Minute No. 576
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 4, 2018

Item No. 1 Subdivision and Rezoning – 281 River Avenue
(Fort Rouge - East Fort Garry Ward)
File DASZ 13/2018 [c/r DAV 142224/2017D]

COUNCIL DECISION:

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

1. That the Developer meet all the conditions outlined in Schedule 'B', the report of the Administrative Coordinating Group, dated May 23, 2018.

2. That the plan of subdivision proposed under file DASZ 13/18 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for file DASZ 13/18 dated July 3, 2018, with minor changes as may be required, and registration in the Winnipeg Land Titles Office.

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 13/18 dated July 3, 2018 to a "RMF-L" Residential Multi-Family (Large) District and a "PR1" Parks and Recreation 1 (Neighbourhood) District, subject to the following conditions:

    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. For those portions of the Owner's Land zoned ""RMF-L" Residential Multi-Family Large the Owner must submit plans showing the location and design of any and all proposed:

            - buildings;
            - accessory parking areas;
            - private approaches;
            - garbage enclosures;
            - fencing;
            - landscaping;
            - free-standing signage; and
            - bicycle parking

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 4, 2018

COUNCIL DECISION (continued):

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the City Centre Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

ii. That the height of any building shall not exceed 5 storeys or 55 feet, excluding any rooftop amenity space which shall not exceed a height of one-storey or 10 feet above the roof line and shall be small in area, to the satisfaction of the Director.

iii. That an arborist report be submitted by the applicant to the Urban Planning Division for the property at 281 River Ave.

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 the City Solicitor be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon 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 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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 4, 2018

COUNCIL DECISION (continued):

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

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within one (1) year 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 one (1) year period and the extension is subsequently approved by Council.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 4, 2018

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 12, 2018, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 4, 2018, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 3, 2018, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service, and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

RE: **Subdivision and Rezoning – 281 River Avenue**
File DASZ 13/2018

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

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

Report date: **July 4, 2018**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 3, 2018, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the Developer meet all the conditions outlined in Schedule 'B', the report of the Administrative Coordinating Group, dated May 23, 2018.

2. That the plan of subdivision proposed under file DASZ 13/18 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for file DASZ 13/18 dated July 3, 2018, with minor changes as may be required, and registration in the Winnipeg Land Titles Office.

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 13/18 dated July 3, 2018 to a "RMF-L" Residential Multi-Family (Large) District and a "PR1" Parks and Recreation 1 (Neighbourhood) District, subject to the following conditions:

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            - private approaches;
            - garbage enclosures;
            - fencing;

- landscaping;
- free-standing signage; and
- bicycle parking

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the City Centre Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

ii. That the height of any building shall not exceed 5 storeys or 55 feet, excluding any rooftop amenity space which shall not exceed a height of one-storey or 10 feet above the roof line and shall be small in area, to the satisfaction of the Director.

iii. That an arborist report be submitted by the applicant to the Urban Planning Division for the property at 281 River Ave.

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 the City Solicitor be requested to prepare the necessary by-law in accordance with the above.

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

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9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless

an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within one (1) year 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 one (1) year period and the extension is subsequently approved by Council.

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

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

1. It's apartment to apartment, which is appreciated. They are taking two buildings to make one building. The design is facing the street and puts a lot activity on the front street and we do need more apartments.

2. I like the rooftop idea, even though it's unique, I think it's a neat idea to try and I know the City of Winnipeg and the applicant will work together to make sure it's safe so it will be able to be used by the residents.

3. The subdivision is really just to keep a piece of the park in the back area and the applicant has already committee to work with the City on replacing any damages that occur in that park, and also they have the arborist report coming forward that'll talk about any impact on the trees.

4 Another one is the setback from the existing park and the setback with the balconies will improve the safety in the park. It's a beautiful park that is underutilized already.

PUBLIC HEARING SUMMARY

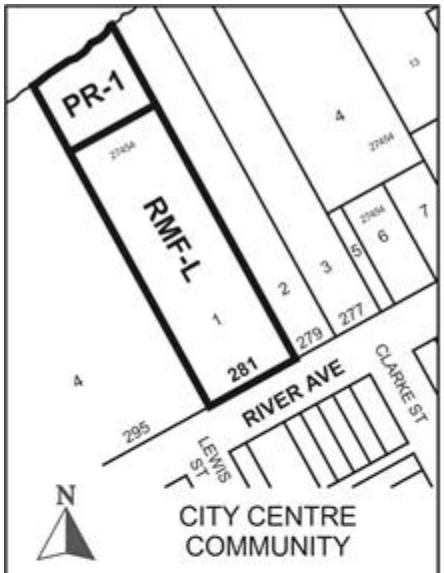
File: DASZ 13/2018

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

Public Hearing: July 3, 2018
Council Building, 510 Main Street

Applicant: J. Wintrup Consulting Ltd. (John Wintrup)

Subject:



APPLICANT: J. Wintrup Consulting Ltd.
FILE: DASZ 13/2018
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to allow for the construction of a multi-family dwelling and to facilitate the establishment of parkland. **For information, phone Mr. Dylan Harris Planner at 204-986-7211.**

Premises Affected: 281 River Avenue

Exhibits Filed:

1. Application dated May 31, 2018
2. Notification of Public Hearing dated June 5, 2018
3. Manitoba Status of Title 2646514/1
4. Letter of authorization dated April 19, 2018 from Matthew Narvey, Tudor Grandview Ltd. to John Wintrup
5. Map of subject property (2 pages)
6. Plans (3 pages)
7. Report from the Urban Planning Division dated June 25, 2018
8. Inspection Report
9. Communication dated June 27, 2018, from Ron Iftody in opposition to the application
10. Community Engagement Summary submitted by the Applicant at the public hearing

REPRESENTATIONS:

In Support:

Matthew Narvey
Michelle Richard
Karen Shanski
Jason Van Rooy
John Wintrup

In Opposition

Ron Iftody

For Information:

Maria Barahona
Catherine Horn
Lucy Pavez
Kelsey Slavata
Kevin Sorensen

For the City:
M. Robinson, Senior Planner, Planning, Property and Development Department
D. Harris, Planner, Planning, Property and Development Department
A. Ross, Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 13/2018

ADMINISTRATIVE REPORT

Title: DASZ 13/18 at 281 River Ave.

