Minutes – Council – January 25, 2024

Minute No. 141
Report – Standing Policy Committee on Property and Development – January 11, 2024

Item No. 13 Subdivision and Rezoning – 1245-1255 Court Avenue (Old Kildonan Ward) File DASZ 18/2023 [c/r DCU 154246/2023D & DAV 153861/2023D]

COUNCIL DECISION:

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

1. That the subdivision proposed under Development Application No. DASZ 18/2023 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated September 7, 2023 and attached as Schedule "A" to this report, with such minor changes as may be required, for registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated August 17, 2023 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 an "RMU" Residential Mixed-Use District in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated September 7, 2023, 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. That 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

Report – Standing Policy Committee on Property and Development – January 11, 2024

COUNCIL DECISION (continued):

on the Owner's Land ("Works") to the City for approval by the Director of Planning, Property and Development ("Director") and the Lord Selkirk-West Kildonan Community Committee 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 the maximum building height shall not exceed 60 feet, not including any permitted projections under the Winnipeg Zoning By-law.

iii. That for any ground floor commercial use, a minimum of 50% of the storefront window area shall be transparent, free from any decals or signage.

iv. That the establishment of any Drinking Establishment use shall be prohibited.

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

A. a Servicing Agreement in accordance with Recommendation 1;

B. and 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 Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Servicing Agreement, 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, 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 (the "By-law") and bring same directly to Council by way of communication for first reading.

Report – Standing Policy Committee on Property and Development – January 11, 2024

COUNCIL DECISION (continued):

6. 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 18/2023 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

7. The share of dedication received from the above Recommendation 6 for the Lord Selkirk West Kildonan Community Committee Land Dedication Reserve Fund shall be fully allocated to the Old Kildonan Ward.

8. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with recommendation 1 and has paid the Dedication and all other associated ancillary fees (the "Fees"), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

9. That Development Application No. DASZ 18/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not submitted the Plan and paid all associated ancillary fees (the "Fees") within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.

10. That the subdivision section of the By-law will come into force when the Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

11. 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.

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

Report – Standing Policy Committee on Property and Development – January 11, 2024

COUNCIL DECISION (continued):

13. That Development Application No. DASZ 18/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City within 1 year following the date on which the By-law is enacted, unless the developer applies for an extension of time before the expiration of that 1-year period and Council approves the extension.

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

15. That the Variance Order for File DAV 228750/2022D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 18/2023.

16. That the Conditional Use Order for File DCU 154246/2023D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 18/2023.

Report – Standing Policy Committee on Property and Development – January 11, 2024

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

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

Carried

Councillors Schreyer and Wyatt were absent from the vote on the above motion.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 16, 2024, 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 January 11, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 4, 2024, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- Add the following to Recommendation 2.A.:

  "iii. That for any ground floor commercial use, a minimum of 50% of the storefront window area shall be transparent, free from any decals or signage.

  iv. That the establishment of any Drinking Establishment use shall be prohibited."

- Add the following new Recommendation 7 and renumber the remaining accordingly:

  "7. That the share of dedication received from the above Recommendation 6 for the Lord Selkirk West Kildonan Community Committee Land Dedication Reserve Fund shall be fully allocated to the Old Kildonan Ward."

and forwarded the matter to the Standing Policy Committee on Property and Development.

Report – Standing Policy Committee on Property and Development – January 11, 2024

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

On October 24, 2023, the Lord Selkirk-West Kildonan Community Committee adjourned the public hearing to its proposed meeting date on January 4, 2024 at 10:30 a.m. in the Council Building at 510 Main Street.

On September 7, 2023, the Lord Selkirk-West Kildonan Community Committee adjourned the public hearing to its meeting on October 24, 2023 at 10:30 a.m. in the Council Building at 510 Main Street, at the request of the Applicant.

PUBLIC HEARING SUMMARY

File: DASZ 18/2023

Before: Lord Selkirk-West Kildonan Community Committee
Councillor Eadie, Chairperson
Councillor Santos
Councillor Sharma

Public Hearing: January 4, 2024
October 24, 2023
September 7, 2023
Council Building, 510 Main Street

Applicant: McGowan Russell Group (Jackie Wilkie)

Subject:



Premises Affected: 1245-1255 Court Avenue

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

Prepared by: P. Prinsloo, Senior Committee Clerk
Lord Selkirk-West Kildonan Community Committee

Report date: January 5, 2024

Community Committee Recommendation:

On January 4, 2024, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development:

1. That the subdivision proposed under Development Application No. DASZ 18/2023 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated September 7, 2023 and attached as Schedule "A" to this report, with such minor changes as may be required, for registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated August 17, 2023 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 an "RMU" Residential Mixed-Use District in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated September 7, 2023, 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. That 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 for approval by the Director of Planning, Property and Development ("Director") and the Lord Selkirk-

West Kildonan Community Committee 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 the maximum building height shall not exceed 60 feet, not including any permitted projections under the Winnipeg Zoning By-law.

iii. That for any ground floor commercial use, a minimum of 50% of the storefront window area shall be transparent, free from any decals or signage.

iv. That the establishment of any Drinking Establishment use shall be prohibited.

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

A. a Servicing Agreement in accordance with Recommendation 1;

B. and 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 Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Servicing Agreement, 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, 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 (the "By-law") and bring same directly to Council by way of communication for first reading.

6. 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 18/2023 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

7. The share of dedication received from the above Recommendation 6 for the Lord Selkirk West Kildonan Community Committee Land Dedication Reserve Fund shall be fully allocated to the Old Kildonan Ward.

8. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with recommendation 1 and has paid the Dedication and all other associated ancillary fees (the "Fees"), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

9. That Development Application No. DASZ 18/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not submitted the Plan and paid all associated ancillary fees (the "Fees") within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2-year period and Council approves the extension.

10. That the subdivision section of the By-law will come into force when the Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

11. 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.

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

13. That Development Application No. DASZ 18/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City within 1 year following the date on which the By-law is enacted, unless the developer applies for an extension of time before the expiration of that 1-year period and Council approves the extension.

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

15. That the Variance Order for File DAV 228750/2022D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 18/2023.

16. That the Conditional Use Order for File DCU 154246/2023D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 18/2023.

Note: The wording in bold and italics denotes amendments made by the Community Committee.

The Lord Selkirk-West Kildonan Community Committee provided the following supporting reasons for its recommendation:

1. We've been reviewing this file for quite a while which I think was important to do, it is important to be thoughtful when there's going to be changes in any neighborhood and this area in particular is seeing any changes. There's new housing, multifamily, new schools that are being built, the parks that are going to be put in and it is important to be thoughtful in that process. The subdivision and rezoning before us follows the secondary plan amendment, we've heard that. The overall concept that is before us has not changed very much. I do want to commend the developer for having more stakeholder engagement sessions, I think that proved to be very important. We've also heard from Eddie Calisto-Tavares today on how she appreciated that dialogue and going forward if we approve this today, I don't believe that there's going to be an opportunity now for the developer to do detailed design in terms of what this housing complex and mixed use development is going to look like and we should n shy away from sharing those types of plans and getting feedback from Councillors but also from the community at large.

2. So this particular project is going to add important diversity in housing in the area and it contributes to the mix of neighbourhood and commercial amenities and I believe these amenities, folks are looking for them, we've heard from people that email us and talk to us when we are in the ward and as we see further growth in the area we are looking for amenities as well to come on line especially in an area like this where there's a gap currently. The preliminary site containing buildings was shown to us and I think that contributes towards a creation of a pedestrian friendly and accessible space and that is very important to everyone on this committee. I am very pleased with everything that has been presented and changes were made along the way. We are seeing a reduction in height and we no longer having 4 stories of residential, it has been bumped to 3 and I think that's going to fit better within this community and we heard from the developer that they will also address parking and have voluntarily added 4 parking stalls. Again, that can be further revised during the plan approval process but I think what we have before us is better than what we saw a few months ago, and that all came to fruition as a result of very good community consultation.

