Minutes – Executive Policy Committee – July 9, 2014

Minute No. 490
Report – Standing Policy Committee on Property and Development – July 8, 2014

Item No. 12 Rezoning – 445 River Avenue
(Fort Rouge-East Fort Garry Ward)
File DAZ 213/2014

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That Winnipeg Zoning By-law No. 200/2006 be amended by adding Schedule V, the 445 River Avenue Planned Development Overlay 2 (PDO-2 445 River Avenue), attached as Appendix "D".

2. 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 May 30, 2014.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 213/2014 dated June 4, 2014 to an "RMU" Residential Mixed Use District, subject to the following:

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

        i. 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, site lighting, bicycle parking, transit shelter, hardscaping and landscaping 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.

        ii. That the development shall be constructed in substantial conformance with plans submitted and attached hereto and identified as Schedule "C", including, but not limited to, the building height, massing, setbacks, and stepbacks.

Report – Standing Policy Committee on Property and Development – July 8, 2014

4. The Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

5. 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.

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

7. 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.

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

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

Minutes – Executive Policy Committee – July 9, 2014

Report – Standing Policy Committee on Property and Development – July 8, 2014

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

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

Carried

Moved by Councillor Browaty,

That the recommendation of the Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On July 8, 2014, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 10, 2014, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service be concurred in and forwarded to the Standing Policy Committee on Property and Development

RE: **Rezoning – 445 River Avenue**
File DAZ 213/2014

For submission to: **The Standing Policy Committee on Property and Development**
Prepared by: **Andrew Poitras, Senior Committee Clerk**
City Centre Community Committee

Report date: **June 12, 2014**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 10, 2014, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development:

1. That Winnipeg Zoning By-law No. 200/2006 be amended by adding Schedule V, the 445 River Avenue Planned Development Overlay 2 (PDO-2 445 River Avenue), attached as Appendix "D".

2. 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 May 30, 2014.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 213/2014 dated June 4, 2014 to an "RMU" Residential Mixed Use District, subject to the following:

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

        i. 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, site lighting, bicycle parking, transit shelter, hardscaping and landscaping 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.

ii. That the development shall be constructed in substantial conformance with plans submitted and attached hereto and identified as Schedule "C", including, but not limited to, the building height, massing, setbacks, and stepbacks.

4. The Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

5. 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.

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

7. 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.

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

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

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

1. This is a wonderful project and the Board and staff have done an amazing job.
2. Great consultation process with the community.
3. Fantastic land use for a signature corner in Winnipeg.
4. Need housing, coop housing, housing for artists.
5. Need to complete the very special corner in a very special neighbourhood.
6. The fact that there is no community opposition is very encouraging.

PUBLIC HEARING SUMMARY

File:	DAZ 213/2014
Before:	City Centre Community Committee Councillor Orlikow, Chairperson Councillor Gerbasi
Public Hearing:	June 10, 2014 Council Building, 510 Main Street
Applicant:	Lakeview Realty of Canada Ltd. (Wayne Bollman)
Subject:	

APPLICANT : LAKEVIEW REALTY OF CANADA LTD.

FILE : DAZ 213/14

PROPOSAL : To rezone the land shown outlined above from a "C2" COMMERCIAL COMMUNITY DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT with PLANNED DEVELOPMENT OVERLAY 2 (PDO-2) to facilitate the establishment of a mixed use building to include multi-family residential, a theatre and miscellaneous commercial uses. **For information, phone Mr. M. Robinson, Planner, at 204-986-3213.**

Premises Affected: 445 River Avenue

Exhibits Filed:

1. Application dated April 14, 2014
2. Notification of Public Hearing dated April 25, 2014
3. Manitoba Status of Title 1439255/1
4. Letter of authorization dated April 8, 2014 from Mykola Nick Kowalchuk, Osborne Village Cultural Centre Inc. to Lakeview Realty of Canada Ltd.
5. Surveyor's Building Location Certificate and sketch dated January 22, 2014
6. Gas Station Arts Centre Shadow Study
7. Drawing of subject property (4 pages)
8. Plans (11 pages)
9. Report from the Planning and Land Use Division dated June 4, 2014
10. Inspection Report
11. Communication dated June 10, 2014, from Basil Lagopoulos in opposition to the application
12. Presentation in support of the application submitted by the applicant at the public hearing
13. Audio Recording of representations

REPRESENTATIONS:

In Support:

Jim Bell
Wayne Bollman
Marilyn Boyle
Dave Brown
Brent Calnitsk and Anna Tabaquero
Susan Cameron
Stephen Cohlmeyer
Karl Falk
Katherine Ann Fowler
Shirley Grierson
Harry Haid
Jessica Irvine
Rea Kavanagh
Nick Kowalchuk
Katarina Kupca
Geof Langen
Megan McArton
Russ Myhal
Gerry Neault
Harry Nelken

Cynthia Anne Newman
Heather Oliphant
J. Craig Oliphant
Debbie Patterson
Vicky Reaney
Dana Rungay
John Silver
Lori Stefaniuk
Richard Walls
Susan Weldon

In Opposition

Basil Lagopoulos

For Information:

John Wintrup

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Mr. R. Mahé, Planner, Planning, Property and Development Department

Exhibit "9" referred to in File DAZ 213/2014

ADMINISTRATIVE REPORT

Title: DAZ 213/2014 – 445 River Avenue

Issue: For consideration at the public hearing for a Rezoning for DAZ 213/2014 – 445 River Avenue

Critical Path: City Centre Community Committee 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 Winnipeg Zoning By-law No. 200/2006 be amended by adding Schedule V, the 445 River Avenue Planned Development Overlay 2 (PDO-2 445 River Avenue), attached as Appendix "D".

2. 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 May 30, 2014.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 213/2014 dated June 4, 2014 to an "RMU" Residential Mixed Use District, subject to the following:

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

        i. 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, site lighting, bicycle parking, transit shelter, hardscaping and landscaping 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.

ii. That the development shall be constructed in substantial conformance with plans submitted and attached hereto and identified as Schedule "C", including, but not limited to, the building height, massing, setbacks, and stepbacks.

4. The Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

5. 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.

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

7. 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.

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

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

REASON FOR THE REPORT

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.

