Agenda – Executive Policy Committee – November 14, 2023

Report – Standing Policy Committee on Property and Development – November 2, 2023

Item No. 4 Rezoning – 633 St. Mary's Road
(St. Vital Ward)
File DAZ 201/2023 [c/r DAV 110492/2023D]

STANDING COMMITTEE RECOMMENDATION:

On November 2, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the following to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 201/2023 by rezoning the subject land to an "RMU" Residential Mixed Use District in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated October 4, 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 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 for approval by the Director of Planning, Property and Development ("Director") and the Riel 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 excluding projections permitted under the Zoning By-Law, the maximum height of any building on the land shall not exceed 60 feet or 18.28 metres.

Report – Standing Policy Committee on Property and Development – November 2, 2023

STANDING COMMITTEE RECOMMENDATION (continued):

iii. That private vehicular approaches shall not be permitted on St. Mary's Road and Loraine Street.

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 October 4th, 2023 and attached as Schedule "B" to this report, with the following amendment:

i. In Section II – Servicing Conditions:

a. Amend Condition 1) Loraine Street by Deleting the words "that is less than 1.5m wide".

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 Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, the Servicing 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.

2. 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. DAZ 201/2023 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

3. 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 – November 2, 2023

STANDING COMMITTEE RECOMMENDATION (continued):

4. 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.

5. That Development Application No. DAZ 201/2023 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.

6. 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.

7. That the By-law will be repealed without coming into force 1 year following the date it is enacted if the Zoning Agreement is not registered in accordance with Recommendation 6, unless the Developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

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

Agenda – Executive Policy Committee – November 14, 2023

Report – Standing Policy Committee on Property and Development – November 2, 2023

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On November 2, 2023, 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 October 23, 2023, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- In Recommendation 1.B. delete the period after "Schedule "B" of this report" and replace with the following:

  ", with the following amendment:

  i. In Section II – Servicing Conditions:

     a. Amend Condition 1) Loraine Street by deleting the words "that is less than 1.5m wide"."

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

PUBLIC HEARING SUMMARY

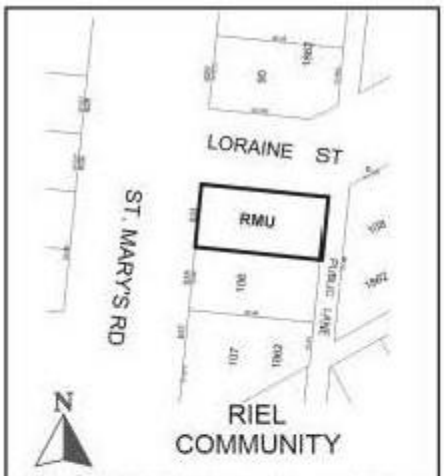
File: DAZ 201/2023

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

Public Hearing: October 23, 2023
Council Building, 510 Main Street

Applicant: McGowan Russell Group Inc. (Jackie Wilkie)

Subject:



APPLICANT : McGowan Russell Group Inc. (Jackie Wilkie)
FILE : DAZ 201/2023
PROPOSAL : To rezone the land shown outlined above from an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to an "RMU" RESIDENTIAL MIXED-USE DISTRICT to allow for the construction of a mixed-use commercial and residential building. **For information, phone E. Finnigan Planner at 204-986-8602**
DEMANDEUR: McGowan Russell Group Inc. (Jackie Wilkie)
N° DE DOSSIER : DAZ 201/2023
PROJET : Modifier le zonage des sols délinéés ci-dessus de sorte qu'ils passent de la catégorie RMF-S (secteur de petites habitations multifamiliales) à la catégorie RMU (secteur résidentiel polyvalent) afin de permettre la construction d'un bâtiment polyvalent à usage commercial et résidentielles. **Pour obtenir des renseignements, appelez E. Finnigan, urbaniste, au 204-986-8602.**

Premises Affected: 633 St. Mary's Road

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

Prepared by: Rebecca Ford, Committee Clerk
Riel Community Committee

Report date: October 24, 2023

Community Committee Recommendation:

On October 23, 2023, 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 201/2023 by rezoning the subject land to an "RMU" Residential Mixed Use District in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated October 4, 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 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 for approval by the Director of Planning, Property and Development ("Director") and the Riel 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 excluding projections permitted under the Zoning By-Law, the maximum height of any building on the land shall not exceed 60 feet or 18.28 metres.

        iii. That private vehicular approaches shall not be permitted on St. Mary's Road and Loraine Street.

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 October 4th, 2023 and attached as Schedule "B" to this report***, with the following amendment:***

i. In Section II – Servicing Conditions:

a. Amend Condition 1) Loraine Street by Deleting the words "that is less than 1.5m wide".

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 Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, the Servicing 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.

2. 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. DAZ 201/2023 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

3. 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.

4. 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.

5. That Development Application No. DAZ 201/2023 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.

6. 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.

7. That the By-law will be repealed without coming into force 1 year following the date it is enacted if the Zoning Agreement is not registered in accordance with Recommendation 6, unless the Developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

8. 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. It's a reasonably sized development on a major corridor. Its supported by City staff. There is no significant opposition in the neighbourhood. It is a paved lane, which would have factored in to our discussions if it was unpaved.

2. I will say, we are amidst a debate about planning in this city and I am unable to ascertain why we can build this many units on a 5,000 square foot property in St. Vital, but it is not ok to build five units on a corner lot with a paved lane at 1161 Grosvenor, and that's currently working its way up through the City process. No final decision made yet

3. Its called planning at the end of the day. Its not called "arbitrariness". Its not called "get the favor of whoever is seated around the Council Chamber". The people in my ward are incredible fed-up with the seemingly arbitrary nature of decision-making here. "Seemingly" is used cautiously there.

4. In any event, for the issues today, there doesn't seem to be a way to grant the request around the $4,000 on the trees. I'm very sympathetic to it, but I feel like I'm not doing you a favour. I'm not going to be theatrical and approve it today knowing it will get vetoed by my colleagues at Planning Committee.

5. When we come back to that property on Moore, maybe there'll be some way of taking financial matters in to consideration there. We'll see if the Moore matter ever comes back.

6. I understand the point, I actually agree with the point, but that's a decided matter under appeals committee. I can't undo appeals – I wish I could sometimes undo the decisions of the Appeal Committee. There's just unfortunately no way of granting the request. I have sympathy for it. I'm not going to grant it today knowing its going to be undone. For today, by and large, the major point is the development, not the little sidewalk issue.

7. Happy to support the development for all the reasons. Its certainly on a major transit corridor. In fact, its probably closer to walk to St. Anne's and be on another corridor than most of the locations in this city. I think this is the kind of thing we should be encouraging at the corner lots, not so much mid-block, so pleased to see that.

