**Minute No. 94**
**Report – Standing Policy Committee on Property and Development – November 30, 2022**

**Item No. 17 Rezoning – 661 Broadway**
**(Fort Rouge-East Fort Garry Ward)**
**File DAZ 204/2022 [c/r DAV 122431/2022D]**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 204/2022 by rezoning the subject land to an "RMU PDO-1 Neighbourhood Main Street" Residential Mixed-Use District as shown on the map dated October 19, 2022 and included as Schedule "A" and with the Proposed By-law attached as Appendix "B" subject to the following conditions:

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

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

            a. buildings;
            b. accessory parking areas;
            c. 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 (the "Director") and the City Centre Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

        ii. That excluding projections permitted under the Zoning Bylaw, the maximum building height on the subject property must not exceed 66 feet.

**Report – Standing Policy Committee on Property and Development – November 30, 2022**

COUNCIL DECISION (continued):

B. That the City enter into, execute and deliver with the Developer a Zoning Agreement in accordance with recommendation 1.A. and such other agreements as determined necessary by the Director of Legal Services and City Solicitor to implement the intent of the foregoing (the "Ancillary Agreements").

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

2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated August 10, 2022 to the satisfaction of the Director of Planning, Property and Development.

3. 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. DAZ 204/2022, as determined by the City's Director of Planning, Property and Development.

4. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services and City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at next available Council meeting.

5. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services and City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if the developer pays the amount required under Recommendation 2 and all associated ancillary fees (the "Fees") to the City within 2 years after the By-law has been given first reading.

6. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Fees are not paid within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.

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

**Report – Standing Policy Committee on Property and Development – November 30, 2022**

COUNCIL DECISION (continued):

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

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

10. 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 DAZ 204/2022.

**Report – Standing Policy Committee on Property and Development – November 30, 2022**

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 7, 2022, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 30, 2022 the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 18, 2022, the City Centre Community Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

## PUBLIC HEARING SUMMARY

**File:** DAZ 204/2022

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

**Public Hearing:** November 18, 2022
Council Building, 510 Main Street

**Applicant**: Richard + Wintrup Planning and Development (Chris Gibson)

**Subject**:




**Premises Affected**: 661 Broadway

**For submission to:** The Standing Policy Committee on Property and Development

**Prepared by:** K. McMillan, Senior Committee Clerk
City Centre Community Committee

**Report date:** November 18, 2022

**Community Committee Recommendation:**

On November 18, 2022, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 204/2022 by rezoning the subject land to an "RMU PDO-1 Neighbourhood Main Street" Residential Mixed-Use District as shown on the map dated October 19, 2022 and included as Schedule "A" and with the Proposed By-law attached as Appendix "B" subject to the following conditions:

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

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

            a. buildings;
            b. accessory parking areas;
            c. 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 (the "Director") and the City Centre Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

        ii. That excluding projections permitted under the Zoning Bylaw, the maximum building height on the subject property must not exceed 66 feet.

    B. That the City enter into, execute and deliver with the Developer a Zoning Agreement in accordance with recommendation 1.A. and such other agreements as determined necessary by the Director of Legal Services and City Solicitor to implement the intent of the foregoing (the "Ancillary Agreements").

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

2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated August 10, 2022 to the satisfaction of the Director of Planning, Property and Development.

3. 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. DAZ 204/2022, as determined by the City's Director of Planning, Property and Development.

4. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services and City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at next available Council meeting.

5. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services and City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if the developer pays the amount required under Recommendation 2 and all associated ancillary fees (the "Fees") to the City within 2 years after the By-law has been given first reading.

6. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Fees are not paid within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.

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

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

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

10. 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 DAZ 204/2022.

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

1. The area is rejuvenating itself quite nicely. You can see the neighborhood really coming into its own.

2. I appreciate the focus on the AT because there's a great connection point down the way. I do concur that as much as we want to have nobody driving cars anymore, that's not that reasonable.

3. I also appreciate the RMU aspect of it, because it is a commercial area as well so having the commercial and residential combined is a very good idea. It will have a positive impact on the neighborhood.

4. The plan approval going through with the area councillor is a good idea.

**Objections under the Charter:**

Total number of **v**alid objections as per section 125(2) – 1

In accordance with section 236.1(1), the threshold for sufficient objection has not been met.

**Exhibits Filed:**

1. Application dated July 19, 2022
2. Notification of Public Hearing dated October 14, 2022
3. Manitoba Status of Title 3133229/1
4. Letter of authorization dated November 5, 2021 from Jiansong Bu, 7411022 Manitoba Ltd. to John Wintrup
5. Site Drawings (2 pages)
6. Plans (7 pages)
7. Report from the Urban Planning Division dated November 9, 2022
8. Inspection Report
9. Presentation in support of the application, submitted by John Wintrup on November 14, 2022
10. Communications dated November 16, and November 18 2022, from Matthew Schimnowski with respect to the application
11. Communication dated November 17, 2022, from Shirley Forsyth in opposition to the application
12. Recording of Representations

REPRESENTATIONS:

In Support:

John Wintrup

In Opposition:

Shirley Forsyth

For Information:

Matthew Schimnowski

For the City:

D. Iskierski, Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DAZ 204/2022

# ADMINISTRATIVE REPORT

**Title:** DAZ 204/2022 at 661 Broadway

**Issue:** For consideration at the public hearing for a rezoning to the "RMU PDO-1 Neighbourhood Main Street" Residential Mixed-Use district to enable the construction of a commercial and residential mixed use-building with three (3) commercial units and 21 residential 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. Iskierski, MCIP | n/a | n/a | n/a | |

## RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 204/2022 by rezoning the subject land to an "RMU PDO-1 Neighbourhood Main Street" Residential Mixed-Use District as shown on the map dated October 19, 2022 and included as Schedule "A" and with the Proposed By-law attached as Appendix "B" subject to the following conditions:

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            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 (the "Director") and the City Centre Community

Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

ii. That, excluding projections permitted under the Zoning Bylaw, the maximum building height on the subject property must not exceed 66 feet.

B. That the City enter into, execute and deliver with the Developer a Zoning Agreement in accordance with recommendation 1.A. and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

C. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the 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.

2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated August 10, 2022 to the satisfaction of the Director of Planning, Property and Development.

3. 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. DAZ 204/2022, as determined by the City's Director of Planning, Property and Development.

4. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at next available Council meeting.

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

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

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

10. 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 DAZ 204/2022.

## REASON FOR THE REPORT

- The applicant wishes to rezone the subject property from the "C2" Commercial Community district to the "RMU PDO-1 Neighbourhood Main Street" Residential Mixed-Use district to enable the establishment of a mixed use residential and commercial building with three (3) commercial units and 21 residential units.
- 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 and Design Division are concurred in, the land will be rezoned.

## CONSULTATION

In preparing this report there was internal consultation with Public Works who specified their desire to maintain the special front yard of seven feet for the purposes of expanding the public realm with possible improvements such as widening for the sidewalk, adding a bike lane or even for public amenities such as trees, street furniture, art, etc.

