Minute No. 18
Report – Executive Policy Committee – November 9, 2016

Item No. 4 **Subdivision and Rezoning – 3977 and 4055 Portage Avenue (St. Charles Ward)**
File DASZ 33/2016 [c/r DAV 130922/2016D]

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the plan of subdivision proposed under File DASZ 33/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 33/2016 dated September 6, 2016 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to address all the conditions outlined in Schedule B, the report of the Administrative Coordinating Group dated September 2, 2016

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by adding the Red River Exhibition Planned Development Overlay 2 (PDO-2 RRX) attached as Appendix B.

3. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 33/2016 dated September 6, 2016; to be rezoned to the "PR3" Parks and Recreation 3 (Regional) (PDO-2 RRX) District, and "C3" Commercial Corridor 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 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.

Report – Executive Policy Committee – November 9, 2016

COUNCIL DECISION (continued):

ii. The Developer shall enter into a private cross-access easement agreement for the lots within the Planned Area and the property at the northwest corner of Portage Avenue and the private road known as Race Track Road, and shall register the Agreement at the Winnipeg Land Titles Office (WLTO) under Section 76 of the Real Property Act. The Developer can contact the Public Works Department directly for the terms of the agreement. The cross-access agreement shall be reviewed and approved by the Public Works Department prior to registration at WLTO.

iii. That copies of the current Master Plan be provided to the Chief of WFPS prior to the issuance of any new occupancy permit and/or upon the request of the Chief of WFPS;

iv. That the address number of every building on the subject property (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located;

v. Where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the WFPS;

vi. That building numbers and names required to be attached or displayed by this Zoning Agreement must be of a colour that contrasts with the colour of the structure to which they are attached so as to be clearly visible from the street or internal road on which the building is located and of a height as determined by and to the satisfaction of the Chief of the WFPS;

vii. That no other numbers or names are to be attached to any buildings on the subject property that could be confused with the address numbers or building names;

Report – Executive Policy Committee – November 9, 2016

COUNCIL DECISION (continued):

viii. That the owner / occupier of a building must ensure that the number assigned to a building is clearly visible from the street or internal road on which the building is located while the building is under construction as determined by and to the satisfaction of the Chief of WFPS;

4. 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.

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

6. 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.

7. 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.

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

9. 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.

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.

Report – Executive Policy Committee – November 9, 2016

COUNCIL DECISION (continued):

11. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject 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.

12. 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.

13. 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 – Executive Policy Committee – November 9, 2016

DECISION MAKING HISTORY:

Moved by His Worship Mayor Bowman,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 9, 2016, the Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On October 28, 2016, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

On September 16, 2016, the Assiniboia Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on October 18, 2016, at 5:00 p.m., in the Council Building, 510 Main Street.

RE: **Subdivision and Rezoning – 3977 and 4055 Portage Avenue**
File DASZ 33/2016 [c/r DAV 130922/2016D]

For submission to: **Executive Policy Committee**

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

Report date: **October 19, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On October 18, 2016, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the plan of subdivision proposed under File DASZ 33/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 33/2016 dated September 6, 2016 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to address all the conditions outlined in Schedule B, the report of the Administrative Coordinating Group dated September 2, 2016

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by adding the Red River Exhibition Planned Development Overlay 2 (PDO-2 RRX) attached as Appendix B.

3. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 33/2016 dated September 6, 2016; to be rezoned to the "PR3" Parks and Recreation 3 (Regional) (PDO-2 RRX) District, and "C3" Commercial Corridor 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 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.

ii. The Developer shall enter into a private cross-access easement agreement for the lots within the Planned Area and the property at the northwest corner of Portage Avenue and the private road known as Race Track Road, and shall register the Agreement at the Winnipeg Land Titles Office (WLTO) under Section 76 of the Real Property Act. The Developer can contact the Public Works Department directly for the terms of the agreement. The cross-access agreement shall be reviewed and approved by the Public Works Department prior to registration at WLTO.

iii. That copies of the current Master Plan be provided to the Chief of WFPS prior to the issuance of any new occupancy permit and/or upon the request of the Chief of WFPS;

iv. That the address number of every building on the subject property (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located;

v. Where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the WFPS;

vi. That building numbers and names required to be attached or displayed by this Zoning Agreement must be of a colour that contrasts with the colour of the structure to which they are attached so as to be clearly visible from the street or internal road on which the building is located and of a height as determined by and to the satisfaction of the Chief of the WFPS;

vii. That no other numbers or names are to be attached to any buildings on the subject property that could be confused with the address numbers or building names;

viii. That the owner / occupier of a building must ensure that the number assigned to a building is clearly visible from the street or internal road on which the building is located while the building is under construction as determined by and to the satisfaction of the Chief of WFPS;

4. 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.

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

6. 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.

7. 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.

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

9. 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.

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 the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject 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.

12. 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.

13. 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 reason for its recommendation:

1. This project is great to see for the area and the City.

PUBLIC HEARING SUMMARY

File: DASZ 33/2016

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

Public Hearing: October 18, 2016
Council Building, 510 Main Street

Applicant: Landmark Planning & Design Inc.
(Curwood Ateah)

Subject:

Premises Affected:



Exhibits Filed:

1. Application dated June 6, 2016
2. Notification of Public Hearing dated June 24, 2016
3. Manitoba Status of Titles 2783985/1 and 2783994/1
4. Letter of authorization dated May 16, 2016 from Red River Exhibition Association to Landmark Planning & Design Inc.
5. Surveyor's Building Location Certificate and sketch dated March 10, 2016
6. Zoning Development Information
7. Caveats 3341282, 3542064, 4016668 and 4282293/1
8. Plans (3 pages)
9. Report from the Urban Planning Division dated September 6, 2016
10. Inspection Report
11. Notice of Adjournment dated September 16, 2016
12. Notice of Public Hearing to the R.M. of Headingley dated September 13, 2016
13. Presentation and Photos in support of the application submitted by the Applicant at the public hearing
14. Recording of Representations of public hearing

REPRESENTATIONS:

In Support:
Curwood Ateah, Landmark Planning & Design Inc.
Garth Rogerson, on behalf of the Applicant
Shari Rogerson
Marlene Baskerville
Lori Beattie
Eleanor Cassels
Michael Gallagher
Laura Holtmann
Jodi Johnson
Andrew Leamont
Darren Lewis
Richard Marshall
Donna Nentwig
Larry Nentwig
Les Newman
Brennan Pearson
John Pearson
KK N. Pinkowski

Peter Synychych
Tom Tolton
Judy Worthington
Roland Rey
Grant Nordman

In Opposition
Nil

For Information:
Nil

For the City:
Mr. D. Clark, Urban Planning Division, Planning, Property and Development Department
Mr. J. Platt, Senior Planner, Planning, Property and Development Department
Mr. R. Hayer, Urban Planning Division, Planning, Property and Development Department

Exhibit "9" referred to in File DASZ 33/2016

ADMINISTRATIVE REPORT

Title: DASZ 33/16 – 3977 & 4055 Portage Avenue

Issue: For consideration at the public hearing to subdivide and rezone two agriculturally zoned lots into six (6) lots with proposed Lot 1 to be zoned "PR3 (PDO-2 RRX)", proposed Lots 3 and 4 to be zoned "C3" and proposed Lots 2, 5 and 6 to remain zoned as "A" Agricultural.

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 33/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 33/2016 dated September 6, 2016 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office subject to the following:

   A. That the Developer be required to address all the conditions outlined in Schedule B, the report of the Administrative Coordinating Group dated September 2, 2016

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by adding the Red River Exhibition Planned Development Overlay 2 (PDO-2 RRX) attached as Appendix B.

3. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 33/2016 dated September 6, 2016; to be rezoned to the "PR3" Parks and Recreation 3 (Regional) (PDO-2 RRX) District, and "C3" Commercial Corridor 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 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.

ii. The Developer shall enter into a private cross-access easement agreement for the lots within the Planned Area and the property at the northwest corner of Portage Avenue and the private road known as Race Track Road, and shall register the Agreement at the Winnipeg Land Titles Office (WLTO) under Section 76 of the Real Property Act. The Developer can contact the Public Works Department directly for the terms of the agreement. The cross-access agreement shall be reviewed and approved by the Public Works Department prior to registration at WLTO.

iii. That copies of the current Master Plan be provided to the Chief of WFPS prior to the issuance of any new occupancy permit and/or upon the request of the Chief of WFPS;

iv. That the address number of every building on the subject property (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located;

v. Where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the WFPS;

vi. That building numbers and names required to be attached or displayed by this Zoning Agreement must be of a colour that contrasts with the colour of the structure to which they are attached so as to be clearly visible from the street or internal road on which the building is located and of a height as determined by and to the satisfaction of the Chief of the WFPS;

vii. That no other numbers or names are to be attached to any buildings on the subject property that could be confused with the address numbers or building names;

viii. That the owner / occupier of a building must ensure that the number assigned to a building is clearly visible from the street or internal road on which the building is located while the building is under construction as determined by and to the satisfaction of the Chief of WFPS;

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 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 subdivision section of the by-law shall come into force and effect upon 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 the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject 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.

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 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 the parcels at 3977 and 4055 Portage Avenue into six (6) lots and rezone Lot 1 to the "PR3 PDO-2 RRX", district, Lots 3 and 4 to the "C3" district and Lots 2, 5 and 6 to remain zoned as "A" Agricultural.
- Subdivision and 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.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Urban Planning Division are concurred in, the subject land will be subdivided and rezoned in accordance with the submitted plans.

