Minutes – Executive Policy Committee – July 15, 2020

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

Item No. 9 Subdivision and Rezoning – 265 Osborne Street
(Fort Rouge-East Fort Garry Ward)
File DASZ 3/2019 [c/r DCU 179116/2018D and DAV 179121/2018D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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 the subdivision under Development Application No. DASZ 3/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 19, 2020 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated November 18, 2019 and attached as Schedule "B" to this report.

    B. That the City enter into, execute and deliver with the developer a Servicing Agreement in accordance with recommendation 1.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 to negotiate and approve the terms and conditions of the Servicing 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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "TOD – PDO-1 Corydon-Osborne Transit Oriented Development" district as shown on the map dated June 19, 2020 and attached as Schedule "A" to this report.

3. That Caveat Nos. 149769/1 and 4660962/1 be discharged as they affect Lots 9, 10 and 11, Block 15, Plan 208.

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 3/2019, as determined by the City's 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 Servicing Agreement is fully executed and 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 Plan is registered in the Winnipeg Land Titles Office.

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 7 and 8 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

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 for File No. DAV 19-179121\D 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 3/2019.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

DECISION MAKING HISTORY:

Moved by Councillor Gillingham,

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than four business days preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Gilroy,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On July 13, 2020, 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 19, 2020, 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 3/2019

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

Public Hearing: June 19, 2020
Council Building, 510 Main Street

Applicant: DIN Projects (Neil Minuk)

Subject:



APPLICANT: DIN Projects
FILE: DASZ 3/2019
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 a "C2 PDO-1 CORYDON OSBORNE" COMMERCIAL COMMUNITY DISTRICT to a "TOD PDO-1 CORYDON OSBORNE" TRANSIT-ORIENTED DEVELOPMENT DISTRICT to facilitate the consolidation of lands and the construction of a mixed-use (residential/commercial) building. **For information, phone Mr. A. Ross, Planner at 204-986-5235.**

Premises Affected: 265 Osborne Street

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 22, 2020

Community Committee Recommendation:

On June 19, 2020, 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 3/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 19, 2020 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated November 18, 2019 and attached as Schedule "B" to this report.

    B. That the City enter into, execute and deliver with the developer a Servicing Agreement in accordance with recommendation 1.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 to negotiate and approve the terms and conditions of the Servicing 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.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "TOD – PDO-1 Corydon-Osborne Transit Oriented Development" district as shown on the map dated June 19, 2020 and attached as Schedule "A" to this report.

3. That Caveat Nos. 149769/1 and 4660962/1 be discharged as they affect Lots 9, 10 and 11, Block 15, Plan 208.

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 3/2019, as determined by the City's 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 Servicing Agreement is fully executed and 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 Plan is registered in the Winnipeg Land Titles Office.

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 7 and 8 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 for File No. DAV 19-179121\D 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 3/2019.

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

1. This site is located within the mature community under the Complete Communities Direction Strategy in the Earl Grey Neighborhood that I represent. The site is located within a high-rise TOD mixed-use area of the Corydon Osborne Area Plan and I am excited that it is the first rezoning into the TOD (transit oriented development) zoning district in Winnipeg's history. I think that' really is important to underline.

2. It is important that we look at the proposal for its merits within that historic first. In the middle of the pandemic it's exciting to me that we have commercial use, and a restaurant/cooking school continuing Winnipeg as a food destination. This mix on a beautiful rooftop facing our gorgeous new active transportation infrastructure building is really an important point to underline.

3. The inclusion of trees and plaza space along Osborne street is a welcome addition as well and that is also why I'm moving in favor of this project.

4. Notwithstanding the parking that is robotic and an interesting feature. This project contains 67 and 32 short term bike parking stalls that is in line with an active transportation project. A total of 99 bike stalls, just short of 100 which makes the transit oriented development a really exciting feature of this building. Not to mention what the proponents put on the record in terms of what they want Winnipeggers to see in terms of the visibility of those cars. It is actually an artful juxtaposition of that robotic car and the TOD. That is a real artful juxtaposition with the rooftop garden and those hundred stalls. I think that that is really artful.

5. I don't want to lose sight of the criticisms that Ms. Forsyth had, but this is absolutely – and I disagree with her – it's absolutely growing up and not out and in a real sustainable way. I take up the challenge as local Councillor on the greenway and will explore that with her further.

Exhibits Filed:

1. Application dated October 25, 2019
2. Notification of Public Hearing dated May 12, 2020
3. Manitoba Status of Title 2808023/1
4. Letter of authorization dated August 2, 2018 from Felicia Bruni, 6652736 Manitoba Ltd. to Neil Minuk
5. Surveyor's Building Location Certificate and sketch dated January 30, 2017
6. Caveats 4660961/1 and 4660962/1
7. Transfer of Land 149769
8. Plans (28 pages)
9. Report from the Urban Planning Division dated June 7, 2020
10. Inspection Report
11. Presentation in support of the application submitted by the Applicant at the public hearing
12. Recording of Representations

REPRESENTATIONS:

In Support:

Neil Minuk
Edward Osagie

In Opposition:

Shirley Forsyth

For Information:

Nil

For the City:

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

Exhibit “9” referred to in File DASZ 3/2019

ADMINISTRATIVE REPORT

Title: DASZ 3/2019 – 265 Osborne St.

Issue: For consideration at the public hearing for a subdivision and rezoning to permit the construction of a 15-storey mixed-use 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
A. Ross, RPP	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 3/2019 be approved for preparation as a plan of subdivision (the “Plan”) by a Manitoba Land Surveyor in accordance with the map dated June 19, 2020 and attached as Schedule “A” to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated November 18, 2019 and attached as Schedule “B” to this report.

    B. That the City enter into, execute and deliver with the developer a Servicing Agreement in accordance with recommendation 1.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 to negotiate and approve the terms and conditions of the Servicing 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.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "TOD – PDO-1 Corydon-Osborne Transit Oriented Development" district as shown on the map dated June 19, 2020 and attached as Schedule "A" to this report.

3. That Caveat Nos. 149769/1 and 4660962/1 be discharged as they affect Lots 9, 10 and 11, Block 15, Plan 208.

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 3/2019, as determined by the City's 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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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 for File No. DAV 19-179121\D 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 3/2019.

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 3/2019 – 265 Osborne St. may be approved with conditions.

HISTORY

On December 12, 2018, the Board of Adjustment approved Phase 1 of the development which involved floors 1-7, under existing "C2" – Commercial Community district zoning entitlements.

The subject application is to permit Phase 2, which involves a rezoning into the "TOD" – Transit Oriented Development District and permission to build floors 8-15.

Phase 2 is the final phase of this proposed development.

CONSULTATION

In preparing this report there was internal consultation with:

Relevant City departments through the Administrative Coordinating Group.

OURWINNIPEG POLICY ALIGNMENT

The proposed rezoning and subdivision aligns with the Key Direction of *OurWinnipeg* that applies to the Mature Communities Policy Area, which states: "*Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population."*

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

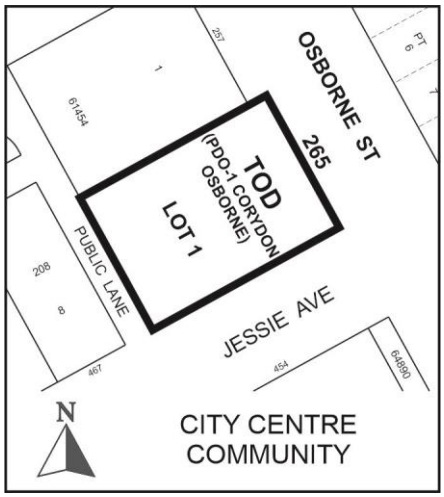
The proposed rezoning and subdivision complies with the *Winnipeg Climate Action Plan* because the proposed development would increase the residential density of an established neighbourhood.

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning
Prepared by: Andrew Ross, RPP, MCIP
Date: Friday, June 7, 2020
File No: DASZ 3/2019

APPENDIX 'A'

DATE:	Friday, June 7, 2020
FILE:	**DASZ 3/2019**
RELATED FILES:	DCU 18-179116\D, DAV 18-179121\D
COMMUNITY:	City Centre Committee
NEIGHBOURHOOD #:	1.106 – Earl Grey
SUBJECT:	For a subdivision and rezoning for DASZ 3/2019 – 265 Osborne St. to permit the construction of a 15-storey mixed-use building.
LOCATION:	265 Osborne St.
LEGAL DESCRIPTION:	LOT 9/11 BLOCK 15 PLAN 208 31/5 ST B



APPLICANT:	Neil Minuk 911 Corydon AVE Winnipeg , Manitoba R3M 0W8
OWNER:	295 BROADWAY AVE Winnipeg , Manitoba R3C 0R9

SITE DESCRIPTION

- The subject property is located on the west side of Osborne Street, adjacent to the Osborne Rapid Transit Station, in the Earl Grey neighbourhood of the Fort Rouge - East Fort Garry ward.
- The site is located within a Mature Community under the *Complete Communities Direction Strategy.*
- The site is governed by policies of the High Rise TOD Mixed Use Area of the *Corydon-Osborne Area Plan* and by zoning regulations of the *Corydon-Osborne Planned Development Overlay (PDO-1).*
- The property is zoned "C2" – Commercial Community, is 13,421 sq. ft. in size, and is currently under construction (Phase 1) - see below under "Phasing").

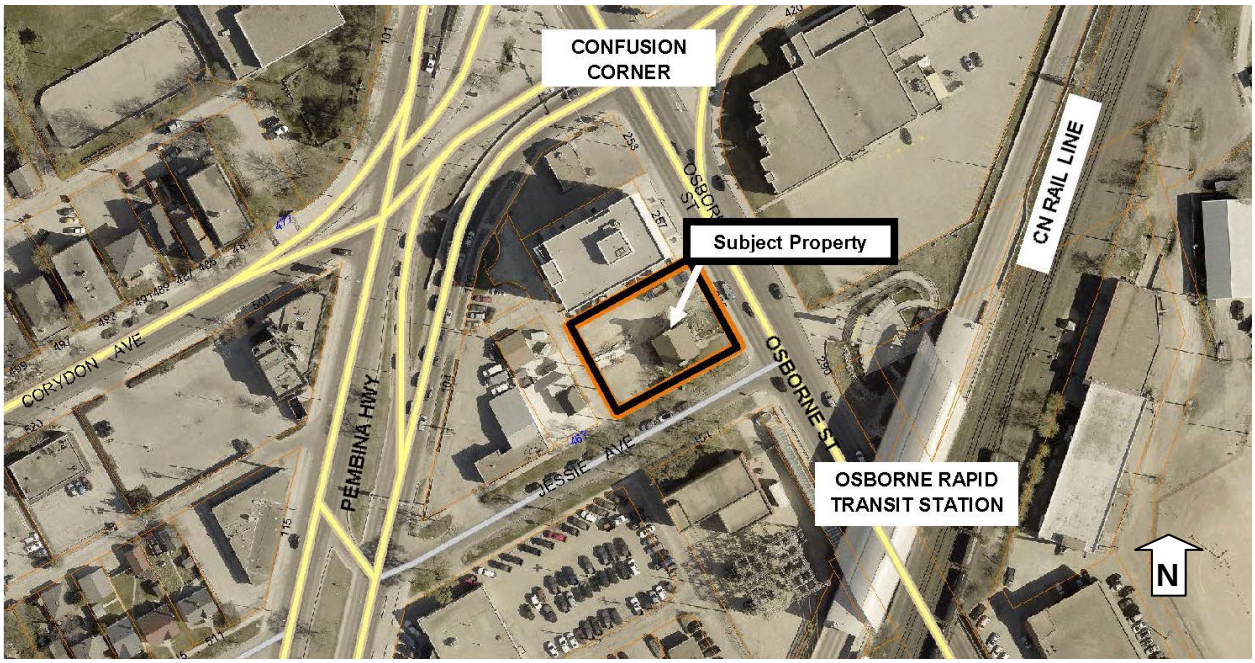


Figure 1: Aerial Photo of Subject Site and Surrounding Uses (flown 2018)

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Office uses (zoned "C2" – Commercial Community)

South: Jessie Avenue, then Manitoba Hydro utility uses (zoned "C2" – Commercial Community)

East: Osborne Street, then Banquet/ Meeting Hall uses (zoned "M1" – Light Manufacturing)

West: Rear lane, then single family dwelling uses (zoned "C2" – Commercial Community

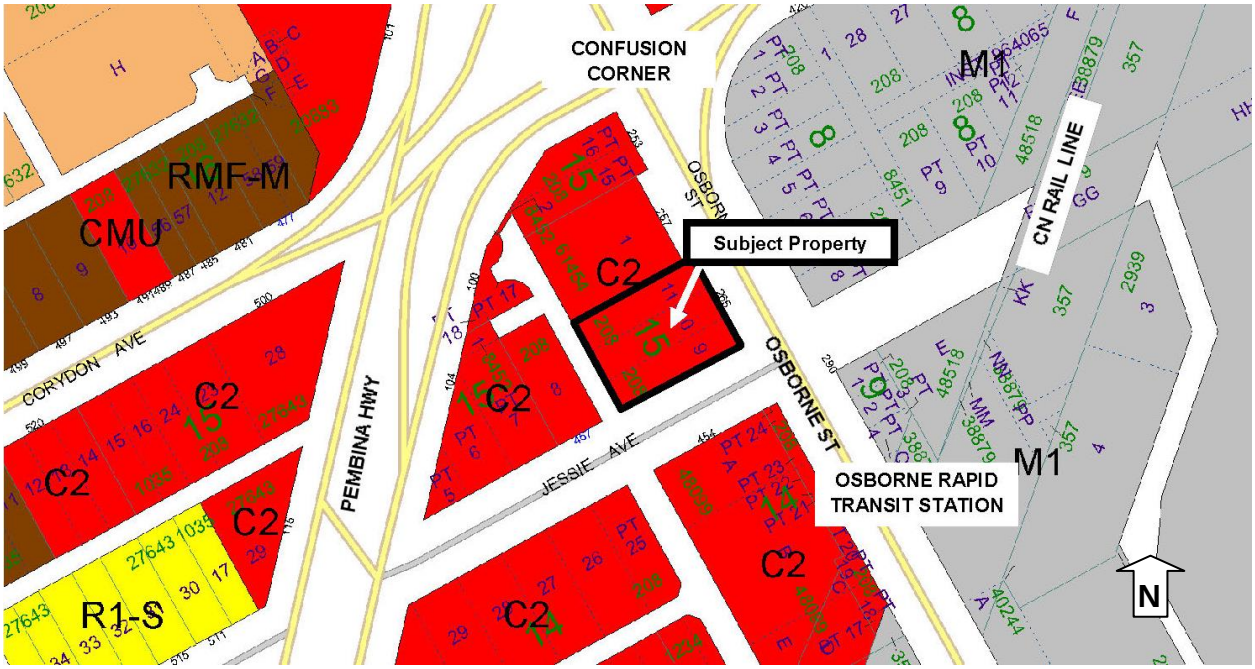


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

Overview

- The proposed development is a mixed use building with 75 dwelling units. It contains:
    - commercial uses on the ground floor (restaurant)
    - a 134-stall parking garage and residential uses on floors 2-5
    - an office and gym on floors 6 and 7 and roof deck on floor 7
    - residential dwelling units on floors 8-15
- This project represents the first ever proposed rezoning into Winnipeg's "TOD" – Transit Oriented Development zoning district.
- The TOD zoning district was adopted by City Council in 2016 in order to: *"…facilitate mixed use development at a scale and density exceeding all other districts. These sites are intended to be adjacent to rapid transit stations with a Council endorsed local area plan in place to guide development. Site design should fulfill the objectives of the Transit Oriented Development Handbook."*
- The development provides 134 vehicle parking stalls, which is 54 more than the zoning requirement. Three of the excess stalls are for the use of the north abutting building at 257 Osborne through a cross access agreement. The balance can potentially be used for public parking.
- The parking on levels 2-5 is robotic. Parkers drop their car in 1 of 3 ground level entrance bays. The entrance bays have sensors which match car sizes with stalls inside the garage. A machine delivers the car to an appropriate stall, and returns it to the driver at the bay entrance when required.

- The development contains 67 long term and 32 short term bike parking stalls for a total of 99 bike parking stalls.
- The development includes trees and plaza space along Osborne St.