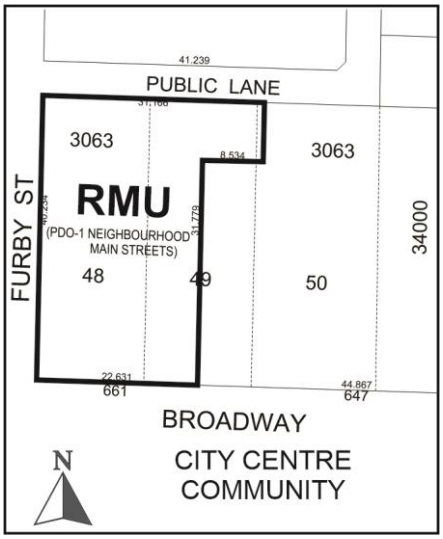
## SUBMITTED BY

| | |
|---|---|
| Department | Planning, Property and Development |
| Division | Urban Planning and Design |
| Prepared By: | D. Iskierski, MCIP |
| Date: | October 19, 2022 |
| File No. | DASZ 204/2022 |

1. Appendix A — Planning Discussion
2. Appendix B — Proposed By-law
3. Appendix C — Plan Approval Design Guidelines
4. Schedule A — Recommended File No. DAZ 204/2022 City Centre Community Committee, dated November 18, 2022
5. Schedule B — Report of the Administrative Working Group – August 10, 2022

**APPENDIX 'A' – Planning Report**

| | |
|---|---|
| **DATE:** | October 19, 2022 |
| **FILE:** | **DAZ 204/2022** |
| **RELATED FILES:** | DAV 22-122431\D |
| **COMMUNITY:** | City Centre Committee |
| **NEIGHBOURHOOD #:** | 1.111 – West Broadway |
| **SUBJECT:** | To rezone a residential lot from an "C2" Commercial Community District to an "RMU PDO-1 Neighbourhood Main Street" Residential Mixed-Use District in order to facilitate the construction of a four storey 21 residential unit and three (3) commercial unit mixed-use residential and commercial building. |
| **LOCATION**: | 661 Broadway |




**LEGAL DESCRIPTION:**

FIRSTLY:
THE SLY 104 FEET PERP OF LOT 48 AND
THE SLY 104 FEET PERP OF THE W 1/2 OF LOT 49 PLAN 3063 WLTO
IN RL 80 PARISH OF ST JAMES
SECONDLY:
ALL THOSE PORTIONS OF SAID LOTS 48 AND 49 AND OF THE WLY 3.25 FEET
PERP OF LOT 50 ON SAID PLAN 3063
WHICH LIE NORTH OF A STRAIGHT LINE DRAWN NORTH OF, PARALLEL WITH AND
PERPENDICULARLY DISTANT 104 FEET FROM SAID SOUTHERN LIMIT OF SAID LOTS
TOGETHER WITH A RIGHT OF WAY FOR ALL PURPOSES AS APPURTENANT TO THE
LAND SECONDLY ABOVE DESCRIBED, OVER AND UPON ALL THAT PORTION OF THE

ELY 12 FEET PERP OF THE WLY 15.25 FEET PERP OF SAID LOT 50,
WHICH LIES NORTH OF SAID STRAIGHT LINE FROM THE SOUTHERN LIMIT OF
SAID LOT 50
IN SAID RL 80

**APPLICANT:** Chris Gibson (Richard + Wintrup Planning and Development)
885 Notre Dame Ave Unit 202
Winnipeg, MB R3E 0M4

**OWNER:** 7411022 MANITOBA LTD.
1060 Pembina Hwy
Winnipeg, MB R3T 1Z8

**RECOMMENDATION:** Approval with conditions

**SITE DESCRIPTION**

- The subject property is located on the north side of Broadway between Langside and Furby Street, in the West Broadway neighbourhood of the Fort Rouge - East Fort Garry ward.
- The site comprises one parcel with two underlying part lot lines that encompass 10,564 square feet (981.43 square metres) in area and currently has a 10-unit multi-family residential building.
- The existing building was built in 1903 and is named the Dr. Galloway Winnipeg Orthopedic Clinic (Howell Court) which is currently on the Commemorative List under the City of Winnipeg Heritage Structure inventory.
- Under the *Complete Communities Direction Strategy 2.0*, the property is located within the "Urban Mixed-Use Corridor" policy area and is zoned "C2" Commercial Community District.




