Minutes – Executive Policy Committee – May 15, 2013

Minute No. 283
Report – Standing Policy Committee on Property and Development – May 7, 2013

Item No. 3 Subdivision and Rezoning – Land located South Side of Taylor Avenue between Wilton Street and 1260 Taylor Avenue (River Heights-Fort Garry Ward) File DASZ 4/2013 [c/r DAC 4/2013, DAV 107004/2013D and SP 1/2013]

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 submitted the following to Council:

1. That the plan of subdivision under File DASZ 4/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 4/2013 dated April 9, 2013, 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 servicing agreement with the City containing all the conditions outlined in Schedule B, the report of the Administrative Coordinating Group dated April 9, 2013, with the following amendments:

        C. Agreement Conditions:

            i. Condition 6. b.: add the words "or resurface" after the word "replace".
            ii. Condition 4.: delete the words "$355.00/frontage foot" and replace it with the words "$290.48/frontage foot".

2. That Winnipeg Zoning By-law No. 200/2006 be amended by adding the Taylor Redevelopment Area Planned Development Overlay 2 (PDO-2 Taylor Redevelopment Area), attached as Appendix "B" ('Schedule R'), with the following amendments:

    Taylor Redevelopment Area Planned Development Overlay 2

    A. Sections 5, 15, 16, 17, and 18: delete the references to the Director of Planning, Property and Development and replace them with the words "City Centre Community Committee and the Director of Planning, Property and Development".

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Report – Standing Policy Committee on Property and Development – May 7, 2013

B. Section 6. (3), be deleted, and the remaining Sections be renumbered accordingly.

C. Add the following new Section, and renumber the remaining Sections accordingly:

7. Notwithstanding other provisions of this By-law, in the PDO-2 Taylor Redevelopment Area, the following principal uses shall be conditional in addition to the permitted and conditional uses of the underlying C3 zoning district.

(1) Hospital
(2) Sports or entertainment arena/stadium, indoor
(3) Amusement enterprise, outdoor
(4) Hostel
(5) Hotel
(6) Kennel

D. Delete Section 12. a. 2.

E. Section 15: delete the words “a property owner may”, and replace them with the words “a property owner shall”.

F. Section 16: delete the word “may” and replace it with the word “shall”.

3. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule “A” for File DASZ 4/2013 dated April 9, 2013 to a “C3” Commercial Corridor District, subject to the following conditions:

A. That each building permit application be accompanied by a transportation engineer's report confirming that trip generation rates for the proposed building, in combination with any buildings already approved or built on the subject lands, are within the assumed ranges (with a 20% tolerance) of the original Traffic Impact Assessment for DASZ 4/2013, to the satisfaction of the Director of Public Works. If the trip generation rates will exceed the assumed ranges of the original Traffic Impact Assessment, a new Traffic Impact Assessment and Recommendations shall be prepared to the satisfaction of the Director of Public Works to address trip generation rates and impacts beyond the assumptions of the original Traffic Impact Assessment for DASZ 4/2013.

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B. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, landscaping, and lighting to the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

C. 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;

D. 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;

E. 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;

F. 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;

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G. 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;

H. 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;

I. 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;

J. 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;

K. 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;

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

5. That the City shall apply the City Centre Community Committee share of the cash-in-lieu of dedication, for under-dedication, to facilities and/or other park sites in the River Heights – Fort Garry Ward.

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

7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

8. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

9. That the zoning section of the by-law comes into force when 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 by-law is passed.

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) 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 an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

12. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

13. 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.

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Report – Standing Policy Committee on Property and Development – May 7, 2013

DECISION MAKING HISTORY:

Moved by Councillor Fielding,

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

Deputy Mayor Wyatt and Councillor Browaty asked to be recorded as having voted against the above motion, in accordance with Rule 47(7) of The Procedure By-law No. 50/2007.

STANDING COMMITTEE RECOMMENDATION:

On May 7, 2013, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee, with the following amendment:

- Recommendation 1. A., add the following new condition under C. Agreement Conditions:

    ii. Condition 4.: Delete the words "$355.00/frontage foot" and replace it with the words "$290.48/frontage foot".

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

COMMUNITY COMMITTEE RECOMMENDATION:

On April 16, 2013, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- Recommendation 1. A., add the following after "April 9, 2013":

    ", with the following amendments:

    C. Agreement Conditions:

        i. 6. b.: add the words "or resurface" after the word "replace"."

- Recommendation 2., add the following after "('Schedule R')":

    ", with the following amendments:

Report – Standing Policy Committee on Property and Development – May 7, 2013

DECISION MAKING HISTORY: (continued)

COMMUNITY COMMITTEE RECOMMENDATION: (continued)

Taylor Redevelopment Area Planned Development Overlay 2

A. Sections 5, 15, 16, 17, and 18, delete the references to the Director of Planning, Property and Development and replace with the words "City Centre Community Committee and the Director of Planning, Property and Development".

B. Section 6. (3), be deleted, and the remaining Sections be renumbered accordingly.

C. Add the following new Section, and renumber the remaining Sections accordingly:

Notwithstanding other provisions of this By-law, in the PDO-2 Taylor Redevelopment Area, the following principal uses shall be conditional in addition to the permitted and conditional uses of the underlying C3 zoning district.

(1) Hospital
(2) Sports or entertainment arena/stadium, indoor
(3) Amusement enterprise, outdoor
(4) Hostel
(5) Hotel
(6) Kennel

D. Delete Section 12. a. 2.

E. Section 15, delete the words "a property owner may", and replace them with the words "a property owner shall".

F. Section 16, delete the word "may" and replace it with the word "shall".

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

RE: **Subdivision and Rezoning – Land located South Side of Taylor Avenue between Wilton Street and 1260 Taylor Avenue**
File DASZ 4/2013

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

Prepared by: **Andrew Poitras, Senior Committee Clerk**
City Centre Community Committee

Report date: **April 17, 2013**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 16, 2013, 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 plan of subdivision under File DASZ 4/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 4/2013 dated April 9, 2013, 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 servicing agreement with the City containing all the conditions outlined in Schedule B, the report of the Administrative Coordinating Group dated April 9, 2013***, with the following amendments:***

        C. Agreement Conditions:

            i. 6. b., add the words "or resurface" after the word "replace".

2. That Winnipeg Zoning By-law No. 200/2006 be amended by adding the Taylor Redevelopment Area Planned Development Overlay 2 (PDO-2 Taylor Redevelopment Area), attached as Appendix "B" ('Schedule R')***, with the following amendments:***

    Taylor Redevelopment Area Planned Development Overlay 2

    A. Sections 5, 15, 16, 17, and 18, delete the references to the Director of Planning, Property and Development and replace them with the words "City Centre Community Committee and the Director of Planning, Property and Development".

    B. Section 6. (3), be deleted, and the remaining Sections be renumbered accordingly.

C. Add the following new Section, and renumber the remaining Sections accordingly:

7. Notwithstanding other provisions of this By-law, in the PDO-2 Taylor Redevelopment Area, the following principal uses shall be conditional in addition to the permitted and conditional uses of the underlying C3 zoning district.

