Agenda – Executive Policy Committee – June 18, 2020

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 16, 2020

Moved by Councillor

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than four business days preceding the committee meeting, be considered by Committee.

Item No. 13 Subdivision and Rezoning – 686 & 690 St. Anne's Road (St. Norbert-Seine River Ward) File DASZ 45/2019 [c/r DCU 214372/2019D & DAV 214368/2019D]

STANDING COMMITTEE RECOMMENDATION:

On June 16, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee, as amended, and submitted the following to Council:

1. That the plan of subdivision under Development Application No. DASZ 45/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated May 7, 2020 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated March 24th, 2020 and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "C2" Commercial Community District as shown on the map dated May 7, 2020 and attached as Schedule "A" to this report, subject to the following conditions:

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 16, 2020

STANDING COMMITTEE RECOMMENDATION (continued):

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

a. buildings
b. accessory parking areas
c. private approaches
d. garbage enclosures
e. fencing
f. landscaping and
g. free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

ii. That a maximum of two (2) private vehicular approaches shall be permitted on the subject property.

iii. *Deleted*

iv. *Deleted*

v. The following uses shall not be permitted on the land:

a. Parking, surface; and

b. Billboard signs.

vi. That, mobile signs, inflatable signs, or flashing, scintillating and rotating signs shall not be permitted on the entire site.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 16, 2020

STANDING COMMITTEE RECOMMENDATION (continued):

A. a Servicing Agreement in accordance with Recommendation 1; and

B. a Zoning Agreement in accordance with Recommendation 2,
and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

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

5. That in lieu of the dedication of land, the Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of the Development Application No. DASZ 45/2019, as determined by the City's Director of Planning, Property and Development.

6. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

7. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment of the By-law in accordance with the above.

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

9. That the zoning section of the by-law shall come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 16, 2020

STANDING COMMITTEE RECOMMENDATION (continued):

10. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with Recommendations 8 and 9 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

11. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law in enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

12. 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, Heritage and Downtown Development – June 16, 2020

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On June 16, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee, with the following amendment:

- In Recommendation 2.A.i., delete the words "and the Riel Community Committee" immediately before "for approval prior to the issuance of any building or development permit"

and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 5, 2020, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Delete Recommendations 2.A.iii. and 2.A.iv in their entirety

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

PUBLIC HEARING SUMMARY

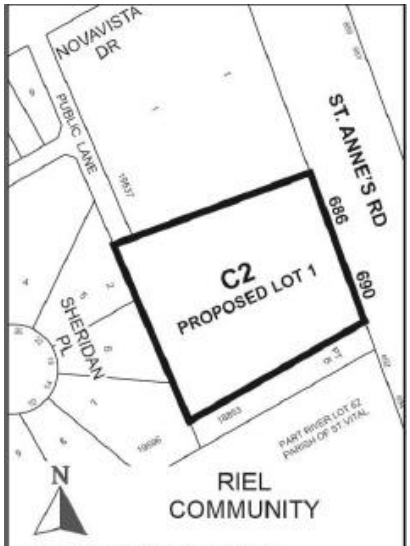
File: DASZ 45/2019

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

Public Hearing: June 5, 2020
Council Building, 510 Main Street

Applicant: M. Richard & Associates (Michelle Richard)

Subject:



APPLICANT: M. Richard and Associates Ltd.
FILE: DASZ 45/2019
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 "RR5" RURAL RESIDENTIAL 5 DISTRICT to a "C2" COMMERCIAL COMMUNITY DISTRICT to facilitate the consolidation of lands for the construction of a Car Wash use. **For information, phone Ms. E. Finnigan, Planner at 204-986-8602.**
DEMANDEUR: M. Richard and Associates Ltd.
N° DE DOSSIER: DALZ 45/2019
PROJET: Demande d'approbation par le conseil municipal du plan de lotissement indiqué ci-dessus et proposition de modification du Zoning By-law No. 200/2006 (règlement municipal sur le zonage) visant à modifier le zonage des sols délinéés ci-dessus de sorte qu'ils passent de la catégorie RR5 (secteur résidentiel en milieu rural 5) à la catégorie C2 (secteur commercial de quartier) en vue de faciliter le remembrement des terres et de permettre la construction d'un lave-auto. **Pour plus de renseignements, communiquez avec Mme E. Finnigan, urbaniste, au 204-986-8602.**

Premises Affected: 686 & 690 St. Anne's Road

For submission to: Standing Policy Committee on Property and Development, Heritage and Downtown Development

Prepared by: Rebecca Ford, Committee Clerk
Riel Community Committee

Report date: June 8, 2020

Community Committee Recommendation:

On June 5, 2020, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the plan of subdivision under Development Application No. DASZ 45/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated May 7, 2020 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated March 24th, 2020 and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "C2" Commercial Community District as shown on the map dated May 7, 2020 and attached as Schedule "A" to this report, subject to the following conditions:

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

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

            a. buildings
            b. accessory parking areas
            c. private approaches
            d. garbage enclosures
            e. fencing
            f. landscaping and
            g. free-standing signage

            on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the Riel Community

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

ii. That a maximum of two (2) private vehicular approaches shall be permitted on the subject property.

~~***iii. That, the minimum setback to any parking area or drive-through facility, including drive aisles from the west property line shall not be less than 20 feet.***~~

~~***iv. That, the minimum setback to any principal building from the west property line shall not be less than 25 feet.***~~

v. The following uses shall not be permitted on the land:

a. Parking, surface; and

b. Billboard signs.

vi. That, mobile signs, inflatable signs, or flashing, scintillating and rotating signs shall not be permitted on the entire site.

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

A. a Servicing Agreement in accordance with Recommendation 1; and

B. a Zoning Agreement in accordance with Recommendation 2,
and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

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

5. That in lieu of the dedication of land, the Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of the Development Application No. DASZ 45/2019, as determined by the City's Director of Planning, Property and Development.

6. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

7. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment of the By-law in accordance with the above.

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

9. That the zoning section of the by-law shall come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

10. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with Recommendations 8 and 9 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

11. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law in enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

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

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

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

1. The developer has taken great lengths to involve the community, the residents on Sheridan in terms of the plans that they have for the development of this car wash. They've also consulted with the neighbour to the south of them that would directly be impacted as well.

2. They have received recommendation from the committee to mitigate things like noise, light, pollution, car emissions and as a result have come to a reasonable accommodation for those requests, including an eight foot high fence, including a vestibule, and I believe in this case, the developer has done extensive work to involve the community, and again mitigate their concerns. I'm moving for that reason that we concur in our decision.

Exhibits Filed:

1. Application dated January 17, 2020
2. Notification of Public Hearing dated March 11, 2020
3. Manitoba Status of Titles 3028848/1, 3028846/1
4. Letter of authorization dated November 30, 2019 from 690 St. Anne's Rd. Holdings Ltd. (Jeremy Sabourin) to 6772987 MB Ltd. (Michelle Richards)
5. Plans (12 pages)
6. Report from the Urban Planning Division dated May 7, 2020
7. Inspection Report
8. Arborist Report from the applicant in support of the application
9. Communication dated June 2, 2020, from the applicant in support of the application
10. Communication from the applicant in support of the application
11. Plans submitted by the applicant in support of the application
12. Presentation dated June 5, 2020, from the applicant in support of the application
13. Public Engagement Summary dated October, 2019, from the applicant in support of the application
14. Communication from Dion & Amy Goolcharan, Mike Thwaites, Ester & James Wei, Todd & Gwen C., Angel Jr. Visarra, and Sandy McKenzie in support of the application
15. Communication dated June 3, 2020, from Christian Robin in support of the application

REPRESENTATIONS:

In Support:

