Agenda – Council – January 31, 2019

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 7, 2019

Item No. 14 Zoning Agreement Amendment – 894 Corydon Avenue (Fort Rouge - East Fort Garry Ward) File ZAA 7/2018

STANDING COMMITTEE RECOMMENDATION:

On January 22, 2019, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That Zoning Agreement Caveats 84-44688/1 under File DAZ 267/83 dated February 29, 1984; and 1659180/1 under File DAZ 238/92 dated October 14, 1992, be withdrawn.

2. That the Director of Legal Services and City Solicitor be requested to withdraw the subject Zoning Agreements to DAZ 267/83 and DAZ 238/92 as approved in aforesaid Recommendation 1.

3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

4. 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 – January 7, 2019

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 22, 2019, 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 January 7, 2019, 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 December 11, 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: **Zoning Agreement Amendment – 894 Corydon Avenue**
File ZAA 7/2018

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: **December 12, 2018**

COMMUNITY COMMITTEE RECOMMENDATION:

On December 11, 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 Zoning Agreement Caveats 84-44688/1 under File DAZ 267/83 dated February 29, 1984; and 1659180/1 under File DAZ 238/92 dated October 14, 1992, be withdrawn.

2. That the Director of Legal Services and City Solicitor be requested to withdraw the subject Zoning Agreements to DAZ 267/83 and DAZ 238/92 as approved in aforesaid Recommendation 1.

3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

4. 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 reason for its recommendation:

1. The proposed development enhances the corridor by bringing the front of the building closer to the street, thereby creating an active building edge and helping to support a pedestrian friendly environment along Corydon Avenue, which is one of the most walkable retail streets in the city.

PUBLIC HEARING SUMMARY

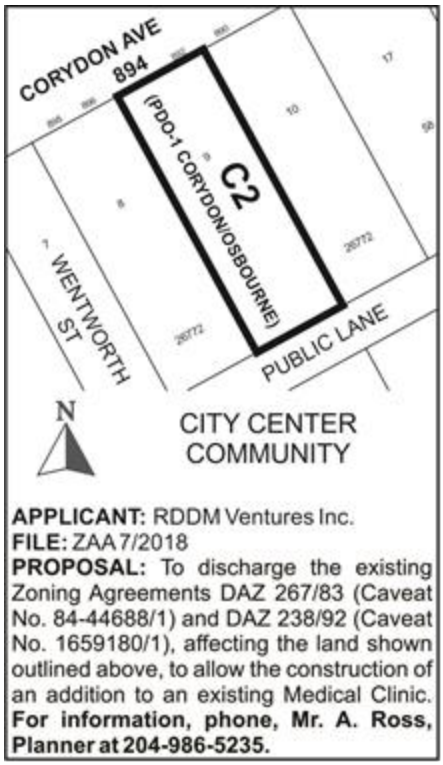
File: ZAA 7/2018

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

Public Hearing: December 11, 2018
Council Building, 510 Main Street

Applicant: RDDM Ventures Inc. (Rajen Ramgoolam)

Subject:



Premises Affected: 894 Corydon Avenue

Exhibits Filed:

1. Application dated October 30, 2018
2. Notification of Public Hearing dated November 5, 2018
3. Manitoba Status of Title 1971959/1
4. Surveyor's Building Location Certificate and sketch dated July 16, 1952
5. Caveats 158621, 158622, 88-44688 and 1659180
6. Plans (5 pages)

7. Report from the Urban Planning Division dated November 21, 2018
8. Inspection Report
9. Communication dated December 11, 2018, from Mark Cohoe in opposition to the application
10. Photos with respect to the application submitted by Olga Rozwood at the public hearing
11. Recording of Representations

REPRESENTATIONS:

In Support:

Les Frovich

In Opposition

Mark Cohoe

For Information:

Rhonda Murray
Olga Rozwood

For the City:

D. Harris, Planner, Planning, Property and Development Department
A. Ross, Planner, Planning, Property and Development Department

Exhibit "7" referred to in File ZAA 7/2018

ADMINISTRATIVE REPORT

Title: ZAA 7/18 – 894 Corydon Avenue

Issue: For consideration at the Public Hearing for a Zoning Agreement Amendment to discharge caveats 84-44688/1 and 1659180/1 to allow the construction of a front addition to an existing Medical Clinic.

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

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith, RPP	N/A	N/A	

RECOMMENDATIONS

1. That Zoning Agreement Caveats 84-44688/1 under File DAZ 267/83 dated February 29, 1984; and 1659180/1 under File DAZ 238/92 dated October 14, 1992, be withdrawn.

