Minutes – Executive Policy Committee – June 16, 2021

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 8, 2021

Item No. 11 Subdivision and Rezoning – 155, 157 and 165 Provencher Boulevard (St. Boniface Ward)
File DASZ 8/2021 [c/r DAV 114871/2021D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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 subdivision under Development Application No. DASZ 8/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated May 10, 2021 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the developer shall meet all conditions identified in Schedule "B" – Report of the Administrative Coordinating Group, dated April 30, 2021, with the following amendments:

    A. Add the following new Condition under Section II – Servicing conditions

        2) Boulevard Landscaping
        The Developer shall, at no expense to the City, enter into an agreement to plant two trees in Provencher Boulevard, and all related works including but not limited to soil cells, fronting on the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMU PDO-1 Boulevard Provencher" Residential Mixed Use District as shown on the map dated May 10, 2021 and attached as Schedule "A" to this report, subject to the following conditions:

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 8, 2021

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

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. That four of the multiple family residential dwelling units shall be constructed as 3-bedroom units.

ii. That two of the parking stalls be reserved for a car share vehicle and that an agreement with a car share company be submitted to the Director of Planning, Property and Development prior to the issuance of building permits.

B. That the City enter into, execute and deliver with the developer a Zoning Agreement in accordance with recommendation 3.A., 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").

C. 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 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 the Development Application No. DASZ 8/2021, 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 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.

6. 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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 8, 2021

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

7. That the subdivision section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

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

9. 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.

10. 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.

11. 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 8, 2021

DECISION MAKING HISTORY:

Moved by Councillor Gilroy,

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.

Carried

Moved by Councillor Gilroy,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be concurred in and forwarded to Council.

Yea:	Bowman, Allard, Browaty, Gillingham, Gilroy, Mayes, Rollins	7
Nay:		0

Carried

STANDING COMMITTEE RECOMMENDATION:

On June 9, 2021, 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:

- Delete Recommendation 5 and renumber the remaining recommendations accordingly

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

COMMUNITY COMMITTEE RECOMMENDATION:

On May 25, 2021, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments:

- In Recommendation 2, delete the period after "April 30, 2021" and replace with the following:

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 8, 2021

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

", with the following amendments:

A. Add the following new Condition under Section II – Servicing conditions

2) Boulevard Landscaping
The Developer shall, at no expense to the City, enter into an agreement to plant two trees in Provencher Boulevard, and all related works including but not limited to soil cells, fronting on the Planned Area, as determined by and to the satisfaction of the Director of Public Works."

- In Recommendation 3, delete the period after "Schedule "A" to this report" and replace with the following:

", 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. That four of the multiple family residential dwelling units shall be constructed as 3-bedroom units.

ii. That two of the parking stalls be reserved for a car share vehicle and that an agreement with a car share company be submitted to the Director of Planning, Property and Development prior to the issuance of building permits.

B. That the City enter into, execute and deliver with the developer a Zoning Agreement in accordance with recommendation 3.A., 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").

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 8, 2021

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

C. 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 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."

- Add the following new Recommendation 5 and renumber the remaining recommendations accordingly:

  "5. That Council Policy be waived in order to utilize the cash-in-lieu of dedication funds for the St. Boniface Ward allocation of the Land Dedication Reserve Fund for use on the St. Boniface Linear Park Network, for a section north of Provencher Boulevard."

- Delete Recommendation 8 and replace with the following:

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

- In Recommendation 9, add the words "and the Zoning Agreement" immediately following "the Plan", and delete "recommendation 8" and replace with "recommendations 8 and 9"

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

PUBLIC HEARING SUMMARY

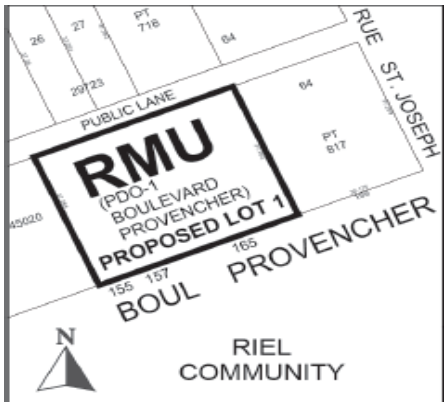
File: DASZ 8/2021

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

Public Hearing: May 25, 2021
Council Building, 510 Main Street

Applicant: Verne Reimer Architecture Inc. (Daryl Holloway)

Subject:



APPLICANT : Verne Reimer Architecture Inc. (Daryl Holloway)
FILE : DASZ 8/2021
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 a "C2 PDO-1 BOULEVARD PROVENCHER" COMMERCIAL COMMUNITY DISTRICT to an "RMU PDO-1 BOULEVARD PROVENCHER" RESIDENTIAL MIXED-USE DISTRICT to facilitate the consolidation of land and to allow the construction of a mixed-use building, containing residential dwelling units and commercial uses. **For information, phone E. Finnigan, Planner at 204-986-8602.**

DEMANDEUR : Verne Reimer Architecture Inc. (Daryl Holloway)
N° DE DOSSIER : DALZ 8/2021
PROJET : Demande d'approbation par le conseil du plan de lotissement délinéé ci-dessus et proposition de modification du *Zoning By-law No. 200/2006* (règlement municipal sur le zonage) visant à changer le zonage du bien-fonds délinéé ci-dessus afin de le faire passer de la catégorie C2 DO-1 DU SECTEUR DU BOULEVARD PROVENCHER (secteur commercial communautaire) à la catégorie RMU DO-1 DU SECTEUR DU BOULEVARD PROVENCHER (secteur résidentiel polyvalent) en vue de faciliter le remembrement des terrains et de permettre la construction d'un bâtiment à usage polyvalent comportant des logements et des commerces. **Pour obtenir des renseignements, veuillez appeler E. Finnigan, urbaniste, au 204-986-8602.**

Premises Affected: 155, 157 and 165 Provencher Boulevard

For submission to: Executive Policy Committee

Prepared by: Rebecca Ford, Committee Clerk
Riel Community Committee

Report date: May 26, 2021

Community Committee Recommendation:

On May 25, 2021, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the subdivision under Development Application No. DASZ 8/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated May 10, 2021 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the developer shall meet all conditions identified in Schedule "B" – Report of the Administrative Coordinating Group, dated April 30, 2021~~.~~***,with the following amendments:***

    A. Add the following new Condition under Section II – Servicing conditions

        2) Boulevard Landscaping

        The Developer shall, at no expense to the City, enter into an agreement to plant two trees in Provencher Boulevard, and all related works including but not limited to soil cells, fronting on the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMU PDO-1 Boulevard Provencher" Residential Mixed Use District as shown on the map dated May 10, 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. That four of the multiple family residential dwelling units shall be constructed as 3-bedroom units.

ii. That two of the parking stalls be reserved for a car share vehicle and that an agreement with a car share company be submitted to the Director of Planning, Property and Development prior to the issuance of building permits.

B. That the City enter into, execute and deliver with the developer a Zoning Agreement in accordance with recommendation 3.A., 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").

C. 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 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 the Development Application No. DASZ 8/2021, as determined by the City's Director of Planning, Property and Development.

5. That Council Policy be waived in order to utilize the cash-in-lieu of dedication funds for the St. Boniface Ward allocation of the Land Dedication Reserve Fund for use on the St. Boniface Linear Park Network, for a section north of Provencher Boulevard."

6. ~~***5***~~. 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. 6. 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. ~~***7.***~~ That the subdivision section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

~~***8. That the zoning section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.***~~

9. That the zoning section of the By-law will 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. ~~***9.***~~ 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*** is not registered in accordance with ~~***recommendation 8***~~ ***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. ~~***10.***~~ 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. ~~***11.***~~ 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. I believe this development falls right in-line with the North St. Boniface Secondary Plan as well as the St. Boniface PDO, which was recently updated by our community with support from a majority of groups from St. Boniface, including the Old St. Boniface Residents Association. The one exception is on the height, and that's been explained as a unique situation where the adjacent building has been built in a way that it should not have been built, with glazing immediately on the side of the proposed development. In order to accommodate the neighbour, the height variances were required in order for the project to remain viable, and for the space to be accommodated. As well, the variance is justified in that it conserves the sight lines that are important as part of the Provencher PDO.

2. Those two reasons, I think explain why the ten feet are required in order to accommodate those two very important elements to this development. I wouldn't want to be in a position where the proponent was building a building immediately adjacent to suites that have windows, and I wouldn't want to be approving developments where the sight lines to 219 Provencher were being compromised. I think that variance is reasonable and I think it was the one that was most in-contention.

3. As well, we have a number of public amenities being brought-on by this development to make the LDR dollars being pegged and dedicated to the Linear Park in North St. Boniface. We have two car shares being added to this development. Where that's equivalent to 13 parking spots each, 26 parking spots, which has an equivalent benefit of having 23 cars off the roads according to our rough calculations in terms of what car-share benefits bring.

4. We also have a situation on Provencher Boulevard where the streets have been impacted by salt. Those trees are in need of re-planting. The way to do that now is through things like soil-cell technologies which allow for trees to be planted on boulevards like Provencher Boulevard. We want to have a friendly pedestrian environment, but we also want to have our tree canopy maintained in the neighbourhood as we approve these developments.

5. For all those reasons, I'll be supporting this development with the conditions I've added as part of a Zoning Agreement

Exhibits Filed:

1. Application dated March 1, 2021
2. Notification of Public Hearing dated April 21, 2021
3. Manitoba Status of Titles 2970887/1, 2970916/1 & 2970889/1
4. Letter of authorization dated December 11, 2021 from 7471344 MB LTD (Colin Spark) to Verne Reimer Architecture
5. Parking Management Plan dated October, 2020
6. Plans (23 pages)
7. Report from the Urban Planning Division dated May 10, 2021
8. Inspection Report
9. Communication dated May 21, 2021, from Joseph Constant, Interim President, Old St. Boniface Residents Association, in support of the application
10. Communication from Daryl Kuhl in support of the application
11. Communication from Linda Perry in support of the application
12. Communication from Claudette Toupin in support of the application
13. Communication dated May 24, 2021, from Walter Kleinschmit in support of the application
14. Communication dated May 24, 2021 from Tom Scott in support of the application

REPRESENTATIONS:

In Support:

Jean-Marc Champagne
Joseph Constant
Darren Desrochers
Normand Gousseau
Daryl Holloway
Ravi Joshi
Walter Kleinschmit
Daryl Kuhl
Linda Perry
Verne Reimer
Tom Scott
Claudette Toupon

In Opposition:

Nil

For Information:

Nil

For the City:

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 DASZ 8/2021

ADMINISTRATIVE REPORT

Title: DASZ 8/2021 – 155, 157, & 165 Provencher Blvd

Issue: An application for consideration at the Public Hearing to consolidate three lots and rezone from 'C2 PDO-1 Boulevard Provencher' (Commercial Community) to 'RMU PDO-1 Boulevard Provencher' (Residential Mixed Use) for the construction of a 9-storey mixed use building.

