Agenda – Executive Policy Committee – October 17, 2023

Report – Standing Policy Committee on Property and Development – October 6, 2023

Item No. 5 Subdivision and Rezoning – 541-551 Maryland Street (Daniel McIntyre Ward) File DASZ 25/2023 [c/r DAV 173961/2023D]

STANDING COMMITTEE RECOMMENDATION:

On October 6, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the following to Council:

1. That the subdivision proposed under Development Application No. DASZ 25/2023 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated September 25, 2023 and attached as Schedule "C" to this report, with such minor changes as may be required, for registration in the Winnipeg Land Titles Office.

2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated August 30, 2023 to the satisfaction of the Director of Planning, Property and Development.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMF-L" Residential Multi-Family (Large) District in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated September 25, 2023 and attached as Schedule "C" to this report, subject to the following conditions:

    A. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

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

            a. buildings;
            b. accessory parking areas;
            c. private approaches;
            d. garbage enclosures;
            e. fencing;
            f. landscaping; and
            g. free-standing signage

STANDING COMMITTEE RECOMMENDATION (continued):

on the Owner's Land ("Works") to the City for approval by the Director of Planning, Property and Development ("Director") 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 the following dimensional standards shall apply:

a. The maximum height of the principal building shall not exceed 60 feet.

b. The maximum lot coverage of the principal building shall be 50%.

B. That the City enter into, execute and deliver with the developer a Zoning Agreement in accordance with recommendation 3.A., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

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

4. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 25/2023 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

5. 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 (the "By-law") and bring same directly to Council by way of communication for first reading.

Report – Standing Policy Committee on Property and Development – October 6, 2023

STANDING COMMITTEE RECOMMENDATION (continued):

6. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with recommendation 1 and has paid the Dedication and all other associated ancillary fees (the "Fees"), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

7. That Development Application No. DASZ 25/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not submitted the Plan and paid all associated ancillary fees (the "Fees") within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2-year period and Council approves the extension.

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

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

10. That the By-law will be repealed without coming into force 1 year following 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 that 1-year period and Council approves the extension.

11. That Development Application No. DASZ 25/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City within 1 year following the date on which the By-law is enacted, unless the developer applies for an extension of time before the expiration of that 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.

13. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 25/2023.

Agenda – Executive Policy Committee – October 17, 2023

Report – Standing Policy Committee on Property and Development – October 6, 2023

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On October 6, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 25, 2023, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- In Recommendation 3.A., delete the words “and the City Centre Community Committee”

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

PUBLIC HEARING SUMMARY

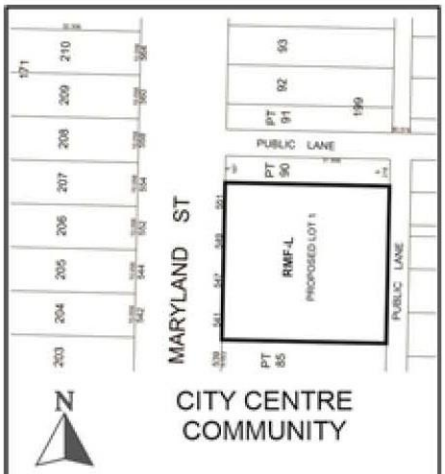
File: DASZ 25/2023

Before: City Centre Community Committee
Councillor Gilroy, Chairperson
Councillor Orlikow
Councillor Rollins

Public Hearing: September 25, 2023
Council Building, 510 Main Street

Applicant: Sousa Investments Inc. (Albert Sousa)

Subject:



APPLICANT: Sousa Investments Inc. (Albert Sousa)
FILE: DASZ 25/2023
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 "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to facilitate the consolidation of lands for the construction of a multi-family dwelling. **For information, phone S. Costello, Planner at 204-986-6008**

Premises Affected: 541-551 Maryland Street

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

Prepared by: Karly Dolski, Committee Clerk
City Centre Community Committee

Report date: September 25, 2023

Community Committee Recommendation:

On September 25, 2023, the City Centre 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 subdivision proposed under Development Application No. DASZ 25/2023 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated September 25, 2023 and attached as Schedule "C" to this report, with such minor changes as may be required, for registration in the Winnipeg Land Titles Office.

2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated August 30, 2023 to the satisfaction of the Director of Planning, Property and Development.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMF-L" Residential Multi-Family (Large) District in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated September 25, 2023 and attached as Schedule "C" to this report, subject to the following conditions:

    A. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

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

            a. buildings;
            b. accessory parking areas;
            c. private approaches;
            d. garbage enclosures;
            e. fencing;
            f. landscaping; and
            g. free-standing signage

            on the Owner's Land ("Works") to the City for approval by the Director of Planning, Property and Development ("Director") ~~***and the City Centre Community Committee***~~ 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 the following dimensional standards shall apply:

a. The maximum height of the principal building shall not exceed 60 feet.

b. The maximum lot coverage of the principal building shall be 50%.

B. That the City enter into, execute and deliver with the developer a Zoning Agreement in accordance with recommendation 3.A., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

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

4. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 25/2023 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

5. 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 (the "By-law") and bring same directly to Council by way of communication for first reading.

6. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with recommendation 1 and has paid the Dedication and all other associated ancillary fees (the "Fees"), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

7. That Development Application No. DASZ 25/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not submitted the Plan and paid all associated ancillary fees (the "Fees") within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2-year period and Council approves the extension.

