Agenda – Executive Policy Committee – July 9, 2019

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 24, 2019

Item No. 15 Subdivision and Rezoning – 928 and 936 McMillan Avenue (River Heights – Fort Garry Ward) File DASZ 13/2019 [c/r DAV 113530/2019D]

STANDING COMMITTEE RECOMMENDATION:

On June 24, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the City Centre Community Committee and recommended to Council:

1. That the subdivision under Development Application No. DASZ 13/19 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated Month Day, Year and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "CMU" Commercial Mixed Use District as shown on the map dated June 4, 2019 and attached as Schedule "A" to this report, subject to the following conditions:

    A. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

        i. The Owner must submit plans showing the location and design of any and all proposed:

            a. buildings;
            b. accessory parking areas;
            c. fencing;
            d. exterior lighting; and
            e. landscaping including tree protection information

            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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 24, 2019

STANDING COMMITTEE RECOMMENDATION (continued):

ii. That that uses permitted, conditional and prohibited on the land shall be the same as those permitted, conditional and prohibited in the "C1" – Commercial Neighbourhood district, with the follow exceptions:

a. That the following uses shall be conditional:

i. Neighbourhood rehabilitation home

b. That the following uses shall be prohibited:

i. Animal hospital or veterinary clinic

ii. Kennel

iii. That all buildings on the property be limited to a maximum of 4 storeys in height.

B. That the City enter into, execute and deliver with the developer a Zoning Agreement in accordance with recommendation 2.A., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

C. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Zoning Agreement, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

3. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated June 4, 2019 to the satisfaction of the Director of Planning, Property and Development.

4. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 13/19, as determined by the Director of Planning, Property and Development.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 24, 2019

STANDING COMMITTEE RECOMMENDATION (continued):

5. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

6. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment the By-law in accordance with the above.

7. That the subdivision section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

8. That the zoning section of the By-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

9. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with recommendations 6 and 7 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

10. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

11. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

12. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 13/19.

Agenda – Executive Policy Committee – July 9, 2019

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 24, 2019

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On June 24, 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 June 4, 2019, 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.

PUBLIC HEARING SUMMARY

File: DASZ 13/2019

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

Public Hearing: June 4, 2019
Council Building, 510 Main Street

Applicant: Landmark Planning & Design Inc. (Brendan Salakoh)

Subject:



APPLICANT: Landmark Planning & Design Inc.
FILE: DASZ 13/2019
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 "R1-M PDO-1 AIRPORT VICINITY" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to a "CMU PDO-1 AIRPORT VICINITY" COMMERCIAL MIXED USE DISTRICT to facilitate the consolidation of lands for the construction of a multi-use (residential/commercial) building. **For information, phone Mr. A. Ross, Planner at 204-986-5235.**

Premises Affected: 928 and 936 McMillan Avenue

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: June 6, 2019

Community Committee Recommendation:

On June 4, 2019, 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 subdivision under Development Application No. DASZ 13/19 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated Month Day, Year and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "CMU" Commercial Mixed Use District as shown on the map dated June 4, 2019 and attached as Schedule "A" to this report, subject to the following conditions:

    A. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

        i. The Owner must submit plans showing the location and design of any and all proposed:

            a. buildings;
            b. accessory parking areas;
            c. fencing;
            d. exterior lighting; and
            e. landscaping including tree protection information

            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 that uses permitted, conditional and prohibited on the land shall be the same as those permitted, conditional and prohibited in the "C1" – Commercial Neighbourhood district, with the follow exceptions:

            a. That the following uses shall be conditional:

i. Neighbourhood rehabilitation home

b. That the following uses shall be prohibited:

i. Animal hospital or veterinary clinic

ii. Kennel

iii. That all buildings on the property be limited to a maximum of 4 storeys in height.

B. That the City enter into, execute and deliver with the developer a Zoning Agreement in accordance with recommendation 2.A., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

C. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Zoning Agreement, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

3. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated June 4, 2019 to the satisfaction of the Director of Planning, Property and Development.

4. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 13/19, as determined by the Director of Planning, Property and Development.

5. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

6. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment the By-law in accordance with the above.

7. That the subdivision section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

8. That the zoning section of the By-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

9. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with recommendations 6 and 7 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

10. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

11. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

12. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 13/19.

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

1. First off, the main issue I had with this application was the idea of taking two lots and subdividing or putting them together. This has a significant impact, and if this was mid-block or possibly on another street, I would not be so supportive, but this is on Stafford.
2. The house that was on corner burnt down many years ago, and in that fire, the adjoining house was also torn down and the lots sat vacant for a very long time, which has been detrimental to the neighborhood.
3. Because of the two lots, if there was a house there already, I'm not sure how keen I'd be to have the lots amalgamated to have a lot this size, but this is unique because the lots were available and Stafford is a major street and this is where we want to see some of the density.
4. Appreciate the fact that instead of going to Land Titles and going that route, the developer has come forward openly and transparently to the neighborhood and put the application in.
5. Extensive consultation with the neighborhood, including design changes along the way, which reflects consultation, listening and implementing so I've got to give them credit for that.
6. We have two letters of concern, and they're valid concerns, but again in light of the situation in this block, I do support this development.
7. I like the design of the building – it's in the context of the neighborhood and has the characteristics, so it's very good.
8. I agree with the Developer – if they had a whole main floor of a bar it would be difficult, but they're not doing that – it's offices smaller on the main floor with offices on the

second floor and the living spaces on the top floor. I think that's quite unique and adds a lot of benefit to the neighborhood itself.

