Minute No. 238
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 7, 2022

Item No. 5 Subdivision and Rezoning – 175 Aubert Street
(St. Boniface Ward)
File DASZ 35/2021 [c/r DAV 186611/2021D]

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and adopted the following:

1. That the plan of subdivision under Development Application No. DASZ 35/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated December 15, 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, subject to the following:

    A. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated December 6, 2021 and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "RMF-L" Residential Multi-Family Large District as shown on the map dated December 15, 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 excluding projections permitted under the Zoning By-Law, the maximum building height on the subject property must not exceed 55 feet.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 7, 2022

COUNCIL DECISION (continued):

iii. That five of the residential units will be 'barrier-free ready' and visitable, including wide doorways, hallways and washrooms to accommodate wheelchairs, grab-bar ready walls, and electrical switches and controls at easy-reach height.

iv. That a roof top garden shall be provided to the satisfaction of the Director of Planning, Property, and Development.

v. That a minimum of eight trees shall be provided to the satisfaction of the Director of Planning, Property, and Development.

vi. That a minimum of 39 bicycle parking stalls, including 12 enclosed stalls, shall be provided to the satisfaction of the Director of Planning, Property, and Development.

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

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

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

4. That 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 35/2021, as determined by the City's Director of Planning, Property and Development.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 7, 2022

COUNCIL DECISION (continued):

6. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the plan of subdivision (the "Plan") as prepared by the Manitoba Land Surveyor in accordance with Recommendation 1 is not submitted to the City for preparation of a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the Developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

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

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

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

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

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

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 7, 2022

DECISION MAKING HISTORY:

Moved by Councillor Gilroy,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 16, 2022, 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 February 7, 2022, 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 January 26, 2022, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- In Recommendation 2.A., add the following new conditions:

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

    iii. That five of the residential units will be 'barrier-free ready' and visitable, including wide doorways, hallways and washrooms to accommodate wheelchairs, grab-bar ready walls, and electrical switches and controls at easy-reach height.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 7, 2022

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

iv. That a roof top garden shall be provided to the satisfaction of the Director of Planning, Property, and Development.

v. That a minimum of eight trees shall be provided to the satisfaction of the Director of Planning, Property, and Development.

vi. That a minimum of 39 bicycle parking stalls, including 12 enclosed stalls, shall be provided to the satisfaction of the Director of Planning, Property, and Development."

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

On January 5, 2022, the Riel Community Committee adjourned the hearing to its meeting on January 26, 2022 at 10:30 a.m. in the Council Building at 510 Main Street.

PUBLIC HEARING SUMMARY

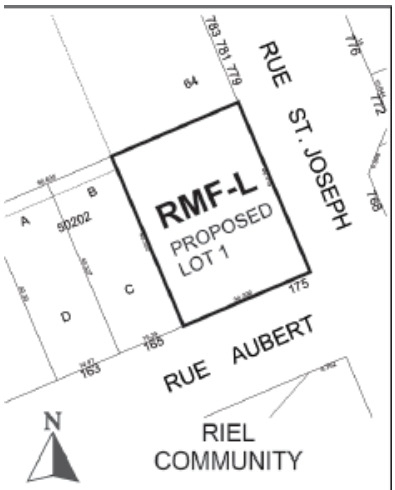
File: DASZ 35/2021

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

Public Hearing: January 26, 2022
January 5, 2022
Council Building, 510 Main Street

Applicant: 2 Architecture Inc. (Andre Silva)

Subject:



APPLICANT : 2 Architecture Inc. (Andre Silva)
FILE : DASZ 35/2021
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 an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to facilitate the consolidation of lands for the construction of a multi-family dwelling use. **For information, phone E. Finnigan, Planner at 204-986-8602.**
DEMANDEUR : 2 Architecture Inc. (Andre Silva)
N° DE DOSSIER : DALZ 35/2021
PROJET : Demande d'approbation par le conseil municipal 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 modifier le zonage des sols délinéés ci-dessus de sorte qu'ils passent de la catégorie R2 (secteur d'habitations bifamiliales) à la catégorie RMF-L (secteur de grandes habitations multifamiliales) en vue de faciliter le remembrement des terres et de permettre la construction d'une habitation multifamiliale. **Pour obtenir des renseignements, veuillez appeler E. Finnigan, urbaniste, au 204-986-8602.**

Premises Affected: 175 Aubert Street

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: January 27, 2022

Community Committee Recommendation:

On January 26, 2022, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, ***as amended,*** and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the plan of subdivision under Development Application No. DASZ 35/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated December 15, 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, subject to the following:

    A. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated December 6, 2021 and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land to a "RMF-L" Residential Multi-Family Large District as shown on the map dated December 15, 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 excluding projections permitted under the Zoning By-Law, the maximum building height on the subject property must not exceed 55 feet.

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

        iii. That five of the residential units will be 'barrier-free ready' and visitable, including wide doorways, hallways and washrooms to accommodate wheelchairs, grab-bar ready walls, and electrical switches and controls at easy-reach height.

iv. That a roof top garden shall be provided to the satisfaction of the Director of Planning, Property, and Development.

v. That a minimum of eight trees shall be provided to the satisfaction of the Director of Planning, Property, and Development.

vi. That a minimum of 39 bicycle parking stalls, including 12 enclosed stalls, shall be provided to the satisfaction of the Director of Planning, Property, and Development.

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

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

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

4. That 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 35/2021, as determined by the City's Director of Planning, Property and Development.

