Minute No. 92
Report – Standing Policy Committee on Property and Development – November 30, 2022

Item No. 15 Rezoning – 122 St. Anne's Road
(St. Vital Ward)
File DAZ 219/2022 [c/r DAV 177281/2022D]

COUNCIL DECISION:

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

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 219/2022 by rezoning the subject land to a "CMU" Commercial Mixed-Use District as shown on the map dated October 25th, 2022 and included in Schedule "A" and the Proposed By-law attached as Appendix "B", subject to the following conditions:

    A. That the owner of the subject land (the "Owner") enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of the City of Winnipeg Charter in accordance with the following:

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

            a. Buildings
            b. Accessory parking areas
            c. Private approaches
            d. Garbage enclosures
            e. Fencing
            f. Landscaping; and
            g. Free-standing signage

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

        ii. That, private vehicular approaches shall not be permitted on St. Anne's Road.

Report – Standing Policy Committee on Property and Development – November 30, 2022

COUNCIL DECISION (continued):

B. That the Developer 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 November 14, 2022 and attached as Schedule "C" to this report.

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

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

ii. A Servicing Agreement in accordance with Recommendation 1.B.,

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")

D. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, the Servicing Agreement and 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 interest of the City.

2. *Deleted*

3. 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, as determined by the City's Director of Planning, Property and Development.

4. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at next available Council meeting.

5. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if the developer pays the amount required under Recommendation 3 and all associated ancillary fees (the "Fees") to the City within 2 years after the By-law has been given first reading.

Report – Standing Policy Committee on Property and Development – November 30, 2022

COUNCIL DECISION (continued):

6. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Fees are not paid within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.

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

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

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

Report – Standing Policy Committee on Property and Development – November 30, 2022

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 7, 2022, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 30, 2022, the Standing Policy Committee on Property and 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 November 14, 2022, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- Delete Recommendations 1.B. and 1.C.in their entirety and replace with the following:

    "B. That the Developer 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 November 14, 2022 and attached as Schedule "C" to this report.

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

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

Report – Standing Policy Committee on Property and Development – November 30, 2022

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

ii. A Servicing Agreement in accordance with Recommendation 1.B.,

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")"

- Add the following new Recommendation:

"1.D. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, the Servicing Agreement and 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 interest of the City."

- Delete Recommendation 2 in its entirety

and forwarded to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File: DAZ 219/2022

Before: Riel Community Committee
Councillor Mayes, Chairperson
Councillor Chambers

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

Applicant: Richard + Wintrup Planning and Development (Brad McGregor)

Subject:



APPLICANT : Richard + Wintrup Planning and Development (B r a d McGregor)
FILE : DAZ 219/2022
PROPOSAL : To rezone the land shown outlined above from an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to a "CMU" COMMERCIAL MIXED USE DISTRICT to allow for the future construction of a mixed use commercial and residential building. **For information, phone Elise Finnigan, Planner at (204) 986-8602.**
DEMANDEUR : Richard + Wintrup Planning and Development (Brad McGregor)
N° DE DOSSIER : DAZ 219/2022
PROJET : Rezonage des sols délinéés ci-dessus de sorte qu'ils passent de la catégorie RMF-S (secteur de petites habitations multifamiliales) à la catégorie CMU (secteur commercial polyvalent) afin de permettre la construction future d'un bâtiment polyvalent à usage commercial et résidentiel. **Pour obtenir des renseignements, appelez E. Finnigan, urbaniste, au (204) 986-8602.**

Premises Affected: 122 St. Anne's Road

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

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, as amended, and recommended to the Standing Policy Committee on Property and Development:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 219/2022 by rezoning the subject land to a "CMU" Commercial Mixed-Use District as shown on the map dated October 25th, 2022 and included in Schedule "A" and the Proposed By-law attached as Appendix "B", subject to the following conditions:

    A. That the owner of the subject land (the "Owner") enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of the City of Winnipeg Charter in accordance with the following:

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

            a. Buildings
            b. Accessory parking areas
            c. Private approaches
            d. Garbage enclosures
            e. Fencing
            f. Landscaping
            g. Free-standing signage

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

        ii. That private vehicular approaches shall not be permitted on St. Anne's Road.

~~***B. That the City enter into, execute and deliver with the Owner a Zoning Agreement in accordance with recommendation 1.A. and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").***~~

B. That the Developer 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 November 14, 2022 and attached as Schedule "C" to this report.

~~***C. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, and 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 interest of the City.***~~

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

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

ii. A Servicing Agreement in accordance with Recommendation 1.B.,

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").

D. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, the Servicing Agreement and 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 interest of the City.

~~***2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated October 25, 2022 to the satisfaction of the Director of Planning, Property and Development***~~

3. 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, as determined by the City's Director of Planning, Property and Development.

4. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at next available Council meeting.

5. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if the Developer pays the amount required under Recommendation 3 and all associated ancillary fees (the "Fees") to the City within 2 years after the By-law has been given first reading.

6. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Fees are not paid within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.

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

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

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

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

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

1. The development itself is a good densification of that major corridor along St. Anne's and St. Mary's. I voted for many of these. I think that's where we should be densifying so I have no issues with that.

2. The neighbours might not be pleased with the parking, on the other end if there's a lane to be obtained out of that, then I think that's a good benefit for the community.