Gwen Christensen
Todd Christensen
Amy Goolcharan
Dion Goolcharan
Robin Lee
Sandy McKenzie
Michelle Richard
Christian Robin
Jeremy Sabourin
Justin Sabourin
Mike Thwaites
Angel Jr. Visarra
Esther Wei
James Wei

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
D. Trenchard, Land Development Engineer, Planning, Property and Development

Exhibit "6" referred to in File DASZ 45/2019

ADMINISTRATIVE REPORT

Title: DASZ 45/2019 – 686 & 690 St. Anne's Road

Issue: An application for consideration at the Public Hearing to consolidate two lots and rezone from 'RR5' (Rural Residential 5) to 'C2' (Commercial Community) for the construction of a car wash

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
E. Finnigan, MCP	N/A	N/A	

RECOMMENDATIONS

1. That the plan of subdivision under Development Application No. DASZ 45/2019 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated May 7, 2020 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated March 24th, 2020 and attached as Schedule "B" to this report.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land to a "C2" Commercial Community District as shown on the map dated May 7, 2020 and attached as Schedule "A" to this report, subject to the following conditions:

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

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

(a) buildings;

(b) accessory parking areas;

(c) private approaches;

(d) garbage enclosures;

(e) fencing;

(f) landscaping; and

(g) free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the Riel Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

ii. That a maximum of two (2) private vehicular approaches shall be permitted on the subject property.

iii. That, the minimum setback to any parking area or drive-through facility, including drive aisles from the west property line shall not be less than 20 feet.

iv. That, the minimum setback to any principal building from the west property line shall not be less than 25 feet.

v. The following uses shall not be permitted on the land:

a. Parking, surface; and

b. Billboard signs.

vi. That, mobile signs, inflatable signs, or flashing, scintillating and rotating signs shall not be permitted on the entire site.

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

A. a Servicing Agreement in accordance with recommendation 1; and

B. a Zoning Agreement in accordance with recommendation 2,

and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

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

5. That, in lieu of the dedication of land, the Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of the Development Application No. DASZ 45/2019, as determined by the City's Director of Planning, Property and Development.

6. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

7. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment of the By-law in accordance with the above.

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

9. That the zoning section of the by-law shall come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

10. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 8 and 9 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

11. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law in enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

12. 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

- The applicant is proposing to consolidate two lots and rezone from 'RR5' (Rural Residential 5) to 'C2' (Commercial Community) for the construction of a car wash.
- 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 Urban Planning Division are concurred in, the subject site will be subdivided and rezoned consistent with the map provided in Schedule "A" of this report.

HISTORY

N/A

CONSULTATION

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

OURWINNIPEG POLICY ALIGNMENT

The proposed development aligns with *OurWinnipeg* Section 01, Direction 3: *"Promote Compact Urban Form and Manage the Extension of Municipal Services for New Growth."*

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The proposed development would align with the following Key Direction in the Winnipeg Climate Action Plan: *"Ensure New Areas of Growth are Designed According to the Principles of Complete Communities."*

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Elise Finnigan, MA Planning
Date:	May 7th, 2020
File No.	DASZ 45/2019

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule "A" — Recommended File No. DASZ 45/2019 Riel Community Committee, dated May 7, 2020
3. Schedule "B" — Report of the Administrative Working Group – March 24th, 2020
4. Appendix B — Plan Approval Design Guidelines

APPENDIX 'A'

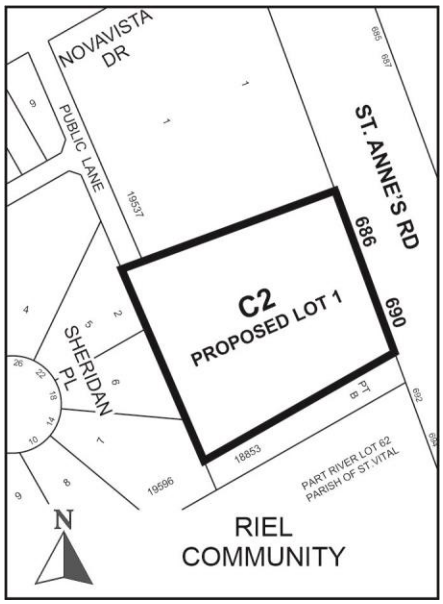
DATE: May 7th, 2020

FILE: **DASZ 45/2019**
RELATED FILES: DCU 19-214372/D, DAV 19-214368/D

COMMUNITY: Riel
NEIGHBOURHOOD #: 5.530 - Dakota Crossing neighbourhood

SUBJECT: An application to consolidate two lots and rezone from 'RR5' (Rural Residential 5) to 'C2' (Commercial Community) for the construction of a car wash

LOCATION: 686 & 690 St. Anne's Road (see map below)



APPLICANT: Michelle Richard
38 Home ST
Winnipeg, Manitoba R3G 1W6

OWNER: 315 BOWER BLVD
Winnipeg , Manitoba R3P 0L4

RECOMMENDATION: Approval with Conditions

SITE DESCRIPTION

- The subject properties are located on the west side St. Anne's Road, between Novavista Drive and Compark Road in the Dakota Crossing neighbourhood of the St Norbert - Seine River ward.
- The site is comprised of two (2) separate lots (i.e., 686 and 690 St. Anne's Road).
- The subject site is **approximately 46,279** square feet in area and is currently occupied by two single family dwellings.
- The site is located along a Mixed Use Corridor (St. Anne's Road) under the *Complete Communities Direction Strategy*. The property is zoned Rural Residential 5 ("RR5").



Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2018)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Commercial uses zoned 'C2' (Commercial Community); then Novavista Drive.

South: A detached single-family home and office zoned 'RR5' (Rural Residential 5); then an auto repair and service use zoned C2 (Commercial Community).

East: St. Anne's Road; then residential multi-family uses zoned 'RMF-S' (Residential Multi-Family Small) and RMF-M (Residential Multi-Family Medium).

West: Detached single-family homes zoned 'R1-M' (Residential Single Family Medium) fronting onto Sheridan Place.

