Agenda – Council – February 25, 2021

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 12, 2021

Item No. 11 Subdivision and Rezoning – 2025 and 2071 Corydon Avenue (Charleswood-Tuxedo-Westwood Ward)
File DASZ 26/2020 [c/r DCU 214249/2020D & DAV 214310/2020D]

STANDING COMMITTEE RECOMMENDATION:

On February 17, 2021, 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 26/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated January 26, 2021 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:

    A. That the Developer be required to enter into a Servicing Agreement, if required, 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 January 20, 2021 and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "RMU PDO-1 Airport Vicinity" Residential Mixed-Use District as shown on the map dated January 26, 2021, and attached as Schedule "A" to this report, subject to the following conditions:

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

        i. For those portions of the Owner's Land zoned "RMU PDO-1 Airport Vicinity" Residential Mixed-Use and "C4 PDO-1 Airport Vicinity" Commercial Regional, the Owner must submit plans showing the location and design of any and all proposed:

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 12, 2021

STANDING COMMITTEE RECOMMENDATION (continued):

a. buildings
b. accessory parking areas
c. private approaches
d. garbage enclosures
e. fencing
f. landscaping
g. free-standing signage

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

3. That the City enter into, execute and deliver with the Developer:

   A. a Servicing Agreement, if required, in accordance with recommendation 1; and

   B. a Zoning Agreement in accordance with recommendation 2, 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").

4. 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 Servicing Agreement, if required, 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.

5. 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 26/2020 as determined by the City's Director of Planning, Property and Development.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 12, 2021

STANDING COMMITTEE RECOMMENDATION (continued):

6. 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.

7. 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.

8. That the subdivision section of the by-law will come into force when the Servicing Agreement, if required, is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

9. 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.

10. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 8 and 9 unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

11. 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.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 12, 2021

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 17, 2021, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 12, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 3, 2021, the Assiniboia 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 26/2020

Before: Assiniboia Community Committee
Councillor Klein, Chairperson
Councillor Gillingham
Councillor Lukes

Public Hearing: February 3, 2021
Council Building, 510 Main Street

Applicant: Raymond S.C. Wan Architect (Raymond Wan)

Subject:



APPLICANT: Raymond S.C. Wan Architect (Raymond Wan)
FILE: DASZ 26/2020
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 a "C4 PDO-1 AIRPORT VICINITY" COMMERCIAL REGIONAL DISTRICT to an "RMU PDO-1 AIRPORT VICINITY" RESIDENTIAL MIXED USE DISTRICT to facilitate the establishment of two (2) lots for the construction of a multi-family dwelling, containing commercial units, and the maintenance of a shopping centre. **For information, phone Mr. R. Galston, Planner at 204-986-8645.**

Premises Affected: 2025 and 2071 Corydon Avenue

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

Prepared by: L. Cowan, Senior Committee Clerk
Assiniboia Community Committee

Report date: February 4, 2021

Community Committee Recommendation:

On February 3, 2021, the Assiniboia 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 26/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated January 26, 2021 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:

    A. That the Developer be required to enter into a Servicing Agreement, if required, 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 January 20, 2021 and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "RMU PDO-1 Airport Vicinity" Residential Mixed-Use District as shown on the map dated January 26, 2021, and attached as Schedule "A" to this report, subject to the following conditions:

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

        i. For those portions of the Owner's Land zoned "RMU PDO-1 Airport Vicinity" Residential Mixed-Use and "C4 PDO-1 Airport Vicinity" Commercial Regional, the Owner must submit plans showing the location and design of any and all proposed:

            a. buildings
            b. accessory parking areas
            c. private approaches
            d. garbage enclosures
            e. fencing
            f. landscaping
            g. free-standing signage

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

3. That the City enter into, execute and deliver with the Developer:

   A. a Servicing Agreement, if required, in accordance with recommendation 1; and

   B. a Zoning Agreement in accordance with recommendation 2, 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").

4. 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 Servicing Agreement, if required, 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.

5. 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 26/2020 as determined by the City's Director of Planning, Property and Development.

6. 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.

7. 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.

8. That the subdivision section of the by-law will come into force when the Servicing Agreement, if required, is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

9. 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.

10. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 8 and 9 unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

11. 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.

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

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

1. The applicants have done their due diligence with the neighbourhood. They have listened to the concerns, they have addressed the concerns within their application. They have worked with the public service to make sure that those concerns are addresses and they have certainly, what I believe, have worked in partnership with the neighbourhood and with the community to add to the character of our Tuxedo area.

2. I believe that this will certainly be a nice addition to the community and something that as we've all noted hasn't happened for very, very long time.

Exhibits Filed:

1. Application dated November 13, 2020
2. Notification of Public Hearing dated December 29, 2020
3. Manitoba Status of Title 1069869/1
4. Letter of authorization dated October 9, 2020 from Investors Group Trust Co. Ltd. (Maurice J. Toutant) to Raymond S. C. Wan Architect
5. Surveyor's Partial Building Location Certificate dated October 15, 2020 (page 2 of 3)
6. Caveats 204095/1, 204096/1 and 1574643/1
7. Design Presentation (Zoning) (13 pages)
8. Plans (5 pages)
9. Communication dated January 21, 2021 from W. Clarke Wilkie in opposition to the application
10. Report from the Urban Planning Division dated January 26, 2021
11. Inspection Report
12. Communication dated January 31, 2021 from Wayne Manishen, for information to the application

REPRESENTATIONS:

In Support:

Jessie Alermo
Kris Mutcher
John Prall
Maurice Toutant
Ray Wan

In Opposition:

W. Clarke Wilkie

For Information:

Wayne Manishen

For the City:

R. Galston, Urban Planner, Planning, Property and Development Department
D. Trenchard, Land Development Engineer, Planning, Property and Development Department

Exhibit "10" referred to in File DASZ 26/2020

ADMINISTRATIVE REPORT

Title: DASZ 26/2020 – 2025 and 2071 Corydon Avenue

Issue: For consideration at the public hearing for a subdivision and rezoning to subdivide into two (2) lots, Lot 1 and Lot 2, and to rezone proposed Lot 1 to a "RMU" Residential-Mixed Use zoning district, Lot 2 will remain Commercially zoned.

Critical Path: Assiniboia Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Galston, MCP	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 26/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated January 26, 2021 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:

    A. That the Developer be required to enter into a Servicing Agreement, if required, 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 January 20, 2021 and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land to a "RMU PDO-1 Airport Vicinity" Residential Mixed Use District as shown on the map dated January 26, 2021, and attached as Schedule "A" to this report, subject to the following conditions:

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

        i. For those portions of the Owner's Land zoned "RMU PDO-1 Airport Vicinity" Residential Mixed-Use and "C4 PDO-1 Airport Vicinity"

Commercial Regional, the Owner must submit plans showing the location and design of any and all proposed:

(a) buildings;

(b) accessory parking areas;

(c) private approaches;

(d) garbage enclosures;

(e) fencing;

(f) landscaping; and

(g) free-standing signage

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

3. That the City enter into, execute and deliver with the Developer

   A. a Servicing Agreement, if required, in accordance with recommendation 1; and

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   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").

