Minute No. 357
Report – Executive Policy Committee – May 10, 2017

Item No. 1 **Rezoning – 489/491 Corydon Avenue**
(Fort Rouge – East Fort Garry Ward)
File DAZ 221/2016

COUNCIL DECISION:

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

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 221/2016 dated April 5, 2017 to a "CMU" Commercial Mixed Use PDO-1 Corydon-Osborne district.

2. 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.

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

4. 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.

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

6. 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 – May 10, 2017

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 May 10, 2017, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 13, 2017, the City Centre 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.

RE: **Rezoning– 489/491 Corydon Avenue**
File DAZ 221/2016

For submission to: **Executive Policy Committee**

Prepared by: **Kate McMillan, Committee Clerk**
City Centre Community Committee

Report date: **April 18, 2017**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 13, 2017, the City Centre 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 Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 221/2016 dated April 5, 2017 to a "CMU" Commercial Mixed Use PDO-1 Corydon-Osborne district.

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

1. It's upgrading a building that's in need of repair, improving the visual impact on the neighbourhood, reusing an existing structure and adding some residential along the corridor so it's all positive.

PUBLIC HEARING SUMMARY

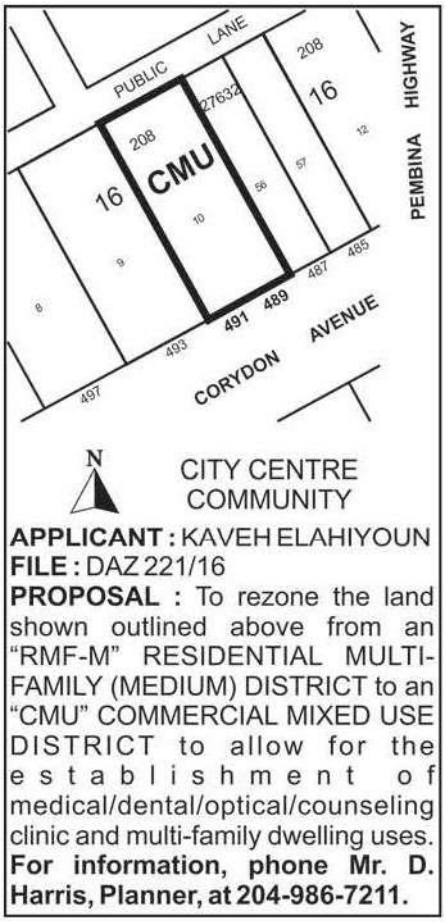
File: DAZ 221/2016

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

Public Hearing: April 13, 2017
Council Building, 510 Main Street

Applicant: Kaveh Elahiyoun

Subject:



Premises Affected: 489/491 Corydon Avenue

Exhibits Filed:

1. Application dated February 1, 2017
2. Notification of Public Hearing dated February 15, 2017
3. Manitoba Status of Title 2866831/1
4. Letter of authorization dated December 5, 2016 from Sachli Enayat to Kaveh Elahiyoun
5. Surveyor's Building Location Certificate and sketch dated November 7, 2016
6. Caveats 159386 and 159387
7. Plans (5 pages)
8. Report from the Urban Planning Division dated April 5, 2017
9. Inspection Report
10. Recording of Representations

REPRESENTATIONS:

In Support:

Kaveh Elahiyoun
Kerri Manchulenko
Keith Pearch

In Opposition:

Nil

For Information:

Franca De Grazia
Cheryl Hobbs
Robert Nicol

For the City:

M. Robinson, Senior Planner, Planning, Property and Development Department
D. Harris, Planner, Planning, Property and Development Department

Exhibit " 8 " referred to in File DAZ 221/2016

ADMINISTRATIVE REPORT

Title: DAZ 221/16

Issue: For consideration at the public hearing for a rezoning for DAZ 221/2016 – 489 Corydon AVE

Critical Path: City Centre Community Committee as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Division Head	Department Head	CFO	CAO
Dylan Harris (MCP)	B. Smith, (RPP)	n/a	n/a	

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 221/2016 dated April 5, 2017 to a "CMU" Commercial Mixed Use PDO-1 Corydon-Osborne district.
2. 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.
3. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.
4. 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.
5. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.
6. 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 rezone the subject property from a “RMF-M” Residential Multi Family medium district to a “CMU” Commercial Mixed Use PDO-1 Corydon-Osborne district for the establishment of a medical/dental/counseling clinic on the first and second floor, with future capacity for residential dwellings in the basement.
- 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 land may be **rezoned**.

