Minutes – Council – January 25, 2024

Minute No. 142
Report – Standing Policy Committee on Property and Development – January 11, 2024

Item No. 14 Secondary Plan Amendment – Osborne Village Neighbourhood (Fort Rouge-East Fort Garry Ward) File SPA 2/2023

COUNCIL DECISION:

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

1. That SPA 2/2023 be approved.

2. That first reading be given to By-law No. 14/2024 (the "By-law", a draft of which is attached as Appendix "B" to this report) to amend the Osborne Village Neighbourhood Plan By-law No. 220/2006 in accordance with this report.

3. That following first reading and upon instruction from the Director of Planning, Property and Development, the By-law be returned directly to Council for second reading and third reading.

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

Report – Standing Policy Committee on Property and Development – 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 City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 5, 2024, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

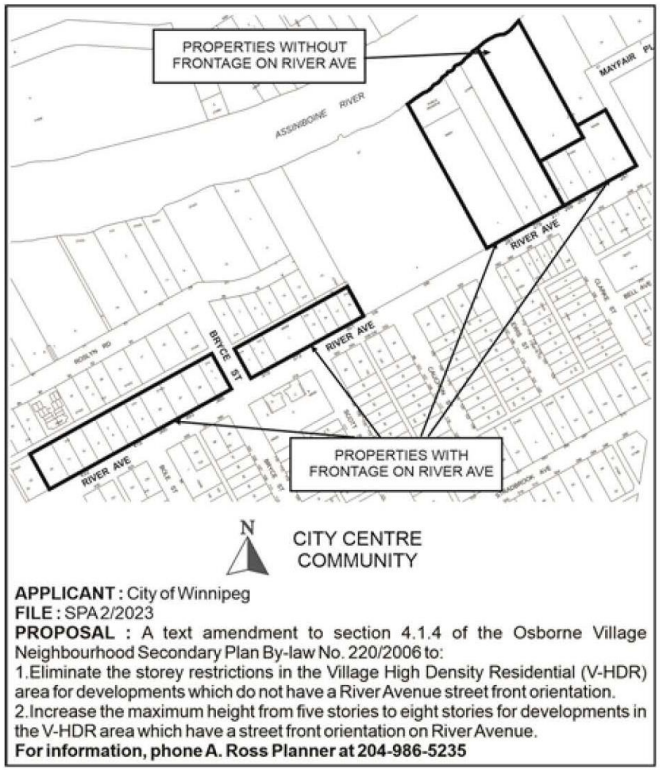
File: **SPA 2/2023**

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

Public Hearing: January 5, 2024
Council Building, 510 Main Street

Applicant: The City of Winnipeg
(Director of Planning, Property and Development)

Subject:



Premises Affected: Osborne Village Neighbourhood

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

Prepared by: Karly Dolski, Committee Clerk
City Centre Community Committee

Report date: January 5, 2024

Community Committee Recommendation:

On January 5, 2024, 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 SPA 2/2023 be approved.

2. That first reading be given to By-law No. 14/2024 (the "By-law", a draft of which is attached as Appendix "B" to this report) to amend the Osborne Village Neighbourhood Plan By-law No. 220/2006 in accordance with this report.

3. That following first reading and upon instruction from the Director of Planning, Property and Development, the By-law be returned directly to Council for second reading and third reading.

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

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

1. They are in line with Osborne Village blue print and the 3 big ideas which I'll just reiterate; is a return of the Osborne street corridor, elevating the public in public realm and finally and most importantly, germane to the secondary plan amendment is support of further residential intensification to strengthen the neighbourhood and business core.

Objections under the Charter:	Total number of **v**alid objections as per section 125(2) – 0 In accordance with section 236.1(1), the threshold for sufficient objection has not been met.
Exhibits Filed:	1. Application dated December 18, 2023 2. Notification of Public Hearing dated December 6, 2023 3. Report from the Urban Planning Division dated December 18, 2023 4. Recording of Representations

REPRESENTATIONS:

In Support:

Nil

In Opposition:

Nil

For Information:

Nil

For the City:

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

Exhibit “3” referred to in File SPA 2/2023

ADMINISTRATIVE REPORT

Title: SPA 2/2023 - Amendment to the Osborne Village Neighbourhood Plan By-law No. 220/2006 – Public Hearing

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

AUTHORIZATION

Author	Department Head	CFO	CAO
A. Ross, RPP, MCIP	N/A	N/A	N/A

EXECUTIVE SUMMARY

The City of Winnipeg is applying for amendments to the Osborne Village Neighbourhood Plan.