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

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

10. That the By-law will be repealed without coming into force 1 year following 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 that 1-year period and Council approves the extension.

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

13. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 25/2023.

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

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

1. This is a really good development. Taking some very old lots which has had some challenges on those lots and really putting a great development with 29 suites, as we hear some are going to be accessible, which is really really great.

2. It just really needed a well deserved a new apartment building to that location would be ideal considering the make up of how close we are to transit lines, the University of Winnipeg, the hospitals, and just also within our downtown, it’s a really good location close to everything.

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 July 12, 2023 2. Notification of Public Hearing dated August 23, 2023 3. Manitoba Status of Titles 2912270/1, 2912273/1, 3014129/1 and 3188564/1 4. Letter of authorization dated March 13, 2023 from Albert Sousa, Sousa Investments Inc. and Jose B. Sousa to Sousa Investments Inc., Albert Sousa 5. Arborist Report 6. Peg City Car Co-op Agreement in Principle dated August 29, 2022 7. Plans (4 pages) 8. Report from the Urban Planning Division dated August 29, 2023 9. Inspection Report 10. Recording of Representations

REPRESENTATIONS:

In Support:

Albert Sousa

In Opposition:

Nil

For Information:

Nil

For the City:

D. Iskierski, Planner, Planning, Property and Development Department
A. Ross, Planner, Planning, Property and Development Department

Exhibit “8” referred to in File DASZ 25/2023

ADMINISTRATIVE REPORT

Title: DASZ 25/2023 – 541-551 Maryland Street

Issue: For consideration at the public hearing for a rezoning to “RMF-L” Residential Multi-Family (Large) to construct a 29-suite residential building.

Critical Path: City Centre Community Committee – Standing Policy Committee on Property and Development, Heritage and Downtown Development – Executive Policy Committee – Council.

AUTHORIZATION

Author	Department Head	CFO	CAO
S. Costello, BURPl.	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision proposed under Development Application No. DASZ 25/2023 be approved for preparation as a plan of subdivision (the “Plan”) by a Manitoba Land Surveyor in accordance with the proposed by-law attached as Appendix “B” to this report and as shown on the map dated September 25, 2023 and attached as Schedule “C” to this report, with such minor changes as may be required, for registration in the Winnipeg Land Titles Office.

2. That the Developer shall meet all terms and conditions as outlined in Schedule “B”, the report of the Administrative Coordinating Group, dated August 30, 2023 to the satisfaction of the Director of Planning, Property and Development.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an “RMF-L” Residential Multi-Family (Large) District in accordance with the proposed by-law attached as Appendix “B” to this report and as shown on the map dated September 25, 2023 and attached as Schedule “C” to this report, subject to the following conditions:

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(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 for approval by the Director of Planning, Property and Development ("Director") and the City Centre Community Committee 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 the following dimensional standards shall apply:

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B. That the City enter into, execute and deliver with the developer a Zoning Agreement in accordance with recommendation 3.A., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

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

12. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 25/2023.

REASON FOR THE REPORT

- The applicant is proposing to consolidate four (4) properties, 541, 547, 549, and 551 Maryland Street, and rezone from Residential Multi-Family Medium (RMF-M) to Residential Multi-Family Large (RMF-L) in order to establish a multi-family dwelling with 29 residential dwelling units.
- Rezoning applications require a public hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter, section 249.*
- 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 are concurred with, then the development may proceed upon obtaining necessary permits.

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.

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	Shaylyn Costello, BURPl.
Date:	August 29, 2023
File No.	DASZ 25/2023

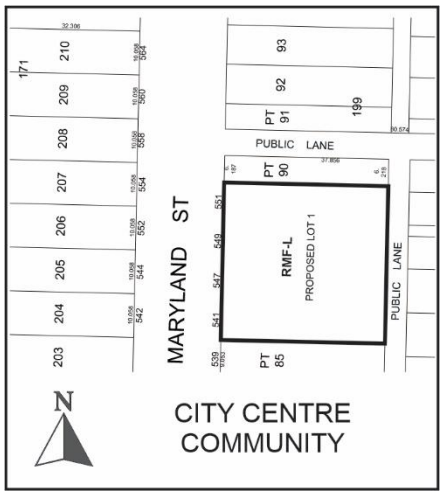
List of Schedules and Appendices

- Schedule A – Planning Discussion.
- Schedule B – Report of the Administrative Coordinating Group.

- Schedule C for File no. DASZ 25/2023.
- Appendix A – Arborist Report.
- Appendix B – Draft By-law.

Schedule A

DATE:	September 25, 2023
FILE:	**DASZ 25/2023**
RELATED FILES:	DAV 23-173961/D
COMMUNITY:	Daniel McIntyre
NEIGHBOURHOOD #:	1.108 Daniel McIntyre
SUBJECT:	Plan of Subdivision and rezoning to consolidate and rezone subject properties from RMF-M to RMF-L.
LOCATION:	541-551 Maryland Street
LEGAL DESCRIPTION:	EXC ELY 8F LOT 86 PLAN 199 72 ST JA



APPLICANT:	Sousa Investments Inc. 400 Kensington St Winnipeg, MB R3J 1J5
OWNER:	SOUSA INVESTMENTS INC. 400 Kensington St Winnipeg, MB R3J 1J5

SITE DESCRIPTION

- The subject properties, 541, 547, 549, and 551 Maryland Street, are located on the east side of Maryland Street in the Daniel McIntyre neighbourhood of the Daniel McIntyre ward.
- Each of the lots are 29.66 feet wide and have lot areas of 3699 square feet per lot. Each lot contains a small-scale residential building with 1, 2, 3, and 4 units respectively.
- The lands are designated Established Neighbourhood – Mature Communities under the *Complete Communities Direction Strategy 2.0* (CCDS 2.0). The lands are zoned "RMF-M" Residential Multi-family (medium).



