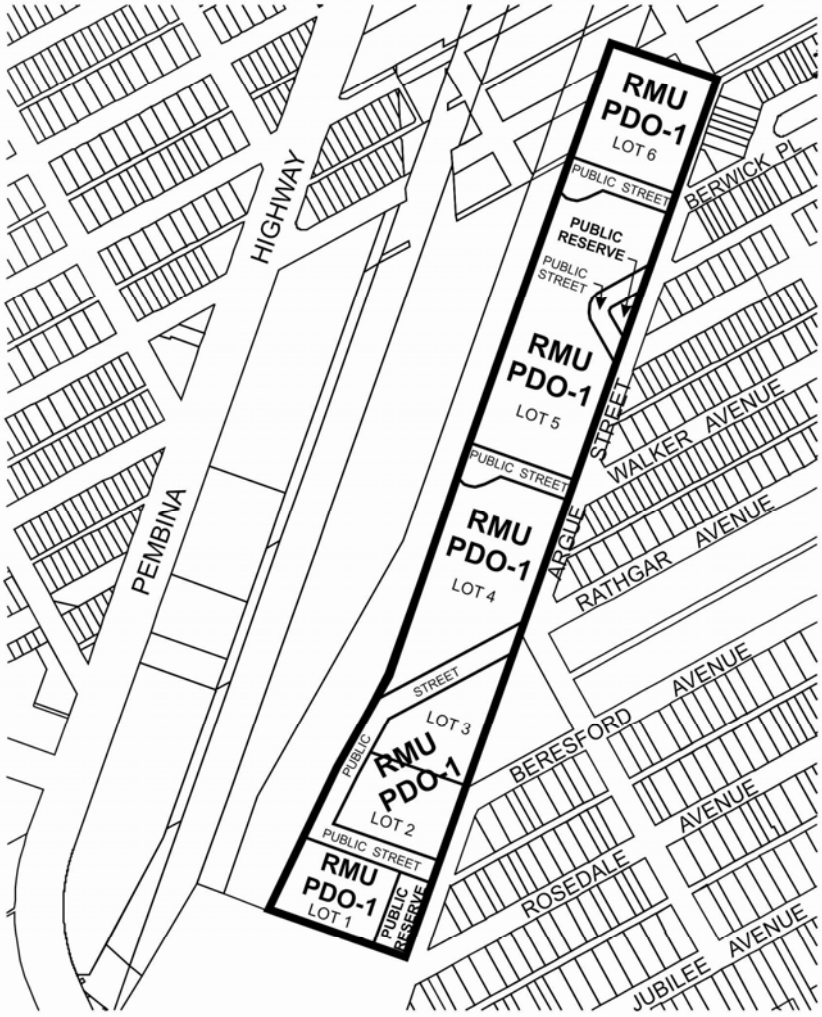
Atlas Sheet No.

N

AD24
CITY CENTRE
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located on the west of Argue Street, east of rail right-of-way from an "M2" GENERAL MANUFACTURING DISTRICT to an "RMU PDO 1 – The Yards at Fort Rouge" RESIDENTIAL MIXED USE DISTRICT to allow for multiple-family residential and small scale commercial, institutional, recreational, and service facilities needed to support residential development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule "B" Report of the Administrative Coordinating Group dated

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – NOVEMBER 15, 2010

RE: PROPOSED SUBDIVISION AND REZONING OF FORT ROUGE YARDS – DASZ 33/10

It is recommended that the approval of DASZ 33/10 be subject to the following:

A. Plan Considerations

The proposed cul-de-sac extensions of Walker Avenue and Berwick Place being designed, at a minimum, in conformance with Streets and Transportation Drawing St-90-A, and being subject to the approval of the Director of Transit and the Director of Public Works to ensure that adequate turning radii and snow storage are provided while minimizing encroachment into the Southwest Rapid Transit Corridor.

The Developer dedicating and legally opening property required for the widening of the entire Argue Street right-of-way abutting the Planned Area, from the south limit of Rathgar Avenue to the north limit of Berwick Place, including the establishment of the realigned portion of Argue Street adjacent to the Lord Roberts Community Centre, to 18.0 m, as determined by, and to the satisfaction of, the Director of Public Works.

The Developer dedicating and legally opening property required for the right-of-way of the proposed public street (bay) encompassing proposed Lots 2 and 3 (extension of Rathgar Avenue) to a width 20.0 m, as determined by, and to the satisfaction of, the Director of Public Works.

B. Engineering Servicing Report

The applicant providing, to the satisfaction of the Director of Water and Waste, a comprehensive servicing report, prepared by a qualified municipal engineer, which will include a fire flow analysis, land drainage requirements, and expected wastewater flows.

C. 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, install all wastewater sewers required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

2. The Developer shall, at no expense to the City, install all water mains required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

3. The Developer shall, at no expense to the City, install all land drainage sewers required to serve the Planned Area, as determined by, and to the satisfaction of,

the Director of Water and Waste.

4. The Developer shall pay its share of the oversizing of the land drainage sewers constructed by the City in the Southwest Rapid Transit Corridor to accommodate the drainage of the Planned Area.

5. The Developer shall, at no expense to the City, construct, in the realigned portion of Argue Street adjacent to the Lord Roberts Community Centre, a 9.30-m portland cement concrete pavement and all related works, including street lighting, boulevard landscaping, and drainage works, all as determined by, and to the satisfaction of, the Director of Public Works.

6. The Developer shall, at no expense to the City, construct, in portland cement concrete pavement, a 1.8-m widening to the west side of the non-re-aligned sections of Argue Street abutting the Planned Area, from the south limit of Rathgar Avenue to the north limit of Berwick Place, and all related works, including street lighting, boulevard landscaping, and drainage works, all as determined by, and to the satisfaction of, the Director of Public Works. Where the condition of the existing Argue Street pavement is not suitable to accommodate a widening, the Developer shall, at no expense to the City, construct a new portland cement concrete pavement in Argue Street, all as determined by, and to the satisfaction of, the Director of Public Works.

7. The Developer shall, at no expense to the City, construct, in the two proposed cul-de-sacs within the Planned Area, 150-mm-thick portland cement concrete pavements, 7.5 m wide with radii of 10.5 m, and all related works, including, but not limited to, 1.5-m-wide by 100-mm thick portland cement concrete sidewalks on both sides, street lighting, boulevard landscaping, and drainage works, all as determined by, and to the satisfaction of, the Director of Public Works.

8. The Developer shall, at no expense to the City, construct, in the proposed bay encompassing Lots 2 and 3 (extension of Rathgar Avenue), an 11.0-m-wide, 150-mm-thick portland cement concrete pavement and all related works, including, but not necessarily limited to, 2.1-m-wide by 100-mm-thick portland cement concrete sidewalks on both sides, boulevard landscaping, ornamental street lighting, and drainage works, all as determined by, and to the satisfaction of, the Director of Public Works.

9. The Developer shall, at no expense to the City, construct, along the west side of Argue Street, from the south limit of Rathgar Avenue to the north limit of Berwick Place, including the re-aligned Argue Street right-of-way adjacent the Lord Roberts Community Centre, a 1.5-m-wide, 100-mm-thick portland cement concrete sidewalk, as determined by, and to the satisfaction of, the Director of Public Works.

10. The Developer shall construct all sidewalks concurrently with the pavements with which they share the right-of-way.

11. The Developer shall, at no expense to the City, maintain the boulevard improvements for one year, in accordance with specifications approved by the Director of Public Works.

12. The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the Planned Area, to the satisfaction of the Director of Public Works.

13. The Developer shall pay all costs associated with the 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.

14. 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.

15. 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 construction of services and buildings, until completion of all construction, as determined by, and to the satisfaction of, the Director of Public Works.

16. The Developer shall, at no expense to the City, cause to be installed standard, reflectorized, permanent street-name signs at each new intersection within or adjacent to the Planned Area, as determined by the Director of Public Works.

17. Prior to construction, the Developer shall, at no expense to the City, obtain approval of and install, and subsequently maintain, at the entrances to the Planned Area, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, all proposed streets, sidewalks, active transportation facilities, parks, and community mail-box sites - all with the approval of, and to the satisfaction of, the Director of Planning, Property and Development.

18. In accordance with City policy, The Developer is required to dedicate to the City as public reserve at least 8% of the land contained within the Planned Area, landscape the dedicated land, and pay its share of the cost of services in streets abutting the dedicated land, as determined by, and to the satisfaction of, the Directors of Public Works and Planning, Property and Development. Should there be a shortfall in the proposed public open-space dedication, the Developer shall both dedicate public open space and be assessed a cash payment or equivalent contribution.

19. The Developer shall receive dedication credit for the expansion of the Lord Roberts Community Centre - including credit for city-owned public right-of-way being converted to public reserve.

20. The Developer shall receive dedication credit for the land adjacent to Berwick Park at the South limit of the development only if that land is clearly developed as public open space, as determined by the Area Planner and Parks Planner.

21. The Developer shall receive no dedication credit for the public access across Lot 6, for any private courtyard spaces, or for the plaza /forecourt to the future Bus Rapid Transit station at the south end of the Planned Area.

22. The Developer shall receive no credit for excess frontage for public open space.

23. The landscaping of the land not dedicated shall be valued at $45,000 per acre to reflect current landscaping costs.

24. The Developer shall grade, level, sod, provide land drainage and irrigation (or equivalent) for, and provide perimeter fencing or equivalent to surround, the expansion of the Lord Roberts Community Centre, in accordance with drawing and specifications to be approved by the Director of Public Works.

25. The Developer shall assume responsibility for the maintenance of all park sites until they are developed and turned over to the City for maintenance.

26. 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, shall have them replaced by a Manitoba Land Surveyor. The Developer shall ensure that the Manitoba Land Surveyor provides the Director of Planning, Property and Development with a certificate stating that all survey monuments within the Planned Area have been verified and/or replaced, as the case may be.

27. 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 by March 31 of the year following substantial performance showing, the services required to serve the Planned Area.

28. The Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, $1,200.00 plus GST per acre of the Planned Area to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

"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. C. Mazur, P. Eng."
F. C. Mazur, P. Eng.
Water and Waste Department

"original signed by D. Beaton, MLArch."
D. Beaton, MLArch.
Parks, Riverbanks, & Community Initiatives Branch

"original signed by W. B. Menzies"
W. B. Menzies,
Manager, Service Development Division, Winnipeg Transit

/sm

RE: APPENDIX 'B' Design Guidelines

Design Guidelines for Final Plan Approval for DASZ 33/2010 – The Yards at Fort Rouge

Schedule "A" plan approval will be required for the Yards at Fort Rouge. Plan approval is required prior to the issuance of development permits for any site work or construction at the Yards of Fort Rouge.

Plan approval is required because at the DASZ application stage, final detailed design work for the project has not yet been completed.

Items to be considered
Items that will be considered in the Schedule "A" plan approval include:

- Signage (submittal of a Master Signage Plan per PDO-1)
- Parking Management Plan (submittal of a Parking Management Plan per the PDO-1)
- Fencing
- Landscaping plan
- Building design
- Private approaches
- Parking areas
- Pathways
- Lighting
- Parks and Open Space
- Street design
- Transit Station

Plan approval for The Yards at Fort Rouge will be expected to meet the following objectives:

- Consistency with The Yards at Fort Rouge Area Master Plan
- Consistency with the Fort Rouge Yards High-Rise Assessment Study

General

Buildings
- That the overall design be made up of distinctive, quality, architectural character and style that avoids monotonous and featureless building massing and design
- That main building facades should be oriented to face the public street
- Main building entries should be clearly identifiable, visible, and accessible

Landscaping
- That landscaping is provided to enhance the overall development in key areas such as the development perimeter, corners, common areas, areas along pathways, and entryways

Fencing

- That fencing is composed of high quality materials, is at appropriate heights and in appropriate locations, and should include multiple openings to allow for pedestrian ingress/egress.

