Minutes – Executive Policy Committee – December 9, 2020

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – December 7, 2020

Item No. 18 Subdivision and Rezoning – 911/913/915 McMillan Avenue (Fort Rouge-East Fort Garry Ward) File DASZ 18/2020 [c/r DAV 189906/2020D]

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 18/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated November 27, 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.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMU PDO-1 CORYDON OSBORNE" Residential Mixed Use District as shown on the map dated November 27, 2020 and attached as Schedule "A" to this report subject to the following:

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

        i. Commercial uses be restricted to the area shown on the attached plans, located within the Low Rise Mixed Use Area B, and that the overall development shall be constructed in substantial conformance with the plans as attached.

    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").

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – December 7, 2020

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

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 November 3, 2020, 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 the Development Application No. DASZ 18/2020 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 City Solicitor/Director of Legal Services shall prepare and bring 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 and Zoning Agreement are 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 – December 7, 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 shall come into force and effect upon the coming into force and effect of the Zoning By-law for the subject land under File No. DASZ 18/2020.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – December 7, 2020

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

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.

Yea:	Bowman, Allard, Browaty, Gillingham, Gilroy, Mayes	6
Nay:	Rollins	1

Carried

STANDING COMMITTEE RECOMMENDATION:

On December 7, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development did not concur in the recommendation of the City Centre Community Committee, and concurred in the recommendation of the Winnipeg Public Service, and submitted the matter to the Executive Policy Committee and Council:

COMMUNITY COMMITTEE RECOMMENDATION:

On November 27, 2020, the City Centre Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development that the application for subdivision and rezoning under File DASZ 18/2020 [c/r DAV 189906/2020D] be rejected.

PUBLIC HEARING SUMMARY

File: DASZ 18/2020

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

Public Hearing: November 27, 2020
Council Building, 510 Main Street

Applicant: Stafford & McMillan Land Development Ltd. (Braydin Huynen)

Subject:



APPLICANT: Stafford & McMillan Land Development Ltd.(Braydin Huynen)
FILE: DASZ 18/2020
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-S PDO-1 CORYDON OSBORNE" RESIDENTIAL SINGLE-FAMILY (SMALL) DISTRICT and an "R2 PDO-1 CORYDON OSBORNE" RESIDENTIAL TWO-FAMILY DISTRICT to an "RMU PDO-1 CORYDON OSBORNE" RESIDENTIAL MIXED USE DISTRICT to facilitate the consolidation of lands for the construction of a mixed use (residential/commercial) building. **For information, phone D. Harris, Planner at 204-986-7211.**

Premises Affected: 911/913/915 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: November 30, 2020

Community Committee Recommendation:

On November 27, 2020, the City Centre Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development that the application for subdivision and rezoning under File DASZ 18/2020 [c/r DAV 189906/2020D] be rejected.

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

1. Sometimes both things can be true. Sometimes as a Councillor you want the commercial space on Stafford that these applicants proposed and you want the density and the rental, but I'm not sure that it was protective enough of the Corydon Plan. I'm not sure that it was sufficient enough to pivot the way this project is doing.

2. I admire the leadership of the public service here and I want to underline that. I rely on them to do that policy work and present Council with their fearless advice and all too often they are punished and not upheld for that so I want to acknowledge their work.

3. There are factors here that pushes the Corydon Plan a little too much in terms of density and setbacks and design that I disagree with.

4. Earlier on in the hearing there were times were I thought I might just send it back for plan approval and that was a consideration for sure. Especially along the Stafford side I was really torn by that but for those reasons in terms of design and site lines, I'm not supportive.

5. There is a lot of beauty in this plan in terms of the roof lines and the three separations on the property. The Corydon plan does allow for lot consolidations but given the differences within the lots and the spanning of two policy areas, I really am going to dig in in terms of sensitivity and for those reasons I can't support the project.

Exhibits Filed:

1. Application dated November 13, 2020
2. Notification of Public Hearing dated October 22, 2020
3. Manitoba Status of Titles 2806679/1, 2806680/1 and 2806681/1
4. Letter of authorization dated September 1, 2020 from Marc Kipnes, Stafford & McMillan Development Corp. to Braydin Huynen, Stafford & McMillan Development Corp.
5. Arborist Report and Tree Protection Plan dated November 29, 2019
6. Plans (13 pages)
7. Report from the Urban Planning Division dated November 19, 2020
8. Communication dated November 12, 2020, from Jack Meller in support of the application
9. Communication dated November 12, 2020, from Chris Driedger in support of the application
10. Communication dated November 13, 2020, from Tom Toni in support of the application
11. Communication dated November 13, 2020, from Gord Sims in support of the application
12. Communication dated November 19, 2020 from Mikaela Garfinkel in opposition to the application
13. Communication dated November 19, 2020 from Jeffrey Marcus in opposition to the application
14. Communication dated November 20, 2020, from Jon Blumberg in support of the application
15. Communication dated November 20, 2020, from Tyler Ellis in support of the application
16. Communication dated November 21, 2020 from Silvia de Sousa in opposition to the application
17. Inspection Report
18. Communication dated November 23, 2020 from Sam Gerbasi in opposition to the application
19. Communication dated November 23, 2020 from Joan-Dianne Smith in opposition to the application
20. Communication dated November 20, 2020 from Kenton Larsen in opposition to the application
21. Communication dated November 24, 2020 from Carol Sharp in opposition to the application
22. Communication dated November 24, 2020 from Richard Mikucki in support of the application
23. Communication dated November 24, 2020 from Inés A. Bonacossa in opposition to the application
24. Communication dated November 24, 2020 from Robin, Kirtana and Yoshi Iwamoto in opposition to the application

25. Communication dated November 24, 2020 from Joanne Seiff in opposition to the application
26. Communication dated November 24, 2020 from James P. O'Brien in support of the application
27. Communication dated November 25, 2020 from Caroline Traweger in opposition to the application
28. Communication dated November 25, 2020 from Jaime Savary in opposition to the application
29. Communication dated November 25, 2020 from Martin and Louise Kos in opposition to the application
30. Communication dated November 25, 2020 from Jennifer Still in opposition to the application
31. Communication dated November 25, 2020 from Barrie Ottenbreit in opposition to the application
32. Communication dated November 26, 2020 from Cindy Gibson in opposition to the application
33. Communication dated November 26, 2020 from Michael Hollas in opposition to the application
34. Communication dated November 26, 2020 from Laura Lamont in opposition to the application
35. Communication dated November 26, 2020 from Jim Bugslag in opposition to the application
36. Recording of Representations

REPRESENTATIONS:

In Support:

Jon Blumberg
Tom Blumberg
Chris Driedger
Tyler Ellis
Braydin Huynen
Andrew Kohan
Daniel MacGibbon
Jack Meller
Richard Mikucki
James P. O'Brien
Gord Sims
Tom Toni
Yaron Walter

In Opposition:

Angela Anderson
Inés A. Bonacossa
James Bugslag
Silvia de Sousa
Mikaela Garfinkel
Sam Gerbasi
Cindy Gibson
Crystal Hollas
Michael Hollas
Kirtana Iwamoto
Robin Iwamoto
Yoshi Iwamoto
Louise Kos
Martin Kos
Laura Lamont
Kenton Larsen
Jeffrey Marcus
Barrie Ottenbreit
Michael Purvis
Jaime Savary
Joanne Seiff
Carol Sharp
Jennifer Still
Joan-Dianne Smith
Caroline Traweger

For Information:

Nil

For the City:

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

Exhibit "7" referred to in File DASZ 18/2020

ADMINISTRATIVE REPORT

Title: DASZ 18/20 at 911, 913, 915 McMillan Ave

Issue: For consideration at the public hearing to consolidate three (3) existing lots and rezone to the 'RMU' PDO-1 CORYDON OSBORNE Residential Mixed-Use district for the construction of a mixed-use residential and commercial development including 22 residential units and two commercial units.

Critical Path: City Centre Community Committee > Standing Policy Committee on Property and Development > Executive Policy Committee > Council

AUTHORIZATION

Author	Division Head	Department Head	CFO	CAO
D.Harris, RPP	n/a	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 18/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated November 27, 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.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMU PDO-1 CORYDON OSBORNE" Residential Mixed Use District as shown on the map dated November 27, 2020 and attached as Schedule "A" to this report subject to the following:

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

        i.) Commercial uses be restricted to the area shown on the attached plans, located within the Low Rise Mixed Use Area B, and that the overall development shall be constructed in substantial conformance with the plans as attached.

    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 November 3, 2020, 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 the Development Application No. DASZ 18/2020 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 City Solicitor/Director of Legal Services shall prepare and bring 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 and Zoning Agreement are 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 shall come into force and effect upon the coming into force and effect of the Zoning By-law for the subject land under File No. DASZ 18/2020.

