Minutes – Executive Policy Committee – September 21, 2016

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 20, 2016

Item No. 14 Subdivision and Rezoning – 2525 Pembina Highway (South Winnipeg – St. Norbert Ward) File DASZ 27/2016 [c/r DAV 117209/2016D]

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 27/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 27/2016 dated September 6, 2016, 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 subject land as shown on Schedule "A" for File DASZ 27/2016 dated September 6, 2016, to a "RMF-L" Residential Multi-family Large District subject to the following:

    A. That the applicant enter into, execute and deliver 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 signage within the lands zoned "RMF-L" Residential Multi-Family Large, 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, and landscaping to the Director of Planning, Property and Development and the Riel 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 – September 20, 2016

ii. That, the developer shall, at no expense to the City, provide safety measures from the CNR Letellier Subdivision consisting of any one of the following two measures:

1. Berm, fencing, and setback:

a. A 2.0 metre in height berm, measured from grade at the property line, with side slopes not steeper than 2.5 to 1. The berm shall be constructed entirely within the developer's property along the entire mutual property line of the development site and the CNR Letellier Subdivision. The berm should be compacted to 95% modified proctor. The berm shall be built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the berm as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

b. A 2.0 metre in height uniform noise attenuation fence built on top of the entire length of the berm, built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the noise attenuation fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

c. A uniform fence 1.83 metres in height within private property along the entire west property line abutting the CNR Letellier Subdivision and to the west of the berm referred to in condition 2.A.ii.1.a, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

d. A minimum setback of 15 metres to any portion of a habitable room or space within a building from the west property line abutting the CNR Letellier subdivision.

2. Crash wall and setback

a. A 2.13 metre in height crash wall, measured from the top of the rail elevation, that faces the CNR Letellier Subdivision. The crash wall shall be constructed entirely within the developer's property along the entire length of the principal building facing the CNR Letellier Subdivision. The crash wall shall be no less than 0.45 metres thick and shall be of solid, heavy construction.

b. The Developer shall build the crash wall to the satisfaction of the Director of Planning, Property and Development. The Developer must proceed in accordance with in section 3.6.1.3 of the FCM/RAC Guidelines for New Development in Proximity to Railway Operations (2013), including, without limitation, undertaking and submitting the detailed written study referred to in that section of the Guidelines for approval of the Director of Planning, Property and Development before building the crash wall.

c. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the crash wall as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

d. A minimum setback or 15 metres to any portion of a habitable room or space within a building from the west property line abutting the CNR Letellier subdivision.

i. The minimum setback in (d) above may be measured as a combination of the horizontal and vertical distances equal to 15 metres if the crash wall is incorporated into the entire height of a low occupancy podium below a residential structure.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 20, 2016

3. 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 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.

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

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

8. 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.

9. 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.

10. 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.

11. 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 – September 20, 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 September 20, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 12, 2016, the Riel 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 – 2525 Pembina Highway**
File DASZ 27/2016

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

Prepared by: **Rochelle Viray, Assistant Committee Clerk**
Riel Community Committee

Report date: **September 13, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On September 12, 2016, the Riel 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 27/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 27/2016 dated September 6, 2016, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 27/2016 dated September 6, 2016, to a "RMF-L" Residential Multi-family Large District subject to the following:

    A. That the applicant enter into, execute and deliver 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 signage within the lands zoned "RMF-L" Residential Multi-Family Large, 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, and landscaping to the Director of Planning, Property and Development and the Riel 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.

        ii. That, the developer shall, at no expense to the City, provide safety measures from the CNR Letellier Subdivision consisting of any one of the following two measures:

            1. Berm, fencing, and setback:

a. A 2.0 metre in height berm, measured from grade at the property line, with side slopes not steeper than 2.5 to 1. The berm shall be constructed entirely within the developer's property along the entire mutual property line of the development site and the CNR Letellier Subdivision. The berm should be compacted to 95% modified proctor. The berm shall be built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the berm as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

b. A 2.0 metre in height uniform noise attenuation fence built on top of the entire length of the berm, built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the noise attenuation fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

c. A uniform fence 1.83 metres in height within private property along the entire west property line abutting the CNR Letellier Subdivision and to the west of the berm referred to in condition 2.A.ii.1.a, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

d. A minimum setback of 15 metres to any portion of a habitable room or space within a building from the west property line abutting the CNR Letellier subdivision.