4. 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 Servicing Agreement, if required, 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.

5. 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 26/2020 as determined by the City's Director of Planning, Property and Development.

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

REASON FOR THE REPORT

- 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 Winnipeg Public Service are concurred in, the subject property may be subdivided and rezoned consistent with the map provided in Schedule "A" of this report.

CONSULTATION

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

OURWINNIPEG POLICY ALIGNMENT

01-1a OurWinnipeg Approach to City Building

- Promote compact urban form and manage the extension of municipal services for new growth: Support new developments that are contiguous with existing developments to minimize the spatial use of land and the extension of services.

01-1c Key Directions for Specific Areas –Areas of Stability

- Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #4: Facilitate Compact, Complete Development and Increase Density

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Robert Galston, MCP
Date:	January 26, 2021
File No.	DASZ 26/2020

List of Schedules and Attachments

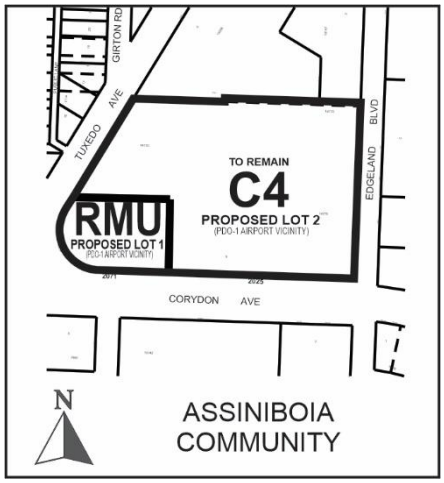
1. Appendix "A" — Planning Discussion
2. Schedule "A" — File No. DASZ 26/2020, Assiniboia Community Committee, Dated January 26, 2021
3. Schedule "B" — Report of the Administrative Coordinating Group Re: Proposed Subdivision and Rezoning of Land Located at 2025 and 2071 Corydon Avenue, Dated January 20, 2021

APPENDIX 'A'

DATE: January 26, 2021
FILE: **DASZ 26/2020**
RELATED FILES: DAV 20-214310/D, DCU 20-214944/D
COMMUNITY: Assiniboia Community
NEIGHBOURHOOD #: 2.613 (Edgeland)

SUBJECT: For consideration at the public hearing for a subdivision and rezoning to subdivide into two (2) lots, Lot 1 and Lot 2, and to rezone proposed Lot 1 to a "RMU" Residential-Mixed Use zoning district.

LOCATION: 2025 & 2071 Corydon Avenue
LEGAL DESCRIPTION: PCL A, B PLAN 14770 5/8 ST C



APPLICANT: Raymond S.C. Wan Architect (Raymond Wan)
50 Willow Avenue
Winnipeg, Manitoba R3N 0G8

OWNERS: Investors Group Trust Co. Ltd.
305 Broadway
Winnipeg, Manitoba R3C 3J7

RECOMMENDATION: Approval

HISTORY

NA

DISCUSSION

SITE DESCRIPTION

- The subject property is located at the northeast corner of Corydon Avenue and Tuxedo Boulevard, in the Edgeland Neighbourhood of the Charleswood – Tuxedo – Westwood Ward.
- The subject site has a total land area of approximately 8.5 acres. A shopping centre known as the Tuxedo Park Shopping Centre, is currently located on the property.
- The subject property is currently zoned “C4” Commercial Regional.
- The subject property is located within the Areas of Stability – Mature Communities policy area of the *Complete Communities Direction Strategy* Urban Structure Map, and may also be considered a Neighbourhood Mixed-Use Centre policy area under *Complete Communities*.



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

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Multi-family residential uses zoned “RMF-S” Residential Multi-Family (Small).

South: Corydon Avenue, then a mix of commercial and multi-family residential uses zoned “C2” Commercial Community and “RMF-S” Residential Multi-Family (Small).

East: Edgeland Boulevard, then multi-family residential uses zoned “RMF-S” Residential Multi-Family (Small).

West: Tuxedo Avenue, then single-family residential uses zoned “R1-L” Residential Single-Family (Large).

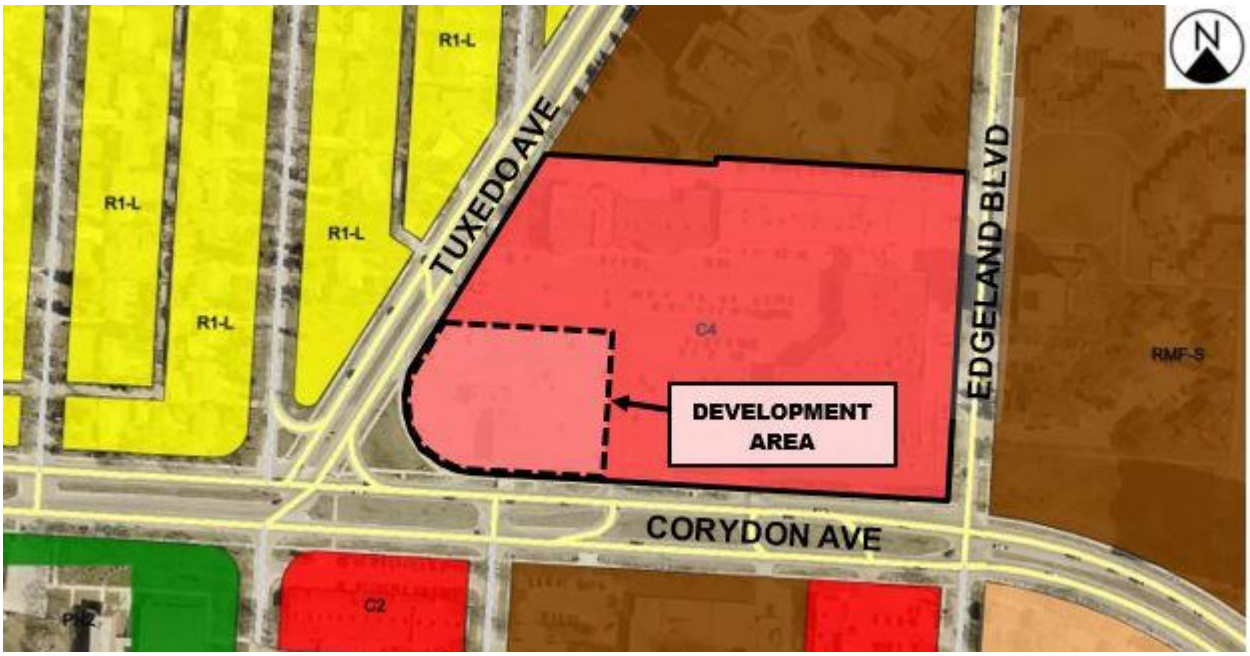


Figure 2: Zoning of the Site and Surrounding Area

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide the subject property into two (2) lots, proposed Lot 1 and Lot 2. The proposed Lot 1 is to be approximately 1.44 acres in size and located at the southwest corner of the subject property. The application proposes to rezone Lot 1 from a “C4” Commercial Regional District to an “RMU” Residential Mixed Use District.
- The proposed Lot 2 will remain “C4” Commercial Regional District, and will continue to operate as a shopping centre.
- The applicant proposes to demolish the gas station and make all necessary soil remediations on the proposed Lot 1, and construct a new mixed-use building.