Figure 1: Air Photo Map of Property and Surrounding Area *(flown 2021)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Vacant strip of land owned by Safeway, then public lane, then Safeway grocery store zoned "RMF-M" and "C2" on Sargent Avenue.

South: A mix of small-scale residential zoned "RMF-M," then an 18-unit multi-family building zoned "RMF-L," and commercial buildings zoned "C2" along Ellice Avenue.

East: Public lane, the multi-family buildings zoned "RMF-M" and "RMF-L" on Sherbrook Street.

West: Maryland Street the mix of smaller-scale and multi-family residential buildings zoned "RMF-M."



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to consolidate 541, 547, 549 and 551 Maryland Street resulting in a lot area of 14,653 square feet that is approximately 119 feet wide and 124 feet deep.
- The consolidated lot is proposed to be rezoned from “RMF-M” to “RMF-L.”
- The proposed building would be four storeys in height containing 29 residential dwelling units.
- 10 parking stalls are proposed off the back lane, including one Peg City Car Share vehicle, two accessible parking spaces, and one visitor space.
- The building design includes a flat roof with parapets, brick veneer, corrugated metal and panels.
- Indoor secure bicycle parking is proposed, providing 40 bike spaces as well as 4 outdoor visitor spaces.

ANALYSIS AND ISSUES

COLLABORATIVE PLANNING

The applicant contacted the Planning, Property and Development Department, seeking support for a multi-family development. The Department indicated support for a rezoning to “RMF-L,” provided the design meets the *Infill Guidelines*, and that offsets were provided for any parking

ratio below 0.8 stalls per unit. The applicant provided a signed Agreement in Principle from Peg City Car Co-Op. The applicant also provided various iterations improving upon the building and site design. The Department requested an Arborist Report which was provided with the application. The Public Service was satisfied with the application submissions and indicated overall support for the proposed development.

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

The City of Winnipeg's development plan, *OurWinnipeg*, and its citywide secondary plan, the *Complete Communities Direction Strategy 2.0* (*CCDS 2.0*), lay out the framework for how our City will grow over the next 25 years and how all other plans and City Council decisions must be consistent with it. The subject site is designated "Established Neighbourhoods – Mature Community" under *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.

In addition, CCDS 2.0 establishes an intensification target to aim for a minimum of 50% of all new dwelling units to be located in the intensification target area. Applicable goals and policies that apply to the proposal are noted below.

D1 Established Neighbourhoods

Goal 1: Encourage compatible residential development within Established Neighbourhoods to build more Complete Communities and align with the City's residential intensification target.

General Policies

- *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.*
- *1.4 Support opportunities for further residential intensification within approximately 400 metres of a rapid transit station, where appropriate and in accordance with the TOD Handbook.*
- *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 the ability to make the required upgrades necessary to accommodate a proposed development.*

Mature Communities

- *1.7 Mid-rise residential uses will generally be accommodated on arterial streets where compatible with adjacent land uses, where they can be conveniently served by transit and local commercial amenities, and in consideration of the factors listed in Policy section 1.6.*

The proposed development is consistent with *CCDS 2.0* in the following ways:

- The proposal is consistent with the *Infill Guidelines* including the Preferred Location Criteria and the applicable design guidelines.
- The development will contribute to the supply and renewal of housing.
- Maryland Street and Sherbrook Street are both identified as Frequent Routes as per the Primary Transit Network. Increasing density on Maryland will increase transit ridership and connect residents to the rest of the City.
- The development also supports alternative modes of transportation by providing a car-share vehicle and secure indoor bike storage for 40 bikes. Maryland Street and Sherbrook Street both have protected cycling infrastructure.
- The lands are already zoned for multi-family residential development. The proposed rezoning will allow a higher density of a use that is already permitted by right, while regulating height and massing through use of the *Infill Guidelines.*
- The property is located on an arterial street in proximity to other multi-family developments, as well as steps away from a large grocery store.

RESIDENTIAL INFILL GUIDELINES

The *Small Scale and Low-Rise Residential Development Guidelines for Mature Communities* (*Infill Guidelines*) were adopted by Winnipeg City Council on June 24, 2021, following multiple years of engagement and consultation with the public. The Guidelines apply to small-scale residential development within Winnipeg's Mature Communities and are intended to help City of Winnipeg employees, land developers, and individual residents interpret the policies within *OurWinnipeg* and *CCDS 2.0*.

The Guidelines also supplement the regulations outlined in the City of Winnipeg Zoning By-law No. 200/2006 in assessing how well a proposed development design fits the local context and whether it is an appropriate location for proposed development within an existing neighbourhood.