(1) ***Hospital***
(2) ***Sports or entertainment arena/stadium, indoor***
(3) ***Amusement enterprise, outdoor***
(4) ***Hostel***
(5) ***Hotel***
(6) ***Kennel***

D. Delete Section 12. a. 2.

E. Section 15, delete the words "a property owner may", and replace them with the words "a property owner shall".

F. ***Section 16, delete the word "may" and replace it with the word "shall".***

3. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 4/2013 dated April 9, 2013 to a "C3" Commercial Corridor District, subject to the following conditions:

A. That each building permit application be accompanied by a transportation engineer's report confirming that trip generation rates for the proposed building, in combination with any buildings already approved or built on the subject lands, are within the assumed ranges (with a 20% tolerance) of the original Traffic Impact Assessment for DASZ 4/2013, to the satisfaction of the Director of Public Works. If the trip generation rates will exceed the assumed ranges of the original Traffic Impact Assessment, a new Traffic Impact Assessment and Recommendations shall be prepared to the satisfaction of the Director of Public Works to address trip generation rates and impacts beyond the assumptions of the original Traffic Impact Assessment for DASZ 4/2013.

B. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, landscaping, and lighting to the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

C. 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;

D. 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;

E. 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;

F. 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;

G. 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;

H. 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;

I. 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;

J. 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;

K. 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;

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

5. That the City shall apply the City Centre Community Committee share of the cash-in-lieu of dedication, for under-dedication, to facilities and/or other park sites in the River Heights – Fort Garry Ward.

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

7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

8. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

9. That the zoning section of the by-law comes into force when 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 by-law is passed.

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) 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 an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

12. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

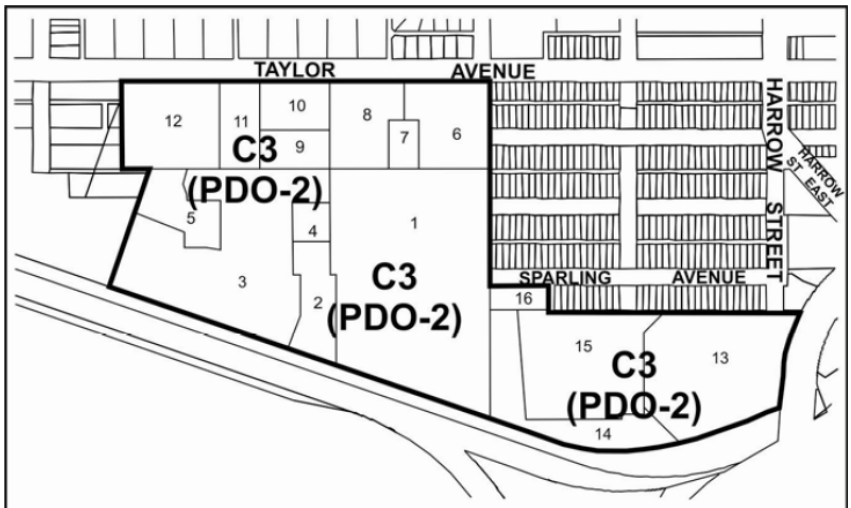
13. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

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

The City Centre Community Committee provided the following supporting reasons for its recommendation:

1. There has been quite a bit of effort from all parties.
2. Transit and active transportation paths have been incorporated.
3. There is a park and a fair bit of other green space on the site.
4. The mid-block entrance/exit point was very resident aware.
5. There is a 14 foot landscaped buffer between Taylor Avenue and the development that will look quite attractive.

PUBLIC HEARING SUMMARY

File:	DASZ 4/2013
Before:	City Centre Community Committee Councillor Gerbasi, Chairperson Councillor Orlikow Councillor Smith
Public Hearing:	April 16, 2013 Council Building, 510 Main Street
Applicant:	3346234 Manitoba Ltd. (John Pearson)
Subject:	 **APPLICANT :** 3346234 MANITOBA LTD. **FILE :** DASZ 4/13 **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 "C3" COMMERCIAL CORRIDOR PDO AIRPORT VICINITY DISTRICT, "M1" MANUFACTURING LIGHT PDO AIRPORT VICINITY DISTRICT and "M2" MANUFACTURING GENERAL PDO AIRPORT VICINITY DISTRICT to a "C3" COMMERCIAL CORRIDOR PDO AIRPORT VICINITY PDO-2 TAYLOR REVELOPMENT DISTRICT for the establishment of sixteen (16) lots for future development. **For information, phone Mr. K. Kowalke, Planner, at 204-986-5917.**
Premises Affected:	Land located South Side of Taylor Avenue between Wilton Street and 1260 Taylor Avenue

Exhibits Filed:

1. Application dated February 7, 2013
2. Notification of Public Hearing dated March 4, 2013
3. Manitoba Status of Titles 1606395/1, 1606391/1, 1900506/1, 1900514/1, 1793430/1, 1851495/1, 1900456/1, 1900675/1, 1900684/1, 2350159/1, 2464941/1, 2480856/1, 2481536/1, 2484150/1, 2484223/1, 2508538/1, 2515438/1, 2516157/1
4. Certificate of Titles 503969, 509815, 516016
5. Letter of authorization dated November 15, 2012 from the City of Winnipeg to 3346234 Manitoba Limited
6. Letter of authorization dated October 4, 2012 from Glenn W. Gray, Manitoba Hydro Electric Board to Shindico Realty Inc. and Pre Con Builders
7. Letter of authorization dated October 18, 2012 from Robert W. Shindleman, 3177786 Manitoba Ltd. to Shindico Realty Inc.
8. Letter of authorization dated October 23, 2012 from Justin G. Zarnowski, Shindico Realty Inc. to 3346234 Manitoba Limited or Pre Con Builders
9. Copy of Caveats 2770877, 2324925, 2324926, 2324927, 81-20431, 166850, 1809957
10. Copy of Miscellaneous plan no. 10090/31
11. Plans (5 pages)
12. Report from the Urban Planning Division dated April 12, 2013
13. Inspection Report
14. Communication dated February 28, 2013, from Allan Smakula in opposition to the application
15. Communication dated April 13, 2013, from Erik Thomson in opposition to the application
16. Communication dated April 12, 2013, from Arch Honigman, Winpark Dorchester Properties, in support of the application
17. Communication dated April 12, 2013, from Jeff Rabb, Winpark Dorchester Properties, in support of the application
18. Communication dated April 15, 2013, from Paul Panchyshyn, in opposition to the application
19. Communication dated April 16, 2013, from Bob Peters, 3177786 Manitoba Ltd., in support of the application
20. Communication dated April 13, 2013, from Tanja Nonkovic, Tutti Fruitti Frozen Yogurt, in support of the applications
21. Presentation in support with caveats of the application submitted by Judy Plotkin, River Heights Residents Association, at the public hearing
22. Audio Recording of representations

REPRESENTATIONS:

In Support:

Kaleigh Baimgart
S. Brad Cook
Ron O. Donovan
Robert Downs
Barbara Findlay
Adriana Fritsch
Arch Honigman, Winpark Dorchester Properties
Ruth Laveman, River Heights Residents Association
Rob Ludlow
Tanja Nonkovic-Toljusic, Tutti Frutti Frozen Yogurt
Brennan Pearson
Bob Peters, 3177786 Manitoba Ltd.
Judy Plotkin, River Heights Residents Association
Jeff Rabb, Winpark Dorchester Properties
Robert Scaletta
Mike Scatliff
Michael Stronger
Justin Zarnowski

In Opposition:

Cheryl Hobbs
Ron Morrison
Paul Panchyshyn
Allan Smakula
Erik Thomson

For Information:

Edmund Bacon
Shirley Forsyth
Rhonda Hjorleifson
Ed Seidel
Paul Zaidman

For the City:

Mr. J. Veitch, Senior Planner, Planning, Property and Development Department
Mr. K. Raban, Land Development Administrator, Planning, Property and Development Department
Mr. L. Escobar, Manager of Transportation, Public Works Department

Exhibit "12" referred to in File DASZ 4/2013

ADMINISTRATIVE REPORT

Title: DASZ 4/2013 – Taylor Avenue

Issue: An application for consideration at the Public Hearing for subdivision and rezoning.