Site and Building Design

- **Preliminary plans of development have been submitted with the subject application; including site plans and building elevations.**
- The proposed mixed-use building is to be 13 storeys in height. Elevation drawings show that the building has a **maximum height of 140.4 feet to the top roof parapet.**
- The main floor of the proposed building will contain three (3) commercial units, ranging in size from 1,022 square feet to 2,246 square feet. The main floor will also include a 912 square foot multi-purpose room and lobby to serve the residents of the building, and utility areas.

- The upper 12 floors will contain a total of 84 residential dwelling units. Sample floor plans submitted by the applicant show that the residential units will be a mix of one- and two-bedroom units.
- **The proposed building is situated in a manner that its primary residential entrance is oriented toward a drive aisle and small accessory parking area at the corner of Corydon Avenue and Tuxedo Ave. The proposed three (3) commercial units on the ground floor are oriented primarily toward the existing surface parking area and shopping centre located on the site.**

Parking and Vehicle Access

- **The applicant proposes to provide vehicular access from existing private approaches from Corydon Avenue and Tuxedo Avenue.**
- **The applicant proposes to provide a total of 135 accessory parking stalls. This amount of parking meets the requirements for parking set forth in the Winnipeg Zoning By-law.**
- **Of these 135 parking stalls, a total of 75 stalls will be located underground, beneath the proposed building.**

Associated Conditional Use and Variance Applications

- **The proposed development is the subject of an associated Conditional Use application under file no. DCU 20-214944/D. This Conditional Use application concerns the establishment of a multi-family dwelling that exceeds the permitted density of 35 units per acre in the Area 2 of the Airport Vicinity Protection Area.**
- **Please refer to the Administrative Report for file no. DCU 20-214944/D for discussion of this Conditional Use.**
- **Additionally, the proposed development is the subject of a Variance application under file no. DAV 19-216670/D. This Variance application concerns building height and building edge landscaping for the new development on proposed Lot 1, and the maintenance of deficient landscaping, required yards, and garbage enclosures for the existing development on proposed Lot 2.**
- **Please refer to the Administrative Report for file no. DAV 20-214310/D for discussion of these Variances.**

COLLABORATION AND PUBLIC CONSULTATION

- **The applicant engaged in conversations with the Winnipeg Public Service in early 2020, in order to discuss the proposal and identify any significant issues or concerns the Public Service may have. Discussions between the applicant, the Urban Planning Division, and the Winnipeg Airports Authority regarding this proposal took place between June and August, 2020.**
- **The applicant has communicated to the Public Service that a public information session was held on October 7, 2020. The applicant states that a brochure with information on the proposal and notice of this public meeting was sent by mail to single-family residential properties to the west of the subject site, as well as to the multi-family residential units at 200 Tuxedo Avenue, to the north of the subject site.**

- **The applicant notes that three (3) residents from the surrounding area attending the October 7, 2020 information session. The applicant states that feedback gathered at this information was generally positive.**

ANALYSIS AND ISSUES

OURWINNIPEG AND COMPLETE COMMUNITIES DIRECTION STRATEGY

- *OurWinnipeg* is the City's long-range development plan. The Key Direction of *OurWinnipeg* regarding Areas of Stability states:
    - *Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population.*
- The *Complete Communities Direction Strategy* is one of four direction strategies supporting *OurWinnipeg* and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- The subject property is classified as Areas of Stability – Mature Communities policy area in *Complete Communities*' Urban Structure map. Areas of Stability will accommodate low to moderate density infill development to support more efficient use of land, infrastructure, and services as well as enhance housing choice and affordability.
- With regard to this proposal, key policies guiding the development of Areas of Stability include:
    - *Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complementary to the existing scale, character and built form.*
    - *Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.*
    - *Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.*
    - *Encourage intensification to occur at centres and along corridors.*
    - *Focus housing growth to areas that have municipal service capacity to support intensification, in addition to commercial and recreational amenities.*
    - *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.*
- While the subject property is located in the Areas of Stability – Mature Communities policy area under *Complete Communities'* Urban Structure map, the subject property is considered to have characteristics of a Transformative Area – Community Mixed-Use Centre policy area. Community Mixed-Use Centres function as commercial destinations for surrounding neighbourhoods while also providing infill development opportunities. Community Mixed-Use Centres are also typically located at major intersections, and can support high-frequency transit service.
- Policies for Centres and Corridors in the city include the following:

- *Develop centres and corridors as focal points, characterized by a mix of uses, higher-density developments, opportunities for gathering and other social interaction and a high level of accessibility through multiple modes of transportation.*
- *Provide a mix of employment, higher-density residential opportunities, retail and services uses that support the needs of and respect the context of adjacent communities.*
- *Support a range of housing opportunities in terms of type, tenure, unit size.*
- *Support active uses (such as retail and services) at street level and office and housing on the upper levels of multi-storey developments.*
- *Encourage the transition of development towards the outer edges of each Centre and Corridor that is sensitive to the scale, massing, height, form, and character of the surrounding area.*
- *Mitigate the potential impacts of new development on neighbouring streets, parks, and properties.*

SUBDIVISION

- As noted above, the subject property is currently made up of one (1) lot. Subdivision is required in order to establish two (2) lots, Lot 1 and Lot 2. The purpose of this subdivision is so that the proposed Lot 1 can be rezoned "RMU" in order to accommodate the proposed mixed-use development.

