Minutes – Executive Policy Committee – February 17, 2016

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 16, 2016

Item No. 3 Subdivision and Rezoning – 3081 Portage Avenue (St. Charles Ward) File DASZ 38/2015

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

1. That the plan of subdivision under File DASZ 38/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 38/2015 dated January 5, 2016 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 38/2015 dated January 5, 2016; to be rezoned to the "RMF-L" Residential Multi Family –Large zoning 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 for the development of any building and/or accessory parking area and/or freestanding signage plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, fully enclosed garbage enclosures, fencing, landscaping, lighting, bicycle parking and free standing signage to the Director of Planning, Property and Development and the Assiniboia Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 16, 2016

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

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

7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

8. 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.

9. 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.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 16, 2016

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

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 Orlikow,

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

Carried

STANDING COMMITTEE RECOMMENDATION:

On February 16, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Assiniboia Community Committee, with the following amendment:

- Amend recommendation 2.A.i. by adding “fully enclosed” before “garbage enclosures”.

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

COMMUNITY COMMITTEE RECOMMENDATION:

On January 12, 2016, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

RE: **Subdivision and Rezoning – 3081 Portage Avenue**
File DASZ 38/2015

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

Prepared by: **Destiny Watt, Senior Committee Clerk**
Assiniboia Community Committee

Report date: **January 13, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 12, 2016, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the plan of subdivision proposed under File DASZ 38/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 38/2015 dated January 5, 2016 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 38/2015 dated January 5, 2016; to be rezoned to the "RMF-L" Residential Multi Family –Large zoning 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 for the development of any building and/or accessory parking area and/or freestanding 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, lighting, bicycle parking and free standing signage to the Director of Planning, Property and Development and the Assiniboia Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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

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

7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

8. 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.

9. 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.

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

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

1. The building is compatible with the high rises to the east.
2. The project is in line with the Complete Communities strategy.
3. This is a positive development on an unused piece of land.

PUBLIC HEARING SUMMARY

File: DASZ 38/2015

Before: Assiniboia Community Committee
Councillor Gillingham, Chairperson
Councillor Morantz
Councillor Dobson

Public Hearing: January 12, 2016
Council Building, 510 Main Street

Applicant: Otto Cheng Architect Inc.
(Otto Cheng)

Subject:



Premises Affected: 3081 Portage Avenue

Exhibits Filed:

1. Application dated November 5, 2015
2. Notification of Public Hearing dated December 3, 2015
3. Status of Titles 2455741/1 and 2455743/1
4. Letter of authorization dated November 3, 2015 from 6077502 Manitoba Ltd. to Otto Cheng Architect Inc.
5. Surveyor's Building Location Certificate and sketch dated March 8, 2000
6. Plans (11 pages)
7. Revised Site Plan – Option 2 (1 page)
8. Report from the Urban Planning Division dated January 6, 2016
9. Inspection Report
10. Communication dated January 10, 2016, from Rita Braun in opposition to the application

REPRESENTATIONS:

In Support:

Otto Cheng
Kevin Lalor
Megan Gillespie

In Opposition

Rita Braun
Bruce Ault

For Information:

Nil

For the City:

Mr. D. Clark, Planner, Urban Planning Division, Planning, Property and Development Department
Mr. J. Platt, Senior Planner, Urban Planning Division, Planning, Property and Development Department

Exhibit "8" referred to in File DASZ 38/2015

ADMINISTRATIVE REPORT

Title: DASZ 38/15 – 3081 Portage Avenue

Issue: For consideration at the public hearing to subdivide the parcel of land at 3081 Portage Avenue into two (2) lots and rezone the north portion of the lot to the RMF-L" Residential Multi Family – Large zoning district.

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

AUTHORIZATION

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

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 38/2015 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 38/2015 dated January 5, 2016 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 38/2015 dated January 5, 2016; to be rezoned to the "RMF-L" Residential Multi Family –Large zoning 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 for the development of any building and/or accessory parking area and/or freestanding 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, lighting, bicycle parking and free standing signage to the Director of Planning, Property and Development and the Assiniboia Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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

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

7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

8. 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.