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
B. Smith	n/a	n/a	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 4/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 4/2013 dated April 9, 2013 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 servicing agreement with the City containing all the conditions outlined in Schedule B, the report of the Administrative Coordinating Group dated April 9, 2013

2. That Winnipeg Zoning By-law No. 200/2006 be amended by adding the Taylor Redevelopment Area Planned Development Overlay 2 (PDO-2 Taylor Redevelopment Area), attached as Appendix "B" ('Schedule R'),

3. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 4/2013 dated April 9, 2013 to a "C3" Commercial Corridor District, subject to the following conditions:

    A. That each building permit application be accompanied by a transportation engineer's report confirming that trip generation rates for the proposed building, in combination with any buildings already approved or built on the subject lands, are within the assumed ranges (with a 20% tolerance) of the original Traffic Impact Assessment for DASZ 4/2013, to the satisfaction of the Director of Public Works. If the trip generation rates will exceed the assumed ranges of the original Traffic Impact Assessment, a new Traffic Impact Assessment and Recommendations shall be prepared to the satisfaction of the Director of Public Works to address trip generation rates and impacts beyond the assumptions of the original Traffic Impact Assessment for DASZ 4/2013.

B. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, landscaping, and lighting to the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

C. 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;

D. 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;

E. 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;

F. 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;

G. 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;

H. 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;

I. 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;

J. 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;

K. 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;

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

5. That the City shall apply the City Centre Community Committee share of the cash-in-lieu of dedication, for under-dedication, to facilities and/or other park sites in the River Heights – Fort Garry Ward.

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

7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

8. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

9. That the zoning section of the by-law comes into force when 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 by-law is passed.

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) 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 an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

12. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

13. 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.

REASON FOR THE REPORT

The applicant seeks approval to rezone and subdivide the subject lands in accordance with the Taylor Redevelopment Master Plan. The Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the property will be rezoned and subdivided and permits may be issued.

CONSULTATION

In preparing this Report there was consultation with:
Public Works Department
Transit Department
Water and Waste Department

SUBMITTED BY

Department	*Planning, Property and Development*
Division	*Urban Planning*
Date:	**April 12, 2013**
File No.	DASZ 4/2013

List of Schedules and Attachments

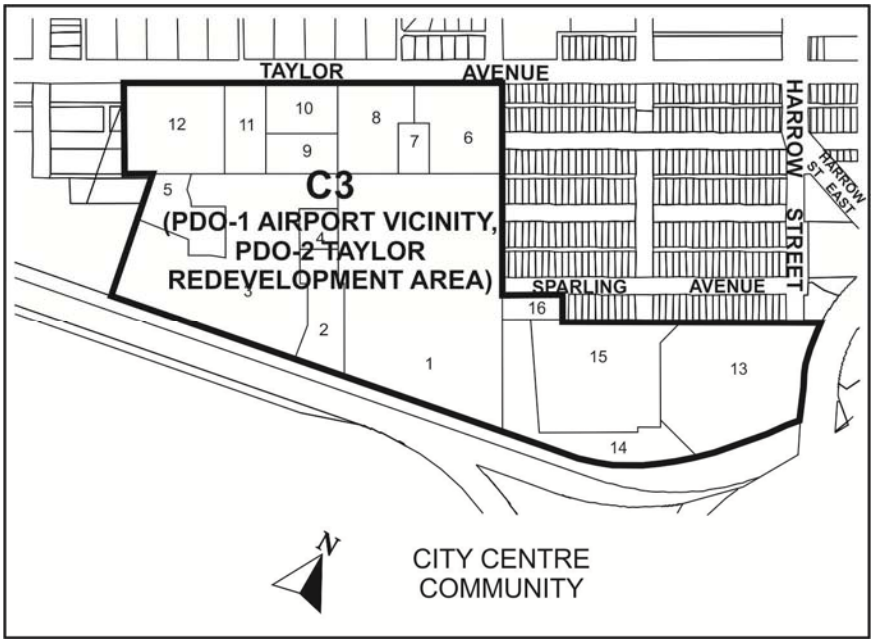
Appendix A – Administrative Report
Schedule "A" – DASZ 4/2013 City Centre Community Committee
Figure 1: Aerial Photo
Schedule "B" - Report of The Administrative Co-ordinating Group – April 9, 2013
Schedule "C" - Street Widening map
Appendix B - Taylor Redevelopment Area Planned Development Overlay 2
Appendix C - Design Guidelines for Plan Approval

APPENDIX 'A'

DATE: **April 12, 2013**
FILE: DASZ 4/2013
RELATED FILES: DAV 13-107004/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.604

SUBJECT: To rezone the subject land from an "A" Agricultural District to a "C3" Commercial Regional District

LOCATION: Taylor Avenue between Wilton Street and 1130 Taylor Avenue
LEGAL DESCRIPTION:



APPLICANT: 3346234 Manitoba Ltd.

OWNER: 3346234 Manitoba Ltd, 3177786 Manitoba Ltd, City of Winnipeg, Manitoba Hydro

RECOMMENDATION: Approval, with conditions, and changes to the PDO-2

SITE DESCRIPTION

The subject property is located on the south side of Taylor Avenue and Sparling Avenue, north of the rail line and immediately east of 1130 Taylor Avenue, in the Grant Park Neighbourhood of the River Heights – Fort Garry ward. See Figure 1 attached.

North: Residences zoned "R1-M" Residential Single-Family District and "RMF-M" Residential Multi-Family District
South: Rail line
East: Parking and office use zoned "M1" Manufacturing Light District and "M2" Manufacturing General District
West: Commercial uses zoned "C3" Commercial Corridor District

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to rezone and subdivide the subject lands to "C3" Commercial Corridor District. The applicant is also seeks approval for a Planned Development Overlay (PDO-2), which modifies the underlying zoning district.

The subject parcel is approximately 46 acres in size and will be subdivided into 16 lots.

The rezoning and subdivision is intended to accommodate a mixed use development, which may include large and small format retail, restaurants, hotel, entertainment, office, flex space, and multiple-family residential uses.

ANALYSIS AND ISSUES
A. Policies
OurWinnipeg/Complete Communities
The subject property is identified as a Major Redevelopment Site in *Complete Communities*, the City's blueprint for development. *Complete Communities* describes the characteristics of Major Redevelopment Sites as follows:

- Large, functionally obsolete or under-utilized lands, such as former industrial areas.
- Located within the existing urban framework, often along rail lines, major corridors or rapid transit.
- Often serviced by some level of existing infrastructure
- Present opportunities for transformative and strategic mixed use infill and intensification
- May present challenges to redevelopment, such as inadequate infrastructure capacity and contamination
- Site area typically 15 acres or more

It provides direction that Major Redevelopment Sites should: *Provide for Complete Communities with significant levels of mixed use, high density development, with strong urban design and attractive parks, places, and open spaces.*

It also states that Major Redevelopment Sites may be hampered to various extents by a number of impediments that reduce or preclude economic viability and that given its interest in the redevelopment of these sites, the City will work to reduce these barriers.