The subject property meets the Preferred Location Criteria (PLC) low-rise multi-unit residential buildings development in the *Infill Guidelines.*

Preferred Location Criteria

The subject property is in Area 2 of the *Infill Guidelines*. It is consistent with the Preferred Location Criteria for Low-Rise Multi-Unit Residential Buildings under Scenario 1.

2. The Preferred Location Criteria for low-rise multi-unit residential buildings in Area 2 should be on the following basis:

***Scenario 1** – Where all of the following criteria are met:*

a. on sites where the rear yard abuts a lane;

b. on sites located within 1,312 feet (400 metres) of the Primary Transit Network or rapid transit station; and

*c. where the property abuts an arterial street; **or***

***Scenario 2** – Where all of the following criteria are met:*

a. on sites where the rear yard abuts a lane;

b. on sites located within 1,312 feet (400 metres) of the Primary Transit Network or rapid transit station; and

c. where one or more of the following conditions are met:

i. on corner lots (including internal corner lot); or

ii. on sites where at least one side yard abuts a commercial, multi-unit residential or non-residential use.

Design Guidelines

While the property is consistent with the Preferred Location Criteria for establishing multi-family development (under Scenario 1), it must also be consistent with the applicable design guidelines in order to ensure high-quality, context-sensitive development.

The subject property is consistent with the applicable design guidelines in the following ways:

- The proposed front yard is consistent with the alignment for the lots on the block at 15 feet.
- The south interior side yard provides over 20 feet of setback to provide additional buffering and minimize impact to the single-family dwelling, where 10 feet is required. A 10-foot north corner side yard is also provided.
- A rear yard setback of 40 feet is provided. The minimum is 31 feet.
- Lot coverage for the building is less than the maximum of 50% at 38%.
- The building height is a compliant 45 feet.
- The site provides 26% of the ground's cover for soft landscaping.
- Building design includes high quality materials such as stone veneer and corrugated metal.
- The front façade provides 25% window coverage.
- The building provides at-grade main entrances.

SUBDIVISION & REZONING

- The applicant is proposing to rezone the lands to “RMF-L” from its existing “RMF-M” and redevelop the consolidated lots with a multi-family building with 29 residential units.
- A subdivision-rezoning (DASZ) application was required to rezone the property because the consolidation of four properties is required in addition to the rezoning.
- The “RMF-L” District is intended to accommodate the development of multi-family units in areas with medium to high residential densities. The subject property is located on an arterial street that is already zoned for multi-family development, containing a mix of “RMF-M” and “RMF-L” zoning. The proposed rezoning will enable a higher density of residential development, at 400 square feet per dwelling unit instead of 800 square feet per dwelling unit (current).
- The property functions as a corner lot flanking an interior lane. The building provides twice the required setback under the *Infill Guidelines,* to further minimize any massing impacts to the abutting neighbour.
- A Zoning Agreement has been included to ensure the proposed building height and lot coverage remains consistent with the *Infill Guidelines* and *CCDS 2.0*, and will require Plan Approval to Community Committee for building and site design elements.
- In addition, there are Variances to the proposed “RMF-L” District associated with the development relating to the side yard setbacks, garbage enclosure, and parking. These are analyzed in the Administrative Report for Associated file No. DAV 23-173961\D.

ADDITIONAL CONSIDERATIONS

ARBORIST REPORT
An Arborist report was submitted with the subject application, identifying one tree on site, being the Manitoba Maple on 551 Maryland Street. the report indicated that the tree is at the end of its life and that there is no value in preserving it. The Arborist Report in its entirety can be found at Appendix A.

REASONS FOR RECOMMENDATIONS

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

- The proposed development is consistent with *Complete Communities 2.0* since the development will increase the supply of housing on an arterial street that is currently zoned for multi-family development. Furthermore, the proposal will support alternative modes of transportation (including cycling and car-sharing), concentrate density in close proximity the Primary Transit Network, and support the City of Winnipeg Intensification Target.
- The property is located in close proximity to commercial amenities on Sargent Avenue and Ellice Avenue, both of which are identified as Urban Mixed-Use Corridors under *CCDS 2.0.* Furthermore, the property is steps from the Safeway grocery store.
- The proposed development is consistent with the *Infill Guidelines* by meeting the Preferred Location Criteria for low-rise multi-family dwellings. Furthermore, the proposal meets the applicable design guidelines for multi-family dwellings. The proposal represents a high-quality residential design with various architectural features and visual interest at street-level.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning and Design Division
Report Prepared by: Shaylyn Costello, B.U.R.Pl.
DASZ File Number: 25/2023

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 541 to 551 MARYAND STREET

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DASZ 25/2023. The applicant should take into consideration the following servicing and design requirements and considerations in the redevelopment of the site:

Section I - Servicing Conditions

1) Water System Assessment

The Water and Waste Department has advised there is adequate water servicing for the proposed development based on the provided development plans. Additional review will be required by the Department should the plans of development change during the design process.

