Agenda – Council – April 29, 2021

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 19, 2021

Item No. 6 Rezoning – 692/694 St. Anne's Road
(St. Norbert-Seine River Ward)
File DAZ 200/2021

STANDING COMMITTEE RECOMMENDATION:

On April 21, 2021, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 200/2021 by rezoning the subject land to an "RMU" Residential Mixed Use District, as shown on the map dated March 22, 2021, 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
            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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 19, 2021

STANDING COMMITTEE RECOMMENDATION (continued):

ii. That excluding projections permitted under the Zoning By-Law, the maximum building height on the subject property must not exceed four storeys and 48 feet.

iii. That any buildings must not extend into a 45 degree angular plane measured from a point 6 feet above grade at the western most property line of the subject site.

B. That the Developer enter into a Servicing Agreement with the City, if required, pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated March 22, 2021 and attached as Schedule "B" to this report.

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

A. A Zoning Agreement in accordance with Recommendation 1.A; and

B. A Servicing Agreement (if required) in accordance with Recommendation 1.B,

3. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Servicing Agreement (if required), 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.

4. That in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DAZ 200/2021, as determined by the City's Director of Planning, Property and Development.

5. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the 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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 19, 2021

STANDING COMMITTEE RECOMMENDATION (continued):

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

7. That the by-law will come into force when the Zoning Agreement is fully executed and registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

8. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Zoning Agreement is not registered in accordance with 7 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

9. 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 – April 19, 2021

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 21, 2021, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 19, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 7, 2021, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

PUBLIC HEARING SUMMARY

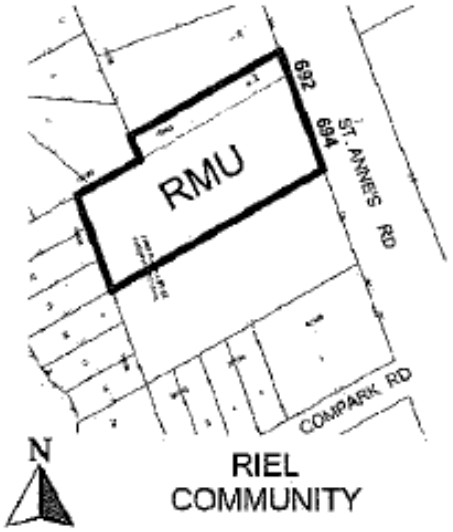
File: DAZ 200/2021

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

Public Hearing: April 6, 2021
Council Building, 510 Main Street

Applicant: Pre-Con Builders (Robin Lee)

Subject:



APPLICANT : Pre-con Builders Ltd. (Robin Lee)
FILE : DAZ 200/2021
PROPOSAL : To rezone the land shown outlined above from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT to allow for the establishment of a multi-family dwelling and commercial uses. **For information, phone S. Jerez, Planner at 204-986-7175.**
DEMANDEUR : Pre-con Builders Ltd. (Robin Lee)
N° DE DOSSIER : DAZ 200/2021
PROJET : Changer le zonage du bien-fonds délinéé ci-dessus afin de le faire passer de la catégorie RR5 (secteur résidentiel en milieu rural 5) à la catégorie RMU (secteur résidentiel polyvalent) en vue de permettre l'aménagement d'une habitation multifamiliale et de commerces. **Pour obtenir des renseignements, veuillez appeler S. Jerez, urbaniste, au 204-986-7175.**

Premises Affected: 692/694 St. Anne's Road

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

Prepared by: Rebecca Ford, Committee Clerk
Riel Community Committee

Report date: April 8, 2021

Community Committee Recommendation:

On April 6, 2021, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 200/2021 by rezoning the subject land to an "RMU" Residential Mixed Use District, as shown on the map dated March 22, 2021, 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
            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 excluding projections permitted under the Zoning By-Law, the maximum building height on the subject property must not exceed four storeys and 48 feet.

iii. That any buildings must not extend into a 45 degree angular plane measured from a point 6 feet above grade at the western most property line of the subject site.

B. That the Developer enter into a Servicing Agreement with the City, if required, pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated March 22, 2021 and attached as Schedule "B" to this report.

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

A. A Zoning Agreement in accordance with Recommendation 1.A; and

B. A Servicing Agreement (if required) in accordance with Recommendation 1.B,

3. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Servicing Agreement (if required), 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.

4. That in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DAZ 200/2021, as determined by the City's Director of Planning, Property and Development.

5. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the 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.

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

7. That the by-law will come into force when the Zoning Agreement is fully executed and registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

8. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Zoning Agreement is not registered in accordance with 7 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

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

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

1. I think in particular this development is important to approve. Its on a major arterial road. It has access to major bus routes. It has access to greenspace not very far, as was mentioned by Councillor Mayes earlier in the hearing. If we're not approving density in locations like this, then where do we do it? I really think this is the ideal type of place where you have a major arterial road with transit, to be approving these types of developments.

2. Just want to acknowledge all the residents who came out to voice their opposition. I listened to everyone's presentations and I acknowledge that there's quite a bit of opposition in the immediate area.

3. In terms of other reasons why density is so important to the city of Winnipeg, our Climate Action Plan mentions it many times, and also in terms of the tax base, the incremental taxes from this property will be substantial going from a single-family home to a multi-unit building so, for all of those reasons, seeing support from the Planning, those are the reasons I would like to see this development move forward.

Exhibits Filed:

1. Application dated January 18, 2021
2. Notification of Public Hearing dated February 24, 2021
3. Manitoba Status of Title 2943297/1
4. Letter of authorization dated September 22, 2020 from Marie Jane MacKenzie to Harlee Holdings/Pre-Con Builders
5. Statutory Easement 4938719/1
6. Plans (11 pages)
7. Report from the Urban Planning Division dated March 22, 2021
8. Communication dated March 23, 2021, from Amy and Dion Goolcharan in opposition to the application
9. Inspection Report
10. Presentation titled Community Engagement Report submitted by Matthew Robinson in support of the application
11. Communication dated March 31, 2021, from Robin Lee, Pre-Con Builders Ltd., with respect to the application
12. Communication dated March 26, 2021, from Gwen Christensen in opposition to the application
13. Communication dated April 1, 2021, from Todd Christensen in opposition to the application
14. Communication dated April 1, 2021 from Jo-Anne Desanges and Maryse Gagne in opposition to the application
15. Communication dated April 6, 2021, from Todd and Gwen Christensen in opposition to the application
16. Communication from Esther and James Wai in opposition to the application
17. Presentation from Matthew Robinson in support of the application
18. Recording of Representations

REPRESENTATIONS:

In Support:

Robin Lee
Matthew Robinson

In Opposition:

Gwen Christensen
Todd Christensen
Jo-Anne Desanges
Maryse Gagne
Amy Goolcharan
Dion Goolcharan
Georgina Lowen
Melanie Thwaites
Mike Thwaites
Esther Wai
James Wai
Esther Zacharias

For Information:

Nil

For the City:

C. Gagnon, Real Property Officer, Planning, Property and Development Department
E. Finnigan, Planner, Planning Property and Development Department
J. Hildebrand, Planner, Planning Property and Development Department
S. Jerez, Planner, Planning Property and Development Department
D. Trenchard, Land Development Engineer, Planning Property and Development Department

Exhibit "7" referred to in File DAZ 200/2021

ADMINISTRATIVE REPORT

Title: DAZ 200/2021 – 692 and 694 St. Anne's RD

Issue: For consideration at the public hearing for rezoning from "RR5" Rural Residential 5 to an "RMU" Residential Mixed Use in order to facilitate the establishment of a mixed use commercial residential building with 62 dwelling units at 692 and 694 St. Anne's Road.