3. I think its appropriate to seek paving of the lane. This is not going to be doable on some of these variances, some of these 50 foot lots in the middle of a long block on Imperial or something, but here where we've got relatively a large percentage of the block soaked-up by this one property and the lanes are shorter because they're north south – yes. I will tend to keep doing this.

Objections under the Charter:

Total number of **v**alid objections as per section 125(2) – 0

In accordance with section 236.1(1), the threshold for sufficient objection has not been met.

Exhibits Filed:

1. Application dated August 23, 2022
2. Notification of Public Hearing dated September 26, 2022
3. Manitoba Status of Title 3177810/1
4. Letter of authorization dated April 26, 2022 from 10060862 Manitoba Inc. (Deepak Mehra) to John S. Wintrup
5. Schedule A – Rezoning Map dated July 26, 2022
6. Current Zoning – 122 St. Anne's Road
7. Title Plot – 122 St. Anne's Road
8. Plans (4 pages)
9. Report from the Urban Planning Division dated October 25, 2022
10. Inspection Report
11. Presentation entitled "122 St. Anne's RD" submitted November 10, 2022 by John Wintrup in support of the application
12. Letter dated November 10, 2022 by John Wintrup in support of the application
13. Recording of Representations

REPRESENTATIONS:

In Support:

John Wintrup

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 DAZ 219/2022

ADMINISTRATIVE REPORT

Title: DAZ 219/2022 – 122 St. Anne's Road

Issue: An application for consideration at the public hearing to rezone the subject property from 'RMF-S' Residential Multi-Family Small to 'CMU' Commercial Mixed Use to allow for the construction of a mixed-use residential and commercial building.

Critical Path: Riel Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
E. Finnigan, RPP, MCIP	n/a	n/a	

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 219/2022 by rezoning the subject land to a "CMU" Commercial Mixed-Use District as shown on the map dated October 25th, 2022 and included in Schedule "A" and the Proposed By-law attached as Appendix "B", subject to the following conditions:

    A. That the owner of the subject land (the "Owner") enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of the City of Winnipeg Charter in accordance with the following:

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

            A. Buildings

            B. Accessory parking areas

            C. Private approaches

            D. Garbage enclosures

            E. Fencing

            F. Landscaping; and

G. Free-standing signage

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

ii. That, private vehicular approaches shall not be permitted on St. Anne's Road.

B. That the City enter into, execute and deliver with the Owner a Zoning Agreement in accordance with recommendation 1.A.and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

C. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, and 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 interest of the City.

2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated October 25, 2022 to the satisfaction of the Director of Planning, Property and Development

3. 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, as determined by the City's Director of Planning, Property and Development.

4. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at next available Council meeting.

5. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if the developer pays the amount required under Recommendation 3 and all associated ancillary fees (the "Fees") to the City within 2 years after the By-law has been given first reading.

6. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Fees are not paid within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

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

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

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

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

REASON FOR THE REPORT

- The applicant is proposing to rezone the site from 'RMF-S' Residential Multi-Family Small to 'CMU' Commercial Mixed Use to allow for the construction of a mixed-use residential and commercial building.
- Rezoning applications require a public hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee's consideration of the development application at the public hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the subject property will be rezoned from 'RMF-S' to 'CMU'.

HISTORY

N/A

CONSULTATION

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

SUBMITTED BY

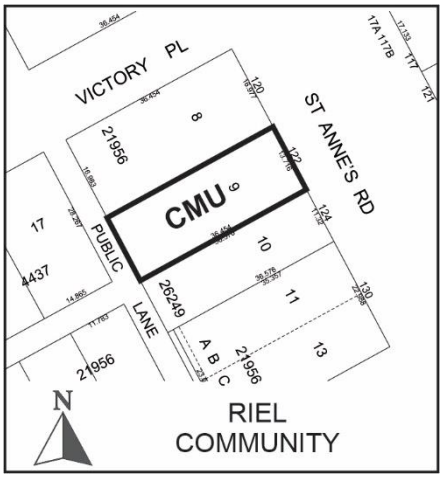
Department	Planning, Property and Development
Division	Urban Planning and Design Division
Prepared by	Elise Finnigan, RPP, MCIP
Date:	October 25th, 2022
File No.	DAZ 219/2022

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Appendix B — Proposed By-law
3. Schedule "A" — Recommended File No. DAZ 219/2022 Riel Community Committee, dated October 25th, 2022
4. Schedule "B" — Report of the Administrative Working Group – October 25th, 2022.

APPENDIX 'A'

FILE:	**DAZ 219/2022**
RELATED FILES:	DAV 22-177281\D
COMMUNITY:	Riel Committee
NEIGHBOURHOOD #:	5.516 - Varennes neighbourhood
SUBJECT:	To rezone the subject property from 'RMF-S' Residential Multi-Family Small to 'CMU' Commercial Mixed Use.
LOCATION:	122 St. Anne's Road



APPLICANT:	Brad Mcgregor (Richard + Wintrup Planning and Development) 55 Donald St Unit 200 Winnipeg, MB R3C 1L8
OWNER:	10060862 MANITOBA INC. 610 Silverstone Ave Winnipeg, MB R3T 2V7

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject property is located on the west side of St. Anne's Road between Victory Place and Sherwood Place in the Varennes neighbourhood of the St Vital ward.
- The subject site is approximately 5,389 square feet in area. It is occupied by a one-storey single-family house built in 1952.
- The subject property is located along an "Urban Mixed Use Corridor" under the *Complete Communities Direction Strategy 2.0*. The property is zoned 'RMF-S' Residential Multi-Family Small.