Phasing

- The project is composed of two phases. Phase 1 was approved by the Board of Adjustment on December 12, 2018 and involved the first 7 levels of the building and its uses under the existing zoning district ("C2" – Commercial Community).
- The subject "TOD" zoning district application deals with Phase 2 (the final phase), and includes levels 8-15 of the building, which will be residential uses.

Development applications

- The subject application is a subdivision and rezoning (DASZ 3/19) to consolidate the 3 underlying properties and to rezone the land from its current designation of "C2" Commercial Community to "TOD" – Transit Oriented Development.
- There is an associated Conditional Use application (see Administrative Report for DCU 18-179116D) to permit non-accessory parking on the property (for the use of 257 Osborne and the public).
- There is an associated Variance application (see Administrative Report for DAV 18-179121D) for main floor windows, upper floor step backs, and lot area per dwelling unit (density).

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

Under the *Complete Communities Direction Strategy* the proposed development is located within the Areas of Stability – Mature Communities policy area. Key policies guiding development within Areas of Stability relevant to this development include:

- *Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.*

  This development includes outdoor seating and trees, and is in close proximity to community amenities such as Osborne Rapid Transit Station and River-Osborne Community Centre.

- *Encourage intensification to occur at centres and along corridors.*

  The development is located on Osborne Street and at "Confusion Corner", which are recognized, respectively, as a significant corridor and a significant intersection.

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

  The development is mixed use and includes commercial, office, and residential uses.

- *Provide opportunities to increase multi-modal connectivity when redevelopment occurs (p.80).*

The project is adjacent to Osborne Rapid Transit Station and as such will encourage use of rapid transit. It includes a significant amount of bike parking, which will encourage cycling.

- *Support a mix of uses within buildings located on commercial streets.*

  The development is mixed use, containing commercial, office, and residential uses.

CORYDON-OSBORNE AREA PLAN

The subject site falls within the High Rise TOD Mixed Use area of the *Corydon-Osborne Area Plan*. According to the Plan:

- The intent of this area is to accommodate mix use buildings ranging in height from 3-18 storeys. The proposed development meets this policy.
- Buildings should be located close to the street and all parking and loading should occur at the rear or inside buildings. The proposed development meets this policy.

Specific Design Guidelines from the Corydon-Osborne Area Plan that relate to the proposed development are found in "Appendix A" of this report.

TRANSIT ORIENTED DEVELOPMENT (TOD) HANDBOOK

The subject site aligns most closely with the Urban Neighborhood typology within the Council-endorsed *Winnipeg TOD Handbook*. The TOD Handbook is a policy and not a statutory document, and its policies are intended to serve as a general guide to selecting the most appropriate type of TOD development given the context. Developments within the Urban Neighbourhood typology have the following general characteristics:

- Regional Connectivity: Medium access to downtown, sub-regional hub
- Transit frequencies: 5-15 minutes.
- Land use mix: Residential, Retail, Commercial
- Density: 40-100 units per acre. The proposed density is higher than this however the Division is supportive given the following:
    - The TOD Handbook states that "*the TOD principles and tools are applied in different ways depending on the function and form of the land uses and transportation network."*
    - The High Rise TOD Mixed Use area of the statutory *Corydon-Osborne Area Plan* governs development based on height rather than density. The policy supports 3-18 storeys and does not cap density.
    - The site is directly linked to the Osborne Rapid Transit Station (less than 1-minute walk).
    - The site exhibits strong transportation linkages to downtown and all directions via the adjacent confusion corner interchange.

COLLABORATIVE PLANNING

The Urban Planning Division worked with the applicant on site plan and design considerations. Early on in the process, discussions took place regarding building heights and uses that support a Transit Oriented Development (TOD) environment, and a vibrant building presentation to Osborne St. and Jessie Ave.

Once initial design concepts were submitted to the City, the applicant agreed to the following adjustments in order to best reflect the Design Guidelines of the *Corydon-Osborne Area Plan*, as well as general design considerations in the context:

- Closing vehicular access on Jessie. The applicant initially planned for curb cuts and vehicular access on Jessie Avenue but agreed to take access from the lane and provide an uninterrupted sidewalk and boulevard along Jessie, supporting a pedestrian focused public environment.
- More windows. The applicant agreed to add windows to further 'punctuate' the parkade levels of the building facing Jessie and Pembina, increasing the building's visual interest.
- Bike parking. The applicant agreed to provide a significant amount of indoor and outdoor bike parking stalls to support multimodal transportation options for residents, workers, and other users of the building.
- Landscaping. The applicant agreed to increase the compliment of landscaping onsite from what was previously proposed.
- Seating. The applicant agreed to integrate public seating into areas outside the building where possible, in alignment with TOD principles.
- Awnings. The applicant agreed to add/ increase the use of awnings to protect the sidewalk area from wind downdrafts.

PUBLIC CONSULTATION

The applicant indicates they held an open house on the Osborne Village Canada Day Celebrations 2019. The applicant indicates the following:

- Posters were set up in the vacant retail space at 257 Osborne (next door to 265 Osborne).
- The event attracted many people.
- A representative was available to discuss the project with members of the public.
- A list of people wanting additional information was compiled.
- Applicant indicates that overall feedback was positive.

PARKING

The development includes 54 more parking stalls than the 80 stalls required in the Winnipeg Zoning By-Law, which will minimize the impact on nearby street parking capacities.

HIGH DENSITY TRANSIT ORIENTED DEVELOPMENT (TOD)

New high density TOD can provide a number of positive spin-offs, for example:

- Locates a strong population base in direct proximity to Rapid Transit, thereby supported increased ridership and uptake of the City's Rapid Transit system.
- Added eyes on the street.
- More people to patronize the local community clubs, schools, parks, libraries, etc.

From a City of Winnipeg perspective, high density infill development is beneficial for a variety of additional reasons as well:

- Increases the tax base.
- Utilizes existing infrastructure.
- Slows suburban sprawl.

In addition, new development can help foster a positive environment for growth and investment in the community, which can contribute to neighbourhood revitalization.

INFRASTRUCTURE AND SERVICING

The following are key comments and servicing requirements from the City's Administrative Coordinating Group. The applicant has been made aware of these conditions.

Plan Considerations

The Developer shall, at no expense to the City, legally open property required for a 4.0m widening to the Osborne Street right-of-way for the full length of the Planned Area, abutting Osborne Street, to the satisfaction of the Director of Public Works.

Servicing Conditions

1) Sidewalks

   The Developer shall, at no expense to the City, construct Portland cement concrete sidewalks and all related works on the west side of Osborne Street, similar to the sidewalks constructed abutting 257 Osborne Street, as determined by and to the satisfaction of the Director of Public Works.

2) Water System Assessment

   The Water and Waste Department has advised that there is adequate servicing for the proposed development based on the development plans provided. Additional review will be required by their Department should the plans of development change during the design process.

3) Combined Sewer District

   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:

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

ii. The peak land drainage discharged from the site must be based on a c-value of 0.45, with a 5 year rainfall event applied.

iii. 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.

OTHER CONSIDERATIONS

- Cross access agreement

  The applicant has provided a cross-access agreement which allows the vehicular approaches and parking to be shared between the subject property and 257 Osborne St.

- Caveat

  Condition of Approval #3 requests the discharge of two caveats. One is unrelated to the subject property and the other gives the City reversionary right to a 4 metre strip of land along Osborne Street for future road works. With approval of the subject application and Servicing Agreement, the developer's provision of the required 4 metre strip is satisfied and the caveat is therefore discharged.

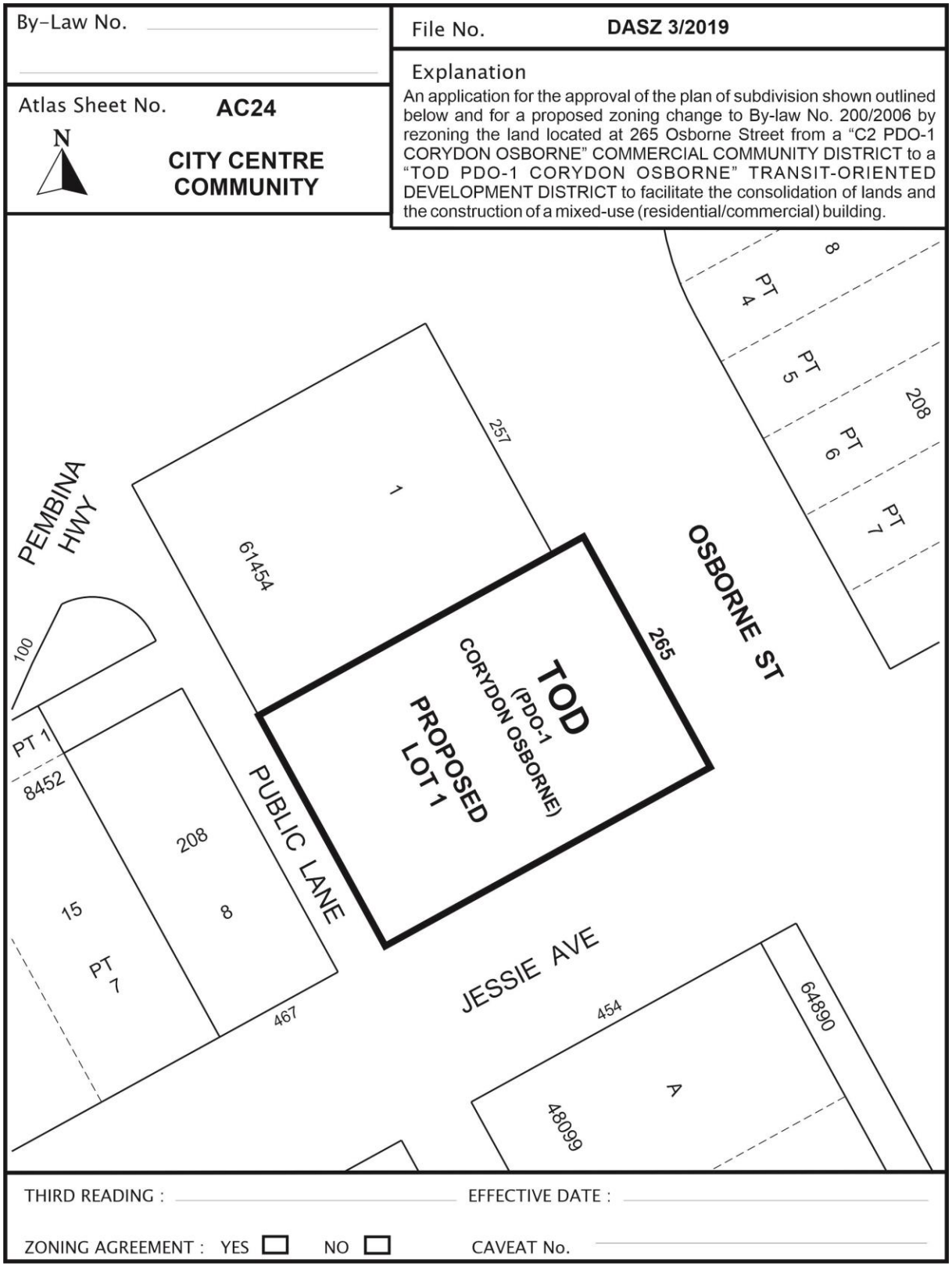
SUMMARY

The Urban Planning Division supports the subdivision and rezoning, because:

- The proposal provides high density Transit Oriented Development in a location and manner in which such development is envisioned under the *TOD Handbook* and the *Corydon-Osborne Area Plan.*
- The proposal aligns with applicable policies of the *Complete Communities Direction Strategy*, namely:
  - The proposal is adjacent to Osborne Rapid Transit Station and as such will encourage use of rapid transit. It includes significant bike parking, which will encourage cycling.
  - This development includes outdoor seating and trees, and is in close proximity to community amenities such as Osborne Rapid Transit Station and River-Osborne Community Centre.
- The applicant made design adjustments requested by the Urban Planning Division in order to best reflect the applicable Design Guidelines of the *Corydon-Osborne Area Plan*.

This Report Submitted by:
Planning, Property and Development Department, Urban Planning Division
Report Prepared by: Andrew Ross RPP, MCIP
DASZ 3/2019 – 265 Osborne St.

Schedule “A” for File No. DASZ 3/19, City Centre Community Committee, June 19, 2020



SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP – November 20, 2019

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 265 OSBORNE STREET

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DASZ 3/2019. It is recommended that the approval of DASZ 3/2019, if granted, be subject to the applicant entering into a Servicing Agreement to address the following items, where applicable:

General Comments:

1) The Public Works Department has indicated that the existing public lane is a public lane and not a private lane, and should be indicated as such on the conceptual site plans provided by the Developer.

Plan Considerations

The Developer shall, at no expense to the City, legally open property required for a 4.0m widening to the Osborne Street right-of-way for the full length of the Planned Area, abutting Osborne Street, to the satisfaction of the Director of Public Works.

Servicing Conditions

4) Sidewalks

The Developer shall, at no expense to the City, construct Portland cement concrete sidewalks and all related works on the west side of Osborne Street, similar to the sidewalks constructed abutting 257 Osborne Street, as determined by and to the satisfaction of the Director of Public Works.

5) Water System Assessment

The Water and Waste Department has advised that there is adequate servicing for the proposed development based on the development plans provided. Additional review will be required by their Department should the plans of development change during the design process.

6) Combined Sewer District

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:

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

v. The peak land drainage discharged from the site must be based on a c-value of 0.45, with a 5 year rainfall event applied.

vi. 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.

7) Survey Monuments

a) Subsequent to completion of the Planned Area, as determined by the Director of Planning, Property and Development, the Developer shall pay the full costs of having all survey monuments within the Planned Area verified and/or restored by a Manitoba Land Surveyor and shall prepare a Plan of Survey Perpetuating Certain Monuments, confirming the position of all the survey documentation within the Planned Area, for filing in The Property Registry.

b) In certain circumstances where all the survey monuments within the Planned Area have been found or restored to their original positions, upon approval by the Director of Planning, Property and Development, the requirements for Plan of Survey Perpetuating Certain Monuments may be waived

Costs and Fees

1) By-laws and Approvals

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

2) Professional Fees

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

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

c) The Developer shall pay to the City its share of the cost of Consulting Fees for the Preparation of Precinct G, as determined and approved by the Director of Property and Development.

3) Administration Fees

The Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, an administration fee plus applicable GST to help defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 3/2019
November 18, 2019

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

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

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

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

Corydon Osborne **High-Rise TOD Mixed Use**	Comply (Yes or No)	Comments
i) Buildings should be parallel to the street	**Yes**	
ii) Building setbacks should maximize public realm/pedestrian space	**Yes**	
iii) The maximum lot coverage should be 90% and the minimum lot coverage should be 80%	**Yes**	
iv) Buildings should be arranged to create courtyard spaces between buildings and integrated with surrounding park spaces	**Yes**	A patio/ seating area is provided along Osborne Street. Property is not adjacent to park.
v) Facades should be articulated to create private realm along the streetscape	**Yes**	A patio/ seating area is provided along Osborne Street.
vi) The façade should be composed to exhibit a clearly defined base	**Yes**	
vii) The base should be a minimum 60% transparent window coverage on streets or facades	**No**	Osborne and Jessie bases are just under 50% window coverage. See report, under "Ground Floor Transparency" for more information.
viii) After the third story, buildings should step back from the façade horizontally equal to the height of one store; additional step-backs should be provided at higher levels	**No**	Building has a north-facing step back after the 7th floor but no step-back against streets. In place of this, applicant has provided canopy awnings at grade to address wind impact.
ix) Entrances should be accented and doors should be a minimum 75% transparent	**Yes**	
x) Buildings should protect access to sunlight at street level	**Yes**	
xi) Mechanical equipment should be screened so that it is not visible from adjacent public streets when viewed from the ground	**Yes**	Mechanical is focused in rear against lane and is screened using high quality screening materials.

xii) Façade lighting should be wall mounted luminaries, mounted no higher than the top of the second floor; all entrances should be illuminated; additional accent lighting may be provided; all light should be cast down	**Yes**	
xv) Awnings are encouraged, where architecturally appropriate, to delineate the ground floor, reinforce pedestrian scale, and create shade	**Yes**	
xvi) Low growth roof gardens could be allowed	**Yes**	Roof deck may provide opportunity for roof gardens if desired by developer.