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

6. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the plan of subdivision (the "Plan") as prepared by the Manitoba Land Surveyor in accordance with Recommendation 1 is not submitted to the City for preparation of a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the Developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

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

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

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

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

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

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

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

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

1. This is an exciting development for North St. Boniface. Its in-line with the North St. Boniface Secondary Plan. It provides a number of new public amenities, including eight new trees, a car-share for the neighbourhood, a progressive feature with a roof-top garden, several bike parking stalls.

2. I like the addition through conversations with Councillor Chambers to impose the barrier-free suites. We've heard about accessibility in other public hearings, and this is a way that we can guarantee that some of these suites will be accessible.

3. Having been a resident of North St. Boniface for some time, I know how great a location it is in terms of its proximity to downtown. I think this is going to make a beautiful addition to the neighbourhood where currently we have a vacant lot, and its going to be a new, beautiful building with all those public amenities I just mentioned and five barrier-free suites.

4. I had mentioned in these supporting comments that there would be eight new trees, but with the one million tree challenge, its nice to be able to impose new trees in new developments as we aim to reach those one million trees.

5. Those are my supporting reasons, other than the speech that I've made maybe 100 times about infill and densification, and the benefits to the city's sustainability, economic and environmental.

Exhibits Filed:

1. Application dated September 22, 2021
2. Notification of Public Hearing dated November 10, 2021
3. Manitoba Status of Title 3098079/1
4. Letter of authorization dated May 11, 2021 from Nathan Dyck, James Martin and Chris Dyck to 2 Architecture Inc. (Andre Silva)
5. Surveyor's Building Location Certificate and sketch dated January 20, 2021
6. Consolidation Sketch
7. Plans (6 pages)
8. Report from the Urban Planning Division dated December 15, 2021
9. Revised Application dated December 17, 2021 with colour elevation
10. Inspection Report
11. Communication dated January 2, 2022 from Brenda Hildebrand in opposition to the application
12. Communication dated January 3, 2022 from Joseph Constant, Old St. Boniface Residents' Association, in support of the application
13. Communication dated December 30, 2021 from Sohan Jammu in support of the application
14. Presentation titled "175 Aubert Presentation", in support of application submitted by the Applicant at the public hearing
15. Notice of Adjournment dated January 5, 2022
16. Communication dated January 19, 2022, from Joseph Constant, Old St. Boniface Residents' Association, in support of the application

REPRESENTATIONS:

In Support:

Andre Silva
James Martin
Joseph Constant
Nathan Dyck
Sohan Jammu
Tiffany Leong

In Opposition:

Ben McGillivary
Brenda Hildebrand

REPRESENTATIONS (continued):

For Information:

Nil

For the City:

D. Iskierski, 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 "8" referred to in File DASZ 35/2021

ADMINISTRATIVE REPORT

Title: DASZ 35/2021 – 175 Aubert Street

Issue: An application for consideration at the Public Hearing to consolidate two part lots and rezone from 'R2' (Residential Two-Family) to 'RMF-L' (Residential Multi-Family Large) for the construction of a residential multi-family 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

1. That the plan of subdivision under Development Application No. DASZ 35/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated December 15, 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, subject to the following:

   A. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated December 6, 2021 and attached as Schedule "B" to this report.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land to a "RMF-L" Residential Multi-Family Large District as shown on the map dated December 15, 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, excluding projections permitted under the Zoning By-Law, the maximum building height on the subject property must not exceed 55 feet.

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

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

   B. a Zoning Agreement in accordance with recommendation 2,

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

4. That, 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 35/2021, as determined by the City's Director of Planning, Property and Development.

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

6. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the plan of subdivision (the "Plan") as prepared by the Manitoba Land Surveyor in accordance with Recommendation 1 is not submitted to the City for preparation of a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

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

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

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

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

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

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

REASON FOR THE REPORT

- The applicant is proposing to consolidate two part lots and rezone from ‘R2’ (Residential Two-Family) to ‘RMF-L’ (Residential Multi-Family Large) for the construction of a residential multi-family 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

01-1a OurWinnipeg's Approach to City Building

- **Direction 3: Promote compact urban form and manage the extension of municipal services for new growth:**
    - Enable the intensification of land-uses through the development application process only when a full range of municipal services is provided.
    - 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 City Areas – Areas of Stability

- **Key Direction:** Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

- **Key Direction 4.2:** 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:	December 15, 2021
File No.	DASZ 35/2021

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule "A" — Recommended File No. DASZ 35/2021 Riel Community Committee, dated December 15, 2021
3. Schedule "B" — Report of the Administrative Working Group – December 6, 2021
4. Appendix B — Plan Approval Design Guidelines

APPENDIX 'A'

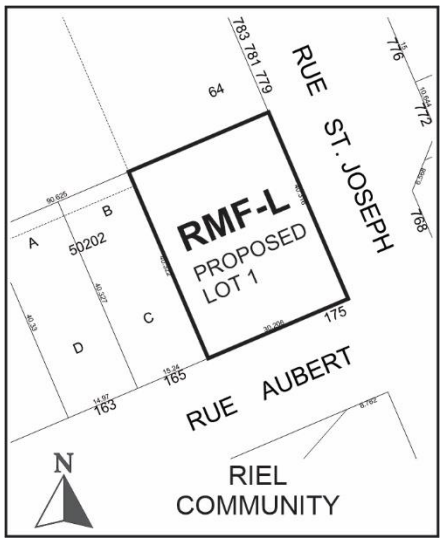
DATE: December 15th, 2021

FILE: **DASZ 35/2021**
RELATED FILES: DAV 21-186611\D

COMMUNITY: Riel
NEIGHBOURHOOD #: 5.501 – North St. Boniface neighbourhood

SUBJECT: An application to consolidate two part lots and rezone to 'RMF-L' (Residential Multi-Family Large) for the construction of a residential multi-family building.