Signage

- That signage be of high quality and consistent in graphic style and materials, lighting, location of each sign on the buildings, materials, and sign proportions. There shall be no advertising signs, mobile signs, poster signs, and A frame signs in the entire planned area and only one freestanding sign shall be permitted.

Lots 1&2

Transition in Scale

- Buildings should transition to the scale of the surrounding context
- Building should not overwhelm or diminish the presence of the surrounding environment

Prominent Sites, Views, Scales

- Building mass, design, and public space should enhance views, corners, plazas, areas of high importance, etc…

Building Placement and Orientation

- Building faces should define and enhance street facades
- Building footprint should not exceed the size of a district street block

Tall Building Address

- Main entrances should be prominently located on main facing street
- Buildings should provide street access to ground level units
- Ground units should have a character and scale appropriate to context
- A variety of street level uses is encouraged
- At a minimum, high rise buildings should provide the same frequency of street level entries as surrounding buildings

Site Servicing and Parking

- Adequate off street parking should be provided
- Access to transit and active transportation options is encouraged
- Barrier free design of all streets, landscaping and entrances is encouraged
- Building services and machinery should be located away from pedestrian areas

Open Space

- Provide a mix of types and scales of open space
- hard and soft landscaping
- benches and lighting
- Ensure that public spaces are easily monitored from adjacent buildings and spaces

Scale of the Base Building

- The building base should conform to the general scale of the streetscape
- The building design should preserve and enhance the character of the street

Tall Building Floor Plates – Articulation, Size and Orientation

- "Size and orient building floor plates to create architecturally interesting massing

with maximum unit exposure to sunlight and views"

- Minimize shadows, wind effects and view obstructions to neighbouring buildings

Spatial Separation – Light and Privacy

- Arrange floor plates and units to maximize the availability of natural light and views mitigating potential privacy concerns by incorporation of privacy screens and sufficient separating distance between buildings

Streetscape and Landscape

- Encourage a pedestrian-scaled streetscape environment with hard and soft landscaping
- Buildings should have a varied and interesting architectural facade with clear delineation between public and private spaces

Weather Protection

- Provide protection from sun, wind and rain at entrances
- Provide ground-level canopies and trees for pedestrian comfort on high-traffic routes

Sun, Shadow and Sky View

- Design the building massing to optimize access to sunlight and to minimize negative shade and view impacts on surrounding areas

Pedestrian Level Wind Effects

- Incorporate wind-mitigation measures for the creation of comfortable pedestrian and occupant spaces around tall buildings

Sustainable Design

- Incorporate verifiable sustainable design strategies for the building and site
- Consider of both immediate and longer-term environmental impacts.

Parks and Open Space

The follow outlines some expectations and provides design performance guidelines for the establishment of the park spaces in general but particularly in regard to expectations for a higher quality park space for the southerly parcel. These are based on parks design principles, TOD guidelines and best practices and are anticipated to combine the elements and character identified in the TOD Handbook as a pocket park and a neighbourhood park.

The site plan should identify and respond to the following:

Clear articulation of Public Space:

- Ensure that access to the park space is clearly communicated as being available to the general public – not limited to residents of the new development.
- The following design elements will be reviewed in this context: sense of entry; views into and out of the space; edge treatment; circulation; gathering spaces; lighting (if required); treatment of the adjacent building and building entrances.

Enhance pedestrian comfort, safety and accessibility

- Ensure the associated pedestrian and cycling environment is safe, accessible, comfortable, convenient, attractive and connects logically to the existing open space and AT networks;
- All development must conform to Universal Design Guidelines; and should apply Crime Prevention Through Environmental Design (CPTED) principles; and the current standards for Active Transportation Development

Respond to and respect the immediate context

- The layout and configuration should respect the existing context, including current uses, and pedestrian circulation patterns within this well established community, while relating to the new development
- Ensure site planning respects the local winter conditions and prairie environment through: use of colour, light; sun and wind protection, plant selection, etc
- Take advantage of but don't rely solely on the park space to act as a transition or 'buffer' between low density single family residential to the east and anticipated high density high rise development to the west.

Create interest and character in the space provided

- Apply and incorporate traditional park elements, but in such a way as to give a unique look and feel to celebrate this development as a first in TOD.
- Consider using public art to give a distinct theme / character to the site and/or development.

Practice sustainable design

- Incorporate sustainable materials and technologies and practices that protect and preserve our natural features and resources: such as the application of natural drainage systems to manage stormwater run off or methods for energy reduction.

Appendix 'C'
High Rise Assessment Study



Fort Rouge Yards
Architect Report.pdf

harold funk architect inc.

November 2010 **Fort Rouge Yards High-Rise Assessment Study**

November 2010 **Fort Rouge Yards High-Rise Assessment Study**



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1. Background

1.1. Purpose of report

The City of Winnipeg retained Harold Funk Architect Inc. to review the concept for high-rise buildings that are proposed as part of the Fort Rouge Yards (FRY) Transit Oriented Infill Development. The report includes an independent review of the shadow and view implications for the surrounding community, and discusses general considerations for the neighbourhood.

1.2. HFA background and experience

Harold Funk Architect Inc. has extensive experience in the design and construction of residential multi-storey buildings. This background includes current experience guiding a twenty-five storey downtown high-rise design proposal through the concept design and rezoning process. This experience includes coordination of geotechnical, sewer and wind analysis, as well as design option feasibility review, extensive conceptual design, urban design and review, and area shadow assessments.

1.3. Scope of report

This report is specifically focused on the high-rise construction that is proposed as part of the larger FRY development and, as such, does not address the townhouses and mid-rise buildings proposed for the remainder of the site. Also not addressed, is the impact of the traffic on the neighbourhood, which is being evaluated by Dillon Consulting for the City of Winnipeg Public Works Department.

Only conceptual design information is available at the time of writing and the report is accordingly based on general design intent only. It should be noted that the models used for generating the 3D image studies are therefore conceptual in nature and do not necessarily represent the eventual appearance of the buildings or the final intent of the designers.

1.4. Transit Oriented Infill Development

The *"Yards at Fort Rouge; A T.O.D. Development"* is being developed by Lexington Investment Corp on land that is owned by Gem Equities Inc., with master planning and architectural consulting services provided by White Architecture. The land parcel consists of an elongated piece of undeveloped land between the proposed Phase 1 of the Bus Rapid Transit System towards the West, and the existing Lord Roberts Neighbourhood towards the East. The guiding development principles are based on Transit Oriented Development (T.O.D.) where higher density, mixed-use and pedestrian friendly development is arranged around transit stations, with density decreasing farther away from the station hubs. Additional in-

formation about the history, design process and proposed plan for this parcel of land is available in the "Area Master Plan". The proposed high-rise construction will consist of two tall buildings up to 220ft / twenty-two floors in height, and will accommodate one and two bedroom rental apartments.

1.5. Precedent

This report follows the structure and intent of the City of Toronto's *"Design Criteria for Review of Tall Building Proposals"* which was formulated for the City of Toronto by HOK Architects Corporation. The City of Winnipeg does not have an equivalent review process for the review of tall building proposals, and has therefore selected the Toronto review format as a template for this review. Modeled on the City of Toronto's review framework, a summary statement precedes each section of review and provides a general introduction to the section intent.

This process, which extends well beyond the typical and required process for the review of a subdivision and rezoning, was selected as a pilot approach to add a level of understanding to the planning analysis. This process recognizes that the building scales and designs will significantly contribute to the success of the development and need to be carefully considered.

2. Context

2.1. Master Plan

> ***The creation of a master plan allows for the arrangement of tall buildings within a greater controlled context, providing an opportunity for the transition in district scale and the arrangement of streets, buildings and public spaces in a manner that is most beneficial for the greater context.***

Due to the extensive nature of the Fort Rouge Yards (FRY) development, an Area Master Plan has been developed, of which the Developer provides an overview in the "Area Master Plan" document.

The development of the master plan affords an opportunity to consider how the high-rise buildings can be best placed within the existing context. The extent to which the buildings can be fit into the context is constrained by the overall profile of the FRY site, which is long and narrow, with the longer edges aligned to the existing neighbourhood on the East side and the Rapid Transit / Active Transportation corridor on the West side. The long eastern edge provides a significant opportunity for the new development to be 'knit' into the existing context, however, the narrow site width limits the distance between the high-rise towers and the existing residential neighbourhood. The articulation of the high-rise massing within

the footprint of the individual high-rise building blocks, addresses the inability to further set back the higher density structures from the existing low-density residential houses.

The high-rise buildings will be located directly across from the proposed site of the Jubilee rapid transit station. This is consistent with the FRY Transit Oriented Development concept, which is based on the premise of providing higher density development immediately adjacent to transit hubs, with medium and lower density development located progressively farther away.



View showing the high-rise buildings located at the south end of the narrow site.

The southern edge of the site provides the the least tension between the proposed high-rise buildings and the adjacent existing low-density residential scale. This is because of the proximity to Pembina Highway and the relative location within the neighbourhood, which distances and obscures the buildings from all but the more open areas within the immediate vicinity. This location is further advantaged by proximity to commercial and retail activities which are readily available along Pembina Highway.

2.2. Transition in Scale

Tall buildings must transition to the scale of the surrounding context and should not overwhelm the scale or diminish the presence of the adjacent urban environment.

A significant transition must occur from the 220ft / twenty-two storey height of the residential towers to the one and two storey bungalow low-density character of the existing neighbourhood. As mentioned, due to the narrow width of the site there is not a great amount of space available for making this transition because the footprint of the building occupies the buildable width of the site.

The conceptual design of the towers accordingly locates the high-rise construction farthest away from the street and steps down to mid-rise height and then steps down again, this time to townhouses at a more residential scale along the street-front. The band of townhouses encircles the parkades, and provides a building base that interfaces with the surrounding context at a more suitable scale. The mass of the high-rise is therefore partly obscured from the immediately adjacent street-level by the more pedestrian and neighbourhood appropriate townhouses. The resulting stepped building mass presents a more iconic larger mass to views from farther away, while presenting a more nuanced view of the tower for view-lines from the adjacent street-front. The exception would be short to mid-range views where the large size of the towers is more readily apparent because the view of the towers is not obscured by the townhouses, trees or nearby buildings. This includes areas such as Beresford Avenue at Lilac Street *(Appendix A, View 9)*, McKittrick Park baseball diamond *(Appendix A, View 2)* and, to a lesser extent, further north on Argue Street *(Appendix A, View 1)*.



View from McKittrick Park.