Exhibit “8” referred to in File DASZ 3/2019

265 OSBORNE

DRAWING LIST

A0.0	COVER SHEET
A0.1	CODE AND DATA
A0.2	CONTEXT PHOTOS
A0.3	SITE & LANDSCAPE PLAN
A0.4	SITE CIRCULATION PLAN
A0.5	TRAFFIC STUDY:INTO SITE
A0.6	TRAFFIC STUDY:OFF SITE
A0.7	WIND STUDY 1
A0.8	WIND STUDY 2
A0.9	WIND STUDY 3
A0.10	SHADOW STUDY FOR MAR
A0.11	SHADOW STUDY FOR JUN
A0.12	SHADOW STUDY FOR SEPT
A0.13	SHADOW STUDY FOR DEC
A1.1	GROUND FLOOR PLAN
A1.2	LEVEL 2 FLOOR PLAN
A1.3	LEVEL 3 FLOOR PLAN
A1.4	LEVEL 4 FLOOR PLAN
A1.5	LEVEL 5 FLOOR PLAN
A1.6	LEVEL 6 FLOOR PLAN
A1.7	LEVEL 7-15 FLOOR PLAN
A1.8	ROOF PLAN
A1.9	1-1 SECTION
A1.10	2-2 SECTION
A1.11	1-9 ELEVATION
A1.12	A-F ELEVATION
A1.13	9-1 ELEVATION
A1.14	F-A ELEVATION

LEGAL DESCRIPTION:

265 OSBORNE STREET
LOTS 9,10, AND 11, BLOCK 15, PLAN 208 WLTO
(W DIV) IN RL 31 TO 35
PARISH OF ST. BONIFACE

NOTE:

THE PROJECT IS DIVIDED INTO TWO PHASES. THE FIRST PHASE IS FROM FOUNDATION TO THE 7TH FLOOR AND THE SECOND PHASE IS FROM THE 8TH TO THE 15TH FLOOR.



VIEW FROM OSBORNE

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REVISION

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PROJECT
265 OSBORNE

DRAWING
COVER SHEET

DRAWN BY	REVIEWED BY
WX	NM

SCALE
N/A

DATE
10 JULY 2019

DRAWING NO.
A0.0

BUILDING CODE INFORMATION

APPLICABLE CODES:

NATIONAL BUILDING CODE OF CANADA 2010 AS AMENDED BY MANITOBA BUILDING CODE

NATIONAL FIRE CODE OF CANADA AS AMENDED BY MANITOBA FIRE CODE

NATIONAL ENERGY CODE OF CANADA AS AMENDED BY MANITOBA ENERGY CODE

SECTION 3.1 - GENERAL:

MAJOR OCCUPANCY CLASSIFICATION:
3.2.2.23 GROUP A, DIVISION 2; ANY HEIGHT, ANY AREA, SPRINKLERED
3.2.2.47 GROUP C; ANY HEIGHT, ANY AREA, SPRINKLERED
3.2.2.78 GROUP F, DIVISION 3; ANY HEIGHT, ANY AREA, SPRINKLERED

BUILDING AREA:
BUILDING AREA: 939 SQ.M.

BUILDING HEIGHT:
3.2.1.1 15 STOREYS
3.2.6 HIGH BUILDING REQ: YES

NUMBER OF STREETS:
3.2.2.10 3

TYPE OF CONSTRUCTION PERMITTED:
3.2.2.23 NON-COMBUSTIBLE CONTRUCTION (SPRINKLERED)
FLOOR ASSEMBLIES REQ: 2 HR FRR
ROOF ASSEMBLIES REQ: 2 HR FRR
LOADBEARING STRUCTURE REQ: 2 HR FRR
3.2.2.47 NON-COMBUSTIBLE CONSTRUCTION (SPRINKLERED)
FLOOR ASSEMBLIES REQ: 2 HR FRR
ROOF ASSEMBLIES REQ: 2 HR FRR
LOADBEARING STRUCTURE REQ: 2 HR FRR
3.2.2.78 NON-COMBUSTIBLE CONSTRUCTION (SPRINKLERED)
FLOOR ASSEMBLIES REQ: 2 HR FRR
ROOF ASSEMBLIES REQ: 2 HR FRR
LOADBEARING STRUCTURE REQ: 2 HR FRR

MAJOR OCCUPANCY SEPARATION(S):
3.1.3 C - F-3: 1 HR FRR
C - A-2: 1 HR FRR
A-2 - F-3: 1 HR FRR

DESIGN OCCUPANCY LOAD:
3.1.13.7 PARKADE: MAX 2
COMMERCIAL: 156
RESIDENTIAL: 192
TOTAL: 350

ELEVATORS FOR USE BY FIREFIGHTERS:
3.2.6.5 ONE FIREFIGHTER ELEVATOR TO BE PROVIDED. TO BE PROTECTED WITH A CORRIDOR WITH 1HR FRR.

EMERGENCY POWER:
3.2.7.8 GENERATORS MUST SUPPLY MIN 2HR OF POWER UNDER FULL LOAD & 24HR OF SUPERVISORY POWER.

PROTECTION OF OPENABLE WINDOWS:
3.3.4.8 GUARD TO BE PROVIDED A MIN. HEIGHT OF 1070mm

STORAGE GARAGE SEPARATION:
3.3.5.6 1.5 HR FRR BETWEEN STORAGE GARAGE AND ALL OTHER OCCUPANCIES

BUILDING CLASSIFICATIONS:

LOT AREA : 1245 M²
BUILDING AREA : 939 M² : FACING THREE STREETS.
MAXIMUM TRAVEL DISTANCE TO EXIT ALLOWED: 45m FOR
3.2.2.47: GROUP C; ANY HEIGHT, ANY AREA, SPRINKLERED
3.2.2.23 GROUP A, DIVISION 2; ANY HEIGHT, ANY AREA, SPRINKLERED 3.2.2.78: GROUP F, DIVISION 3; ANY HEIGHT, ANY AREA, SPRINKLERED

CITY OF WINNIPEG BYLAW:

REQUIRED BIKE STALLS
BYLAW 200/2006 169. 14 BIKE STALLS ARE REQUIRED.

BUILDING DATA::

LOT AREA: 1245 m²

BUILDING FOOTPRINT: 939 m²

GROSS BUILDING AREA: 10738 m² (115583 ft²)

PRESENT ZONING: C2

PROPOSED ZONING: TOD RMU

PROPOSED PARKING: 134 INTERIOR STALLS

PROPOSED RESIDENTIAL: 75 suites
suite1: 112 m² (1206 ft²) x3
suite2: 29 m² (312 ft²) x9
suite3: 87 m² (936 ft²) x9
suite4: 86 m² (926 ft²) x9
suite5: 61 m² (657 ft²) x18
suite6: 58 m² (624 ft²) x27

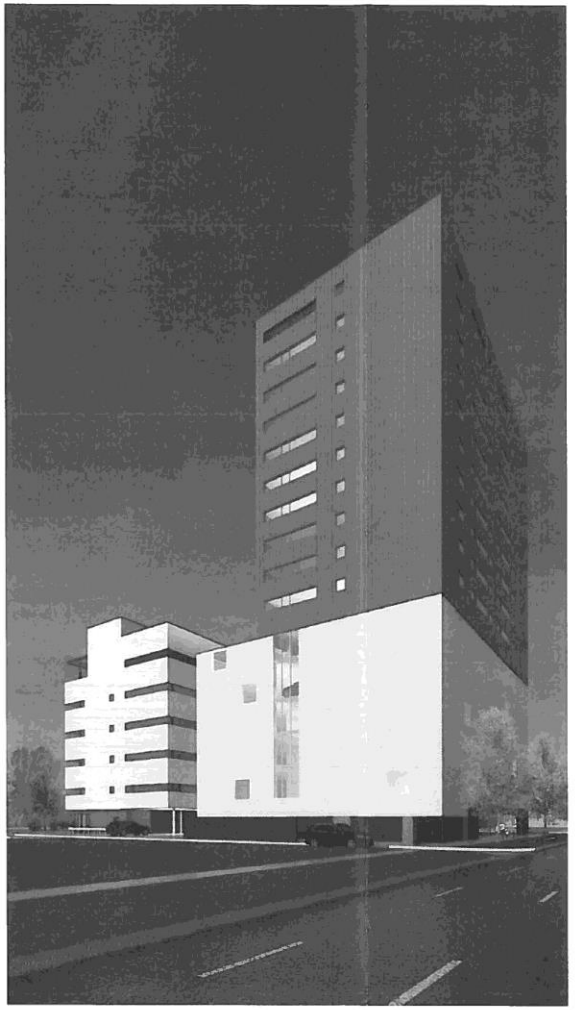
PROPOSED MULTI-PURPOSE ROOM: 674 m²

PROPOSED GROUND FLOOR COMMERCIAL: 153m²

FLOOR AREAS: Ground Level: 939 m²
Level 2: 755 m²
Level 3-5: 810x3 = 2430 m²
Level 6: 674 m²
Level 6 Roof Balcony: 269 m²
Level 7-15: 650x9 = 5850 m²
Roof Stairs: 90 m²

TOTAL FLOOR AREA: 7841 m² (84400 ft²) (exclude parkade, MECH room and roof stair and penthouse)

PROPOSED BICYCLE PARKING: 32 INTERIOR STALLS
35 EXTERIOR STALLS.



VIEW FROM PEMBINA

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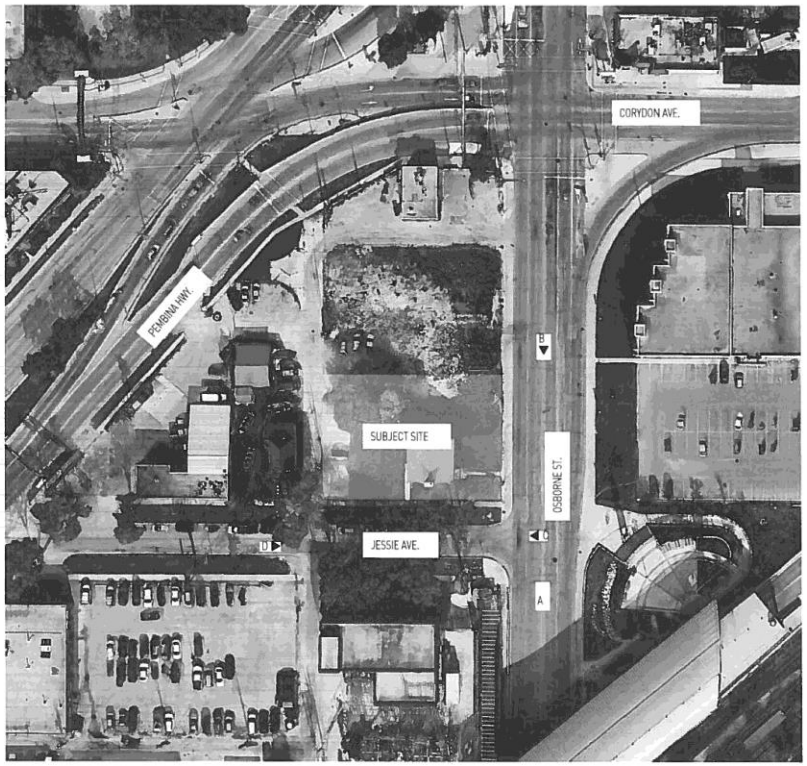
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PROJECT
265 OSBORNE

DRAWING
CODE AND DATA

DRAWN BY: TW WX
REVIEWED BY: NM
SCALE: N/A
DATE: 10 JULY 2019
DRAWING NO.: A0.1



CONTEXT PLAN



VIEW A: LOOKING NORTH ALONG OSBORNE ST.



VIEW B: LOOKING SOUTH ALONG OSBORNE ST.



VIEW C: LOOKING WEST ALONG JESSIE AVE.



VIEW D: LOOKING EAST ALONG JESSIE AVE.

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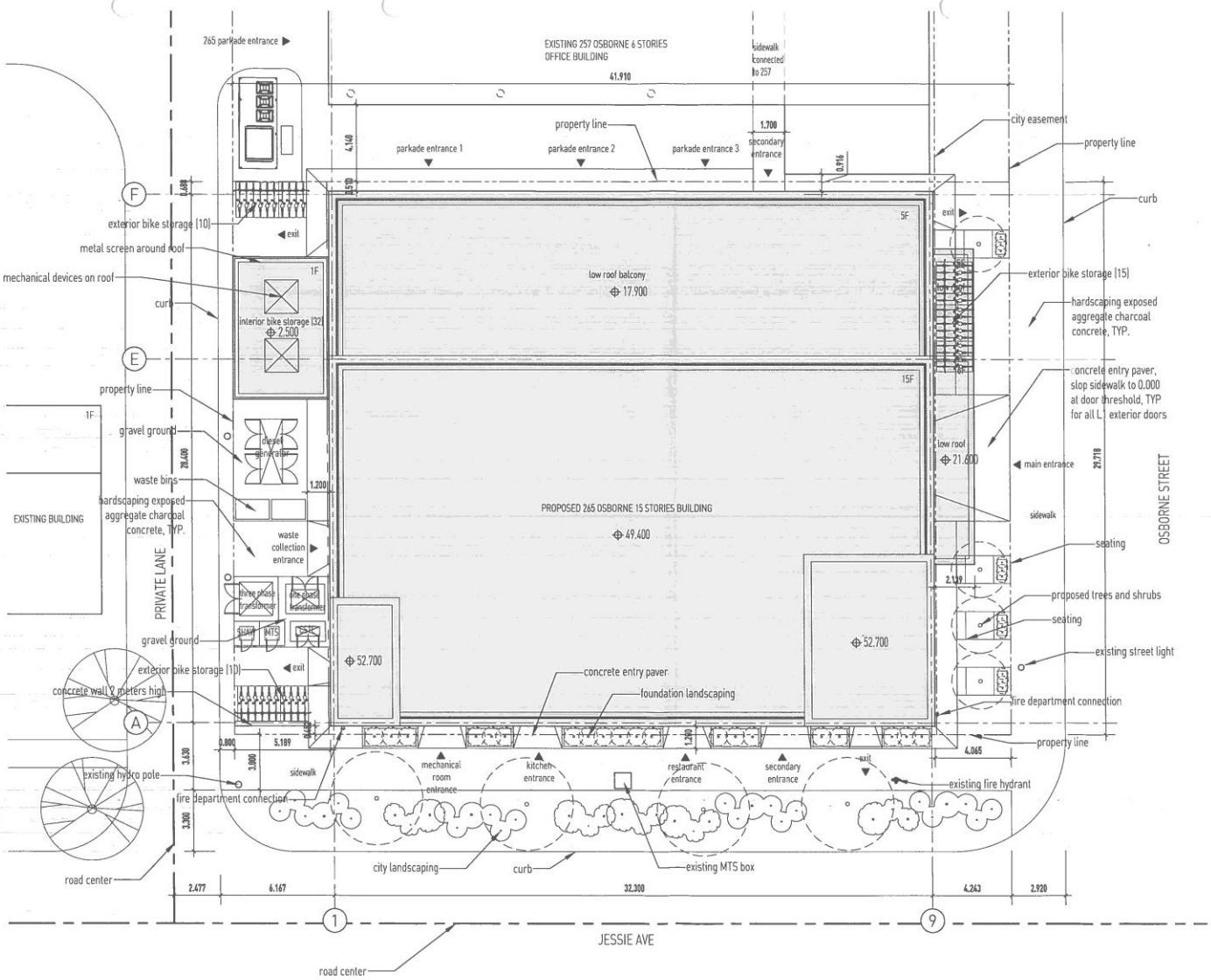
PROJECT
265 OSBORNE

