

**Agenda – Riel Community Committee – January 15, 2018**

**PUBLIC HEARINGS**

**Item No. 5                      Variance – 3021 Pembina Highway  
(South Winnipeg - St. Norbert Ward)  
File DAV 168101/2017D [c/r DAZ 220/2017& DCU 168091/2017D]**

**WINNIPEG PUBLIC SERVICE RECOMMENDATION:**

The Urban Planning Division recommends adjournment of the application for a rezoning application under Winnipeg Zoning By-Law No. 200/2006 due to improper posting.

## Agenda – Riel Community Committee – November 6, 2017

- File: DAV 168101/2017D
- Applicant: Affinity Architecture Inc.
- Premises Affected: 3021 Pembina Highway
- Legal Description: LOT 8 PLAN 20806 101/2 ST N, hereinafter called “the land”
- Property Zoned: “RMU” (Residential Mixed Use)
- Nature of Application: To vary the proposed “RMU” dimensional standards of Zoning By-Law No. 200/2006 as follows:
- 1) For the construction of a multi-family dwelling with a commercial unit to permit:
    - a) A lot area per dwelling unit of 499 square feet (46.36 square metres) instead of 500 feet (46.45 square metres);
    - b) A front yard of 25 feet (7.62 metres) instead of 40 feet (12.19 metres);
    - c) Insufficient building foundation landscaping;
  - 2) For the establishment of an accessory parking area to permit:
    - a) No east side yard instead of 5 feet (1.52 metres);
    - b) No south side yard instead of 5 feet (1.52 metres);
    - c) 410 parking stalls instead of 667 parking stalls;
    - d) 16 feet (4.88 metres) instead of 20 feet (6.10 metres).
- Exhibits Filed:
1. Application dated December 12, 2017
  2. Notification of Public Hearing dated December 12, 2017
  3. Manitoba Status of Title 2524538/1
  4. Letter of authorization dated March 24, 2014 from 75040 Manitoba Ltd. – O/A Winnipeg Honda to Affinity Architecture Inc. and SNH Architecture Inc.
  5. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising
  6. Caveats 84-1498, 1406983, 247088, 247121, 242488
  7. Plans, Sheets 1 to 6 inclusive, for File DAV 168101/2017D dated October 11, 2017
  8. Report from the Urban Planning Division dated January 8, 2018
  9. Inspection Report

## **Agenda – Riel Community Committee – January 15, 2018**

The Winnipeg Public Service to advise that all statutory requirements with respect to this application have been complied with.

### **REPRESENTATIONS:**

In Support:

In Opposition:

For Information:

For the City:

Moved by Councillor

That the report of the Winnipeg Public Service be taken as read.

Moved by Councillor

That the receipt of public representations be concluded.

**Agenda – Riel Community Committee – January 15, 2018**

Moved by Councillor

That in accordance with Subsection 247(3) of The City of Winnipeg Charter, the Variance,

- (a)  is consistent  is not consistent with Plan Winnipeg, and any applicable secondary plan;
- (b)  does not create  does create a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway;
- (c)  is  is not the minimum modification of a zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and
- (d)  is  is not compatible with the area in which the property to be affected is situated.

Supporting Comments:

Moved by Councillor

That the recommendation of the Winnipeg Public Service be concurred in / not be concurred in and the Variance be approved / rejected.

Moved by Councillor

That the public hearing with respect to this application be concluded.

## ADMINISTRATIVE REPORT

- Title:** DAV 17-168101\D – Pembina HWY
- Issue:** For consideration at the public hearing for variances associated with parking, density, and yard requirements for the construction of a residential/commercial mixed-use project.
- Critical Path:** Riel Committee as per the Development Procedures By-law and The City of Winnipeg Charter.

## AUTHORIZATION

Author	Division Head	Department Head	CFO	CAO
Richard Mahé	B. Smith	n/a	n/a	

## RECOMMENDATIONS

- The Urban Planning Division recommends **adjournment** of the application for a rezoning application under Winnipeg Zoning By-Law No. 200/2006 due to improper posting.

## REASON FOR THE REPORT

- Variance applications require a public hearing as per *The Development Procedures By-law* No. 160/2011 and *The City of Winnipeg Charter*, section 249.
- The report is being submitted for the Riel Committee’s consideration of the development application at the public hearing.
- In the context of Section 247(3), the Urban Planning Division recommends **adjournment**.
- A variance was not included as part of the onsite posting for DAV 17-168101/D. As per statutory requirements, a revised variance application will be posted onsite and the combined hearing will be adjourned until the next Community Committee meeting.

## IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Urban Planning Division are concurred in, this item will be **adjourned**.

**FILE/APPLICANT DETAILS**

**FILE:** DAV 17-168101\D  
**RELATED FILES:** DAZ 220/2017, DCU 17-168091/D  
**COMMUNITY:** Riel Committee  
**NEIGHBOURHOOD #:** 5.638

**SUBJECT:** To vary the proposed "RMU" dimensional standards of Zoning By-Law No. 200/2006 as follows:  
1) for the construction of a multi-family dwelling with a commercial unit to permit:  
a) a lot area per dwelling unit of 499 square feet (46.36 square metres) instead of 500 square feet (46.45 square metres);  
b) a front yard of 25 feet (7.62 metres) instead of 40 feet (12.19 metres);  
c) insufficient building foundation landscaping;  
2) for the establishment of an accessory parking area to permit:  
a) no east side yard instead of 5 feet (1.52 metres);  
b) no south side yard instead of 5 feet (1.52 metres);  
c) 410 parking stalls instead of 667 parking stalls;  
d) 16 feet (4.88 metres) instead of 20 feet (6.10 metres).

**LOCATION:** Pembina HWY  
**LEGAL DESCRIPTION:** LOT 8 PLAN 20806 101/2 ST N \*

**APPLICANT:** Daniel Serhal  
4 Fort ST 200  
Winnipeg , Manitoba R3C 1C4

**OWNER:**  
1700 WAVERLEY ST B  
Winnipeg , Manitoba R3T 5V7

**SUBMITTED BY**

Department: Planning, Property and Development  
Division: Urban Planning  
Prepared by: Richard Mahé  
Date: Thursday, January 8, 2018  
File No. DAV 17-168101\D

Exhibit "7" referred to in File DAV 168101/2017D

# 3021 PEMBINA HIGHWAY - NEW MIXED USED DEVELOPMENT

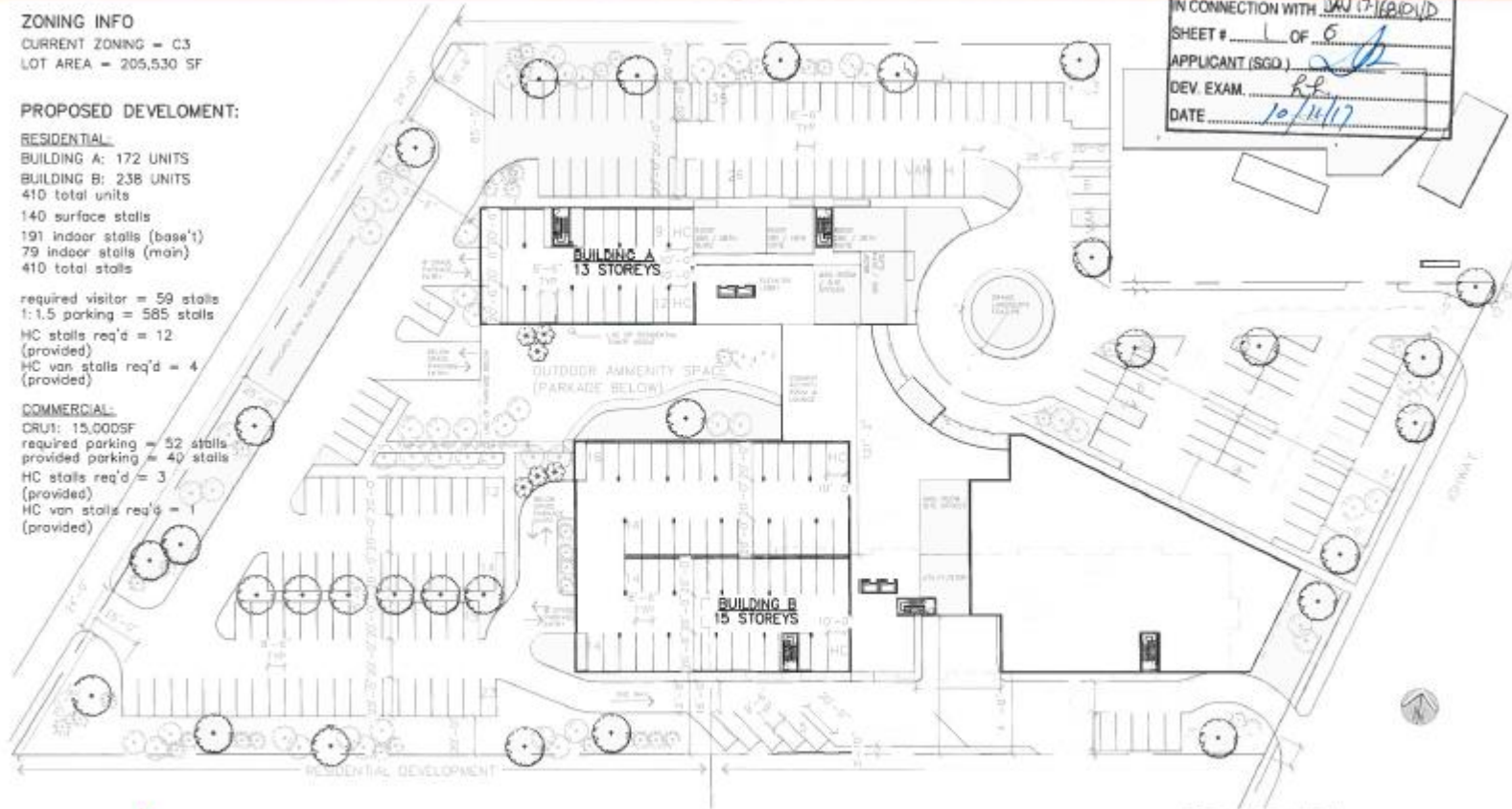
**ZONING INFO**  
CURRENT ZONING = C3  
LOT AREA = 205,530 SF

