Minute No. 484
Report - Executive Policy Committee – July 15, 2011

Item No. 1 **Subdivision and Rezoning – 913, 917 and 919 St. Mary's Road (St. Vital Ward)**
File DASZ 10/2011 [c/r DAV 121754/2011D, DEMO 137493/2011 and DEMO 137608/2011]

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the plan of subdivision under File DASZ 10/2011 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 10/2011 dated June 23, 2011 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 10/2011 dated June 23, 2011 to an "RMU" Residential Mixed Use District, subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

        i. That, excluding projections permitted under the Zoning By-Law, the maximum height of any building shall be no greater than forty (40) feet;

        ii. That, for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, fencing, and landscaping and signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

        iii. That flashing, animated, or scintillating signs, rotating signs or beacons and electronic message boards shall not be permitted;

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COUNCIL DECISION (continued):

iv. That advertising signs, mobile signs, or A-board signs shall not be permitted on the land.

3. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional parcels be paid to the City for the purchase of land for purposes of the City other than streets.

4 That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2)-year period and Council approves the extension.

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law shall come into force and effect when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one (1) year from the date the by-law is passed.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

Report - Executive Policy Committee – July 15, 2011

COUNCIL DECISION (continued):

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

11. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

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DECISION MAKING HISTORY:

Moved by His Worship Mayor Katz,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 15, 2011, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 11, 2011, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee:

RE: **Subdivision and Rezoning – 913, 917 and 919 St. Mary's Road File DASZ 10/2011 [c/r DAV 121754/2011D, DEMO 137493/2011 and DEMO 137608/2011]**

For submission to: **Executive Policy Committee**

Prepared by: **Marc Pittet, Senior Committee Clerk**
Riel Community Committee

Report date: **July 12, 2011**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 11, 2011, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommends to the Executive Policy Committee:

1. That the plan of subdivision under File DASZ 10/2011 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 10/2011 dated June 23, 2011 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 10/2011 dated June 23, 2011 to an "RMU" Residential Mixed Use District, subject to the following:

    A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

        i. That, excluding projections permitted under the Zoning By-Law, the maximum height of any building shall be no greater than forty (40) feet;

        ii. That, for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, fencing, and landscaping and signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

        iii. That flashing, animated, or scintillating signs, rotating signs or beacons and electronic message boards shall not be permitted;

iv. That advertising signs, mobile signs, or A-board signs shall not be permitted on the land.

3. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional parcels be paid to the City for the purchase of land for purposes of the City other than streets.

4 That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2)-year period and Council approves the extension.

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law shall come into force and effect when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one (1) year from the date the by-law is passed.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

11. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

The Riel Community Committee provided the following supporting reason for its recommendation:

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated June 23, 2011.

PUBLIC HEARING SUMMARY

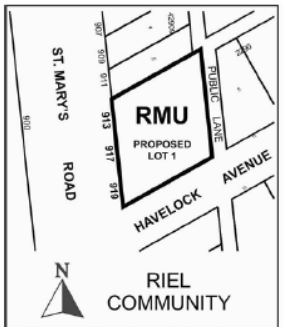
File: DASZ 10/2011

Before: Riel Community Committee
Councillor Vandal, Chairperson
Councillor Steeves
Councillor Swandel

Public Hearing: July 11, 2011
Council Chamber
Council Building, 510 Main Street

Applicant: House 5 Inc. (Helio Rodrigues)

Subject:



APPLICANT : HOUSE 5 INC.
FILE : DASZ 10/11
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "RMF-S" RESIDENTIAL MULTI-FAMILY DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT to allow for the construction of a mixed use commercial/residential building. **For information, phone Mr. R. Kostiuk, Planner at 986-7367.**
DEMANDEUR : HOUSE 5 INC.
N° DE RÉFÉRENCE : DALZ 10/11
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du Règlement municipal no 200/2006 visant à changer le zonage du bien-fonds indiqué ci-dessus afin de le faire passer de la catégorie RMF-S (SECTEUR RÉSIDENTIEL MULTIFAMILIAL) à la catégorie RMU (SECTEUR RÉSIDENTIEL POLYVALENT) et de permettre la construction d'un bâtiment polyvalent à usage commercial/résidentiel. **Pour plus de renseignements, veuillez communiquer avec M. R. Kostiuk, urbaniste, au 986-7367.**