DRAWING
CONTEXT PHOTOS

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WX	NM

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N/A

DATE	DRAWING NO.
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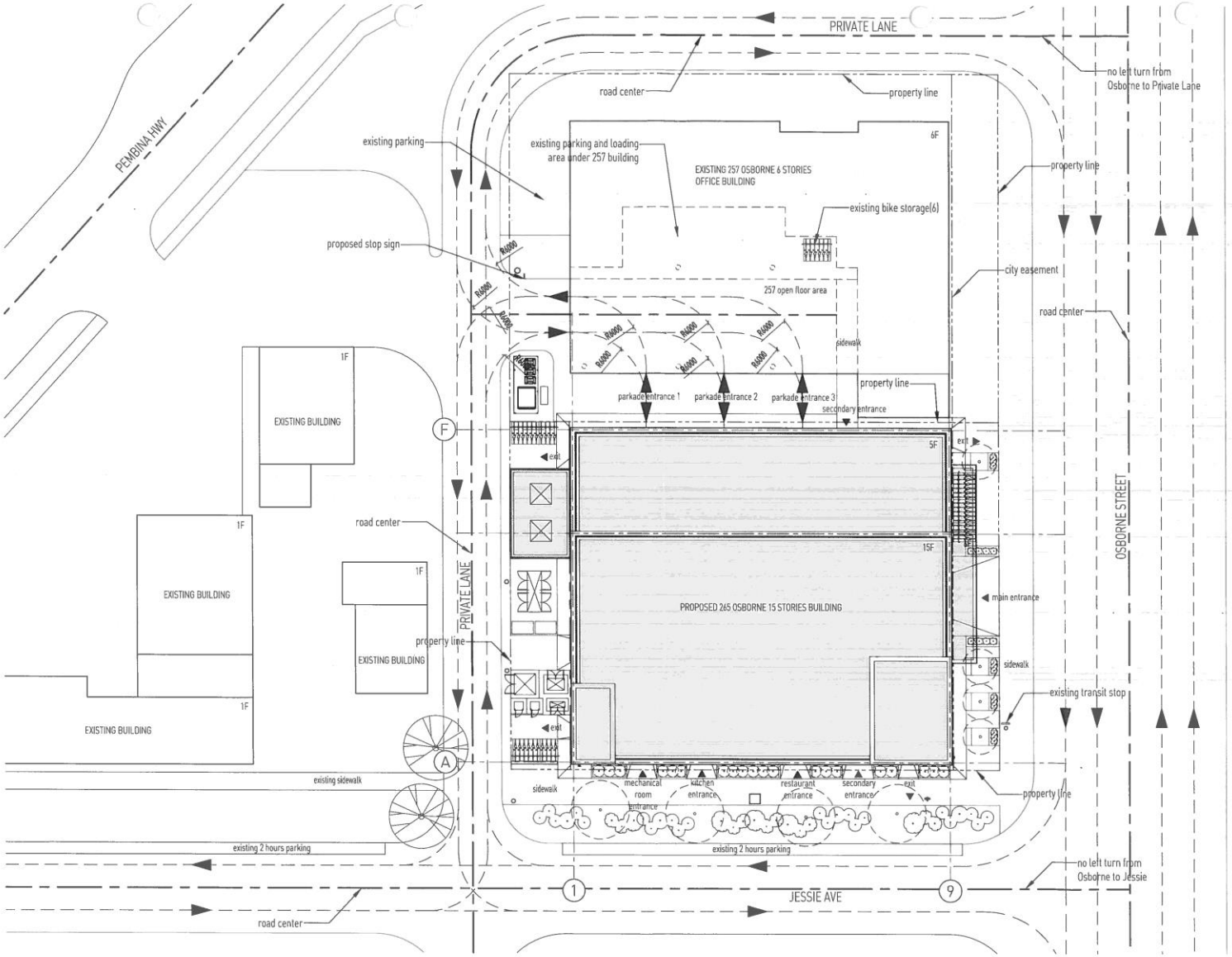
PROJECT
265 OSBORNE

DRAWING
SITE & LANDSCAPE PLAN

DRAWN BY	REVIEWED BY
WX	NM

SCALE
1:200

DATE	DRAWING NO.
10 JULY 2019	A0.3



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265 OSBORNE

DRAWING
SITE CIRCULATION PLAN

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WX	NM

SCALE
1:300

DATE	DRAWING NO.
10 JULY 2019	A0.4

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PROJECT
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DRAWING
TRAFFIC STUDY: INTO SITE

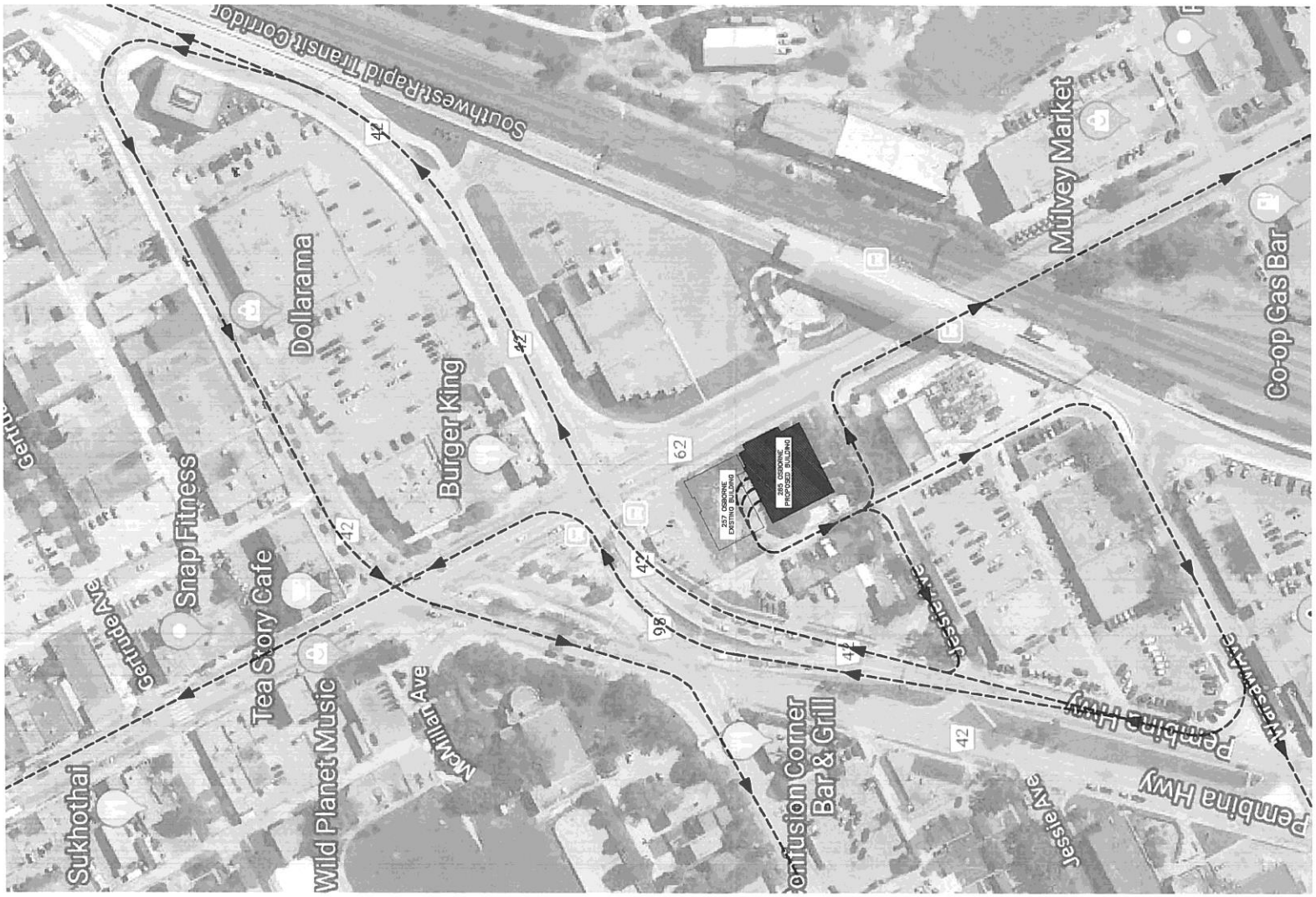
DRAWN BY
TW

REVIEWED BY

SCALE
1:1500

DATE
10 July 2019

DRAWING NO.
A0.5



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PROJECT
265 OSBORNE

DRAWING
TRAFFIC STUDY: OFF OF SITE

DRAWN BY
TW

REVIEWED BY

SCALE
1:1500

DATE
10 July 2019

DRAWING NO.
A0.6

Wind at subject site

Wind data is collected at 10 meters above the ground at The Forks as reference to CFD simulation. The wind is highly dependent on local topography and other factors, and instantaneous wind speed and direction vary more widely than hourly averages. The three predominant wind directions for Winnipeg are from the NW, S, and W.

The average hourly wind speed at Winnipeg The Forks experiences mild seasonal variation over the course of the year.

The windier part of the year lasts for 8.6 months, from September 12 to June 1, with average wind speeds of more than 4.7m/s. The windiest day of the year is April 1, with an average hourly wind speed of 5m/s.

The calmer time of year lasts for 3.4 months, from June 1 to September 12. The calmest day of the year is July 27, with an average hourly wind speed of 4m/s.

The predominant average hourly wind direction at Winnipeg The Forks varies throughout the year.

The wind is most often from the south for 1.9 weeks, from June 13 to June 26; for 1.7 months, from July 25 to September 15; and for 4.1 weeks, from October 17 to November 15, with a peak percentage of 35% on August 19. The wind is most often from the north for 4.1 weeks, from June 26 to July 25; for 1.1 months, from September 15 to October 17; and for 6.9 months, from November 15 to June 13, with a peak percentage of 32% on October 6.

source: https://weatherspark.com

Lawson's LDDC criteria

1, Activity:sitting; Wind velocity:0-4m/s; Description:light breezes desired for outdoor restaurant and seating areas where one can read a paper or sit for long periods.

2, Activity:standing; Wind velocity:4-6m/s; Description:gentle breezes acceptable for main building entrance, pick-up/drop-off points and bus stops.

3, Activity:strolling; Wind velocity:6-8m/s; Description:breezes that would be appropriate for window shopping and strolling along a city/town center street, plaza or park.

4, Activity:business walking; Wind velocity:4-6m/s; Description:high speeds that can be tolerated if one's only objective is to walk, run or cycle without lingering.

5, Activity:uncomfortable; Wind velocity:-->10m/s; Description:winds of this magnitude are considered a nuisance for most activities, and wind mitigation is required.

6, Activity:unsafe; Wind velocity:-->15m/s; Description:winds above this threshold will pose safety risks, particularly for more vulnerable pedestrians (elderly, cyclists, etc.).

CFD simulation

1, In this case three prevailing winds are tested as the basis of assessment. One is south wind in August and the others are northwest and west wind in April and July. The southwest wind is tested for roof space. Both of them take maximum average 5m/s wind velocity.

2, Wind speeds include horizontal planes at pedestrian level and vertical slices to understand flow conditions in critical areas.

3, Two main locations are tested. The first one is pedestrian walkway around the proposed 265 building. Another is the occupiable roof space on the 6th floor of the 265 building.

4, The potential wind comfort and safety categories are assessed for areas of interest. If problematic wind conditions are predicted, design alternatives and wind mitigation measures will be proposed.

Conclusion

In summary, the pedestrian walkway area around the proposed 265 building is well protected by existing buildings from winds from the three most predominant directions of winds in Winnipeg. All winds do not exceed 5m/s. However, the southwest wind at the 6th floor roof space exceeds 6m/s. Container trees and wind screens can help to decrease the wind velocity to a comfortable level. The cantilever mass at the Osborne side can deflect downward wind flow and reduce wind speed at pedestrian leve l. Other strategies include making canopy at the ground floor level all around the building and planting trees along Jessie Ave and Osborne Street.

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PROJECT
265 OSBORNE

DRAWING
WIND STUDY 1

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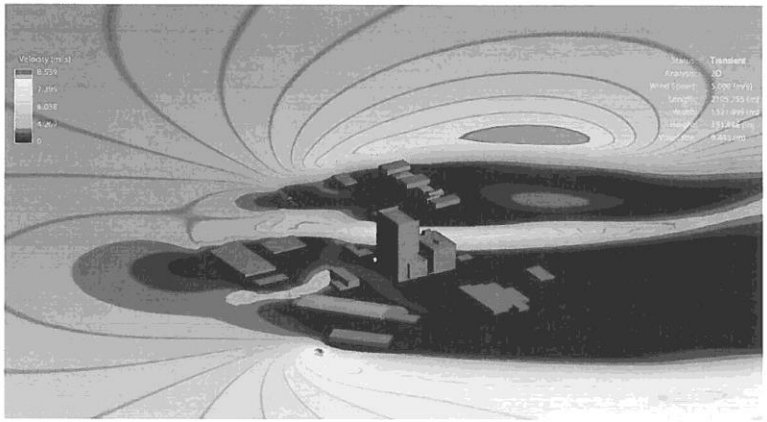
REVIEWED BY
NM

SCALE
N/A

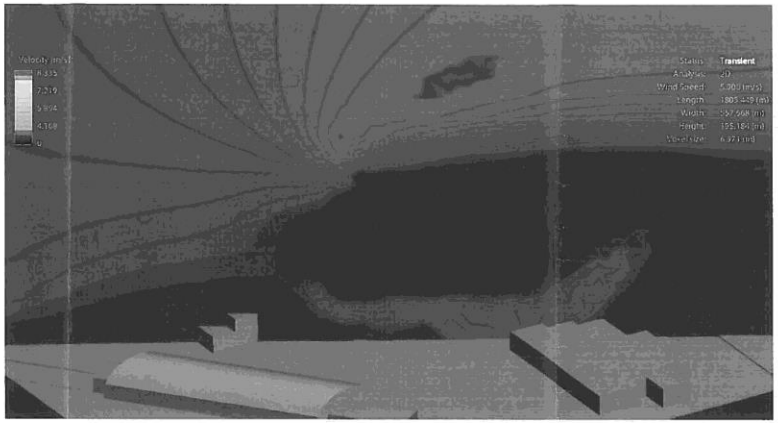
DATE
10 JULY 2019

DRAWING NO.
A0.7

Pedestrian walkway (south wind in August at 5m/s)

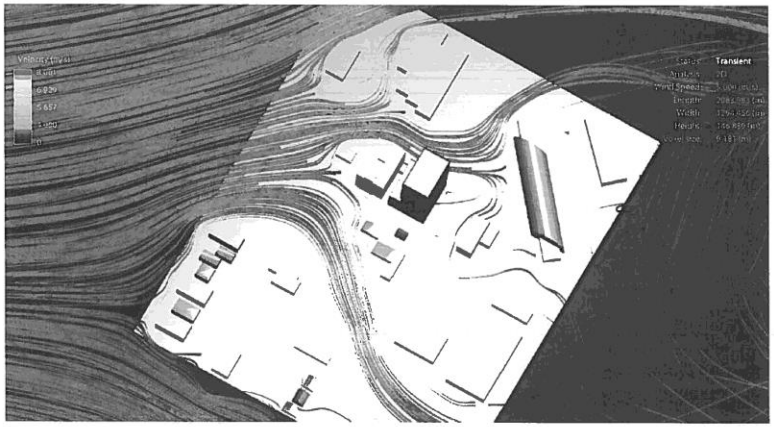


presentation of horizontal planes at pedestrian level

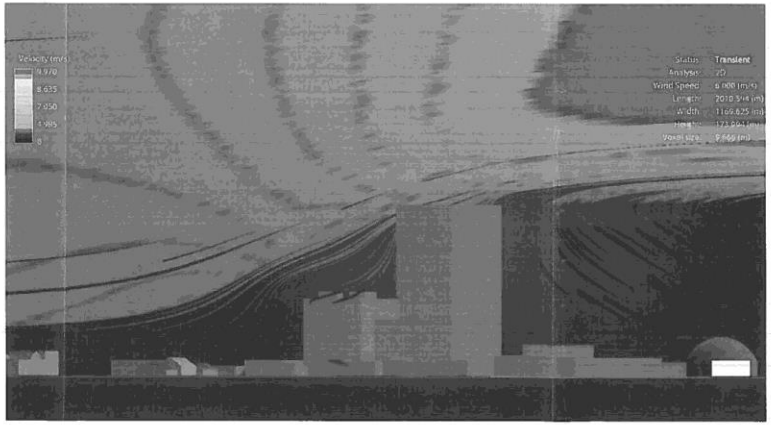


presentation of vertical slices

Pedestrian walkway (northwest wind in April at 5m/s)



presentation of horizontal planes at pedestrian level



presentation of vertical slices

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WIND STUDY 2

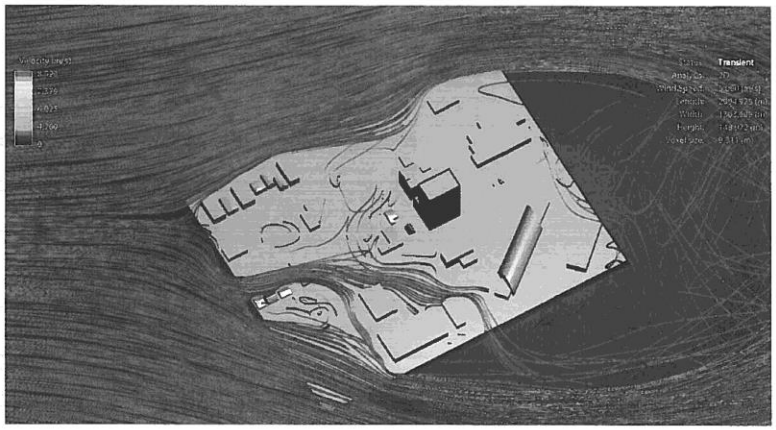
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WX	NM