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
S. Jerez, MCP	n/a	n/a	

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 200/2021by rezoning the subject land to an "RMU" Residential Mixed Use District, as shown on the map dated March 22, 2021, 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, excluding projections permitted under the Zoning By-Law, the maximum building height on the subject property must not exceed four storeys and 48 feet.

iii. That, any buildings must not extend into a 45 degree angular plane measured from a point 6 feet above grade at the western most property line of the subject site.

B. That the developer enter into a Servicing Agreement with the City, if required, pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated March 22, 2021 and attached as Schedule "B" to this report.

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

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

B. a Servicing Agreement (if required) in accordance with recommendation 1.B,

3. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Servicing Agreement (if required), 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.

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8. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Zoning Agreement is not registered in accordance with 7 unless the

developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

9. 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

- This report provides information and makes recommendations regarding the subject application's compliance with The City of Winnipeg Charter.
- Rezoning applications 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 properties will be rezoned from 'RR5' to 'RMU', consistent with the map provided in Schedule "A" of this report.

OUR WINNIPEG POLICY ALIGNMENT

01-1a OurWinnipeg's Approach to City Building

- **Direction 3: Promote compact urban form and manage the extension of municipal services for new growth:**
  - Support new developments that are contiguous with existing developments to minimize the spatial use of land and the extension of services.

01-1c Key Directions for Specific Areas – Centres and Corridors

- **Key Direction:** Focus a significant share of growth to Centres and Corridors in a manner that:
  - provides compact, mixed-use, high-quality urban development.
  - concentrates people and jobs in areas well-served by the primary transit service, located close to transit stops.
  - concentrates urban development in a built form that helps to optimize existing investment, municipal infrastructure, and facilities.
  - encourages a built form that supports a pedestrian friendly environment while incorporating climate sensitive site and building design.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

- **Key Direction 4.1:** Increase Strategic Infill Development That Provides Access to and Capitalizes on Existing and Planned Corridors with Frequent Transit Service

HISTORY

N/A

CONSULTATION

In preparing this Report there was internal consultation with: N/A

SUBMITTED BY

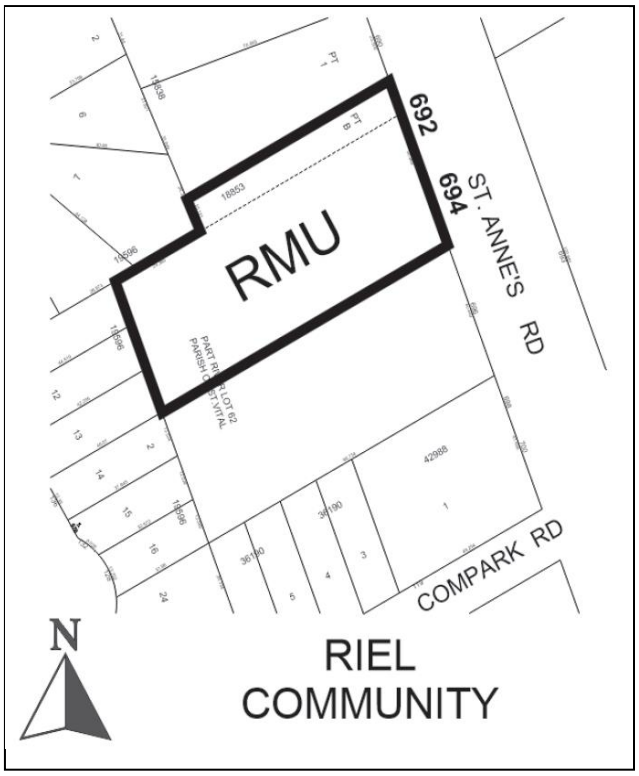
Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Simi Jerez
Date:	March 22, 2021
File No.	DAZ 200/2021

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule “A” — Recommended File No. DAZ 200/2021 Riel Community Committee, dated March 22, 2021.
3. Schedule “B” — Report of the Administrative Working Group – March 22, 2021

APPENDIX 'A'

DATE:	March 22, 2021
FILE:	**DAZ 200/2021**
RELATED FILES:	AEC 21-105321 ZR
COMMUNITY:	Riel Community
NEIGHBOURHOOD #:	530 - Dakota Crossing
SUBJECT:	To rezone the land from an "RR5" Rural Residential 5 District to an "RMU" Residential Mixed Use District.
LOCATION:	692 and 694 St. Anne's RD
LEGAL DESCRIPTION:	PT RL 62 ST V LYING W OF W LIMIT ST ANNES RD PL 1871 WHICH LIES E OF A LINE DRAWN PARL TO SAID W LIMIT FROM A POINT IN N LIMIT SAID LOT DIST WLY THEREON 330F FROM SAID W LIMIT EXC SLY 265.1F & EXC RD PL 33295



APPLICANT:	Robin Lee (Pre-Con Builders) 405 Fort Whyte Way Oak Bluff, MB R4G 0B1
OWNER:	Marie J Mackenzie 694 St. Anne's Road Winnipeg, MB R2N 3M6
RECOMMENDATION:	Approval with conditions

SITE DESCRIPTION

- The subject property is located on the west side of 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 50,277 square feet in area and 168 feet of frontage on St. Anne's Road. It is currently occupied by a single-family residential dwelling, and a separate building containing an office and a garage / workshop.
- Access to the site is currently taken from two approaches on St. Anne's Road.
- The site is located along a Mixed Use Corridor (St. Anne's Road) under the *Complete Communities Direction Strategy*. The property is zoned "RR5" Rural Residential 5.



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

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Vacant land, recently consolidated and rezoned under DASZ 45/2019 to 'C2" (Commercial Community) to accommodate a carwash; then Commercial uses zoned 'C2' (Commercial Community); then Novavista Drive.

South: Auto repair and service uses at both 696 and 698 St. Anne's Road zoned C2 (Commercial Community); then Compark Road.

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 and Turnham Drive.