Premises Affected: 913, 917 and 919 St. Mary's Road

Exhibits Filed:

1. Application dated April 27, 2011
2. Notification of Public Hearing dated May 20, 2011
3. Manitoba Status of Titles 25410147, 2510148 and 2510149
4. Letter of authorization dated March 23, 2011, from 6135910 Manitoba Ltd. to House 5 Inc.
5. Plan
6. Report from the Planning and Land Use Division dated June 23, 2011
7. Inspection Report

REPRESENTATIONS:

In Support:

Mark Arrojado
Mitch Dlot
Phil Dlot
Zina Dlot
Helio Rodrigues

In Opposition

Nil

For Information:

Donggi Lee

For the City:

Ms. S. Matile, Land Development Engineer, Planning, Property and Development Department
Mr. R. Kostiuk, Planner, Planning, Property and Development Department

Exhibit "6" referred to in File DASZ 10/2011

ADMINISTRATIVE REPORT

Title: DASZ 10/2011 – 913, 917, and 919 St. Mary's Road Public Hearing

Issue: For consideration at the Public Hearing to subdivide the site from three (3) lots into one (1) lot and rezone the site from "RMF-S" Residential Multi-Family Small to "RMU" Residential Mixed Use in order to develop a mixed-use building.

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

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	N/A	N/A	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 10/2011 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 10/2011 dated June 23, 2011 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 10/2011 dated June 23, 2011 to an "RMU" Residential Mixed Use District, subject to the following:

   A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

      i) That, excluding projections permitted under the Zoning By-Law, the maximum height of any building shall be no greater than forty (40) feet;

      ii) That, for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, fencing, and landscaping and signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and

thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

iii) That, flashing, animated, or scintillating signs, rotating signs or beacons and electronic message boards shall not be permitted;

iv) That, advertising signs, mobile signs, or A-board signs shall not be permitted on the land.

3. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional parcels be paid to the City for the purchase of land for purposes of the City other than streets.

4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2)-year period and Council approves the extension.

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law shall come into force and effect when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one (1) year from the date the by-law is passed.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

11. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

REASON FOR THE REPORT

- The applicant is proposing to subdivide the site from three (3) lots into one (1) lot and rezone the site from "RMF-S" Residential Multi-Family Small to "RMU" Residential Mixed Use in order to develop a mixed-use building.
- The proposed building will be three (3) stories in height (approximately 34 feet tall to the roofline; and 46 feet tall to the top of the stair well/elevator).
- The ground floor will contain two (2) commercial units that face and front onto St. Mary's Road. One unit will be approximately 800 square feet in area while the other unit will be approximately 2,900 square feet in area for a total of 3,700 square feet of commercial space on the ground floor.
- There will be a total of fourteen (14) residential units in the building.
- Subdivisions and rezonings 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 Planning and Land Use Division are concurred in, the subject site will be subdivided into one (1) lot and rezoned from RMF-S to RMU, allowing the applicant to develop the site in a manner consistent with the zoning agreement.

HISTORY

N/A

CONSULTATION

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by:	Robert Kostiuk
Date:	June 23, 2011
File No.	DASZ 10/11

List of Schedules and Attachments

1. Appendix A – Planning Discussion
2. Schedule “A” for File No. DASZ 10/11
3. Appendix B – Plan Approval Design Guidelines for DASZ 10/11

APPENDIX 'A'