HISTORY

- On May 31, 2016, the consultant for the Red River Exhibition Association submitted an application (DASZ 33/2016) to subdivide two (2) agricultural parcels into six (6) parcels. Approval of this subdivision/rezoning application is pending the Council is pending the Council endorsement of the Plan now under consideration.

- Also on May 31, 2016, the consultant for the proponents submitted application to have the Plan endorsed by Council as policy.

CONSULTATION

In preparing this Report there was internal consultation with:

- Public Works
- Water and Waste
- Transit
- Winnipeg Fire and Paramedics Services
- Legal Services

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Devin Clark
Date:	September 6, 2016
File No.	DASZ 33/16

List of Schedules and Attachments

1. Appendix A – Planning Discussion
2. Schedule “A” Recommended File No. DASZ 33/16 Assiniboia Community Committee, dated September 6, 2016.
3. Schedule “B” - Report of The Administrative Co-ordinating Group – September 2, 2016
4. Appendix B – Red River Ex Planned Development Overlay 2
5. Appendix C – Design Guidelines

APPENDIX 'A'

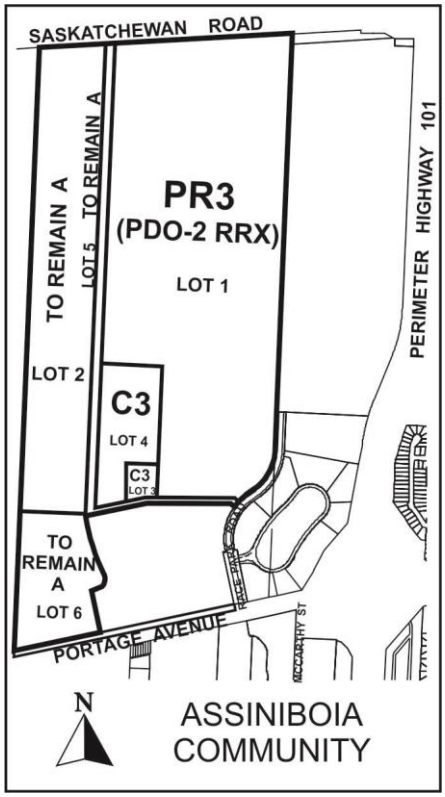
DATE: September 6, 2016
FILE: **DASZ 33/16**
RELATED FILES: SP 1/2016; DAV 16-130922/D
COMMUNITY: Assiniboia
NEIGHBOURHOOD #: 2.227

SUBJECT: To subdivide the parcels at 3977 and 4055 Portage into six (6) lots and rezone Lot 1 to the "PR3 PDO-2 RRX", district, proposed Lots 3 and 4 to be zoned "C3" Corridor Commercial and proposed Lots 2, 5 and 6 to remain zoned as "A" Agricultural.

LOCATION: 3977 and 4055 Portage Avenue

LEGAL DESCRIPTION: PT RLS 90/91 ST C & W 176.88F OF RL 92 ST C WHICH LIE TO N OF N LIMIT MAIN HWY PL 547 EXC THOSE PTS WHICH LIE TO N OF A LINE DRAWN S OF PARL WITH & PERP DIST 16.5F FROM THE N LIMITS OF SAID LOTS EXC OUT OF SAID LOTS 91/92 PL 36781

PT RL 89 ST C SHEW BORDERED PINK ON PLAN 6117 SUBJECT TO EASEMENT COVERED BY CAVEAT NO 199752 EXC PUBLIC ROAD PL 57742



APPLICANT:	Curwood Ateah 298 Waterfront DR Winnipeg, Manitoba R3B 0G5
OWNER:	Red River Exhibition Association 3977 Portage Ave. Winnipeg, Manitoba R3K 2E8
RECOMMENDATION:	Approval, with conditions

SITE DESCRIPTION

- The subject property is located on Portage AVE, in the Assiniboia Downs neighbourhood of the St Charles ward.
- The lot area of the subject property is approximately 411 acres.
- Under the Complete Communities Direction Strategy, the site is located within the New Communities policy area and Regional Mixed Use policy area.
- The site is currently zoned ‘A’ Agricultural.

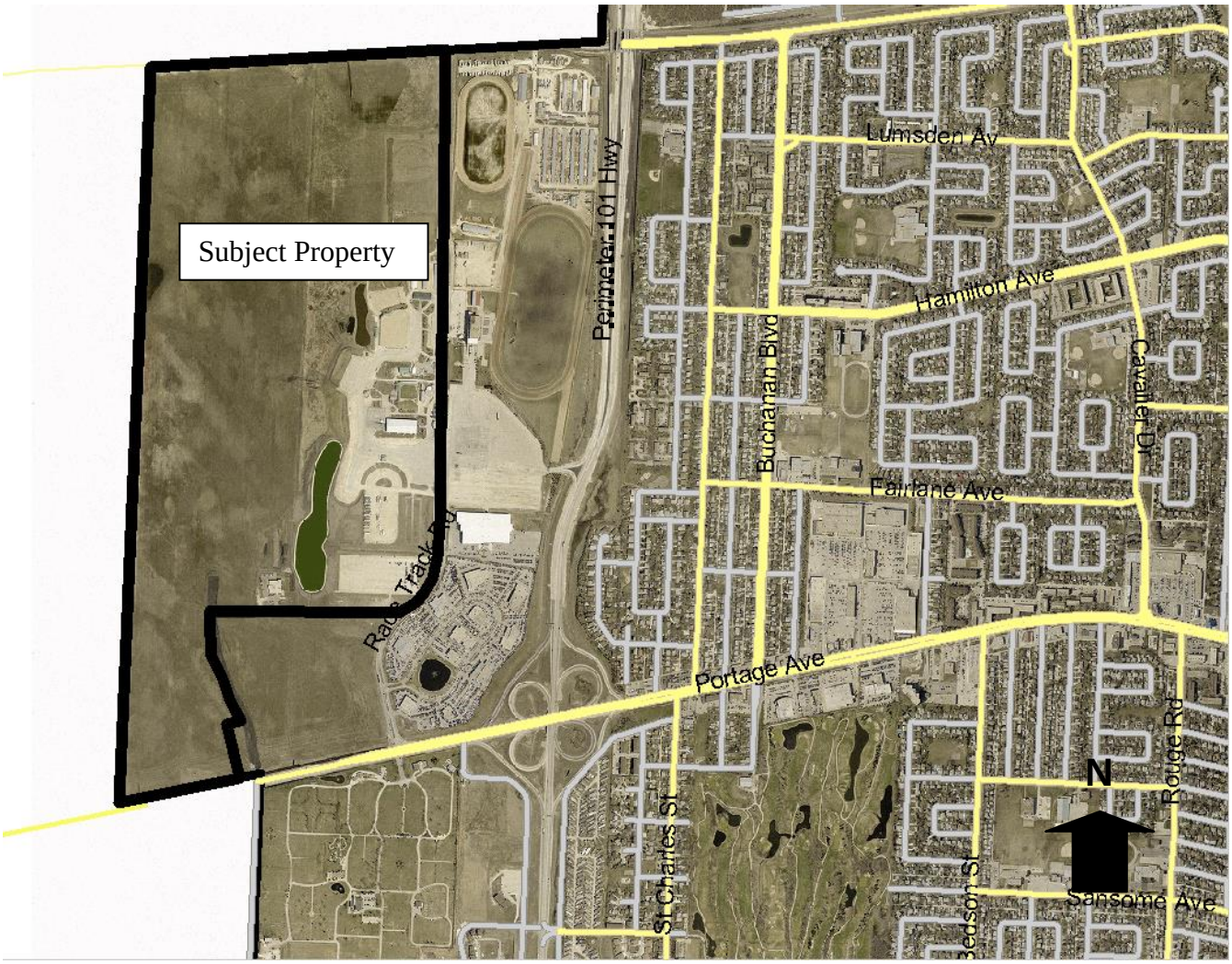


Figure 1: Site map of subject property and surrounding neighbourhood (flown 2014)

SURROUNDING ZONING & USES (See Figure 2)

North: Saskatchewan Avenue and city boundary

South: Portage Avenue

East: Assiniboia Downs, MTS Iceplex and Pointe West Auto Mall zoned “C3” Commercial Corridor