Complete Communities requires that landowners and other stakeholders establish local goals and objectives for a Major Redevelopment Site while taking into account its relationship to OurWinnipeg, Sustainable Transportation Direction Strategy, Downtown, Redevelopment Areas, Corridors and other Centres. This could include minimum and maximum density and employment targets.

Design guidelines are being included as Appendix 'C' to help guide the plan approval process to ensure that the design principles spoken of in *Complete Communities* are considered in the final design for the site.

B. Zoning
The subject application includes a PDO-2 Planned Development Overlay District, which permits the underlying zoning to be modified, to allow for flexibility in the build out of the site. The PDO-2 takes into account the size and the distinctive mix of uses that may occur here, because it is a Major Redevelopment Site.

Some of the key modifications to the underlying "C3" Commercial District are:

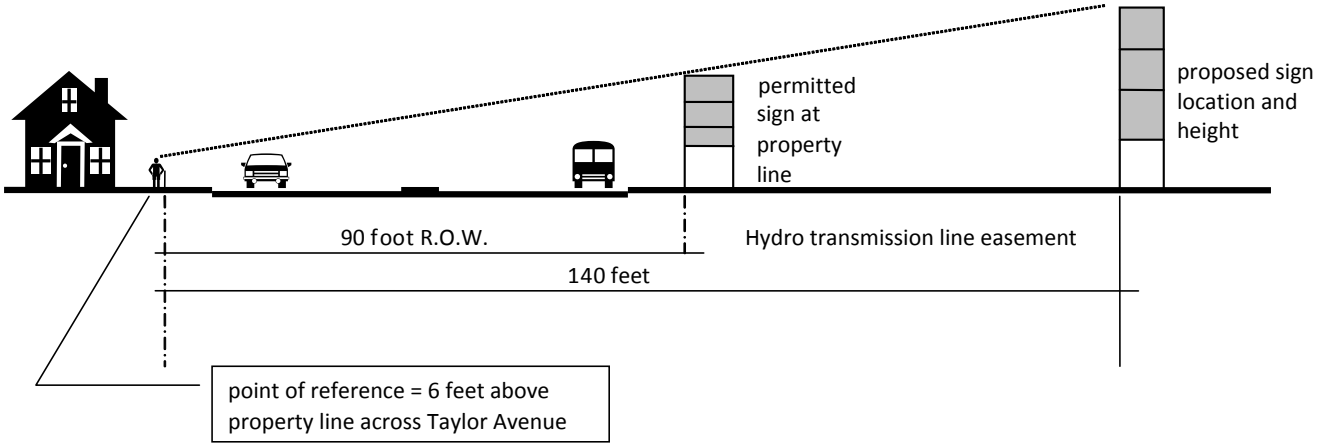
- The principal and accessory use tables are modified to allow for a broader range of uses, including some employment and residential uses.

- Flexibility in setback requirements is permitted.

- A Parking, Bicycle Parking, and Loading Management Plan, which must be approved by the Director of Planning, Property, and Development, will replace the parking, bicycle parking, and loading requirements in the Winnipeg Zoning By-law.

- Flexibility in sign placement, content, and dimensional standards is permitted with submission and approval of a Signage Master Plan, which is approved by the City Centre Community Committee and the Director of Planning, Property and Development.

  The Public Service acknowledges that a Hydro easement with overhead transmission lines impose a unique constraint on the site and the applicant's ability to locate signage. Should these circumstances require signage to be setback a significant distance from the right-of-way, an increase in size may be warranted where the visual impact is equal to or less than a standard sized sign built at the right-of-way's edge. See illustration below.



C. Infrastructure

Underground services

The subject development, based on City of Winnipeg servicing policies, is required to be serviced to an urban standard with land drainage, water, and wastewater sewer. More detail about underground servicing is provided in Section E of the associated Area Master Plan.

Streets

- Planned site access is provided by two (2) driveways from Taylor Avenue, one (1) located across from Wilton Street and the primary access located mid-block to the west of Wilton Street. Access to the rear of the site is also provided from Sparling Avenue behind the existing Manitoba Hydro office building and through cross-access agreements that allow a direct connection between the Grant Park Pavilions development and the existing Grant Park Festival site to the west.

- Taylor Avenue at New Signalized Intersection – This intersection is proposed to provide primary access to Grant Park Pavilions. Anticipated intersection geometry includes two (2) through lanes each for eastbound and westbound Taylor Avenue, a northbound left-turn and northbound right-turn lane, right-turn cut-offs for eastbound and northbound right-turns, and a westbound left-turn storage lane.
- Taylor Avenue at Wilton Street – The existing T-intersection operates with stop-control on Wilton Street with two (2) through lanes each for eastbound and westbound Taylor Avenue, and single northbound and southbound lanes on Wilton Street. In addition, turning restrictions are in effect during peak periods for the eastbound left-turn movement, and at all times the southbound left-turn movement is prohibited. As part of the Grant Park Pavilions development it is anticipated a fourth leg will be added at this location, however, it is assumed the existing turning restrictions will remain in place. The southern leg will likely contain northbound left-turn and right-turn lanes. The accommodation of a northbound right-turn cut-off may be difficult due to the existing bus loop on the southeast corner of the intersection. Further, this bus loop likely prohibits inclusion of a westbound left-turn storage lane. Westbound left turns will not be permitted until the existing bus loop is removed or relocated in order to permit the Developer to construct a left-turn storage lane.
- The westernmost access on the Grant Park Festival site is immediately adjacent to the Grant Park Pavilions site and will be used as an access by both developments.
- A right-in/out is proposed on Taylor Avenue between the west access and the proposed new signalized access.
- The following intersection improvements are required under 2020 Pre-Development operating conditions to maintain operational satisfaction:
    - Taylor Avenue at Waverley Street: addition of a second westbound left-turn storage lane, with protected phasing and addition of a northbound right-turn storage lane
    - Taylor Avenue at Stafford Street: addition of an eastbound right-turn storage lane
    - Taylor Avenue at Pembina Highway: addition of a northbound left-turn storage lane with protected / permitted phasing

The improvements listed above are considered a pre-development condition and are not related to any proposed commercial development.

Generated trips from the development represents 25% of total traffic (post development) utilizing the intersection improvements at the Taylor Avenue/Stafford Street and Taylor Avenue/Pembina Highway intersections.

PM peak hour and Saturday PM peak hour traffic operations at the remaining intersections (Taylor/Nathaniel, Taylor/Wilton, Taylor/Harrow, Harrow/Harrow St East, Grant/Nathaniel) will continue to operate within acceptable limits for both background and anticipated traffic volumes.

Active Transportation

The Master Plan spells out a vision of connections and specifically calls out active transportation as a vital component of the Taylor Redevelopment. The Master Plan also speaks to the investing in sustainability by encouraging multi-modal opportunities. The number one goal laid out in the Master Plan is *Balanced Transportation:* “Ensure that the pedestrian and cycling environment is safe, accessible, comfortable, convenient and attractive;”

Currently, there is a multi-use path on the south side of Taylor Avenue along the entire frontage of the subject property. Whenever possible, it is preferable to separate the pedestrian and bicycle facilities, so that each mode of transportation has a separate path. The existing facility is already quite wide and therefore the Public Service is recommending improvements to the existing path, rather than creation of a new separated path.

Active Transportation improvements are also contemplated for Pembina Highway. There is a desired connection between Pembina Highway and Taylor Avenue via Harrow Street West. A right-of-way widening is recommended in order to facilitate this link.

