Agenda – Executive Policy Committee – January 10, 2018

REPORTS

Item No. 4 Rezoning – 3555 Pembina Highway
(South Winnipeg - St. Norbert Ward)
File DAZ 206/2017 [c/r DAV 145477/2017D]

COMMUNITY COMMITTEE RECOMMENDATION:

On December 4, 2017, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 206/2017 dated November 24th, 2017, to an "RMU" Residential Mixed Use District.

2. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing ten percent (10%) of the appraised value of the Development Application, as determined by the City.

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

4. 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.

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

6. 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.

DECISION MAKING HISTORY:

COMMUNITY COMMITTEE RECOMMENDATION:

On December 4, 2017, 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: **Rezoning – 3555 Pembina Highway**
File DAZ 206/2017 [c/r DAV 145477/2017D]

For submission to: **Executive Policy Committee**

Prepared by: **Rochelle Viray, Committee Clerk**
Riel Community Committee

Report date: **December 5, 2017**

COMMUNITY COMMITTEE RECOMMENDATION:

On December 4, 2017, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 206/2017 dated November 24th, 2017, to an "RMU" Residential Mixed Use District.

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

6. 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 reasons for its recommendation:

1. This building will be serving need in the community of St. Norbert.
2. This has done a remarkable job of complimenting the architecture we've been working so long on achieving on Pembina and St. Norbert.
3. This will be a standing gateway piece in Winnipeg, and upon entering Winnipeg; it's beautiful.

PUBLIC HEARING SUMMARY

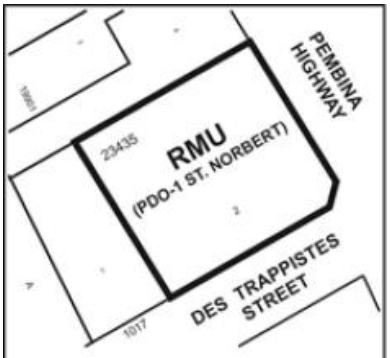
File: DAZ 206/2017

Before: Riel Community Committee
Councillor Mayes, Chairperson
Councillor Allard
Councillor Lukes

Public Hearing: December 4, 2017
Council Building, 510 Main Street

Applicant: Neil Dueck

Subject:



APPLICANT : QUADEE CYBERTECH INC.
FILE : DAZ 206/17
PROPOSAL : To rezone the land shown outlined above from a "C3 PDO-1 ST. NORBERT" COMMERCIAL CORRIDOR DISTRICT to an "RMU PDO-1 ST. NORBERT" RESIDENTIAL MIXED USE DISTRICT to allow for the establishment of a mixed use building containing commercial and residential dwelling units. **For information, phone Ms. E. Finnigan, Planner, at 204-986-8602.**
DEMANDEUR : QUADEE CYBERTECH INC.
N° DE DOSSIER : DAZ 206/17
PROJET : Modifier le zonage du bien-fonds délinéé ci-dessus en le faisant passer de la catégorie C3 PDO-1 Saint-Norbert (secteur de couloir commercial) à la catégorie RMU PDO-1 Saint-Norbert (secteur résidentiel polyvalent) afin de permettre l'aménagement d'un immeuble polyvalent comportant des commerces et des unités résidentielles. **Pour plus de renseignements, veuillez communiquer avec Mme E. Finnigan, urbaniste, au 204-986-8602.**

Premises Affected: 3555 Pembina Highway

Exhibits Filed:

1. Application dated July 27, 2017
2. Notification of Public Hearing dated September 19, 2017
3. Manitoba Status of Title 2090208/1
4. Letter of authorization dated July 6, 2017 from Quadee Cybertech Inc. to Neil Dueck
5. Surveyor's Building Location Certificate and sketch dated January 4, 2017
6. Plans (7 pages)
7. Report from the Urban Planning Division dated November 24, 2017
8. Inspection Report

REPRESENTATIONS:

In Support:

Neil Dueck
Robert Roehle

In Opposition

Nil

For Information:

Nil

For the City:

E. Finnigan, Planner, Planning, Property and Development Department
S. Jerez, Planner, Planning, Property and Development Department