Of the two buildings, the southern building is stepped back farther from Argue Street, resulting in a height to distance ratio of 1 to 1.5 (34° view angle) from Argue Street to the top of the tower. The northern building is placed closer to Argue street, resulting in a more aggressive height to distance ratio of 1 to 1 (45% view angle). Because the northern tower is closer to the street and more directly visible to the surrounding Lord Roberts neighbourhood, it is recommended that:

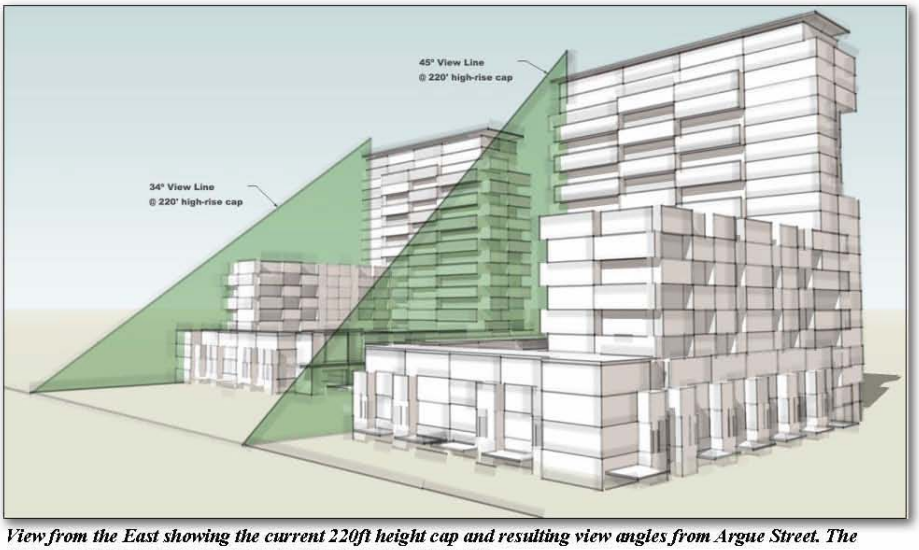
- **Short-range views:** Consideration could be given to moving the northern tower farther back, however, a lack of space for relocating the building towards the back means that this option is not feasible. Alternately, the height of the northern tower can be reduced and the height of the southern tower be increased accordingly to result in approximately 41° view angles for both towers. This would permit the northern tower's setback distance to remain as designed, preserving the streetscape character proposed between the northern tower's townhouses and the adjacent sidewalk on Argue Street.
- **Mid-range views:** Consideration can again be given to having the height of the northern tower's high-rise and mid-rise portions reduced and the southern tower's height increased accordingly, thereby creating a more graduated and stepped down view to Argue Street and the view-lines from McKittrick Park. This would create a more subtle presentation of the towers to the adjacent neighbourhood due to a lower initial height as viewed from the East, and a resultantly more gradual increase in building heights. It is therefore recommended that the twenty-two storey building height cap be increased for the southern tower by 30ft to 250ft and decreased for the northern tower by 30ft to 190ft. The mid-rise construction heights could be adjusted accordingly to a 110ft cap for the southern tower and a 90ft cap for the northern tower.
- **Long-range views:** Views of the towers from the surrounding neighbourhood areas farther towards the East will not be greatly affected because adjacent buildings and trees would generally obscure the view of the towers, particularly during summer months. The exception would be views from open areas where the view is not hidden by surrounding trees and buildings, such as portions of Jubilee Avenue. Views of the towers from these locations is not seen as detrimental because the portions of Jubilee Avenue with potential views of the tower are less residential in character due to the wider street width, higher traffic volumes, and presence of scattered commercial buildings such as the BDI ice-cream shop and area businesses.

Note that discussion about building heights and incremental increases or decreases is based on an average of 10ft per floor. Therefore a 220ft cap represents approximately 22 storeys, whereas a 250ft and 190ft cap would represent 25 storeys and 19 storeys, respectively. The recommendations therefore increase the height of the southern tower by 3 storeys and de-

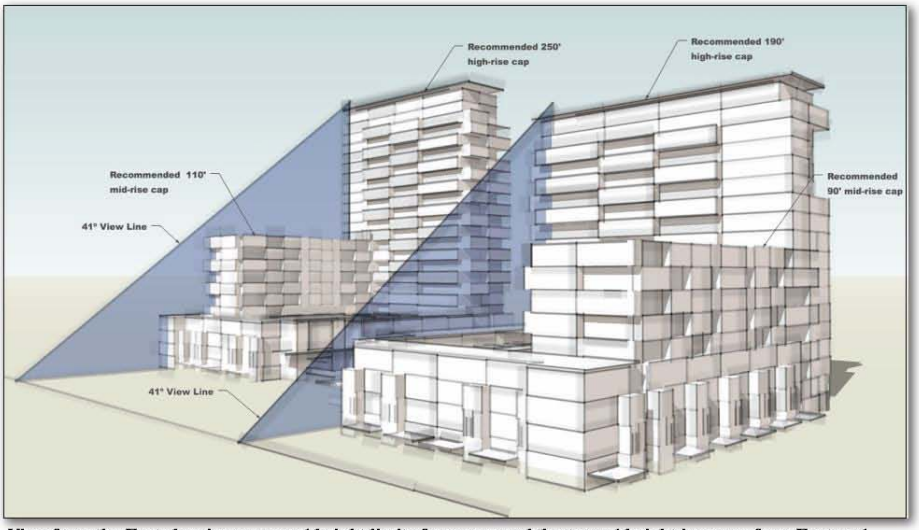
crease the northern tower by 3 storeys. The mid-rise portions would increase by 1 storey for the southern tower and decrease for the northern tower by 1 storey.

Table summarising the comparison of the South and North Tower scale from Argue Street:

	South Tower	*North Tower*
Distance from Argue Street to face of high-rise tower:	*290 ft.*	*220 ft.*
Height from Argue Street to top of high-rise tower:	*220 ft. (22 Storeys @ 10ft per floor)* *Based on 220ft height cap*	*220 ft. (22 Storeys @ 10ft per floor)* *Based on 220ft height cap*
Resultant view angle from Argue Street:	*height / length: 1/1.5* *As angle = 34°*	*height / length: 1/1* *As angle = 45°*
Recommended view angles from Argue Street:	*height / length: 1/1.15* *As percentage = 41°* *Resultant high-rise cap = 250ft* *Recommended mid-rise cap = 110ft*	*height / length: 1/1.15* *As angle = 41°* *Resultant high-rise cap = 190ft* *Recommended mid-rise cap = 90ft*



View from the East showing the current 220ft height cap and resulting view angles from Argue Street. The South tower is on the left and the North tower is on the right.



View from the East showing proposed height limits for a more subtle stepped height increase from East and North views.

2.3. Prominent Sites, Views, Scales

Design tall buildings to enhance areas of high prominence. Take into account the arrangement of building masses and the incorporation of design features and public spaces in order to accentuate areas of prominence, such as street corners, plazas and important view-lines.

Along the western side of the proposed towers, views from along Pembina Highway are immediately exposed to the full 220ft / twenty-two storey facade of the towers, which is not of concern in this case due to the more commercial character of the Pembina corridor. The intersection of Pembina Highway and Jubilee Avenue as well as Pembina Highway and Stafford Street create locations where high prominence views are important and desirable. These locations are highly suited to the creation of iconic buildings, and the immediacy of the height and scale of the towers from Pembina Highway therefore presents an opportunity to create a focal point and an iconic addition to the Winnipeg downtown skyline beyond.

Another advantage to the prominence of the views from the Pembina corridor is that of way-finding and the creation of a landmark at the major confluences of Pembina / Jubilee and Pembina / Stafford, therefore a major route place-marker for cars, busses, cyclists and pedestrians. This will be of significance not only to Pembina Highway, but also to the future

Rapid Transit and Active Transportation corridor where the towers will mark the beginning / termination of the first phase of the corridor. The towers will also demarcate the location of the proposed Jubilee Rapid Transit station, giving passengers an easily memorised and intuitive way-finding point, while achieving the developer's goal of creating a *'recognizable icon within the community that will help to demarcate the location of the station and act as a 'signpost' or gateway for those traveling north or south down Pembina Highway.'* (Page 45, FRY Area Master Plan.)

It should be noted that, should the height of the northern tower be reduced and the height of the southern tower be increased accordingly, that this would place more emphasis on the southern tower, which may be preferable due to increased proximity of the southern tower to the confluence of Pembina, Jubilee, Stafford and the future BRT intersection locations.



View from the high-prominence area near the intersection of Pembina Highway and Stafford Street.



View from the high-prominence area near the intersection of Pembina Highway and Jubilee Avenue.

3. Site organization

3.1. Building Placement and Orientation

Locate building faces to define and enhance adjacent street facades. The building footprint should not exceed the size of district street blocks.

The high-rise buildings have been designed with the building mass stepping back progressively from the street as the building height increases. The street-front edge is composed of a building base consisting of townhouse units with front sidewalk accessed entrances. The townhouse units are ~25ft width and ~40ft of combined height over up to four floors, which preserves a finer grained scale that transitions well into that of the adjacent neighbourhood. The building massing is aligned to the street edge on Argue Street, thereby reinforcing the alignment of the street and contributing to the street-scale residential character and pedestrian activity.

It is of considerable preference that the high-rise construction proposed as part of the FRY development is composed of two separate towers rather than one larger tower, which would create a monolithic form and scale that would exceed the street to back-lane depth of the adjacent existing street-blocks. It is also preferable that the mid-rise construction is situated

on the outer opposing sides of the high-rise buildings, thereby creating a more stepped, and therefore more subtle view of the high-rise buildings from the surrounding Lord Roberts Neighbourhood.

3.2. Tall building Address

The main building entrance should be prominently located on the main facing street. Provide street accessed ground-level units of a character and scale appropriate to the surrounding context, and with a variety of uses and frequency of street-level entries matching or exceeding surrounding buildings.

The townhouses surrounding the tower bases provide individual entries from both the new and existing street-fronts, which is in keeping with the residential scale of the existing neighbourhood and creates a more direct level of presence and engagement with street level activity.

The main entrance to the mid-rise and high-rise construction is located farther back from Argue Street on a new internal street being developed as part of the FRY development. Whereas it is ordinarily better to keep the entrance of a large building on the primary addressing street, it is preferable in this case for the entrances to be located as they currently are due to proximity to the proposed Jubilee Station and direct alignment of the entrances to the tower cores. This arrangement also reduces the presence of the higher density of the towers on Argue Street in deference to the lower-density character of the townhouses.

3.3. Site Servicing and Parking

Provide adequate access to off-street parking, area transit and active transportation facilities. Incorporate barrier-free design in all street, landscaping and entrance designs. Locate building service areas and machinery away from prominent pedestrian areas and without detriment to occupants or surrounding spaces.

Due to the conceptual level of design at the time of writing, detailed information is not yet available on how site services will be integrated into the towers.

A parking and traffic assessment is being prepared by Dillon Consulting for the City of Winnipeg Public Works Department. Approximately 1 to 1.2 parking spaces will be provided per unit (Pg 34, Area Master Plan) with parking stalls located on the western edge of the property, away from existing residential areas, and inside parking garages that are centrally located within the proposed high-rise building footprint. The parking garages will be wrapped with townhouses so that the parking is not visible to exterior, with parkade entrances located near Argue Street and drop-off areas located near the new entrances to the

towers. (Away from Argue Street.) Pending the results of the parking study, consideration may need to be given to the best location for the parking garage entrances in relation to the impact on traffic and noise levels in the existing neighbourhood.

The towers are ideally located to take full advantage of the proposed Jubilee Rapid Transit Station and will also have excellent access to the new Active Transportation corridor. These facilities may decrease the reliance on automobile transportation, and are being considered by the Dillon Consulting study as part of the traffic and parking assessment. Secure and convenient bicycle storage lockers should also be incorporated as part of the tower design so that residents are not discouraged from cycling.