2) 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 25/2023
August 30th, 2023

"*Original Signed by K. Kowalyk"*
K. Kowalyk, 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

SCHEDULE C FOR FILE NO. DASZ 25/2023, CITY CENTRE COMMUNITY COMMITTEE, SEPTEMBER 25, 2023

By-Law No. _____

File No. **DASZ 25/2023**

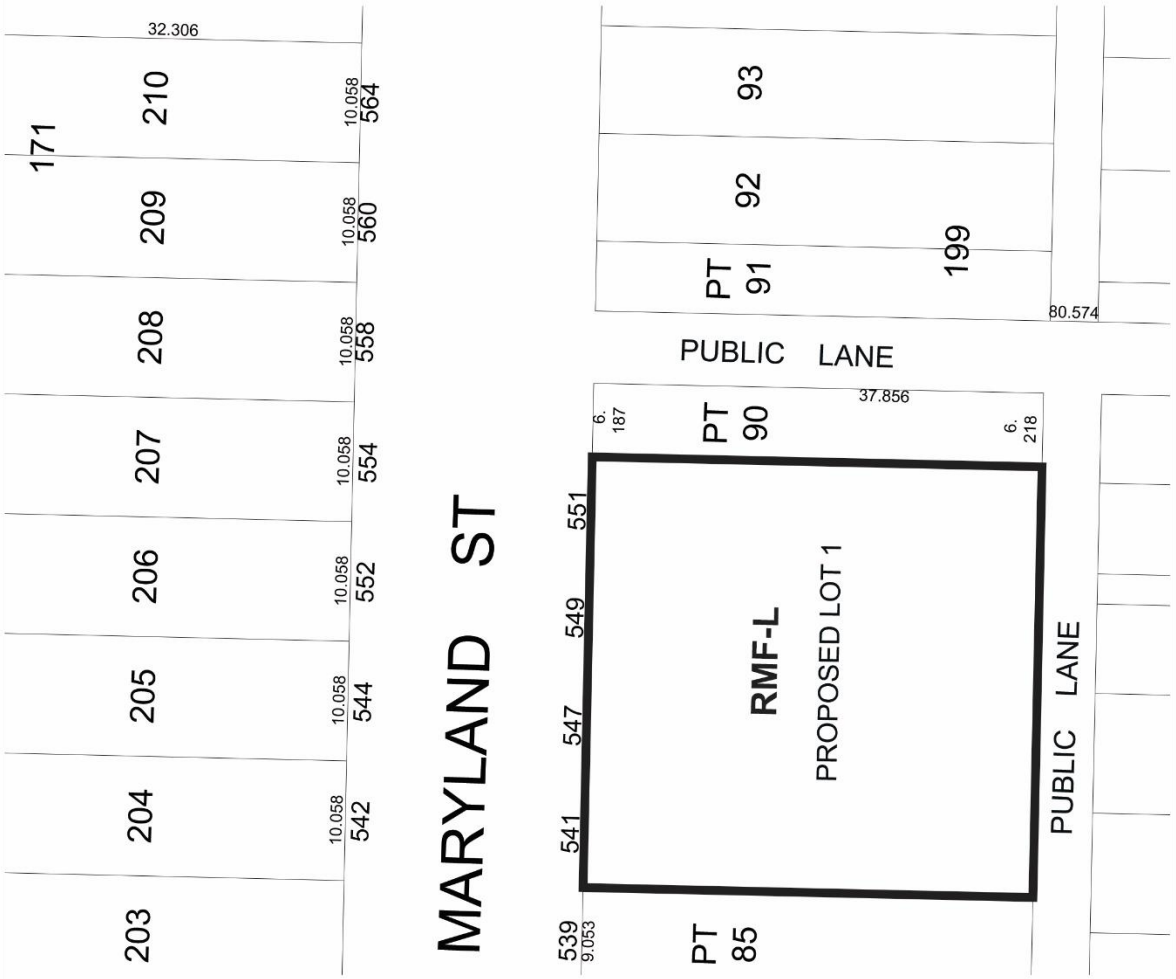
Atlas Sheet No. **Z23**

N

CITY CENTRE COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 541 to 551 Maryland Street from an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to facilitate the consolidation of lands for the construction of a multi-family dwelling.



THIRD READING : _____ EFFECTIVE DATE : _____

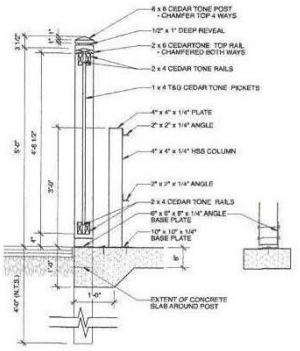
ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Exhibit “7” referred to in File DASZ 25/2023