2. That the Director of Legal Services and City Solicitor be requested to withdraw the subject Zoning Agreements to DAZ 267/83 and DAZ 238/92 as approved in aforesaid Recommendation 1.

3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

4. 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 repeal in its entirety the caveats associated with Files DAZ 267/83 and DAZ 238/92.

Removal of caveats on a Land Title requires a Zoning Agreement Amendment application.

Approval of a Zoning Agreement Amendment application requires 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 Zoning Agreement will be amended and the two caveats withdrawn.

CONSULTATION

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared By	Andrew Ross, RPP, MCIP
Date:	November 21, 2018
File No.	ZAA 7/18

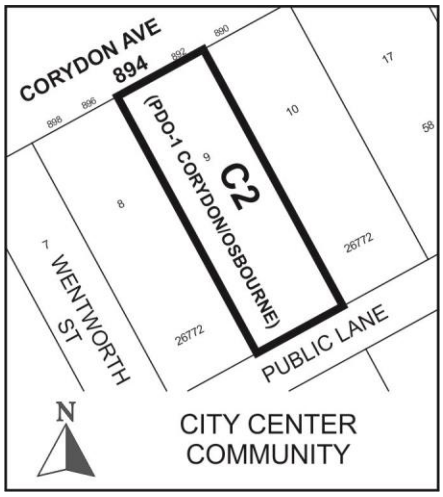
APPENDIX 'A'

DATE: December 3, 2018
FILE: ZAA 7/18
RELATED FILES:
COMMUNITY: City Centre
NEIGHBOURHOOD 1.106 – **Earl Grey**

SUBJECT: For consideration at the Public Hearing to repeal in its entirety the Zoning Agreements and Caveats associated with Files DAZ 267/83 and DAZ 238/92

LOCATION: 894 Corydon Avenue

LEGAL DESCRIPTION: LOT 9 PLAN 26772 33/4 ST B.



APPLICANT: Rajen Ramgoolam
1020 Wellington Crescent
WPG, MB R3M 0E1

Owner: RDDM VENTURES INC
1020 Wellington Crescent
WPG, MB R3M 0E1

RECOMMENDATION: Approval

SITE DESCRIPTION:

The subject property is located on the south side of Corydon Avenue between Wentworth and Lilac Streets in the Earl Grey neighbourhood of the Fort Rouge - East Fort Garry ward.

The site is designated as being located on a Community Mixed Use Corridor under the *Complete Communities Direction Strategy*. The site is zoned "C2" – Commercial Community, is 4,858 sq. ft. in size, and currently contains a Medical Clinic.



Figure 1: Location of the subject property and surrounding area (2018)

North: Corydon Avenue, then commercial Uses (zoned "C2" Commercial Community District).

South: Rear lane, then single and two-family residential uses (zoned "R1-S" – Residential Single Family – Small).

East: Multifamily residential uses (triplex) (zoned "RMF-M" Residential Multi-Family - Medium).

West: Multifamily residential uses (triplex) (zoned "RMF-M" Residential Multi-Family - Medium).