REASON FOR THE REPORT

- The applicant wishes to rezone the subject property from the “R2” Residential Two-Family district and “R1-S” Residential Single-Family Small district to the “RMU PDO-1 CORYDON OSBORNE Residential Mixed-Use district to enable the establishment of a 22 unit multi-family residential building with two ground floor commercial units fronting on Stafford St.
- Subdivision and rezoning applications require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee’s consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the land will be **subdivided and rezoned.**

CONSULTATION

In preparing this report there was consultation with:

N/A

SUBMITTED BY

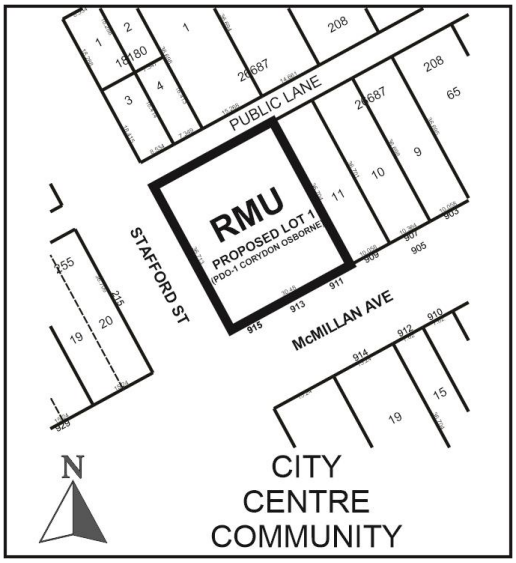
Department	Planning, Property and Development
Division	Urban Planning
Prepared By:	Dylan Harris, RPP, MCIP
Date:	November 19, 2020
File No.	DASZ 18/20

APPENDIX 'A'

DATE:	November 19, 2020
FILE:	**DASZ 18/2020**
RELATED FILES:	DAV 20-189906D
COMMUNITY:	City Centre Committee
NEIGHBOURHOOD #:	1.110 McMillan

SUBJECT: To consolidate three (3) existing lots and rezone to the RMU PDO-1 CORYDON OSBORNE Residential Mixed-Use district for the construction of a mixed-use residential and commercial development including 22 residential units and two commercial units.

LOCATION: 911-915 McMillan Ave.



LEGAL DESCRIPTION: SP LOTS 12, 13, 14 PLAN 26687 WLTO IN RL 34 AND 35 PARISH OF ST. BONIFACE

APPLICANT: Stafford and McMillan Development Corp (Braydin Huynen)
671 Pembina Hwy
Winnipeg MB,
R3M 2L6

OWNER: Stafford & McMillan Land Development Ltd. (Marc Kipnes)
9B-229 Wellington Crescent,
Winnipeg MB,
R3M 0E6

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject site consists of three (3) contiguous properties located on the northeast corner of McMillan Ave. and Stafford St.
- The property on the corner of Stafford St. and McMillan Ave. at 915 McMillan is zoned “R2” Residential Two-Family District and is 3984 sq. ft. in area.
- The two remaining properties at 913 and 911 McMillan Ave are zoned “R1-S” Residential Single-Family (Small) District and are 4093 sq. ft. and 3983 sq. ft. in area respectively.
- If consolidated, the combined three lots will create a subject site of 100 feet wide by 120 feet deep with an area of 12 000 sq. ft.
- Currently there are single-family dwellings, constructed in 1911, on each existing lot at 915, 913 and 911 McMillan Ave.



Figure 1: Subject site and surrounding area (flown 2018)

SURROUNDING LAND USE AND ZONING

The subject area is characterized by a mix of smaller scale multi-family residential dwellings, duplex housing and single-family dwellings. Small scale commercial uses exist on the west side of Stafford St. A new four (4) storey mixed -use building is currently under construction on the south west corner of McMillan Ave. and Stafford St. Land uses directly adjacent to the subject site include:

North: A rear lane then two, three-unit multi-family residential dwellings zoned “C2” Commercial Community district and “RMF-S” Residential Multi-Family Small district.

South: McMillan Ave then a four (4) unit multi-family dwelling zoned “R2” Residential Two-Family district and a single family dwelling zoned “R1-S” Residential Single-Family Small district.

East: A two-unit residential dwelling zoned “R1-S” Residential Single-Family Small district.

West: Stafford St. then a retail use zoned “C1” Commercial Neighbourhood.

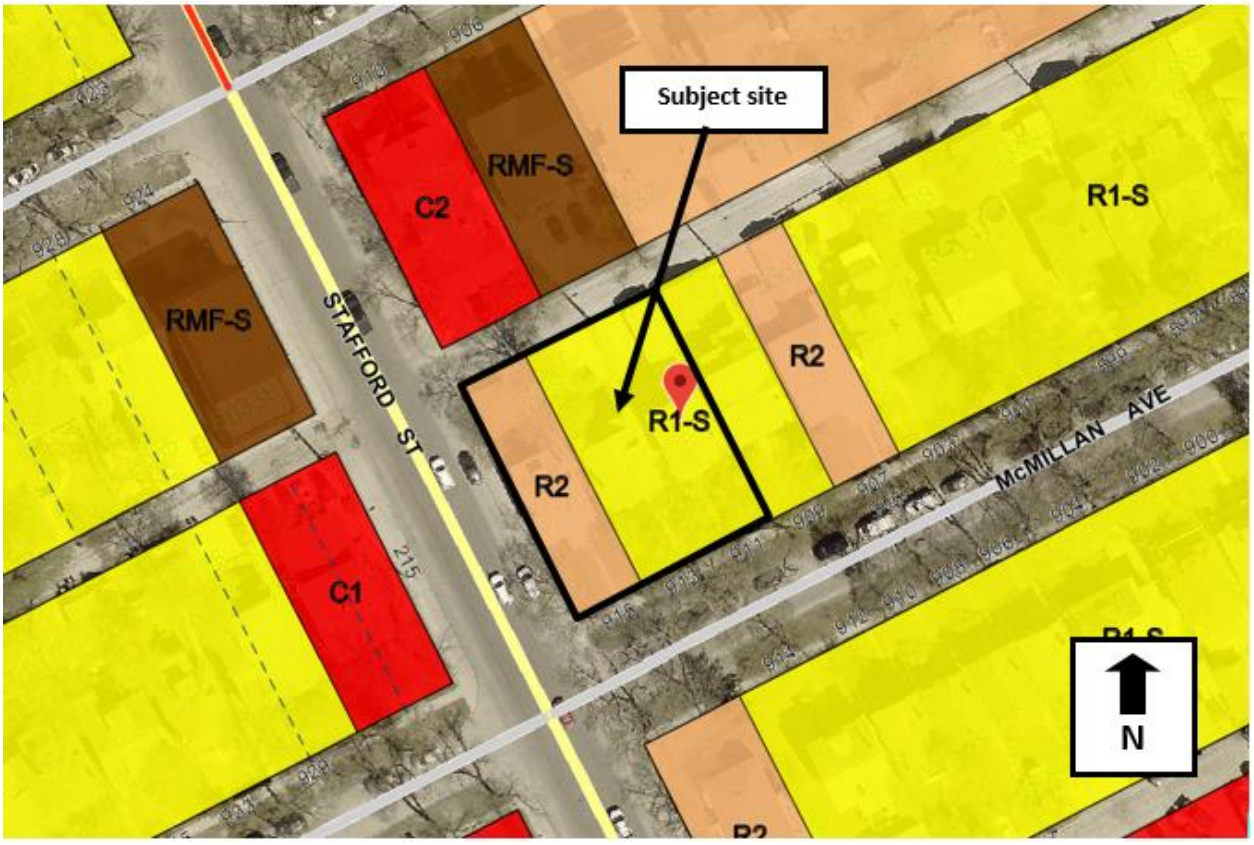


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to consolidate three (3) existing lots and rezone the new 12 000 sq. ft. lot into the “RMU” PDO-1 CORYDON OSBORNE Residential Mixed-Use district to facilitate the establishment of a commercial / residential mixed-use building.
- The proposed building will contain 22 dwelling units across the consolidated site with 22 motor vehicle parking spaces in an underground parkade.
- Five (5) additional parking spaces are provided off the rear lane to serve visitors and patrons of the commercial uses.
- Two (2) commercial units totaling 2484 sq. ft in area will be located in the portion of the building currently located at the original corner lot, 915 McMillan St only and will be oriented to Stafford St.
- In addition, a commercial entrance with outdoor seating area will also be located on the portion of 915 McMillan that fronts McMillan Ave.
- As a result of the proposed consolidation, the newly created parcel will straddle two policy areas in the *Corydon Osborne Area Plan.*
- Therefore, the proposed building has been designed to comply with both *Corydon Osborne Area Plan* policies for both the Low Rise Mixed Use Area B and the Medium Density Residential Area.
- This has been achieved by containing the four storey building heights and mixed-use commercial development to the original 915 McMillan lot only.
- Development on the original 913 and 911 McMillan lots will be scaled down to three (3) storeys in height and will contain exclusively residential uses.
- The front elevations have been designed to read as three unique building fronts in an effort to explicitly replicate the look and feel of existing lot lines.

As a result of this unique policy and regulatory context, a number of variances are required to enable the proposed development. For complete analysis, please see the associated planners report (DAV 20-189906D).

REASON FOR APPLICATION

- The properties at 915, 913 and 911 McMillan Ave are currently zoned both “R2” Residential Two-family and “R1-S” Residential Single Family Small districts.
- The “R2” and “R1-S” districts do not permit the establishment of mixed-use commercial / multi-family residential uses.
- The applicant wishes to establish a mixed-use commercial residential building on the newly created lot containing two (2) commercial units and 22 dwelling units aligning with the Corydon Osborne Plan.
- In order to accommodate this higher density, mixed use proposal, a rezoning to the “RMU” Residential Mixed-Use district is required.
- The RMU district enables a maximum residential density of one (1) residential unit per 500 sq. ft. of site area.

- Given the proposed consolidated area of 12, 000 sq. ft. in area, the proposed 22 unit building would result in a density of 545 sq. ft. per dwelling unit which meets the above dwelling unit density regulation for this proposed zone.

Collaboration with the Public Service:

- The overall design submitted as part of this application is the product of numerous discussions between the applicant and the Urban Planning Division.
- At the recommendation of the Urban Planning Division, the applicant undertook a pre-application. The applicant was provided a feedback letter on April 20, 2019.
- Their initial design submissions demonstrated positive elements but was not fully aligned with adopted policy for the area and thus not in a supportable form.
- The Urban Planning Division indicated we would be supportive of a consolidation and rezoning provided they could demonstrate compliance with *Corydon Osborne Area Plan* policies, PDO regulations and Design Guidelines.
- Following Urban Planning Division feedback, the applicant undertook the following design improvements:
    - Moved the parking area underground resulting in a significantly improved site plan which facilitates high quality active uses around the building and improved internal side yard condition.
    - Re-designed the front yard condition with a variable setback that limits impact to existing adjacent uses.
    - Establishment of a high-quality façade design and articulation that replicates that original lot lines and that employs high quality building materials.