9. The developer has tried to address the trees. There are a few on the boulevard that I'm a little nervous about but we'll work on those as we move forward. But they did work on the trees on their existing lot. We're going to lose a few but they've also gone out of their way to keep most trees.
10. Neighbor on the west side who is mostly impacted does not disapprove of this and that's impressive.

Exhibits Filed:

1. Application dated March 11, 2019
2. Notification of Public Hearing dated April 30, 2019
3. Manitoba Status of Titles 1202556/1 and 2373273/1
4. Letter of authorization dated December 18, 2018 from Active Builders Limited to Progressive Real Estate and Landmark Planning
5. Surveyor's Building Location Certificate and sketch dated December 5, 2018
6. Plans (4 pages)
7. Report from the Urban Planning Division dated May 28, 2019
8. Communication dated May 28, 2019, from Jeffrey Marcus in opposition to the application
9. Communication dated May 29, 2019, from Joanne Seiff in opposition to the application
10. Inspection Report
11. Recording of Representations

REPRESENTATIONS:

In Support:

Evan Hanson
Symon Honeyborne
Mack Jefferson
Kate Kennedy
Nickia Krahn
Geoff Milnes
Anastasiya Nykyforov
Alexandra Richert
Rob Robson
Brendan Salakoh
Donovan Toews
Yaron Walter

In Opposition

Jeffrey Marcus
Joanne Seiff

For Information:

Nil

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 DASZ 13/2019

ADMINISTRATIVE REPORT

Title: DASZ 13/19 – 928 McMillan Ave.

Issue: For consideration at the public hearing for a subdivision and rezoning for the construction of a mixed-use residential/ commercial building.

Critical Path: City Centre 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	n/a

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 13/19 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated Month Day, Year and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land to a "CMU" Commercial Mixed Use District as shown on the map dated June 4, 2019 and attached as Schedule "A" to this report, subject to the following conditions:

    A. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

        i. the Owner must submit plans showing the location and design of any and all proposed:

            (a) buildings;

            (b) accessory parking areas;

            (c) fencing;

            (d) exterior lighting; and

            (e) landscaping including tree protection information

        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 that uses permitted, conditional and prohibited on the land shall be the same as those permitted, conditional and prohibited in the “C1” – Commercial Neighbourhood district, with the follow exceptions:

a. That the following uses shall be conditional:
   i. Neighbourhood rehabilitation home

b. That the following uses shall be prohibited:
   i. Animal hospital or veterinary clinic
   ii. Kennel

iii. That all buildings on the property be limited to a maximum of 4 storeys in height.

B. That the City enter into, execute and deliver with the developer a Zoning Agreement in accordance with recommendation 2.A., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

C. That authority be delegated to the City’s Director of Planning, Property and Development (the “Director”) to negotiate and approve the terms and conditions of the Zoning Agreement, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

3. That the Developer shall meet all terms and conditions as outlined in Schedule “B”, the report of the Administrative Coordinating Group, dated June 4, 2019 to the satisfaction of the Director of Planning, Property and Development.

4. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 13/19, as determined by the Director of Planning, Property and Development.

5. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the “By-law”) is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

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10. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

11. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

12. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 13/19.

REASON FOR THE REPORT

- 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 subdivision and rezoning for DASZ 13/19 will be **approved with conditions.**

HISTORY

N/A

CONSULTATION

N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning
Prepared by: Andrew Ross, RPP, MCIP
Date: May 28, 2019
File No: DASZ 13/19

APPENDIX 'A'

DATE: May 28, 2019
FILE: **DASZ 13/19**
RELATED FILES: DAV 19-113530D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: **103 - Crescentwood**

SUBJECT: For a subdivision and rezoning for DASZ 13/19 – 928 McMillan Ave., for the development of a mixed-use residential/ commercial building.

LOCATION: 928 McMillan

LEGAL DESCRIPTION: LOT 21/22 BLOCK 75 PLAN 255 31/5 ST B



APPLICANT: Brendan Salakoh
298 Waterfront DR
Winnipeg , Manitoba R3B 0G5

OWNER: ACTIVE BUILDERS LIMITED
59 DONALD ST 206
Winnipeg , Manitoba R3C 1L9

SITE DESCRIPTION

The subject property is located on the southwest corner of Stafford Street and McMillan Avenue, in the Crescentwood neighbourhood of the River Heights - Fort Garry ward.

The property is located within a Mature Community under the *Complete Communities Direction Strategy.*

The property is currently composed of two properties: 928 and 936 McMillan Avenue, each with two underlying lots. Both properties are currently zoned “R1-M" – Residential Single-family (Medium).

The property is 6,799 sq. ft. in size and is currently vacant.



Figure 1: Air photo of the location of subject property and surrounding area (2018).

The immediate area is characterized by a mix of residential and commercial development, with primarily single family and low-medium density residential development along McMillan Avenue and residential, commercial and mixed use development along Stafford and Corydon.

The property is 50 metres, or a 30-second walk, to Corydon Avenue, which is the commercial/ mixed use “spine’ of the neighbourhood and a high-frequency east/west transit corridor. See Figure 1. There is also regular north/west transit service on Stafford Street.