8. And again, its on a paved lane, which really does matter, at least in my ward.

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 20, 2023 2. Notification of Public Hearing dated September 25, 2023 3. Manitoba Status of Title 3105439/1 4. Letter of authorization dated August 1, 2023 from 4291140 Canada Ltd. (Kahul Kumar) to McGowan Russell Group (Vincent Hossein) 5. Public Engagement Report dated January 2023 6. Plans (8 pages) 7. Report from the Urban Planning Division dated September 27, 2023 8. Inspection Report 9. Communication dated October 23, 2023 from McGowan Russell Group Inc. in support of the application 10. Recording of Representations

REPRESENTATIONS:

In Support:

Anju Bajaj
Vincent Hossein
Rahul Kumar
Susan Russell
Kim Sran

In Opposition:

Nil

For Information:

Margaret Check

For the City:

E. Finnigan, Planner, Planning, Property and Development Department
K. Kowalyk, Land Development Engineer, Planning, Property and Development Department

Exhibit "7" referred to in File DAZ 201/2023

ADMINISTRATIVE REPORT

Title: DAZ 201/2023 – 633 St. Mary's Road

Issue: An application for consideration at the public hearing to rezone the subject property from "RMF-S" Residential Multi-Family Small to "RMU" Residential 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 201/2023 by rezoning the subject land to an "RMU" Residential Mixed Use District in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated October 4, 2023 and attached as Schedule "C" to this report, subject to the following conditions:

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            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 Riel 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, excluding projections permitted under the Zoning By-Law, the maximum height of any building on the land shall not exceed 60 feet or 18.28 metres.

iii. That, private vehicular approaches shall not be permitted on St. Mary's Road and Loraine Street.

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 October 4th, 2023 and attached as Schedule "B" to this report.

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7. That the By-law will be repealed without coming into force 1 year following the date it is enacted if the Zoning Agreement is not registered in accordance with recommendation 6, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

8. 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 property from “RMF-S” Residential Multi-Family Small to “RMU” Residential 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 “RMU”.

HISTORY

N/A

CONSULTATION

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

SUBMITTED BY

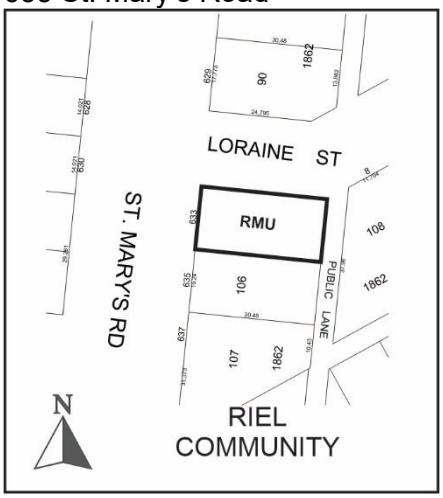
Department	Planning, Property and Development
Division	Urban Planning and Design Division
Prepared by	Elise Finnigan, RPP, MCIP
Date:	September 27th, 2023
File No.	DAZ 201/2023

List of Schedules and Appendices

Schedule A	Planning Discussion
Schedule B	Report of the Administrative Working Group – October 4th, 2023.
Schedule C	Recommended File No. DAZ 201/2023 Riel Community Committee, dated October 4th, 2023
Appendix A	Public Consultation Report
Appendix B	Proposed By-law

SCHEDULE 'A'

FILE:	**DAZ 201/2023**
RELATED FILES:	DAV 23-110492\D
COMMUNITY:	Riel Committee
NEIGHBOURHOOD #:	5.516 – Varennes Neighbourhood
SUBJECT:	To rezone the subject property from "RMF-S" Residential Multi-Family Small to "RMU" Residential Mixed Use.
LOCATION:	633 St. Mary's Road



APPLICANT:	Jackie Wilkie (McGowan Russell Group Inc.) 825 St. Joseph St Winnipeg, MB R2H 3A8
OWNER:	4291140 CANADA LTD. 7 Flanders Pl Winnipeg, MB R3Y 0G4

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject property is located on the east side of St. Mary's Road between Loraine Street and Oakleigh Street in the Varennes neighbourhood of the St Vital ward.
- The subject site is approximately 5,003 square feet in area and is occupied by a two-storey duplex, constructed in 1916.
- The subject property is zoned Residential Multi-Family Small ("RMF-S") and located within the Established Neighbourhoods – Mature Communities Policy Area under the *Complete Communities Direction Strategy 2.0*.

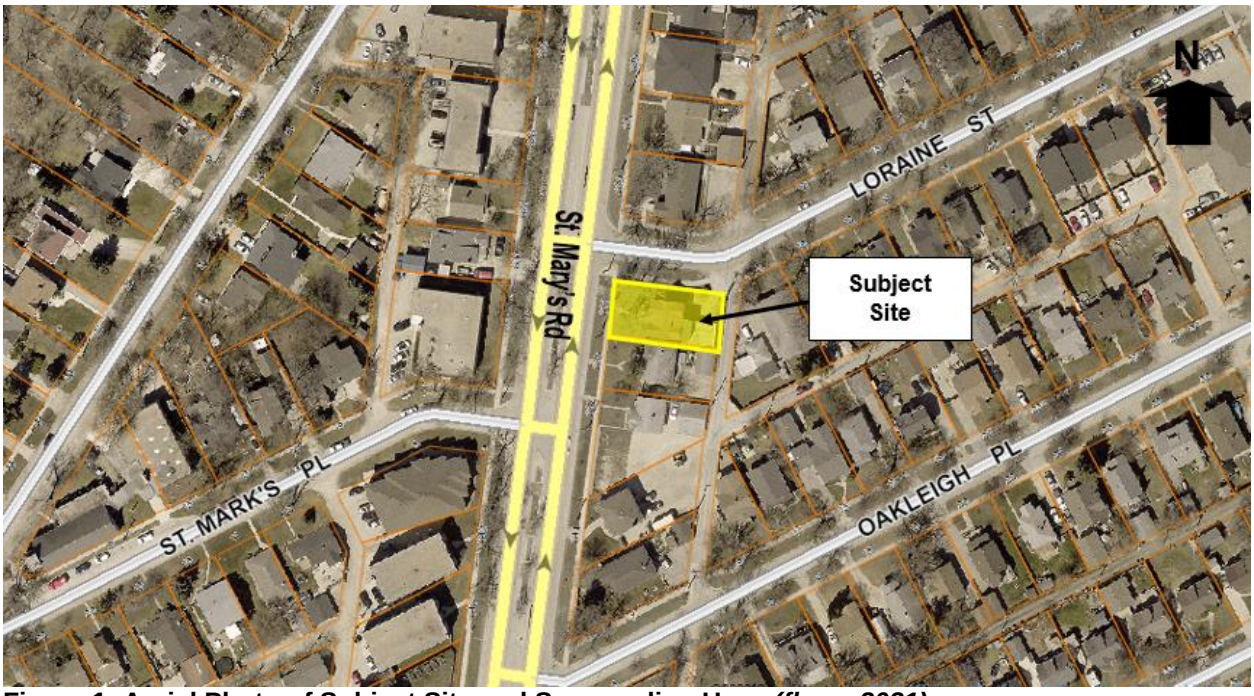


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2021)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Loraine Street; then a dental clinic zoned "C2" Commercial Community.

South: A single family home zoned "RMF-S" Residential Multi-Family Small; then offices zoned "C1" Commercial Neighbourhood.

East: Across the public lane there are single-family homes zoned "R1-M" Residential Single-Family Medium.

West: St. Mary's Road; then multi-family residential uses zoned "RMF-S" Residential Multi-Family Small and single-family homes zoned "R1-M" Residential Single-Family Medium.