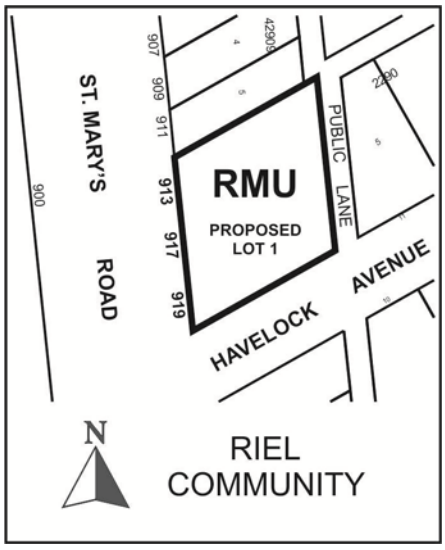
DATE: June 23, 2011

FILE: DASZ 10/11
RELATED FILES: DAV 11-121754/D, DEMO 11-137493, DEMO 11-137608

COMMUNITY: Riel
NEIGHBOURHOOD #: 5.515

SUBJECT: An application to subdivide the site from three (3) lots into one (1) lot and rezone the site from "RMF-S" Residential Multi-Family Small to "RMU" Residential Mixed Use in order to develop a mixed-use building on the site with two (2) commercial units on the ground floor and fourteen (14) residential units on the second and third floors.

LOCATION: 913, 917, and 919 St Mary's RD
LEGAL DESCRIPTION: LOT 11/12/13 PLAN 21498



APPLICANT: House 5 Inc. (Helio Rodrigues)
610 BROADWAY UNIT A
WINNIPEG MB R3C 0W8

OWNER: 6135910 MANITOBA LTD.
70 LINDMERE DR
WINNIPEG MB R3P 2P7

RECOMMENDATION: Approval with Conditions

REPORT SUMMARY

- The applicant is proposing to subdivide the site from three (3) lots into one (1) lot and rezone the site from "RMF-S" Residential Multi-Family Small to "RMU" Residential Mixed Use in order to develop a mixed-use building on the site.
- The proposed building will be three (3) stories in height (approximately 34 feet tall to the roofline; and 46 feet tall to the top of the stair well/elevator).
- The ground floor will contain two (2) commercial units that face and front onto St. Mary's Road. One unit will be approximately 800 square feet in area while the other unit will be approximately 2,900 square feet in area for a total of 3,700 square feet of commercial space on the ground floor.
- There will be a total of fourteen (14) residential units in the building.
- The Planning and Land Use Division recommends supporting this subdivision and rezoning application subject to the conditions in the recommended zoning agreement.

SITE DESCRIPTION

- The subject site is located on the northeast corner of the St. Mary's Road and Havelock Avenue intersection in the St. George neighbourhood of the St. Vital Ward.
- The site consists of three (3) lots (Lots 11, 12, & 13 of Plan 21498, or 913, 917, and 919 St. Mary's Road), that combined, total approximately **11,780 square feet in area**.
- There are one storey houses located on 913 and 919 St. Mary's Road (Lot 11 and 12 of Plan 21498).
- The house at 913 St. Mary's Road has a living area of approximately 638 square feet and was built in 1922. The house at 919 St. Mary's Road has a living area of approximately 760 square feet and was also built in 1922.
- Vehicular access to the site is provided from the back lane.
- The site is within Plan Winnipeg 2020's Neighbourhood Land Use Policy Area and is located along a Regional Mixed-Use Corridor (St. Mary's Road) under the *Draft* Complete Communities Direction Strategy. The site is zoned "RMF-S" Residential Multi-Family Small.

