Minute No. 47
Report – Executive Policy Committee – December 7, 2022

Item No. 9 **Zoning Agreement Amendment – 875 St. Mary's Road (St. Vital Ward) File ZAA 6/2022 [c/r DAV 166066/2022D & DCU 166077/2022D]**

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the Zoning Agreement Caveat No. 81-46431/1 under File DAZ 281/80 dated December 17, 1980 be amended as follows:

   A. That Clauses 6, 7, and 8 be deleted.

   B. That Clause 2 be replaced with the following condition:

      That the following uses shall not be permitted on the land:

      i. Auto/light truck/motorcycle, repair and service
      ii. Auto/light truck/motorcycle, sales and rental
      iii. Auto parts and supplies, sales
      iv. Fuel sales
      v. Drive-in or drive-through
      vi. Billboard signs
      vii. Outside display and sales.

   C. That Clause 3 be replaced with the following condition:

      That the Owner must submit plans showing the location and design of any and all proposed:

      i. buildings
      ii. accessory parking areas
      iii. driveways
      iv. garbage enclosures
      v. fencing
      vi. freestanding signage
      vii. landscaping

Report – Executive Policy Committee – December 7, 2022

COUNCIL DECISION (continued):

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

2. That the Director of Legal Services and City Solicitor be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 281/80 as approved in aforesaid Recommendation 1.

3. That the Owner of the subject land (the "Owner") enter into the aforementioned Amending Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter.

4. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

5. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Report – Executive Policy Committee – December 7, 2022

DECISION MAKING HISTORY:

Moved by His Worship Mayor Gillingham,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 7, 2022, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 14, 2022, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

PUBLIC HEARING SUMMARY

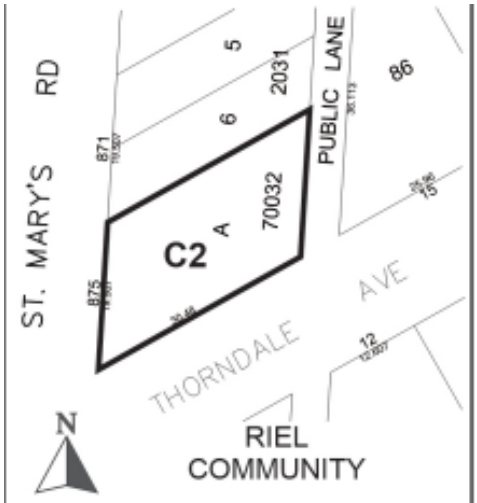
File: ZAA 6/2022

Before: Riel Community Committee
Councillor Mayes, Chairperson
Councillor Chambers

Public Hearing: November 14, 2022
Council Building, 510 Main Street

Applicant: 2H Canada Ltd. (Haithem Soliman)

Subject:



APPLICANT : 2H Canada Ltd. (Haithem Soliman)
FILE : ZAA 6/2022
PROPOSAL : To amend the Zoning Agreement for DAZ 281/1980 (Caveat No. 81-46431/1) affecting the land shown outlined above by deleting Clauses 2, 6, 7 and 8 that deal with use restrictions and the widening of a public lane that is no longer required by the Public Works Department. **For information, phone, S. Jerez, Planner at (204) 986-7175.**
DEMANDEUR : 2H Canada Ltd. (Haithem Soliman)
N° DE DOSSIER : MCZ 6/2022
PROJET : Demande de modification de la convention de zonage associée à la DAZ 281/1980 (opposition n° 81-46431/1) visant le terrain délinéé ci-dessus par la suppression des clauses 2, 6, 7 et 8 qui se rapportent à des restrictions d'usage et à l'élargissement d'une voie publique dont le Service des travaux publics n'a plus besoin. **Pour obtenir des renseignements, appelez S. Jerez, urbaniste, au 204-986-7175.**

Premises Affected: 875 St. Mary's Road

For submission to: Executive Policy Committee

Prepared by: R. Ford, Committee Clerk
Riel Community Committee

Report date: November 16, 2022

Community Committee Recommendation:

On November 14, 2022, 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 Zoning Agreement Caveat No. 81-46431/1 under File DAZ 281/80 dated December 17, 1980 be amended as follows:

   A. That Clauses 6, 7, and 8 be deleted.

   B. That Clause 2 be replaced with the following condition:

      That the following uses shall not be permitted on the land:

      i. Auto/light truck/motorcycle, repair and service
      ii. Auto/light truck/motorcycle, sales and rental
      iii. Auto parts and supplies, sales
      iv. Fuel sales
      v. Drive-in or drive-through
      vi. Billboard signs
      vii. Outside display and sales.

   C. That Clause 3 be replaced with the following condition:

      That the Owner must submit plans showing the location and design of any and all proposed:

      i. buildings
      ii. accessory parking areas
      iii. driveways
      iv. garbage enclosures
      v. fencing
      vi. freestanding signage
      vii. landscaping

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

2. That the Director of Legal Services and City Solicitor be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 281/80 as approved in aforesaid Recommendation 1.

3. That the Owner of the subject land (the "Owner") enter into the aforementioned Amending Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter.

4. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

5. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

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

1. We've talked a lot today about densification. This is a main corridor; St. Mary's – St. Anne's. If we can't densify these, I don't know where we can.

2. Its way under the allowable height limit. It is four storeys, some might want three, I don't think four is unreasonable.

3. It's a mixed-use project. We could probably use some more a little further south on St. Mary's Road as well, but that's for another day.

4. Its on a main transit corridor, near schools, near community centres. This is actually a pretty good spot for a project like this. Nice big setback from the house that would be to the east, there's a lane separating there as well.

5. Most importantly of all, it's a concrete lane, so we're not densifying on a gravel lane.

Exhibits Filed:

1. Application dated August 23, 2022
2. Notification of Public Hearing dated September 23, 2022
3. Manitoba Status of Title 3188569/1
4. Letter of authorization dated February 3, 2022 from Hossam El-Harouni to 2H Canada Ltd.
5. Surveyor's Building Location Certificate and sketch dated August 17, 2022
6. Caveats 81-51124/1 & 81-46431/1
7. Garbage enclosures details
8. Plans (11 pages)
9. Report from the Urban Planning Division dated November 1, 2022
10. Inspection Report
11. Recording of Representations

REPRESENTATIONS:

In Support:

Haithem Soliman
Adam El-Harouni

In Opposition:

Nil

For Information:

Nil

For the City:

E. Finnigan, Planner, Planning, Property and Development Department
S. Jerez, Planner, Planning, Property and Development Department
D. Trenchard, Land Development Engineer, Planning, Property and Development Department

Exhibit "9" referred to in File ZAA 6/2022

ADMINISTRATIVE REPORT

Title: ZAA 6/2022 – 875 St. Mary's Road

Issue: For consideration at the public hearing to amend a Zoning Agreement under File DAZ 281/80 to amend Clauses 2 and 3, and to delete Clauses 6, 7 and 8 to allow for the establishment of a mixed use commercial and residential 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
S. Jerez, MCP	N/A	N/A	

RECOMMENDATIONS

1. That the Zoning Agreement Caveat No. 81-46431/1 under File DAZ 281/80 dated December 17, 1980 be amended as follows:

   A) That Clauses 6, 7, and 8 be deleted.

   B) That Clause 2 be replaced with the following condition:

      That the following uses shall not be permitted on the land:

      i. Auto/light truck/motorcycle, repair and service;

      ii. Auto/light truck/motorcycle, sales and rental;

      iii. Auto parts and supplies, sales;

      iv. Fuel sales

      v. Drive-in or drive-through;

      vi. Billboard signs; and

      vii. Outside display and sales.

C) That Clause 3 be replaced with the following condition:

That the Owner must submit plans showing the location and design of any and all proposed:

i. buildings;

ii. accessory parking areas;

iii. driveways;

iv. garbage enclosures;

v. fencing;

vi. freestanding signage and

vii. landscaping

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

2. That the Director of Legal Services and City Solicitor be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 281/80 as approved in aforesaid Recommendation 1.

3. That the Owner of the subject land (the "Owner") enter into the aforementioned Amending Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter.

4. That the proper officers of the City are hereby authorized to execute said Amending Agreement.

5. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

REASON FOR THE REPORT

- The applicant is proposing to establish a mixed use commercial/residential building on the subject site consisting of one (1) retail unit and six (6) residential dwelling units.
- An existing Zoning Agreement registered on title restricts any development on the subject site as follows:
  - That no new buildings or structures be constructed on the easterly 4 feet of land facing the back lane due to future widening that may be required;
  - That no new buildings or structures be constructed on the land for any use except:
    - An office for consultation and the sale of herbs and vitamins;
    - Accessory uses.
- Modification of caveats on a Land Title requires a Zoning Agreement Amendment application.

- Approval of a Zoning Agreement Amendment application requires 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 Zoning Agreement will be **amended** and the caveat will be modified.

HISTORY

DAZ 281/80

- DAZ 281/80 involved the rezoning of 875 St. Mary's Road to a "C2" Commercial Community District to facilitate the establishment of a vitamin sales business in an existing dwelling at 875 St. Mary's Road.
- The DAZ application and associated variances were approved subject to conditions stipulated in a Zoning Agreement that limited future development to a specific permitted land use (vitamins sales and consultation, and accessory uses) and restricted development abutting the rear lane to accommodate for a future lane widening.
- The proposed commercial operation ceased at some point, and the existing building was used for residential purposes.