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 “RMU” (Residential Mixed Use) for the purposes of constructing a 3-storey (35 feet) mixed use building. The building will encompass 6 residential units and a commercial unit on the ground floor.
- The building will be clad primarily in gray cementitious panels with cedar tone vertical Hardie plank lap siding as the secondary accent material. The front façade will include transparent storefront glazing along the ground floor. The second and third floors will include windows and the corner units will include balconies.
- A total of six (6) parking stalls will be provided at-grade behind the ground floor commercial unit.
- As part of the 6 parking stalls, there will be 1 accessible parking stall and 1 visitor stall.
- A total of four (4) bicycle parking stalls will be provided located within a storage room on the ground floor near the parking area.
- Landscaping is proposed along the St. Mary’s Road and Loraine Street frontages including 21 shrubs and sod as ground cover. All of the existing trees will be removed.
- A garbage enclosure is located at-grade, directly off the lane.
- The proposed development requires variances for lot area, yard setbacks as well as buffering of the parking area (see associated variance application and planner’s report for DAV 23-110492\D).

COLLABORATION

With the Urban Planning and Design Division

- The Urban Planning and Design Division has been in communication with the applicant about the proposed development since an initial meeting in May 2021 as well as via subsequent emails in which the details of the proposed development were discussed including additional refinements to the design.

With the Public

- The applicant held a virtual information meeting on January 18, 2023 at 4:00pm. In advance of the meeting, a flyer describing the project and advertising the meeting was distributed to 100 households living within 100m of the subject site. The applicant's Public Engagement Report is included as Appendix A.

ANALYSIS AND ISSUES

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.
- The subject property is located in an "Established Neighbourhood – Mature Community" in Complete Communities' Urban Structure map. Established Neighbourhoods will accommodate contextually sensitive growth and change 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 policies guiding the development of Established Neighbourhoods include:
    - ***Goal 1:*** *Encourage compatible residential development within Established Neighbourhoods to build more Complete Communities and align with the City's residential intensification target.*
        - *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*
        - *Increase the population within Established Neighbourhoods to contribute to the physical renewal and revitalization of older neighbourhoods.*
        - *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;

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.

- *Low-rise residential uses will generally be encouraged on arterial roads and collector 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.*

- ***Goal 2:** 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.*

    - *Encourage the location of commercial or mixed-use buildings at or near the front and corner side property lines to create a pedestrian orientation. Use setbacks to reinforce the public realm through landscaping and pedestrian amenities, such as entryways, patios, benchers, and bicycle parking.*
    - *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.*
    - *Buildings with commercial uses should be designed to support pedestrian activity by providing building elements that increase visual interest such as:*
        a. *Direct pedestrian access to main building entrances from the street;*
        b. *Transparent storefront displays;*
        c. *Human scaled signage; and*
        d. *Decorative lighting, awnings, benches and other pedestrian oriented amenities.*
    - *Multi-family residential or mixed-use buildings that front public streets and contain internal parking areas should provide a main entrance facing the public street.*
    - *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.*
    - *Avoid buildings that create long blank walls facing public streets.*
    - *Encourage the use of architectural features to articulate building walls in order to mitigate the impact of new building mass.*
    - *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.*

- ***Goal 4:*** *Ensure neighbourhoods accommodate a range of commercial services and amenities within walking distance to meet daily needs.*
    - *Vertical commercial/residential mixed-use development is generally supported where local commercial development currently exists, where there is the presence of a public lane, or where the site is large enough to accommodate the proposed development where a public lane is not present.*
    - *Encourage commercial areas to transition into mixed-use, pedestrian-oriented and transit- supported developments, where feasible.*
    - *Mature Communities policies: 4.10 Consider the establishment of new neighbourhood-focused, small scale commercial uses where at least one of the following criteria are met:*

        a. The property is a corner lot fronting a collector or arterial street;

        b. The property abuts an existing commercial use on a collector or arterial street;

        c. Immediately adjacent uses render the subject property unsuitable for residential development; or

        d. The property contains existing non-residential uses or buildings that were not designed to accommodate residential uses.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

ZONING

- Currently, the lands are zoned Residential Multi-Family Small ("RMF-S"). 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 Residential Mixed Use ("RMU"). The "RMU" zone is intended to facilitate the development of primarily medium to higher-density residential development, though it also may contain limited small-scale commercial, institutional, recreational, and service facilities needed to support residential development. The dimensional standards for multi-family structures in the "RMU" zone are: a minimum front yard of 20 feet; a minimum rear yard of 25 feet; a minimum side yard of 5 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 100 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 500 square feet.

Reason for the Rezoning

- The applicant is proposing to rezone from "RMF-S" to "RMU" 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.

CONSISTENCY WITH *CCDS 2.0* AND SURROUNDING NEIGHBOURHOOD

- As noted above, the subject site is located within an "Established Neighbourhood – Mature Community" policy area under the *Complete Communities Direction Strategy 2.0* where pedestrian-oriented vertical commercial/residential mixed-use development is generally supported where local commercial development currently exists, where there is the presence of a public lane and where there is access to quality transit. In the case of the subject site, it is a corner lot located at an intersection where there are existing commercial businesses, the property abuts a public lane, and is on a major arterial street, St. Mary's Road, which has access to high quality transit service that is proposed, under the Winnipeg Transit Master Plan, to improve significantly 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 and aligns with the design policies in *CCDS 2.0*. 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;
    - the massing and scale of the development is consistent with existing multi-family residential buildings along St. Mary's Road;
    - units with balconies that face St. Mary'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. Mary's Road.
- The development will help achieve the residential intensification targets as noted under *CCDS 2.0* and the City's Climate Action Plan of a minimum of 50% of all new development located in the existing built up area of the city resulting in a more efficient and environmentally sustainable use of land, existing infrastructure and existing services. The development will also positively contribute to the surrounding neighbourhood by providing additional housing options.

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. Noting the amount of work that has been done on the design of the project in consultation with the Urban Planning Division to-date, the expectation for the Plan Approval will be that the final plans are substantially consistent with those submitted as part of the DAZ application.

Height

To limit the potential shadowing of the street and neighbouring properties, and recognizing the maximum building height permitted in the “RMU” zone is 100 feet, the Public Service is recommending that the maximum height of any building on the site be restricted to 60 feet.

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 Urban Planning Division is recommending that no private vehicular approaches be permitted on St. Mary’s Road and Loraine Street.

RECOMMENDED SERVICING AGREEMENT

Sidewalk

Per the report of the Administrative Coordinating Group (ACG), the developer is required to remove the existing narrow sidewalk abutting the property along Loraine Street and replace it with a new sidewalk that complies with the City’s minimum standards for sidewalk widths of 1.5m.

Land Dedication

As a condition of a rezoning or subdivision application, a developer is required to contribute a portion of the land to be developed to the City for parks purposes. The amount of land is not less than 10%. The developer is to provide land or ‘cash in lieu’ as determined by the Planning, Property and Development Department. The City is requesting cash in lieu for this application.

RECOMMENDATION

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

- The proposal is consistent with the policies guiding development within the “Established Neighbourhood – Mature Community” policy area under the *Complete Communities Direction Strategy 2.0* where pedestrian-oriented vertical commercial/residential mixed-use development is generally supported where local commercial development currently exists, where there is the presence of a public lane and where there is access to quality transit.
- The proposal has been well designed based on collaboration between the City and the applicant and enhances the overall look of the street edge along St. Mary’s Road and Loraine Street.