Objections under the Charter:

Total number of **v**alid objections as per section 125(2) – 6

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

Exhibits Filed:

1. Application dated May 31, 2023
2. Notification of Public Hearing dated July 18, 2023
3. Manitoba Status of Titles 3022050/1 and 3028611/1
4. Letter of authorization dated May 26, 2023 from 7195347 Manitoba Ltd. (Permvir Chohan) to McGowan Russell Group Inc. (Jackie Wilkie)
5. Plans (7 pages)
6. Report from the Urban Planning Division dated August 28, 2023
7. Inspection Report
8. Presentation dated September 7, 2023, in support of the application submitted by the Applicant
9. Recording of Representations of the adjourned public hearing held on September 7, 2023
10. Notice of Adjournment dated September 8, 2023
11. Submission dated October 20, 2023, from Todd Station, in opposition to the application
12. Submission dated October 23, 2023, from Eddie Calisto-Tavares, on behalf of Amber Trails/Leila North/West Mandalay residents
13. Presentation dated October 24, 2023, in support of the application submitted by the Applicant at the public hearing
14. Recording of Representations for the adjourned public hearing held October 24, 2023
15. Notice of Adjournment dated October 25, 2023
16. Submission dated October 25, 2023, from Dan Shushkewich, in opposition to the application
17. Submission dated January 2, 2024, from Sherrin and Doug Markiewich, in opposition to the application
18. Submission dated January 2, 2024, from John Cherney, in opposition to the application
19. Submission dated January 4, 2024, from Eddie Calisto-Tavares in opposition to the application
20. Presentation dated January 2, 2024, in support of the application submitted by the Applicant at the public hearing
21. Recording of Representations of public hearing held on January 4, 2024

REPRESENTATIONS:

In Support:

Jackie Wilkie
Vincent Hosein
Parm Chohan

In Opposition:

Eddie Calisto-Tavares
Todd Station
Dan Shushkewich
Sherrin Markiewich
Doug Markiewich
John Cherney

For Information:

Nil

For the City:

R. Hayer, Land Development Coordinator, Planning, Property and Development Department
K. Kowalyk, Development Engineer, Planning, Property and Development Department

Exhibit “6” referred to in File DASZ 18/2023

ADMINISTRATIVE REPORT

Title: DASZ 18/2023 – 1245 and 1255 Court Avenue

Issue: Proposed Subdivision and Rezoning for the subject lands to an “RMU” Residential Mixed-Use District to allow for the construction of a four (4)-storey mixed-use building containing 37 dwelling units and ground floor commercial tenant spaces.

Critical Path: Lord Selkirk-West Kildonan Community Committee > Standing Policy Committee on Property and Development > Executive Policy Committee > Council

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Hayer, RPP, MCIP	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision proposed under Development Application No. DASZ 18/2023 be approved for preparation as a plan of subdivision (the “Plan”) by a Manitoba Land Surveyor in accordance with the proposed by-law attached as Appendix “B” to this report and as shown on the map dated September 7, 2023 and attached as Schedule “A” to this report, with such minor changes as may be required, for registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated August 17, 2023 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 an “RMU” Residential Mixed-Use District in accordance with the proposed by-law attached as Appendix “B” to this report and as shown on the map dated September 7, 2023, 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. That 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 for approval by the Director of Planning, Property and Development ("Director") and the Lord Selkirk-West Kildonan Community Committee 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 the maximum building height shall not exceed 60 feet, not including any permitted projections under the Winnipeg Zoning By-law.

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

A. a Servicing Agreement in accordance with recommendation 1;

B. and 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 Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Servicing Agreement, 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, 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 (the "By-law") and bring same directly to Council by way of communication for first reading.

6. 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 18/2023 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

7. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with recommendation 1 and has paid the Dedication and all other associated ancillary fees (the "Fees"), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

8. That Development Application No. DASZ 18/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not submitted the Plan and paid all associated ancillary fees (the “Fees”) within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.

9. That the subdivision section of the By-law will come into force when the Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

10. 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.

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

12. That Development Application No. DASZ 18/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City within 1 year following the date on which the By-law is enacted, unless the developer applies for an extension of time before the expiration of that 1-year period and Council approves the extension.

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

14. That the variance order for File No. DAV 22-228750/D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 18/2023.

15. That the conditional use order for File No. DCU 23-154246\D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 18/2023.

REASON FOR THE REPORT

- The applicant is proposing to subdivide and rezone the subject lands from “R1-E” Residential Single-Family (Estate) to “RMU” Residential Mixed-Use, to facilitate the consolidation of land and allow for the construction of a mixed-use development.
- Rezoning applications require a public hearing as per the Development Procedures Bylaw 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 contained within this report are concurred in, the proposal can proceed.

CONSULTATION

N/A

HISTORY

Development Application File No. SPA 3/2022:

- On April 27, 2023, Council adopted By-law No. 120/2022, to amend the Precinct "E" - Precinct Plan By-law No. 97/2014 to re-designate 1245 and 1255 Court Avenue as a "Higher Density Residential" land use policy area.

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.*

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the PRS and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning and Design
Prepared by: R. Hayer, RPP, MCIP
Date: August 28, 2023
File No: DASZ 18/2023

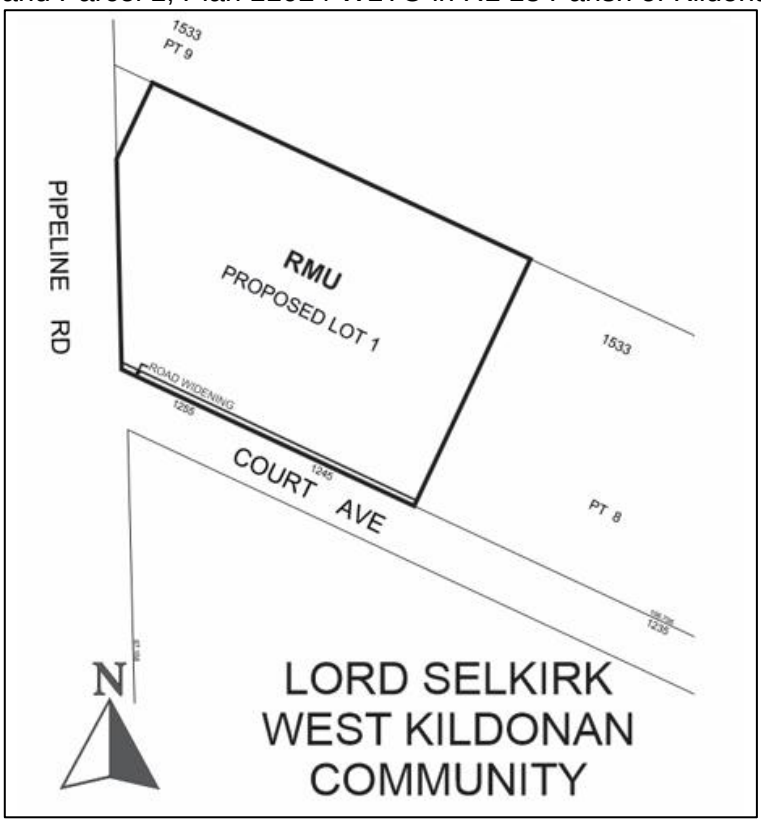
List of Schedules and Appendices

Appendix A – Planning Discussion
Schedule A – File No. DASZ 18/2023, Lord Selkirk Community Committee, September 7, 2023.

Schedule B – Report of the Administrative Coordinating Group Re: Proposed Subdivision and Rezoning on land located at 1245 and 1255 Court Avenue, dated August 17, 2023.
Appendix B – Draft Proposed By-law

APPENDIX 'A'

DATE:	August 28, 2023
FILE:	**DASZ 18/2023**
RELATED FILES:	DAV 23-153861\D; DCU 23-154246\D
COMMUNITY:	Lord Selkirk – West Kildonan Committee
NEIGHBOURHOOD #:	3.326 (Leila North)
SUBJECT:	For subdivision and rezoning to rezone the subject lands to "RMU" Residential Mixed-Use and permit the development of a 4-storey residential and commercial mixed-use building.
LOCATION	1245 and 1255 Court Avenue.
LEGAL DESCRIPTION	Parcel A, Plan 12452 WLTO in OTM Lot 18 Parish of Kildonan and Parcel 1, Plan 11024 WLTO in RL 18 Parish of Kildonan



APPLICANT:	Jackie Wilkie (McGowan Russell Group Inc.) 825 St. Joseph St Winnipeg, MB R2H 3A8
OWNER:	Permvir Chohan 333 Henderson Hwy Winnipeg, MB R2L 1M7

SITE DESCRIPTION

- The subject property is located at the north east corner of Court Avenue and Pipeline Road, in the Leila North neighborhood of the Old Kildonan Ward.
- The subject lands are comprised of two (2) lots, 1245 and 1255 Court Avenue, both of which are currently zoned "R1-E" Residential Single-Family (Estate) District and have a combined lot area of approximately 1.0 acre. Each property currently contains a single-family dwelling.
- As per the *Complete Communities Direction Strategy 2.0*, the subject lands fall within a “Recent Community” policy area.
- Under the *Precinct "E" - Precinct Plan*, lands under this application are is designated under the “Higher Density Residential” policy area.



Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2021)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Vacant lands zoned “R1-E” Residential Single-Family Estate.

South: Court Avenue; then vacant land zoned “R1-E” Residential Single-Family Estate.

East: Single-family dwellings zoned “R1-E” Residential Single-Family Estate.

West: Undeveloped land zoned “R1-E” Residential Single-Family (Estate); and Pipeline Road, then single-family dwelling zoned “R1-M” Residential Single-Family (Medium) and “RMF-S” Residential Multi-family (Small).