West: City boundary

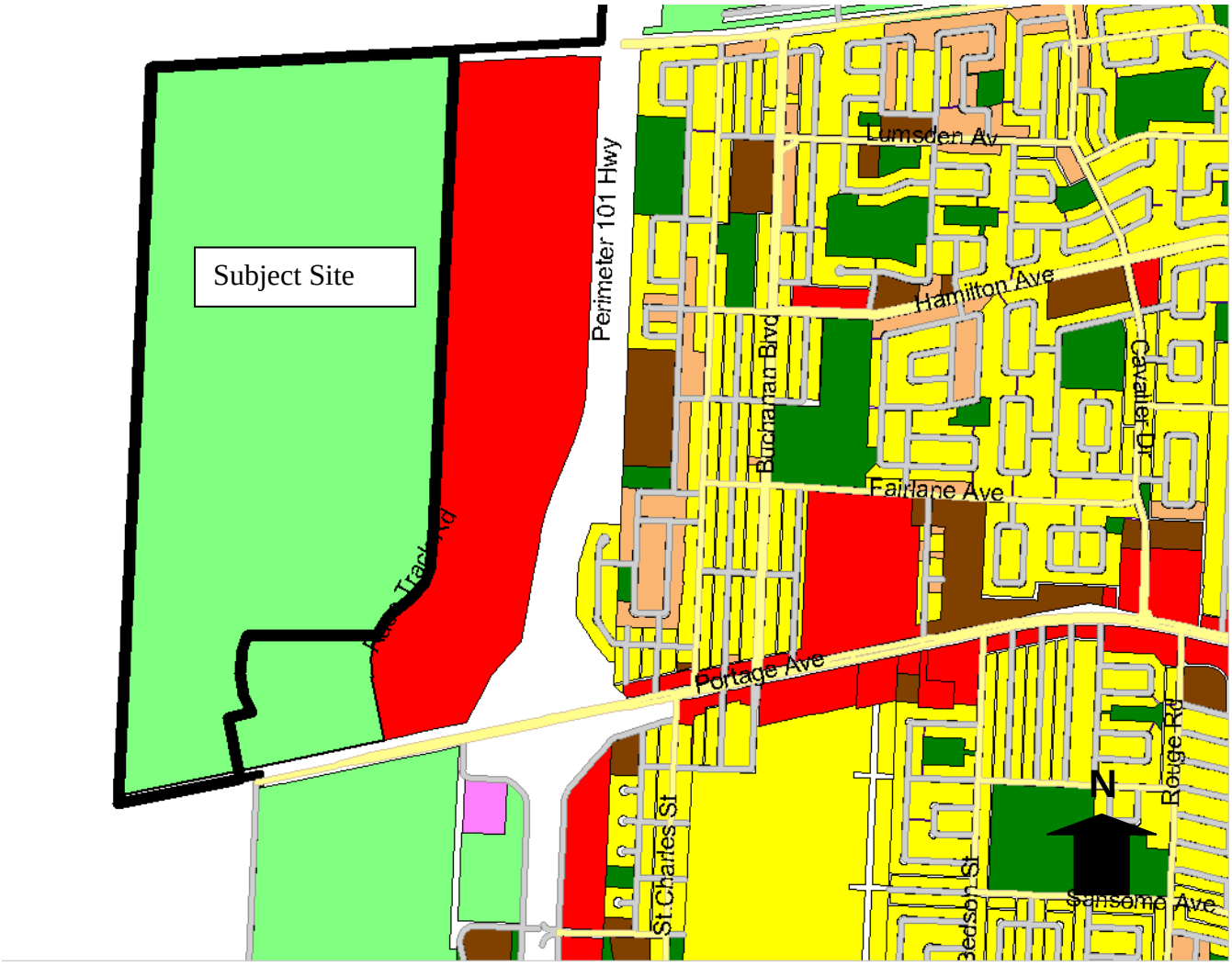


Figure 2: Zoning map of subject property and surrounding neighbourhood

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The proposal is to subdivide one lot into six lots and rezone one of the lots to the PR3 PDO-2 RRX zoning district, and two lots to the 'C3' Commercial Corridor District. Three of the lots will remain zoned as the 'A' Agricultural zoning district.
- According to the applicant, the proposed lots are intended to accommodate the following uses:
    - Lot 1 – Falls within the area identified as Exhibition and Showcase (see Figure 3). Various facilities and activities to accommodate the Red River Exhibition Association (part of the proposed PR3 PDO-2 RRX zone)

- Lot 2 – Falls within the area identified as Exhibition Annex. Future light industrial and employment related uses (left as zone “A” – a zoning amendment will be required at a later date.
- Lot 3 – Falls within area identified as Commercial and Retail. To accommodate an existing office use (Dairy Farmers of Manitoba – to be rezoned to “C3”)
- Lot 4 - Falls within the area identified as Commodity Campus. To accommodate future office uses (to be rezoned to “C3”).
- Lot 5 – Falls within area identified as Exhibition Annex. To accommodate a private road (left zoned as “A”)
- Lot 6 – Future extension to the commercial regional Westport Festival (left as zoned “A” – a zoning amendment will be required at a later date)

- The proposed subdivision and rezoning is accompanied by a plan (Red River Exhibition Lands) that will guide all future development on site. This plan provides direction on land use for each of the concept areas. The plan also speaks to design of the site and infrastructure related development such as roadways, land drainage, wastewater and water services.

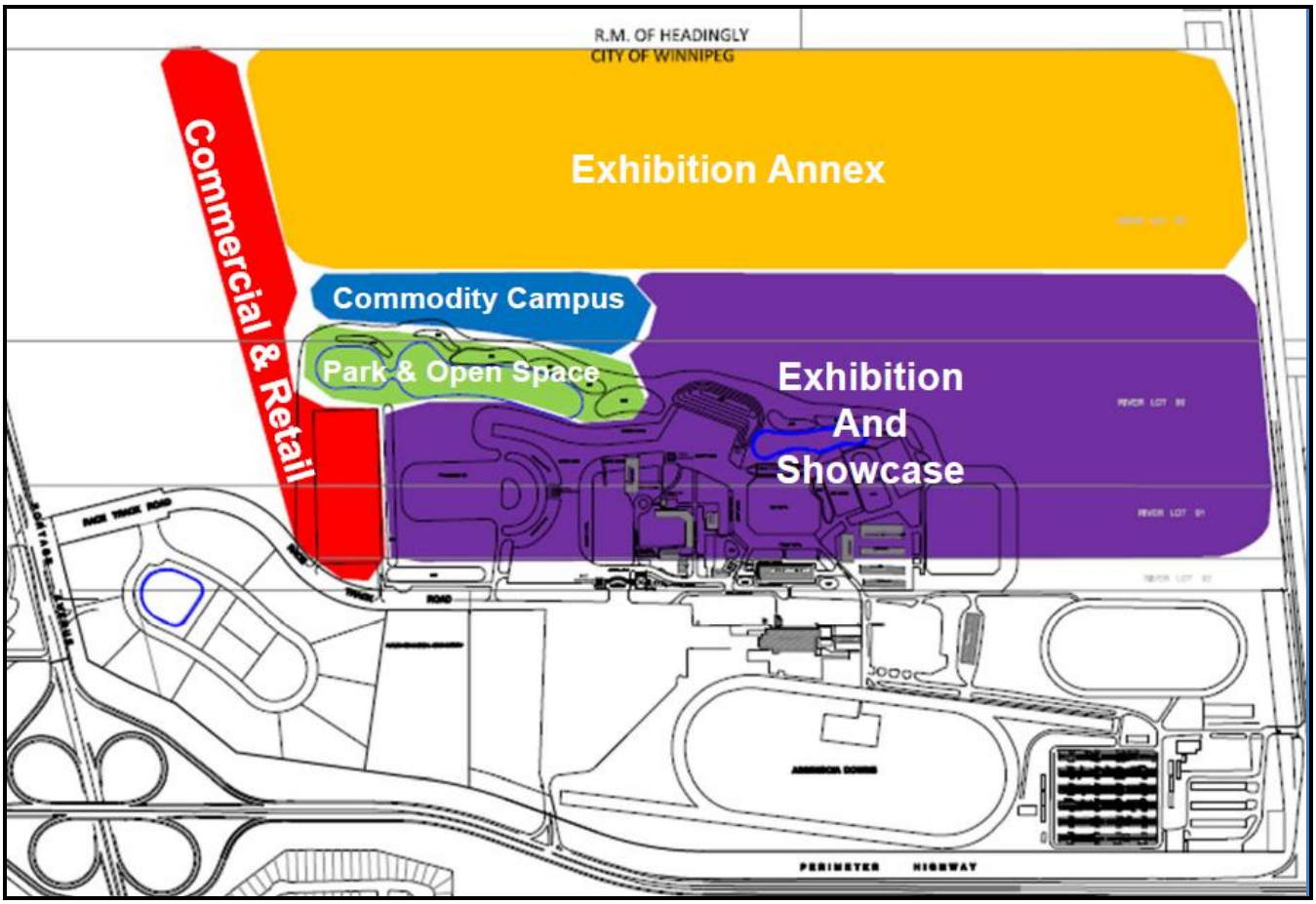


Figure 3: Proposed concept policy areas

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY:

- Under the *Complete Communities Direction Strategy* the Red River Exhibition Lands are located within the Regional Mixed Centre Policy Area. With regard to this proposal, the key policies guiding the development of Regional Mixed Centres include:

    - Direction 1 of the *Complete Communities* section regarding Regional Mixed Use Centre indicates that transformation of existing regional mixed use centres will be done through a proactive and collaborative planning process.
    - 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.
    - Support active uses (such as retail and service) at street level and office and housing on the upper levels of multi-storey developments.
    - 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 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.
    - Support high-frequency transit service by encouraging higher density residential and higher intensity commercial and mixed uses within the centre of the development. These will be focused on major transit stops.