ZONING REQUIREMENTS

Address	541-547-549-551 MARYLAND STREET		
Legal	CERTIFICATE OF TITLE No.: 2912273/1 REGISTERED OWNER(S): JOSE BARBOSA SOUSA LEGAL DESCRIPTION: LOT 88 PLAN 199 WLTO (W DIV) EXC THE ELY 8 FEET IN RL 72 PARISH OF ST JAMES REGISTERED ENCUMBRANCES: INSTRUMENT No. 2347061 AND 2352321	CERTIFICATE OF TITLE No.: 2912273/1 REGISTERED OWNER(S): JOSE BARBOSA SOUSA LEGAL DESCRIPTION: LOT 88 PLAN 199 WLTO (W DIV) EXC THE ELY 8 FEET IN RL 72 PARISH OF ST JAMES REGISTERED ENCUMBRANCES: INSTRUMENT No. 2347061 AND 2352321	
	CERTIFICATE OF TITLE No.: 2912270/1 REGISTERED OWNER(S): JOSE BARBOSA SOUSA LEGAL DESCRIPTION: LOT 87 PLAN 199 WLTO EXC ELY 8 FEET IN RL 72 PARISH OF ST JAMES REGISTERED ENCUMBRANCES: NO INSTRUMENTS ARE REGISTERED AGAINST CERTIFICATE OF TITLE No.2912270/1	CERTIFICATE OF TITLE No.: 3186984/1 REGISTERED OWNER(S): SOUSA INVESTMENTS INC. LEGAL DESCRIPTION: LOT 89 PLAN 199 WLTO (W DIV) EXC ELY 8 FEET IN RL 72 PARISH OF ST JAMES REGISTERED ENCUMBRANCES: INSTRUMENT No. 2992081/1 IS REGISTERED AGAINST CERTIFICATE OF TITLE No.3186984/1	
Zoning	Current: "RMF-M" Residential - Multi-family Medium Density Proposed: "RMF-L" - Residential - Multi-family Large Density		
Setbacks		**Required**	**Proposed**
	Front	15 ft. (Alignment)	15 ft.
	Rear	25 ft.	40 ft. 4 in.
	Side (Int.)	8 ft.(+ 6 ft. for 3 storeys) = 14 ft.	*10 ft. North Side Yard. *18 ft. South Side Yard per City Planner Comments
Minimum Site Area		20,000 sq.ft.	14,815.76 sq. ft.
Maximum Building Height		45 ft. (Infill Guidelines)	45 ft.
Building Areas Proposed			5,676.65 sq.ft. building footprint
Lot Coverage (Infill Guidelines)		Max. 42%	38%
Min Lot Area/Dwelling Unit		400 sq.ft per unit	592.6 sq.ft per unit
Parking		25 units: 25 x 1.5 = 37.5 stalls 10% visitor = 4 stalls 1 accessible stall (2% of total) 4 bicycle parking	25 units: 10 total stalls provided 0 visitor parking 2 accessible stall 1 car share stall 40 indoor secured bicycle parking
Landscaping		1 tree per 20 ft. linear feet (Infill Guidelines) 3 shrubs per 20 ft. linear street frontage Min. 20% lot area reserved for soft landscaping	6 Trees 42 Shrubs (16 required) 36%
Building Materials (Infill Guidelines)		Building facade facing a street to include min. two prominent materials (min. 20% coverage per material).	Two prominent materials proposed.
		High quality & durable finishing materials to be provided on min. 33% of the first floor facade facing streets.	Stone veneer proposed on first floor.
		Front facade to provide minimum 25% window area.	25%
Articulation and Architectural Features (Infill Guidelines)		Ground floor facades facing a street must include two architectural features.	1. Ground floor is recessed. 2. Changes in variety & size of windows.
		Second storey and above facing a street require four architectural features.	1. Projections. 2. Horizontal recessed bands articulating each floor. 3. Articulated roofline. 4. Bay windows.
Notes	1. Variance required.		



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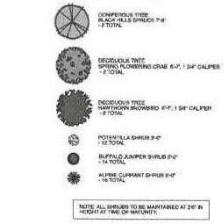
PLANTING LEGEND:



NOTE: ALL SHRUBS TO BE MAINTAINED AT 2/3 IN HEIGHT AT TIME OF MATURITY.

Revisions

Date	Revision
Jun. 28, 2023	Issued for Review
May 2, 2023	Issued for Review
May 2, 2023	Issued for Review
Mar. 7, 2023	Issued for Review