Issue: For consideration at the public hearing to rezone the property at 281 River Ave. to "RMF-L" to establish a multi-family use and to subdivide the property to create riverbank park space.

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 Developer meet all the conditions outlined in Schedule 'B', the report of the Administrative Coordinating Group, dated May 23, 2018.
2. That the plan of subdivision proposed under file DASZ 13/18 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for file DASZ 13/18 dated July 3, 2018, with minor changes as may be required, and registration in the Winnipeg Land Titles Office.
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11. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

REASON FOR THE REPORT

- The applicant is proposing to rezone the subject property from a “RMF-M” Residential Multi-Family Medium district to a “RMF-L” Residential Multi-Family Large” district to establish a 99 unit multi-family residential building at 281 River Ave.
- Subdivision 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 will be **subdivided** and **rezoned**.

CONSULTATION

In preparing this report there was consultation with:

City of Winnipeg Parks

Administrative Coordinating Group (ACG)

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared By:	Dylan Harris, (MCP)
Date:	June 25, 2018
File No.	DASZ 13/18

APPENDIX 'A'

DATE: July 3, 2018

FILE: **DASZ 13/18**

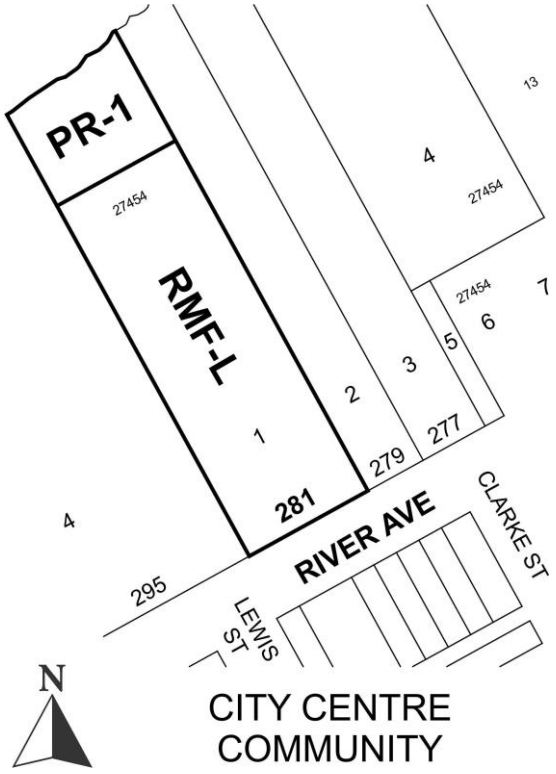
RELATED FILES: DAV 17-142224/D

COMMUNITY: City Centre Committee

NEIGHBOURHOOD #: 1.111 River Osborne

SUBJECT: To rezone the subject land from RMF-M to RMF-L to permit the establishment of 99 unit multi-family residential building.

LOCATION: 281 River Ave.



LEGAL DESCRIPTION: Lot 1 Plan 27454 41 in the Parish of St. Boniface

APPLICANT: J. Wintrup Consulting Ltd.

139 Roslyn RD Unit 301
Winnipeg , Manitoba R3L 0G7

OWNER: Peglyn Apratments Ltd.
75 Vanier Dr.
R2V-2N7

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject property is located on the north side of River Ave, adjacent to Fort Rouge Park and backing onto the Assiniboine River.
- The subject property is located within the Areas of Stability – Mature Communities Policy Area as designated in the *Complete Communities* Direction Strategy and within the Village High Density Residential policy area in the *Osborne Village Neighbourhood Plan.*
- The subject property is 1.1 acres (47 916 sq. ft.) in area and is currently zoned Residential Multi-Family Medium (RMF-M).
- Currently there are five (5), three (3) storey apartment buildings with 54 dwelling units currently located on the subject property.