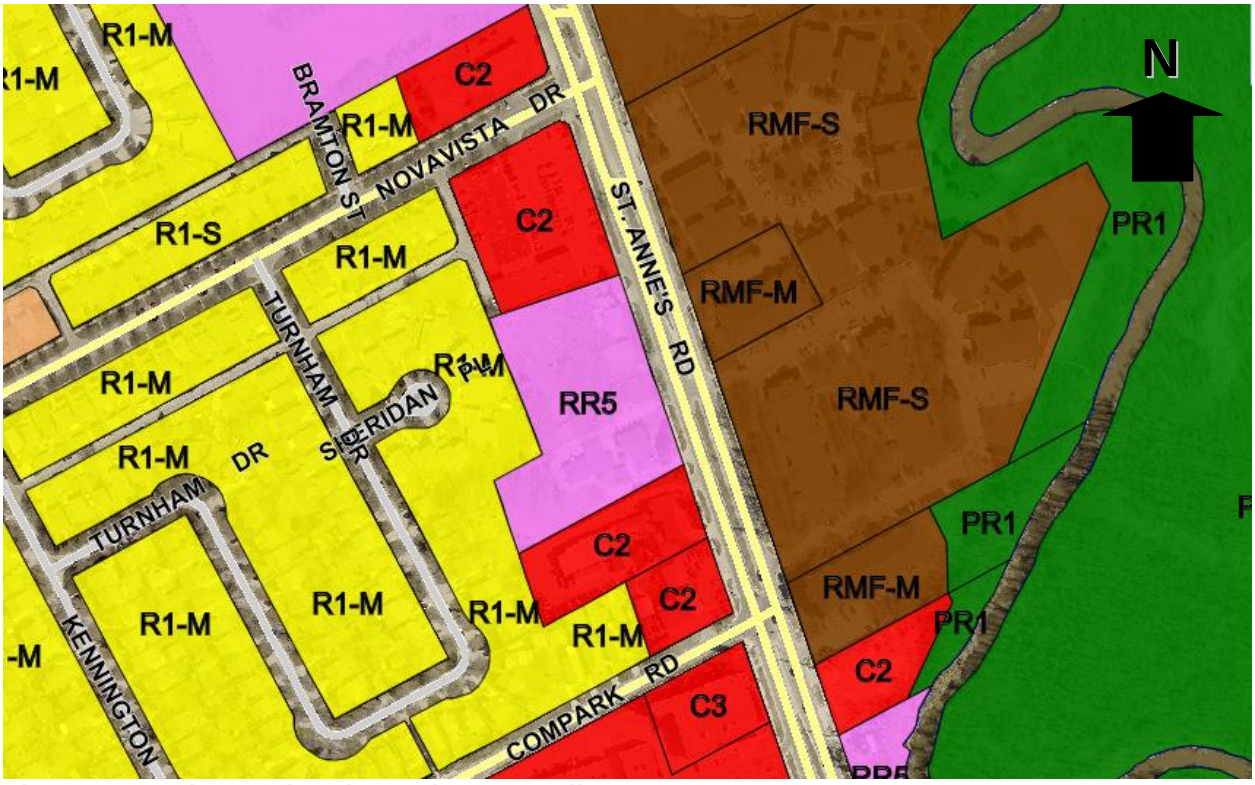


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to consolidate two existing lots and rezone from 'RR5' to 'C2' for the purposes of constructing a 12,300 square foot drive through car wash.
- Access to the property is proposed by way of two approaches off St. Anne's Road.
- A total of 13 parking spaces and 2 bicycle parking spaces are proposed. Six of the stalls are designated for staff and seven stalls are designated as vacuum cleaning stations.
- The proposed development is the subject of an additional two (2) concurrent applications for:
    - A Conditional Use under file no. DCU 19-214372/D to permit the establishment of the car wash use and to permit the establishment of a drive-through facility that is not separated by an adjacent residential use by an intervening building, public lane, or public street. A report on the proposed conditional use has been submitted to the Riel Community Committee for consideration.
    - A Variance under file no. DAV 19-214368/D to permit no rear yard setback to the car wash, reduced landscaping, a reduction in the number of parking stalls, no front yard setback to the parking area, and an increase in the height of the fence. A report on the proposed variances has been submitted to the Riel Community Committee for consideration.

  Please see the associated Variance and Conditional Use reports for discussion of these applications.

COLLABORATION

- The Urban Planning Division has been in communication with the applicant about the proposed development since an initial meeting in the summer of 2019 as well as via a subsequent email in which our key concerns with the project were clearly outlined including comments about incorporating an appropriate rear yard setback including landscaping to provide adequate buffering to the abutting residential uses to the west as well as comments about the design of the St. Anne's Road frontage that should be incorporated in the proposal to help create a better and safer pedestrian environment as well as stronger streetscape along this frontage. Despite this communication, the applicant decided to proceed with the application without addressing the concerns about the rear yard setback and design of the streetscape along St. Anne's Road. Accordingly, the Urban Planning Division is recommending rejection of the proposed conditional use and variances (please see planner's reports for DAV 19-214368/D and DCU 19-214372/D for further discussion on site design).

- The applicant held an open house at the Louis Riel Public Library on May 4th, 2019. The applicant notes that 33 people were in attendance.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

Under the *Complete Communities Direction Strategy* the proposed development is located along a Mixed-Use Corridor (St. Anne's Road). With regard to this proposal, the key policies guiding development along Centres and 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.
- 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.
- Encourage urban design and/form-based strategies that help define the character of Centres and Corridors through clarifying the massing and height of buildings, setbacks, appropriate open space areas and appropriate parking design and locations.
- Encourage the transition of development towards the outer edges of each Centre and Corridor that is sensitive to the scale, massing, height, form and character of the surrounding area.
- Mitigate the potential impacts of new development on neighbouring streets, parks and properties.
- Promote high quality plazas, parks and streetscapes as focal points and networks that are connected to the greater community.
- Promote innovative parking strategies and high intensity developments, including locating parking lots to the rear of developments, encouraging the development

of underground parking structures and encouraging the preservation and/or planting of trees and other types of vegetation within and around surface parking lots.

- Ensure multi-modal connectivity.
- Support development in accordance with Universal Design and Crime Prevention Through Environmental Design (CPTED) policies.

Urban Design is also identified in the *Complete Communities Direction Strategy*. Key relevant policies include:

- Consider the comfort, convenience, safety and visual interest of streetscapes, recognizing that streets are places where people gather.
- Use planning tools to establish high quality design standards for signage.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

ZONING

"RR5" Rural Residential 5 District

- The 'RR5' district is intended to provide areas for large-lot rural residential development along with limited agricultural uses. The 'RR5' district requires: a minimum lot width of 25 feet, a minimum lot area of 5 acres, side yards of 25 feet, a front yard of 25 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 30%.

"C2" Commercial Community

- The 'C2' zone is intended to accommodate more intensive commercial sites that do not have a local or neighbourhood orientation. The district is intended to include attractive commercial, recreational, limited residential and service facilities needed to support the surrounding neighbourhoods and the broader community. 'C2' districts are generally located in Community or Regional mixed use centres or along Community or Regional mixed use corridors. The dimensional standards in the 'C2' zone are: a minimum front yard of 10 feet to open parking and no front yard to a building wall; a minimum rear yard of 25 feet; no side yard requirement and, a maximum building height of 49 feet.

Reason for the Subdivision and Rezoning

The applicant is proposing to consolidate two existing lots and rezone from 'RR5' to 'C2' for the purposes of constructing a 12,300 square foot drive through car wash.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The proposal to rezone the subject properties to "C2" is consistent with the *Complete Communities Direction Strategy* which encourages the provision of a mix of commercial uses along Mixed Use Corridors that support the needs of adjacent communities.
- The subject properties are located along a portion of St. Anne's Road which is characterized by commercial and multi-family land uses. As such, the proposal to establish commercial zoning on the subject properties is compatible with existing land uses.

- Under the *Complete Communities Direction Strategy* it is envisioned that Mixed-Use Corridors will evolve into vibrant, pedestrian-friendly districts. It is also envisioned that new development along Mixed Use Corridors mitigate any potential impacts on neighbouring properties. Noting this vision, the final design of the site will be critically important and the Urban Planning Division will expect the final site plan include improvements to the St. Anne's Road frontage to help create a better pedestrian environment and stronger streetscape as well as an appropriate rear yard setback including landscaping to provide adequate buffering to the abutting residential uses to the west (please see planner's reports for DAV 19-214368/D and DCU 19-214372/D for further discussion on site design).

RECOMMENDED ZONING AGREEMENT

Plan Approval

The Urban Planning Division is recommending that final plans be submitted to the Director of Planning, Property and Development and Riel Community Committee for review prior to the issuance of a development permit on the lot. The inclusion of this clause will allow the Urban Planning Division and the Riel Community Committee to review final plans and design details before any future development takes place on the site. This is of particular concern with the subject proposal as the current site plan does not reflect the comments on site design provided to the applicant prior to the submission of this application nor does it align with the recommendations of the Public Service for the associated conditional use application and variance application (see DCU 19-214372/D and DAV 19-214368/D).

Recommended design guidelines for approval are included in Appendix B to assist with any future plan approval review. Of particular importance for any future plan approval application will be the submission of a high quality landscaping plan preferably by a professional landscape architect.

Setback

The Public Service is recommending the west rear yard setback immediately backing on to existing single family dwellings be restricted in the Zoning Agreement to a maximum of 20 feet to any parking area or drive-through facility and 25 feet to the building. These setbacks are recommended to help mitigate any potential impacts from the proposed development on the existing single family dwellings to the west. Landscaping should be provided within this setback including a mix of deciduous and coniferous trees and noted on the landscaping plan provided as part of the recommended Plan Approval requirement.