Easement
While there are not currently plans to connect this development with the future Parker Lands development and southwest rapid transit corridor across the railroad tracks to the south, a time may come in the future when making this connection is possible. OurWinnipeg encourages connectivity throughout the city and the possibility of connecting south River Heights to the rapid transit line and connecting Parker Lands (and points south) residents with the amenities available to the north (Grant Park Festival, Grant Park, Taylor Redevelopment Area, etc) would be consistent with the plan.

For that reason, the Public Service is recommending that the developer provide an easement at the east edge of the development to accommodate a possible future pedestrian and cycling overpass across the CNR main lines. This does not commit the City to building the overpass but ensures that a corridor is available if the opportunity presents itself in the future.

D. Transit
Transit is requesting that the internal roadway be designed to accommodate transit service. These details will be addressed at final plan approval. The general path of transit through the site is shown in Transit and Active Transportation Map in the Area Master Plan.

E. Parks
Given the parks and open spaces already in the neighbourhood, no additional public reserve dedication has been requested. Instead it is recommended that cash in-lieu of land shall be collected, which may be reinvested into existing amenities. It is expected that the developer shall provide private green space within the residential areas in accordance with Plan Approval requirement (see Appendix 'C'), to accommodate the needs of future residents. Depending upon the amount of residential development on the site, the provision of landscaping and open space may need to be increased accordingly and figure more prominently in the Plan Approval process.

F. Summary
Complete Communities has designated the subject site as a Major Redevelopment Site. Consequently, this subdivision and rezoning is consistent with the City's plans for this area.

At this time, the detailed design of the site has not been completed. Consequently, the Winnipeg Public Service is recommending final plan approval to the City Centre Community Committee and the Director of Planning, Property, and Development, prior to the issuance of any development permits. Appendix 'D' includes design guidelines, which, along with the Area Master Plan, will guide the final plan approval process.

RECOMMENDATIONS
The Winnipeg Public Service recommends approval, with conditions and with changes to the PDO-2, for the following reasons:

- The subdivision and rezoning is consistent with the Taylor Area Redevelopment Master Plan and Major Redevelopment Site policies in Complete Communities and Our Winnipeg.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division
PPD File # DASZ 4/2013

Schedule “A” for File No. DASZ 4/2013, City Centre Community Committee, dated April 9, 2013

By-Law No. _____

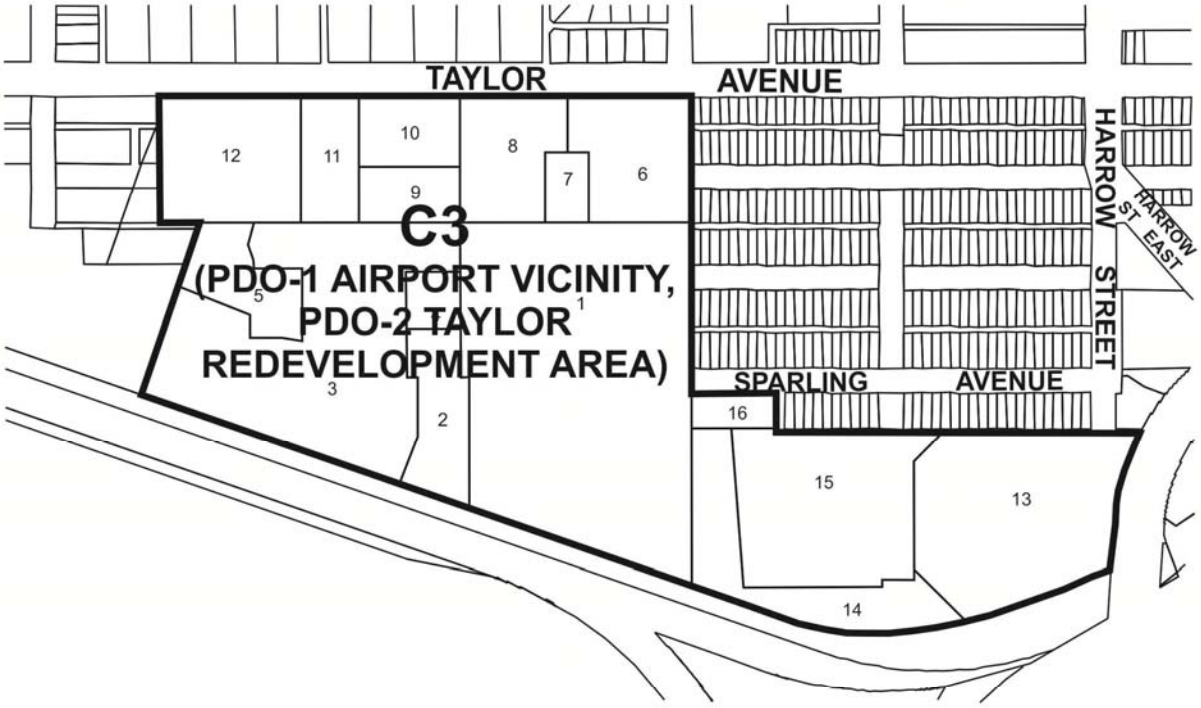
File No. **DASZ 4/13**

Atlas Sheet No.

AE23
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 south side of Taylor Avenue between Wilton Street & 1260 Taylor Avenue from "C3" COMMERCIAL CORRIDOR PDO AIRPORT VICINITY DISTRICT, "M1" MANUFACTURING LIGHT PDO AIRPORT VICINITY DISTRICT and “M2” MANUFACTURING GENERAL PDO AIRPORT VICINITY DISTRICT to a "C3" COMMERCIAL CORRIDOR PDO-1 AIRPORT VICINITY, PDO-2 TAYLOR REDEVELOPMENT AREA DISTRICT for the establishment of sixteen (16) lots for future development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____



Figure 1: Aerial Photo (Flown in 2013)

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – April 9, 2013

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED ON THE SOUTH SIDE OF TAYLOR AVENUE BETWEEN WILTON STREET AND 1260 TAYLOR AVENUE - DASZ 4/2013

It is recommended that the approval of DASZ 4/2013, if granted, be subject to the applicant entering into a Servicing Agreement addressing the following items:

A. Plan Considerations

1. The Developer shall, at no expense to the City, dedicate and open as right-of-way the land shown as "Street Widening" on Schedule "C" contained herein, all as determined by and to the satisfaction of the Director of Public Works.

B. Engineering Report and Servicing Criteria

1. The Developer shall submit a final Traffic Impact Study and shall construct any upgrades to the street system, at no cost to the City, as recommended by the approved Traffic Impact Study and all to the satisfaction of the Director of Public Works.

2. The Developer shall provide, a comprehensive servicing report for the planned area prepared by a qualified municipal engineer which will include fire flow analysis, land drainage storage requirements, and expected wastewater flows, all to the satisfaction of the Director of Water and Waste,

C. Agreement Conditions

1. The Developer shall, at no expense to the City, grant an easement for the future land drainage trunk sewer that will cross the Planned Area as determined by and to the satisfaction of the Director of Water and Waste.

2. The Developer shall pay for their share of the future land drainage system as determined by and to the satisfaction of the Director of Water and Waste.

3. The Developer shall restrict land drainage runoff from the planned area and construct temporary land drainage storage facilities as determined by and to the satisfaction of the Director of Water and Waste.

4. The Developer shall prior to the release of subdivision mylars pay to the City the following Regional Street charges along the full length of the subject property abutting Taylor Avenue, all as determined by the Director of Public Works:

   a) a 4.0m in width by 200mm in thickness portland cement concrete lane of pavement and related works and;
   b) landscaping in the south boulevard.

