Minutes – Council – December 12, 2024

Minute No. 74
Report – Standing Policy Committee on Property and Development – December 2, 2024

Item No. 3 Rezoning – 792 St. Mary's Road
(St. Vital Ward)
File DAZ 217/2024 [c/r DAV 196430/2024D]

COUNCIL DECISION:

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

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 217/2024 by rezoning the subject land to a "C1 Mature Communities PDO-1" Commercial Neighbourhood District in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated November 5, 2024 and attached as Schedule "C" to this report, subject to the following conditions:

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

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

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

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

        ii. That, private vehicular approaches shall not be permitted on St. Mary's Road and Glen Avenue.

Report – Standing Policy Committee on Property and Development – December 2, 2024

COUNCIL DECISION (continued):

iii. That the following uses shall not be permitted:

a. restaurant

B. That the Developer enter into a Servicing Agreement, if required, 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 29, 2024 and attached as Schedule “B” to this report.

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

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

ii. a Servicing Agreement, if required, 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 217/2024 (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 Recommendation 1 (the “By-law”) and bring same directly to Council by way of communication for first reading.

Report – Standing Policy Committee on Property and Development – December 2, 2024

COUNCIL DECISION (continued):

4. That upon instruction from the Director of Planning, Property and Development that the Developer has paid all fees, charges or other amounts due in respect of DAZ 217/2024 (collectively, 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 consideration for second and third reading.

5. That Development Application No. DAZ 217/2024 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not paid 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 is 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.

9. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DAZ 217/2024.

Report – Standing Policy Committee on Property and Development – December 2, 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 December 4, 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 December 2, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 15, 2024, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- In Recommendation 1.A.i., add the words "the Riel Community Committee and" before the words "the Director of Planning, Property and Development"

- Add the following new Recommendation 1.A.iii.:

  "iii. That, the following uses shall not be permitted:

    a. restaurant"

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

PUBLIC HEARING SUMMARY

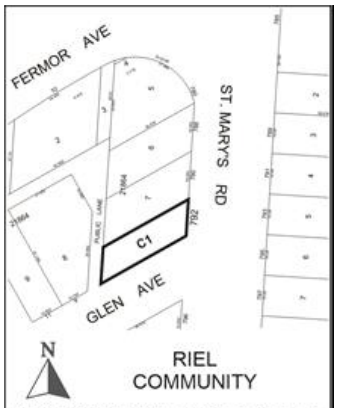
File: DAZ 217/2024

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

Public Hearing: November 15, 2024
Council Building, 510 Main Street

Applicant: J. Wintrup Consulting Ltd. (John Wintrup)

Subject:



APPLICANT : J Wintrup Consulting Ltd. (John Wintrup)
FILE : DAZ 217/2024
PROPOSAL : To rezone the land shown outlined above from an "R2 MATURE COMMUNITIES PDO-1" RESIDENTIAL TWO-FAMILY DISTRICT to a "C1 MATURE COMMUNITIES PDO-1" COMMERCIAL COMMUNITY DISTRICT to facilitate the construction of a proposed mixed-use building containing residential dwelling units. **For information, phone D. Clark Planner at 204-986-5684**
DEMANDEUR : J Wintrup Consulting Ltd. (John Wintrup)
N° DE DOSSIER : DAZ 217/2024
PROJET : Modifier le zonage du terrain délinéé ci-dessus de sorte qu'il passe du DO-1 des quartiers établis de la catégorie R2 (secteur résidentiel bifamilial) au DO-1 des quartiers établis de la catégorie C1 (secteur commercial communautaire) en vue de faciliter la construction d'un bâtiment polyvalent contenant des unités de logement résidentielles. **Pour plus de renseignements, appelez D. Clark, urbaniste, au 204-986-5684.**

Premises Affected: 792 St. Mary's Road

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

Prepared by: S. Vickery, Committee Clerk
Riel Community Committee

Report date: November 18, 2024

Community Committee Recommendation:

On November 15, 2024, 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 217/2024 by rezoning the subject land to a "C1 Mature Communities PDO-1" Commercial Neighbourhood District in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated November 5, 2024 and attached as Schedule "C" to this report, subject to the following conditions:

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

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

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

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

        ii. That, private vehicular approaches shall not be permitted on St. Mary's Road and Glen Avenue.

        iii. That the following uses shall not be permitted:

            a. restaurant

    B. That the Developer enter into a Servicing Agreement, if required, 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 29, 2024 and attached as Schedule "B" to this report.

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

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

ii. a Servicing Agreement, if required, 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 217/2024 (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 Recommendation 1 (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 paid all fees, charges or other amounts due in respect of DAZ 217/2024 (collectively, 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 consideration for second and third reading.

5. That Development Application No. DAZ 217/2024 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not paid 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 is 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.

9. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DAZ 217/2024.

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. Thank you to the residents for coming out; I appreciate the concerns. We're in an era though where the era of the single-family home on St. Anne's and St. Mary's is ending.

2. I had two town hall meetings yesterday about the proposed move – we'll be voting on that next March – the proposed move to allow fourplexes everywhere in the city. In any residential lot. And a forty-eight foot height limit if you live within 800 metres of frequent transit. That is going to be an interesting debate. This street would be absolutely affected by that. All of it. It's all within 800 metres walking distance of frequent transit. That to me is an alteration to the character of the neighbourhood. I don't really mind the duplexes. Fourplexes, forty-eight feet tall though, that's a concern. But if you don't want densification of that sot, you've got to approve it somewhere else. And I think that somewhere else is on the main corridors.

3. I appreciate people have concerns. We will try and deal with the concerns raised about during the construction. Very good point about 'don't have a restaurant here because you'd have a lot of potential traffic from the high school', that's a fair point I think.

4. Four parking spots. We are headed to a meeting, Councillor Allard and I, in which the public service is going to propose that under new, the new parking requirements along the corridors be less than one car stall per unit. A lot of people say we should have no parking minimums. Let the market decide. So here at least we are having one stall per unit that is being provided. Not for the commercial, but. If it's not a restaurant, hopefully there will not be a lot of vehicular traffic.