**Figure 1: Aerial photo of subject site and surrounding area *(flown 2021).***

**SURROUNDING LAND USE AND ZONING (See Figure 2)**

**North:** Laneway then 8-unit multi-family residential building zoned ‘R2’ Residential Two-Family District.

**South:** Broadway then commercial building zoned ‘C2’ Commercial Community District.

**East:** Medical office zoned ‘C2’ Commercial Community District.

**West:** Furby Street then funeral home zoned ‘C2’ Commercial Community District.

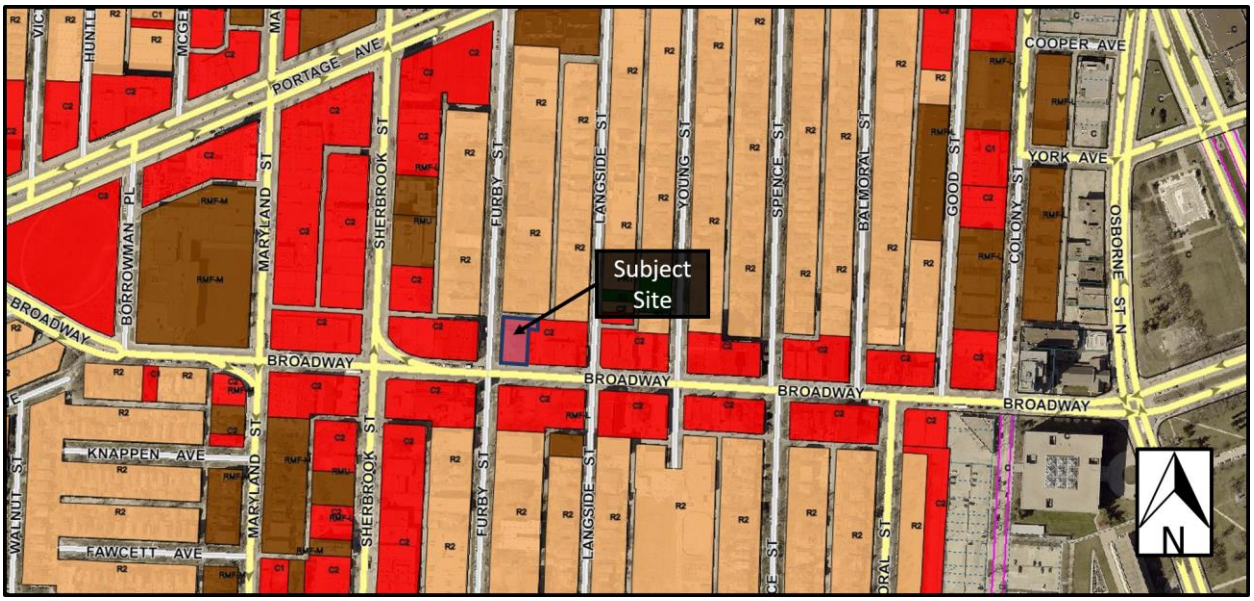



**Figure 2: Zoning of the site and surrounding area.**

**DESCRIPTION OF THE PROPOSED DEVELOPMENT**

- The applicant is proposing to rezone from an “C2” Commercial Community District to a “RMU” Residential Mixed-Use for the purposes of establishing a mixed-use commercial and residential zoning district to permit a four-storey mixed-use building with three (3) commercial units on the ground floor and 21 residential units on floors two to four.
- The proposed building is rectangular and is 59 feet (17.98 metres) wide facing Broadway and 106 feet (32.31 feet) long facing Furby Street.
- Submitted elevations, site plan and floor plans show a four (4) storey building, with the following attributes:
    - Three commercial units with one commercial unit entrance facing Broadway, one commercial unit entrance facing Furby Street and the commercial unit at the southwest corner of the building has its entrance also facing Furby Street.
    - There are three communal entrances for the upper floor residential units with one entrance facing Broadway, one entrance facing Furby Street one entrance in the northeast corner adjacent to the accessory parking area.
    - The western elevation along Furby Street has sunrooms for each of the units along that side.
    - The south elevation or front facing façade includes windows facing the street.
    - There are three different building materials with one to differentiate the main floor, another to accent entrances and sunrooms and the last to cover the bulk of the upper building elevations. The type of building materials proposed is unknown as the elevation drawings and renderings submitted do not provide this information.
- The applicant is proposing 17 parking stalls for both the residential and commercial uses within an internal parking area at grade and perpendicular with the rear laneway.
- Of the 17 parking stalls, two are accessible and two are for visitors.
- Vehicular access to the property is proposed by way of the laneway accessed from Furby Street.
- One bike rack is provided in the indoor vehicular parking area. No visitor bicycle parking is provided at the front entrance of the building.
- The landscaping plan shows street edge and foundation landscaping along Furby Street and foundation landscaping along the rear facing façade of the building. Two trees and two shrubs are shown along the side of the building facing Broadway. The total count for trees and shrubs is as follows:
    - Planting of six (6) new trees on site; and
    - Planting of 35 new shrubs on site.

**REASON FOR APPLICATION**

- The subject property is currently zoned “C2” Commercial Community district.
- In order to accommodate this higher density development a rezoning application is required.
- The “RMU PDO-1 Neighbourhood Main Street” Residential Mixed-Use zoning district enables a maximum residential density of one (1) residential unit per 500 sq. ft. of site area.
- Given the proposed lot area of 10,564 sq. ft., the proposed 21-unit building would result in a density of 500 sq. ft. per dwelling unit.
- Additional variances for reduced front, corner and interior side yards as well as reduced accessory parking requirements and parking supply are also required. For the complete analysis of required variances, please see the corresponding planners report for File No. DAV 22-122431\D.

**COLLABORRATIVE PLANNING and CONSULTATION**

*With the Urban Planning and Design Division*

The applicant engaged the Urban Planning and Design Division for preliminary discussions regarding supportable development parameters. The Urban Planning and Design Division was in support of the concept for mixed-use with commercial units facing Broadway, the four storey building height and a higher residential density than the current zoning permits. It was advised that the Special Yard of seven (7) feet would need to be discussed with Public Works and offered to facilitate those discussions but did not receive a reply. Other considerations such as side yards were incorporated into the final design.

The Urban Planning and Design Division provided some options for reducing the parking ratio to below the amount required by the Zoning By-law through the provision of a car share vehicle and substantial secure indoor bicycle parking. For commercial parking, it was requested the applicant provide one parking stall per commercial unit.

Other considerations related to building design including suggestions for active uses along the street edge, inclusion of balconies, and suggestions to break up the building massing. Some of these suggestions were incorporated into the final design.

Lastly, the Urban Planning and Design Division requested consideration be given to maintain the building, given its commemorative status on the Winnipeg Historical Inventory, however it was also noted that if it was not possible to do so, the building is not protected from demolition.

A pre-application was recommended by the Urban Planning and Design Division to sort out some of the above details and ensure a supportable design, however the applicant declined this option.

*With the Public*

The applicant did not include any letters of support or public engagement summary with the submission package.

**ANALYSIS AND ISSUES**

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The *Complete Communities Direction* Strategy 2.0 supports *OurWinnipeg 2045*, the city's long-range development plan, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- As part of *Complete Communities Direction Strategy 2.0*, the City has an intensification target under Section B1. General Growth Goal 2 - Policy 2.1 states that a minimum of 50% of all new dwelling units be accommodated in the intensification target area.
- The subject property is located in the Corridors Policy Area designated as a "Urban Mixed-Use Corridor" as outlined in *Complete Communities Direction Strategy 2.0.*
- Urban Mixed-Use Corridors are the most pedestrian-oriented of the City's Corridors. Their design and land use either currently provide a high-quality urban environment or are expected to transition to such a standard in the shorter term. The City will prioritize the creation of vibrant pedestrian and transit-oriented places in theses Corridors by encouraging residential and commercial intensification, ensuring careful attention to urban design, and through strategic infrastructure investments.
- The Vision for Corridors describe them as targeted segments of major roadways that, due to their excellent transit service via the Primary Transit Network as well as robust commercial opportunities, provide the best opportunity for mixed use intensification outside of the Downtown. They will provide a range of transportation options and will be vibrant destinations for people to live, work, and play. They will be designed to provide a comfortable pedestrian environment and attractive public realm.
- Goal 1 states "encourage strategic residential intensification on Corridors."
- General policies for all Corridors that relate to the subject proposal are as follows:

  *1.1 Support densities in accordance with Policy 3.1 of the General Growth section, at a height and scale compatible with surrounding land uses.*

- Goal 3 states "ensure corridors provide a comfortable pedestrian environment and attractive public realm."
- General policies for Urban Mixed-Use Corridors that relate to the subject proposal are as follows:

  *3.1 Ensure that development on Urban Mixed-Use Corridors is designed to prioritize a comfortable pedestrian environment and attractive public realm through the use of design elements which may include, but are not limited to the following:*

  *3.1.1 Providing minimal building setbacks from the public right-of-way to define the street edge.*

  *3.1.2 Having entrances provide direct access to the public sidewalk.*

  *3.1.3 Promoting a fine-grained and transparent street-level façade with active ground floor uses.*

  *3.1.4 Encouraging balconies and public spaces, such as plazas, patios, or other pedestrian amenities.*

  *3.1.5 Minimizing impacts of vehicular access and parking on the pedestrian environment by having vehicular access off of the existing lanes.*

*3.1.6 Encouraging the location of parking above- or below-grade, or behind the primary building. Parking located beside the building may be acceptable if the parking area occupies a minimal area and high-quality screening from the public right-of-way is provided.*

*3.1.7 Promoting pedestrian-scale signage.*

*3.2 Fine-grained local commercial uses and vertical mixed-use buildings with ground floor commercial uses will be encouraged.*

*3.4 Mitigate negative shadow impacts and ensure adequate sunlight penetration experienced by rear- and side-adjacent residential properties and the public sidewalk by:*

*3.4.1 Using Corridor right-of-way width as a guide to determine maximum building height, where appropriate.*

*3.4.2 Using upper-level building step backs, where appropriate.*

*3.6 Discourage auto-oriented land uses.*

- Goal 4 states "use Corridors to provide local commercial amenities and opportunities for the surrounding neighbourhood and community."
- General policies for Urban Mixed-Use Corridors that relate to the subject proposal are as follows:

  *4.1 Maintain ground floor commercial space when redeveloping properties in Urban Mixed-Use Corridors.*

- General policies for all Corridors that relate to the subject proposal are as follows:

  *4.4 Support and protect Corridors' continued retail and service function by encouraging retail and service use intensification and by supporting reinvestment in existing Corridors.*

  *4.5 Encourage the location of the most active retail and service uses to ground floor commercial spaces, and direct less active uses above-grade.*

**ZONING BY-LAW 200/2006**

- The "RMU PDO-1 Neighbourhood Main Street" Residential Mixed-Use zoning district is intended to facilitate primarily medium to higher density residential development, though it also may contain limited small-scale commercial, institutional, recreational, and service facilities needed to support residential development.
- Development in the "RMU" district should provide convenient access for pedestrians and transit users from the public street, and should facilitate pedestrian travel between residential and non-residential uses.
- The subject site is located on a block of Broadway that is mainly characterized by commercial or institutional uses (medical office), however adjacent blocks also include a range of medium and higher density multi-family residential buildings.
- *Complete Communities Direction Strategy 2.0* designates this site as an "Urban Mixed-Use Corridor" which supports mixed-use development with higher residential densities.
- The proposed density is within the maximum 500 sq. ft. per dwelling unit typically permitted in the "RMU PDO-1 Neighbourhood Main Street" zoning district.
- The established residential context, supportive planning policy, high degree of neighbourhood walkability, proximity to high frequency transit service and proximity to a full

range of commercial services are supporting factors in the use of the "RMU PDO-1 Neighbourhood Main Street" zoning district.