PUBLIC ENGAGEMENT

- As part of the pre-application feedback letter provided to the applicant, the Urban Planning Division strongly encouraged the applicant to undertake neighbourhood consultation as part of their subject rezoning application.
- The applicant has provided a public engagement summary, as requested, as part of their DASZ application.
- It should be noted this application process has taken place during the COVID-19 pandemic and has required alternative forms of public engagement to be employed.
- The applicant canvassed the neighbourhood distributing 60 flyers.
- The applicant also placed a large informational sign on the subject site illustrating the development concept and directing those with questions to a project web site (www.staffordandmcmillan.ca)
- Their Public Engagement report indicates they have received some broader positive feedback, with inquiries relating to leasing of commercial space.
- Feedback from those in the immediate vicinity resulted in mixed feedback. The applicant has indicated they received six (6) negative comments, four (4) positive and two (2) requests for additional information.

- Some identified concerns include:
    - Concerns relating to parking supply and lane traffic,
    - A desire to preserve existing dwellings,
    - Concerns with the size and density of the proposal,
    - Some critiques of the proposed aesthetic.
- The applicant has indicated they have been in contact with the immediately adjacent neighbor to the east of the subject site. That neighbor has indicated they do not support this proposal.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Although the *Corydon Osborne Area Plan* polices are most relevant in guiding the proposed development, the following policies also apply.
- The subject properties are currently are within the Areas of Stability – Recent Communities Policy Area under *the Complete Communities Direction Strategy*. With regard to this proposal, key policies guiding the development of Areas of Stability include:
    - Encourage intensification to occur at centres and along corridors.
    - Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
    - Support Complete Communities by ensuring diverse and high-quality housing stock.
    - 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 proposed development will result in a mixed-use commercial / residential development at the corner of an evolving mixed-use street, adding local amenity and residential housing choice. Despite intensification, numerous design interventions have been employed to reduce adjacent impacts and align the project with adopted policy.

Corydon Osborne Area Plan

- The subject properties are located in the Corydon *Osborne Area Plan (COAP)* area.
- The property at 915 McMillan is located in the “Low Rise Mixed Use Area B” area of the Corydon Osborne Area Plan (COAP).
- Policies which guide development in the Low-Rise Mixed Use Area B that are applicable to the portion of the building currently located on the original **915 McMillan Ave**. lot include:
    - Development under the Low-rise Mixed Use policy area must have frontage on Grosvenor, Stafford, Lilac or Corydon.
    - Where low rise mixed use development abuts a residential policy area, there may be a requirement for the portion of the site immediately adjacent to the residential policy area to respect the adjacent residential scale and character and transition through lower building height and / or increased setback.
    - This area should be promoted as a low-rise mixed use development with a minimum building height of 2 storeys and a maximum building height of 4 storeys.

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

The four (4) storey portion of the proposed development at 915-911 McMillan has been designed to positively address the Stafford St. frontage with at grade commercial uses. The applicant has submitted a design that effectively decreases in bulk and intensity as the building approaches adjacent residential uses. Submitted designs illustrate a development concept that is consistent with above policy.

- The properties at 913 and 911 McMillan Ave are located in the Medium Density Residential Area of the Corydon Plan. The following policies apply to the proposed development:
  - Up to two unit development will be permitted, subject to design guidelines / controls.
  - Small multi-family development may be accommodated subject to design guidelines / controls and the discretionary review process.
  - The maximum building height in these areas should be 3 storeys.
  - On corners, medium multi-family development may be accommodated subject to design guidelines / controls and the discretionary review process.
  - The maximum building height on corners should be 4 storeys.
  - Greater increases in height or density would be considered on a case-by-case basis through the rezoning process.

The proposed development is consistent with Corydon Plan policies guiding development on corner lots in the Medium Density Residential Area through provision of a well designed, three storey form. The proposed development is pursuing density above the "medium density" level through the subject rezoning application as directed in Corydon Plan policies.

- Policy 3.5.22 Residential North of Corydon states "Multiple lot development allowed north of Corydon Ave shall provide varied massing, setbacks, colours and or rooflines in the building, for every two at grade units to reflect the rhythm of the detached homes in the area."

Through the use of varied rooflines, façade materials, setbacks and outdoor seating areas the applicant has submitted a development concept that successfully breaks up the building façade respective of area character and aligning with adopted policy for this area.

Corydon Osborne Planned Development Overlay

- The *Corydon Osborne Area Plan* is implemented through Zoning By-law regulation outlined in the Corydon Osborne Planned Development Overlay (PDO).
- The original lot, 915 McMillan Ave is located in the ***Low Rise Mixed Use Area B*** of the Corydon Osborne PDO. The following regulations apply to the redevelopment of **915 McMillan:**
  - Minimum height of a principal building = 20 feet
  - Maximum height of a principal building = 45 feet.
  - For properties with mixed use zoning
    - The maximum front yard = 10 feet

        - Notwithstanding subsection i), for the purpose of accommodating an otherwise approved public space, plaza, outdoor dining / drinking area or other pedestrian amenity, up to 50% of the length of the ground floor façade of any building, to a maximum contiguous length of 25 feet, may have a maximum front yard of 15 feet.
    - All buildings must provide a main entrance facing a street.
    - Any accessory parking must be located either below grade, behind a building, or within a building such that parking is separated from public right of ways (other than public lanes) by commercial or residential uses. Loading and service area must be located behind a building.

The proposed development is consistent with PDO regulations listed above with the exception of the increased front yard setback for the commercial portion of the building. For complete analysis please see the associated variance report (DAV-20 189906D).

- The original lots, 913 and 911 McMillan Ave are located in the ***Medium Density Residential Area*** of the Corydon Osborne PDO. The following regulations apply to the redevelopment of 913-911 McMillan Ave:
    - The maximum building height of a principal building = 35 feet
    - Maximum height of a multi-family principal building on corner lots = 45 feet
    - For multiple family dwellings, lot coverage is not applicable
    - The maximum lot area per dwelling (density) is 1250 sq. ft.
    - The maximum lot area per dwelling (density) for corner lots is 800 sq. ft.
    - For multi-family dwellings, the required interior side yard is a minimum of 4 feet and increases 2 feet per storey above the second storey.
    - All buildings must provide a main entrance facing a street, on a portion of the façade closest to the street.
    - Any accessory parking must be located either below grade, behind a building, or within a building such that parking is separated from public right of ways (other than public lanes) by commercial or residential uses. Loading and service area must be located behind a building.

The proposed development is consistent with PDO regulations for the Medium Density Residential Area with the exception of the lot area per dwelling unit maximum for corner lot development. For complete analysis please see the associated variance report (DAV-20 189906D).

Design Guidelines

- The portion of the building proposed for what is currently 915 McMillan Ave is subject to design guidelines for the Low-rise Mixed-Use area of the *Corydon Osborne Area Plan*
- For complete analysis of how the proposed development meets the Low-rise Mixed Use area design guidelines please see Appendix 1.
- The portion of the building located at what is currently 913 and 911 McMillan Ave. is subject to design guidelines for the Medium Density Residential Area.
- For complete analysis of how the proposed development meets the Low-rise Mixed Use area design guidelines please see Appendix 2.

ZONING BY-LAW 200/2006

- The “RMU” Residential Mixed Use district is intended to facilitate medium to higher density residential development and typically includes small scale commercial, institutional, recreational and service facilities needed to support residential development.
- The “RMU” Residential Mixed Use district enables a residential density of one (1) dwelling unit per 500 sq. ft. of site area while also enabling some small scale commercial uses.
- The proposed density of 545 sq. ft. per dwelling unit is within allowable densities of the RMU zoning district.
- When paired with *Plan* policies that limit building height in the Low Rise Mixed Use Area B to four (4) storeys and three (3) storeys in the Medium Density Residential Policy Area; the RMU district can be used to facilitate an appropriate scale of development in this context.
- The RMU zoning district also enables the establishment of smaller scale commercial uses along Stafford St. as envisioned in Plan policy.
- The Corydon Osborne PDO regulations further ensure development in the RMU district results in a form of development that is consistent with Plan policy and area context.

Based on these considerations the ‘RMU’ PDO-1 CORYDON OSBORNE Residential Mixed Use zoning district is the most appropriate zoning district to enable the proposed development while aligning with Council adopted policy for this context.

ADDITIONAL CONSIDERATIONS

Trees and Landscaping

- The Corydon Osborne Area Plan encourages the preservation of mature trees wherever possible.
- Given the presence of established trees on the subject site, the Urban Planning Division requested the applicant provide an arborist report for the subject property.
- The report has indicated that unfortunately, all trees on private property will be lost due to their location in the proposed buildable area.
- The applicant will adhere to the Arborists’ recommendations to ensure public boulevard trees in front of the subject property will not be impacted by this private construction project.

Conditions of approval

Design review

- Development in the Corydon Osborne Area Plan is subject to mandatory urban design review at the time of application.
- The subject application has satisfied the requirements of the Urban Design Review (see Appendix 1 and 2).
- Given the design review process, a Plan Approval condition is not required.

- In the event of any future exterior changes proposed to the building on site, mandatory design review will be triggered.

