Minute No. 501
Report – Standing Policy Committee on Property and Development – June 26, 2015

Item No. 2 Subdivision and Rezoning – 159-175 Mayfair Avenue (Fort Rouge-East Fort Garry Ward) File DASZ 11/2015

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development, as amended, and adopted the following:

1. That the plan of subdivision under File DASZ 11/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 11/2015 dated June 3, 2015 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 11/2015 dated June 3, 2015 to a "C2" Commercial Community District, subject to the following:

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

        i. That the uses permitted on the land shall be limited to:

            a. Social service facility
            b. Office
            c. Those which are permitted and conditional in the "C1" Commercial District with the following exceptions:

                1. the following uses shall not be permitted:

                    A. Contractor's establishment
                    B. Retail sales
                    C. Restaurant
                    D. Kennel
                    E. Post office/carrier depot

                2. the following uses shall be conditional:

Report – Standing Policy Committee on Property and Development – June 26, 2015

COUNCIL DECISION (continued):

A. Personal services
B. Animal hospital or veterinary clinic
C. Transit station

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

3. In lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

4. That prior to the City's release of the plan of subdivision mylars, the Developer must:

A. Apply for a private access permit to the Public Works Department for the removal of the existing private approach serving 161/163 Mayfair Avenue and associated works and for the modifications of the existing private approach serving 175 Mayfair Avenue.

B. Enter into an agreement with the City in which the Developer grants to the City a 10m wide easement in the planned area, within which easement area an active transportation pathway approximately 3 to 4 m wide may be constructed. After the City has reviewed the developer's proposed grading plans for the planned area, the City shall, in consultation with the Developer, determine the location of the easement area to be described in the easement agreement. The City anticipates that the easement area will run in an east-west direction, for the full length of the planned area, between 18 metres and 35 metres from the north property line. The easement agreement shall be to the satisfaction of the Director of Public Works. If the Director of Public Works in his sole discretion deems it necessary, the developer shall, at its sole expense, have a Manitoba Land Surveyor prepare a plan of easement with respect to the easement agreement. The easement agreement shall run with the land and the developer must register it against title as a statutory easement, and must also register the plan of easement if applicable.

Report – Standing Policy Committee on Property and Development – June 26, 2015

COUNCIL DECISION (continued):

C. The Developer acknowledges and agrees that riverbank erosion and riverbank instability are naturally occurring processes. The easement agreement referred to in (4.B.) shall provide that the Developer releases and indemnifies the City from any and all liability and responsibility for any negative impact on the planned area resulting from erosion and instability in the riverbank on and adjoining the planned area, even if such erosion and/or instability originate on or from the easement area and/or the active transportation pathway. However if the City constructs the active transportation pathway and does so negligently, the release and indemnity do not apply to liability and responsibility for negative impact on the planned area resulting from erosion and instability in the riverbank on and adjoining the planned area, to the extent that negligence contributes to the erosion and instability.

D. If the Developer is required to do any work to stabilize the riverbank on or adjoining the planned area, the Developer shall, in doing that work and/or preparing any related engineering and/or geotechnical plans and reports, take into account and make accommodations for the active transportation pathway referred to in (4.B.), including the grading necessary and appropriate for the pathway, all as determined by and to the satisfaction of the Director of Public Works.

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

6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years 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 the two (2)-year period and Council approves the extension.

7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

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

Report – Standing Policy Committee on Property and Development – June 26, 2015

COUNCIL DECISION (continued):

9. That, the zoning section of the by-law shall come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land within one year from the date the by-law is passed, failing which the by-law will expire and the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one year period and Council approves the extension.

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

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

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

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

Report – Standing Policy Committee on Property and Development – June 26, 2015

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,
That the recommendation of the Standing Policy Committee on Property and Development be adopted.

In amendment,
Moved by Councillor Orlikow,
Seconded by Councillor Gerbasi,

NOW THEREFORE BE IT RESOLVED that Item 2 of the June 26, 2015 report of the Standing Policy Committee on Property and Development be amended by adding the following new recommendation:

2. A. ii. That for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

The motion by Councillor Orlikow and Gerbasi was put and declared carried.