Based on these considerations, the "RMU PDO-1 Neighbourhood Main Street" Residential Mixed-Use zoning district is the most appropriate zoning district to enable the proposed development.

**ADDITIONAL CONSIDERATIONS**

BOULEVARD TREES

- The Urban Forestry Branch of Public Works has identified four boulevard trees along Furby Street that will need to be protected following the City's Tree Protection Guidelines.
    - More information found in the ACG report.

SITE SERVICING

- The proposed development will be required to meet the conditions outlined in the report by the Administrative Coordinating Group (ACG) as outlined in Schedule B of this report.
- As identified in the ACG report, 661 Broadway is located in a combined sewer district which means that the sum of the wastewater and land drainage cannot increase beyond its current peak.
    - An engineered solution will need to be investigated and proposed to the satisfaction of the Director of Water and Waste.
    - More information found in the ACG report.

CONDITIONS OF APPROVAL

- Plan Approval is recommended as a condition of rezoning approval.
- Plan Approval enables review should minor design changes arise during development of detailed construction drawings.
- Plan Approval Design Guidelines have been included in Appendix C which have been adapted for this particular site from Section C2. Corridors and G6. Urban Design Policies found within *Complete Communities Direction Strategy 2.0.*
- The maximum allowable building height in the "RMU PDO-1 Neighbourhood Main Street" Residential Mixed-Use zoning district is 100 feet. The subject property is surrounded by lower-rise development of which a 100 foot tall (approximately ten storey) building would be out of scale and character and not fit into the surrounding context.
    - The current "C2" Commercial development allows for building heights of 60 feet of which the Urban Planning and Design Division would normally support a minor variation of up to 10% above the maximum height to accommodate taller ceiling heights or other design elements. Therefore, it is recommended to limit the allowable building height for the subject property to 66 feet (60 + 10% height variance) instead of 100 feet.

**SUMMARY**

The Urban Planning and Design Division recommends approval for the following reasons:

- The subject rezoning will result in the establishment of a mixed-use commercial and residential development that is consistent with policies in the *Complete Communities Direction Strategy 2.0* and the *PDO-1 Neighbourhood Main Street Overlay as well as fit into* area context.
- The proposed development will increase residential density in the West Broadway area, thereby increasing housing options in this pedestrian oriented, bikeable, transit connected, amenity rich mature neighbourhood as well as helping the city to achieve its residential intensification targets.
- The proposed development will add to the amenities and activities along West Broadway which is designated as an Urban Mixed-Use Corridor in *Complete Communities Direction Strategy 2.0.*
- The proposed development will better utilize existing infrastructure including the street network, active transportation paths to the east, water and wastewater service capacity and city services such as library, recreation and education.

**RECOMMENDATIONS**

The Urban Planning and Design Division recommends this application be **approved** and the subject property be rezoned into the “RMU PDO-1 Neighbourhood Main Streets” district.

This Report Submitted by:

Planning, Property and Development Department
Urban Planning and Design Division

Report Prepared by:
Dan Iskierski, MCIP

PPD File# DAZ 204/2022

**APPENDIX ‘B’ – Proposed Bylaw**

**APPENDIX 'C' – Plan Approval Design Guidelines**

Design review guidelines for DAZ 204/2022 (661 Broadway) adapted from urban design related policies found within Section C2. Corridors and G6. Urban Design from *Complete Communities Direction Strategy 2.0.*

**1. Site Planning and Building Orientation**

1.1 The site layout and building orientation should ensure that the building relates appropriately to the street and surrounding developments and creates a cohesive visual identity for the neighbourhood.

1.2 Site design should consider opportunities for enhancing personal security and safety by incorporating Crime Prevention Through Environmental Design (CPTED) principles.

1.3 Parking areas should be completely screened from view of the street.

1.4 Locate refuse storage areas and other building services internal to buildings or screened from view with appropriate fencing/landscaping.

**2. Building Design**

2.1 The street facing building façades should be well-articulated and should avoid featureless building massing.

2.2 The overall design should be made up of a distinctive, quality, architectural character and style proportional to the scale of the building and also avoids monotonous and featureless building massing and design.

2.3 Minimize blank walls – use landscaping, aesthetic characters (such as projections and offsets), change in cladding material, glass, balconies, etc. to break up tracts of continuous blank walls.

2.4 Ground floor residential units facing the street should be limited to Furby Street only and include individual, private front entries and private amenity space (i.e., patios, terraces, etc.) to help encourage a stronger connection with the street.

2.5 Ground floor commercial units should face the street with well-defined entryways and glazing to increase active uses along the street edge.

2.6 Signage for commercial units should be pedestrian in scale and appropriate to the size of the individual commercial unit.

2.7 Ground floor of the building should be well distinguished from floors above through the use of massing, difference in setback, high quality building materials, and increased glazing.

2.8 Upper floor glazing should accent the overall architectural design and include trim, specific detailing and could include bay windows, terraces and/or balconies.

**3. Landscaping**

3.1 Landscaping shall be provided to enhance the overall development in key areas such as the development perimeter, corners, common areas, areas along pathways, and entryways.

3.2 High-quality landscaping is required along the street front (i.e., along Broadway and Furby Street).

**Schedule "A" for File DAZ 204/2022, City Centre Community Committee, November 18, 2022**

By-Law No.