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

AUTHORIZATION

Author	Department Head	CFO	CAO
E. Finnigan, MCP	N/A	N/A	

RECOMMENDATIONS

2. That the subdivision under Development Application No. DASZ 8/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated May 10, 2021 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

3. That the developer shall meet all conditions identified in Schedule "B" – Report of the Administrative Coordinating Group, dated April 30, 2021.

4. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMU PDO-1 Boulevard Provencher" Residential Mixed Use District as shown on the map dated May 10, 2021 and attached as Schedule "A" to this report.

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 the Development Application No. DASZ 8/2021, 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 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.

6. 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.

7. That the subdivision section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office..

8. That the zoning section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

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

10. 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.

11. 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 three lots and rezone from ‘C2 PDO-1 Boulevard Provencher’ (Commercial Community) to ‘RMU PDO-1 Boulevard Provencher’ (Residential Mixed Use) for the construction of a 9-storey mixed use building.
- Subdivisions and rezonings require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee’s consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Urban Planning Division are concurred in, the subject site will be consolidated and rezoned consistent with the map provided in Schedule “A” of this report.

HISTORY

North St. Boniface Secondary Plan Amendment SPA 1/2017

- On June 26, 2015, the Standing Policy Committee on Property and Development, Heritage and Downtown Development directed the Public Service to initiate a review of the North St. Boniface Secondary Plan to:

  A. Update the Plan;

  B. Align the Plan with the *Complete Communities Direction Strategy*;

  C. Ensure the Plan is consistent with and supports any amendments the Urban Planning Division will recommend be made to the Boulevard Provencher Planned Development Overlay 1;

  D. Consider possible amendments to the Lower Density Residential and Higher Density Residential policies contained in the IMPLEMENTATION section of the Plan; and

  E. Consider amending the Plan's Proposed Land Use Map to depict the Lower Density Residential and Higher Density Residential areas separately, instead of depicting them together as "Residential Policy Area" (which is currently the case).

- Following extensive community consultations a number of changes were made to the Plan to provide better alignment with *Complete Communities* as well as clearer policy direction for the mapped land use designation areas.
- On July 19, 2017, Council approved the amendments to the North St. Boniface Secondary Plan under file SPA 1/2017.
- The subject site is located within the North St. Boniface Secondary Plan and thus subject to its policies.

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 10th, 2021
File No.	DASZ 8/2021

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule “A” — Recommended File No. DASZ 8/2021 Riel Community Committee, dated May 10, 2021
3. Schedule “B” — Report of the Administrative Working Group – April 30th, 2021

APPENDIX 'A'

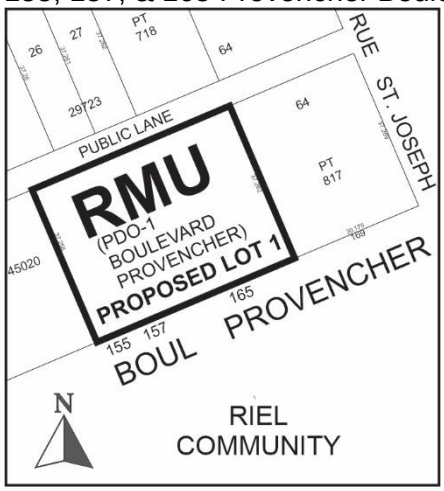
DATE: May 10th, 2021

FILE: **DASZ 8/2021**
RELATED FILES: DAV 21-114871\D

COMMUNITY: Riel
NEIGHBOURHOOD #: 5.50 – North St. Boniface neighbourhood

SUBJECT: An application to consolidate three lots and rezone from 'C2 PDO-1 Boulevard Provencher' (Commercial Community) to 'RMU PDO-1 Boulevard Provencher' (Residential Mixed Use) for the construction of a 9-storey mixed use building.

LOCATION: 155, 157, & 165 Provencher Boulevard (see map below)



APPLICANT: Daryl Holloway (Verne Reimer Architecture Incorporated)
374 River Ave Unit 109
Winnipeg, MB R3L 0E4

OWNER: 7471344 MANITOBA LTD.
209 Blue Sun Dr
Winnipeg, MB R3X 0G9

RECOMMENDATION: Approval

SITE DESCRIPTION

- The subject property is located on the north side of Provencher Boulevard in the North St. Boniface neighbourhood of the St Boniface ward.
- The site is **approximately 19,344** square feet in area and is comprised of three (3) separate lots (i.e., 155, 157, 165 Provencher Boulevard).
- The site is currently occupied by two commercial buildings and 165 Provencher Boulevard is vacant land.
- The site is located within the Mixed Use Commercial Policy Area under the North St. Boniface Secondary Plan (By-law 30/2017). The properties are zoned Commercial Community Boulevard Provencher PDO-1 ("C2 PDO-1 Blvd Provencher").
- The subject property is located along a Community Mixed-Use Corridor under the *Complete Communities Direction Strategy*.



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

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: A public lane; then a vehicle service/sales use on land zoned Residential Multi-Family Medium ('RMF-M') and Manufacturing Light ('M1'); vacant land zoned Commercial Community ('C2'); and a duplex on land zoned Residential Two-Family ('R2').

South: Provencher Boulevard; then commercial uses on land zoned Commercial Community ('C2').

East: Vacant land zoned Commercial Community ('C2').

West: A mixed use building ('Place Joseph Royal') on land zoned Commercial Community ('C2').

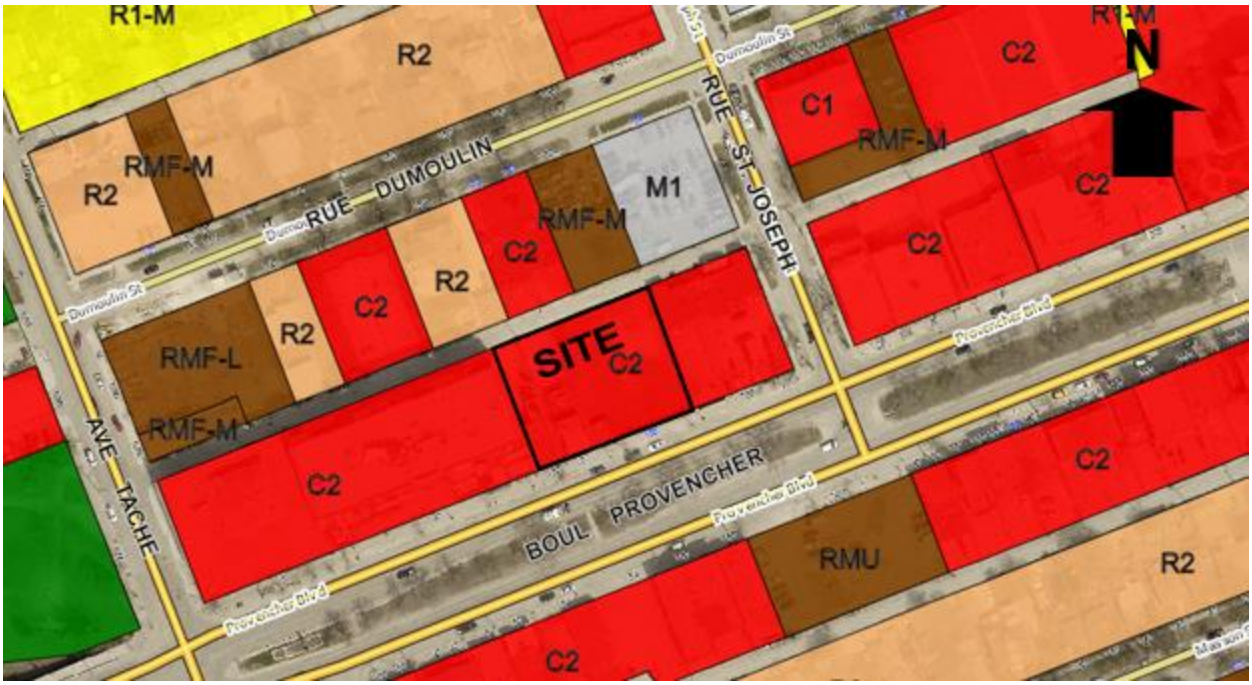


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to consolidate three existing lots and rezone from 'C2 PDO-1 Boulevard Provencher' (Commercial Community) to 'RMU PDO-1 Boulevard Provencher' (Residential Mixed Use) for the purposes of constructing a 9-storey mixed use building. The building will encompass 96 residential units, a commercial unit on the ground floor and a commercial unit on the second floor. The existing commercial buildings at 155 and 157 Provencher Boulevard will be demolished.
- The development will include 49 one-bedroom units ranging in size from 494 square feet to 619 square feet, and 47 two bedroom units ranging in size from 645 square feet to 1062 square feet. The building will also include an amenity space and a fitness room on the 9th floor.
- A total of ninety-four (94) parking stalls will be provided. Thirty-eight (38) parking stalls will be located at-grade under the building and fifty-six (56) parking stalls will be located below grade under the building.
- As part of the 94 parking stalls, there will be 3 accessible parking stalls, 2 van accessible parking stalls, and 50 small car parking stalls.
- Vehicular access to the property is proposed by way of the public lane.
- Five bicycle parking stalls will be provided near the main entrance to the multi-family residential portion of the building and 5 bicycle parking stalls will be provided near the entrance to the commercial unit. A secure bicycle storage room accommodating 15 bicycle parking stalls will be provided in the underground parking area.
- A garbage enclosure will be located under the building at the northeast corner of the site abutting the public lane.

- The proposed development requires variances for height, density, parking, insufficient street edge landscaping, the garbage enclosure, as well as buffering (see associated variance application and planner's report for DAV 21-114871\D).

COLLABORATION

With the Urban Planning and Design Division

- The Urban Planning Division has been in communication with the applicant about the proposed development since an initial pre-application submission in June 2020 as well as via subsequent emails and meetings in which the details of the proposed development were discussed including additional refinements to the design.

With the Public

- The applicant indicates in the letter of intent that an information mailer was distributed to all households within the area east of Taché Avenue, south of rue Notre Dame, west of rue Langevin, and north of rue Masson. The mailer invited individuals to view an information webpage and provide written email responses. The applicant indicates that five responses were received.
- The applicant also held a meeting with the residents of 154 rue Dumoulin in which their concerns about potential shadow impacts as well as concerns with construction noise, dust, and debris were discussed.

ANALYSIS AND ISSUES

OURWINNIPEG AND COMPLETE COMMUNITIES DIRECTION STRATEGY:

- *The Complete Communities Direction Strategy* is one of four direction strategies supporting *OurWinnipeg*, the city's long-range development plan, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- The subject property is located along a "Community Mixed Use Corridor" in the *Complete Communities'* Urban Structure map. *Complete Communities'* directs a significant share of growth to Corridors in a way 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.
- With regard to this proposal, the key policies guiding the development of Community Mixed Use Corridors include:
    - *Promote small-scale, fine-grained development that is responsive to the surrounding community context.*
    - *Provide a mix of employment, higher-density residential opportunities, retail and service uses that support the needs of and respect the context of adjacent communities.*

- *Support 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.*
- *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 a range of housing opportunities in terms of type, tenure, unit size*.
- *Promote the highest levels of intensification at significant intersections. Between each centre, lower intensities of commercial, residential and mixed use development are appropriate.*
- *Support development in accordance with Universal Design and Crime Prevention Through Environmental Design (CPTED) policies.*

NORTH ST. BONIFACE SECONDARY PLAN (By-Law 30/2017)

- The objectives of the North St. Boniface Secondary Plan are:

  1. To provide clarity, certainty, and consistency to area residents and builders on land use planning directions and outcomes.