5. I'll be blunt, this is going to look quaint in about a years' time. I don't like to tell people to take something they don't like. But we are going to have a ten-storey height limit in the corridor area that Mr. Clark here described. You go about four blocks further south to Norberry you're going to start seeing much taller buildings than this. You're going to start seeing probably a reduced parking requirement. So, the on-street parking issue will be exacerbated on the Berrington, Berrydale, Norberry, Oustic, you get the point. So this, people may not love this. But I think it is a compromise, compared to what is going to be coming in a lot of other areas. We've had, St. Mary's Road has had residential above commercial for decades. The lotus restaurant at Berrington was there in the 60's with apartments above it. It's a tattoo shop now or something. Art's flowers has been there throughout my entire life, I believe. And apartments above some of those. Maybe not that building. But there's been a mix of commercial with residential above for literally for decades along that stretch. So, I don't think that's out of character.

6. You do get parking on the street, I know, but that's, you live near a library, which I helped save. You know, if we'd torn down the library and put in a condo building, you wouldn't have library users on your street. That's true. But you also wouldn't have a library. So I apologize. I don't apologize for saving the library. The parking for the library is ridiculous. Everyone acknowledges that. But at least there are some stalls, they do police that. So you don't park in the library lot and saunter over to the Y anymore. That's policed, you have to register now. So if people think they're going to park all day and all night in the library parking lot, they're going to get a rude awakening. And we'll remind the library of that. And the Parking Authority. So, I appreciate there already is on-street parking, but some of that's because we've got amenities nearby. People playing basketball wouldn't park there if there wasn't a basketball court. But the basketball court is there, it's a neighbourhood amenity. So is the high school, so is the soccer field, it's a million-dollar soccer field. So, I'd rather have it in my ward than in Southdale or something you know. It's a good community amenity.

7. So long way of saying ya, this may not be everything a neighbourhood wants, but it is a damn size smaller than what's coming in a lot of other places along St. Mary's and St. Anne's. So I think it's a reasonable compromise.

Objections under the Charter:

Total number of **v**alid objections as per section 125(2) – 3

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

Exhibits Filed:

1. Application dated September 9, 2024
2. Notification of Public Hearing dated September 26, 2024
3. Manitoba Status of Title: 3090823
4. Letter of authorization dated October 11, 2023 from 6727132 Manitoba Ltd., and Raj Sharma to John S. Wintrup
5. Surveyor's Building Location Certificate and sketch dated June 22, 2021
6. Legal Description and Title Plot
7. Current Zoning and Lot Configuration
8. Proposed Rezoning
9. Plans (4 pages)
10. Report from the Urban Planning Division dated November 5, 2024
11. Inspection Report
12. Communication dated November 8, 2024, from Raj Sharma in support of the application
13. Presentation dated November 15, 2024 in support of the application submitted by the Applicant
14. Communication dated November 12, 2024, from Tejinder Pawar in support of the application
15. Communication dated November 14, 2024, from Valerie F. Burachynsky in opposition to the application
16. Recording of Representations

REPRESENTATIONS:

In Support:

Tejinder Pawar
Raj Sharma
John Scott Wintrup

In Opposition:

Valerie Burachynsky
James Lee
Erin Scott

For Information:

Nil

For the City:

D. Clark, Planner, Planning, Property and Development Department
Y. Haj Ahmad, Planner, Planning Property and Development Department

Exhibit “10” referred to in File DAZ 217/2024

ADMINISTRATIVE REPORT

Title: DAZ 217/2024 – 792 St. Mary’s Road

Issue: An application for consideration at the public hearing to rezone the subject property from “R2” Residential Two-Family to “C1” Commercial Neighbourhood District 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
D. Clark RPP, MCIP	n/a	n/a	

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 217/2024 by rezoning the subject land to a “C1 Mature Communities PDO-1” Commercial Neighbourhood District in accordance with the proposed by-law attached as Appendix “A” to this report and as shown on the map dated November 5, 2024 and attached as Schedule “C” to this report, subject to the following conditions:

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            b. Accessory parking areas

            c. Private approaches

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            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 (the "Director") prior to the issuance of any building or development permit and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

ii. That, private vehicular approaches shall not be permitted on St. Mary's Road and Glen Avenue.

B. That the Developer enter into a Servicing Agreement, if required, 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 29, 2024 and attached as Schedule "B" to this report.

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

(i) a Zoning Agreement in accordance with recommendation 1.A.; and

(ii) a Servicing Agreement, if required, 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.

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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.

9. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DAZ 217/2024.

REASON FOR THE REPORT

- The applicant is proposing to rezone the property from “R2” Residential Two-Family District to “C1” Commercial Neighbourhood District 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 and Design Division are concurred in, the subject property will be rezoned from the “R2” Residential Two-Family District to the “C1” Commercial Neighbourhood District.

OURWINNIPEG POLICY ALIGNMENT

OurWinnipeg 2045 Goal – City Building

A successful strategy for sustainable city growth uses a variety of planning approaches. It strikes a balance between ‘growing out’ and ‘growing up’, offering choices ranging from traditional, single-family neighbourhoods to denser forms of urban housing and new neighbourhoods designed around a mix of land uses and a sustainable transportation system (p.17).

Building a city of complete communities provides the following additional benefits:

- *Minimization of environmental impacts per capita, in support of better air quality, resource efficiency, waste management, and climate change mitigation*
- *Adaptability to climate change and resilience to natural hazards*
- *Promotion of more active lifestyles and increased social interaction* (p.17).

City Building Objectives

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

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

City Building Objective 2*.* Integrate resilient land use, transportation and infrastructure planning, and investments**:**

Ensure that land use, transportation, and infrastructure planning are aligned to provide the conditions for compact, complete and connected communities, supported by sustainable transportation options and municipal infrastructure capacity.

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

New and existing communities are complete when they demonstrate: universally designed environments; mixed-income neighbourhoods; a continuum of housing types; multi-modal connections within and to elsewhere in the city; heritage conservation; opportunities for physical activity, social interaction, and access to healthy food, daily needs, employment, education, recreation, and green infrastructure (p.31).