DEMO 21-105098/D

- The applicant initiated a Demo application in December 2020, as he had no immediate plans to rebuild on the subject site. The Public Service indicated to the applicant that the application would not be supported because of the visual detriment along the St. Mary's Road regional mixed use corridor.
- In May 2021, it came the Public Service's attention after the applicant applied for a Demo permit that the applicant had already removed the existing building.
- On October 1, 2021, the application was reviewed by the Riel Community Committee, and at the request of the Area Councillor, the item was adjourned until November 23, 2021, and, once more at the request of the applicant, on January 5, 2022 to permit the applicant to finalize his plans for development in consultation with the Public Service.
- The Area Councillor was satisfied that the applicant worked collaboratively with the Urban Planning & Design Division to develop mutually agreeable plans for development.
- On January 26, 2022, the Riel Community Committee did not concur in the recommendation of the Winnipeg Public Service and approved the application to demolish a dwelling at the premise commonly known as 875 St. Mary's Road.

CONSULTATION

In preparing this report there was consultation with:

Public Works Department

OURWINNIPEG 2045 POLICY ALIGNMENT

City Building Objective 1. Responsibly plan, prioritize and accommodate growth in areas that best support Complete Communities principles, to achieve this Plan's sustainable development goals:

Facilitate growth and change strategically within Winnipeg's unique Transformative Areas and Established Neighbourhoods, to enhance the ability of the urban environment to contribute towards this Plan's goals.

City Building Objective 3. Facilitate development opportunities that complete established communities, and plan new communities as complete and connected from the outset:

New and existing communities are complete when they demonstrate: universally designed environments; mixed-income neighbourhoods; a continuum of housing types; multi-modal connections within and to elsewhere in the city; heritage conservation; opportunities for physical activity, social interaction, and access to healthy food, daily needs, employment, education, recreation, and green infrastructure.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

4.1 Increase Strategic Infill Development that Provides Access to and Capitalizes on Existing and Planned Corridors with Frequent Transit Service.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the PRS and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Simi Jerez, MCP
Date:	November 1, 2022
File No.	ZAA 6/2022

List of Schedules and Attachments

1. Appendix A – Planning Discussion

APPENDIX 'A'

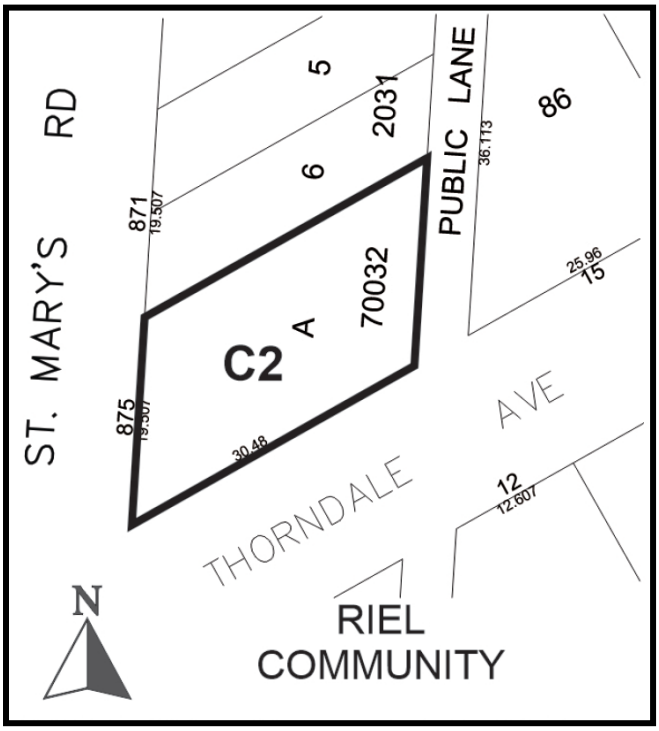
DATE: November 1, 2022

FILE: **ZAA 6/22**
RELATED FILES: DCU 22-166077\D, DAV 22-166066/D
COMMUNITY: Riel
NEIGHBOURHOOD #: 5.641 (St. George)

SUBJECT: For consideration at the public hearing to amend a Zoning Agreement under File DAZ 281/80 to amend Clauses 2 and 3, and to delete Clauses 6, 7 and 8 to allow for the establishment of a mixed use commercial and residential building.

LOCATION: 875 St. Mary's RD

LEGAL DESCRIPTION: LOT 7/8 BLOCK 2 PLAN 2031 119 ST B



APPLICANT: 2H CANADA LTD.
894 St Mary's Rd 102
Winnipeg, MB R2M 3R1

OWNER: Hossam El-Harouni
894 St Mary's Rd 102
Winnipeg, MB R2M 3R1

RECOMMENDATION: Approval

SITE DESCRIPTION

- The subject property is located on the east side of St. Mary's Road at the northeast corner of the intersection with Thorndale Avenue in the St George neighbourhood of the St. Vital ward.
- The subject site is approximately 60 feet in width and 5,377 square feet in area, and is currently vacant.
- The site is situated along the St. Mary's Road Corridor, and falls within the Established Neighbourhoods - Mature Communities policy area under the *Complete Communities Direction Strategy 2.0*. The subject site is zoned "C2 "Commercial Community".



Figure 1: Site Map of Subject Property and Surrounding Neighbourhood (flown 2021)

SURROUNDING LAND USE AND ZONING

North: Single-family residential dwellings zoned "RMF-S" Residential Multi-Family Small District.

South: Thorndale Avenue; a place of worship and accessory parking area on a site zoned "C2" Commercial Community District.

East: Public lane; then single-family residential uses zoned "R1-M" Residential Single-Family Medium District.

West: St. Mary's Road; then a commercial (office) use zoned "C2" Commercial Community District and single and multi-family **r**esidential uses zoned "R2" Residential Two-Family District.

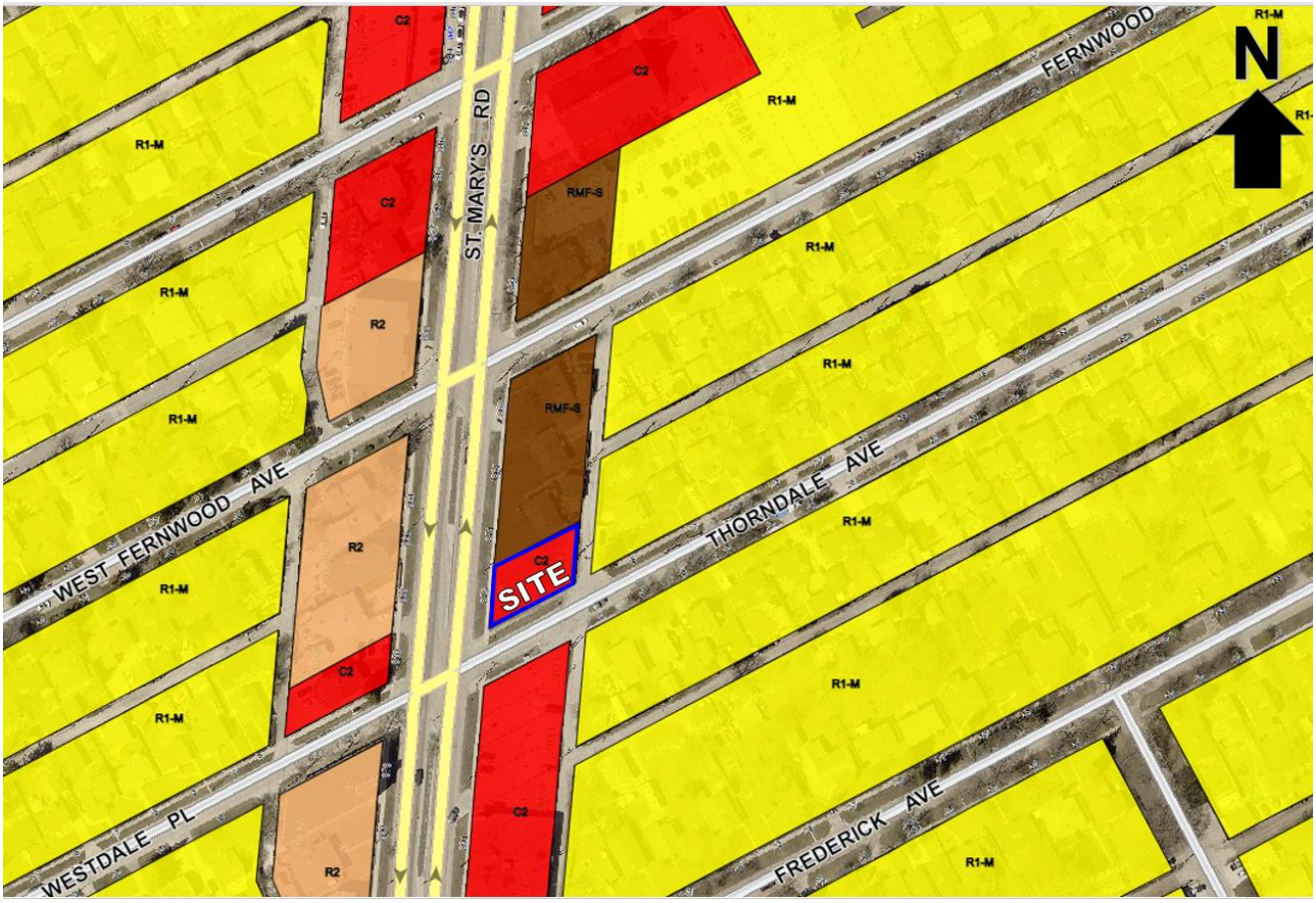


Figure 2: Zoning of the Site and Surrounding Area

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to construct a four storey mixed use building, approximately 43 feet in height, with one (1) commercial unit and seven (7) residential units.
- The commercial units will be accessed from a door at the southwest corner of the building. The residential suites will be accessed via a central corridor with entrances on the St. Mary's Road (front) elevation, and one located on the Thorndale Avenue (south) elevation.
- The applicant is proposing to establish eight (8) parking spaces, to be accessed by a drive aisle from the public lane, including one (1) accessible stall and two (2) small car stalls.
- A garbage enclosure will be located at the northeast corner of the site in the accessory parking area, abutting the public lane.
- A site plan (including landscaping details), floor plans, black and white elevations and a colour rendering have been provided.