File No. **DAZ 204/2022**

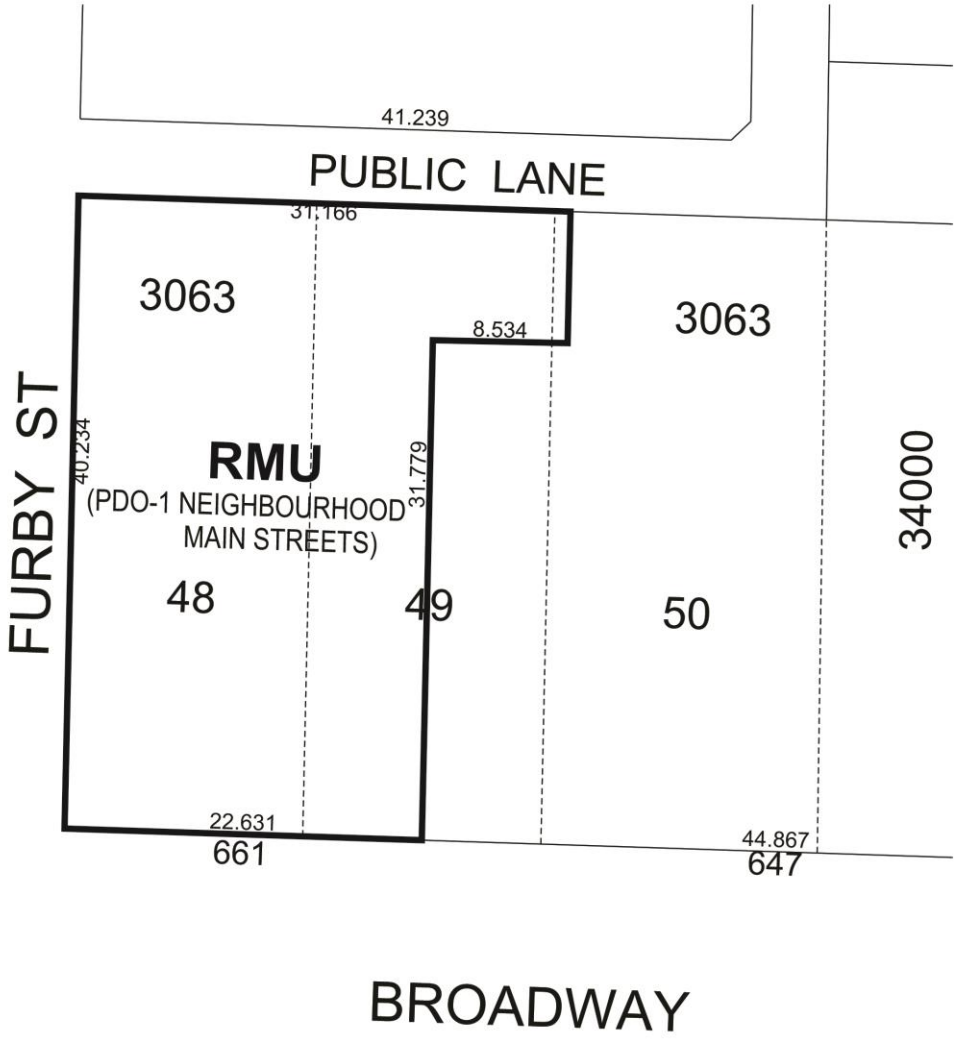
Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 661 Broadway from a "C2 PDO-1 NEIGHBOURHOOD MAIN STREETS" COMMERCIAL COMMUNITY DISTRICT to an "RMU PDO-1 NEIGHBOURHOOD MAIN STREETS" RESIDENTIAL MIXED-USE DISTRICT to facilitate the construction of a mixed-use building.

Atlas Sheet No. **AA23**

N

**CITY CENTRE COMMUNITY**




THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.

## SCHEDULE B

## REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

**RE: PROPOSED REZONING OF LAND LOCATED AT 661 BROADWAY**

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DAZ 204/2022. The Developer should take into consideration the following servicing and design requirements and considerations in the redevelopment of the site:

### Section I – General Comments

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

2) Given the presence of four mature boulevard trees on Furby Street, adjacent to the Planned Area, the Developer shall preserve and protect the existing trees that are within City-owned land, including those within the right-of-way. The Developer shall adhere to the City's *Tree Protection Specifications*:

   https://winnipeg.ca/publicworks/parksOpenSpace/UrbanForestry/PDF/Tree_Removal_Guidelines.pdf

   Any proposed removal of City-owned trees must be pre-approved by Urban Forestry. The Developer will be required to compensate the City for any damage or removal thereof.

### Section II - Servicing Considerations

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:

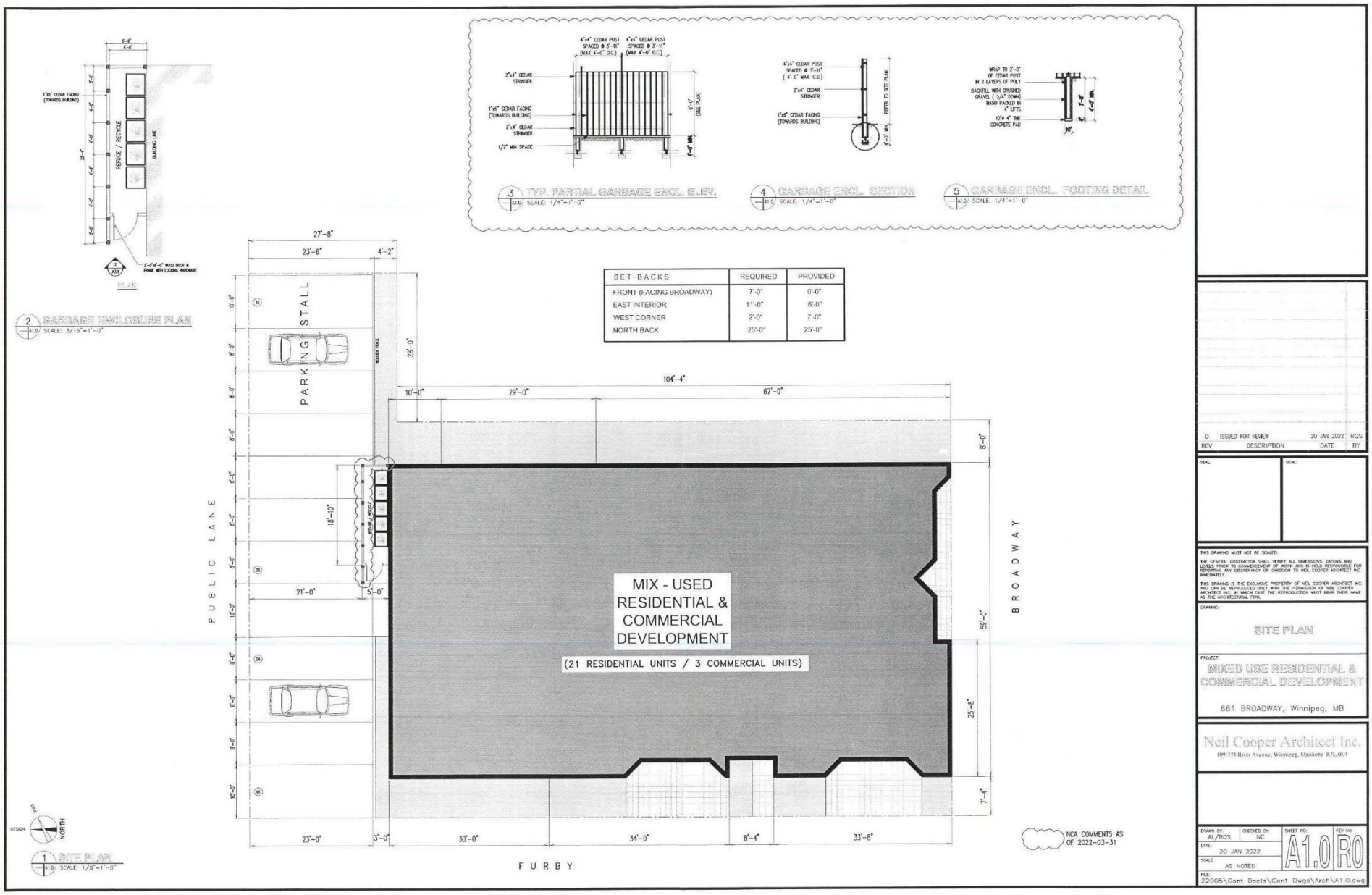
Administrative Co-ordinating Group
File No. DAZ 204/2022
August 10, 2022

