Minutes – Council – April 25, 2024

Minute No. 259
Report – Standing Policy Committee on Property and Development – April 11, 2024

Item No. 12 Subdivision and Rezoning – 193 McGregor Street (Mynarski Ward) File DASZ 4/2024 [c/r DAV 244490/2023D]

COUNCIL DECISION:

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

1. That the subdivision proposed under Development Application No. DASZ 4/2024 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 "A" to this report and as shown on the map dated March 21, 2024 and attached as Schedule "C" to this report, with such minor changes as may be required, for registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated March 21, 2024 and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMF-L" Residential Multi-Family (Large) District in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated March 21, 2024, 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:

COUNCIL DECISION (continued):

a. buildings
b. accessory parking areas
c. private approaches
d. garbage enclosures
e. fencing
f. landscaping ang
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 Lord Selkirk – West Kildonan 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.

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

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

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

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

5. 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 4/2024 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

6. 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 – April 11, 2024

COUNCIL DECISION (continued):

7. That upon instruction from the Director of Planning, Property and Development that the Main Street Project – Use of Street Permit Fee Refund 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.

8. That Development Application No. DASZ 4/2024 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.

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

10. 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.

11. 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 9 and 10, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

12. That Development Application No. DASZ 4/2024 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.

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

14. That the Variance Order for File DAV 244490/2023D shall not come into force and effect until the coming into force and effect of the zoning by-law for the subject land under File DASZ 4/2024.

Report – Standing Policy Committee on Property and Development – April 11, 2024

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 16, 2024, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 11, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 4, 2024, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- In Recommendation 2.A.i., add the words “and the Lord Selkirk – West Kildonan Community Committee” immediately after “Director of Planning, Property and Development (“Director”)

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

PUBLIC HEARING SUMMARY

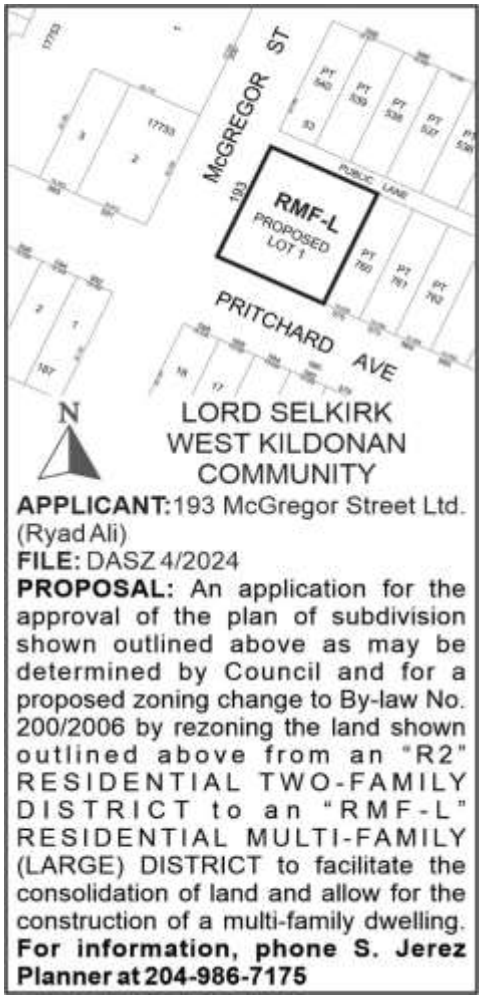
File: DASZ 4/2024

Before: Lord Selkirk-West Kildonan Community Committee
Councillor Santos, Chairperson
Councillor Sharma
Councillor Eadie

Public Hearing: April 4, 2024
Council Building, 510 Main Street

Applicant: 193 McGregor Street Ltd. (Ryad Ali)

Subject:



Premises Affected: 193 McGregor Street

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

Prepared by: P. Prinsloo, Senior Committee Clerk
Lord Selkirk-West Kildonan Community Committee

Report date: April 5, 2024

Community Committee Recommendation:

On April 4, 2024, the Lord Selkirk-West Kildonan 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 4/2024 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 "A" to this report and as shown on the map dated March 21, 2024 and attached as Schedule "C" to this report, with such minor changes as may be required, for registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated March 21, 2024 and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMF-L" Residential Multi-Family (Large) District in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated March 21, 2024, 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 ang
            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 Lord Selkirk – West Kildonan 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.