- The applicant has applied for a concurrent Conditional Use to permit a parking area not screened in its entirety (DCU 22-166077\D). In addition, the applicant has requested Variances related to lot area, reduced front, rear and side yards, as well as a slight density variance (DAV 22-166066/D). Reports for these applications have been submitted for consideration by the Riel Community Committee.

COLLABORATION

The applicant has worked cooperatively with the Public Service to provide a mutually agreeable design and site plan.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

1. *The Complete Communities Direction Strategy 2.0* (CCDS 2.0) is a citywide secondary plan that guides growth, development, and land use in the city of Winnipeg.

- The subject property is located in an "Established Neighbourhoods – Mature Communities" policy area as outlined in *CCDS 2.0*. The Vision for Established Neighbourhoods is for them to continue to evolve as complete communities to increase the diversity of housing choices, improve housing affordability, and more efficiently use land, infrastructure and services.
- With regard to this proposal, the key goal and policies guiding the development of Established Neighbourhoods include:

  1.0 Encourage compatible residential development within Established Neighbourhoods to build more Complete Communities and align with the City's residential intensification target.

  1.1 Encourage residential development that positively contributes to neighbourhood character while expanding housing options for residents in a manner that is sensitive and complementary to existing development.

  1.2 Increase the population within Established Neighbourhoods to contribute to the physical renewal and revitalization of older neighbourhoods.

  1.5 Support up to mid-rise residential development in Established Neighbourhoods that is compatible with neighbourhood context.

  1.6 In the absence of a secondary plan guiding the local development of an Established Neighbourhood, intensification should be guided by a number of factors to ensure compatible development, including:

  a. Applicable City-endorsed policies or guidelines;

  b. Existing zoning of the property and adjacent properties;

  c. Characteristics of the immediately surrounding built form including building mass, height, lot coverage, setbacks, and layout;

  d. Surrounding uses and their characteristics including residential density and the intensity of commercial and other non-residential uses;

  e. Characteristics of the lot, including whether it is a corner lot, a larger lot than is typical for the neighbourhood, or the shape of the lot;

f. Proximity to Downtown, Mixed Use Centres, Major Redevelopment Sites and Mixed-Use Corridors;

g. The supporting street network (ex. local, collector, or arterial streets) and the street network's ability to support proposed development;

h. The supporting transit, pedestrian and active transportation network; and

i. The supporting water, wastewater, and land drainage infrastructure and capacity to accommodate a proposed development or ability to make the required upgrades necessary to accommodate a proposed development.

2.0 Design new development in Established Neighbourhoods to a high standard of urban design and construction to ensure new development adds value to public and private urban spaces to create a sense of place and civic pride.

2.4 Encourage the use of high-quality, energy efficient, and durable exterior building facade materials.

2.5 Encourage a variety of architectural styles.

2.6 Encourage building design to include a range of architectural features that create visual interest and positively contribute to the visual aesthetics of the street and neighbourhood.

2.9 Buildings with multi unit residential uses should be designed to support pedestrian activity and reinforce the public realm through thoughtful use of architectural features which may include, but are not limited to, the following:

a. Window placement that supports passive surveillance;

b. Unit entrances with direct access to the street;

c. Front porches;

d. Balconies;

e. Awnings;

f. Lighting; and

g. Height of primary entrances

2.10 Discourage building designs that orient the back of the building to the street.

2.12 New development should respect and complement the existing character of the built form of surrounding properties.

2.13 Where appropriate, taller buildings should use step backs and roof design to mitigate negative impacts on adjacent properties and provide a more comfortable pedestrian environment.

2.14 Avoid buildings that create long blank walls facing public streets.

2.15 Encourage the use of architectural features to articulate building walls in order to mitigate the impact of new building mass.

2.21 Site design should take cues from the character of the neighbourhood or street and should mitigate the potential for land use conflict with adjacent properties that have different scales, densities and uses. Parking location (motor vehicle and bicycle), vehicular access, servicing elements, building placement and landscaping treatment will be important design elements to ensure context-sensitive design.

2.22 Create or reinforce compact, pedestrian-oriented urban development patterns by ensuring the siting, form and scale of new development has a strong relationship to the street, public spaces and amenities in a way that is consistent with neighbourhood context.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

"C2 "Commercial Community"

- The "C2" Commercial Community zoning district 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, institutional, recreational, and service facilities needed to support the surrounding neighbourhoods and the broader community.
- Multi-family residential structures in the "C2" zoning district must meet the requirements of the "RMF-M" Residential Multi-Family Small zoning district. The dimensional standards for multifamily structures in the RMF-M zone are: a minimum front yard of 25 feet; a minimum rear yard of 25 feet; a minimum side yard of 8 feet, and, a maximum building height of 60 feet. The minimum lot area is 9000 square feet and the minimum lot area per dwelling unit is 800 square feet.

Zoning Agreement DAZ 281/80

Replacing Clause 2

- Clause 2 of the Zoning Agreement for DAZ 281/80 states the following:

  The land and any building or structure thereon shall not be used for, and no building or structure erected, altered or enlarged on the land for any use except:

  (i) Office for consultation and sale of herbs and vitamins;

  (ii) Accessory uses.

- The Urban Planning and Design Division considered whether any use restrictions should continue on the subject property. It was determined that most permitted uses in the "C2" district are suitable and supportable in this location given:
  - The property fronts onto St. Mary's Road, an arterial street with high frequency transit service.
  - The property is located one block north of a portion of St. Mary's Road designated an Urban Mixed Use Corridor under the *Complete Communities Direction Strategy 2.0*.
  - The "C2" district is one of two predominant zoning districts along the east side of St. Mary's Road between Hull Avenue and Hindley Avenue.
- The Urban Planning and Design Division recommends revising Clause 2 as follows to restrict a number of car-oriented commercial uses that are not compatible with the surrounding residential neighbourhood:

That the following uses shall not be permitted on the land:

i. Auto/light truck/motorcycle, repair and service;

ii. Auto/light truck/motorcycle, sales and rental;

iii. Auto parts and supplies, sales;

iv. Fuel sales

v. Drive-in or drive-through;

vi. Billboard signs; and

vii. Outside display and sales.

Replacing Clause 3

- DASZ 281/80 includes the following Plan Approval clause:

  2. No building permit for any alterations to any existing building, nor any certificate of occupancy for the existing building permitting there in the establishment of the commercial use pursuant to Clause 2 of this agreement, shall be issued unless and until a site plan indicating the design and location of fencing, landscaping, parking and garbage enclosures, is submitted to and approved by the St. Boniface-St. Vital Community Committee and the Commissioner of Environment of the City and thereafter identified by the signature of that Commissioner under the designation "Schedule "A" to Zoning Agreement DAZ 281 /80".

- As a condition of approval for the associated variance application (DAV 22-166066\D) at 875 St. Mary's Road, the Urban Planning and Design Division is recommending the following condition of approval to update the Plan Approval requirements and ensure that the proposed development is constructed in accordance with submitted plans of development:

  That the development shall be constructed in substantial conformance with the plans submitted under File No. DAV 22-166066\C, dated August 22, 2022 and thereafter maintained to the satisfaction of the Director of Planning, Property and Development;

  OR

  That the Owner must submit plans showing the location and design of any and all proposed:

  i. buildings;

  ii. accessory parking areas;

  iii. driveways;

  iv. garbage enclosures;

  v. fencing;

  vi. freestanding signage and

  vii. landscaping

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

Removal of Clauses 6, 7 and 8

- The following Clauses 6, 7 and 8 relate to land previously reserved by the City to accommodate the potential future lane widening, as follows:

    6. *It is understood and agreed that no new buildings or structures shall be erected on the most easterly four (4) feet in perpendicular depth of the land required by the city for future widening of the public lane.*

    7. *It is understood and agreed that pending establishment of the lane widening referred to in Clause 6 of this agreement, the Owner may maintain the existing detached garage within the said four (4) feet which garage upon the City serving the Owner with written notice that the City intends to proceed with the said lane widening shall be removed by the Owner, at no cost to the City, within thirty (30) days of the service of said notice.*

    8. *Pursuant to section 600 (1) (e.3) of the City of Winnipeg Act, the Owner agrees to pay to the City prior to enactment of said amending by-law the sum of three hundred ($300.00) dollars in lieu of the conveyance of land to be used for the purchase of land for public purposes other than highways, subject to section 637.3 of said Act.*

- The Urban Planning and Design Division has confirmed with Public Works that the land in question is no longer required for a lane widening. The Public Service supports the removal of Clauses 6 to 8 from Zoning Agreement DASZ 281/80.