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

> *4.1 Increase Strategic Infill Development that Provides Access to and Capitalizes on Existing and Planned Corridors with Frequent Transit Service*
>
> *4.2 Ensure New Areas of Growth are Designed According to the Principles of Complete Communities (Primary Responsibility: Planning, Property and Development Department)*

One of the Vision Statement's in the Climate Action Plan is that:

> *Winnipeg facilitates compact development and healthy neighbourhoods that are connected through a network of active and transit-oriented mobility options. This means that the City strategically integrates climate action within both land use and transportation decision-making.*

Strategic Opportunity #3 *Advancing Sustainable Transportation – Increasing Mobility Options and Shift to Zero Emission Vehicles*

> *Increasing access to mobility options and fuel switching are key directions for reducing emissions from transportation. Key directions aim to directly shift residents out of single occupancy vehicles through sustainable transportation options with lower or no emissions (walking, cycling, public transit, carshare, and carpooling) or indirectly enable diverse mobility choices through the development of higher density, and more complete communities* (p.vi)
>
> *3.1 Increase Use and Efficiency of Public Transit Systems*
>
> *3.2 Increase the Density of Urban Development Along Key Transit Corridors.*

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

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

4.3 Pursue Transit-Oriented Development

Strategic Opportunity #5 *Low Carbon and Energy Efficient Buildings*

In order to lower energy and greenhouse gases used in Winnipeg's new and existing buildings, the City and community need to find better ways to understand the energy use and emissions from buildings and provide builders with the tools and resources (where needed and feasible) to support these retrofits and designs.

5.2 Improve energy performance of new buildings

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Initiative 2.4. Bylaw Amendments to Accelerate Affordable Housing

2) *Density Bonuses: Develop a framework to pursue density bonusing opportunities for affordable housing and implement a formalized density bonusing program. Explore partnerships with the Province and CMHC to enhance the program (e.g. enter into MOU with the province).*

HISTORY

N/A

CONSULTATION

Relevant City of Winnipeg departments per the Administrative Coordinating Group.

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning and Design Division
Prepared by	Devin Clark, RPP, MCIP
Date:	November 5, 2024
File No.	DAZ 217/2024

List of Schedules and Appendices

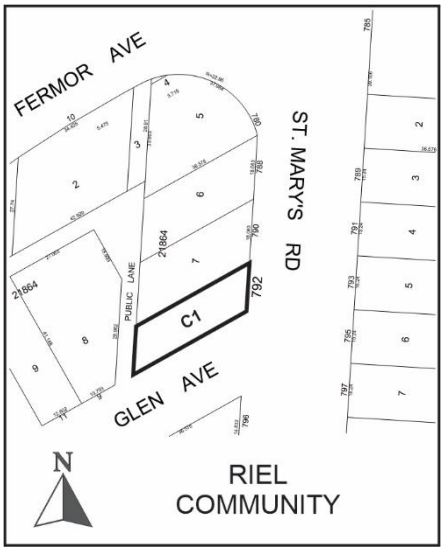
Schedule A	Planning Discussion
Schedule B	Report of the Administrative Working Group – October 29, 2024
Schedule C	Recommended File No. DAZ 217/2024 Riel Community Committee, dated November 5, 2024
Appendix A	Proposed By-law

SCHEDULE 'A'

FILE:	**DAZ 217/2024**
RELATED FILES:	DAV 24-196430\D
COMMUNITY:	Riel Committee
NEIGHBOURHOOD #:	5.512 - Norberry

SUBJECT: To rezone the subject property from the "R2" Residential Two-Family District to the "C1" Commercial Neighbourhood District.

LOCATION: 792 St. Mary's Road



APPLICANT: John Wintrup (J.Wintrup Consulting Ltd.)
139 Roslyn Rd Unit 301
Winnipeg, MB R3L 0G7

OWNER: 6727132 MANITOBA LTD.
246 Mosselle Dr
Winnipeg, MB R2P 1N7

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject property is located on St Mary's Road, in the Norberry neighbourhood of the St Vital ward.
- The subject site is 4,533 square feet (421 square metres) in area. The site is currently occupied by a single family residential building built in 1928.
- The subject site is accessed by a concrete back lane with access from Glen Avenue.

- Under the *Complete Communities Direction Strategy 2.0*, the site is within the Mature Communities policy area. The property is currently zoned “R2” Residential Two-Family District.



Figure 1: Aerial photo of subject site and surrounding area *(flown 2024)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: A detached single-family dwelling zoned “R2” Residential Two-Family

South: Glen Avenue then detached single-family dwelling zoned “R2” Residential Two-Family

East: St. Mary’s Road then detached single-family dwellings zoned “R2” Residential Two-Family District.

West: Laneway then detached single-family dwelling zoned “R1-M” Residential Single-Family Medium District.