This Report Submitted by: Elise Finnigan, RPP, MCIP
Planning, Property and Development Department
Urban Planning and Design Division
Report Prepared by: PPD File # DAZ 201/2023

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED AT 633 ST. MARY'S ROAD

It is recommended that approval of DAZ 201/2023, if granted, be subject to the applicant entering into a Servicing Agreement containing the following conditions:

Section I – General Comments

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

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

   b. 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.

   c. 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.

2) 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.

3) 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 Conditions

1) Loraine Street

The Developer shall, at no expense to the City, remove the existing sidewalk that is less than 1.5m wide and construct a 1.5m wide Portland cement sidewalk, and all related works, 0.3m off of property line, on the south side of Loraine Street abutting the Planned Area, all as determined by and to the satisfaction of the Director of Public Works. The Developer will need to work with the Forestry Branch with respect to the sidewalk installation and tree protection.

2) Utilities

a) The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the proposed subdivision and will pay the full cost to convert any existing overhead services within the proposed subdivision to underground to the satisfaction of the Director of Public Works.

b) The Developer shall pay all costs associated with the relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to be constructed by the Developer to serve the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

3) Litter and Refuse Control and Clean-Up

a) The Developer shall, at no expense to the City, and of its own volition, initiate and control the regular cleanup of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction, as determined by and to the satisfaction of the Director of Public Works.

b) The cleanup of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

Section III – Costs and Fees

1) By-laws and Approvals

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

2) Professional Fees

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

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

3) Administration Fees

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

THIS REPORT SUBMITTED BY:
Administrative Co-ordinating Group
File No. DAZ 201/2023
October 4, 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

"*Original Signed by C. Desjardine"*
C. Desjardine, M. Sc., P. Eng.
Transportation Division
Public Works Department

"*Original Signed by S. Whitehouse"*
S. Whitehouse, M.C.P.
Urban Planning and Design Division
Planning, Property and Development Department

Schedule “C” for File No. DAZ 201/2023, Riel Community Committee, dated October 4th, 2023.

By-Law No. _____

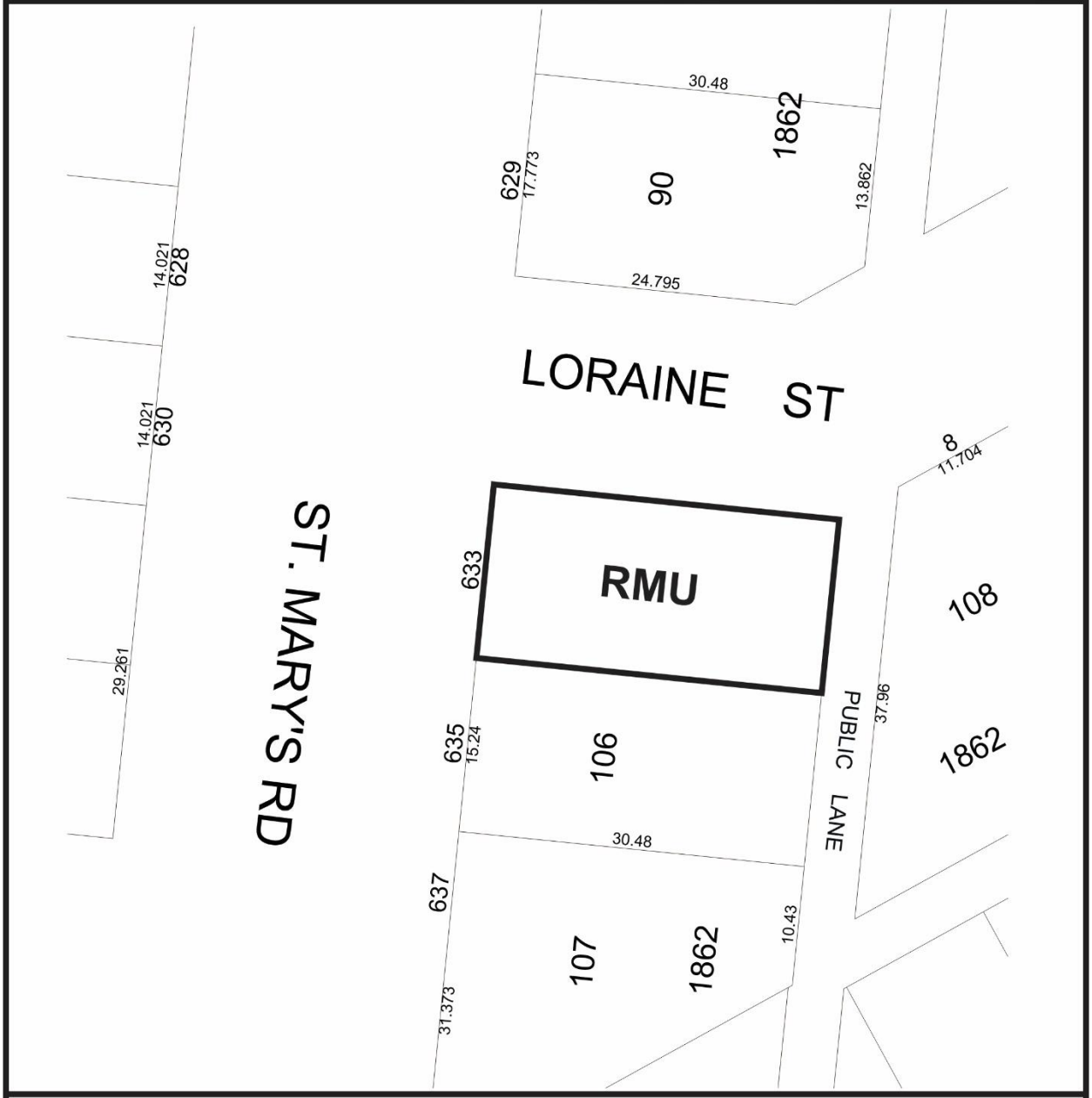
File No. **DAZ 201/2023**

Atlas Sheet No. **AD27 RIEL COMMUNITY**

N

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 633 St. Mary's Road from an “RMF-S” RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to an “RMU” RESIDENTIAL MIXED-USE DISTRICT to allow for the construction of a mixed-use commercial and residential building.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Exhibit “6” referred to in File DAZ 201/2023

633 ST. MARY'S ROAD

WINNIPEG, MB. 2023

PRELIMINARY

DRAWING TABLE

Z0.0	COVER PAGE
Z0.1	SITE PLAN
Z0.2	SITE DETAILS
Z1.0	FLOOR PLANS
Z1.1	FLOOR PLANS
Z1.2	FLOOR PLANS
Z2.0	ELEVATIONS
Z2.0R	COLOURED ELEVATIONS

PROJECT SUMMARY

NEW MIXED USE DEVELOPMENT
COMMERCIAL / RESIDENTIAL

GROUP C / D
3 STOREYS

BUILDING FOOTPRINT AREA = ±162 SQ M (±1742.5 SQ FT)

BUILDING TOTAL FLOOR AREA = ±687 SQ M (±7400 SQ FT)

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

SEALS

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ISSUED

ISSUED FOR REVISED ZONING
JANUARY 27, 2023
ISSUED FOR REVISED ZONING
JULY 15, 2022
ISSUED FOR REVISED ZONING
NOVEMBER 24, 2021