Vehicular approaches

To help ensure the safety and comfort of pedestrians and cyclists are maintained along St. Anne's Road, the Urban Planning Division is recommending that only two private vehicular approaches be permitted on St. Anne's Road.

Use Restrictions

The Urban Planning Division is recommending restricting non-accessory surface parking lots, billboard signs and other vehicle oriented signs as these uses do not align with the policies guiding development along Mixed Use Corridors and could have a negative impact on the overall appearance of the site.

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.*

RECOMMENDATION

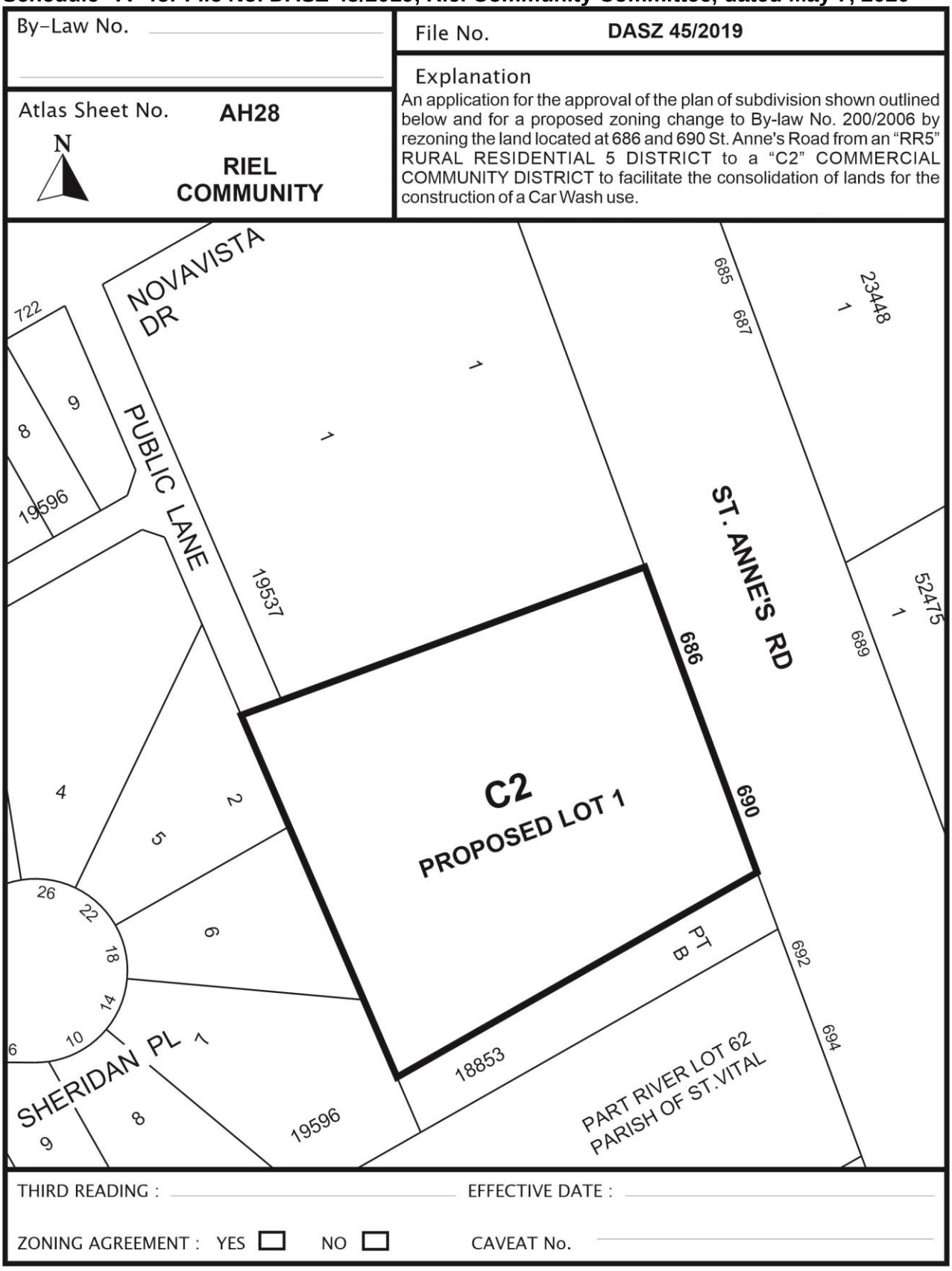
The Urban Planning Division recommends **approval with conditions** for the following reasons:

- The proposal is consistent with the policies guiding development along *Mixed Use Corridors* in the *Complete Communities Direction Strategy* which encourages a mix of employment, higher-density residential opportunities, retail and service uses that support the needs of and respect the context of adjacent communities.
- The proposal to establish commercial zoning on the subject properties is also compatible with the existing land uses in the area.

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

Report Prepared By: Elise Finnigan, MA Planning
PPD File # DASZ 45/2019

Schedule "A" for File No. DASZ 45/2019, Riel Community Committee, dated May 7, 2020



SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED AT 686 AND 690 ST. ANNE'S ROAD

It is recommended that the approval of DASZ 45/2019, if granted, be subject to the applicant entering into a Servicing Agreement, if required, and address the following items where applicable:

Section I – Engineering Reports and Servicing Criteria

Our preliminary analysis indicated that the fronting wastewater collection system servicing the Planned Area does not have capacity to support the proposed development. Water and Waste has had preliminary discussions with the Developer regarding the wastewater limitation resulting in identifying the following options available to the Developer:

(a) The Developer shall submit a comprehensive servicing report, prepared by a qualified municipal engineer, outlining the provision of wastewater services for the Planned Area and adjacent lands, to the satisfaction of the Director of Water and Waste, and shall construct, at no expense whatsoever to the City, the identified upgrades to the wastewater collection system; or,

(b) The Developer shall construct, at no expense whatsoever to the City, a private, non-conforming wastewater sewer service pipe in the public right-of-way to direct their wastewater flows to the existing wastewater sewer approximately 250m to the south in St. Anne's Road,

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

Section II – General Comments

Alternatively to Section I above, the Developer shall modify the development plans such that the proposed development does not exceed the existing land use's design wastewater discharge rate, to the satisfaction of the Director of Water and Waste.

Section III – Servicing Conditions

1) Wastewater Sewers

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

2) Regional Land Drainage System

The Developer shall pay to the City, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the following:

i. regional land drainage system;

ii. Seine River land acquisition charge;

iii. land drainage lateral sewer installed by others in St. Anne's Road,

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

3) Regional Street Charges

The Developer shall pay to the City, in cash, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the following works in St. Anne's Road, along the full length of the Planned Area abutting the west side of St. Anne's Road:

i. a 4.0m wide by 200mm thick Portland cement concrete pavement and all related works;

ii. a 1.5m wide by 100mm thick Portland cement concrete sidewalk;

iii. ornamental street lighting in the west boulevard; and

iv. boulevard landscaping (sod and trees) in the west boulevard of the street,

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

4) Litter and Refuse Control and Clean-Up

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

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

Section IV – Costs and Fees

1) By-laws and Approvals

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

2) Professional Fees

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

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

3) Administration Fees

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

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 45/2019
March 24, 2020

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

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

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

APPENDIX 'B' Design Guidelines

Plan Approval Design Guidelines for DASZ 45/2019 – 686 & 690 St. Anne's Road

1. Site Planning

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

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

1.3 Parking areas should be screened with landscaping or active uses.

1.4 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 building façades should be well-articulated and should avoid featureless building massing.