Northern Sky Architecture Inc.
204.940.0767

Stamp | Stamp

Project

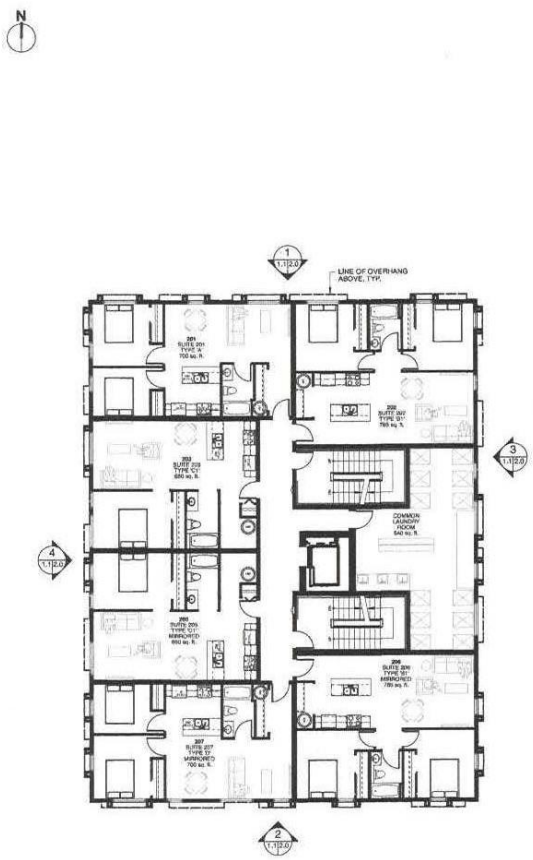
Sousa Developments

Barbosa Manor

541, 547, 549, 551 Maryland Street
Winnipeg, Manitoba

drawing title: **SITE PLAN / MAIN FLOOR PLAN**

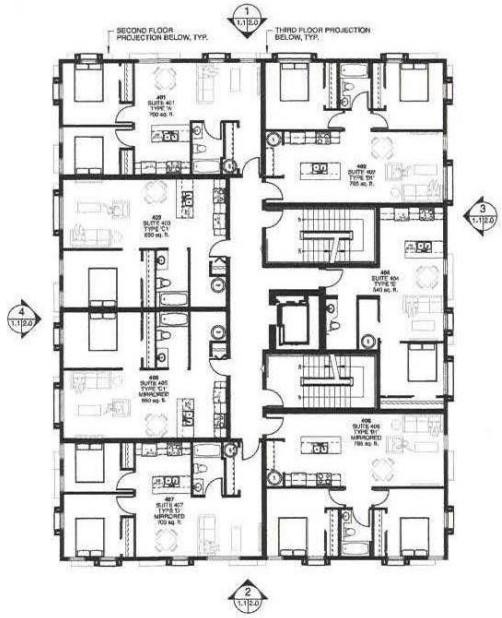
scale	as noted	designed by	dm
date	June, 2023	drawn by	dm
project no.	22.227	reviewed by	kdw
reference no.		sheet	A1.0
			REV.



3 SECOND FLOOR PLAN
SCALE: 1" = 0'-0"



4 THIRD FLOOR PLAN
SCALE: 1" = 0'-0"



5 FOURTH FLOOR PLAN
SCALE: 1" = 0'-0"

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Revisions

Date	Revision
Jun. 28, 2023	Issued for Review

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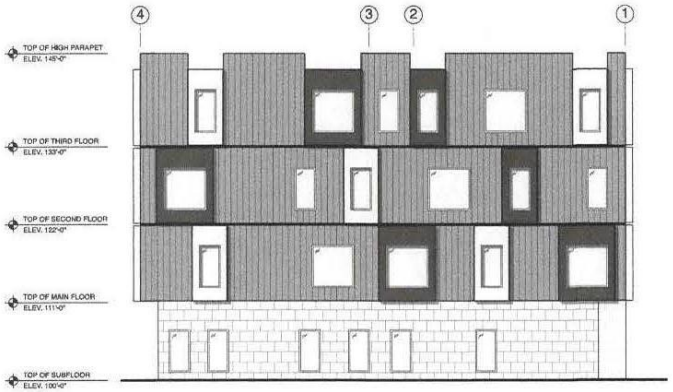
Project
Souac Developments

Barbosa Manor

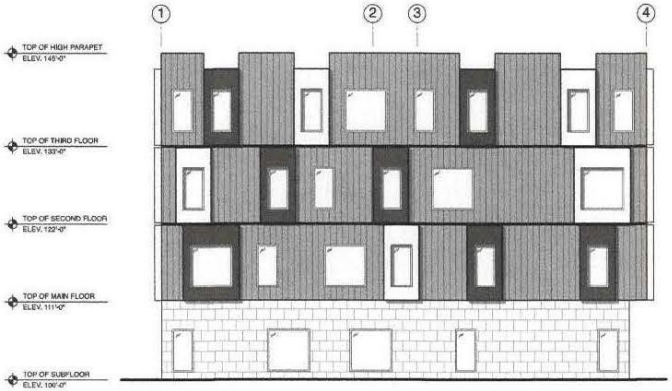
541, 547, 549, 551 Maryland Street
Winnipeg, Manitoba

drawing title
SECOND, THIRD, & FOURTH FLOOR PLANS

scale	as noted	designed by	dm
date	June, 2023	drawn by	dm
project no.	22.227	reviewed by	kdw
reference no.		sheet A1.1	REV.



1 A1.0 A2.0 NORTH ELEVATION
SCALE 1/8" = 1'-0"



2 A1.0 A2.0 SOUTH ELEVATION
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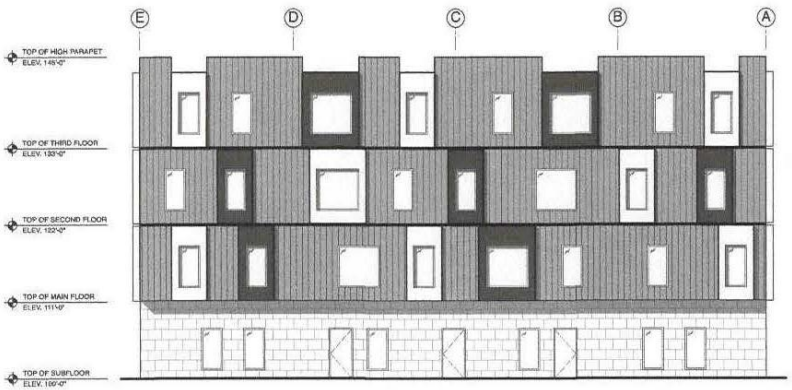
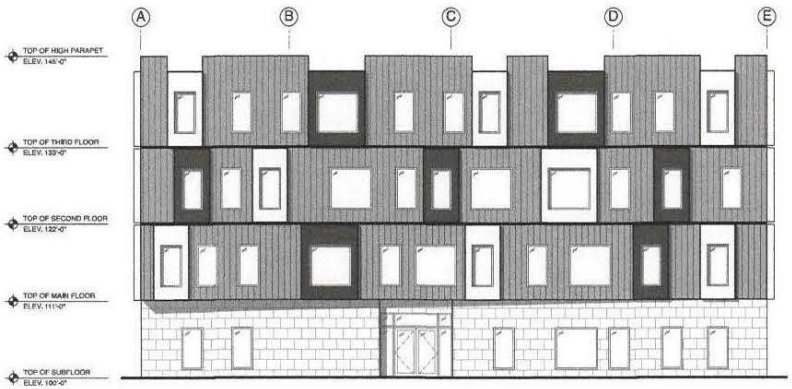