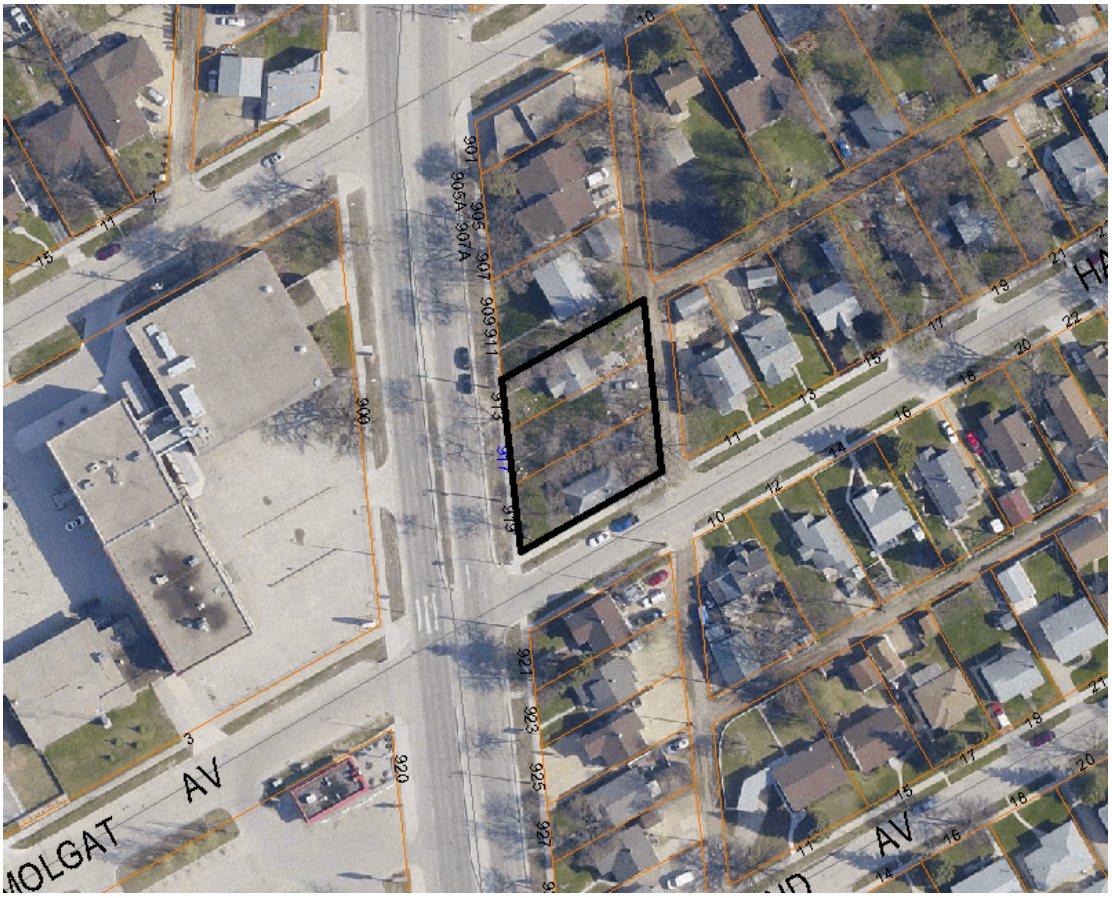


Figure 1: Aerial photograph showing approximate area of subject property (flown 2009)

SURROUNDING LAND USES & ZONING (See Figure 2)

North: A two storey duplex zoned “RMF-S” Residential Multi-Family Small.

South: A mix of one storey homes and commercial businesses zoned “C2” Commercial Community.

East: One storey detached single-family homes zoned “R1-M” Residential Single-Family Medium.

West: An administrative building for the Louis Riel School Division zoned “R1-M” Residential Single-Family Medium.