Figure 1: Aerial photo of subject site and surrounding area *(flown 2021)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Single family residential house on land zoned Commercial Neighbourhood ('C1'); then Victory Place.

South: A single family residential house on land zoned Residential Multi-Family Small ('RMF-S'); then a 12-unit multi-family residential building on land zoned Residential Multi-Family Large ('RMF-L').

East: St. Anne's Road; then stand-alone commercial and mixed use development on land zoned Commercial Community ('C2').

West: Public lane; then single family residential uses on land zoned Residential Single-Family Medium ('R1-M').

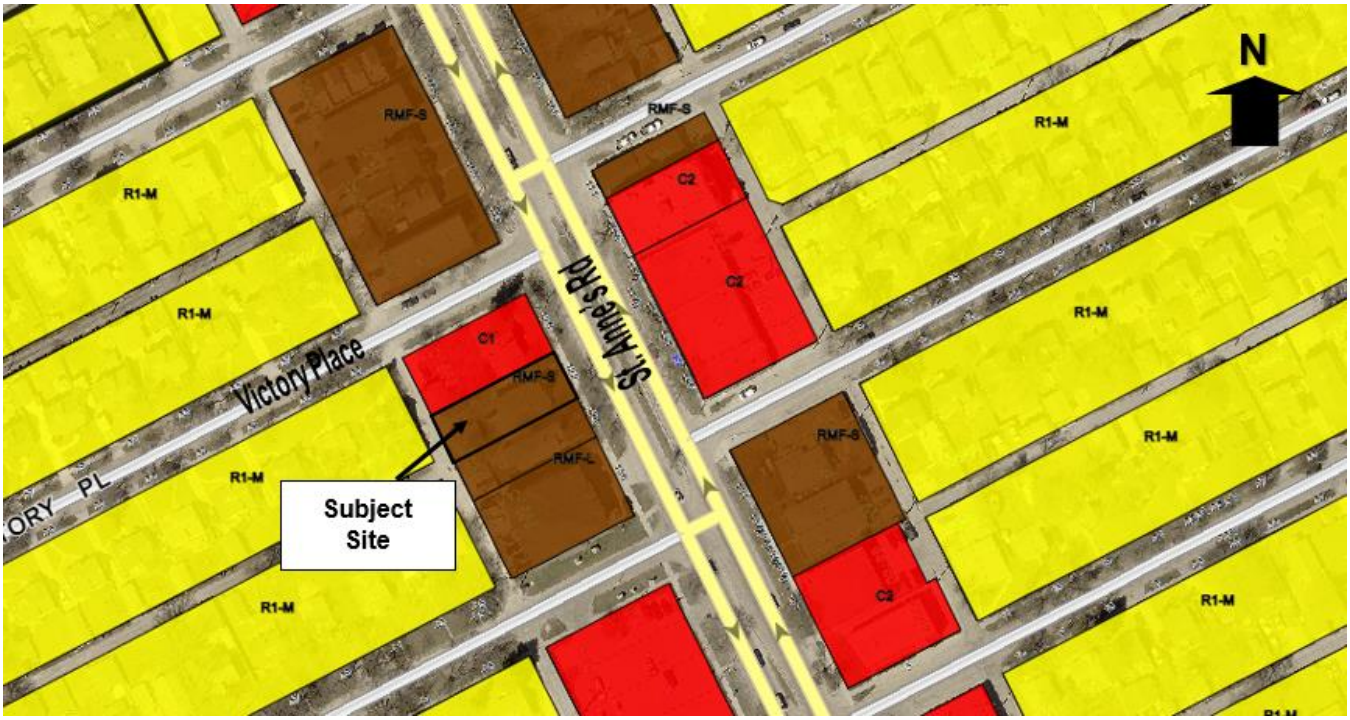


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone from 'RMF-S' (Residential Multi-Family Small) to 'CMU' (Commercial Mixed Use) for the purposes of constructing a 3-storey mixed use building. The building will encompass 6 residential units and one small scale commercial unit on the ground floor.
- A total of five (5) parking stalls will be provided at-grade behind the building and accessed directly from the public lane.
- As part of the 5 parking stalls, there will be 2 accessible parking stalls.
- Landscaping is proposed in the front yard including two Amur Maples trees, 12 shrubs (i.e., Pygmy Caragana), and primarily river rock as ground cover.
- A total of ten (10) bicycle parking stalls will be provided. Five bicycle parking stalls will be located near the entrance to the commercial unit and five bicycle parking stalls will be located in a storage room located at the southwest corner of the building on the ground floor. The garbage and recycling bins are also proposed to be located in the storage room.
- The proposed development requires variances for yard setbacks as well as the access to and buffering of the parking area (see associated variance application and planner's report for DAV 22-177281\D).

COLLABORATION

With the Public Service

- The Urban Planning and Design Division has been in communication with the applicant about the proposal via email in which the details of the proposed development were discussed including additional refinements to the design.

With the Public

- The applicant did not indicate in the application submission whether any public consultation was undertaken.