**PROPOSED DEVELOPMENT:**

**RESIDENTIAL:**  
BUILDING A: 172 UNITS  
BUILDING B: 238 UNITS  
410 total units  
140 surface stalls  
191 indoor stalls (base'l)  
79 indoor stalls (main)  
410 total stalls

required visitor = 59 stalls  
1:1.5 parking = 585 stalls  
HC stalls req'd = 12 (provided)  
HC van stalls req'd = 4 (provided)

**COMMERCIAL:**  
CRU: 15,000SF  
required parking = 52 stalls  
provided parking = 40 stalls  
HC stalls req'd = 3 (provided)  
HC van stalls req'd = 1 (provided)



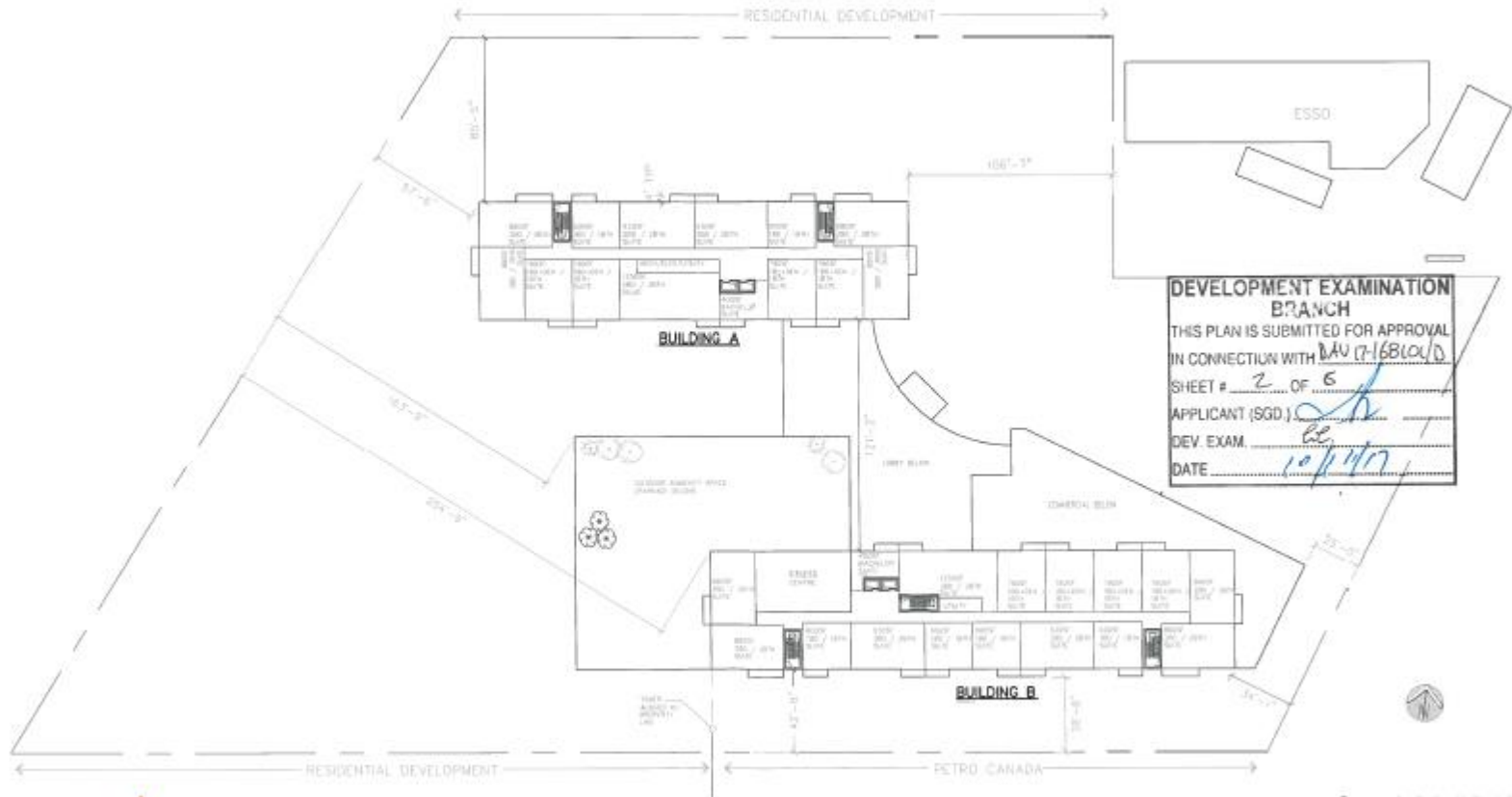
<b>DEVELOPMENT EXAMINATION BRANCH</b>	
THIS PLAN IS SUBMITTED FOR APPROVAL	
IN CONNECTION WITH <u>DAV 168101/2017D</u>	
SHEET #	<u>1</u> OF <u>6</u>
APPLICANT (SGO)	<u>[Signature]</u>
DEV. EXAM.	<u>R.P.</u>
DATE	<u>10/14/17</u>