RECOMMENDATION

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

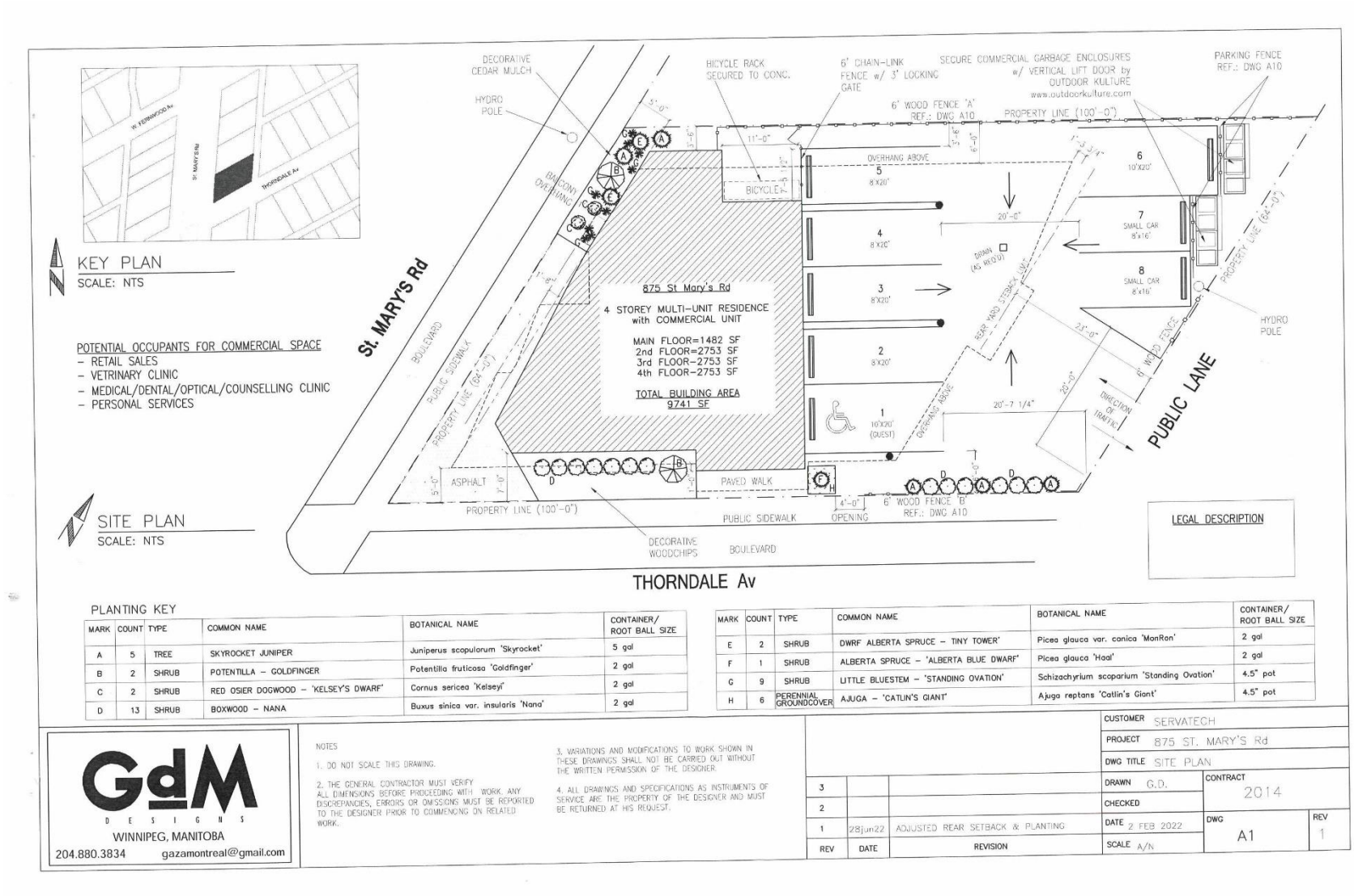
- The proposal will add residential density and a commercial amenity to St. Mary's Road, per the objectives of the *Complete Communities Direction Strategy 2.0*.
- The Zoning Agreement amendment will enable the subject property to develop in alignment with established "C2" zoning rights and in a fashion consistent with other "C2" zoned properties on St. Mary's Road.

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

Report Prepared By: Simi Jerez, MCP
PPD File # ZAA 6/22

Exhibit "8" referred to in File ZAA 6/2022





PLANTING KEY

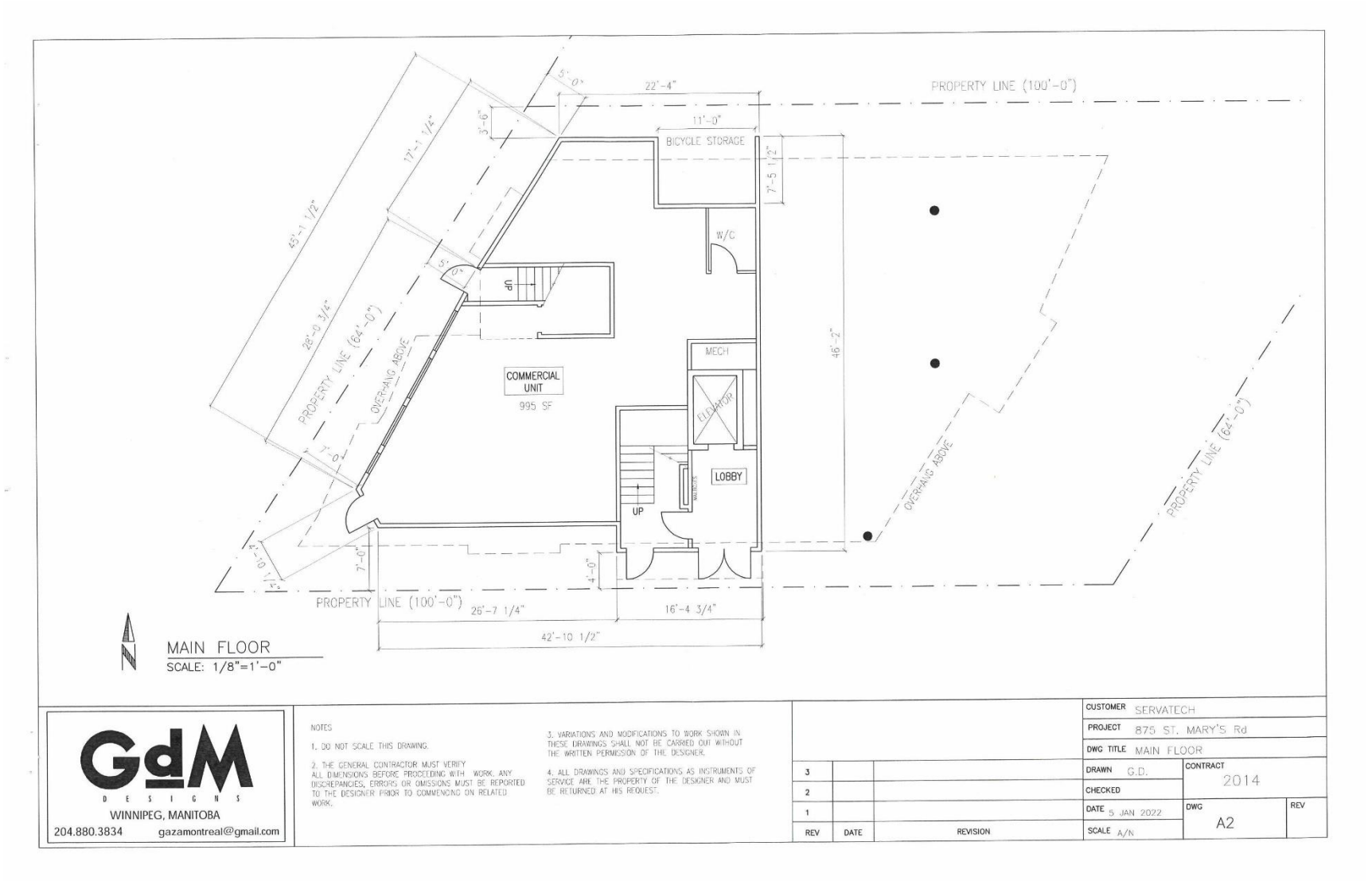
MARK	COUNT	TYPE	COMMON NAME	BOTANICAL NAME	CONTAINER/ ROOT BALL SIZE
A	5	TREE	SKYROCKET JUNIPER	Juniperus scopulorum 'Skyrocket'	5 gal
B	2	SHRUB	POTENTILLA – GOLDFINGER	Potentilla fruticosa 'Goldfinger'	2 gal
C	2	SHRUB	RED OSIER DOGWOOD – 'KELSEY'S DWARF'	Cornus sericea 'Kelseyi'	2 gal
D	13	SHRUB	BOXWOOD – NANA	Buxus sinica var. insularis 'Nana'	2 gal
E	2	SHRUB	DWRF ALBERTA SPRUCE – TINY TOWER'	Picea glauca var. conica 'MonRon'	2 gal
F	1	SHRUB	ALBERTA SPRUCE – 'ALBERTA BLUE DWARF'	Picea glauca 'Hoal'	2 gal
G	9	SHRUB	LITTLE BLUESTEM – 'STANDING OVATION'	Schizachyrium scoparium 'Standing Ovation'	4.5" pot
H	6	PERENNIAL GROUNDCOVER	AJUGA – 'CATLIN'S GIANT'	Ajuga reptans 'Catlin's Giant'	4.5" pot