ADDRESS
633 ST. MARYS RD
WINNIPEG, MB

PROJECT
ST.MARYS APARTMENTS

SHEET TITLE
COVER PAGE

SCALE
AS NOTED

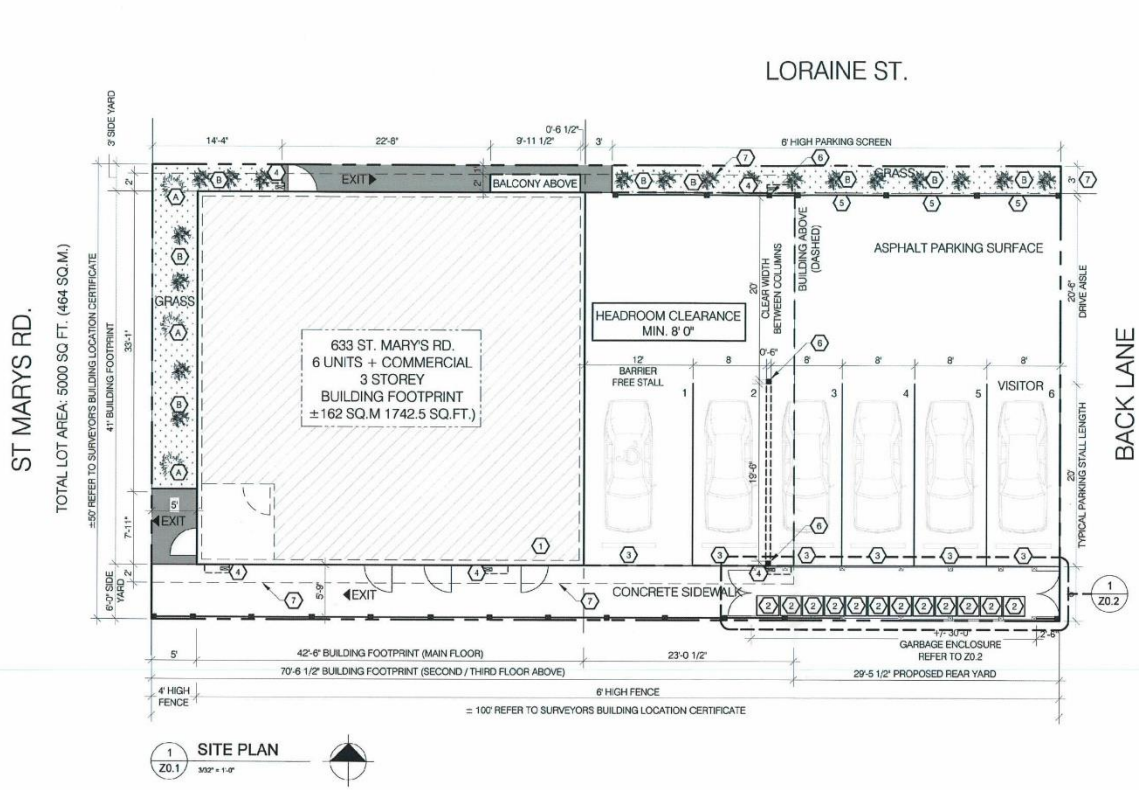
DESIGNER
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DRAWN BY
TL / DO

DATE
JANUARY 27, 2023

SHEET NUMBER
Z0.0

2architecture



1 Z0.1 SITE PLAN 3/32" = 1'-0"

ZONING SUMMARY

ZONED: RMU
NOW MIXED USE RESIDENTIAL/COMMERCIAL BUILDING (6 RESIDENTIAL UNITS + 1 COMMERCIAL)

LEVELS: 3 STOREY
LOT AREA: ± 464 SQ M (± 5000 SQ FT)

BUILDING FOOTPRINT AREA:
± 162 SQ M (± 1742.5 SQ FT)

BUILDING TOTAL FLOOR AREA:
± 697 SQ M (± 7400 SQ FT)

FRONT YARD (WEST):
- 0'-0" FT PROVIDED

SIDE YARD (SOUTH):
- 6'-0" FT PROVIDED

REAR YARD (EAST):
- 29'-5 1/2" FT PROVIDED

SIDE YARD (NORTH):
- 3'-0" FT PROVIDED

BUILDING HEIGHT - MAX. 35'-0"
REQUIRED PARKING STALLS: 6 PROVIDED
NON-BARRIER FREE PARKING STALLS - 5 PROVIDED
BARRIER-FREE STALLS - 1 PROVIDED

BICYCLE PARKING - PROVIDED (4)

STREET EDGE AND BUILDING FOUNDATION LANDSCAPING

21 SHRUBS PROVIDED
FRONT AND SIDE SITE EDGE BUFFERING

6' HIGH PARKING SCREEN PROVIDED ON NORTH SIDE OF PROPERTY. 6' HIGH FENCE PROVIDED AS BUFFER ON SOUTH SIDE OF PROPERTY

NOTES CONCERNING BUILDING LOCATION:

1. THIS SITE PLAN IS BASED ON INFORMATION FROM THE SURVEYOR'S STAKING CERTIFICATE. 2 ARCHITECTURE IS TO BE ADVISED BEFORE START OF CONSTRUCTION OF ANY UN-SHOWN FEATURES ON THIS OR THE ADJACENT SITES THAT MIGHT IMPACT ON THE PROJECT EITHER DURING CONSTRUCTION OR DURING FUTURE USE.
2. THE 'NORTH' ORIENTATION REFERS TO NOMINAL NORTH RATHER THAN TRUE OR MAGNETIC NORTH
3. ANY DIMENSIONS THAT SHOW THE LOCATION OF EXISTING FEATURES ARE APPROXIMATE ONLY, AND ARE TO BE CONFIRMED BEFORE CONSTRUCTION START AS REQUIRED BY A CERTIFIED MANITOBA LAND SURVEYOR.
4. THE CORNERS OF THE FOUNDATION FOOTPRINT ARE TO BE LOCATED ON SITE BEFORE CONSTRUCTION START BY A CERTIFIED MANITOBA LAND SURVEYOR.

SITE DEVELOPMENT - GENERAL SITE & LANDSCAPING

ITEM	SYMBOL	REMARKS
SHRUB #1 - LITTLE REBEL DOGWOOD SPECIES: CORNUS ALBA 'JEFREB' SIZE AT PLANTING: ± 4'-0" X ± 4'-0" MATURE HEIGHT SIZE: 4' MATURE SPREAD: 4'		E
SHRUB #2 - GOLDEN GLOW ELDER SPECIES: SAMBUCUS RACEMOSA SIZE AT PLANTING: ± 5'-0" X ± 5'-0' MATURE HEIGHT SIZE: 5' MATURE SPREAD: 5'		E

* NOTE ALL SHRUBS TO BE OF SPECIES THAT CAN REMAIN HEALTHY WHEN TRIMMED SO AS TO MAINTAIN A HEIGHT OF NOT MORE THAN 30 INCHES AT MATURITY

LANDSCAPE PAVING AREA: CONCRETE OR ASPHALT	
ASPHALT SURFACE	
GRASS	

NOTES REGARDING PARKING:

BARRIER FREE PARKING STALLS SHALL BE CLEARLY IDENTIFIED BY PAINTING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY IN WHITE ON BLUE BACKGROUND.