Limiting commercial uses

- As indicated, the subject site will straddle two policy areas outlined in the *Corydon Osborne Area Plan* and its associated PDO.
- The lot that is currently 915 McMillan Ave. is the only lot of the three that is located within the policy area that is permitted to contain commercial uses.
- The proposed development has been designed to comply with these policies, with commercial uses being located exclusively on what is currently 915 McMillan Ave.
- The following condition of approval has been placed on the subject DASZ application to ensure development is constructed in this fashion and that any potential future modification of the subject building would not permit expansion of commercial uses further east into the residential areas of this street:
    - "Commercial uses be restricted to the area shown on the attached plans, located within the Low Rise Mixed Use Area B, and that the overall development shall be constructed in substantial conformance with the plans as attached."

SUMMARY

The Urban Planning Division recommends approval for the following reasons:

- The subject subdivision and rezoning will result in the establishment of a mixed-use commercial residential development that is consistent with Council adopted policies and the vision of the Corydon Osborne Area Plan.
- The proposed development will increase residential density and add small scale commercial services on this corner lot thereby increasing housing options and commercial amenity in this pedestrian oriented, bikeable, transit connected, amenity rich mature neighbourhood.

RECOMMENDATIONS

The Urban Planning Division recommends this application be **approved** and the subject property be subdivided and rezoned into the "RMU Corydon Osborne PDO-1" district.

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

Report Prepared by: Dylan Harris, RPP, MCIP
PPD File # DAZ 18/2020

Schedule "A" for File DASZ 18/2020, City Centre Community Committee, November 27, 2020

By-Law No. _____

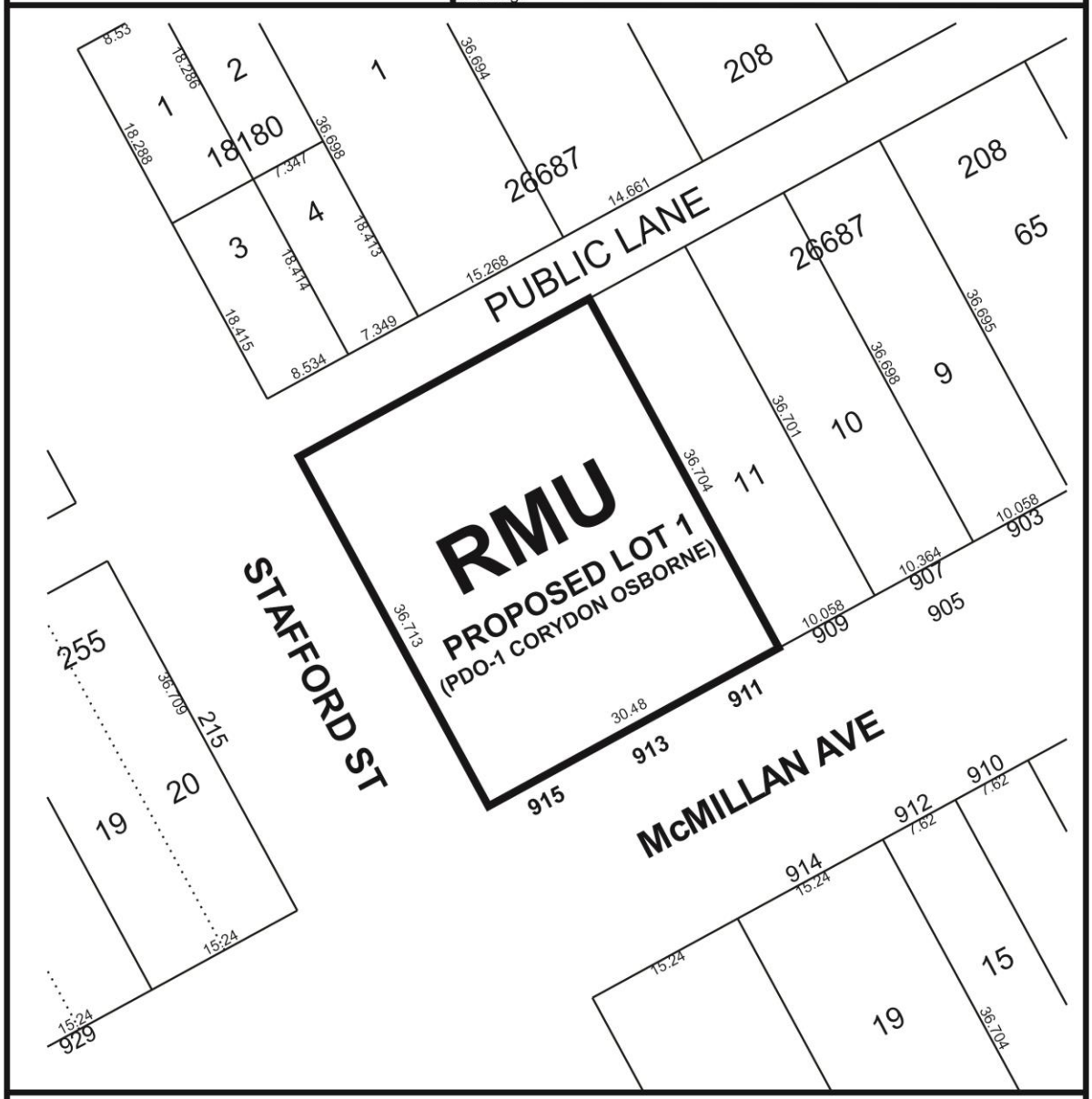
File No. **DASZ 18/2020**

Atlas Sheet No. **AC23 CITY CENTRE COMMUNITY**

N

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 911, 913 and 915 McMillan Avenue from an "R1-S PDO-1 CORYDON OSBORNE" RESIDENTIAL SINGLE-FAMILY (SMALL) DISTRICT and an "R2 PDO-1 CORYDON OSBORNE" RESIDENTIAL TWO-FAMILY DISTRICT to a "RMU PDO-1 CORYDON OSBORNE" RESIDENTIAL MIXED USE DISTRICT to facilitate the consolidation of lands for the construction of a mixed use (residential/commercial) building.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 911, 913 AND 915 McMILLAN AVENUE

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DASZ 18/2020. The applicant should take into consideration the following servicing and design requirements and considerations in the redevelopment of the site:

Section II - Servicing Conditions

1) 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 0.35, 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.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 18/2020
November 3, 2020

"*Original Signed by D. Trenchard"*
D. Trenchard, P. Eng.
Land Development Branch
Planning, Property and Development Department

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

Appendix 1: Corydon Osborne Plan Urban Design Review

North of Corydon Residential Design Guidelines	Comply (Yes or No)	Comments
i) Buildings should be parallel to the street frontage property line	**Yes**	
ii) Building setbacks should be within 1.5 metres (5 feet) of the average of the two adjacent buildings' setbacks	**Solution proposed**	Proposed design notches building at eastern corner resulting to 30 foot front yard setback adjacent to existing dwelling to the east to preserve sight lines and line penetration. Front yard setback reduces to 15 feet as building approaches Stafford St.
iii) Roofs should be pitched unless adjacent buildings are flat roofed	**Yes**	The building utilizes a mix of roof designs including a pitched style roof on the eastern portion of the building
iv) Buildings should have their main entrance facing the street	**Yes**	Building has multiple entrances facing both McMillan and Stafford.
v) Windows and entrances should be articulated	**Yes**	Abundance of well articulated windows at all levels and sections of the building
vi) Façade lighting should be wall mounted luminaries no higher than top of first floor and all light should be cast down and fully shielded	**Yes**	
vii) Front yard fences should be less than 1.2 metres(4 feet) and mostly transparent	**Yes**	
viii) Multi-family buildings should reflect the surrounding residential building character	**Yes**	The proposed building uses a mix of 3 unique designs, that reflecting the character of this area through roof line, façade material etc.
ix) Multi-family buildings should have a variable setback across the facade	**Yes**	A front yard variation between 15 and 30 feet is provided along McMillan. Presence of outdoor seating area a western edge further articulates the building

		frontage.
x) Corner lots may have greater lot coverage	**Yes**	Lot coverage restrictions do not apply to multi-family development. Reduced yards to front and corner side yard increase lot coverage towards the corner as directed in design guidelines.
xi) Multiple lot development may be contiguous but should articulate the appearance of the original lot line	**Yes**	Roof line articulation paired with horizontal façade design create the appearance of three (3) building sections (left to right).
xii) Signs should be flush with the building	**Yes**	Signage
xiii) Residential development should maintain the existing pattern of detached garages rather than attached garages	**n/a**	
xiv) All parking lots should provide appropriate screening to preserve the residential character of the area	**Yes**	Through a creative design solution, the applicant has screened the parking through active commercial uses along Stafford St
xv) Residential developments should provide pedestrian access at street level and locate parking, loading, and service entrances at the rear of buildings.	**Yes**	The building employs pedestrian connection to entrance facing McMillan. Outdoor seating area on McMillan improves pedestrian condition. Multiple street oriented entrances along Stafford orient building to pedestrians.
xvi) Residential development should have consideration for light, view, and privacy of adjacent buildings and area	**Yes**	The building reduces in height as it moves east from the corner. Front yard setback designed to limit impact of new development. Provision of a 6 foot interior side yard provides adequate separation for a three (3) storey building.
xvii) Residential development should ensure pedestrian access is a predominant feature in the site design	**Yes**	The building is well oriented to both Stafford St. and McMillan Ave.