CONSULTATION

In preparing this Report there was consultation with:
N/A

SUBMITTED BY

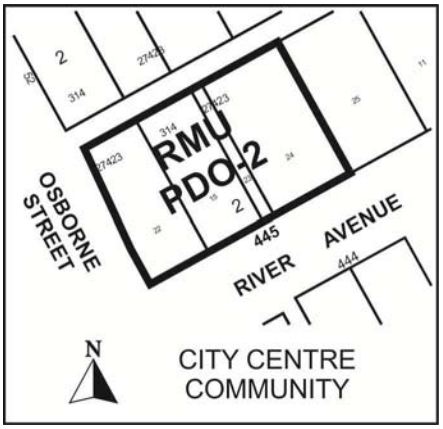
Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Michael Robinson, AICP, MCIP
Date:	June 4, 2014
File No.	DAZ 213/2014

APPENDIX 'A'

DATE: June 4, 2014
FILE: DAZ 213/2014
RELATED FILES:
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.111

SUBJECT: To rezone the subject land from a "C2" Commercial District to an "RMU" Residential Mixed Use District

LOCATION: 445 River Avenue
LEGAL DESCRIPTION: Lot 15 Block 2 Plan 314; Lot 22/24 Plan 27423 41 St. B



APPLICANT: Lakeview Realty of Canada Ltd. (Wayne Bollman)

OWNER: Osborne Village Cultural Centre Inc.

RECOMMENDATION: Approval

SITE DESCRIPTION
The subject property, which is currently zoned "C2" Commercial District, is located in the Osborne Village neighbourhood of the Fort Rouge – East Fort Garry ward.

North: Commercial use zoned "C2" Commercial PDO-1 Neighbourhood Main Streets and a multi-family residence zoned "RMF-M" Residential Multi-Family District
South: Commercial use zoned "C2" Commercial PDO-1 Neighbourhood Main Streets and a place of worship zoned "RMF-M" Residential Multi-Family District
East: Mixed use building zoned "RMU" Residential Mixed Use District
West: Commercial uses zoned "C2" Commercial PDO-1 Neighbourhood Main Streets

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to rezone the subject property from a "C2" Commercial District to an "RMU" Residential Mixed Use District in order to construct a 9 storey, 85 unit, mixed use building, which will include a new theatre for the Gas Station Arts Centre, ± 5,000 sq ft of commercial space at grade, and underground parking.

The existing building will be demolished to accommodate the new development.

The new development has the following features:

- A new 300 seat theatre for the Gas Station Arts Centre
- Approximately 5,000 sq ft of commercial space at grade fronting Osborne Street
- An extension of the plaza in front of Villa Cabrini
- A four storey cantilever over the sidewalk on Osborne Street to accommodate a crush space for the gas station theatre
- Approximately 60% of the units will be co-op housing units
- Upper stories of the building will be setback on River Avenue, Osborne Street, and the back lane, creating space for townhouses with terraces on the north and south sides
- A proposed urban greenhouse and artist studio on the roof

Reason for application
The proposed density exceeds what is allowed in the "C2" Commercial District. The "RMU" Residential Mixed Use District, however, allows for a higher density. Consequently, to accommodate the proposed density, a rezoning to "RMU" is required.

In addition, a PDO-2 is required to modify the existing zoning for density and dimensional standards.

ANALYSIS AND ISSUES
OurWinnipeg/Complete Communities
A. Policies
i. OurWinnipeg (Complete Communities Direction Strategy)
Osborne Village has the characteristics of a community mixed use centre in Complete Communities, the City of Winnipeg's land use and development plan.

Community mixed use centres are intended to have higher density development and a broad range of land uses. It is important that development in these areas creates a high-quality street environment and is attractive to residents and visitors alike.

One relevant plan policy for community mixed use centres is as follows:

Encourage moderate to high density housing and higher intensity commercial and mixed use development focused on sustainable transportation

Osborne Village Neighbourhood Plan
The subject property is within the Village Character Commercial (V-CC) sector of the Osborne Village Neighbourhood Plan (By-law 220/2006). The following are some policies that apply to this sector:

5.1.2.A Encourage a mix of day to day and special purpose shopping, dining, and entertainment services to meet the needs of village residents and visitors;

5.1.2.B Encourage mixed use buildings, with ground floors predominantly occupied by street-oriented commercial uses such as retail, restaurant, entertainment, and personal services. Upper floors should contain offices, professional services, live/work units, and residential uses;

5.1.2.C Development will be pedestrian oriented in form by requiring that buildings maintain the traditional building line and height at the street. Periodic setbacks not to exceed 25% of the building façade may be considered for the purpose of accommodating public spaces, plazas, cafes, outdoor seating and dining areas, and other amenities;

5.1.2.E Development along Osborne Street, River Avenue, Stradbrook Avenue, Wardlaw Avenue, Gertrude Avenue, McMillan Avenue, and Corydon Avenue will be characterized by street oriented retail, entertainment, and restaurant/café uses.

5.1.2.F New Development and additions will have a minimum of two storeys and a maximum of four storeys, subject to the following exceptions:

5.1.2.F.1 Additional storeys will not result in any adverse shadow or wind impacts on the street and public sidewalks

5.1.2.F.2 Decorative building elements such as towers, cupolas, or clock towers are exempt, provided that there are no adverse shadow or wind impacts on the street and public sidewalks

Design
The design meets policies of the Osborne Village Neighbourhood Plan in the following ways:

Uses
The proposal is consistent with Policies 5.1.2.A and 5.1.2.B, in that it provides a mix of uses to serve the residents of the area and accommodates retail and theatre space on the ground floor and offices and residential uses on the upper floors

Setbacks
The proposal is consistent with Policy 5.1.2.C in that it maintains a traditional building line along the street. With that said, the Public Service requested that the building be setback slightly from Osborne Street, in order to provide a wider sidewalk. A wider sidewalk is desirable in this location, due to the high amount of pedestrian traffic and a bus stop at this location.

Height
The proposal is consistent with Policy 5.1.2.C in that the cantilever portion of the building on Osborne Street is approximately the same height as the McKim Building to the south. The cantilever will also be similar in height to the new Shoppers Drug Mart addition across the street and will be slightly lower than the Roslyn apartments to the north.