NOTES:
1. ALL PARKING STALLS, DIRECTION ARROWS, HANDICAP SIGN AND THE LOADING BAY ARE TO BE PAINTED IN YELLOW.
2. IF REQUIRED AT THIS LOCATION, CONTRACTOR TO SUPPLY AND INSTALL OPTIONAL SITE EQUIPMENT, CONCRETE PATIO FURNITURE, PLANTER AND BICYCLE RACK - PROJECT MANAGER TO GIVE INSTRUCTION.

SITE PLAN KEYNOTES

A INDOOR BICYCLE STORAGE
B GARBAGE / RECYCLING BIN ENCLOSURE - REFER TO Z0.2
C WHEEL STOP
D DOWNSPOUT / SCUPPER LOCATION W/ SPLASH PAD
E 6' HIGH PERFORATED PARKING SCREEN
F COLUMNS SUPPORTING STRUCTURE ABOVE
G 2'-0" ROOF OVERHANG

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WINNIPEG, MB

PROJECT
ST.MARYS APARTMENTS

SHEET TITLE
SITE PLAN

SCALE
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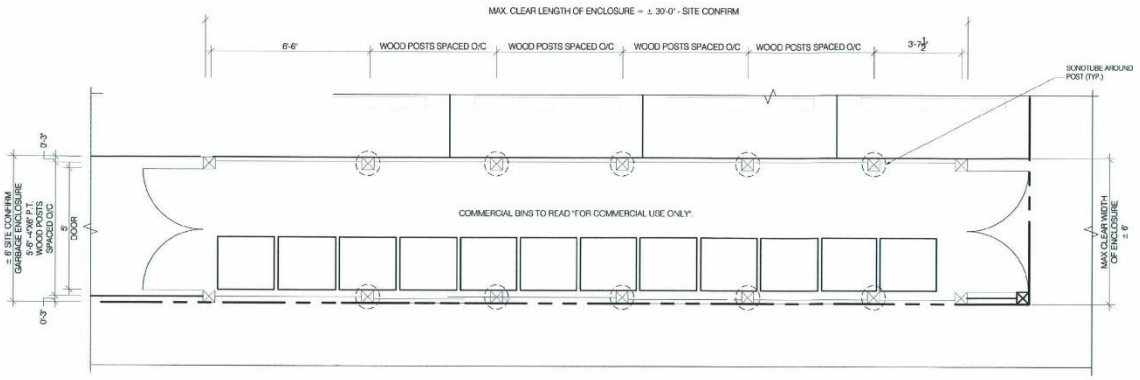
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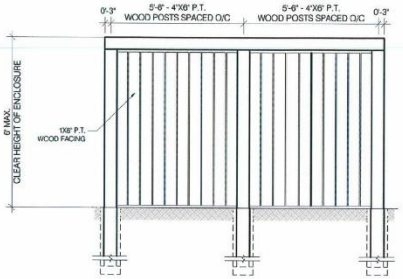
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SHEET NUMBER
Z0.1

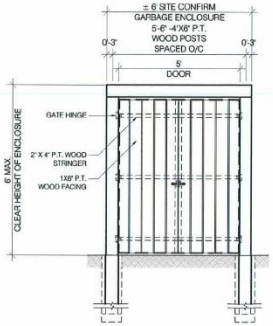
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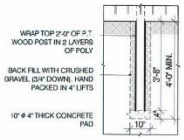
1 / Z0.2 ENLARGED GARBAGE ENCLOSURE PLAN
1/4" = 1'-0"



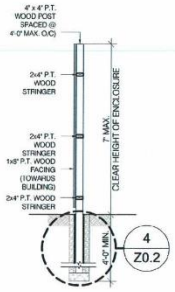
2 / Z0.2 ELEVATION 1
1/4" = 1'-0"



3 / Z0.2 ELEVATION 2
1/4" = 1'-0"



4 / Z0.2 FENCE POST DETAIL
1/4" = 1'-0"



5 / Z0.2 FENCE POST
1/4" = 1'-0"

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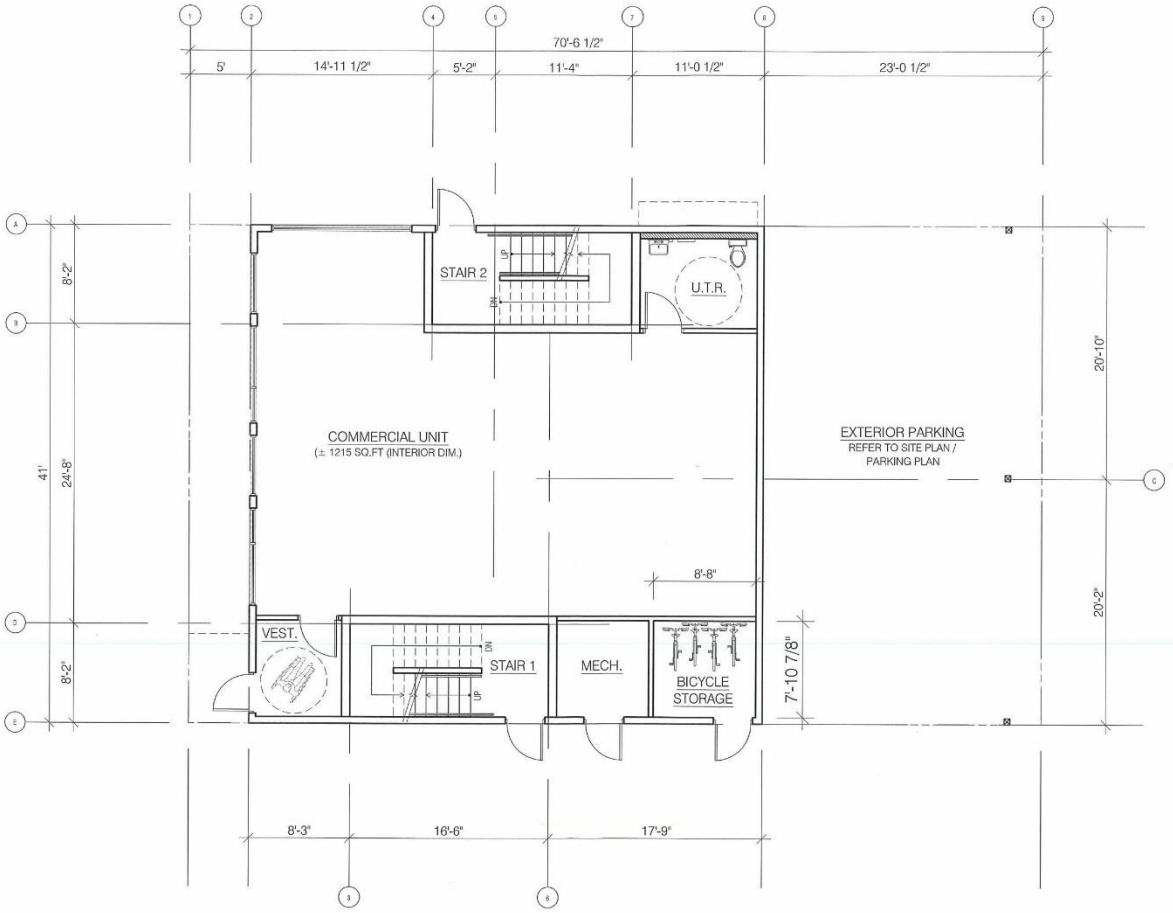
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1 Z1.0 MAIN FLOOR PLAN