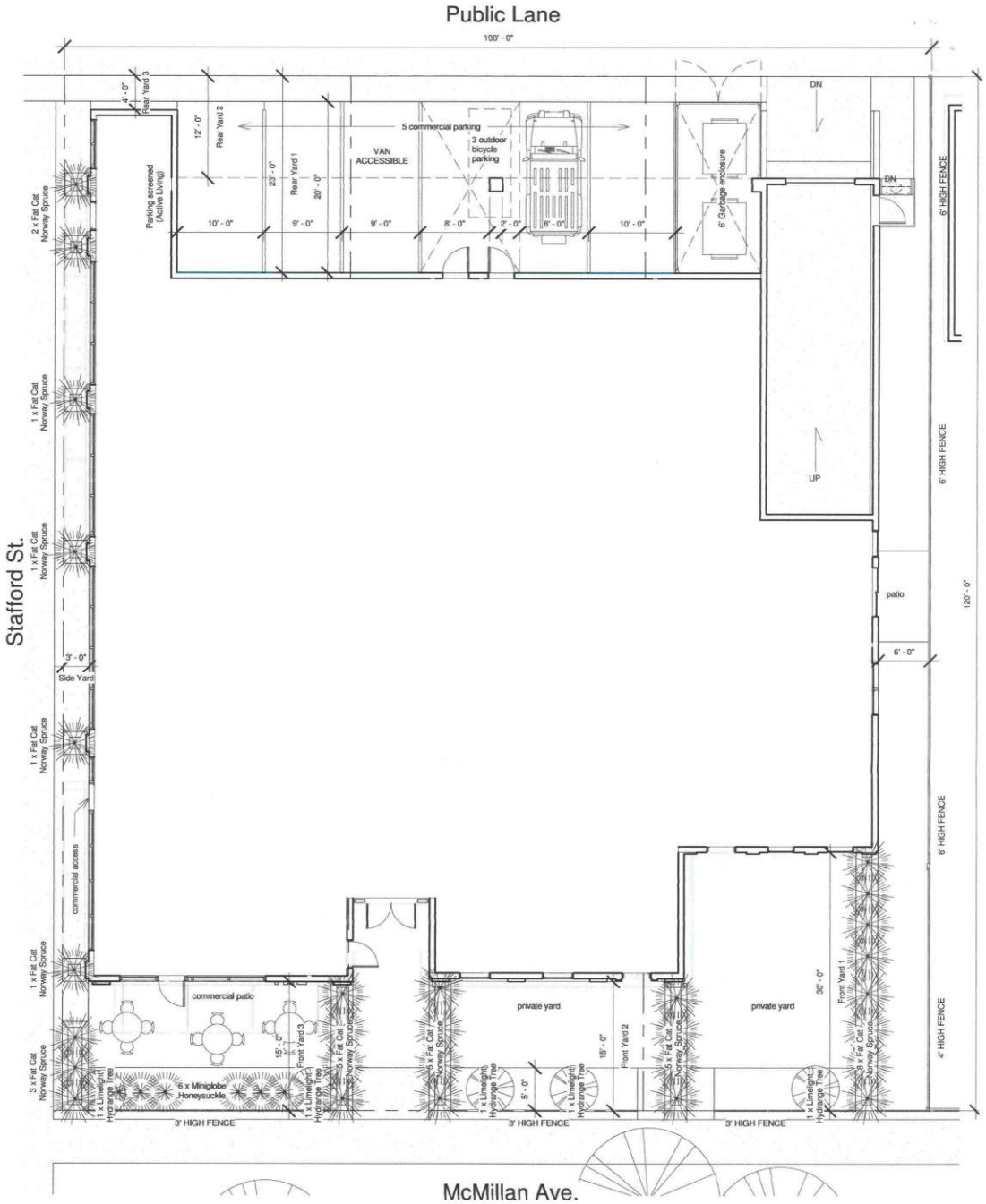
xviii) Residential development should ensure the use of building design elements that are consistent with surrounding properties, including materials, finishing, signage, placement of windows, and doors and height and massing of buildings	**Yes**	The proposed elevations take cues from existing multi-family residential development using varied rooflines, balconies, articulated windows, door placement, a variety of, brick veneer, cement panel etc.
xix) Residential development should ensure sensitive design that clearly defines public, semi-private, and private space	**Yes**	Notched building construction, staged building height and 6 foot interior side yard improve sensitivity of design. The building is well oriented to the public street, with semi private patio space and private interior and balcony space.
xx) Residential development should encourage preservation of mature canopy shade trees and natural areas through good design	**Yes**	Arborist report provided. See DASZ report for explanation.
xxi) Residential design should strongly encourage the incorporation of concepts of Universal Design and Crime Prevention Through Environmental Design (CPTED) into building, streetscape, and site design	**Yes**	The presence of numerous windows, balconies and outdoor seating areas significantly improve “eyes on the street.” Building contains an elevator.

Appendix 2: Corydon Osborne Low Rise Mixed Use Design Guidelines.

Corydon Osborne Low Rise Mixed Use Design Guidelines	Comply (Yes or No)	Comments
i) Buildings should be parallel to the street	**Yes**	
ii) Building setbacks should maintain contiguous pedestrian space	**Yes**	
iii) The maximum lot coverage should be 75% and the minimum lot coverage (for Corydon Avenue properties only) should be 60%	N/A	
iv) Facades should be articulated and/or building facades staggered with respect to setback, to create variety and/or private realm along the streetscape (i.e. patio dining areas)	**Yes**	Building contains variable setback across from façade to facilitate a patio area on the commercial portion of the building.
v) Buildings should maintain the alignment of horizontal elements of adjacent existing buildings	**Yes**	
vi) The façade on buildings over 3 stories should be composed to exhibit a clearly defined base, midsection, and crown	**Yes**	Four storey portion of the building has active ground level, midsection and top.
vii) The base should be a minimum 50% window coverage	**Yes**	Ground floor along Stafford and McMillan contain significant amount of window glazing.
viii) Facades fronting streets/alleys should have transparent windows	**Yes**	
ix) Balconies should be provided for residential units	**Yes**	
x) Commercial entrances should be accented and doors should be a minimum 30% transparent	**Yes**	
xi) Corner lot buildings should address the corner with entrances at or near the corner, providing a greater pedestrian space	**Yes**	
xii) Buildings should reflect traditional design elements from the surrounding neighbourhood, including materials,	**Yes**	The building uses high quality façade materials including an abundance of brick, cement

finishing, signage, placement of windows and doors, and height and massing		board panel. Awnings and cornices in addition to modern design elements result in a high quality finish. Windows face all streets as do doors to each section of the building.
xiii) Rooflines that are flat should be delineated	**Yes**	Flat roofed sections use cornices to delineate root line.
xiv) Façade lighting should be wall mounted luminaries, mounted no higher than the top of the first floor; all entrances should be illuminated; all light should be cast down	**Yes**	Confirmed in letter of intent.
xv) Mechanical equipment should be screened so that it is not visible from adjacent public streets when viewed from the ground	**Yes**	Screened by parapet.
xvi) Awnings or overhangs are encouraged to delineate first floor, reinforce pedestrian scale and shade	**Yes**	Awnings present along commercial frontages.
xvii) One flush sign should be allowed per storefront and should be placed no higher than the first floor	**Yes**	Compliant place holder signage illustrated.
xviii) A midblock pedestrian connection should be provided from Corydon to the rear alley	**n/a**	
xix) Parking should not be allowed in the front yard setback	**Yes**	Parking located underground and behind the building off the rear lane.

Exhibit “6” referred to in File DASZ 18/2020



1 Landscaping & Buffering
3/32" = 1'-0"

North

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Concept Only. Not For Construction

Concept drawings are for Zoning Application only. Intended for review by the Urban Planning and Zoning department to determine building mass, density and site features for the proposed site. Building design and construction drawings to follow Zoning Approval.

Current
Zoning: 3 lots R1
Civic Address: 911, 913, 915 McMillan
Lot Area (respectively): 3,960 sq. ft., 4,080 sq. ft., 3,960 sq. ft.

Proposed:
Zoning: 1 lot CMU
Civic Address: Maintain 911, 913, 915 McMillan
Stafford addresses TBD
Lot Area: 12,000 sq. ft.
Lot Area per dwelling unit: 545 sq. ft. (800 sq. ft. permitted)
Residential unit count: 22
Residential floor area 17,222 sq. ft.
Commercial floor area: 2,484 sq. ft.
Building Height 45' 4 storeys (60' permitted)
22 Below grade parking
5 at grade parking

Legal Address:
SP LOT 12 PLAN 26687 WLTO
IN RL 34 AND 35 PARISH OF
ST BONIFACE

SP LOT 13 PLAN 26687 WLTO
IN RL 34 AND 35 PARISH OF
ST BONIFACE

SP LOT 14 PLAN 26687 WLTO
IN RL 34 AND 35 PARISH OF
ST BONIFACE

Landscape and Buffering
Located in 'Urban Infill Area' Area Map 1
No Building Foundation Landscaping required

