Agenda - Executive Policy Committee – November 13, 2013

Report - Standing Policy Committee on Property and Development – November 5, 2013

Item No. 4 Zoning Agreement Amendment – 1555 Regent Avenue West (Transcona Ward)
File ZAA 7/2013

STANDING COMMITTEE RECOMMENDATION:

On November 5, 2013, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, as amended, and submitted the following to Council:

1. That Zoning Agreement Caveat No. 266490 under File DAZ 273/79 dated November 21, 1979 (By-law No. 2435/79), shall be amended as follows:

    A. That Clause 1 be deleted.

    B. That Clause 2 be deleted.

    C. That Clause 4(a) be deleted and Clause 4(b) be renumbered accordingly.

    D. That the following clauses be added as Clause 5 and Clause 6, and all subsequent clauses be renumbered accordingly:

        5. That there shall be no advertising signs, mobile signs, poster signs, and A-frame signs on the entire site, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit.

        6. That the Developer and all successors in title to the lots in the subdivision shall enter into, and register and maintain for 25 years, an easement with the City so as to ensure public access at all times to the north-south private road bisecting the subject property aligning with Rougeau Avenue. The Developer must submit the agreement to the Director of Legal Services and City Solicitor for approval prior to execution. At 25 years, the City of Winnipeg to have the options to review.

    E. That the owner be required to amend Development Agreement AG 273/79 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated September 9, 2013, as amended:

Agenda - Executive Policy Committee – November 13, 2013

Report - Standing Policy Committee on Property and Development – November 5, 2013

A. Engineering Reports and Servicing Criteria

1. The Developer shall pay, on demand, 50% of the cost to complete a Traffic Impact Study as determined by the Director of Public Works.

   In the event that a Traffic Impact Study is not submitted by others, the Developer shall submit a Traffic Impact Study, to the Public Works Department, prior to the release of documents for registration in Land Titles and shall, at no expense to the City, construct any upgrades to the street system, as recommended by the approved, by the Public Works Department, Traffic Impact Study and all as determined by and to the satisfaction of the Director of Public Works. The traffic impact study will make recommendations regarding geometric design considerations for channelization and turning lanes to address predicted local traffic movements at public street intersections and private access locations along Reenders Drive. Said Traffic Study to be completed prior to the execution of documents amending Development Agreement AG 273/79.

B. Servicing Conditions and Payments

1. Wastewater Sewers

   The developer shall pay on demand, its share of the cost of wastewater sewers to be installed by others in Reenders Drive to the east limit of the subject property, as determined by the Director of Water and Waste.

2. Watermains

   The developer shall pay on demand, its share of the cost of watermains to be installed by others in Reenders Drive to the east limit of the subject property, as determined by the Director of Water and Waste.

Report - Standing Policy Committee on Property and Development – November 5, 2013

3. Land Drainage Sewers

The developer shall pay on demand:

i. Its share of cost of land drainage sewers to be installed by others in Reenders Drive to the east limit of the subject property, as determined by the Director of Water and Waste.

ii. The cost of the regional land drainage system for the planned area as determined by the Director of Water and Waste.

In the event that the above noted land drainage sewers are not installed by others, the Developer shall install the land drainage sewers to the satisfaction of the Director of Water and Waste as may be required in conjunction with the construction of roadway Improvements described below, if required to be built by this Developer, and further, in the event that downstream land drainage facilities are not yet constructed, the Developer shall obtain permission from, and construct a stormwater retention basin and related land drainage works within the lands to the east of Reenders Drive in order to provide downstream outlet land drainage sewer capacity for the roadway improvements, the subject property, and the lands to the west.

4. Intersection Improvements

The Developer shall pay, 50% of the cost of the following permanent works to be constructed by others as determined by the Director of Public Works.

i. new auxiliary lanes, auxiliary lane extensions, transitions, transition modifications, median openings, median opening modifications, channelization, channelization modifications and all related works;

ii. signals and all related works;

at the intersection of Peguis Street and Reenders Drive, and the north/south private roadway and Reenders Derive. The 50% cost share of the above works shall be paid prior to the issuance of superstructure permits on the subject property.

In the event that the above noted Intersection Improvements are not constructed by others, the Developer shall, at no expense to the City, construct those improvements all to the satisfaction of the Director of Public Works. The traffic signals and related works shall be installed concurrently with the roadway improvements.

5. Roadway Improvements

The Developer shall pay, on demand, 50% of the cost of a four lane divided roadway in Reenders Drive from Stapon Road to the east limit of the subject property, to be constructed by others, consisting of two 8.3m in width by 200mm in thickness portland cement concrete pavements and all related works including, but not necessarily limited to right-turn cut-offs in the northwest and southwest corners of the intersection of Reenders Drive and Peguis Street, boulevard landscaping, ornamental street lighting and land drainage sewer, and 100% of realigning the existing temporary connection and the north-south private roadway to tie into Reenders Drive at a right angle,all as determined by and to the satisfaction of the Director of Public Works. The 50% cost share of the above roadway improvements shall be paid prior to the issuance of superstructure permits on the subject property.

In the event that the above noted Roadway Improvements are not constructed by others, the Developer shall, at no expense to the City, construct an 8.3m in width by 200mm in thickness portland cement concrete pavement and all related works in Reenders Drive from Stapon Road to Peguis Street including, but not necessarily limited to a right-turn cut-off in the southwest corner of the

intersection of Reenders Drive and Peguis Street, boulevard landscaping and ornamental street lighting in the south boulevard and land drainage sewer, including realigning the existing temporary connection and the north-south private roadway to tie into Reenders Drive at a right angle, all as determined by and to the satisfaction of the Director of Public Works.

6. Sidewalks

The Developer shall pay, on demand, 50% of the cost to construct a portland cement concrete sidewalk to a width of 1.5m by 100mm in thickness on the south side of Reenders Drive from the existing terminus of the concrete sidewalk approximately 400m east of Stapon Road to the east limit of the subject property as determined by and to the satisfaction of the Director of Public Works.

In the event that the above noted sidewalk is not constructed by others, the Developer shall, at no expense to the City, construct the sidewalk from approximately 400m east of Stapon Road to Peguis Street all to the satisfaction of the Director of Public Works.

7. Active Transportation Path

The Developer shall pay, on demand, 50% of the cost to construct an asphaltic concrete active transportation path to a width of 3.5m on the north side of Reenders Drive from the existing terminus of the concrete sidewalk at Stapon Road to the east limit as determined by and to the satisfaction of the Director of Public Works.

8. Cash Securities or Letters of Credit

Further to Items A.1. and Items B.1 through B.7 above, to guarantee commitments to make payments on demand, and/or to guarantee the installation of services required, the Developer shall provide to the City, prior to the issuance of superstructure permits on the property, cash securities or an irrevocable Letters of Credit, in favour of the City, in amounts as determined by the Director of Public Works and the Director of Water and Waste.

9. Easements

The Developer shall provide all easements necessary to accommodate the sidewalk and underground utilities, as determined by and to the satisfaction of the Director of Public Works.

10. Developer Payback

In the event that the Developer constructs any or all of those works described in Clauses B3, B4, B5, B6 or B7 the City shall reimburse the Developer for a share of the cost of the works as and when it collects from other benefiting lands in accordance with the City's Development Agreement Parameters prevailing at the time of reimbursement.

11. Administration Fee

Prior to the release of the subdivision mylars for registration in the Land Titles Office, the Developer shall pay to the City, to help defray the City's administration and related costs associated with the preparation and implementation of the Servicing Agreement, an administration fee, calculated as follows:

	$1650.00
G.S.T. (5%) =	$82.50
Total ……..	$1,732.50

Report - Standing Policy Committee on Property and Development – November 5, 2013

2. That the Director of Legal Services and City Solicitor be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 273/79 (By-law No. 2435/79) as approved in aforesaid Recommendation 1.

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

4. That the 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.

Agenda - Executive Policy Committee – November 13, 2013

Report - Standing Policy Committee on Property and Development – November 5, 2013

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On November 5, 2013, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, with the following amendment:

- That recommendation 1. E. B. 8., be amended by deleting the words "upon execution of the Agreement by the City", and replacing it with the words "prior to the issuance of superstructure permits on the property";

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

COMMUNITY COMMITTEE RECOMMENDATION:

On October 15, 2013, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments:

Planner's Report

- Recommendation 1.D
  Delete the words "following clause be added as Clause 5" and replace with the words "following clauses be added as Clauses 5 and Clause 6".

  Add the following clause:

  "6. That the Developer and all successors in title to the lots in the subdivision shall enter into, and register and maintain for 25 years, an easement with the City so as to ensure public access at all times to the north-south private road bisecting the subject property aligning with Rougeau Avenue. The Developer must submit the agreement to the Director of Legal Services and City Solicitor for approval prior to execution. At 25 years, the City of Winnipeg to have the options to review."