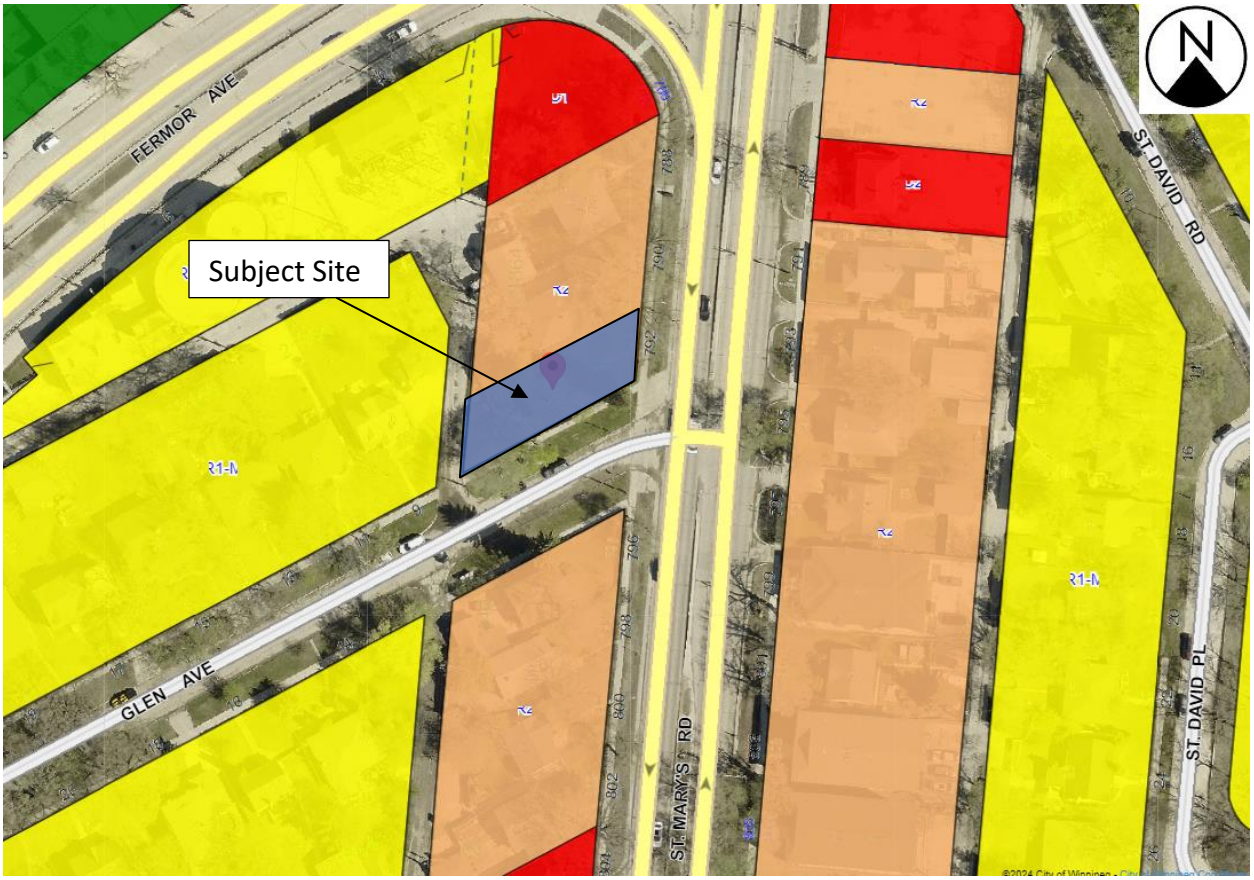


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The proposed development includes removing the existing dwelling on site and constructing a 3 storey (34-foot-tall) residential and commercial mixed-use building.
- Commercial space is proposed on the ground level with a floor area 1,602 square feet.
- 4 dwelling units are proposed, with two on the second storey and two on the third storey.
- 4 parking stalls are proposed off the lane
- 4 indoor bike parking stalls are proposed with access from the rear of the ground level.
- Landscaping is proposed as follows:
    - 8 pygmy caragana shrubs along the street edge of St. Mary's Road
    - 1 Eastern White Cedar tree along the street edge of St. Mary's Road
    - 16 pygmy caragana shrubs along the Glen Ave. street edge.
- The proposed development requires variances for lot area, density, yard setbacks and parking requirements (see associated variance application and planner's report for DAV 24-196430\D).

COLLABORATIVE PLANNING and CONSULTATION

With the Urban Planning and Design Division

The applicant engaged the Urban Planning and Design Division for preliminary discussions prior to making a formal application.

With the Public

The applicant did not include any letters of support or details of public consultation in their application.

ANALYSIS AND ISSUES

OURWINNIPEG 2045

- *OurWinnipeg 2045* is the City's long-range development plan. Per *OurWinnipeg 2045*, the subject site is identified along a Regional Mixed Use Corridor:

  6.21 Regional Mixed Use Corridors - Recognize that a primary function of designated Regional Mixed-Use Corridors is for the efficient movement of people, goods and services, while transitioning the functional design over time to support mixed-use intensification and transit-orientation.

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The *Complete Communities Direction* Strategy 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.
- The subject property is located in an Established Neighbourhood designated as a "Mature Community" as outlined in *Complete Communities Direction Strategy 2.0.*
- The Vision for Established Neighbourhoods is for them to continue to evolve as complete communities, to increase the diversity of housing choices, improve housing affordability, and more efficiently use land, infrastructure and services.
- Goal 1 states "encourage compatible residential development within Established Neighbourhoods to build more *Complete Communities* and align with the City's residential intensification target.
- General policies for Established Neighbourhoods that relate to the subject proposal are as follows:

  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.

  1.6 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.*

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

- Complete Communities Direction Strategy 2.0 states Mature Communities "present some of the best opportunities to accommodate infill development, to increase housing choice and to maximize the use of existing infrastructure."
- Goal 2 states "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.
- General policies for Established Neighbourhoods that relate to the subject proposal are as follows:

2.2 Encourage the location of commercial or mixed-use buildings at or near the front and corner side property lines to create a pedestrian orientation.

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.

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

2.5. Encourage a variety of architectural styles.

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

2.8. Buildings with commercial uses should be designed to support pedestrian activity by providing building elements that increase visual interest which may include, but are not limited to, the following:

a. *Direct pedestrian access to main building entrances from the street;*

b. *Transparent storefront displays; and*

c. Human scaled signage.

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.

- Goal 4 states "ensure neighbourhoods accommodate a range of commercial services and amenities within walking distance to meet daily needs".
- General policies for Established Neighbourhoods that relate to the subject proposal are as follows:

  4.1 *Support commercial development where residential neighbourhoods are not well served by local and community commercial amenities.*

  4.3 *Only approve new locations for commercial development where existing commercial areas cannot accommodate expansion and where the location of new commercial uses are in close proximity to transit.*

  4.4 *New commercial development should be complementary and context sensitive to nearby uses.*

  4.8 *Commercial signage should be pedestrian-oriented and contextually sensitive to adjacent uses.*

The subject proposal aligns with the above applicable policies for Mature Communities 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 development will better utilize existing infrastructure including the street network, active transportation paths to the east, water and wastewater service capacity and city services such as library, recreation and education;
- The proposed density is compatible with the surrounding context where this section of St. Mary's Road is characterized by a mixture of residential, commercial and institutional uses with greater residential densities than what is being proposed; and
- The proposed design meets the design policies mentioned above. Namely, the building is oriented to the street, has a height and scale similar to surrounding buildings, uses a variety of building materials, adds to the architectural interest of the area, includes features such as balconies that increase activity along the street edge, and takes vehicular access from the rear laneway.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

Reason for the Rezoning

The applicant is proposing to rezone from “R2” to “C1” for the purposes of constructing a 3-storey mixed use building. The proposed building is to include 4 residential units and one small scale commercial unit on the ground floor.

Current Zone

Currently, the lands are zoned Residential Two-Family (“R2”).

The “R2” district is intended to accommodate the development of single- and two-family units and where appropriate limited multi-family units in lower density areas.

Proposed Zone

“C1 “Commercial Neighbourhood”

The Commercial Neighbourhood “C1” district is intended to accommodate small, compact commercial uses within or surrounded by residential areas that are attractive and compatible in scale and character with surrounding residential uses, to serve the convenience needs of the surrounding neighbourhood. This district is not intended to accommodate businesses sized or designed to serve a trade area more than one-half mile from the business. C1 districts are generally located in Neighbourhood or Community mixed use centres or along Neighbourhood or Community mixed use corridors.