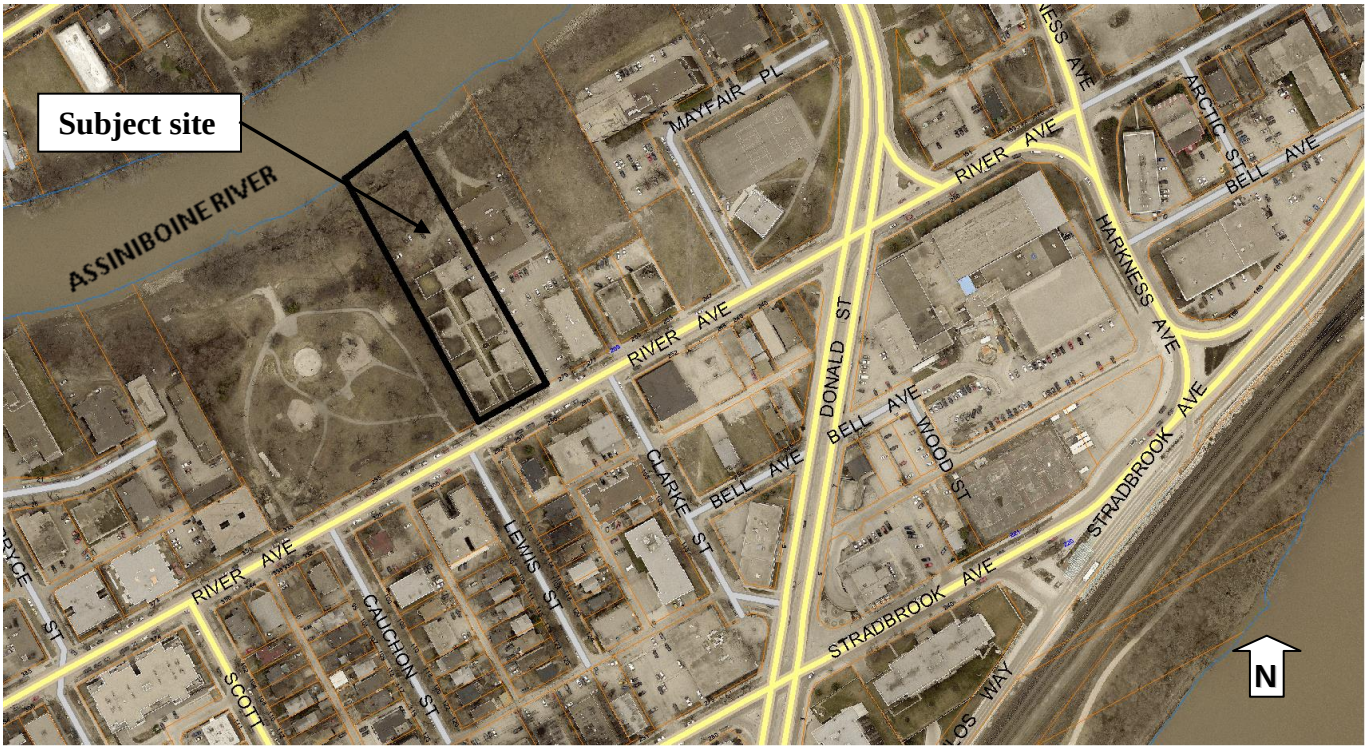


Figure 1: Subject site and surrounding area (flown 2016)

SURROUNDING LAND USE AND ZONING

The subject area is characterized by a mix of higher density multiple family residential uses, commercial uses and a large public park. Directly adjacent land uses include:

North: The Assiniboine River then McFadyen Park zoned "Downtown Living Sector" under the Downtown Zoning by-law.

South: River Ave. then multiple family uses zoned "RMF-M" Residential Multi-Family Medium and "RMF-L" Residential Multi-Family Large.

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

West: Fort Rouge Park zoned "RMF-M" Residential Multi-Family Medium.

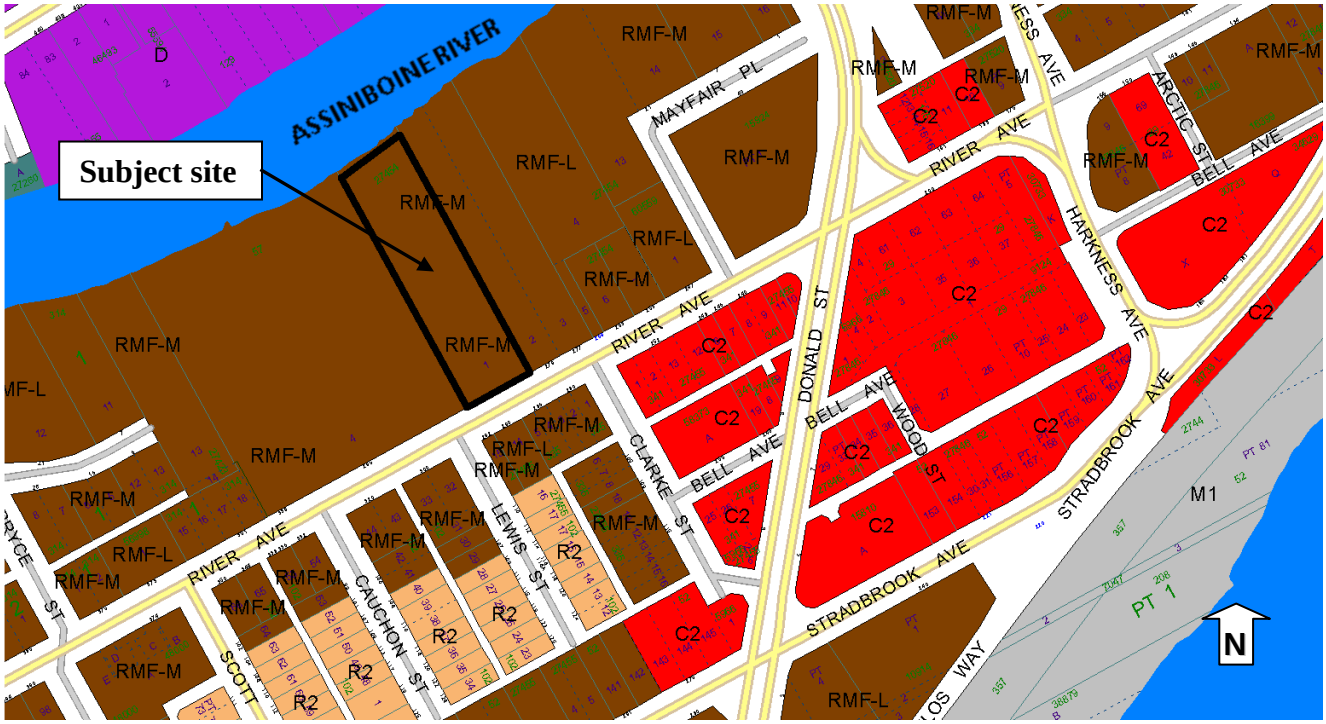


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide and the rezone the subject property to the "RMF-L" Residential Multi-Family Large district to enable the establishment of a five (5) storey, 99 unit residential development.
- The proposed development will include 93 motor vehicle parking spaces, 48 of which are underground.
- Given the applicant is proposing fewer than one parking stall per dwelling unit, the applicant has agreed to provide one car share vehicle on site as per the City's request.

- The applicant has also agreed to provide secure, indoor bicycle parking area for building tenants.
- A corresponding Variance application (DAV 17-142224D) is required to enable the proposed development. Please refer to this variance report for additional information.
- Variances for front yard, west side yard, parking supply, parking area side yard and garbage enclosure side yard are required to enable the proposed development.
- As part of this DASZ application, the City will require the applicant undertake bank stabilization measures and dedicate a portion of riverbank land to enable future construction of an active transportation pathway along the Assiniboine River.