Report - Standing Policy Committee on Property and Development – November 5, 2013

DECISION MAKING HISTORY: (continued)

COMMUNITY COMMITTEE RECOMMENDATION: (continued)

Administrative Co-ordinating Group Report

- Recommendation A.1 add the following words:
  "The traffic impact study will make recommendations regarding geometric design considerations for channelization and turning lanes to address predicted local traffic movements at public street intersections and private access locations along Reenders Drive. Said Traffic Study to be completed prior to the execution of documents amending Development Agreement AG 273/79."

- Recommendation B.3.
  Delete the first paragraph and replace it with the following:
  "The developer shall pay on demand:

  i. Its share of cost of land drainage sewers to be installed by others in Reenders Drive to the east limit of the subject property, as determined by the Director of Water and Waste.
  ii. The cost of the regional land drainage system for the planned area as determined by the Director of Water and Waste."

- Recommendation 4
  After the words "The Developer shall pay" delete the words "on demand".

  After the words "at the intersection on Peguis Street and Reenders Drive" add the words "and the north/south private roadway and Reenders Derive. The 50% cost share of the above works shall be paid prior to the issuance of superstructure permits on the subject property."

  After the words "improvements all to the satisfaction of the Director of Public Works" add the words "The traffic signals and related works shall be installed concurrently with the roadway improvements.

- Recommendation 5
  After the words "ornamental street lighting and land drainage sewer," add the words "and 100% of realigning the existing temporary connection and the north-south private roadway to tie into Reenders Drive at a right angle,"

Report - Standing Policy Committee on Property and Development – November 5, 2013

DECISION MAKING HISTORY: (continued)

COMMUNITY COMMITTEE RECOMMENDATION: (continued)

After the words "all as determined by and to the satisfaction of the Director of Public Works." add the words "The 50% cost share of the above roadway improvements shall be paid prior to the issuance of superstructure permits on the subject property."

After the words "boulevard landscaping and ornamental street lighting in the south boulevard and land drainage sewer," add the words "including realigning the existing temporary connection and the north-south private roadway to tie into Reenders Drive at a right angle,"

- Add the following as a new Recommendation 10
  "10. Developer Payback
  In the event that the Developer constructs any or all of those works described in Clauses B3, B4, B5, B6 or B7 the City shall reimburse the Developer for a share of the cost of the works as and when it collects from other benefiting lands in accordance with the City's Development Agreement Parameters prevailing at the time of reimbursement."

- Renumber the remaining recommendation accordingly,

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

On September 17, 2013, the East Kildonan-Transcona Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on October 15, 2013 at 6:00 p.m. in the Council Building, 510 Main Street.

RE: **Zoning Agreement Amendment - 1555 Regent Avenue West**
File ZAA 7/2013

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

Prepared by: **Josie Marques, Senior Committee Clerk**
East Kildonan-Transcona Community Committee

Report date: **October 16, 2013**

COMMUNITY COMMITTEE RECOMMENDATION:

On October 15, 2013, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, ***as amended***, and recommended to the Standing Policy Committee on Property and Development:

1. That Zoning Agreement Caveat No. 266490 under File DAZ 273/79 dated November 21, 1979 (By-law No. 2435/79), shall be amended as follows:

    A. That Clause 1 be deleted.

    B. That Clause 2 be deleted.

    C. That Clause 4(a) be deleted and Clause 4(b) be renumbered accordingly.

    D. That the following ~~***clause be added as Clause 5***~~ ***clauses be added as Clause 5 and Clause 6*** and all subsequent clauses be renumbered accordingly:

        5. That there shall be no advertising signs, mobile signs, poster signs, and A-frame signs on the entire site, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit.

        6. That the Developer and all successors in title to the lots in the subdivision shall enter into, and register and maintain for 25 years, an easement with the City so as to ensure public access at all times to the north-south private road bisecting the subject property aligning with Rougeau Avenue. The Developer must submit the agreement to the Director of Legal Services and City Solicitor for approval prior to execution. At 25 years, the City of Winnipeg to have the options to review.

    E. That the owner be required to amend Development Agreement AG 273/79 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated September 9, 2013, ***as amended:***

A. Engineering Reports and Servicing Criteria

1. The Developer shall pay, on demand, 50% of the cost to complete a Traffic Impact Study as determined by the Director of Public Works.

   In the event that a Traffic Impact Study is not submitted by others, the Developer shall submit a Traffic Impact Study, to the Public Works Department, prior to the release of documents for registration in Land Titles and shall, at no expense to the City, construct any upgrades to the street system, as recommended by the approved, by the Public Works Department, Traffic Impact Study and all as determined by and to the satisfaction of the Director of Public Works. ***The traffic impact study will make recommendations regarding geometric design considerations for channelization and turning lanes to address predicted local traffic movements at public street intersections and private access locations along Reenders Drive. Said Traffic Study to be completed prior to the execution of documents amending Development Agreement AG 273/79.***

B. Servicing Conditions and Payments

1. Wastewater Sewers
   The developer shall pay on demand, its share of the cost of wastewater sewers to be installed by others in Reenders Drive to the east limit of the subject property, as determined by the Director of Water and Waste.

2. Watermains
   The developer shall pay on demand, its share of the cost of watermains to be installed by others in Reenders Drive to the east limit of the subject property, as determined by the Director of Water and Waste.

3. Land Drainage Sewers
   ~~***The developer shall pay on demand, its share of cost of land drainage sewers to be installed by others in Reenders Drive to the east limit of the subject property, as determined by the Director of Water and Waste.***~~

The developer shall pay on demand:

i. Its share of cost of land drainage sewers to be installed by others in Reenders Drive to the east limit of the subject property, as determined by the Director of Water and Waste.

ii. The cost of the regional land drainage system for the planned area as determined by the Director of Water and Waste."

In the event that the above noted land drainage sewers are not installed by others, the Developer shall install the land drainage sewers to the satisfaction of the Director of Water and Waste as may be required in conjunction with the construction of roadway Improvements described below, if required to be built by this Developer, and further, in the event that downstream land drainage facilities are not yet constructed, the Developer shall obtain permission from, and construct a stormwater retention basin and related land drainage works within the lands to the east of Reenders Drive in order to provide downstream outlet land drainage sewer capacity for the roadway improvements, the subject property, and the lands to the west.

4. Intersection Improvements

The Developer shall pay, ~~***on demand***~~, 50% of the cost of the following permanent works to be constructed by others as determined by the Director of Public Works.

i. new auxiliary lanes, auxiliary lane extensions, transitions, transition modifications, median openings, median opening modifications, channelization, channelization modifications and all related works;

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at the intersection of Peguis Street and Reenders Drive, ***and the north/south private roadway and Reenders Derive. The 50% cost share of the above works shall be paid prior to the issuance of superstructure permits on the subject property.***

In the event that the above noted Intersection Improvements are not constructed by others, the Developer shall, at no expense to the City, construct those improvements all to the satisfaction of the

Director of Public Works. ***The traffic signals and related works shall be installed concurrently with the roadway improvements.***

5. Roadway Improvements

The Developer shall pay, on demand, 50% of the cost of a four lane divided roadway in Reenders Drive from Stapon Road to the east limit of the subject property, to be constructed by others, consisting of two 8.3m in width by 200mm in thickness portland cement concrete pavements and all related works including, but not necessarily limited to right-turn cut-offs in the northwest and southwest corners of the intersection of Reenders Drive and Peguis Street, boulevard landscaping, ornamental street lighting and land drainage sewer, ***and 100% of realigning the existing temporary connection and the north-south private roadway to tie into Reenders Drive at a right angle,***all as determined by and to the satisfaction of the Director of Public Works. ***The 50% cost share of the above roadway improvements shall be paid prior to the issuance of superstructure permits on the subject property.***

In the event that the above noted Roadway Improvements are not constructed by others, the Developer shall, at no expense to the City, construct an 8.3m in width by 200mm in thickness portland cement concrete pavement and all related works in Reenders Drive from Stapon Road to Peguis Street including, but not necessarily limited to a right-turn cut-off in the southwest corner of the intersection of Reenders Drive and Peguis Street, boulevard landscaping and ornamental street lighting in the south boulevard and land drainage sewer, ***including realigning the existing temporary connection and the north-south private roadway to tie into Reenders Drive at a right angle***, all as determined by and to the satisfaction of the Director of Public Works.

6. Sidewalks

The Developer shall pay, on demand, 50% of the cost to construct a portland cement concrete sidewalk to a width of 1.5m by 100mm in thickness on the south side of Reenders Drive from the existing terminus of the concrete sidewalk approximately 400m east of Stapon Road to the east limit of the subject property as determined by and to the satisfaction of the Director of Public Works.

In the event that the above noted sidewalk is not constructed by others, the Developer shall, at no expense to the City, construct the sidewalk from approximately 400m east of Stapon Road to Peguis Street all to the satisfaction of the Director of Public Works.

7. Active Transportation Path

The Developer shall pay, on demand, 50% of the cost to construct an asphaltic concrete active transportation path to a width of 3.5m on the north side of Reenders Drive from the existing terminus of the concrete sidewalk at Stapon Road to the east limit as determined by and to the satisfaction of the Director of Public Works.