2. Crash wall and setback

a. A 2.13 metre in height crash wall, measured from the top of the rail elevation, that faces the CNR Letellier Subdivision. The crash wall shall be constructed entirely within the developer's property along the entire length of the principal building facing the CNR Letellier Subdivision. The crash

wall shall be no less than 0.45 metres thick and shall be of solid, heavy construction.

b. The Developer shall build the crash wall to the satisfaction of the Director of Planning, Property and Development. The Developer must proceed in accordance with in section 3.6.1.3 of the FCM/RAC Guidelines for New Development in Proximity to Railway Operations (2013), including, without limitation, undertaking and submitting the detailed written study referred to in that section of the Guidelines for approval of the Director of Planning, Property and Development before building the crash wall.

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d. A minimum setback or 15 metres to any portion of a habitable room or space within a building from the west property line abutting the CNR Letellier subdivision.

i. The minimum setback in (d) above may be measured as a combination of the horizontal and vertical distances equal to 15 metres if the crash wall is incorporated into the entire height of a low occupancy podium below a residential structure.

3. 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 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.

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

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

8. 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.

9. 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.

10. 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.

11. 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 Riel Community Committee provided the following supporting reasons for its recommendation:

1. This development is extremely needed in the community from the standpoint of the demand that's there.
2. It's on a regional mixed-use corridor. Pembina Highway is highly used with transit; there's cycling infrastructure close by.
3. I know there's a concern with property values, but speaking with real estate agents in the area, there is a higher demand in and around the university for any type of property because of the growth the university is experiencing and projecting in the future.
4. Regarding cars: for people who are renting, it'll become very clear that if they have a car and don't have a spot, it may not be the place for them to rent.
5. I'm very supportive of this project, ideally this would be at the foot of the transit station but the model the university has set up with their lands right now does not allow that.
6. I'm very pleased that Rise has come forward and wants to proceed with this in the city; it says a lot about our city and growth, and the opportunities we have here.

PUBLIC HEARING SUMMARY

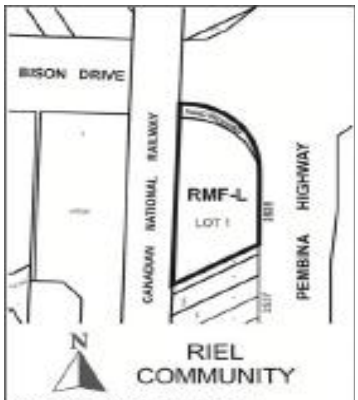
File: DASZ 27/2016

Before: Riel Community Committee
Councillor Mayes, Chairperson
Councillor Allard
Councillor Lukes

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

Applicant: Richard Wintrup & Associates

Subject:



APPLICANT : RICHARD WINTRUP & ASSOCIATES
FILE : DASZ 27/16
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from a "C2" COMMERCIAL COMMUNITY DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to facilitate the consolidation of lots to allow for the future development of a multi-family dwelling which includes widening of the northwest corner right-of-way of Bison Drive & Pembina Highway. **For information, phone Mr. Richard Mahé, Planner, at 204-986-8631.**

DEMANDEUR: RICHARD WINTRUP & ASSOCIATES
N° DE DOSSIER : DALZ 27/16
PROJET : Demande d'approbation par le Conseil du plan de lotissement délinéé ci-dessus et proposition de modification du Zoning By-law No. 200/2006 (règlement municipal sur le zonage) visant à modifier le zonage des sols délinéés ci-dessus de sorte qu'ils passent de la catégorie C2 (secteur commercial communautaire) à la catégorie RMF-L (secteur de grandes habitations multifamiliales) en vue de faciliter le remembrement de lots et de permettre l'aménagement futur d'une habitation multifamiliale comprenant l'élargissement de l'emprise nord-est au coin de la promenade Bison et du chemin Pembina. **Pour plus de renseignements, communiquez avec M. R. Mahé, urbaniste, au 204-986-8631.**