REZONING

- As noted above, the applicant is proposing to rezone the proposed Lot 1 to "RMU" Residential Mixed Use in order to accommodate the proposed mixed-use development. Under the current "C4" Commercial Regional zoning of the subject property, residential uses are not permitted.
- In general, "RMU" zoning districts are intended to facilitate the development of primarily medium- to higher-density development, though it also may contain limited, small-scale commercial, institutional, recreational, and service uses needed to support residential development. Development in "RMU" districts should provide convenient access for pedestrians and transit users from the public street. These "RMU" districts are often part of a Community Regional Mixed-Use Centre, Major Redevelopment Site, or Rapid Transit Corridor.
- In order to enable commercial uses that are small-scale, supportive of, and generally compatible with residential uses, the Principle Use Table of the Winnipeg Zoning By-law regulates the scale and nature of commercial uses in "RMU" districts. Examples of commercial uses not permitted, conditional, or limited in size in the "RMU" district include:
    - Supermarket – not permitted
    - Drinking establishment – conditional
    - Restaurant – permitted to a maximum of 2,500 square feet of floor area; drive-thru facilities are not permitted
    - Personal service – permitted to a maximum of 5,000 square feet of floor area
    - Office – permitted to a maximum of 5,000 square feet of floor area

    - Medical clinic – permitted to a maximum of 5,000 square feet of floor area
    - Other retail sales – permitted to a maximum of 5,000 square feet
    - Body modification establishment – not permitted
    - Cheque-cashing facility – not permitted
- Given these limits on commercial uses, the Urban Planning Division considers the proposed "RMU" zoning district to be appropriate at this location, not only because it will enable mixed-use development at a Community Mixed-Use Centre, but because it will not likely enable commercial uses that have an adverse effect on the area, in terms of excessive vehicular traffic or noise.
- Per the Winnipeg Zoning By-law, the Dimensional Standards for "RMU" districts include the following:
    - A minimum front yard of 20 feet;
    - A minimum rear yard of 25 feet;
    - A minimum interior side yard of five (5), plus an additional two feet for each additional storey above the ground floor, to a maximum of 20 feet; and,
    - A maximum building height of 100 feet.
- With respect to building height, it has been noted above that the applicant has applied for a Variance to the height requirement of the "RMU" zoning district, in order to construct a building that is 140.4 feet in height instead of the maximum 100 feet permitted. This Variance is the subject of an associated file no. DAV 20-214310/D.

CONSISTENCY WITH OURWINNIPEG

- The proposal is consistent with policies for Areas of Stability – Mature Communities under the *Complete Communities Direction Strategy*, in that it is intensification occurring in a Community Mixed-Use Centre, directly adjacent to an intersection of two arterial streets. Additionally, the proposed development is situated where it is not likely to have a substantial impact on nearby residential properties, in that it does not create substantial visual detriment or casts significant shadows on nearby residential properties. Refer to further discussion below regarding compatibility with the surrounding area.
- The proposal also aligns with policies for Community Mixed-Use Centres, in that it provides a mix of higher-density residential uses on upper floors and commercial services on the ground floor. It is situated in a manner that the proposed development can provide connections to adjacent public sidewalks and with transit stops on Corydon Avenue.

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- As noted above, the subject property is currently surrounded by a mix of uses and building types, including multi-family residential uses similar in scale to what is proposed, and detached single-family residential uses.
- The proposed development is further separate from the lower-density residential uses by the existing arterial right-of-ways, which has a width of 89 feet.
- The applicant presented to the Urban Planning Division a sun-shadow impact study, which showed limited shadows cast on adjacent residential properties at various times at

9:00 AM, 12:00 PM, and 9:00 PM on March 21, June 21, September 21, and December 21. The Urban Planning Division reviewed this sun-shadow study with particular attention to potential shadow impacts on the detached single-family residential properties located west of Tuxedo Avenue, which are no less than 89 feet from the subject property.

- Dates and times where shadows cast by the proposed buildings would have any impact on one or more of these residential properties includes the following:
    - March 21 – 9:00 AM;
    - September 21 – 9:00 AM; and,
    - December 21 – 9:00 AM and 12:00 PM.
- On all other dates and times the sun-shadow study looked at, no impacts on these residential properties were shown.
- Based on this, the Urban Planning Division considers the adverse shadow impacts of the proposed mixed-use building on nearby residential properties to be low.
- Additionally, there are four multi-family residential buildings within 300 metres of the proposed mixed-use building that are greater than 100 feet in height. These are:
    - 200 Tuxedo Avenue – 16 storeys and a height of approximately 170 feet;
    - 160 Tuxedo Avenue – 15 storeys and a height of approximately 151 feet;
    - 180 Tuxedo Avenue – 15 storeys and a height of approximately 151 feet; and,
    - 251 Edgeland Boulevard – 13 storeys, and a height of approximately 118 feet.
- As such, the Urban Planning Division considers the proposed development of a multi-family building that is 13 storeys, with a height of 140.4 feet, to be compatible with the surrounding area.

AIRPORT VICINITY PROTECTION AREA

- As noted above, the subject property is located within Area II of the Airport Vicinity Protection Area Planned Development Overlay 1 (Schedule ‘D’ of the Winnipeg Zoning By-law. The Airport Vicinity Protection Area seeks to limit new residential development within close proximity of the Winnipeg international airport, in order to limit complaints from new residential development that could affect the 24-hour operation of the airport as a major passenger and cargo facility.
- Within Area II, new residential development with a density greater than 35 dwelling units per acre requires a Conditional Use application. The Urban Planning Division initiated discussions with the Winnipeg Airports Authority, prior to the submission of this application, in order to determine if there were any concerns with the proposal exceeding a density of 35 units per acre. The Winnipeg Airports Authority has provided a letter to the applicant stating they support, in principal, the proposed density of approximately 61 dwelling units per acre on the proposed Lot 1.
- It should also be noted that a higher standard of acoustical design and construction is a requirement for new multi-family residential development within Area II.

CONDITIONS OF APPROVAL

Servicing Agreement

- The Winnipeg Public Service recommends that the developer enter into a Servicing Agreement with the City of Winnipeg, if required, in order to address issues relating to municipal services and infrastructure within the planned area. These issues are discussed in the Report of the Administrative Coordinating Group (ACG), which is attached to this report as Schedule “B.”

Development Agreement

- The Winnipeg Public Service recommends that the developer enter into a Development Agreement with the City of Winnipeg, in order to ensure that any final plans of development for the proposed Lots 1 and 2 are approved by the Assiniboia Community Committee and the Director of Planning, Property and Development.

Land Dedication

- As a condition of rezoning or subdivision of a parcel of land, a developer is required to contribute a portion of the land to be developed to the City of Winnipeg for parks purposes. The amount of land is not less than 10 percent.
- In the case of the subject proposed subdivision and rezoning, the Planning, Property and Development Department is recommending that the developer provide ‘cash in lieu’ of a dedication of land for the appraised value of the subject site.

RECOMMENDATION

The Urban Planning Division recommends **approval** for the following reasons:

- The subject subdivision and rezoning application complies with policies for Mature Communities and Community Mixed Use Centres under the *Complete Communities Direction Strategy*, in that it allows a mixed-use development that is at an intersection of two arterial streets.
- The proposed development is compatible with the surrounding area, which is characterized by an existing shopping centre and multi-family developments with similar building heights.
- The proposed development is unlikely to have a substantial adverse effect on the surrounding neighbourhood, including on single-family residential properties to the west of Tuxedo Avenue in terms of shadow impacts.
- The Winnipeg Airports Authority has communicated that they do not have concerns with the proposed residential density of proposed Lot 1, which is located within Area II of the Airport Vicinity Protection Area Planned Development Overlay.