The motion for adoption of the item, as amended, was put and declared carried.

Report – Standing Policy Committee on Property and Development – June 26, 2015

DECISION MAKING HISTORY (continued):

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 8, 2015, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 26, 2015, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee with the following amendment:

- Add the following to recommendation 4.C. after "active transportation pathway.":

  "However if the City constructs the active transportation pathway and does so negligently, the release and indemnity do not apply to liability and responsibility for negative impact on the planned area resulting from erosion and instability in the riverbank on and adjoining the planned area, to the extent that negligence contributes to the erosion and instability."

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

COMMUNITY COMMITTEE RECOMMENDATION:

On June 10, 2015, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- Amend recommendation 4.B. by deleting "45 metres" and replacing with "35 metres";

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

RE: **Subdivision and Rezoning – 159-175 Mayfair Avenue**
File DASZ 11/2015

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

Prepared by: **Ms K. McMillan, Committee Clerk**
City Centre Community Committee

Report date: **June 12, 2015**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 10, 2015, 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 the plan of subdivision proposed under File DASZ 11/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 11/2015 dated June 3, 2015 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 11/2015 dated June 3, 2015 to a "C2" Commercial Community District, subject to the following:

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

        i. That the uses permitted on the land shall be limited to:

            a. Social service facility
            b. Office
            c. Those which are permitted and conditional in the "C1" Commercial District with the following exceptions:

                1. the following uses shall not be permitted:

                    A. Contractor's establishment
                    B. Retail sales
                    C. Restaurant
                    D. Kennel

E. Post office/carrier depot

2. the following uses shall be conditional:

   A. Personal services
   B. Animal hospital or veterinary clinic
   C. Transit station

3. In lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

4. That prior to the City's release of the plan of subdivision mylars, the Developer must:

   A. Apply for a private access permit to the Public Works Department for the removal of the existing private approach serving 161/163 Mayfair Avenue and associated works and for the modifications of the existing private approach serving 175 Mayfair Avenue.

   B. Enter into an agreement with the City in which the Developer grants to the City a 10m wide easement in the planned area, within which easement area an active transportation pathway approximately 3 to 4 m wide may be constructed. After the City has reviewed the developer's proposed grading plans for the planned area, the City shall, in consultation with the Developer, determine the location of the easement area to be described in the easement agreement. The City anticipates that the easement area will run in an east-west direction, for the full length of the planned area, between 18 metres and ~~***45 metres***~~ ***35 metres*** from the north property line. The easement agreement shall be to the satisfaction of the Director of Public Works. If the Director of Public Works in his sole discretion deems it necessary, the developer shall, at its sole expense, have a Manitoba Land Surveyor prepare a plan of easement with respect to the easement agreement. The easement agreement shall run with the land and the developer must register it against title as a statutory easement, and must also register the plan of easement if applicable.

   C. The Developer acknowledges and agrees that riverbank erosion and riverbank instability are naturally occurring processes. The easement agreement referred to in (4.B.) shall provide that the Developer releases and indemnifies the City from any and all liability and responsibility for any negative impact on the planned area resulting from erosion and instability in the riverbank on and adjoining the planned area, even if such erosion and/or instability originate on or from the easement area and/or the active transportation pathway.

D. If the Developer is required to do any work to stabilize the riverbank on or adjoining the planned area, the Developer shall, in doing that work and/or preparing any related engineering and/or geotechnical plans and reports, take into account and make accommodations for the active transportation pathway referred to in (4.B.), including the grading necessary and appropriate for the pathway, all as determined by and to the satisfaction of the Director of Public Works.

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

6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years 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 the two (2)-year period and Council approves the extension.

7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

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

9. That, the zoning section of the by-law shall come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land within one year from the date the by-law is passed, failing which the by-law will expire and the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one year period and Council approves the extension.