Premises Affected: 2525 Pembina Highway and Roll #03061851000

Exhibits Filed:

1. Application dated June 6, 2016
2. Notification of Public Hearing dated June 20, 2016
3. Manitoba Status of Titles 2835082/1, 2835084/1, 2366880/1, 2649839/1
4. Letter of authorization dated April 8, 2016 from 2467136 Ontario Inc. (Stacey Ciancone) to Richard Wintrup & Associates
5. Letter of authorization dated June 3, 2016 from The City of Winnipeg to Richard Wintrup & Associates
6. Caveat 216231/1
7. Plans (17 pages)
8. Report from the Urban Planning Division dated September 6, 2016
9. Inspection Report

REPRESENTATIONS:

In Support:

John Wintrup
Michelle Richard
Brian McMullen
Justin Zarnowski
Michael Stronger

In Opposition

Connie Dame
Robert Hacault
Cynthia Masson
Ervin Harms
Mary Anne Harms
Tom Leong
Kitty Leong
Suprina Yuen
Alexandra Johns
Susan Wong
Lisa Pearson
Margaret Campbell

For Information:

Carey Whelpton
Tim Nikkel
John Harbottle

For the City:

G. Jasper, Land Development Administrator, Planning, Property and Development Department
B. Buyachok, Real Property Officer, Planning, Property and Development Department
R. Mahé, Planner, Planning, Property and Development Department
E. Finnigan, Planner, Planning, Property and Development Department
S. Jerez, Planner, Planning, Property and Development Department

Exhibit "8" referred to in File DASZ 27/2016

ADMINISTRATIVE REPORT

Title: DASZ 27/2016 – 2525 Pembina Highway

Issue: An application for consideration at the Public Hearing to consolidate two lots into one and rezone to RMF-L to facilitate the construction of a multi-family residential building.

Critical Path: Riel 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 27/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 27/2016 dated September 6, 2016, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 27/2016 dated September 6, 2016, to a "RMF-L" Residential Multi-family Large District subject to the following:

    A. That the applicant enter into, execute and deliver 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 signage within the lands zoned "RMF-L" Residential Multi-Family Large, 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, and landscaping to the Director of Planning, Property and Development and the Riel 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.

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    i. The minimum setback in (d) above may be measured as a combination of the horizontal and vertical distances equal to 15 metres if the crash wall is incorporated into the entire height of a low occupancy podium below a residential structure.

3. 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.

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9. 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.

10. 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.

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

REASON FOR THE REPORT

- The applicant is proposing to consolidate the two lots into one and rezone the property to RMF-L to facilitate the construction of a multi-family residential building.
- Subdivisions and re-zonings 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 site will be consolidated and rezoned consistent with the map provided in Schedule "A" of this report.

HISTORY

N/A

CONSULTATION

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Richard Mahé, MCIP
Date:	September 6, 2016
File No.	DASZ 27/2016

List of Schedules and Attachments

1. Appendix A Planning Discussion
2. Schedule “A” Recommended File No. DASZ 36/2015 Riel Community Committee, dated September 6, 2016

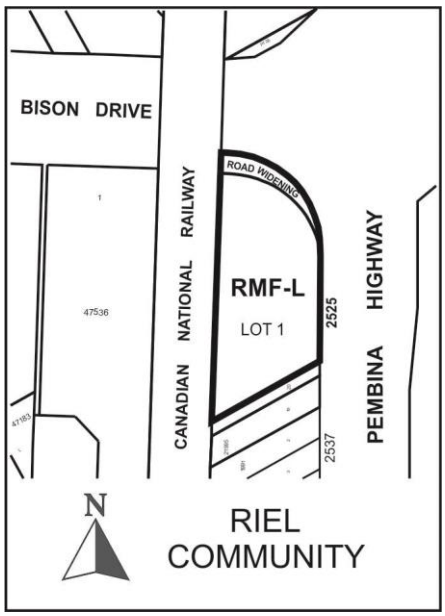
APPENDIX 'A'