9. 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.

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

REASON FOR THE REPORT

- The applicant intends to subdivide 3081 Portage Avenue into two properties and rezone the northernmost property to the “RMF-L” zoning district.
- Subdivisions and rezonings 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.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Urban Planning Division are concurred in, the subject land will be subdivided into two lots and Lot 1 will be rezoned to the “RMF-L” Residential Multi-Family Large zoning district.

HISTORY

N/A

CONSULTATION

In preparing this Report there was consultation with:

- Public Works
- Water and Waste
- Transit
- Parks
- Riverbanks and Waterways
- Fire and Safety

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Devin Clark
Date:	January 6, 2016
File No.	DASZ 38/15

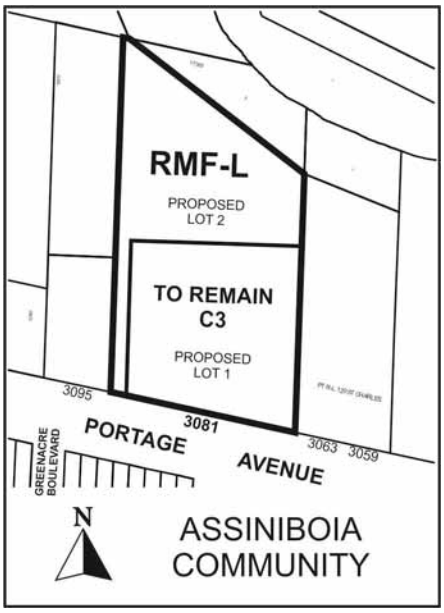
APPENDIX 'A'

DATE: January 6, 2016
FILE: **DASZ 38/15**
RELATED FILES:
COMMUNITY: Assiniboia
NEIGHBOURHOOD #: 2.214

SUBJECT: To subdivide the parcel of land at 3081 Portage Avenue into two lots. Lot 1 to be maintained as "C3" Corridor Commercial zoning district and Lot 2 is to be rezoned to the "RMF-L" Residential Multi-Family Large zoning district.

LOCATION: 3081 Portage Avenue

LEGAL DESCRIPTION: PT RL 118 ST C LYING S OF STR LINE DRAWN N OF PARL WITH & DIST ON COURSE OF W LIMIT SAID RL 700F FROM N LIMIT PORTAGE AV PL 547 & TO E OF STR LINE DRAWN W OF PARL WITH & PERP DIST 300F FROM W LIMIT RL 120 ST C & TO N OF SAID N LIMIT OF PORTAGE AV EXC PL 17361 PT RL 120 ST C WLY 1 CHN EXC PL 17361



APPLICANT: Otto Cheng
Unit 13 – 1214 Chevrier Blvd.
Winnipeg MB R3T 1Y3

OWNER: 6077502 Manitoba Ltd.

RECOMMENDATION: Approval, with conditions

SITE DESCRIPTION

- The subject property is located on the north side of Portage Avenue in the Westwood Neighbourhood of the St. Charles ward.
- The current lot size is 5.1 acres and property is zoned ‘C3’ Corridor Commercial.
- The site is located within the Regional Mixed Use Corridor Policy Area under the Complete Communities Direction Strategy.



Figure 1: Site map of subject property and surrounding neighbourhood (flown 2014)

SURROUNDING ZONING & USES (See Figure 2)

North: Public Reserve and Sturgeon Creek zoned “PR1” Parks and Recreation 1 – Passive Neighbourhood and Recreation.

South: Portage Avenue then commercial uses zoned “C2” Commercial Community.

East: Multifamily and commercial uses zoned “C3” Commercial Corridor.

West: Multi-family and commercial uses zoned “C3” Commercial Corridor.