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide and rezone the subject lands from “R1-E” Residential Single-Family (Estate) to “RMU” Residential Mixed-Use.
- The proposal involves consolidation of land, opening property as right-of-way, and construction of a four (4)-storey mixed-use building.
- The proposed building would contain seven (7) commercial units with +/- 9,400 square feet of floor area on the ground floor, and 37 residential dwelling units on the second through fourth floors.
- The accessory parking areas would include 83 spaces, including both surface (35 stalls) and underground (48 stalls).
- Vehicular access to the site would be from a private approach on Court Avenue, near the south east corner of the property.
- The related applications under File No. DAV 23-153861/D and DCU 23-154246/D deal with Variances and a Conditional Use associated with the proposed development.

Please refer to the related Administrative Reports for analysis on the related applications.

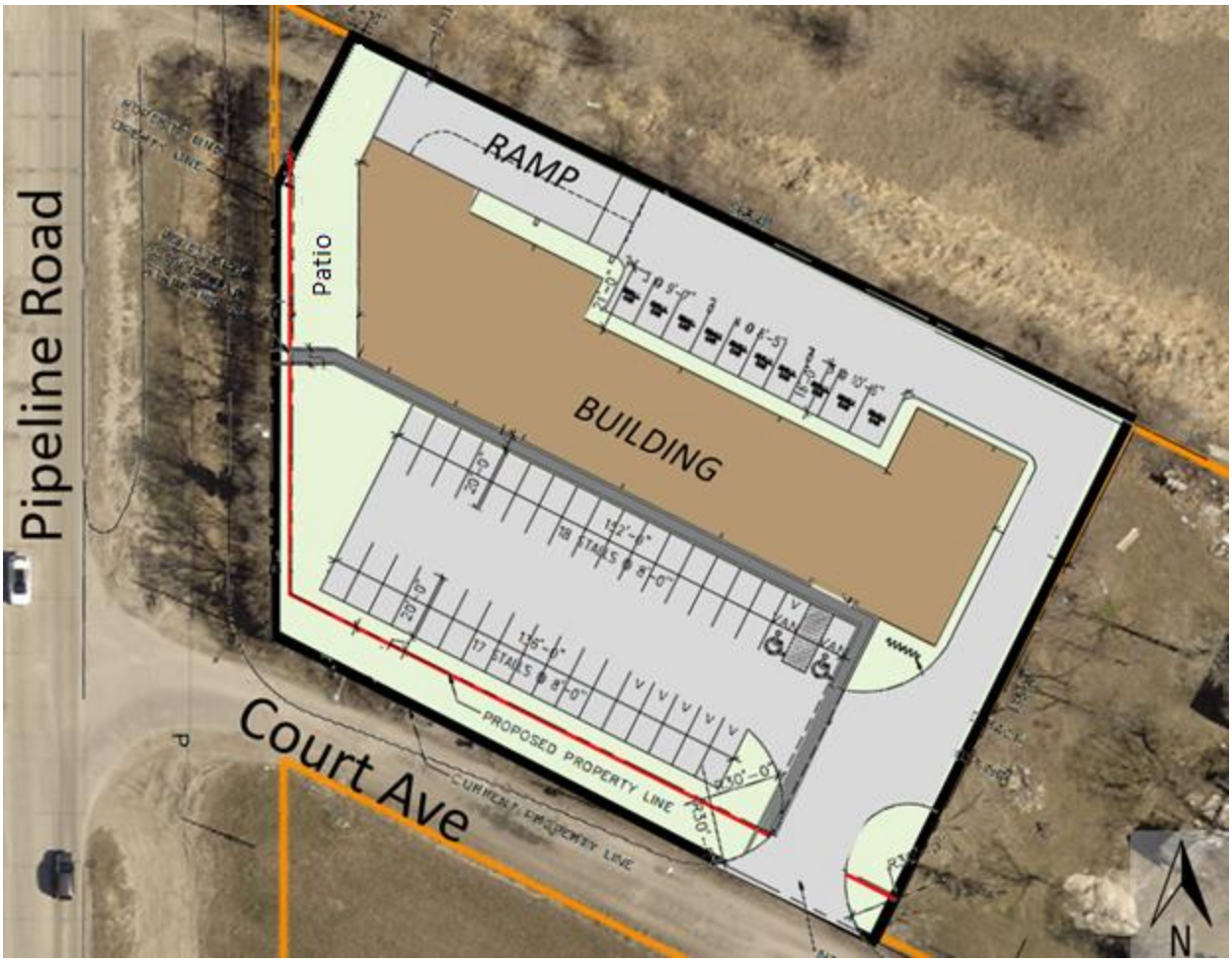


Figure 3: Sketch showing conceptual site plan layout.

COLLABORATION

- In 2021, the applicant submitted a pre-application under file number File No. PA 21-210446.
- The pre-application identified a secondary plan amendment as a pre-requisite to any formal development applications on the land, due to the proposed building height and inclusion of ground floor commercial units.

- The applicant applied for the secondary plan amendment, which was adopted as a by-law by Council in April of 2023 (File No. SPA 3/2022).
- The applicant has adjusted the plan of subdivision based on feedback from the Public Works Department and also adjusted the site plan based on feedback from the Urban Planning & Design Division.
- The applicant also engaged with the public, including distributing flyers to nearby residents with information on the proposed development and contact information.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The property is designated an “Established Neighbourhood - Recent Community” policy area under the *Complete Communities Direction Strategy 2.0* (CCDS 2.0). Key relevant policies include the following:
    - *1.15: Low-rise residential uses will generally be encouraged to locate on arterial roads and collector roads where compatible with adjacent land uses and where they can be conveniently serviced with transit and local commercial amenities, and in consideration of the factors listed in Policy section 1.6.*
    - *2.3: Encourage, where contextually suitable, the location of multi-family buildings at or near the front and corner side property lines to create a pedestrian orientation that is respectful of the area context. Use setbacks to provide landscaping, front courtyards for individual units or other amenities that support the pedestrian environment, building design and relationship to the street.*
    - *2.17 Locate commercial, mixed-use, or multiple family residential parking underground or behind buildings in order to create a more pedestrian-oriented built form. Active uses should be located at grade when these buildings face public streets.*
    - *2.18 Strongly discourage locating surface parking lots between streets and building fronts.*
    - *2.19 Where motor vehicle parking must be accessed from a front street, it should be effectively screened or incorporated into the building in a manner that positively contributes to the attractiveness of the streetscape.*
    - *2.20 Where loading areas require access from a street, they should be discreet and incorporated into the building in a manner that contributes to the attractiveness of the streetscape.*
    - *2.21 Site design should take cues from the character of the neighbourhood or street and should mitigate the potential for land use conflict with adjacent properties that have different scales, densities and uses. Parking location (motor vehicle and bicycle), vehicular access, servicing elements, building placement*

and landscaping treatment will be important design elements to ensure context-sensitive design.

- *2.22 Create or reinforce compact, pedestrian-oriented urban development patterns by ensuring the siting, form and scale of new development has a strong relationship to the street, public spaces and amenities in a way that is consistent with neighbourhood context.*
- *Goal 2: Design new development in Established Neighbourhoods to a high standard of urban design and construction to ensure new development adds value to public and private urban spaces to create a sense of place and civic pride.*
- *Goal 3: Ensure all communities provide a diversity of housing options and meet resident life-cycle housing needs.*
- *Goal 4: Ensure neighbourhoods accommodate a range of commercial services and amenities within walking distance to meet daily needs.*

- Per Servicing policy 1.1 of CCDS 2.0, the proposed development will require a full range of municipal services and will be required to comply with applicable servicing requirements, per the recommendations of the ACG report attached as Schedule "B" to this report.