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

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

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

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

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

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

1. This is a valuable, important service in our community that Macdonald Youth Services provides and this will enable them to do their work better.

2. Considers the riverbank and concerns about future active transportation.

PUBLIC HEARING SUMMARY

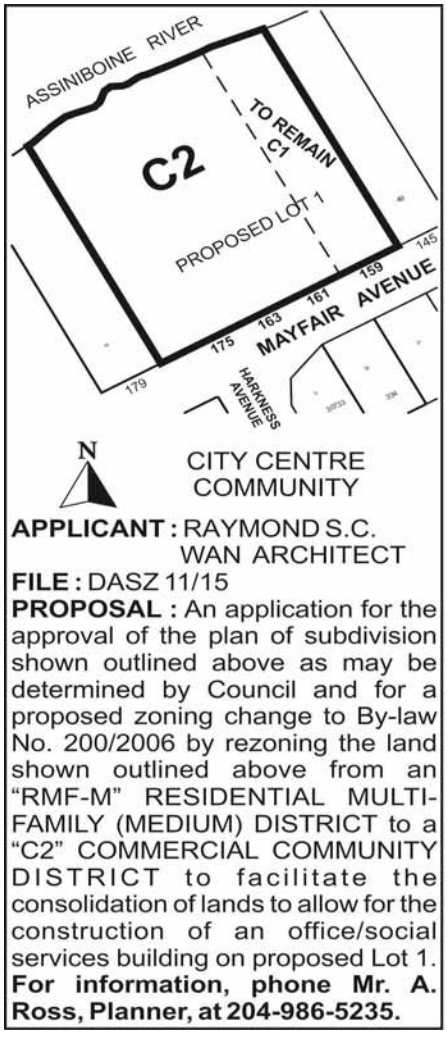
File: DASZ 11/2015

Before: City Centre Community Committee
Councillor Orlikow, Chairperson
Councillor Gerbasi
Councillor Gilroy

Public Hearing: June 10, 2015
Council Building, 510 Main Street

Applicant: Raymond S. C. Wan, Architect

Subject:



Premises Affected: 159-175 Mayfair Avenue

Exhibits Filed:

1. Application dated April 9, 2015
2. Notification of Public Hearing dated May 1, 2015
3. Manitoba Status of Titles 2462911/1, 1224109/1, 1224104/1, 1728093/1
4. Certificate of Title 477125
5. Letter of authorization dated March 27, 2015 from Erma Chapman, CEO of Macdonald Youth Services, to Raymond S.C. Wan Architect
6. Surveyor's Building Location Certificate and sketch dated December 8, 2010

7a. Caveat 2223578
7b. Caveat 4383299/1
7c. Caveat 4179254/1 (Historic Property Notice)
7d. Caveat 4383300/1 (Easement Declaration)

8. Plans (6 pages)
9. Revised Plans (13 pages)
10. Report from the Urban Planning Division dated June 3, 2015
11. Inspection Report
12. Plans in support of the application submitted by the Applicant at the public hearing
13. Recording of Representations of public hearing

REPRESENTATIONS:

In Support:

Ray Wan
Michael Chan
Erma Chapman
Ian Gillies
Lee Malcolmson
Dale Oughton
Susan Russell

In Opposition

Nil

For Information:

Garry Marshall

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Mr. A. Ross, Planner, Planning, Property and Development Department

Exhibit "10" referred to in File DASZ 11/2015

ADMINISTRATIVE REPORT

Title: DASZ 11/2015 – 159-175 Mayfair AVE

Issue: For consideration at the public hearing for a Subdivision and Rezoning for DASZ 11/2015 – 159-175 Mayfair AVE

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 the plan of subdivision proposed under File DASZ 11/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 11/2015 dated June 3, 2015 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 11/2015 dated June 3, 2015 to a "C2" Commercial Community District, subject to the following:

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

        i) That the uses permitted on the land shall be limited to:
            a) Social service facility
            b) Office
            c) Those which are permitted and conditional in the "C1" Commercial District with the following exceptions:
                1. the following uses shall not be permitted:
                    a. Contractor's establishment

b. Retail sales
c. Restaurant
d. Kennel
e. Post office/carrier depot

2. the following uses shall be conditional:
   a. Personal services
   b. Animal hospital or veterinary clinic
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3. In lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

4. That prior to the City's release of the plan of subdivision mylars, the Developer must:

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   C. The Developer acknowledges and agrees that riverbank erosion and riverbank instability are naturally occurring processes. The easement agreement referred to in (4.B.) shall provide that the Developer releases and indemnifies the City from any and all liability and responsibility for any negative impact on the planned area resulting from erosion and instability in the riverbank on and adjoining the planned area, even if such erosion and/or instability originate on or from the easement area and/or the active transportation pathway.

   D. If the Developer is required to do any work to stabilize the riverbank on or adjoining the planned area, the Developer shall, in doing that work and/or preparing any related engineering and/or geotechnical plans and reports, take into account and make accommodations for the active transportation pathway referred to in (4.B.), including the grading necessary and appropriate for the pathway, all as determined by and to the satisfaction of the Director of Public Works.

5. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.
6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years 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 the two (2)-year period and Council approves the extension.
7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.
8. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Servicing Agreement.
9. That, the zoning section of the by-law shall come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land within one year from the date the by-law is passed, failing which the by-law will expire and the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one year period and Council approves the extension
10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.
11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.
12. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.
13. That the 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 applicant is proposing to subdivide and rezone the land presently zoned "RMF-M" Residential Multi-family – Medium District to a “C2” Commercial Community District to facilitate the consolidation of lands into two (2) lots and to allow for the construction of an office/social services building on proposed Lot 1. Proposed Lot 2 contains an existing building and will remain zoned as “C1” Commercial Neighbourhood District.
- Rezoning applications require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee’s consideration of the development application at the Public Hearing.

HISTORY

In 2010, MacDonald Youth Services (MYS) applied to rezone 159 Mayfair Avenue from “RMF-M” - Residential Multi-Family - Medium to “C2” - Commercial Community; and 161-175 Mayfair from “RMF-M” - Residential Multi-Family to “EI” Educational and Institutional. At that time, 159 Mayfair Avenue was rezoned to “C1” – Commercial Neighbourhood rather than to “C2”; and MYS did not proceed with the rezoning of 161-175 Mayfair Avenue to “EI”. It is understood that the reason for foregoing the rezoning to “EI” at the time was that MYS determined that due to the fact that they no longer required a detention facility on the site, institutional zoning was no longer required.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, the property will be rezoned and subdivided.

CONSULTATION

In preparing this Report there was consultation with:

N/A

SUBMITTED BY

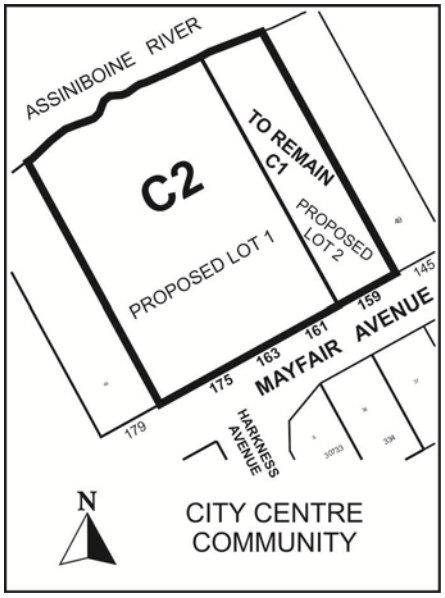
Department	*Planning, Property and Development*
Division	*Urban Planning*
Prepared by	Andrew Ross, MCP, MCIP
Date:	June 3, 2015
File No.	DASZ 11/2015

APPENDIX 'A'

DATE: June 3, 2015
FILE: DASZ 11/2015
RELATED FILES: N/A
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.111

SUBJECT: To subdivide and rezone the land presently zoned "RMF-M" Residential Multi-family – Medium District to a "C2" Commercial Community District.