CONSULTATION

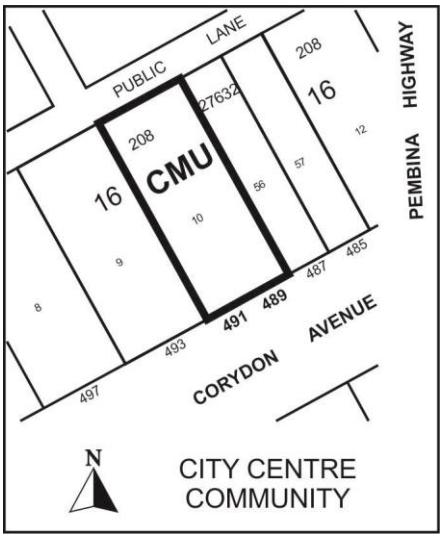
In preparing this report there was consultation with: N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared By:	Dylan Harris, MCP
Date:	April 5, 2017
File No.	DAZ 221/2016

APPENDIX 'A'

DATE:	April 5, 2017
FILE:	DAZ 221/2016
RELATED FILES:	N/A
COMMUNITY:	City Centre Committee
NEIGHBOURHOOD #:	**1.110 Mcmillan**
SUBJECT:	To rezone the subject land from RMF-M to CMU PDO-1 Corydon-Osborne to permit the establishment of a 2 storey mixed use, medical/dental/counseling clinic and residential development.
LOCATION:	489 Corydon AVE
LEGAL DESCRIPTION:	LOT 10 PLAN 208 in Parish of St. Boniface



APPLICANT:	Kaveh Elahiyoun 1750 McCreary Road Winnipeg , Manitoba R3P 0S8
OWNER:	Kaveh Elahiyouan & Sachu Enayat 1750 McCreary Road Winnipeg , Manitoba R3P 0S8

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject property is located on the north side of Corydon Ave., in the Mcmillan neighbourhood of the Fort Rouge - East Fort Garry ward.
- The site is located on a Community Mixed Use Corridor and within a Mature Community, as designated by the *Complete Communities* Direction Strategy.
- The property is currently zoned “RMF-M” Residential Multi-Family Medium.
- The property is 6027 sq. ft. in area.
- A two storey, two family residential building is currently located on the subject property.



Figure 1: Subject site and surrounding area (flown 2016)

SURROUNDING LAND USE AND ZONING

The subject area is characterized by a mix of commercial and residential uses. Directly adjacent land uses include:

North: A rear lane then a community centre zoned "R2" Residential Two Family.

South: Corydon Ave. then a restaurant zoned "C2" Commercial Community.

East: A duplex zoned "RMF-M" Residential Multi-Family Medium.

West: Multi-family residential uses zoned "RMF-M" Residential Multi-Family Medium.