PRECINCT 'E' PRECINCT PLAN

- The site is also located within an area covered by the *Precinct 'E' Precinct Plan* which designates the property as a "Higher Density Residential" policy area.
- The *Precinct Plan* also identifies a "Special Planning Area" which is a specific area that requires a slightly greater level of planning detail, and includes the areas between Templeton Avenue and Court Avenue. A key applicable policy is the requirement for a concept plan covering the Special Planning Area must be approved by the Lord Selkirk-West Kildonan Community Committee prior to any applications to rezone and/or subdivide land. The Committee approved the required concept plan at a regular scheduled public meeting in December of 2018.
- Key policies include the following:
  - *5.3 Higher Density Residential Development Policies*
    - *a. Two family housing, townhouses, low rise apartments (four storeys or less), and mid-rise apartments (generally six storeys or less) shall be the predominant use of land within this policy area.*
      - *a.1. 1: Mid-rise apartment uses up to a maximum of eight storeys may be considered through the development application process provided the scale and design of the proposed development is compatible with surrounding existing and planned land uses, and there is existing or planned infrastructure to accommodate the proposed use.*

b. *It is expected that these areas will develop to approximately 24.7 units per gross developable hectare (10.0 units per gross developable acre) or greater.*

c. *Local scale commercial uses should be permitted on the main of floor buildings within this policy area.*

d. *Each building design and site plan should address the issue of privacy for immediate neighbours through measures such as building mass, building orientation and landscaping.*

e. *On-site amenity features such as benches, walking paths, and treed areas should be provided to meet active and passive recreation/leisure needs of residents.*

f. *Convenient pedestrian connections to all land uses on the site as well as off-site connections shall be provided.*

g. *Multi-family housing units should be located to allow for transit servicing to be provided at a walking distance of no more than 200 meters.*

CONCLUSION

The proposed development application is generally consistent with the *Complete Communities Direction Strategy 2.0* and the *Precinct 'E' Precinct Plan*. Key supporting reasons are as follows:

- The proposed four (4)-storey building height and mixed-use nature of the development align with the “Higher Density Residential” land use policies, as applicable under the *Precinct ‘E’ Secondary Plan*. The proposed design considers privacy for immediate neighbours through its massing, setbacks, and orientation towards Pipeline Road. The proposed rezoning would also be compatible with planned use of adjacent properties including the recently approved rezoning of the land to the north to “RMF-S” and to the south of “RMF-M”, both of which are intended to accommodate multi-family developments of a comparable intensity. Lands to the east are within the “Medium Density Residential” policy area of the *Precinct ‘E’ Secondary Plan,* which identifies multi-family residential as the anticipated future use of these lands.
- The proposed subdivision & rezoning would enable the construction of a low-rise, mixed-use building along a collector road that has existing transit service and in an area with planned transit improvements under the Transit Master Plan (TMP), consistent with the applicable policies under the *Complete Communities Direction Strategy*. Per the TMP, a transit route would be established on Court Avenue and form part of the Feeder Network. Leila Avenue (approximately 800 feet south) and McPhillips Street (approximately 3,700 feet east) would see transit routes established as part of the Primary Network.

- While Court Avenue is presently a rural cross section street, it is planned to be developed as a collector street, with a sidewalk on the north side and multi-use pathway on the south side. Similarly, urbanization of Pipeline Road along the east side is also planned as a collector street with an asphalt pathway on the east side. The aforementioned works will result in the subject lands having convenient access to commercial amenities and transit routes, both existing and planned. Furthermore, the mixed-use nature of the subject development increases access to commercial amenities for the surrounding area, in addition to complementing existing commercial amenities in the area.
- Preliminary drawings submitted with the subject application show that the proposed building would be oriented with a commercial unit facing towards the front yard (Pipeline Road), with sidewalk level access for pedestrians. The westerly most unit would also contain a ground floor patio. Accordingly, the proposed building layout and design contributes to the creation of a pedestrian-friendly environment.
- A surface parking is proposed to be established primarily in the south side yard, however some small care parking spaces would be located along the north side of the building. In both instances, surface parking would be appropriately buffered and screened, further complementing the area while accommodating the necessary parking to support the proposed use of the property.
- Overall, the proposed subdivision and rezoning would promote a development that aligns with the *Complete Communities Direction Strategy 2.0* and the *Precinct 'E' Precinct Plan's* relevant policies. It would add to the diversity of housing in the area and contribute to the mix commercial amenities, with a site plan layout and building design that contributes towards the creation of a pedestrian-oriented urban space.
- Finally, the proposed development is recommended to include the provision of a full range of municipal services, as outlined in the recommendations in the Schedule “B” report of the Administrative Coordinating Group. This includes property required to legally open right-of-ways and widen both Pipeline Road and Court Avenue. In so doing, the subject application results in planned and orderly development of the area.

CONDITIONS OF APPROVAL

Zoning Agreement:

A Zoning Agreement is recommended as a condition of approval, which would require the following:

- It is recommended that a Plan Approval application be submitted for approval by the Director of Planning, Property and Development, and the Lord Selkirk-West Kildonan Community Committee before the issuance of any building or development permit. This step ensures that the development complies with all relevant guidelines, standards, and community expectations.

- It is recommended that the building height not exceed 60 feet, which is to ensure that any future development of the subject lands is contextually suitable with the surrounding context, particularly given that lands to the north, east, and south are all in a Medium Density policy area of the Precinct Plan, where a building height maximum of three (3)-storeys is applicable. A 60-foot height limit on the subject lands would result in the subject site having the same height entitlements as a property with “RMF-M” zoning and result in an appropriate transition with nearby future developments, maintaining harmony with the surrounding area.

REASONS FOR RECOMMENDATIONS

The Urban Planning Division supports the subdivision and rezoning for the following reasons:

- The proposed subdivision and rezoning will facilitate planned and orderly development and, subject to conditions of approval, would be consistent with the applicable policies under the *Complete Communities Direction Strategy 2.0* and the *Precinct ‘E’ Precinct Plan.*

This Report Submitted by:
Planning, Property and Development Department
Urban Planning and Design Division
Report Prepared by: R. Hayer, RPP, MCIP
DASZ File Number: DASZ 18/2023

SCHEDULE "A" FOR FILE NO. DASZ 18/2023, LORD SELKIRK COMMUNITY COMMITTEE, SEPTEMBER 7, 2023

By-Law No. _____

File No. **DASZ 18/2023**

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 1245 and 1255 Court Avenue from an "R1-E" RESIDENTIAL SINGLE-FAMILY (ESTATE) DISTRICT to an "RMU" RESIDENTIAL MIXED-USE DISTRICT to facilitate the consolidation of lands for the construction of a mixed use residential and commercial building.

Atlas Sheet No. **S23**

N

LORD SELKIRK WEST KILDONAN COMMUNITY



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED AT 1245 AND 1255 COURT AVENUE

It is recommended that approval of DASZ 18/2023, if granted, be subject to the applicant entering into a Servicing Agreement containing the following conditions:

Section I – General Comments

1) Development of the land included under this development application relies on the future services to be constructed by third parties on the lands to the north of Court Avenue, including the stormwater retention basin (SRB) and outfall trunk sewer. This proposed development cannot proceed until this infrastructure has been constructed, or this Developer constructs, at no expense to the City, alternative infrastructure designed by a qualified municipal engineer to the satisfaction of the Director of Water and Waste.

Section II – Plan Considerations

1) The Developer shall, at no expense to the City, legally open property required for an approximately 4.669 metre widening of the Court Avenue right-of-way, along the full length of the Planned Area abutting Court Avenue, to the satisfaction of the Director of Public Works.

2) The Developer shall, at no expense to the City, legally open property required for an approximately 1.911 metre widening of the Pipeline Road right-of-way, along the full length of the Planned Area abutting Pipeline Road, to the satisfaction of the Director of Public Works.

Section III – Engineering Studies

1) The Developer shall, at no expense to the City, conduct geotechnical investigations and develop pavement designs in accordance with the City's "Guidelines for Site Investigation Requirements for Public Works Street Projects", all to the satisfaction of the Director of Public Works.

2) The Developer shall provide a comprehensive servicing report, prepared by a qualified municipal engineer, which shall outline the provision of underground services required for the Planned Area and adjacent lands, as determined by and to the satisfaction of the Director of Water and Waste.

3) The Developer shall submit Servicing Criteria Sheets for water, wastewater and land drainage facilities, including plans showing the current and ultimate service areas, as determined by and to the satisfaction of the Director of Water and Waste.

Section IV - Servicing Conditions

1) Water Mains

a) The Developer shall, at no expense to the City, construct and install all water mains required to serve the Planned Area and adjacent lands as indicated by the servicing report, to the satisfaction of the Director of Water and Waste.

b) If the water mains noted in clause a) are installed by others, the Developer shall pay to the City, in cash, on demand, their share of the water mains installed in Court Avenue, as determined by and to the satisfaction of the Director of Water and Waste.

c) the Developer shall pay to the City, in cash, on demand, their share of the water mains installed in Pipeline Road, as determined by and to the satisfaction of the Director of Water and Waste

2) Wastewater Sewers

a) The Developer shall, at no expense to the City, construct and install all wastewater sewers required to serve the Planned Area and adjacent lands as indicated by the servicing report, to the satisfaction of the Director of Water and Waste.

b) If the wastewater sewer noted in clause a) are installed by others, the Developer shall pay to the City, in cash, on demand, their share of the wastewater sewer, as determined by and to the satisfaction of the Director of Water and Waste.

c) The Developer shall pay to the City, in cash, on demand, their share of the wastewater sewers on Pipeline Road, if applicable, as determined by and to the satisfaction of the Director of Water and Waste.

3) Land Drainage Sewers

a) The Developer shall, at no expense to the City, construct and install all land drainage sewers required to serve the Planned Area and adjacent lands as indicated by the servicing report, to the satisfaction of the Director of Water and Waste.

b) If the land drainage sewer noted in clause a) are installed by others, the Developer shall pay to the City, in cash, on demand, their share of the land drainage sewer, as determined by and to the satisfaction of the Director of Water and Waste.