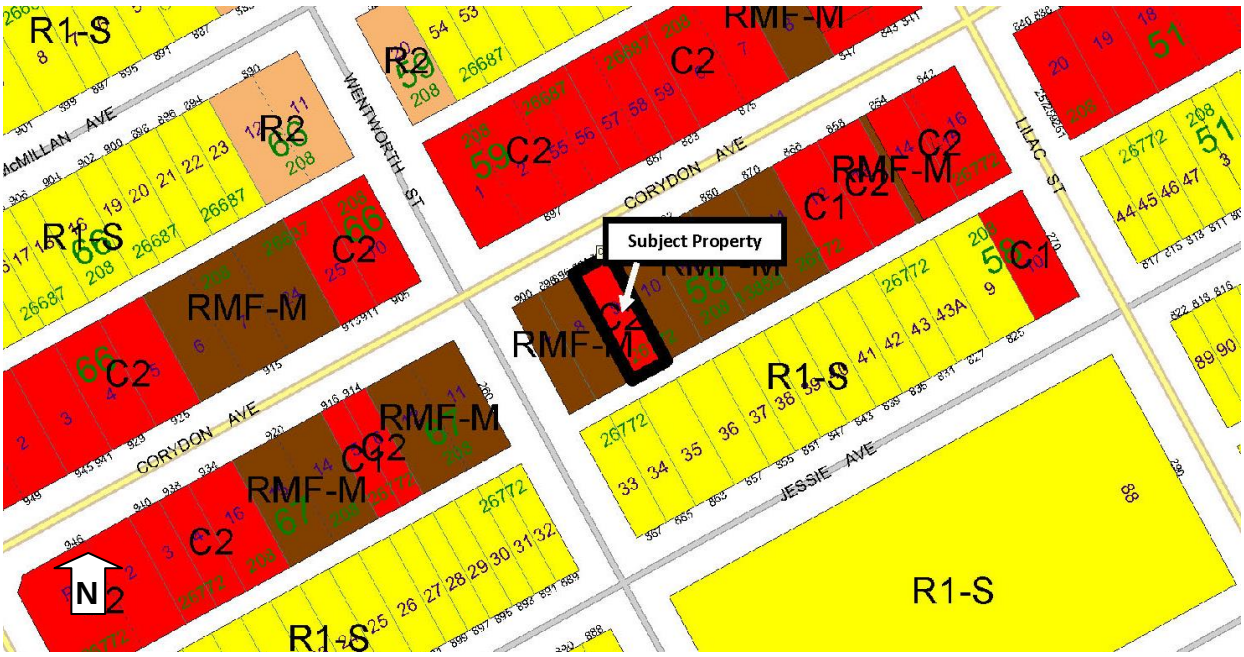


Figure 2: Zoning of subject property and surrounding neighbourhood

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to repeal two existing caveats – 84-44688/1 under File DAZ 267/83, and 1659180/1 under File DAZ 238/92.
- The caveat conditions on **DAZ 267/83** prevent the building of a front addition while either of the adjacent lots are residentially zoned, requires a minimum 7-foot front yard setback, and requires that only a dressmaker may operate on the main floor under restricted hours of operation. The current proposal for a front addition to a Medical Clinic would be unable to proceed with the above caveat restrictions in place and as such, the applicant wishes to have this caveat discharged.
- The caveat conditions on **DAZ 238/92** prevent the building of a front addition while either of the adjacent lots are residentially zoned, requires a minimum 7-foot front yard setback, and restricts main floor uses to commercial and second floor uses to residential or non-profit office. The current proposal for a front addition to a Medical Clinic is unable to proceed with the above caveat restrictions in place and as such, the applicant wishes to have this caveat discharged.
- There is a neighbourhood plan in place with policies affecting this property which was not in place in the 1980s and 1990s when the caveats were added. The neighbourhood plan, The Corydon-Osborne Area Plan By-Law (the Corydon Plan), was adopted by Council in 2015. It provides policy guidance to ensure that orderly and context-sensitive development takes place now and in the future on this property.
- Once the caveats are removed, development on the property will still be subject to the Corydon Plan. And, once the caveats are removed, development on the property will still be subject to a minimum 7-foot front yard setback, because this setback is required under the Winnipeg Zoning By-Law, as a “Special Yard” listed in Schedule “H”.
- Development on this property is and will continue to also be subject to Design Review under the Corydon Plan.

ANALYSIS AND ISSUES

Complete Communities Direction Strategy

Under the *Complete Communities Direction Strategy*, Corydon Avenue is designated as a Community Mixed Use Corridor. Key policies of Complete Communities that apply to Community Mixed Use Corridors are:

- Promote the enhancement of existing and the establishment of new Community Mixed Use Corridors.
- Promote small-scale, fine-grained development that is responsive to the surrounding community context.

The proposed development enhances the corridor by bringing the front of the building closer to the street, thereby creating an active building edge and helping to support a pedestrian friendly environment along Corydon Avenue, which is one of the most walkable retail streets in the city.

Corydon-Osborne Area Plan

<u>Policies</u>

Policies of the Low-rise Mixed Use policy area of the Corydon Plan apply to this property. Policies relevant to this proposed development include:

- Development under the Low-rise Mixed Use policy area must have frontage on Grosvenor, Stafford, Lilac or Corydon.

- This area should be promoted as a low-rise mixed use development with a minimum building height of 2 storeys and a maximum building height of 4 storeys.

- The ground floor should be retail or office. Upper floors should be residential, office or home-based businesses as appropriate.

Removal of the caveats is in alignment with the Low-rise Mixed Use policies of the Corydon Plan, which supports the form of the proposed addition as well as the land use proposed.

Design Review

Per the requirements of the Corydon-Osborne Planned Development Overlay -1 (the PDO), the applicant has submitted an application for Design Review. The Urban Planning Division has reviewed the plans and deemed them in compliance with the design guidelines of the Corydon Plan for development in this location. See Appendix 'A' for details on the Design Review.

Winnipeg Zoning By-Law 200/06

Regulations of the Winnipeg Zoning By-Law including the PDO apply to this property.