Immediately adjacent land uses include:

North: McMillan Avenue, then retail uses (zoned "C1" Commercial Neighbourhood).

South: Rear lane, then retail surface parking (zoned "C2" Commercial Community).

East: Stafford Street, then multifamily residential uses (zoned "R2" – Residential Two-family).

West: Single family residential uses (zoned "R1-M" Residential Single family (Medium).

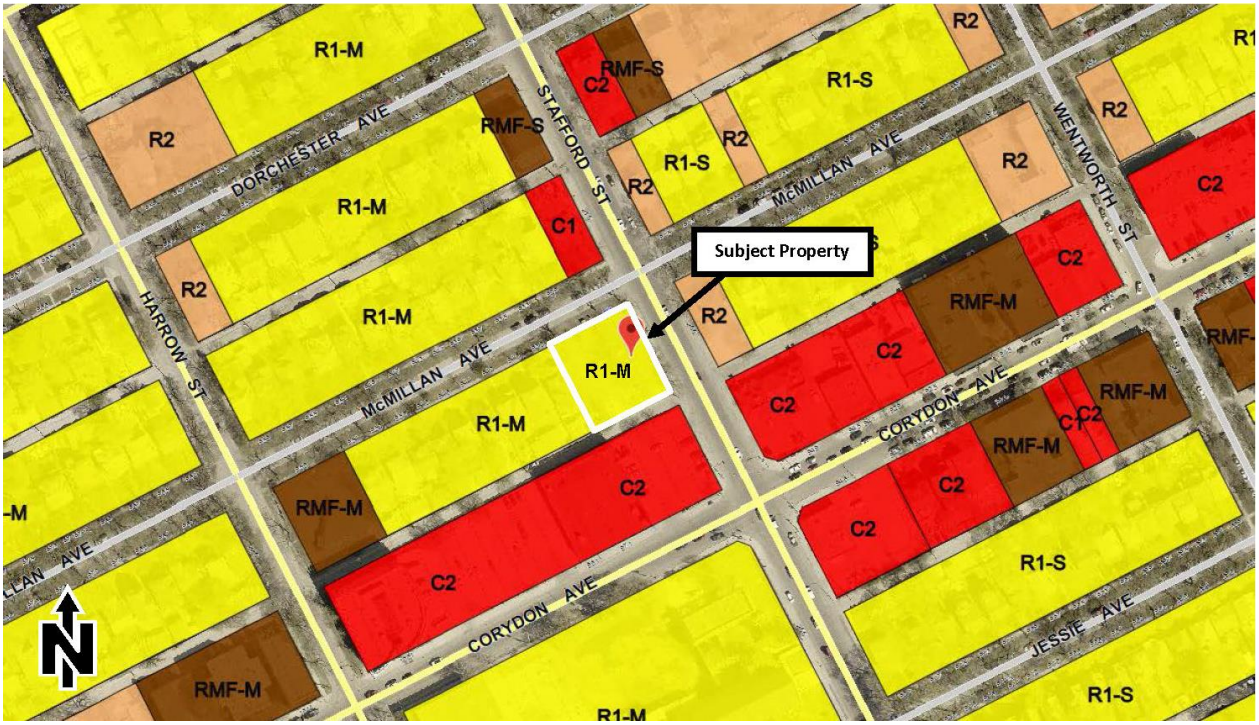


Figure 2: Zoning of the site and surrounding area (2018).

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant seeks approval to subdivide and rezone the subject lands from an "R1-M" Residential Single family (Medium) district to a "CMU" – Commercial Mixed Use district, in order to establish a 3-storey mixed use development. The development will have the appearance of a 4-storey building due to the office level having a mezzanine.

The proposed building contains 4 residential units, 4 office units, and 1 commercial unit on the ground floor facing Stafford.

The development requires variances for yards, parking, and pedestrian connection through parking. See the Administrative Report for Associated File No. DAV 19-113530D for more information on variances.

ANALYSIS AND ISSUES

OurWinnipeg

Direction 9 of *OurWinnipeg* states:

- Collaborate with developers, community organizations and other partners to foster an age-friendly and accessible urban environment.

That Direction sets out the following Enabling Strategy:

- With guidance from Complete Communities, encourage age-friendly and accessible new development in existing neighbourhoods.

The proposed development provides an elevator which enables access to those living with mobility challenges and supports universal accessibility, identified as a priority in *OurWinnipeg*.

Housing that supports universal accessibility allows for 'aging-in-place' – an option for residents to remain in their neighbourhood of choice as they move through different stages of life related to age and ability.

Complete Communities Direction Strategy

Some segments of Stafford St. have characteristics of a "Neighbourhood Mixed Use Corridor" as defined in the *Complete Communities Direction Strategy*; however the street is not designated as such.

Rather, the east side of Stafford St. in this location is designated as a "Low-Rise Mixed Use" policy area under the *Corydon-Osborne Area Plan* (see more below under "Zoning"). The west side, which includes the subject property, falls within the Areas of Stability – Mature Communities policy area. Key policies guiding development within 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.*
- *In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses.*

  The proposal supports a moderate increase in density increase to a Mature Community, and adds to the mix of housing types in the neighbourhood, in alignment with goals of Complete Communities.

- *Support a mix of commercial services and employment uses that serve the local community.*

  The proposal provides small-scale commercial uses (1 retail space and 4 office spaces), which together with the residential units, provides a compatible mix of uses in this location adjacent to Corydon Ave.