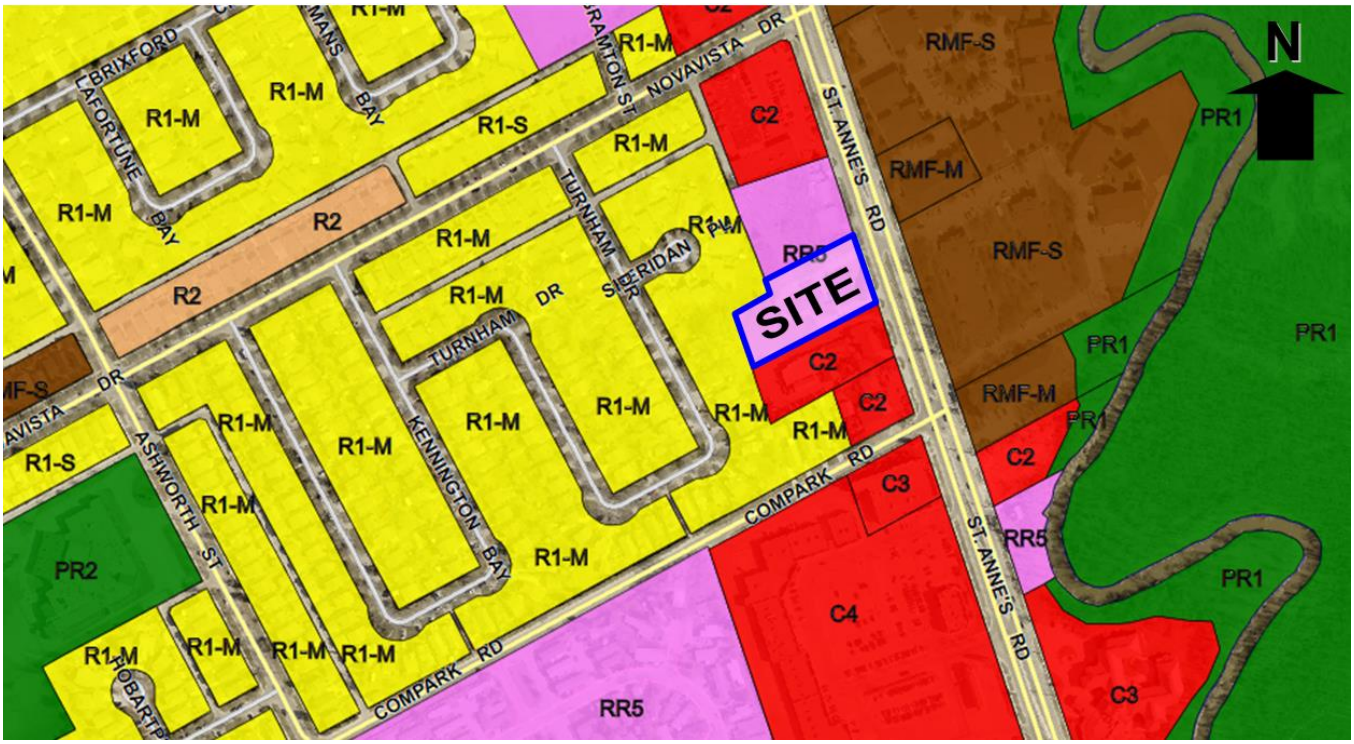


Figure 2: Zoning of the Site and Surrounding Area

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the subject site from an "RR5" Rural Residential 5 District to an “RMU” Residential Mixed Use District to establish a four (4)-storey mixed use commercial residential building (48 feet in height) consisting of a commercial space on the main floor and sixty-two (62) dwelling units above. The existing single-family dwelling and Law Office will be demolished.
- The applicant has provided a site plan with landscaping details, floor plans, elevations, a rendering and a shadow study indicating how the proposed building will shadow the immediate context at different times of year.
- There are no variances associated with this proposal.

Site Plan & Building Design:

- Plans submitted show that the proposed multi-family building is 48 feet in height, and approximately 250 feet long.
- The building and parking are proposed to be oriented east-west with the majority of the building massing closer toward the south property line. The accessory surface parking area will be located to the north side of the building. This alignment is the result of a Statutory Easement Agreement registered as a caveat to the title of subject land to allow the construction, inspection and maintenance of the land drainage sewer located on Parcel B.
- The proposed building will have balconies oriented north, south, and east (St. Anne’s Road) elevations to avoid direct views to the existing single family dwellings to the west.

- The proposed building would be set back 20 feet from the front property line, and the accessory surface parking area will have a minimum front yard setback of 20 feet with landscaping to provide suitable screening.
- The applicant has provided drawings illustrating that they have maintained a 45 degree angular plane measured up from a 6 foot height at the rear (west) property line to the top of the proposed building, with a minimum rear yard setback of 52 feet.
- The setback from the surface parking lot to the rear (west) property line is approximately 34 feet, and the setback to the drive aisle for the indoor parking area to the rear property line is approximately 8 feet.

Vehicular and Bicycle Parking:

- The applicant is proposing eighty-three (83) parking spaces, including thirty-six (36) indoor parking spaces and forty-seven (47) outdoor parking spaces. As part of the 83 parking stalls, there will be 9 visitor parking stalls, 2 indoor accessible parking stalls, 2 outdoor van accessible parking stalls, and 13 small car parking stalls.
- In addition, plans show bicycle parking exceeding the minimum requirement of 9 spaces with a bike rack to be provided near the entrance to the commercial unit and a secure bicycle storage room provided in the indoor parking area for residents.
- Access to the property is proposed by way of one approach off St. Anne's Road.

Landscaping & Fencing:

- The applicant has provided site plans that show landscaping and fencing details.
- Trees and shrubs will be provided along the street frontage, except where the pedestrian access and vehicle access entrance breaks occur.
- Submitted plans indicate that landscaping would be provided along the north side property line, and the rear (west) property line behind the building, accessory parking area, and the access to the indoor parking area.
- Plans submitted with the application indicate that the applicant will provide a 6 foot 6 inch high wood fence along the north, west and south property lines.

Garbage & Recycling:

- The applicant has applied for an Alternative Equivalent Compliance to provide Molok Earthbins as an alternative to garbage and recycling bins being fully enclosed by a wood barrier fence (AEC 21-105321 ZR).

COLLABORATION

- The applicant has been in communication with Planning and direct neighbours on Turnham Drive and Sheridan Place since September 2020, early in the design process, and has endeavored to incorporate feedback provided.
- The applicant indicates that residents were primarily concerned with the proposed height of the building and its impact on sunlight and privacy), noise and light pollution, and increased traffic.

- The applicant has worked collaboratively with the Public Service to provide a mutually agreeable site plan and design, including reducing the proposed height of the building and relocating the proposed location of garbage to mitigate nuisance.

ANALYSIS AND ISSUES

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.
- 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/or 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 or 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

Current Zoning District - "RR5" Rural Residential 5 District

- Currently, the lands are zoned "RR5" Rural Residential 5. The intent of the 'RR5' district is 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%.

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 side yard of 5 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 100 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 500 square feet.

Reason for Rezoning

- The applicant is proposing rezone the site from "RR5" to "RMU" in order to develop a 4-storey mixed multi-family residential and commercial building.

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- Under the *Complete Communities Direction Strategy,* it is envisioned that Mixed-Use Corridors will evolve into vibrant, pedestrian-friendly districts where a mix of employment, higher-density residential opportunities, retail and service uses are directed to support the needs of and respect the context of adjacent communities.
- The subject property is located along a portion of the St. Anne's Road Mixed Use Corridor which is characterized by a range of multi-family and commercial land uses, including a commercial complex with "C3" Commercial Corridor and "C4" Commercial Regional zoning located 315 feet south of the subject site. The site is also located within close proximity to two public transit routes (i.e., Routes #55 and #59). As such, the proposal to establish a mixed use building on the subject properties is compatible with existing land uses and aligns with the policies guiding development along Mixed Use Corridors in the *Complete Communities Direction Strategy.*
- This residential development proposal either meets or exceeds all the bulk requirements of the Zoning By-law for the 'RMU' zone and thus no variances are being applied for as part of this project. In addition, the Public Service notes that the proposed density is 810 square feet of lot area per dwelling unit, which is consistent with the density permitted for a mixed use development on the C2 zoned lots directly south of the subject site.
- As such, the proposal to establish "RMU" Residential Mixed Use zoning on the subject site is compatible with existing land uses.
- It is also envisioned that new development along Mixed Use Corridors mitigate potential impacts on neighbouring properties. Noting this, the applicant has consulted with and endeavored to adjust the proposed design to incorporate feedback from neighbouring residents of the abutting "R1-M" Residential Single-family Medium zoning district along

Turnham Drive and Sheridan Place. For example, the applicant has reduced the massing of the proposed building and increased the rear yard building setback so that it does not project into a 45 degree angular plane measured from the adjacent single family residential property line (starting at a six foot height above grade) to the top of the proposed building (see Figure 3).