4) Stormwater Retention Facilities

a) The Developer shall, if required and at no expense to the City, construct, and bridge-finance the cost of constructing regional stormwater management facilities and associated works to serve the Planned Area and adjacent lands, in accordance with the “Criteria for Stormwater Management” (adopted by City Council on April 25, 2001) and the accepted servicing report.

b) The Developer shall dedicate all land and provide all easements necessary to accommodate any required stormwater retention and land drainage facilities in accordance with the Development Agreement Parameters.

c) The Developer shall pay their share of the cost of the regional land drainage system. The regional land drainage facilities constructed by the Developer (including the value of the land for the stormwater retention basins) shall be credited against this charge.

All as determined by and to the satisfaction of the Director of Water and Waste.

5) Court Avenue

a) The Developer shall, at no expense to the City, construct and/or pay their share of the cost to construct, on demand, 10.0m wide by 200mm thick Portland cement concrete pavement in Court Avenue between Pipeline Road and the east limit of the Planned Area, and all related works, including but not limited to an appropriate transition, sidewalks/multi-use pathways, ornamental street lighting, boulevard landscaping, and land drainage facilities, all as determined by and to the satisfaction of the Director of Public Works.

b) In accordance with the Development Agreement Parameters, the City shall endeavour to collect from future benefitting land owner(s) for the Developer's cost to construct the pavement(s) above, including the value of land, as determined by and to the satisfaction of the Director of Public Works.

6) Sidewalks/Multi-use Pathways

a) The Developer shall, at no expense to the City, construct a 3.5m wide asphalt pathway and all related works, on the east side of Pipeline Road from Court Avenue to approximately 60m north of Court Avenue, all as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall pay to the City, in cash, on demand, their share of the costs associated with the construction of a 1.5m wide Portland cement concrete sidewalk and all related works, on the north side of Court Avenue abutting the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

c) Alternatively, the City may choose the Developer pay the costs to construct the above works or a combination of constructing a portion and paying the costs to construct the remaining.

7) Pipeline Road Improvements

a) The Developer shall pay to the City, in cash, on demand, their share of the cost (on an area basis, for the amount attributable to the Planned Area out of the total Precinct "E" area), to construct:

i. An 8.3m wide by 200mm thick Portland cement concrete pavement in Pipeline Road between Leila Avenue and Templeton Avenue, including median treatment;

ii. Northbound left turn storage lane;

iii. Northbound right-turn cutoff lane;

iv. An appropriate transition north of Court Avenue;

v. Ornamental street lighting;

vi. Boulevard landscaping; and,

vii. Land drainage sewers.

All as determined by and to the satisfaction of the Director of Public Works.

b) Alternatively, the City may choose the Developer construct some of the above works.

8) Core Amenities

Developer shall pay to the City, in cash, on demand, their share of core amenities in accordance with the Winnipeg Parks Strategy catchment target level of service and the Park Development Guidelines, as determined by and to the satisfaction of the Director of Planning, Property and Development.

9) Boulevards

a) The Developer shall, at no expense to the City, sod and plant trees on all boulevards within the Planned Area fronting on Court 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 sod for a period of one year and the trees for a period of two years, in accordance with specifications approved by the Director of Public Works.

10) Traffic Control Signals

The Developer shall pay to the City, in cash, on demand, up to 25% of the costs associated with the installation of traffic control signals, and all related works, including but not limited to, pedestrian and vehicular actuation and interconnection to adjacent traffic-control signals, countdown and audible pedestrian signals at the intersection of Pipeline Road and Court Avenue/Ambergate Drive, when and as determined by and to the satisfaction of the Director of Public Works.

11) Utilities

a) The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the Planned Area and will pay the full cost to convert any existing overhead services within the Planned Area to underground to the satisfaction of the Director of Public Works.

b) The Developer shall pay all costs associated with the relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to be constructed by the Developer to serve the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

12) Construction Traffic

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

b) The Developer shall maintain, at no expense to the City, the access routes in a clean, dust free and safe condition, free of dropped and tracked-on mud, and shall undertake 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.

13) Litter and Refuse Control and Clean-Up

a) The Developer shall, at no expense to the City, and of its own volition, initiate and control the regular cleanup of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction, as determined by and to the satisfaction of the Director of Public Works.

b) The cleanup of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

14) Survey Monuments

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

b) In certain circumstances where all the survey monuments within the Planned Area have been found or restored to their original positions, upon approval by the Director of

Planning, Property and Development, the requirements for Plan of Survey Perpetuating Certain Monuments may be waived.

Section V – Costs and Fees

1) By-laws and Approvals

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

2) Professional Fees

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

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

c) The Developer shall pay to the City, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the cost of consulting fees for the preparation of the Court Avenue Precinct Plan (Precinct E), as determined by and to the satisfaction of the Director of Planning, Property and Development.

3) Administration Fees

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

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 18/2023
August 17, 2023

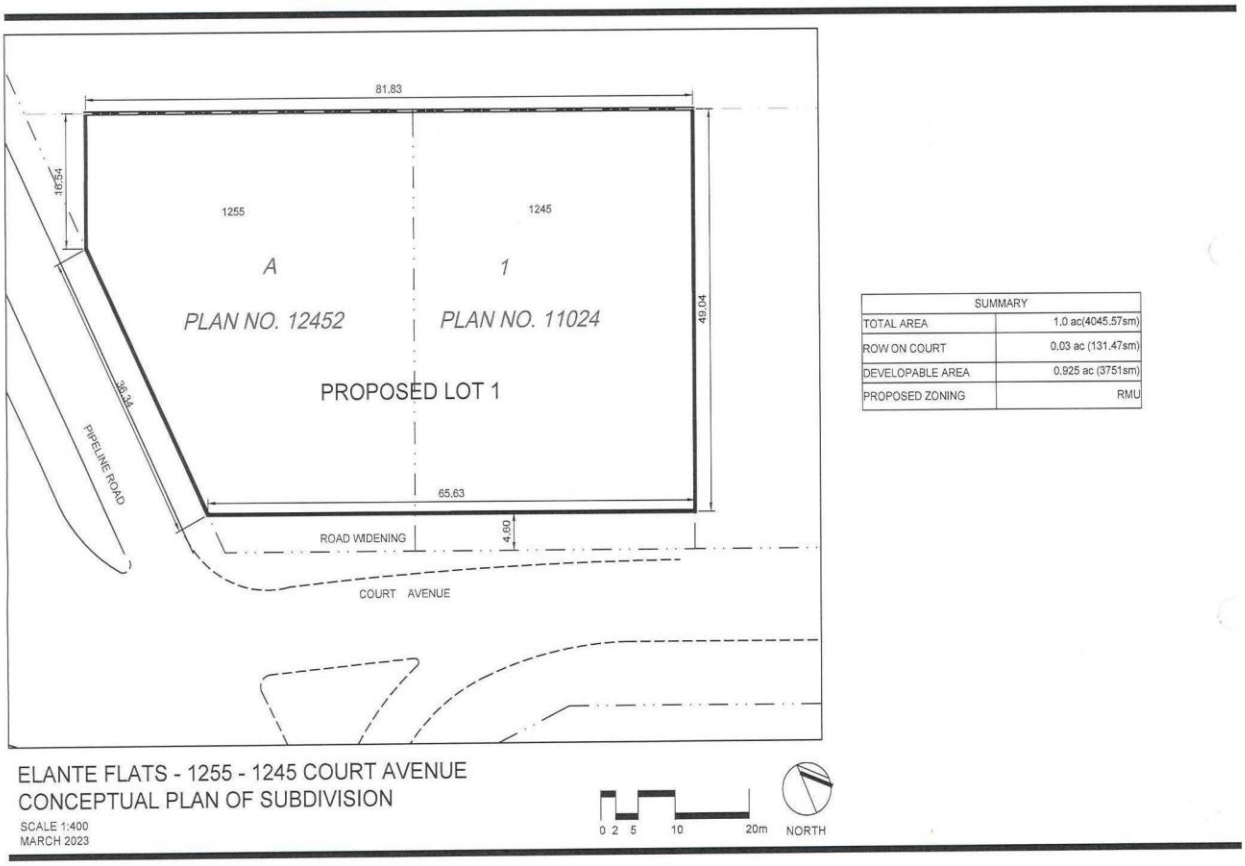
"*Original Signed by K.Kowalyk"*
K. Kowalyk, P. Eng.
Land Development Branch
Planning, Property and Development Department