  2. To support a range of housing options that accommodate a range of incomes, households, type, density, style and tenure for all life stages at strategic locations within the neighbourhood.

  3. To encourage site and building plans that promote good urban design and are pedestrian focused.

  4. To establish a process and a set of criteria to evaluate infill development proposals and to mitigate the potential for land use conflicts.

  5. To develop safe, convenient and functional community wide 'complete street' networks for public transit users, pedestrians and cyclists.

  6. To transition out industrial uses from residential areas.

  7. To enhance existing parks and open spaces with a focus on completing the planned public riverbank parkway and greenway networks.

  8. To recognize and celebrate the neighbourhood's cultural assets.

  9. To encourage sustainable development which is designed to minimize the spatial use of land, conserve natural areas and reflects local heritage.

- Under the North St. Boniface Secondary Plan, the subject property falls within the Mixed Use Commercial Policy Area. The objectives of this policy area are:

  1) To encourage mixed-use developments that help create a vibrant, pedestrian-oriented boulevard Provencher main street.

2) *To encourage a mix of commercial uses that support local residents and encourage a dynamic street life.*

3) *To encourage building designs that positively contribute to the pedestrian environment.*

- The policies guiding development within the Mixed Use Commercial Policy Area include:

  3.4.2.1 Vibrant, pedestrian-oriented concentration of residential, retail, service, restaurant, entertainment, and cultural uses along boulevard Provencher will be encouraged.

  3.4.2.2 Automobile-oriented land uses, such as gas stations and other drive-through uses will be discouraged.

  3.4.2.3 Residential uses shall be located above the first storey along boulevard Provencher between rue Taché and rue Langevin.

  3.4.2.4 Mixed use developments with commercial at-grade and residential above the first storey will be encouraged.

  3.4.2.5 Industrial uses shall not be permitted.

  3.3.2.6. Multi-family residential uses will be discouraged within the Mixed Use Commercial Policy Area when in proximity to large scale industrial uses.

BOULEVARD PROVENCHER PLANNED DEVELOPMENT OVERLAY 1 (PDO-1)

- The subject site falls within the Boulevard Provencher Planned Development Overlay area.
- The purpose of this overlay is to encourage the protection of Provencher Boulevard with its cultural and historic significance to the French community as the neighbourhood main street for St. Boniface.
- In order to support the vision of the PDO, final plans and elevations must 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 site. The PDO includes a number of urban design considerations intended for the evaluation of Design Review applications.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

- Currently, the lands are zoned Commercial Community PDO-1 Boulevard Provencher ('C2' PDO-1). 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. The following dimensional standards within the PDO-1 Boulevard Provencher apply: a maximum height of 80 feet; a minimum 50 feet between the street right-of-way and any parking area; a maximum 15 feet between the street right-of-way and the front building façade; and no required side or rear yard. The dimensional standards for density in the C2 zone apply where the minimum lot area per dwelling unit is 800 square feet.
- The applicant is proposing to rezone the property to Residential Mixed Use PDO-1 Boulevard Provencher ('RMU' PDO-1). 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 following dimensional standards within the PDO-1 Boulevard Provencher apply: a maximum height of 80 feet; a minimum 50 feet between the street right-of-way and any parking area; a maximum 15 feet between the street right-of-way and the front building façade; and no required side or rear yard. The dimensional standards for density in the RMU zone apply where the minimum lot area per dwelling unit is 500 square feet.

Reason for the Subdivision and Rezoning

- The applicant is proposing to consolidate three existing lots and rezone from 'C2 PDO-1 Boulevard Provencher' (Commercial Community) to 'RMU PDO-1 Boulevard Provencher' (Residential Mixed Use) for the purposes of constructing a 9-storey mixed use building. The building will encompass 96 residential units, a commercial unit on the ground floor and a commercial unit on the second floor.

CONSISTENCY WITH COMPLETE COMMUNITIES AND THE NORTH ST. BONIFACE SECONDARY PLAN

- As noted above, the subject site is located along a Community Mixed Use Corridor under the *Complete Communities Direction Strategy* and within the Mixed Use Commercial Policy Area under *the North St. Boniface Secondary Plan* where higher intensity mixed use development is encouraged. Focusing intensification efforts along this portion of the boulevard Provencher corridor is important as it helps accomplish several objectives:
    - Removes an unsightly vacant lot at a highly visible location on a prominent commercial main street.
    - Builds a critical population mass, creating vibrancy while supporting local amenities.
    - Links land use with transportation and mobility.
    - Accommodates Winnipeg's projected growth in a sustainable way.
    - Increases predictability and reduces the impact of new development and increased traffic in Areas of Stability.
    - Increases certainty for the development industry.
- The applicant has worked closely with the Urban Planning Division to develop a proposal that supports a high quality, pedestrian-oriented urban environment and aligns completely with the design related policies of *Complete Communities*, *the North St. Boniface Secondary Plan,* and the *Boulevard Provencher PDO-1*. More specifically, the building and site design encompass the following considerations:
    - A strong pedestrian-oriented ground floor design that incorporates a commercial space with multiple entrances providing opportunities for small scale, fine grained commercial storefronts;
    - All of the units include private, outdoor amenity spaces via the inclusion of balconies helping to add "eyes on the street" which can improve the perception of safety at the street level;
    - The parking area are concealed from street view by the building;

    - The building incorporates a high quality façade design with varying articulations, a combination of cladding materials and colours which helps to break-up the massing of the building and enhance the overall look of the street edge along Provencher Boulevard.

- Finally, it is also important to note that boulevard Provencher includes higher frequency transit service that is proposed to improve under the Winnipeg Transit Master Plan. The Winnipeg Transit Master Plan proposes a significant increase in transit service quality along boulevard Provencher, with two proposed Primary Transit Lines providing service every 5-15 minutes throughout all usual hours of transit service.
- For these reasons, the Urban Planning and Design Division is recommending support of the proposed subdivision and rezoning.

LAND DEDICATION

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

RECOMMENDATION

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

- The proposed development is consistent with the policies of the *Complete Communities Direction Strategy* and the *North St. Boniface Secondary Plan* where higher intensity mixed use developments are encouraged; and
- The proposal is designed with a high degree of quality based on significant collaboration between the Urban Planning and Design Division and the applicant and helps to create a vibrant, pedestrian-oriented boulevard Provencher main street.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division
Report Prepared By: Elise Finnigan, MA Planning
PPD File # DASZ 8/2021

Schedule "A" for File No. DASZ 8/2021, Riel Community Committee, dated May 10, 2021

By–Law No. _____

File No. **DASZ 8/2021**

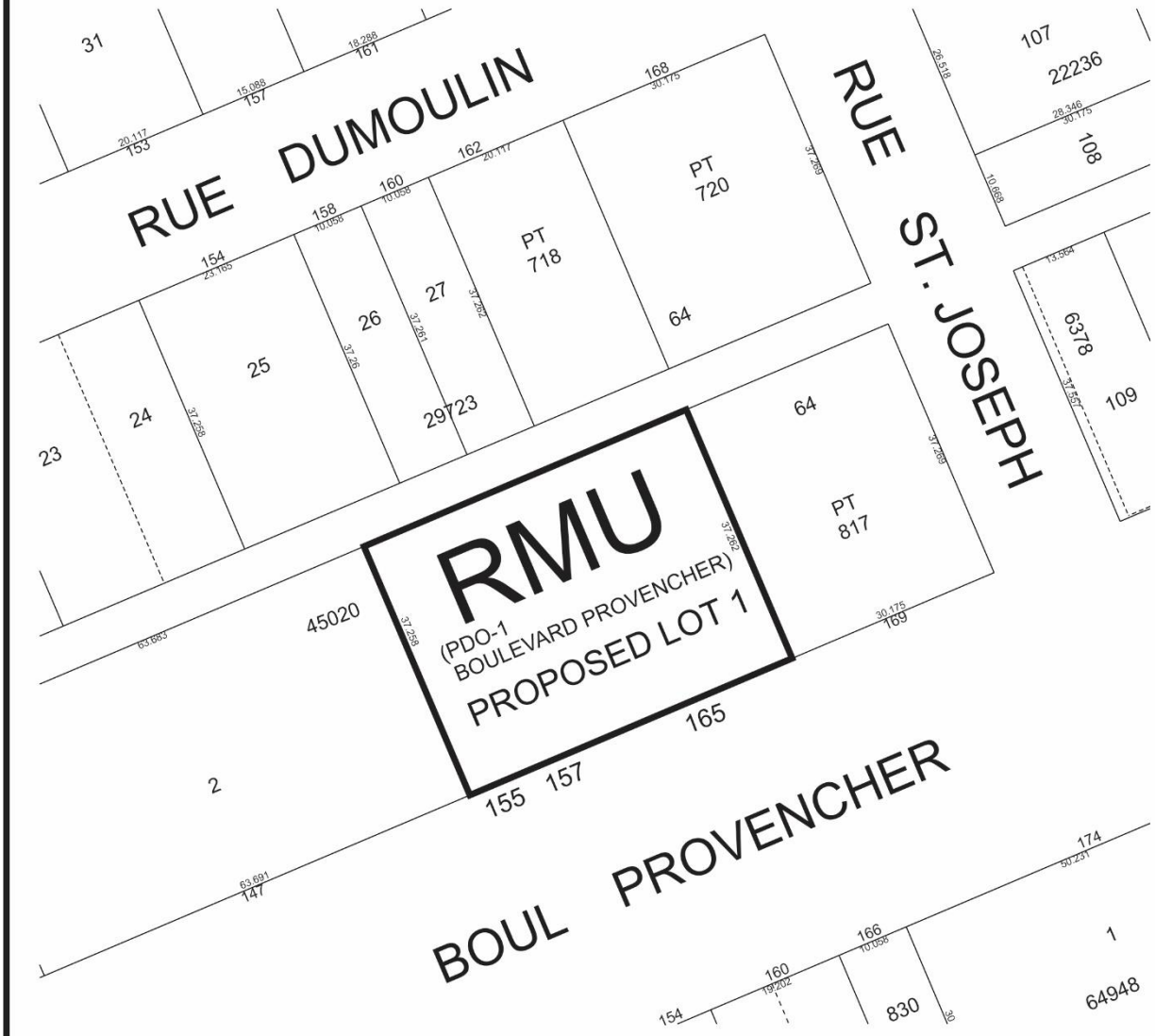
Atlas Sheet No. **Z26**

N

RIEL COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 155, 157 and 165 Provencher Boulevard from a "C2 PDO-1 BOULEVARD PROVENCHER" COMMERCIAL COMMUNITY DISTRICT to an "RMU PDO-1 BOULEVARD PROVENCHER" RESIDENTIAL MIXED-USE DISTRICT to facilitate the consolidation of land and to allow the construction of a mixed-use building, containing residential dwelling units and commercial uses.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 155, 157 AND 165 PROVENCHER BOULEVARD

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DASZ 8/2021. The Developer should take into consideration the following servicing and design requirements and considerations in the redevelopment of the site:

Section I – General Comments

1) The Water and Waste Department wishes to advise that there is adequate water servicing for the proposed development based on the development plans provided. Additional review will be required by their Department should the plans of development change during the process.