1/8" = 1'-0"

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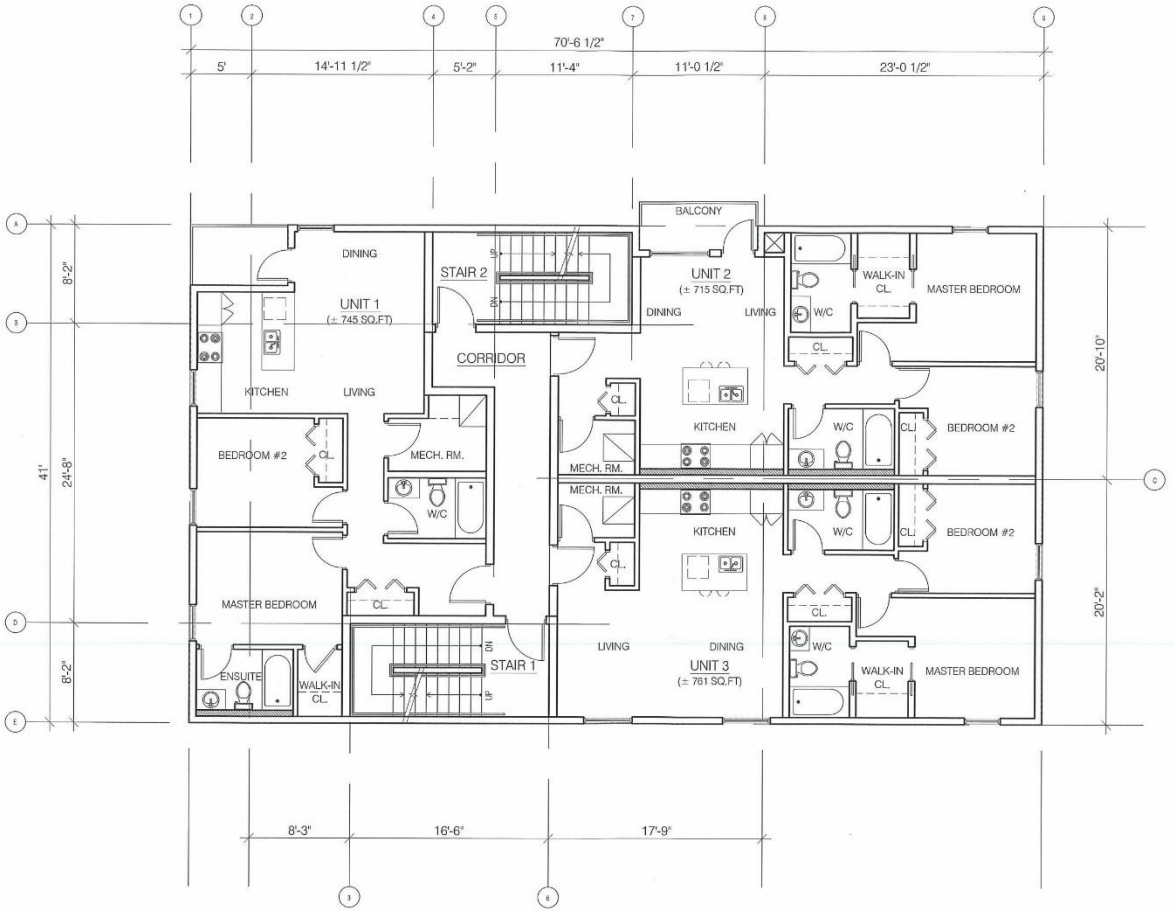
DATE

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Z1.0

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1 Z1.1 SECOND FLOOR PLAN

1/8" = 1'-0"

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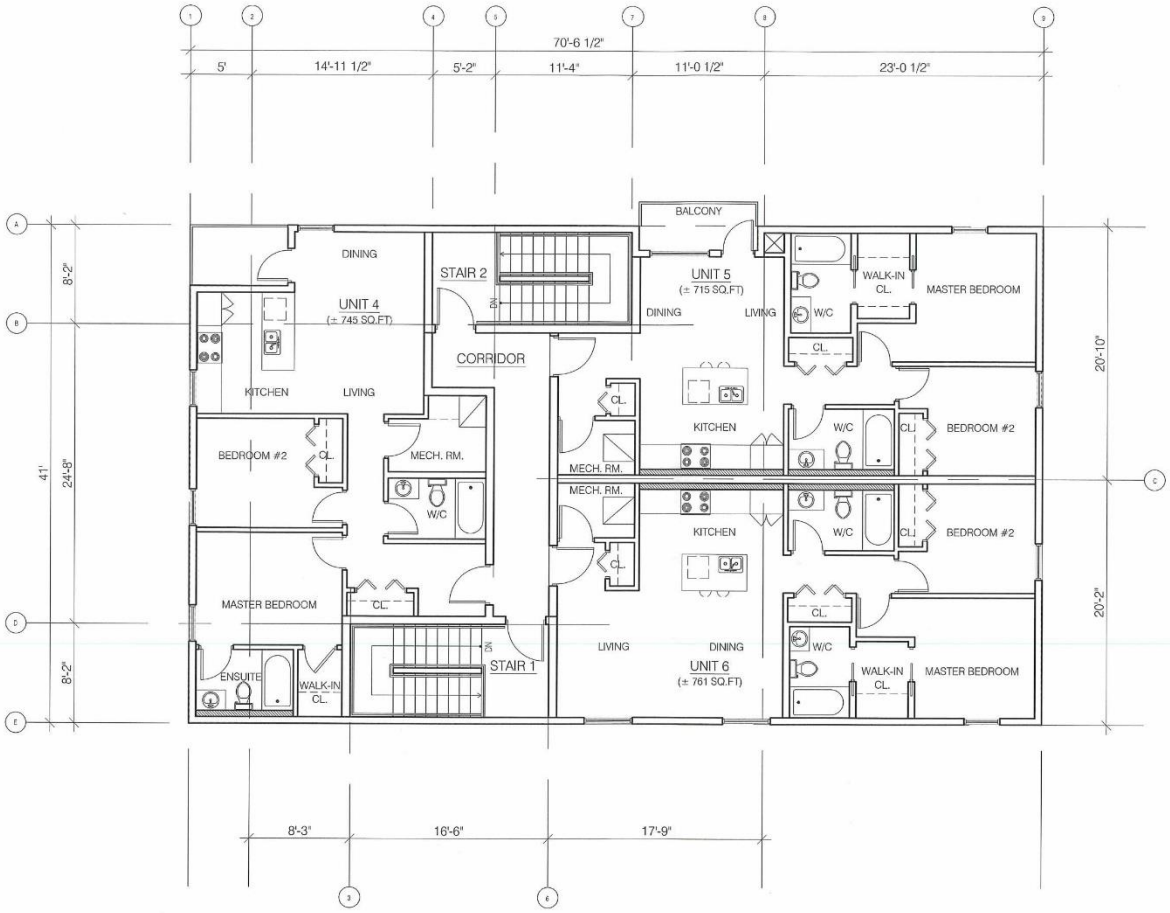
DATE

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SHEET NUMBER

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1 / Z1.2 THIRD FLOOR PLAN

1/8" = 1'-0"