ANALYSIS AND ISSUES

OURWINNIPEG AND COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- *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.
- This subject property is located along a portion of St. Anne's Road that is designated as an Urban Mixed-Use Corridor under the *CCDS 2.0*. Urban Mixed-Use Corridors are targeted segments of major roadways that, due to their excellent transit service via the Primary Transit Network as well as robust commercial opportunities, provide the best opportunity for mixed use intensification outside of the Downtown. They will provide a wide range of transportation options and will be vibrant destinations for people to live, work, and play. They will be designed to provide a comfortable pedestrian environment and attractive public realm.
- With regard to this proposal, the key policies guiding the development along Urban Mixed Use Corridors include:

  3.1 Ensure that development on Urban Mixed Use Corridors is designed to prioritize a comfortable pedestrian environment and attractive public realm through the use of design elements which may include, but are not limited to the following:

  3.1.1 Providing minimal building setbacks from the public right-of-way to define the street edge.
  3.1.2 Having entrances provide direct access to the public sidewalk.
  3.1.3 Promoting a fine-grained and transparent street-level façade with active ground floor uses.
  3.1.4 Encouraging balconies and public spaces, such as plazas, patios, or other pedestrian amenities.
  3.1.5 Minimizing impacts of vehicular access and parking on the pedestrian environment by having vehicular access off of existing lanes.
  3.1.6 Encouraging the location of parking above- or below-grade, or behind the primary building. Parking located beside the building may be acceptable if the parking area occupies a minimal area and high-quality screening from the public right-of-way is provided.
  3.1.7 Promoting pedestrian-scale signage.

3.2 Fine-grained local commercial uses and vertical mixed-use buildings with ground floor commercial uses will be encouraged.
4.0 Use Corridors to provide local commercial amenities and opportunities for the surrounding neighbourhood and community.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

ZONING

- Currently the lands are zoned 'RMF-S' Residential Multi-Family Small. The RMF zone is intended to accommodate the development of multi-family units in areas with medium to high residential densities. The dimensional standards for multi-family structures in the 'RMF-S' zone are: a minimum front yard of 20 feet; a minimum rear yard of 25 feet; a minimum interior side yard of 4 feet, a minimum corner side yard of 5 feet and, a maximum building height of 35 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 1250 square feet.
- The applicant is proposing to rezone the property to 'CMU' Commercial Mixed Use. The 'CMU' zone is intended to provide for community-serving mixed use development at a higher scale than is appropriate for neighbourhood locations. The district is intended to include attractive commercial, institutional, recreational, and service facilities needed to support surrounding neighbourhoods and the community at-large. Although the area, site, or building should have a predominantly commercial character, multi-family housing may be incorporated within the district, and development should facilitate pedestrian connections between residential and non-residential uses. The dimensional standards for commercial uses in the 'CMU' zone are: a minimum front yard of 10 feet to open parking and no front yard to a building wall; a minimum rear yard of 25 feet; no side yard requirement and, a maximum building height of 60 feet. The dimensional standards of the 'RMF-M' zoning district apply to residential multi-family uses in the 'CMU' zone including: the front yard setback is based on an average of the front yard setbacks of existing residential development on the subject block; a minimum rear yard of 25 feet; a minimum 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) and, a maximum building height of 60 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 800 square feet.

Reason for the Rezoning

The applicant is proposing to rezone from 'RMF-S' to 'CMU' to allow for the construction of a new 3-storey mixed use building. The building will encompass 6 residential units and one small scale commercial unit on the ground floor.

CONSISTENCY WITH *CCDS 2.0* AND SURROUNDING NEIGHBOURHOOD

- As noted above, the subject site is located along an "Urban Mixed Use Corridor" policy area under the *Complete Communities Direction Strategy 2.0* where vertical mixed-use buildings with ground floor commercial uses are encouraged. The subject proposal to construct a 3-storey mixed use building with a commercial unit on the ground floor and 6 residential units above aligns completely with the policies directing development along "Urban Mixed Use Corridors".

- It is also noted the site has access to quality transit service and the Winnipeg Transit Master Plan proposes significantly improving the all-day frequency of transit service on St. Anne's Road over the next 5 years. The site is also within walking distance to a number of commercial amenities including a major grocery store and is located in the St. Vital Business Improvement Zone.
- The applicant has submitted a design that supports a high quality, pedestrian-oriented urban environment. More specifically, the building and site design encompass the following considerations:
    - a strong pedestrian-oriented ground floor design that incorporates a small scale, fine grained commercial storefront with large transparent windows and a prominent front entrance;
    - units with balconies that face St. Anne's Road helping to add "eyes on the street" which can improve the perception of safety at the street level;
    - the parking area is concealed from street view by the building;
    - the building incorporates a quality façade design with varying articulations, a combination of cladding materials and colours which helps to break-up the massing of the building and enhance the overall look of the street edge along St. Anne's Road.

RECOMMENDED ZONING AGREEMENT

Plan Approval

The Urban Planning Division is recommending that final plans be submitted to the Director of Planning, Property and Development and Riel Community Committee for review prior to the issuance of a development permit on the lot. The inclusion of this clause will allow the Urban Planning Division and the Riel Community Committee to review final plans and design details before any future development takes place on the site. The expectation for the Plan Approval will be that the final plans are consistent with those submitted as part of the DASZ application. The Urban Planning and Design Division will be looking for some refinements to the landscaping plan including the provision of raised edging along the front property line in order to help prevent the proposed river rocks from spreading onto the public sidewalk.