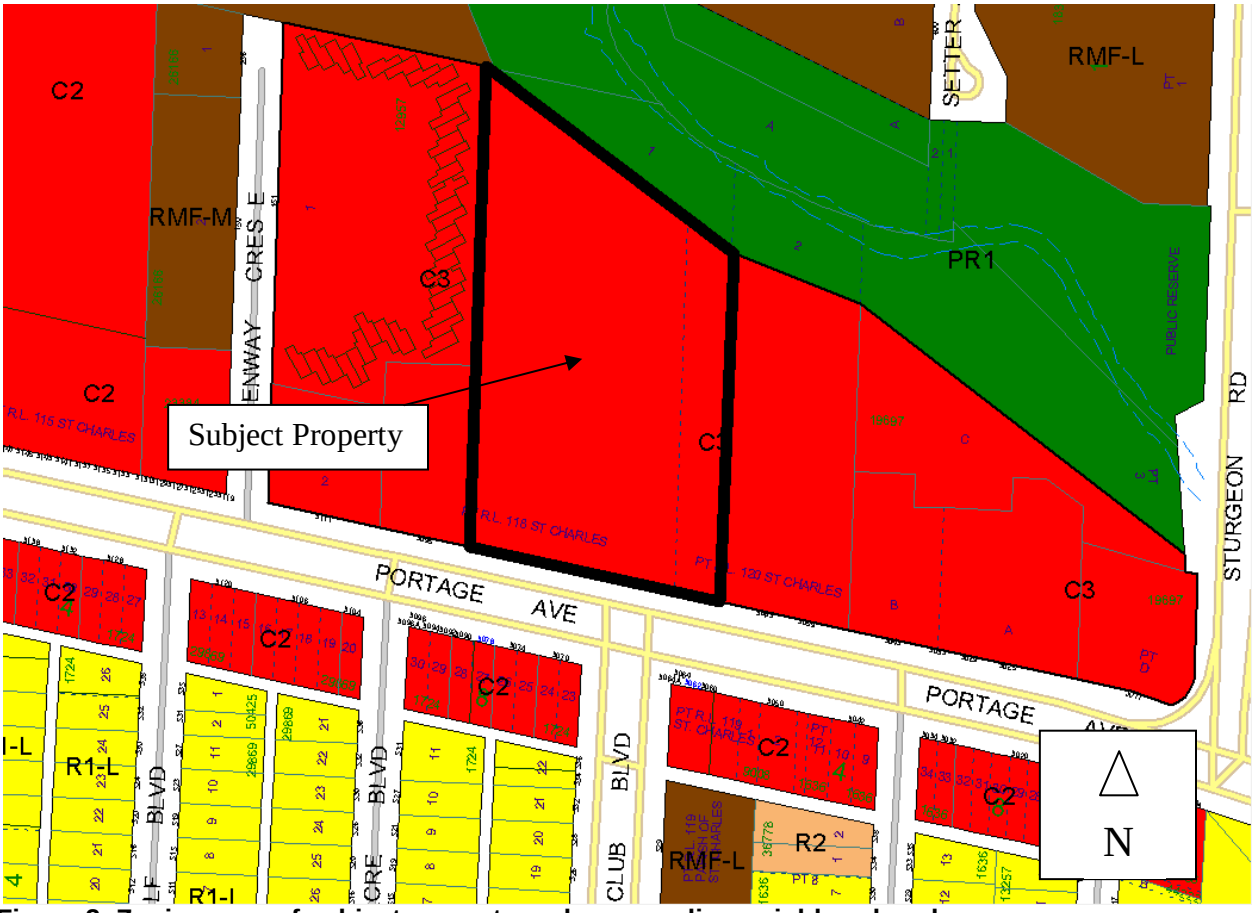


Figure 2: Zoning map of subject property and surrounding neighbourhood

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant seeks to subdivide and rezone the land to create two lots. Lot 1 is to be rezoned to the 'RMF-L' zoning district and Lot 2 is to be maintained as 'C3' Corridor Commercial.
- Proposed Lot 1 would have a lot area of 111,421 square feet.
- Submitted plans propose a building with a floor area of 16,917.71 square feet. The building would be fourteen storeys, constructed near the north property line of Lot 1. The proposed height is 131 feet, 8 inches.
- A total of approximately 180 units are proposed.
- 305 parking stalls would be provided