Section II - Servicing Considerations

1) Combined Sewer District

The proposed development is located in a combined sewer district; the sum of the wastewater and land drainage runoff peak discharge from the proposed development cannot exceed the allowable discharge rate:

i. The allowable discharge rate will be the sum of the existing peak wastewater and the peak land drainage discharged.

ii. The peak land drainage discharged from the site must be based on a c-value of 0.35, with a 5 year rainfall event applied.

iii. The existing and proposed peak wastewater discharge must be estimated using the Wastewater Flow Estimation guidelines found on the City of Winnipeg website (http://winnipeg.ca/waterandwaste/dept/wastewaterFlow.stm),unless otherwise approved.

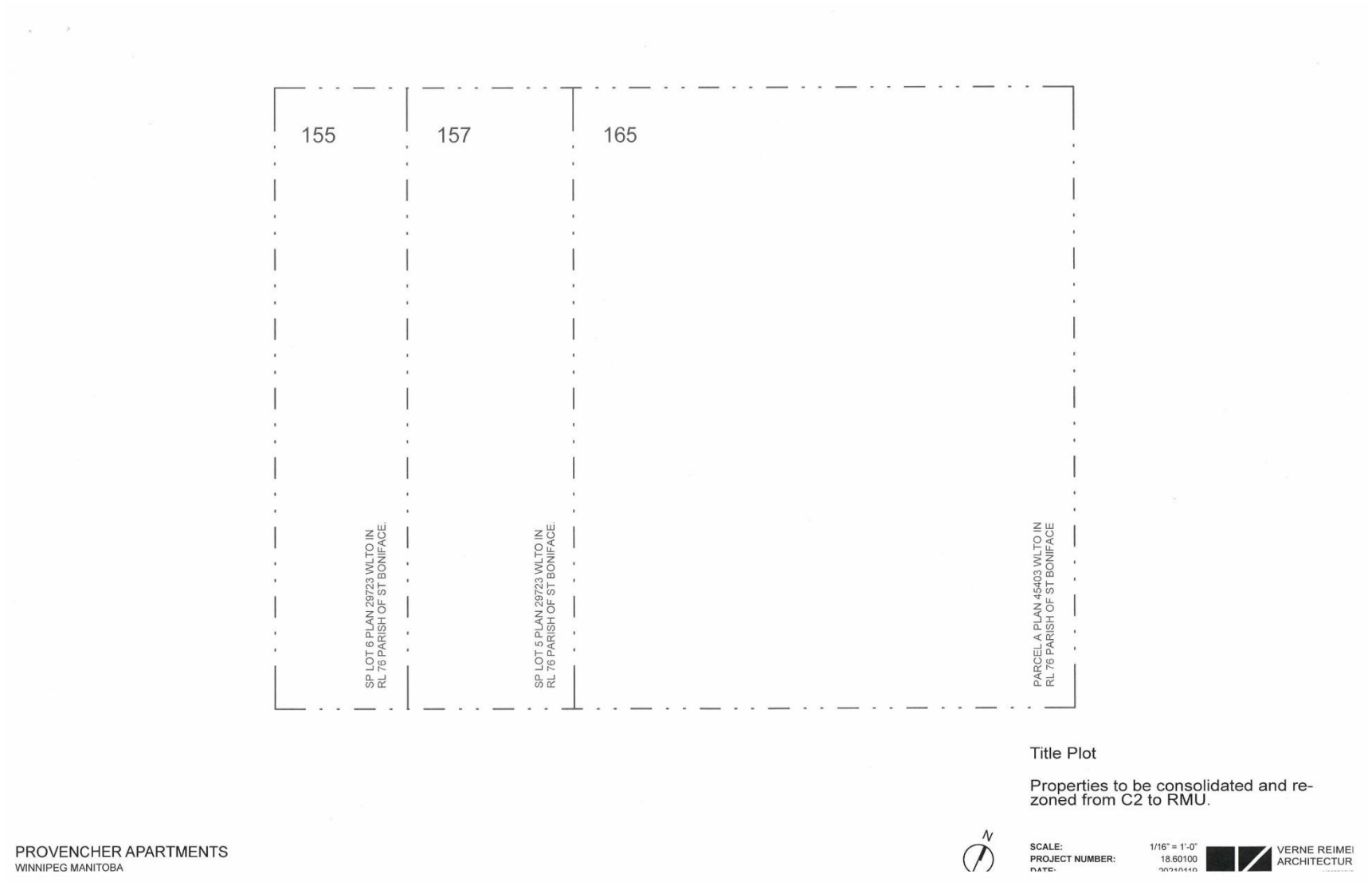
THIS REPORT SUBMITTED BY:

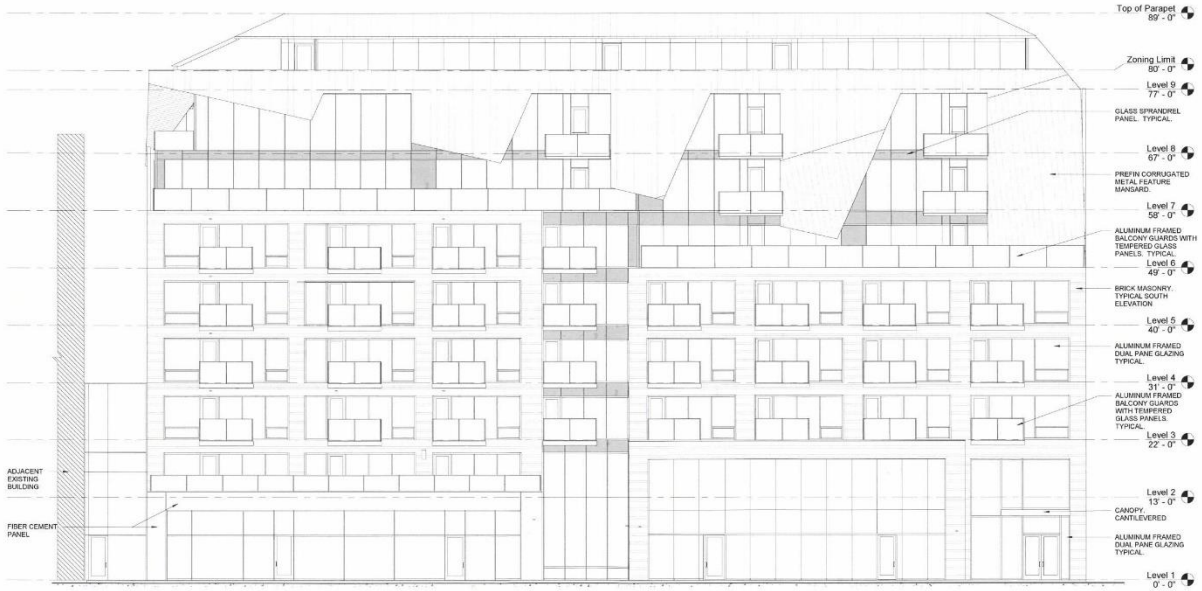
Administrative Co-ordinating Group
File No. DASZ 8/2021
April 30, 2021

"*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

Exhibit “6” referred to in File DASZ 8/2021





South Elevation

PROVENCHER APARTMENTS
WINNIPEG MANITOBA

SCALE: 1/16" = 1'-0"
PROJECT NUMBER: 18.60100
DATE:

VERNE REIMEI ARCHITECTUR



North Elevation

PROVENCHER APARTMENTS
WINNIPEG MANITOBA

SCALE: 1/16" = 1'-0"
PROJECT NUMBER: 18.60100
DATE:

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PROVENCHER APARTMENTS
WINNIPEG MANITOBA

South Elevation

SCALE: nts
PROJECT NUMBER: 18.60100
DATE:

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PROVENCHER APARTMENTS
WINNIPEG MANITOBA

South Elevation

SCALE: nts
PROJECT NUMBER: 18.60100

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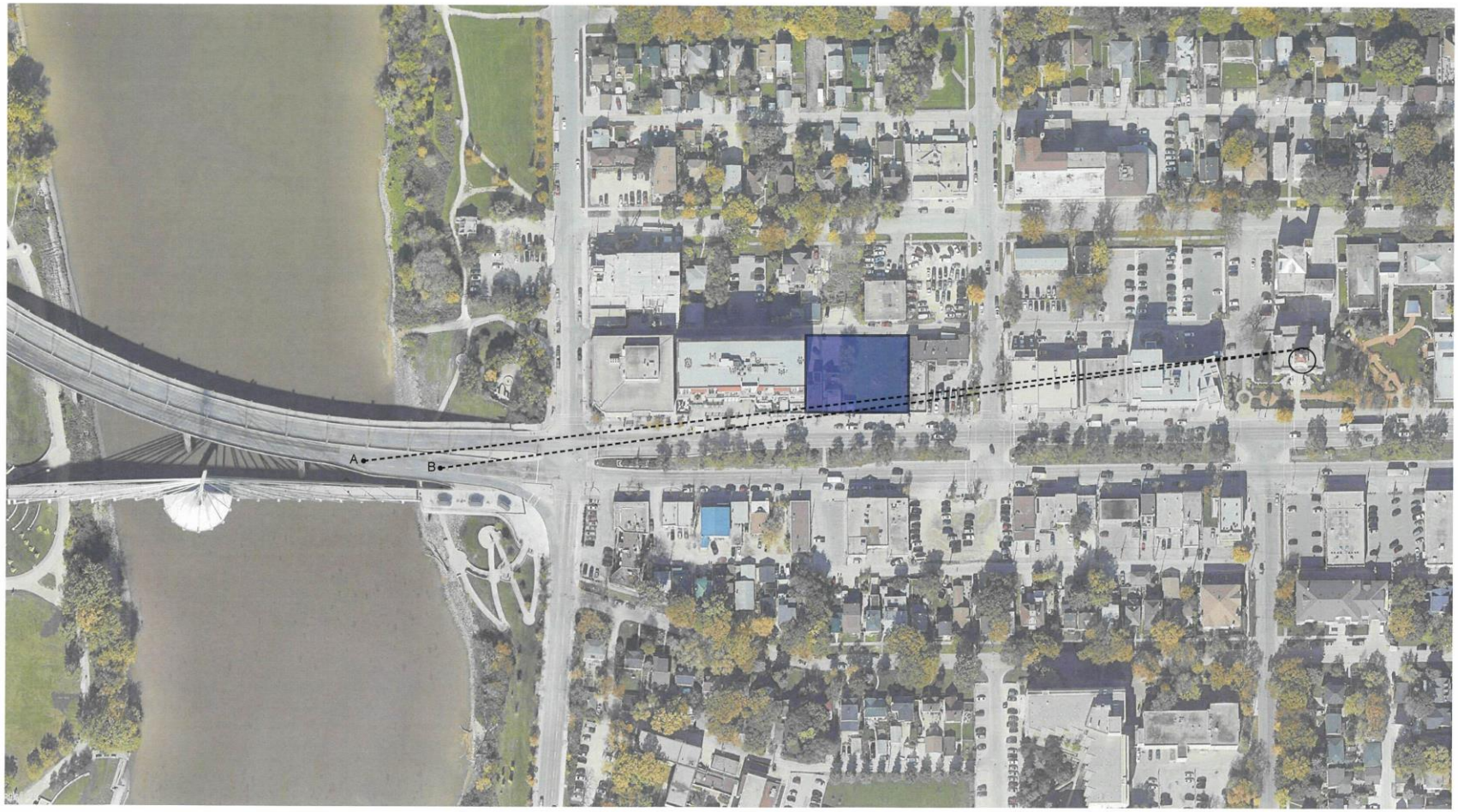