Universal design must be considered for the design of the streetscape and building entrances. Visitable design for residential units and universal design best practices (as opposed to code minimums) is encouraged.

Garbage pick-up and the location of mechanical units and associated intake / exhaust vents must be factored in detailed design stages. Great care should be taken to ensure that these are screened and are not located near the existing residential areas or the new main entrances for the towers.

3.4. Open Space

Provide structured open spaces of mixed types and scales for pedestrian and recreational use. Provide hard and soft landscaping, benches and lighting to encourage use by pedestrians and area occupants. Ensure easy monitoring from adjacent buildings and spaces.

A combination of open-space strategies is proposed for the area surrounding the proposed high-rise buildings. The intent presented in the Area Master Plan is to create useful open spaces of differing types and scales, providing varied recreational opportunities for residents.

A 'greenway' is proposed for the western edge of the FRY development, which will complement the Rapid Transit and Active Transportation corridor while providing recreational opportunities for area residents. A landscaped buffer will be situated between the greenway and the BRT system to provide a visual and acoustic screen for the railway and BRT.

The streetscape along the eastern edge of the development will be designed as a 'green-street' with sidewalks, traffic calming measures, and street furniture to create a pedestrian friendly environment that encourages use by area residents. This will promote an active and safe streetscape that will be well monitored by the presence of the townhouses adjacent to the streets.

A 'community park' will be incorporated to the South of the proposed high-rise buildings, which will preserve some of the existing open space while creating structured park space that is connected to the soccer field towards the South.

Entrance plazas will be incorporated in the proposed Jubilee station and at tower entrances, and 'pocket parks' will be provided in the general vicinity.

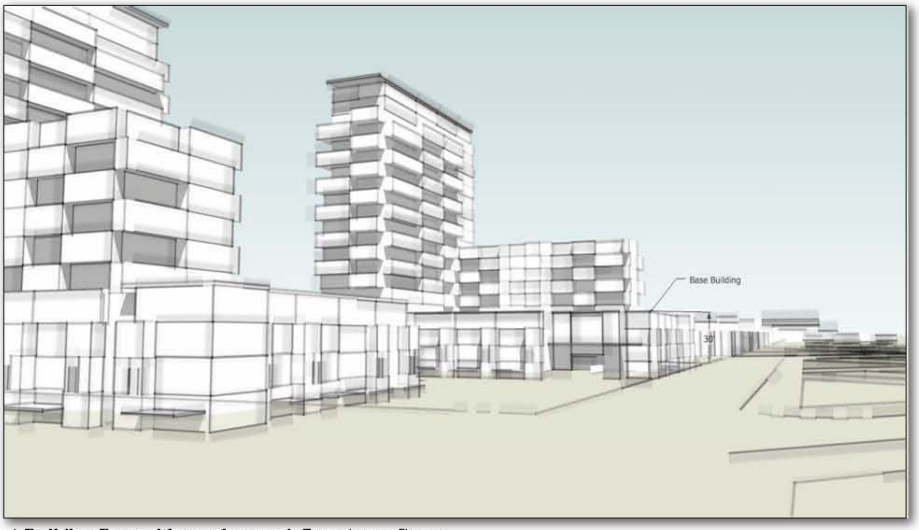
The combination of the above-mentioned open space types provides a suitable quantity and range of spaces to meet the prospective needs of area residents, but does so in a manner that is not to the detriment of the integrity of the streetscape and serves as an enhancement to the existing neighbourhood. Through the detailed design stages it is important to ensure that these spaces are well structured, easily monitored from adjacent residential spaces, and of a character suitable to the intended use. It is also necessary to ensure that a sufficient quantity of public space is provided and that clear delineations are introduced between public and private open spaces to prevent the creation of ambiguous areas that are less likely to be used for either purpose. This is of particular importance at the interface between the individual private townhouses and the surrounding public streetscapes and park spaces.

4. Building massing

4.1. Scale of the Base Building

Provide a building base that conforms to the general alignment and scale of the streetscape, preserving and enhancing the pedestrian environment and the urban character and scale of the street.

The high-rise buildings have been designed with a 'base building' consisting of townhouse units with entrances accessed from the sidewalk. The presence of the ~40ft high base building interfaces with Argue Street at a scale that is not out of character with the existing residential neighbourhood, which consists of one and two storey bungalows with pitched roof construction, typically 20ft to 35ft in height. The individual townhouses are approximately ~25ft wide, therefore preserving a fine-grained residential character consistent with the residential character of Argue Street.



A Building Base with townhouses defines Argue Street.

4.2. Tall Building Floor Plates – Articulation, Size and Orientation

Size and orient building floor plates to create architecturally interesting massing with maximum unit exposure to sunlight and views, while minimising shadows, wind effects and view obstructions to neighbouring buildings.

The mass of the mid-rise portion of the towers is oriented with the narrower profile facing the street, thereby somewhat minimizing the presence of the mid-rise construction from the nearby Argue Street. The massing of the mid-rise construction is diminished by the stepped-back arrangement from the street-facing townhouses, while articulation of the building mass by 'pushing and pulling' of portions of the facade reduces the sense of monolithic scale that may otherwise be associated with a mid-rise building. The high-rise construction is stepped back farther yet from the street, and also varies the mass of the facade to create a textured face that gives the impression of a smaller scale. The upper floors are set back and covered with a cantilevered roof structure, creating an articulated roof-line for the towers.



View from sidewalk showing stepped massing and building face articulation of towers.

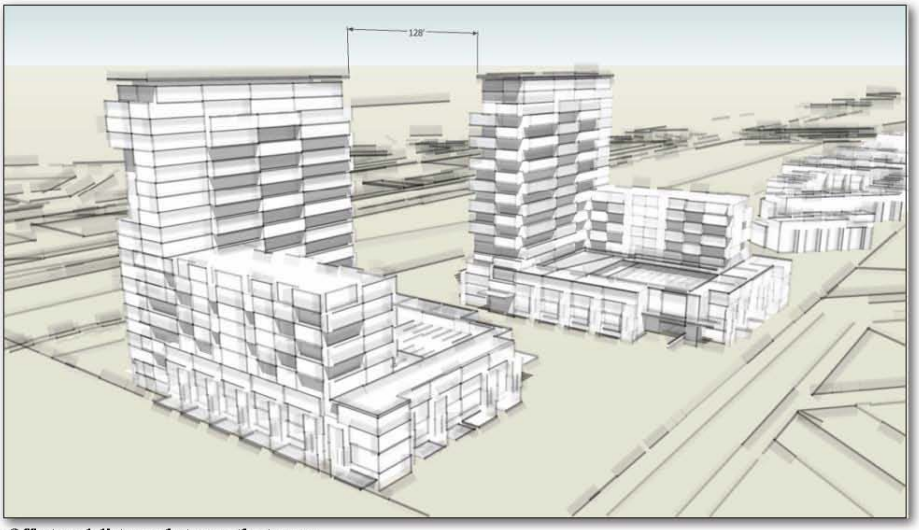
4.3. Spatial Separation – Light and Privacy

Arrange floor plates and units to maximize the availability of natural light and views for individual units, while mitigating potential privacy concerns by incorporation of privacy screens and sufficient separating distance between buildings.

Both high-rise buildings are arranged with a North-South orientation, which ensures that the southern tower does not block a significant amount of sun from the northern tower. This is also advantageous because the two towers face each other on the narrow edges instead of the long and wide edges, thereby minimizing privacy concerns between the towers and creating mostly unobstructed views out of the units. The 30ft offset and the ~128ft distance between the towers further reduces the likelihood of privacy, sunlight, and view concerns for units that face towards the neighboring tower. The great majority of units look either towards the east or the west, with no significant obstructions for light or views.

The mid-rise portions of the buildings are arranged in an East-West orientation, thereby creating an L-shaped plan when viewed in relation to the high-rise towers. The mid-rise units are arranged on the opposing sides of the two towers, resulting in a 350ft distance between

the mid-rise building masses, minimizing privacy concerns while maximizing the amount of light available to the northern tower.



Offset and distance between the towers.

5. Pedestrian Realm

5.1. Streetscape and Landscape

Create a pedestrian-scaled streetscape environment with hard and soft landscaping to encourage pedestrian activity. Create varied and interesting architectural facades with clear delineation between public and private spaces.

The Area Master Plan document states that the intent is to create an active street edge along the eastern face of the proposed FRY development. This will assist with integrating the new neighbourhood into the existing while creating a pedestrian friendly street environment that will benefit residents.

The towers will feature townhouses around the sides of the building, though flex-unit retail and commercial units should be incorporated for the west-face as well as the opposing inner faces of the high-rise tower bases. It is also recommended that the townhouse units should not have interior alternate entrances from the parking garage, which would diminish the utility and importance of the street-front pedestrian entrances to the townhouse units.

In some cases the pedestrian sidewalks are accompanied by on-street parking as a method of street calming, and with varying levels of amenities, street furniture and sidewalk landscaping. The result is targeted towards a pedestrian friendly environment with 'eyes on the street' due to the adjacency of the townhouses. Combined with traffic calming, this is intended to achieve a safe and enjoyable pedestrian environment that stimulates pedestrian and community presence in the neighbourhood. To further encourage pedestrian activity, networks of walkways connect to various open-spaces throughout the community, providing destinations to walk to and places such as parks, benches and plazas that are suitable for recreation, resting and gathering. The new streets created adjacent to the towers will provide connections to the proposed Jubilee Rapid Transit Station and the Active Transportation corridor, which will contain separate pathways for bicycle and pedestrian traffic.

Detailed streetscape design information is not available at the time of this writing. Care must be taken to ensure carefully delineated public to private transitions from the public sidewalks to the private townhouses. These transitions should create clear thresholds such as low fences or vegetated buffers, though should do so without creating visual or communicative boundaries. Street-front porches or patios should be incorporated to encourage residents to occupy the streetscape, and adequate street-lighting would permit safe use of streets into the evening hours. Design features such as articulated building massing, canopies and landscaping should be used to create varied and interesting facades.

Information about mixed-use retail and commercial spaces is currently limited. Small scale commercial and retail units are to be encouraged in order to further stimulate pedestrian activity by providing destinations such as 'corner stores' and small businesses to walk to. Mixed-uses would add an element of variety and interest to the streetscape, such as street-front patios and window displays. Such spaces would be particularly viable in locations such as the western and opposing inner faces of the high-rise buildings due to the high-density residential population and the proximity to the proposed Jubilee Transit Station.

5.2. Weather Protection

Provide protection from sun, wind and rain at entrances. Provide ground-level canopies and trees for pedestrian comfort on high-traffic routes.

Entrance canopies are proposed for the entrances to the towers. The canopies will provide protection from the sun, rain and wind and will be particularly important as protection for people waiting in the drop-off / pick-up area in front of the main tower entrance.

Smaller entrance canopies and unit numbering should be provided at all townhouse entries. In addition to providing protection from the weather, the entrance canopies will serve as architectural features to enliven the streetscape edge.

Continuous sidewalk canopies should be provided at flex-unit retail / commercial occupancies at grade, and are recommended for the western building faces and opposing inner faces at grade level. These canopies should be optimised to protect pedestrians traveling to or from the flex-units as well as the potentially large numbers of pedestrians that would be traveling this route to the proposed Jubilee Rapid Transit Station.