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- The site is located on a Regional Mixed Use Corridor (Portage Avenue). The key relevant policy guiding the development of Regional Mixed Use Corridors under the *Complete Communities Direction Strategy* includes:

- Provide a mix of employment, higher-density residential opportunities, retail and service uses that support the needs of and respect the context of adjacent communities.
- Support a range of housing opportunities in terms of type, tenure, unit size.
- Encourage urban design and/or form-based strategies that help define the character of Centres and Corridors through clarifying the massing and height of buildings, setbacks, appropriate open space areas and appropriate parking design and locations.
- Encourage the tallest buildings and highest densities close to major transit stops and stations.
- Encourage the transition of development towards the outer edges of each Centre and Corridor that is sensitive to the scale, massing, height, form and character of the surrounding area.
- Mitigate the potential impacts of new development on neighbouring streets, parks and properties.
- Promote high-quality plazas, parks and streetscapes as focal points and networks that are connected to the greater community.
- Focus improvements to the public realm, including pedestrian elements, such as street trees, street furniture, wide sidewalks and bicycle parking and public art
- Encourage environmentally friendly design and construction
- Support development in accordance with Universal Design and Crime Prevention Through Environmental Design (CPTED) policies.
- Promote innovative parking strategies and high intensity developments, including locating parking lots to the rear of developments, encouraging the development of underground parking or parking structures and encouraging the preservation and/or planting of trees and other types of vegetation within and around surface parking lots.

ZONING BY-LAW 200/2006

Current Zoning

'C3' Commercial Corridor

Is intended primarily for uses that provide commercial goods and services to residents of the community in areas that are dependent on automobile access and exposed to heavy automobile traffic, but not including regional shopping malls or regional shopping areas. These commercial uses are subject to frequent view by the public and visitors to Winnipeg, and they should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement. C3 districts are generally located in Community or Regional mixed use centres or along Community or Regional mixed use corridors. Dimensional standards are as follows:

Zoning District	Minimum/Maximum Front Yard (Ft.)	Minimum Rear Yard (Ft.) (note b)	Minimum Interior Side Yard (Ft.) (note b)	Minimum Corner Side Yard (Ft.)	Maximum Height of Building (Ft.)	Maximum Floor Area Ratio
C3	25/NA	25	0	25	49	1.5

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

Proposed Zoning

'RMF-L' – Residential Multi Family - Large

The Residential Multi-Family (RMF) district is intended to accommodate the development of multi-family units in areas with medium to high residential densities. Dimensional standards are as follows:

Zoning District	Minimum Lot Area (Sq. Ft.)	Minimum Lot Area Per Dwelling Unit (Sq. Ft.)	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Interior Side Yard (Ft.)	Minimum Corner Side Yard (Ft.)	Principal Building Separation (Ft.) (note a)	Maximum Building Height (Ft.)
RMF-L	9,000	400	25	25	8 (note b)	20	8	150

Note b – in the RMF-L zoning district, where a building is more than one storey in height, the required interior side yard increases by 2 feet for each storey above the ground floor to a maximum of 20 feet.

LAND USE BY-LAW

Subdivision and Rezoning

- The applicant is proposing to subdivide the property into two lots for the purposes of rezoning the northern portion to accommodate a large scale residential multi-family development. The southern portion of the lot is to remain as a 'C3' Corridor Commercial zoning district.
- The subdivision and rezoning of the land in this location is supportable.
- The subdivision allows for the development of multi-family residential on the north portion of the lot and maintains the south portion as the 'C3' zoning district.
- Rezoning the land to the RMF-L zoning district would be in keeping with the character of the area and generally aligns with policies for Regional Mixed-Use Corridors in the Complete Communities Direction Strategy.

COMPATIBILITY WITH SURROUNDING USES

- The property at 3081 Portage Avenue is currently a vacant car dealership. Existing uses in the immediate vicinity include other high rise multi-family dwellings, townhouse style multi-family units and other auto oriented commercial office and retail uses.