   (2012 Rate = $355.00/frontage foot).

5. The Developer shall, at no expense to the City, construct and/or pay to the City, in cash, on demand the full cost of the following permanent works on Taylor Avenue where it intersects with the new north-south access as well as any additional locations along the full length of the subject property as determined by the Traffic Impact Study and to the satisfaction of the Director of Public Works:

   a) auxiliary lanes, transitions, median opening, channelization and all related works;
   b) traffic control signal and all related works including, but not necessarily limited to pedestrian and vehicle actuation and interconnection with the adjacent traffic control signals and audible pedestrian signals;

   all as determined by and to the satisfaction of the Director of Public Works.

6. The Developer shall, at no expense to the City,

   a) relocate the existing street lighting to the south side of the existing pathway and
   b) replace the asphalt surfacing on the existing pathway along the full length of the subject property fronting Taylor Avenue, all as determined by and to the satisfaction of the Director of Public Works.

7. The Developer shall pay to the City, in cash, 25% of the costs associated with the construction of an eastbound right turn storage lane at the intersection of Taylor Avenue and Stafford Street.

8. The Developer shall pay to the City, in cash, 25% of the costs associated with the construction of a northbound left turn storage lane at the intersection of Taylor Avenue and Pembina Highway.

9. The Developer shall, at no expense to the City, provide underground electrical and telephone services to serve the proposed subdivision and will pay the full cost to convert any existing overhead services within the proposed subdivision to underground.

10. The Developer shall pay all costs associated with the installation and/or relocation of street lights and other utilities made necessary as a result of or required to accommodate works, which are required by the Developer to serve the proposed subdivision, as determined by and to the satisfaction of the Director of Public Works.

11. The Developer shall be responsible to control and to initiate the clean up of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction. The clean up of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating

action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

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

13. The Developer shall enter into a cross-access agreement with the Developer of 1150 Taylor Avenue (Grant Park Festival).

14. The Developer shall pay to the City, in cash, all costs associated with supplying and installing signage to prohibit northbound and southbound through traffic movements at the intersection of Taylor Avenue and Wilton Street.

15. No direct vehicular access will be permitted from the site to Pembina Highway.

16. The Developer shall pay to the City, in cash;

    a) on demand, all costs associated with construction of a westbound left turn storage lane at the intersection of Taylor Avenue and Wilton Street as determined by and to the satisfaction of the Director of Public Works.
    b) all costs associated with supplying and installing interim signage to prohibit westbound left turn traffic movements on Taylor Avenue and Wilton Street until such time that the westbound left turn storage lane is constructed.

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

18. The Developer shall pay the full cost of construction and landscaping supervision services provided by or on behalf of the City for field inspection, preparation of progress estimates, provision of as-built drawings by March 31 of the year following substantial performance of the work, and all other consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

19. 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:

Administrative Co-ordinating Group
File No. DASZ 4/2013
April 9, 2013

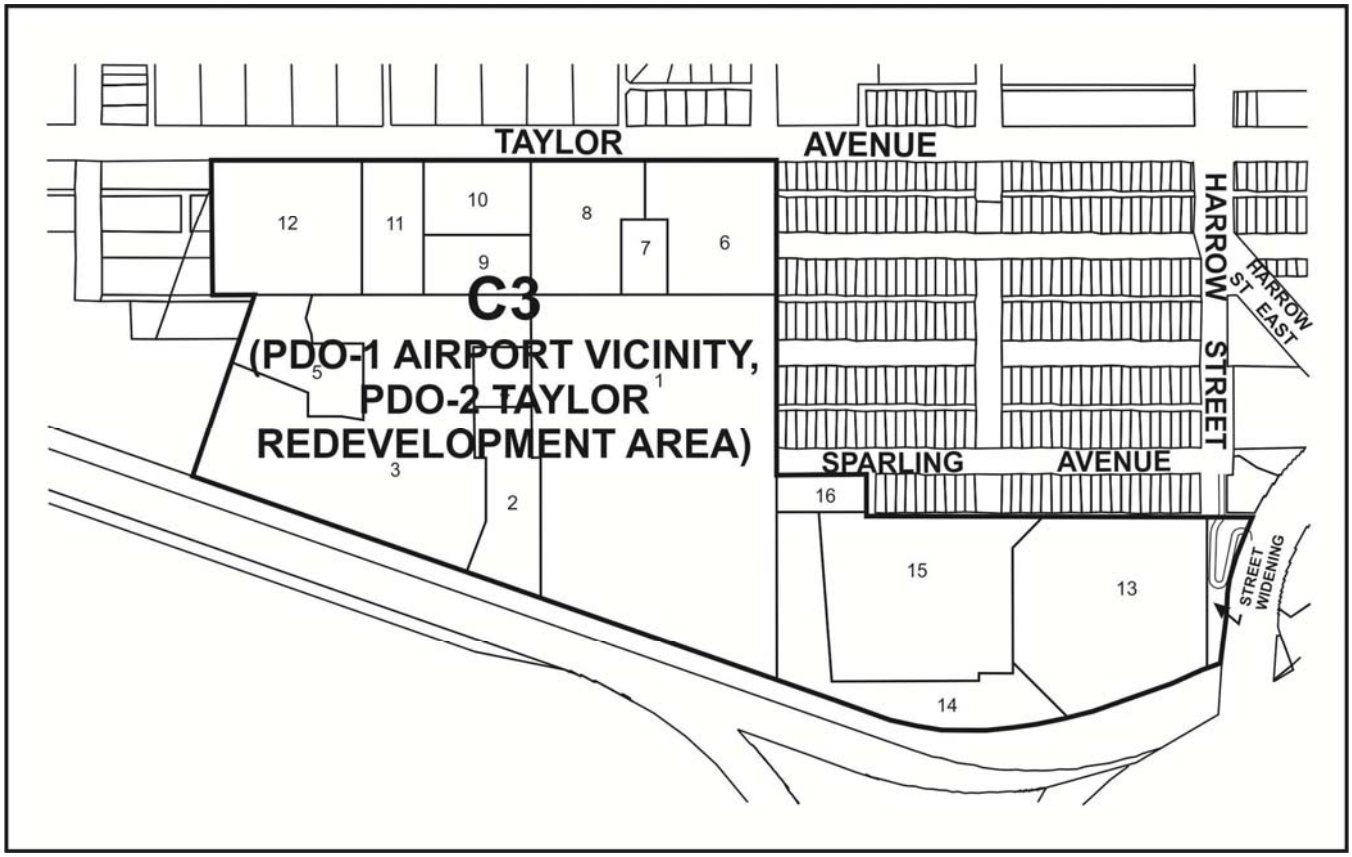
Original Signed by K.T. Raban, P.Eng.
K.T. Raban, P. Eng.,
Land Development Branch

Original Signed by C. Desjardine, P.Eng
Luis Escobar, P.Eng.
Public Works Department, Transportation Division

Original Signed by F.C. Mazur, P.Eng
F. C. Mazur, P. Eng.
Water & Waste Department

SCHEDULE C

Street Widening Map



APPENDIX 'B'

SCHEDULE R

added TBD

TAYLOR REDEVELOPMENT AREA PLANNED DEVELOPMENT OVERLAY 2 (PDO-2 Taylor Redevelopment Area)

Purpose

1. The purpose of this overlay is to support the implementation of the Taylor Redevelopment Master Plan.

Applicability

2. The PDO-2 Taylor Redevelopment Area overlay district is located as shown on the attached Map 1.

Development Standards

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

Definitions

4. "**Parking, Bicycle Parking and Loading Management Plan**" means a plan prepared by a professional traffic engineer or parking consultant that may be approved by the Director of Planning, Property and Development as an alternative to the requirements for off-street parking, bicycle parking, and loading of the Winnipeg Zoning By-law 200/2006.