- *Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.*
- Through a request of the Urban Planning Division, the building reduces adverse impact on the west adjacent property by providing a 10-ft. west side yard setback at the front and rear on all floors, and 10 ft. for the entire top floor. See Figure 3.

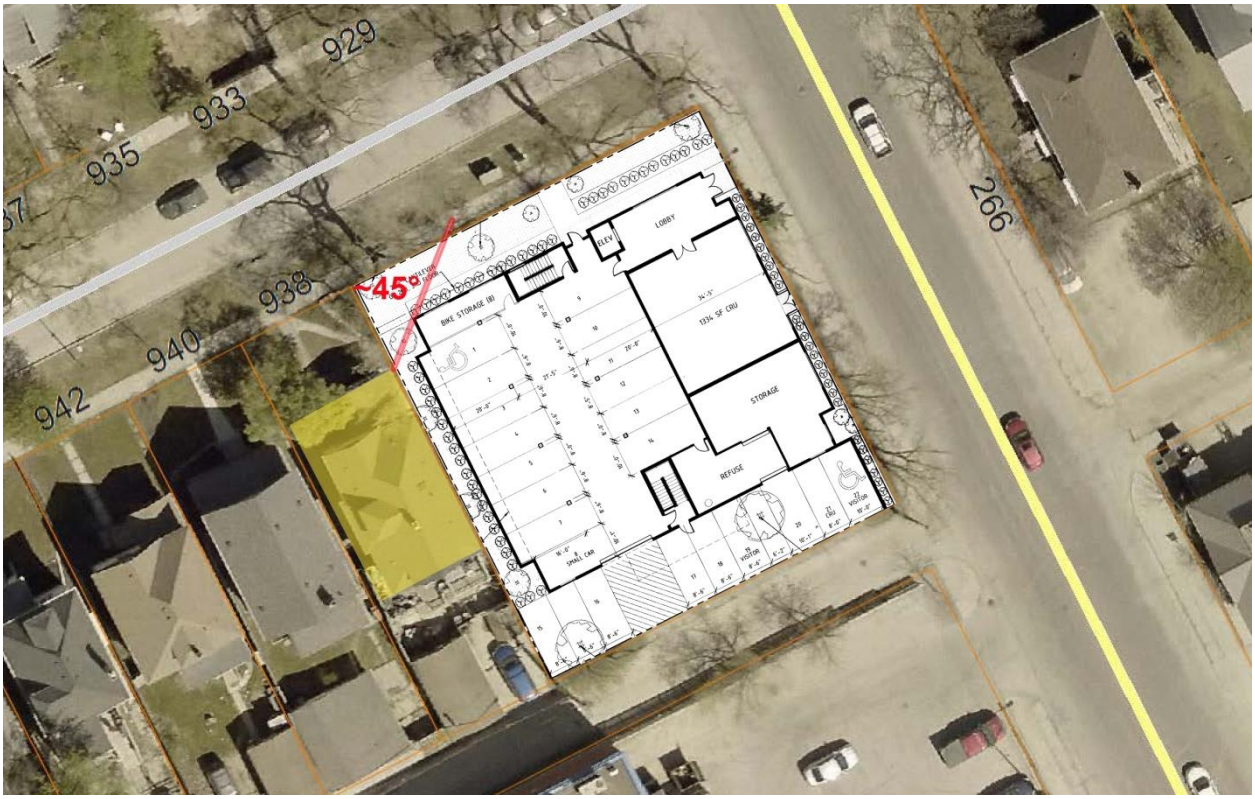


Figure 3: The development provides a 10-ft. west side yard setback at the front and rear, on all floors. This provides a 45-degree view to the street from the west adjacent property. The 10-ft. step-back is applied to the entire top floor, reducing shadow impacts for the west adjacent property.

Zoning

The Winnipeg Zoning By-Law contains two mixed use zoning districts: “RMU” – Residential Mixed Use and “CMU" – Commercial Mixed Use.

Per the Winnipeg Zoning By-Law, the “RMU” district is *“intended to facilitate the development of primarily medium- to higher-density residential development”,* and *“may contain limited small-scale commercial, institutional, recreational, and service facilities needed to support residential development.”*

The “CMU” district *“should have a predominantly commercial character”,* and *“multi-family housing may be incorporated”.*

The Urban Planning Division typically bases its support for “RMU” or “CMU” on the district’s dimensional standards guiding development and the resulting fit with the context; as well and the types of uses proposed.

In this case, the “CMU” district has a lower maximum height (60 ft.) than “RMU” (100 ft.). 60 ft. is more compatible with the context, which is typically 1-4 storeys in height.

The subject development is primarily office units, which are a commercial use. There is a small retail space on the ground floor facing Stafford St. and 4 residential units on the 3rd floor.

Because residential uses are a component of the building but are not the primary use, and given "RMU" allows for a greater height than the Division finds suitable in this location, the Division generally would not find "RMU" zoning to be supportable in this location.

The Division supports the choice of "CMU" zoning in this location to accommodate the mix of uses, provided restrictions are applied.

Specifically in terms of restrictions, the Division recommends, through the Zoning Agreement, a maximum building height of 4 storeys.

In addition, the development provides measures to provide transition to the surroundings. These measures, which are detailed further under "Building Height" and in Figure 3 below, include west side yard setbacks and upper-floor step-backs.