"*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

Exhibit “6” referred to in File DAZ 204/2022



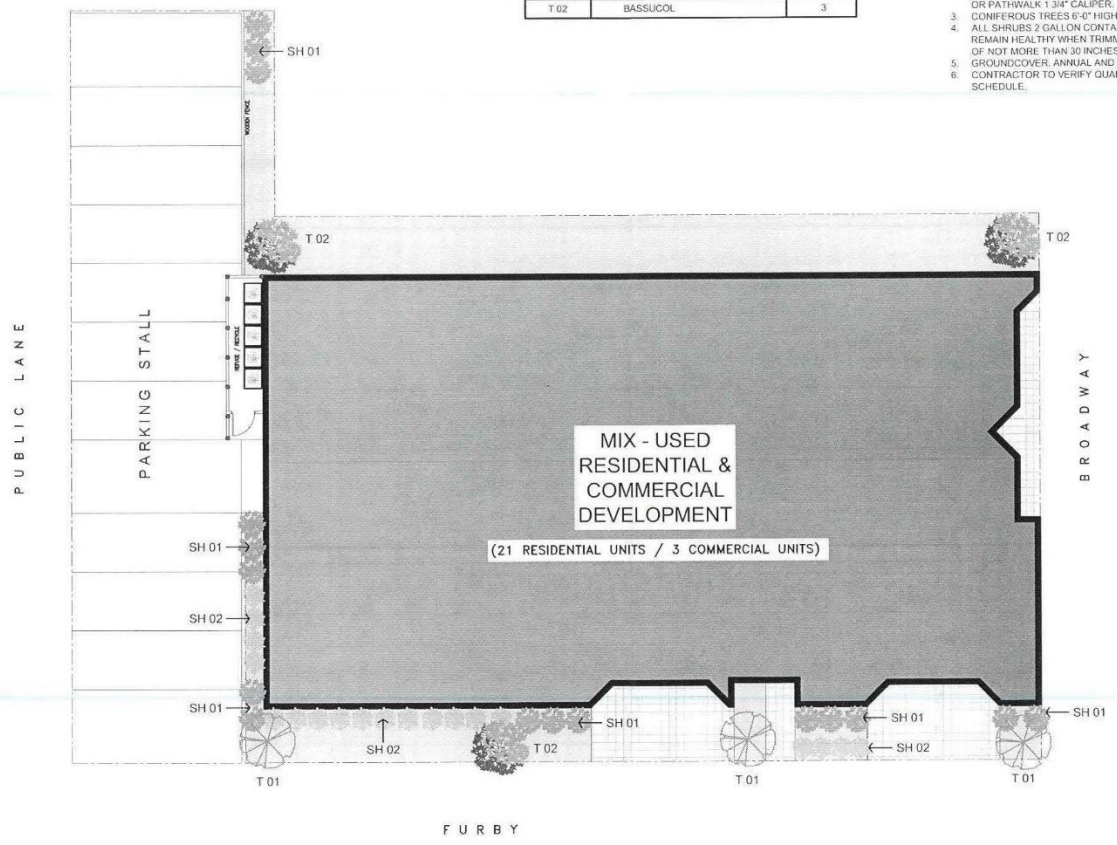

3 TYP. PARTIAL GARBAGE ENCL. ELEV.
SCALE: 1/4"=1'-0"
4 GARBAGE ENCL. SECTION
SCALE: 1/4"=1'-0"
5 GARBAGE ENCL. FOOTING DETAIL
SCALE: 1/4"=1'-0"
2 GARBAGE ENCLOSURE PLAN
SCALE: 3/16"=1'-0"
SET-BACKS
REQUIRED
PROVIDED
FRONT (FACING BROADWAY) 7'-0" 0'-0"
EAST INTERIOR 11'-0" 8'-0"
WEST CORNER 2'-0" 7'-0"
NORTH BACK 25'-0" 25'-0"
PARKING STALL
PUBLIC LANE
BROADWAY
MIX - USED RESIDENTIAL & COMMERCIAL DEVELOPMENT
(21 RESIDENTIAL UNITS / 3 COMMERCIAL UNITS)
FURBY
NCA COMMENTS AS OF 2022-03-31
1 SITE PLAN
SCALE: 1/8"=1'-0"
0 ISSUED FOR REVIEW 20 JAN 2022 RQS
RCV DESCRIPTION DATE BY
SITE PLAN
MIXED USE RESIDENTIAL & COMMERCIAL DEVELOPMENT
661 BROADWAY, Winnipeg, MB
Neil Cooper Architect Inc.
109-174 River Avenue, Winnipeg, Manitoba R3L 0E4
DRAWN BY: AL/RQS
CHECKED BY: NC
DATE: 20 JAN 2022
SCALE: AS NOTED
SHEET NO: A1.0
REV NO: R0
FILE: 22005\Cont Docts\Cont Dwgs\Arch\A1.0.dwg

PLANTING SCHEDULE

| TYPE MARK | TYPE | COUNT |
|---|---|---|
| SH 01 | 42"Ø FLOWERING PLUM | 16 |
| SH 02 | 30"Ø THREELOBE SPIREA | 19 |
| T 01 | JAPANESE TREE LILAC | 3 |
| T 02 | BASSUCOL | 3 |

LANDSCAPING NOTES:
PLANT MATERIALS MUST COMPLY WITH THE FOLLOWING;

1. DECIDUOUS TRESS LOCATED WITHIN 5'-0" OF THE WALKWAY, PATH OR PATHWALK 2 1/2" CALIPER, AND OF SPECIES THAT NORMALLY HAVE LOWER BRANCHES ATLEAST 6'-0" ABOVE GRADE AT MATURITY.
2. DECIDUOUS TREES NOT LOCATED WITH 5'-0" OF A WALKWAY, PATH OR PATHWALK 1 3/4" CALIPER.
3. CONIFEROUS TREES 6'-0" HIGH AT TIME OF PLANTING.
4. ALL SHRUBS 2 GALLON CONTAINER, AND OF SPECIES THAT CAN REMAIN HEALTHY WHEN TRIMMED SO AS TO MAINTAIN A HEIGHT OF NOT MORE THAN 30 INCHES.
5. GROUNDCOVER, ANNUAL AND PERENNIALS NO MINIMUM SIZE.
6. CONTRACTOR TO VERIFY QUANTITY LISTED IN PLANTING SCHEDULE.