Exhibit “7” referred to in File DAZ 206/2017

ADMINISTRATIVE REPORT

Title: DAZ 206/2017 – 3555 Pembina Highway

Issue: An application for consideration at the Public Hearing to rezone the subject property to RMU to facilitate the construction of 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
B. Smith	N/A	N/A	

RECOMMENDATIONS

1. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule “A” for File DAZ 206/2017 dated November 24th, 2017, to an “RMU” Residential Mixed Use District. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing ten percent (10%) of the appraised value of the Development Application, as determined by the City.
3. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.
4. 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.
5. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.
6. 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 rezone the subject property from C3 to RMU to facilitate the construction of a 3 storey mixed use building. The building will encompass 23 residential units and one small scale commercial unit (approximately 993 square feet) on the main floor.
- 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 Urban Planning Division are concurred in, the subject site will be rezoned consistent with the map provided in Schedule "A" of this report.

HISTORY

St. Norbert Planned Development Overlay (PDO)

- On March 25 2008, the Standing Policy Committee on Property and Development requested that the Winnipeg Public Service initiate a preliminary review, analysis and recommendations with respect to a Secondary Plan for the South St. Norbert area bounded by the south Perimeter Highway, west of the Red River, east of the westerly City boundaries and out to the southern City boundaries. The Winnipeg Public Service responded to this request by undertaking a Background Study for the subject area, which was completed in November 2009.
- One of the conclusions and recommendations from the Background Study was that a Planned Development Overlay (PDO) District be established for St. Norbert's main street area.
- In January 2010, the City contracted with a consulting team to commence a community consultation process and prepare a PDO for the St. Norbert area. The team held a series of facilitated sessions and open houses with residents, business owners, property owners and key stakeholder groups in the community to develop a vision for the area, which could be reflected in the PDO.
- On July 21, 2010, Council adopted the St. Norbert PDO, which brought the PDO into force and effect. The PDO establishes an enabling framework to respect and reinforce the character of St. Norbert as a village centre. To accomplish this, new regulations in the PDO are implemented to shape how buildings and spaces in the St. Norbert PDO area can be developed.
- The subject property is located in the Village Centre Area 1.

CONSULTATION

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Elise Finnigan
Date:	November 24th, 2017
File No.	DAZ 206/2017

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule “A” — Recommended File No. DAZ 206/2017 Riel Community Committee, dated November 24th, 2017
3. Appendix B — St. Norbert Neighbourhood Main Street Planned Development Overlay 1

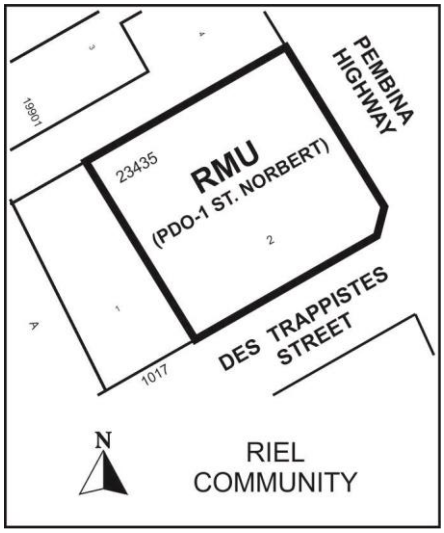
APPENDIX 'A'

DATE: November 24th, 2017

FILE: **DAZ 206/2017**
RELATED FILES: DAV 17-145477\D
COMMUNITY: Riel Community
NEIGHBOURHOOD #: 5.625 - St. Norbert Neighbourhood

SUBJECT: To rezone the subject property to RMU to facilitate the construction of a mixed use building

LOCATION: 3555 Pembina Highway (see map below)



APPLICANT: Neil Dueck
71 Marine Drive
Winnipeg , Manitoba R2N 0E1

OWNER: Neil Dueck
71 Marine Drive
Winnipeg , Manitoba R2N 0E1

RECOMMENDATION: Approval

SITE DESCRIPTION

- The subject property is located on the northwest corner of Pembina Highway and Rue Des Trappistes in the St. Norbert neighbourhood of the South Winnipeg – St. Norbert ward.
- The subject site is **approximately 27 597** square feet in area and is currently vacant.
- The site is located within the Areas of Stability – Recent Communities policy area under the *Complete Communities Direction Strategy*. The site is within Area 1 of the St. Norbert PDO-1and zoned C3 (Commercial Corridor).



Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2016)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Commercial uses zoned “C3” Commercial Corridor. Beaujolais Coulee; then a multi-family development zoned “CMU” Commercial Mixed Use.

South: Rue Des Trappistes; then Henry Boux Park zoned “C3” Commercial Corridor. Ducharme Avenue; then automotive repair and sales use zoned “C3” Commercial Corridor.

East: Pembina Highway; then commercial uses zoned “C2” Commercial Community.

West: Vacant land zoned “C3” Commercial Corridor; then the CNR Letellier Subdivision rail line; then semi-detached homes zoned “RMF-S” Residential Multi-Family Small.

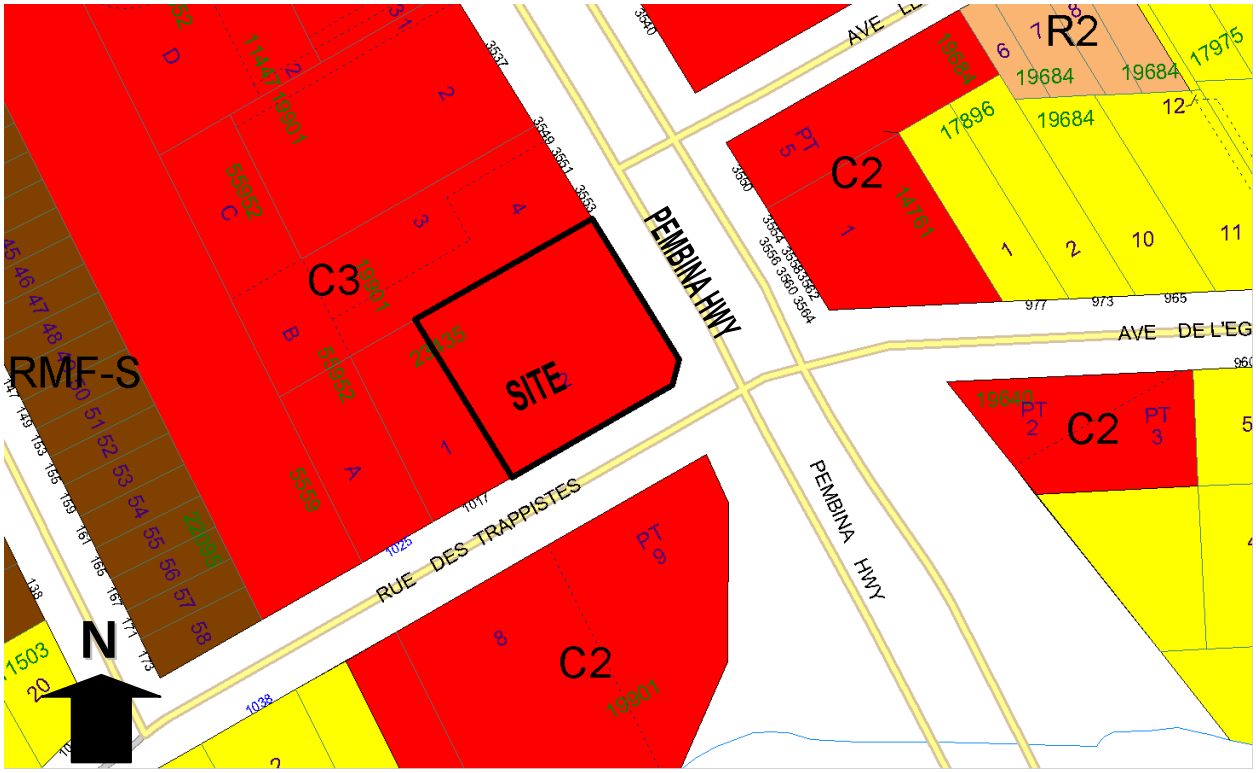


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the site to RMU to facilitate the construction of a 3 storey mixed use building. The building will encompass 22 residential units and one small scale commercial unit (approximately 993 square feet) on the ground floor.
- The development will include 8 one-bedroom units ranging in size from 576 to 676 square feet in area; and 14 two bedroom units ranging in size from 854 to 993 square feet in area.
- Parking will be located behind the building with an approach off of Rue Des Trappistes. A total of thirty-five (35) parking stalls and five (5) bicycle parking stalls will be provided.
- The applicant has proposed a building design that complies with the design standards of the St. Norbert Planned Development Overlay. On the building wall facing Pembina Highway the applicant is proposing to include outdoor patios, a display window, as well as wingwalls that incorporate landscaped areas. The applicant has also noted the inclusion of a mansard roof, hooded windows and dormers, and quoins which are required under the St. Norbert Urban Design Guidelines. The design will also include balconies on the elevations facing Rue Des Trappistes and Pembina Highway.
- The proposed development requires variances for a reduced corner side yard setback, insufficient maneuvering area for the van accessible parking space, a reduced rear yard for the garbage enclosure as well as a distance from the front building façade that is less than 10 feet for the portion of the building exceeding 25 feet (see associated variance application DAV 17-145477\D).

ANALYSIS AND ISSUES

OURWINNIPEG AND COMPLETE COMMUNITIES DIRECTION STRATEGY

- *The Complete Communities Direction Strategy* is one of four direction strategies supporting *OurWinnipeg*, the city's long-range development plan, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- The subject property is classified as an "Area of Stability – Recent Community" in *Complete Communities'* Urban Structure map. Areas of Stability will accommodate low to moderate density infill development to support more efficient use of land, infrastructure, and services as well as enhance housing choice and affordability.
- With regard to this proposal, the key policies guiding the development of Areas of Stability include:
    - Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form.
    - Promote the form of buildings and spaces that are sensitive to the community context and that address the transition between new and existing development.
    - Support Complete Communities by ensuring diverse and high quality housing stock.