Aerial Map with Points of View

PROVENCHER APARTMENTS
WINNIPEG MANITOBA

SCALE: NTS
PROJECT NUMBER: 18.60100
DATE:

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PROVENCHER APARTMENTS
WINNIPEG MANITOBA

SCALE: NTS
PROJECT NUMBER: 18.60100
DATE:

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PROVENCHER APARTMENTS
WINNIPEG MANITOBA
SCALE:
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PROJECT NUMBER:
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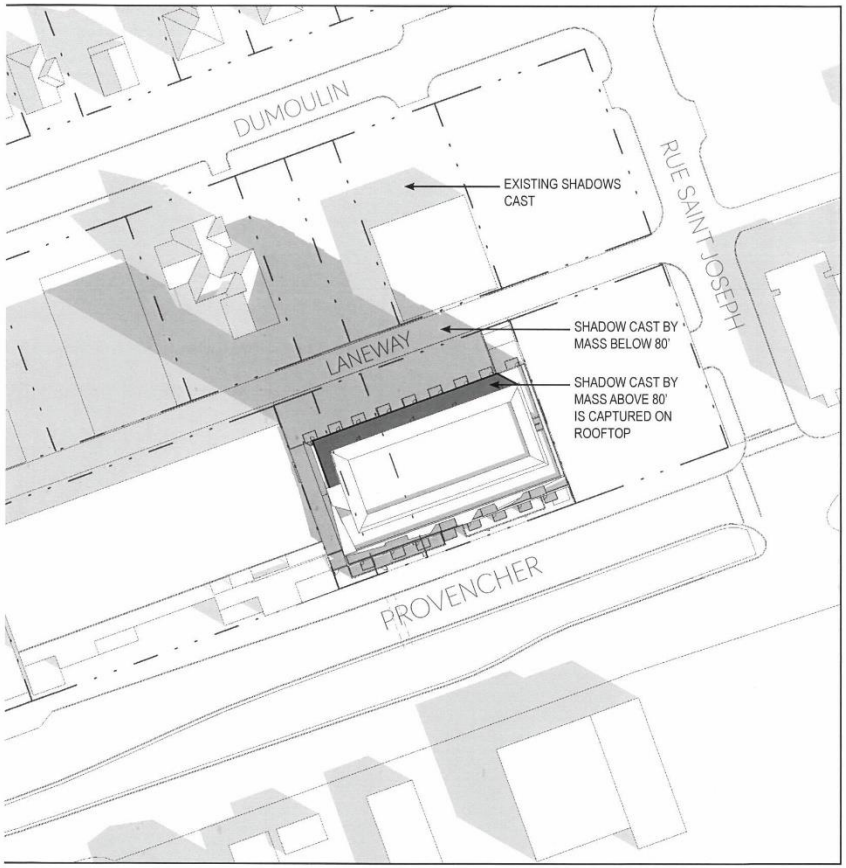

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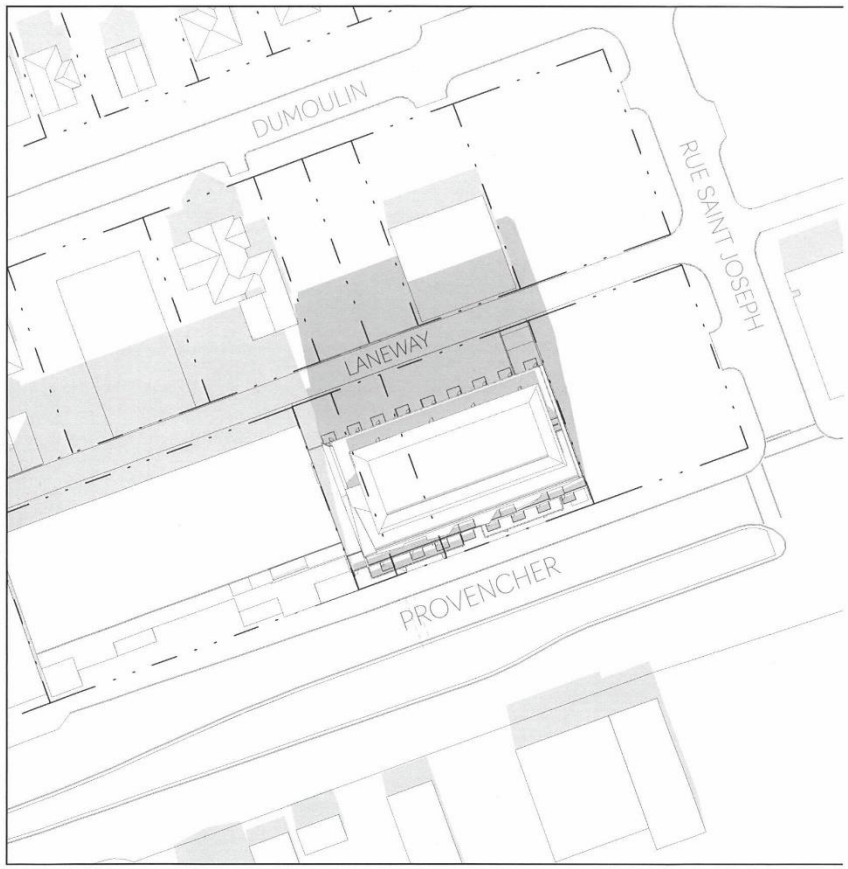

MARCH 21 - 12:00PM

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DATE: 20201206

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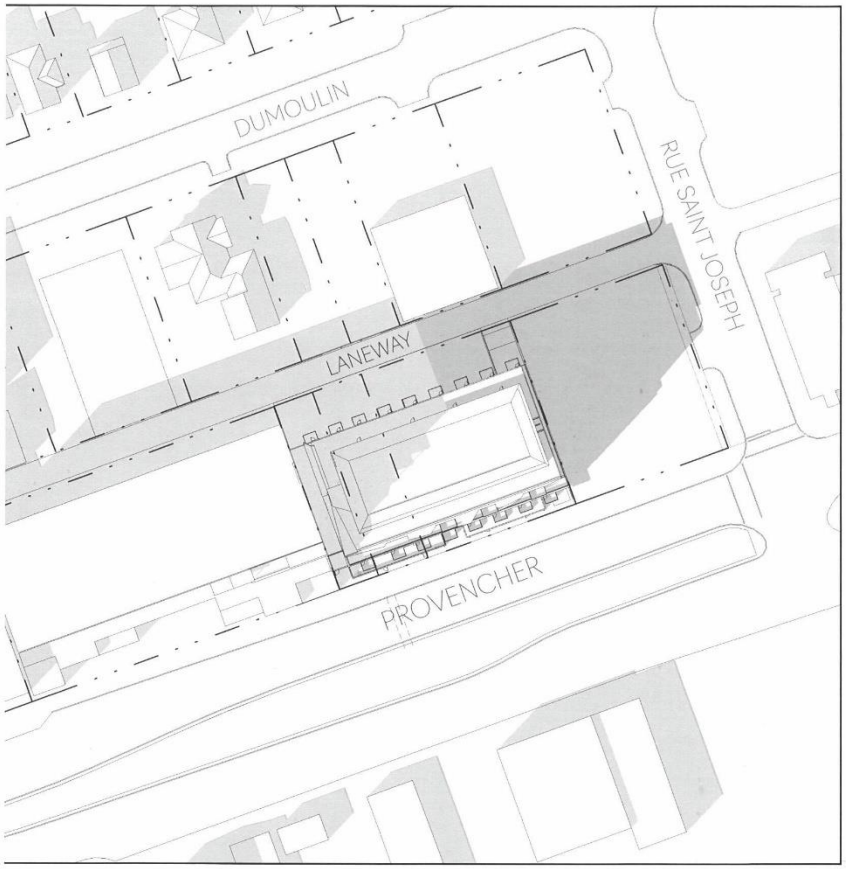

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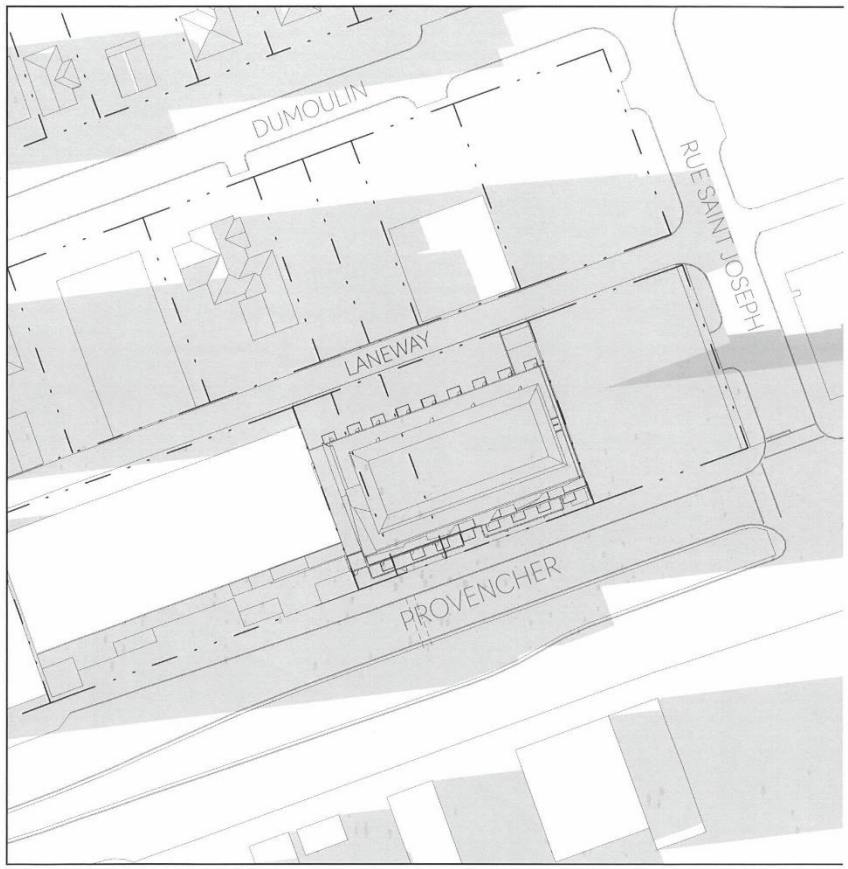