LOCATION: 175 Aubert (see map below)



APPLICANT: Andre Silva (2 Architecture Inc.)
213 Notre Dame Ave Unit 1006
Winnipeg, MB R3B 1N3

OWNER: 10080498 MANITOBA LTD
25 Christie Rd
Winnipeg, MB R2N 4A4

RECOMMENDATION: Approval with Conditions

SITE DESCRIPTION

- The subject property is located on the northwest corner of rue Aubert and rue St. Joseph in the North St. Boniface neighbourhood of the St Boniface ward.
- The site is comprised of two (2) part lots.
- The subject site is **approximately 13,110** square feet in area and is currently vacant land.
- The site is located within the High Density Residential Policy Area under the North St. Boniface Secondary Plan.
- The subject property is zoned Residential Two-Family ('R2') and is located within the Areas of Stability – Mature Communities Policy Area under the *Complete Communities Direction Strategy*.



Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2021)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Row housing zoned Residential Multi-Family Medium (RMF-M); then rue Grandin;

South: Rue Aubert; then a vehicle repair business and vacant land zoned Residential Two-Family (R2).

East: Rue St. Joseph; then single-family homes zoned Residential Single-Family Medium (R1-M)

West: Single-family homes zoned Residential Two-Family (R2); then a 20 unit multi-family building zoned Residential Multi-Family Large (RMF-L).

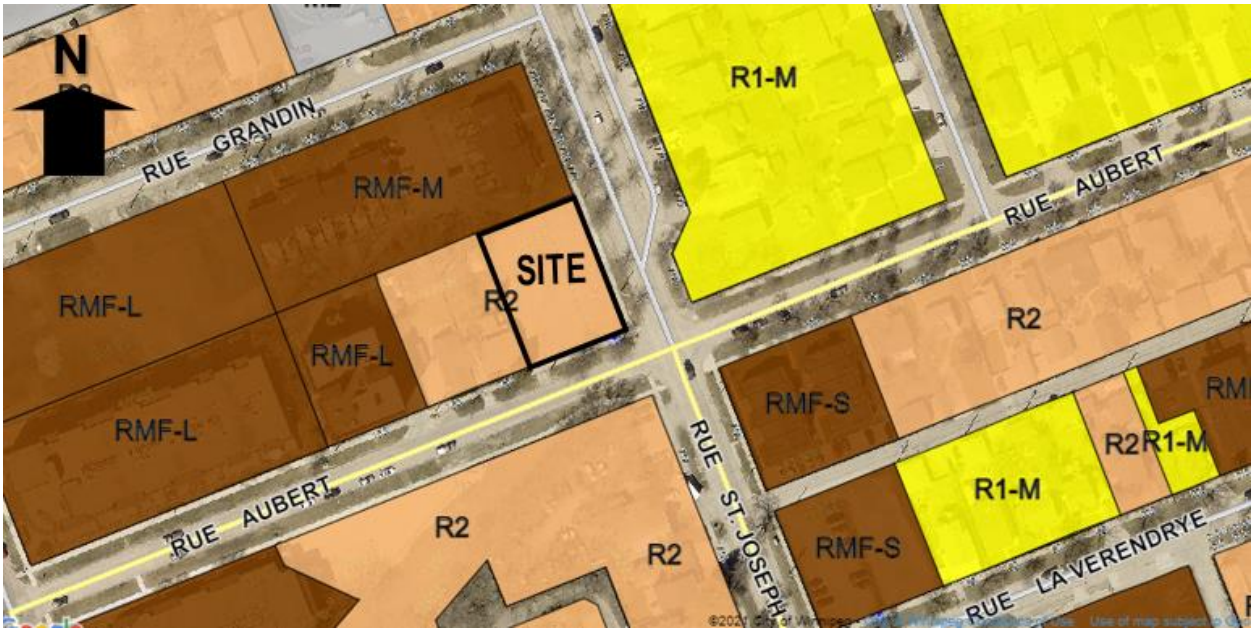


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to consolidate two existing part lots and rezone from 'R2' (Residential Two-Family) to 'RMF-L' (Residential Multi-Family Large) for the purposes of constructing a 4-storey multi-family residential building encompassing 32 units.
- A total of 27 parking stalls will be provided and located below grade under the building.
- As part of the 27 parking stalls, there will be 2 accessible parking stalls, 1 van accessible parking stall, and 5 small car parking stalls.
- Vehicular access to the property is proposed by way of an approach located at the south west corner of the building off of Aubert Street.
- Twelve bicycle parking stalls will be provided at-grade at the northwest corner of the site. Wall mounted bicycle storage racks are proposed in each parking stall with the exception of the two accessible parking stalls.
- The garbage and recycling bins will be located in the underground parking area.
- The proposed development requires variances for yard setbacks, parking, visitor parking, lot area, parking stall dimensions, as well as insufficient landscaping (see associated variance application DAV 21-186611\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 meeting in November 2019 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 held a virtual open house on March 31st, 2021 via Zoom. In advance of the open house on March 24th and 25th, a flyer describing the project and advertising the open house was distributed to all addresses within a 650 foot radius of the site. Twelve people attended the event. The applicant indicates the comments received were generally focused on the setbacks, the location of the approach and garbage collection, the height, the parking, as well as suggestions regarding sustainable/green building techniques.
- In advance of the public hearing on December 27th and 28th, the applicant noted they intend to distribute a follow-up information flyer in both French and English to residents including the final drawings for the project.