    - In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses.
    - Support a mix of commercial services and employment uses that serve the local community.
- Infill development is discussed within the Recent Communities introduction under the *Complete Communities Direction Strategy*, that states:
    - Recent Communities can also accommodate some infill development to increase housing choice, increase options for aging in place, and to maximize the use of existing infrastructure.

CURRENT ZONING DISTRICT:

"C3" Commercial Corridor

- The C3 district is intended primarily for uses that provide commercial goods and services to residents of the community in areas that are dependent on automobile access and exposed to heavy automobile traffic, but not including regional shopping malls or regional shopping areas.

PROPOSED ZONING DISTRICT:

"RMU" Residential Mixed-Use District

- 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 front yard of 20 feet; a minimum rear yard of 25 feet; a minimum corner side yard of 20 feet; a minimum side yard of 8 feet (where the building is more than one storey in height the required interior side yard increases by 2 feet for each storey above the ground floor to a maximum of 20 feet) and, a

maximum building height of 60 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 500 square feet.

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- The St. Norbert PDO includes purpose and intent statements to help provide an idea as to what is envisioned for the area. The subject property is located in the Village Centre (Area 1). The Village Centre is intended to be a vibrant commercial and mixed use focal point in the community and distinguish Pembina Highway as St. Norbert's main street. Key purpose and intent statements include:
    - To respect and reinforce the character of St. Norbert's Neighbourhood Main Street.
    - To enable St. Norbert's Village Centre Area to create and maintain a focal point for vibrancy and life in the community by:
        (a) Preserving and enhancing the heritage character of St. Norbert;
        (b) Celebrating St. Norbert as the south entrance to Winnipeg;
        (c) Intensifying development, progressively from south to north along Pembina Highway, while maintaining a small town scale;
        (d) Distinguishing Pembina Highway south of the Perimeter as St. Norbert's main street;
        (e) Maintaining and enhancing Pembina Highway as a public street that encourages pedestrian activity.
- In the context of the intent statements above, the proposed rezoning of the land from C3 to RMU for the development of an apartment building with one small scale commercial unit is appropriate.
- The proposed development adheres to all of the requirements of the St. Norbert PDO, including the maximum height (35 feet) and design requirements. Parking is located behind the building, while an active pedestrian friendly street-front is maintained through the use of balconies, ground floor units with patio areas and a commercial unit at-grade.
- Normally the Division would recommend that plan approval be included as part of a zoning agreement. However, design review is required for all development (including landscaping) in the St. Norbert PDO area, therefore the Urban Planning Division does not need to include a plan approval with this application.