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

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

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

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

5. 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 4/2024 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

6. 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.

7. That upon instruction from the Director of Planning, Property and Development that the Main Street Project – Use of Street Permit Fee Refund 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.

8. That Development Application No. DASZ 4/2024 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.

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

10. 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.

11. 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 9 and 10, unless the developer applies for an extension of time before the expiration of that 1 year period and Council approves the extension.

12. That Development Application No. DASZ 4/2024 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.

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

14. That the Variance Order for File DAV 244490/2023D shall not come into force and effect until the coming into force and effect of the zoning by-law for the subject land under File DASZ 4/2024.

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

The Lord Selkirk-West Kildonan Community Committee provided the following supporting reasons for its recommendation:

1. I expressed this to the applicant, that I am so impressed that private enterprise is looking at building density along McGregor but also that its in the William Whyte neighbourhood where brand new housing is so urgently needed and so I really appreciate it. In supporting the William Whyte neighbourhood needs this kind of infill and I'm hoping that once this one gets going, I think there is a lot of opportunities along McGregor where we would like to build density and so I'm looking, now I have a change to look towards the future for William Whyte.

2. There's a lot of variances but, as was sort of mentioned, if you look at the 200 block, there are seven story units it's actually in-between two buildings, it doesn't have a lot of parking either and under today's zoning by-law it requires a lot of variances, probably did get a lot of variances when it was built.

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 January 12, 2024
2. Notification of Public Hearing dated February 21, 2024
3. Manitoba Status of Title(s) 3206629/1 and 3206630/1
4. Letter of authorization dated December 20, 2023 from 193 McGregor Street to Ryad Alli
5. Letter of Intent dated December 20, 2023 from Riyad Ali to The City of Winnipeg, Planning, Property and Development Department
6. Surveyor's sketch dated December 15th showing proposed Plan of Subdivision Part Lots 757, 758 and 759, Plan 53 W.L.T.O. In River Lot 37, Parish of St. John 193 McGregor Street
7. Community Engagement Report for 193 McGregor Street dated May 2023, submitted by Ryad Ali
8. Preliminary Drawings Only of subject property (5 pages)
9. Shadow Study for 193 McGregor Street dated June 21st, March/September 21st and December 21st
10. Plans (6 pages)
11. Report from the Urban Planning Division dated March 21, 2024
12. Inspection Report
13. Presentation/Documentation dated April 4, 2024, in support of the application submitted by the Applicant at the public hearing
14. Recording of Representations of public hearing held on April 4, 2024

REPRESENTATIONS:

In Support:

Kate Moir

In Opposition:

Nil

For Information:

Nil

For the City:

S. Jerez, Planner, Planning, Property and Development Department
C. Ho, Planner, Planning, Property and Development Department

Exhibit “11” referred to in File DASZ 4/2024

ADMINISTRATIVE REPORT

Title: DASZ 4/2024 – 193 McGregor Street

Issue: For consideration at the Public Hearing to Consolidate and Rezone to “RMF-L” Residential Multi-family (Large) to facilitate the establishment of a 26-unit multi-family residential building.

Critical Path: Lord Selkirk - West Kildonan Community Committee → Standing Policy Committee on Property and Development, Heritage and Downtown Development → Executive Policy Committee → Council as per the Development Procedures By-law and *The City of Winnipeg Charter.*

AUTHORIZATION

Author	Department Head	CFO	CAO
S. Jerez, MCP	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision proposed under Development Application No. DASZ 4/2024 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 “A” to this report and as shown on the map dated March 21, 2024 and attached as Schedule “C” to this report, with such minor changes as may be required, for registration in the Winnipeg Land Titles Office, 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") 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.

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

14. That the variance order for File No. DAV 23-244490\D shall not come into force and effect until the coming into force and effect of the zoning by-law for the subject land under File DASZ 4/2024.

REASON FOR THE REPORT

- The applicant intends to consolidate and rezone the subject site from"R2" Residential Two-family to "RMF-L" Residential Multi-family (Large) in in order to establish a 26-unit multi-family residential 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.