DATE: September 6, 2016

FILE: DASZ 27/2016
RELATED FILES: DAV 16-117209/D
COMMUNITY: Riel Community
NEIGHBOURHOOD #: 5.637

SUBJECT: To consolidate two lots into one and rezone to RMF-L to facilitate the construction of a residential multi-family dwelling

LOCATION: 2525 Pembina Highway (see map below)



APPLICANT: John Wintrup
179 McDermot AVE Room 201
Winnipeg , Manitoba R3B 0S1

OWNER:
150 DOUGLAS PARK RD
Winnipeg , Manitoba R3J 1Z2

RECOMMENDATION: Approval with Conditions

SITE DESCRIPTION

- The subject property is located on Pembina HWY, in the Fairfield Park neighbourhood of the South Winnipeg - St Norbert ward
- The site is located on a Regional Mixed Use Corridor under the Complete Communities Direction Strategy. The property is currently zoned C2.
- The entire site is comprised of two lots - 2525 Pembina Highway (28,715 square feet) which contains a one-storey commercial building and vacant City of Winnipeg land (29,669 square feet).

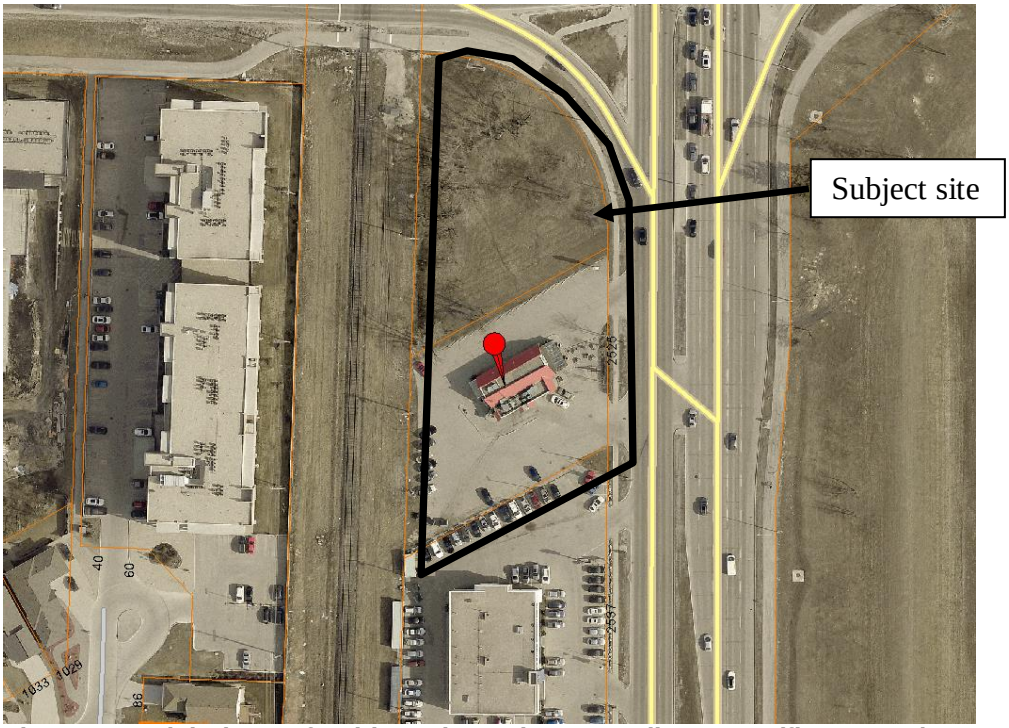


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2014)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: commercial properties zoned "C2" – Commercial Community