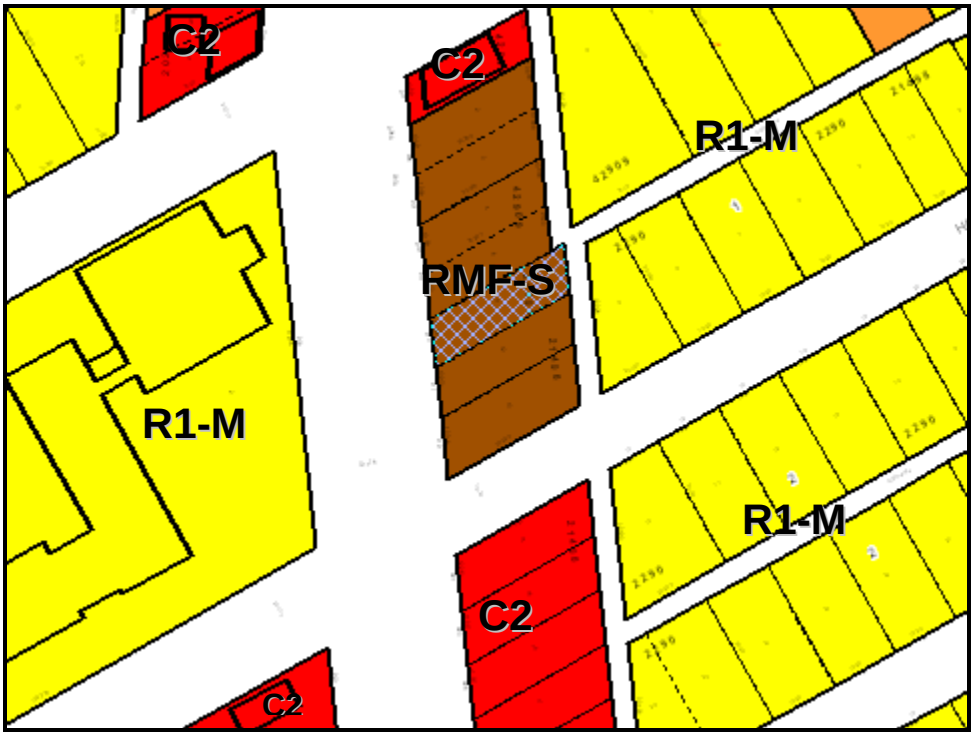


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide the site from three (3) lots into one (1) lot and rezone the site from "RMF-S" Residential Multi-Family Small to "RMU" Residential Mixed Use in order to develop a mixed-use building.
- The proposed building will be three (3) stories in height (approximately 34 feet tall to the roofline; and 46 feet tall to the top of the stair well/elevator).
- The ground floor will contain two (2) commercial units that face and front onto St. Mary's Road. One unit will be approximately 800 square feet in area while the other unit will be approximately 2,900 square feet in area for a total of 3,700 square feet of commercial space on the ground floor.
- The upper two stories will contain a set of units that face east (the back lane) and another set of units that face west (St. Mary's Road). There will be a total of fourteen (14) residential units in the building.
- The units facing east will each be two stories (the second and third stories of the building) and approximately 1,080 square feet in area. There are a total of six (6) of these types of units proposed.
- There will be a total of eight (8) units (four units on the second floor and four units on the third floor) facing west. These units will range in size from approximately 950 square feet to 1,100 square feet.
- Communal space is proposed on the rooftop for the residents.

- A paved parking area will be located behind the commercial spaces. In total, twenty-one (21) parking spaces are proposed. The parking will not be visible from St. Mary's Road and will be covered by the upper floors of the building.
- Variances are required for the front, rear and side yards and for parking and insufficient buffering (see DAV 11-121754/D).
- A demolition application is also needed for the demolition of the homes at 913 and 919 St. Mary's Road (see DEMO 11-137493 and 11-137608). The application to demolish is required because the applicant does not hold a building permit for the construction of a new residential building on the zoning lot(s) as per Section 2 of By-Law No. 4665/87 *The Demolition Permits in Residential Areas By-Law.*

ANALYSIS AND ISSUES

PLAN WINNIPEG

- The proposed development is within the Neighbourhood Policy Area and complies with *Plan Winnipeg 2020*.

DRAFT COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *Draft Complete Communities Direction Strategy* the proposed development is located along a Regional Mixed-Use Corridor (St. Mary's Road). Key relevant policies guiding development along Regional Mixed Use Corridors include:
    - Provide a mix of employment, higher-density residential opportunities, retail and service uses that support the needs of and respect the context of adjacent communities.
    - Support a range of housing opportunities in terms of type, tenure, unit size.
    - Promote the highest levels of intensification at significant intersections. Between each centre, lower intensities of commercial, residential and mixed use development are appropriate.
    - Support active uses (such as retail and services) at street level and office and housing on the upper levels of multi-storey developments.
    - Promote high-quality plazas, parks and streetscapes as focal points and networks that are connected to the greater community.
    - Support development in accordance with Universal Design and Crime Prevention Through Environmental Design (CPTED) policies.
    - Promote innovative parking strategies and high intensity developments, including locating parking lots to the rear of developments, encouraging the development of underground parking or parking structures and encouraging the preservation and/or planting of trees and other types of vegetation within and around surface parking lots.