Zoning

- Adjacent properties to the subject site are zoned as “C3” Corridor Commercial, although the use on the land is a mix between commercial uses and multifamily. The proposed rezoning to the “RMF-L” district would be consistent with the existing land uses that are adjacent to the subject site.

Built Form

- The proposed development is for approximately 180 dwelling units in a fourteen storey building that is 131 feet tall. The permitted density for the subject site is based on the ‘lot area per dwelling unit’ calculation which is 400 square feet in the ‘RMF-L’ zoning district. With a lot area of 111,421 square feet the maximum number of dwelling units permitted on site is 278. The applicants are proposing 180 units, which is more in line with existing adjacent high rise dwellings. For example, the multi-family building located immediately to the east of the subject site at 3059 Portage is approximately 130 feet tall, containing 140 units. Further east, at 3033 Portage Avenue is a 12 storey residential dwelling that is approximately 130 feet tall, containing 112 dwelling units.
- The proposed 14 storey building is compatible with the built form to the east of the site; however, to the west of the site there is a low scale townhouse condo development containing approximately 65 units. These units are 2 storeys in height at approximately 25 feet. The Urban Planning Division has had discussions with the applicant and has suggested some changes to the site layout in order to alleviate some of the potential impacts the proposed development has on the adjacent properties to the west.
- Option 1 of the site plan was presented at the Open House which showed the building to be located within 45 feet of the west property line. After hearing some feedback from the respondents of the Open House as well as discussions with the Urban Planning Division, the applicant has revised the site plan and pushed the building further east, which is now situated approximately 90 feet from the west property line.
- Within the west side yard setback, the Urban Planning Division will be seeking additional and substantial landscaping to help limit site lines between properties. With the Plan Approval condition, the Urban Planning Division and Assiniboia Community Committee will have an opportunity to review final plans prior to the issuance of building permits.



Figure 3: Aerial image of surrounding context.

Parking

- Parking requirements for multi-family dwellings in the RMF-L zoning district are 1.5 stalls per unit, with 10% of the required parking to be reserved for visitor stalls. Based on a proposal for 180 units, 270 parking stalls are required, with 27 being dedicated as visitor parking.

- In the Option 1 proposal the applicants were proposing to provide 305 parking stalls with 116 stalls as surface parking and 189 stalls underground. This parking count provides more than enough parking and should be sufficient to accommodate the needs of users on site without any traffic spill over.

- The revised site plan, Option 2, shifts the building further east and as a result, parking stalls are removed. Option 2 provides 102 surface stalls with 173 underground stalls, for a total of 275 parking stalls. This still exceeds the minimum parking requirements for the proposed development which is 270 stalls.

Public Transit

- The subject site is located along Portage Avenue which is designated as a Regional Mixed Use Corridor and is a high frequency transit corridor. The Urban Planning Division encourages integration of higher intensity development along these corridors in order to better support access to and use of existing transit services.

- From a site design perspective the proposed building will be setback from the frontage of Portage Avenue. In order to ensure that people have dedicated and desirable pedestrian connections to buildings the Zoning By-law requires that a pedestrian path be established from the public sidewalk to the front of the proposed building. This path has been identified in the preliminary design concept for the proposed development.
- Following the proposed and existing pedestrian sidewalks, the building would be located approximately 150 metres from the westbound transit stop and approximately 250 metres from the eastbound transit stop. The site is serviced for travel heading east and westbound by four transit routes, including: 11, 21, 22 and 82. The east bound transit stop is located on the south side of Portage Avenue and can be accessed by way of a pedestrian crossing at the intersection of Portage Avenue and Country Club Road (See figure 3 below).