Landscaped sun shading and wind screening must be incorporated at regular intervals along pedestrian sidewalks, particularly in close proximity to the towers.

5.3. Sun, Shadow and Sky View

Design the building massing to optimise access to sunlight and to minimise negative shade and view impacts on surrounding areas.

The proposed high-rise buildings have been arranged with the higher building masses situated as far as possible to the West away from Argue Street, therefore providing maximal sky view from the sidewalk while resulting in negligible shadows to the East of Argue Street.

Shadow Study diagrams are included as *Appendix B*, and document the shadow assessments as determined at four points throughout the day: 10am, 12pm, 2pm and 4pm. Each of these is presented for days near the Vernal and Autumnal Equinox (March 21st and September 21st) when the length of day and night are of approximately equal length, and the Summer and Winter Soltice (June 21st and December 21st) when the sun is at the highest and lowest point in the sky, respectively.

The relative brightness of the images demonstrates the relative brightness of the sun at the respective time of day or year. The relative length of the shadows represents the height of the sun at the time of day or year.

- **10am Shadows:** The 10am shadow analysis demonstrates no adverse shadow effects at any time of year on the **existing** neighbourhood or on the new **proposed** townhouse development areas.
- **12pm Shadows:** The 12pm shadow analysis demonstrates no adverse shadow effects on the **existing** neighbourhood. The **proposed** townhouses towards the north of the northern tower will have minimal direct sunlight at this time of day in the winter months.

- **2pm Shadows:** The 2pm shadow analysis demonstrates no adverse shadow effects on the **existing** neighbourhood. The **proposed** townhouses towards the north of the northern tower will have reduced direct sunlight at the vernal and autumnal equinoxes, with more substantially reduced sun in the winter months.

- **4pm Shadows:** The 4pm shadow analysis demonstrates negligible shadow effects on the **existing** neighbourhood. Some shadows will be cast into the **existing** neighbourhood at 4pm during the middle winter months, however, this is considered negligible because of the low angle of the sun just prior to sunset, which occurs at approximately 4:30pm on the winter solstice. Low-angle sun is of low-intensity and is ordinarily blocked by neighbouring buildings and area trees. Effects on the **proposed** townhouses is also negligible.

5.4. Pedestrian Level Wind Effects

Incorporate wind-mitigation measures for the creation of comfortable pedestrian and occupant spaces around tall buildings.

It is recommended that the wind effects generated by the new high-rise buildings be analyzed by a wind engineer experienced in this type of work.

Wind effects are complex and difficult to predict. It can be assumed that there will be an effect on pedestrians in the vicinity of the towers and that a combination of mitigation strategies will be necessary to keep wind speeds to acceptable levels.

Wind levels on existing residential areas, including Argue Street, are likely to be the least affected because of the building bases (townhouses) which will create a cushion for wind downdrafts on the east side of the towers, therefore shielding pedestrians on Argue Street.

Wind levels towards the west of the towers will possibly be significant due to face downdrafts and vortices around the corners of the towers. This is likely to be particularly unpredictable and possibly severe in-between the two towers. This would be problematic due to the high number of pedestrians that would use this route to and from the towers and the proposed Jubilee Rapid Transit Station.

Various mitigation measures could be considered and incorporated pending engineering analysis:

- Canopies at the first and second floor levels can create a buffering effect.
- Coniferous trees can be used to create screens and buffers.
- If wind-effects cannot be controlled with canopies or landscaping, then changes in the building form may be required. It will not be feasible to create a podium on the West

of the tower because this would require moving the towers towards the East, therefore impacting the view, massing and sun for the existing neighbourhood. It may therefore be necessary to create an 'undercut' above the building base height, which would have a similar effect to the presence of a podium for buffering the wind.

- The concept design for the proposed towers shows building faces with masses stepped back and forth. As is typical for balconies on high-rise towers, this is likely to have a positive effect on reducing the wind down-wash.

6. Sustainable Design

Incorporate verifiable sustainable design strategies for the building and site, with consideration of both immediate and longer-term environmental impacts.

The proposed high-rise buildings will incorporate a range of sustainable design elements. Implementation details are not currently available. The strategies proposed in the Area Master Plan include:

- Ground-source heat-pump heating and cooling.
- Low-flow fixtures.
- Low-VOC interior finishes.
- Energy-efficient building envelope.
- Use of natural light.
- Green roofs and site features for storm-water management.

It is recommended that the proposed sustainable features be incorporated and that a comprehensive 'green' strategy be developed and followed for the design, construction and management of the buildings. Use of building commissioning and an established green rating system such as LEED or Green Globes is encouraged. Consideration should be given not only to immediate cost and environmental factors, but also longer-term energy performance, life-cycle costing and embodied energy.

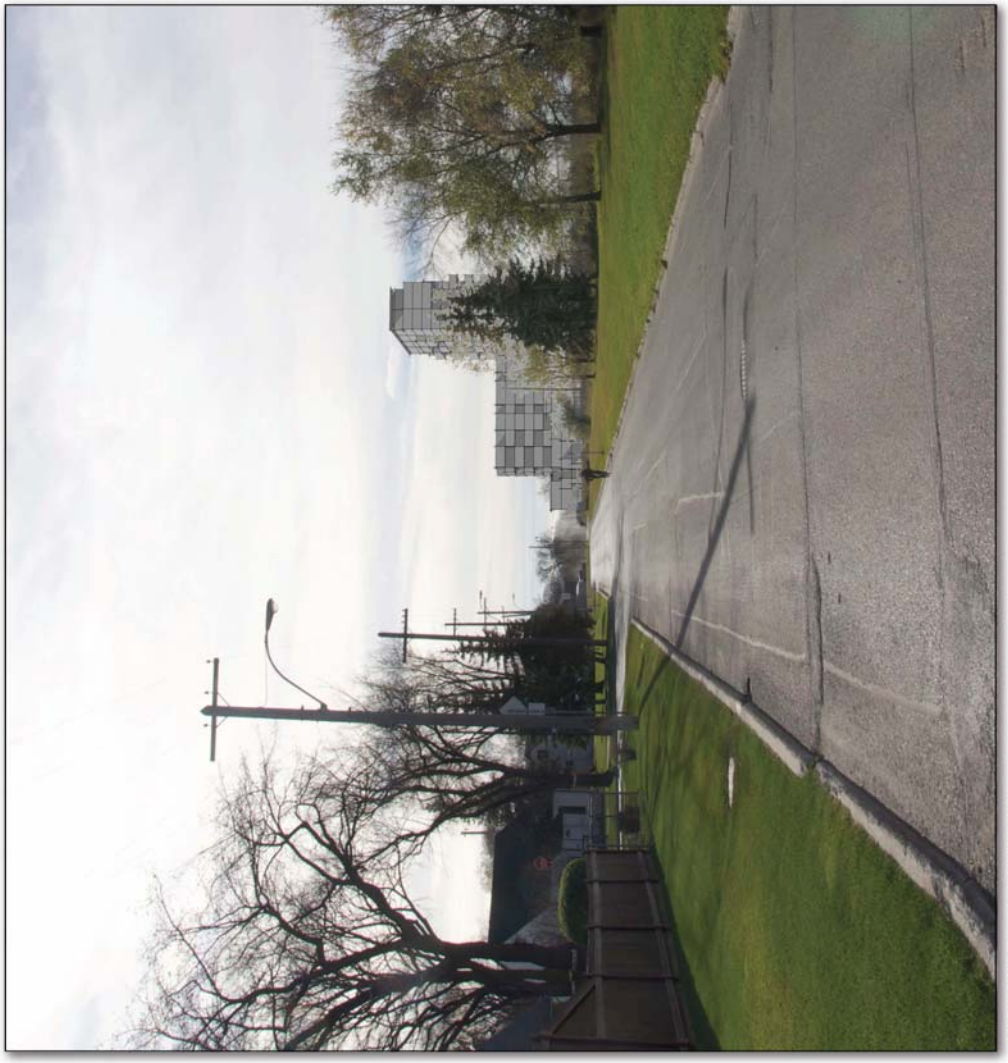
Report prepared by Gareth Simons, MAA - Harold Funk Architect Inc. - November 2010

This report assumes no responsibility for the design or implementation of the proposed Fort Rouge Yards development. It has been prepared for the City of Winnipeg and is intended as a template for general review and discussion purposes only, Shadow and view studies are based on conceptual materials and should be considered as diagrammatic only.

7. Appendix A: Context View Assessment Images



Legend map showing view locations.



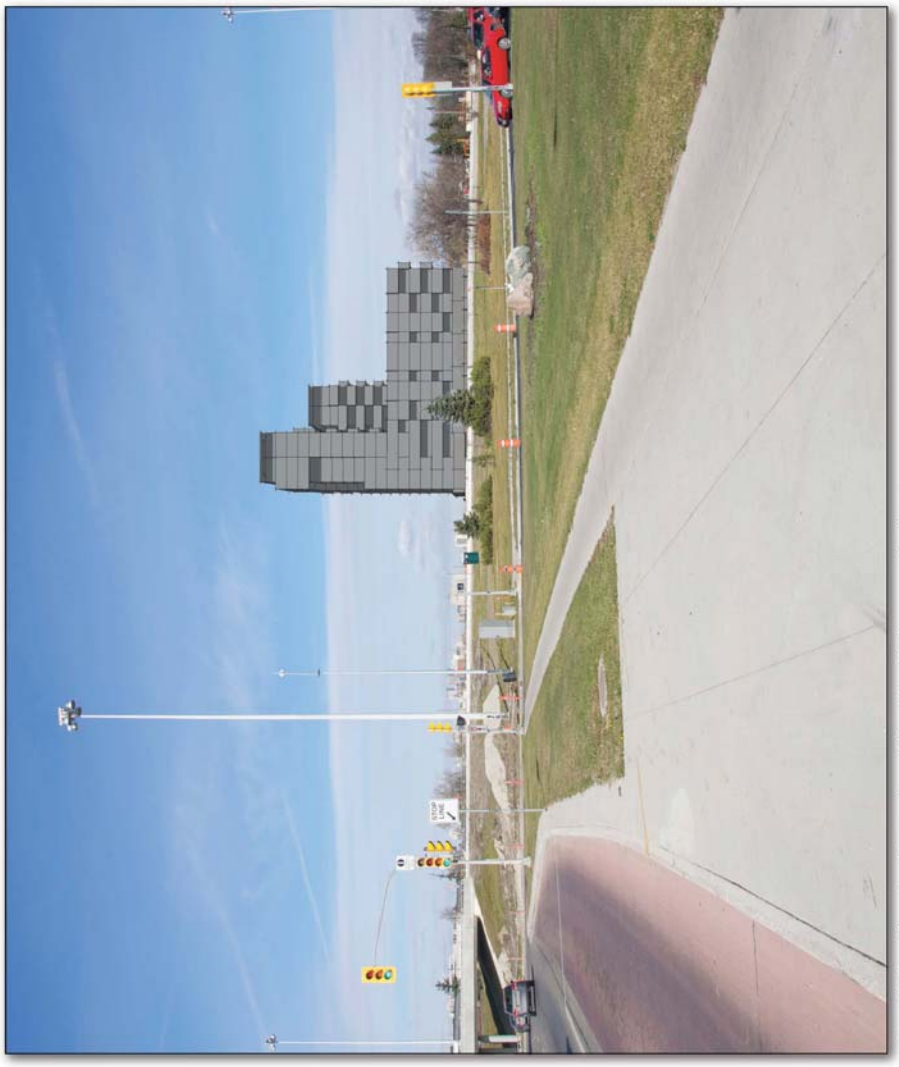
View 1: View from Argue Street.