- Under the *Complete Communities Direction Strategy* the proposed development is also located within the New Communities policy area and is identified as Precinct 'R'. With regard to this proposal, the key policies guiding the development of New Communities include:

    - *New Communities will be planned as complete from the outset and will continue to achieve a high standard of sustainability in planning, design, construction and management.* Section 03-4 also states that not all areas designated as *New*

Community will be residential neighbourhoods and specifically mentions that the planning and development of Precinct 'R' will follow the policies of Section 06 *Commercial Areas.*

- The pre-amble of Section 06 *Commercial Areas* recognizes that a commercial area *provides local and regional goods and services, provides employment for many Winnipeggers and contributes to the health, diversity and vitality of the local economy.* This section concludes with the suggestion that *the form that these developments take will be influenced in a large part by the characteristics of the area of the urban structure in which they are located.* The uses and activities already established in the wider Precinct 'R' area are of considerable regional significance and make this area unique.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

Current Zoning

- **'A' Agricultural** is intended for general agricultural activities.

Proposed Zoning

- **'A' Agricultural**
    - Dimensional standards for the 'A' zoning district are as follows:

Zoning District	Minimum Lot Area	Minimum Lot Width (Ft.)	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Side Yard (Ft.) [note a]	Maximum Height of Building (Ft.)
A	40 acres	300	100	25	25	30
a. Side yard requirements do not apply when land is used for a permitted recreational use without a structure						

- **Parks and Recreation 3 (PR3) (Regional)** is intended for sites that include major recreation facilities and parks that are a regional destination. These sites may include major recreation facilities, aquatic leisure centres, regional parks, sport multi-plexes and athletic field developments. Parking facilities ranging from 100 to 300+ stalls may be associated with these uses. These facilities are typically found along major arterials.
    - Dimensional standards for the 'PR3' zoning district are as follows:

Zoning District	Minimum Lot Area	Minimum Lot Width (Ft.)	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Side Yard (Ft.) [note a]	Maximum Height of Building (Ft.)
PR3	NA	NA	20	25	10	NA
b. Side yard requirements do not apply when land is used for a permitted recreational use without a structure						

- **'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 for the C3 zoning district 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.*

Associated Variances

- The applicant has applied for six (6) variances associated with the proposed subdivision and rezoning. Variances are discussed in the associated report for file DAV 16-130922/D

LAND USE BY-LAW

Subdivision and Rezoning

- The applicant is proposing to subdivide the property into six (6) lots and rezone one lot to the 'PR3' Parks and Recreation zoning district that includes a Plan Development Overlay (PDO-2). Two (2) lots are to be rezoned to the 'C3' Corridor Commercial zoning district and three (3) lots are to remain zoned as 'A' Agricultural.
- The subdivision of the land is to accommodate present and future development opportunities for the site that will be in line with the long term development objectives identified within the Red River Exhibition Plan.
- All land within the Planning Area is currently zoned 'A' – Agricultural District. Land zoned Agricultural is intended for a broad range of agricultural activities until such time as it is required for future urban development. The Association has operated the Red River Exhibition under the 'Amusement Enterprise, outdoor' use, which is permissible in the Agricultural zone.
- The proposed rezoning to the 'PR3' district with a PDO-2 is to accommodate various facilities and activities for the Red River Exhibition Association. The PDO-2 is discussed further under the following subheading. The area on site to be rezoned to the 'PR3' zoning district is identified within The Plan as the Exhibition and Showcase Concept Area. The Exhibition and Showcase Concept Area is meant to allow for the continued operation and growth of the existing Red River Exhibition Park, which occupies

approximately half of the concept area. The size of this concept area provides ample space for the Red River Exhibition Park to expand and/or accommodate large scale festival/event type uses. The policies of this concept area permit the establishment of new office and institutional uses as appropriate.

- The lands identified for rezoning to the 'C3' district fall within the Commodity Campus Area and Commercial and Retail Concept Area of The Plan. The purpose of the Commodity Campus Concept Area is to accommodate agriculture-related offices and businesses which are compatible in scale and function to surrounding uses. The existing building occupied by the Dairy Farmers of Manitoba is located in this concept area. Development in this area will provide the Association the opportunity to attract agricultural-related businesses and institutions to the Planning Area. Uses established in this concept area will be able to take advantage of the adjacent and already established private park and open space amenities. Within the Commercial and Retail Concept Area, future development on site could serve as a transition from the commercial uses at Westport Festival to the festival/events related uses at the Red River Exhibition Park, although this is not stated as a purpose or reflected in the policies provided.

- Lands identified to remain zoned as the 'A' Agricultural district are located within the Exhibition Annex Area of The Plan. The Exhibition Annex Concept Area covers almost the entire western half of the Planning Area and is adjacent to the RM of Headingley. The purpose of this area is not entirely clear; however there is a stated intention for development in this concept area to be limited to those uses which benefit from being located in proximity to the Red River Exhibition Park. Policies of this section permit light industrial, research institutions, manufacturing, and commercial uses. However, it should be noted that Policy 4.3.4.2.5 states *any new development should be designed so that the uses and activities do not cause annoyance or nuisance to surrounding uses.* This policy provides a means by which the appropriateness of any proposed light industrial and/or manufacturing development could be evaluated. It is possible that development in this area could provide a transition or buffer from the uses permitted in the adjacent 'General Business' designation of the RM of Headingley Development Plan.

<u>Planned Development Overlay – 2 (PDO-2) (Site Specific)</u>

- *The purpose of the Planned Development Overlay 2 (PDO-2) overlay district is to provide for site-specific control over an individual proposed development, in unique or special circumstances, where any other zone would be inappropriate or inadequate. A PDO-2 district is appropriate when the proposed development regulations do not relate to an area-wide condition or the implementation of an area-wide Secondary Plan, but are specific to the lot(s) or parcel(s) for the PDO-2 zoning. PDO-2 districts are appropriate for areas with unique or special site characteristics.*

- *This PDO-2 overlay must only be applied to a site to regulate a specific proposed development under the following circumstances:*

  a) The proposed development exceeds the development provisions of the closest equivalent conventional zoning district.

  b) The proposed development requires specific regulations to ensure land use conflicts with neighbouring properties are minimized.

  c) The site for the proposed development has unique characteristics that require specific regulations

  d) The ongoing operation of the proposed development requires specific regulations.

- The proposed "PR3 (PDO-2 RRX)" for the Red River Exhibition site was reviewed by the City and applicant to determine which zoning district most closely aligned with the development objectives while allowing limited additional permitted, conditional, accessory and temporary uses. Through this review it was determined that the 'PR3' Parks and Recreation 3 (Regional) district would most closely align to the development goals of the site as indicated in The Plan.
- In addition to the permitted, conditional and accessory uses allowed under the conventional PR3 zoning district, the applicant has proposed changes to allow additional uses on site. Some examples of additional permitted uses include Agricultural cultivation and Animal hospital/ veterinary clinic. Some additional accessory uses include surface and structured parking and a micro-brewery/distillery/winery. For a list of all the proposed additions to the use table, see the PDO document, which is identified as Appendix B in this report.
- The Urban Planning Division is supportive of the proposed PDO for the Red River Exhibition lands as it will permit the organization to maintain many of the current uses associated with the operation of the site, while allowing for diversity and flexibility of future uses on site. The proposed uses are in line with the objectives of the site to host fairs, exhibitions, competitions, agricultural, horticultural and recreation uses and will allow for compatible uses to be established within the immediate surrounding context.

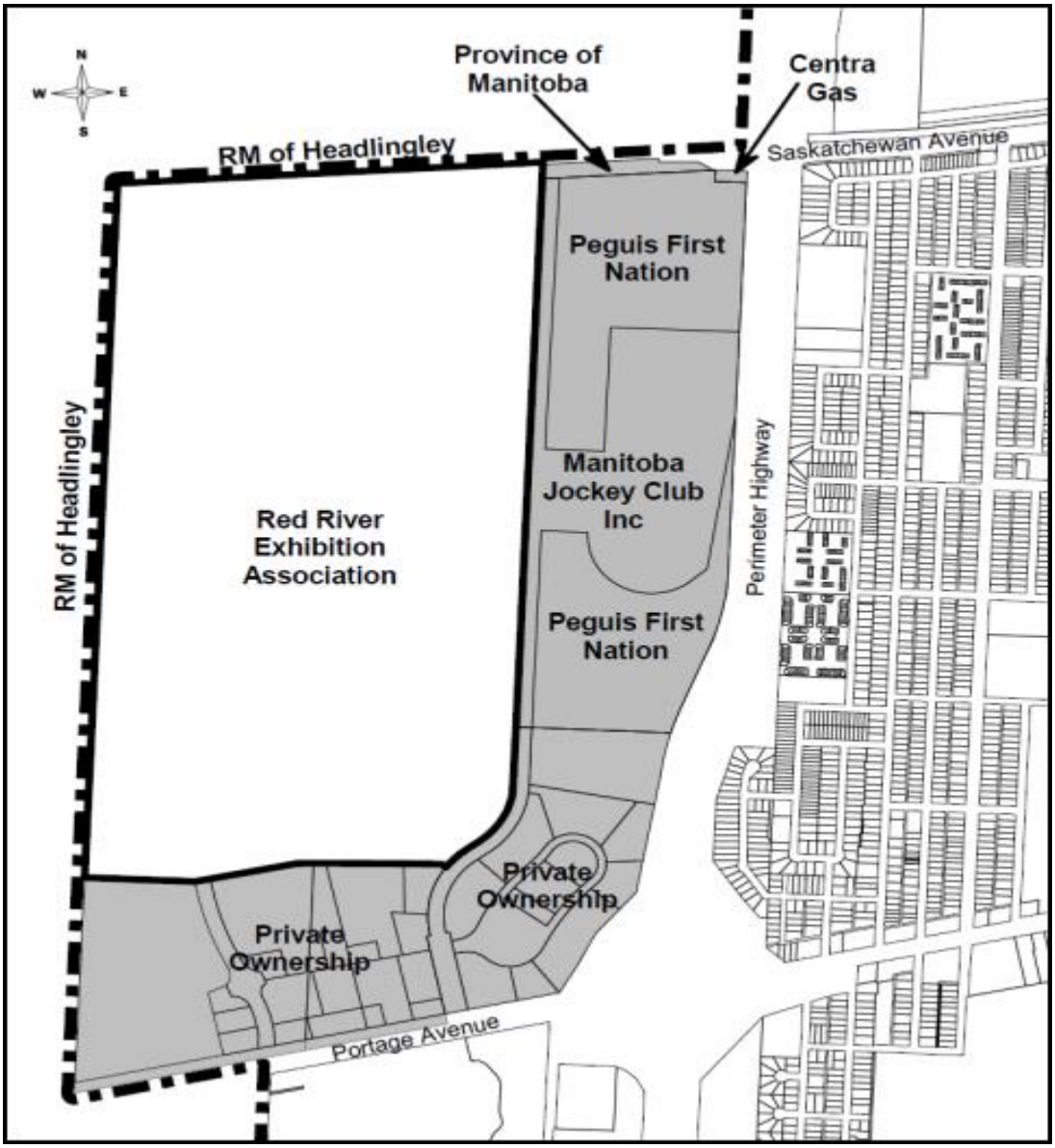
ALIGNMENT WITH OURWINNIPEG AND COMPLETE COMMUNITIES