ANALYSIS AND ISSUES

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 High Density Residential Policy Area. The objectives of this policy area are:

  1) To continue to provide a range of housing options with a focus on meeting multi-family housing needs;

  2) To ensure the design of all buildings reinforces and contributes to a strong residential streetscape character and pedestrian environment; and

  3) To ensure the design of all buildings reinforces the relationship between the buildings and the street and contributes to the activity and vitality at the ground level facing the street.

- The policies guiding development within the High Density Residential Policy Area include:

  3.3.2.1 Single-family dwellings are permitted.

  3.3.2.2 Two-family and multi-family uses will be encouraged where there is a back lane.

  3.3.2.3 Where a property is not a corner lot or does not have access to a back lane, residential multi-family uses shall only be considered where the property is at least 9,000 square feet in area.

  3.3.2.4 New commercial uses will only be permitted along avenue Taché and rue St. Joseph when part of a residential-commercial mixed use building.

  3.3.2.5 New standalone commercial development is not permitted. Applications for rezoning, subdivision, conditional use, variance, consent to registration or filing of a conveyance associated with new standalone commercial development shall be refused as per the City of Winnipeg Charter.

  3.3.2.6. Parking areas shall not be established in the front yard of residential multi-family or mixed-use buildings.

  3.3.2.7. All development applications for residential multi-family uses that seek to reduce the parking standards shall provide an analysis of how their project will minimize its impact of on-street parking capacity within the immediate area.

  3.3.2.8 New industrial uses or the expansion of existing industrial uses shall not be permitted.

  3.3.2.9 With the exception of structured parking, new private motor vehicle related uses or the expansion of existing private motor vehicle related uses shall not be permitted.

  3.3.2.10 The minimum lot area per dwelling unit for a multi-family residential development within the High Density Residential Policy Area should not be less than 400 square feet.

- This proposal meets all of the objectives and policies guiding development in the High Density Residential Policy Area.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

ZONING

- Currently, the lands are zoned Residential Two-Family (‘R2’). The ‘R2’ zone is primarily intended to accommodate the development of single- and two-family units.
- The applicant is proposing to rezone the property to ‘RMF-L’ – Residential Multi-Family Large in order to permit a lot area per dwelling unit of 409 square feet which is required for the proposed 4-storey, 32 unit multi-family residential development. The dimensional standards for multi-family structures in the ‘RMF-L’ zone are: a minimum front yard of 25 feet; a minimum rear yard of 25 feet; a minimum interior side yard of 8 feet (where the building is more than one storey in height the required interior side yard increases by 2 feet for each storey above the ground floor to a maximum of 20 feet), a minimum corner side

yard of 20 feet and, a maximum building height of 150 feet. The minimum lot area is 20,000 square feet and the minimum lot area per dwelling unit is 400 square feet.

CONSISTENCY WITH THE NORTH ST. BONIFACE SECONDARY PLAN AND COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The proposed multi-family residential development fits well within the immediate context of the surrounding neighbourhood which is characterized by a mix of multi-family, single family, and two family land uses. The property is a large corner lot with frontage on rue St. Joseph.
- The proposed development is consistent with the objectives and policies directing development under High Density Residential Policy Area of the *North St. Boniface Secondary Plan*. More specifically:
    - The proposal to construct a multi-family residential building with a lot area per dwelling unit of 409 square feet on a large corner lot aligns completely with the objectives of the High Density Policy area as well as the overall vision of the secondary plan. Introducing multi-family housing at this location contributes to the range of housing options available to residents. It also helps to support the vision for a thriving boulevard Provencher introducing more people to patronize local businesses and services along the boulevard. The additional density will also help introduce more people to utilize existing community amenities in the neighbourhood such as libraries and park space.
    - The applicant has worked closely with the Urban Planning Division to develop a proposal that is complementary to the existing scale, character and built form of the area as well as the design objectives included in the secondary plan. More specifically, the building and site design encompass the following considerations:
        - the building is sited close to the sidewalk along rue St. Joseph and rue Aubert with residential units at-grade as well as an attractive landscaping design which helps to support a more pedestrian-oriented, active street edge;
        - the ground floor units along rue St. Joseph include individual, private front entries and landscaped yards which is characteristic of the single-family homes along the street and helps to encourage interaction with the community and create a stronger connection to the street;
        - the parking area is located under the building concealed from street view;
        - 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 streetedge along rue St. Joseph and rue Aubert.
    - The proposal helps the community context by transitioning out unsightly vacant land.
    - The proposed development also meets the secondary plan objectives of promoting sustainable development which is designed to minimize the spatial use of land.

RECOMMENDED ZONING AGREEMENT

Height

To limit the potential shadowing of the neighbouring properties by the proposed development and recognizing the maximum building height permitted in the 'RMF-L' zone is 150 feet, the Public Service is recommending that the maximum height of any building on the site be restricted to 55 feet.

Plan Approval

Normally the Division would recommend that plan approval be included in the zoning agreement. However, design review is required for all development in the North St. Boniface Secondary Plan area, therefore the Urban Planning Division does not need to include a plan approval with this application. Recommended design guidelines for approval are included in Appendix B to assist in the plan package evaluation.