In terms of shadow and wind impact, the applicant has provided that following information in italics:

Shadow
The applicant has submitted shadow studies for the building. *Shade on Osborne Street is limited to morning hours; there is no shading impact on River Avenue, and the shade impact to the north of the building will be the same as Villa Cabrini. Due to the tower portion of the building being stepped back from the west and north sides of the building, the shadow impact on Osborne Street and the north side will be reduced.*

Wind
Wind performance along River Avenue will closely mirror that already existing at Villa Cabrini. With the stepped façade and multiple planes along the south face, wind should be broken up and downdrafts will not occur because the lower two levels provide an effective break to this downward movement of air. Wind performance along Osborne Street will be mitigated as a result of the cove where people can shelter along Osborne Street and as a result of the overhanging slab above, which will also protect from rain and snow. The width of both Osborne and River will mitigate the impact of wind funneling along both streets, so that there should be little or no increase in at grade winds paralleling the two streets.

Parking Location
The proposal is consistent with Policy 3.1.1.B.3 in that all parking will be located either underground or off the back lane.

Building Entrances
The proposal is consistent with Policy 3.1.1.C.1 in that pedestrian access is a predominant feature in the site design. There will be pedestrian access to the building at grade at several locations along both River Avenue and Osborne Street.

Architect's critique
We requested that the architect, Cohlmeyer Architecture Ltd, provide a critique of how this project meets the intent of the Osborne Village Neighbourhood Plan. It is included in Appendix E.

Other items

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 and to ensure that TOD principles are being implemented. The PDO-2 takes into account the location and the distinctive mix of uses that may occur here.

Some of the key modifications to the underlying zoning district:

- Additional density is permitted
- Flexibility in setbacks is permitted.
- Additional height is permitted
- A Parking and Bicycle Parking Management Plan, which must be approved by the Director of Planning, Property, and Development, will replace the parking and bicycle parking requirements in the Winnipeg Zoning By-law.
- Theatre is added as a permitted use

The PDO-2 is attached in Appendix D.

This portion of Osborne Street is also governed by the regulations of the Neighbourhood Main Streets PDO-1. This PDO provides use restrictions and use specific standards. The subject application meets

the use restrictions of the PDO-1, and due to the size of the retail and/or personal services proposed, it also meets the use specific standards of the PDO-1.

Parking Management Plan
The applicant is submitting a parking management plan. The plan includes the following key points

- Approximately 60 parking stalls will be provided underneath the building
- 3 car share vehicles will be provided on site
- Approximately 8 parking stalls will be provided adjacent to the back lane
- Approximately 30 bicycle parking stalls will be provided

Given the location – which includes many amenities (grocery store, drug store, restaurants, etc) and transit options, a reduced parking ratio is appropriate. The proposed parking management plan will be satisfactory in meeting the need for parking on this site.

Forestry
Given site constraints that prevent the Developer from meeting the Zoning By-Law requirements for landscaping, the City expects the Developer, in lieu of these requirements, to preserve the existing trees located on their private property along River Avenue that are within the plaza space identified in the plan.

Tree protection measures shall be implemented throughout the site development and building construction period all as determined by, and to the satisfaction of the Director of Public Works and the City Forester.

Public Consultation
The applicant has indicated that the project scope was developed through an in-depth stakeholder review process that was held in 2013. The project direction was further confirmed through a public open house that was held at the Gas Station Arts Centre in January 2014.

Plan Approval
As is typical for projects of this magnitude, the Winnipeg Public Service is recommending plan approval, prior to the issuance of any development permits. It is expected that the final plans will be in substantial conformance with the plans which were submitted with the application.

RECOMMENDATIONS
The Urban Planning Division recommends approval for the following reasons:

- The rezoning is consistent with Complete Communities and the Osborne Village Neighbourhood Plan

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

Report Prepared by: Michael Robinson, AICP, MCIP
PPD File # DAZ 213/2014

APPENDIX B

Schedule "A" for File No. DAZ 213/2014, City Centre Community Committee, dated June 4, 2014

By-Law No. _____

File No. **DAZ 213/14**

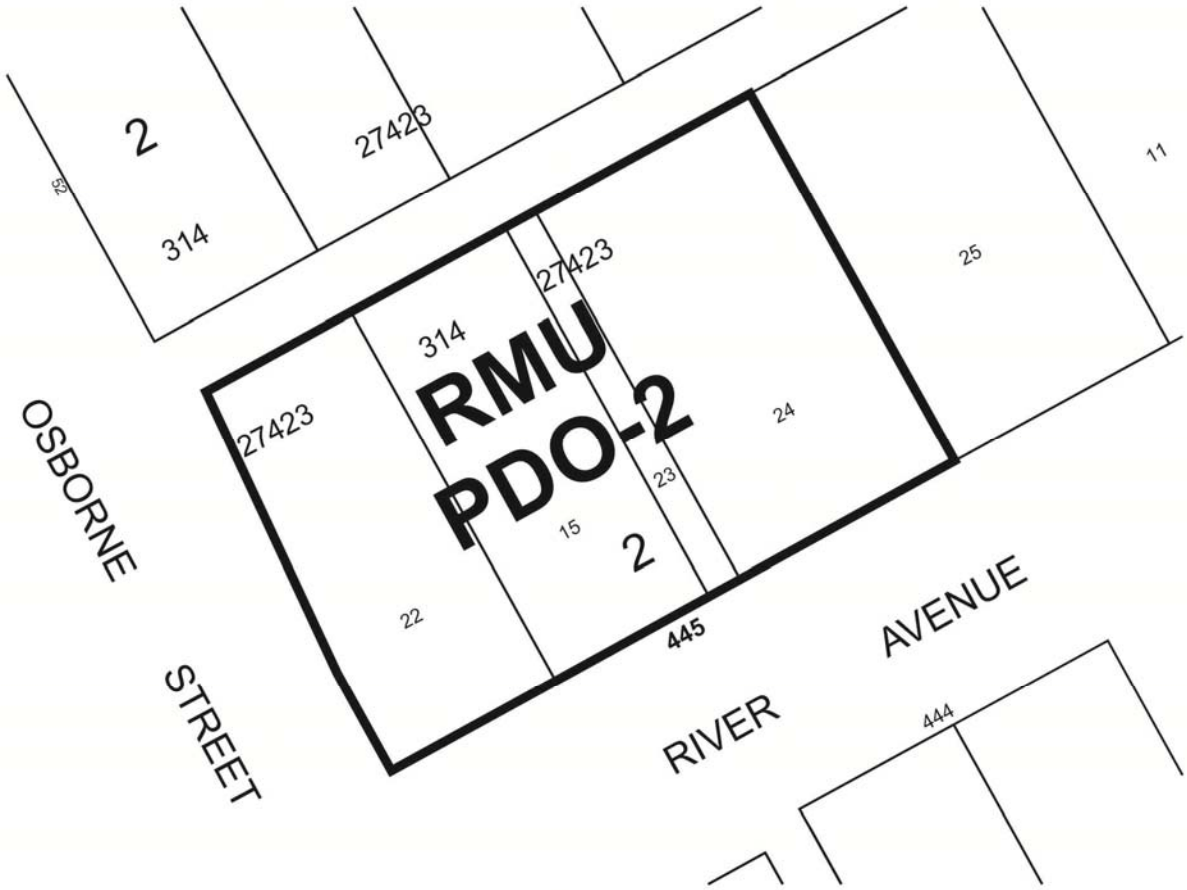
Atlas Sheet No.