Standing Policy Committee on Property and Development directed the Public Service to make amendments to section 4.1.4 of the Osborne Plan, which is the "Village High Density Residential Area".

The proposed changes include:

- Removing height limits for building developments in the Village High Density Residential Area that are not facing River Avenue.
- Increasing the maximum height from five to eight storeys for building developments that face River Avenue.

Affected properties are on the north side of River Avenue east of Osborne Street, from Pulford Street to Mayfair Place. The area is already targeted for high-density under the Osborne Plan.

One property next to the Assiniboine River will have no height restrictions, and 13 properties will be allowed to build up to eight storeys.

The Public Service have drafted changes in accordance with the above, and recommends approval.

RECOMMENDATIONS

1. That SPA 2/2023 be approved.
2. That first reading be given to By-law No. 14/2024 (the "By-law", a draft of which is attached as Appendix "B" to this report) to amend the Osborne Village Neighbourhood Plan By-law No. 220/2006 in accordance with this report.
3. That following first reading and upon instruction from the Director of Planning, Property and Development, the By-law be returned directly to Council for second reading and third reading.
4. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

On October 6, 2023, the Standing Policy Committee on Property and Development directed the Winnipeg Public Service to initiate an amendment to section 4.1.4 of the Osborne Village Neighbourhood Secondary Plan By-law No. 220/2006 to:

- Eliminate the storey restrictions in the Village High Density Residential policies for developments which do not have a River Avenue street front orientation.
- Increase the maximum height from five stories to eight stories for developments which have street front orientation on River Avenue.

Amendments to a secondary plan by-law require a public hearing prior to first reading in accordance with The City of Winnipeg Charter and The Development Procedures By-law No. 104/2020.

This report is being submitted for the Committee's consideration of the development application at the public hearing.

Council approval is required to enact the proposed by-law amendment.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Public Service are concurred in, the Osborne Village Neighbourhood Plan By-law No. 220/2006 will be amended in accordance with this report.

HISTORY/DISCUSSION

N/A

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services, as to legal issues

OURWINNIPEG POLICY ALIGNMENT

OurWinnipeg 2045 – City Building

- 6.13 Support amendments to existing secondary plans that further the vision, goals, and policies of this Plan and *Complete Communities*.

Complete Communities 2.0

- 1.1 Encourage residential development that positively contributes to neighbourhood character while expanding housing options for residents in a manner that is sensitive and complementary to existing development.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

- 4.2 Ensure new areas of growth are designed according to the principles of complete communities.

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: Andrew Ross, RPP, MCIP
Date: December 18, 2023
File No: SPA 2/2023

Attachments:

Appendix “A” – Planning Discussion

Appendix “B” – Draft By-law

FINANCIAL IMPACT

Financial Impact Statement

Date: December 22, 2023

Project Name:

SPA 2/2023 - Amendment to the Osborne Village Neighbourhood Plan By-law No. 220/2006 – Public Hearing

COMMENTS:

There are no financial implications associated with the recommendations in this report.

Mike McGinn Dec. 22, 2023
Mike McGinn, CPA, CA
Manager of Finance

APPENDIX 'A' – Planning Discussion

DATE:	December 18, 2023
FILE:	**SPA 2/2023**
RELATED FILES:	
COMMUNITY:	City Centre
NEIGHBOURHOOD #:	111 - River-Osborne
SUBJECT:	Proposed amendment to Osborne Village Neighbourhood Secondary Plan By-law No. 220/2006.
LOCATION:	River Avenue
APPLICANT:	City of Winnipeg (Andrew Ross, Senior Planner) 15-30 Fort Street Winnipeg, MB R3C 4X5
OWNER:	N/A
RECOMMENDATION:	Approval