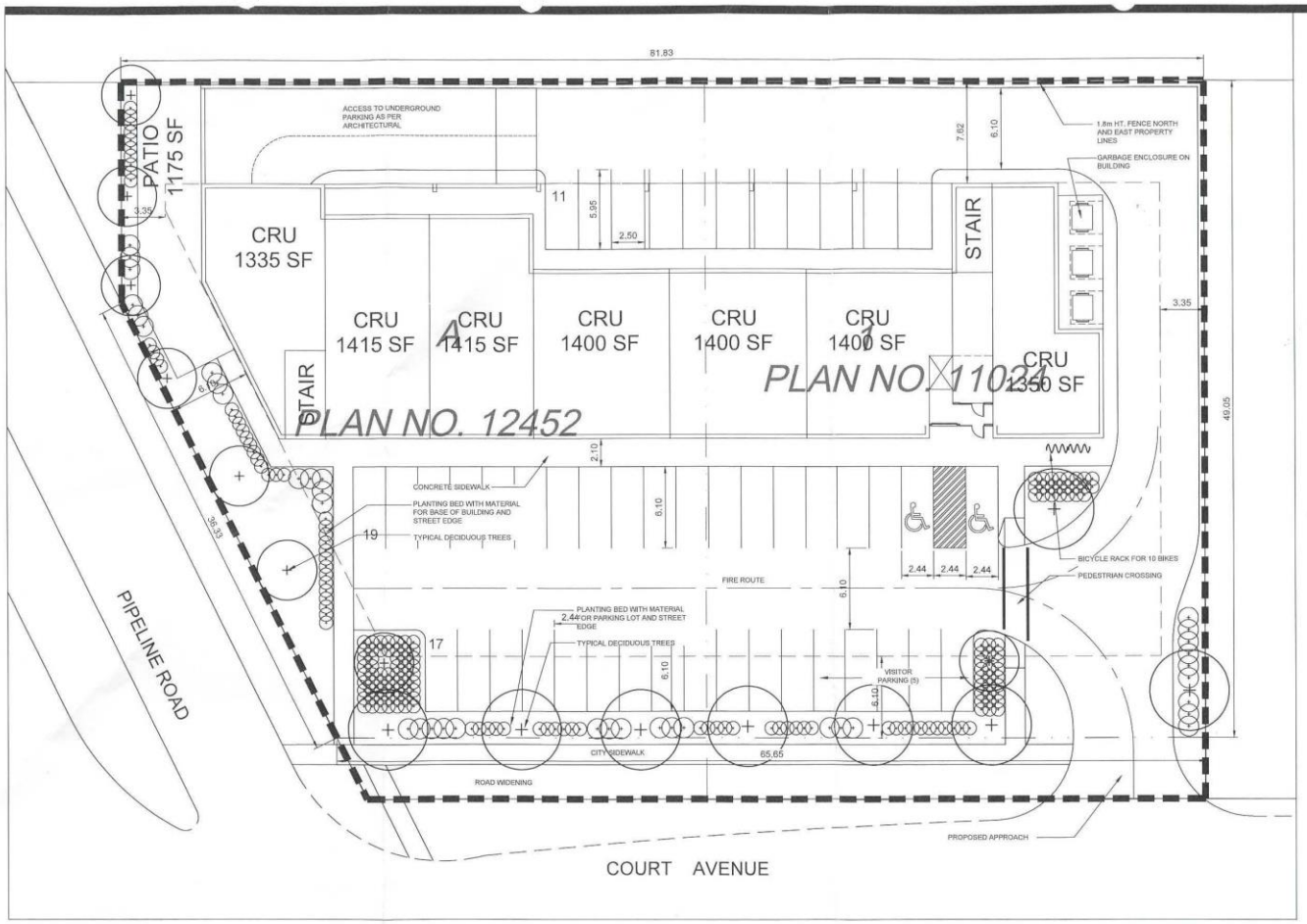
"*Original Signed by M. Gajda"*
M. Gajda, P. Eng.
Engineering Division
Water and Waste Department

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

"*Original Signed by S. Whitehouse"*
S. Whitehouse, M.C.P.
Urban Planning and Design Division
Planning, Property and Development Department

Exhibit “5” referred to in File DASZ 18/2023





SUMMARY	
TOTAL AREA	1.0 ac(4045.57sm)
ROAD WIDENING	0.07 ac (296.68sm)
DEVELOPABLE AREA	0.93 ac (3748.89sm)
PROPOSED ZONING	RMU
FRONT YARD	20ft
SIDE YARD	4 ft
CORNER YARD	5ft
REAR YARD	25ft
PROPOSED COMMERCIAL	9,715 sf
PROPOSED RESIDENTIAL	37 UNITS
BUILDING HEIGHT	4 STORIES
COMMERCIAL PARKING	32 STALLS
RESIDENTIAL PARKING	56 STALLS
TOTAL PARKING WITH REDUCTION TO 80%	70 STALLS
PARKING PROVIDED	32 STALLS UNDERGROUND 47 STALLS SURFACE 79 STALLS TOTAL

LANDSCAPE STATISTICS

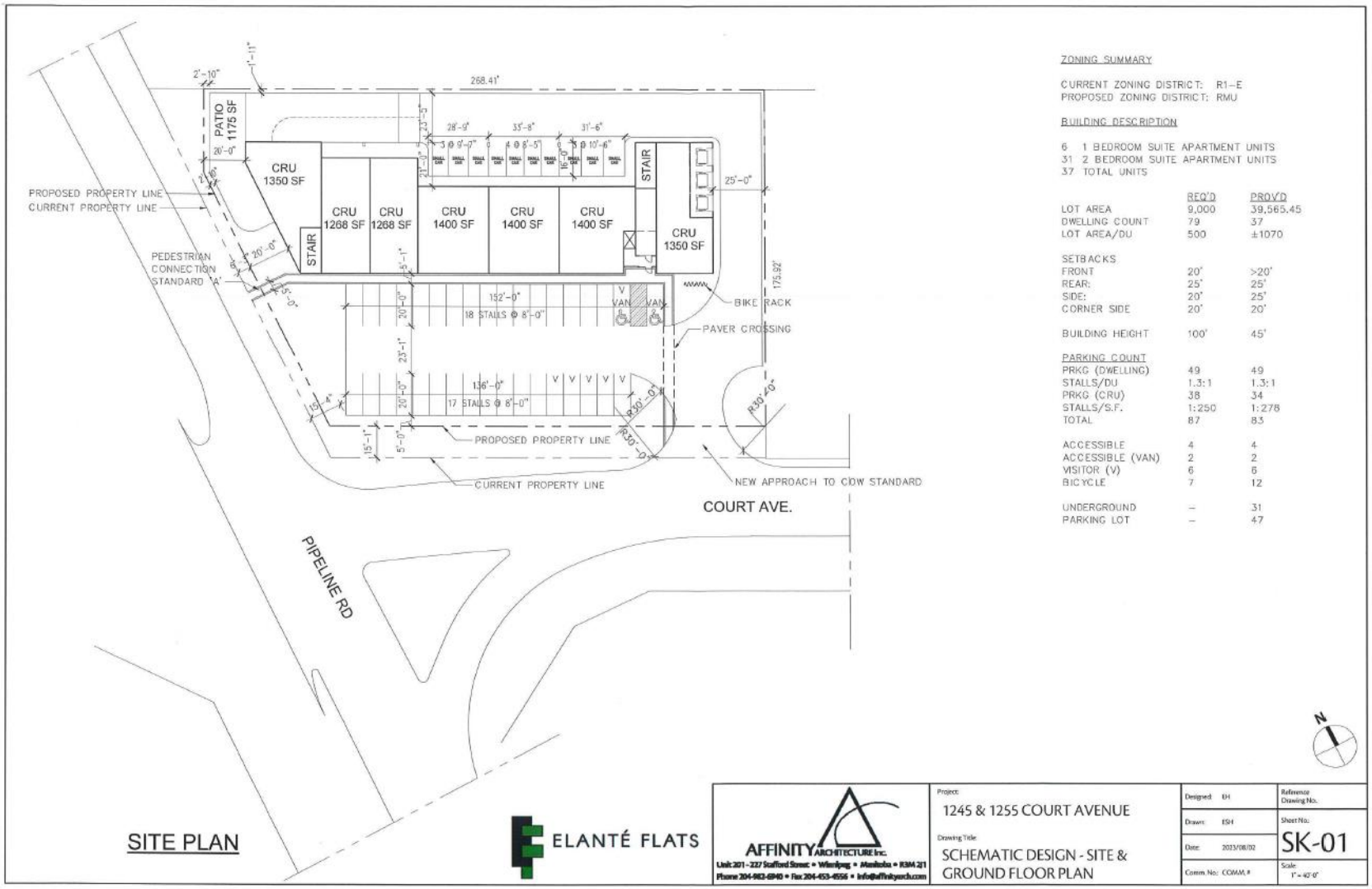
	REQUIRED	PROPOSED
STREET EDGE (PIPELINE RD - 119.2 ft.)		
1 TREE/30 ft.	4	4
3 SHRUBS/20 ft.	18	18
STREET EDGE (COURT AVE. - 215.4 ft)		
1 TREE/30 ft.	7	7
3 SHRUBS/20 ft.	32	32
BUILDING FOUNDATION (285 ft)		
1 SHRUB/10 ft.	29	29
PARKING LOT INTERIOR		
(5% OF 19,343 sq ft)	967 sq ft	
1 TREE/300 sq.ft.	3	3
1 SHRUB/100 sq.ft.	97	97
TOTAL TREES	14	14
TOTAL SHRUBS	179	176