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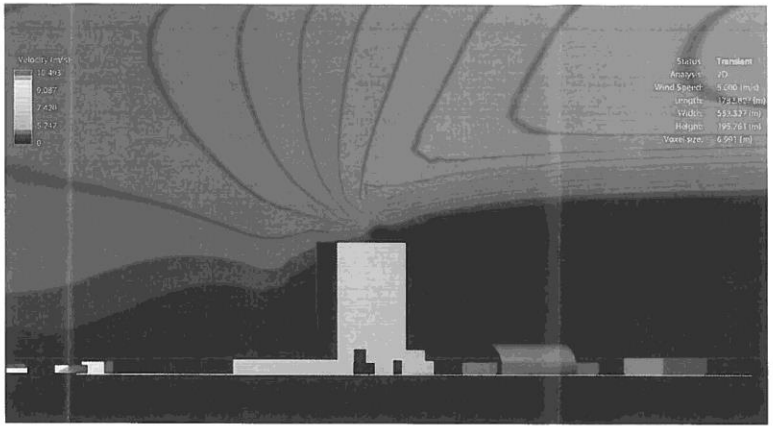
N/A

DATE	DRAWING NO.
10 JULY 2019	A0.8

Pedestrian walkway (west wind in July at 5m/s)

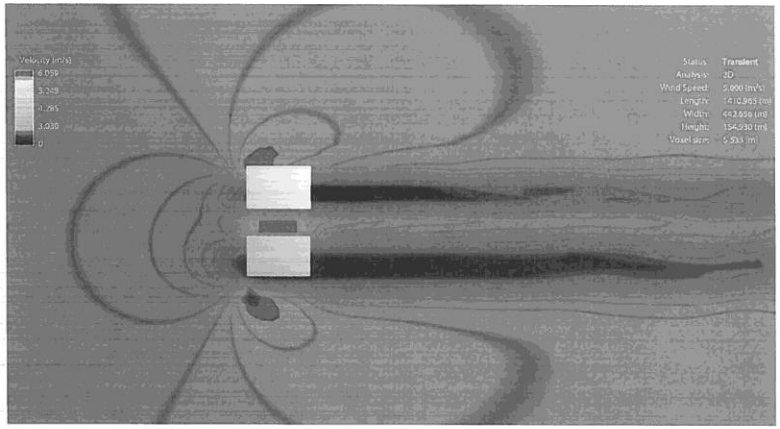


presentation of horizontal planes at pedestrian level

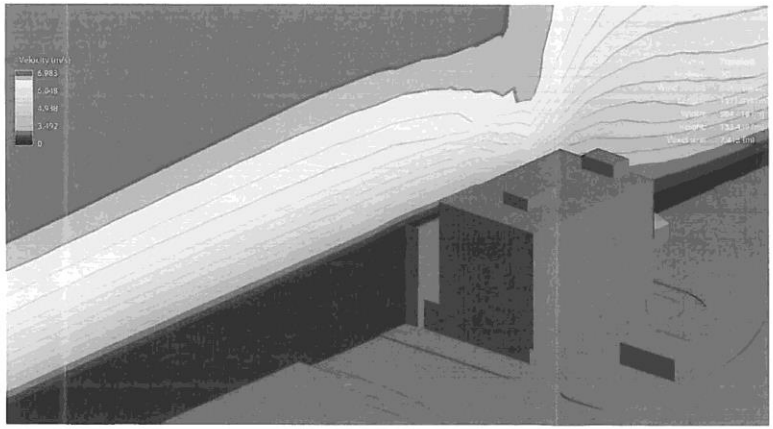


presentation of vertical slices

Occupiable roof (southwest wind in July at 5m/s)



presentation of horizontal planes at the 6th floor roof level



presentation of vertical slices

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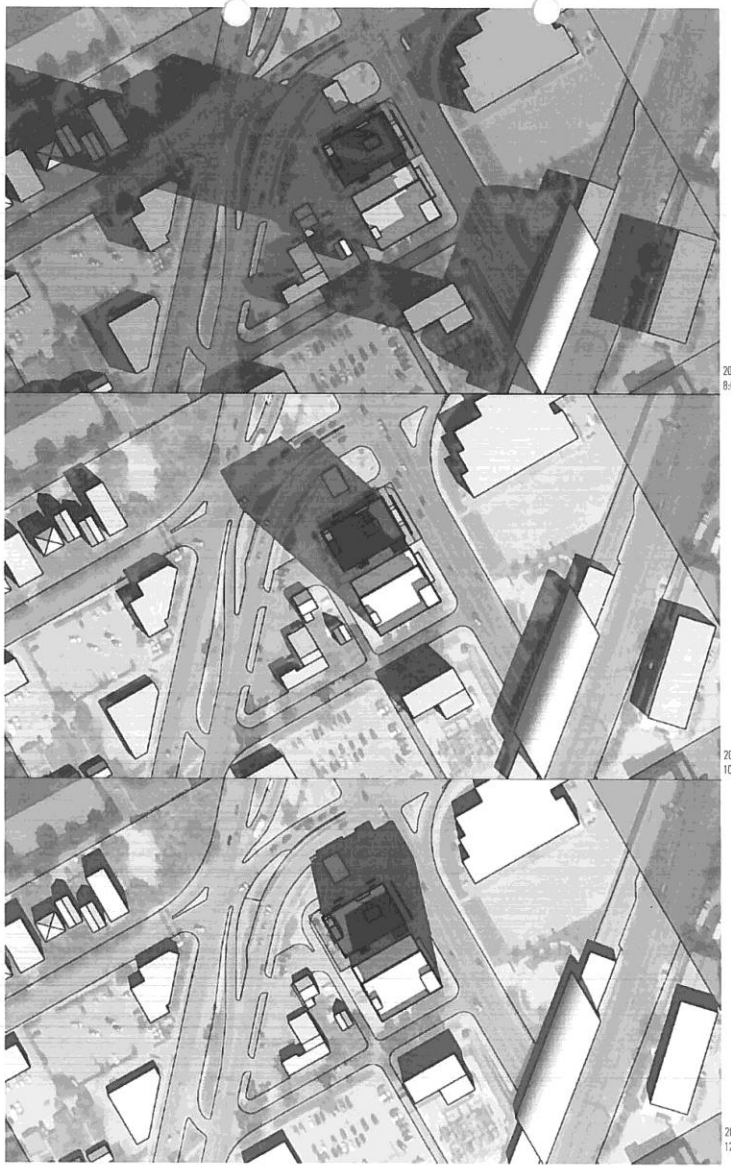
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WIND STUDY 3

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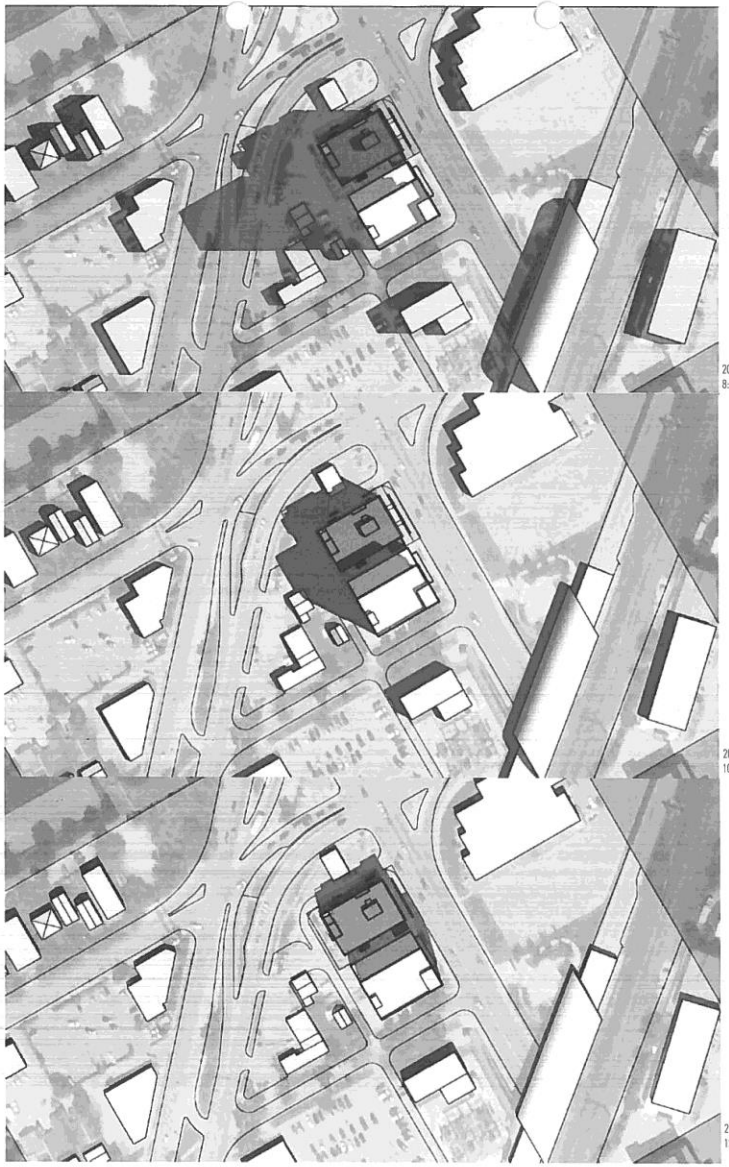
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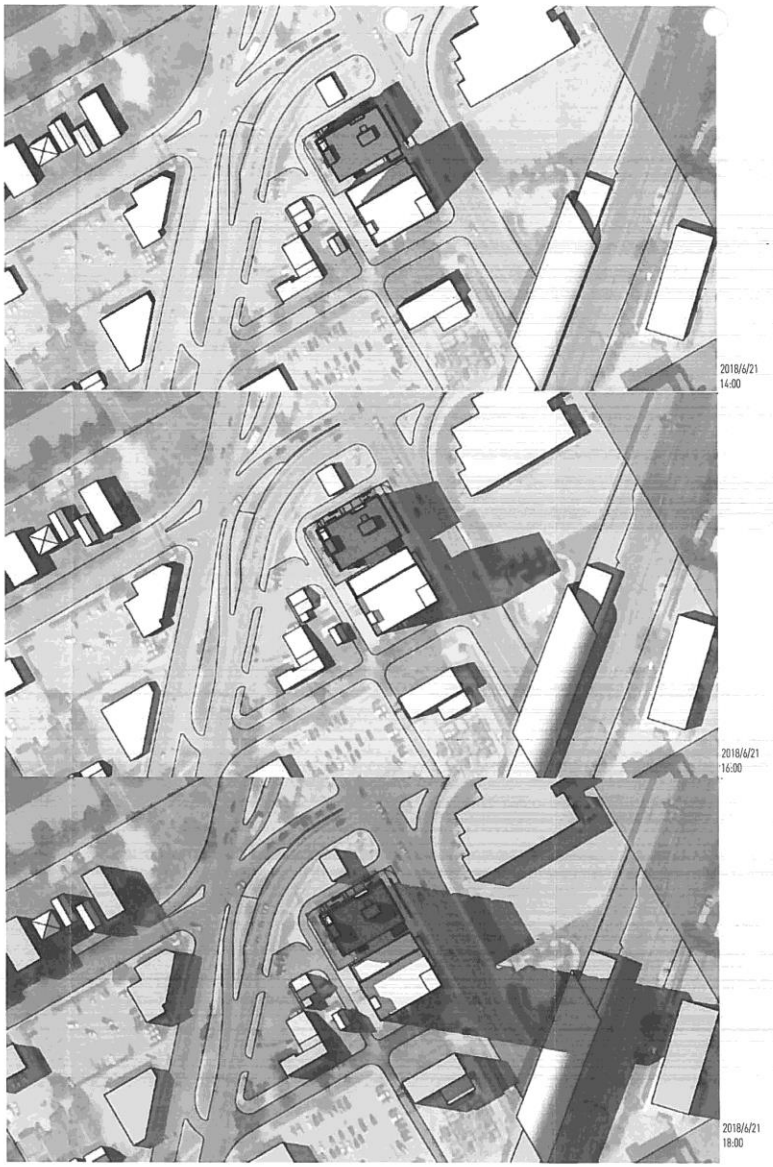
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SHADOW STUDY FOR MAR

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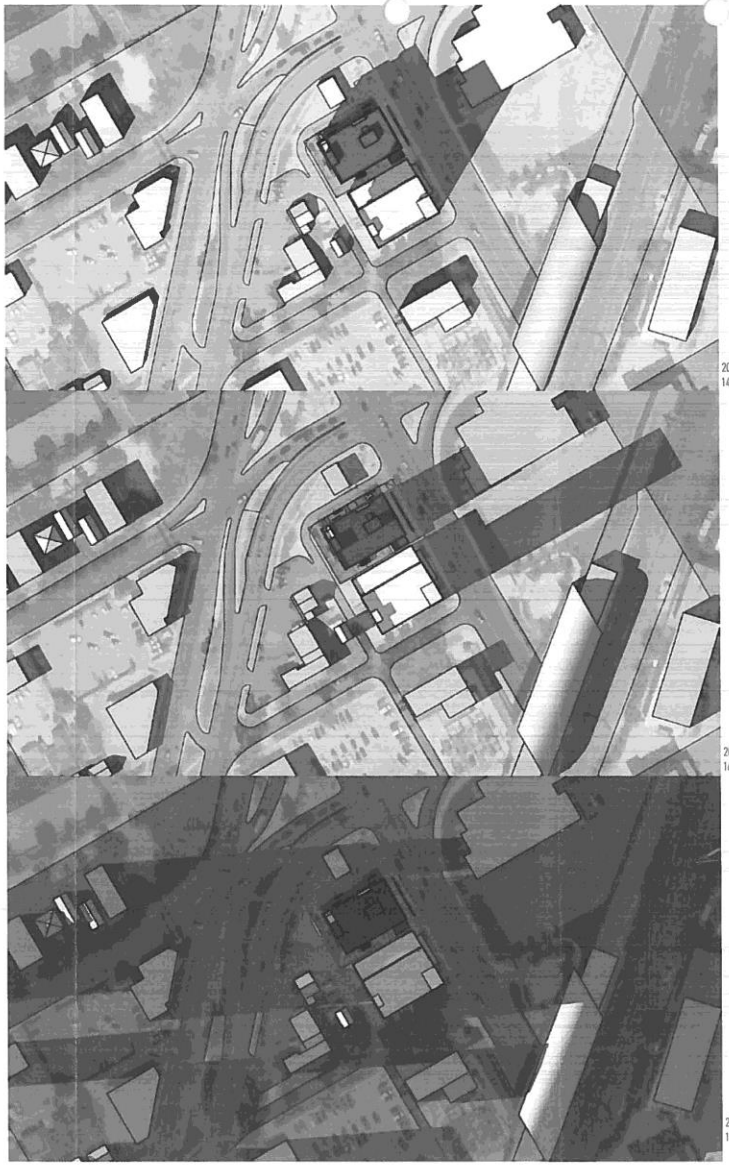
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SHADOW STUDY FOR JUN