   A Parking, Bicycle Parking and Loading Management Plan will be required if a proposed development will not meet one or more of the requirements in By-law 200/2006 for off-street parking, bicycle parking, or loading.

   Each Parking, Bicycle Parking and Loading Management Plan must be structured as follows, with appropriate provisions in each of the following:

   1 **Part 1**: Off-Street Parking
   2 **Part 2**: Bicycle Parking
   3 **Part 3**: Loading

5. "**Master Signage Plan**" means a plan with drawings, text, and specifications setting out the specifics of the location, arrangement, type and design of signs to be erected on premises within a defined area, that shall be approved by the Director of Planning, Property and Development. The intent of the Master Signage Plan is to ensure coordinated signage within the defined area.

Permitted Use Regulations

6. Notwithstanding other provisions of this By-law, in the PDO-2 Taylor Redevelopment Area, the following principal uses shall be permitted in addition to the permitted and conditional uses of the underlying C3 zoning district.

    (1) Dwelling, multi-family
    (2) Private Club, non licensed
    (3) Cheque-Cashing Facility
    (4) Funeral Chapel or Mortuary (see section 9 for applicable use-specific standards)
    (5) Wholesaling (see section 10 for applicable use-specific standards)
    (6) Warehouse (see section 10 for applicable use-specific standards)

7. Notwithstanding other provisions of this By-law, in the PDO-2 Taylor Redevelopment Area, the following accessory uses shall be permitted in addition to the permitted and conditional uses of the underlying C3 zoning district.

    (1) Home Based Business, minor

Use Specific Standards

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

Funeral Chapel or Mortuary

9. (1) Limited to a maximum of 15,000 square feet of gross floor area.
    (2) Cremation is not permitted.

Wholesaling, Mini-Warehouse, Self-Storage, Warehouse

10. (1) Outdoor storage must be screened in accordance with Part 5: Section 197.
    (2) Must be at least 30 feet from any structure containing one or more dwelling units or assisted living facility.
    (3) No loading door may face any structure within 100 feet containing one or more dwelling units or an assisted living facility unless screening is provided in accordance with Part 5: Section 190 (7)(a).
    (4) Only permitted within Zone 2 and Zone 3 on Map 1.

Retail Sales

11. (1) In Zone 2 on Map 1, a building's retail sales use is limited to a maximum of 200,000 square feet of gross floor area.

Dimensional Standards

12. Notwithstanding Table 5-5 of this By-law, in the PDO-2 Taylor Redevelopment Area, development must comply with the dimensional standards listed in this subsection.

Zoning District	Minimum / Maximum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Interior Side Yard (Ft.) [note a]	Minimum Corner Side Yard (Ft.)	Maximum Height of Building (Ft.)	
Non Residential Structures						
PDO-2 Taylor Redevelopment Area	0 [note a]	0 [note a]	0 [note a]	0 [note a]	90	

Zoning District and Designation	Minimum Lot Area (Sq. Ft.)	Minimum Lot Area Per Dwelling Unit (Sq. Ft.)	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Interior Side Yard (Ft.)	Minimum Corner Side Yard (Ft.)	Maximum Building Height (Ft.)	
Residential Structures								
PDO-2 Taylor Redevelopment Area	9,000	400	0 [note a & b]	0 [note a & b]	0 [note a & b]	0 [note a & b]	90	

NOTES:

a. A 15 foot setback shall be required, free from all improvements other than fences and landscaping abutting the following roadways:
   1) Taylor Avenue
   2) Pembina Highway

b. For any structure containing one or more dwelling units or an assisted living facility within Zone 3, there must be a 65 foot setback from the railway tracks and a 10 foot setback from the property line – with a 10 feet high fence on top of a 3 foot berm or such engineering design determined to be at a minimum TL (transmission loss) of 25 for noise and vibration attenuation approved by the Director of Planning Property and Development.

Parking, Bicycle Parking and Loading

13. Parking, Bicycle Parking and Loading Management Plan

(1) If a property does not comply with the required amount of parking, bicycle parking, or loading spaces, the property owner may propose to the Director a Parking, Bicycle Parking and Loading Management Plan prepared by a professional traffic engineer or parking consultant documenting that a lower amount of off-street parking, and/or bicycle parking, and/or loading is adequate to meet the needs of the proposed use or combination of uses and to prevent traffic and parking congestion on surrounding streets or public lanes: because of the unique patterns of peak hour use, the proximity of other public parking areas, proximity to major transportation routes, or other factors, without the imposition of additional parking management tools.

(2) If the Director concludes that the proposed Parking, Bicycle Parking and Loading Management Plan will provide off-street parking, bicycle parking, and/or loading adequate to meet the needs of the proposed use or combination of uses and to prevent traffic or parking congestion on surrounding streets and public lanes, the Director may approve the Parking, Bicycle Parking and Loading Management Plan and may reduce the amount of required off-street parking, bicycle parking, and/or loading required to conform with the approved plan.

(3) Once a Parking, Bicycle Parking and Loading Management Plan is approved, that owner shall provide parking spaces, bicycle parking spaces, and loading spaces in accordance with the Parking, Bicycle Parking, and Loading Management Plan which has been approved by the Director.

(4) 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, Bicycle Parking and Loading Management Plan for the overlay district; or

(b) An amended Parking, Bicycle Parking and Loading Management Plan for the overlay district.

14. All bicycle parking spaces in the PDO-2 Taylor Redevelopment Area must comply with the following design standards:

(1) The bicycle parking spaces must be located with convenient access to major building entrances.
(2) A portion of the bicycle parking spaces must be suitable for short-term bicycle parking, and a portion must be suitable for long-term bicycle parking.
(3) There must be suitable bicycle racks or lockers made from high quality materials and anchored with bolts to concrete or asphalt surfaces of the ground, floor, or nearby building wall.
(4) The bicycle parking spaces must be located in well-lit areas.
(5) If reasonably possible, the bicycle parking spaces must be, situated close to bicycle friendly routes.
(6) The bicycle parking spaces must be located at ground level or easily accessible from ground level.

Signage

15. Instead of erecting signage in accordance with the dimensional standards in the By-law, a property owner may submit a Master Signage Plan to the Director. The Director may approve a Master Signage Plan for the overlay district in accordance with this overlay and this By-law.