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.*

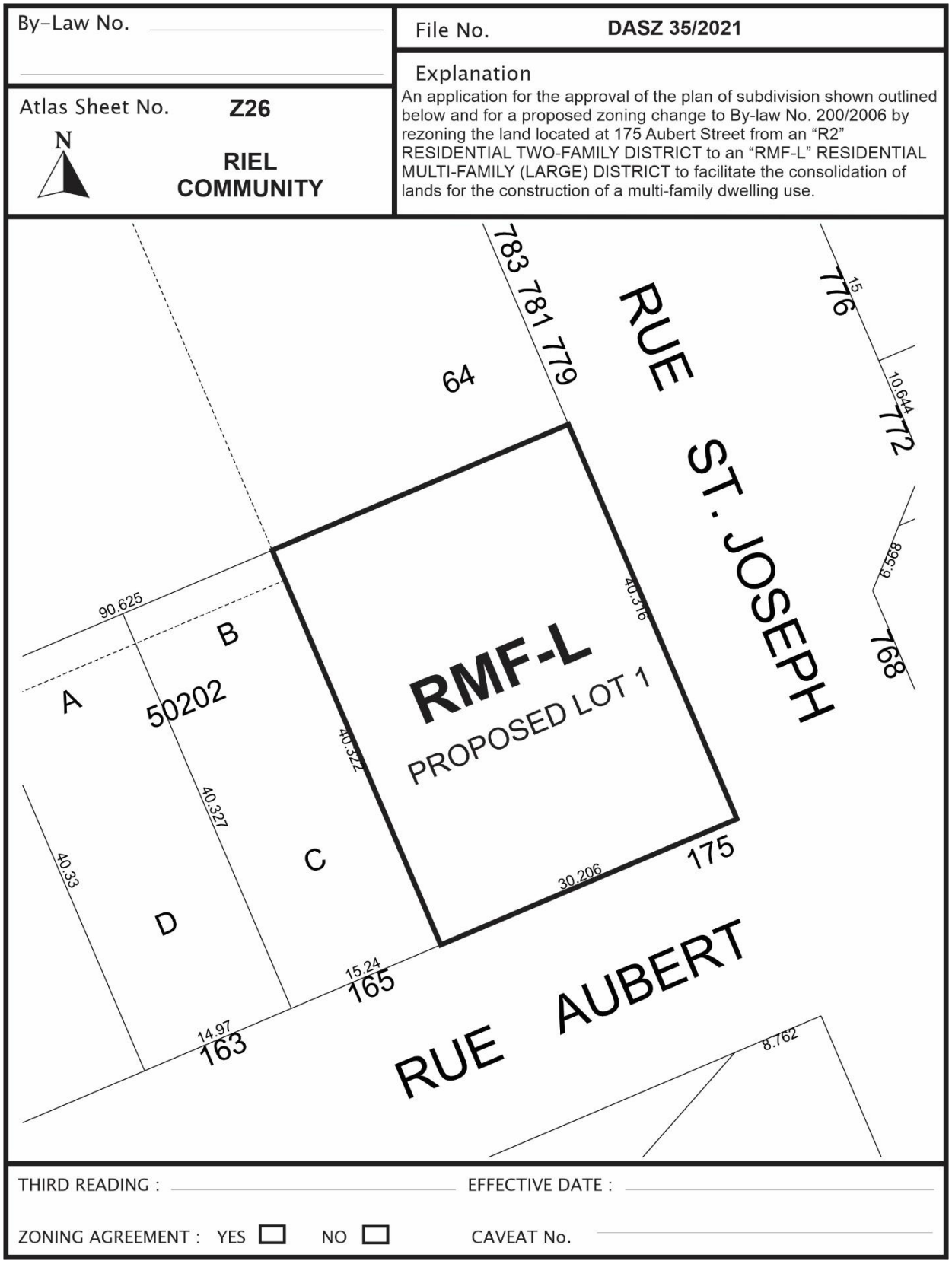
RECOMMENDATION

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

- The proposed development is consistent with the policies of the North St. Boniface Secondary Plan;
- The proposed development is located in the High Density Residential Policy Area, where high density residential developments are encouraged; and
- The proposed project incorporates all of the design elements envisaged for infill development in the High Density Residential Policy Area.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division
Report Prepared By: Elise Finnigan, MA Planning
PPD File # DASZ 35/2021

Schedule "A" for File No. DASZ 35/2021, Riel Community Committee, dated December 15, 2021



SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 175 AUBERT STREET

It is recommended that approval of DASZ 35/2021, if granted, be subject to the applicant addressing the following and entering into a Servicing Agreement containing the following conditions:

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.

2) The Public Works Department has advised that existing private approach is non-conforming under the Private Access By-law, as it is located less than 3.0m from the adjacent lot line. The Department does not have record of approval for the existing approach.

3) Private approaches require separate application to the Public Works Department, however the Department does not have authority to approve non-conforming private approaches. The private approach application will need to be reviewed by the Standing Policy Committee on Infrastructure, Renewal and Public Works.

   Please contact Public Works at PWDPrivateAccess@winnipeg.ca to discuss further.

4) The Public Works Department has also noted that there is a hydro pole in the vicinity of the private approach. The narrow approach and small radius near the hydro pole will not accommodate bi-directional traffic. The Developer should coordinate with Manitoba Hydro to determine if the pole can be relocated to accommodate the private approach.