The PDO contains specific regulations governing permitted land uses, size of land uses, dimensional standards, design standards, and signage on this property.

The application meets all of the regulations of Winnipeg Zoning By-Law including those contained in the PDO.

SUMMARY

The caveats requested for removal were put on the subject property 35 and 26 years ago at a time when land uses along Corydon Avenue were transitioning from single family uses to the more commercial and multifamily mixed uses we see today, which are supported under the Corydon Plan.

The removal of the two caveats aligns with current City of Winnipeg policy identified in both the *Complete Communities Direction Strategy* and the Corydon Plan; as well as zoning regulations in the Winnipeg Zoning By-Law including the PDO.

These policies and regulations support the proposed addition, and will ensure orderly and context-sensitive development takes place in the future on this property.

Removal of the two caveats will not remove the minimum required 7-foot front setback, as this is a requirement in the Winnipeg Zoning By-Law for this property.

Given current plan policies, design guidelines and zoning regulations in place to ensure orderly and context-sensitive development on this property, the existing caveats are no longer required.

The Urban Planning Division supports the removal of the caveats and recommends that the Zoning Agreement Amendment application be approved.

RECOMMENDATIONS

5. That Zoning Agreement Caveats 84-44688/1 under File DAZ 267/83 dated February 29, 1984; and 1659180/1 under File DAZ 238/92 dated October 14, 1992, be withdrawn.

6. That the Director of Legal Services and City Solicitor be requested to withdraw the subject Zoning Agreements to DAZ 267/83 and DAZ 238/92 as approved in aforesaid Recommendation 1.

7. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

8. 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.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division
Report Prepared By: Andrew Ross, RPP, MCIP
PPD File # ZAA 7/18

Appendix 'A' - Corydon Osborne Plan Urban Design Review
Internal Evaluation Worksheet

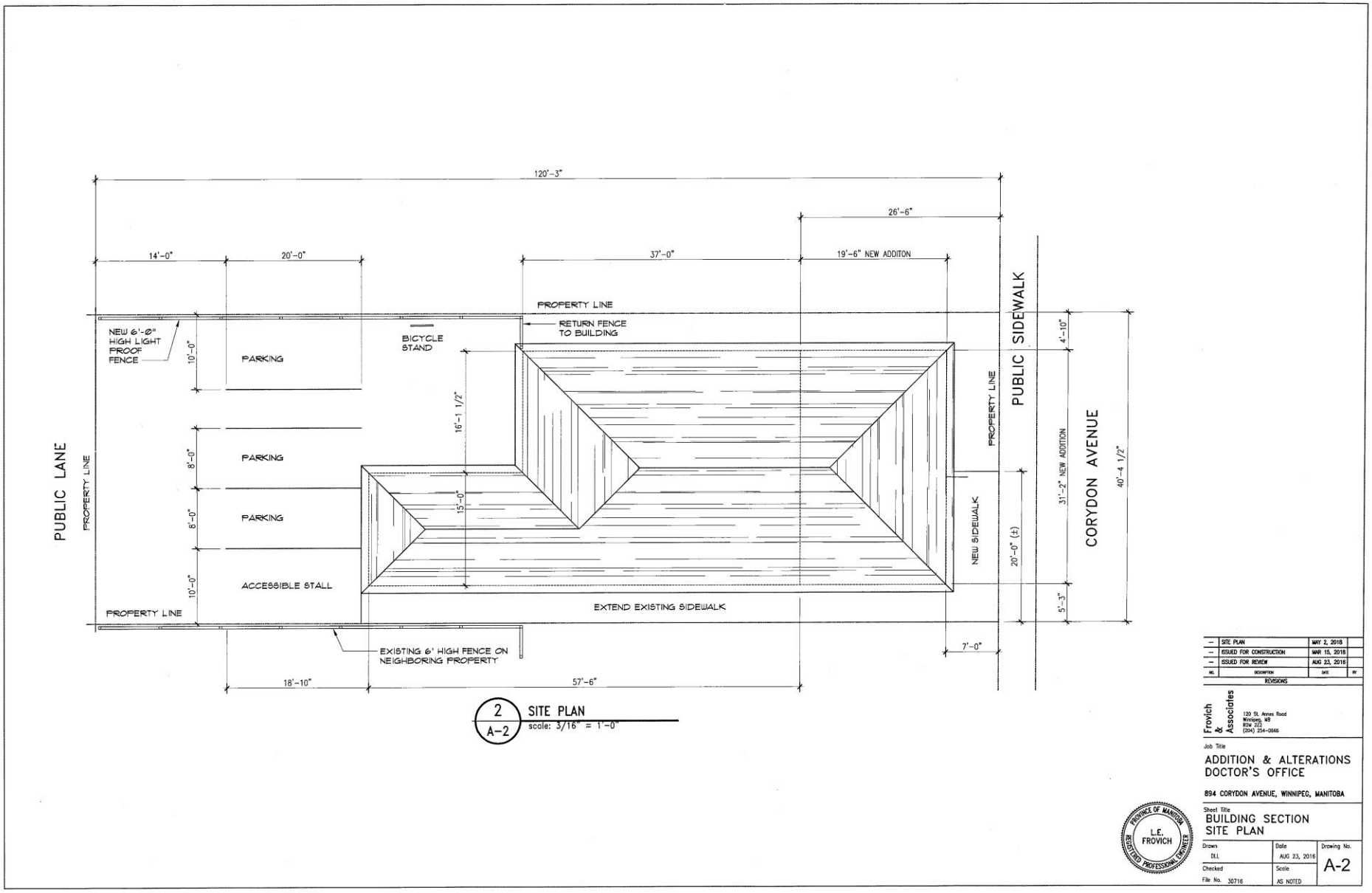
894 Corydon Avenue – construction of front addition
November 22, 2018