MARCH 21 - 6:00PM

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PROJECT NUMBER: 18.60100
DATE:

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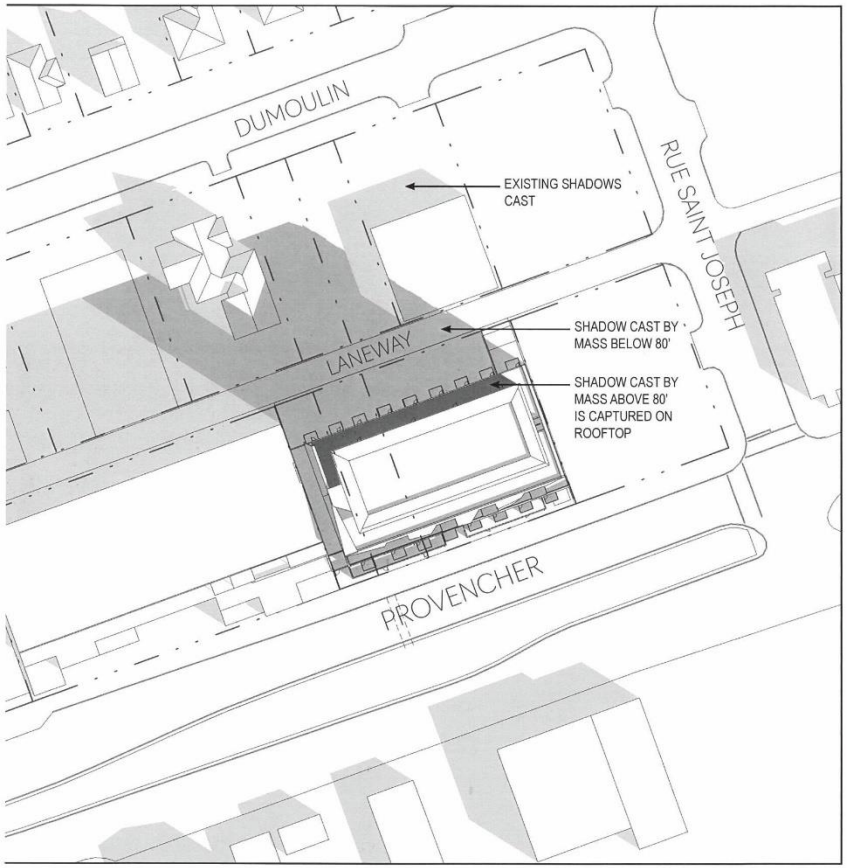

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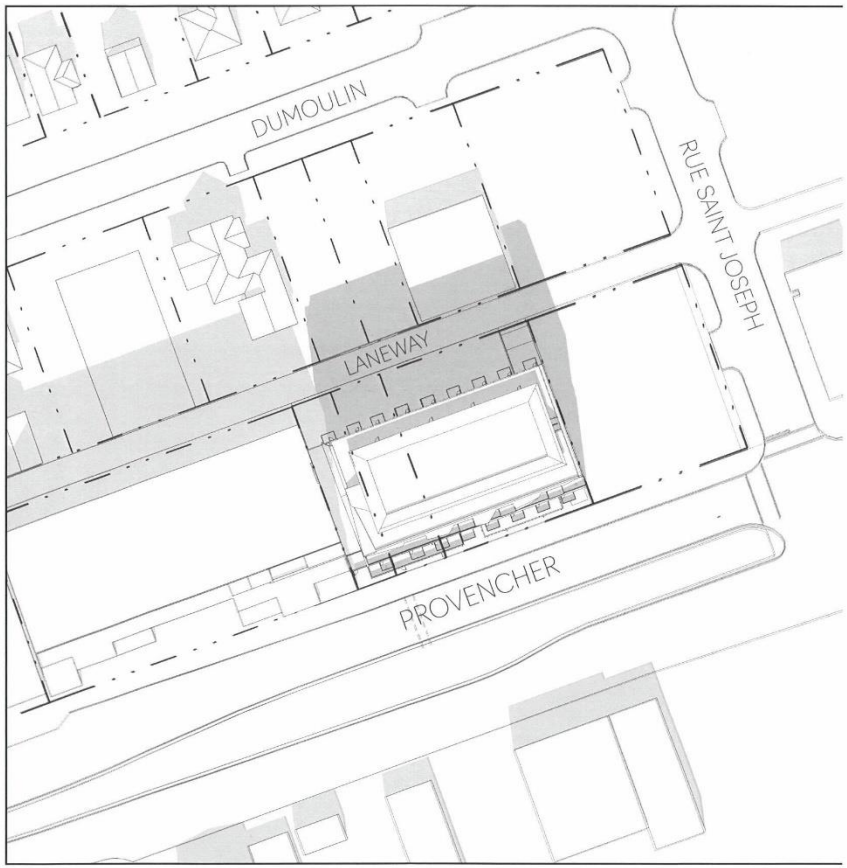

SEPTEMBER 21 - 12:00PM

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PROJECT NUMBER: 18.60100
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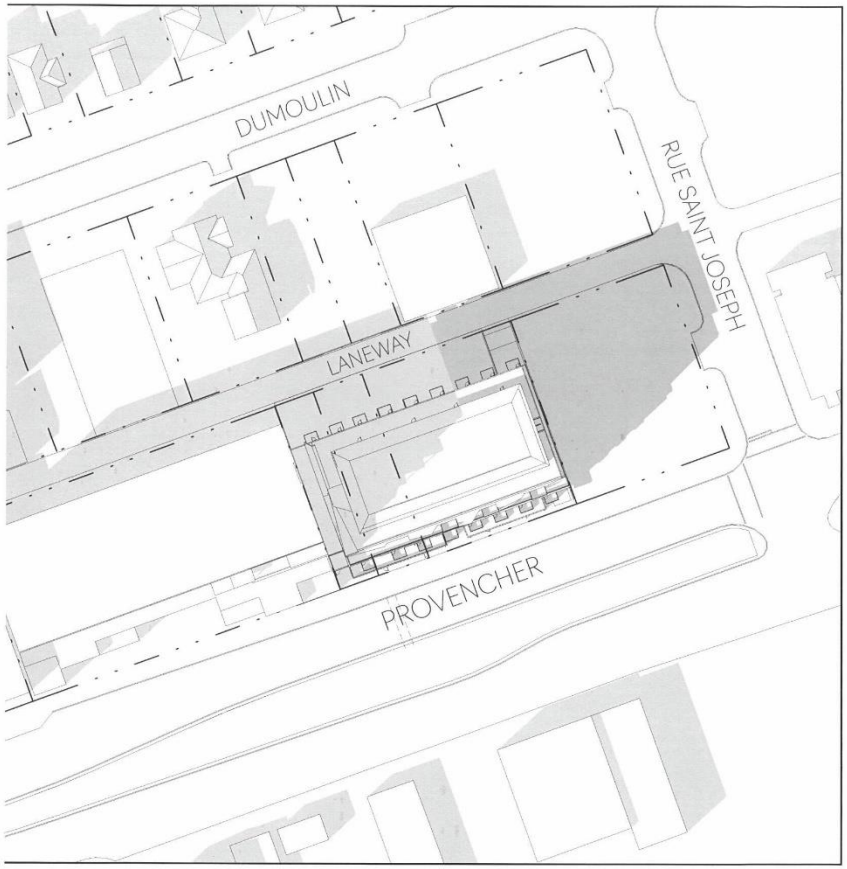

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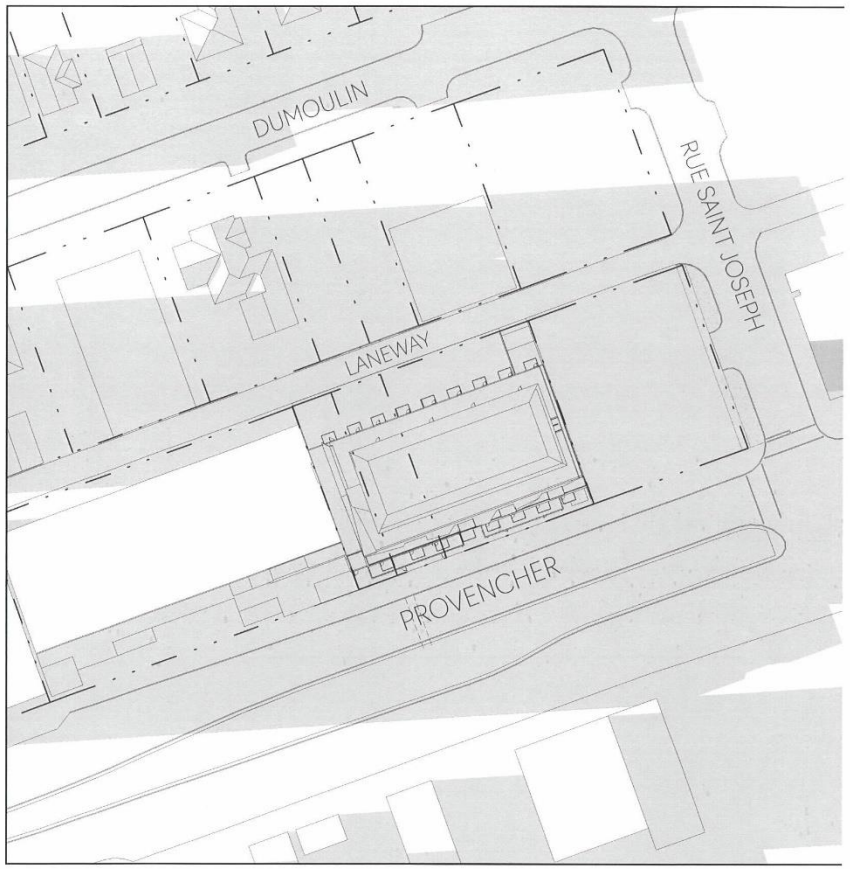

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PROVENCHER APARTMENTS
WINNIPEG MANITOBA

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PROJECT NUMBER: 18.60100
DATE:

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Level 0

PROVENCHER APARTMENTS
WINNIPEG MANITOBA

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PROJECT NUMBER: 18.60100
DATE: 20210210