No vehicular approaches

To help ensure the safety and comfort of pedestrians and cyclists is maintained and recognizing the subject property has access to a public lane, the Public Service is recommending that no private vehicular approaches be permitted on St. Anne's Road.

RECOMMENDATION

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

- The proposal is consistent with the policies guiding development along "Urban Mixed Use Corridors" under the *Complete Communities Direction Strategy 2.0* where vertical mixed-use buildings with ground floor commercial uses encompassing a pedestrian-oriented design are encouraged.

This Report Submitted by: Elise Finnigan, RPP, MCIP
Planning, Property and Development Department
Urban Planning and Design Division
Report Prepared by: PPD File # DAZ 219/2022

Schedule "A" for File No. DAZ 219/2022, Riel Community Committee, dated October 25th, 2022.

By-Law No. _____

File No. **DAZ 219/2022**

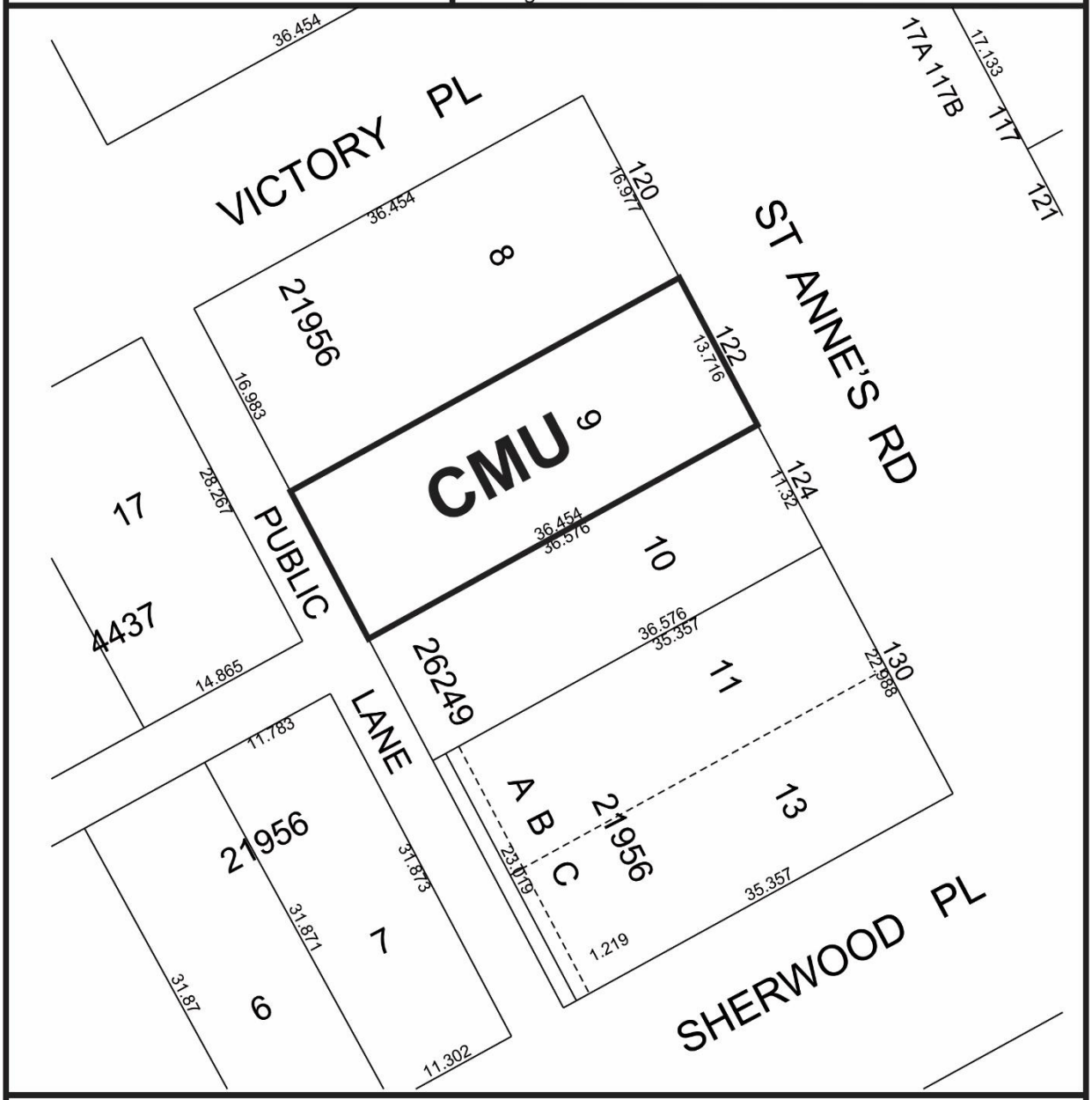
Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 122 St. Anne's Road from an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to a "CMU" COMMERCIAL MIXED USE DISTRICT to allow for the future construction of a mixed use commercial and residential building.