South: commercial properties zoned "C2" – Commercial Community

East: University of Manitoba lands zoned "MMU" – Manufacturing Mixed Use

West: multi-family building zoned "RMF-L" – Residential Multi-Family Large

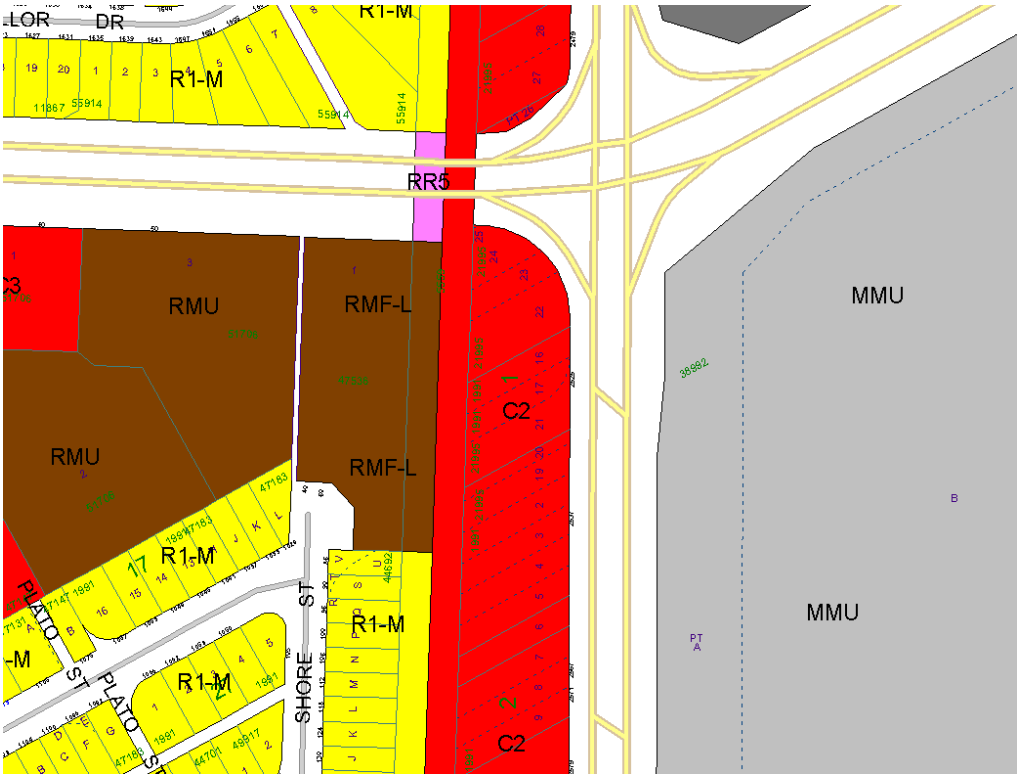


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to remove the existing one-storey commercial building to construct a
  14-storey (150 foot) multi-family building geared towards university students.

<u>Site Plan & Building design</u>

- Balconies, flush with the building façade, will be located on floors 2-13. Each balcony will be 236 square feet in area.
- The 14th storey will have a 3,476 square foot amenity rooftop space.
- Residential dwelling units will be located on the ground floor in the north and east sides of the podium whereas the southwest corner will have the amenities and services.
- The main floor of the building will mainly have non-habitable space and one (1) unit on the west side of the building (15 metres) setback from the rear property line. There are 4

additional units on the main floor of the building on the east side that will be setback 24.9 metres from the property line.

- Dwelling units on the second floor and above will be a minimum of 29 metres (95 feet above grade) and will be setback 15 metres from the westerly property line.

Vehicular and Bicycle Parking

- The applicant is proposing 156 parking stalls (0.84 stalls per dwelling unit). 45 of these parking stalls will be surface parking along the west property line and 111 of these parking stalls will be underground.
- As part of the 156 parking stalls, there will be 16 visitor parking stalls, 6 accessible parking stalls and 2 van accessible parking stalls. 111 of these parking stalls will be located underground and 45 of them will be surface parking.
- The applicant is also proposing 168 bike parking stalls. 120 of these stalls are intended to be located below grade and 48 of these stalls are intended to be located above grade.