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.

01-1a OurWinnipeg Approach to City Building: Promote compact urban form and manage the extension of municipal services for new growth. Support new developments that are contiguous with existing developments to minimize the spatial use of land and the extension of services.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by	S. Jerez, MCP
Date:	March 21, 2024
File No.	DASZ 4/2024

List of Schedules and Attachments

Schedule A	Planning Discussion
Schedule B	Report of the Administrative Working Group – March 13, 2024.
Schedule C	Recommended File No. DASZ 4/2024 Lord Selkirk West Kildonan Community Committee, dated March 21, 2024
Appendix A	Proposed By-law

SCHEDULE 'A'

DATE:	March 21, 2024
FILE:	**DASZ 4/2024**
RELATED FILES:	DAV 23-244490\D
COMMUNITY:	Lord Selkirk-West Kildonan Community
NEIGHBOURHOOD #:	3.302 (William Whyte)
SUBJECT:	For consideration at the Public Hearing to Consolidate and Rezone to "RMF-L" Residential Multi-family (Large) to facilitate the establishment of a 26-unit multi-family residential building.
LOCATION:	**193 McGregor ST**
LEGAL DESCRIPTION:	EXC NLY 8F LOT 757/759 PLAN 53 37/8 ST J



APPLICANT:	Ryad Ali (193 MCGREGOR STREET LTD.) 6 Penny Lane Winnipeg, MB R2P 2C6
OWNERS:	193 MCGREGOR STREET LTD. 6 Penny Lane Winnipeg, MB R2P 2C6
RECOMMENDATION:	Approval with conditions

DISCUSSION

SITE DESCRIPTION

- The subject property is located on the east side of McGregor Street at the northeast corner of Pritchard Avenue, in the William Whyte neighbourhood of the Mynarski ward.
- The site has frontage on both Pritchard Avenue (front yard) and the McGregor Street arterial route (corner side yard), and is approximately 10,645 square feet in area (99 feet in width and 107.5 feet in depth). The site is currently vacant.
- The property takes access from a paved public lane.
- The property is in the Established Neighbourhood - Mature Community policy area under the *Complete Communities Direction Strategy 2.0*, and zoned "R2" Residential Two-family.
- The subject property is located within Area 2 per the *Small Scale and Low-Rise Residential Development Guidelines for Mature Communities* (*Infill Guidelines*).



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

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Multi-family residential uses (12 units at 588 Manitoba Avenue; 4 units at 582 Manitoba Avenue) and a duplex zoned "R2" Residential Two-family; then Manitoba Avenue.

South: Pritchard Avenue; then single family dwellings zoned "R1-S" Residential Single-family (Small) and "R2" Residential Two-family, and a duplex zoned "R2" Residential Two-family.

East: A mix of single-family and two-family residential uses, and a triplex (561 McGregor Street) zoned “R2” Residential Two-family.

West: McGregor Street, then a meeting and banquet hall (591 Pritchard Avenue) and a 67-unit senior’s residential building (200 McGregor Street) zoned “RMF-L” Residential Multi-family (Large).



Figure 2: Zoning of the Site and Surrounding Area

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to consolidate and rezone the site from an "R2" Residential Two-family District to an "RMF-L” Residential Multi-family (Large) District to allow for the construction of a four storey multi-family residential building.
- A total of 26 residential dwelling units are being proposed, consisting of a mix of one-bedroom, two-bedroom and three-bedroom units. The average lot area density is 409 square feet per dwelling unit.
- The applicant is providing 7 units affordable one-bedroom units, which represents 26.9% of the total number of units.
- Drawings provided show a 45 foot tall building, clad with masonry and EIFS panels. In addition, the McGregor Street elevation includes 40% glazing and 35% along Pritchard Avenue. Architectural features include bay windows, Juliet balconies, and a staggered window pattern for visual interest.
- The proposed front yard on Pritchard Avenue meets the calculated front yard alignment of 10 feet. The corner side yard on McGregor will be 6 feet.