PUBLIC CONSULTATION

- The applicant held an open house on June 28th, 2017 at the St. Norbert Community Centre. The applicant provided a presentation of the project and requested written comments from attendees.

RAIL PROXIMITY CONSIDERATIONS

- For applications involving a rezoning and/or subdivision, the Urban Planning Division often requires new development adjacent to rail operations incorporate the mitigation guidelines identified in *The Guidelines for New Development in Proximity to Railway Operations* (2013)

report, which was prepared for the Federation of Canadian Municipalities and the Railway Association of Canada.

- Recommended setbacks are associated with the type of rail line neighbouring the development. In this case, the neighbouring CNR Letellier Subdivision is a Branch Line. The recommended setback from Branch Lines is 15 metres (49.2 feet) including a 2.0 metre (6.5 feet) high berm and fence.
- In the case of the subject property, the applicant is not required to incorporate any of the rail proximity mitigation options as the property is not adjacent to the rail line and is located more than 100 feet away from the rail line.

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

- The proposal is consistent with the St. Norbert Planned Development Overlay.
- The proposed development helps enhance Pembina Highway as a public street that encourages pedestrian activity, and helps intensify development in the area in order to distinguish the subject portion of Pembina Highway as St. Norbert's main street.

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

Report Prepared By: Elise Finnigan
PPD File # DASZ 206/2017

Schedule "A" for File No. DAZ 206/2017, Riel Committee, dated November 24th, 2017

By-Law No. _____

File No. **DAZ 206/17**

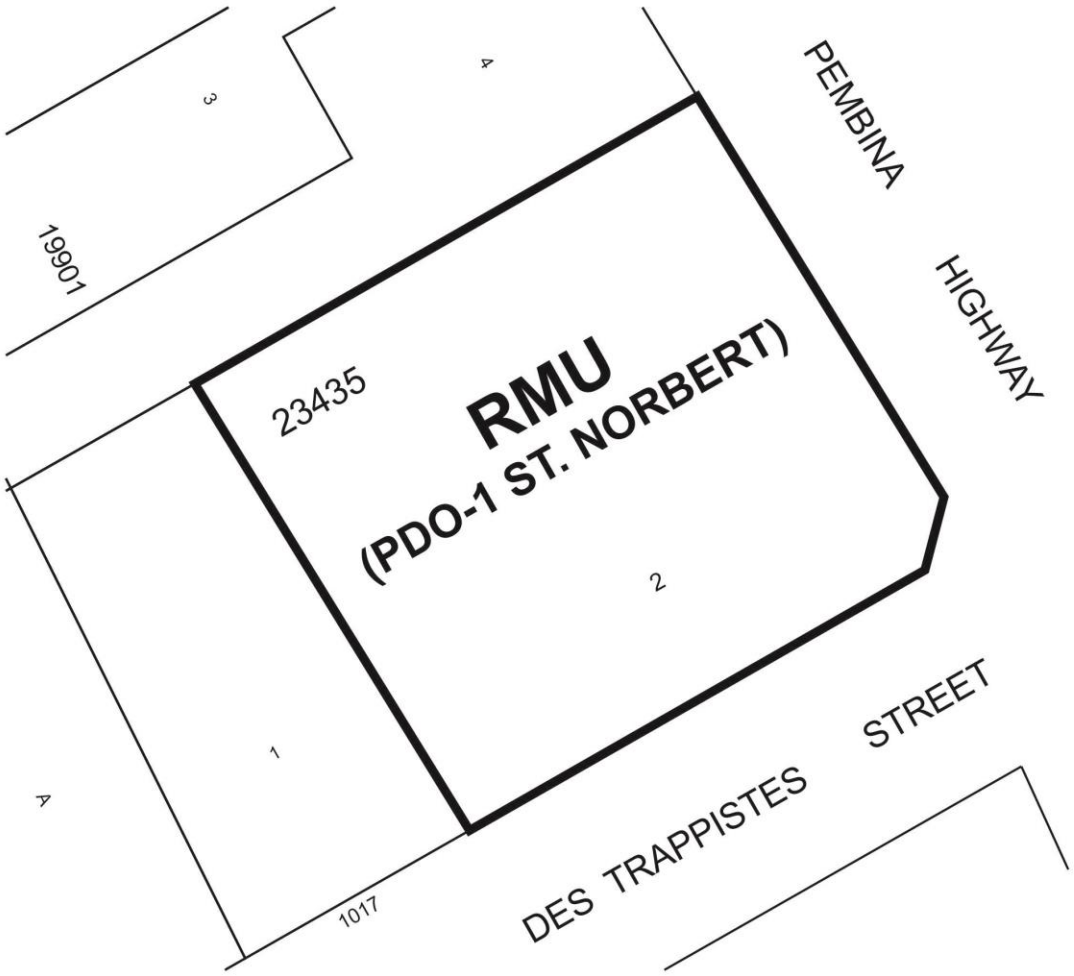
Atlas Sheet No.