Landscaping & Fencing

- Landscaping will be provided along the entire street frontage except where the pedestrian access and vehicle access entrance breaks are provided.
- Fencing will be provided along the west and south property lines that will not exceed 6.5 feet in height and in the south side yard that will not exceed 4 feet in height.
- A 9.8 foot tall (3.0 metre) landscape buffer will be provided along the south property line.
- A 4 metre wide private green space will be available for public use along the north/northeast portion of the site. This area will have approximately 4 seating areas with landscaping.

Garbage and Recycling

- A three (3) sided garbage enclosure will be located along the rear property line (west).

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *Complete Communities Direction Strategy* the proposed development is located on the Pembina Highway Regional Mixed Use Corridor. Our major Corridors serve a dual function. On the one hand, they are our primary city routes, connecting neighbourhoods and transporting people, goods and services. And on the other hand, they also serve the purpose of accommodating a mix of uses; functioning as vibrant urban places for Winnipeggers to live, work and play. Key relevant policies guiding development along Regional Mixed Use Corridors include:
    - Promote the highest levels of intensification at significant intersections. Between each centre, lower intensities of commercial, residential and mixed use development are appropriate. (Transformative Areas – Centres and Corridors – Corridors Direction 1).

- Where appropriate develop corridors in accordance with transit oriented principles (Transformative Areas – Centres and Corridors – Corridors Direction 2).
- Support a range of housing opportunities in terms of type, tenure, unit size (Transformative Areas – Centres and Corridors).
- Support active uses (such as retail and services) at street level and office and housing on the upper levels of multi-storey developments (Transformative Areas – Centres and Corridors).
- Encourage urban design and/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 (Transformative Areas – Centres and Corridors).
- Encourage the tallest buildings and highest densities close to major transit stops and stations (Transformative Areas – Centres and Corridors).
- 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 (Transformative Areas – Centres and Corridors).
- Mitigate the potential impacts of new development on neighbouring streets, parks and properties (Transformative Areas – Centres and Corridors).
- Promote high quality plazas, parks and streetscapes as focal points and networks that are connected to the greater community (Transformative Areas – Centres and Corridors).
- Promote innovative parking strategies and high intensity developments, including locating parking lots to the rear of developments, encouraging the development of underground parking structures and encouraging the preservation and/or planting of trees and other types of vegetation within and around surface parking lots (Transformative Areas – Centres and Corridors).
- Ensure multi-modal connectivity (Transformative Areas – Centres and Corridors).
- Support development in accordance with Universal Design and Crime Prevention Through Environmental Design (CPTED) policies (Transformative Areas – Centres and Corridors).

- Complete Communities Direction Strategy encourages development and redevelopment of existing commercial businesses along our Corridors as they are ideal locations for transformative change. Consequently, redeveloping a one-storey commercial use into a higher density multi-family dwelling for students near the University of Manitoba and a commercial node to the west, that can provide daily amenities, is supportive.
- As such, the proposed redevelopment of this property for the construction of a residential development fits within the Complete Communities vision of supporting the viability of existing commercial strip, providing a range of housing options, and contributing to a vibrant and complete community.
- Further, it is anticipated that the level of intensification will not be consistent along the full length of regional mixed use corridors and that higher levels of intensification will take place at intersections with other key streets and transit routes in order to take advantage of multi-modal transportation opportunities. In this case, this property is located at a key intersection with another key regional street and to a lesser extent, transit routes.