N

AB24
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 445 River Avenue from a "C2" COMMERCIAL COMMUNITY DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT with PLANNED DEVELOPMENT OVERLAY 2 (PDO-2) to facilitate the establishment of a mixed use building to include multi-family residential, a theatre and miscellaneous commercial uses as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____



Figure 1: Aerial Photo (Flown in 2012)

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – May 30, 2014

RE: PROPOSED REZONING OF LAND LOCATED AT 445 RIVER AVENUE - DAZ 213/2014

It is recommended that the approval of DAZ 213/2014, if granted, be subject to the applicant entering into a Servicing Agreement addressing the following items:

SECTION I - SERVICES

1. Winnipeg Transit - Hydro Utility Cabinet

   The Developer shall, at no expense to the City, relocate the Winnipeg Transit hydro utility metal cabinet and related electrical equipment located on the east sidewalk of Osborne Street, at a point approximately 25 metres north of River Avenue to a location as determined by and to the satisfaction of the Directors of Public Works and Winnipeg Transit, including restoration of the sidewalk, as required, as determined by and to the satisfaction of the Director of Public Works.

   The work may take the form of relocating the cabinet, or removing the cabinet and providing an alternative arrangement that incorporates the electrical equipment into the development in a less conspicuous way, while meeting code and providing access to Winnipeg Transit's electricians.

2. Tree Protection

   The Developer shall protect and preserve the existing trees within the River Avenue public right of way adjacent to the proposed development.

   Tree protection measures shall be implemented throughout the site development and building construction period, and for one year thereafter all as determined by, and to the satisfaction of the Director of Public Works and the City Forester.

3. Cash Securities or Letters of Credit

   The Developer shall, prior to the execution of the Servicing Agreement provide cash securities or an irrevocable Letter of Credit, in favour of the City, in amounts as determined by the Directors of Public Works and Winnipeg Transit to guarantee the commitments of Items 1. and 2. above.

SECTION II – COSTS AND FEES

1. Administration Fee

   The Developer shall, prior to the execution of the Servicing Agreement, pay to the City, to help defray the City's administration and related costs associated with the preparation and implementation of the Servicing Agreement, a lump sum administration fee (minimum), as follows:

i.	Administration fee	$1,650.00
ii.	G.S.T. (5%)	82.50
	TOTAL ……..	$1,732.50

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
May 30, 2014
File No. AG 213/2014

"Original Signed by"
K.T. Raban, P. Eng.,
Planning, Property and Development, Land Development Branch

"Original Signed by"
C.J. Desjardine, P.Eng.
Public Works Department, Transportation Division

"Original Signed by"
M. Barwinsky
Public Works Department, Urban Forestry Branch

"Original Signed by"
D. Patman, P.Eng.,
Winnipeg Transit, Service Development Division