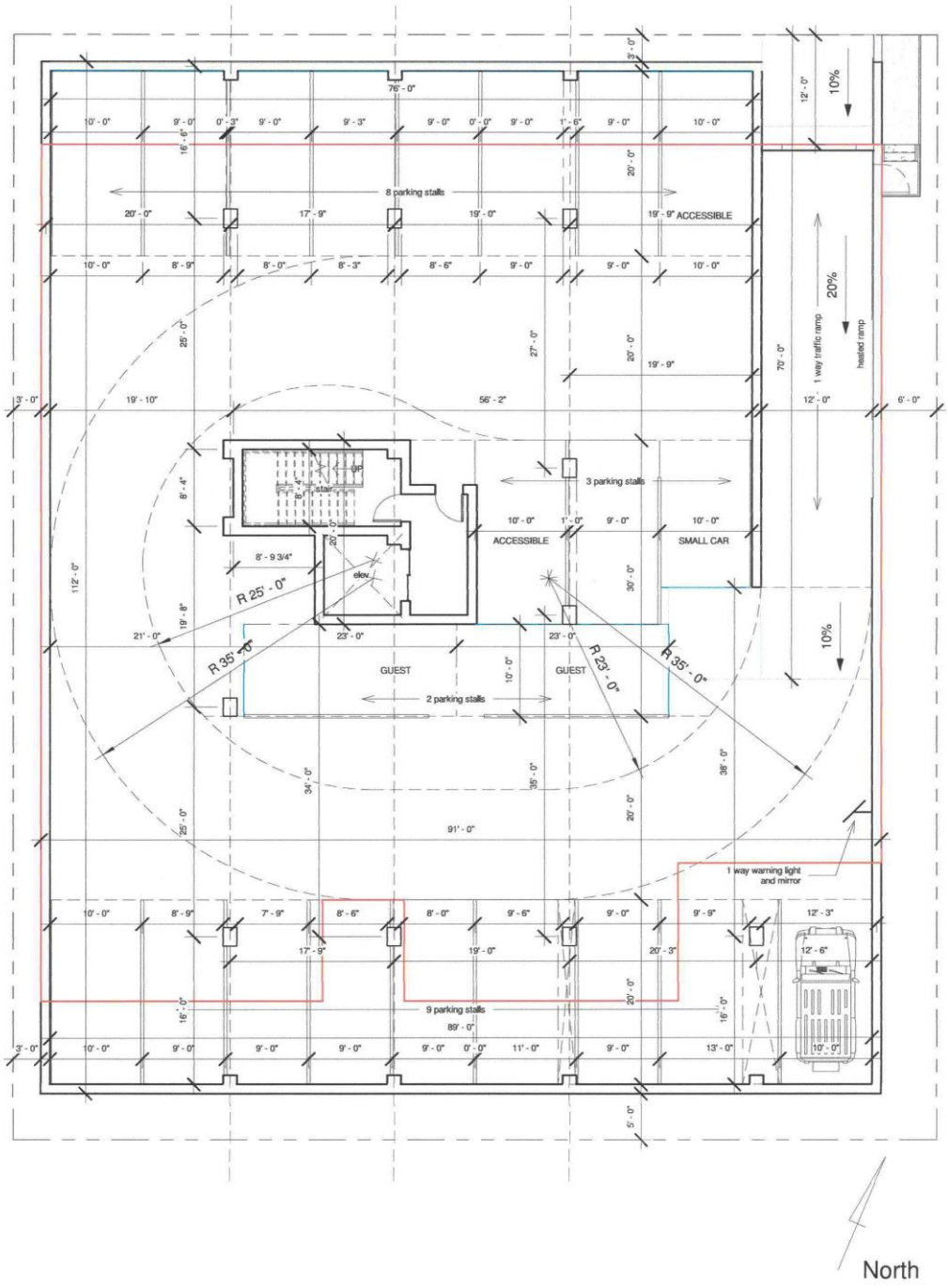
North (Pulic Lane) - 100'
Buffer of parking required
0 provided

East (Residential Side Yard) - 120'
Commerical buffer required
4' & 6' Fence (Option 2)

South (McMillan Ave.) - 100'
Street Edge Landscaping required (4 trees, 15 shrubs)
4 trees provided
18 shrubs provided

West (Safford St.) - 120'
Street Edge Landscaping required (4 trees, 18 shrubs)
1 tree provided
20 shrubs provided

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673 Mulvey Ave Winnipeg, MB. R3M 1G2
email: info@designunion.ca



North

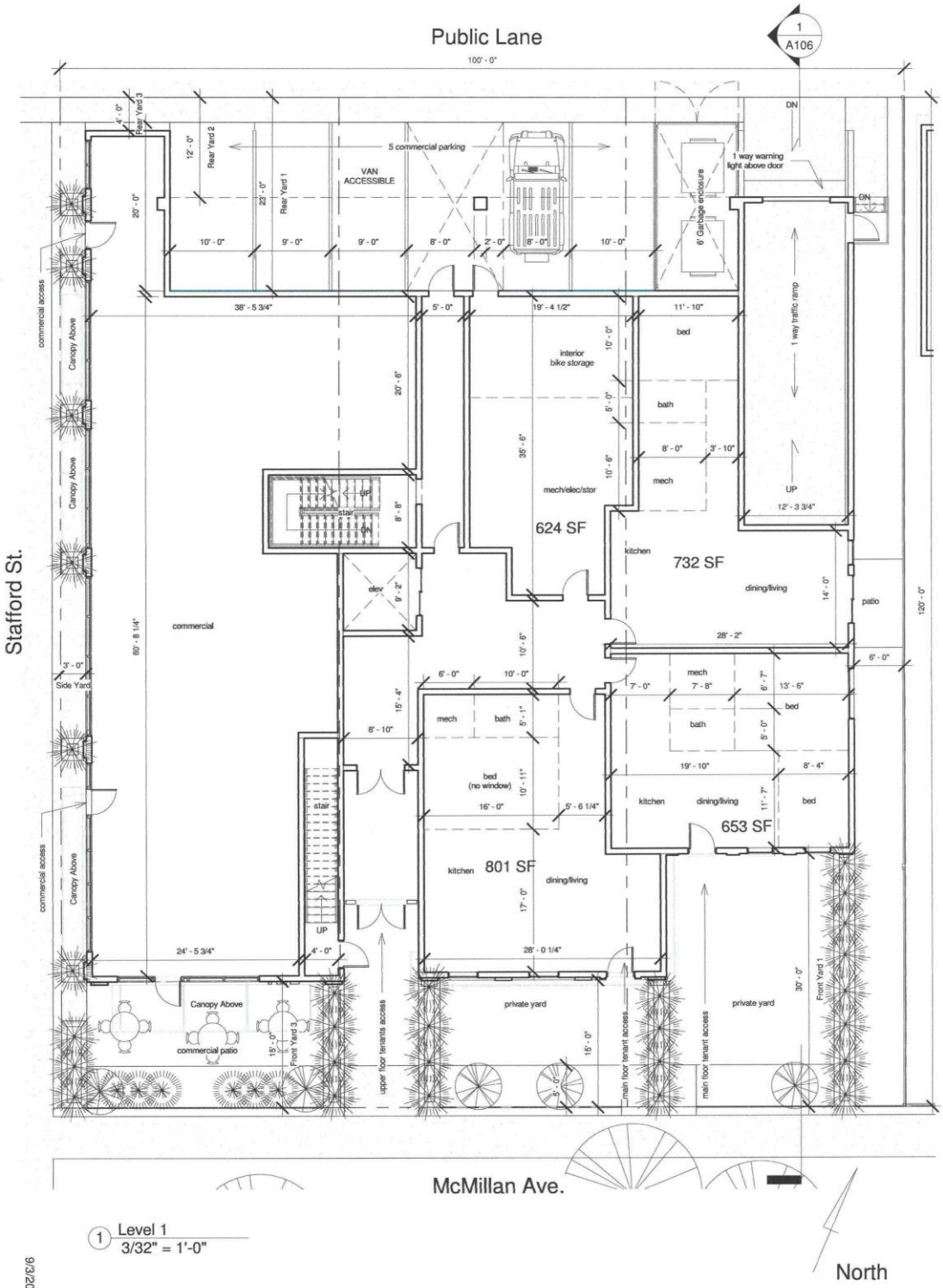
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1 Level 1
3/32" = 1'-0"

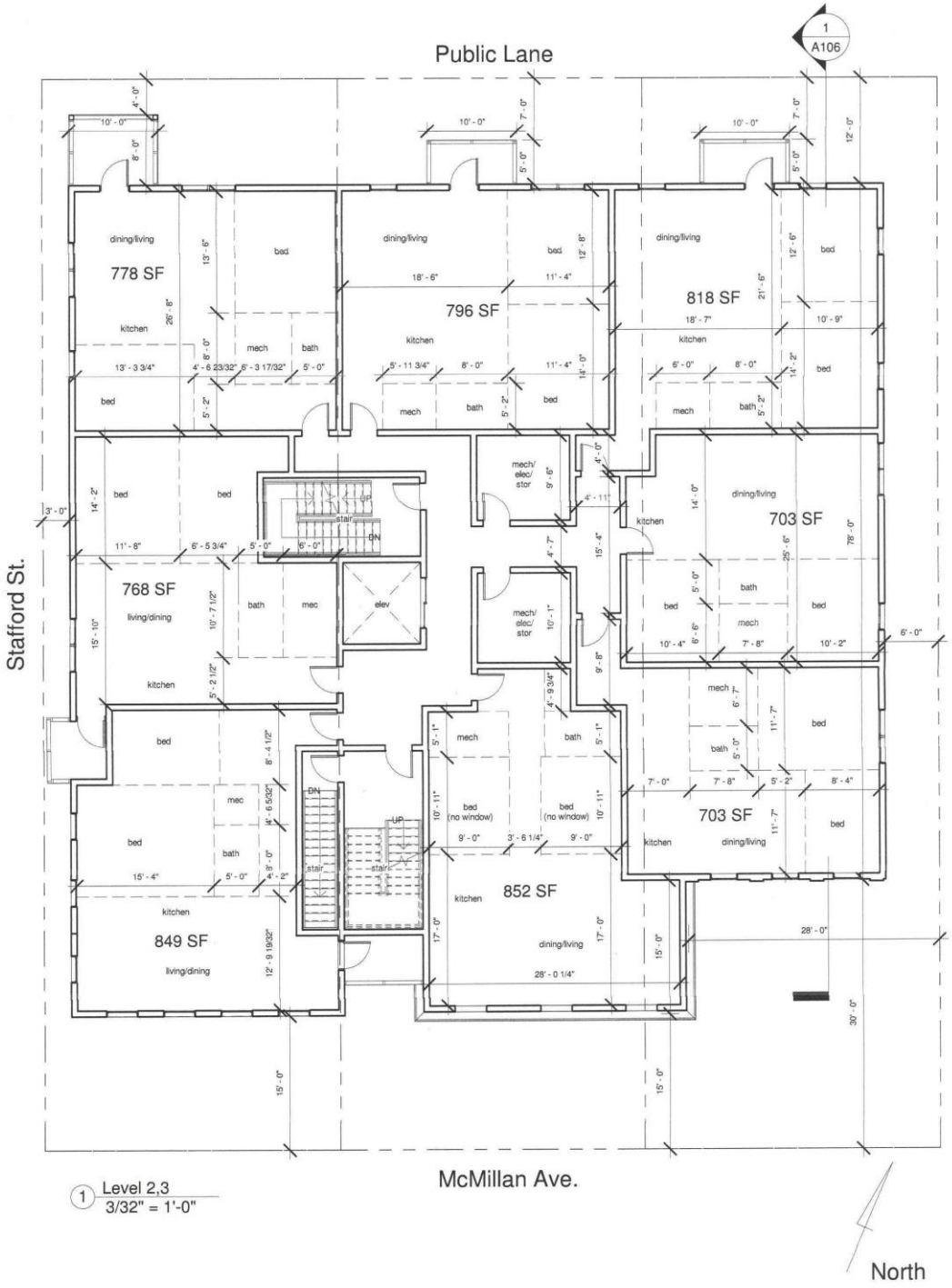
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1 Level 2,3
3/32" = 1'-0"