REASON FOR APPLICATION

- 281 River Ave. is currently zoned “RMF-M” Residential Multi-Family Medium, which enables development of a residential multi-family use to a maximum of 800 sq. ft. of site are per unit. Based on the site area of 1.1 acres (47 916 sq. ft.), this would enable the construction of 59 dwelling units.
- The applicant wishes to establish a 99 unit multi-family residential building at 281 River Ave.
- In order to accommodate this higher density, a rezoning to the “RMF-L” Residential Multi-Family Large district is required.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- The subject property is located in the Areas of Stability – Mature Communities Policy Area as designated by the *Complete Communities Direction Strategy*.
- Areas of Stability accommodate low to moderate change in a contextually suitable manner. Supporting Direction and Enabling Strategies for Areas of Stability include:
    - Support low to moderate change in low density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character, and built form.
    - Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.

The subject property’s Mature Community designation is less relevant given more specific policy on how this area should be developed is described in the *Osborne Village Neighbourhood Plan (OVNP).* Despite more detailed policy in the OVNP, the proposed project does align with the policies for Mature Communities in that proposed redevelopment of 281 River Ave is consistent with the scale, character and density on this block of River Ave. The massing and design of the proposed building takes into account the existing context and is sensitive to the character on this block of River Ave. including Fort Rouge Park, which is located immediately west of subject property.

OSBORNE VILLAGE NEIGHBOURHOOD PLAN

Village High Density Residential Policies

- The subject property is located in the Village High Density Residential (VHDR) policy area. Policies that govern development in this area include:
    - Encourage medium and high-rise multiple-family development;
    - New development along River Avenue east of Osborne Street will have a minimum of three storeys, and a maximum height of five storeys;
    - New high-density development should consider the height, scale, prevailing densities, and design characteristics of surrounding land uses;

The proposed five (5) storey, 99 unit multi-family building is consistent with the above policies in the VHDR policy area of the OVNP. The proposed building is within the established height limits, is adding additional residential density to the area and is consistent in scale and density with buildings in the surrounding area.

OVNP Character Policies

- The OVNP has detailed character policies that guide new development to ensure the unique character of Osborne Village is maintained. The OVNP says the following in regards to urban form and design:
    - 3.1.1.A.: Intensification and infill projects will be consistent in design with the street pattern and architectural character of existing areas. Existing patterns of streets, lanes, blocks, and private or public open spaces will be respected;
    - 3.1.1.B.: Development will achieve an urban character and reinforce the relationship between buildings and the street by:
        - Orienting buildings to the street to restore traditional mature neighbourhood character.
        - Respecting the traditional character of the area and surrounding properties in terms of pedestrian orientation, mass and scale of surrounding properties, compatible building materials, orientation of entrances to the street, and incorporation of compatible alignment, setbacks, and height of building(s) along the street;
        - New buildings are to be located to the front and corner side property lines and have a street front orientation;
        - Providing pedestrian access at the street level, and locating parking, loading, and services entrances at the rear of buildings
        - Having consideration for light, view, and privacy of adjacent buildings and areas.

The proposed building elevations and site plan are consistent with the character policies in the OVNP. The building is oriented to River Ave. with building entrances facing the street. The reduced front yard and active ground floor use contribute to a high quality urban edge between

the street and the proposed building. The submitted design package also shows a quality pedestrian connection from the proposed building to the public sidewalk on River Ave. Parking is located underground, behind and adjacent to the subject building. All parking is screened from River Ave. Lastly, the applicant has indicated their intention to use a mix of cement, hardie cement board, brick and a metal cladding which resembles a brick finish on the proposed building. Final details in regards to colour of building materials and detailed landscaping specifications will be addressed through the Plan Approval process.

ZONING BY-LAW 200/2006

The proposed rezoning to "RMF-L" Residential Multi-Family Large district would enable the establishment of 99 units at 281 River Ave.

The RMF-L district is the most dense multiple family zoning district in Zoning By-law 200/2006 enabling a density of one dwelling unit per 400 sq. ft. of site area. The subject property meets the site area requirement of 20 000 sq. ft. of site area for the RMF-L district.

Although there is a height restriction of five (5) stories for this area as identified in the *Osborne Village Neighbourhood Plan,* the site does fall within the high density residential area of the plan. If development is consistent with the maximum height and design characteristics of the OVNP, properties in this area are suitable candidates for our highest density zoning districts. Given the proposed project meets the requirements of the OVNP, the RMF-L district is a suitable zone for the site at 281 River.

For these reasons, the Urban Planning Division recommends **approval** of DASZ 13/18 at 281 River Ave to rezone the subject property to "RMF-L" Residential Multi-Family Large district.

ADDITIONAL CONSIDERATIONS

Bank stabilization

The northern boundary of the subject property abuts the Assiniboine River. When undertaking development on riverbank properties additional considerations are required, including the attainment of a waterways permit. Waterways permits are reviewed by the Riverbanks Engineer and are reviewed at the building permit stage following land use approval. The City Riverbanks Engineer has indicted the subject site is experiencing active slop instability. Based on this determination, the Urban Planning Division requested the applicant provide a geotechnical study which outlines a bank stabilization approach and proves the project as proposed is feasible prior to offering support for intensification of the site. The applicant has provided this study and their chosen approach has been reviewed by the City Riverbanks Engineer. The chosen bank stability techniques have been deemed satisfactory given the current level of detail. Further review and finalization of details associated with bank stabilization will be addressed at the Waterways Permit stage.

Public reserve for future pathway

The Parks Department indicated that if bank stabilization were to be required to enable the proposed development at 281 River, they would request riverbank land as dedication to enable the construction of a future multi-use pathway. This pathway has been identified in the *Pedestrian and Cycling Strategies* and would eventually connect Roslyn Rd., through Fort

Rouge Park to Mayfair Pl. This pathway would then connect to a potential future pedestrian and cycling bridge crossing the Assiniboine River connecting Fort Rouge Park to McFadyen Park. The subject DASZ application and dedication of riverbank land at 281 River Ave. for the establishment of this future pathway is another step in improving pedestrian and cycling connectivity in Osborne Village and the Downtown.