8. Cash Securities or Letters of Credit

Further to Items A.1. and Items B.1 through B.7 above, to guarantee commitments to make payments on demand, and/or to guarantee the installation of services required, the Developer shall provide to the City, upon execution of the Agreement by the City, cash securities or an irrevocable Letters of Credit, in favour of the City, in amounts as determined by the Director of Public Works and the Director of Water and Waste.

9. Easements

The Developer shall provide all easements necessary to accommodate the sidewalk and underground utilities, as determined by and to the satisfaction of the Director of Public Works.

10. Developer Payback

In the event that the Developer constructs any or all of those works described in Clauses B3, B4, B5, B6 or B7 the City shall reimburse the Developer for a share of the cost of the works as and when it collects from other benefiting lands in accordance with the City's Development Agreement Parameters prevailing at the time of reimbursement.

~~***10***~~***. 11***. Administration Fee

Prior to the release of the subdivision mylars for registration in the Land Titles Office, the Developer shall pay to the City, to help defray the City's administration and related costs associated with

the preparation and implementation of the Servicing Agreement, an administration fee, calculated as follows:

	$1650.00
G.S.T. (5%) =	$82.50
Total ……..	$1,732.50

2. That the Director of Legal Services and City Solicitor be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 273/79 (By-law No. 2435/79) as approved in aforesaid Recommendation 1.

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

4. That the 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 East Kildonan-Transcona Community Committee provided the following supporting reason(s) for its recommendation:

1. This application addresses a long outstanding issue.
2. Kildonan Place was being penalized for square footage that should not be allowed for mall.
3. When the mall was built the road was built as a temporary road
4. The amendments recognizes that nothings has to be done or paid until construction starts on property and only then will the roadwork requirements kick in.
5. The recommendation is consistent with the previous community committee recommendation on the property.

PUBLIC HEARING SUMMARY

File:	ZAA 7/2013
Before:	East Kildonan-Transcona Community Committee Councillor Browaty, Chairperson Councillor Steen Councillor Wyatt
Public Hearing:	September 17, 2013 Council Building, 510 Main Street
Applicant:	MMM Group Ltd. (Brock Feenstra)
Subject:	
Premises Affected:	1555 Regent Avenue West

Exhibits Filed:

1. Application dated May 16, 2013
2. Notification of Public Hearing dated July 26, 2013
3. Manitoba Status of Title(s) 1192123/1, 1192175/1, 1192179/1, 1192489/1, 1193981/1, and 1549789/1
4. Letter of authorization dated May 8, 2013 from Kildonan Place Ltd. to MMM Group Ltd.
5. Caveat 266490
6. Zoning Agreement DAZ 273/79
7. Zoning Agreement Amendment ZAA 3/98
8. Report from the Urban Planning Division dated September 11, 2013
9. Inspection Report
10. Notice of Adjournment dated September 19, 2013
11. Presentation in support of the application, submitted by Paul McNeil, MMM Group Limited at the public hearing
12. Public Open House information, in support of the application submitted by Paul McNeil, MMM Group Limited at the public hearing.
13. Audio Recording of representations

REPRESENTATIONS:

In Support:

Dave Boles
Devon Goolieff
Paul McNeil, MMM Group Limited
Pete Havens
Graeme Silvera
Justin Zarnowski

In Opposition

Nil

For Information:

Nil

For the City:

Mr. M. Pyl, Planner, Planning, Property and Development Department
Mr. K. Raban, Land Development Administrator, Planning, Property and Development Department
Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department

Exhibit "8" referred to in File ZAA 7/2013

ADMINISTRATIVE REPORT

Title: ZAA 7/2013 – 1555 Regent Av W

Issue: For consideration at the public hearing to amend an existing zoning agreement

Critical Path: East Kildonan-Transcona Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	n/a	n/a	

RECOMMENDATIONS

1. That Zoning Agreement caveat No. 266490 under File DAZ 273/1979 dated November 21, 1979 (By-Law No. 2435/79), shall be amended as follows:

    A. That Clause 1 be deleted.
    B. That Clause 2 be deleted.
    C. That Clause 4(a) be deleted and Clause 4(b) be renumbered accordingly.
    D. That the following clause be added as Clause 5 and all subsequent clauses be renumbered accordingly:

        That there shall be no advertising signs, mobile signs, poster signs, and A-frame signs on the entire site, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit.

    E. That the owner be required to amend Development Agreement AG 273/79 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated September 9, 2013.

2. That the Director of Legal Services and City Solicitor be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 273/1979 (By-Law No. 2435/79) as approved in aforesaid Recommendation 1.

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

4. That the 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 is proposing a number of amendments to an existing zoning agreement in order to facilitate future commercial development, including a limit on maximum gross leasable floor area.
- This application is being considered within the context of larger, area-wide improvements to the road network.
- The applicant has not submitted plans for development in concert with this application.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the property's zoning agreement will be amended.

CONSULTATION

In preparing this report there was consultation with:

N/A

SUBMITTED BY

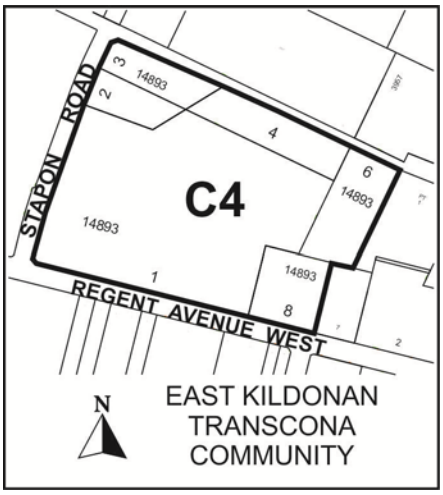
Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Michael Pyl
Date:	September 11, 2013
File No.	ZAA 7/2013

APPENDIX 'A'

DATE: September 11, 2013
FILE: ZAA 7/2013
RELATED FILES: DAZ 273/79, ZAA 6/89, ZAA 3/98, ZAA 24/04
COMMUNITY: East Kildonan-Transcona
NEIGHBOURHOOD #: 4.433

SUBJECT: To amend the existing zoning agreement to remove clauses related to gross leasable floor areas and prohibited uses.

LOCATION: 1555 Regent Av W



APPLICANT: Brock Feenstra
MMM Group
111-93 Lombard Av
Winnipeg, MB R3B 3B1

OWNER: Kildonan Place Ltd.

RECOMMENDATION: Approval

REPORT SUMMARY

- The applicant is proposing a number of amendments to an existing zoning agreement in order to facilitate future commercial development, including a limit on maximum gross leasable floor area.
- This application is being considered within the context of larger, area-wide improvements to the road network.
- The applicant has not submitted plans for development in concert with this application.

SITE DESCRIPTION

- The subject property is located on the north side of Regent Av W immediately east of Stapon Rd in the Regent neighbourhood of the Transcona ward.
- The subject property is currently occupied by Kildonan Place shopping centre. The site is comprised of five underlying lots – Lots 1, 2, 3, 4, 6, and 8 of Plan 14893. It is zoned “C4” Commercial Regional district.
- Adjacent properties include vacant land to the north currently zoned “RR5” Rural Residential 5 district (with a pending commercial rezoning as per DASZ 33/13), commercial development to the west and south zoned “C2” Commercial Community, “C3” Commercial Corridor, and “C4” districts, and vacant land to the east zoned “RR5”.