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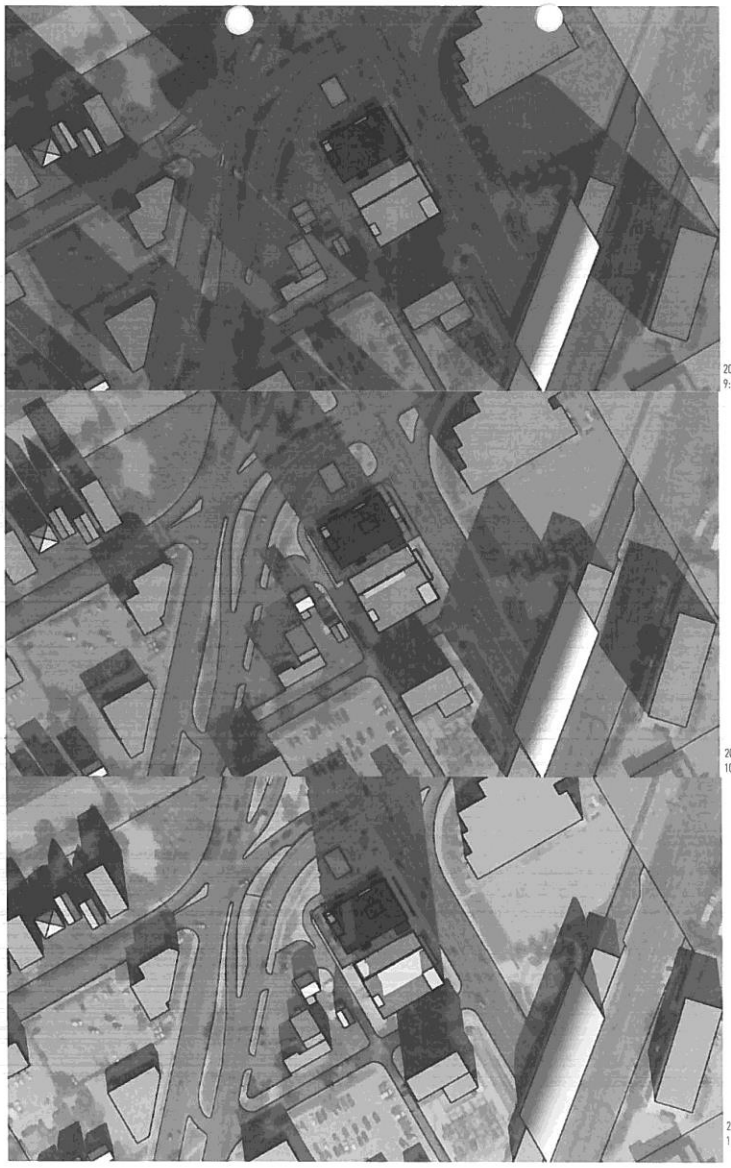
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SHADOW STUDY FOR SEPT

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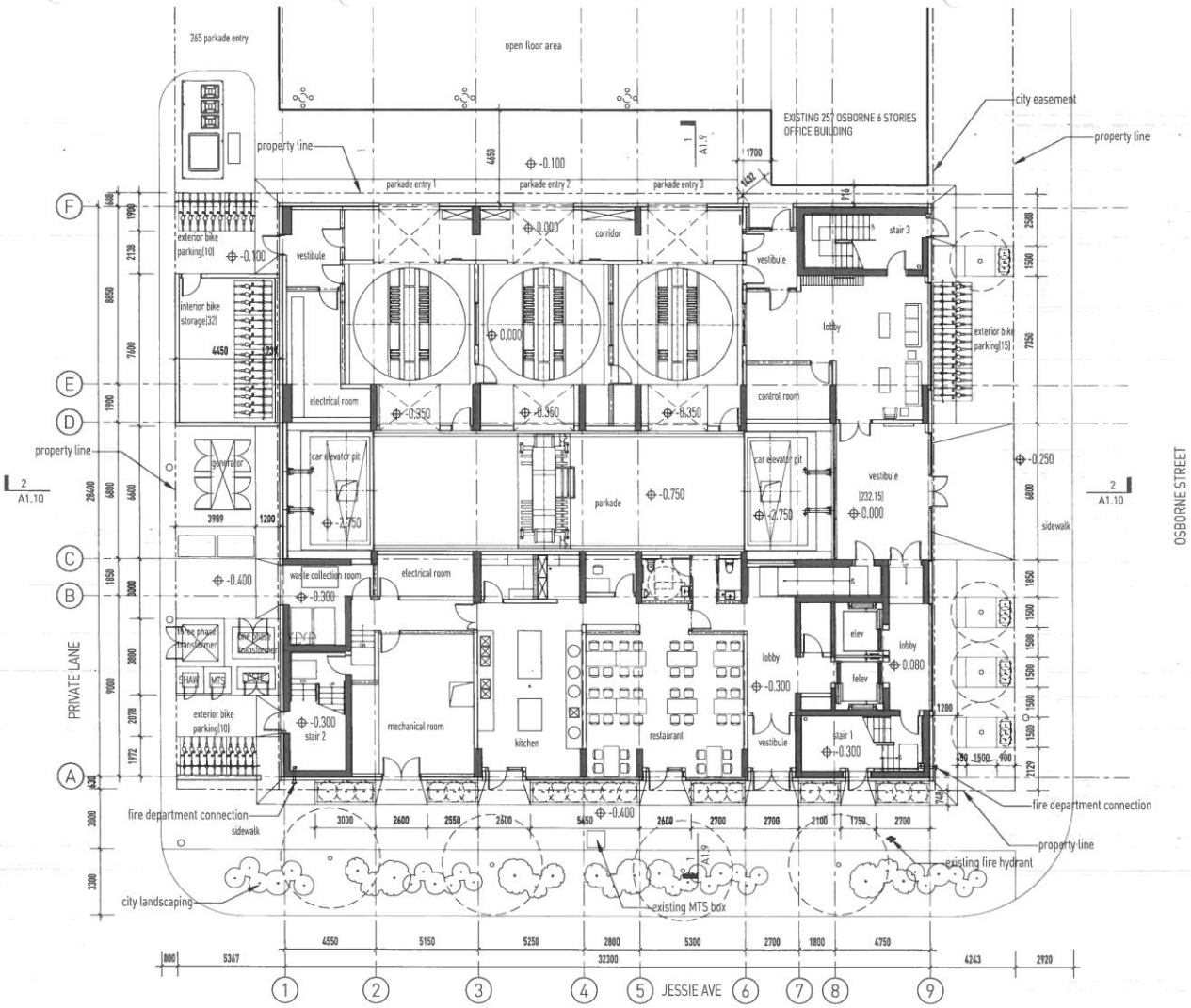
SHADOW STUDY FOR DEC

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SCALE

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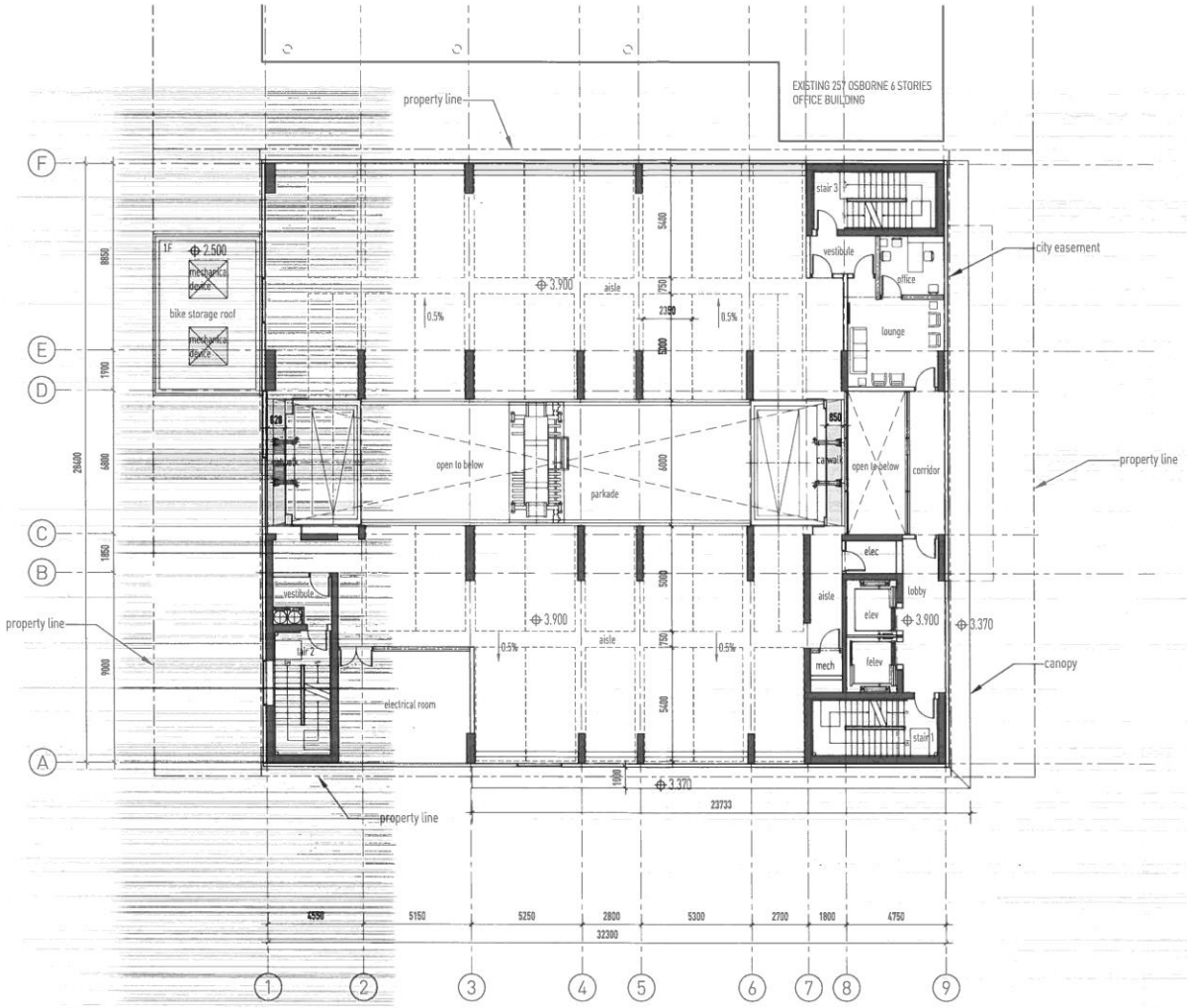
DRAWING
GROUND FLOOR PLAN

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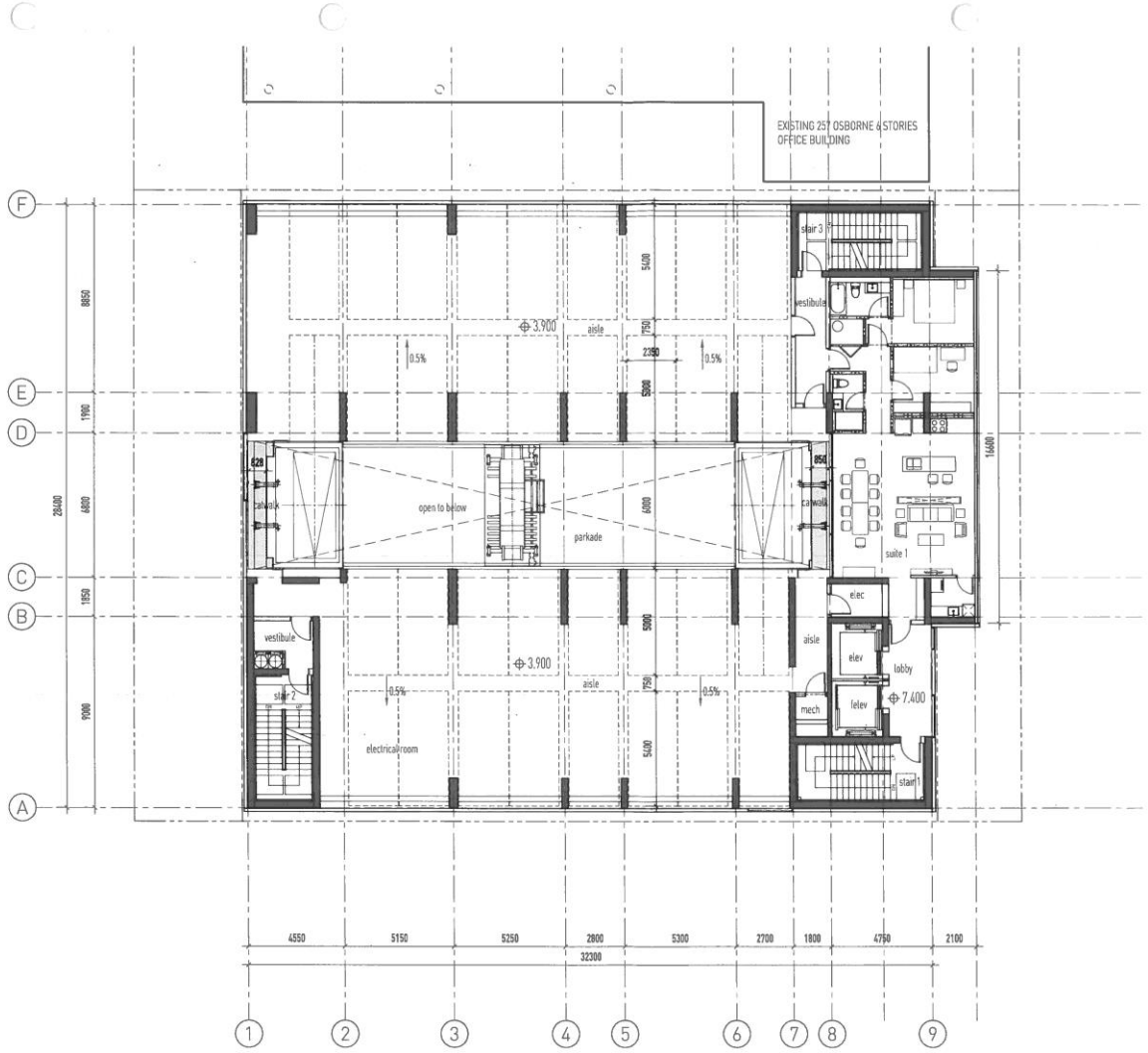
LEVEL 2 PLAN

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DRAWING
LEVEL 3 PLAN

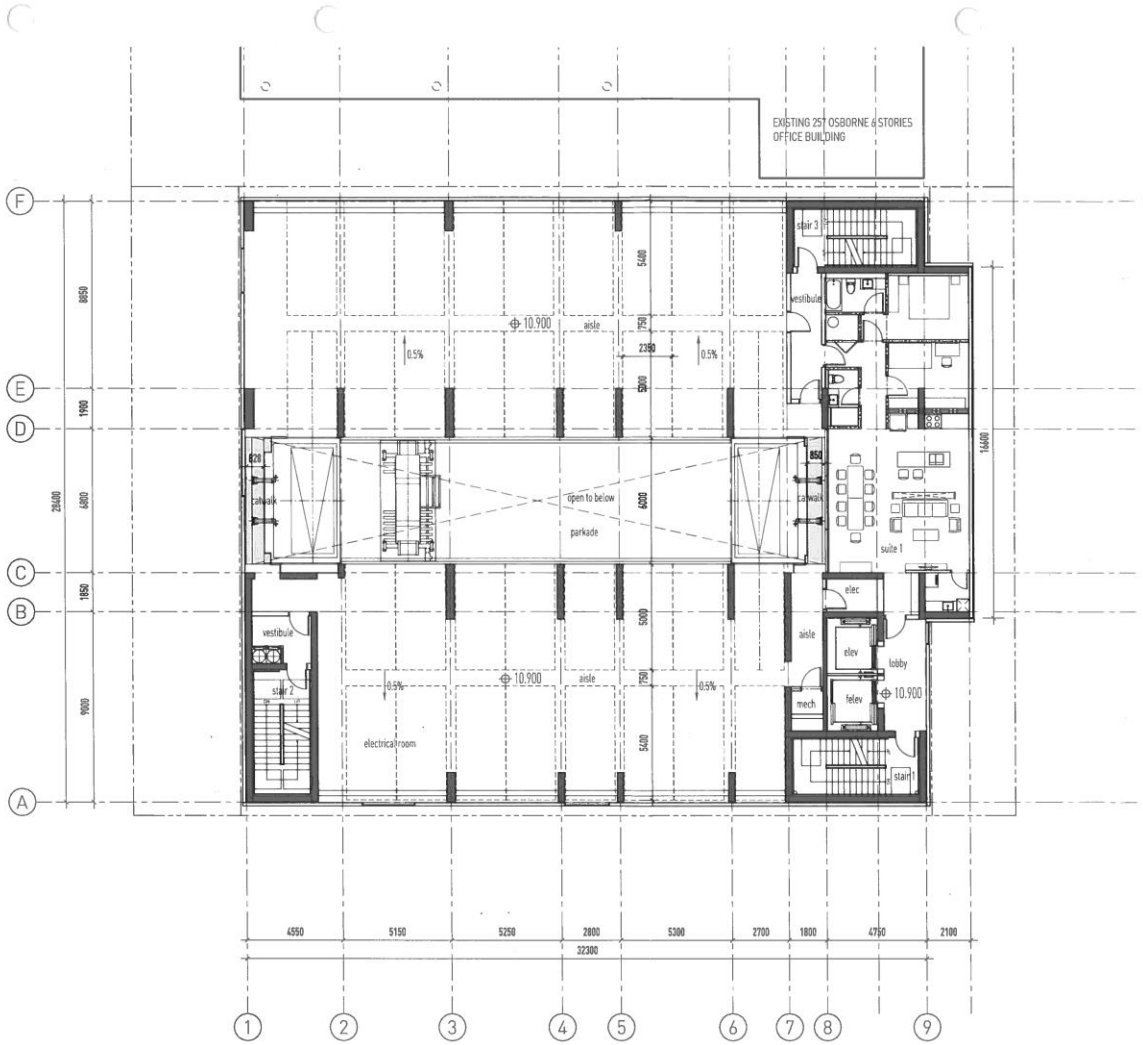
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DRAWING
LEVEL 4 PLAN