SITE DESCRIPTION

- 14 properties are affected by the proposed amendment. The properties are located in Osborne Village, along the north side of River Avenue east of Osborne Street, from Pulford Street to Mayfair Place.
- The immediate area is characterized primarily by multi-family residential development, with other uses nearby including a corner store and Fort Rouge Park.
- The properties are designated as Mature Community under the *Complete Communities Direction Strategy 2.0*, and are located within the Village High Density Residential area of the Osborne Village Neighbourhood Plan (OVNP), which is an area targeted for high-density development.
- The properties are zoned a mix of "RMF-M"- Residential Multifamily – Medium, "RMF-L"- Residential Multifamily – Large, and "RMU"- Residential Mixed Use. Most properties are currently developed with multi-family or mixed use buildings and accessory surface parking areas. The property without frontage on River Avenue is vacant. See Figures 1 and 2.

SURROUNDING LAND USE & ZONING

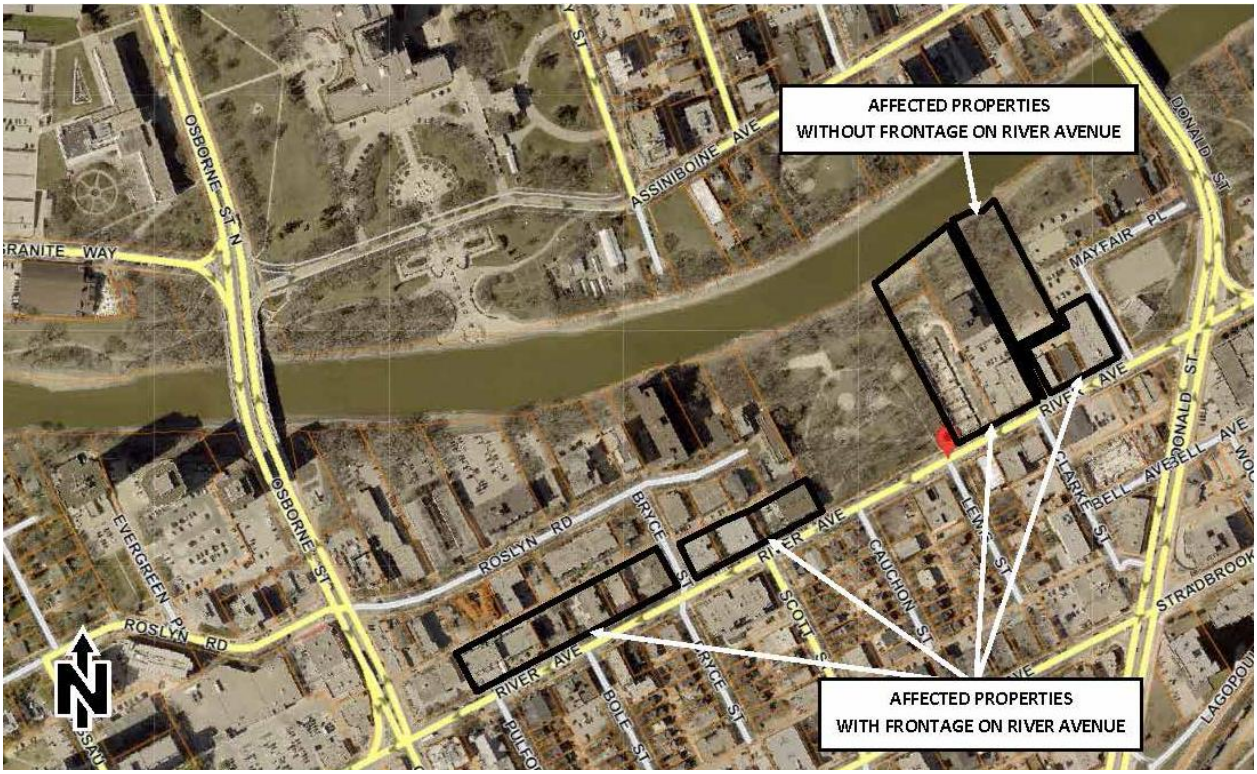


Figure 1: Aerial map of subject property and surrounding area

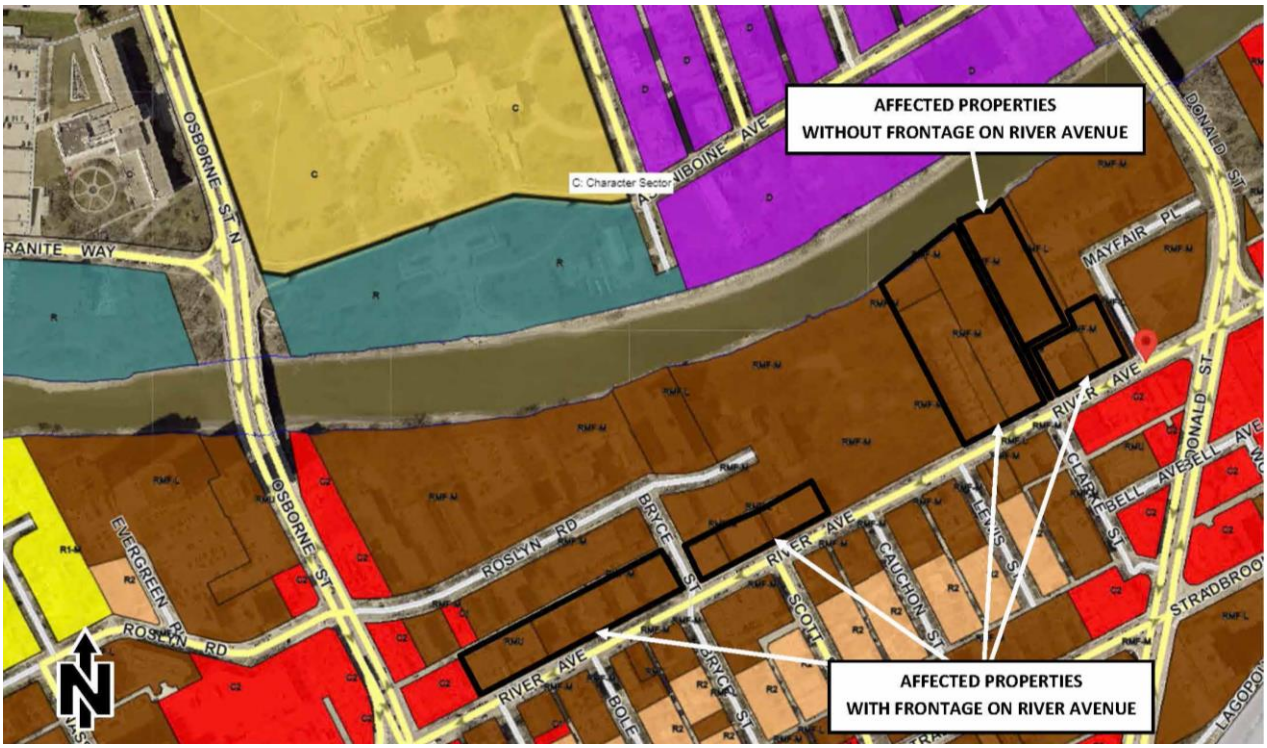


Figure 2: Zoning of subject property and surrounding area

DESCRIPTION OF THE PROPOSED AMENDMENT

The City of Winnipeg has applied to amend section 4.1.4 of the Osborne Village Neighbourhood Plan By-law No. 220/2006 to:

- Eliminate the storey restrictions in the Village High Density Residential policies for developments which do not have a River Avenue street front orientation.
- Increase the maximum height from five stories to eight stories for developments which have street front orientation on River Avenue.

Of the 14 affected properties, 13 have frontage on River Avenue and will receive an increase to their building height limit from the current 5 storeys to 8 storeys. One of the properties does not front River Avenue and will have no height limit under the OVNP.