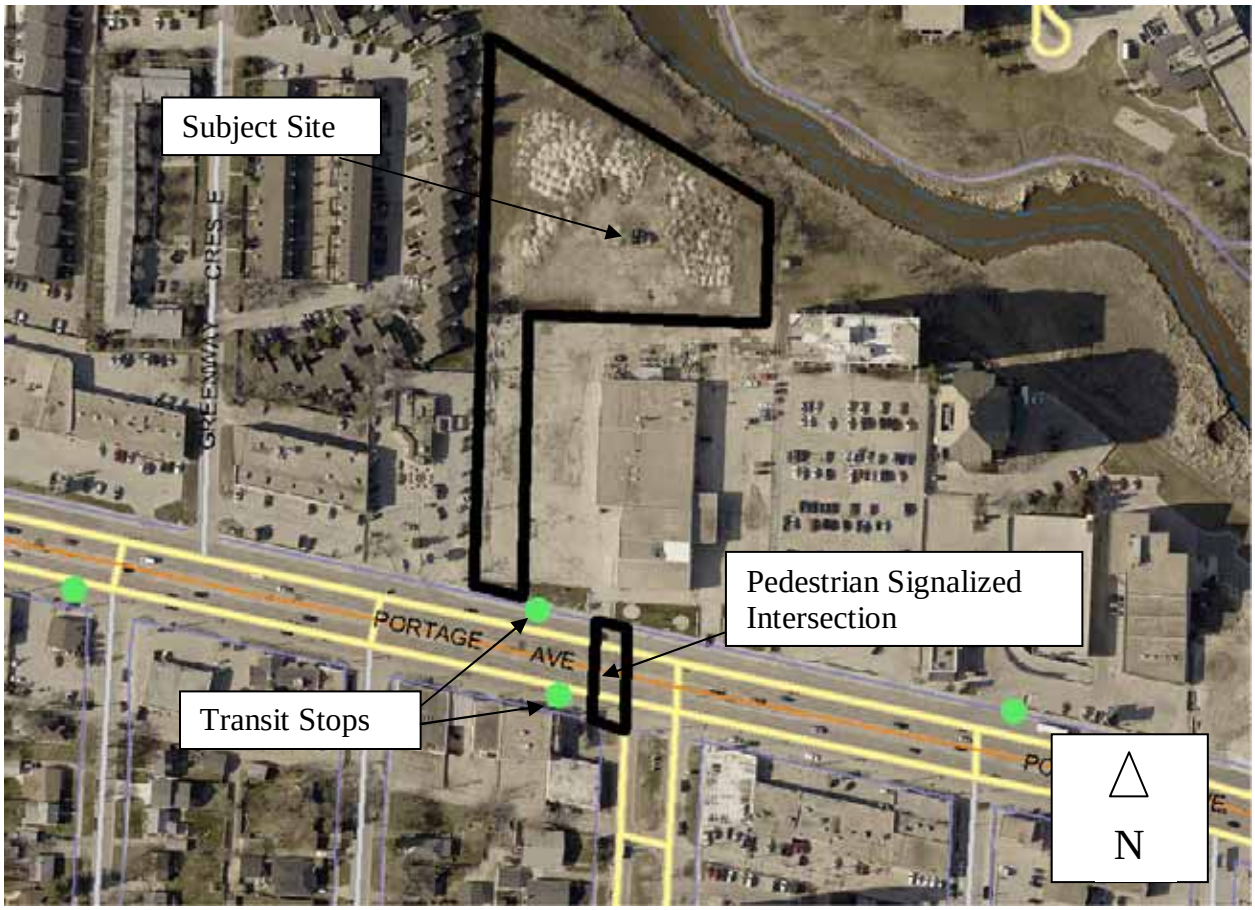


Figure 3: Subject property in relation to transit stops

PUBLIC OPEN HOUSE

- An open house was held by the applicants on November 26th, 2015, between 6 pm and 9 pm at the Kirkfield Westwood Community Centre. Several boards were set up showing plans for the proposed development and the applicants were available to answer questions and discuss the proposal.

- A summary of the open house was submitted by the applicant. A total of 26 people attended, 11 of who filled out a survey. Eight of the 11 were supportive, 2 were not and 1 was a maybe.
- Generally, the issues identified were height of the building and traffic along the west property line where the driveway is to be established to the site.