Conditions of approval

Plan approval

The site plan submitted to the City shows the general layout of buildings and parking on the site. The Winnipeg Public Service is recommending that final plans be produced at a higher design detail and submitted to the Director of Planning, Property, and Development and City Centre Community Committee for approval, prior to the issuance of any permits for the property. Plan approval will ensure the development of the site is meeting the objectives of *Complete Communities* and the *Osborne Village Neighbourhood Plan*. Items the City will be looking for at the plan approval stage are as follows:

Bicycle parking

- Bicycle Parking – Currently the applicant is showing 23 secure indoor bicycle parking spaces in the underground parking area of the proposed building. Although this represents double the required number of bicycle parking, the Urban Planning Division will be requesting the applicant provide additional visitor bike parking near the entrances of the proposed building.
- When undertaking dense urban development with a reduced parking ratio, it is important to ensure secure long term bicycle parking for residents and convenient, short term bicycle parking near building entrances for visitors are provided.

Trees and Landscaping

- Policy 8.1.4. C.2 of the *Osborne Village Neighbourhood Plan* states:

  "Where preservation of existing mature canopy shade trees may not be possible, any development project is to provide an arborist's report prepared by a third party arborist of record indicating the species, condition, and health of all trees on site(s), the potential for relocation and survival, and potential mitigation measures if preservation or relocation is not possible."
- The Arborist Report should include recommendations on how to ensure the safety and prevention of any potential disruption to public trees adjacent to 281 River Ave. at Fort Rouge Park.
- In order to ensure this requirement is met we will be requiring the Arborist Report be submitted as part of the Plan Approval submission.

Design

- The current building design has been the product of preliminary discussions with the project team, their design architect and the Urban Planning Division.

- As proposed, the building is an appropriate scale and is oriented to the street with a main entrance facing River Ave. There are active ground floor uses on the front of building and a mix of high quality materials that are both traditional and modern are being proposed. The Urban Planning Division will expect these features be present in the final drawings submitted for Plan Approval.
- Based on the submitted elevations it does appear the current building materials are very dark. At this point, the Urban Planning Division would request the applicant consider the use of some lighter / brighter materials to provide additional contrast to a number of newer buildings along this section of River Ave. which use predominantly darker façade materials.

Maximum Height

A height limit of has been set in the Zoning Agreement as part of the subject DASZ application which states:

> *"That the height of any building shall not exceed 5 storeys or 55 feet, excluding any rooftop amenity space which shall not exceed a height of one-storey or 10 feet above the roof line and shall be small in area, to the satisfaction of the Director."*

Although the subject development is five (5) storeys, a height cap of 55 feet ensures consistency with the *Osborne Village Neighbourhood Plan* for all future development on the property. The language in regards to amenity space enables the applicants proposed design which includes a small enclosed roof top amenity space on their proposed building. During previous discussions with the applicant the Urban Planning Division indicated their support for a small enclosed roof top amenity area as it enables quality outdoor space for residents despite the projects high density, urban character. The Urban Planning Division sought interpretation from the Zoning Administrator as to what constitutes a storey. The Zoning Administrator concluded the proposed amenity space does not count as a storey and is therefore consistent with the five (5) storey height limit for this area as stated in the *Osborne Village Neighbourhood Plan.*

SUMMARY

The Planning and Land Use Division recommend approval for the following reasons:

- The rezoning will result in a higher density residential development providing increased housing options in this pedestrian oriented, bikeable, transit connected neighbourhood.
- The rezoning is consistent with the *Complete Communities* direction strategy and the *Osborne Village Neighbourhood Plan.*

RECOMMENDATIONS

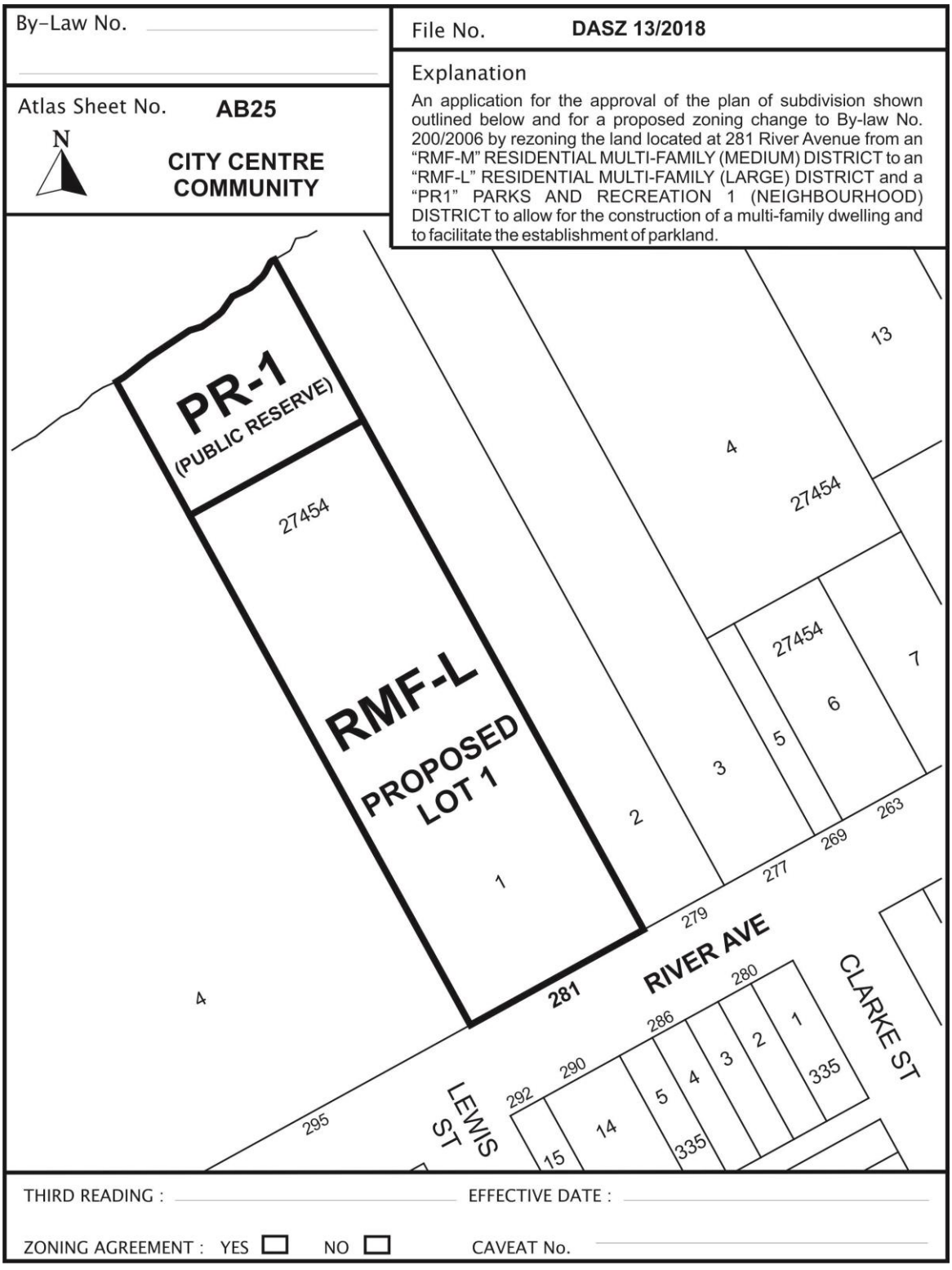
The Urban Planning Division recommends this application be **approved** and the subject property be rezoned to a "RMF- L" Residential Multi-Family Large district.