LOCATION: 159-175 Mayfair AVE
LEGAL DESCRIPTION: LOTS 1-4 PLAN 27520 WLTO; LOTS 45 & 48 PLAN 334 WLTO IN RL 41 ST. B



APPLICANT: Raymond S.C. Wan Architect
50 Willow Avenue, Winnipeg, Manitoba, R3N 0G8

OWNER: Sir Hugh John MacDonald Memorial Hostel
175 Mayfair Avenue
Winnipeg MB R3L 0A1

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject property, currently zoned “RMF-M”, is located on Mayfair Avenue between Donald Street and Main Street in the River-Osborne neighborhood of the Fort Rouge-East Fort Garry ward.

- The subject property is 54,238 sq. ft. in size

- The property currently contains 3 buildings with services operated by MacDonald Youth Services.



Figure 1: Air photo of the location of subject property and surrounding area (2014).

The immediate area is characterized primarily by multifamily development. The site is located close to regular transit service on Mayfair Avenue and Main Street, Harkness Rapid Transit station and the Donald Street Bridge. Immediately adjacent land uses include:

North: Assiniboine River

South: Multi-family residential uses zoned “RMF-M” – Residential Multi-Family - Medium

East: Multi-family residential uses zoned “RMF-M” – Residential Multi-Family - Medium

West: Public right of way and City owned land zoned “RMF-M” – Residential Multi-Family - Medium