- An indoor parking area is located behind 2 units at grade which providing active uses along the McGregor and Pritchard street edges.
- A total of 15 parking stalls will be provided (4 outdoor with access from the public lane, and 11 indoor beneath the building).
    - 3 visitor parking stalls are provided with access from the public lane.
    - The proposal includes 2 accessible stalls -- one is located in the indoor parking area. The other is one of 3 visitor stalls taking access from the public lane, located nearest to the McGregor sidewalk.
    - A total of 5 small car parking spaces are included in the plans submitted, 3 indoors and 2 with access from the public lane.
- A total of 15 bicycle parking stalls are shown in the plans submitted. The applicant is proposing to provide 6 bicycle parking spaces at-grade near the main building entrance, and 9 spaces located in a secure bike room within the indoor parking area.
- Drawings show a fenced outdoor amenity space in the 18 foot 2 inch interior side yard, which includes picnic tables, raised planters, a sandbox with a pergola, and a barbeque area for residents.
- The proposed street edge landscaping includes a mix of 5 trees and 16 shrubs along Pritchard Avenue, and 3 trees and 19 shrubs along McGregor Street.
- Garbage bins are located in a two sided enclosure adjacent to rear laneway.
- The applicant has provided a dimensioned site plan with landscape details, floor plans, and colour elevations. In addition, the applicant has provided a sour-season shadow study.
- The proposed development requires variances associated with the lot area, west corner side yard (McGregor Street) and rear yard setbacks (along the public lane), a parking reduction, dimensions for one parking space, insufficient buffering and landscaping, and a garbage enclosure that is not fully enclosed. Please refer to the Planner's report for analysis of the proposed variances (DAV 23-244490\D).

COLLABORATIVE PLANNING & CONSULTATION

With the Urban Planning & Design Division

- The applicant engaged in a number of discussions with the Winnipeg Public Service, prior to submitting the subject application, and revising their proposal based on feedback to provide a mutually agreeable proposal to reduce the number of Variances.

With the Public

- In May 2022, an in-person, open-house style engagement session was undertaken to inform neighbouring residents, organizations and businesses of the development and allow for questions and feedback.
- The event was advertised through social media pages and direct flyers to homeowners in the project vicinity. Participation opportunities were offered on the flyer through a scannable QR code and a written link that lead to a webpage with in-depth project details. A feedback submission prompt box was included in the webpage to obtain feedback.
- A total of 7 people attended the open-house session, and 16 unique visitors to the webpage with a total of 3 people providing online feedback.

ANALYSIS AND ISSUES

OURWINNIPEG AND THE COMPLETE COMMUNITIES DIRECTION STRATEGY

- The *Complete Communities Direction Strategy 2.0* (*CCDS 2.0*) is one of four direction strategies supporting *OurWinnipeg*, the city's long-range development plan, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- As part of *Complete Communities Direction Strategy 2.0*, the City has an intensification target under Section B1. General Growth Goal 2 - Policy 2.1 states that a minimum of 50% of all new dwelling units be accommodated in the intensification target area of the city of which this property is located within.
- The subject property is located in an Established Neighbourhoods – Mature Community policy area as outlined in *CCDS 2.0*.
- The Vision for Established Neighbourhoods is to continue to evolve as complete communities to increase the diversity of housing choices, improve housing affordability, and more efficiently use land, infrastructure and services.
- With regard to this proposal, the key goal and policies guiding the development of Established Neighbourhoods are as follows:

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

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

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

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

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

  - *Applicable City-endorsed policies or guidelines;*
  - *Existing zoning of the property and adjacent properties;*
  - *Characteristics of the immediately surrounding built form including building mass, height, lot coverage, setbacks, and layout;*
  - *Surrounding uses and their characteristics including residential density and the intensity of commercial and other non-residential uses;*
  - *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;*
  - *The supporting street network (ex. local, collector, or arterial streets) and the street network's ability to support proposed development;*
  - *The supporting transit, pedestrian and active transportation network; and*

- *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.*

1.8 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.

1.9 Small-scale residential uses other than single-family residential may be accommodated

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

2.3 Encourage, where contextually suitable, the location of multi-family buildings at or near the front and corner side property lines to create a pedestrian orientation that is respectful of the area context. Use setbacks to provide landscaping, front courtyards for individual units or other amenities that support the pedestrian environment, building design and relationship to the street.