PRELIMINA

SEPT.26, 2017

# 3021 PEMBINA HIGHWAY - NEW MIXED USED DEVELOPMENT



PRELIMINARY 2nd FLOOR PLAN

SEPT.26, 2017; SCALE: 1"=50'-0"





3021 PEMBINA HIGHWAY - NEW MIXED USED DEVELOPMENT

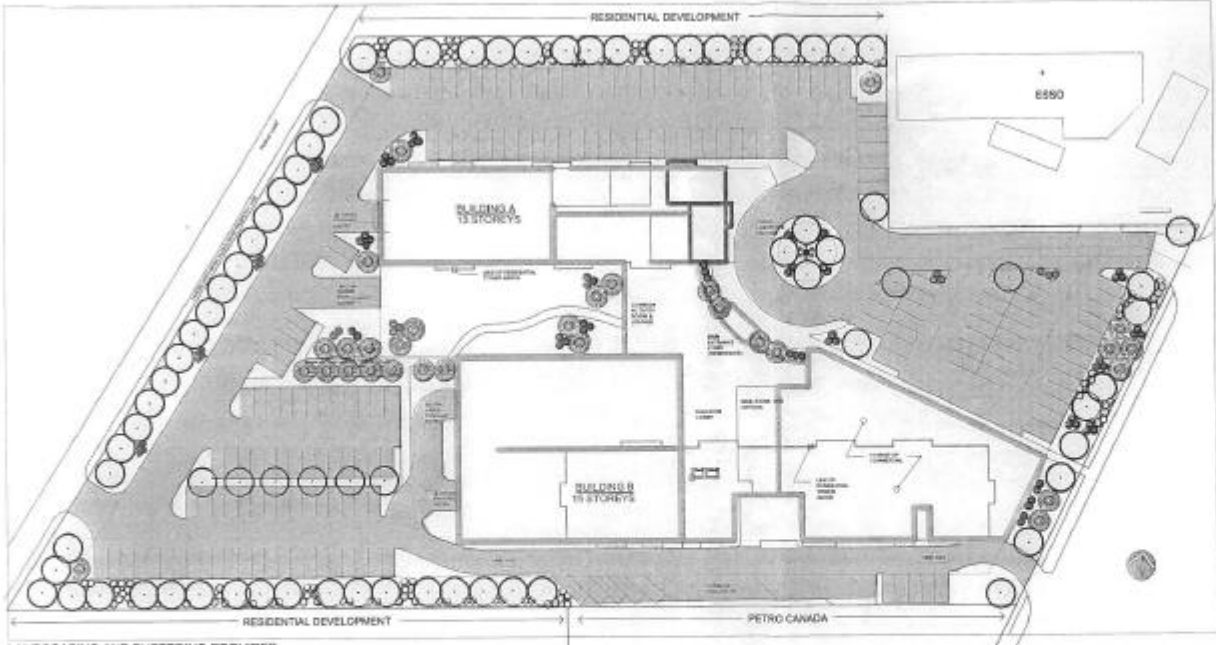


BUILDINGS A & B - PRELIMINARY TYPICAL LAYOUT - DRAFT 2

SEPT.26, 2017; SCALE: NTS



# 2021 PEMBINA HIGHWAY - NEW MIXED USED DEVELOPMENT



Plant Material	Quantity	Plant Name	Plant Size	Plant Spacing
(Symbol)	10	Common Juniper	10' x 10'	10' x 10'
(Symbol)	10	Japanese Maple	10' x 10'	10' x 10'
(Symbol)	10	Redwood Pine	10' x 10'	10' x 10'
(Symbol)	10	Black Oak	10' x 10'	10' x 10'

**NOTES:**  
 1. DRAWINGS ARE REPRESENTATIONAL AND ARE FOR PERMIT APPLICATION ONLY, NOT FOR CONSTRUCTION.

**DEVELOPMENT PERMIT DETERMINATION**  
**BRANCH**  
 THIS PLAN IS SUBMITTED FOR APPROVAL  
 IN CONNECTION WITH: DAV 174681010  
 SHEET # 4 OF 6  
 APPLICANT (SGD): [Signature]  
 DEV. EXAM: [Signature]  
 DATE: 12/11/17

**LANDSCAPING AND BUFFERING REQUIRED**

**Street Edge Landscaping**  
 One tree for each 30' of linear street frontage and 3 shrubs for each 20 feet of linear street frontage  
 Tree: 202' / 20" x 18 trees and 202' / 20" x 3 = 66 shrubs  
 Shrub: 427' / 20" x 18 trees and 427' / 20" x 3 = 66 shrubs

**Parking Lot Interior Landscaping**  
 Five percent of the gross parking lot area must be landscaped

a. Gross parking area is 68,370.5 square feet ± 2% = 4919 square feet. This condition has been met.  
 b. One tree must be provided for each 300 square feet of parking lot interior landscaping area in subdivision of a. (above); therefore, 4919 sq / 300 sq = 16 trees.  
 And one shrub per 100 sq within subdivision of a. (above); therefore, 4919 sq / 100 sq = 49 shrubs