The proposed amendment is as follows. The amended text is shown in **bold:**

4.1.4 Village High Density Residential (V-HDR) Policies:

4.1.4.A. Encourage medium and high-rise multiple-family development;

4.1.4.B. Mixed-use buildings combining residential with low-intensity office or commercial uses on the ground floor may be approved on River Avenue and Wellington Crescent;

4.1.4.C. New development along River Avenue east of Osborne Street will have a minimum of three storeys, and a maximum height of **eight storeys, provided the sixth floor and above are set back from public streets;**

4.1.4.D. New development along River Avenue east of Osborne Street without frontage on River Avenue may exceed eight storeys with submission of a sun/shadow study;

4.1.4.E. New high-density development should consider the height, scale, prevailing densities, and design characteristics of surrounding land uses;

4.1.4.F. Encourage preservation of existing single-family residences through conversion to low-intensity office uses;

Per above, it is recommended that for properties with frontage on River Avenue, the sixth floor and above is set back from River Avenue because the south side of River Avenue has a maximum height of 5 storeys. Maintaining a similar height on both sides helps maintain a pedestrian scale on both sides of the street for the portions of buildings directly against the street. Typical upper storey set-backs (for example the Corydon-Osborne Area Plan) are ~10 ft. but this can be reviewed individually through the planning process.

Per above, it is recommended that a shadow study be provided along with new development proposals for properties without frontage on River Avenue exceeding 8 storeys. This is a clause found in other parts of the OVNP. It should be noted that a submitted shadow study is not intended to be used to hinder development potential but rather should be seen as a guide for building design details to help ensure shadow impacts are minimized as much as feasible.

ANALYSIS AND ISSUES

OURWINNIPEG 2045

6.16 Established Neighbourhoods

> *"Designate Established Neighbourhoods within the Urban Structure, representing lands that will accommodate additional growth in a context-sensitive manner, while promoting the efficient use of land, cost-effective municipal servicing, enhanced housing choice and affordability, and conservation of green infrastructure and heritage resources and districts, as defined in Complete Communities."*

The proposed development provides new growth in a context-sensitive manner, promotes efficient use of land and the use of existing services in alignment with the above policy.

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0 (CCDS 2.0)

Per CCDS 2.0, the proposed development falls within the Established Neighbourhoods – Mature Communities policy area.

Policy 1.8 of this section states:

> *"Mid-rise residential uses will generally be accommodated on arterial streets where compatible with adjacent land uses, where they can be conveniently served by transit and local commercial amenities, and in consideration of the factors listed in Policy section 1.6."*

Mid-rise residential uses are defined on p. 95 as:

- *"The design of taller buildings up to 6 storeys on the edge of existing adjacent residential neighbourhoods that may be smaller in form and lower in density.*
- *Allows predominantly medium scale multi-residential buildings 4-6 storeys in height.*
- *Allows for some intensification in a form that respects the scale and character of the community while meeting the needs of a diverse population."*

The factors listed in Policy Section 1.6 are:

a. *Applicable City-endorsed policies or guidelines;*
b. *Existing zoning of the property and adjacent properties;*
c. *Characteristics of the immediately surrounding built form including building mass, height, lot coverage, setbacks, and layout;*
d. *Surrounding uses and their characteristics including residential density and the intensity of commercial and other non-residential uses;*
e. *Characteristics of the lot, including whether it is a corner lot, a larger lot than is typical for the neighbourhood, or the shape of the lot;*
f. *Proximity to Downtown, Mixed Use Centres, Major Redevelopment Sites and Mixed Use Corridors;*
g. *The supporting street network (ex. local, collector, or arterial streets) and the street network's ability to support proposed development;*
h. *The supporting transit, pedestrian and active transportation network;*

i. The supporting water, wastewater, and land drainage infrastructure and capacity to accommodate a proposed.

Section 1.6 supports 8 storeys for properties fronting River Avenue and no height limit for the property not fronting River Avenue because:

- The properties are located within the Village High Density Residential area of the *Osborne Village Neighbourhood Plan* (OVNP) which supports the most density and height of all OVNP policy areas.
- River Avenue is an arterial street.
- River Avenue enjoys good multimodal access by car, transit, walking and bike. Newly established bike lanes will be completed next year.
- The subject property is within walking distance (10 min.) to an Urban Mixed Use Corridor (Osborne St.), and 5-10 minutes to Downtown.
- There is sufficient servicing capacity, depending on the location of the proposed development and to where its adjacent sewer flows.
- The property not fronting River Avenue is set back from the corridor, between other multifamily properties and the Assiniboine River.