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

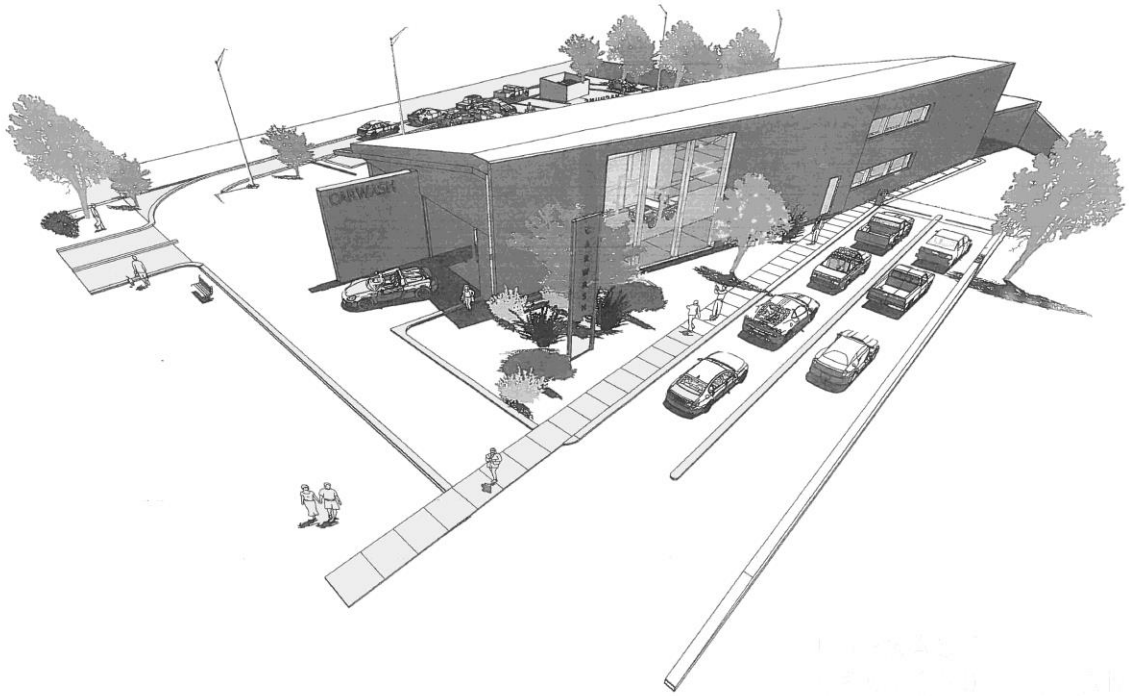
2.3 Minimize blank walls – use landscaping, aesthetic characters (such as projections and offsets), change in cladding material, glass, balconies, etc. to break up tracts of continuous blank walls.

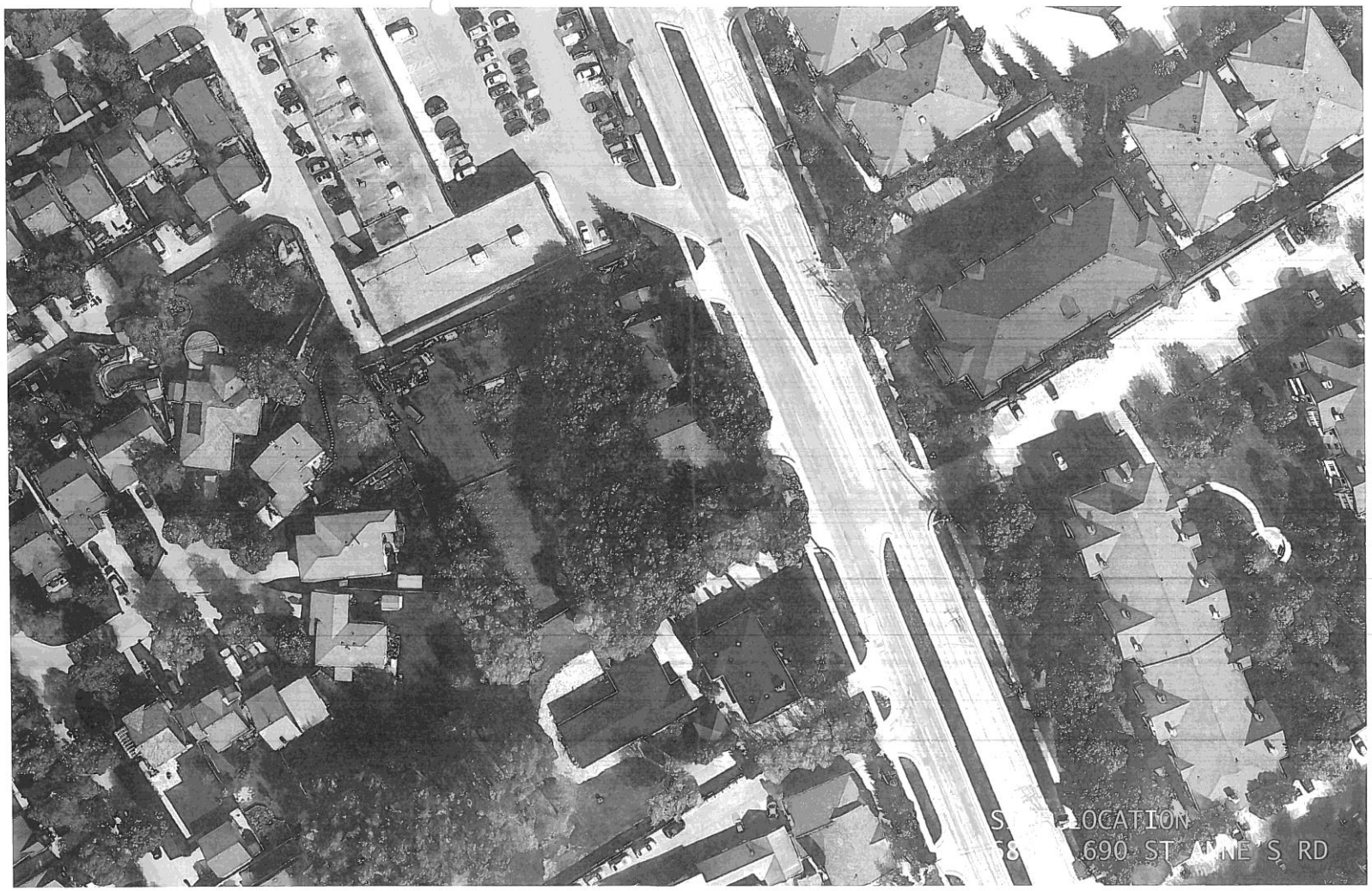
3. Landscaping

3.1 High-quality landscaping should be provided along the street edge of the site (i.e. St. Anne's Road).

3.2 Landscaping and fencing will need to be addressed for the entire site. Quality fencing should be provided along the west, north, and south property. Along the shared property boundary with the single family uses to the west, a 20 foot landscape buffer should be provided including a mix of deciduous and coniferous trees.