View 2: View from McKittrick Park.



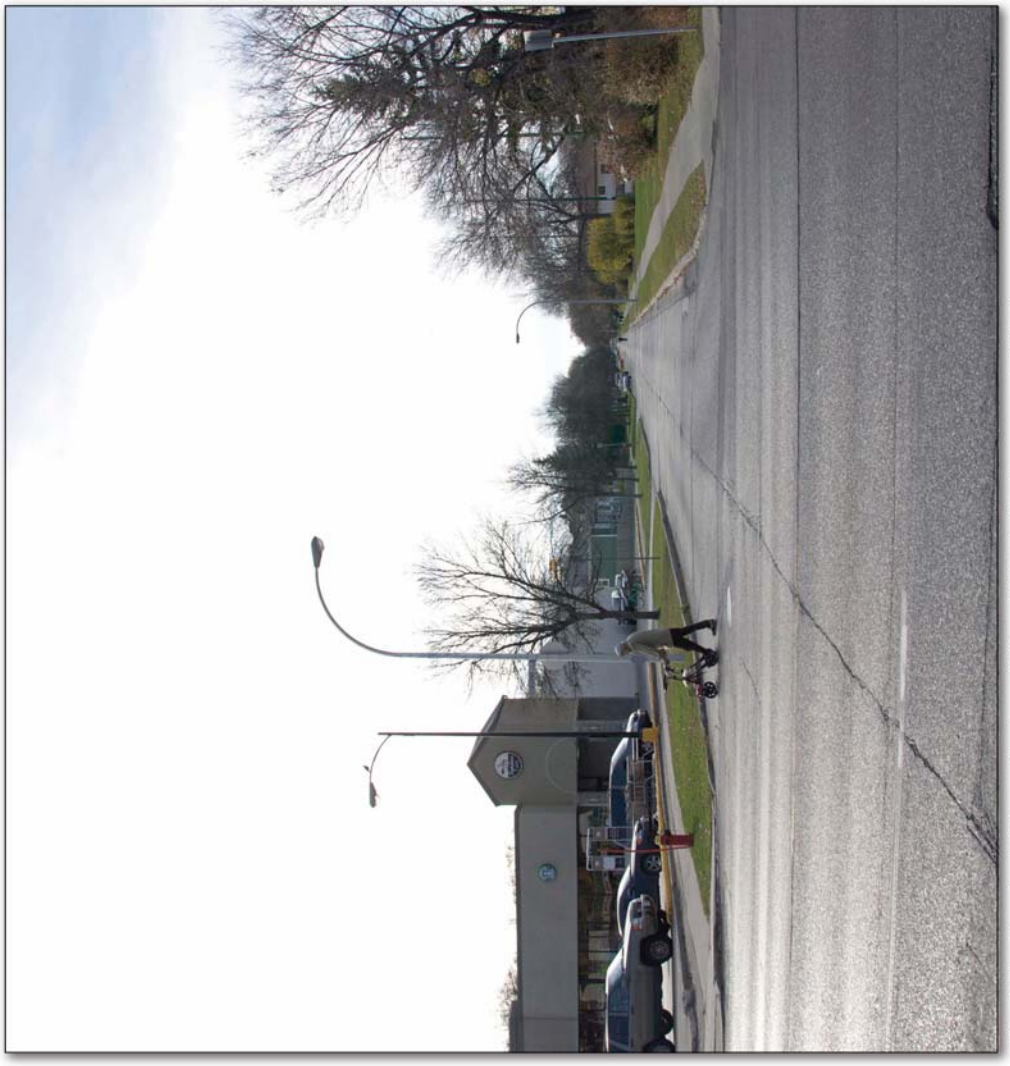
View 3: View from Jubilee Avenue near BDI



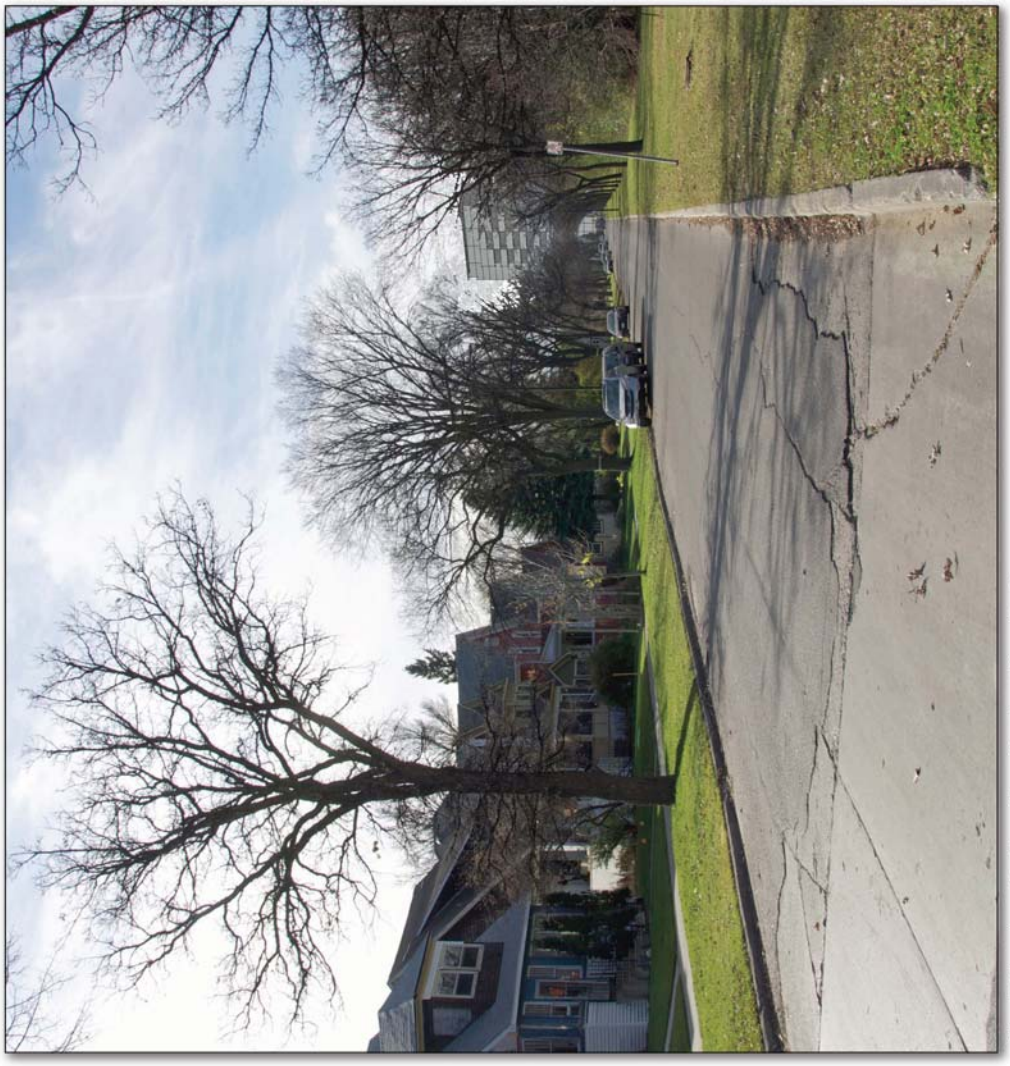
View 4: View from the intersection of Pembina Highway and Jubilee Avenue.



View 5: View from an area near Stafford Street and Pembina Highway.



View 6: View from South Osborne Street near Safeway. (Note that the towers are not visible.)



View 7: View from Cockburn Street South and Beresford Avenue.



View 8: View from Lilac Street and Rosedale Avenue.



View 9: View from Beresford Avenue and Lilac Street.

8. Appendix B: Context Shadow Assessment Images



June 21 - 10 AM



December 21 - 10 AM



March 21 - 10 AM



Sept. 21 - 10 AM



June 21 - 12 PM



December 21 - 12 PM



March 21 - 12 PM



Sept. 21 - 12 PM



June 21 - 2 PM



December 21 - 2 PM



March 21 - 2 PM



Sept. 21 - 2 PM



June 21 - 4 PM



December 21 - 4 PM



March 21 - 4 PM



Sept. 21 - 4 PM

Appendix 'D'
PDO-1 "The Yards at Fort Rouge"

THE CITY OF WINNIPEG

BY-LAW NO. /2010

A By-law of The City of Winnipeg to amend the Winnipeg Zoning By-law No. 200/2006 to adopt The Yards at Fort Rouge Planned Development Overlay 1.

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

1 *The Winnipeg Zoning By-law No. 200/2006 is amended by adopting the attached document, entitled "The Yards at Fort Rouge Planned Development Overlay 1 (PDO-1 The Yards at Fort Rouge)", as a Planned Development Overlay 1 district and adding it as Schedule P after Schedule O.*

DONE AND PASSED this th day of , 2010.

_____
Mayor

_____
City Clerk

Approved as to planning details:

_____ _____
for Director of Planning, Property and Development

Approved as to form:

_____ _____
James Carter
for Director of Legal Services and City Solicitor

SCHEDULE P

added TBD

THE YARDS AT FORT ROUGE PLANNED DEVELOPMENT OVERLAY 1 (PDO-1 the Yards at Fort Rouge)

Purpose

1. The purpose of this overlay is to support the redevelopment of The Yards at Fort Rouge as a Transit Oriented Development Major Redevelopment Site and implement the development concept of the Yards at Fort Rouge Area Master Plan.

Applicability

2. PDO-1 The Yards at Fort Rouge overlay district is shown on the attached map and identified as PDO-1 the Yards at Fort Rouge Principal Overlay Map (Map 1).

Development Standards

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

Development Density

4. The maximum development density of the overlay district is 900 dwelling units.

Rapid Transit Right of Way Setback

5. Notwithstanding any other provision of this By-law, there must be a minimum 25 foot separation distance between any structure containing one or more dwelling units and the western boundary of the overlay district shown on the Principal Overlay Map (Map 1).

Design Standards

6. All development must comply with the design standards for Mixed Use Development, as applicable, in section 210 of this By-law.

Parking for Bicycles and Motor Vehicles

7. (1) The Director may approve a parking management plan for the overlay district in accordance with this overlay and this By-law.

(2) All owners of land in the overlay district shall provide parking spaces on their respective lands in accordance with a parking management plan for the overlay district which, prior to any development on any land in the overlay district, has been approved by the Director.

(3) Any owner of land in the overlay district may, in accordance with this overlay and this By-law, submit to the Director for approval

(a) a parking management plan for the overlay district; or

(b) an amended parking management plan for the overlay district.

8. (1) The total number of parking spaces in the overlay district must not exceed the minimum number of parking spaces prescribed by this By-law.

(2) Notwithstanding subsection (1), the number of parking spaces on any one lot in the overlay district may exceed the maximum prescribed for that lot by this overlay and this By-law.

Signage

9. (1) The Director may approve a master signage plan for the overlay district in accordance with this overlay and this By-law

(2) The Director must not approve any master signage plan for the overlay district which allows or provides for more than one freestanding sign to be erected in the overlay district.