Atlas Sheet No. **AD27**

N

RIEL COMMUNITY



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED REZONING OF LAND LOCATED AT 122 ST. ANNE'S ROAD

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DAZ 219/2022. The Developer should take into consideration the following servicing and design requirements and considerations in the redevelopment of the site:

Section I – General Comments

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

2) The Urban Forestry Division wishes to advise that the Developer is required to preserve and protect existing mature trees that are within City-owned land, including those immediately adjacent to the subject site, and within the right-of-way. The Developer shall adhere to the City's Tree Protection Specifications:

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

   The Developer will be required to compensate the City for any damage or removal thereof. The removal of City-owned trees must be pre-approved by Urban Forestry.

Section II - Servicing Considerations

1) Combined Sewer District

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

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

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

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

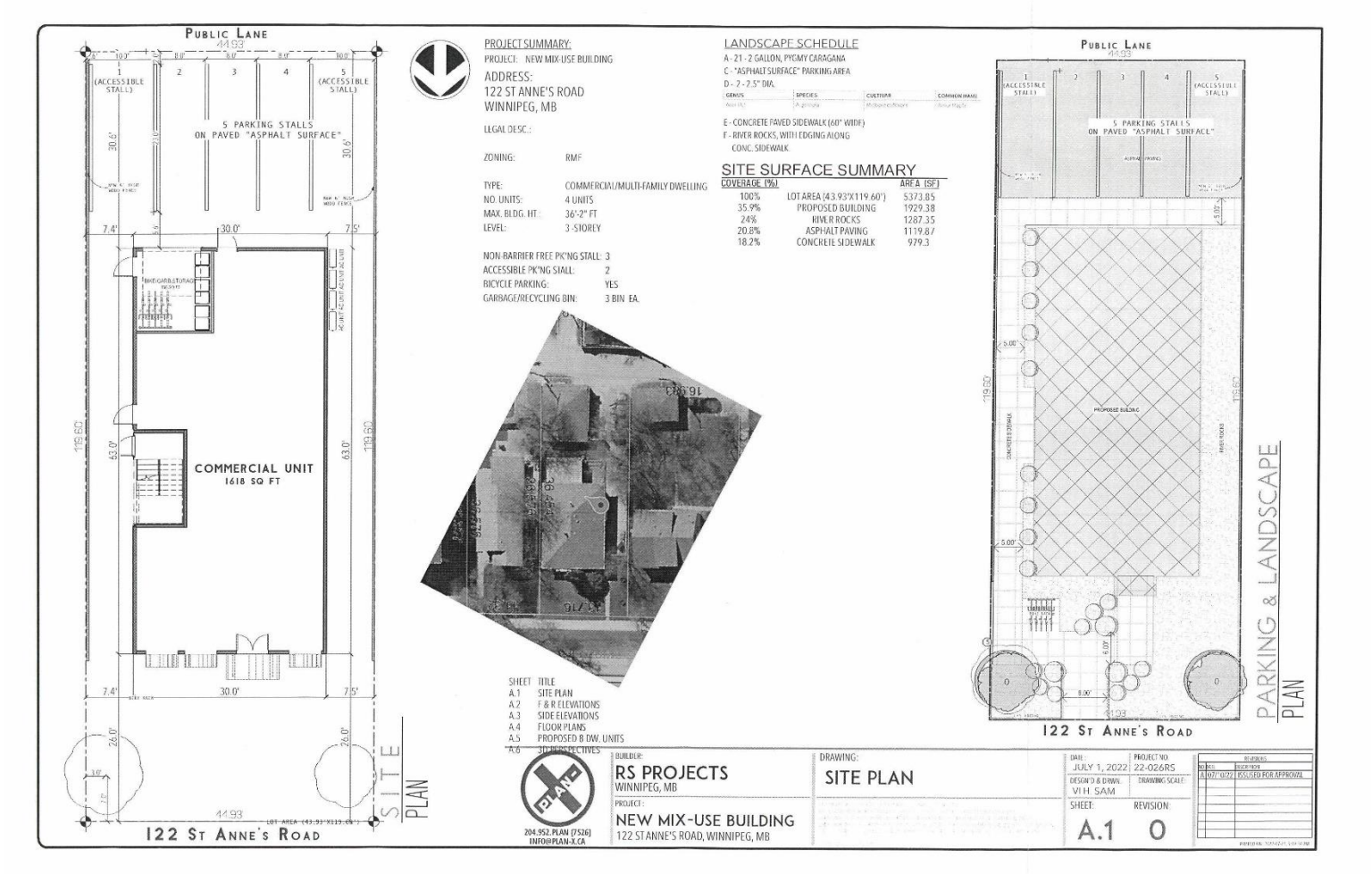
THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DAZ 219/2022
October 25, 2022