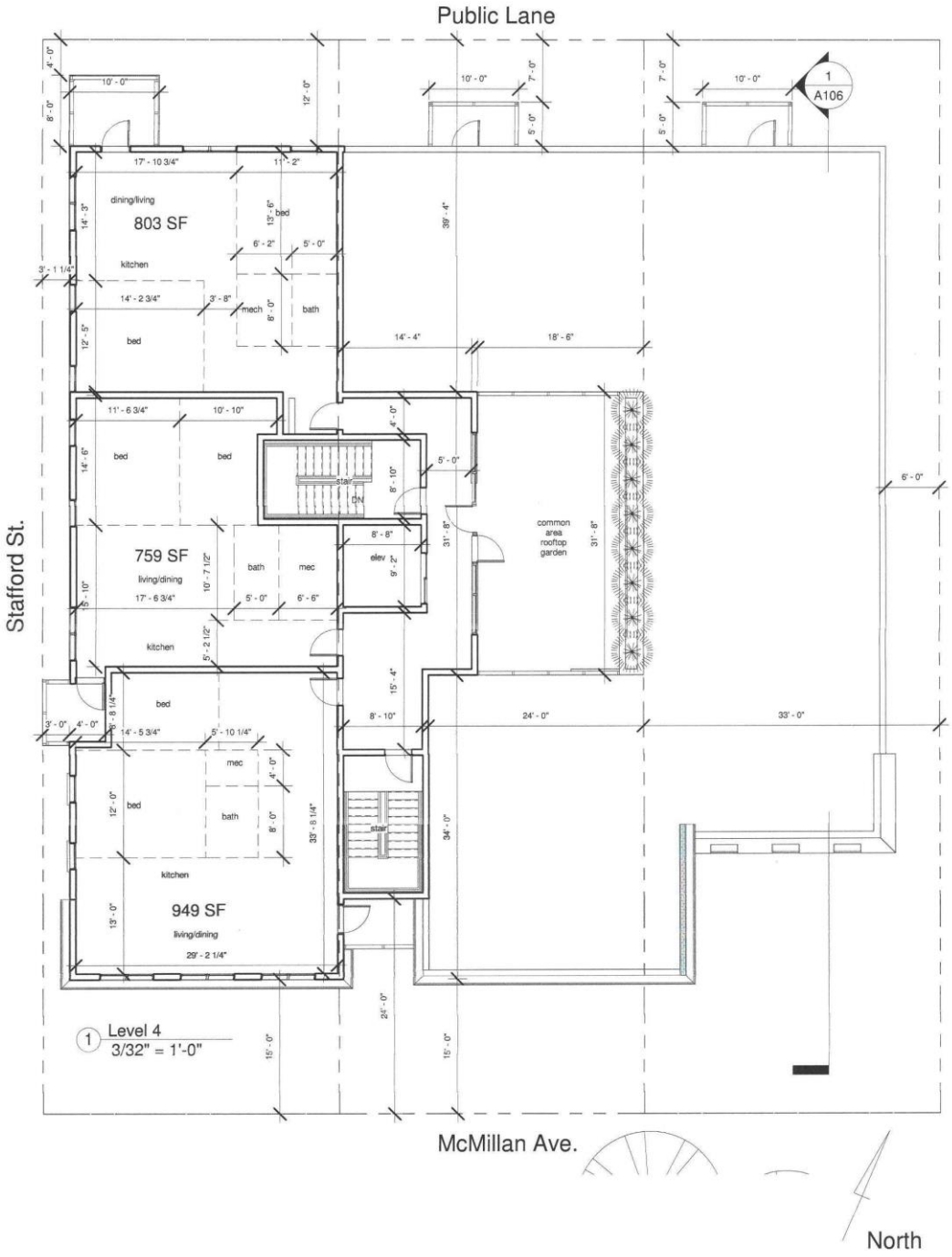
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PUBLIC LANE

1 North
1/16" = 1'-0"



STAFFORD ST

2 West
1/16" = 1'-0"



SIDE YARD

3 East
1/16" = 1'-0"



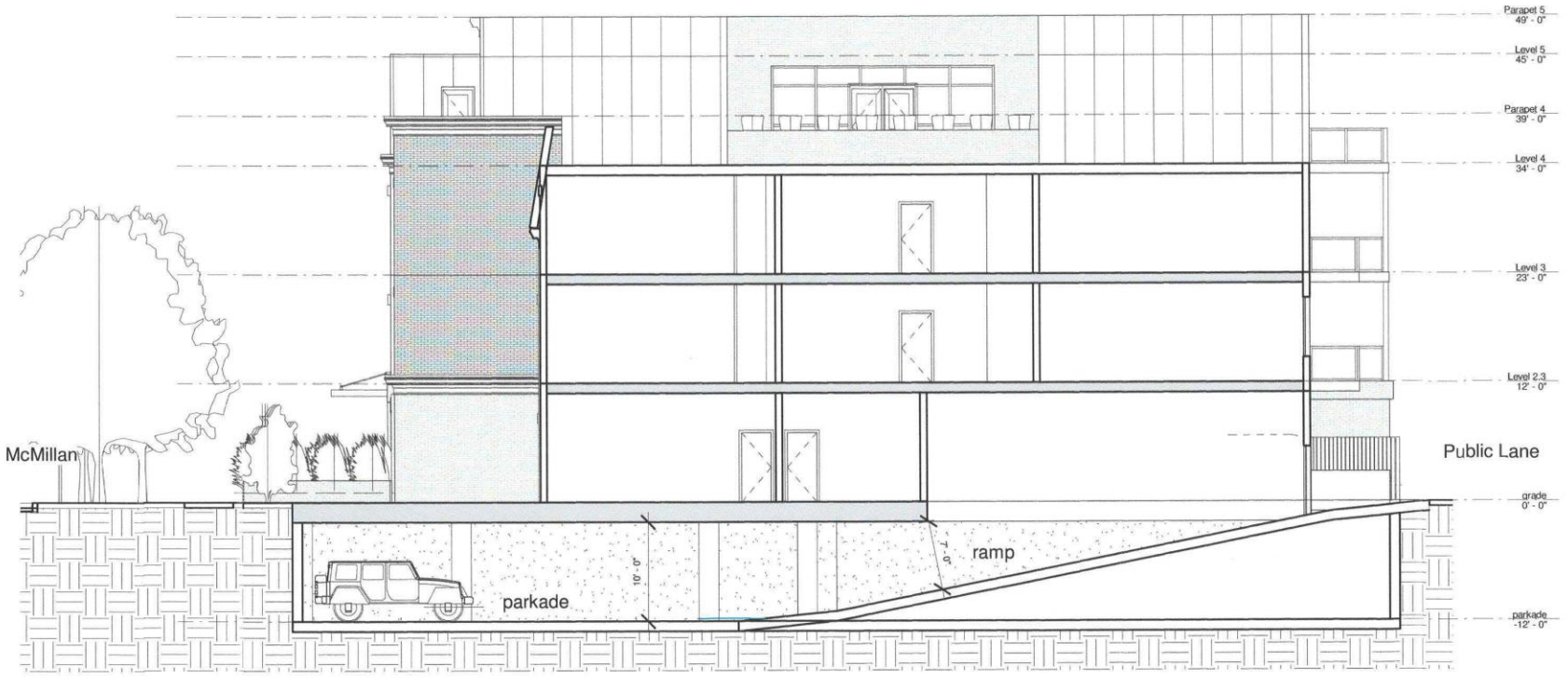
MCMILLAN AVE

4 South
1/16" = 1'-0"

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1 Section 1
3/32" = 1'-0"