RECOMMENDED ZONING AGREEMENT

Plan Approval

In light of the close proximity of this development to neighbouring residences and to ensure quality infill development, the Urban Planning Division is recommending that as a condition of approval of the associated rezoning application (DAZ 200/2021) that final plans be submitted to the Director of Planning, Property and Development and the 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.

Height

The maximum building height permitted in the Zoning By-law for the RMU zone is 100 feet. To ensure the project is compatible with the surrounding area, the Public Service is recommending that the maximum height of any building on the site be restricted to four-storeys and 48 feet.

Rear Yard Setback

One of the factors when considering the compatibility of a proposed building with the surrounding context is the proposed height and setbacks of the building and their potential impact on adjoining properties. This is of particular importance when adjacent to smaller single family residential properties. Many cities ensure that when the rear yard of a development is adjacent to residential properties the building setback be determined by setting the building back so it does not project into a 45 degree angular plane measured from the single family residential property line (starting at a six foot height above grade) to the top of the proposed building (see Figure 3). This provides a lower or stepped down building massing at the rear of the site, improved “fit”, and a gradual transition from the rear property line in terms of building massing.

The Public Service is recommending the rear yard setback be restricted in the Zoning Agreement based on the 45 degree angular plane measurement.

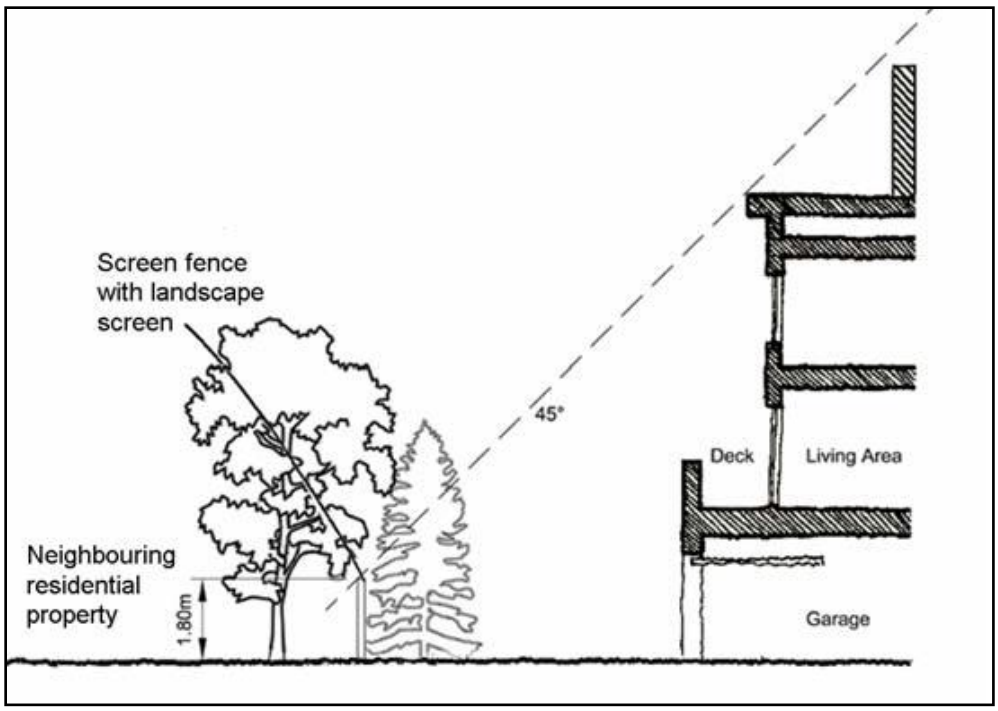


Figure 3: Diagram showing 45º angular plane rear yard setback

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, or cash in lieu, to the City for parks purposes. For DASZ 200/2021, cash in lieu is being requested towards land dedication.

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 is consistent and compatible with existing land uses where there is a broad mix of uses, including multi-family dwellings and commercial uses.
- The proposal meets all of the bulk requirements of the proposed 'RMU' zone without variance.

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

Report Prepared by: Simi Jerez, MCP
PPD File #: DAZ 200/2021

Schedule "A" for File No. DAZ 200/2021, Riel Committee, dated March 22, 2021

By-Law No. _____

File No. **DAZ 200/2021**

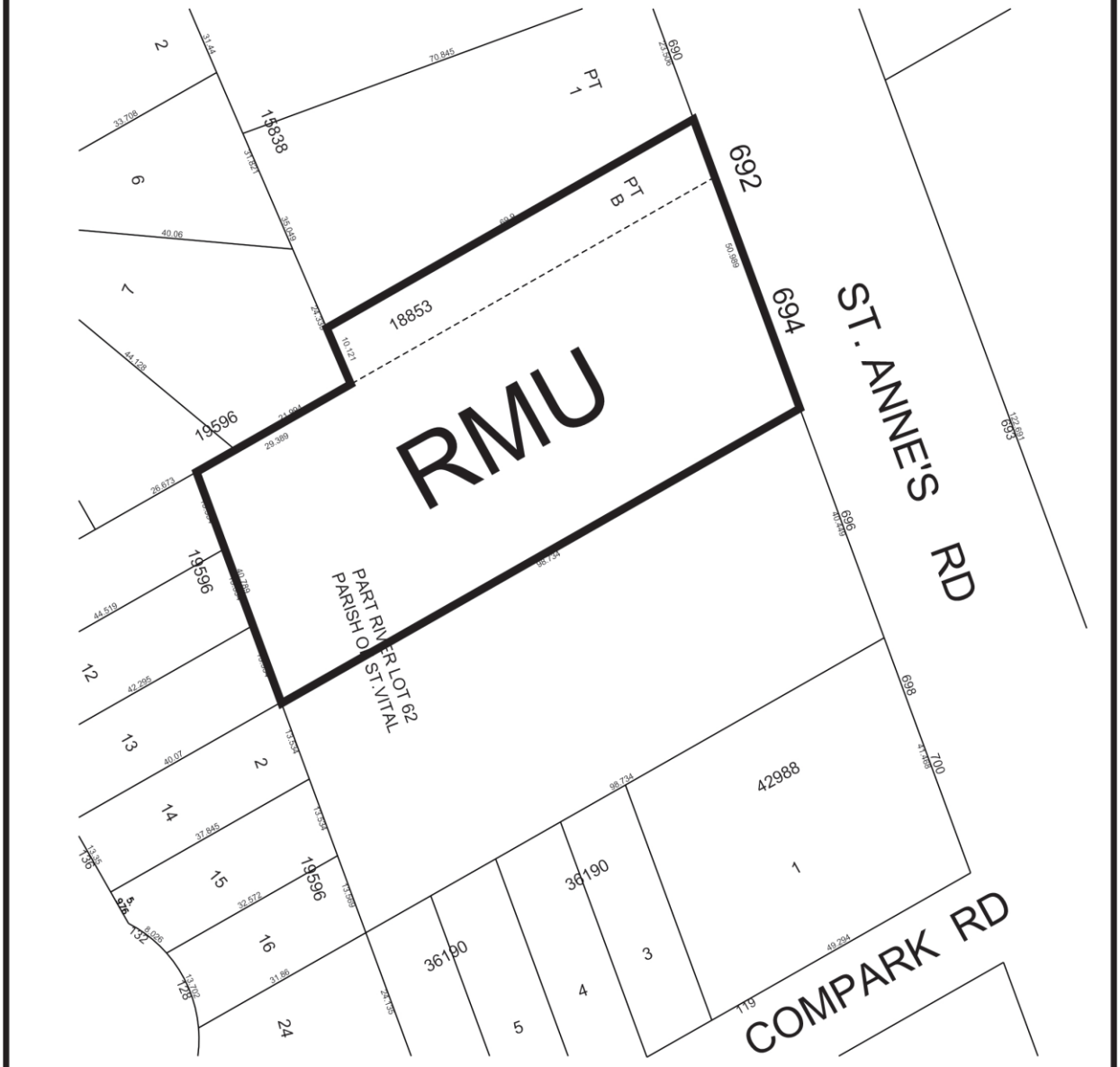
Atlas Sheet No. **AH28**

N

RIEL COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 692 and 694 St. Anne's Road from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT to allow for the establishment of a multi-family dwelling and commercial uses.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED REZONING OF LAND LOCATED AT 692 AND 694 ST. ANNE'S ROAD