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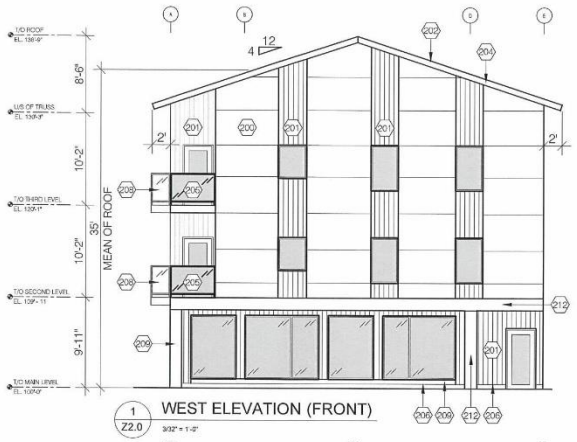
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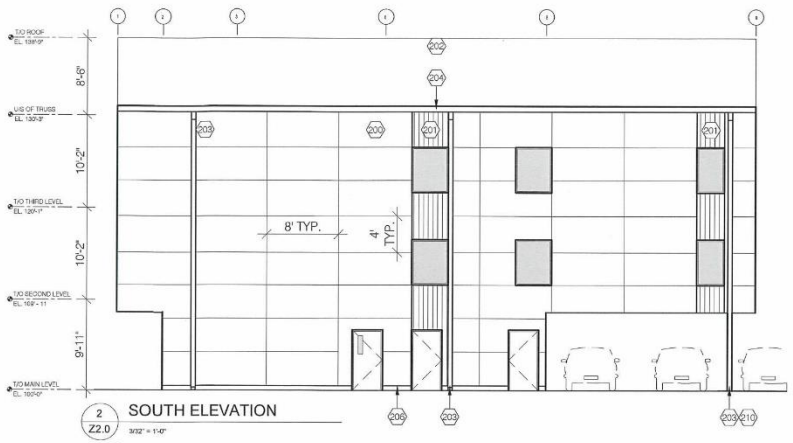
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Z1.2

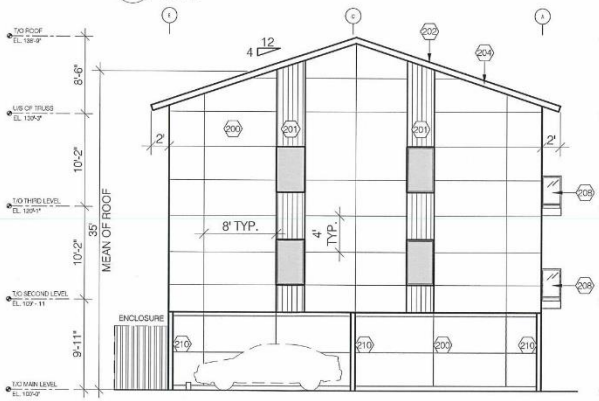
2architecture



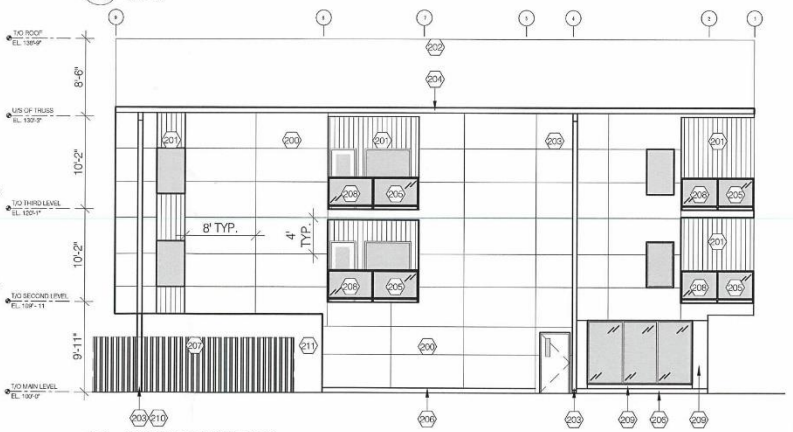
1 Z2.0 WEST ELEVATION (FRONT)
3/32" = 1'-0"



2 Z2.0 SOUTH ELEVATION
3/32" = 1'-0"



3 Z2.0 EAST ELEVATION
3/32" = 1'-0"



4 Z2.0 NORTH ELEVATION
3/32" = 1'-0"

ELEVATION KEYNOTES

200 NON-COMBUSTIBLE CLADDING (TO BE CONFIRMED) EITHER ACRYLIC STUCCO OR JAMES HARDIE BOARD PANEL SYSTEM HORIZONTAL (4'-0" X 8'-0") COLOUR GRAY (TO BE CONFIRMED BY OWNER)	203 DOWNSPOUT / SCUPPER - SIZE TO BE DETERMINED (COLOUR BLACK) ALIGN W/ CLADDING REVEAL, COLUMN OR WINDOW U.N.O.	208 GLASS RAILING SYSTEM (TO BE POWDER COATED BLACK) FACTORY APPLIED PAINT PRODUCT, STEEL POST W/GLASS PANEL TO BE 42" HIGH.
201 NON-COMBUSTIBLE VERTICAL HARDIE PLANK LAP SIDING COLOUR CEDAR TONE (TO BE CONFIRMED BY OWNER)	204 ALUMINUM FLASHING / PRE-FINISHED (COLOUR BLACK)	209 ALUMINUM BREAK SHAPE (COLOUR: BLACK)
202 ROOF - ASPHALT SHINGLES (COLOUR BLACK)	205 PRIVATE BALCONY	210 STRUCTURAL COLUMN
	206 CEMENT PARGING OR PROTECTION BOARD	211 OPENING INTO PARKING
	207 PARKING SCREEN	212 ALUMINUM D PANEL (COLOUR: BLACK)

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

SEALS

PRELIMINARY
NOT FOR CONSTRUCTION

ISSUED
ISSUED FOR REVISED ZONING
JANUARY 27, 2023
ISSUED FOR REVISED ZONING
JULY 15, 2022
ISSUED FOR REVISED ZONING
NOVEMBER 24, 2021

ADDRESS
633 ST. MARYS RD
WINNIPEG, MB

PROJECT
ST.MARYS APARTMENTS

SHEET TITLE
ELEVATIONS

SCALE
AS NOTED

DESIGNER
AS

DRAWN BY
TL / DD

DATE
JANUARY 27, 2023

SHEET NUMBER
Z2.0

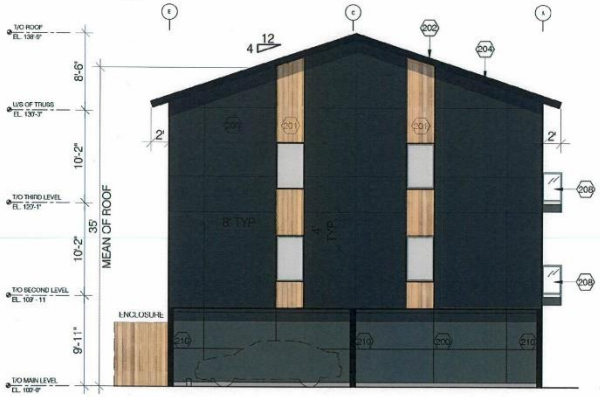
2architecture



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