Exhibit “5” referred to in File DASZ 45/2019

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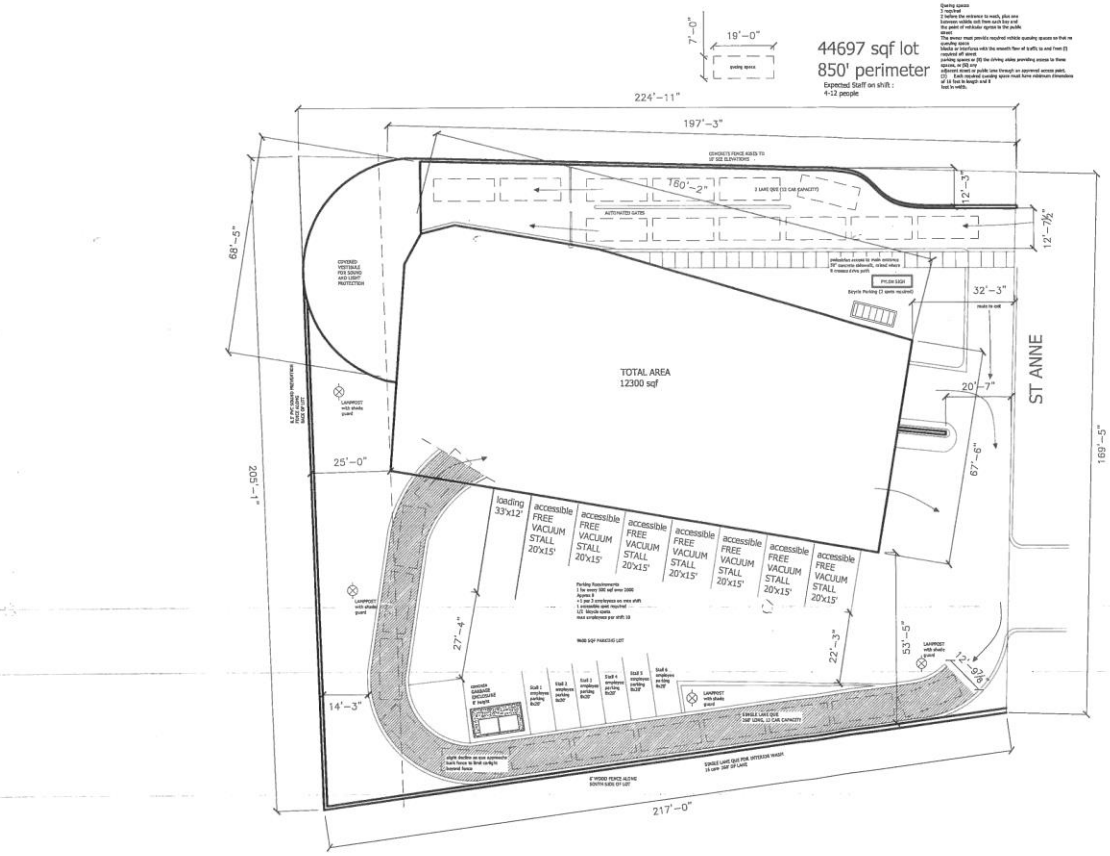

1 / A01 SITEPLAN
SCALE: 1/32" = 1'-0"

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17 PURCELL AVE
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ENGINEERING BY:

REVISIONS
DATE NOTES

SHEET TITLES:

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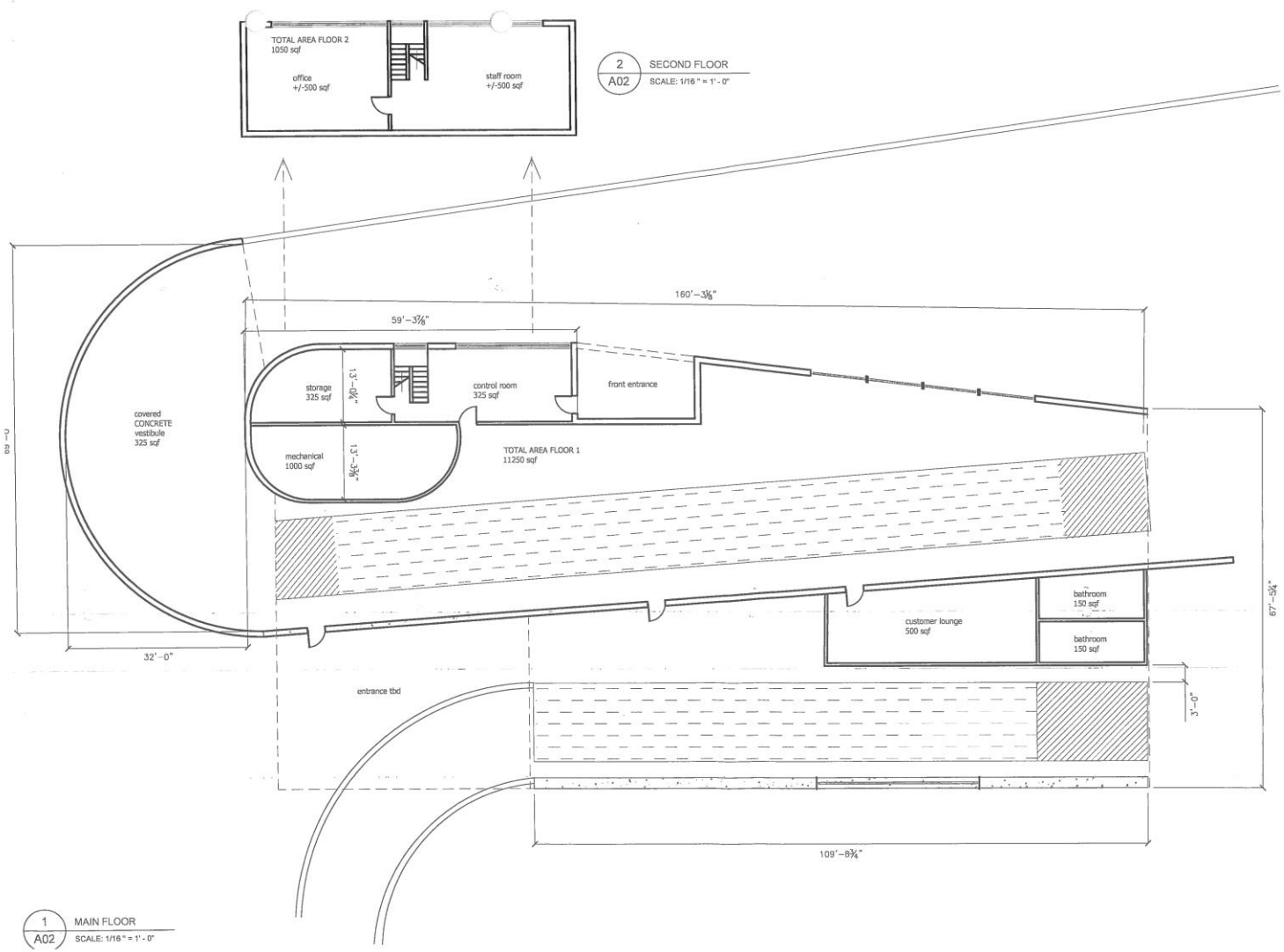
PROJECT
St Anne Carwash
DRAWING
SITE PLAN

DRAWN BY EA REVIEWED BY

SCALE
VARIES

DATE
11/18/2019

DRAWING NO.
A01



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DATE NOTES

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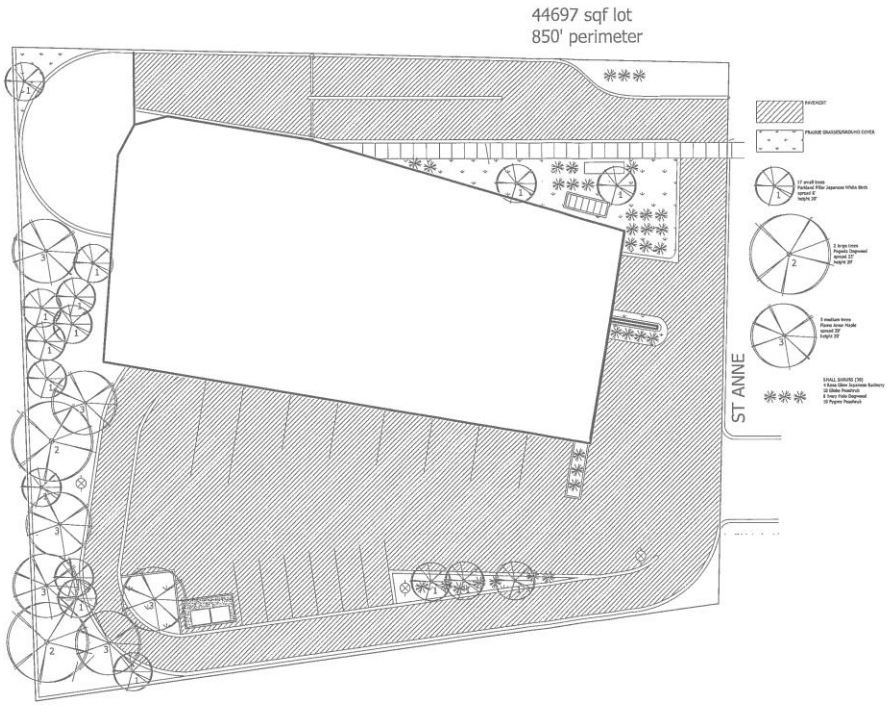
PROJECT
St Anne
Carwash
DRAWING
FLOORPLAN