It is recommended that approval of DAZ 200/2021, if granted, be subject to the applicant entering into a Servicing Agreement, if required, containing the following conditions:

Section I – General Comments

1) The Public Works Department wishes to advise that the proposed private approach requires separate application to their Department and is to be designed to utilize the existing median opening (Public Works could not confirm the location of the proposed approach and existing median opening from the draft site plan). Further, the median tip(s) will need to be modified, which will be further reviewed at time of the private approach application, and will be included as part of the possible future private approach approval.

Section II – Engineering Studies

1) The Water and Waste Department wishes to advise that the wastewater collection system servicing the Planned Area does not have adequate capacity to support the proposed development.

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

3) Alternatively, the Developer shall modify the development plans not to 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 to the City, construct and install upgraded wastewater sewers required to service the Planned Area and adjacent lands, as determined by the accepted 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 agreements for registration in the Winnipeg Land Titles Office, their share of the regional land drainage system, as determined by and to the satisfaction of the Director of Water and Waste.

3) Seine River Waterway Land Acquisition Charge

The Developer shall pay to the City, prior to the release of agreements for registration in the Winnipeg Land Titles Office, their share of the Seine River Waterway Land Acquisition Charge, as determined by and to the satisfaction of the Director of Water and Waste.

4) Regional Street Charges

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

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

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

iii. ornamental street lighting in the west boulevard;

iv. boulevard sod in the west boulevard; and,

v. boulevard trees in the west boulevard,

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

5) Construction Traffic

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

b) The Developer shall maintain, at no expense to the City, the access routes in a clean, dust free and safe condition, free of dropped and tracked-on mud, and shall undertake regular scraping and sweeping of streets until building construction, including landscaping is complete, all as determined by and to the satisfaction of the Director of Public Works.

6) Utilities

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

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

7) Litter and Refuse Control and Clean-Up

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

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

8) Survey Monuments

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

b) In certain circumstances where all the survey monuments within the Planned Area have been found or restored to their original positions, upon approval by the Director of Planning, Property and Development, the requirements for Plan of Survey Perpetuating Certain Monuments may be waived.

Section 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 agreements 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 Servicing Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DAZ 200/2021
March 22, 2021

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

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

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

Exhibit “6” referred to in File DAZ 200/2021

692 ST. ANNE'S RD

692 ST. ANNE'S RD, WINNIPEG, MB
MULTI-FAMILY APARTMENTS - 62 UNITS

LEGAL DESCRIPTION: TBD		
MULTI-FAMILY BUILDING INFORMATION: 692 ST. ANNE'S RD		
4 STOREYS WITH INDOOR PARKING BELOW GRADE		
CURRENT ZONING DISTRICT	RR5	
PROPOSED ZONING	RMU	
BUILDING DIMENSIONS	250'-3" FT x 67'-0" FT	
BUILDING HEIGHT	14.6 m [48'-0" FT]	
SITE AREA	50 250 ft2 / 4668.4 m2 / 1.154 ACRES	
BUILDING AREA	14 900 ft2 / 1384.3 m2	
BUILDING GROSS FLOOR AREA	59 540 ft2 / 5531.5 m2	
TOTAL DWELLING UNITS	62	
SUITE TYPES	1 BEDROOM	2 BEDROOM
SUITE COUNT	31	31

	MIN. FRONT YARD REQ'D:	MIN. REAR YARD REQ'D:	MIN. INT. SIDE YARDS REQ'D:	MIN. CORNER SIDE YARDS REQ'D.	MAX. BUILDING HEIGHT
ZONING SETBACKS	20'-0"	25'-0"	11'TO PRINCIPLE BUILDING/3' TO OPEN PARKING		
	FRONT YARD PROVIDED:	REAR YARD PROVIDED:	INT. SIDE YARDS PROVIDED:	CORNER SIDE YARD PROV.:	BUILDING HEIGHT:
	20'-0"	52'-0"	54'9" N (MIN) / 15'-0" W	N/A	45'-0"

PARKING INFORMATION			
PARKING CATEGORY (TABLE 5-9)	3 / UNKNOWN RETAIL		
REQ'D BICYCLE PARKING	1 PER 10 REQUIRED PARKING SPACES - PROVIDED		
REQ'D GUEST PARKING	10% OF REQUIRED PARKING SPACES - PROVIDED		
SURFACING	CONCRETE / ASPHALT		
PARKING SPACE DIMENSIONS	INDOOR TYPICAL = 3.05 x 6.10 m [10'-0" X 20 FT]		
	OUTDOOR TYPICAL = 2.59 x 5.94 m [8'-6" X 19'-6" FT]		
	SMALL CAR = 2.74 x 4.88 m [9 X 16 FT]		
	ACCESSIBLE = 3.05 x 6.10 m [10 x 20 FT]		
	OUTDOOR VAN ACCESSIBLE= 4.88 x 6.10 m [16 x 20 FT]		
TOTAL PARKING SPACES	REQUIRED	PROVIDED	
	75	83	
INDOOR PARKING SPACES		36	
OUTDOOR PARKING SPACES		47	
ACCESSIBLE SPACES	4	2 INDOOR + 2 OUTDOOR	
VAN ACCESSIBLE SPACES	2	2 OUTDOOR	
PARKING AISLE WIDTH	MIN. 6.10 m [20 FT]	MIN. 6.10M [20 FT]	

LANDSCAPING		
• STREET EDGE LANDSCAPING REQUIRES 1 TREE FOR EACH 30 FT OF FRONTAGE, 3 SHRUBS FOR EACH 20 FT OF FRONTAGE FRONTAGE: ST ANNES = 167.29 FT		
	REQUIRED	PROVIDED
STREET EDGE TREES	ST ANNE'S: 6 TREES	ST ANNE'S: 6 TREES
STREET EDGE SHRUBS	ST ANNE'S: 25 SHRUBS	ST ANNE'S: 25 SHRUBS
	REQUIRED	PROVIDED
FOUNDATION SHRUBS (REQUIRES 1 SHRUB FOR EACH 10 LINEAL FT OF FACADE.)	ST ANNE'S (62 FT): 6 SHRUBS	ST ANNE'S: 6 SHRUBS
	MAIN ENTRANCE FACADE (250.20 FT): 25 SHRUBS	MAIN ENTRANCE FACADE: 25 SHRUBS
	REQUIRED	PROVIDED
PARKING LOT INTERIOR LANDSCAPING (5% OF PARKING LOT)	775 SQFT (5% OF 15 500 SQFT)	MIN. 775 SQFT
	3 TREES	3 TREES
	8 SHRUBS	8 SHRUBS
	REQUIRED	PROVIDED
BUFFERING OF RESIDENTIAL USES FROM NON-RESIDENTIAL IMPACTS	NORTH SIDE (229.3 FT) ; OPTION 1 OR 2	NORTH SIDE: 6'-6" FENCE AND LANDSCAPING
	SOUTH SIDE (323.92 FT) ; OPTION 1 OR 2	SOUTH SIDE: 6'-6" FENCE
BUFFERING OF PARKING AND LOADING AREAS	NORTH/WEST/REAR PROPERTY LINES: OPTION 1 OR 2	6'-6" FENCE AND LANDSCAPING
PLANT SIZES	DECIDUOUS TREES : MIN. 2 ½" CALIPER	CONIFEROUS TREES: MIN. 6' HEIGHT
	(IN ACCORDANCE WITH THE CANADIAN NURSERY TRADES ASSOCIATION)	
	REQUIRED	PROVIDED
TOTAL TREES	9	15
TOTAL SHRUBS	65	113