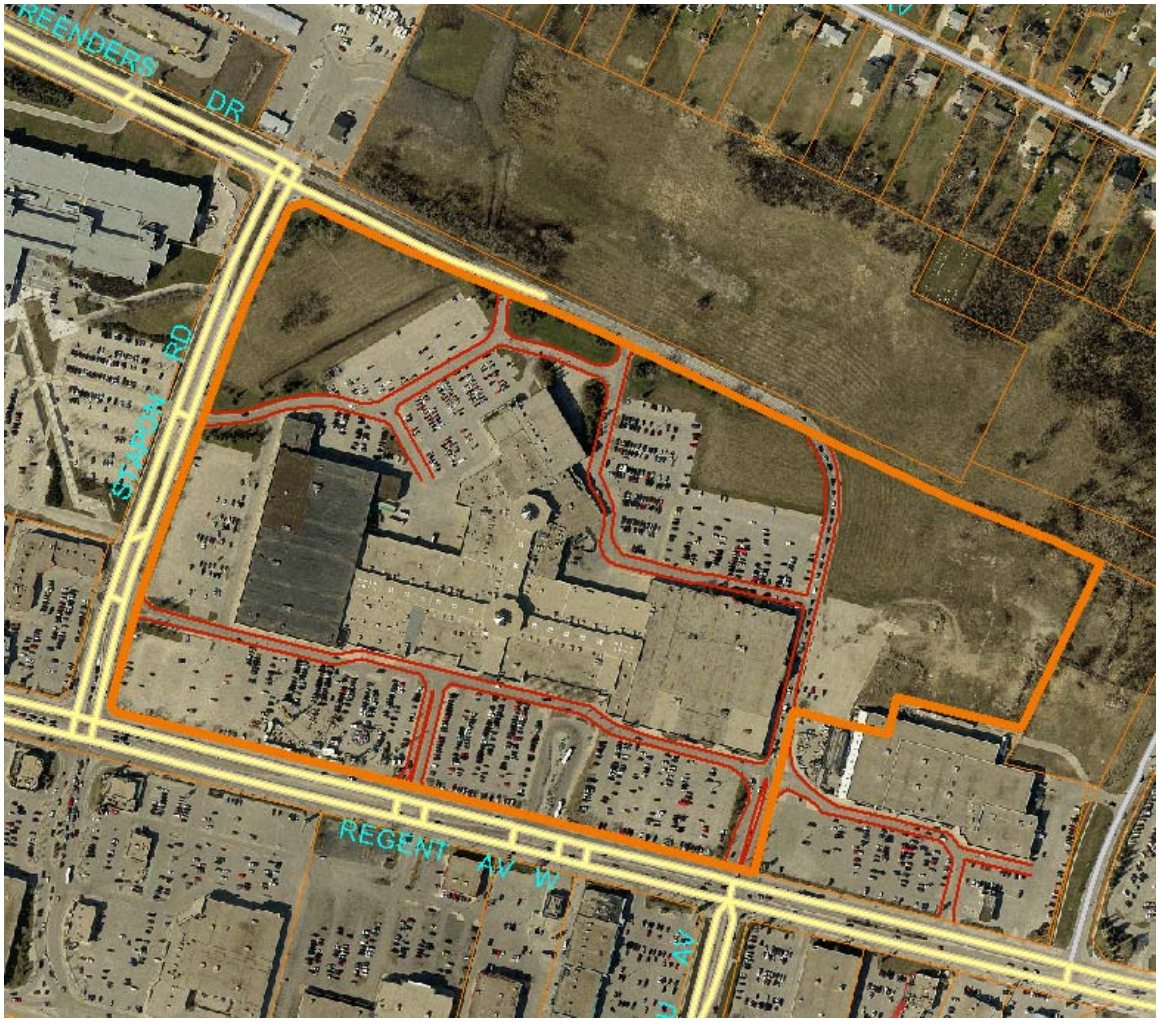


Figure 1: Site map of subject property and surrounding neighbourhood

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing a number of amendments to an existing zoning agreement in order to facilitate future commercial development. These amendments include the deletion of the following conditions:

1. The total of 457,500 sq. ft. of gross leasable floor area on the total of the land shall not be exceeded.
2. The land and any building or structure thereon shall not be used for any of the following uses:
    a) Automobile or trailer sales area
    b) Baseball or other stadium
    c) Drive-in business where persons are served in automobiles, such as refreshment stands, restaurants, food stores, banks, and the like.
    d) Drive-in theatre
    e) Hotel
    f) Tourist court
    g) Trailer or public camp.
3. (Requirement for plan approval)
4.
    a) The total gross leasable floor area of building constructed on the land shall not exceed 457,500 sq. ft. and, for every 200 sq. ft. or portion thereof of gross leasable floor area one parking space shall be provided on the land.
    b) A 25 ft. wide landscaped area shall be provided along the north limit of the land except at points of ingress or egress to or from the land, which landscaped area shall be maintained in good condition to the satisfaction of the Director of Planning, Property, and Development.

- The applicant has not submitted plans for development with this application.

BACKGROUND

Previous Kildonan Place approvals

DAZ 273/79

- The land subject was rezoned to accommodate Kildonan Place in 1979. It was rezoned from “A1” Agricultural district and “M1” Light Industrial district to “C2” Commercial District. Preliminary plans indicated a shopping centre with approximately 450,000 sq. ft. of floor area.
- The Greater Winnipeg Development Plan, the City’s development plan at the time, acknowledged a desire to establish a system of regional shopping centres so that each centre will serve a trade area with a minimum population of between 57,000 and 100,000 people, and that at least six of these centres should be developed generally located in, among other areas, the East Kildonan-Transcona area.
- The Administrative Report noted concerns with potential traffic volumes generated by the development. While the rezoning application was approved, the following condition was placed on the zoning agreement:
    - The total gross leasable floor area of building constructed on the land shall not exceed 450,000 sq. ft., and for every 200 sq. ft. or portion thereof of gross leasable floor area one parking space shall be provided on the land.
- The zoning agreement also included the following conditions:
    - The land and any building or structure thereon shall not be used for any of the following uses:
        - Automobile or trailer sales area
        - Baseball or other stadium

        - Drive-in business where persons are served in automobiles, such as refreshment stands, restaurants, food stores, banks, and the like
        - Drive-in theatre
        - Hotel
        - Tourist court
        - Trailer or public camp
    - The land and any building or structure thereon shall not be used for, and no building or structure shall be erected, altered, or enlarged on the land for, any use except a Regional Shopping Centre to be designed, located, and constructed in accordance with a plan or plans showing all buildings, structures, parking, loading, and landscaped areas, vehicular approaches to and from parking areas, and any fencing, which plans must be approved by the East Kildonan-Transcona Community Committee before issuance of any building permits, which approval shall be endorsed on that plan or plans by the signature of the Director of Environmental Planning under the designation Schedule "A" to Zoning Agreement DAZ 273/79 and which Schedule "A" may be made up of one or several plans as so approved from time to time.
    - A twenty-five (25) foot wide landscaped area shall be provided along the north limit of the land except at points of ingress or egress to or from the land, which landscaped area shall be maintained in good condition to the satisfaction of the Commissioner of Environment.

ZAA 6/89

- In 1989, the zoning agreement clause pertaining to the maximum total gross leasable floor area of building was amended from 450,000 sq. ft. to 457,000 sq. ft.

ZAA 3/98

- In 1998, this same clause was further amended from 457,000 sq. ft. to 457,500 sq. ft.

ZAA 24/04

- In 2005, Council approved a zoning agreement on the subject property. However, while it was approved, the amendment was never finalized and is therefore not in effect. This amendment was worded as follows:
    - Clause 2, pertaining to the list of prohibited uses, was removed and replaced with the following condition:
        - That there shall be no advertising signs, mobile signs, poster signs, and A-frame signs on the entire site, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit.
    - Clauses 4(a) and 4(b), pertaining to the gross leasable floor area and the requirement for a 25 ft. wide landscaped strip along the north limit of the land, were removed and replaced with the following:
        - That the total gross leasable floor area of buildings constructed on the land shall not exceed 560,000 sq. ft.
        - That a 15 ft. wide landscaped area shall be provided along the north limit of the land except at points of ingress or egress to or from the land, which landscaped area shall be maintained in good condition to the satisfaction of the Director of Planning, Property, and Development.

- This amendment was made with the intention of building an expansion to the northeast corner of the building, the construction of a new standalone commercial building in the northwest corner of the site, and the construction of a new standalone commercial building in the southwest corner of the site, all of which have not been built.
- These changes were approved subject to the applicant paying for a number of improvements to the movement of vehicular traffic in the area.

Nearby residential development in the Transcona West area

- On July 17, 2013, Council approved DASZs 10/13, 11/13, and 12/13, which were three separate applications to subdivide and rezone land on the east side of Peguis St between the CPR main line and the CEMR Pine Falls rail line, west of the future Ed Schreyer Parkway right-of-way, primarily for residential development that the applicant, Genstar Development Company, titled “Devonshire Village” and “Devonshire Park”. This development will include approximately 1,400 single family residential lots, 13 blocks for townhouse or duplex development, seven multifamily residential sites, one residential mixed use site, and two small commercial sites.