N

AP23
RIEL
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at the northwest corner of Pembina Highway and Des Trappistes Street from a "C3 PDO-1 ST. NORBERT" COMMERCIAL CORRIDOR DISTRICT to an "RMU PDO-1 ST. NORBERT" RESIDENTIAL MIXED USE DISTRICT to allow for the establishment of a mixed use building containing commercial and residential dwelling units as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Appendix B: SCHEDULE N

added 80/2010; amended 36/2013

ST.NORBERT NEIGHBOURHOOD MAIN STREET PLANNED DEVELOPMENT OVERLAY 1 (PDO-1 ST. NORBERT)

Purpose

1. To respect and reinforce the character of St. Norbert's Neighbourhood Main Street.

Applicability

2. PDO-1 St. Norbert overlay district is shown on the attached map, identified as PDO-1 St. Norbert Principal Overlay Map (Map 1).

Development Standards

3. Except to the extent modified by the standards in this Schedule N, all standards of this By-law apply within the boundaries specified in the Principal Overlay Map (Map 1).

Area 1 – Village Centre Area

4. The following provisions apply to Village Centre Area 1 and Area 1A, unless otherwise stated:

Applicability

(1) The Village Centre Area is shown as Area 1 and Area 1A on Map 1.

Intent

(2) To enable St. Norbert's Village Centre Area to create and maintain a focal point for vibrancy and life in the community by:

(a) Preserving and enhancing the heritage character of St. Norbert;

(b) Celebrating St. Norbert as the south entrance to Winnipeg;

(c) Intensifying development, progressively from south to north along Pembina Highway, while maintaining a small town scale;

(d) Distinguishing Pembina Highway south of the Perimeter as St. Norbert's main street;

(e) Maintaining and enhancing Pembina Highway as a public street that encourages pedestrian activity.

Permitted Use Restrictions

(3) The following use is prohibited and is not allowed as a permitted, conditional, accessory, or temporary use:

(a) Billboard, Digital Moving Copy/ Billboard, Digital Static Copy/ Billboard, Poster, *amended 36/2013*

Development and Design Standards

Dimensional Standards

(4) Development must comply with the dimensional standards in this subsection.

Height of Buildings

(a) Subject to sub-clauses (b) and (c), the maximum height of a building or structure must not exceed 35 feet;

(b) Where a proposed building will exceed 25 feet, the portion exceeding 25 feet must be set back from the front building facade at a distance equal to or greater than 10 feet;

(c) In Area 1A, the maximum height of any residential building or structure, must not exceed 60 feet.

Additional Yard Requirements

(d) Subject to (e), all buildings or structures must have a minimum front yard of 10 feet, except in Village Centre Area 1A;

(e) For the purpose of accommodating an otherwise approved park, plaza, square, outdoor dining/drinking area, or other pedestrian amenity, a building or structure may have a front yard greater than 10 feet to a maximum depth of 20 feet;

(f) For development of a lot with width greater than or equal to 50 feet, a commercial building or structure shall have a minimum side yard, interior side, or corner side yard of 4 feet.

Development Standards for Parking and Loading

(5) Accessory parking, loading and service areas must be located underground, behind or beside buildings.

Signs

(6) The owner should install bilingual signage which features at least the same size and quantity of lettering in French and in English.

(7) The following sign types are not permitted:

(a) Mobile sign.

Landscaping and Buffering

(8) Subject to sub-section (9), the owner is required to plant and maintain a minimum of one shade tree and three shrubs every 125 square feet in the front yard, clustered for interest or effect;

(9) In Area 1A, the owner is required to plant and maintain a minimum of one evergreen tree and five shrubs every 250 square feet in the front yard.