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PROJECT
692 ST. ANNE'S RD
PROJECT INFORMATION
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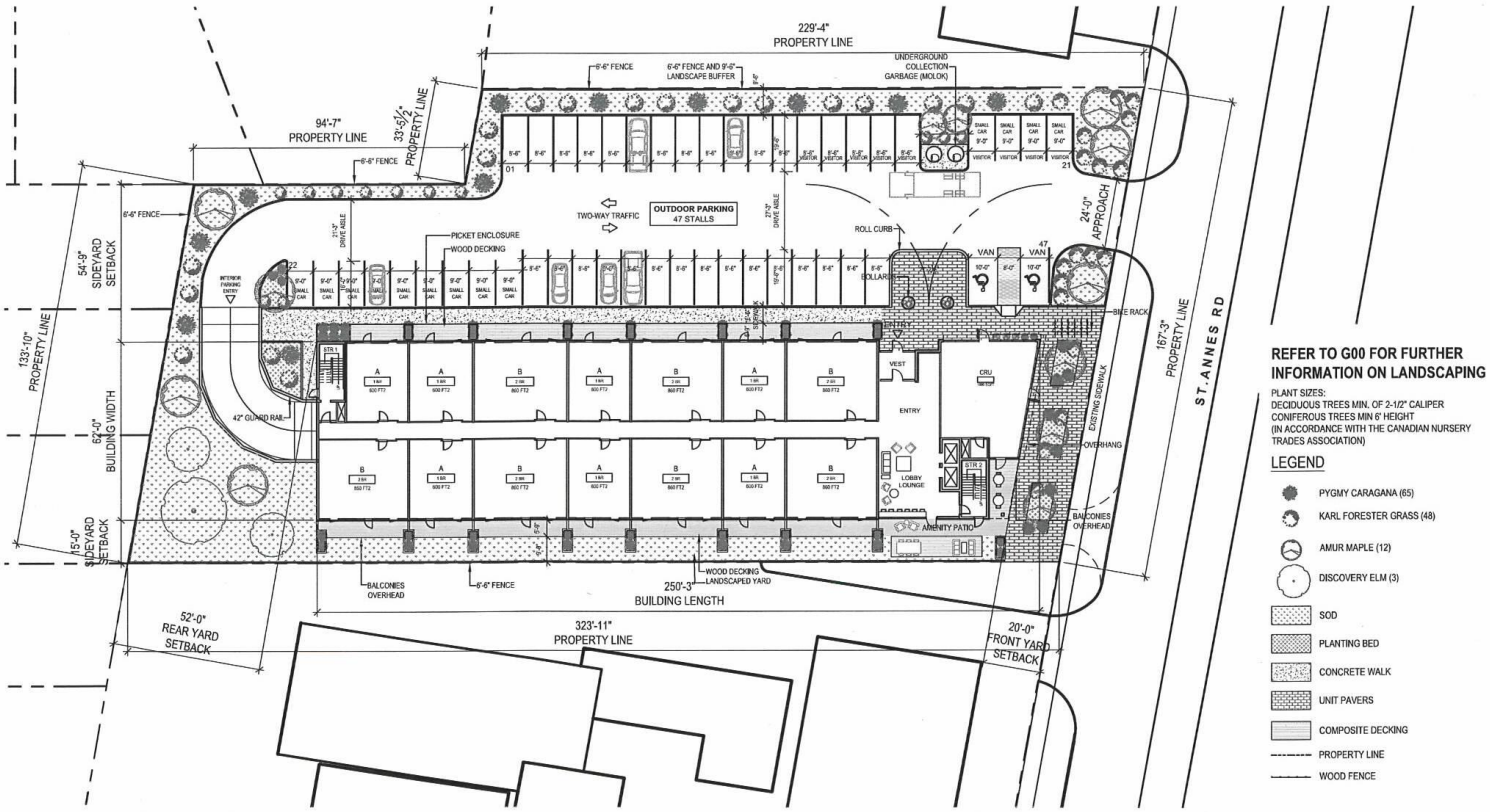

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692 ST. ANNES RD
MULTI-FAMILY SITE PLAN
1/32" = 1'-0"

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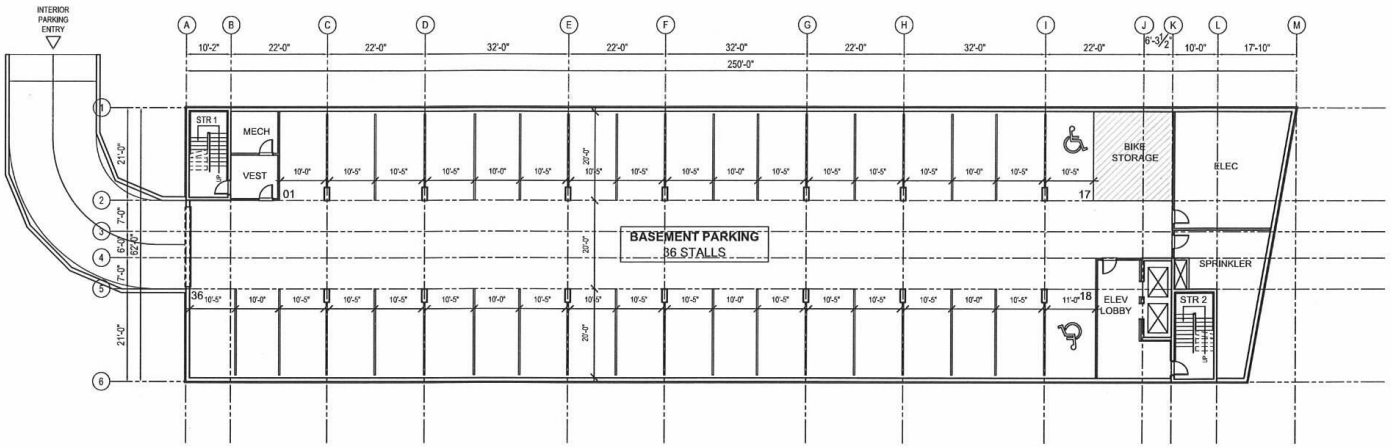