Low Rise Mixed Use Design Guidelines	Comply (Yes or No)	Comments
i) Buildings should be parallel to the street	**Yes**	
ii) Building setbacks should maintain contiguous pedestrian space	**Yes**	
iii) The maximum lot coverage should be 75% and the minimum lot coverage (for Corydon Avenue properties only) should be 60%	**Yes**	
iv) Facades should be articulated and/or building facades staggered with respect to setback, to create variety and/or private realm along the streetscape (i.e. patio dining areas)	**N/A**	
v) Buildings should maintain the alignment of horizontal elements of adjacent existing buildings	**Yes**	
vi) The façade on buildings over 3 stories should be composed to exhibit a clearly defined base, midsection, and crown	**N/A**	
vii) The base should be a minimum 50% window coverage	**Yes**	
viii) Facades fronting streets/alleys should have transparent windows	**Yes**	
ix) Balconies should be provided for residential units	**N/A**	
x) Commercial entrances should be accented and doors should be a minimum 30% transparent	**Yes**	
xi) Corner lot buildings should address the corner with entrances at or near the corner, providing a greater pedestrian space	**N/A**	
xii) Buildings should reflect traditional design elements from the surrounding neighbourhood, including materials, finishing, signage, placement of windows and doors, and height and massing	**Yes**	
xiii) Rooflines that are flat should be delineated	**N/A**	
xiv) Façade lighting should be wall mounted luminaries, mounted no higher than the top of the first floor; all entrances should be	**N/A**	

illuminated; all light should be cast down		
xv) Mechanical equipment should be screened so that it is not visible from adjacent public streets when viewed from the ground	**N/A**	
xvi) Awnings or overhangs are encouraged to delineate first floor, reinforce pedestrian scale and shade	**N/A**	
xvii) One flush sign should be allowed per storefront and should be placed no higher than the first floor	**Yes**	
xviii) A midblock pedestrian connection should be provided from Corydon to the rear alley	**Yes**	
xix) Parking should not be allowed in the front yard setback	**Yes**	

Additional Comments:

Exhibit “6” referred to in File ZAA 7/2018



NO.	DESCRIPTION	DATE	BY
–	SITE PLAN	MAY 2, 2018	
–	ISSUED FOR CONSTRUCTION	MAR 15, 2018	
–	ISSUED FOR REVIEW	AUG 23, 2018	