ZONING

"RMF-S" Residential Multi-Family Small

- The RMF-S zone is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities. The dimensional standards for multi-family structures in the RMF-S zone are: a minimum front yard of 20 feet; a minimum rear yard of 25 feet; a minimum side yard of 4 feet and, a maximum building height of 35 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 1,250 square feet.

"RMU" Residential Mixed-Use

- The RMU zone is intended to facilitate the development of 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. The dimensional standards for multi-family structures in the RMU zone are: a minimum lot area of 9,000 square feet; minimum front yard of 20 feet; a minimum rear yard of 25 feet; minimum side yard of 5 feet; and, a maximum building height of 100 feet, and a maximum lot area per dwelling unit of 500 square feet.

LAND USE BY-LAW

Rezoning from RMF-S to RMU

- The property is currently zoned RMF-S, which allows for multi-family development on the site, but not commercial development. Secondly, the maximum lot area per dwelling unit under the RMF-S zone is 1,250 square feet, which would allow for a maximum of nine (9) units to be developed on this 11,780 square foot site.
- The applicant is proposing to have a mix of commercial and residential uses on the site and develop fourteen (14) residential units. The RMU zone can accommodate this proposed development.

Variances

- The minimum required front yard in the RMU zone is 20 feet. The applicant is proposing no front yard.
- The minimum required rear yard in the RMU zone is 25 feet. The applicant is proposing no rear yard.
- The minimum required interior side yard (in this case the north yard) is 9 feet for a three-storey building in the RMU zone. The applicant is proposing no north side yard.
- The minimum required corner side yard (in this case the south yard) in the RMU zone is 20 feet. The applicant is proposing no south corner side yard.
- The applicant is proposing to have 21 parking spaces on the site instead of the 26 parking spaces required for the proposed development.

- Sites with commercial development must provide a landscape buffer between non-commercial uses as per Section 190(7) of the Zoning By-Law. One option for buffering includes using a wall or fence with a maximum continuous length of 48 feet with a landscaped strip of a minimum length of 16 feet and minimum depth of 4 feet. The applicant is proposing a continuous fence/screen wall that is 94 feet long without landscaped areas on the east side of the property and does not meet the zoning by-law buffering requirements along the north side of the property.
- The applicant is not providing landscaping that is consistent with the Zoning By-Law, notably for street edge landscaping, rear and side yard landscaping (buffering), and building foundation landscaping.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- Plan Winnipeg 2020 and the *Draft* Complete Communities Direction Strategy both support the intensification of major corridors with multi-family residential development and a mix of uses.
- The proposed development is consistent with Plan Winnipeg 2020 and the *Draft* Complete Communities Direction Strategy for developments along Regional Mixed Use Corridors, such as St. Mary's Road. The proposal includes:
    - The incorporation of multi-family development along a Regional Mixed-Use Corridor;
    - A mix of uses, with active uses (such as commercial) on the ground floor with multi-family development on the upper floors; and,
    - Parking that is concealed from the main street by an active ground floor use.
- The development also contributes to supporting a range of housing types in the neighbourhood and helps put more "eyes on the street", which is a key Crime Prevention Through Environmental Design (CPTED) principle.
- The proposed height of the development is compatible with other properties in the area as the proposed building is 34 feet tall while the maximum permitted height of the neighbouring homes in the R1-M zone is 35 feet. However, most of the neighbouring homes in the area are developed at a lower height (generally one storey).
- The proposed density, which equates to 52 units/acre, is desirable from a Transit-Oriented Development (TOD) perspective. This density is in line with the general suggested density of 25-60 units/acre for development along a High Frequency Transit Corridor or Regional Mixed-Use Corridor like St. Mary's Road.
- The proposed development is consistent with many of the principles for developments along a High Frequency Corridor as outlined in the *Draft* Winnipeg Transit-Oriented Development (TOD) Handbook. The development includes a mix of uses, is 1 to 5 stories in height, has an active, commercial storefront on the ground floor, has primary entrances that are accessible from the main streets, and has parking that is located behind the active street-front uses.

- The proposed design is innovative and can become a good example of multi-family mixed use infill development along St. Mary's Road.