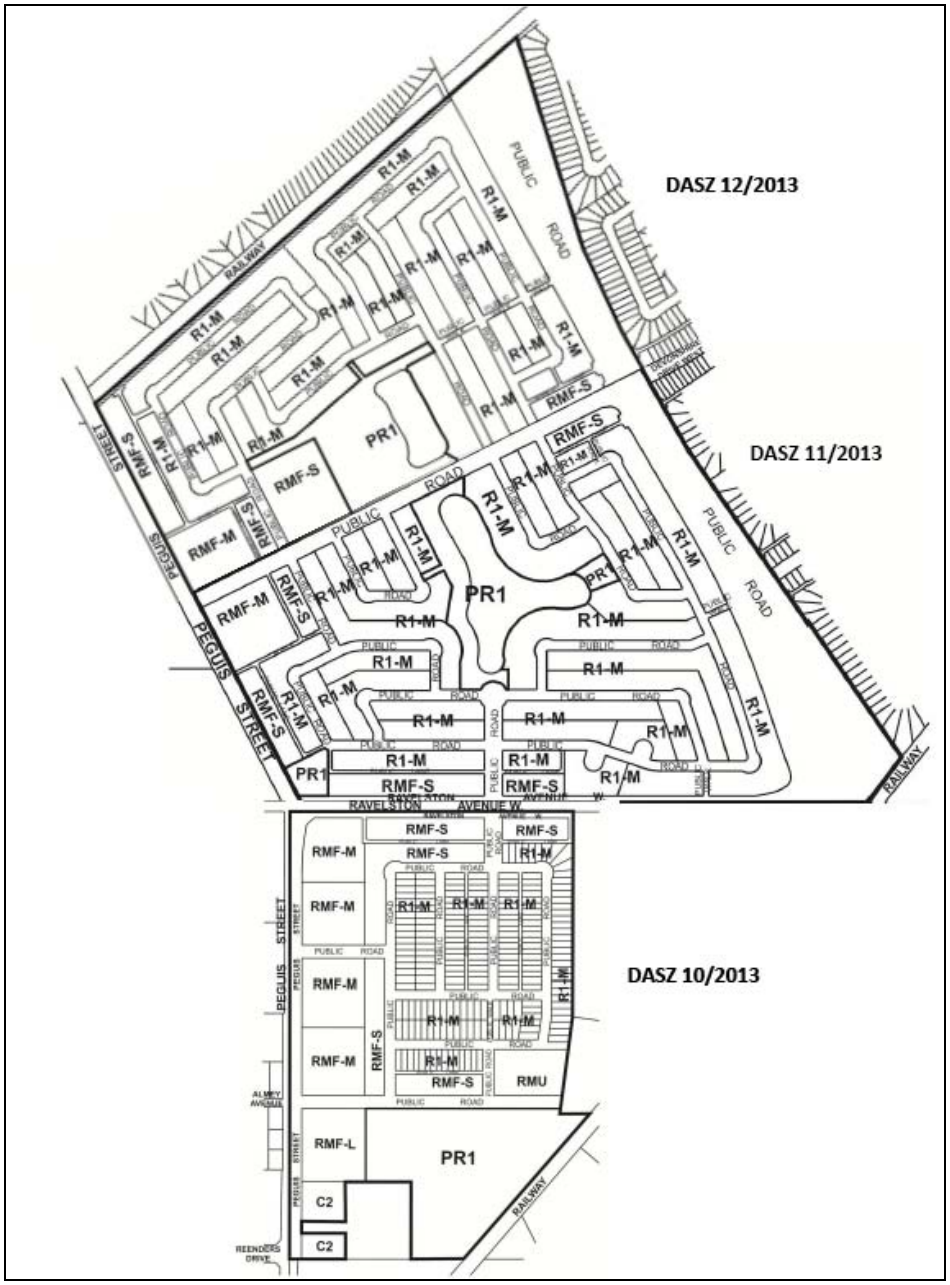


Figure 2: Compilation of proposed plans for DASZs 10, 11, and 12 of 2013

- Also on July 17, 2013, Council approved an application to subdivide and rezone 68 acres of land west of Peguis St, north of Ravelston Av W to accommodate 208 single family lots, 52 lots for duplex or townhome development zoned “R2”, two lots for residential multifamily development with a proposed “RMF-L” zoning, as well as public reserve lands and public rights-of-way.

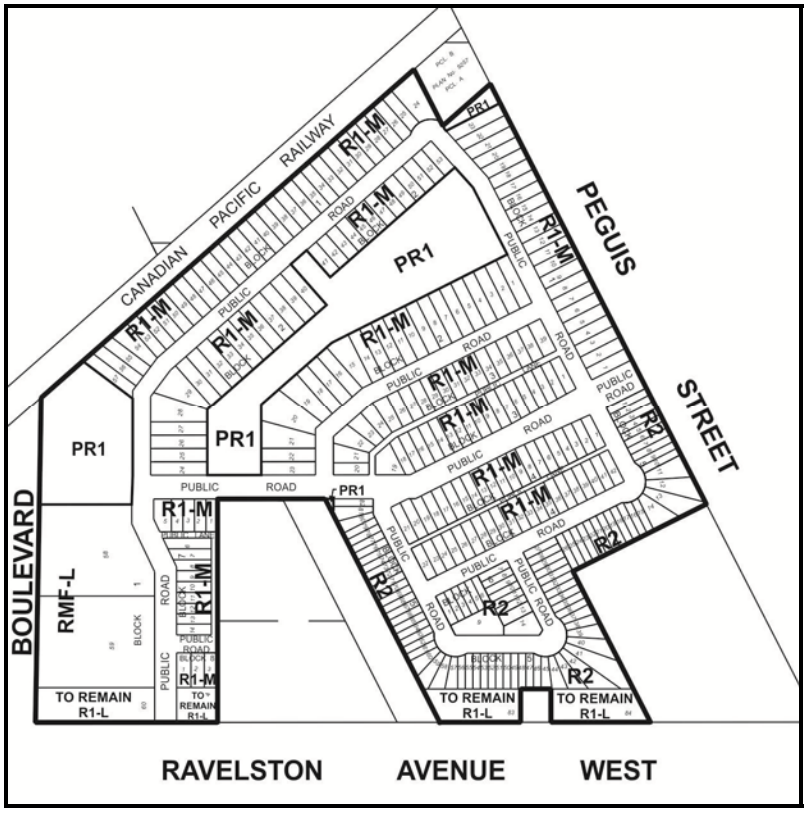


Figure 3: Council-approved plan of subdivision for DASZ 15/13

Nearby commercial development in the Transcona West area

- An application has been made (DASZ 33/13) to subdivide and rezone 25 acres of land on the north side of Reenders Dr to facilitate the development of a retail shopping centre. A basic site plan submitted with the application indicates eight commercial units with floor areas ranging from 26,481 sq. ft. to 84,777 sq. ft. and four 5,000 sq. ft. pad site buildings.

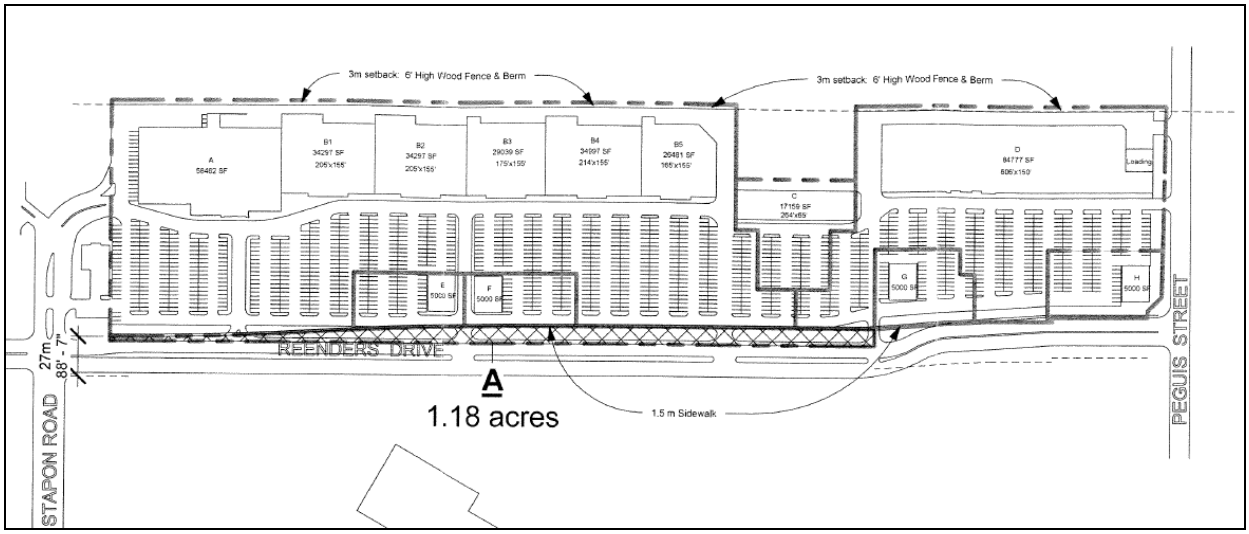


Figure 4: Preliminary site plan as per DASZ 33/13

ANALYSIS AND ISSUES

OurWinnipeg and Complete Communities Direction Strategy

- The Complete Communities Direction Strategy is one of four direction strategies supporting OurWinnipeg, the city's new long-range development plan, and has statutory authority as a secondary plan. This strategy serves as a "playbook" to guide land use and development in Winnipeg. It received third reading at City Council on July 20, 2011, and became effective on August 17, 2011.
- The Regent and Lagimodiere area is designated as a "Regional Mixed Use Centre" in Complete Communities. Currently these type of areas contain predominantly single-use commercial development, and while these uses will continue to anchor many of these centres, the opportunity exists to introduce a mix of different uses over time. These centres have the potential to accommodate both the greatest number of people and the greatest density and mix of uses outside of Downtown. This makes it especially important that their development creates a high quality street environment and is attractive to residents and visitors alike. Supporting Direction and Enabling Strategies include:
    - Support high-frequency transit service by encouraging higher density residential and higher intensity commercial and mixed uses within the centre of the development. These will be focused on major transit stops.
    - Create strong, multi-modal and transportation linkages from each Regional Mixed Use Centre to Downtown, other Centres, Corridors, Parks, and major attractions.