REVISIONS

Frovich & Associates
120 St. Annes Road
Winnipeg, MB
R2M 2Z2
(204) 254-0565

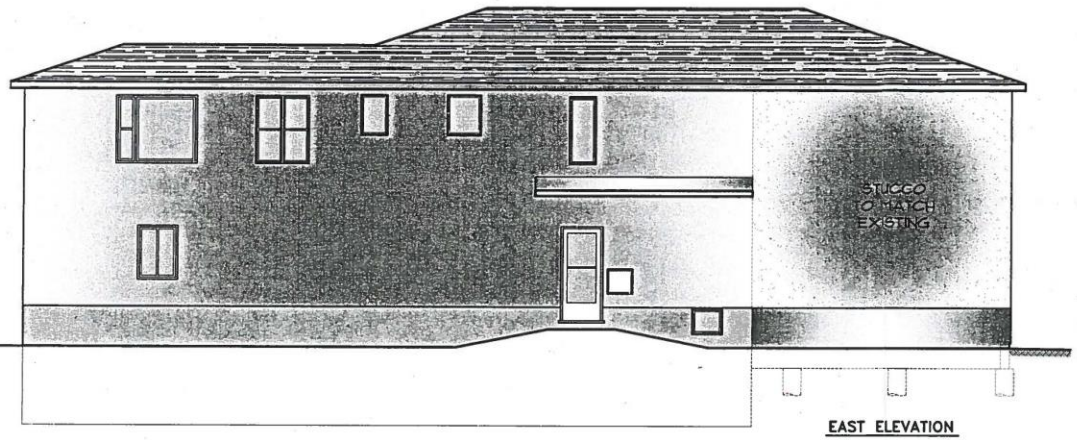
Job Title
ADDITION & ALTERATIONS
DOCTOR'S OFFICE

894 CORYDON AVENUE, WINNIPEG, MANITOBA

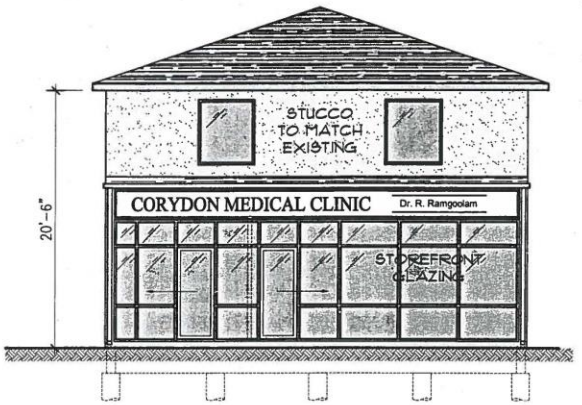
Sheet Title
BUILDING SECTION
SITE PLAN

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Checked	Scale	
File No. 30716	AS NOTED	