APPENDIX C
Schedule “C”
Proposed building design





Gas Station Arts Centre
Riverborne Housing Cooperative

View: Looking West on River Avenue

LAKEVIEW REALTY OF CANADA LTD

COHLMEYER ARCHITECTURE LIMITED

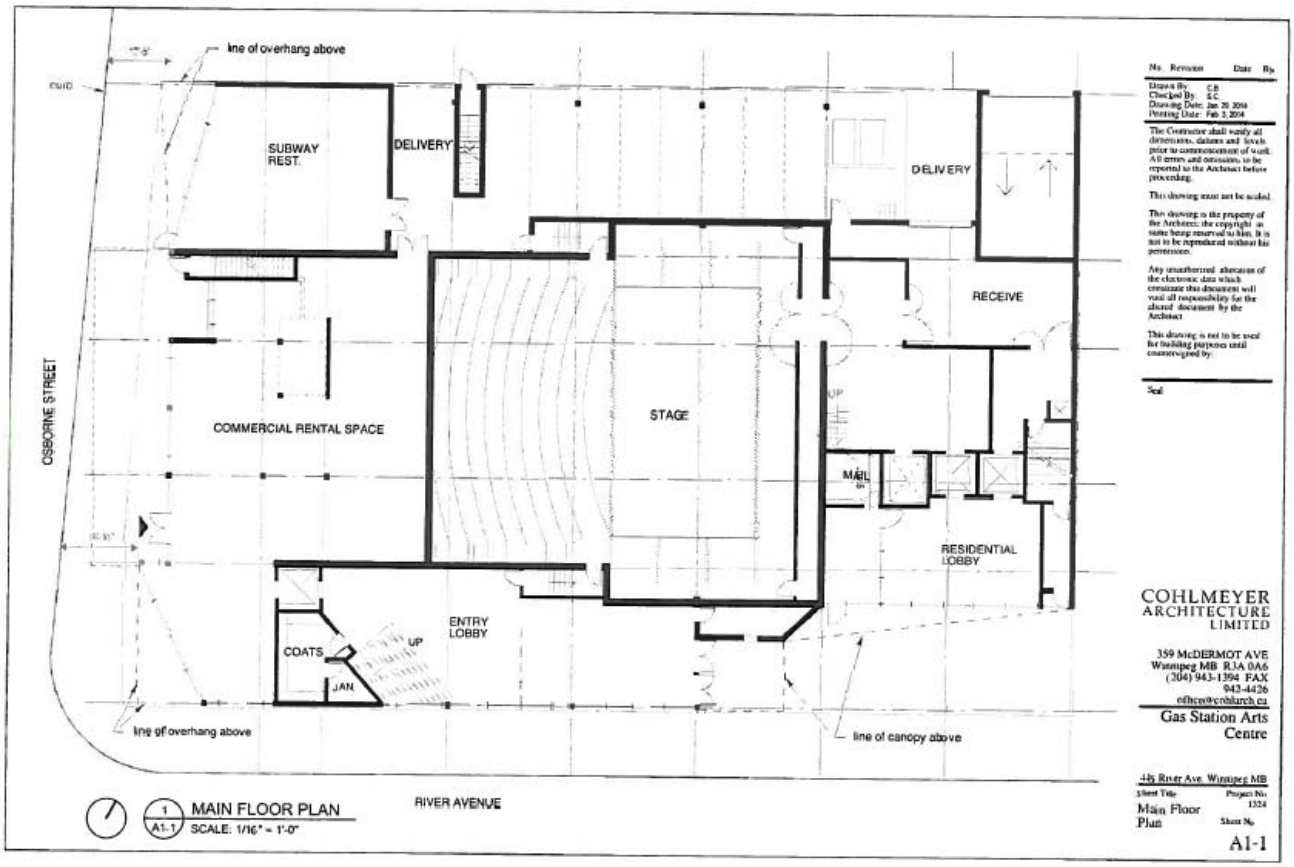


Gas Station Arts Centre
Riverborne Housing Cooperative

View: Looking Southeast from corner of Roslyn rd. and Osborne st., Winnipeg

LAKEVIEW REALTY OF CANADA LTD

COHLMEYER ARCHITECTURE LIMITED


line of overhang above
SUBWAY REST.
DELIVERY
DELIVERY
RECEIVE
OSBORNE STREET
COMMERCIAL RENTAL SPACE
STAGE
UP
MAIL
RESIDENTIAL LOBBY
ENTRY LOBBY
COATS
UP
JAN
line of overhang above
line of canopy above
RIVER AVENUE
1
A1-1
MAIN FLOOR PLAN
SCALE: 1/16" = 1'-0"
No. Revision Date By
Drawn By: CB
Checked By: S.C.
Drawing Date: Jan. 29, 2014
Printing Date: Feb. 3, 2014
The Contractor shall verify all dimensions, datums and levels prior to commencement of work. All errors and omission, to be reported to the Architect before proceeding.
This drawing must not be scaled.
This drawing is the property of the Architect; the copyright in same being reserved to him. It is not to be reproduced without his permission.
Any unauthorized alteration of the electronic data which constitute this document will void all responsibility for the altered document by the Architect
This drawing is not to be used for building purposes until countersigned by:
Seal
COHLMEYER ARCHITECTURE LIMITED
359 McDERMOT AVE
Winnipeg MB R3A 0A6
(204) 943-1394 FAX
942-4426
Gas Station Arts Centre
485 River Ave. Winnipeg MB
Sheet Title
Main Floor Plan
Project No.
1324
Sheet No.
A1-1

APPENDIX D

SCHEDULE V
445 RIVER AVENUE PLANNED DEVELOPMENT OVERLAY 2
(PDO-2 445 River Avenue)

Purpose

1. The purpose of this overlay is to support the development of 445 River Avenue as a residential mixed-use building in a manner that is consistent with the Osborne Village Neighbourhood Plan and Transit Oriented Development (TOD) principles.

Applicability

2. PDO-2 445 River Avenue 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 1.

Permitted Use Regulations

4. Notwithstanding other provisions of this By-law, in the PDO-2 445 River Avenue, the following principal use shall be permitted in addition to the permitted and conditional uses of the underlying RMU zoning district.

    (1) Auditorium/concert hall/theatre/cinema

Use Specific Standards

5. 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.

Auditorium/concert hall/theatre/cinema

6. Auditoriums, concert halls, theatres, cinemas, and similar uses are limited to a maximum 40,000 square feet of gross floor area.

Prohibited Use Regulations

7. Notwithstanding other provisions of this By-law, in the PDO-2 445 River Avenue, the following principal use(s) shall be prohibited.

    (a) Dwelling, single-family detached
    (b) Dwelling, two-family

Dimensional Standards

8. Notwithstanding other provisions of this By-law, in the PDO-2 445 River Avenue, development must comply with the dimensional standards listed in this section.

Zoning District	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum West Interior Side Yard (Ft.)	Minimum East Interior Side Yard (Ft.)	Maximum Building Height (Ft.)
	Residential Mixed Use Structures				
PDO-2 445 River Avenue	0	0	0	0	135

Development Density

9. The maximum density is 85 dwelling units.

Parking, Bicycle Parking and Loading

10. Parking, Bicycle Parking and Loading Management Plan

(1) Vehicle parking requirements shall not exceed the minimum required parking as prescribed in this By-law, in keeping with TOD principles.

(2) 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 the 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.

(3) If the Director concludes that the proposed Parking, Bicycle Parking and Loading Management Plan will provide off-street parking, bicycle parking, and/or loading spaces 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.

(4) 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.

(5) Any owner of land in the PDO-2 445 River Avenue 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.

11. All bicycle parking spaces in the PDO-2 445 River Avenue must comply with the following design standards:

(1) The bicycle parking spaces must be located with convenient access to major building entrances.

(2) Bicycle parking spaces must be provided for both short-term and 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) The bicycle parking spaces must be located at ground level or easily accessible from ground level.