Dimensional Standards for non-residential principal structures under the “C1” district are as follows:

- *Minimum Front Yard Setback – 0 feet*
- *Maximum Front Yard Setback – 10 feet*
- *Restrictions to these rules are identified under notes (f) and (g) of the Dimensional Standards Table, which state:*
    - *f. Maximum front yard in the C1 district applies only in Urban Infill Areas as identified on Map 1 in Schedule C.*
    - *g. A minimum front yard of 10 feet must be provided to open parking or loading areas and to queuing spaces.*
- *Minimum Rear Yard Setback – 0 feet*
- *Minimum Interior Side Yard – 0 feet*
- *Minimum Corner Side Yard – 0 feet*
- *Maximum Height of Building – 39 feet*
- *Maximum Floor Area Ratio – 1.0*

For clarity on to how Floor Area Ratio is calculated, see below explanation from Zoning By-law 200/2006.

Floor Area Ratio (FAR)

Floor area ratio (FAR) is measured as the gross floor area of all buildings on a lot or parcel, divided by the lot area, except that such floor area does not include any area used for parking within the principal building and does not include any area used for incidental service storage, installations of mechanical equipment, penthouses housing ventilators and heating systems, and similar uses. (See Illustration 2.)

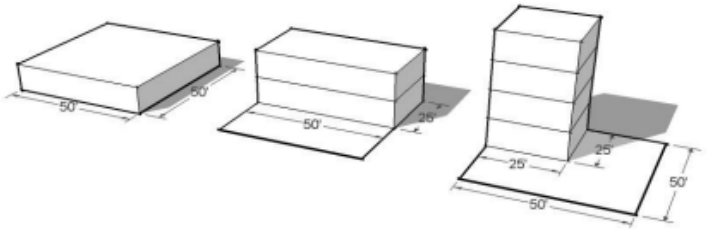


Illustration 2: Floor Area Ratio

In this illustration, a floor area ratio (FAR) of 1.0 is depicted in three ways: a single-storey building occupying the entire lot; a two-storey building occupying one-half the lot; and, a 4-storey building occupying one-quarter of the lot. In each case, the total floor area is equal to the lot size.

Dimensional Standards for multi-unit residential principal structures under the “C1” zoning district follow the “RMF-S” dimensional standards. These dimensions are as follows:

- *Minimum Lot Area – 9,000 square feet with note (d), which states, “the minimum lot area for a lot in the RMF-S zoning district where the rear lot line abuts a public lane is 5,000 square feet.*
- *Minimum Lot Area Per Dwelling Unit – 1,250 square feet*
- *Minimum Front Yard – 20 feet*
- *Minimum Rear Yard – 25 feet*
- *Minimum Interior Side Yard – 4 feet*
- *Minimum Corner Side Yard – 5 feet*
- *Maximum Building Height – 35 feet*
- Use Specific Standards
- 67.1 (1) In TOD, C1 and C2 zoning districts, dwelling units must not be located on the first storey of any principal building.
- (1.1) The first storey of a principal building may only be used for any use in the following use categories:
- (a) Public and Institutional;
- (b) Cultural and Entertainment; and
- (c) Commercial Sales and Service, except the Billboard Signs use sub-category.
- (1.2) Any parking facility located below the second storey of a principal building must be screened in its entirety from all adjacent streets by a use referred to in subsection (1.1).
- (2) Plans showing the location and design of the building, including building elevations, floor plans, landscaping, garbage enclosures, fencing, vehicular approaches, parking areas and lighting must be approved by the Director of Planning, Property and Development.

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 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 and recently approved multi-family residential buildings along St. Mary's Road;
- units with balconies and windows that face St. Mary's Road and Glen Avenue 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; and
- 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 and Glen Avenue.

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 and 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 Urban Planning and Design Division to review final plans and design details before any future development takes place on the site.

The Urban Planning Division notes that while the proposed development is for a mixed use building, which requires Director plan approval as a use specific standard, it would be possible for a commercial only building to be built under the "C1" zoning district and as such, the provision of a plan approval will be valuable in determining whether or not those plans meet the policy direction under *Complete Communities 2.0.*

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 and Design Division is recommending that no private vehicular approaches be permitted on St. Mary's Road and Glen Avenue.

RECOMMENDED SERVICING AGREEMENT

Boulevard Trees

Per the report of the Administrative Coordinating Group (ACG), the developer is required to plant trees in the boulevard along St. Mary's Road and Glen Avenue as per City specifications and guidelines in coordination with the Urban Forestry Division of Public Works.

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 Public Service is requesting cash in lieu for this application.

RECOMMENDATION

The Urban Planning and Design 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; and

This Report Submitted by: Devin Clark, RPP, MCIP
Planning, Property and Development Department
Urban Planning and Design Division
Report Prepared by: PPD File # DAZ 217/2024

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP
RE: PROPOSED REZONING OF LAND LOCATED AT 792 ST. MARY'S ROAD

It is recommended that approval of DAZ 217/2024, if granted, be subject to the applicant entering into a Servicing Agreement addressing the following servicing requirements, if required by the accepted technical memorandum requested by the Water and Waste Department:

Section I – Engineering Studies

1) The Developer shall, at no cost to the City, submit a technical memorandum, prepared by a qualified municipal engineer, demonstrating the proposed development's compliance with Environment Act Licence No. 3042. The memorandum shall also identify any necessary infrastructure upgrades, all to the satisfaction of the Director of Water and Waste.

Section II - Servicing Conditions

1) Sewer Infrastructure

The Developer shall, at no expense to the City, construct any off-site infrastructure outlined in the accepted technical memorandum required to service the Planned Area and adjacent lands, as determined by and to the satisfaction of the Director of Water and Waste.

2) Boulevard

a) The Developer shall, at no expense to the City, sod and plant trees on both the fronting and the flanking boulevard of the Planned area, all in accordance with City specifications and guidelines and, where required, with concept plans prepared by the Developer and submitted to and approved by the Director of Public Works, to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, maintain the sod for a period of one year and trees for a period of two years, in accordance with specifications approved by the Director of Public Works.

3) 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.

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) 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 agreements 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 Servicing Agreement.