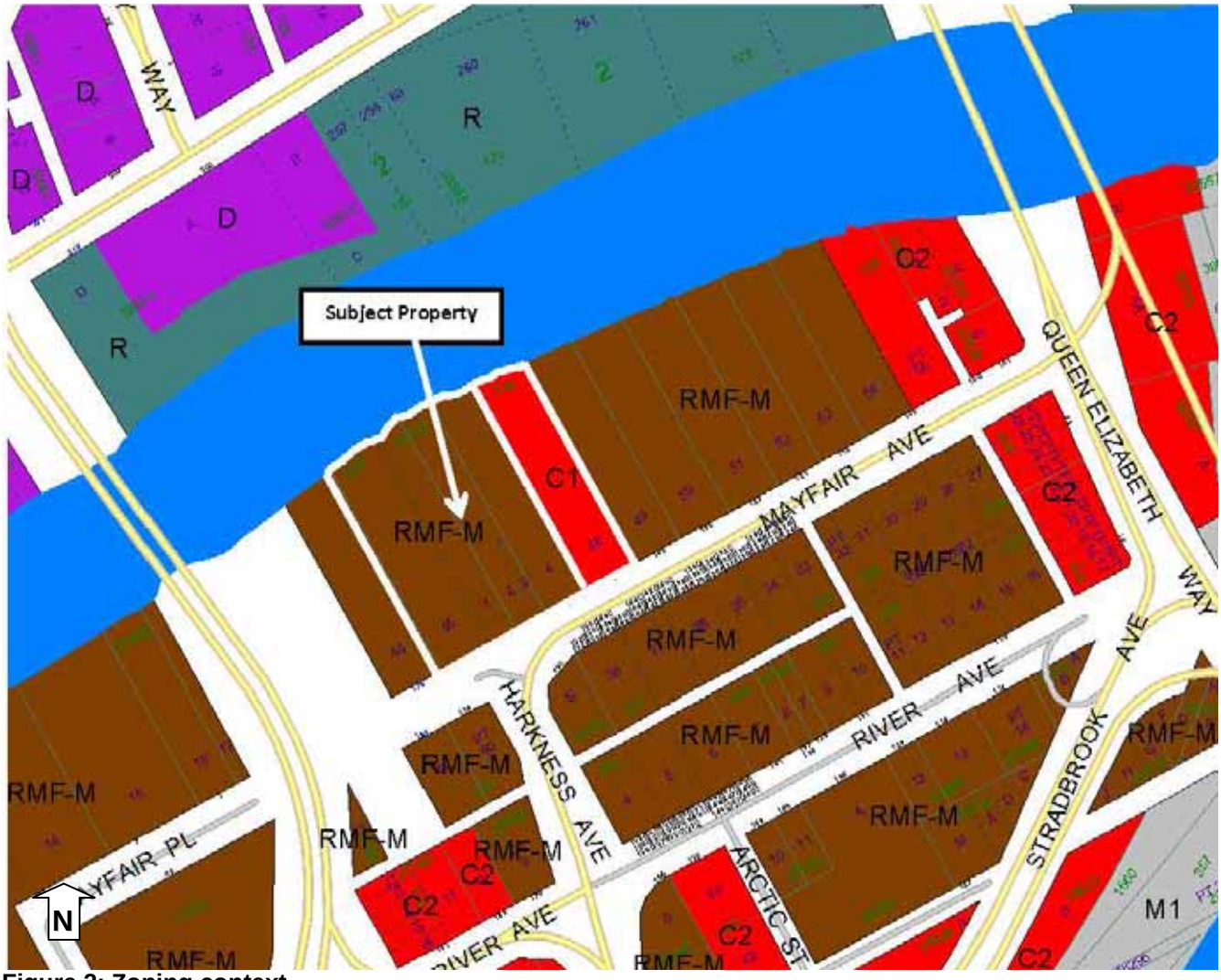


Figure 2: Zoning context

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant seeks a rezoning and subdivision in order to consolidate the six existing lots currently zoned “RMF-M” and to develop a new 3-storey service and administration facility for MacDonald Youth Services (MYS).

The consolidated six lots will form one lot (Proposed Lot 1 as shown on Schedule A). The new facility will be located on Lot 1, which is currently 161, 163, and 175 Mayfair Avenue. The lot immediately east (Proposed Lot 2 as shown on Schedule A) will remain “C1” and will not be subdivided or redeveloped.

The new facility will centralize existing MYS facilities and will be composed of offices, training rooms, and client meeting and therapy spaces. The facility will be 32,904 square feet in size and the site will contain 63 car parking stalls and 8 bike parking stalls.

Unlike a previous MYS proposal for this site approved but not built in 2010, this proposal does not include overnight accommodation services or detention facilities and as such only requires a “C2” zoning designation rather than “E1”.

The proposal meets Winnipeg Zoning By-Law 200/06 and requires no variances.

Reason for application

The Social Service uses currently provided onsite are existing non-conforming in the “RMF-M” District. As part of the redevelopment of the site, it is necessary to bring zoning into current compliance.

Because Social Service facilities are not allowed within the “RMF-M” Zoning District, the applicant intends to rezone to “C2”. “C2” is the smallest district that permits Social Service facilities without a conditional use. Larger commercial districts such as “C3” and “C4” also allow Social Service facilities however those uses facilitate a range of uses and a scale of development that is not compatible in this context.

ANALYSIS AND ISSUES

Complete Communities Direction Strategy

As per the *Complete Communities Direction Strategy,* the proposed development falls within Areas of Stability – Mature Communities policy area. Key policies guiding development within Areas of Stability include:

- Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form.
- Support Complete Communities by ensuring diverse and high quality housing stock.
- In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses.

While this development falls within a downtown residential context, the applicant worked with the Urban Planning Division to ensure the proposed building meets policies of *Complete Communities* to complement the context in terms of scale and built form.

Land Use

MYS has a long standing history of providing services at this location, going back to 1931. Within the neighbourhood, there is a level of familiarity with MYS and its services and it is anticipated that the use will continue to compliment the neighbourhood into the future.

Design

The Urban Planning Division and the applicant have worked collaboratively to address urban design and building design issues, to ensure overall compatibility with the context.

The following two main design issues were of particular interest to the Division. Below each item is a description of the design response that was undertaken by the applicant, which is reflected in the plans attached to this application.

Design Issue 1
'Break up' the building's long massing to complement the pattern of short lots and narrow frontages on Mayfair Avenue.