This Report Submitted by:

Planning, Property and Development Department
Urban Planning Division

Report Prepared by: Dylan Harris, MCP
PPD File # DASZ13/18 – 281 River Ave.

Schedule "A" for File DASZ 13/18, City Centre Community Committee, July 3, 2018



Schedule "B"

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – May 23, 2018

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 281 RIVER AVENUE – DASZ 13/2018

A meeting of the Administrative Coordinating Group (ACG) was held on May 23, 2018 to review the servicing requirements for DASZ 13/2018. A servicing agreement will be required to address certain conditions as noted bellow.

Comments from Water and Waste as follows:

1) The proposed development is located in a combined sewer district; the sum of the wastewater and land drainage runoff peak discharge from the proposed development cannot exceed the allowable discharge rate:

   a) The allowable discharge rate will be the sum of the existing peak wastewater and the peak land drainage discharged.
   b) The peak land drainage discharged from the site must be based on a c-value of 0.30, with a 5 year rainfall event applied.
   c) The existing and proposed peak wastewater discharge must be estimated using the Wastewater Flow Estimation guidelines found on the City of Winnipeg website (http://winnipeg.ca/waterandwaste/dept/wastewaterFlow.stm), unless otherwise approved.

2) The attached map denotes the Floodway and Floodway Fringe Areas. For the lands located with Floodway Fringe area, all construction would be required to be in accordance with Floodway Fringe Regulations 266/91, as described at the following website:
   https://web2.gov.mb.ca/laws/regs/current/_pdf-regs.php?reg=266/91

   In accordance with the City of Winnipeg Charter Act, **no works is permitted within the Floodway Area**.

3) The Water and Waste Department's interpretation of the Building Code indicates that the proposed development will require non-combustible construction and a sprinkler system. There is not adequate fire flow for wood framed construction.

Comments regarding Public Reserve/Park area as Follows:

a) The Developer shall dedicate as Public Reserve at least 10% of the land contained within the limits of the development application. The decision to take land as dedication is based on the understanding that riverbank stabilization works are being pursued for the benefit of the Multi family structure development. Should stabilization efforts ultimately not be pursued, the City would seek to restructure their conditions.

b) If the Developer is unable to dedicate a full 10% of the land, the Developer shall dedicate an amount of land satisfactory to the Directors of Public Works and Property, Planning & Development, and compensate the City for any shortfalls in the amount of land, servicing and improvements not provided, at the then current values, by payment of cash, or, by the provision of an equivalent value of additional site amenities in either of the flanking Public Reserves, as approved by the Directors of Public Works and Planning Property and Development.

c) The Developer will be required to successfully negotiate appropriate access agreements and long term easements to locate the stabilization works within the proposed dedicated Public Reserve, including an anticipated extension west into the existing Park lands, known as Fort Rouge Park. As part of those stabilization works the Developer shall ensure bank reshaping/grading is done to establish a min. 4 m wide 'ledge' to accommodate a future Active Transportation path. Grading shall be subject to review and approval by Parks prior to approval of Bank Stabilization works.

d) Landscape improvements of the Public Reserve land shall be necessary to restore the area impacted during stabilization works. The scope of the site restoration shall include naturalization and possibly tree planting, to reestablish a riverbank habitat, and shall be done in accordance with plans and specifications provided by the Developer and approved, prior to the commencement of construction, by the Director of Public Works. If connections through the adjacent properties to the east can be negotiated, then supply and install of a path may form part of the landscape improvements.

e) The Developer shall be responsible to apply tree protection measures to the trees within the park, along the west limit of the subject property. The Developer is advised that Urban Forestry Branch reserves the right to enforce tree compensation measures (payments) if any trees are damaged or removed from City property. Protective fencing 2.5 m from the base of the tree or on the property line (whichever is greater offset from the tree) is to be installed to protect the root zone from heavy equipment compaction.

f) The Developer shall, at no expense to the City, provide continuous fencing for properties lines abutting Public Reserve land both new (north) and existing (west). Said fencing shall be located within private property and established by caveat to be the responsibility thereafter of the private property owner.

g) The Developer shall assume responsibility for all Public Reserve sites until they are developed and responsible for all maintenance within that period until Final

Acceptance Certificate for Parks has been issued by the Director of Public Works.

h) The Developer shall, at no expense to the City, maintain Public Reserve improvements, in accordance with specifications approved by the Director of Public Works, for a period of two years following the issuance of a Construction Completion Certificate. The City reserves the right to impose longer maintenance terms for amenities and features, such as naturalized areas, that the Director of Public Works deems to be beyond the standard scope of public reserve improvements.

i) Securities for Public Reserve improvements may be reduced following the issuance of a Construction Completion Certificate and site inspection and approval by the City, but shall not be released in full until Final Acceptance has been issued and as-built drawings have been received and accepted as complete by the Director of Public Works.