LANDSCAPING PLAN
SCALE: 1/8"=1'-0"

| REV | DESCRIPTION | DATE | BY |
|---|---|---|---|
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THIS DRAWING MUST NOT BE SCALED.
THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS, DATUMS AND LEVELS PRIOR TO COMMENCEMENT OF WORK AND IS HELD RESPONSIBLE FOR REPORTING ANY DISCREPANCY OR OMISSION TO NEIL COOPER ARCHITECT INC. IMMEDIATELY.
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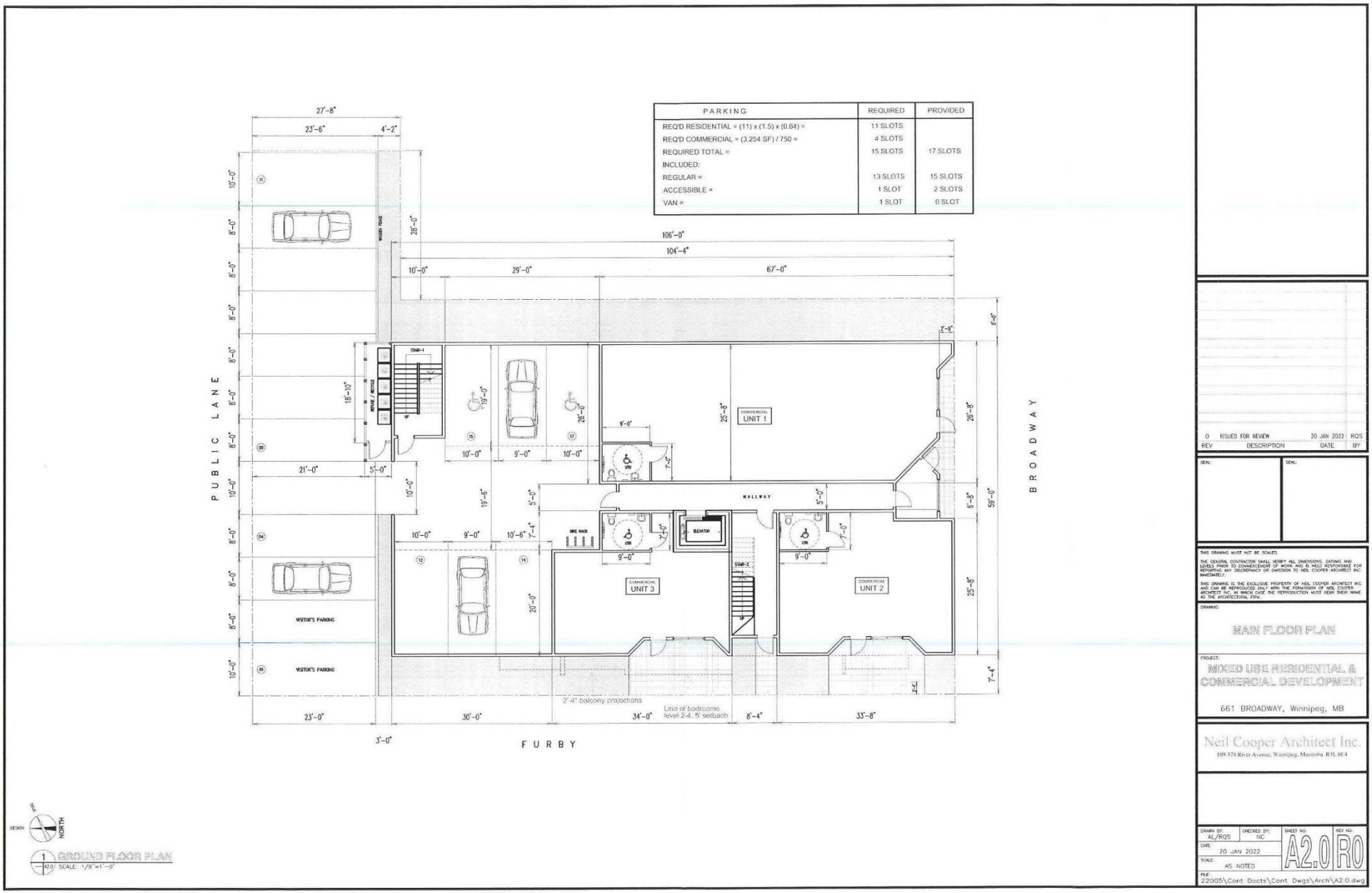
DRAWING: LANDSCAPING PLAN

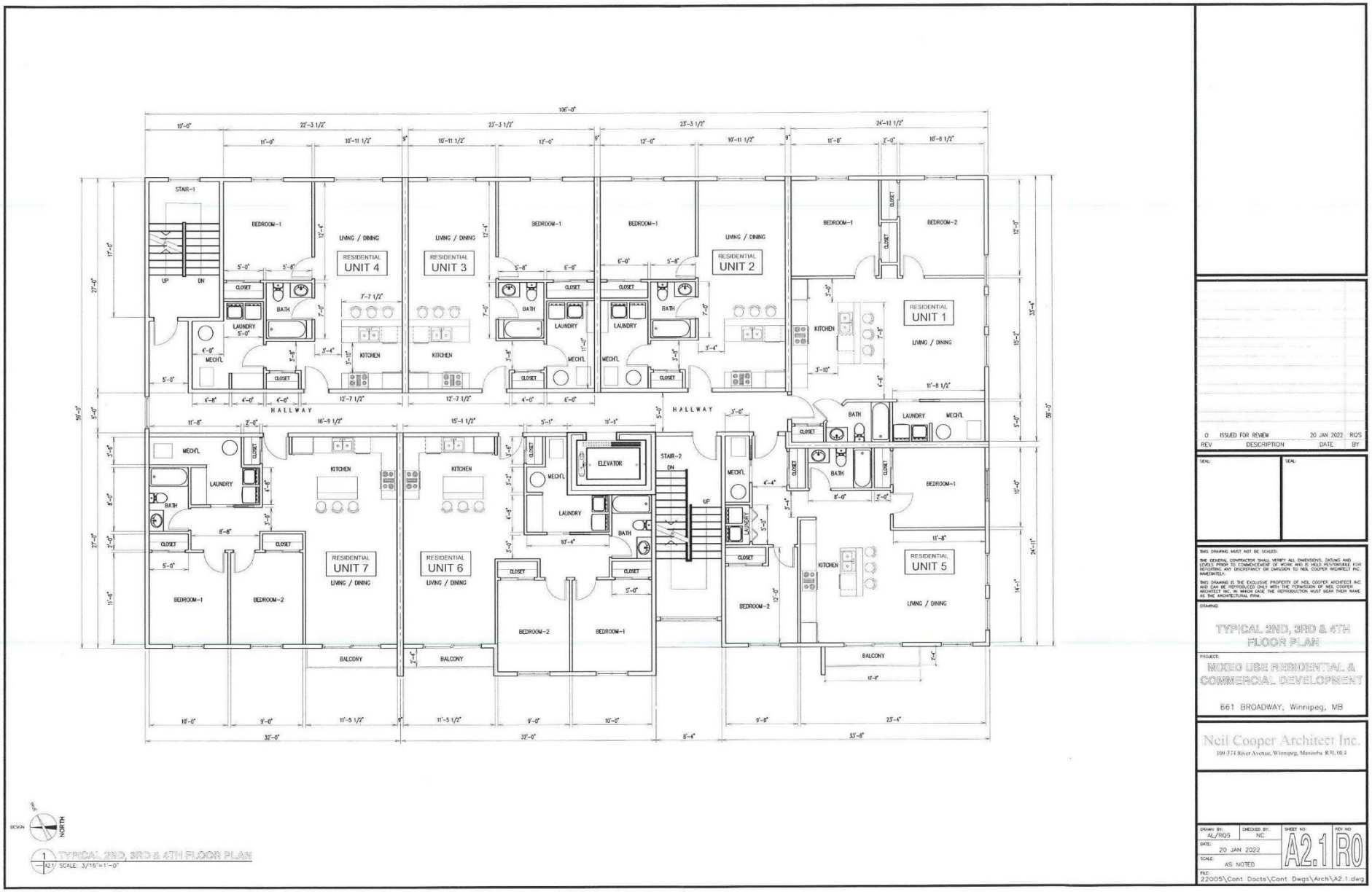
PROJECT: MIXED USE RESIDENTIAL & COMMERCIAL DEVELOPMENT
661 BROADWAY, Winnipeg, MB