KEY	COMMON NAME/SCIENTIFIC NAME	SIZE	REMARKS
DECIDUOUS TREES			
A	AMERICAN BASSWOOD/ TILIA AMERICANA	65 mm cal.	SPECIMEN, W.B. MACHINE DUG WITH MIN. 10 BRANCHES IN WELL, BRANCHED HEAD, STRAIGHT TRUNK, MIN. HT. 4.0m, BRANCHING HT. 1.8m.
B	BRANDON ASCENDING ELM/ ULMUS AMERICANA 'BRANDON'	65 mm cal.	SPECIMEN, W.B. MACHINE DUG WITH MIN. 10 BRANCHES IN WELL, BRANCHED HEAD, STRAIGHT TRUNK, MIN. HT. 4.0m, BRANCHING HT. 1.8m.
C	TRIUMPH ELM/ ULMUS X 'MORTON GLOSSY'	65 mm cal.	SPECIMEN, W.B. MACHINE DUG WITH MIN. 10 BRANCHES IN WELL, BRANCHED HEAD, STRAIGHT TRUNK, MIN. HT. 4.0m, BRANCHING HT. 1.8m.
DECIDUOUS SHRUBS			
D	FLAMING MOUND SPIREA / SPIREA X BUMALDA 'FLAMING MOUND'	#3 CONTAINER	SPECIMEN, CONTAINER GROWN, WITH MINIMUM 3 STALKS IN WELL, BRANCHED PLANT, MIN. 600mm HT.
E	BLUE MUFFIN ARROWWOOD / VIBURNUM DENTATUM 'CHRISTOM'	#3 CONTAINER	SPECIMEN, CONTAINER GROWN, WITH MINIMUM 3 STALKS IN WELL, BRANCHED PLANT, MIN. 600mm HT.
F	CHANDRA LILAC/ SYRINGA X PRESTONIAE 'CHANDRA'	#3 CONTAINER	SPECIMEN, CONTAINER GROWN, WITH MINIMUM 3 STALKS IN WELL, BRANCHED PLANT, MIN. 600mm HT.

ELANTE FLATS - COURT AVENUE
CONCEPTUAL SITE PLAN

SCALE 1:150
APRIL 2023

0 1 3 5 10m NORTH



ZONING SUMMARY

CURRENT ZONING DISTRICT: R1-E
PROPOSED ZONING DISTRICT: RMU

BUILDING DESCRIPTION

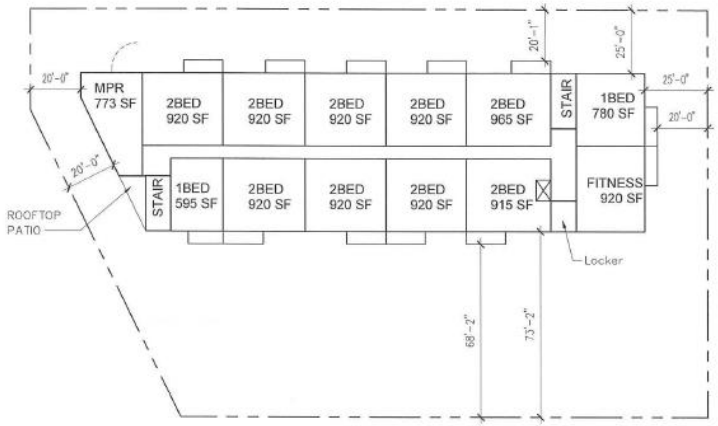
6 1 BEDROOM SUITE APARTMENT UNITS
31 2 BEDROOM SUITE APARTMENT UNITS
37 TOTAL UNITS

	REQ'D	PROV'D
LOT AREA	9,000	39,565.45
DWELLING COUNT	79	37
LOT AREA/DU	500	±1070
SETBACKS		
FRONT	20'	>20'
REAR:	25'	25'
SIDE:	20'	25'
CORNER SIDE	20'	20'
BUILDING HEIGHT	100'	45'
PARKING COUNT		
PRKG (DWELLING)	49	49
STALLS/DU	1.3:1	1.3:1
PRKG (CRU)	38	34
STALLS/S.F.	1:250	1:278
TOTAL	87	83
ACCESSIBLE	4	4
ACCESSIBLE (VAN)	2	2
VISITOR (V)	6	6
BICYCLE	7	12
UNDERGROUND	–	31
PARKING LOT	–	47

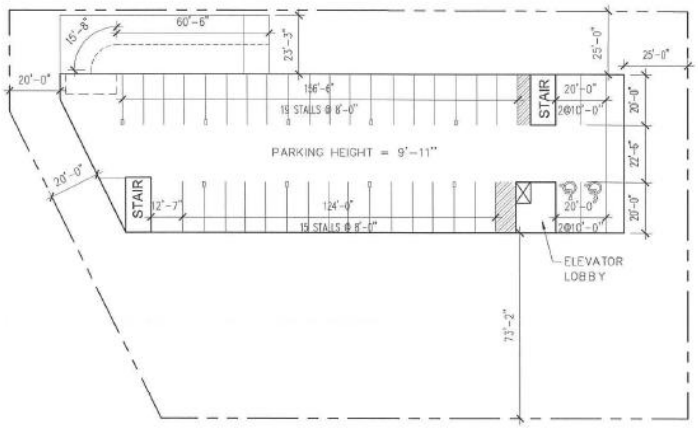
AFFINITY ARCHITECTURE Inc.
Unit 201 - 227 Stafford Street • Winnipeg • Manitoba • R3M 2J1
Phone 204-982-6940 • Fax 204-453-4556 • info@affinityarch.com

Project: 1245 & 1255 COURT AVENUE
Drawing Title: SCHEMATIC DESIGN - SITE & GROUND FLOOR PLAN

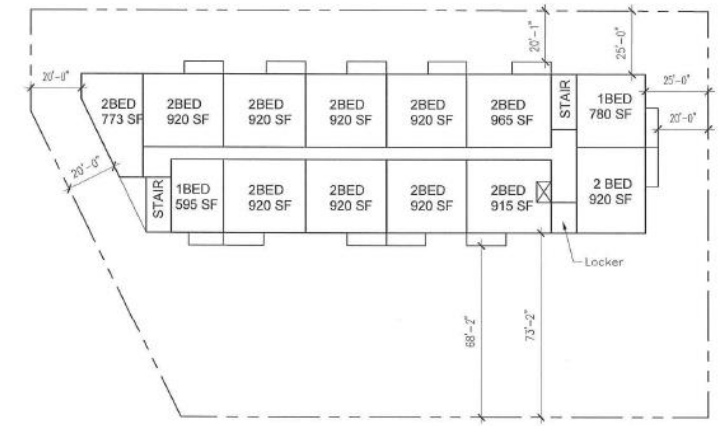
Designed: EH	Reference Drawing No.:
Drawn: ESH	Sheet No.: SK-01
Date: 2023/08/02	
Comm. No.: COMM.#	Scale: 1" = 40'-0"