The applicant agreed to design the building to read as several sections vertically to complement the fine-grained street pattern. To do this, the applicant designed the building with four distinct front facades, extended them to the ground and accentuated them with visual cues. The applicant also implemented the following recommended options to increase vertical articulation:

- Glass curtain walls were extended to the ground
- Sections of the building plane were pushed out to add shadow lines, texture and visual interest to the façade
- The base was shortened to a pedestrian height
- Ground floor windows were lengthened vertically and/or extended floor-to-ceiling

Design Issue 2
Utilize a fine grained façade treatment similar to the context.

The applicant indicated that due to insulating properties of the panel cladding, it was best to maintain the larger sized panel module as shown on the plans.

Height and Setbacks

The height of the building is three storeys, which is in keeping with the range of building heights along Mayfair Avenue.

The proposed front yard setback (10 feet) corresponds well with front yard setbacks along the street.

Parking and transportation

The applicant is providing 63 car parking spots including 2 accessible spots, which is more than the required 44 spots and 2 accessible spots. MYS indicates that they require this added complement of parking to accommodate the needs of their staff. The parking is located behind the building and is not visible from the street, which is something the Urban Planning Division supports in order to provide a more pedestrian-oriented streetscape. The applicant is providing 8 bike parking spots, which is more than the required 4.

This development is located close to regular transit service on Mayfair Avenue and high frequency and rapid transit service on Main Street. The site is also adjacent to the Donald Street Bridge which is a major north/south transportation corridor providing access to the site. The property and land use is well situated from a multi-modal transportation perspective.

The building has pedestrian access from the sidewalk and around the building, connecting the front and rear entrances.

As part of previous DASZ 243/2012, a cross-access agreement was established between proposed Lots 1 and 2 to provide parking and vehicular access across the site.

Trees

As indicated on the plans, the applicant proposes to retain as many mature trees as possible and to use tree protection measures during demolition and construction. In addition, a minimum of seven new trees will be planted in the parking area, street edge landscaping will be provided, and new trees are being incorporated on the easternmost section of the Mayfair frontage to soften the view from the street.

Public Consultation

Consultations were held in 2009 by MYS regarding an earlier proposal that was being contemplated at that time, which included different land uses and was not proceeded with.

For this new proposal, MYS held a public open house on June 2nd 2015, from 6:00pm to 7:30pm.

Other

Plan Approval
Director Plan Approval is required as per Zoning Agreement 64/2013.

Zoning Agreement
The Urban Planning Division recommends limiting future uses on the site through the Zoning Agreement. The “C2” Zoning District provides more latitude for future development opportunities than would be appropriate in this location which sits within a mostly residential context. Although

"C2" zoning is required to support this Social Service facility, "C1" zoning would normally be more appropriate in this context. For this reason, the Zoning Agreement stipulates that uses allowed in the "C1" District will be the main uses permitted, with the exception of a small number of uses which the Urban Planning Division recommends should not be permitted or should require a conditional use given the context.

SUMMARY

The Urban Planning Division supports the rezoning and subdivision for the following key reasons:

- "C2" is the most appropriate zoning district for accommodating the desired uses on this site while supporting a context-sensitive scale of development.

- MYS has been operating in this neighbourhood for almost 85 years and has been working for several years to consolidate operations on this site which has proven an effective location for MYS.

- The applicant worked closely and collaboratively with the Urban Planning Division to resolve design issues and has provided a context sensitive building with a more pedestrian friendly presentation.

- The applicant is preserving mature onsite trees.

RECOMMENDATIONS

The Urban Planning Division recommends that the application be approved with conditions and that the subject property be rezoned to a "C2" – Commercial Community District.