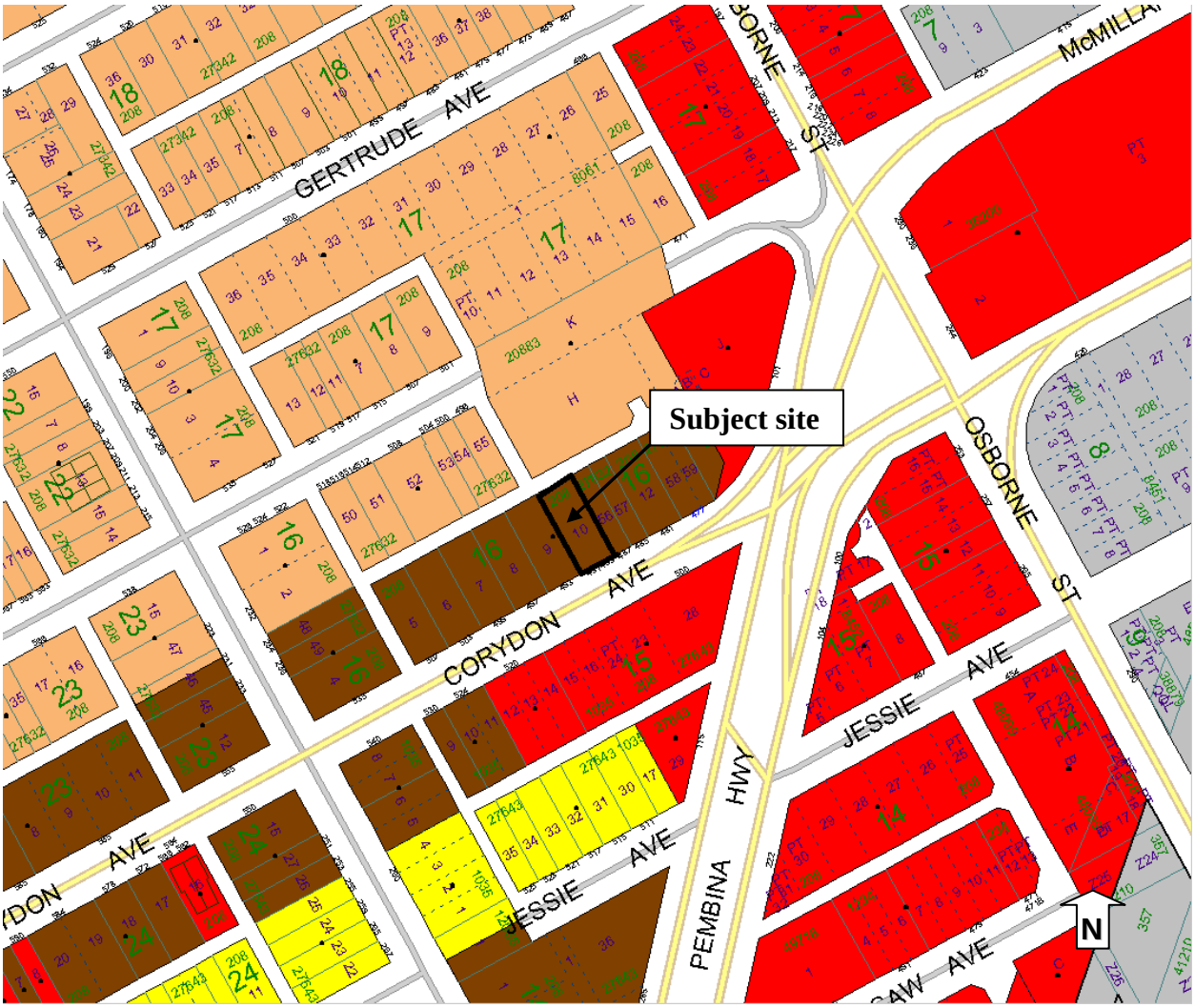


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant wishes to convert an existing two storey, two family residential building into a medical/dental/counseling clinic.
- The proposed development will make future provision for residential suites in the basement of the existing building.

Reason for application

- In order to enable the proposed mixed-use development concept at 489 Corydon Ave., a rezoning from Residential Multi-Family Medium "RMF-M" to Commercial Mixed-Use "CMU" PDO-1 Corydon-Osborne is required.
- The "CMU" zone is intended to provide for community serving mixed-use development at a higher scale than is appropriate for neighbourhood locations. The "CMU" district is intended for use in Community and Regional Mixed Use Centres or Community and Regional Mixed Use Corridors.

ANALYSIS AND ISSUES

Complete Communities Direction Strategy

As per the *Complete Communities Direction Strategy,* Corydon Ave. is designated as a Community Mixed Use corridor. Key policies guiding development along Community Mixed Use Corridors relevant to this development include:

- Community Mixed Use Corridors act as "main streets" for one or more neighbourhoods...They often have strong historical connections to their communities, have assumed significant transportation functions over time, are served by frequent and direct transit and typically support a mix of uses within a pedestrian-friendly environment.
- Community Mixed Use Corridors provide opportunities for moderate levels of intensification of both population and employment over time. Intensification efforts could include an increased proportion of clustered multiple story buildings with retail and commercial services at grade level.
- Promote small-scale, fine grained development that is responsive to the surrounding community context.
- Promote the enhancement of existing Community Mixed Use Corridors through moderate intensification.