Development Standards for Parking Areas

Dimensions of Parking Spaces

12. Parking Layout

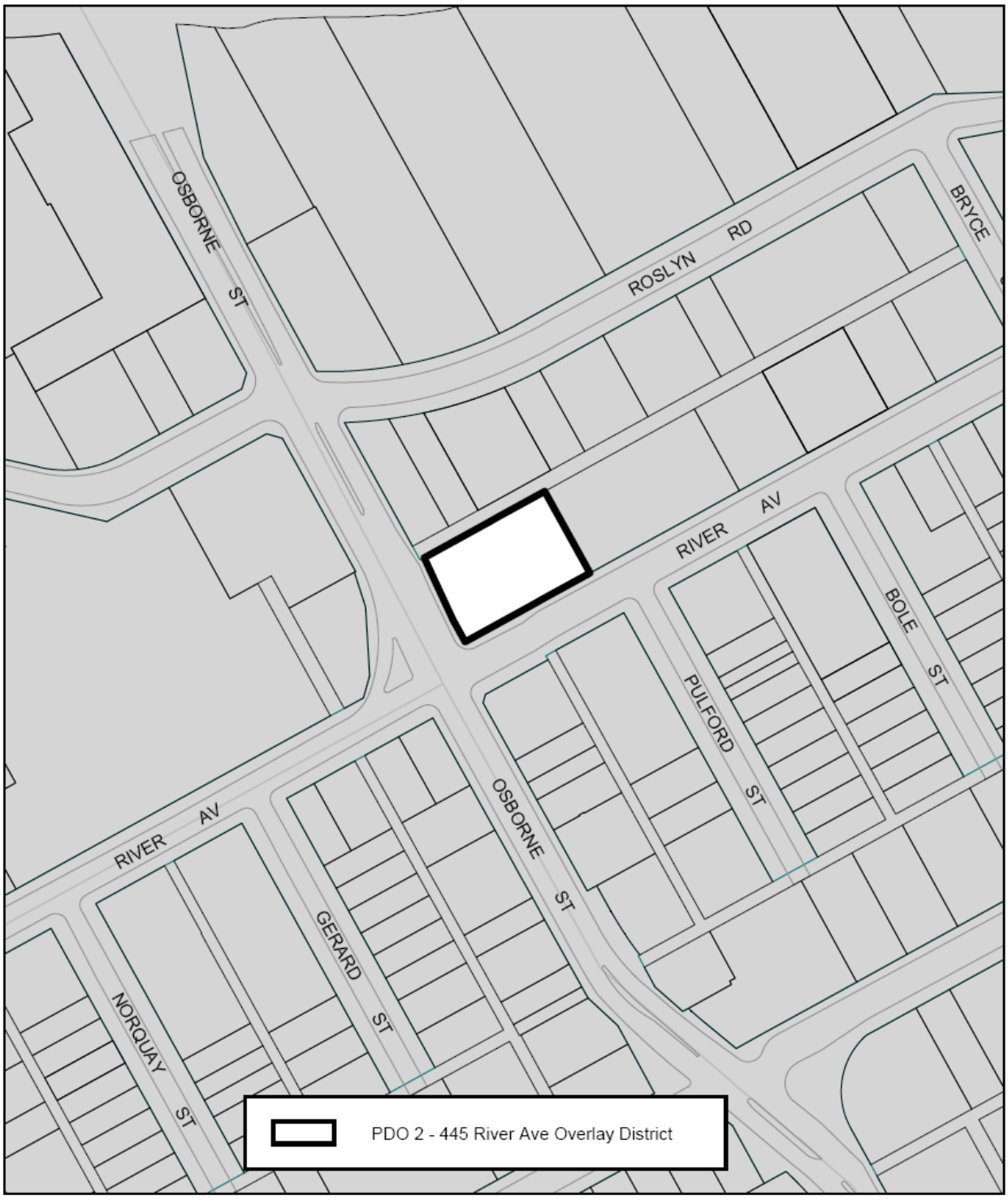
Minimum Required Parking Space Dimensions

Angle of Parking [note a]	Minimum Dimensions of Parking Space	Minimum Parking Driveway Width
75 to 90 degrees	8 feet wide by 20 feet long; or 10 feet wide by 18 feet long, or any combination in between where the sum of the width and length equals 28 feet [note b, note c, note d]	20 [note e, note f]
50 to 74 degrees		18
Less than 50 degrees		12
Parallel		12

Notes:
a. The angle of parking must be measured between the centre line of the parking space and the centre line of the parking aisle or parking driveway
b. A maximum of 25% of the total number of parking spaces for non-residential uses, and a maximum of 33% of the total number of parking spaces for multi-family residential uses, may be reduced to 16 feet in length and designated for small cars only
c. Width must be increased to 10 feet if long dimension is immediately adjacent to a fence or wall
d. Width may be reduced to 7 feet if there is a structural column located next to the parking space, provided that a professional engineer or parking consultant verifies that the structural column does not interfere with vehicles entering and exiting the parking space and does not obstruct vehicle doors from opening and closing.
e. Drive aisle width may be reduced to 18 feet if the drive aisle is parallel to the long dimension of

abutting parking stalls
f. Drive aisle width may be reduced to 9 feet in width if there is a structural column within the drive aisle, provided that a professional engineer or parking consultant verifies that the aisle width provides sufficient space for vehicles to drive past the column and to back out of parking spaces.

13. Accessory off-street parking stalls may take access directly from a public lane.



Map 1 - 445 River Ave
Principal Overlay Map

0 15 30 45 60 75
Meters

APPENDIX E
Architect's Critique

Policy Conformance - Section 3.1 Character Policies

The following is excerpted from the text from Section 3. of the Osborne Village Neighbourhood plan with our inserted textual commentary:

3.0 CHARACTER ELEMENT *Overview:*

The key defining factor in the uniqueness of Osborne Village is its unique character, an urban environment that is distinct in Winnipeg. While many aspects of the Village character are readily apparent, such as the mature canopy shade trees along the boulevards, a problematic issue is how to define and describe this character. Character of a neighbourhood develops from a variety of physical and social elements that coalesce to create an overall community dynamic. Osborne Village can be seen as a unique community that possesses characteristics that are not found in other neighbourhoods in Winnipeg. The area has developed according to the interplay of a variety of factors resulting from its history, boundaries development patterns, architecture, scale, circulation, and its people.

The character of Osborne Village is comprised of several key factors:

A pedestrian oriented urban form and function;

We have focused on the pedestrian environment - defining with building edges, providing a plaza for gathering and larger groups, providing wider sidewalks at the main commercial entry area and main transit stop area. The reduction of parking is itself a focus of international discussion regarding how we can make urban projects better for pedestrians and more conducive of alternative means of transportation.

A mixed use context that provides a balanced and complementary interaction of uses residential, commercial, office, retail, entertainment, and employment;

This project is an excellent example of urban mixed-uses - with residential, cultural and recreational uses all contributing to the richness of the neighbourhood.

A rich inventory of buildings of heritage or architectural significance;

Architectural patterns and details that promote a high quality of architectural and urban design;

Cohlmeyer Architecture are recognized internationally for the quality of our design work and the level of contribution we have been able to make to the urban fabric and to urban life. Though architectural detailing is still to be developed, the development team is dedicated to the creation of a high-quality and iconic work of architecture which complements the traditions of River and Osborne.