RECOMMENDED ZONING AGREEMENT

Maximum Height

- The Planning and Land Use Division recommends a maximum permitted height for development on the site of 40 feet (excluding permitted projections such as the stairwell/elevator), instead of the 100 foot height limit permitted under the RMU zoning district. The 40 foot height restriction is more compatible with the area as opposed to the 100 foot height limit permitted under the RMU zone and only moderately taller than the permitted height of the surrounding properties that are zoned R1-M. The 40 foot height limit also offers some flexibility for the applicant if there are some minor modifications to the height of the building.

Plan Approval

- The applicant has submitted plans that indicate that the design is conceptual only. The Division generally supports the plans as shown; however, some details such as building materials, fencing materials/dimensions, and landscaping are not included in the concept submitted and will need to be included in the final plans. The Division is recommending that final plans be submitted to the Riel Community Committee and the Director of Planning, Property and Development for review prior to the issuance of a development permit.
- The inclusion of this clause will allow the Riel Community Committee and the Planning and Land Use Division to review final plans before development takes place for the proposed development and any future developments on the site.
- It should be noted that the Division had concerns with one aspect of the original proposal in that a large, 50 foot long stair wall was proposed along the north wall of the building, abutting the north property line (also discussed in the associated variance DAV 11-121754/D). The Division's primary concern with this aspect of the development is that it created a hard, abrupt edge immediately adjacent to the existing development to the north. The applicant has since brought forward alternatives to this wall that incorporate landscaping, soften the edge effect of the stairs by reducing the height of the wall, and help to reduce the potential impact of the development on the neighbouring building to the north. The Division expects that one of these alternatives will be used in future design for the required plan approval.
- Another setback proposed that the Division would want to see maintained in the final plans is the (minimum) 7 foot setback from the rear (east) property line along the upper two stories of the building.
- General design guidelines for future plan approvals have been included in Appendix B. These design guidelines should be used as an evaluation tool in conjunction with the principles identified in the City of Winnipeg's Checklist for Evaluating TOD.

Signage

- The condition to restrict signage is a standard condition that the Division recommends for virtually all sites with commercial development. These conditions are included in order to ensure that the site will be free of cluttered signage, particularly along this Regional Mixed Use Corridor, and to reduce the potential for future signage to disrupt neighbouring properties.

LAND DEDICATION

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.
- The amount of land is not less than 10%.
- The developer is to provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.
- The City is requesting cash in lieu for this application.

RECOMMENDATION

The Planning and Land Use Division recommends **approval** for the following reasons:

- The proposed development is consistent with Plan Winnipeg 2020 and the *Draft* Complete Communities Direction Strategy, which both support the intensification of major corridors such as St. Mary's Road with multi-family residential development and a mix of uses.
- The multi-family development component contributes to supporting a range of housing types in the neighbourhood and helps put more "eyes on the street", which is a key Crime Prevention Through Environmental Design (CPTED) principle.
- The proposed development is consistent with many of the principles for developments along a High Frequency Corridor as outlined in the *Draft* Winnipeg Transit-Oriented Development (TOD) Handbook.

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

Report Prepared By: Robert Kostiuk, MCIP
PPD File # DASZ 10/11

Schedule "A" for File No. DASZ 10/2011, Riel Community Committee, dated June 23, 2011

By-Law No. _____

File No. **DASZ 10/11**

Atlas Sheet No.