CONDITIONS OF APPROVAL

Plan Approval – The Urban Planning Division is recommending Plan Approval as a condition of approval for this application. As part of the plan approval condition the Urban Planning Division expects the following:

- Building location and elevations – For any new building established on the land, plans showing the location of the building and elevations with colour renderings should be provided as part of the plan approval package.
- Landscaping – Policies for development along Regional Mixed Use Corridors promote the establishment of high quality plazas, parks and streetscapes as well as landscaping within and around surface parking areas. With the plan submission the Urban Planning Division will expect a landscape design that applies a consistent theme that is well integrated throughout the site and is useful in mitigating impacts with adjacent properties. In particular, focus should be placed on establishing a high quality and natural looking buffer along the west property line and within the west side yard setback to the building in order to help visually screen the newly proposed building and buffer noise from vehicle traffic using the access road. Species, quantities and location of plants should be clearly identified on submitted plans.
- Garbage bins and enclosures should be located on site in a manner that is accessible for waste collection. The garbage enclosures are to be constructed of wood, brick, stone, or another compatible material and should be sufficiently screened and not visible from the public street.
- Lighting – any lighting on site should not provide glare or spill over onto any adjacent property. Plans shall include location and design of light standards as well as an index of distribution of light intensity on the site.
- Fencing - Any proposed fencing should be composed of high quality materials and design and details shall be submitted with the plan approval package.

LAND DEDICATION

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City.
- The amount of land is not less than 10%.
- The developer is to provide land or ‘cash in lieu’ as determined by the Planning, Property and Development Department.

RECOMMENDATION

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

- The subdivision and rezoning of Lot 2 to the 'RMF-L' zoning district is consistent with and compatible to the adjacent surrounding uses.
- The development aligns with policies for Regional Mixed Use Corridors.
- Changes to the location of the building and substantial landscaping within the west yard help align the project in a more compatible manner with existing land uses in the immediate vicinity. The plan approval review should pay particular attention to the landscape design of the west property line in order to mitigate visibility of the new building from the existing dwellings.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division
Report Prepared By: Devin Clark
PPD File # DASZ 38/2015

Schedule "A" for File No. DASZ 38/2015 Assiniboia Community Committee, dated January 5, 2016

By-Law No. _____

File No. **DASZ 38/15**

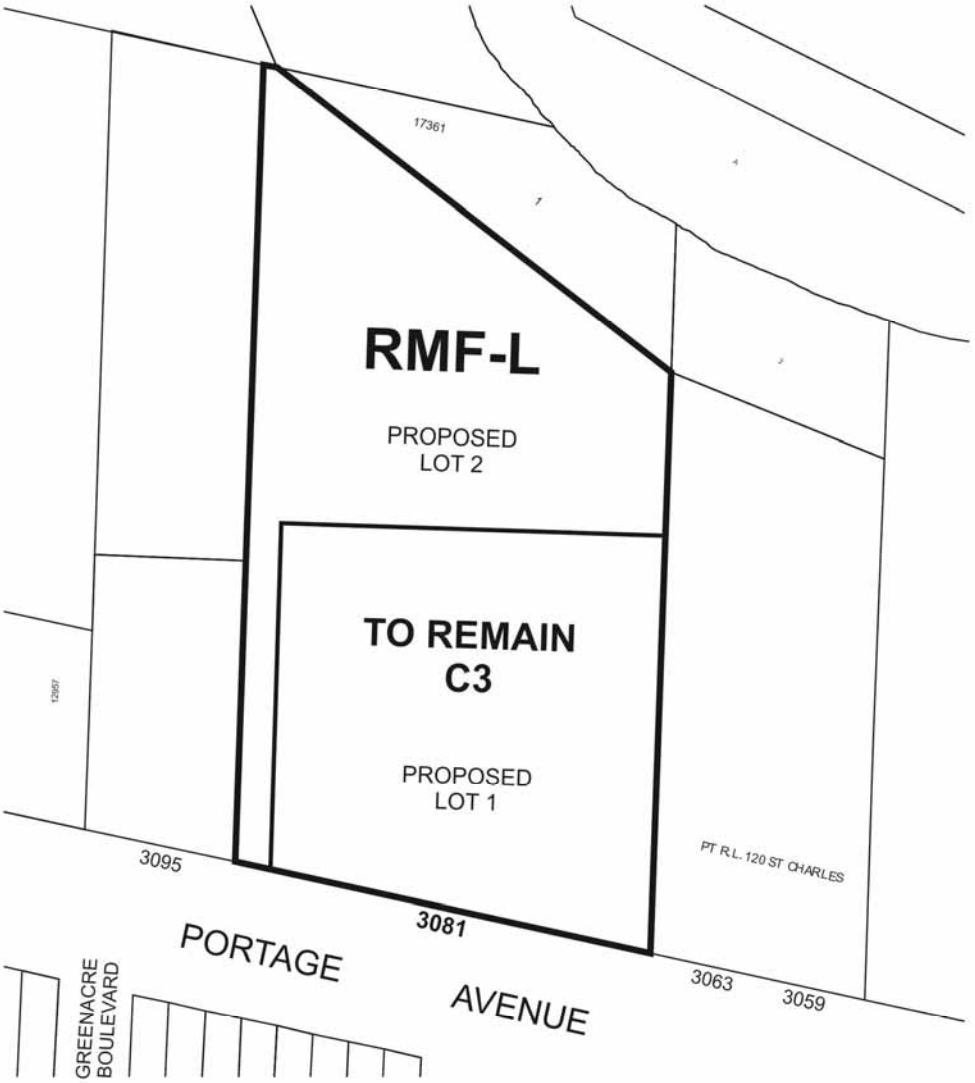
Atlas Sheet No.