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

Report Prepared by: Andrew Ross
PPD File # DASZ 11/2015 – 159-175 Mayfair AVE
Schedule "A" for File No. DASZ 11/2015, City Centre Community Committee, June 3, 2015

By-Law No. _____

File No. **DASZ 11/15**

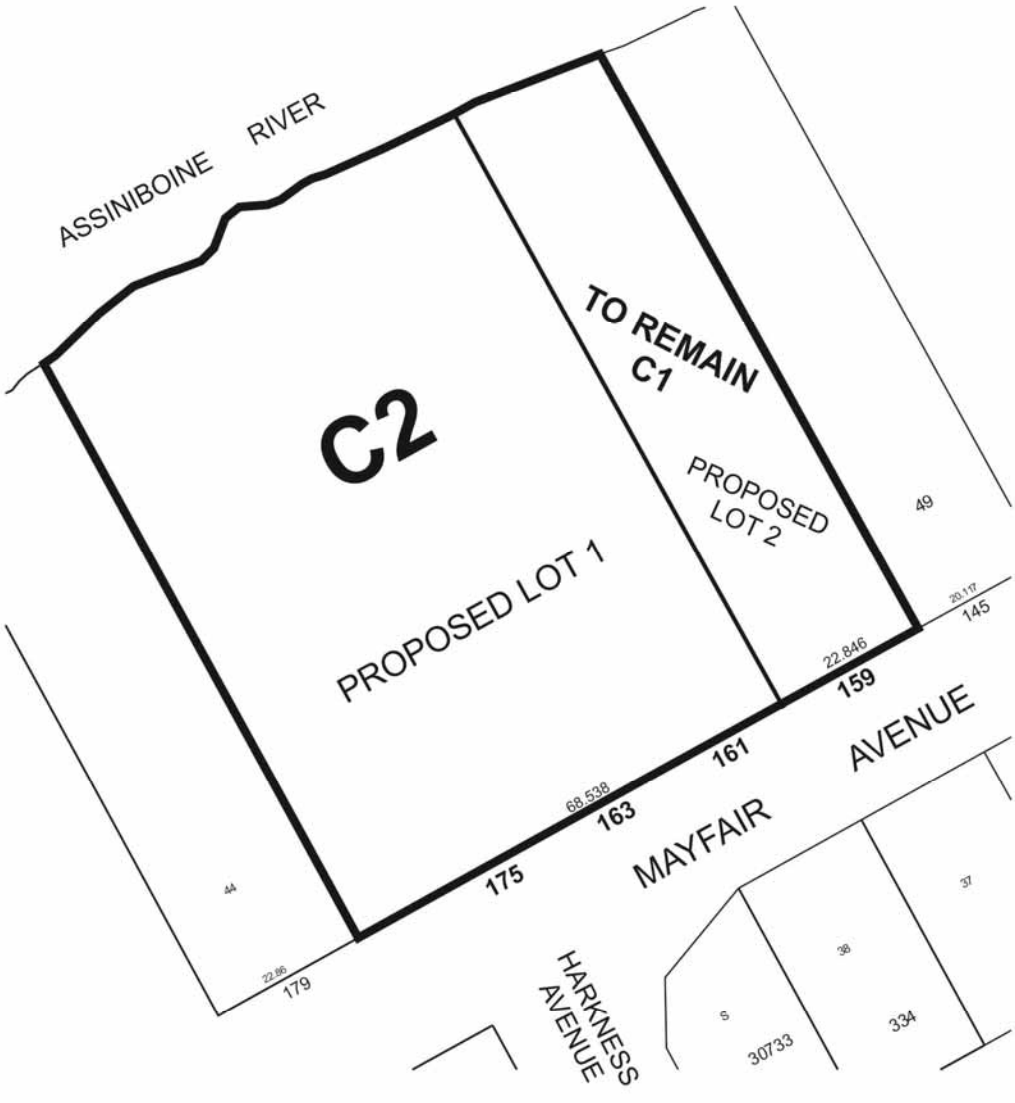
Atlas Sheet No.

N

AA25
CITY CENTRE
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 159-175 Mayfair Avenue from an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to a "C2" COMMERCIAL COMMUNITY DISTRICT to facilitate the consolidation of lands to allow for the construction of an office/social services building on proposed Lot 1 as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____