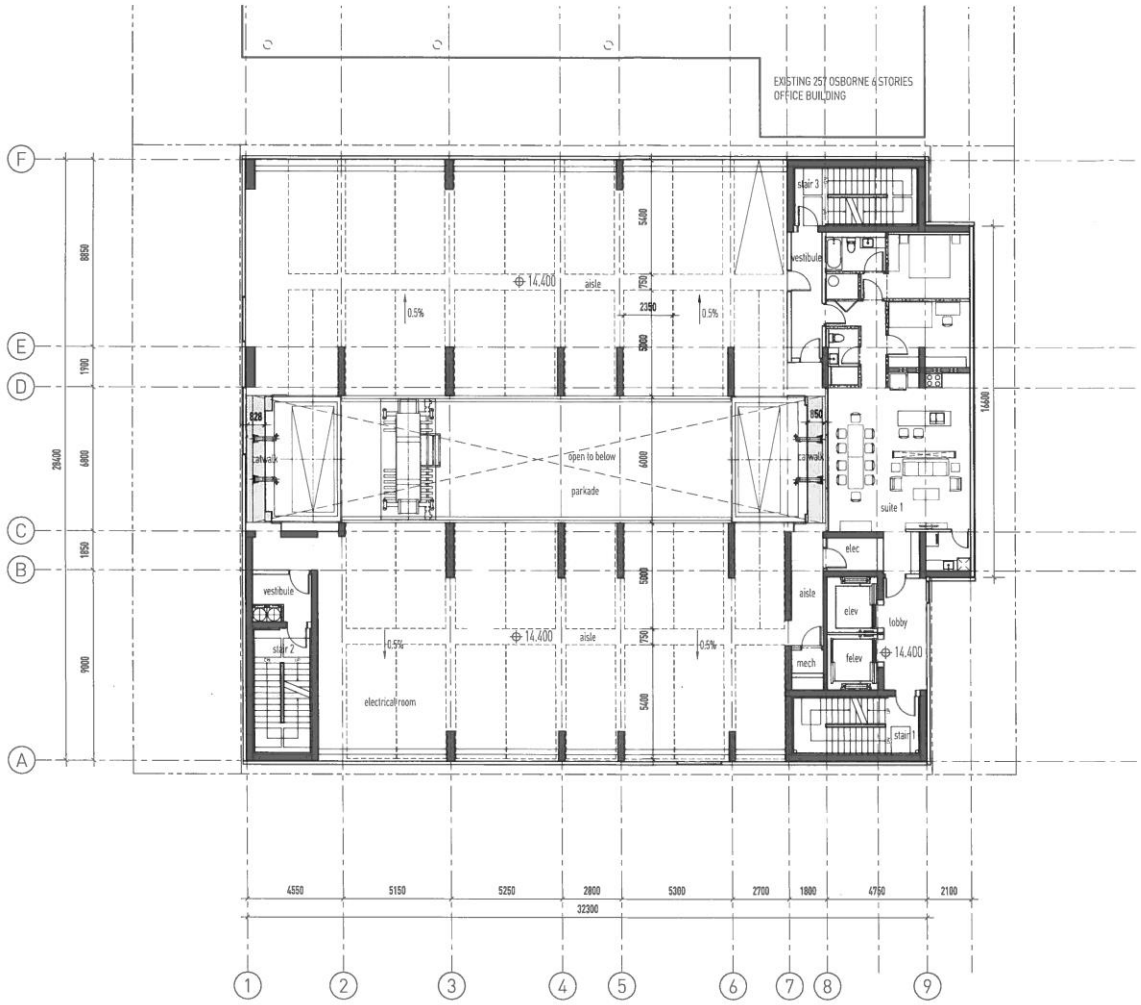
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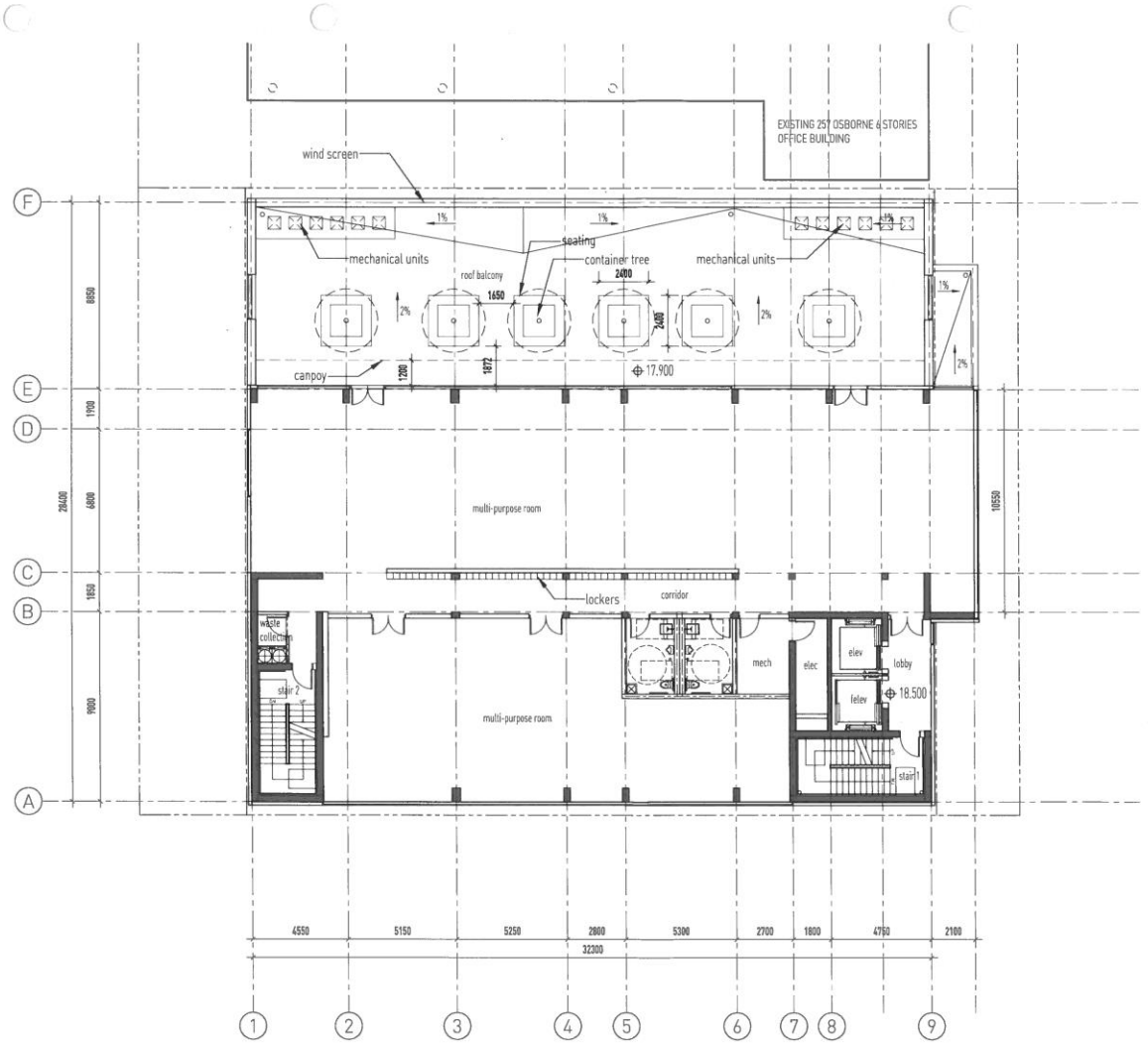
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DRAWING
LEVEL 5 PLAN

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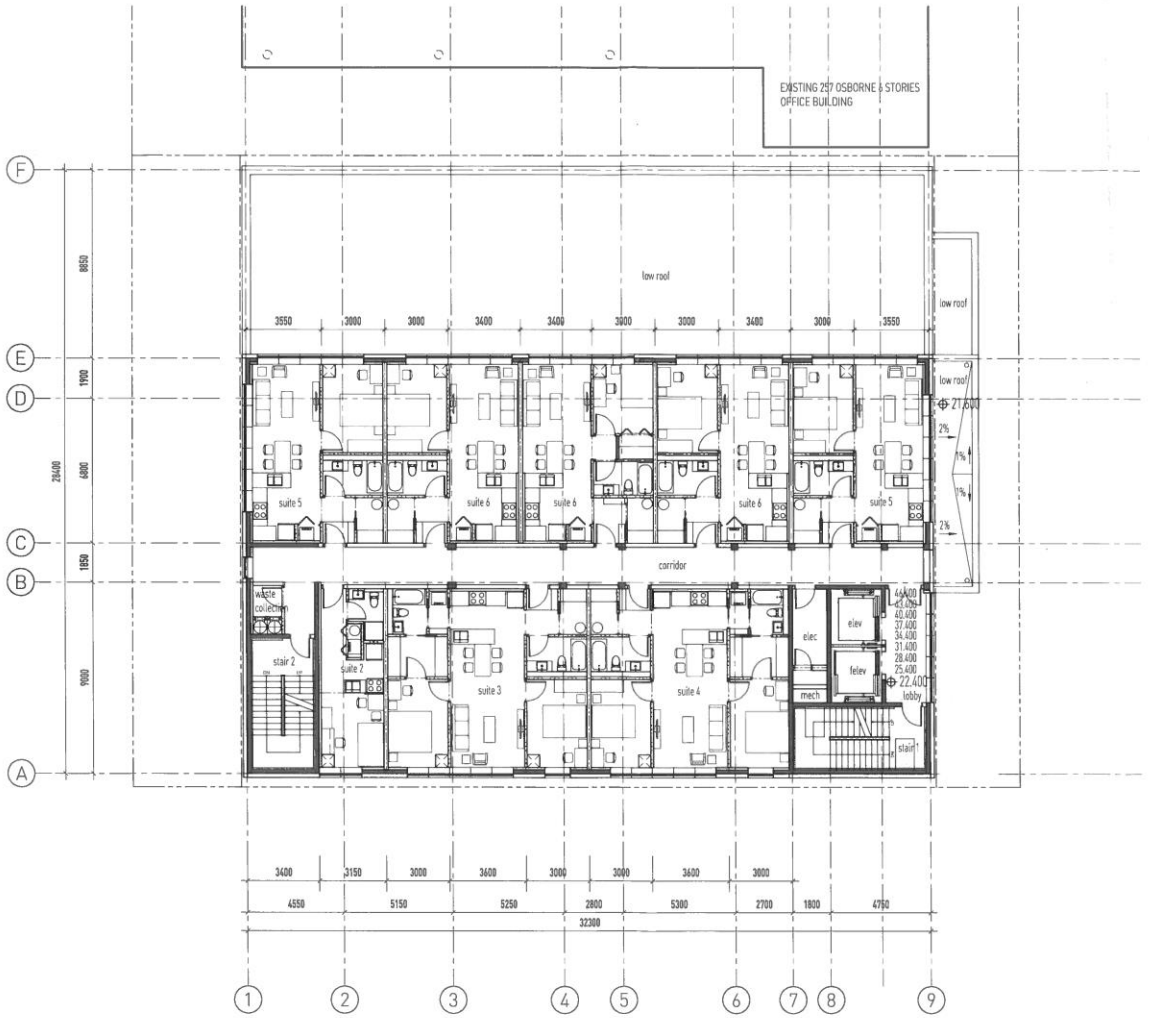
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DRAWING
LEVEL 6 PLAN

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NOTE:
The second phase is from the 8th floor to the 15th floor

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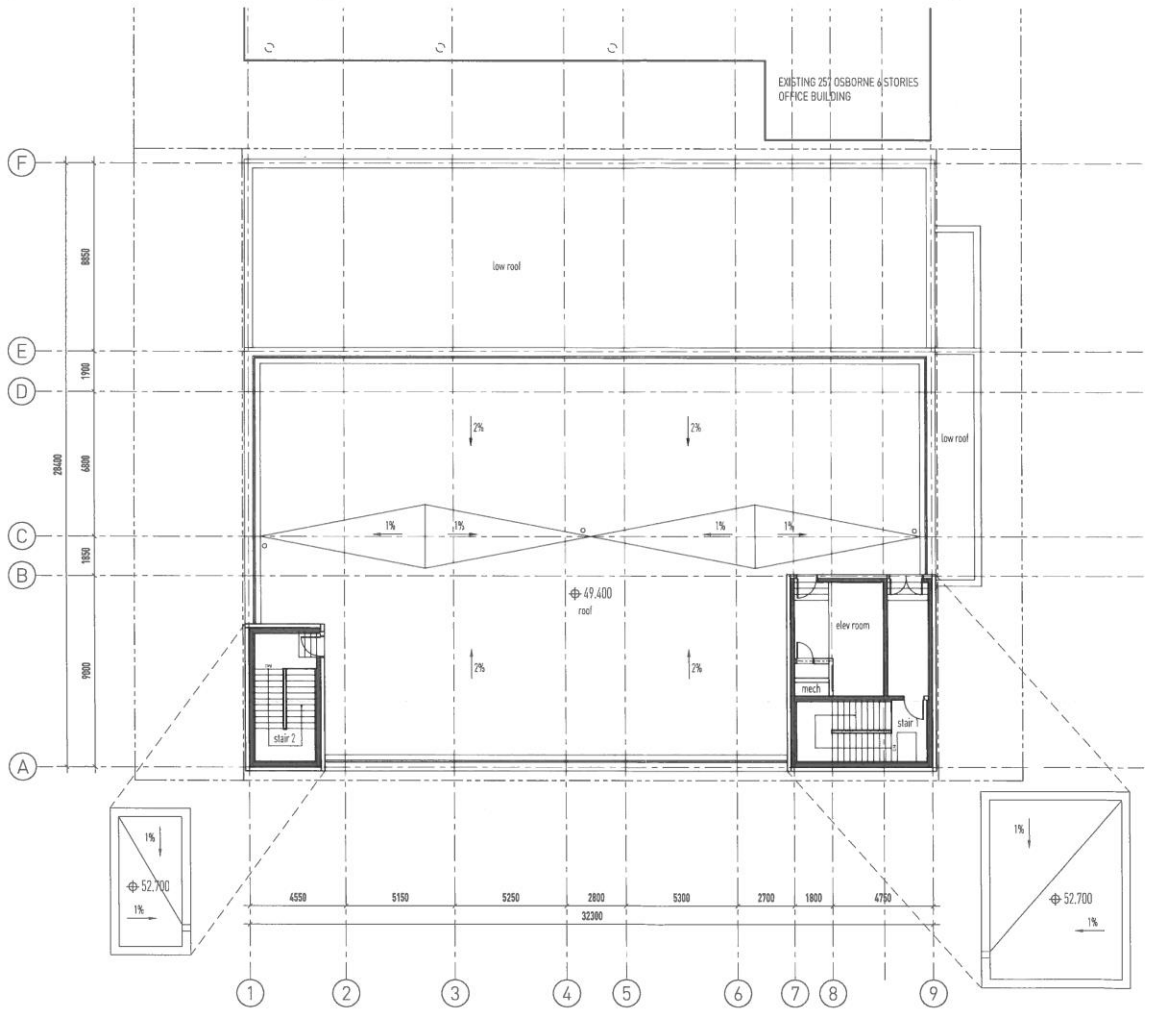
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DRAWING
LEVEL 7-15 PLAN