- The Planning Area is contained within one of the seven 'Regional Mixed-Use Centres' identified in the *OurWinnipeg Development Plan* as strategically located throughout the City. As 'Transformative Areas', 'Regional Mixed-Use Centres' are characterized as large sites (typically 100 acres or more) capable of major transformative change often located adjacent to major corridors with the potential become intensely developed, city-wide or regional destinations. The Plan supports intensifying development of the existing site incorporating a range of uses which increase the potential of the area as a regional destination.
- *Complete Communities* Section 03-2c (Transformative Areas > Centres and Corridors > Regional Mixed Use Centres) Direction 1 supports the *transformation of existing regional mixed uses centres through a proactive and collaborative process.* The Plan is the result of a proactive and collaborative process.
- *Complete Communities* Section 03-2 Transformative Areas – Centres and Corridors Direction 1 states: *Develop Centres and corridors as focal points, characterized by a mix of uses, high density developments, opportunities for gathering and other social interaction and a high-level of accessibility through multiple modes of transportation.* The vision and policies of the Plan include elements which accommodate social interaction and pedestrian accessibility. The Plan also includes the potential for the development of a Transit hub.
- *Complete Communities* Section 03-2a Centres Key Direction states: *Centres will function as key strategic areas that provide a mix of uses, allowing for further intensification of these uses over time, while serving as vibrant gathering spaces that support the daily activities of local residents.* The Plan promotes a mix of uses, supported by a vibrant pedestrian environment, which will intensify development of the site over time.
- The Plan for Red River Exhibition Lands aligns with OurWinnipeg and the Complete Communities Direction Strategy and the zoning as proposed aligns with The Plan.

COMPATIBILITY WITH SURROUNDING USES

- The subject site falls within an emerging hub for commercial and entertainment uses. Existing development on site includes the Assiniboia Downs, MTS Iceplex, and Point West Auto Park. The City of Winnipeg does not own land abutting the Planning Area (see Map 1 – Ownership).

- The Red River Exhibition Association is a not-for-profit community organization that operates on Red River Park on a year round basis. A major objective of the Association is to promote and hold fairs, exhibitions, competitions and games involving horses, cattle, agriculture, horticulture, creative arts, athletics, sport and recreation. The Park hosts fairs, exhibitions and events sponsored by the Association and other third party organizations to promote industry, commerce, agriculture, and tourism.



Map 1 – Context and Ownership of Area Surrounding Subject Site

- To the east of the planning area consists of the existing ~143 acre parcel widely known as “Assiniboia Downs”. Assiniboia Downs is located at 3975 Portage Avenue, at the southwest corner of Saskatchewan Avenue and the Perimeter Highway [PTH 101]. The Assiniboia Downs is the largest horseracing complex in Manitoba; offering live thoroughbred racing and year round simulcast broadcasting with pari-mutuel waging. The facility has grown to become a year-round entertainment, hospitality and exhibition centre hosting various convention & trade shows with +500,000 visitors annually.

- The MTS Iceplex (3969 Portage Avenue) is immediately east of the Planning Area. The MTS Iceplex is a 177,000 square feet complex with four (4) NHL sized rinks with spectator seating constructed in 2009/2010 on the east side of Race Track Road (see Map 1 – Context Map). The Iceplex is used as a practice facility for the NHL Winnipeg Jets; home rink for Junior Hockey, Winnipeg South Blues; home to high school hockey, St. Paul's and Balmoral Hall. The facility has 20 player dressing rooms, a pro shop, concession & vending facilities, restaurant & bar, and is a Hockey Canada Centre of Excellence. The MTS Iceplex has 20,000 hours of ice time and is opened 365 days a year to serve the minor hockey community, adult recreation leagues, tournaments, summer camps and casual rentals.
- Pointe West Auto Park (3965 Portage Avenue) is located on Portage Avenue immediately south of the MTS Iceplex (see Map 1 – Context Map). Since 1998 the Point West Auto Park has continued to evolve through various stages of development to become Manitoba's largest Auto mall with 16 manufactures (foreign, domestic, prestige). This 'auto park' represented a new age of car dealership where the public can come and shop within a wide variety of manufacturers, makes and models of vehicles located along an internal circular drive through a well landscaped setting.
- Immediately south of the Planning Area is the Westport Festival commercial/retail centre (see Map 1 – Context Map). Westport Festival is expected to contain 1,000,000 sq ft of building area on 70 acres of land. In addition to a broad spectrum of commercial/retail opportunities, the site may also include a hotel.

WATER SERVICING

- The Water and Waste Department has indicated that the developer will be required to provide a comprehensive servicing report, prepared by a qualified municipal engineer, which will outline the servicing of the proposed subdivision and adjacent lands, to the satisfaction of the Director of Water and Waste. The applicant will be required to cover the costs to upgrade the wastewater collection system as required and approved by the servicing report or pay their share of the cost of the system upgrades constructed by others to the satisfaction of the Director of Water and Waste.

- It is expected that the applicant will be required to provide satisfactory evidence that Manitoba Infrastructure and/or the Rural Municipality of Headingly have consented to accept land drainage flows from the planned area.

TRANSPORTATION

- The City of Winnipeg does not have jurisdiction over any of the roads adjacent to the Planning Area. Public access to the Planning Area is gained from Portage Avenue from the south via the privately owned Race Track Road, or the newly constructed Festival Drive. Additional private service access is currently obtained via Saskatchewan Avenue (see Map 7 – Existing Transportation Network) or from the neighbouring privately owned properties to the east.

Easement Agreement

- The Public Works Department has indicated that The Developer will be required to enter into a private cross-access easement agreement for the lots within the Planned Area and the property at the northwest corner of Portage Avenue and the private road known as Race Track Road, and shall register the Agreement at the Winnipeg Land Titles Office (WLTO) under Section 76 of the Real Property Act. The Developer can contact the Public Works Department directly for the terms of the agreement. The cross-access agreement shall be reviewed and approved by the Public Works Department prior to registration at WLTO.

Transit

- Winnipeg Transit does not currently serve the Planning Area other than seasonal service during the Red River Exhibition.
- Winnipeg Transit is aware that development in the area is driving demand for service; this includes both the development in the Plan Area and adjacent development already in place (e.g. MTS IcePlex, the future Westport Festival mixed-use development, etc.) The phasing of development of the wider area, including that of future development to the northeast (CentrePort), may also influence the provision of Transit service to the area.
- Plans for service expansion would first need to be developed and approved by the City, as would the dedication of resources necessary to implement such service should this be required. It should be noted that Winnipeg Transit may not be able to extend service to this area for several years due to resource availability. Winnipeg Transit has limited resources for expanding service at the moment and is interested in exploring cost sharing options.
- Transit service in the Planning Area will have to make use of internal private roadways. Private roadways will need to be constructed to a standard equivalent to a City of Winnipeg collector road for Transit service to be possible.