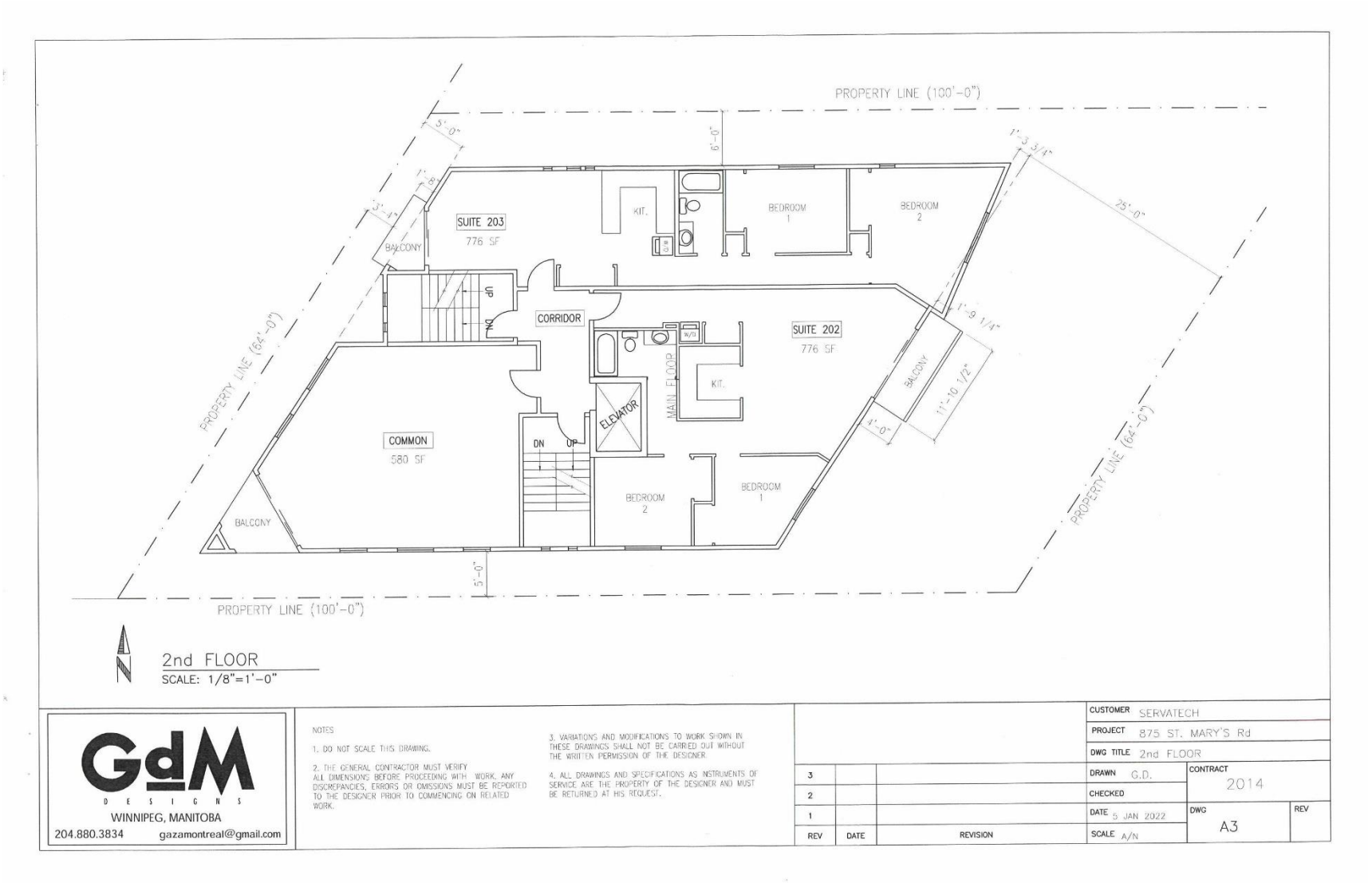
GdM DESIGNS
WINNIPEG, MANITOBA
204.880.3834 gazamontreal@gmail.com

NOTES
1. DO NOT SCALE THIS DRAWING.
2. THE GENERAL CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE PROCEEDING WITH WORK. ANY DISCREPANCIES, ERRORS OR OMISSIONS MUST BE REPORTED TO THE DESIGNER PRIOR TO COMMENCING ON RELATED WORK.
3. VARIATIONS AND MODIFICATIONS TO WORK SHOWN IN THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.
4. ALL DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED AT HIS REQUEST.

REV	DATE	REVISION
3		
2		
1	28jun22	ADJUSTED REAR SETBACK & PLANTING

CUSTOMER SERVATECH
PROJECT 875 ST. MARY'S Rd
DWG TITLE SITE PLAN
DRAWN G.D.
CHECKED
DATE 2 FEB 2022
SCALE A/N
CONTRACT 2014
DWG A1
REV 1


PROPERTY LINE (100'-0")
22'-4"
11'-0"
BICYCLE STORAGE
7'-5 1/2"
W/C
MECH
ELEVATOR
LOBBY
UP
COMMERCIAL UNIT
995 SF
46'-2"
OVERHANG ABOVE
PROPERTY LINE (64'-0")
45'-1 1/2"
17'-1 1/4"
28'-9 3/4"
5'-0"
3'-6"
7'-0"
4'-10 1/2"
4'-0"
26'-7 1/4"
16'-4 3/4"
42'-10 1/2"
MAIN FLOOR
SCALE: 1/8"=1'-0"
GdM DESIGNS
WINNIPEG, MANITOBA
204.880.3834 gazamontreal@gmail.com
NOTES
1. DO NOT SCALE THIS DRAWING.
2. THE GENERAL CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE PROCEEDING WITH WORK. ANY DISCREPANCIES, ERRORS OR OMISSIONS MUST BE REPORTED TO THE DESIGNER PRIOR TO COMMENCING ON RELATED WORK.
3. VARIATIONS AND MODIFICATIONS TO WORK SHOWN IN THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.
4. ALL DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED AT HIS REQUEST.
REV DATE REVISION
CUSTOMER SERVATECH
PROJECT 875 ST. MARY'S Rd
DWG TITLE MAIN FLOOR
DRAWN G.D.
CONTRACT 2014
CHECKED
DATE 5 JAN 2022
SCALE A/N
DWG A2
REV



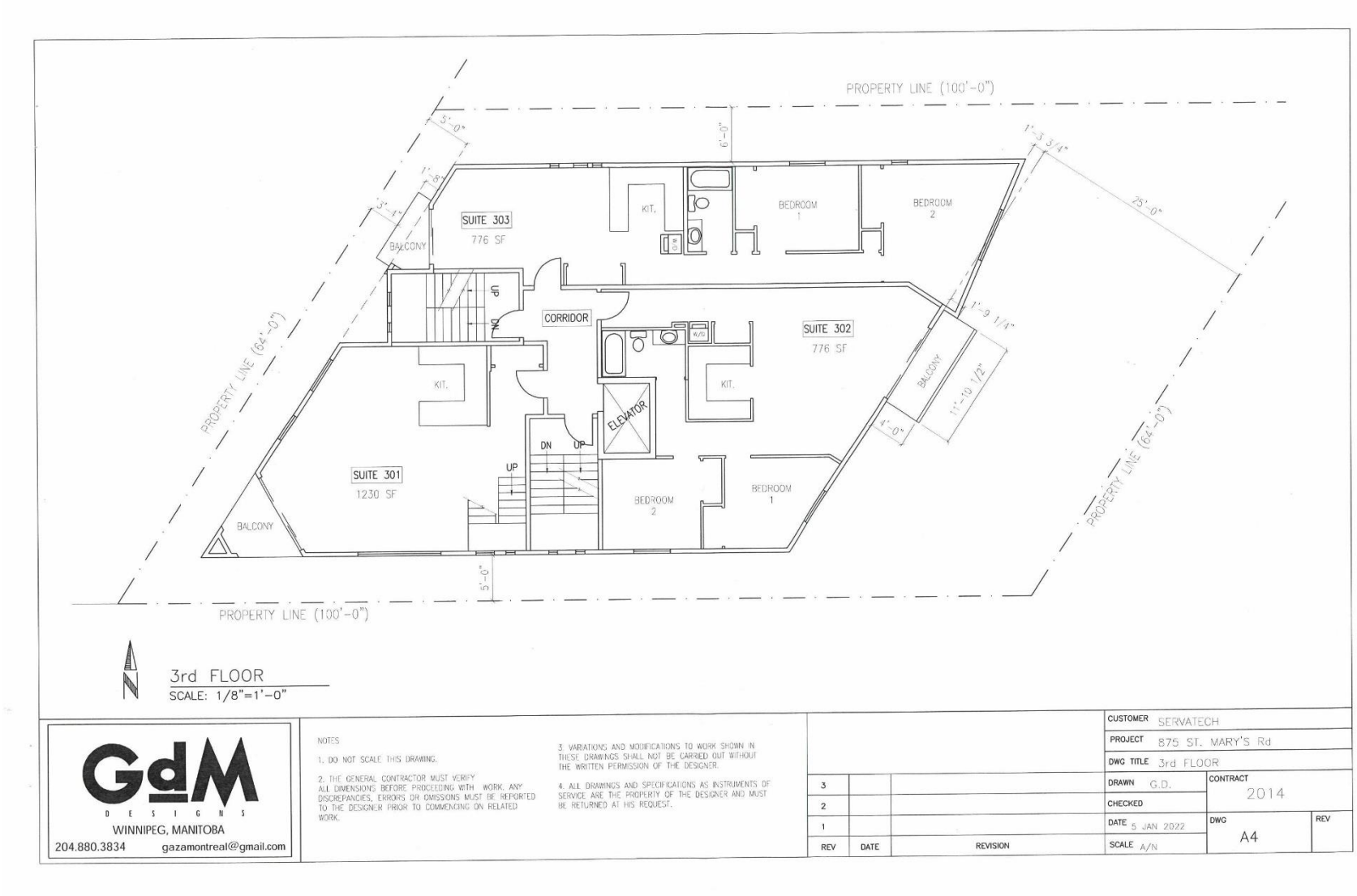
GdM DESIGNS
WINNIPEG, MANITOBA
204.880.3834 gazamontreal@gmail.com

NOTES

1. DO NOT SCALE THIS DRAWING.
2. THE GENERAL CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE PROCEEDING WITH WORK. ANY DISCREPANCIES, ERRORS OR OMISSIONS MUST BE REPORTED TO THE DESIGNER PRIOR TO COMMENCING ON RELATED WORK.
3. VARIATIONS AND MODIFICATIONS TO WORK SHOWN IN THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.
4. ALL DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED AT HIS REQUEST.