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

PPD File #: DASZ 26/2020

Schedule "A" for File DASZ 26/2020, Assiniboia Community Committee, dated January 26, 2021

By-Law No. _____

File No. **DASZ 26/2020**

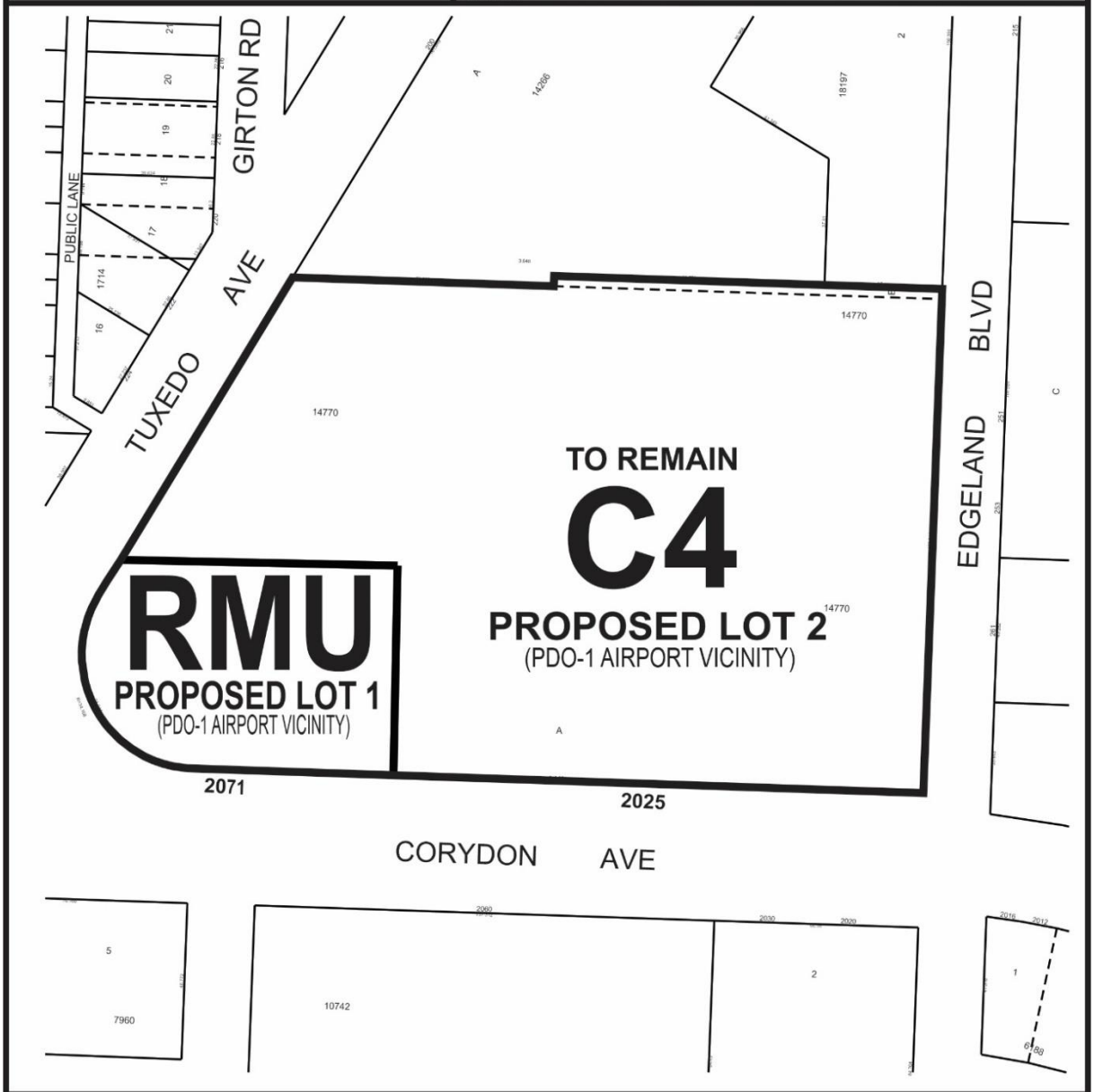
Atlas Sheet No. **AC19**

N

ASSINIBOIA COMMUNITY

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 2025 and 2071 Corydon Avenue from a "C4 PDO-1 AIRPORT VICINITY" COMMERCIAL REGIONAL DISTRICT to an "RMU PDO-1 AIRPORT VICINITY" RESIDENTIAL MIXED USE DISTRICT to facilitate the establishment of two (2) lots for the construction of a multi-family dwelling, containing commercial units, and the maintenance of a shopping centre.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED AT 2025 AND 2071 CORYDON AVENUE

It is recommended that the approval of DASZ 26/2020, if granted, be subject to the applicant entering into a Servicing Agreement addressing the following servicing requirements, if required by the accepted technical memorandum requested by the Water and Waste Department:

Section I - Plan Considerations

1. The applicant shall execute a joint services agreement, which shall obligate all present and future owners of the proposed lots to be jointly responsible for the proper use, maintenance, repair and replacement of the shared land drainage services.

2. The Developer and all successors in title to the lots in the subdivision shall enter into, and register at the Winnipeg Land Titles Office (WLTO) under Section 76 of the Real Property Act and maintain in perpetuity by way of instrument (right of way agreement, easement agreement, or declaration) against the titles to the lots, a private cross-access agreement with the owners of the other lots so as to ensure vehicular access to every lot at all times, via streets or internal roads. The cross-access agreement shall be reviewed and approved by the Public Works Department prior to registration at WLTO.

Section II – Engineering Reports

The subject land is located in a combined sewer district in which Clause 8 of the City's Environment Act Licence No. 3042 for Combined Sewer Overflow applies. This proposed development is serviced by partially separated sewer system, with the land drainage component separated. This scenario does not allow for the additional wastewater generated from the proposed development to be offset by restricting the land drainage discharge rate. WWD cannot support this development proposal unless it can be demonstrated to not be in violation of the Licence.

The applicant shall demonstrate in a technical memorandum, to the satisfaction of the Director of Water and Waste, that there are existing land drainage flows going into the combined sewer system that can/will offset the additional wastewater generated, and construct any infrastructure outlined in the memorandum, at no expense to the City, in accordance with requirements pursuant to Environment Act Licence No. 3042.

No additional flow or connection will be approved to the City land drainage system

Section III - Servicing Conditions

1. Underground Servicing

   The Developer shall, at no expense to the City, construct and install any underground servicing (wastewater and/or land drainage sewers and related works) required by the accepted technical memorandum, to the satisfaction of the Director of Water and Waste.