Active Transportation

- A network of cycling facilities is planned to extend into the western quadrant of the city as identified in the Transportation Master Plan and Pedestrian and Cycling Strategy (PCS). There is an existing painted bike lane on Hamilton Avenue from Stradford Street to Silver Avenue, connecting to the Sturgeon Creek Greenway and to the Yellow Ribbon Greenway. Proposed west/east routes and route upgrades are planned along Portage Avenue, Hamilton Avenue, and Saskatchewan Avenue. North/South connections are planned on Isbister Street. Connections to and from the site are across the Perimeter Highway, via Saskatchewan Avenue beneath the highway overpass and along Portage Avenue beneath the cloverleaf interchange. With these planned connections identified, the City will be encouraging development on the Red River Exhibition site to incorporate cycling connections into and throughout the overall site design.
- The associated plan for the Red River Exhibition Lands indicates that:
    - The design of the internal private road network is intended to provide:
        - Collector streets for the use of motorized vehicles including buses with the collector streets providing sidewalks on both sides of the street;
        - Active transportation opportunities
    - Private pathways, walkways, and sidewalks should include the following:
        - Short, convenient and direct connections to activity nodes such as community spaces and transit connections;
        - Connections to the regional pathway systems
        - Private roadway, walkway, pathway and bikway connections should be designed for easy and direct access to area focal points including the transit station, commercial/retail area, and greenway network.
        - Private trails should be built in such a manner that they are accessible and usable for the majority of the year.
        - All new multi-use trails and pedestrian walkways shall meet the Accessibility Design Standards for the City of Winnipeg.

SITE DESIGN

- The proponents have created a set of design guidelines for the Red River Exhibition park lands. The intent of the design guidelines is ensure high quality, consistent and compatible design throughout the site. These plans are meant to address:
    - Building design,
    - Site design,
    - Landscape design
    - Pedestrian and Active Transportation Design,
    - Sign design and
    - Off-Street Parking Design.
- The Design Guidelines have been submitted to the City and are included in this report as Appendix C. The City intends to work the proponents on future development plans to ensure that the site and building development will align with the directions identified in the design guidelines.

CONDITIONS OF APPROVAL

Zoning Agreement

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 – If any new building is established on the land, plans showing the location of the building and elevations with colour renderings that indicate building materials, should be provided as part of the plan approval package.
- Landscaping – plans shall include location, species, quantities and planting details and should align with design guidelines for the site.
- 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.
- Fencing - Any proposed fencing should be constructed with high quality materials and design.

Addressing

- The Winnipeg Fire and Paramedic Service has recommended that addressing on the site be a condition of approval in order to ensure that highly visible, high quality numbering is established on buildings for ease of identification by the Winnipeg Fire and Paramedic Services.

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 for parks purposes.
- 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 applicant has submitted an associated plan (SP1/2016) for the Planning Area which refines and implements the City's broader planning objectives (as described in *OurWinnipeg* and *Complete Communities*). The Plan envisions the Planning Area to expand upon its agricultural and entertainment roots to become a *destination event and entertainment area where the agricultural industry is promoted, business thrives, guests are entertained, and the environment is celebrated* (Section 3.2 – Planning Goals). This vision fits the mandate of the Association which is *to encourage and showcase Manitobans and their achievements through the promotion of agriculture, tourism, industry and commerce.* Under the direction of this Plan, the Association intends to establish a *mix of commercial, agricultural, entertainment, business, manufacturing, recreational and tourism development* (Section 1.4 Overall Planning Goals) which is *compatible with surrounding uses* (Section 3.2.7) and *strengthens the area as a regional attraction in Manitoba's Capital Region* (Section 3.2.1).

- The proposed subdivision and rezoning of land aligns with the Red River Exhibition Plan and is consistent with the *OurWinnipeg* and *Complete Communities Direction Strategy* By-laws.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division
Report Prepared By: Devin Clark
PPD File # DASZ 33/2016

Schedule "A" for File No. DASZ 33/2016, Assiniboia Community Committee, dated September 6, 2016

By–Law No. _____

Atlas Sheet No.

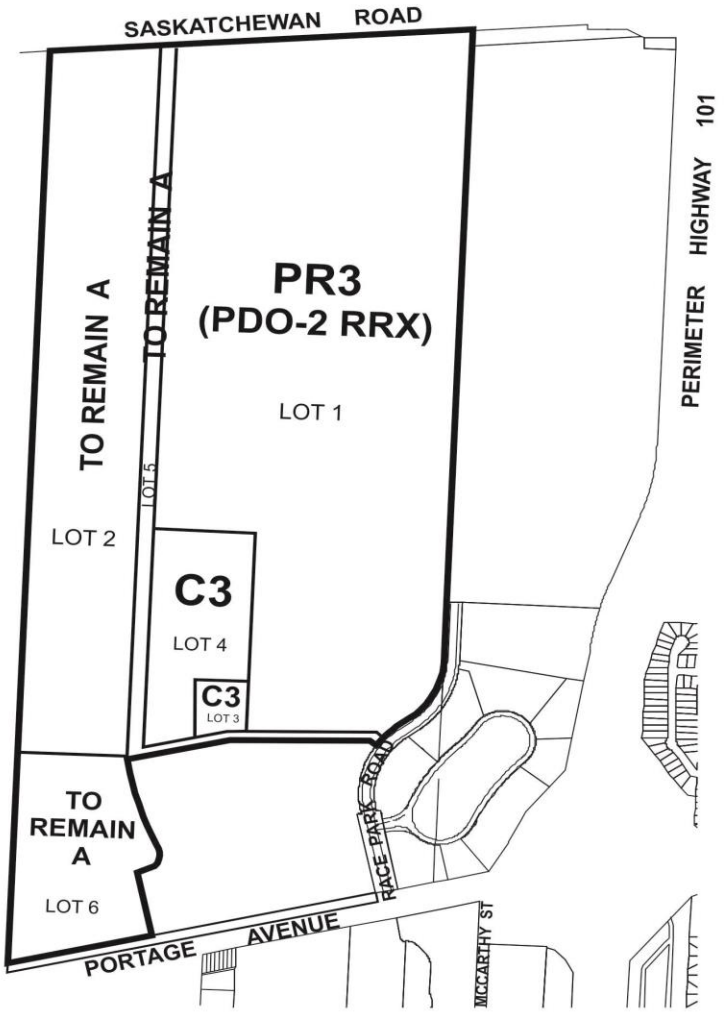
N

AA10 ASSINIBOIA COMMUNITY

File No. **DASZ 33/16**

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 3977 & 4055 Portage Avenue from an "A" AGRICULTURAL DISTRICT to a "C3" COMMERCIAL CORRIDOR DISTRICT and a "PR3 PDO-2 RRX (RED RIVER EXHIBITION)" PARKS AND RECREATION 3 REGIONAL DISTRICT to allow for the future establishment of mixed use development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – September 2, 2016

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 3977 & 4055 PORTAGE AVENUE – DASZ 33/2016

It is recommended that the approval of DASZ 33/2016, if granted, be subject to the applicant addressing the following items:

1) The Developer shall, prior to the release of subdivision mylars:

   a) provide a comprehensive servicing report, prepared by a qualified municipal engineer, which will outline the servicing requirements for the proposed subdivision and adjacent lands, to the satisfaction of the Director of Water and Waste.

   b) Enter into a Servicing Agreement, if required, for the installation of services as identified in the servicing report.

2) The Developer shall:

   a) at no expense to the City of Winnipeg, upgrade the wastewater collection system and water distribution system if and as required by the Servicing Agreement report;

   b) Pay their cost of the system upgrades constructed by others

   All determined by and to the satisfaction of the Director of Water and Waste.

3) The Developer shall execute private joint services agreements for the lots within the proposed development as determined by and to the satisfaction of the Director of Water and Waste.

4) The Developer shall enter into a private cross-access easement agreement for the lots within the Planned Area and the property at the northwest corner of Portage Avenue and the private road known as Race Park Road, and shall register the Agreement at the Winnipeg Land Titles Office (WLTO) under Section 76 of the Real Property Act.

   The Developer can contact the Public Works Department directly for the terms of the agreement. The cross-access agreement shall be reviewed and approved by the Public Works Department prior to registration at WLTO.

5) The Developer shall provide satisfactory evidence that Manitoba Infrastructure and/or the Rural Municipality of Headingly have consented to accept land drainage flows from the planned area.

6) By-laws and Approvals

The Developer shall pay all of its and the City's costs, fees, and expenses associated with the preparation and attainment of approval for registration of the Zoning By-law(s) and plan(s) of subdivision, including all Municipal Board, Land Titles Office and other fees and expenses, all survey, engineering and advertising fees and costs, and all expenses incidental to the preparation of the Agreement and the physical development of the Planned Area.

7) Professional Fees

a) The Developer shall pay the full cost of all design services, including preliminary engineering studies, servicing reports, servicing criteria, construction drawings and specifications, and grading and landscaping plans and specifications, to be provided by Consulting Engineer(s) approved by the City, for the design of the municipal services, and associated works required to serve the Planned Area;

b) The Developer shall pay the full cost of construction and landscaping supervision services provided by or on behalf of the City for field inspection, preparation of progress estimates, provision of as-built drawings by March 31 of the year following substantial performance of the work, and all other engineering consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

8) Administration Fees

The Developer shall, prior to the release of the subdivision mylars for registration in the Land Titles Office, pay to the City, $1200.00/acre of the planned area 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 33/2016
September 2, 2016

"*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

GJ/gj

APPENDIX B

RED RIVER EXHIBITION DISTRICT PLANNED DEVELOPMENT OVERLAY (PDO-2 RRX)

Purpose

1. The purpose of this overlay is to support the development of the Red River Exhibition District by providing flexibility for "PR3" Parks and Recreation 3 (Regional) Zoning District uses for the area defined as PDO-2 RRX.

Applicability

2. PDO-2 RRX overlay district is located as shown on the attached map and identified as PDO-2 RRX (Map 1).

Development Standards

3. Except to the extent modified by the standards in this overlay, all standards of this By-law apply within the boundaries shown on the attached map (Map 1).