THIS REPORT SUBMITTED BY:

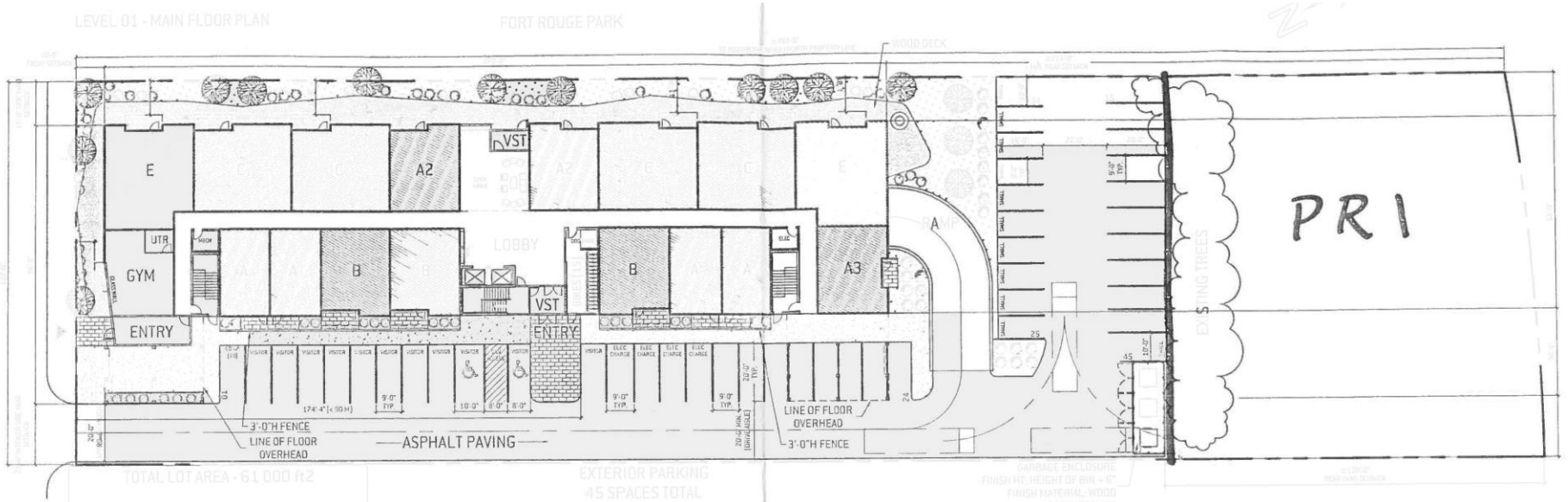
Administrative Co-ordinating Group
File No. DASZ 13/2018
June 25, 2018