2. Boulevards

(a) The Developer shall, at no expense to the City, plant trees on the boulevard at the intersection of Corydon Avenue and Tuxedo Avenue, all in accordance with City specifications and guidelines and, where required, with concept plans prepared by the Developer and submitted to and approved by the Director of Public Works.

(b) The Developer shall, at no expense to the City, maintain the trees for a period of two years, in accordance with specifications approved by the Director of Public Works.

3. Private Approaches

The proposed subdivision causes the existing private approach on Corydon Avenue serving proposed lot 2, to be non-conforming under the Private Access Bylaw as the private approach must be a minimum of 3m from the lot line.

Private approaches require separate application to the Public Works Department, however Public Works does not have authority to approve non-conforming private approaches. Review is required by the Standing Policy Committee on Infrastructure Renewal and Public Works.

4. Construction Traffic

The Developer shall, at no expense to the City

(a) The Developer shall ensure that construction traffic uses access routes determined by the Director of Public Works;

(b) The Developer shall, at no expense to the City, maintain those access routes in a clean, dust-free condition, free of dropped and tracked-on mud; and shall undertake the regular scraping and sweeping, of streets until building construction, including landscaping, is complete, all as determined by and to the satisfaction of the Director of Public Works.

5. Litter and Refuse Control and Clean-Up

The Developer shall, at no expense to the City, and of its own volition, initiate and control the regular cleanup of litter and refuse related to construction and development of the Planned Area, both on-site and off-site, during the installation of services and construction of buildings, until completion of all construction, as determined by and to the satisfaction of the Director of Public Works.

6. 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 restored as required by a Manitoba Land Surveyor and shall prepare a Plan of Survey

Perpetuating Certain Monuments, confirming the position of all the survey monumentation within the Planned Area, for filing in The Property Registry.

(b) Where the Director of Planning, Property and Development determines that all the survey monuments within the Planned Area have been found or restored to their original positions, the Director of Planning, Property and Development may waive the requirements for Plan of Survey Perpetuating Certain Monuments under clause (a).

Section IV – 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 the 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, 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.

3. Administration Fees

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

THIS REPORT SUBMITTED BY:

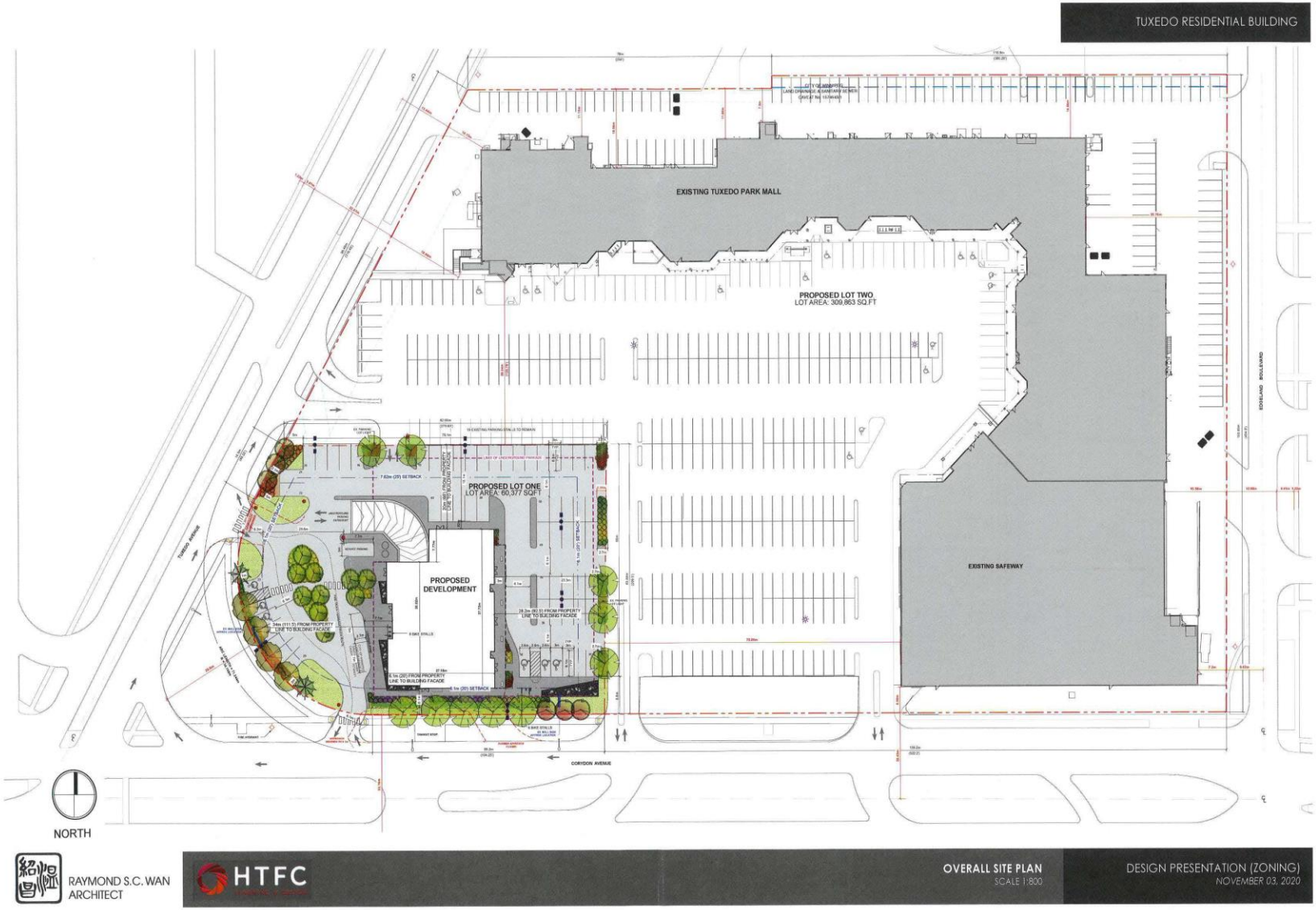
Administrative Co-ordinating Group
File No. DASZ 26/2020
January 20, 2021

"*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 and Waste Department

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

Exhibit “8” referred to in File DASZ 26/2020





LEGEND

- Property Line
- Fire Truck / Garbage Truck Route
- Principal Building Entry
- Garbage / Recycling Room Entrance
- Proposed Stop Signs
- Bike Parking
- Molok Bins
- Proposed Parking Lot Lighting
- Concrete Sidewalk
- Sod
- Shrub Bed
- Granite Mulch and Boulders
- Trembling Aspen (10)
- Autumn Blaze Freeman Maple (4)
- Discovery Elm (10)
- Springsnow Crabapple (6)
- Black Hills Spruce (2)
- Raised Planter

TOTAL PARKING FIELD:
30,682 sq ft (2,850 sq m)

LANDSCAPE REQUIRED 5% OF 30,682 SQ FT:
1,534 sq ft (143 sq m)