REV	DATE	REVISION
3		
2		
1		

CUSTOMER SERVATECH
PROJECT 875 ST. MARY'S Rd
DWG TITLE 2nd FLOOR
DRAWN G.D.
CHECKED
DATE 5 JAN 2022
SCALE A/N
CONTRACT 2014
DWG A3
REV



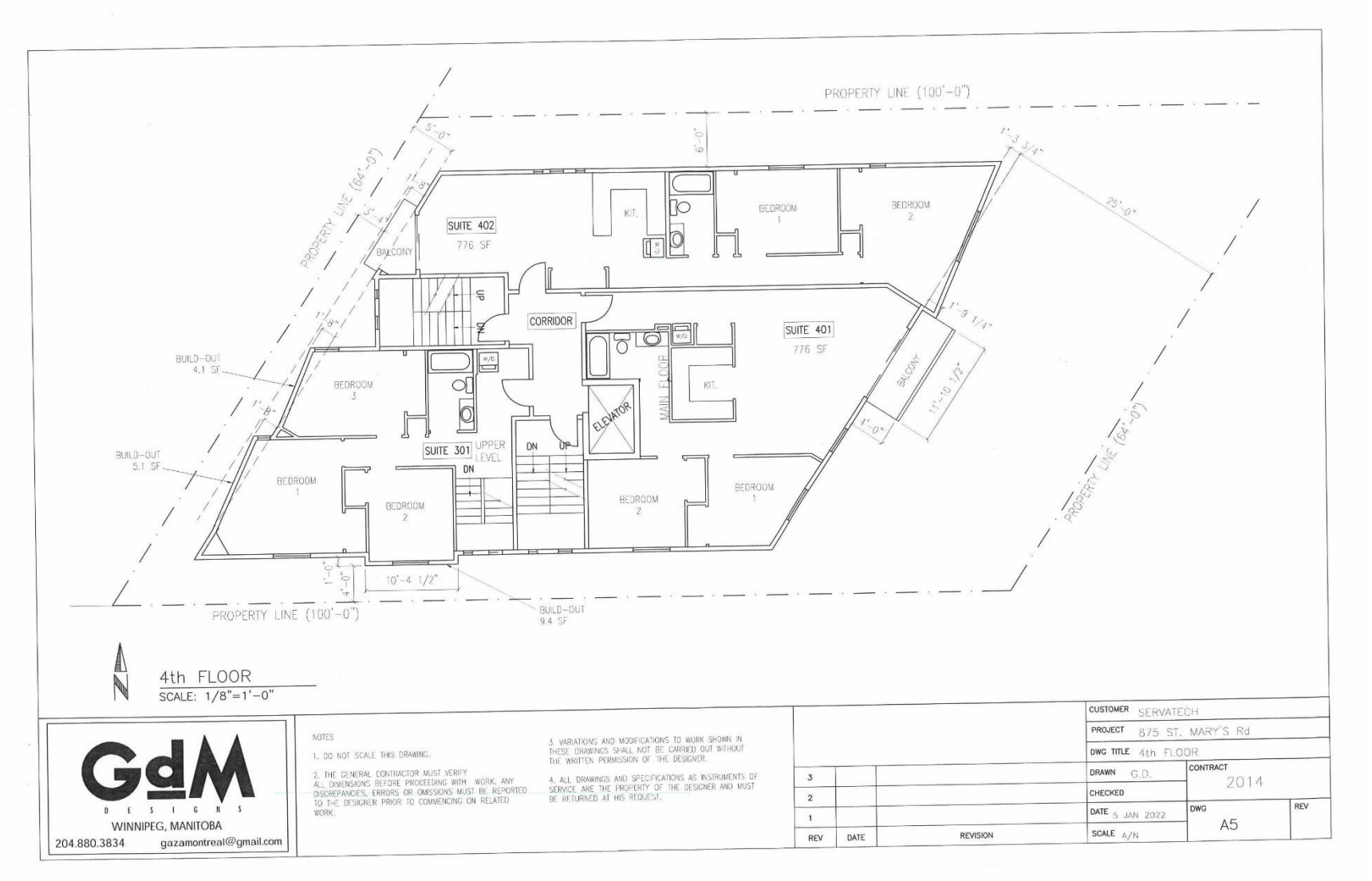
GdM DESIGNS
WINNIPEG, MANITOBA
204.880.3834 gazamontreal@gmail.com

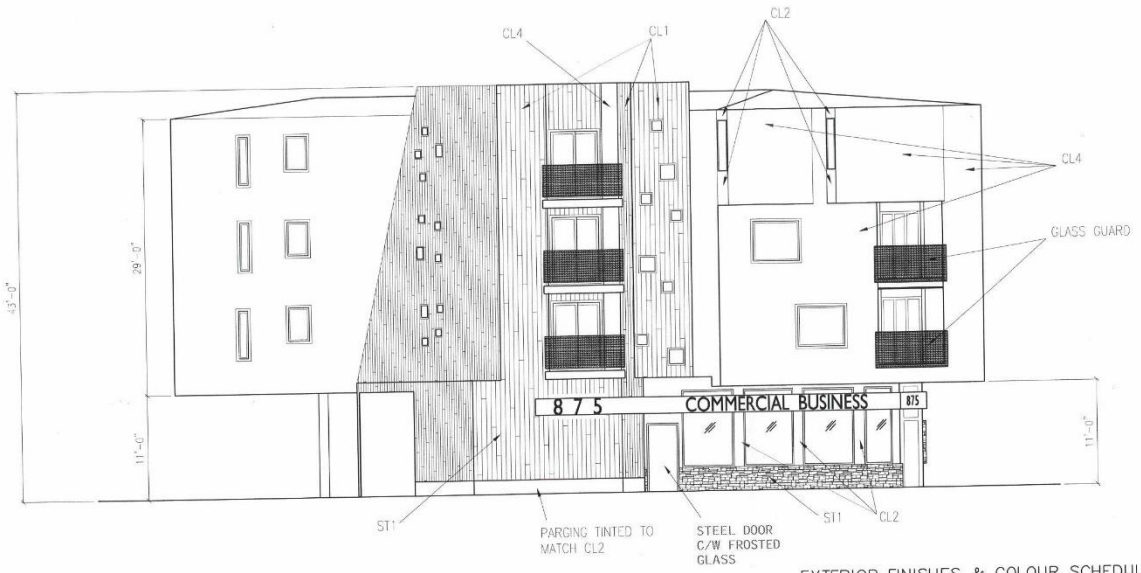
NOTES

1. DO NOT SCALE THIS DRAWING.
2. THE GENERAL CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE PROCEEDING WITH WORK. ANY DISCREPANCIES, ERRORS OR OMISSIONS MUST BE REPORTED TO THE DESIGNER PRIOR TO COMMENCING ON RELATED WORK.
3. VARIATIONS AND MODIFICATIONS TO WORK SHOWN IN THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.
4. ALL DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED AT HIS REQUEST.

REV	DATE	REVISION
3		
2		
1		

CUSTOMER SERVATECH
PROJECT 875 ST. MARY'S Rd
DWG TITLE 3rd FLOOR
DRAWN G.D.
CHECKED
DATE 5 JAN 2022
SCALE A/N
CONTRACT 2014
DWG A4
REV


PROPERTY LINE (100'-0")
PROPERTY LINE (64'-0")
SUITE 402
776 SF
BALCONY
KIT.
BEDROOM 1
BEDROOM 2
CORRIDOR
SUITE 401
776 SF
KIT.
BALCONY
BUILD-OUT 4.1 SF
BEDROOM 3
SUITE 301 UPPER LEVEL
ELEVATOR
MAIN FLOOR
BUILD-OUT 5.1 SF
BEDROOM 1
BEDROOM 2
BEDROOM 2
BEDROOM 1
10'-4 1/2"
BUILD-OUT 9.4 SF
PROPERTY LINE (100'-0")
PROPERTY LINE (64'-0")
4th FLOOR
SCALE: 1/8"=1'-0"
GdM DESIGNS
WINNIPEG, MANITOBA
204.880.3834 gazamontreal@gmail.com
NOTES
1. DO NOT SCALE THIS DRAWING.
2. THE GENERAL CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE PROCEEDING WITH WORK. ANY DISCREPANCIES, ERRORS OR OMISSIONS MUST BE REPORTED TO THE DESIGNER PRIOR TO COMMENCING ON RELATED WORK.
3. VARIATIONS AND MODIFICATIONS TO WORK SHOWN IN THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.
4. ALL DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED AT HIS REQUEST.
REV DATE REVISION
CUSTOMER SERVATECH
PROJECT 875 ST. MARY'S Rd
DWG TITLE 4th FLOOR
DRAWN G.D.
CHECKED
DATE 5 JAN 2022
SCALE A/N
CONTRACT 2014
DWG A5
REV