These measures primarily reduce impact on properties to the west, because the property faces less sensitive uses on the north, east and south sides. The north and east sides face streets; the south faces a public lane and parking lot. Having said this, the roofline slopes significantly downward on *all* sides which is designed to reduce massing in all directions.

The property is across the street from the western boundary of the Corydon-Osborne Area Plan. The Corydon-Osborne Area Plan identifies the lot on the east side of Stafford from the subject property as a "Low Rise Mixed Use" policy area. This allows for small scale commercial and mixed uses incorporating residential; and building heights ranging from 2 to 4 storeys.

In viewing the subject development with this in mind, the Division finds that it aligns with those policies, as well as with the uses permitted in the Corydon-Osborne Planned Development Overlay (PDO).

The Division also believes it is important to limit uses on the subject property in the future to accommodate only those uses that are permitted in the "C1" district, with some further restrictions. These restrictions are included as part of the Zoning Agreement.

Design considerations

The applicant worked with the Urban Planning Division to make adjustments to the project. Specifically, the following adjustments were made to the development through the collaborative planning process leading up to receipt of the application:

- West setbacks were staggered to provide a 45-degree angle view toward Stafford for the west abutting neighbour.
- The applicant met the zoning requirement for minimum number of regular, visitor and accessible parking stalls.
- A landscaped buffer was provided between the easternmost rear parking stall and the Stafford sidewalk.
- An arborist report was provided to identify ways to retain trees.

Building height

The building appears as 4 storeys in height, however it is 3 storeys with a mezzanine on the second floor (office level). Early on, the Urban Planning Division conveyed to the applicant that 3-4 storeys is supportable in this location provided appropriate setbacks/ transitions to the west adjacent property are provided. The applicant provided the following setbacks/ transitions:

- The roof slopes significantly downward on all sides to reduce overall massing.

- As noted above under "Complete Communities Direction Strategy", the building provides a 10-ft. west side yard setback at the front and rear on all floors, and for the entire top floor.

The Urban Planning Division is satisfied that these measures provide a respectful transition in the context, and supports the building height as proposed.

Density

Residential density is relatively low in this proposal, with 4 dwelling units.

Transportation and site access

- Pedestrian access
  Pedestrian access to the building is via a corner lobby at Stafford and McMillan. This moves pedestrian traffic away from the existing dwellings to the west. There are two secondary entrances via the parkade at the front and rear, and a commercial entrance on Stafford.

- Cycling access
  Bicycle access to the building is via the corner lobby. There are also bike parking stalls located in the parking garage.

- Vehicular access
  Vehicular access to the development is at the rear, from the public lane.

Parking

The project provides a complement of parking stalls in excess of Winnipeg Zoning By-Law requirements.

Trees

At the request of the Division, the applicant submitted an arborist report. The report recommends protection of 5 trees including Elm and Burr Oak. Protection for trees will be reviewed as part of plan approval.

Overall, the applicant is providing more than their zoning requirement of landscaping. Their requirement is 8 trees and 34 shrubs and they are providing 8 trees and 54 shrubs.

Water and waste servicing

The City of Winnipeg Water and Waste Department has indicated the following to the developer:

1) There is adequate servicing for the proposed development based on the site plan provided. Additional review will be required should the plans of development be altered during the design process.
2) 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. The following design criteria shall be used:
    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 0.35, 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
3) It should be noted that the solid waste collection as shown on the conceptual drawing does not adhere to the City's Solid Waste By-law. The commercial and residential portions of the property are not allowed to share service and will need to apply separately.

Public consultation

The applicant held 3 rounds of public consultation, as follows:

<u>Meeting #1- block residents and key stakeholders</u>

- September 6, 2018
- Direct invites via hand delivered notices, stakeholder emails

<u>Meeting #2 - block residents and key stakeholders</u>

- November 22, 2018
- Direct invites via hand delivered notices, stakeholder emails

<u>Meeting #3 – public open house</u>

- December 19, 2018
- Notices delivered to the six surrounding blocks and a quarter-page advertisement taken out in the *Sou'wester* (*CanStar Weekly)*

The applicant indicates that adjustments were made to the plans in response to feedback received through engagement.

Other considerations

Plan Approval

A condition of approval is included on the Zoning Agreement requiring the applicant to submit plans to the City Centre Community Committee and the Director prior to the issuance of building permits. Some of the issues that may be addressed at the plan approval stage include:

- Possible relocation of an accessible stall
- Protection plan for trees feasible to maintain
- Finalize exterior façade materials