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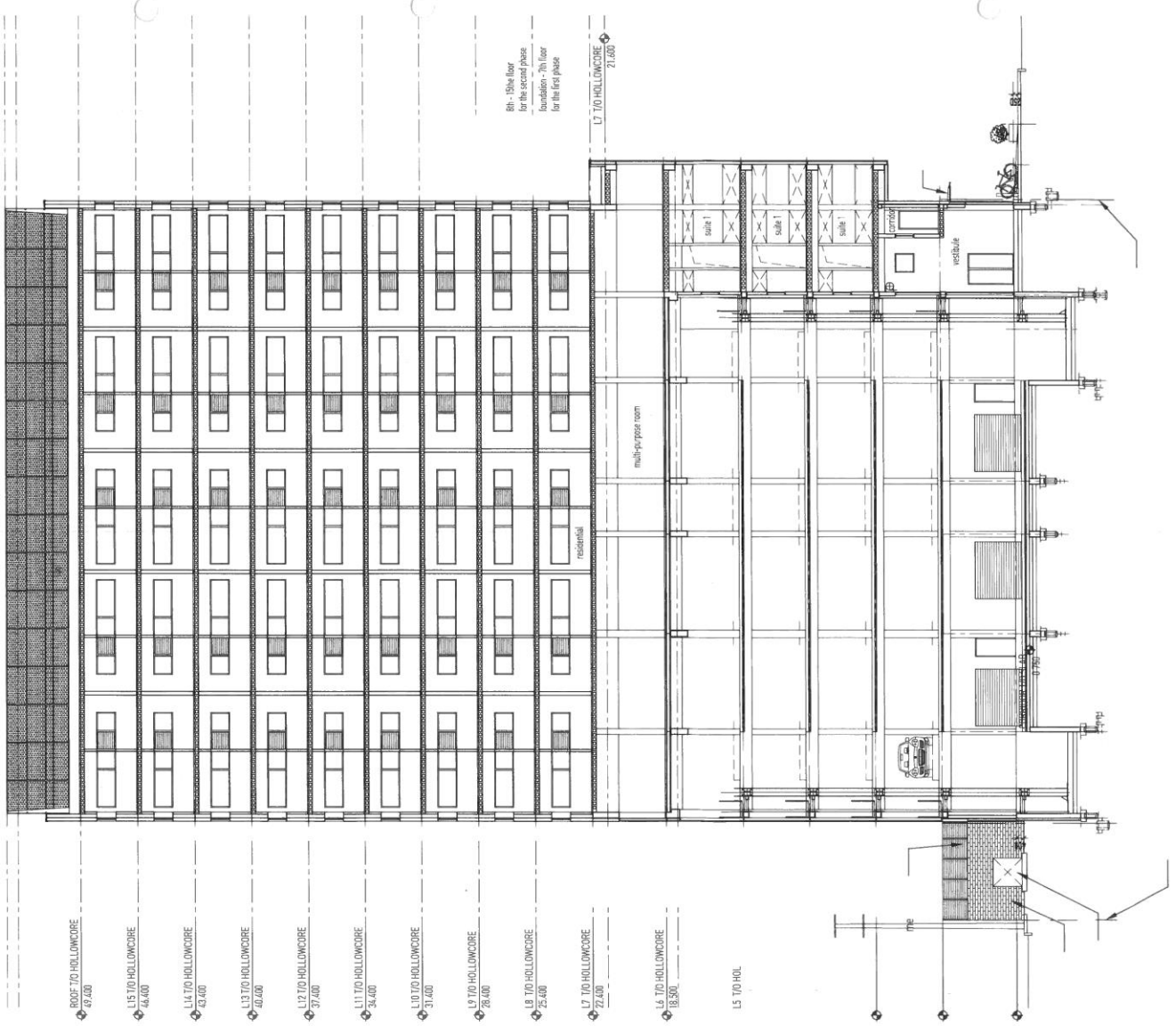
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1-1 SECTION

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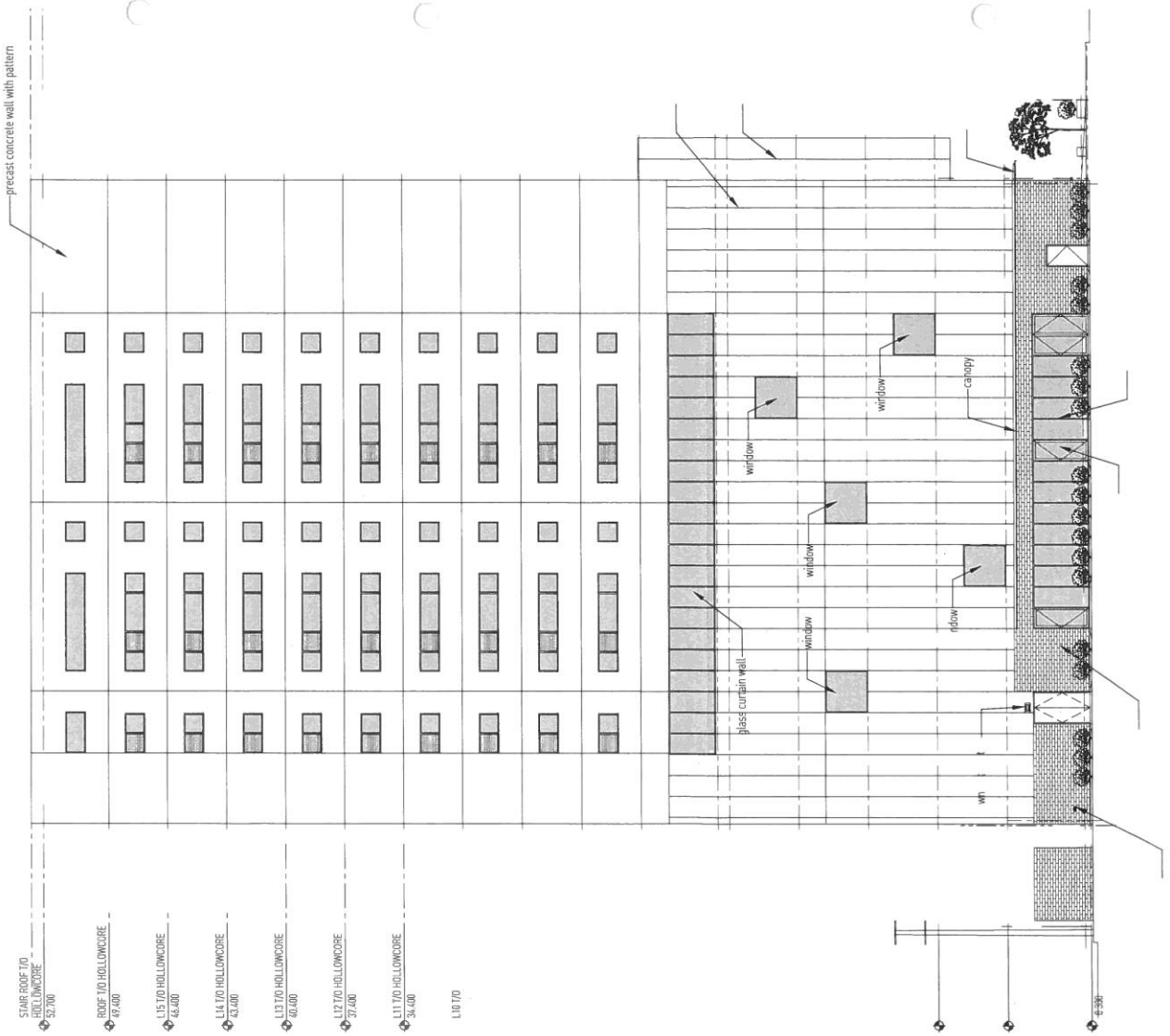
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2-2 SECTION

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1-9 ELEVATION

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REVISION

No.	Date	Revision Notes
1.	2019/11 /19	issued for variance
2.	2019/07 /10	issued for variance resubmission

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PROJECT
265 OSBORNE

DRAWING
A-F ELEVATION

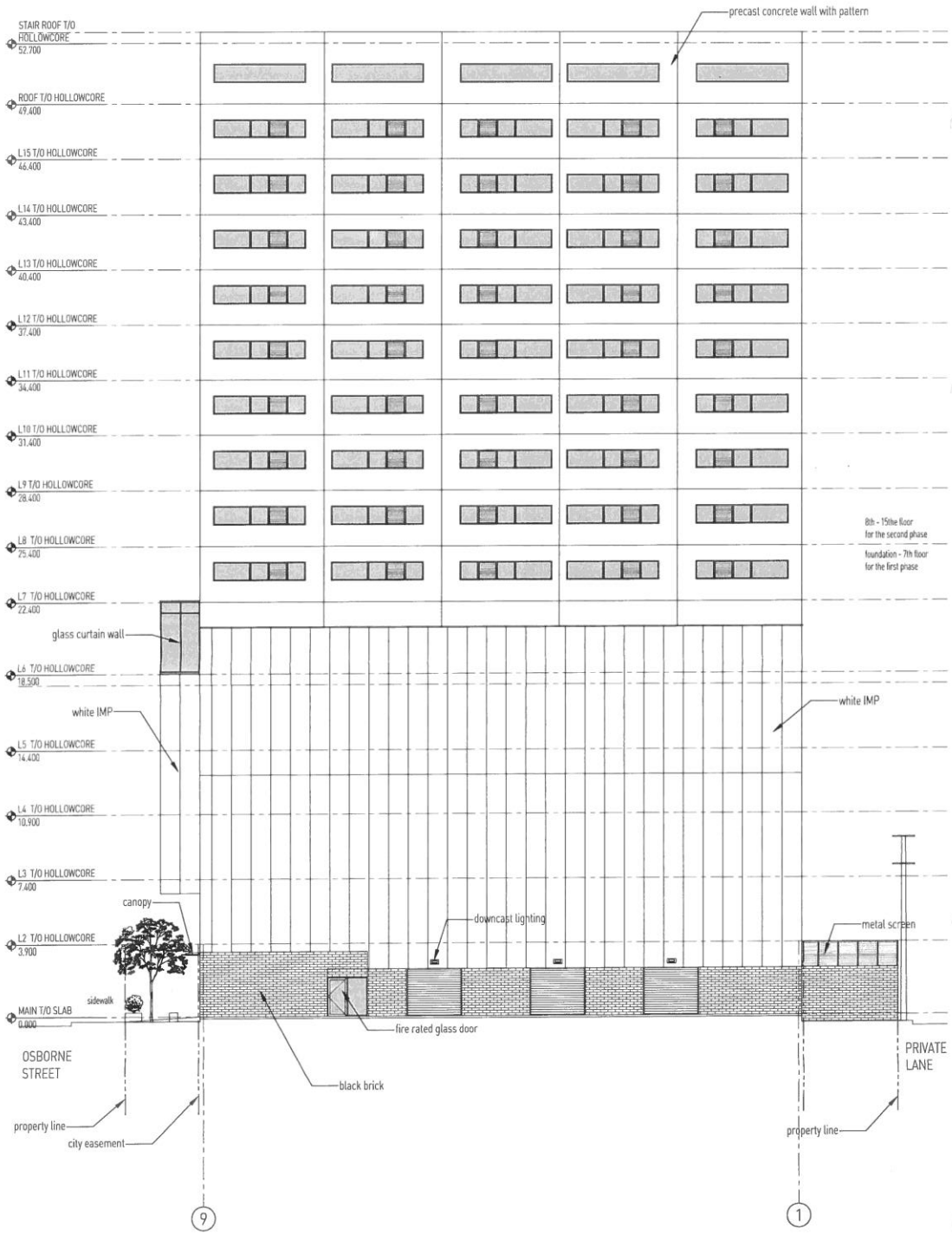
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SCALE
1:200

DATE
10 JULY 2019

DRAWING NO.
A1.12



KASIAN ARCHITECTURE INTERIOR DESIGN LTD.
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REVISION

No.	Date	Revision Notes
1.	2018/11/19	Issued for variance resubmission
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PROJECT
265 OSBORNE

DRAWING
9-1 ELEVATION

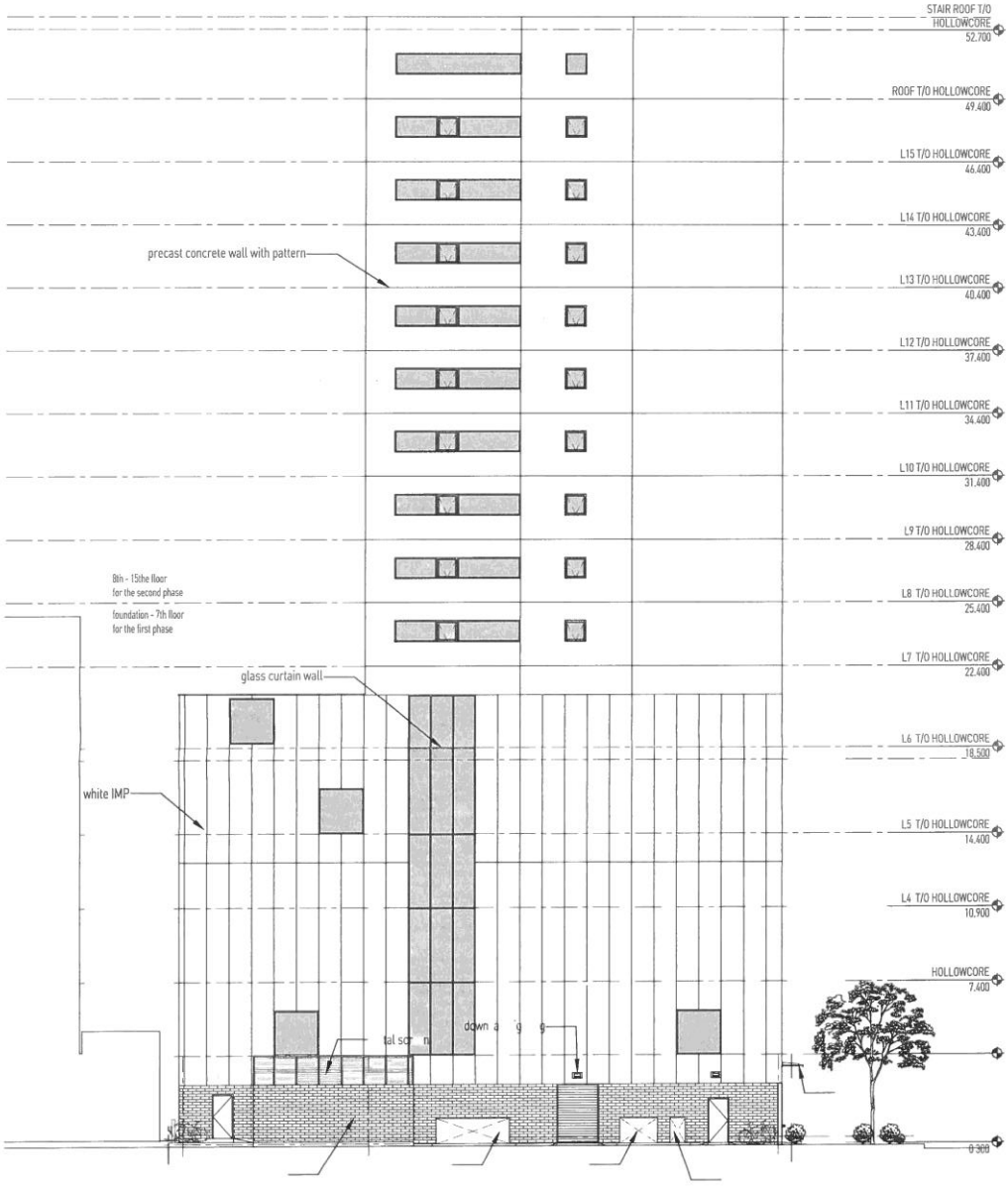
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1:200

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REVISION

No.	Date	Revision Notes
1.	2019/7/19	issued for variance
2.	2019/8/10	resubmission

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PROJECT
265 OSBORNE

DRAWING
F-4 ELEVATION

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1:200

DATE
10 JULY 2019

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A1.14