WEST ELEVATION
SCALE: NTS

EXTERIOR FINISHES & COLOUR SCHEDULE

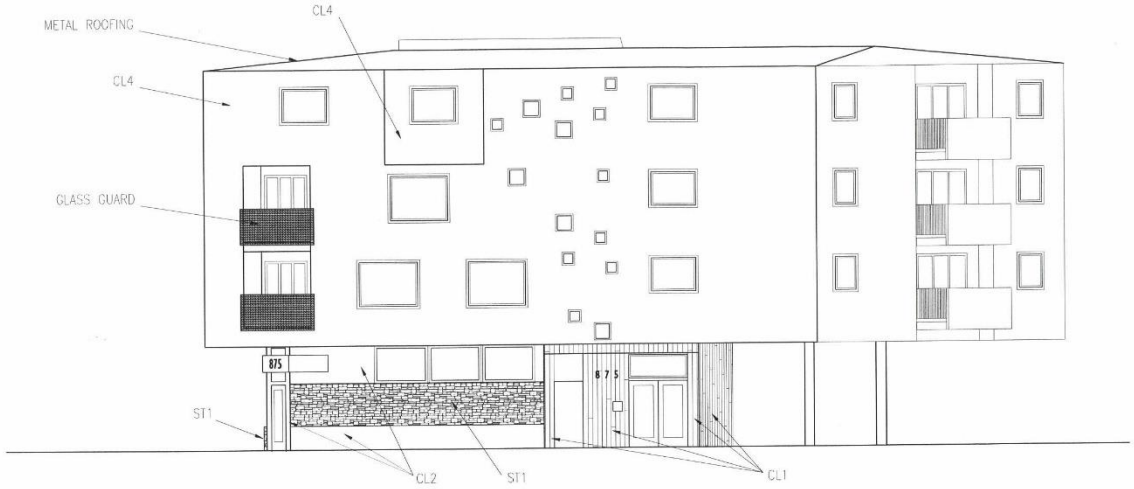
MARK	MATERIAL	SPECIFICATION No. AND COLOUR	MFR.	REMARKS
CL1	METAL CLADDING	CEDAR RENDITIONS – 'CEDAR BARK'	WESTMAN	
CL2	CEMENT BD	HARDIE PANEL VERTICAL–SMOOTH COLOUR: NIGHT GRAY	JAMES HARDIE	
CL3	CEMENT BD	HARDIE PANEL VERTICAL–SMOOTH COLOUR: NIGHT GRAY	JAMES HARDIE	
CL4	INSUL. METAL PANEL	SATIN ALUMINUM RANDOM BRUSH FINISH	WESTMAN	
P1	PAINT	SEMI–GLOSS EXTERIOR COLOUR TO MATCH CL2		
S1	CEM. STUCCO	CEMENT STUCCO – WHITE. FINE LACE FINISH.	IMASCO	
ST1	CULTURED STONE	ASHLAR PATTERN COLOUR: TBS	TBS	

GdM DESIGNS
WINNIPEG, MANITOBA
204.880.3834 gazamontreal@gmail.com

NOTES
1. DO NOT SCALE THIS DRAWING.
2. THE GENERAL CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE PROCEEDING WITH WORK. ANY DISCREPANCIES, ERRORS OR OMISSIONS MUST BE REPORTED TO THE DESIGNER PRIOR TO COMMENCING ON RELATED WORK.
3. VARIATIONS AND MODIFICATIONS TO WORK SHOWN IN THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.
4. ALL DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED AT HIS REQUEST.

REV	DATE	REVISION
3		
2		
1		

CUSTOMER SERVATECH
PROJECT 875 ST. MARY'S Rd
DWG TITLE WEST ELEVATION
DRAWN G.D.
CHECKED
DATE 5 JAN 2022
SCALE A/N
CONTRACT 2014
DWG A6
REV



SOUTH ELEVATION
SCALE: NTS

EXTERIOR FINISHES & COLOUR SCHEDULE

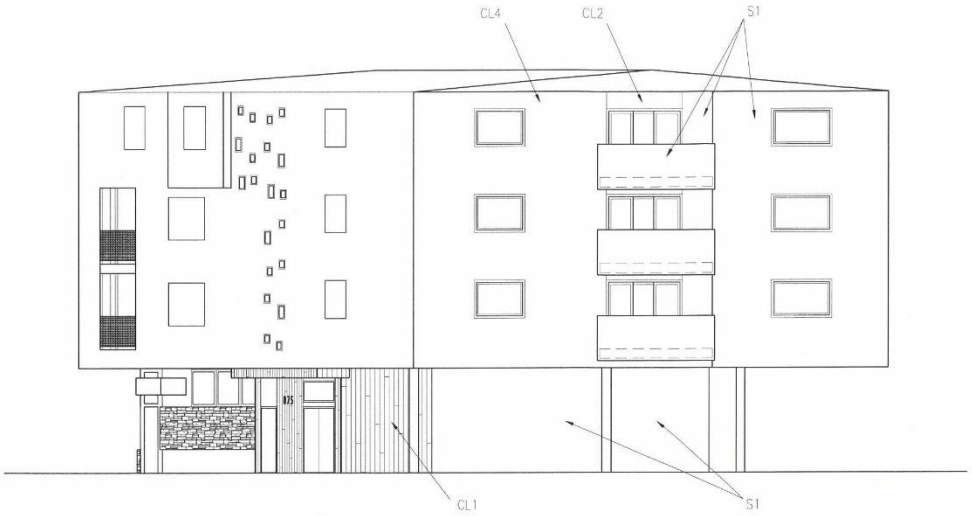
MARK	MATERIAL	SPECIFICATION No. AND COLOUR	MFR.	REMARKS
CL1	METAL CLADDING	CEDAR RENDITIONS – 'CEDAR BARK'	WESTMAN	
CL2	CEMENT BD	HARDIE PANEL VERTICAL–SMOOTH COLOUR: NIGHT GRAY	JAMES HARDIE	
CL3	CEMENT BD	HARDIE PANEL VERTICAL–SMOOTH COLOUR: NIGHT GRAY	JAMES HARDIE	
CL4	INSUL. METAL PANEL	SATIN ALUMINUM RANDOM BRUSH FINISH	WESTMAN	
P1	PAINT	SEMI–GLOSS EXTERIOR COLOUR TO MATCH CL2		
S1	CEM. STUCCO	CEMENT STUCCO – WHITE. FINE LACE FINISH.	IMASCO	
ST1	CULTURED STONE	ASHLAR PATTERN COLOUR: TBS	TBS	

GdM DESIGNS
WINNIPEG, MANITOBA
204.880.3834 gazamontreal@gmail.com

NOTES:
1. DO NOT SCALE THIS DRAWING.
2. THE GENERAL CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE PROCEEDING WITH WORK. ANY DISCREPANCIES, ERRORS OR OMISSIONS MUST BE REPORTED TO THE DESIGNER PRIOR TO COMMENCING ON RELATED WORK.
3. VARIATIONS AND MODIFICATIONS TO WORK SHOWN IN THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.
4. ALL DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED AT HIS REQUEST.

REV	DATE	REVISION
3		
2		
1		

CUSTOMER SERVATECH
PROJECT 875 ST. MARY'S Rd
DWG TITLE WEST ELEVATION
DRAWN G.D.
CHECKED
DATE 5 JAN 2022
SCALE A/N
CONTRACT 2014
DWG A7
REV



EAST ELEVATION
SCALE: NTS

EXTERIOR FINISHES & COLOUR SCHEDULE

MARK	MATERIAL	SPECIFICATION No. AND COLOUR	MFR.	REMARKS
CL1	METAL CLADDING	CEDAR RENDITIONS – 'CEDAR BARK'	WESTMAN	
CL2	CEMENT BD	HARDIE PANEL VERTICAL–SMOOTH COLOUR: NIGHT GRAY	JAMES HARDIE	
CL3	CEMENT BD	HARDIE PANEL VERTICAL–SMOOTH COLOUR: NIGHT GRAY	JAMES HARDIE	
CL4	INSUL. METAL PANEL	SATIN ALUMINUM RANDOM BRUSH FINISH	WESTMAN	
P1	PAINT	SEMI–GLOSS EXTERIOR COLOUR TO MATCH CL2		
S1	CEM. STUCCO	CEMENT STUCCO – WHITE. FINE LACE FINISH.	IMASCO	
ST1	CULTURED STONE	ASHLAR PATTERN COLOUR: TBS	TBS	

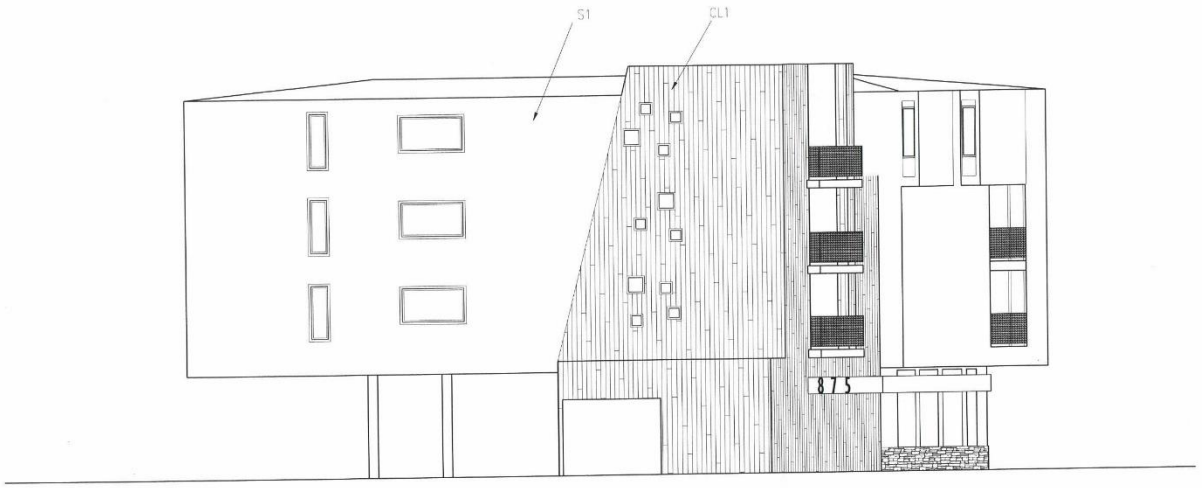
GdM DESIGNS
WINNIPEG, MANITOBA
204.880.3834 gazamontreal@gmail.com

NOTES

1. DO NOT SCALE THIS DRAWING.
2. THE GENERAL CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE PROCEEDING WITH WORK. ANY DISCREPANCIES, ERRORS OR OMISSIONS MUST BE REPORTED TO THE DESIGNER PRIOR TO COMMENCING ON RELATED WORK.
3. VARIATIONS AND MODIFICATIONS TO WORK SHOWN IN THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.
4. ALL DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED AT HIS REQUEST.