L02 PLAN



B-01 PLAN



L03-L04 PLAN

ELANTÉ FLATS

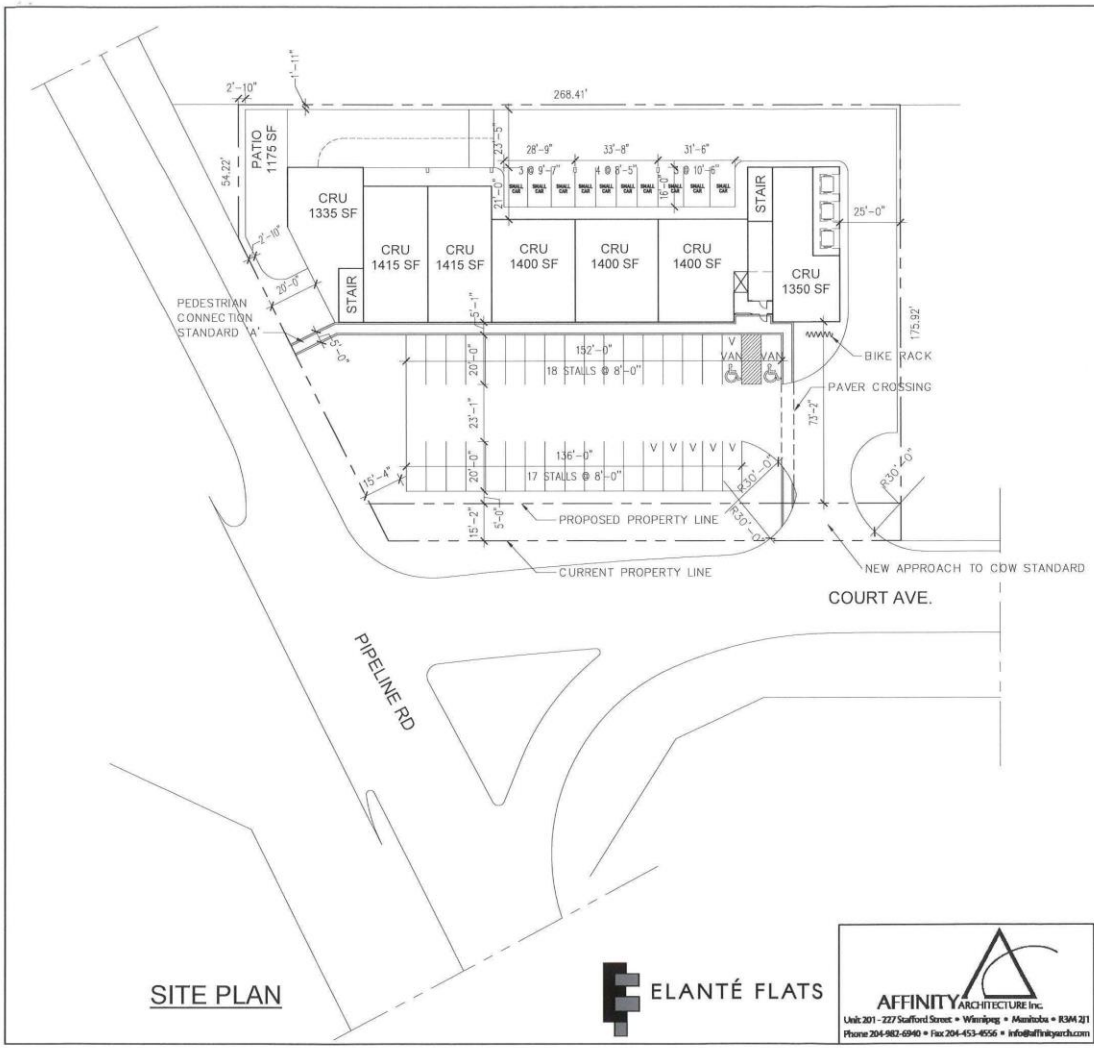
AFFINITY ARCHITECTURE Inc.
Unit 201 - 227 Stafford Street • Winnipeg • Manitoba • R3M 2J1
Phone 204-982-6940 • Fax 204-453-4656 • info@affinityarch.com

Project:
1245 & 1255 COURT AVENUE

Drawing Title:
SCHEMATIC DESIGN - B-01 , L02 & L03-04 PLANS

Designed: EH
Drawn: ESH
Date: 2023/08/02
Comm. No.: COMM.#

Reference Drawing No.:
Sheet No.: SK-02
Scale: 1" = 40'-0"



ZONING SUMMARY

CURRENT ZONING DISTRICT: R1–E
PROPOSED ZONING DISTRICT: RMU

BUILDING DESCRIPTION

7 1 BEDROOM SUITE APARTMENT UNITS
30 2 BEDROOM SUITE APARTMENT UNITS
37 TOTAL UNITS

	REQ'D	PROV'D
LOT AREA	9,000	43,569
DWELLING COUNT	87	37
LOT AREA/DU	500	1177.5
SETBACKS		
FRONT	20'	>20'
REAR:	25'	25'
SIDE:	20'	25'
CORNER SIDE	20'	20'
BUILDING HEIGHT	100'	45'
PARKING COUNT		
PRKG (DWELLING)	49	49
STALLS/DU	1.3:1	1.3:1
PRKG (CRU)	39	35
STALLS/S.F.	1:250	1:279
TOTAL	88	84
ACCESSIBLE	4	4
ACCESSIBLE (VAN)	2	2
VISITOR (V)	6	6
BICYCLE	7	12
UNDERGROUND	–	32
PARKING LOT	–	47

SITE PLAN

ELANTÉ FLATS

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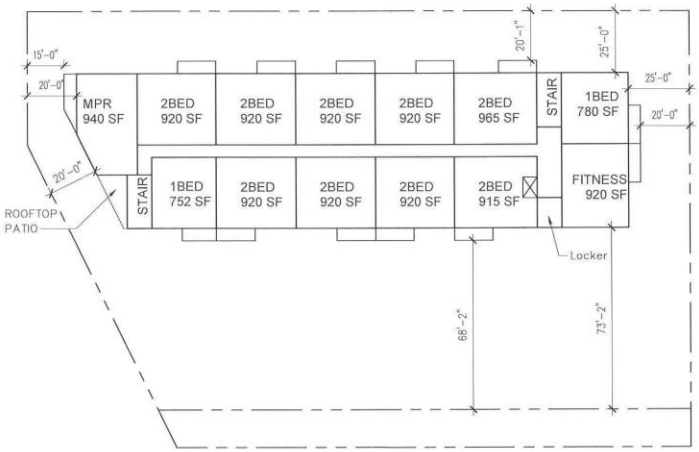
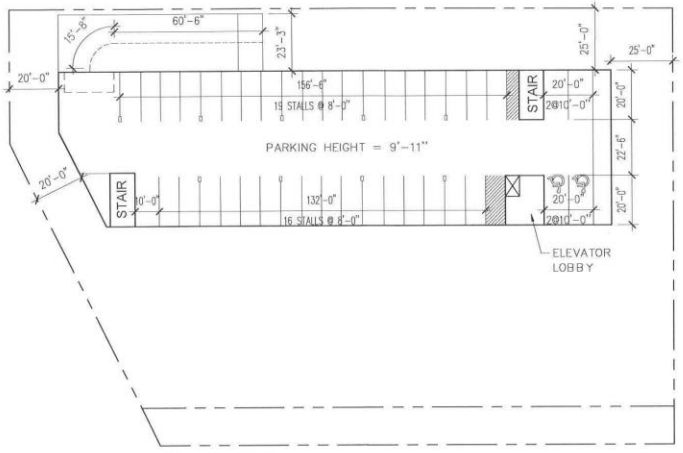
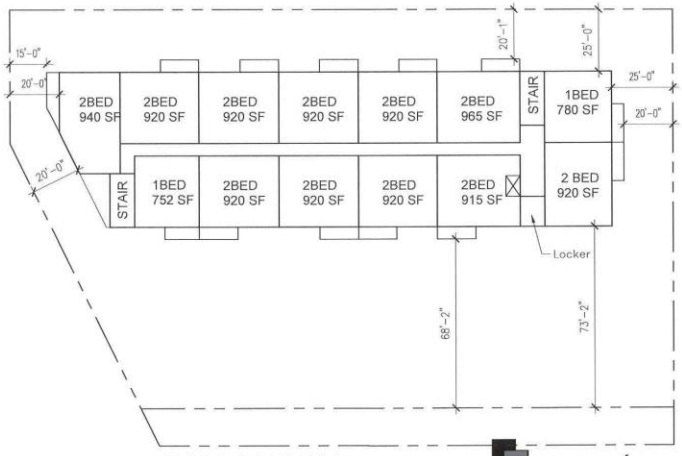
Project: 1245 & 1255 COURT AVENUE
Drawing Title: SCHEMATIC DESIGN - SITE & GROUND FLOOR PLAN
Designed: EH
Drawn: ESH
Date: 2023/04/18
Comm.No.: COMM.#
Reference Drawing No.:
Sheet No.: SK-01
Scale: 1" = 40'-0"



L02 PLAN



B-01 PLAN



L03-L04 PLAN

ELANTÉ FLATS

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Project:
1245 & 1255 COURT AVENUE

Drawing Title:
SCHEMATIC DESIGN - B-01 , L02 & L03-04 PLANS

Designed: EH	Reference Drawing No:
Drawn: ESH	Sheet No: SK-02
Date: 2023/04/18	
Comm.No.: COMM.#	Scale: 1" = 40'-0"



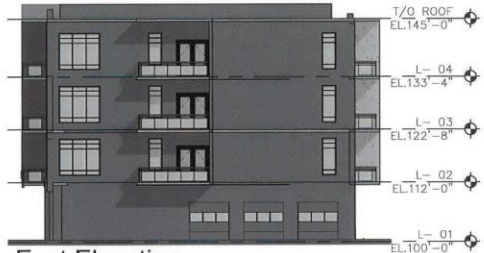
South Elevation
1" = 20'-0"



North Elevation
1" = 20'-0"



West Elevation
1" = 20'-0"



East Elevation
1" = 20'-0"

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Project:
1245 & 1255 COURT AVENUE

Drawing Title:
ELEVATIONS

Designed: EH	Reference Drawing No.:
Drawn: ESH	Sheet No.: SK-03
Date: 2023/04/18	
Comm. No.: COMM.#	Scale: 1" = 20'-0"