3 A1.0 A2.0 EAST ELEVATION
SCALE 1/8" = 1'-0"



4 A1.0 A2.0 WEST ELEVATION
SCALE 1/8" = 1'-0"

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LEGEND:

- STONE VENEER COLOUR 1
- CORRUGATED METAL CLADDING COLOUR 2
- FLAT PANEL COLOUR 3
- FLAT PANEL COLOUR 4

Revisions

Date	Revision
Feb. 02, 2023	Issued for Review

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Project

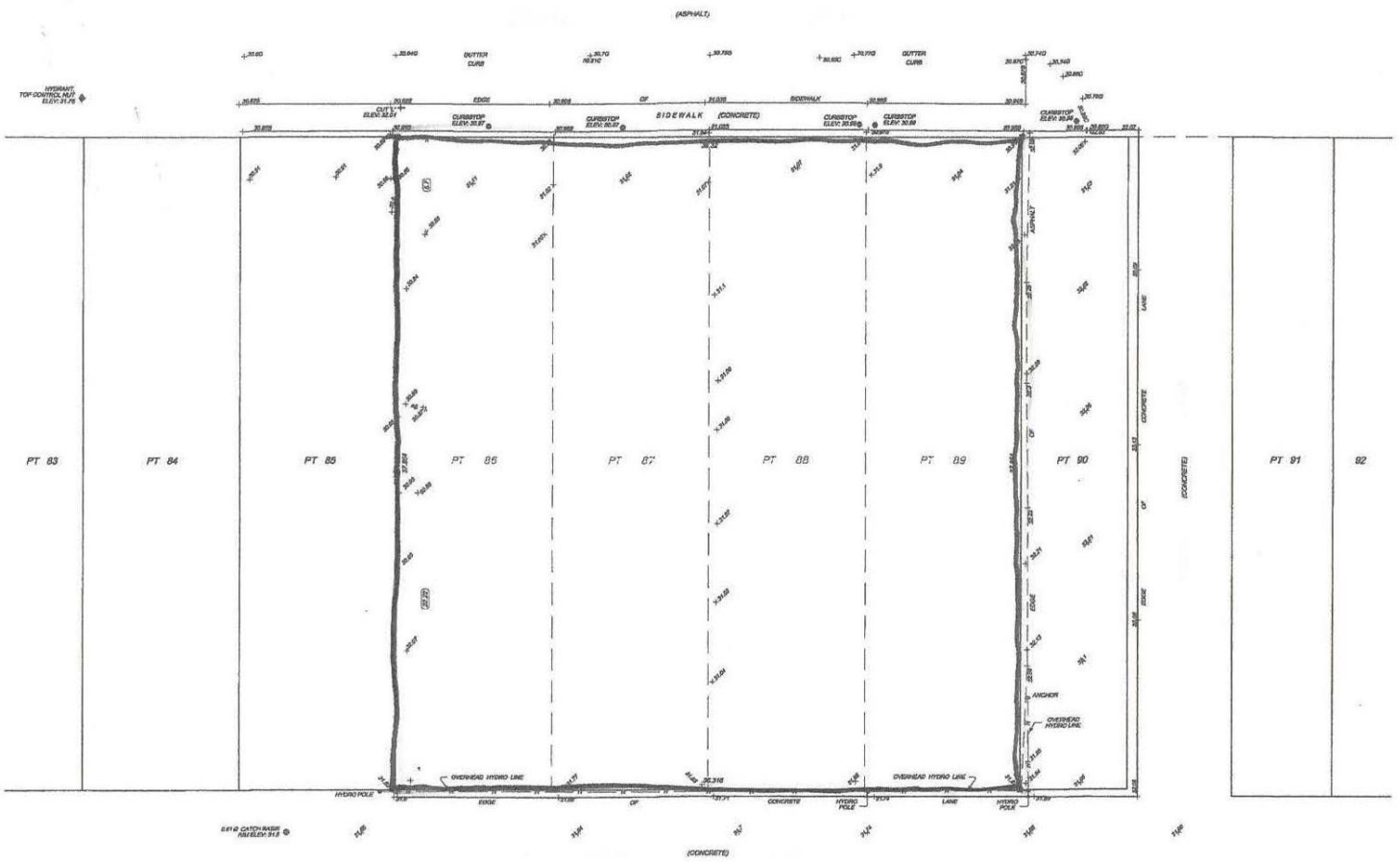
Souac Developments

Barbosa Manor

541, 547, 549, 551 Maryland Street
Winnipeg, Manitoba

drawing title: **EXTERIOR ELEVATIONS**

scale	as noted	designed by	dm
date	February, 2023	drawn by	ksk
project no.	22.227	reviewed by	kdw
reference no.		sheet A2.0	REV.



PROPOSED CHANGE
NEW LOT ~118' frontage by 124' AREA 14,796 sq ft.
Rezoned to RMF

Sousa Investments Inc.
400 Kensington