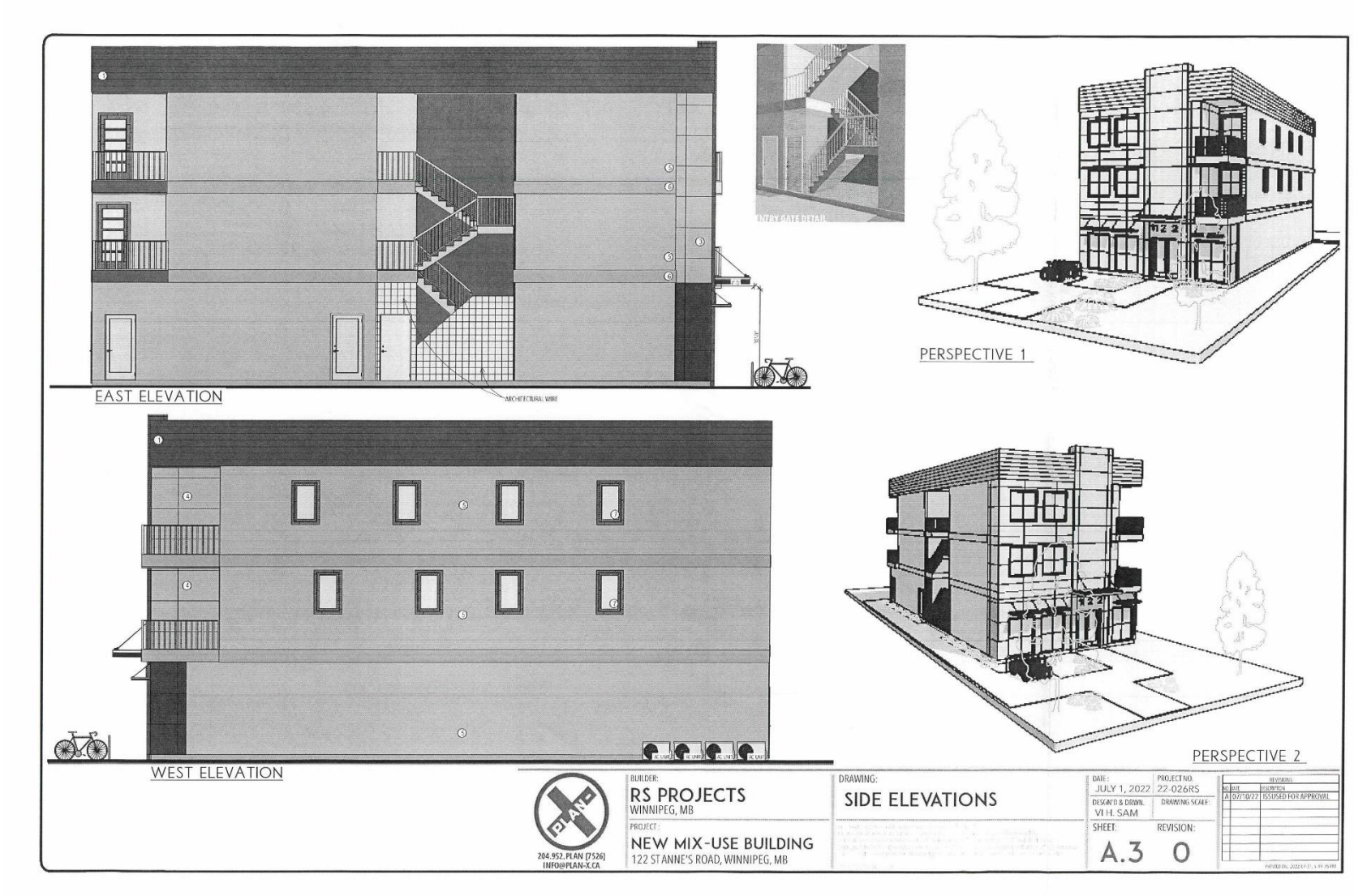
"*Original Signed by D. Trenchard"*
D. Trenchard, P. Eng.
Land Development Branch
Planning, Property and Development Department

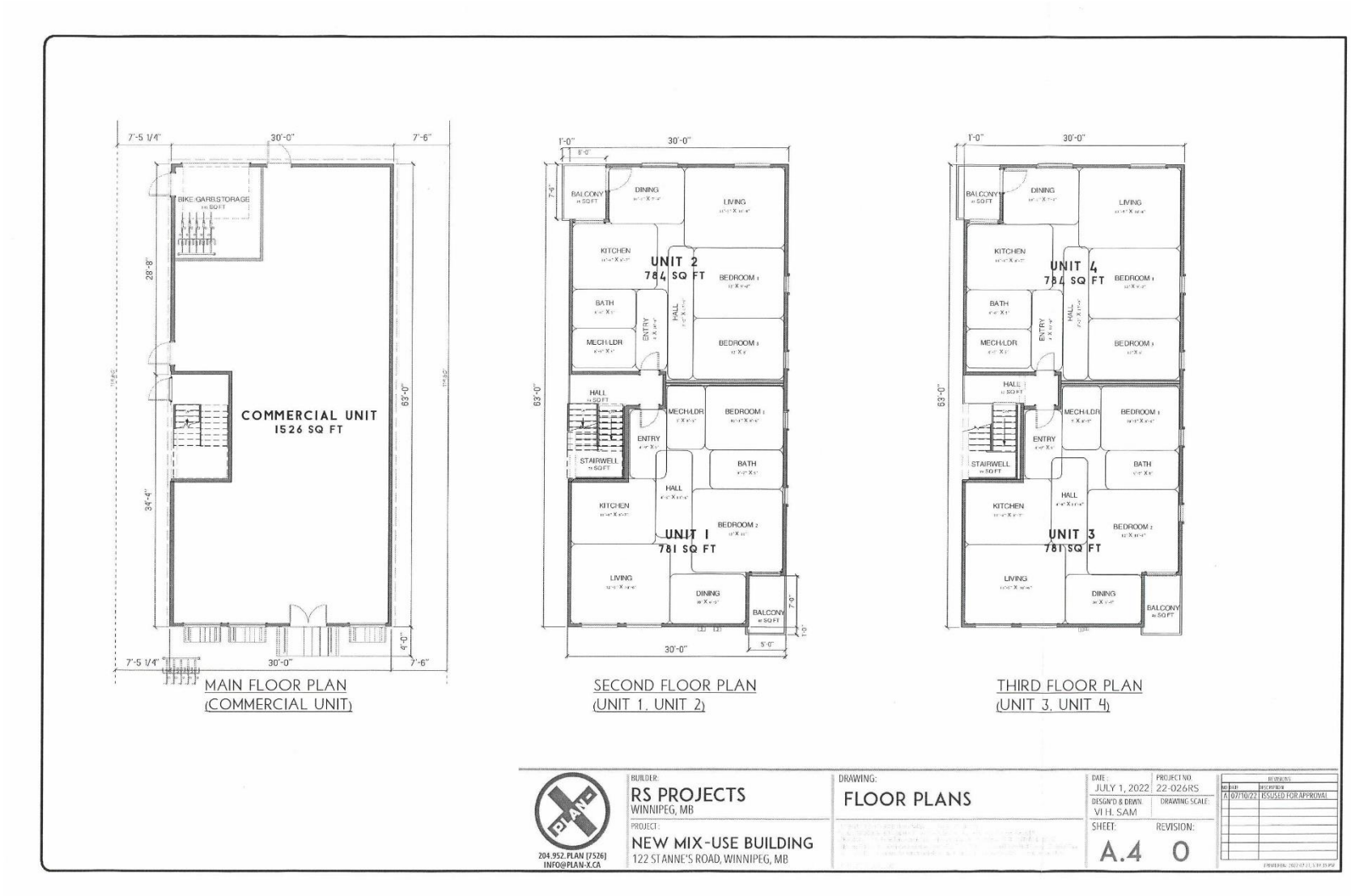
"*Original Signed by M. Gajda"*
M. Gajda, P. Eng.
Engineering Division
Water and Waste Department