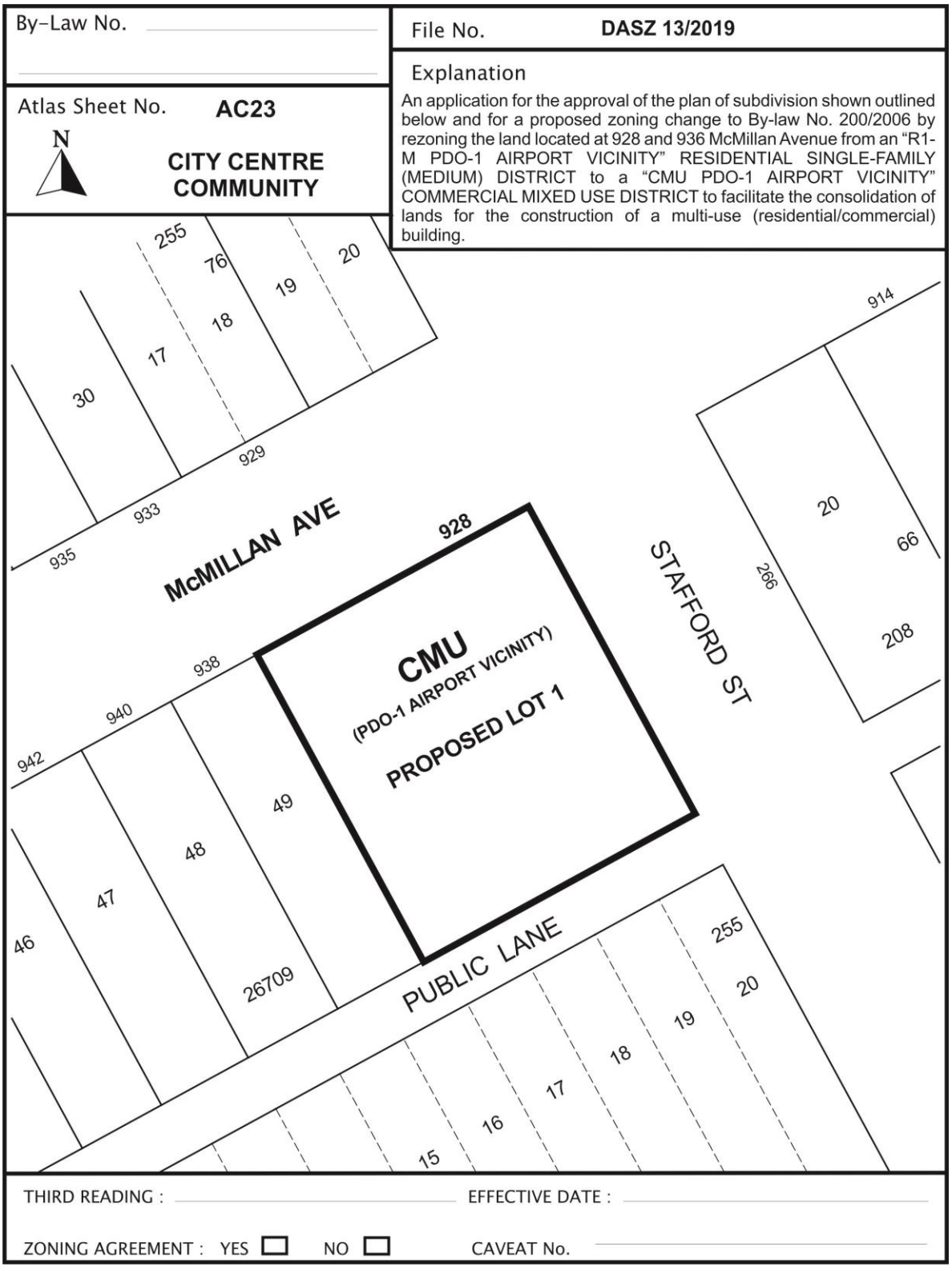
RECOMMENDATION

The Urban Planning Division recommends **approval with conditions** of the subdivision and rezoning for 928 McMillan, for the following reasons:

- The proposal supports a moderate increase in density increase to a Mature Community, and adds to the mix of housing types in the neighbourhood, in alignment with goals of *Complete Communities.*
- The proposal provides small-scale commercial uses which together with the residential uses provide a compatible mix of uses in this location directly adjacent to Corydon Ave.
- The Zoning Agreement will limit height and uses on the property into the future.
- The proposal supports universal accessibility, identified as a priority in *OurWinnipeg*.
- Through requests of the Urban Planning Division, the building reduces adverse impacts on the west adjacent property through side yard setbacks and upper-storey step-backs.
- The proposal included significant public consultation.
- The proposal aims to protect onsite trees through an arborist report.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division
Report Prepared by: Andrew Ross RPP, MCIP
DASZ 13/19 – 928 McMillan Ave.

Schedule “A” for File No. DASZ 13/19, City Centre Community Committee, June 4, 2019



SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 928 AND 936 McMILLAN AVENUE

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DASZ 13/2019. The applicant should take into consideration the following servicing and design requirements and comments in the redevelopment of the site:

Water and Waste Department:

4) There is adequate servicing for the proposed development based on the site plan provided. Additional review will be required should the plans of development be altered during the design process.

5) 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. The following design criteria shall be used:

    d) The allowable discharge rate will be the sum of the existing peak wastewater and the peak land drainage discharged.

    e) The peak land drainage discharged from the site must be based on a c-value of 0.35, with a 5 year rainfall event applied.

    f) The existing and proposed peak wastewater discharge must be estimated using the Wastewater Flow Estimation guidelines found on the City of Winnipeg website

6) It should be noted that the solid waste collection as shown on the conceptual drawing does not adhere to the City’s Solid Waste By-law. The commercial and residential portions of the property are not allowed to share service and will need to apply separately.