Design Standards

(10) Development must comply with the design standards in this subsection.

Façade Design

(a) Commercial and multi-family dwelling developments must incorporate three of the following seven features as part of the building wall facing Pembina Highway:

(i) the main public entrance;

(ii) a canopy or portico;

(iii) an arcade or arch;

(iv) a peaked roof form;

(v) an outside patio;

(vi) a display window;

(vii) integrated planters or wingwalls that incorporate landscaped areas or seating areas.

Building Transparency

(b) For commercial developments, each building façade area that faces a street must be composed of a minimum of 30 percent transparent materials, at least 1/2 of which must be provided so that the lowest edge of transparent material is no higher than 4 ft. above the street level.

Area 2 – Community Cultural Centre Area

5. The following provisions apply to the Community Cultural Centre Area, unless otherwise stated:

Applicability

(1) The Community Cultural Centre Area is shown as Area 2 on Map 1.

Intent

(2) To encourage and maintain development that respects and enhances the cultural significance of St Norbert and complements the commercial activity in the Village Centre Area, by:

(a) Maintaining and enhancing the prominent role and presence of institutional uses and heritage buildings in the area;

(b)

(c) Maintaining the rural country character and community focus of the area.

Development and Design Standards

Signs

(3) The owner should install bilingual signage which features at least the same size and quantity of lettering in French and in English.

(4) Notwithstanding other provisions of this By-law, in the Community and Cultural Centre Area, the following sign types are not permitted:

(a) Mobile sign.

Area 3 – Residential Area

6. The following provisions apply to the Residential Area:

Applicability

(1) The Residential Area is shown as Area 3 on Map 1.

Intent

(2)To maintain the residential character of the area and create a greater sense of place by incorporating building and site design elements.

Permitted Use Restrictions

(3) The following use is prohibited and is not allowed as a permitted, conditional, accessory, or temporary use:

(a) Billboard, Digital Moving Copy/ Billboard, Digital Static Copy/ Billboard, Poster.

amended 36/2013

Development Standards for Parking and Loading

(4) Parking for all commercial and multi-family dwelling developments must be located underground, behind or beside buildings.

Signs

(5) The owner should install bilingual signage which features at least the same size and quantity of lettering in French and in English.

(6) The following sign types are not permitted:

(a) Mobile sign.

Landscaping and Buffering

(7)The owner is required to plant and maintain a minimum of one shade tree and three shrubs every 125 square feet in the front yard.

Additional Design Standards

7. This section applies to all areas of the PDO-1 St. Norbert overlay district.

Design Review

(1) Except as otherwise provided in this section, all development, redevelopment, expansion, demolition, signage or exterior alteration visible from public rights-of-way is subject to urban design review and must be approved by the Riel Community Committee or the Director, as provided in this section, prior to commencement.

(2) The Riel Community Committee shall make decisions on urban design review applications for new construction, expansion or signage.

(3) The Director shall make decisions on all other urban design review applications.

(4) The Standing Policy Committee on Property and Development, Heritage and Downtown Development may approve urban design guidelines, standards or criteria, not inconsistent with the requirements in this section.

amended 113/2015

(5) In making decisions on urban design review applications, the Riel Community Committee and Director must consider any requirements in this section and any urban design guidelines, standards or criteria approved by the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

amended 113/2015

(6) The Riel Community Committee or Director may not deny approval of an urban design review application without first giving the applicant notice of the date, time, and location of a meeting to hear representation from the applicant concerning the application. If the applicant has not been so notified within 45 days of the urban design application being submitted in full, the applicant may submit a letter requesting such notification to the Standing Policy Committee on Property and Development, Heritage and Downtown Development. Upon receiving such letter, the Standing Policy Committee on Property and Development, Heritage and Downtown Development shall instruct the Riel Community Committee or the Director to approve or deny the urban design application within a specified period of time.

amended 113/2015

(7) An applicant may, in accordance with *The City of Winnipeg Charter*, appeal a decision by the Riel Community Committee or Director to deny approval of an urban design review application, to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

amended 113/2015

(8) This section does not apply to single-family dwellings and two-family dwellings.