2.5 Encourage a variety of architectural styles.

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

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

a) Window placement that supports passive surveillance;

b) Unit entrances with direct access to the street;

c) Front porches;

d) Balconies;

e) Awnings;

f) Lighting; and

g) Height of primary entrances

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

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

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

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

2.16 For properties with public lane access, vehicular access should be taken from the public lane in order to:

a. Reduce potential conflict between pedestrians using sidewalks and motor vehicles crossing the public right-of-way to access private property;

b. *Preserve green space and protect existing trees that can be impacted by the establishment of front approaches and corresponding private driveways; and*

c. *Prevent fragmentation of the public boulevard in order to better accommodate on-street motor vehicle parking and public snow clearing.*

2.17 Locate commercial, mixed-use, or multiple family residential parking underground or behind buildings in order to create a more pedestrian-oriented built form. Active uses should be located at grade when these buildings face public streets.

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

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

3.0 Ensure all communities provide a diversity of housing options and meet resident life-cycle housing needs." More specifically, policies that relate to the subject proposal are as follows:

3.1 Encourage a variety of housing types and tenures within Established Neighbourhoods to meet life-cycle housing needs and affordability ranges.

3.2 Encourage a mix of types, tenures and unit sizes within residential developments. Make provisions for unit sizes that can accommodate varying family sizes and multi-generational households.

3.6 Encourage new developments that incorporates housing types that enable "aging in place" in Established Neighbourhoods.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

- The applicant is proposing to consolidate the 3 descriptive lots on Title and to rezone the property to "RMF-L" Residential Multi-family (Large) for their intended multi-family residential development.
- The intent of the "RMF-L" district is 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-L" zone are:
    - A minimum lot area of 20,000 square feet;
    - A minimum lot area per dwelling unit is 400 square feet;
    - A minimum front yard of 25 feet;
    - A minimum rear yard of 25 feet;
    - a minimum interior side yard of 8 feet (where the building is more than one storey in height the required interior side yard increases by 2 feet for each storey above the ground floor to a maximum of 20 feet);

- a minimum corner side yard of 20 feet; and,
- a maximum building height of 150 feet.

CONSISTENCY WITH *OURWINNIPEG 2045* AND *COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0* AND COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The proposed multi-family residential development fits well within the immediate context of the surrounding neighbourhood which is characterized by a mix of single- two-family, and multi-family residential uses, and small scale commercial land uses. The property is large in relation to surrounding sites with frontage on McGregor Street and Pritchard Avenue.
- **Development in the "RMF" district should provide convenient access for pedestrians and transit users from the public street.**
- In addition to the close proximity to small scale businesses and a mix of land uses along McGregor Street, the site is 90 metres from the Selkirk Avenue Urban Mixed Use Corridor where a number of services and amenities are concentrated.
- The site is located directly along the Primary Transit Network serviced by Frequent Line E.
- There is an existing precedent multi-family residential uses with "RMF-L" Residential Multi-family (Large) zoning at 200 McGregor Street, across from the subject site, with a seven-storey, 67-unit senior's residence.
- The subject proposal provides a selection of unit sizes, 26% of which are intended to meet CMHC requirements for affordability, and it contributes to a range of housing types that are important to help meet the lifecycle needs of Winnipeg residents.
- ***Complete Communities Direction Strategy 2.0*** **designates this site as an "Established Neighbourhood – Mature Community" policy area which supports increasing residential densities.** The subject proposal aligns with the above applicable policies for the following reasons:
  - The development will help achieve residential intensification targets;
  - The development will positively contribute to the surrounding neighbourhood by providing additional housing options;
  - The proposed density is compatible with the surrounding context;
  - The proposed design meets the design policies mentioned above. Namely, the building is oriented to the street, has a scale similar to surrounding buildings, uses a variety of building materials, adds to the architectural interest of the area, includes features such as patios and balconies that increase activity along the street edge, and takes vehicular access from the rear laneway.
- **The established residential context, supportive planning policy, high degree of neighbourhood walkability, proximity to high frequency transit service and proximity to a broad range of commercial services are supporting factors in the use of the "RMF-L" Residential Multi-Family (Large) Zoning District.**

CONDITIONS OF APPROVAL

Zoning Agreement

- The Urban Planning & Design Division is recommending that final plans be submitted to the Director of Planning, Property and Development for review prior to the issuance of a development permit on the lot. The inclusion of this clause will allow the Public Service and the Lord Selkirk West Kildonan Community Committee to review final plans and design details before any future development takes place on the site.