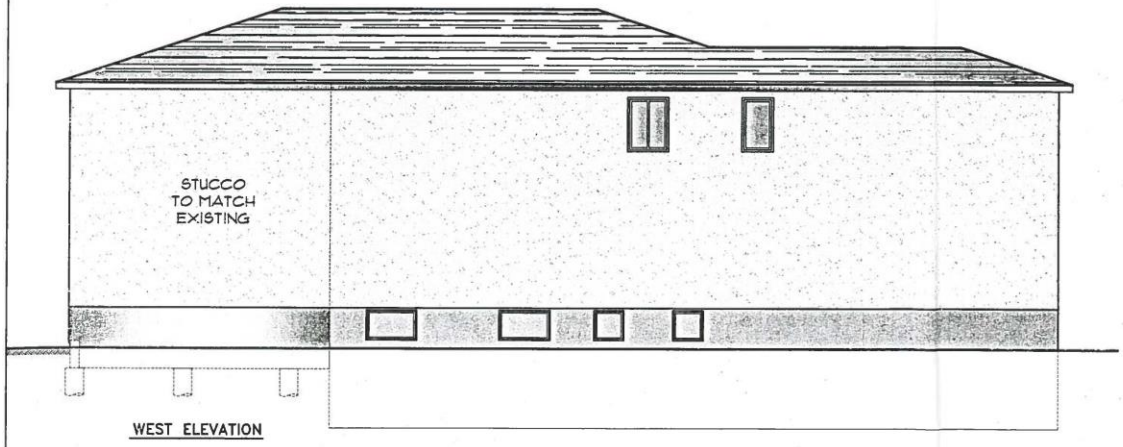
PROVINCE OF MANITOBA
L.E. FROVICH
REGISTERED PROFESSIONAL ENGINEER



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

—	ISSUED FOR CONSTRUCTION	MAR 15, 2018	
—	ISSUED FOR REVIEW	AUG 23, 2018	
NO.	DESCRIPTION	DATE	BY

REVISIONS

Frovich & Associates
120 St. Anne Road
Winnipeg, MB
R2M 2Z9
(204) 254-0666

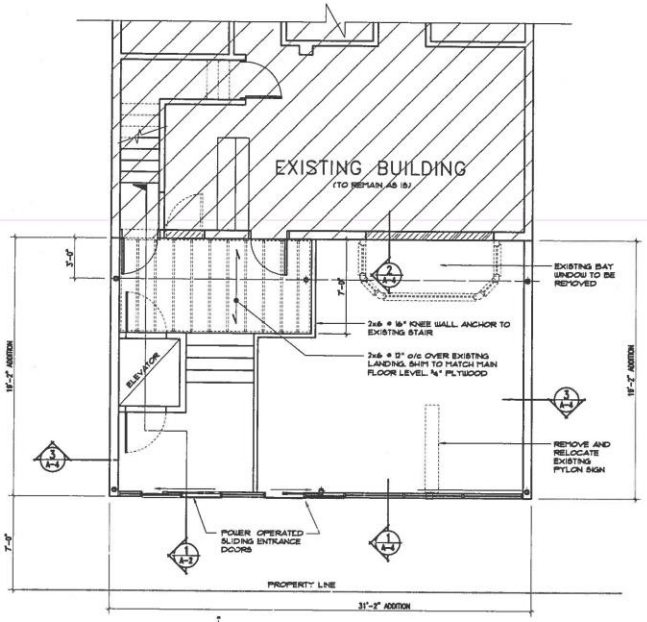
Job Title
ADDITION & ALTERATIONS
DOCTOR'S OFFICE

894 CORYDON AVENUE, WINNIPEG, MANITOBA

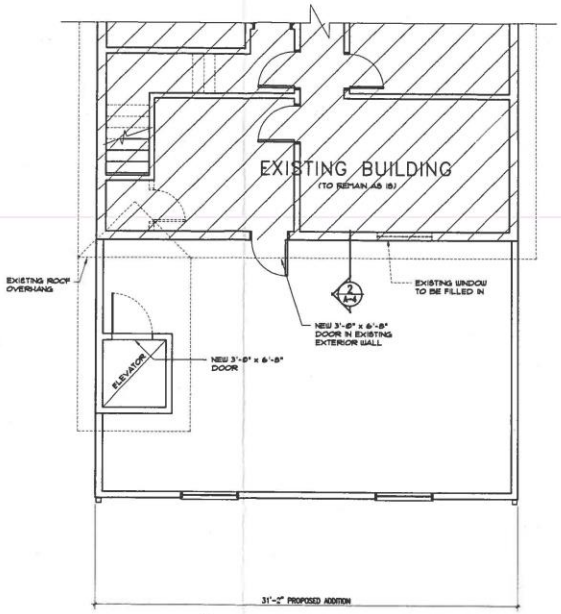
Sheet Title
BUILDING ELEVATIONS

PROVINCE OF MANITOBA
L.E. FROVICH
REGISTERED PROFESSIONAL ENGINEER

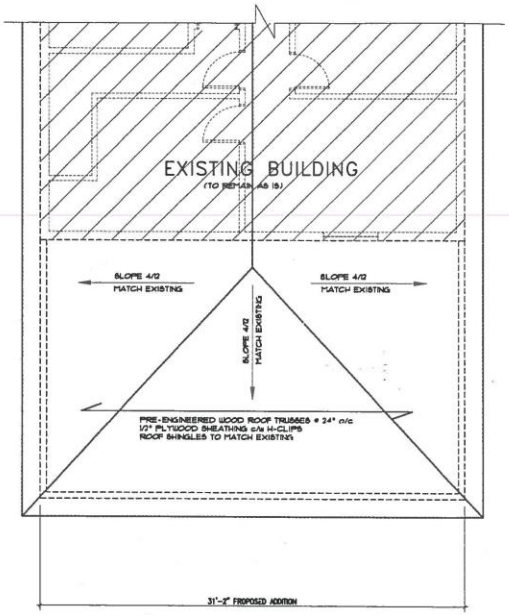
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DLL	AUG 23, 2018	A-3
Checked	Scale	