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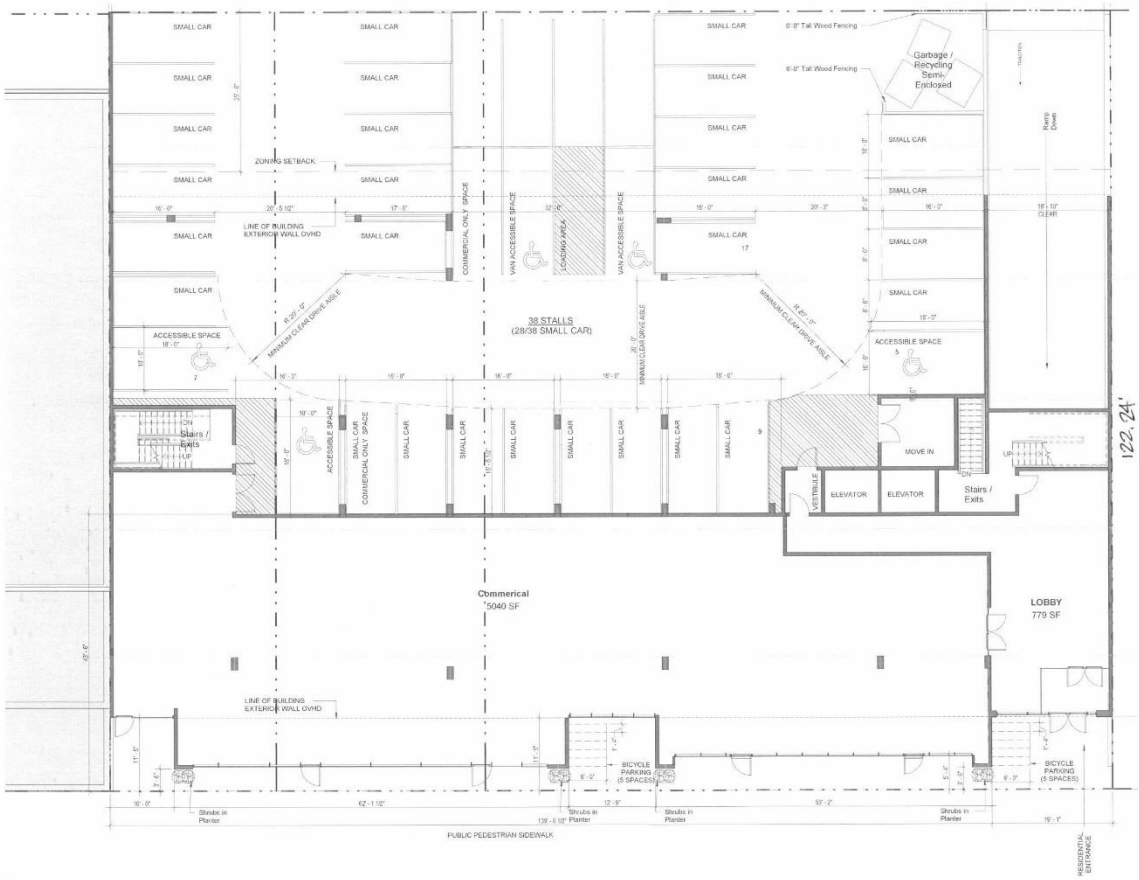

Level 1 / Site Plan

Floor Area Summary:

Level 0:	18,030sf	
Level 1:	6,228sf	
Level 2:	12,580sf	9 units
Level 3:	12,580sf	18 units
Level 4:	11,840sf	16 units
Level 5:	11,840sf	16 units
Level 6:	11,415sf	13 units
Level 7:	10,805sf	10 units
Level 8:	10,610sf	10 units
Level 9:	6,700sf	4 units
Gross 1-9:	94,598sf	96 units
Lot Area:	19,344sf	201sf/unit

PROVENCHER APARTMENTS
WINNIPEG MANITOBA

SCALE: 1/16" = 1'-0"
PROJECT NUMBER: 18.60100
DATE:

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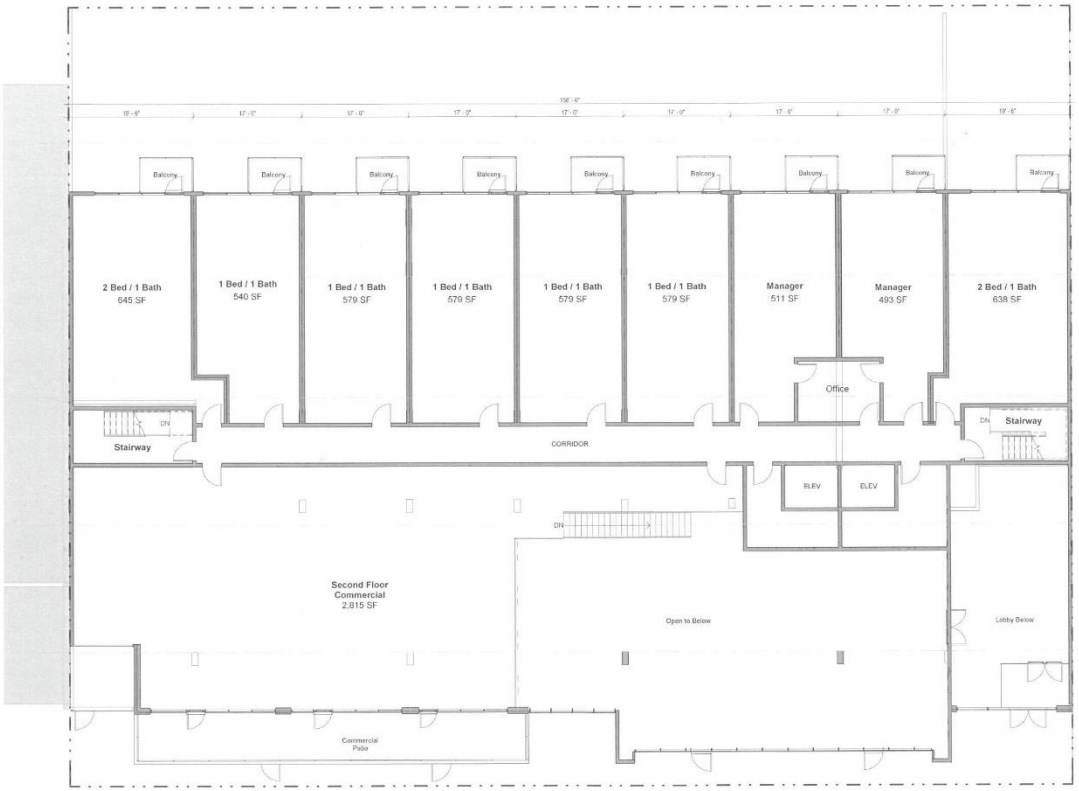

Level 2

PROVENCHER APARTMENTS
WINNIPEG MANITOBA

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PROJECT NUMBER: 18.60100
DATE: 20201022

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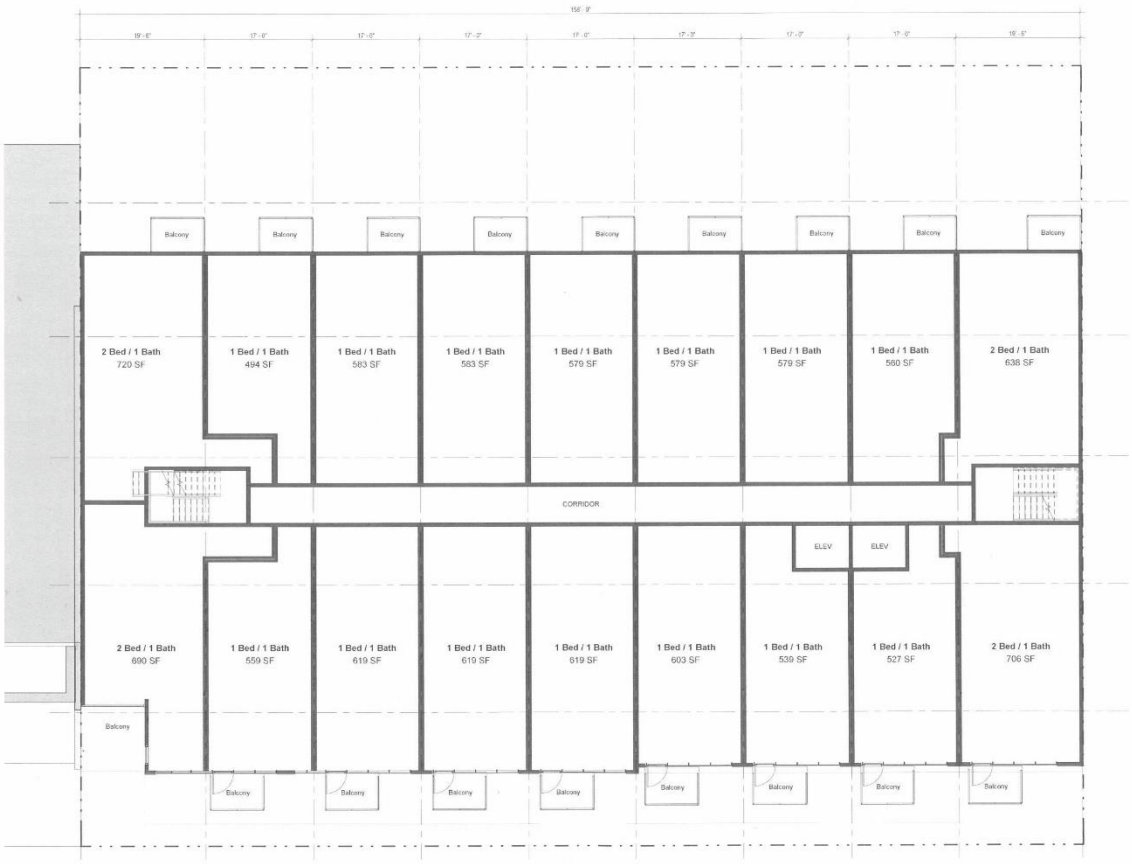