The subject property also falls within Areas of Stability – Mature Communities policy area. Key policies guiding development relevant to this application within Areas of Stability include:

- Encourage conservation and upgrading of existing housing in mature areas and expand housing opportunities through infill development.
- Support a mix of uses within buildings located along commercial streets.

This proposal would contribute to the realization of the vision for Community Mixed Use Corridors and Mature Communities as described in *Complete Communities.* By converting an existing building to accommodate a mix of commercial and residential uses, the proposed project improves access to amenities for area residents while increasing housing supply.

Transit Oriented Development (TOD) Handbook

This property most closely aligns with the "Urban Neighbourhood" TOD typology identified in the City of Winnipeg TOD Handbook. The site is a short distance (approximately 215 metres) from the Osborne Rapid Transit Station. The Corydon area exhibits the following TOD Urban Neighbourhood characteristics:

- A high density, predominantly residential character with a diversity of housing types, with good access to regional centres.
- A mix of vertical and horizontal uses, helping to create an 18 hour zone.
- A compact, high quality pedestrian environment.
- A diverse land use mix consisting of office, commercial, urban entertainment, local serving retail and some larger community serving retail uses.

Adding commercial and future residential units at this location that is within the optimal 400 metre distance from a rapid transit station is consistent with the principles of transit oriented development as described in the City's Transit Oriented Development Handbook.

Corydon-Osborne Area Plan

- This property falls within the Mid-Rise Mixed Use policy area of the Corydon-Osborne Area Plan. The development is 2 storeys in height, meeting the minimum height requirement for this area.
- The Corydon-Osborne Area Plan also contains policies guiding character and built form. Despite being an existing building, the subject property is consistent with many of the character policies in the Corydon-Osborne Area Plan.
- In particular, design features that align with the Corydon-Osborne Area Plan include:
    - Principal entrances are oriented to the public street.
    - There is existing landscaping and decorative fencing along the edges of the subject property and sidewalk.
    - The building is oriented to the public street and has a mix of building façade materials.
    - The roofline is consistent with built form in the area.
    - Proposed re-development will not harm the existing tree canopy.

- The Corydon-Osborne Area Planned Development Overlay (PDO) requires development activity in the plan area to undergo urban design review. At the time of application, the only proposed exterior alteration to the building at 489 Corydon Ave. is the addition of a wheel chair ramp on the building front, which is required to meet commercial building code. Based on this information, the proposed redevelopment of 489 Corydon Ave. has satisfied the required urban design review.
- Any additional application for exterior modification to the building or for the addition of any signage would require further urban design review at that time.

ZONING BY-LAW 200/2006

The proposed rezoning to CMU would enable the introduction of mixed-use commercial / residential uses at 489 Corydon Avenue. The proposed mixed-use building is in alignment with the vision for this section of Corydon Ave. as identified in the Mid-Rise Mixed Use policy area of the Corydon Osborne Area Plan (and the associated Corydon-Osborne Planned Development Overlay). For these reasons, the Urban Planning Division has determined the CMU PDO-1 Corydon-Osborne zoning district is most appropriate for the proposed rezoning of 489 Corydon Ave.

SUMMARY

The Urban Planning Division **supports** the rezoning of 489 Corydon Ave. to CMU PDO-1 Corydon-Osborne for the following reasons:

- The proposed development adds local serving commercial amenities to the Corydon-Osborne area.
- The development enables the maintenance or modest densification of residential units at 489 Corydon Ave, at a scale consistent with neighbourhood character.
- The proposed development meets the intent of a Community Mixed-Use Corridor, Mature Community as envisioned in the *Complete Communities* direction strategy.
- The zoning category and the building height are in alignment with policies for the Mid-Rise Mixed Use policy area in the *Corydon-Osborne Area Plan*.

RECOMMENDATIONS

The Urban Planning Division recommends this application be **approved** and the subject property be rezoned to a CMU - Commercial Mixed Use PDO-1 Corydon-Osborne district.