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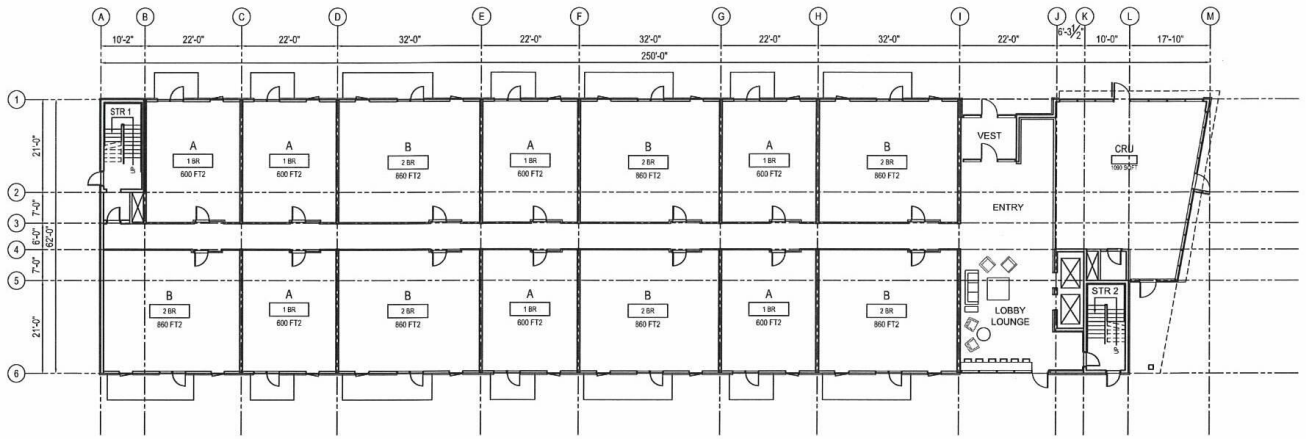

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692 ST. ANNES RD
LEVEL 01 PLAN

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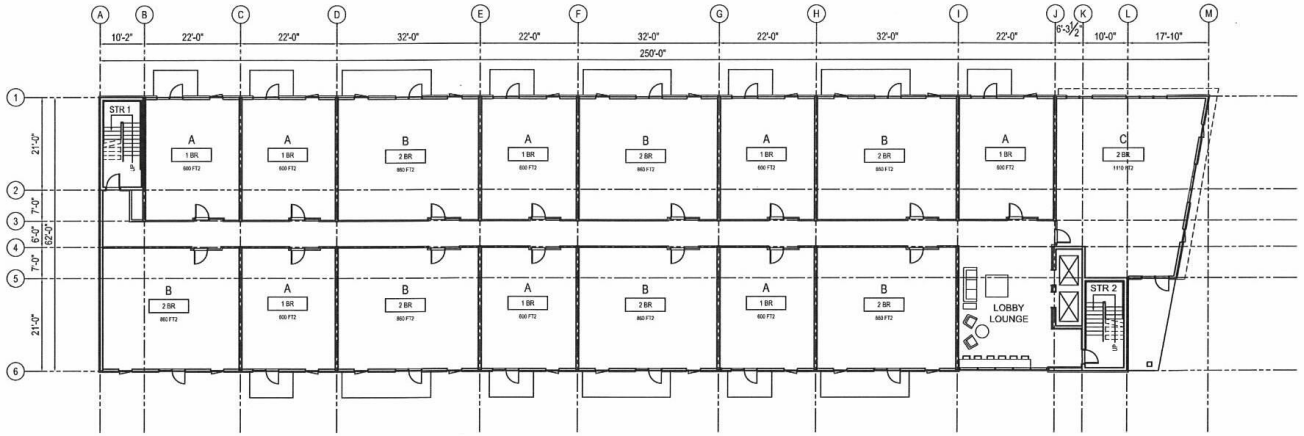

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LEVEL 02-04 PLAN
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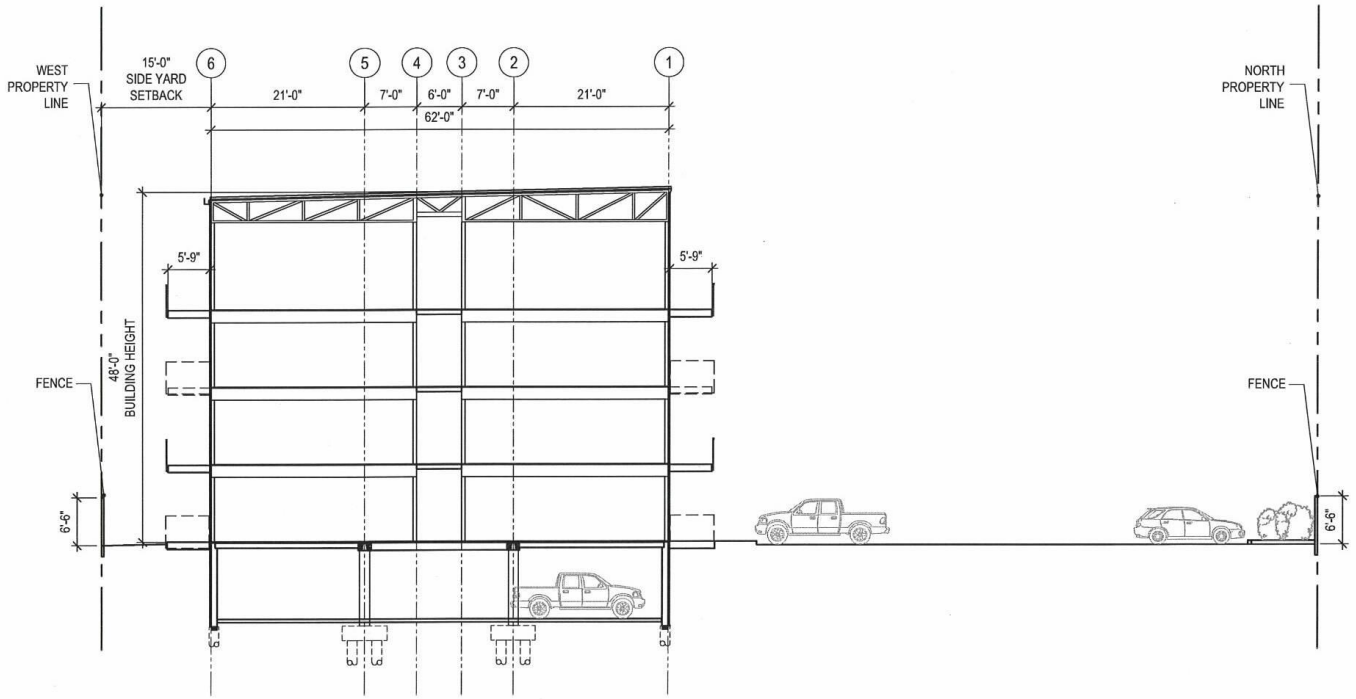

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BUILDING SECTION
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BUILDING SECTION
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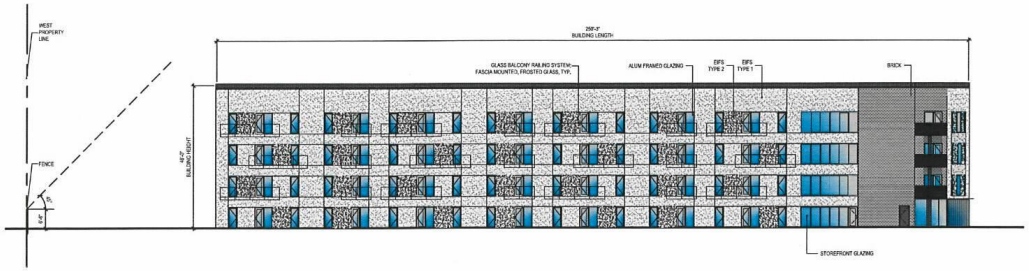