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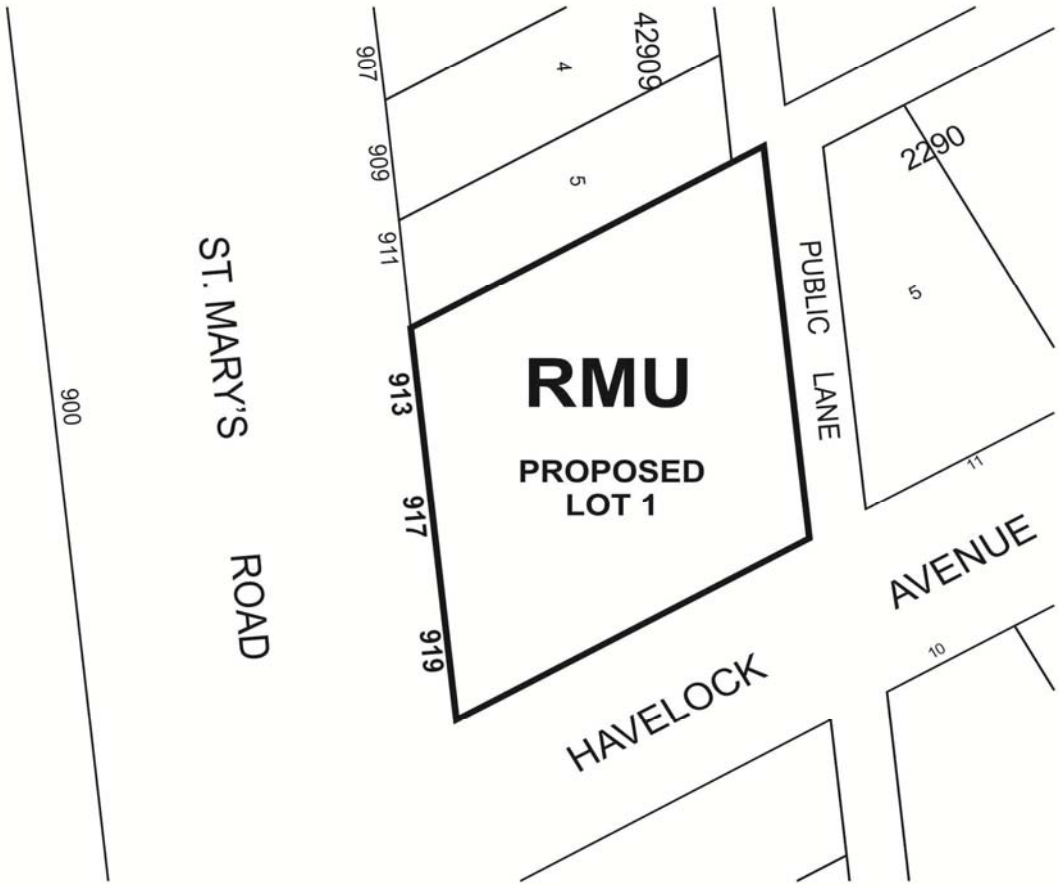
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 913, 917 & 919 St. Mary's Road from an "RMF-S" RESIDENTIAL MULTI-FAMILY DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT to allow for the construction of a mixed use commercial/residential building as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX 'B' **Design Guidelines**

Plan Approval Design Guidelines for DASZ 10/11 – 913, 917, and 919 St. Mary's Road

1. Site Planning

1.1 The site layout and building orientation should ensure that the buildings relate appropriately to the street (St. Mary's Road) and surrounding developments and create a cohesive visual identity for the neighbourhood.

1.2 Future development should minimize shadow impact and should be reasonably separated from existing development.

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

1.4 Parking areas should be well-screened with landscaping or an active development along the street-front (ex. commercial space).

1.5 Parking areas should have well-defined routes that lead pedestrians safely from vehicles to the sidewalk and building entrances.

1.6 Consideration should be given to locating potential ground floor uses with associated outdoor areas (such as cafeteria/café/restaurant) within the subject site's property lines along the public sidewalks.

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

2. Building Orientation and Design

2.1 The main building façade should be oriented to face the public street.

2.2 Main building entries should be clearly identifiable, visible and accessible from the public street, notably St. Mary's Road.

2.3 The overall design should be made up of a distinctive, quality, architectural character and style that avoids monotonous and featureless building massing and design.

2.4 Open and inviting building facades at street and 2nd storey level should be incorporated to enhance the convenience, comfort and enjoyment of pedestrian experiences and enhance interactions between the public space and business operations.

2.5 Direct access should be provided to retailers, service providers and customer service areas from street level.

2.6 Ensure detailed design supports the identity and quality of the place through good design; quality building materials, sustainable materials; and commitment to long-term maintenance.

2.7 Detailed design should create high quality urban space within the building line and massing that helps create the character of streets.

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

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.

4. Fencing

4.1 Any proposed fencing should be composed of high quality materials.