(3) An owner of land in the overlay district must not erect signage on his land unless the signage is in accordance with a master signage plan for the overlay district which has been approved by the Director.

(4) An owner of land in the overlay district with signage erected on his land must maintain and repair the signage in accordance with the master signage plan for the overlay district which has been approved by the Director.

(5) Any owner of land in the overlay district may, in accordance with this overlay and this By-law, submit to the Director for approval

(a) a master signage plan for the overlay district; or

(b) an amended master signage plan for the overlay district.

(6) No mobile or billboard signs are permitted within the overlay district.

Fencing

10. A fence located within a required front or corner side yard must not exceed 4 feet in height.

Area 1

11. The Yards at Fort Rouge Area 1 (includes Area 1A)

Applicability

(1) The Yards at Fort Rouge Areas 1 and 1A are shown on Map 2 as Area 1 and Area 1A respectively.

Intent

(2) In accordance with the Yards at Fort Rouge Area Master Plan, to accommodate:

(a) A high density, predominately residential district with a diversity of housing types.

(b) A vertical and horizontal mix of uses to help create an 18 hour activity zone.

(c) An active defined centre to create a dynamic area for a variety of users and incorporate compact, high quality, pedestrian-oriented environments by creating smaller walkable blocks.

Prohibited Use Regulations

(3) Notwithstanding other provisions of this By-law, in Yards at Fort Rouge Area 1, the following principal uses are prohibited and are not allowed as permitted, conditional, accessory, or temporary uses:

(a) Dwelling, single-family detached

(b) Dwelling, two family

Permitted Use Regulations

(4) Notwithstanding other provisions of this By-law, in the Yards at Fort Rouge Area 1, a non-residential use, with the exception of home occupations, is not permitted above the second floor of any building.

(5) Notwithstanding other provisions in this By-law, in the Yards at Fort Rouge Area 1, the following principal use may be approved only as conditional uses, where it is otherwise permitted.

(a) Post office/carrier depot

(6) Notwithstanding other provisions in this By-law, in the Yards at Fort Rouge Area 1, the following accessory use may be approved only as conditional use, where it is otherwise permitted.

(a) Accessory uses, not listed

(7) Notwithstanding other provisions of this By-law, the in Yards at Fort Rouge Area 1, the following principal use is permitted:

(a) Transit station

Development and Design Standards

Dimensional Standards

(8) Notwithstanding other provisions of this By-law, in Yards at Fort Rouge Area 1, development must comply with the dimensional standards listed in this subsection.

Height of Buildings

(a) The maximum height of a principal building is 250 feet;

(b) In Area 1A the maximum height of a principal building is 190 feet; and,

(c) Principal buildings must not extend into a 45 degree angular plane measured from a point 40 feet above grade at the eastern property line.

Yard Requirements

(d) Minimum front yard of 10 feet.

(e) Minimum corner side yard of 10 feet.

(f) Minimum interior side yard of 0 feet.

(g) Minimum rear yard of 0 feet. (Provision 5 of this PDO still applies)

Area 2

12. The Yards at Fort Rouge Area 2

Applicability

(1) The Yards at Fort Rouge Area 2 is shown on Map 2 as Area 2.

Intent

(2) In accordance with the Yards at Fort Rouge Area Master Plan, to accommodate:

(a) A medium to higher density, predominately residential district with a diversity of housing types that provides a transition between the Fort Rouge Yards transit station and the lower density development to the south.

(b) Limited small scale commercial and service facilities to support residential development while maintaining a predominately residential character.

Prohibited Use Regulations

(3) Notwithstanding other provisions of this By-law, in the Yards at Fort Rouge Area 2, the following principal uses are prohibited and are not allowed as permitted, conditional, accessory, or temporary uses:

(a) Drinking Establishment

(b) Dwelling, single-family detached

(c) Dwelling, two family

Permitted Use Regulations

(4) Notwithstanding other provisions of this By-law, in the Yards at Fort Rouge Area 2, a non-residential use, with the exception of a home occupation, is not permitted above the second floor of any building.

(5) Notwithstanding other provisions in this By-law, in the Yards at Fort Rouge Area 2, the following principal uses may be approved only as conditional use, where they are otherwise permitted.

(a) Post office/carrier depot

(6) Notwithstanding other provisions in this By-law, in the Yards at Fort Rouge Area 2, the following accessory use may be approved only as conditional uses, where it is otherwise permitted:

(a) Accessory uses, not listed

Development and Design Standards

Dimensional Standards

(7) Notwithstanding other provisions of this By-law, in the Yards at Fort Rouge Area 2, development must comply with the dimensional standards listed in this subsection.

Height of Buildings

(a) Principal buildings must not extend into a 45 degree angular plane measured from a point 20 feet above grade at the eastern lot line.

Yard Requirements

(b) Minimum front yard of 10 feet.

(c) Minimum corner side yard of 10 feet.

(d) Minimum interior side yard of 0 feet.

(e) Minimum rear yard of 0 feet. (Provision 5 of this PDO still applies)

Area 3

13. The Yards at Fort Rouge Area 3

Applicability

(1) The Yards at Fort Rouge Area 3 is shown on Map 2 as Area 3.

Intent

(2) In accordance with the Yards at Fort Rouge Area Master Plan, to accommodate:

(a) A medium density, residential district.

(b) Limited small scale commercial and service facilities to support residential development while maintaining a residential character.

Prohibited Use Regulations

(3) Notwithstanding other provisions of this By-law, in the Yards at Fort Rouge Area 3, the following uses are prohibited and are not allowed as permitted, conditional, accessory, or temporary uses:

(a) Dwelling, single-family

(b) Dwelling, two-family

(c) Post office/carrier depot

(d) College or university

(e) Commercial school

(f) Cultural centre

(g) Gallery/museum

(h) Drinking establishment

(i) Restaurant

Permitted Use Regulations

(4) Notwithstanding other provisions of this By-law, in the Yards at Fort Rouge Area 3, a non-residential use, with the exception of a home occupation, is not permitted above the first floor of any building, must be located in a corner unit fronting on Argue Street, and must provide direct access to a public right of way.

(5) Notwithstanding other provisions in this By-law, in the Yards at Fort Rouge Area 3, the following uses may be approved only as conditional uses, where they are otherwise permitted:

(a) Library

(b) Protection and emergency services

(c) Day care centre

(d) Office

(e) Personal services (unless otherwise listed)

(f) Medical/dental/optical/counselling clinic

(g) Retail sales (unless otherwise listed)

(6) Notwithstanding other provisions in this By-law, in the Yards at Fort Rouge Area 3, the following accessory use may be approved only as conditional uses, where it is otherwise permitted:

(a) Accessory uses, not listed

(b) Retail sales

Use Specific Standards

(7) Notwithstanding other provisions in this By-law, in the Yards at Fort Rouge Area 3, the following uses are limited to the specified amount of gross floor area:

(a) Office: 2,500 square feet

(b) Personal services (unless otherwise listed): 2,500 square feet

(c) Medical/dental/optical/counselling clinic: 1,500 square feet

(d) Retail sales (unless otherwise listed): 2,500 square feet

Development and Design Standards

Dimensional Standards

(8) Notwithstanding other provisions of this By-law, the Yards at Fort Rouge Area 3, development must comply with the dimensional standards listed in this subsection.

Height of Buildings

(a) The maximum height of a principal building is 45 feet.

(b) For any principal building with height exceeding 40 feet, the top floor of the building must be set back from any wall of the building which faces a public right of way, by a distance of at least the height of the top floor of the building.

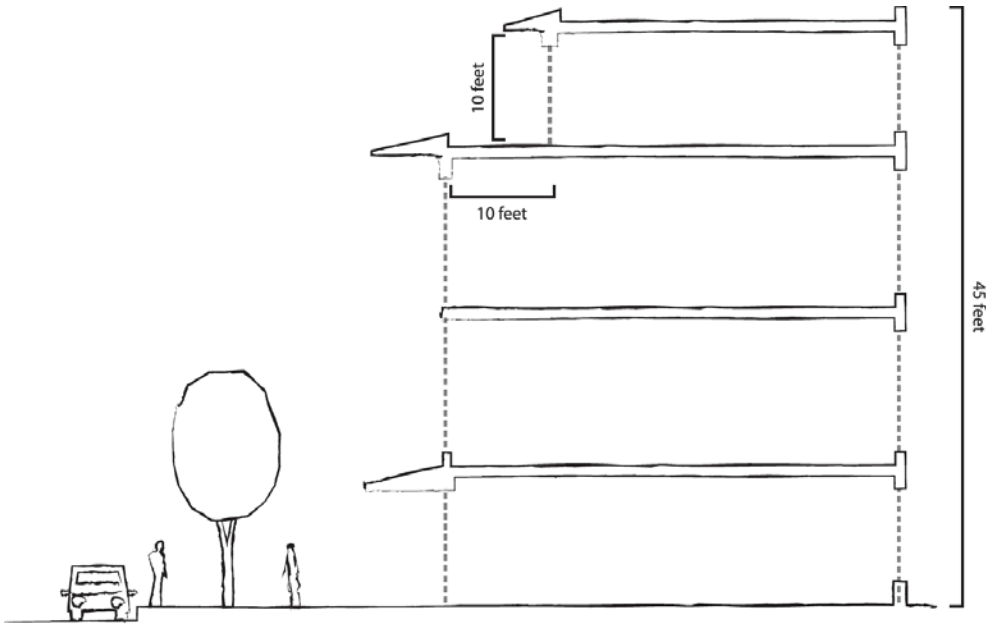


Illustration 1: Top Floor Setback

Yard Requirements

(c) Minimum front yard of 10 feet.