LANDSCAPE PROVIDED:
3,941 sq ft (366 sq m) = 12.9%

CITY OF WINNIPEG BY-LAW REQUIREMENTS:
Part 5: Zoning By-Law Section 190

1. 5% OF PARKING LOT INTERIOR REQUIRED TO BE LANDSCAPED (APPROX. 1,534 sq ft or 143 sq m)
   - REQUIRED: 6 TREES, 17 SHRUBS
   - PROVIDED: 12 TREES, 73 SHRUBS
2. BUILDING FOUNDATION LANDSCAPING REQUIREMENTS:
   SHRUBS
   - REQUIRED: 9 SOUTH, 10 WEST, 13 EAST
   - PROVIDED: 9 SOUTH, 11 WEST, 15 EAST
3. STREET EDGE LANDSCAPING REQUIREMENTS:
   - CORYDON AVENUE
     - REQUIRED: 11 TREES, 48 SHRUBS
     - PROVIDED: 12 TREES, 74 SHRUBS
   - TUXEDO AVENUE
     - REQUIRED: 6 TREES, 25 SHRUBS
     - PROVIDED: 6 TREES, 38 SHRUBS
4. REAR EDGE LANDSCAPING REQUIREMENTS:
   - REQUIRED: 8 TREES, 40 SHRUBS
   - PROVIDED: 0 TREES, 0 SHRUBS
   VARIANCE WILL BE APPLIED FOR HERE
5. SIDE EDGE LANDSCAPING REQUIREMENTS:
   - REQUIRED: 6 TREES, 32 SHRUBS
   - PROVIDED: 3 TREES, 49 SHRUBS
   VARIANCE WILL BE APPLIED FOR HERE

VEHICLE PARKING:
REQUIRED: 139
PROVIDED: 135
- 3 ACCESSIBLE STALLS
- 4 ACCESSIBLE VAN STALLS
- 75 UNDERGROUND STALLS
- 53 REGULAR SURFACE STALLS

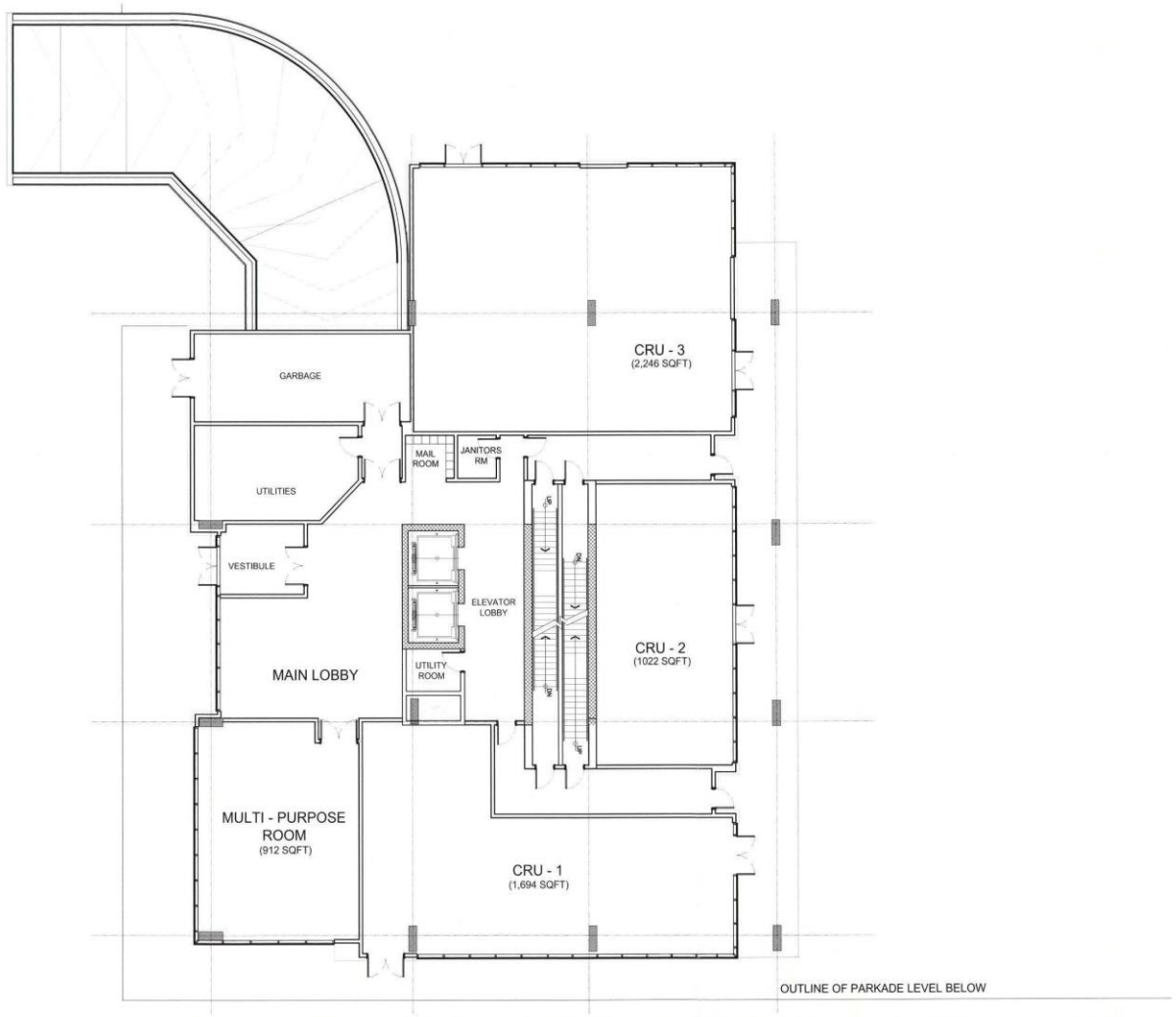
Article 171. (2), Urban Infill Map II, parking requirement can be reduced to 80% of the aggregate of accessory off-street parking. Parking can be reduced to **111 stalls.**

BICYCLE PARKING:
REQUIRED: 14
PROVIDED: 12 OUTDOOR, 36 INDOOR

NOTE:
* ADDITIONAL BICYCLE PARKING PROVIDED LOCATED IN BIKE STORAGE ROOMS IN PARKADE
* GARBAGE AND RECYCLING COLLECTED INSIDE IN GARBAGE AND RECYCLING ROOMS ON MAIN FLOOR WITH ACCESS TO PARKING LOT FOR COLLECTION