Transcona West Area Structure Plan

- The subject property is designated as "Existing Commercial" in the Transcona West Area Structure Plan. The purpose of these areas is to permit and include a variety of retail, commercial, office, and institutional uses including regional commercial uses.
- Section 5.3.2(1) speaks to the composition of Commercial areas. It states that a significant use of land within Commercial Use Areas will be regional commercial, retail commercial, service commercial, and community scale commercial uses where:

- Institutional, office, recreational, or public uses that complement and support the area may be allowed,
- Industrial uses that are compatible with regional commercial and service commercial uses may also be allowed, and
- Regional commercial uses that are permitted only in the area identified in Plan Winnipeg as Areas of Regional Commercial and Mixed Use Concentration.

Zoning

- The Commercial Regional (C4) district is intended to accommodate the development of large-scale, distinctive and attractive regional centres containing a mix of concentrated land uses. These commercial uses are subject to frequent view by the public and visitors to Winnipeg, and they should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement. The centre should provide commercial, office, institutional, and residential uses and structures at higher intensities than surrounding areas. The area may also contain concentrations of medium- to high-density office development, as well as a broad mix of complementary uses, which may include major civic and public facilities and parks. The district may contain multi-family housing, and development should facilitate and encourage pedestrian travel between residential and nonresidential uses. These areas are generally associated with the Areas of Regional Commercial and Mixed Use Concentration identified in Plan Winnipeg.

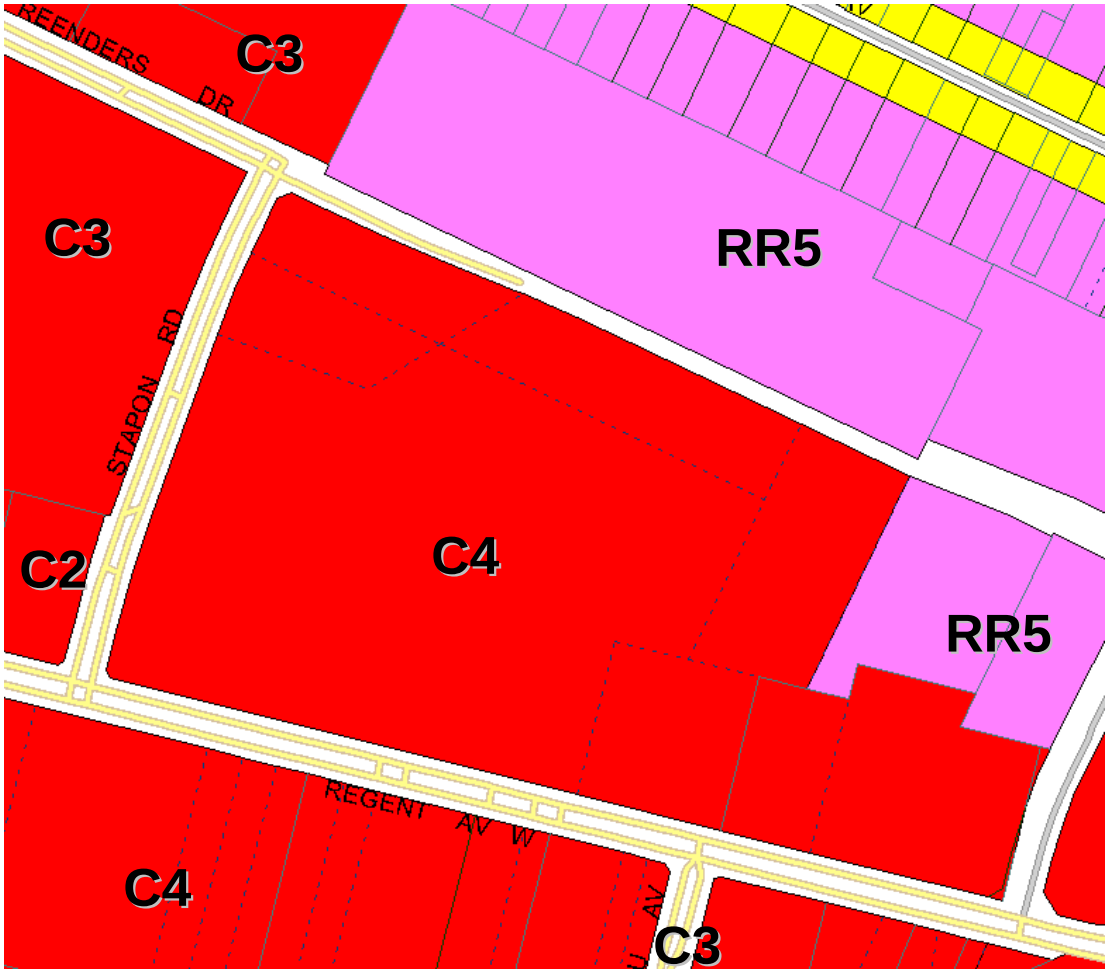


Figure 5: Zoning map of subject property and surrounding neighbourhood

- Section 148 of the zoning by-law prescribes dimensional standards for the “C4” district.

	Min/Max Front Yard (ft.)	Min. Rear Yard (ft.)	Min. Interior Side Yard (ft.) **	Min. Corner Side Yard (ft.)	Max. Height of Building (ft.)	Max. Floor Area Ratio
C4	* / NA	50	*	*	NA	5.0

* - Principal buildings must be located 125 feet from the zoning district boundary of any residential zoning district, and 50 feet from any other zoning district boundary. Secondary “liner” or “pad site” buildings that are not the principal building on a site must comply with yards applicable to the C3 district. Fuel sales kiosks must be located at least 50 feet from each property boundary.

** - Where a side or rear lot line in a commercial or institutional zoning district abuts a side or rear lot line of an R1 or R2 zoning district, a yard of 10 feet must be provided along the side or rear lot line in the commercial or institutional zoning district. The 10 foot side yard must be landscaped pursuant to sections 188 through 193 and must not be used for parking or loading areas, storage of refuse or materials, or commercial activities of any kind.

Figure 6: Dimensional standards for the “C4” district

Area rode improvements

- This development is being proposed within the context of larger, area-wide improvements to the road network. The City will endeavor to collect money through recent development applications (DASZs 10, 11, 12, and 15 of 2013) wherever possible and appropriate. The generalities of these upgrades are espoused in the Council-adoped Transcona West Area Structure Plan.
    - Peguis St from Regent Av to the CPR rail right-of-way and Ravelston Av W from Peguis to the future Ed Schreyer Parkway will be built as four-lane urban standard roadways. Devonshire Dr between Peguis and Ed Schreyer will be built as a two-lane urban standard roadway.
    - The existing Devonshire Dr will be extended across the future Edward Schreyer Parkway to connect with Peguis.
    - It is recommended as part of both this application and DASZ 33/13 that the City endeavor to collect money to extend Reenders Dr to Peguis St as a permanent, four-lane concrete road. Should there be a delay in the proposed development, Genstar has proposed to extend Reenders as a temporary, two-lane, asphalt road as per DASZ 10/13.
    - Once Reenders connects with Peguis, the Almey Av connection to Lagimodiere Blvd will be severed as per DAC 6/13.
    - The Edward Schreyer Parkway will eventually be constructed by the City. The City of Winnipeg Transportation Master Plan identifies its construction as a Long Term (by 2031) priority based on travel demand analysis.

Proposal analysis

- When approvals were first passed in 1979 to accommodate Kildonan Place, concerns were raised over the surrounding road network’s ability to handle the traffic generated by a regional shopping mall. As a result, a condition was placed in the zoning agreement that would limit the size of the mall until the necessary infrastructure improvements were made.
- In order for the gross leasable floor area restriction to be removed, Reenders Dr needs to be improved to Peguis St as a four-lane urban standard roadway. Between this application and DASZ

33/13, the City now has an opportunity to collect the funds necessary to construct this improvement. Subject to this construction, Public Works is now comfortable in recommending that the floor area restriction be removed.

- In regards to prohibited land uses and parking, the Urban Planning Division is supportive of removing this condition. It is felt that the existing regulations of the zoning by-law are sufficient to address these issues. Removing these conditions will ensure that Kildonan Place can operate on a level playing field with other "C4"-zoned properties throughout the City.
- A condition relating to the prohibition of excessive signage is recommended. It should be noted that Council endorsed the placement of this condition as per ZAA 24/04.
- If the recommendation of Administration is concurred in, it should be noted that the following zoning agreement clauses will be retained:
    - A requirement for plan approval to the Director of Planning, Property, and Development and the East Kildonan-Transcona Community Committee.
    - A requirement for a 25 ft. wide landscaped area along the north property line.

Site design issues

- It is recommended that a requirement for plan approval to the Director of Planning, Property, and Development and the East Kildonan-Transcona Community Committee be retained in the zoning agreement.
- The Urban Planning Division's future review of any site plans will be informed by the design guidelines included in this report as Schedule "C". These guidelines were developed for and have been applied to other similar development proposals in the past.