DRAWN BY EA REVIEWED BY

SCALE
VARIES

DATE
11/18/2019

DRAWING NO.
A02



1 / A03 LANDSCAPE PLAN
SCALE: 1/16" = 1'-0"

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DATE NOTES

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PROJECT

St Anne Carwash

DRAWING

LANDSCAPE PLAN

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SCALE
VARIES

DATE 11/18/2019

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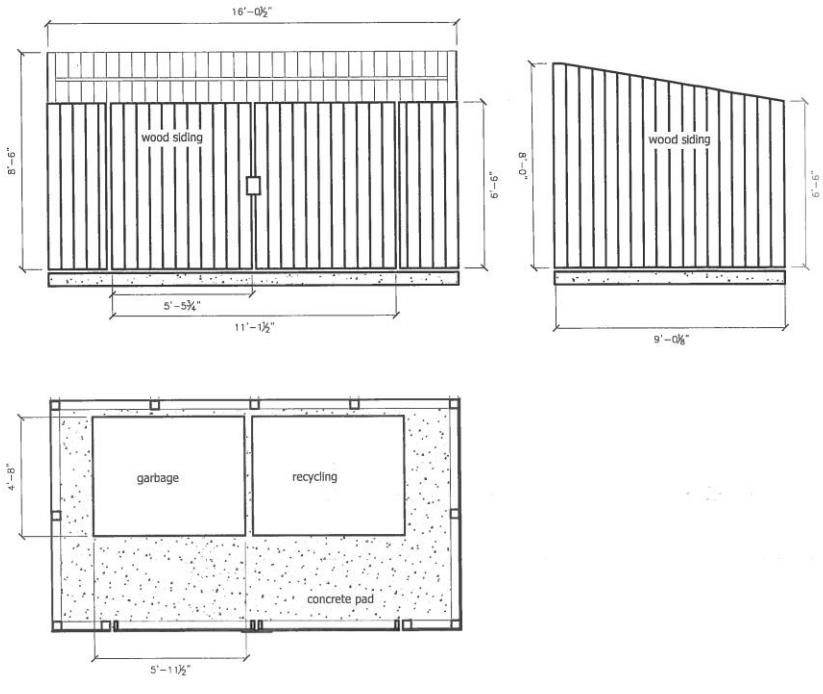

1 / A04 GARBAGE ENCLOSURE
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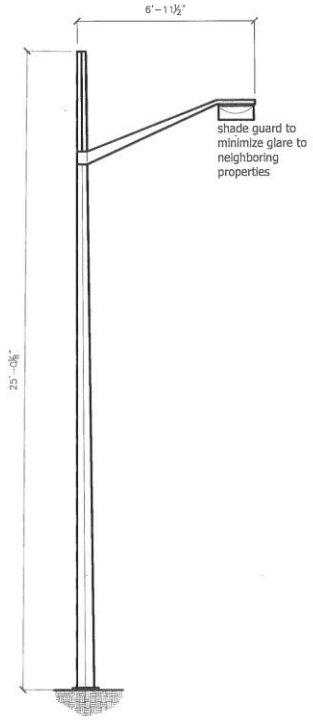

2 / A04 LAMP POST
SCALE: 1/4 " = 1' - 0"

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PROJECT
St Anne Carwash

DRAWING
SITE DETAILS

DRAWN BY EA REVIEWED BY

SCALE
VARIES

DATE
11/18/2019

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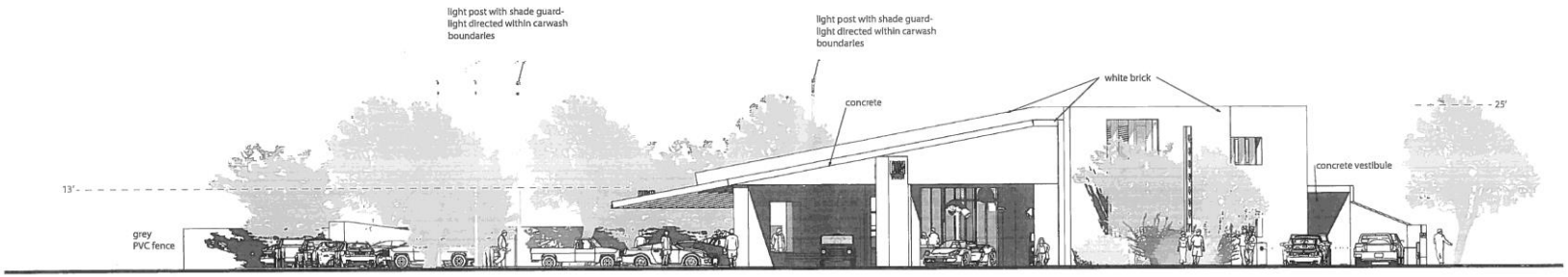
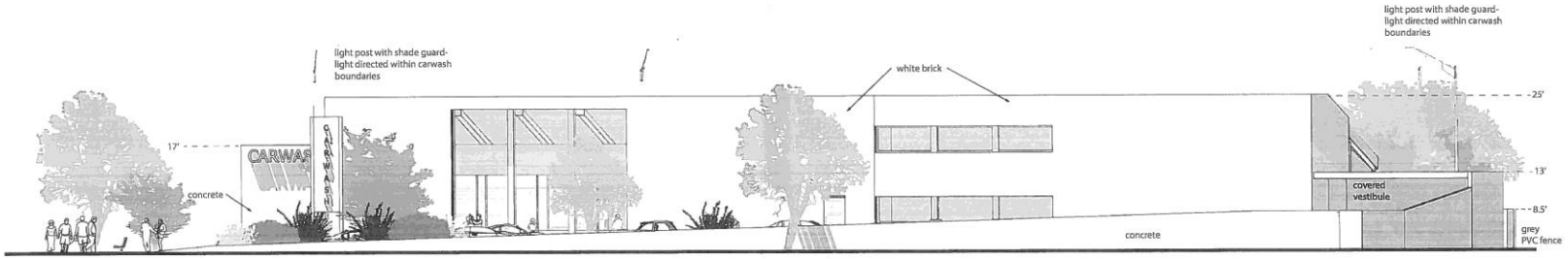


EAST ELEVATION



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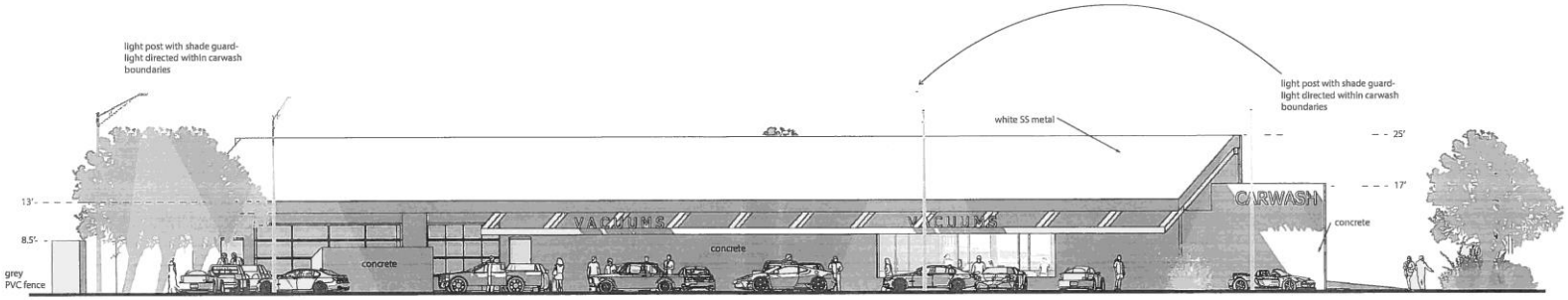