THIS REPORT SUBMITTED BY:

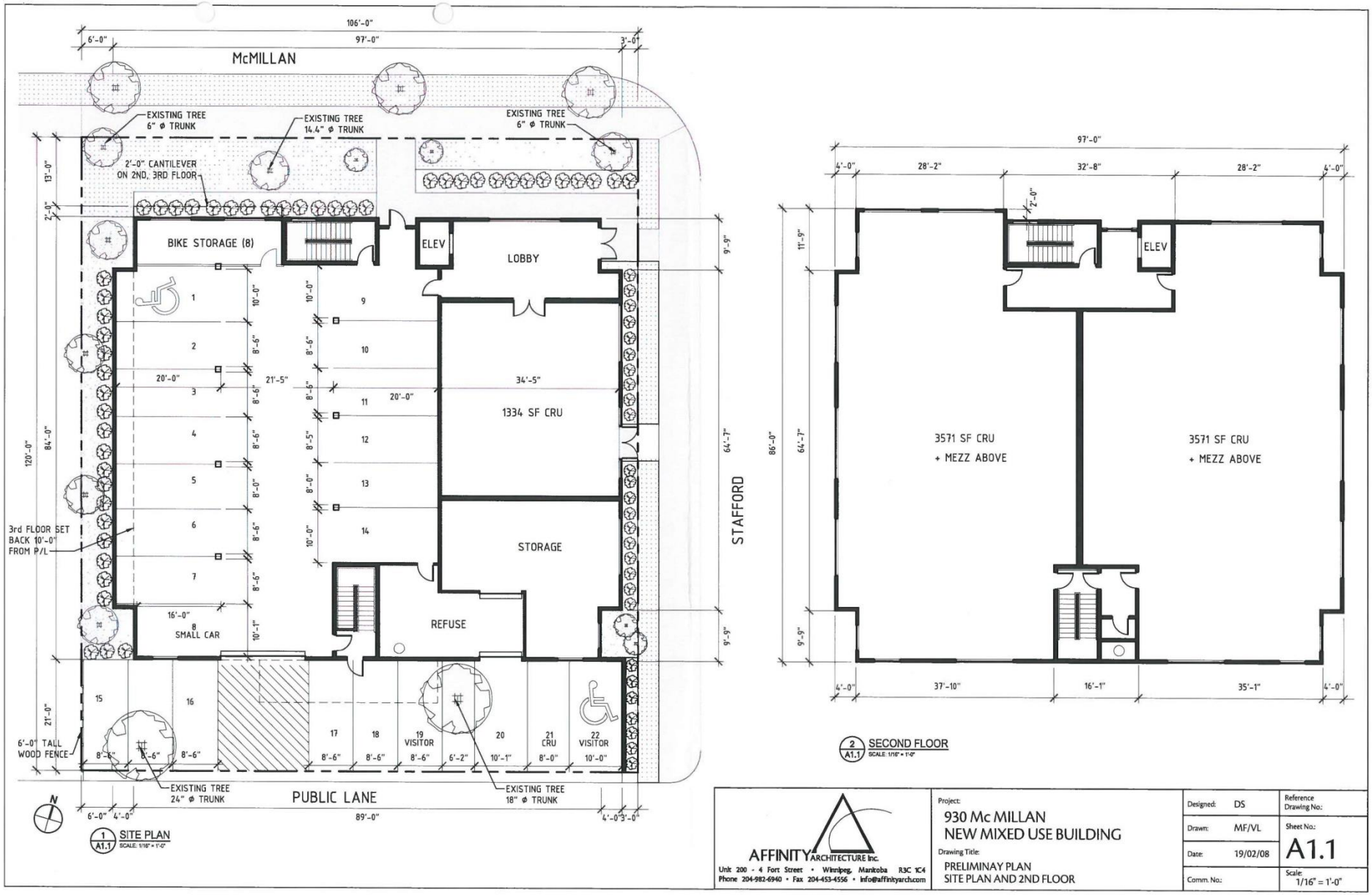
Administrative Co-ordinating Group
File No. DASZ 13/2019
May 24, 2019

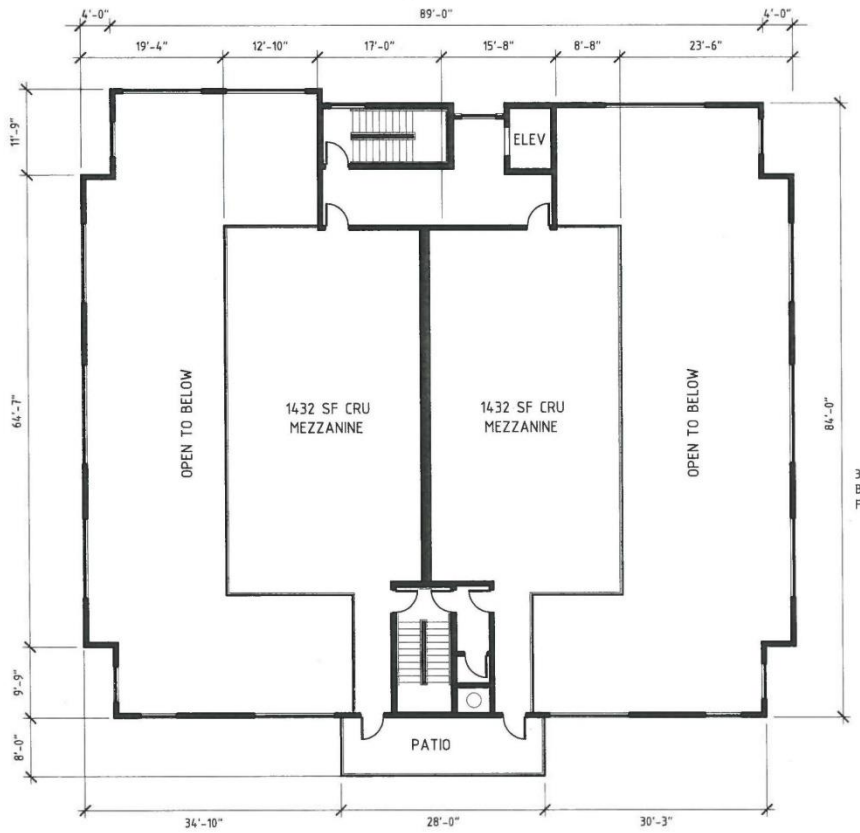
"*Original Signed by D. Trenchard"*
D. Trenchard, P. Eng.
Land Development Branch