A combination of vistas, streetscapes, and natural features that contribute to a sense of character, including mature canopy shade trees along streets;

The proposed plaza, joining with the plaza of Villa Cabrini, keeping the trees in the plaza area, planting along the north curb of River Avenue --- will all contribute to this goal.

A rich mixture of different housing types and affordability levels, thus contributing to a diverse and inclusive neighbourhood;

The Gas Station Arts Centre are committed to the development of affordable housing for a range of demographics; the project is now planned to have at least 60% of the units be Co-op housing units.

A relatively high level of density, which contributes to the vitality of the area and contributes to the variety of uses, housing types, and people.

We recognize that density is a very important driver of urban success, and even in the relatively high densities already found in the Village, the addition of more residential and commercial density reflects a commitment to Winnipeg and will increase the already strong urban dynamic of the Village. The addition of a thriving cultural centre, with drama, gatherings and exhibitions will add even more to the success of this area.

Intent:

The intent of the Character Element is to provide a dynamic, pedestrian oriented environment that respects and reinforces the character of the area. It is to serve as the base for all other elements within the *Osborne Village Neighbourhood Plan*. The policies of the Character Element are to apply throughout Osborne Village, and other Elements of the plan are intended to build on these policies.

Issue Identification:

The following have been identified as issues in the Osborne Village area:

Recent development that have not been consistent with the urban character of Osborne Village in terms of pedestrian orientation, architecture, setbacks, scale, massing, and height;

This development will recognize the traditions of setbacks, street definition, massing and rich contribution to pedestrian environment and opportunities for discovery and service provision. Building height is an issue which is important; the building will be very similar in massing to the Villa Cabrini; the varied heights of the building will reduce the impact of building scale on River Avenue; the overhang on Osborne will protect pedestrians entering the commercial spaces and waiting for buses; and the presence of the building along Osborne will create a unique and important gateway to the Village. It should be noted that the mass reflected in the originally proposed design was the preferred approach to building scale reflected in the neighbourhood stakeholder review carried out last year, and received positive response during the recent public open house.

The original design of the cantilevered residential units has been revised in response to our discussions with City of Winnipeg Administration. The the cantilevered portion being approximately the height of the McKim Building to the south. This reduced cantilevered volume and height brings the height at the sidewalk edge in line with the surroundings. The reduced height will significantly reduce any concerns with down-draft winds, and should reduce issues with water draining down the face of the building and draining on the pedestrian areas below; (this issue will also be addressed during final design with a water-diversion system leading any rainwater away from pedestrians). The main tower has been re-designed approximately 25 feet further west than shown in the original drawings - in order to reduce the impact of the building at sidewalk edge.

Emerging pressures by larger format retailers and chain franchises to locate in the area in a manner that challenges the predominantly pedestrian oriented urban form and character;

The commercial component of this project consists of smaller retail spaces.

New development must be to complementary to the unique character of the area, and be designed in a manner to reinforce this character;

The buildings set along the street property lines; the set-backs and varied building heights; the active commercial frontages; the number of different entries and activities; and the development of the public plaza area are all reflective of the Village.

High quality urban and architectural design which reflects the diverse architectural heritage of the area, and reinforces the active pedestrian oriented nature and character of Osborne Village;

See notes above regarding high quality design and urban environment making.

A socio-economically diverse and inclusive neighbourhood;

See notes above regarding the diversity of uses and occupants for this project.

Development that incorporates universal accessibility, safety, and sustainable development practices.

The building will satisfy or exceed all applicable regulations regarding universal accessibility and safety. The building will reflect best practices for sustainability - social, economic and technical.

3.1 Character Policies:

In order to achieve these objectives, the following policies are implemented: 31.1 Character —

Urban Form & Design:

3.1.1.A Intensification and infill projects will be consistent in design with the street pattern and architectural character of existing areas. Existing patterns of streets, lanes, blocks, and private or public open spaces will be respected; this project is being developed to reflect exactly this urban priorities and patterns.

3.1.1.B Development will achieve an urban character and reinforce the relationship between buildings and the street by:

3.1.1.B.1 Orienting buildings to the street to restore traditional mature neighbourhood character. New buildings are to be located to the front and corner side property lines and have a street front orientation; this project exactly replicates this priority.

3.1.1.B.2 Respecting the traditional character of the area and surrounding properties in terms of pedestrian orientation, mass and scale of surrounding properties, compatible building materials, orientation of entrances to the street, and incorporation of compatible alignment, setbacks, and height of building(s) along the street;

The proposed development reflects these goals, as noted above.

3.1.1.B.3 Providing pedestrian access at the street level, and locating parking, loading, and services entrances at the rear of buildings;
The proposed development reflects these goals.

3.1 .1.B.4 Having consideration for light, view, and privacy of adjacent buildings and areas.

The proposed development reflects these goals.

3.1.1.0 Development will reinforce and contribute to a strong streetscape and pedestrian oriented environment by:

3.1.1.C.1 Ensuring pedestrian access is a predominant feature in site design;

The proposed development reflects these goals.

3.1.1.C.2 Ensuring building design reinforces activity and vitality at the ground level through use of architectural elements and accommodate features to create interest on the street level;

The proposed development reflects these goals.

3.1.1.C.3 Ensuring building design elements that are consistent with surrounding properties, including materials, finishing, signage, placement of windows and doors, and height and massing of buildings;

The proposed development reflects these goals.

3.1.1.C.4 Ensuring sensitive design that clearly defines public, semiprivate, and private space;

The proposed development reflects these goals.

3.1.1.C.5 Providing wider sidewalks in active areas to accommodate pedestrian traffic, particularly where outdoor seating and retail activities are to occur;

The proposed development reflects these goals.

3.1.1.C.6 Encouraging the development of gathering places and active areas, such as pedestrian plazas, outdoor seating areas, and patios at prominent, highly visible locations;

The proposed development reflects these goals.

3.1.1.D Signage will be primarily oriented towards the pedestrian

The proposed development reflects these goals.

3.1.1.E Automobile-oriented land uses, such as gas stations and other drive-through uses, are not to be accommodated

The proposed development reflects these goals.

3.1.2 Character — Diversity of Uses and Housing Types:

3.1.2.A Encourage mixed use buildings in Commercial and Mixed Use areas, with active commercial uses at street level and commercial, office, live / work units, and residential uses above;

3.1.2.B Development with a residential component should include a wide variety of housing options aimed at different lifestyles, age groups, and income levels.