REV	DATE	REVISION
3		
2		
1		

CUSTOMER SERVATECH
PROJECT 875 ST. MARY'S Rd
DWG TITLE WEST ELEVATION
DRAWN G.D.
CHECKED
DATE 5 JAN 2022
SCALE A/N
CONTRACT 2014
DWG A8
REV



NORTH ELEVATION
SCALE: NTS

EXTERIOR FINISHES & COLOUR SCHEDULE

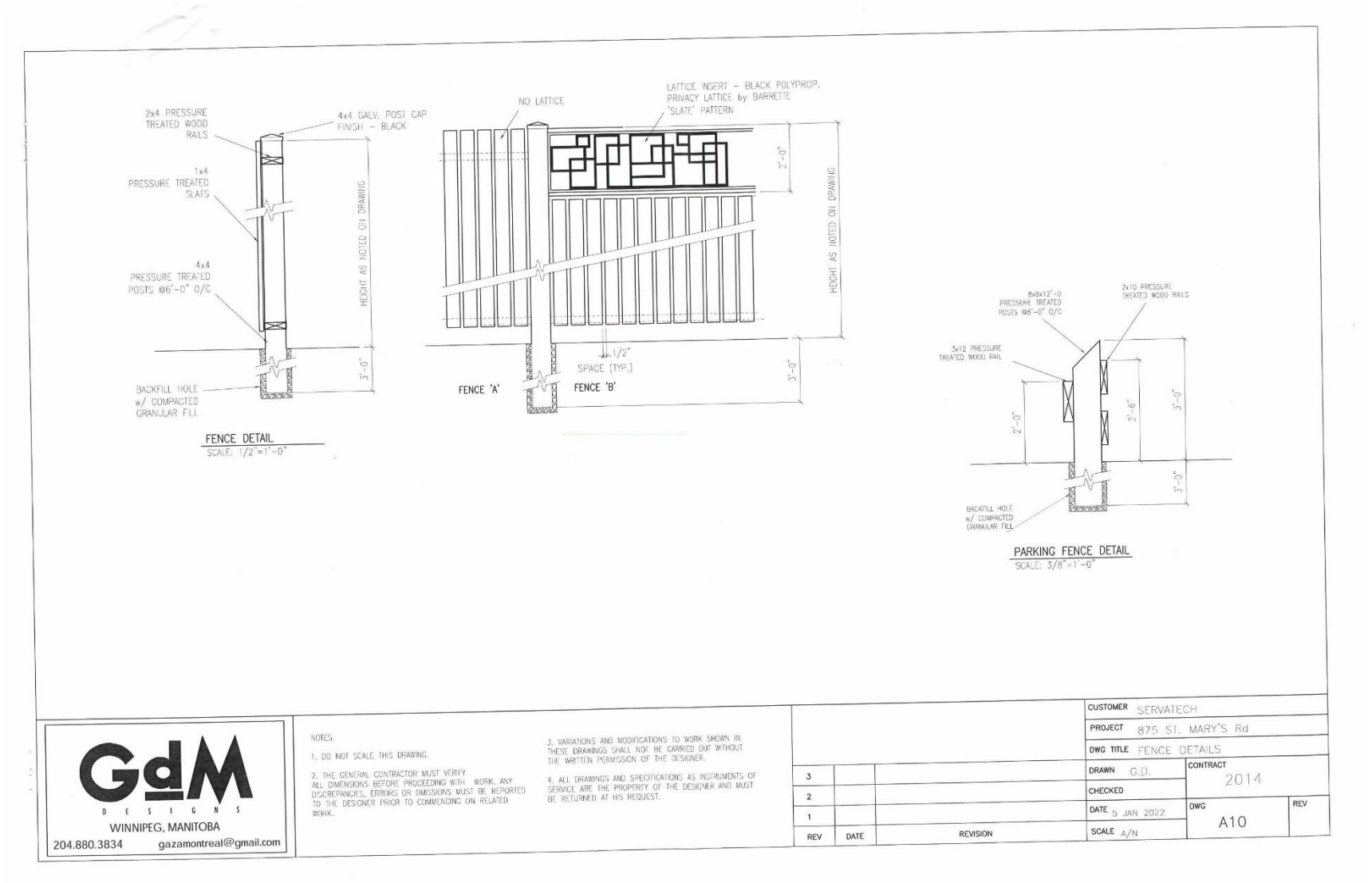
MARK	MATERIAL	SPECIFICATION No. AND COLOUR	MFR.	REMARKS
CL1	METAL CLADDING	CEDAR RENDITIONS – 'CEDAR BARK'	WESTMAN	
CL2	CEMENT BD	HARDIE PANEL VERTICAL–SMOOTH COLOUR: NIGHT GRAY	JAMES HARDIE	
CL3	CEMENT BD	HARDIE PANEL VERTICAL–SMOOTH COLOUR: NIGHT GRAY	JAMES HARDIE	
CL4	INSUL. METAL PANEL	SATIN ALUMINUM RANDOM BRUSH FINISH	WESTMAN	
P1	PAINT	SEMI–GLOSS EXTERIOR COLOUR TO MATCH CL2		
S1	CEM. STUCCO	CEMENT STUCCO – WHITE. FINE LACE FINISH.	IMASCO	
ST1	CULTURED STONE	ASHLAR PATTERN COLOUR: TBS	TBS	

GdM DESIGNS
WINNIPEG, MANITOBA
204.880.3834 gazamontreal@gmail.com

NOTES
1. DO NOT SCALE THIS DRAWING.
2. THE GENERAL CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE PROCEEDING WITH WORK. ANY DISCREPANCIES, ERRORS OR OMISSIONS MUST BE REPORTED TO THE DESIGNER PRIOR TO COMMENCING ON RELATED WORK.
3. VARIATIONS AND MODIFICATIONS TO WORK SHOWN IN THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.
4. ALL DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED AT HIS REQUEST.

REV	DATE	REVISION
3		
2		
1		

CUSTOMER SERVATECH
PROJECT 875 ST. MARY'S Rd
DWG TITLE WEST ELEVATION
DRAWN G.D.
CONTRACT 2014
CHECKED
DATE 5 JAN 2022
DWG A9
REV
SCALE A/N


2x4 PRESSURE TREATED WOOD RAILS
4x4 GALV. POST CAP FINISH - BLACK
1x4 PRESSURE TREATED SLATS
4x4 PRESSURE TREATED POSTS @6'-0" O/C
HEIGHT AS NOTED ON DRAWING
3'-0"
BACKFILL HOLE w/ COMPACTED GRANULAR FILL
FENCE DETAIL
SCALE: 1/2"=1'-0"
NO LATTICE
LATTICE INSERT - BLACK POLYPROP. PRIVACY LATTICE by BARRETTE 'SLATE' PATTERN
2'-0"
HEIGHT AS NOTED ON DRAWING
1/2" SPACE (TYP.)
3'-0"
FENCE 'A'
FENCE 'B'
8x8x12'-0 PRESSURE TREATED POSTS @8'-0" O/C
2x10 PRESSURE TREATED WOOD RAILS
3x12 PRESSURE TREATED WOOD RAIL
2'-0"
2'-6"
3'-0"
3'-0"
BACKFILL HOLE w/ COMPACTED GRANULAR FILL
PARKING FENCE DETAIL
SCALE: 3/8"=1'-0"
GdM DESIGNS
WINNIPEG, MANITOBA
204.880.3834 gazamontreal@gmail.com
NOTES
1. DO NOT SCALE THIS DRAWING.
2. THE GENERAL CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE PROCEEDING WITH WORK. ANY DISCREPANCIES, ERRORS OR OMISSIONS MUST BE REPORTED TO THE DESIGNER PRIOR TO COMMENCING ON RELATED WORK.
3. VARIATIONS AND MODIFICATIONS TO WORK SHOWN IN THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.
4. ALL DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED AT HIS REQUEST.
REV DATE REVISION
3
2
1
CUSTOMER SERVATECH
PROJECT 875 ST. MARY'S Rd
DWG TITLE FENCE DETAILS
DRAWN G.D.
CHECKED
DATE 5 JAN 2022
SCALE A/N
CONTRACT 2014
DWG A10
REV