RECOMMENDATION

The most significant implication of this proposed amendment is the condition limiting gross leasable floor area, which was established in 1979 due to inadequate road infrastructure. Between this application and DASZ 33/13, the City now has the opportunity to collect the funds necessary to construct an improved Reenders Dr. Subject to this construction, Public Works is now supportive of removing this condition.

A condition specifically noting prohibited uses can also be removed, as the Urban Planning Division feels the existing permitted and conditional uses for the "C4" district is sufficient to regulate the site. Conversely, a new condition restricting excessive signage should be added; the addition of this condition was originally approved by Council as per ZAA 24/04 but was never adopted.

Note that it is still recommended that conditions for plan approval and the provision of a 25 ft. landscaped strip along Reenders still be retained.

This Report Submitted by: Michael Pyl
Planning, Property and Development Department
Urban Planning Division
Report Prepared by: PPD File # ZAA 7/2013

APPENDIX 'B'

Schedule "A"

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

RE: ZONING AGREEMENT AMENDMENT - 1555 REGENT AVENUE – FILE ZAA 7/2013 (c/r DAZ 273/79)

It is recommended that the approval of ZAA 7/2013, if granted, be subject to Development Agreement AG 273/79 being amended by adding the following items:

C. Engineering Reports and Servicing Criteria

1. The Developer shall pay, on demand, 50% of the cost to complete a Traffic Impact Study as determined by the Director of Public Works.

   In the event that a Traffic Impact Study is not submitted by others, the Developer shall submit a Traffic Impact Study, to the Public Works Department, prior to the release of documents for registration in Land Titles and shall, at no expense to the City, construct any upgrades to the street system, as recommended by the approved, by the Public Works Department, Traffic Impact Study and all as determined by and to the satisfaction of the Director of Public Works.

D. Servicing Conditions and Payments

4. Wastewater Sewers

   The developer shall pay on demand, its share of the cost of wastewater sewers to be installed by others in Reenders Drive to the east limit of the subject property, as determined by the Director of Water and Waste.

5. Watermains

   The developer shall pay on demand, its share of the cost of watermains to be installed by others in Reenders Drive to the east limit of the subject property, as determined by the Director of Water and Waste.

6. Land Drainage Sewers

   The developer shall pay on demand, its share of cost of land drainage sewers to be installed by others in Reenders Drive to the east limit of the subject property, as determined by the Director of Water and Waste.

In the event that the above noted land drainage sewers are not installed by others, the Developer shall install the land drainage sewers to the satisfaction of the Director of Water and Waste as may be required in conjunction with the construction of roadway Improvements described below, if required to be built by this Developer, and further, in the event that downstream land drainage facilities are not yet constructed, the Developer shall obtain permission from, and construct a stormwater retention basin and related land drainage works within the lands to the east of Reenders Drive in order to provide downstream outlet land drainage sewer capacity for the roadway improvements, the subject property, and the lands to the west.

5. Intersection Improvements

The Developer shall pay, on demand, 50% of the cost of the following permanent works to be constructed by others as determined by the Director of Public Works.

iii. new auxiliary lanes, auxiliary lane extensions, transitions, transition modifications, median openings, median opening modifications, channelization, channelization modifications and all related works;

iv. signals and all related works;

at the intersection of Peguis Street and Reenders Drive,

In the event that the above noted Intersection Improvements are not constructed by others, the Developer shall, at no expense to the City, construct those improvements all to the satisfaction of the Director of Public Works.

10. Roadway Improvements

The Developer shall pay, on demand, 50% of the cost of a four lane divided roadway in Reenders Drive from Stapon Road to the east limit of the subject property, to be constructed by others, consisting of two 8.3m in width by 200mm in thickness portland cement concrete pavements and all related works including, but not necessarily limited to right-turn cut-offs in the northwest and southwest corners of the intersection of Reenders Drive and Peguis Street, boulevard landscaping, ornamental street lighting and land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.

In the event that the above noted Roadway Improvements are not constructed by others, the Developer shall, at no expense to the City, construct an 8.3m in width by 200mm in thickness portland cement concrete pavement and all related works in Reenders Drive from Stapon Road to Peguis Street including, but not necessarily limited to a right-turn cut-off in the southwest corner of the intersection of Reenders Drive and Peguis Street, boulevard landscaping and ornamental street lighting in the south boulevard and land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.

11. Sidewalks

The Developer shall pay, on demand, 50% of the cost to construct a portland cement concrete sidewalk to a width of 1.5m by 100mm in thickness on the south side of Reenders Drive from the existing terminus of the concrete sidewalk approximately 400m east of Stapon Road to the east limit of the subject property as determined by and to the satisfaction of the Director of Public Works.

In the event that the above noted sidewalk is not constructed by others, the Developer shall, at no expense to the City, construct the sidewalk from approximately 400m east of Stapon Road to Peguis Street all to the satisfaction of the Director of Public Works.

12. Active Transportation Path

The Developer shall pay, on demand, 50% of the cost to construct an asphaltic concrete active transportation path to a width of 3.5m on the north side of Reenders Drive from the existing terminus of the concrete sidewalk at Stapon Road to the east limit as determined by and to the satisfaction of the Director of Public Works.

13. Cash Securities or Letters of Credit

Further to Items A.1. and Items B.1 through B.7 above, to guarantee commitments to make payments on demand, and/or to guarantee the installation of services required, the Developer shall provide to the City, upon execution of the Agreement by the City, cash securities or an irrevocable Letters of Credit, in favour of the City, in amounts as determined by the Director of Public Works and the Director of Water and Waste.

14. Easements

The Developer shall provide all easements necessary to accommodate the sidewalk and underground utilities, as determined by and to the satisfaction of the Director of Public Works.

15. Administration Fee

Prior to the release of the subdivision mylars for registration in the Land Titles Office, the Developer shall pay to the City, to help defray the City's administration and related costs associated with the preparation and implementation of the Servicing Agreement, an administration fee, calculated as follows:

		$1650.00	G.S.T.
(5%) =	$82.50		
	Total ……..	$1,732.50	

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. ZAA 7/2013
September 9, 2013

[Original Signed by]

K.T. Raban, P. Eng.,
Land Development Branch

[Original Signed by]

C.J. Desjardine P. Eng.
Public Works Department, Transportation Division

[Original Signed by]

F. C. Mazur, P. Eng.
Water & Waste Department

Schedule “B”

Design Guidelines for Commercial Centres

The purpose of this section is to provide design performance guidelines in the 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 commercial developments in Community and Regional centres.

The intent of using Site Plan Guidelines and Review in the approval process is to promote, encourage, and develop the positive aspects of a project while ensuring the negative impacts are sufficiently mitigated. The site plan review and approval process provides proponents the opportunity to show how public space interacts with the private development, and to demonstrate how the proposal achieves or exceeds the following goals:

- Ensure the vehicular environment for both public and private transportation is well integrated with the pedestrian environment;
- Ensure that the pedestrian and cycling environment is safe, accessible, comfortable, convenient and attractive;
- Respect the existing context, including current uses, scale and functions of adjacent land-uses and streets;
- Strengthen the continuity of the Planned Area and the site’s development by using elements and/or adding new elements that unify and connect individual areas and buildings;
- Utilize the architectural elements of the building(s) in a sensitive and cohesive manner (i.e.: facades, roofs, entrances, landscaping, signage, and lighting) to enhance the development.

The Director of Planning, Property and Development will use the design principles and guidelines to assess site design when reviewing the final plan submitted as required under the Zoning Agreement for the Planned Area.

General Design Principles embody the values and goals a redevelopment scheme should strive for in its urban design. The General Design Principles are the ‘broad brush’, large scale conceptual recommendations made for guiding major commercial developments. The Detailed Design Guidelines and Considerations provide more specific recommendations and strategies.

The principles, guidelines and considerations are anchored to several *OurWinnipeg policies.* These policies essentially strive to ensure that major commercial developments are designed to address the needs of its users in a sustainable manner.

Principle 1: Enhance Pedestrian Comfort, Safety & Accessibility

General Design Guidelines

- Create a safe and comfortable pedestrian environment.
- Apply Universal Design Guidelines.
- Promote Active Transportation.
- Ensure the principles of Crime Prevention Through Environmental Design (CPTED) are applied.
- Ensure safe and convenient access to transit facilities.
- Protect pedestrians from adverse environmental elements.