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

Report Prepared by: Dylan Harris, MCP
PPD File # DAZ 221/2016 – 489 Corydon Avenue

Schedule "A" for File DAZ 221/2016, City Centre Community Committee, April 5, 2017

By-Law No. _____

File No. **DAZ 221/16**

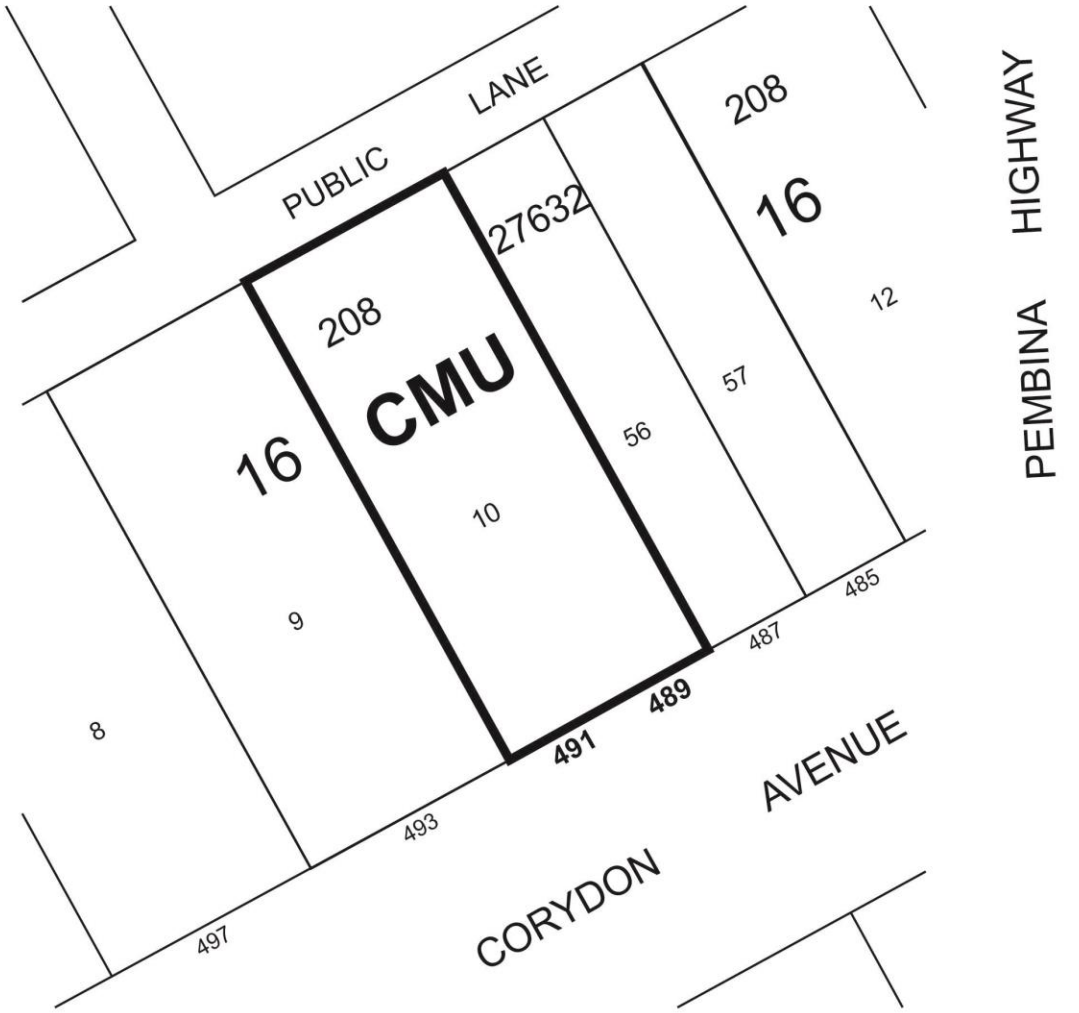
Atlas Sheet No.

N

AB24
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 489/491 Corydon Avenue from an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to an "CMU" COMMERCIAL MIXED USE DISTRICT to allow for the establishment of medical/dental/optical/counseling clinic and multi-family dwelling uses as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____