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

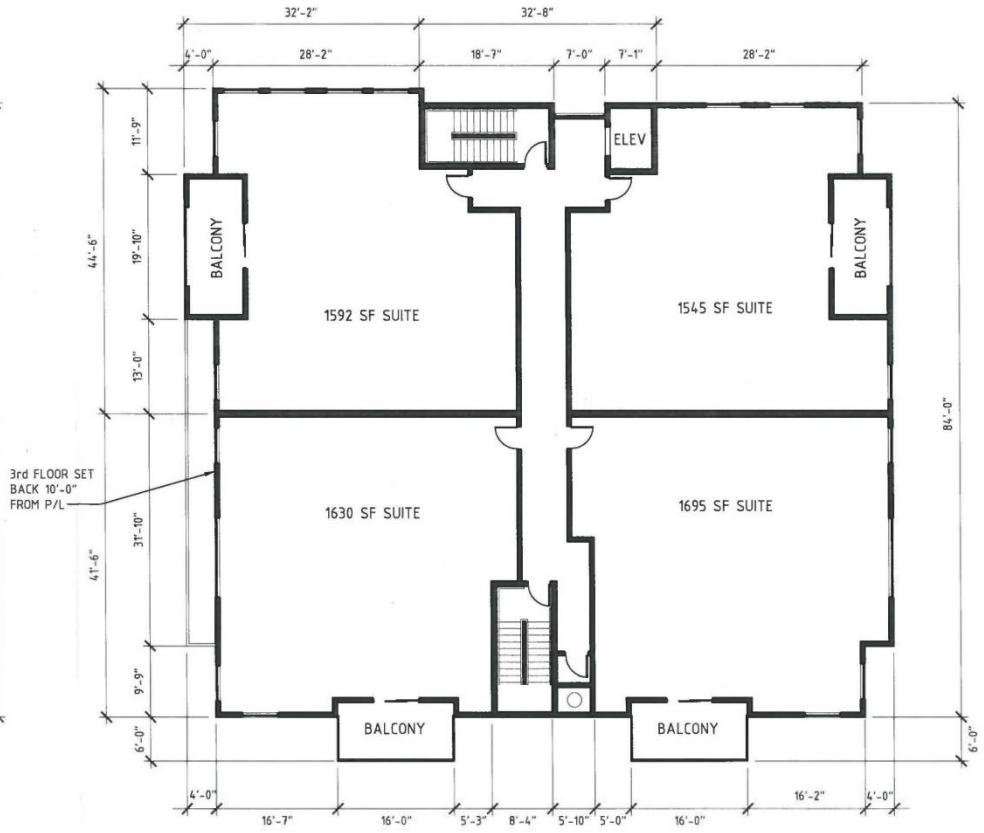
"*Original Signed by C. Desjardine"*
C. Desjardine, M. Sc., P. Eng.
Public Works Department

Exhibit " 6 " referred to in File DASZ 13/2019





3 / A1.2 SECOND FLOOR MEZZANINE PLAN
SCALE: 1/16" = 1'-0"



4 / A1.2 THIRD FLOOR
SCALE: 1/16" = 1'-0"

AFFINITY ARCHITECTURE Inc.
Unit 200 - 4 Fort Street • Winnipeg, Manitoba R3C 1C4
Phone 204-982-6940 • Fax 204-453-4556 • info@affinityarch.com

Project:
930 Mc MILLAN
NEW MIXED USE BUILDING

Drawing Title:
PRELIMINAY PLAN
MEZZANINE AND 3RD FLOOR

Designed:	DS
Drawn:	MF/ VL
Date:	19/02/08
Comm. No.:	
Reference Drawing No.:	
Sheet No.:	A1.2
Scale:	1/16" = 1'-0"



5 A3.1 EAST ELEVATION
SCALE: 1/16" = 1'-0"



6 A3.1 NORTH ELEVATION
SCALE: 1/16" = 1'-0"

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Project:
930 Mc MILLAN
NEW MIXED USE BUILDING

Drawing Title:
EAST AND NORTH ELEVATIONS

Designed:	DS	Reference Drawing No.:	
Drawn:	MF/VL	Sheet No.:	A3.1
Date:	19/02/08		
Comm. No.:		Scale:	1/16" = 1'-0"



7 A3.2 WEST ELEVATION
SCALE: 1/16" = 1'-0"



8 A3.2 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"

AFFINITY ARCHITECTURE Inc.
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Project:
930 Mc MILLAN
NEW MIXED USE BUILDING

Drawing Title:
WEST AND SOUTH ELEVATIONS

Designed:	DS	Reference Drawing No.:	
Drawn:	MF/VL	Sheet No.:	A3.2
Date:	19/02/08	Scale:	1/16" = 1'-0"
Comm. No.:			