Level 3

PROVENCHER APARTMENTS
WINNIPEG MANITOBA

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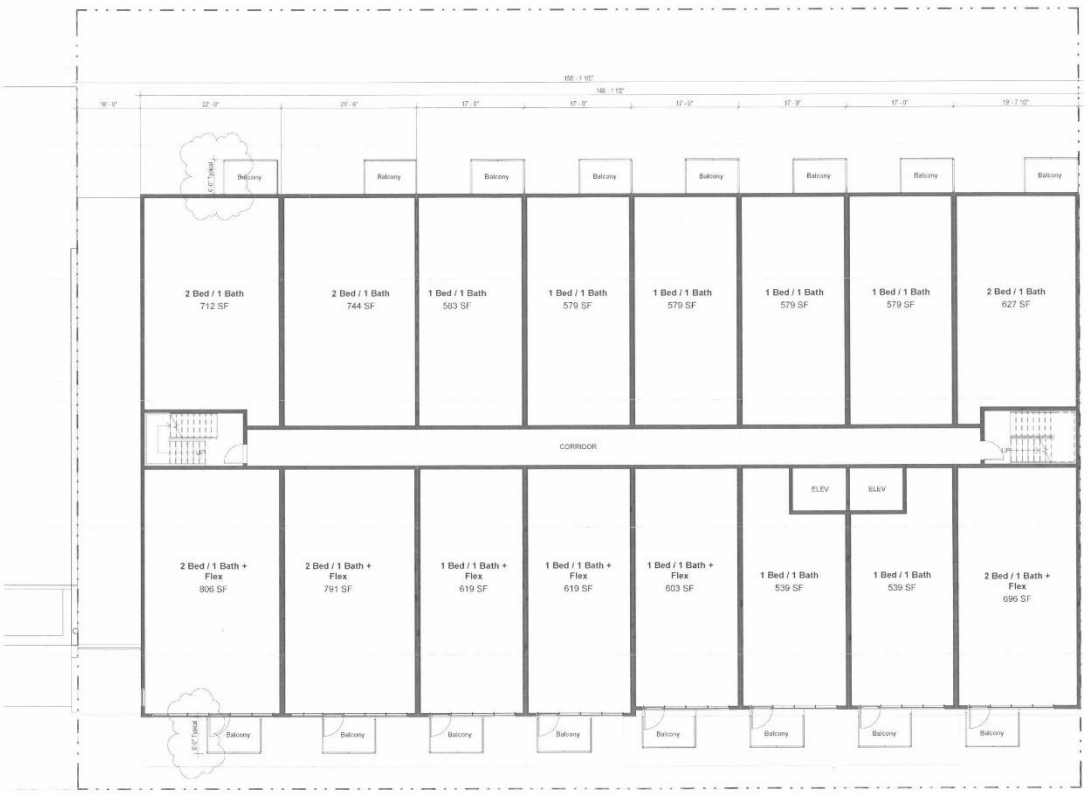

Level 4-5

PROVENCHER APARTMENTS
WINNIPEG MANITOBA

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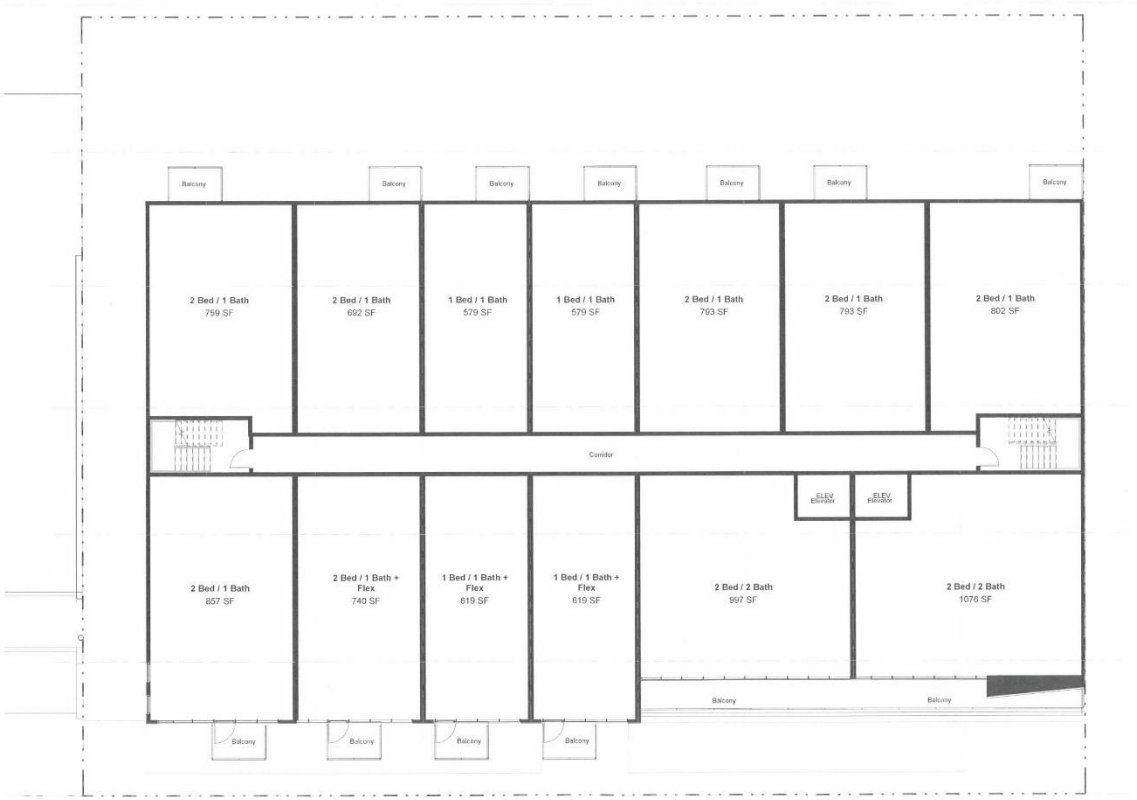

Level 6

PROVENCHER APARTMENTS
WINNIPEG MANITOBA

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PROJECT NUMBER: 18.60100
DATE: 20200211

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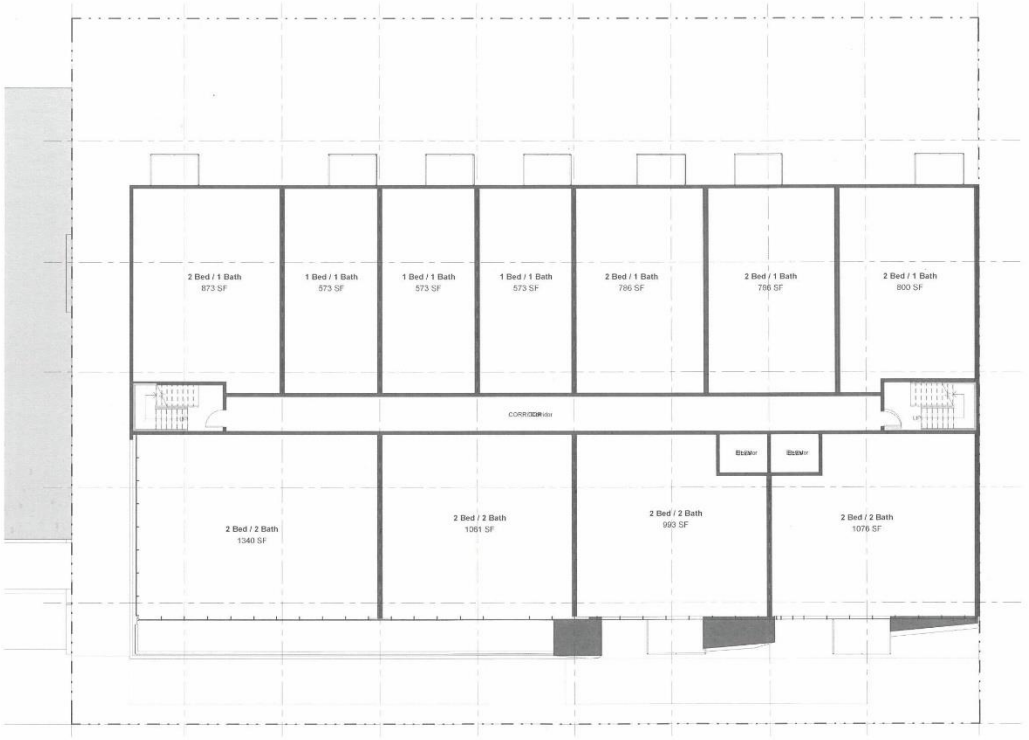

Level 7

PROVENCHER APARTMENTS
WINNIPEG MANITOBA

SCALE: 1/16" = 1'-0"
PROJECT NUMBER: 18.60100
DATE:

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Level 8

PROVENCHER APARTMENTS
WINNIPEG MANITOBA

SCALE: 1/16" = 1'-0"
PROJECT NUMBER: 18.60100
DATE:

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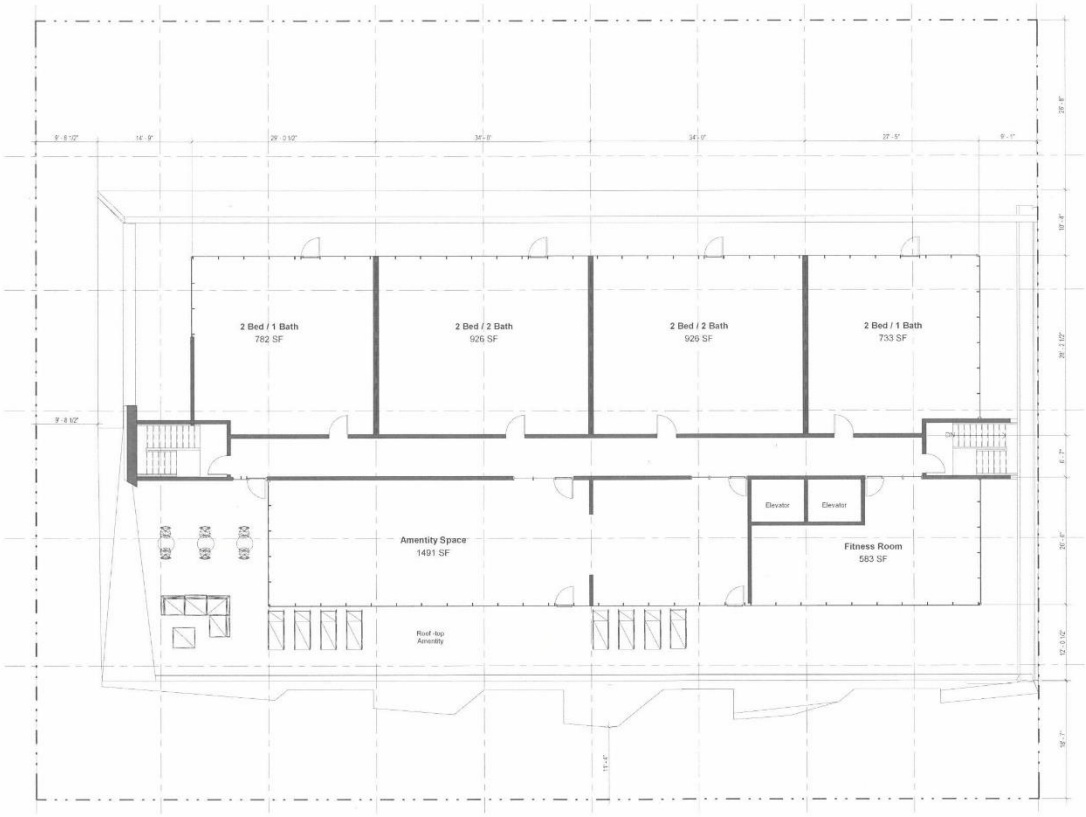

Level 9

PROVENCHER APARTMENTS
WINNIPEG MANITOBA

SCALE: 1/16" = 1'-0"
PROJECT NUMBER: 18.60100
DATE: 20200211

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View from Point A

PROVENCHER APARTMENTS
WINNIPEG MANITOBA

SCALE: NTS
PROJECT NUMBER: 18.60100
DATE:

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View from Point B

PROVENCHER APARTMENTS
WINNIPEG MANITOBA

SCALE: NTS
PROJECT NUMBER: 18.60100
DATE: 20181204

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