1 A-1 MAIN FLOOR PLAN
scale: 1/4" = 1'-0"



2 A-1 SECOND FLOOR PLAN
scale: 1/4" = 1'-0"



3 A-1 ROOF PLAN
scale: 1/4" = 1'-0"

—	ISSUED FOR CONSTRUCTION	MAR 15, 2018	
—	ISSUED FOR REVIEW	AUG 23, 2016	
NO.	DESCRIPTION	DATE	BY

REVISIONS

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(204) 254-0668

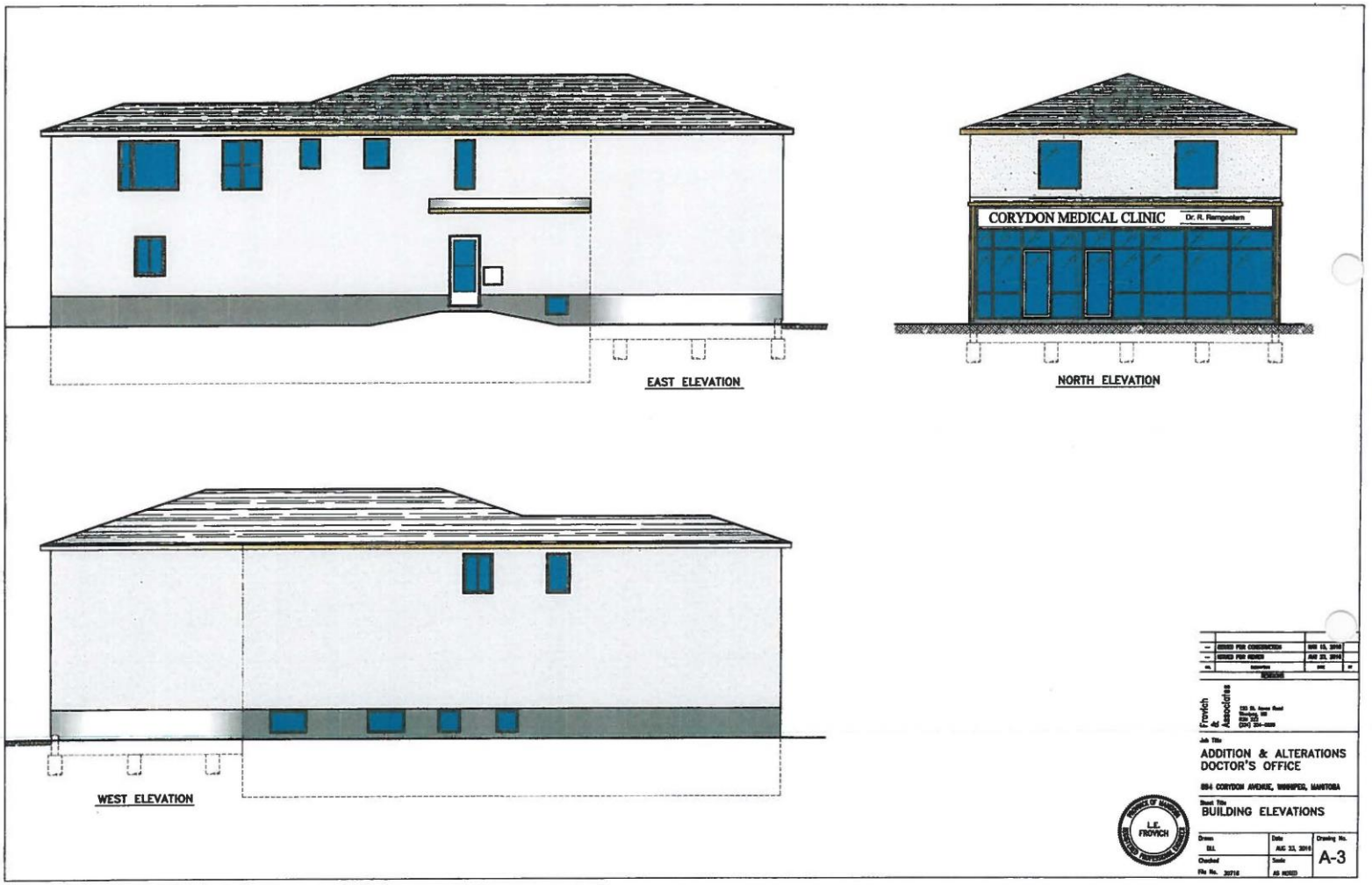
Job Title
ADDITION & ALTERATIONS
DOCTOR'S OFFICE

894 CORYDON AVENUE, WINNIPEG, MANITOBA

Sheet Title
FLOOR PLANS

PROVINCE OF MANITOBA
L.E. FROVICH
REGISTERED PROFESSIONAL ENGINEER

Drawn	Date	Drawing No.
DLL	AUG 23, 2016	A-1
Checked	Scale	


CORYDON MEDICAL CLINIC
Dr. R. Remgeelarn
EAST ELEVATION
NORTH ELEVATION
WEST ELEVATION
L.E. FROVICH
Frovich & Associates
ADDITION & ALTERATIONS
DOCTOR'S OFFICE
884 CORYDON AVENUE, WINNIPEG, MANITOBA
BUILDING ELEVATIONS
A-3



NORTH ELEVATION

PROVINCE OF MANITOBA
L.E. FROVICH
REGISTERED PROFESSIONAL ENGINEER

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120 St. Annes Road
Winnipeg, MB
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(204) 254-0666

Job Title: DOCTOR'S OFFICE 894 CORYDON AVE, WINNIPEG, MB		Drawing: A-1
Sheet Title: NORTH ELEVATION		
Date: APR. 24, 2018	Project No.: 30716	Scale: AS NOTED