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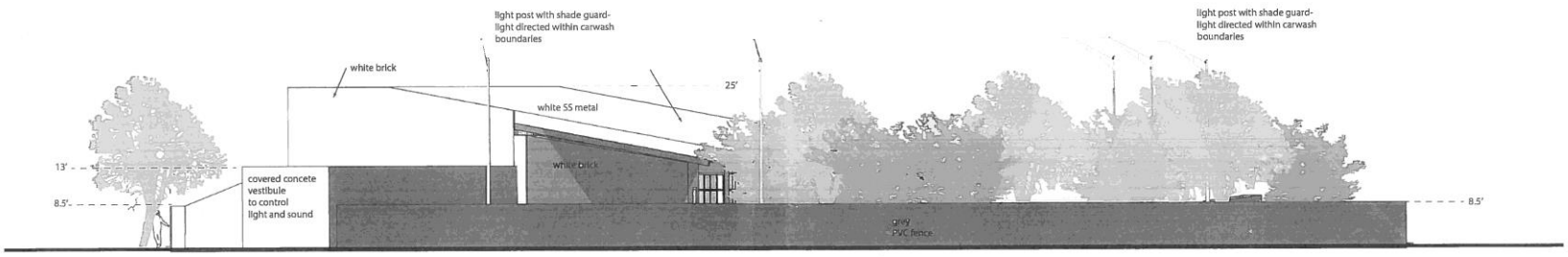
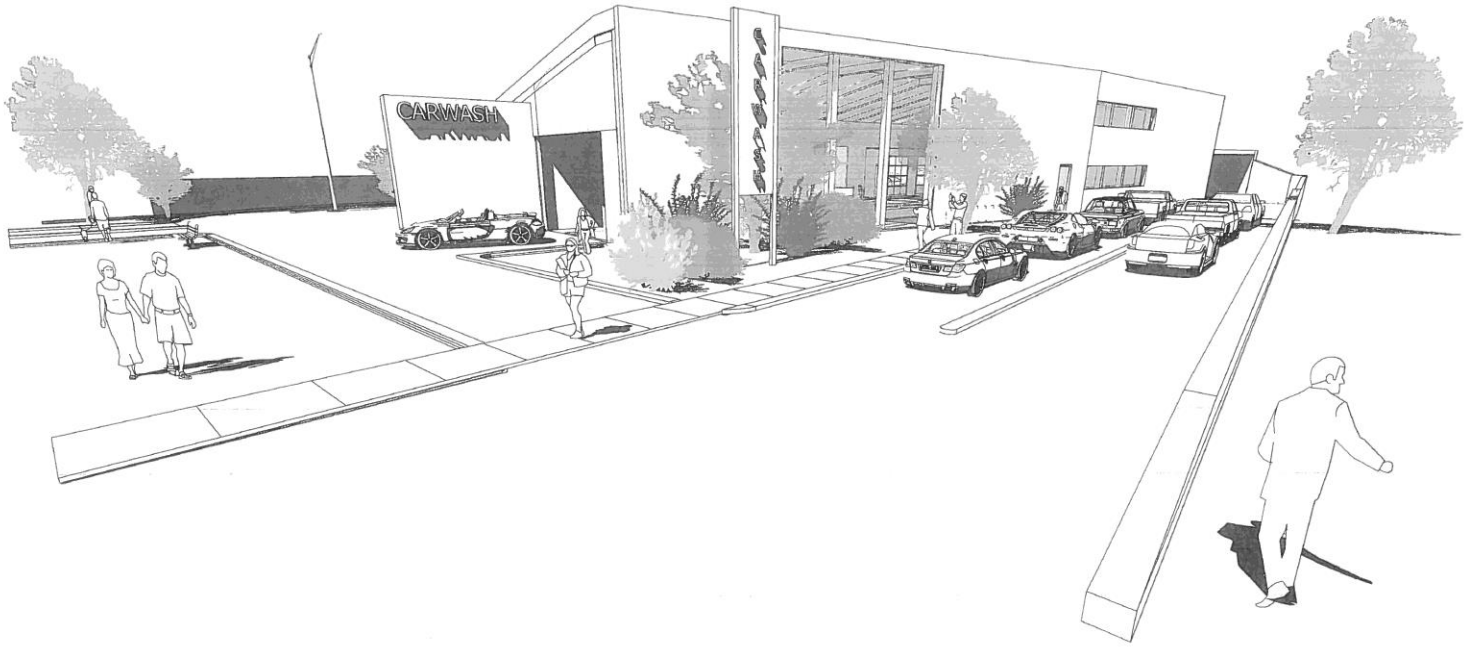
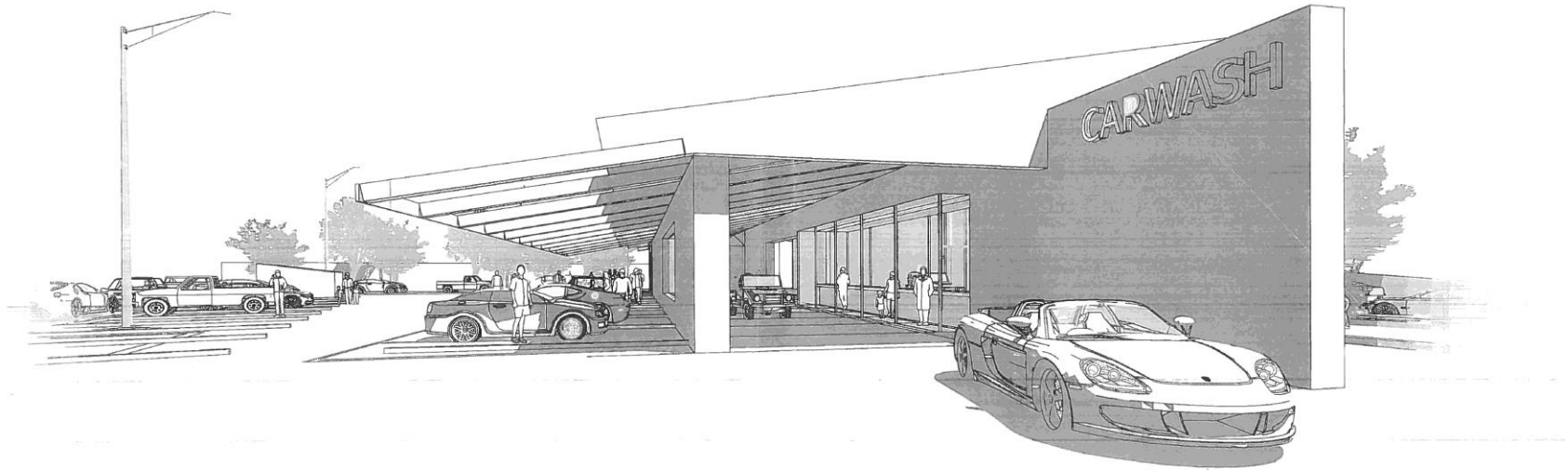


WEST ELEVATION



MAIN ENTRANCE



INTERIOR WASH EXIT