Neil Cooper Architect Inc.
109-324 River Avenue, Winnipeg, Manitoba R3L 0E4

| DRAWN BY: | CHECKED BY: | SHEET NO. | REV NO. |
|---|---|---|---|
| AL/RQS | NC | L1.0 | R0 |

DATE: 20 JAN 2022
SCALE: AS NOTED
FILE: 22005\Cont Docts\Cont Dwgs\Arch\L1.0.dwg


PARKING
REQUIRED
PROVIDED
REQ'D RESIDENTIAL = (11) x (1.5) x (0.64) =
11 SLOTS
REQ'D COMMERCIAL = (3,254 SF) / 750 =
4 SLOTS
REQUIRED TOTAL =
15 SLOTS
17 SLOTS
INCLUDED:
REGULAR =
13 SLOTS
15 SLOTS
ACCESSIBLE =
1 SLOT
2 SLOTS
VAN =
1 SLOT
0 SLOT
PUBLIC LANE
BROADWAY
FURBY
COMMERCIAL UNIT 1
COMMERCIAL UNIT 2
COMMERCIAL UNIT 3
VISITOR'S PARKING
VISITOR'S PARKING
HALLWAY
ELEVATOR
STAIR-1
STAIR-2
BIKE RACK
2'-4" balcony projections
Line of bedrooms level 2-4, 5' setback
106'-0"
104'-4"
27'-8"
23'-6"
4'-2"
29'-0"
67'-0"
59'-0"
30'-0"
34'-0"
8'-4"
33'-8"
23'-0"
3'-0"
NORTH
1 GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"
0 ISSUED FOR REVIEW 20 JAN 2022 RQS
REV DESCRIPTION DATE BY
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MAIN FLOOR PLAN
PROJECT:
MIXED USE RESIDENTIAL & COMMERCIAL DEVELOPMENT
661 BROADWAY, Winnipeg, MB
Neil Cooper Architect Inc.
109-374 River Avenue, Winnipeg, Manitoba R3L 0E4
DRAWN BY: AL/RQS
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DATE: 20 JAN 2022
SCALE: AS NOTED
SHEET NO: A2.0
REV NO: R0
FILE: 22005\Cont Docts\Cont Dwgs\Arch\A2.0.dwg




1 TYPICAL 2ND, 3RD & 4TH FLOOR PLAN
A2.1 SCALE: 3/16"=1'-0"

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DRAWING:
TYPICAL 2ND, 3RD & 4TH FLOOR PLAN

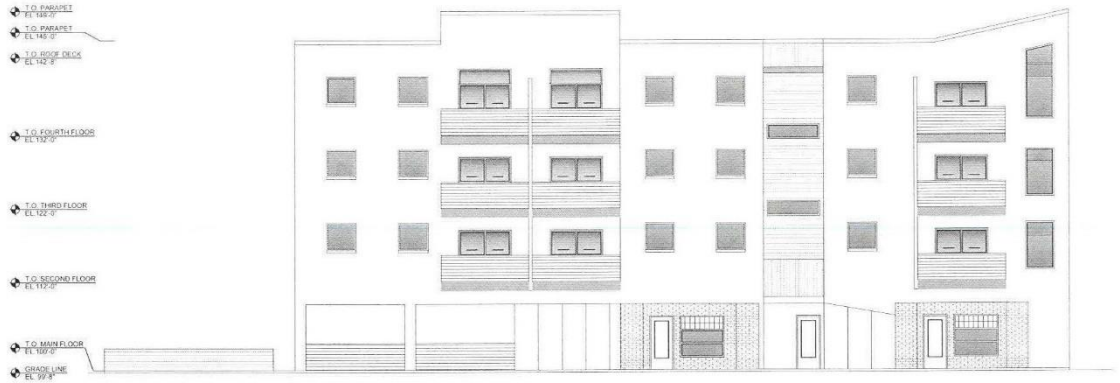
PROJECT:
MIXED USE RESIDENTIAL & COMMERCIAL DEVELOPMENT

661 BROADWAY, Winnipeg, MB

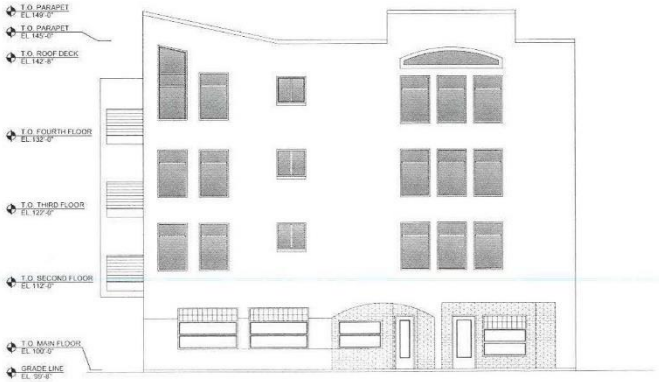
Neil Cooper Architect Inc.
101-374 River Avenue, Winnipeg, Manitoba R3L 0L4

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SCALE: AS NOTED
FILE: 22005\Cont Docts\Cont Dwgs\Arch\A2.1.dwg




1 A3.0 WEST SIDE ELEVATION (FURBY)
SCALE: 1/8"=1'-0"




2 A3.0 SOUTH SIDE ELEVATION (BROADWAY)
SCALE: 1/8"=1'-0"

| REV | DESCRIPTION | DATE | BY |
|---|---|---|---|
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SEAL:

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DRAWING:
WEST & SOUTH ELEVATIONS

PROJECT:
MIXED USE RESIDENTIAL & COMMERCIAL DEVELOPMENT

661 BROADWAY, Winnipeg, MB

Neil Cooper Architect Inc.
109-374 Richer Avenue, Winnipeg, Manitoba R3L 0L4

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| AL/RQS | NC | A3.0 | R0 |

DATE: 20 JAN 2022
SCALE: AS NOTED
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T.O. PARAPET EL 149'-0"
T.O. PARAPET EL 145'-0"
T.O. ROOF DECK EL 142'-8"
T.O. FOURTH FLOOR EL 132'-0"
T.O. THIRD FLOOR EL 122'-0"
T.O. SECOND FLOOR EL 112'-0"
T.O. MAIN FLOOR EL 102'-0"
GRADE LINE EL 99'-8"
1 A3.1 EAST SIDE ELEVATION
SCALE: 1/8"=1'-0"
T.O. PARAPET EL 149'-0"
T.O. PARAPET EL 145'-0"
T.O. ROOF DECK EL 142'-8"
T.O. FOURTH FLOOR EL 132'-0"
T.O. THIRD FLOOR EL 122'-0"
T.O. SECOND FLOOR EL 112'-0"
T.O. MAIN FLOOR EL 102'-0"
GRADE LINE EL 99'-8"
2 A3.1 NORTH SIDE ELEVATION (PUBLIC LANE)
SCALE: 1/8"=1'-0"
0 ISSUED FOR REVIEW 20 JAN 2022 RQS
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DRAWING:
NORTH & EAST ELEVATIONS
PROJECT:
MIXED USE RESIDENTIAL & COMMERCIAL DEVELOPMENT
661 BROADWAY, Winnipeg, MB
Neil Cooper Architect Inc.
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DATE: 20 JAN 2022
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