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SOUTH ELEVATION
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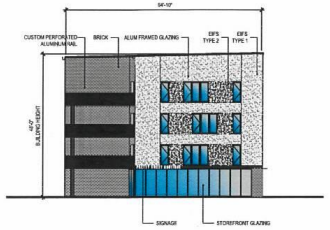

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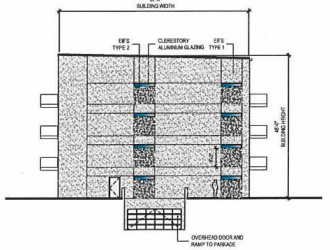
EAST ELEVATION
1:350



3 692 ST. ANNES RD
NORTH ELEVATION
1:350



4 692 ST. ANNES RD
WEST ELEVATION
1:350

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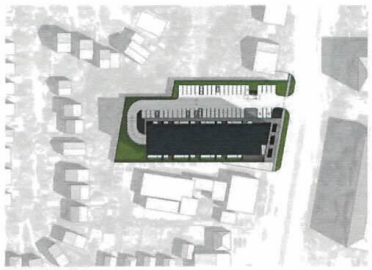

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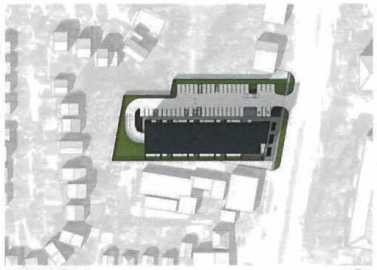
9:00 AM



MARCH 21st
12:00 PM



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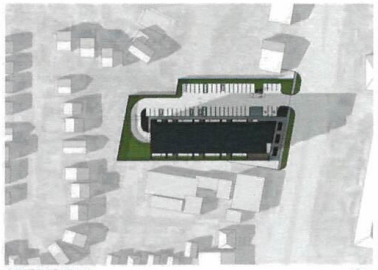

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JUNE 21st
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JUNE 21st
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JUNE 21st
3:00 PM



JUNE 21st
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PROJECT
692 ST. ANNE'S RD
SHADOW STUDY
694 ST. ANNES RD, WINNIPEG, MB

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DATE 15 DEC 2020
SCALE AS NOTED

PROJECT NO. 2020_22
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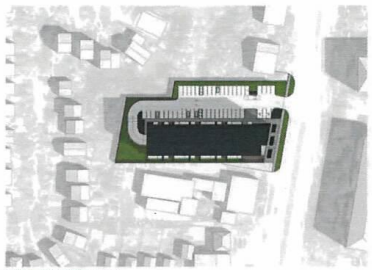

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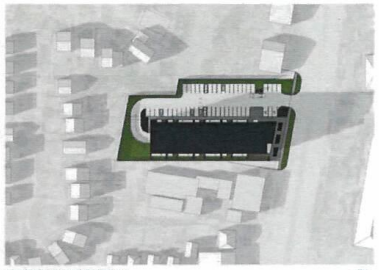
9:00 AM



SEPTEMBER 21st
12:00 PM



SEPTEMBER 21st
3:00 PM



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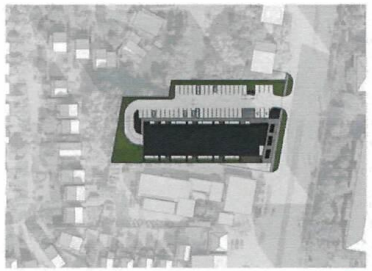

DECEMBER 21st
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DECEMBER 21st
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DECEMBER 21st
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PROJECT
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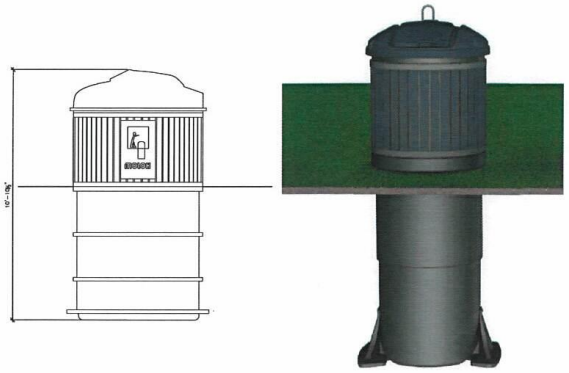
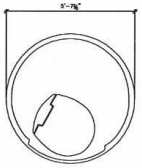
SHADOW STUDY
694 ST. ANNES RD, WINNIPEG, MB

DRAWN LM REVD KS
DATE 15 DEC 2020
SCALE AS NOTED

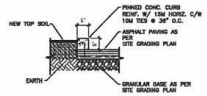
PROJECT NO. 2020_22
DRAWING NO. A08



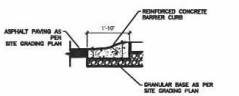
2 - L01 UNDERGROUND WASTE BIN ELEVATION / SECTION
1/4" = 1'-0"



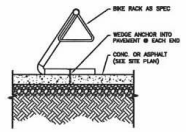
1 - L01 UNDERGROUND WASTE BIN PLAN
1/4" = 1'-0"



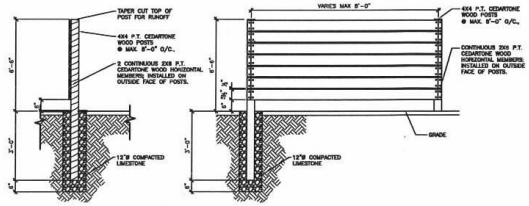
5 - L01 TYP. CURB
1/4" = 1'-0"



6 - L01 ROLL CURB
1/4" = 1'-0"



4 - L01 TYP. BIKE RACK
1/4" = 1'-0"



3 - L01 PRIVACY FENCE DETAILS
1/4" = 1'-0"

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PROJECT
692 ST ANNES RD.
LANDSCAPE DETAILS
692 ST ANNES RD.,WINNIPEG, MANITOBA

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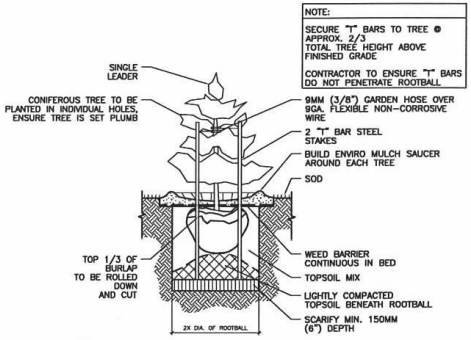
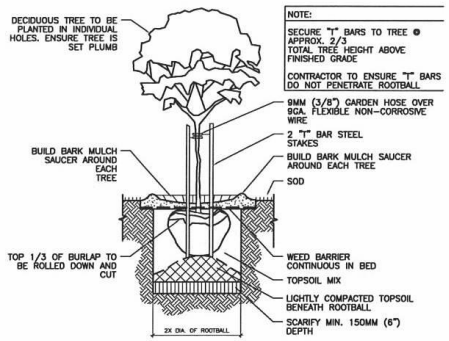
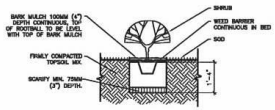


2 - L02 TYP. CONIFEROUS TREE
1/4" = 1'-0"



3 - L02 TYP. DECIDUOUS TREE
1/4" = 1'-0"



1 - L02 TYP. SHRUB
1/4" = 1'-0"

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