5) Please note that the Developer shall be required to preserve and protect all existing trees within City-owned lands (including rights-of-way), and the Developer shall be required to compensate the City for any damage or removal thereof, as determined by Director of Public Works. Additional information can be found here:

   https://winnipeg.ca/publicworks/parksOpenSpace/UrbanForestry/PDF/Tree_Removal_Guidelines.pdf

Section II - Servicing Conditions

1) Combined Sewer District

a. The Water and Waste Department's preliminary analysis indicates that the increase in wastewater to the fronting combined sewer system servicing the Planned Area would not be in compliance with Clause 8 of the City's Environment Act Licence No. 3042.

b. The applicant shall, at no expense to the City, redirect an existing catch basin connected to the combined sewer to a land drainage sewer in order to offset the increase in wastewater from the proposed development, as determined by and to the satisfaction of the Director of Water and Waste.

2) Construction Traffic

a. The Developer shall, at no expense whatsoever to the City, ensure that construction traffic uses access routes determined by the Director of Public Works.

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

3) Litter and Refuse Control and Clean-Up

a. The Developer shall, at no expense whatsoever 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.

4) 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 restored as required 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. Where the Director of Planning, Property and Development determines that all the survey monuments within the Planned Area have been found or restored to their original positions, the Director of Planning, Property and Development may waive the requirements for Plan of Survey Perpetuating Certain Monuments under clause (a).

Section III – Costs and Fees

1) By-laws and Approvals

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

2) Professional Fees

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

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

3) Administration Fees

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

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 35/2021
December 6, 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

APPENDIX 'B' Design Guidelines

Design Review Guidelines for DASZ 35/2021 – 175 Aubert Street

1. Site Planning

1.1 The site layout and building orientation should ensure that the building relates appropriately to the street and surrounding developments and creates a cohesive visual identity for the neighbourhood.

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

1.3 Parking areas should be completely screened from view of the street.

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

2. Building Orientation and Design

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

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

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

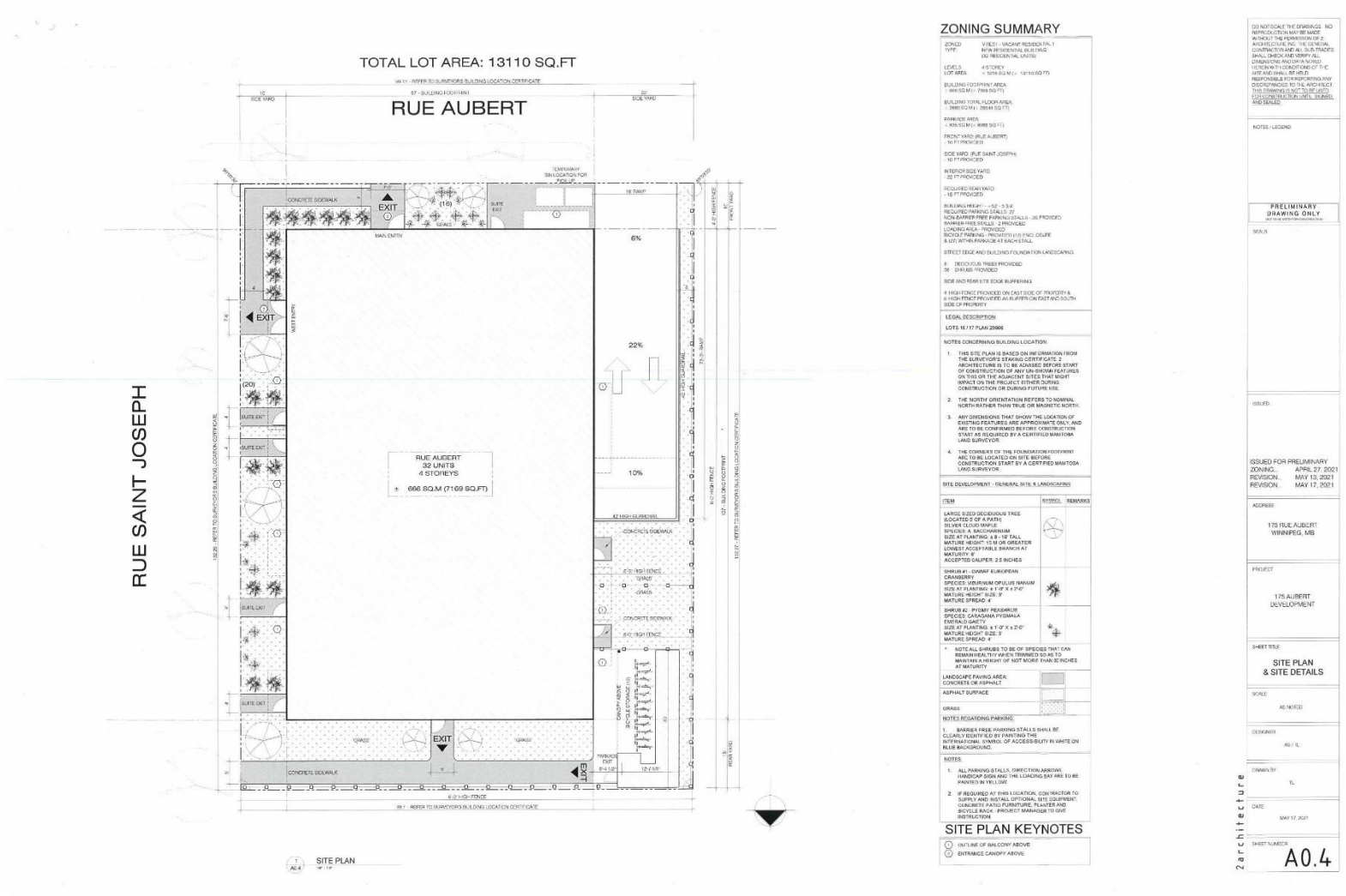
2.4 Ground floor residential units facing the street should include individual, private front entries and private amenity space (i.e., patios, terraces, etc) to help encourage a stronger connection with the street.