**Building Foundation Landscaping**  
 One shrub for every 10 linear feet of each facade facing a public right-of-way or principal building entrance.  
 Foundation plantings are not required at sides or rear of buildings.

104' / 12" = 10 shrubs at principal entrance  
 42' / 12" = 6 shrubs at the front facade facing Pembina

**Side and Rear Site Edge Buffering**  
 Landscape buffer must be installed along side or rear lot lines, condition met

**Buffering of Residential Uses for Non-Residential Impacts**  
 Landscape buffer must be installed where a side or rear lot line of a lot in a commercial zoning district abuts a lot in a single, two-family or multifamily residential zoning district

Option 1: Side edge buffering must have a landscaped area with of least one tree for every 30 linear feet of lot line and 3 shrubs per 20 linear feet of lot line where abutting condition exists.  
 A landscaped berm may be integrated into this option: min 2.5' high and 1:3 slope with a height of planted materials (together with berm) at least 8' high at time of planting.

Option 1: North side: 244' / 20" = 10 trees and 244' / 20" x 3 = 62 shrubs  
 South side: 204' / 20" = 10 trees and 244' / 20" x 3 = 62 shrubs



## LANDSCAPE AND BUFFERING PLAN

OCT.5, 2017; SCALE: NTS.



<b>DEVELOPMENT EXAMINATION BRANCH</b>	
THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH <u>DAU 17168/DVD</u>	
SHEET #	<u>5</u> OF <u>6</u>
APPLICANT (SGD.)	<u>[Signature]</u>
DEV. EXAM.	<u>[Signature]</u>
DATE	<u>10/11/17</u>



<b>DEVELOPMENT EXAMINATION BRANCH</b>	
THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH <u>DAV 17168101/D</u>	
SHEET #	<u>5</u> OF <u>5</u>
APPLICANT (SGD.)	<u>[Signature]</u>
DEV. EXAM	<u>EC</u>
DATE	<u>10/11/17</u>