THIS REPORT SUBMITTED BY:
Administrative Co-ordinating Group
File No. DAZ 217/2024
October 29, 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

SCHEDULE C

File DAZ 217/2024, Riel Community Committee, November 5, 2024

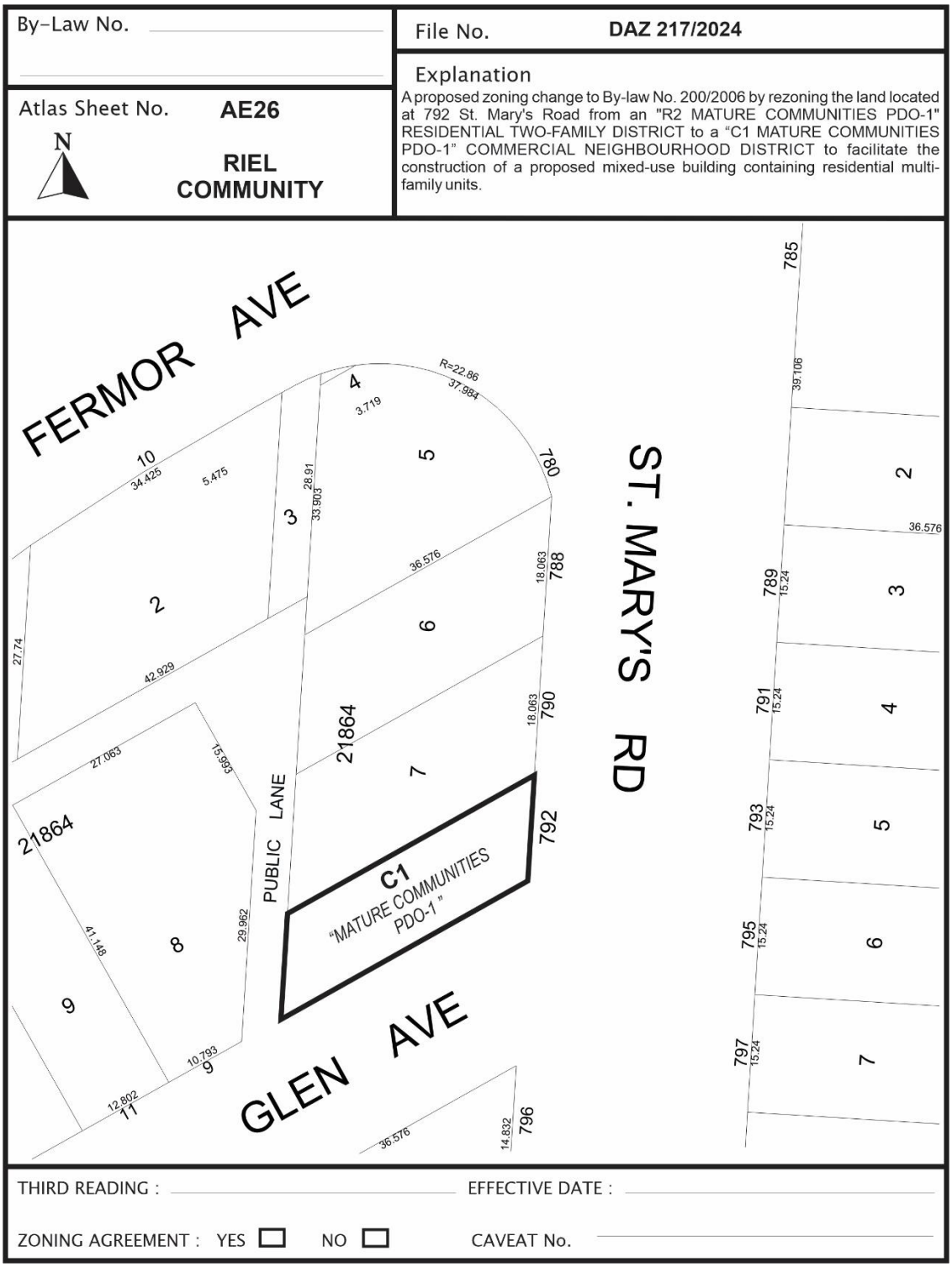


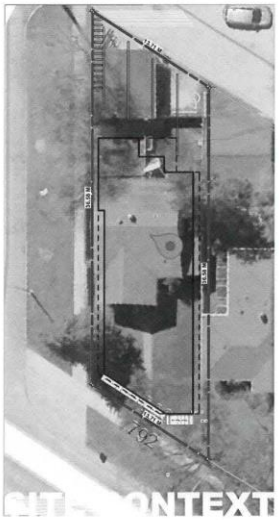
Exhibit “9” referred to in File DAZ 217/2024

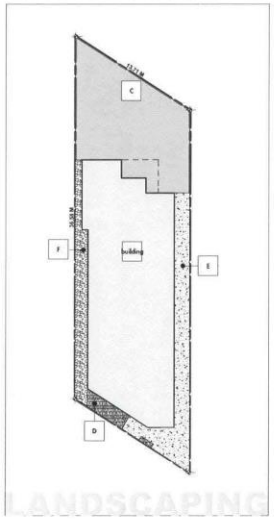


PROPOSED DEVELOPMENT:
4 UNIT, RESIDENTIAL MFD
2 UNIT, COMMERCIAL RETAIL

ADDRESS:
792 ST MARYS RD
WINNIPEG, MB

LEGAL DESC.:
LOT 19, BLK 1, PLAN 2146





ZONING SUMMARY:

PROPOSED USE:	NEW MIXED-USE 4 UNIT MFD & CRU
REFERENCE:	WINNIPEG ZONING BYLAW 200/2006
CURRENT ZONING:	R-1
MAX. BLDG HEIGHT:	32'0"

	REQUIRED	PROVIDED
LOT AREA:	--	4,537 SF
LOT AREA PER DWELLING:	--	1,134 SF
BUILDING AREA:	--	2,330 SF
BUILDING COVERAGE:	--	51%

SITE SETBACKS:

FRONT YARD:	0 ft	5 FT
REAR YARD:	25 FT	26.0' FT
SIDE YARD (south):	0 FT	4.0 FT
SIDE YARD (north):	4 FT	5.0 FT

PARKING:

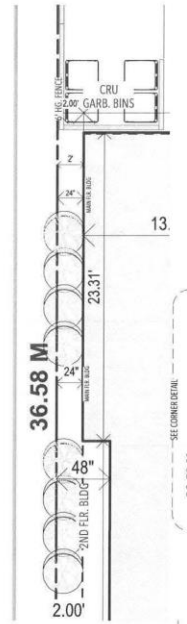
8'X20' STALL:	5 Res. Stll, 1 comm	3 Stalls
10'X20' STALL (Accsbl):	1 Stall	1 Stall
BICYCLE STORAGE	--	INDOOR