4. The regulations provided in the PDO-2 RRX overlay district shall be a substitute for the specified regulations of the underlying zoning district. Where there is a conflict between the provisions of the PDO-2 RRX overlay district and those of the underlying zoning district, the provisions of the PDO-2 RRX shall govern.

Permitted Use Regulations

5. Notwithstanding other provisions of this By-law, the following principal uses shall be permitted on land within the PDO-2 RRX overlay district in addition to the uses permitted by the underlying PR3 zoning district:

    (1) Agricultural Cultivation
    (2) Animal hospital or veterinary clinic
    (3) Race track *
    (4) Transit station

    * See section 10 of this schedule for applicable use specific standards

Conditional Use Regulations

6. Notwithstanding other provisions of this By-law, the following principal uses shall be conditional on land within the PDO-2 RRX overlay district in addition to the conditional uses of the underlying PR3 zoning district:

    (1) Agricultural grazing and feeding
    (2) Parking, structured
    (3) Parking, surface
    (4) Micro-brewery/distillery/winery
    (5) Studio, radio/TV/motion picture broadcast and production

(6) Billboard, Poster *
(7) Billboard, Digital Static Copy *
(8) Billboard, Digital Moving Copy *

* See section 10 of this schedule for applicable use specific standards

Accessory Use Regulations

7. Notwithstanding other provisions of this By-law, the following accessory uses shall be permitted on land within the PDO-2 RRX overlay district in addition to the accessory uses permitted by the underlying PR3 zoning district:

(1) Apiary*
(2) Aviary*
(3) Auction room
(4) Auction yard *
(5) Automated teller machine
(6) Drive-in or Drive-through
(7) Outdoor dining/drinking area
(8) Outside display and sales
(9) Outside operations
(10) Outside Storage *
(11) Parking, structured
(12) Warehouse *

* See section 11 of this schedule for applicable use specific standards

8. Notwithstanding other provisions of this By-law, the following accessory uses shall be conditional on land within the PDO-2 RRX overlay district in addition to the conditional accessory uses of the underlying PR3 zoning district:

(1) Micro-brewery/distillery/winery

Temporary Use Regulations

9. Notwithstanding other provisions of this By-law, the following temporary uses shall be permitted on land within the PDO-2 RRX overlay district in addition to the permitted temporary uses of the underlying PR3 zoning district:

(1) Farmers' Market
(2) Seasonal Sales

Use Specific Standards for Specific Principal Uses

10. Regardless of whether a use is allowed as a permitted or conditional use, the following additional standards must be met in respect of the uses identified, except as

authorized by other sections of this By-law or by a Conditional Use or Variance Order:

(1) Race Track
   a. Motor Sports shall not be allowed to operate on Mothers' Day, Fathers' Day or Easter.

(2) Billboard, Digital Static Copy; Billboard, Poster; and Billboard Digital Moving Copy
   a. Shall conform with regulations as per section 98.1 and the following:
   b. Shall be located to minimize visibility from residential uses; and
   c. Shall not be visible from a public road.

Use Specific Standards for Specific Accessory Uses

11. Regardless of whether an accessory use is allowed as a permitted or conditional use, the following additional standards must be met in respect of the accessory uses identified, except as authorized by other sections of this By-law or by a Conditional Use or Variance Order.

(1) Apiary, Aviary
   (a) Minimum lot area: 5 acres.

(2) Auction Yard
   (a) Outside storage is not permitted

(3) Outside Storage
   (a) Outside storage is subject to compliance with Part 5: section 197, *Screening of Outside Storage Required.*
   (b) Outside storage is limited to 25 percent of gross floor area.

(4) Warehouse
   (a) Outdoor storage is subject to compliance with Part 5: Section 197, *Screening of Outside Storage Required.*

Parking and Loading

12. Parking and Loading Management Plan

(1) A property owner may propose to the Director a Parking and Loading Management Plan prepared by a professional traffic engineer or parking consultant documenting that a lower amount of off-street parking, and/or bicycle parking, and/or loading is adequate to meet the needs of the proposed use or combination of uses and to prevent traffic and parking congestion on surrounding streets or public lanes: because of the unique patterns of peak hour use, the proximity to other public parking areas, proximity to major transportation routes, or other factors, without the imposition of additional parking management tools.

(2) If the Director concludes that the proposed Parking and Loading Management Plan will provide off-street parking, bicycle parking and/or loading adequate to meet the needs of the proposed use or combination of uses and to prevent traffic or parking congestion on surrounding streets and public lanes, the Director may approve the Parking and Loading Management Plan and may reduce the amount of required off-street parking, bicycle parking, and/or loading required to conform with the approved Plan.

(3) Any owner of land in the overlay district may, in accordance with this overlay and this By-law, submit to the Director for approval
- (a) A Parking and Loading Management Plan for the overlay district; or
- (b) An amended Parking and Loading Management Plan for the overlay district.

13. All bicycle parking spaces in the PDO-2 RRX must comply with the following design standards:

(1) Be located:
- (a) with convenient access to major building entrances
- (b) in well-lit areas
- (c) at ground level or be accessible from ground level; and
- (d) wherever possible, close to bicycle friendly routes

(2) Include short and long-term bicycle parking facilities

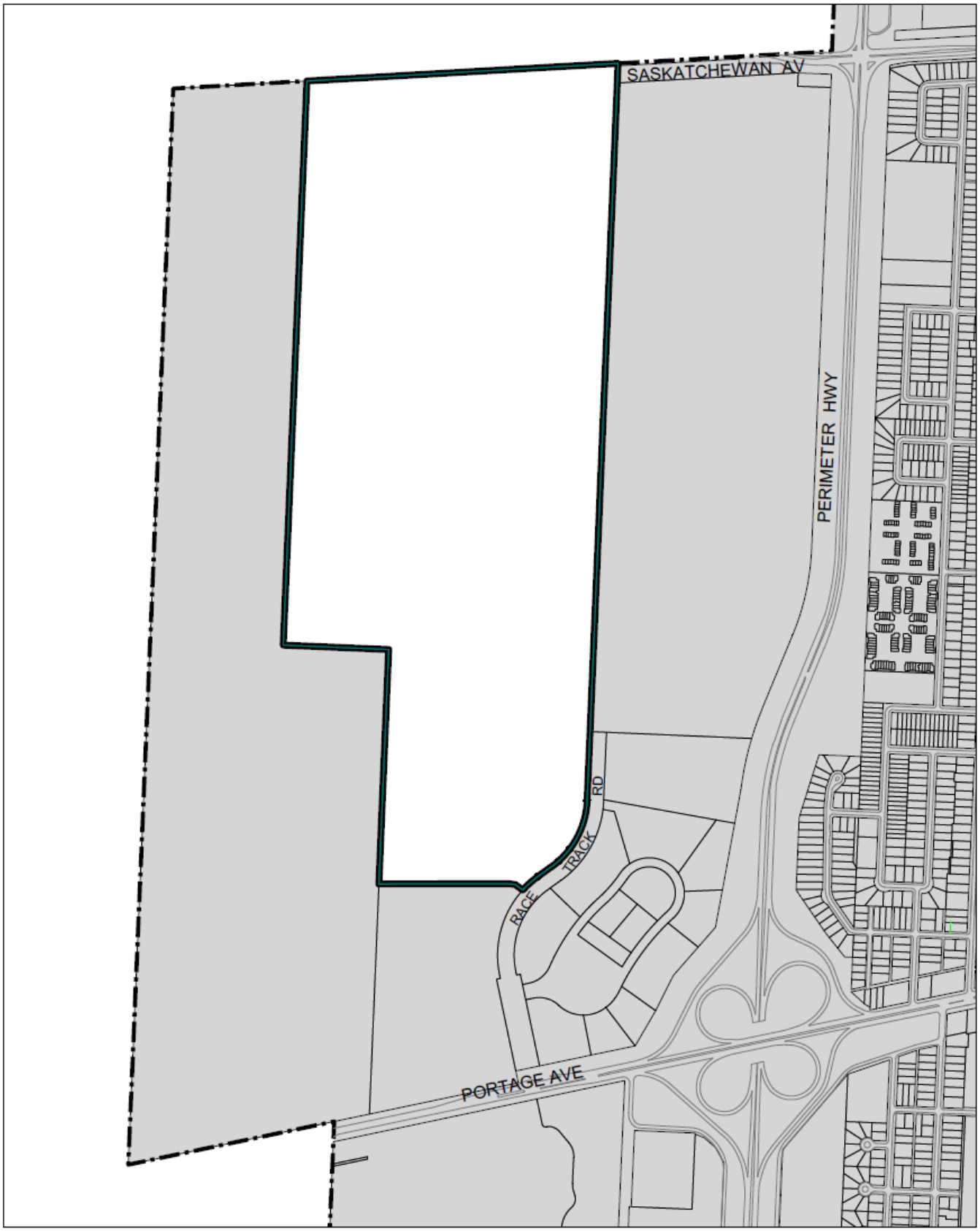
(3) Racks or lockers made from high quality materials anchored with bolts to either concrete or asphalt surfaces of the ground, floor, or wall

Signage

14. Any owner of land in the overlay district may, in accordance with this overlay and this By-law, submit to the Director and to the Community Committee for the area where the land is located, for approval
    (1) A Master Signage Plan for the overlay district; or
    (2) An amended Master Signage Plan for the overlay district.