The proposed development reflects these goals.

3.1.3 Character — View Corridors and Natural Features:

3.1.3.ADevelopment should reinforce existing view corridors and street vistas, including view corridors and vistas of the Red & Assiniboine Rivers, the downtown, and prominent land marks;

3.1.3.B Encourage preservation of existing mature canopy shade trees and natural areas through good design.

The proposed development reflects these goals.

3.1.4 Character — Safety, Environment & Sustainable Development:

3.1.4.A The incorporation of concepts of Universal Design, and Crime Prevention Through Environmental Design (CPTED) into building, streetscape, and site design is strongly encouraged;

3.1.4.B Encourage the use of 'green' design principles, such as the use of sustainable building design, and the utilization of 'green roofs';

3.1.4.0 Ensure new buildings are designed and developed in a matter that considers future reuse, and not solely designed and built for only one specific use or user.

The proposed development reflects all of these goals.

3.1.5 Advance Plan Winnipeg Policies: 1B-04 Support Protection and Creation of Character Areas

3A-01 Promote Orderly Development

3A-02 Promote Compact Urban Form

3A-03 Integrate Land Use, Urban Design, and Transportation Planning 3B-01 Promote Vibrant Neighbourhoods

3B-02 Guide the Development of New and Existing Residential Areas

3B-04 Accommodate Commercial and Retail Development 3C-04 Promote Mobility Through Principles of Universal Access

4B-01 Integrate Safety into Overall Planning and Urban Development 5E-01 Promote High-Quality Urban Design

We believe that the proposed development reflects all of these goals, as outlined in the discussions above.

Policy Conformance - Section 5. Village Character Commercial

The following is excerpted from the text from Section 5. of the Osborne Village Neighbourhood plan with our inserted textual commentary

5.1 Commercial Policies:

In order to achieve the Commercial Element intent and address the issues, the following policies are implemented:

5.1.1 Common Commercial Policies

Focus new commercial development that serves both local and broader needs, including a wide range of retail, restaurants, entertainment, professional, financial services and limited industrial businesses in the commercial category areas;

The proposed development reflects these goals.

5.1.1.B Encourage mixed-use buildings comprising commercial, office, residential, and live / work units;

The proposed development reflects these goals.

5.1.1.0 Encourage commercial development to achieve a pedestrian-oriented character and reinforce the relationship between buildings and the street;

The proposed development reflects these goals.

5.1.1.D Encourage gathering places, such as pedestrian plazas, outdoor seating areas, and patios;

The proposed development reflects these goals.

5.1.1.E Require new commercial development that is adjacent to residential portions to minimize potential negative impacts on the residential district, by mitigating the impacts of parking, loading zones, refuse collection, vehicle access, and other issues via site design, buffering, setbacks, and landscaping;

The proposed development reflects these goals.

5.1.2 Village Character Commercial (V-CC)

5.1.2.A Encourage a mix of day-to-day and special purpose shopping, dining, and entertainment services to meet the needs of village residents and visitors;

The proposed development reflects these goals.

5.1.2.B Encourage mixed-use buildings, with ground floors predominantly occupied by street-oriented commercial uses such as retail, restaurant, entertainment, and personal services. Upper floors should contain offices, professional services, live / work units, and residential uses;

The proposed development reflects these goals.

5.1.2.0 Development will be pedestrian-oriented in form by requiring that buildings maintain the traditional building line and height at the street. Periodic setbacks not to exceed 25% percent of the building facade may be considered for the purpose of accommodating public spaces, plazas, cafes, outdoor seating and dining areas, and other amenities;

The proposed development reflects these goals.

5.1.2.D Buildings fronting onto River, Stradbrook, McMillan, and Corydon Avenues may have additional setbacks for the purpose of accommodating public open spaces, plazas, cafes, outdoor seating and dining areas, and other amenities;

5.1.2.E Development along Osborne Street, River Avenue, Stradbrook Avenue, Wardlaw Avenue, Gertrude Avenue, McMillan Avenue, and
Corydon Avenue will be characterized by street-oriented retail, entertainment, and restaurant / café uses;

5.1.2.F New development and additions will have a minimum of two storeys and a maximum of four storeys, subject to the following exceptions:

5.1.2.F.1 Additional storeys will not result in any adverse shadow or wind impacts on the street and public sidewalks;

We enclose sun shadow studies for the building. The building will have the same impact as the neighbouring Villa Cabrini. Shade on Osborne is limited to morning hours; there is no shading impact on River Avenue, and the shade impact to the north of the building will be essentially the same as that of Villa Cabrini. Wind performance along River Avenue will closely mirror that already existing at Villa Cabrini (with the stepped facade and multiple planes along the south face, wind should be broken up, and downdrafts will not occur because the lower two levels provide an effective brake to this downward movement of air. Wind performance along Osborne will be mitigated as a result of the cove where people can shelter along Osborne, and as a result of the overhanging slab above - which will also protect from rain and snow (especially for those waiting for buses). The width of both Osborne and River will mitigate the impact of wind funneling along both streets, so that there should be little or no increase in at-grade winds paralleling the two streets.

5.1.2.F.2 Decorative building elements such as towers, cupolas, or clock towers are exempt, provided that there are no adverse shadow or wind impacts on the street and public sidewalks;

5.1.3 Village Local Commercial (V-LC)

5.1.3.A Require that retail and office uses occupy the majority of ground
floor space in new development. Office, residential, and live / work units are encouraged on the upper floors;

The proposed development reflects these goals - especially with the hoped-for inclusion of live-work studios for artists.

5.1.3.B Recognize and reinforce Donald Street's status as a designated image
route under the City of Winnipeg *Image Route Enhancement Strategy*.

5.1.4 Advance Plan Winnipeg Policies:

1B-04 Support Protection and Creation of Character Areas

3A-01 Promote Orderly Development 3A-02 Promote Compact Urban Form 3A-03 Integrate Land Use, Urban Design, and Transportation Planning

3B-01 Promote Vibrant Neighbourhoods

3B-04 Accommodate Commercial and Retail Development

3B-05 Promote Commercial Densification

4B-01 Integrate Safety into Overall Planning and Urban Development

5E-01 Promote High-Quality Urban Design