Servicing Agreement

- The Public Service recommends that the developer enter into a Servicing Agreement with the City of Winnipeg, in order to address items relating to municipal services and infrastructure. These items are discussed in the Report of the Administrative Coordinating Group (ACG), which is attached to this report as Schedule "B."
- The ACG report identifies that the existing sidewalk on the north side of Pritchard Avenue is less than 1.5 metres wide and must be replaced with a sidewalk that meets current dimensional standards. In addition, the Developer must work with the Forestry Branch with respect to ensure tree protection during the sidewalk installation.

Land Dedication

- As a condition of rezoning or subdivision of a parcel of land, a developer is required to contribute a portion of the land to be developed to the City of Winnipeg for parks purposes. The amount of land is not less than 10 percent.
- In the case of the subject proposed subdivision and rezoning, the Planning, Property and Development Department is recommending that the developer provide 'cash in lieu' of a dedication of land for the appraised value of the subject site.

RECOMMENDATION

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

- The proposal is consistent with the policies guiding development within the Established Neighbourhoods – Mature Community designation in the *Complete Communities Direction Strategy 2.0* in that it facilitates residential development that positively contributes to neighbourhood character and revitalization, expanding housing options for residents in a manner that is sensitive and complementary to existing development, to build more complete communities and align with the City's residential intensification target.

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

Report Prepared by: S. Jerez, MCP
PPD File #: DASZ 4/2024

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED REZONING OF LAND LOCATED AT 193 MCGREGOR STREET

It is recommended that approval of DASZ 4/2024, if granted, be subject to the applicant entering into a Servicing Agreement containing the following conditions:

Section I – Servicing Conditions

1) The Water and Waste Department advises there is adequate water servicing for the proposed development. Additional review will be required by the Department should the plans of development change during the design process.

2) 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:
   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 25 year rainfall event applied providing on-site storage.
   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.

3) Sidewalks

   a) 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 north side of Pritchard Avenue between McGregor Street and where the sidewalk meets 1.5m in width, 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.
   b) The City will endeavor, within the limits of its powers, to reimburse the Developer for the costs of the sidewalk works that are not abutting the Planned Area, all as determined by and to the satisfaction of the Director of Public Works.

4) Utilities

a) The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the Planned Area and will pay the full cost to convert any existing overhead services within the Planned Area 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.

5) Construction Traffic

a) The Developer shall ensure that construction traffic uses access routes as determined by the Director of Public Works.

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

6) 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.

7) Survey Monuments

a) Subsequent to completion of the Planned Area, as determined by the Director of Planning, Property and Development, the Developer shall pay the full costs of having all survey monuments within the Planned Area verified and/or restored by a Manitoba Land Surveyor and shall prepare a Plan of Survey Perpetuating Certain Monuments, confirming the position of all the survey monumentation within the Planned Area, for filing in the Winnipeg Land Titles Office.

b) In certain circumstances where all the survey monuments within the Planned Area have been found or restored to their original positions, upon approval by the Director of Planning, Property and Development, the requirements for Plan of Survey Perpetuating Certain Monuments may be waived.

Section V – Costs and Fees

1) By-laws and Approvals

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

2) Professional Fees

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

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

3) Administration Fees

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

THIS REPORT SUBMITTED BY:

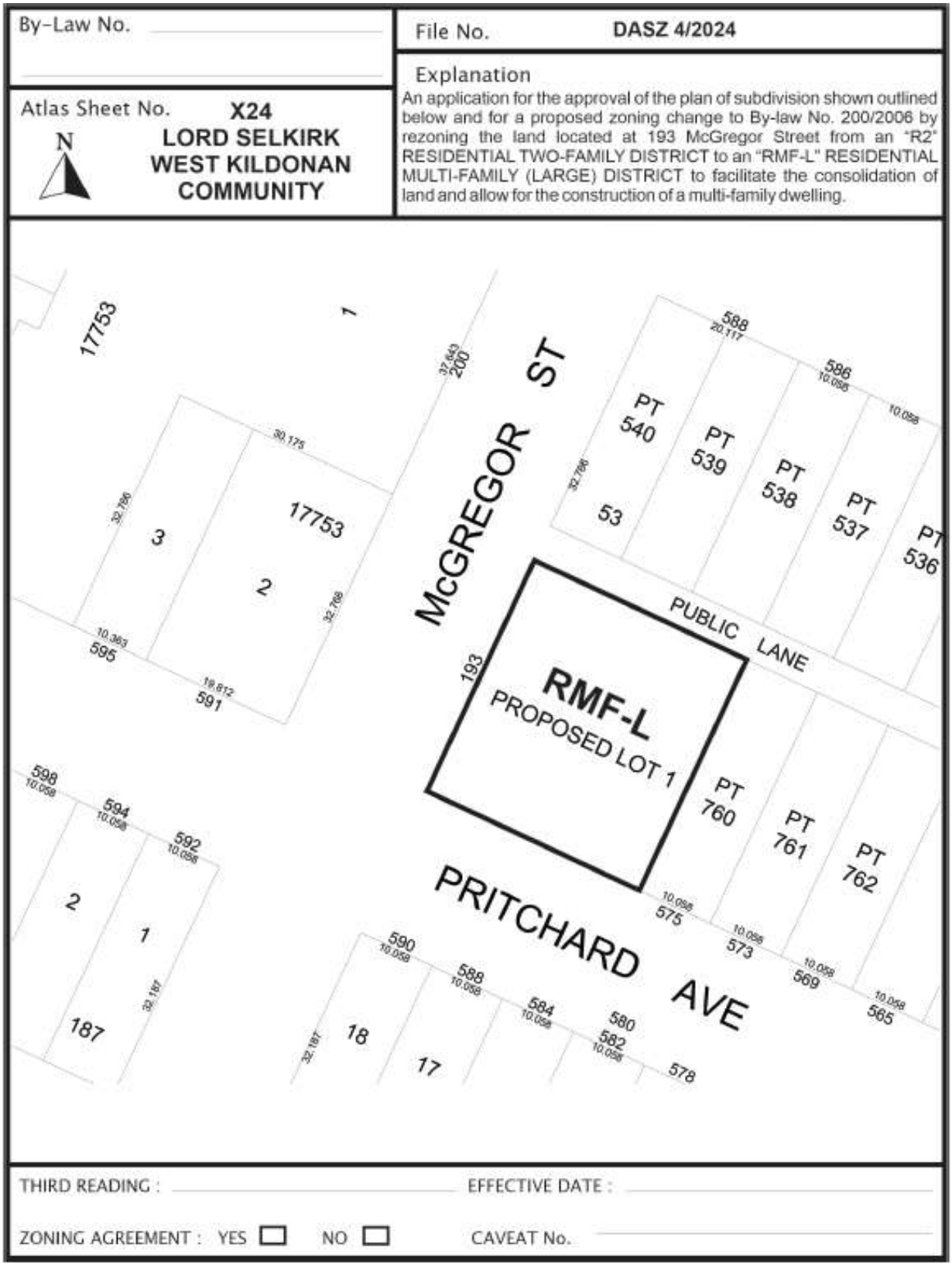
Administrative Co-ordinating Group
File No. DASZ 4/2024
March 13th, 2024

"*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

Schedule "C" for File DASZ 4/2024
Lord Selkirk West Kildonan Community Committee, dated March 21, 2024



APPENDIX A – Proposed By-law

Exhibit “10” referred to in File DASZ 4/2024



SOUTH ELEVATION (PRITCHARD AVE)

3/32" = 1'-0"

BLDG

ELEVATIONS

193 MCGREGOR ST



WEST ELEVATION (MCGREGOR ST)
3/32" = 1'-0"



NORTH ELEVATION (TO PUBLIC LANE)

3/32" = 1'-0"



EAST ELEVATION (INTERIOR SIDE YARD)

3/32" = 1'-0"



BLDG

NORTH BOUND MCGREGOR
193 MCGREGOR ST



BLDG

SOUTH BOUND MCGREGOR
193 MCGREGOR ST