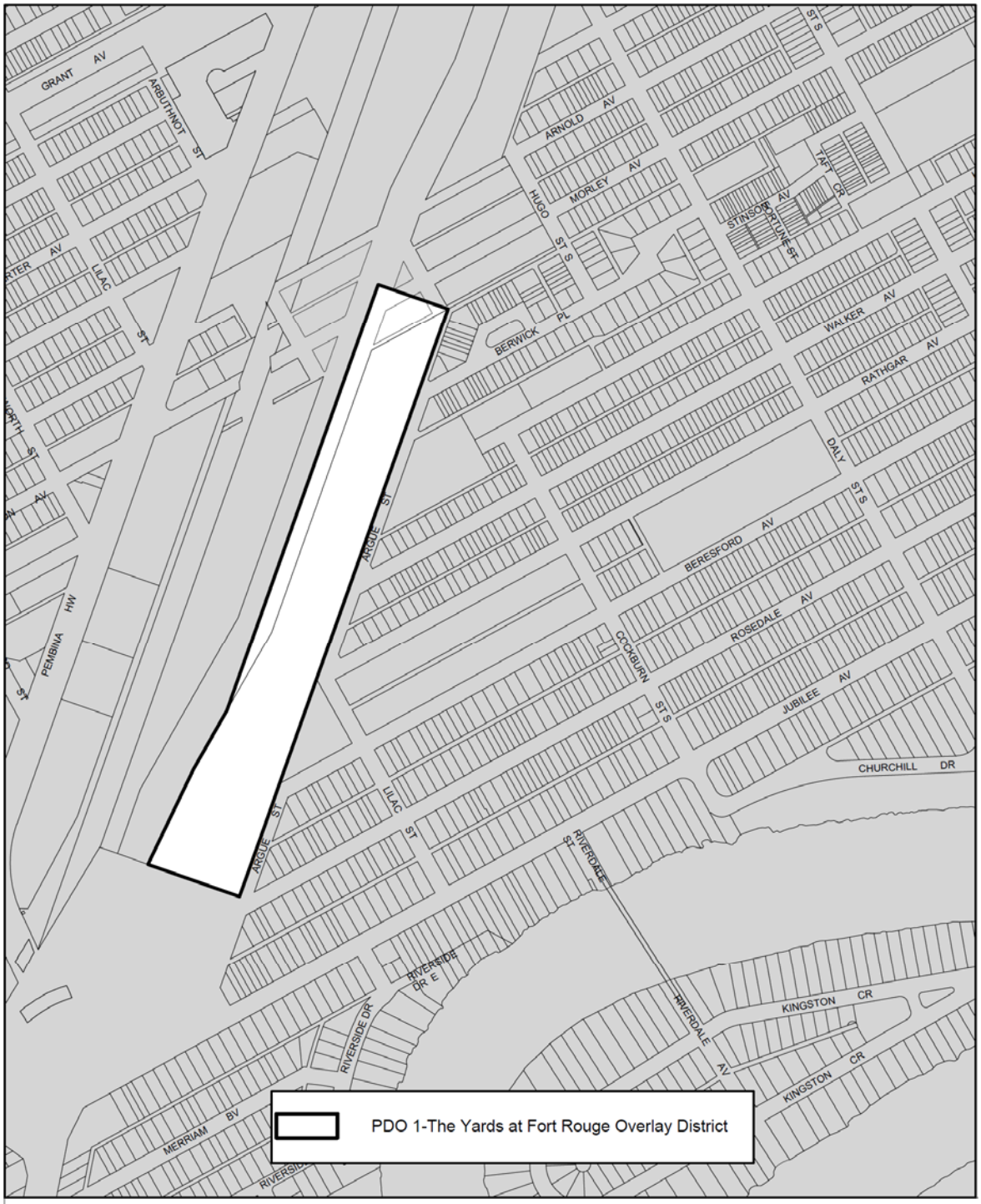
(d) Minimum corner side yard of 0 feet.

(e) Minimum interior side yard of 0 feet.

(f) Minimum rear yard of 0 feet. (Provision 5 of this PDO still applies)

Principal Building Separation

(g) For any principal building with height of 40 feet or less, the minimum principal building separation is 8 feet. For any principal building with height exceeding 40 feet, the minimum principal building separation is 8 feet plus one foot for every foot the height of the building exceeds 40 feet.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ARBUTHNOT ST
ARNOLD AV
MORLEY AV
HUGO ST S
STINSON AV
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TAFT CR
WALKER AV
RATHGAR AV
DALY ST S
BERWICK PL
ARGUE ST
BERESFORD AV
ROSEDALE AV
JUBILEE AV
CHURCHILL DR
COCKBURN ST S
LILAC ST
PEMBINA HWY
RIVERDALE ST
RIVERSIDE DR E
RIVERSIDE DR
KINGSTON CR
RIVERDALE AV
MERRIAM BV
PDO 1-The Yards at Fort Rouge Overlay District
Winnipeg
Map 1 - The Yards at Fort Rouge
Principal Overlay Map
N
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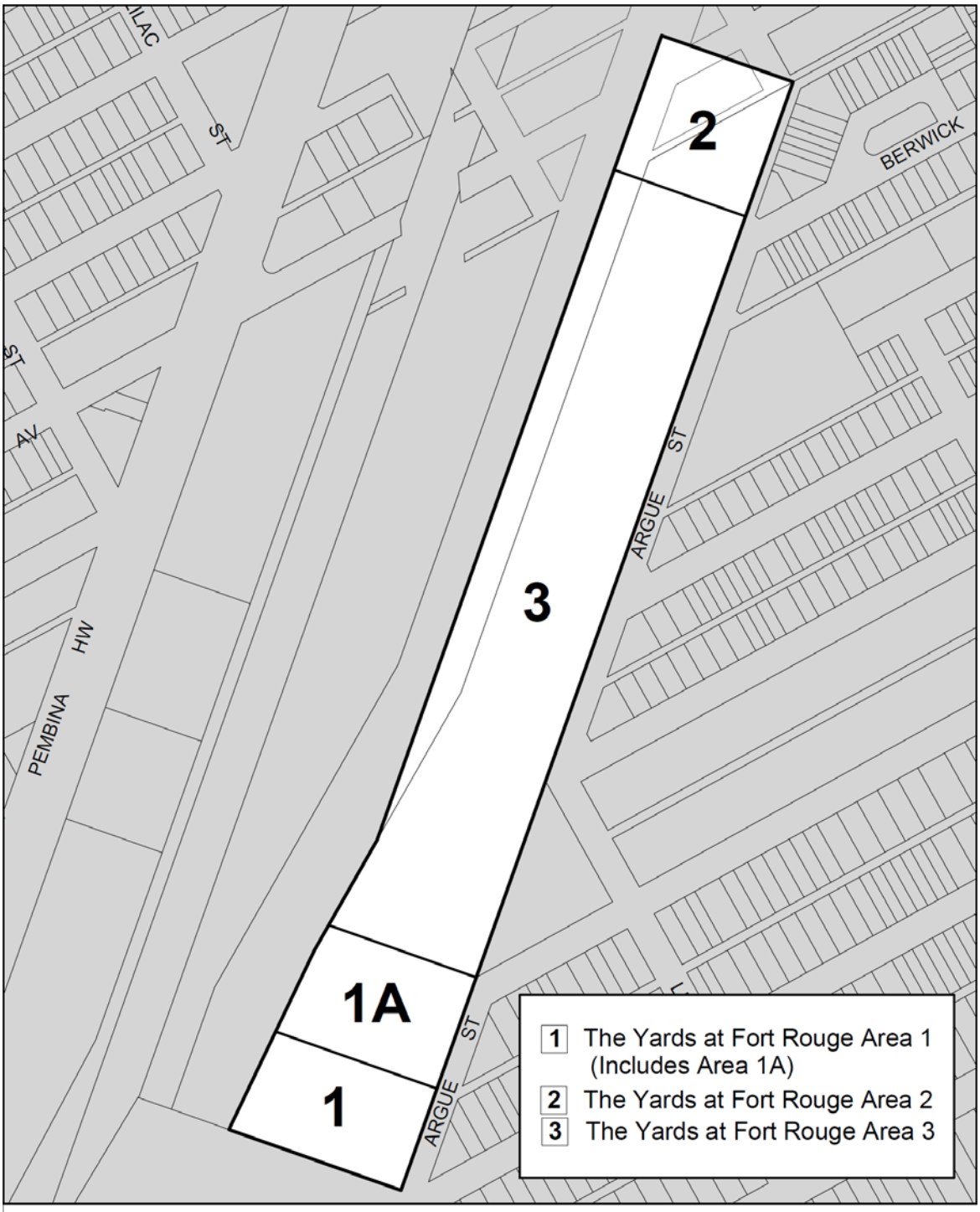
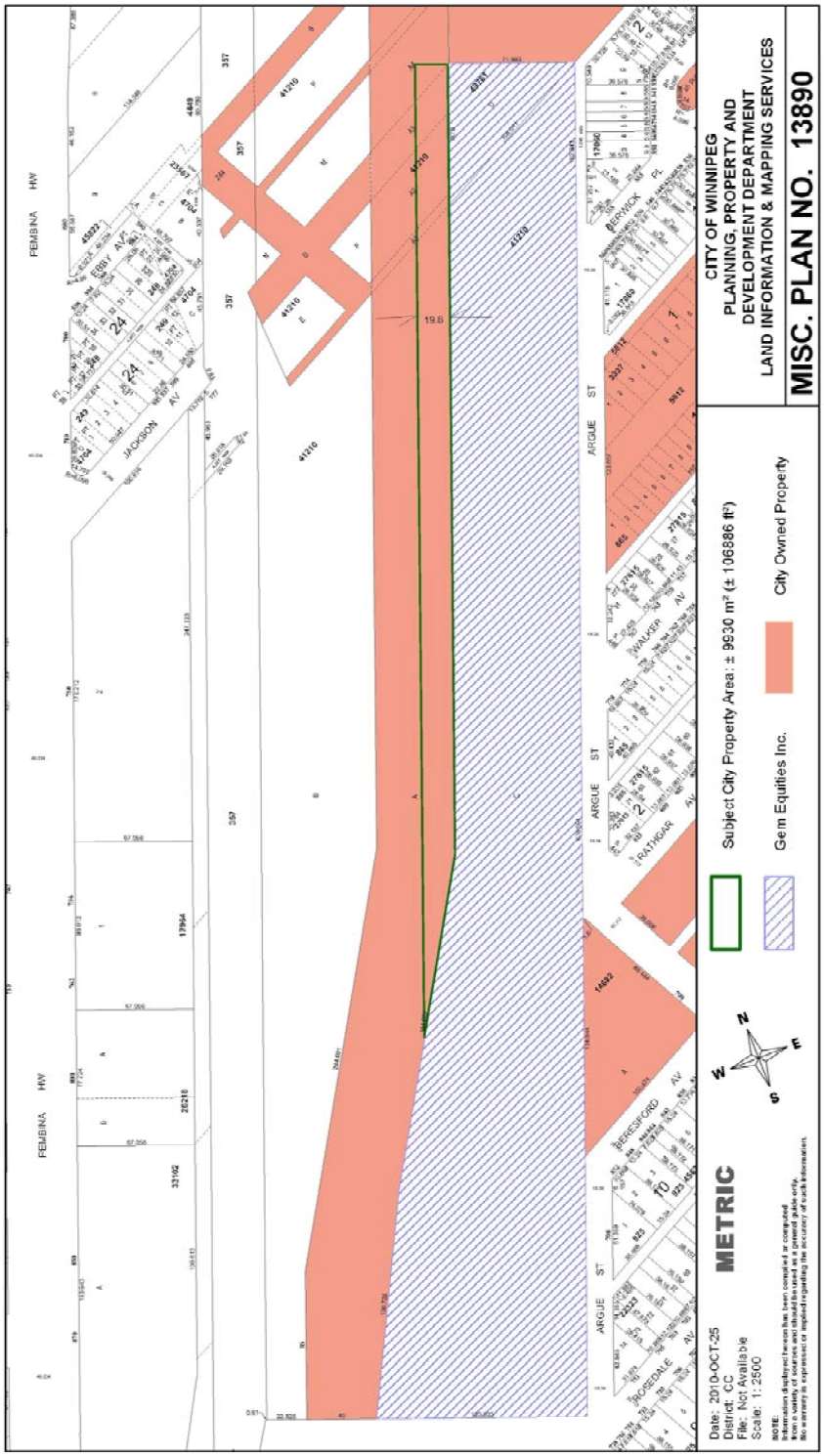


Map 2 - The Yards at Fort Rouge

Schedule “E”


CITY OF WINNIPEG
PLANNING, PROPERTY AND
DEVELOPMENT DEPARTMENT
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13890
Subject City Property Area: ± 9930 m² (± 106886 ft²)
City Owned Property
Gem Equities Inc.
METRIC
Date: 2010-OCT-25
District: CC
File: Not Available
Scale: 1: 2500
FEMBINA HWY
ARGUE ST
JACKSON AV
EBBY AV
BERWICK PL
WALKER AV
RATHGAR AV
BERESFORD AV
ROSEDALE AV