N

AB14 ASSINIBOIA 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 3081 Portage Avenue from a "C3" COMMERCIAL CORRIDOR DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to allow for the construction of a proposed multi-family dwelling as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – December 16,2015

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 3081 PORTAGE AVE. – DASZ 38/2015

It is recommended that the approval of DASZ 38/2015, if granted, be subject to the applicant entering into a servicing agreement and addressing the following:

1) Wastewater Sewer

   a) The applicant shall provide a comprehensive servicing report, prepared by a qualified municipal engineer, which will outline the wastewater services needed to adequately service the proposed development and adjacent lands, to the satisfaction of the Director of Water and Waste.

   b) The applicant shall, at no expense to the City, upgrade the wastewater collection system as required to service the proposed subdivision and adjacent lands as determined by and to the satisfaction of the Director of Water and Waste.

2) Approach at Portage Avenue

   The applicant shall increase the width of proposed lot 2 fronting Portage Avenue to a minimum of 15 meters.

3) Restoration of Park Area

   The applicant shall, at no expense to the City, remove the existing encroachments onto City creekbank park lands at the North east limit of the subject property and shall restore the impacted City park area (grade, level and sod) in accordance with City Standards, as determined by and to the satisfaction of the Director of Public Works.

4) Fencing

   a) The applicant shall, at no expense to the City, construct fencing for property line delineation between the subject property and the City owned land as determined by and to the satisfaction of the Director of Public Works.

   b) The fencing shall be located within private property and established by caveat to be the responsibility thereafter of the private property owner.

   c) Fencing shall be, at a minimum, a bollard type, spaced at 1.5 m from center to center. Alternative fencing may be used subject to written approval of the Director of Public Works.

5) Construction Traffic

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

6) Litter and Refuse Control and Clean-Up

a) The Applicant shall, at no expense to the City, and of its own volition, initiate and control the regular cleanup of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction, as determined by and to the satisfaction of the Director of Public Works.

b) The cleanup of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

7) Administration Fees

The Applicant shall, prior to the release of the subdivision mylars for registration in the Land Titles Office, pay to the City, $1650.00 plus GST to help defray the City's administration and related costs associated with the preparation and implementation of the Servicing Agreement if required.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 38/2015

"*Original signed by G. Jasper*"
G.V. Jasper P. Eng.,
Land Development Branch

"*Original signed by M. Gajda*"
M. Gajda, P. Eng.
Water & Waste Department

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

"*Original signed by D. Beaton*"
D. Beaton M.L.Arch
Parks and Urban Design, Property and Planning

GJ/gj