TRANSIT-ORIENTED DEVELOPMENT HANDBOOK

- The Complete Communities Direction Strategy advises that corridors should be developed in accordance with transit-oriented development principles.
- The City of Winnipeg has a Transit Oriented Development Handbook to guide such development. It was endorsed in principle by Council on February 22, 2012.
- The TOD Handbook is a high-level framework document that guides and facilitates mixed-use, pedestrian-oriented infill development along rapid transit corridors and high frequency transit corridors.
- While the bulk of the Handbook deals with higher-level issues, there are a number of Principles that can be applied at a site-specific level such as the proposed development. Specifically, it highlights six:
    1. Medium to high density development that is greater than the community average.
    2. A mix of uses.
    3. Compact, high quality pedestrian-oriented environment.
    4. An active, defined centre.
    5. Innovative parking strategies.
    6. Public leadership.
- As the Handbook relates to the proposed development, its direction relating to site design is important to consider. Characteristics of Principle no. 3 include:
    - Entrances oriented to be easily accessible from the public sidewalk.
    - Centrally located, secure, and convenient bicycle parking.
    - High-quality architectural design and detail conveying a sense of place and relating to the street and the pedestrian environment, including active first floor storefront with windows, awnings, architectural features, lighting, and landscaping.

PEDESTRIAN AND CYCLING STRATEGY

- The Pedestrian and Cycling Strategy, which is intended to guide how the City of Winnipeg invests in its pedestrian and cycling infrastructure, identifies Chancellor Matheson Road/Bison Drive and Pembina Highway as part of Winnipeg's Spine Network. The Spine Network is intended to provide high quality connections to Downtown and major destinations such as the universities, from each area of the City. In particular, Chancellor Matheson Road/Bison Drive has an off-street Pedestrian and Cycling facility that connects residents to the University of Manitoba. Pembina Highway, at this location, is identified as a proposed future route subject to study.

ZONING

- The Residential Multi-Family Large (RMF-L) zoning district is intended to accommodate the development of multi-family units in areas with medium to high residential densities. The dimensional standards of the RMF-L zoning district are as follows:
    - Minimum lot area of 20,000 square feet;
    - Minimum lot area per dwelling unit of 400 square feet;
    - Minimum front yard of 25 feet;
    - Minimum rear yard of 25 feet;
    - Minimum interior side yard of 8 feet. This side yard increases by 2 feet for every storey above the first;
    - Minimum corner side yard of 20 feet; and
    - Maximum building height of 150 feet.

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- The subject site is located along the Pembina Highway Regional Mixed Use Corridor which is characterized by medium to high density multi-family, institutional and car-oriented commercial land uses.
- Directly to the west of the subject property, across the CNR Letellier Line, is the Fairfield Park mixed-use commercial centre. This area includes medium density residential buildings (see figure 3 below).



Figure 3: Residential multi-family buildings west of the CNR Letellier Line and the subject property

- One of the factors when considering compatibility of a building of this scale is the proposed height of the building and its potential impact on adjoining properties. This is of particular importance when adjacent to residential properties. One of the metrics many cities use to assess how tall a building should be built is based upon the width of the corridor right-of-way. In this instance, the Pembina Highway right-of-way is approximately 150 feet wide. This right-of-way width is the same as the proposed height of the building. Another metric that is considered is the rear yard setback from residential

properties. Many cities ensure that the building must be contained within a 45 degree angular plane measured from the adjacent rear property line from an at-grade height. This provides a lower building at the rear of the site improved “fit” and a gradual transition from the rear property line in terms of building massing. In this case, the proposed building is to be located approximately 150 feet away from the adjacent property across the CN Principal Branch Line, which is contained entirely within the 45 degree angular plane.

RAIL PROXIMITY

- For applications involving a rezoning and/or subdivision, the Urban Planning Division requires new development adjacent to rail operations incorporate the guidelines identified in *The Guidelines for New Development in Proximity to Railway Operations* (2013) report, which was prepared for the Federation of Canadian Municipalities and the Railway Association of Canada.
- Recommended setbacks are associated with the type of rail line neighbouring the development. In this case, the neighbouring line is a Principle Branch Line for CN. The recommended setback from Principle Branch Lines is 15 metres including a 2.0 metre (6.5 feet) high berm. Alternatively, the applicant can provide alternate mitigation measures that meet or exceed the standard mitigation requirement per the FCM/RAC Guidelines for New Development in Proximity to Railway Operations (2013), such as a crash wall. Given the site constraints, a berm and fence may not be practical and that a crash wall along the property line may be the most practical.
- As such, the Urban Planning Division recommends that a zoning agreement be part of any approvals for this land that addresses the intent of the requirements set out in *The Guidelines for New Development in Proximity to Railway Operations* (2013).