15. If a Master Signage Plan is submitted to and approved by the Director and the Community Committee, an owner of land in the overlay district must not erect signage on his land that is not in accordance with the Master Signage Plan for the overlay district.

16. Freestanding signage may be located anywhere within the PDO-2 RRX, as identified on map 1, in accordance with an approved Master Signage Plan for the overlay district.



Map 1 - Red River Exhibition Planned Development Overlay-2

Winnipeg

PR3 PDO-2 RRX

0.0 0.1 0.2 0.3 0.4 0.5

Kilometers

Appendix C

Precinct R
DEVELOPER REGULATED DESIGN GUIDELINES
RED RIVER EXHIBITION PARK LANDS

May 2016

Landmark
Planning & Design Inc.

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1.0 Introduction

The purposes of these Design Guidelines are:

(1) To establish a framework within which landowners, builders and architectural consultants can implement individual designs; and

(2) To establish criteria for the design of all development within the Red River Exhibition lands of Precinct R in the City of Winnipeg.

These Design Guidelines will be administered by the Red River Exhibition Association.

The planning criteria which are to govern development on the subject lands include the following:

- Creation of an attractive environment through quality in architecture design, landscaping and site planning,

- The protection of owners, lessees and/or tenants of buildings against improper and undesirable use of other buildings.

- Each building should be site specific in its design and generally improve the aesthetic character of its surroundings.

- Landscaping shall be an integral part of the overall site planning.

2.0 General Design Guideline Considerations for the Red River Exhibition Plan Area

1) Ensure that the pedestrian and cycling environment is safe, accessible, comfortable, convenient and attractive;
2) Ensure the vehicular environment for both public and private transportation is well integrated with the pedestrian environment;
3) Ensure the principles of Crime Prevention Through Environmental Design (CPTED) are applied;
4) Apply Universal Design Principles
5) Create direct, comfortable and safe pedestrian routes leading to front entrances of stores from parking areas, transit stops, public sidewalks, other stores, and other pedestrian destinations;
6) Sidewalks need to impart a sense of permanence. They should be lined by trees, high-quality landscaping, and high-quality materials
7) Limit the length of parking rows to a maximum of 20-30 contiguous spaces. Longer rows should include landscaped breaks, e.g. islands with shade trees for all seasons to ensure pedestrian comfort and safety;
8) Edge treatments along internal roads should visually screen parked vehicles. Provide a variety of deciduous and coniferous vegetation in plantings for year-round interest, texture, shape, and screening;
9) Install lighting that is appropriately scaled to its purpose, i.e. avoid over lighting;
10) Consider providing pedestrian scale lighting, such as bollards or lower scale pole fixtures, along pedestrian routes;
11) Encourage open and inviting building facades at street and 2nd storey level to enhance the convenience, comfort and enjoyment of pedestrian experiences and enhance interactions between the public space and business operations. Minimize blank walls – use landscaping, aesthetic characters, change in cladding material, glass, etc. to break up tracts of continuous blank walls
12) Wrap the perimeter of big box stores with small units to establish a fine-grained setting, externalize active uses (cafes and boutiques) and increase their links to the street.
13) Consider integrating art and aesthetic improvements into all aspects of the project (signage, street furniture, planting, lighting, etc.)

3.0 Commodity Campus Concept Area

New developments (or major renovations) within the Community Campus Concept Area shall consider the following design guidelines:

1) Buildings shall be arranged in a manner that complementary uses are close to each other to minimize walking distances and the need to drive personal vehicles to multiple stops

2) Site planting should respect the local winter conditions and prairie environment through the use of colour, sun and wind protection, and plant selection

3) Where appropriate along streets, traffic calming measures such as raised or textured crosswalks should be used to slow traffic and allow safe pedestrian crossings

4) Loading and service areas, outdoor equipment and refuse containers shall be oriented away from street view and screened from public view with a combination of landscaping and screening

5) Where visible from rights-of-way, landscaping planters should be used along the base of long building facades to help break up the linear appearance

6) Bicycle facilities shall be located in close proximity to the main entrance for primary/principal buildings

7) All signs shall be fully integrated with the design of the building and the site by incorporating architectural features, colour, materials and textures used throughout the building design

8) Multi-tenant signs shall be located near the main entrance to establish a focal point and assist motorists in finding the main driveway

9) All rooftop mechanical equipment shall be screened from public view or integrated within the building architecture

10) Utility appurtenances should be softened with landscape materials

11) Low water use plants and water conservation concepts (e.g. grouping plants with similar watering requirements) should be incorporated in the landscape design

12) Parking lots should provide a pedestrian route between main buildings and sidewalks/pathways that is uninterrupted by surface parking and driveways.

13) The placement of doors and windows should ensure adequate surveillance from building occupants and visitors

14) The height of new developments shall be compatible with and transition from the height of adjacent developments

4.0 Exhibition and Showcase Concept Area Design Guidelines

New developments (or major renovations) within the Exhibition and Showcase Concept Area shall consider the following design guidelines:

1) Amenities such as water fountains, clock towers, art works, and/or architectural features should be used as landmarks to guide people to different areas of the development
2) Site layouts shall provide clear, obvious, direct and convenient linkages to site destinations
3) Site plantings should incorporate a mix of deciduous and evergreen plant species to provide year round colour
4) Signs shall not be located in a manner that interferes with pedestrian movement or poses a hazard to pedestrians
5) Pedestrian scaled lighting (e.g. bollards, lower scale pole fixtures) shall be provided along pedestrian routes
6) Transit facilities should be located near key on-site pedestrian routes
7) The City of Winnipeg Universal Design Standards shall be used as a guide to barrier free design
8) Developments should adhere to Crime Prevention through Environmental Design principles including but not limited to:
    i) Ensure sight lines between buildings and pedestrian walkways are unobstructed and well lit
    ii) Consider views for safety and surveillance opportunities when selecting and siting landscape elements
    iii) Promote views between the interior of buildings and exterior public spaces through the location of windows and other building openings.
9) Buildings should be located close to each other to encourage ease of walking between buildings and to public transit
10) Surface parking areas should use permeable or light coloured surface materials to reduce heat absorption and any landscape islands should include bioswales to reduce stormwater runoff

5.0 Commercial and Retail Concept Area Design Guidelines

New developments (or major renovations) within the Commercial and Retail Concept Area shall consider the following design guidelines:

1) Convenient pedestrian connections to all land uses and off-site connections shall be provided for the commercial area
2) Buildings shall provide a visually appealing site design and landscape treatment
3) Off-street parking areas should provide extensive landscaping
4) Buildings shall be attractively designed through various methods such as appropriate articulation, glazing and the use of a variety of building materials
5) Handicapped parking spaces shall be placed directly adjacent to the main building entrance
6) Snow storage areas shall be located so as not to damage landscaped areas.
7) Materials and colours for loading and servicing enclosures shall complement the main on-site buildings
8) Landscaping features should be used to identify access points and other site features such as pedestrian benches and transit stops

6.0 Exhibition Annex Concept Area Design Guidelines

New developments (or major renovations) within the Exhibition Annex Concept Area shall consider the following design guidelines:

1) Vehicle circulation shall be designed to avoid conflicts between trucks or other heavy vehicles and employees' or visitors' passenger vehicles
2) Loading areas shall be located to the side or rear of buildings
3) Surface parking shall be defined by landscaping and screening elements
4) Main entries shall be located and designed to be clearly identified from streets or entry driveways
5) Service doors (e.g. an overhead door at a loading dock) shall not be located on a building facade that faces a street
6) Accessory buildings on site, including those constructed for the purpose of storing materials, shall be visually screened from public streets with screen planting or shall be designed and finished in a manner consistent with the principal building
7) A landscaped area shall be provided along all property lines that abut a street
8) Landscaping shall be provided in such a manner to identify and define entrances to sites and buildings
9) Chain link fencing is not allowed along street frontages
10) Outdoor storage shall be permitted in the side or rear yards under the following conditions:
    i) Such areas do not encroach on required minimum setbacks
    ii) Supplies, materials, products or vehicles are visually screened from abutting streets with solid landscaping or screening
11) Any part of a building site left vacant for future development shall be landscaped consistent with the landscape plan for the remainder of the building site. The minimum ground surface treatment shall be grass/lawn
12) Developments shall be designed so that the uses and activities shall not cause nor become an annoyance or nuisance to surrounding areas by reason of unsightliness; the emission of odours, liquid effluents, dust, fumes or smoke; vibration; noise or glare; high brightness by light sources; heat; or anything that creates or causes a health, fire or explosion hazard
13) All signs shall be fully integrated with the design of the building and the site by incorporating architectural features, colour, materials and textures used throughout the building design

14) Multi-tenant signs shall be located near the main entrance to establish a focal point and assist motorists in finding the main driveway

15) All signs shall be constructed with durable materials and finishes

16) Where feasible, large surface parking areas should be divided into smaller parking courts through the use of landscaped islands and pedestrian pathways

17) Loading routes for on-site loading areas should avoid crossing pedestrian connections, transit and cyclist routes, and primary vehicular circulation routes

18) Large surface parking areas shall be divided into smaller parking courts through the use of landscaped islands and pedestrian pathways.

19) All rooftop mechanical equipment shall be screened from public view or integrated within the building architecture.