Detailed Design Considerations

- Sidewalks
    - Size according to their intended use and place in the overall scheme: Wide sidewalks where restaurants and outdoor dining will be concentrated; narrower sidewalks on less intensively used streets.
    - Create direct, comfortable and safe pedestrian routes leading to front entrances of stores from parking areas, transit stops, public sidewalks, other stores, and other pedestrian destinations.
    - Sidewalks need to impart a sense of permanence. They should be lined by trees, high-quality landscaping, and high-quality materials.\
- Parking lots
    - Ensure the parking lot design program includes pedestrian safety, comfort and amenity as key priorities.
    - Provide a pedestrian route between main buildings and the public sidewalk that is uninterrupted by surface parking and driveways.
    - Provide shade and high-quality landscaping in surface parking areas.
    - Position parking rows perpendicular to main building entrances to assist safe pedestrian movement toward the building.
    - Limit the length of parking rows to a maximum of 20-30 contiguous spaces. Longer rows should include landscaped breaks, e.g. islands with shade trees for all season to ensure pedestrian safety.
    - Divide large surface parking areas both visually and functionally into smaller parking courts through the use of landscaped islands and protected pedestrian pathways.
    - Edge treatments along public streets and other public spaces should visually screen parked vehicles but not completely obstruct views into and out of the parking lot for the purpose of supporting pedestrian safety and security.
- Pedestrian Crossings
    - Consider installing ‘tables’ (rolled curbs bordering slightly elevated crossings) at major internal pedestrian routes across drive aisles to serve as a traffic calming feature and provide uninterrupted pedestrian connection.
    - Where pedestrian routes cross street access driveways and other major drive aisles, clearly mark crossings and provide unobstructed sight distance for pedestrians and vehicles.
- Signage
    - Use thematic signage in a consistent way finding system to direct pedestrians to different buildings.
- Lighting
    - Select different luminaries with a coordinated appearance to light pedestrian pathways, parking spaces, drive aisles, building and site entrances and other relevant parking lot features.
    - Install lighting that is appropriately scaled to its purpose, i.e. avoid over lighting.
    - Consider providing pedestrian scale lighting, such as bollards or lower scale pole fixtures, along pedestrian routes.
- Transit
    - Ensure transit facilities are near and relate to building exits and entrances, and key on-site pedestrian routes.
    - Explore opportunities for incorporating transit stops into buildings for the purpose of creating weather protection for transit users.
- Building Design – as it impacts the pedestrian environment:

    - Preliminary thought should be given to locating potential uses with associated outdoor areas (such as cafeteria/café/restaurant) where they will receive maximum exposure to sunshine and protection from wind.
    - Buildings and streets should be oriented to provide maximum protection from prevailing winds (streets oriented east/west, buildings situated to buffer wind) and maximum exposure to sunshine in winter to improve pedestrian comfort.
    - Encourage open and inviting building facades at street and 2nd storey level to enhance the convenience, comfort and enjoyment of pedestrian experiences and enhance interactions between the public space and business operations.
    - Locate refuse storage areas and other building services internal to buildings or screened from view with appropriate fencing/landscaping.
    - Direct access to be provided to retailers, service providers and customer service areas from street level.
- Universal Design
    - Ensure the City of Winnipeg Universal Design Standard is used to guide barrier free design on public lands and encourage application of these standards on private exterior and interior spaces.
    - In particular, ensure all pedestrian routes (interior and exterior) are inclusive and incorporate a consistent way finding system through:
        - signage and site design (i.e. zoned sidewalk concept - furniture zone at back of curb, pedestrian circulation zone/clear path of travel, building frontage zone); and
        - sidewalks that utilize colour and textural contrasting bands defining pedestrian circulation zone and building entries.

Principle 2: Create Identifiable Central Features & People Places Where Appropriate to the Overall Site Context

General Design Guidelines

- Layout the site to clearly define open spaces for people to gather.
- Provide continuity within and through the public environment through such cues as a theme or character to the development.
- Integrate art and aesthetics into all aspects of the project (signage, street furniture, planting, lighting, etc).
- Arrange buildings such that complementary uses are close to each other to minimize walking distances and the need to lock/unlock bicycles or drive personal vehicles for multiple stops.

Detailed Design Considerations

- Create “outdoor rooms” and gathering places
    - Provide comfortable places with amenities such as seating areas that provide opportunity for people to rest and observe surrounding activity; this includes creating places people want to be, be seen, and/or meet others.
- Use amenities such as water features, clock towers, public art and/or architectural features throughout the site plan as landmarks to guide people to different areas of the development.
    - Not all buildings and spaces must be landmark statements: it is equally important for non-landmark buildings to be well designed as “background buildings” and/or to define spaces on the site”.
    -

- Use central features and safe pedestrian routes from parking to building entrances to break up large parking areas into smaller parking courts.
- Open space should be designed positively with clear definition and enclosure. Each outdoor space should have a clear function, character and shape and clear boundaries through the positioning of adjacent buildings, walls, fences, trees and plantings.
- Consider using public art to provide identity to the development and use as a tool to give a distinct theme / character to the development.
    - Explore opportunities for public art early in the planning process.
    - Encourage a public art strategy - identify locations and types of work and provide a framework for commissioning artists and seeking funding.

Principle 3: Respect The Tradition Of Streets And Streetscapes.

General Design Guidelines

- Site layout should provide clear obvious, direct and convenient linkages to site destinations (building entrances, etc.).
- Provide a highly connected roadway system that encourages slow and safe vehicular movement while supporting non-vehicular travel modes with short direct routes.
- Use landscaping features as design elements to create or strengthen a sense of street/connection.

Detailed Design Considerations

- Establish a site layout that is easily understood and provides visual cues so as to minimize the need for signs, especially those concerned with traffic direction and control.
- Create identifiable streets that provide the framework or “mental map” that orients people as to where they are within the development.
    - Provide spatial definition by orienting buildings to the street to support walking, pedestrian accessibility, active transportation and social contact.
    - Visually link the interior with pedestrian streets (CPTED).
- Promote local street connectivity to the adjacent communities by creating an interconnected system that encourages walking, cycling and transit use.
- Encourage an interconnected internal roadway pattern to accommodate the development of “town” centre feeling.
- Lay out internal roadway to reduce excessive motor vehicle traffic across primary on-site pedestrian routes.
- Configure internal roads to minimize the number of potential conflicts with walking and cycling routes.
- 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 yearround interest, texture, shape, and screening.
- Make main entrances on the primary street visible and highly identifiable with landscaping features, public art and/or architectural features.
- 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 4: Celebrate & Build On The Best Features Of The Surrounding Context

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.

Detailed Design Considerations

- Open space planning should take its cue from the patterns of local natural landscape, particularly the density and composition of existing forested areas.
- Ensure active transportation linkages with adjacent, complimentary land uses.
- Ensure site planning respects the local winter conditions and prairie environment through: use of colour, light; sun and wind protection, plant selection, etc.
    - Use native species that are hardy and resistant to stresses of weather exposure;
    - Avoiding monocultures and non-native species that can be susceptible to disease.
    - Consider impacts of snow glare on people and plants.
    - Celebrate and take advantage of seasonal changes.
    - Incorporate mix of deciduous and coniferous plant species to provide year round colour.

Principle 5: Strive For Quality & Character in the Interface between Private and Public Space

General Design Guidelines

- 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.
    - Locate loading, service and garbage zones in areas not visible from the public streets.
    - 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.
- Provide a coordinated signage strategy for the overall complex.
    - Signage is expected to enhance visibility, identity, enable orientation and to contribute to the image of a vibrant pedestrian oriented place.
- 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.).
- Provide a comprehensive lighting plan for the development complex.
    - Select different luminaries with a coordinated appearance to light pedestrian routes, parking spaces, drive aisles, building and site entrances and other relevant site features.
    - Lighting should create an identity for parking areas, enhance adjacent streets / pedestrian environments and be appropriate to the location, context and scale of the areas being lit.

Principle 6: Practice Sustainable Design

General Design Guidelines

- Incorporate sustainable materials and technologies and practices.
- Promote sustainable forms of transportation.
- Implement practices that protect and preserve our natural features and resources.

Detailed Design Considerations

- When appropriate, use site grading to enhance the screening of parking lots.
- Mitigate the urban heat island effect of surface parking lots.
    - Retain natural landscape, minimize pavement and promote natural infiltration; explore feasibility of impervious alternatives. If alternatives are not feasible, surface parking lots should be carefully designed to enhance urban design and environmental conditions.
    - Maximize tree canopy coverage by protecting existing trees and by planting large street trees with wide spreading canopies that are long-lived.
    - Select plant material to encourage sustainable landscapes; strive for maximum species diversity.
- Manage storm water quality and quantity on site.
    - Treat storm water as an environmental process (tree canopy intercept precipitation, encourage infiltration into the ground as quickly as possible).
    - Consider incorporating an oil and gas separator into the parking lot land drainage system to capture and remove these products from entering into the storm water retention pond).
    - Provide a site grading plan compatible with the storm water management approach selected for the site.
- Organize parking spaces and rows to provide consolidated soft landscaped areas and opportunity for on-site storm water management.

- If development is phased, ensure a phasing plan to identify all current and future parking requirements. Parking areas constructed incrementally should match land use build-out schedules. Areas not required for parking should be landscaped.
- Balance the need for safety and security with the reduction of energy consumption and light pollution. Avoid “over lighting”, light spillage on adjacent properties, streets and open spaces, use energy-efficient fixtures and bulbs, incorporate opportunities for offgrid power generation, e.g. solar, wind.
- Integrate bicycle parking into the design and layout of the parking facilities.
- Incorporate transit stops into building design and internal roadway design to provide easy and convenient access for its users.
- Organize and layout the site and provide site infrastructure and amenities to promote safe and convenient pedestrian, bicycle, and transit circulation to and within the site.