AMENITY:

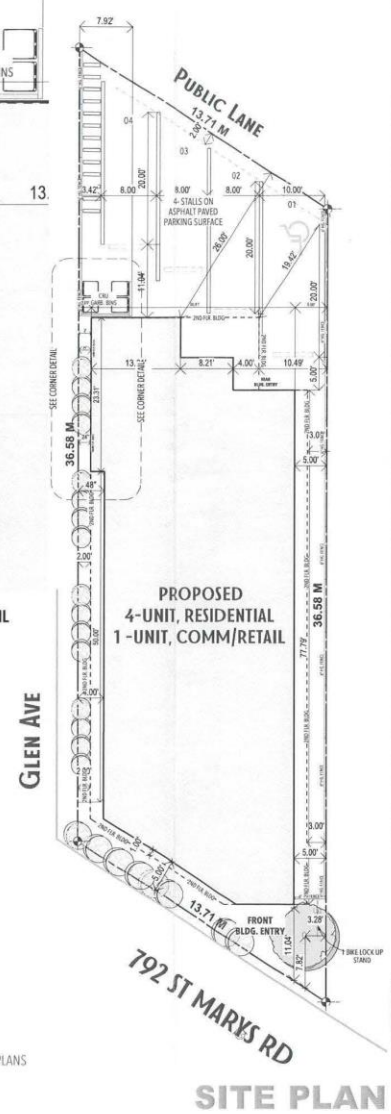
PUBLIC GARB. COLLECTION:	YES	YES
CRU GARBAGE:	2Gb/2ReCy	2Gb/2ReCy
RESD. GARBAGE:	2RCYL, 4GAR.	2-RCYL 4-GAR.

LANDSCAPING SUMMARY:

[A] SHRUB (St. Mary's Rd):	--	8 - pygmy caragana (2 gal.)
[A] SHRUB (Glenn Ave):	--	16 - pygmy caragana (2 gal.)
[B] TREE (St. Mary's Rd):	--	1 - 2.5" Dia. (NEW) COMM NAME: Eastern White Cedar
[C] Paved Asphalt Parking Surface		SEE LANDSCAPE PLAN
[D] Mulch bed for Shurbs		
[E] Concrete sidewalk		
[F] River Rocks		
[building]		



CORNER DETAIL



DRAWING INDEX

SHEET	TITLE
A.1	SITE PLAN
A.2	ELEVATIONS
A.3	FLOOR PLANS
A.4	CONCEPT FLOOR PLANS

NORTH

A.1

DRAWING: SITE PLAN

PROJECT: MIXED-USE, 6UNIT MFD/CRU WINNIPEG, MB

DEVELOPER: TR HOMES WINNIPEG, MB

PLAN

204.952.PLAN (7526) info@Plan-X.Ca

JOHN S. WINTRUP CONSULTING LTD. JSW

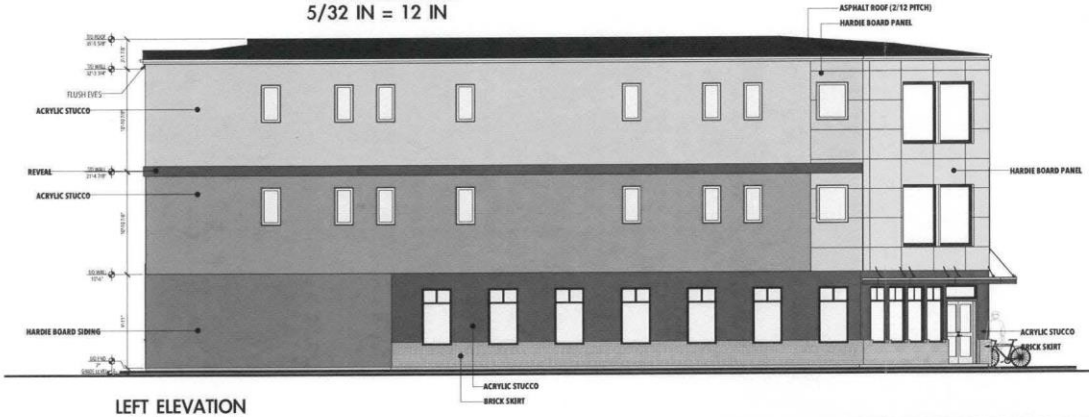
204.799.7713 jwintrup@mx.com



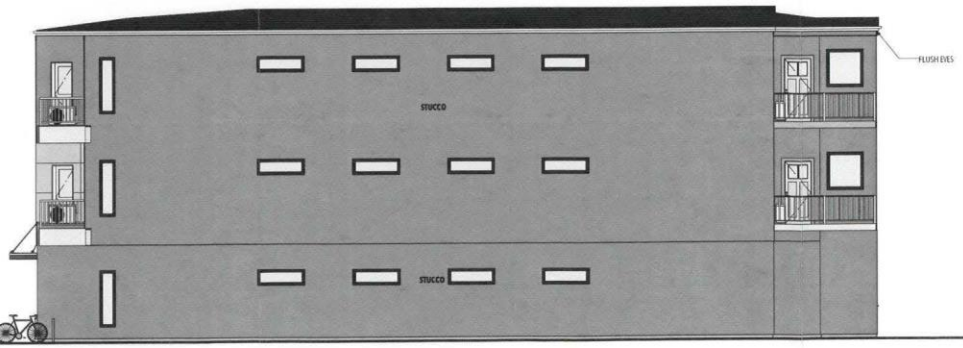
FRONT ELEVATION
5/32 IN = 12 IN



REAR ELEVATION
5/32 IN = 12 IN



LEFT ELEVATION
1/8 IN = 12 IN



RIGHT ELEVATION
1/8 IN = 12 IN

FLOOR AREA SUMMARY:

MAIN FLOOR (Commerical)	2330 SF
SECOND FLOOR (Residential)	2738 SF
THIRD FLOOR (Residential)	2736 SF