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

"*Original Signed by M. Gadja"*
M. Gadja, P. Eng.
Water & Waste Department

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

Exhibit "6" referred to in File DASZ 13/2018



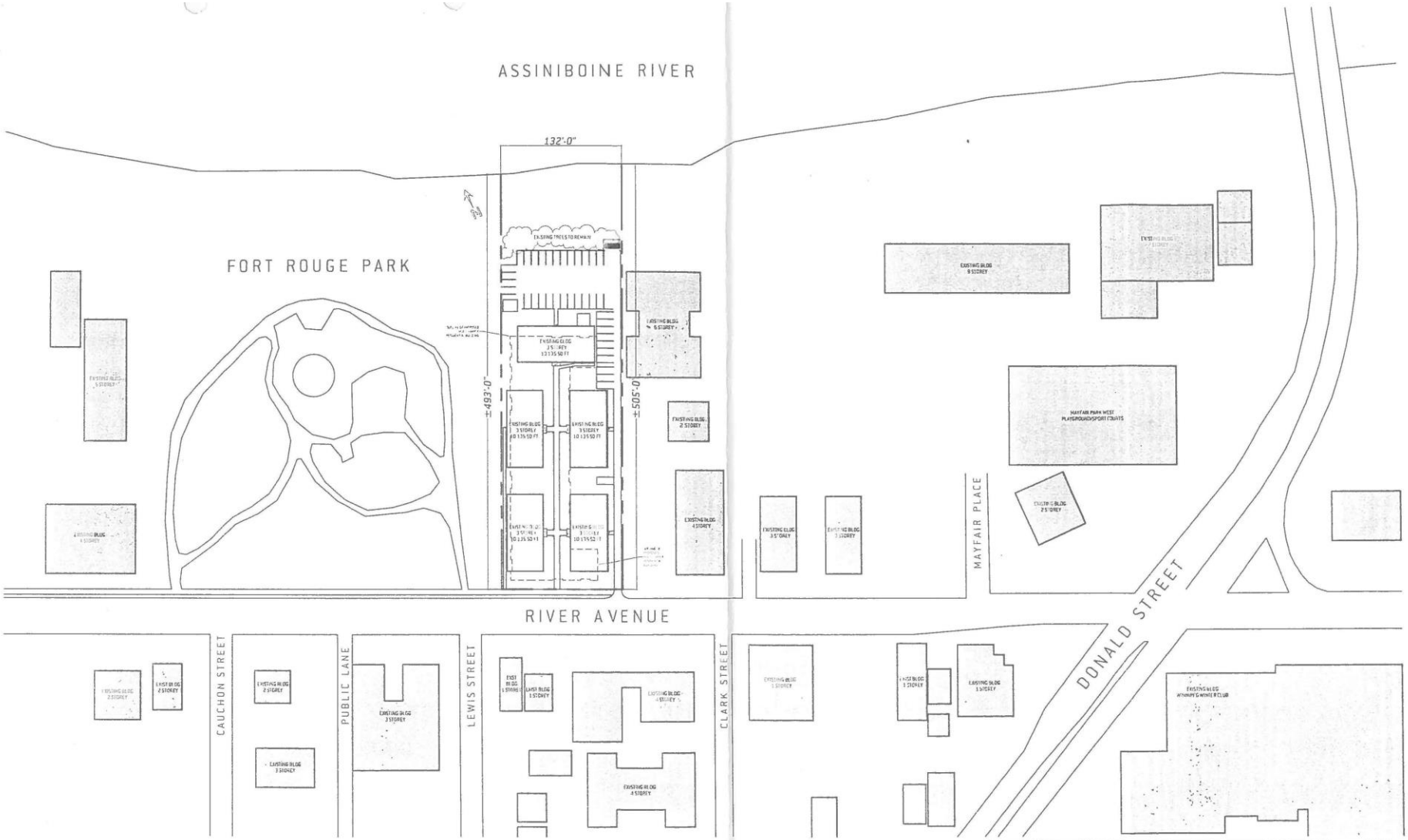
SUITE TYPE LEGEND

- SUITE TYPE A
- SUITE TYPE A2
- SUITE TYPE A3
- SUITE TYPE B
- SUITE TYPE C
- SUITE TYPE D
- SUITE TYPE E

PRELIMINARY
DRAWING ONLY
NOT TO BE USED FOR CONSTRUCTION
(REMOVE WHEN DRAWING IS FINAL)

BLDG architecture office inc.
694 Osborne Street
Winnipeg, Manitoba
Canada, R3L 2B9
T: 1 204 417 6884
E: info@bldgoffice.com

PROJECT
281 RIVER AVENUE
SITE & LEVEL 01 PLAN
281 RIVER AVENUE, WINNIPEG, MB
DRAWN TC REV'D KS PROJECT NO. 2015_28
DATE 22 MAR 2018 DRAWING NO. A01
SCALE 1:450

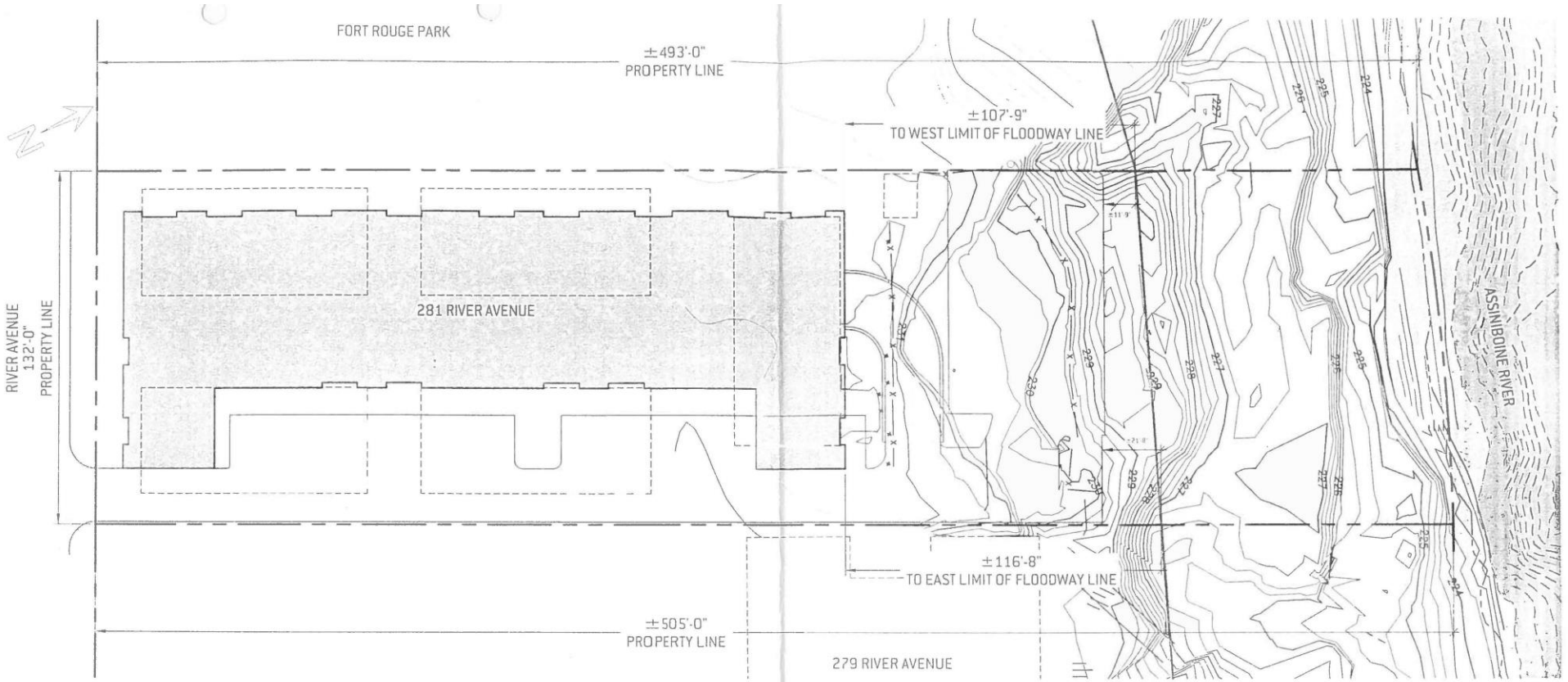


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PROJECT
281 RIVER AVENUE
EXISTING SITE PLAN & VICINITY MAP
281 RIVER AVENUE, WINNIPEG, MB

DRAWN TC REV'D KS PROJECT NO. 2015_28
DATE 22 MAR 2018 DRAWING NO. G01
SCALE AS NOTED



SITE LEGEND

- PROPOSED BUILDING LOCATION
- REGULATED SUMMER RIVER LEVEL
- UNREGULATED WINTER RIVER LEVEL
- EXISTING BUILDINGS
- PROPERTY LINE
- FLOODWAY LINE
- PARKING AND DRIVE AISLES

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PROJECT
281 RIVER AVENUE
TOPOGRAPHIC SITE PLAN
281 RIVER AVENUE, WINNIPEG, MB

DRAWN TC REV'D KS PROJECT NO. 2015_28
DATE 20 MAR 2018 DRAWING NO. G03
SCALE NTS