PLANT SPECIFICATION LIST

QTY	BOTANICAL/ COMMON NAME	SIZE/ REMARKS
Coniferous Trees		
2	*Picea glauca 'Densata'* / Black Hills Spruce	2.1m (7') ht., Evenly branched, full bushy trees, no broken leaders, well branched to grade. B&B or tree mover, wire basket. Guy wire.
Deciduous Trees		
4	*Acer freemanii* / Freeman Maple	75mm (3") cal. 8 major branches in well-formed head; B&B or tree mover; wire basket; double stake.
6	*Malus 'Spring Snow'* / Spring Snow Flowering Crabapple	38mm (1.5") cal. 8 major branches in well-formed head; B&B or tree mover; wire basket; double stake.
10	*Populus tremuloides* / Trembling Aspen	50mm (2") cal. 10 major branches in well-formed head; B&B or tree mover; wire basket, double stake.
10	*Ulmus davidiana* / 'Discovery' Discovery Elm	50mm (2") cal., 4.8m ht. tree,12 major branches in well-formed head; B&B, wire basket; double stake.
Coniferous Shrubs		
36	*Juniperus sabina* / Savin Juniper	600mm (24") o. well formed plant, even growth. Container stock.
Deciduous Shrubs		
19	*Cornus alba 'Prairie Fire'* / Prairie Fire Dogwood	2 gal. pot, 300-400mm (12-15") ht., min. 5 major basal branches. Well formed, bushy plants. Container stock.
37	*Cotoneaster lucidus* / Cotoneaster	2 gal. pot, 300-400mm (12-15") ht., min. 5 major basal branches. Well formed, bushy plants. Container stock.
6	*Euonymus alatus 'Compactus'* / Dwarf Winged Burning Bush	2 gal. pot, 300-400mm (12-15") ht., min. 5 major basal branches. Well formed, bushy plants. Container stock.
73	*Rhus typhina 'Bailtiger'* / Tiger Eyes Sumac	2 gal. pot, 300-400mm (12-15") ht., min. 5 major basal branches. Well formed, bushy plants. Container stock.
29	*Sorbaria sorbifolia 'SEM'* / False Spirea SEM	2 gal. pot, 300-400mm (12-15") ht., min. 5 major basal branches. Well formed, bushy plants. Container stock.
37	*Syringa meyeri 'Palibin'* / Dwarf Korean Lilac	2 gal. pot, 300-400mm (12-15") ht., min. 5 major basal branches. Well formed, bushy plants. Container stock.
33	*Viburnum opulus 'Nanum'* / Dwarf European Cranberry	2 gal. pot, 300-400mm (12-15") ht., min. 5 major basal branches. Well formed, bushy plants. Container stock.



NORTH

RAYMOND S.C. WAN
ARCHITECT

MAIN LEVEL FLOOR PLAN
SCALE 1:200

DESIGN PRESENTATION (ZONING)
SEPTEMBER 17, 2020

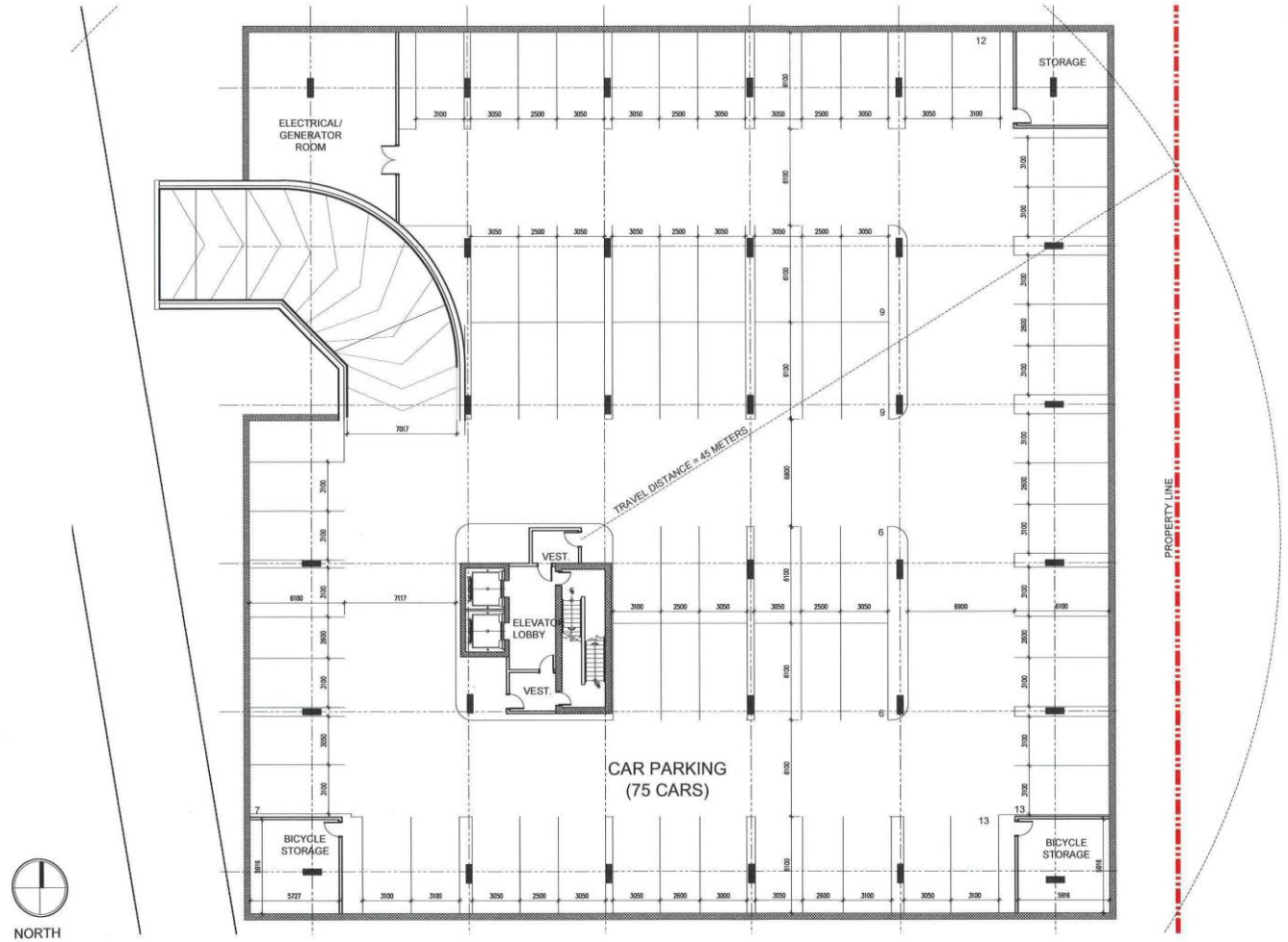


NORTH

RAYMOND S.C. WAN
ARCHITECT

TYPICAL LEVEL (2ND-13TH) FLOOR PLAN
SCALE 1:200

DESIGN PRESENTATION (ZONING)
SEPTEMBER 17, 2020



RAYMOND S.C. WAN
ARCHITECT

PARKADE LEVEL FLOOR PLAN
SCALE 1:250

DESIGN PRESENTATION (ZONING)
NOVEMBER 03, 2020