3. Landscaping

3.1 Landscaping shall be provided to enhance the overall development in key areas such as the development perimeter, corners, common areas, areas along pathways, and entryways.

3.2 High-quality landscaping is required along the street front (i.e., along rue St. Joseph and rue Aubert) as well as within the rear yard of the development.

Exhibit "7" referred to in File DASZ 35/2021




1 PARKING FLOOR PLAN
A1.0
2 MAIN FLOOR PLAN
A1.0
PRELIMINARY DRAWING ONLY
ISSUED FOR PRELIMINARY ZONING... APRIL 27, 2021
REVISION ... MAY 13, 2021
REVISION ... MAY 17, 2021
175 RUE AUBERT WINNIPEG, MB
175 AUBERT DEVELOPMENT
PARKING & MAIN FLOOR PLANS
AS NOTED
JULY 23, 2021
A1.0
2architecture



DO NOT SCALE THE DRAWINGS. NO REPRODUCTION MAY BE MADE WITHOUT THE PERMISSION OF 2 ARCHITECTURE INC. THE GENERAL CONTRACTOR AND ALL SUB-TRADES SHALL CHECK AND VERIFY ALL DIMENSIONS AND DATA NOTED HEREIN WITH CONDITIONS OF THE SITE AND SHALL BE HELD RESPONSIBLE FOR REPORTING ANY DISCREPANCIES TO THE ARCHITECT. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED AND SEALED.