Exhibit "8" referred to in File DAZ 219/2022




36'-2"
1 2 2
FRONT
ELEVATION
REAR
ELEVATION
EXTERIOR FINISHES
① FIBRE BOARD SIDING
② FIBRE BOARD PANEL
③ ACRYLIC STUCCO (COLOUR 1)
④ ACRYLIC STUCCO (COLOUR 2)
⑤ SMOOTH STUCCO
⑥ SMOOTH STUCCO BELLY BAND
⑦ ALL DOORS & WINDOWS TO BE TRANSPARENT GLASS
204.952.PLAN [7526]
INFO@PLAN-X.CA
BUILDER:
RS PROJECTS
WINNIPEG, MB
PROJECT:
NEW MIX-USE BUILDING
122 ST ANNE'S ROAD, WINNIPEG, MB
DRAWING:
F & R ELEVATIONS
DATE:
JULY 1, 2022
PROJECT NO.
22-026RS
DESIGN'D & DRWN.
VI H, SAM
DRAWING SCALE:
SHEET:
A.2
REVISION:
0
REVISIONS
NO.
DESCRIPTION
1
07/10/22
ISSUED FOR APPROVAL


EAST ELEVATION
ARCHITECTURAL WIRE
PERSPECTIVE 1
WEST ELEVATION
PERSPECTIVE 2
BUILDER:
RS PROJECTS
WINNIPEG, MB
PROJECT:
NEW MIX-USE BUILDING
122 ST ANNE'S ROAD, WINNIPEG, MB
204.952.PLAN (7526)
INFO@PLAN-X.CA
DRAWING:
SIDE ELEVATIONS
DATE:
JULY 1, 2022
PROJECT NO.
22-026RS
DESIGN'D & DRWN.
VI H. SAM
DRAWING SCALE:
SHEET:
A.3
REVISION:
0
NO. DATE DESCRIPTION
A 07/10/22 ISSUED FOR APPROVAL


7'-5 1/4"
30'-0"
7'-6"
BIKE GARB STORAGE
COMMERCIAL UNIT
1526 SQ FT
28'-8"
34'-4"
63'-0"
4'-0"
MAIN FLOOR PLAN
(COMMERCIAL UNIT)
1'-0"
5'-0"
BALCONY
DINING
LIVING
KITCHEN
UNIT 2
784 SQ FT
BEDROOM 1
BATH
MECH/LDR
ENTRY
HALL
BEDROOM 3
STAIRWELL
BEDROOM 2
UNIT 1
781 SQ FT
7'-0"
SECOND FLOOR PLAN
(UNIT 1, UNIT 2)
UNIT 4
784 SQ FT
UNIT 3
781 SQ FT
THIRD FLOOR PLAN
(UNIT 3, UNIT 4)
BUILDER:
RS PROJECTS
WINNIPEG, MB
PROJECT:
NEW MIX-USE BUILDING
122 ST ANNE'S ROAD, WINNIPEG, MB
204.952.PLAN (7526)
INFO@PLAN-X.CA
DRAWING:
FLOOR PLANS
DATE:
JULY 1, 2022
PROJECT NO.
22-026RS
DESIGN'D & DRWN.
VI H. SAM
DRAWING SCALE:
SHEET:
A.4
REVISION:
0
REVISIONS
NO. DATE DESCRIPTION
A 07/10/22 ISSUED FOR APPROVAL