In addition to above, the proposal meets the CCDS 2.0 vision of Established Neighbourhoods to *"continue to evolve as complete communities to increase the diversity of housing choices, improve housing affordability, and more efficiently use land, infrastructure and services."*

OSBORNE VILLAGE NEIGHBOURHOOD PLAN (OVNP)

This property falls within the Village High Density Area (V-HDR) of the OVNP, which encourages medium and high-rise multiple-family development.

The OVNP contains policies guiding physical character (Section 3). The most relevant policy to this amendment includes:

- *"Respecting the traditional character of the area and surrounding properties in terms of pedestrian orientation, mass and scale of surrounding properties, compatible building materials, orientation of entrances to the street, and incorporation of compatible alignment, setbacks, and height of building(s) along the street."*

Taking in to account the immediate context on River Avenue, the proposed amendment will support development that is reflective of contextual massing and scale. This is in particular due to the clause promoting upper storey setbacks for properties fronting River Avenue, and the consideration of shadow impacts for buildings not fronting River Avenue without height limits.

The development meets the policies of the *Osborne Village Neighbourhood Plan.*

SERVICING CONSIDERATIONS

The Water and Waste Department advises that:

- The sewer capacity could be limiting depending on the location of the proposed development and to where its adjacent sewer flows.
- On-site design, layout or construction material considerations may be needed to meet water servicing requirements.
- Combined sewer license requirements apply. Some locations could be challenged in avoiding increases in land drainage and wastewater into the combined sewer system.

PUBLIC CONSULTATION

- Letters were mailed to all affected property owners, and a meeting was held with the Osborne Village Business Association (BIZ) on December 8, 2024 to discuss the proposed amendment.
- No concerns about the proposed amendment were raised.
- In addition, per statutory requirements, an advertisement for the proposed amendment was published in newspapers.

RECOMMENDATION

The Public Service recommends that the proposed amendment be **approved** for the following reasons:

- The properties are located within the Village High Density Residential area of the *Osborne Village Neighbourhood Plan* (OVNP) which supports the most density and height of all OVNP policy areas.
- River Avenue is an arterial street and enjoys good multimodal access by car, transit, walking and bike.
- The subject property is within walking distance to an Urban Mixed Use Corridor and to Downtown.
- The proposal meets the CCDS 2.0 vision of Established Neighbourhoods to *"continue to evolve as complete communities to increase the diversity of housing choices, improve housing affordability, and more efficiently use land, infrastructure and services."*
- The proposal is anticipated to support development that is reflective of contextual massing and scale, in alignment with the *Osborne Village Neighbourhood Plan.*

Appendix ‘B’ – Draft By-law

THE CITY OF WINNIPEG

BY-LAW NO. 14/2024

A By-law of THE CITY OF WINNIPEG to amend the Osborne Village Neighbourhood Plan By-Law No. 220/2006

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

The Osborne Village Secondary Plan By-law No. 220/2006 is amended by this By-law.

2 Section 4.1.4 is deleted in its entirety and replaced with:

4.1.4 Village High Density Residential (V-HDR) Policies:

4.1.4.A. Encourage medium and high-rise multiple-family development;

4.1.4.B. Mixed-use buildings combining residential with low-intensity office or commercial uses on the ground floor may be approved on River Avenue and Wellington Crescent;

4.1.4.C. New development along River Avenue east of Osborne Street will have a minimum of three storeys, and a maximum height of eight storeys, provided the sixth floor and above are set back from public streets;

4.1.4.D. New development along River Avenue east of Osborne Street without frontage on River Avenue may exceed eight storeys with submission of a sun/shadow study;

4.1.4.E. New high-density development should consider the height, scale, prevailing densities, and design characteristics of surrounding land uses;

4.1.4.F. Encourage preservation of existing single-family residences through conversion to low-intensity office uses;

RECEIVED FIRST READING this day of , 2024.

RECEIVED SECOND READING this day of , 2024.

RECEIVED THIRD READING this day of , 2024.

DONE AND PASSED this day of , 2024.

Mayor

City Clerk

Approved as to content:

Director of Planning, Property and Development

Legally reviewed and certified as to form:

for Director of Legal Services
and City Solicitor