NOTES / LEGEND

PRELIMINARY DRAWING ONLY
NOT FOR CONSTRUCTION

SEALS

ISSUED

ISSUED FOR PRELIMINARY ZONING... APRIL 27, 2021
REVISION... MAY 13, 2021
REVISION... MAY 17, 2021

ADDRESS
175 RUE AUBERT WINNIPEG, MB

PROJECT
175 AUBERT DEVELOPMENT

SHEET TITLE
SECOND & THIRD FLOOR PLANS

SCALE
AS NOTED

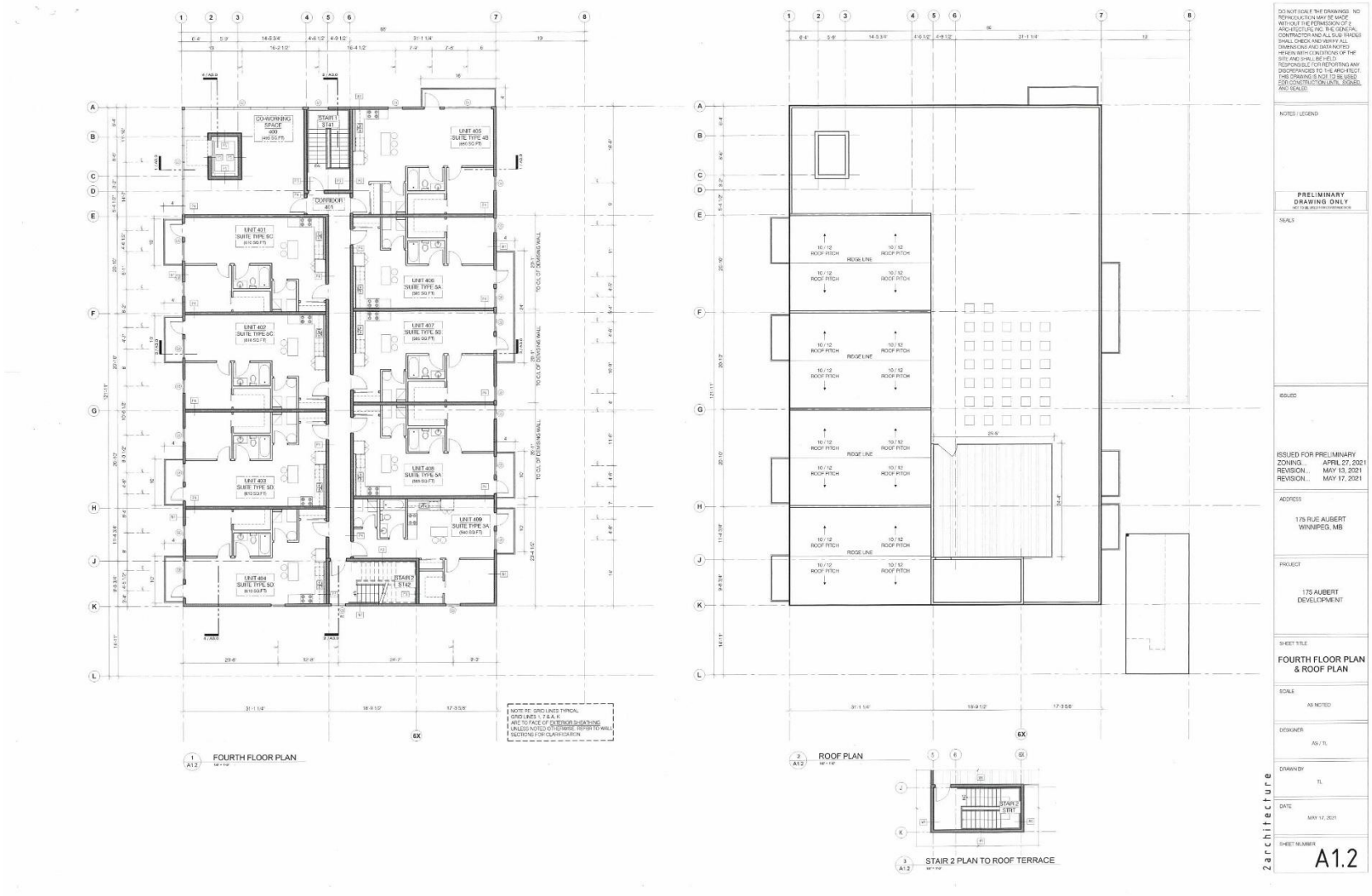
DESIGNER
AS / TL

DRAWN BY
TL

DATE
MAY 17, 2021

SHEET NUMBER
A1.1

2architecture


FOURTH FLOOR PLAN
ROOF PLAN
STAIR 2 PLAN TO ROOF TERRACE
PRELIMINARY DRAWING ONLY
ISSUED FOR PRELIMINARY ZONING... APRIL 27, 2021
REVISION... MAY 13, 2021
REVISION... MAY 17, 2021
175 RUE AUBERT WINNIPEG, MB
175 AUBERT DEVELOPMENT
FOURTH FLOOR PLAN & ROOF PLAN
AS NOTED
MAY 17, 2021
A1.2
2architecture


SOUTH ELEVATION
EAST ELEVATION
NORTH ELEVATION
WEST ELEVATION
ELEVATION KEYNOTES
NON-COMBUSTIBLE STANDARD HARDIE BOARD (SHAKES) SYSTEM - JAMES HARDIE DREAMS COLLECTION
- COLOUR OF CLADDING:
A) SEA BLU GLAZE
B) CARIBBEAN SEA
C) TROPICAL TEAL
D) BLUE LAGOON
- REVEAL: 3/4"
- COLOUR REVEAL: WHITE
G.C. TO PROVIDE SAMPLES FOR ARCHITECTURAL / OWNER APPROVAL BEFORE MATERIALS ARE ORDERED.
NON-COMBUSTIBLE STANDARD HARDIE BOARD (PANEL 4' X 8') SYSTEM - JAMES HARDIE COLLECTION
- COLOUR OF CLADDING:
WHITE
G.C. TO PROVIDE SAMPLES FOR ARCHITECTURAL / OWNER APPROVAL BEFORE MATERIALS ARE ORDERED.
ASPHALT SHINGLES - LIGHT GRAY
COLOUR TO BE CONFIRMED SHOP DRAWINGS OF TRUSS / ROOF DESIGN MUST BE SUBMITTED FOR ARCHITECTURAL / OWNER APPROVAL
GLASS RAILING SYSTEM
GUARD RAIL TO BE POWDER COATED WHITE;
FACTORY APPLIED PAINT PRODUCT, STEEL POST W/ GLASS PANEL TO BE 42" HIGH.
STOREFRONT GLAZING (TRANSPARENT)
REFER TO WINDOW SCHEDULES.
TRANSITION STRIP BETWEEN CLADDING TYPES TO ALIGN W/ WINDOW AND DOOR.
STAIR EXIT FROM PARKADE AND BICYCLE STORAGE BEYOND
EXTERIOR CANOPY ABOVE
ROOF SLOPES:
G.C. TO COORD. ROOF SLOPE WITH TRUSS SUPPLIER.
HANDRAILS:
ALL BALCONY HANDRAILS TO BE MINIMUM 3'-6" FROM FINISHED FLOOR SURFACE.
PRE-FINISHED FLASHING/METALS:
ALL FLASHING, DRIP CAPS, DOWNSPOUTS, SCUPPERS, ETC TO MATCH WINDOW FRAME - COLOUR: WHITE
FASTENERS: SCREWS, PURPOSE MADE STEEL, ZINC PLATED, DISHED STEEL / NEOPRENE WASHERS, SIZE AND TYPE RECOMMENDED BY MANUFACTURER.
EXPOSED FASTENERS FOR PANELS, FLASHING AND TRIM HEAD COLOUR TO BE WHITE.
DO NOT SCALE THE DRAWINGS. NO REPRODUCTION MAY BE MADE WITHOUT THE PERMISSION OF 2 ARCHITECTURE INC. THE GENERAL CONTRACTOR AND ALL SUB TRADES SHALL CHECK AND VERIFY ALL DIMENSIONS AND DATA NOTED HEREIN WITH CONDITIONS OF THE SITE AND SHALL BE HELD RESPONSIBLE FOR REPORTING ANY DISCREPANCIES TO THE ARCHITECT. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED AND SEALED.
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ADDRESS
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PROJECT
175 AUBERT DEVELOPMENT
SHEET TITLE
BUILDING ELEVATIONS
SCALE
AS NOTED
DESIGNER
AS / TL
DRAWN BY
TL
DATE
MAY 17, 2021
SHEET NUMBER
A2.0
2architecture


1 SOUTH ELEVATION
2 EAST ELEVATION
3 NORTH ELEVATION
4 WEST ELEVATION
ELEVATION KEYNOTES
PRELIMINARY DRAWING ONLY
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ZONING... APRIL 27, 2021
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