PUBLIC WORKS

- This application also includes City of Winnipeg lands which are being sold to the applicant. A portion of these lands will be retained by the City as part of a roadway widening. This portion of land is consistent with the map provided in Schedule “A” of this report

CITY OF WINNIPEG LANDS

- This application also includes City of Winnipeg lands which are being sold to the applicant. A portion of these lands will be retained by the City as part of a roadway widening. This portion of land is consistent with the map provided in Schedule “A” of this report

RECOMMENDATION

The Urban Planning Division recommends approval with conditions for the following reasons:

- The proposed zoning district is consistent with the policies of the Complete Communities Direction Strategy; and

- The proposed development is located along a Regional Mixed Use Corridor, where higher density housing options in a mixed use development concept are encouraged.

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

Report Prepared By: Richard Mahé, MCIP
PPD File # DASZ 27/2016

Schedule "A" for File No. DASZ 27/2016, Riel Committee, dated September 6, 2016

By-Law No. _____

File No. **DASZ 27/16**

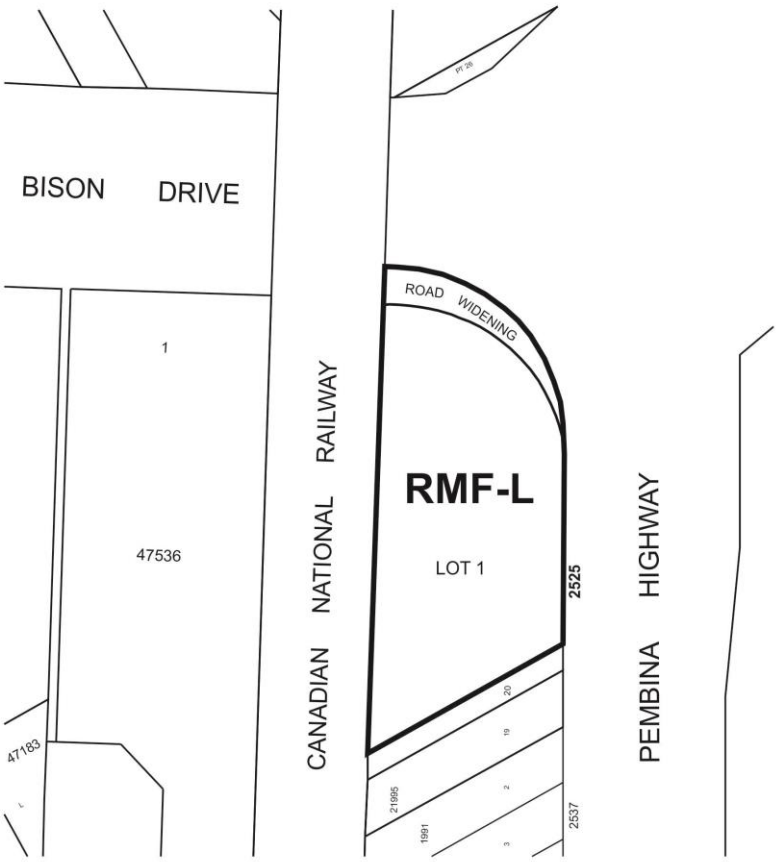
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Explanation

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 2525 Pembina Highway from a "C2" COMMERCIAL COMMUNITY DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to facilitate the consolidation of lots to allow for the future development of a multi-family dwelling which includes widening of the northwest corner right-of-way of Bison Drive & Pembina Highway as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____