DEVELOPER:
TR HOMES
WINNIPEG, MB

PROJECT:
MIXED-USE,
6UNIT MFD/CRU
WINNIPEG, MB

DRAWING:
ELEVATIONS

A.2

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JS W
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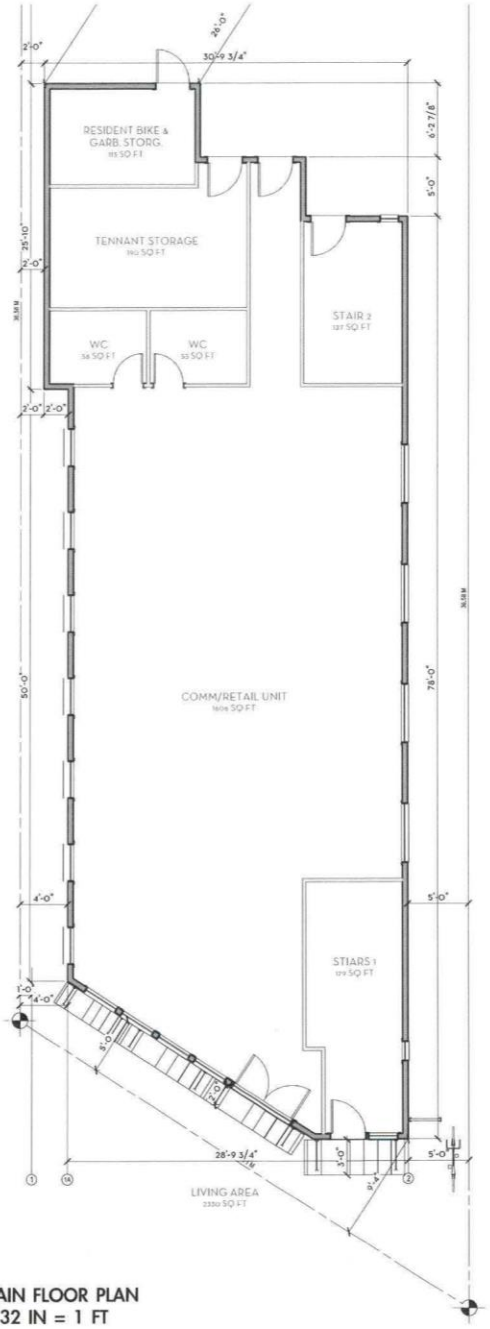
jwinnipg@mts.com



FOUNDATION FLOOR PLAN
5/32 IN = 1 FT



MAIN FLOOR PLAN
5/32 IN = 1 FT

DEVELOPER:
TR HOMES
WINNIPEG, MB

PROJECT:
MIXED-USE, 6UNIT MFD/CRU
WINNIPEG, MB

DRAWING:
FLOOR PLANS

A.
3

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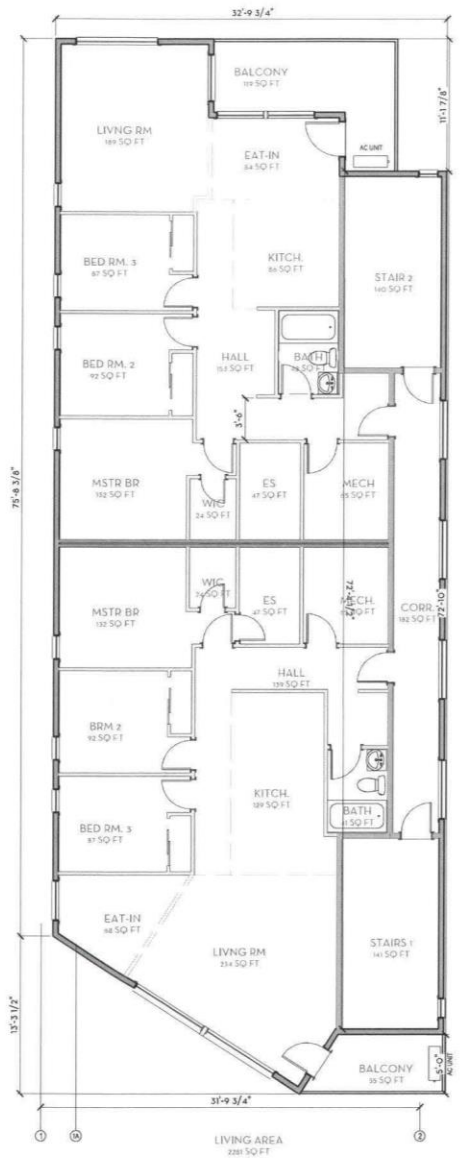
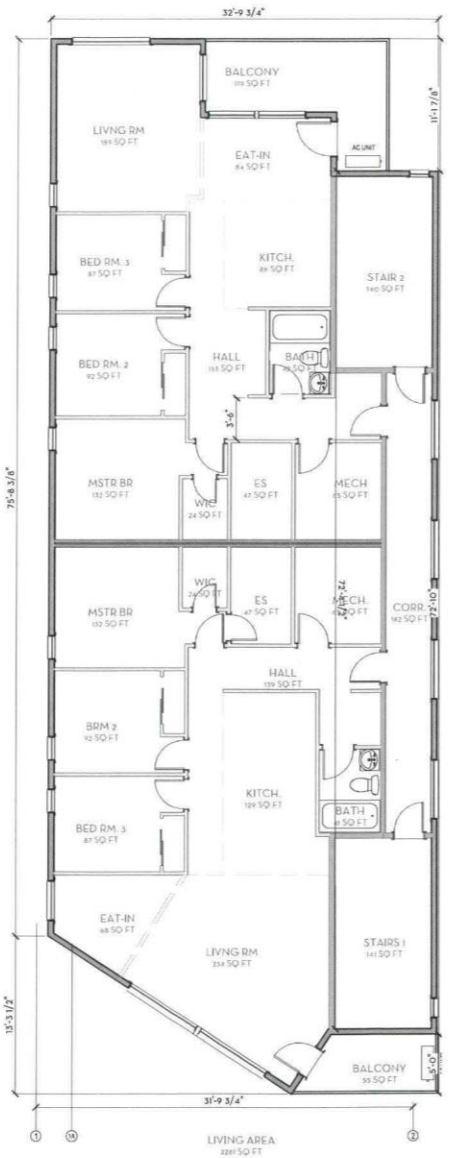


SECOND FLOOR PLAN
5/32 IN = 1 FT



THIRD FLOOR PLAN
5/32 IN = 1 FT

A.4

DRAWING: CONCEPT FLOOR PLANS

PROJECT: MIXED-USE, 6UNIT MFD/CRU
WINNIPEG, MB

DEVELOPER: TR HOMES
WINNIPEG, MB

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