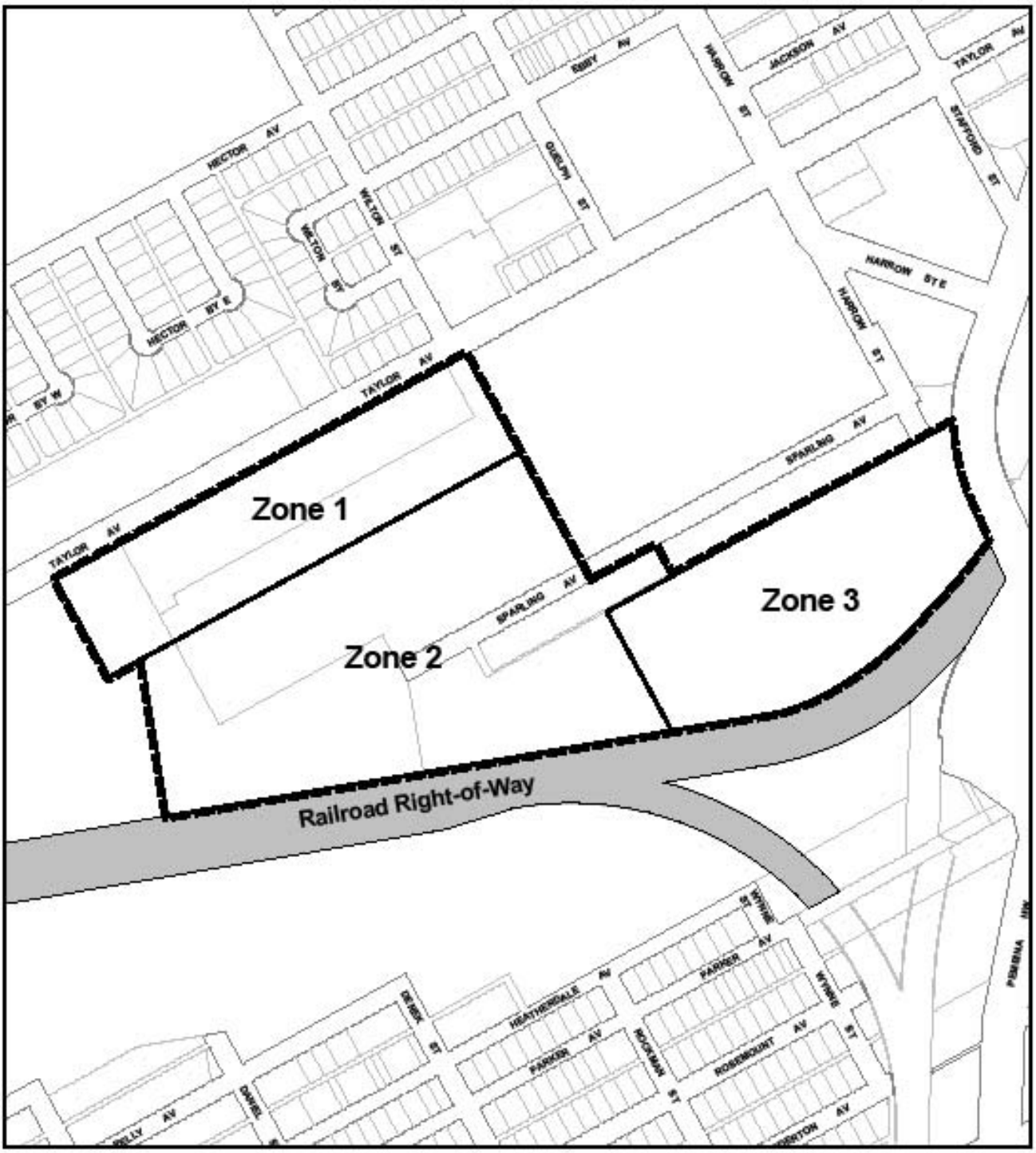
16. Any owner of land in the overlay district may, in accordance with this overlay and this By-law, submit to the Director for approval:

    (1) A Master Signage Plan for the overlay district; or
    (2) An amended Master Signage Plan for the overlay district.

17. Provided that a Master Signage Plan is submitted to and approved by the Director, the following dimensional standards shall apply:

    (1) Maximum number of freestanding signs permitted within the PDO-2 Taylor Redevelopment Area as shown on map 1: 5
    (2) Any sign that is set back at least 50 feet from Taylor Avenue may be up to 50 feet in height and have 560 square feet of sign surface area. Where the sign is set back by less than 50 feet from Taylor Avenue the sign may be up to 35 feet in height and have 500 square feet of sign surface area.

18. If a Master Signage Plan has been approved by the Director, an owner of land in the overlay district must not erect signage on his land unless the sign(s) are in accordance with the approved Master Signage Plan.



PDO-2 Taylor Avenue Redevelopment Area

Winnipeg

Map 1: Taylor Redevelopment Area
Planned Development Overlay 2
(PDO-2 Taylor Redevelopment area)

APPENDIX 'C'
Design Guidelines for Plan Approval for DASZ 4/2013

The Area Master Plan prepared by the applicant provides many design guidelines for the development of their site. These design guidelines will be used by the Director of Planning Property & Development in the plan approval process to assess the site design as required under the Zoning Agreement for the planned area.

Design guidelines provided in this Appendix are intended to augment what is already contained within the Area Master Plan.

The purpose of both is to provide design performance guidelines for the plan approval review process that are based upon sound land use planning principles and best practices, relying on the positive experience in other North American cities, to assess the site designs for new large commercial and mixed use developments.

The Design Principles and General Design Guidelines identified below and in the Area Master Plan provide guidance on achieving these goals.

In providing the principles and guidelines in advance of the Site Plan review, the Planning, Property and Development Department is committed to a collaborative and transparent process.

Principle 1: ***Respect the Tradition of Streets and Streetscapes***.

General Design Guidelines:

- Strive for quality & character in the interface between private & public space.
- Use landscaping features as design elements to create or strengthen a sense of street/connection.

Detailed Design Considerations:

- Parking lot edges along public streets should consist of continuous planting, alone or in combination with low decorative fence / wall or a landscaped berm.
    - Provide a variety of deciduous and coniferous vegetation in plantings for year-round interest, texture, shape, and screening.
- Connect the internal transportation network to external bike routes passing the site. These connections should provide a seamless interface between the internal and external road systems.

Principle 2: ***Strive for Quality & Character in the Interface Between Private and Public Space***

General Design Guidelines:

- Reinforce the notion of place, character and identity in all aspects the project.
- Celebrate Winnipeg as a winter city, and prairie city through appropriate site planning and design.
- Provide outdoor gathering space and green space to enhance the livability of proposed residential units on the site.
- Ensure detailed design supports the identity and quality of the place through good design; quality, sustainable materials; and commitment to long-term maintenance.

- Encourage variety in architectural expression to create richness and diversity and to strengthen local identity; architecture should appear rich at every scale from a range of viewing distances.
- Provide high quality design and construction attending to human scale, function and sensory experience.
- Design for refinement and integration.

Detailed Design Considerations

- Manage Massing of Buildings and Their Scale
    - Detailed design should create high quality urban space within the building line and three-dimensional mass that helps create the character of streets and squares.
    - Carefully consider the interface between the design of buildings and the public space that surrounds them: including but not limited to surface treatment and articulation of building elevations; fenestration; entrances style, scale and location and perimeter landscaping
    - Minimize blank walls – use landscaping, aesthetic characters (such as reveals, projecting ribs, offsets), change in cladding material, glass, etc. to break up tracts of continuous blank walls
    - Scale building elevations and cross sections to support and reinforce public spaces; to foster a sense of urbanism so that streets, squares and green space are defined by appropriately scaled buildings or trees fronting onto them.
    - Wrap the perimeter of big box stores with small units to establish a fine-grained setting, externalize active uses (cafes and boutiques) and increase their links to the street
    - Ensure building animation on pedestrian streets, with ground level retail activity, transparent windows, window displays and active uses
- Use building materials that promote permanence, quality and integrated design.
- Encourage measures to enhance visibility and accessibility of building entrances
    - Make frontages ‘active’ to add interest, life and vitality to the public realm by providing multiple entry points, window openings, few blank walls, narrow frontage buildings, giving vertical rhythm to the street, articulation of facades, with projections such as bays and porches and lively internal uses visible from the outside or extending onto to the street (e.g. sidewalk café, etc.)