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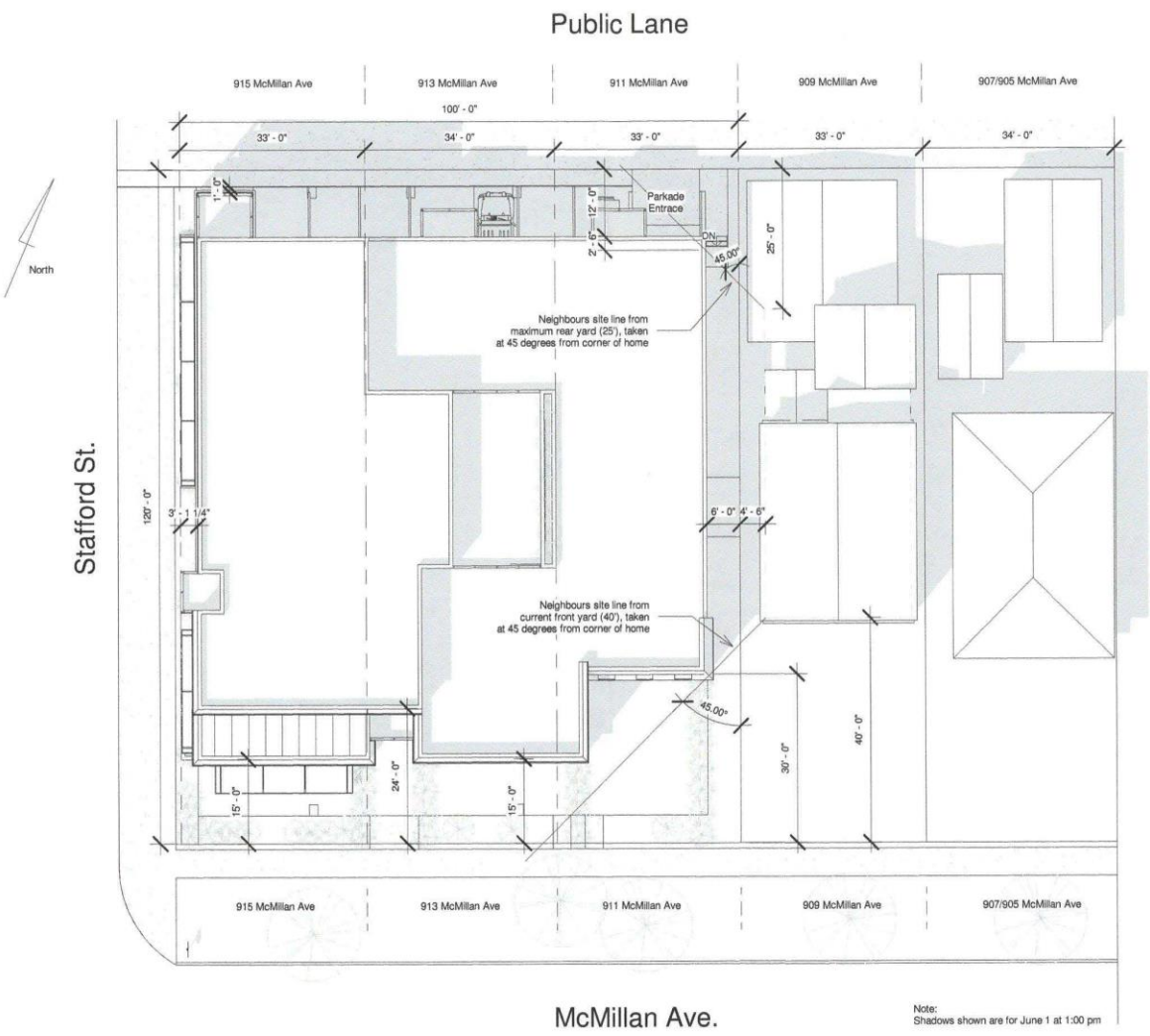


1 McMillan Ave

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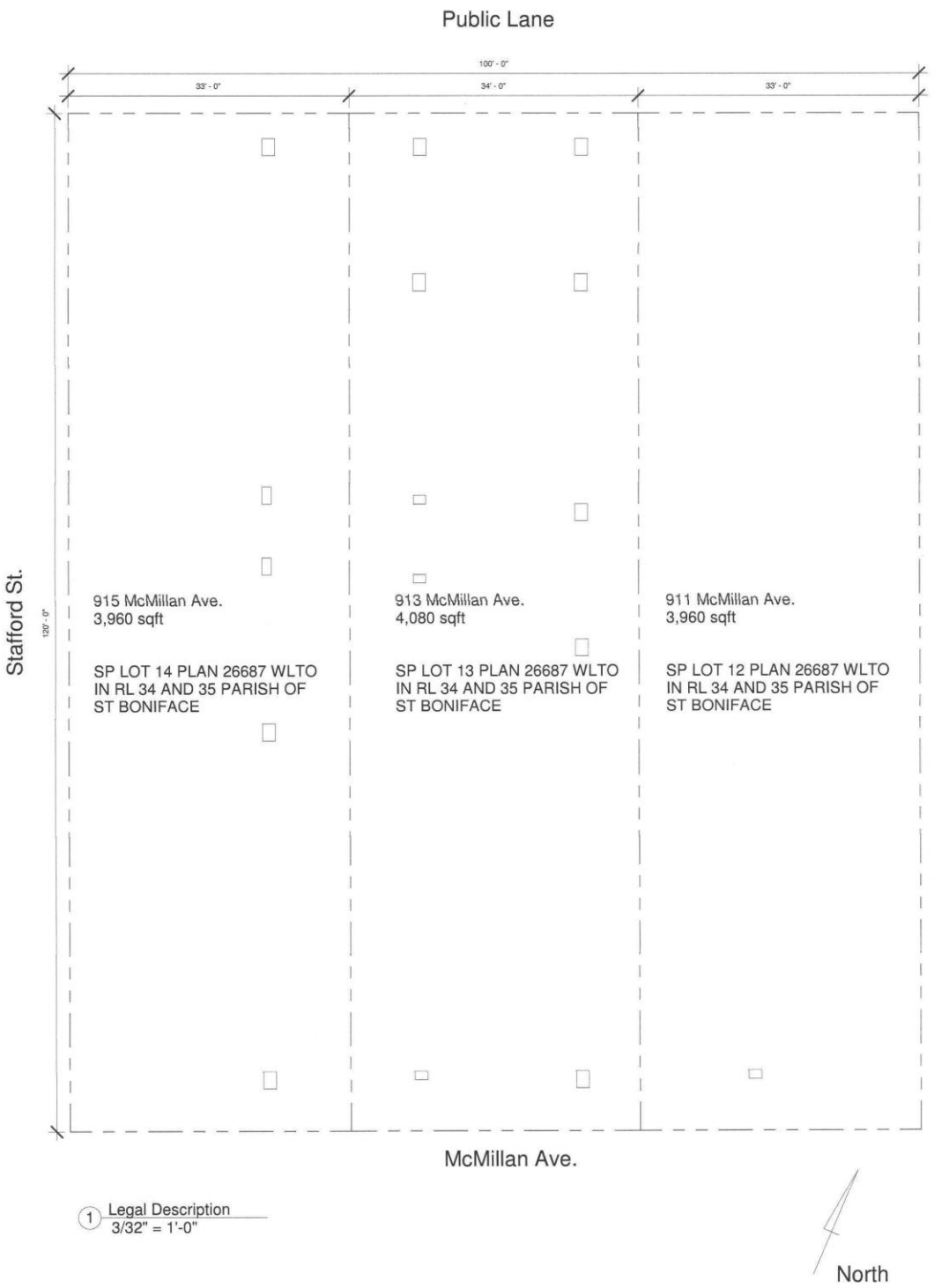


1 Site + Neighbour
1" = 20'-0"

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9/3/2020 3:54:24 PM



1 Legal Description
3/32" = 1'-0"

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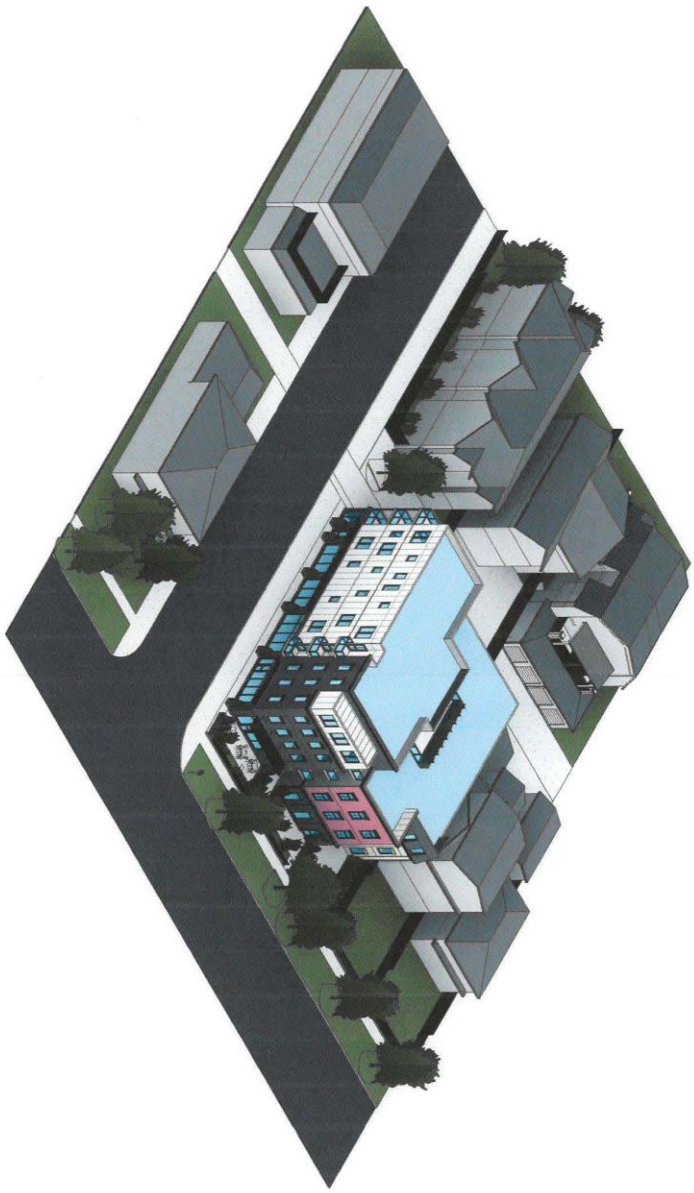




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