Agenda – Board of Adjustment – January 8, 2020

PUBLIC HEARINGS

Item No. 11 Conditional Use – 397 Horace Street
(St. Boniface Ward)
File DCU 208244/2019C

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

The Urban Planning Division recommends approval of the application for a conditional use under Zoning By-Law No. 200/2006 to permit the establishment of a multi-family dwelling use.

Subject to the following condition(s):

1. That the development shall be constructed in substantial conformance with the plans submitted under File No. DCU 19-208244\C, dated December 5, 2019 and thereafter maintained to the satisfaction of the Director of Planning, Property and Development;

   OR

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

   A buildings;
   B. accessory parking areas;
   C. driveways;
   D. garbage enclosures;
   E. fencing;
   F. freestanding signage and
   G. landscaping

   on the Owner's Land ("Works") to the Director of Planning, Property and Development for approval 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.

Agenda – Board of Adjustment – January 8, 2020

File:	DCU 208244/2019C
Applicant:	Veritas Development Group Ltd. (Landon Friesen)
Premises Affected:	397 Horace Street
Legal Description:	LOT 32 PLAN 29257 80 ST B, hereinafter called “the land”
Property Zoned:	"R2" Residential Two-Family
Nature of Application:	For a Conditional Use under the Winnipeg Zoning By-Law No. 200/2006 to permit the establishment of a multi-family dwelling use
Exhibits Filed:	1. Application dated November 12, 2019 2. Notification of Public Hearing dated December 12, 2019 3. Manitoba Status of Title 3028207/1 4. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising 5. Plans, Sheets 1 to 2, dated December 5, 2019 and Sheets 3 to 7 dated November 21, 2019, for File DCU 208244/2019C 6. Report from the Urban Planning Division dated December 20, 2019 7. Inspection Report

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

Moved by
That the receipt of public representations be concluded.

Moved by

That in accordance with Section 254 and Subsection 247(3) of The City of Winnipeg Charter, the Conditional Use,

(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; and

(d) ☐ is ☐ is not
compatible with the area in which the property to be affected is situated.

Supporting Comments:

Moved by

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

Moved by

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

Exhibit “6” referred to in File DCU 208244/2019C

ADMINISTRATIVE REPORT

Title: DCU 19-208244\C – 397 Horace ST

Issue: For consideration at the public hearing for a conditional use to permit the establishment of a three unit multi-family dwelling use.

Critical Path: Board of Adjustment as per the Development Procedures By-law and The City of Winnipeg Charter.

AUTHORIZATION

Author	Department Head	CFO	CAO
Simi Jerez	n/a	n/a	

RECOMMENDATIONS

The Urban Planning Division recommends approval of the application for a conditional use under Zoning By-Law No. 200/2006 to permit the establishment of a multi-family dwelling use. Subject to the following condition(s):

1) That the development shall be constructed in substantial conformance with the plans submitted under File No. DCU 19-208244\C, dated December 5, 2019 and thereafter maintained to the satisfaction of the Director of Planning, Property and Development;

   OR

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

   i. buildings;
   ii. accessory parking areas;
   iii. driveways;
   iv. garbage enclosures;
   v. fencing;
   vi. freestanding signage and
   vii. landscaping

   on the Owner’s Land (“Works”) to the Director of Planning, Property and Development for approval 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.

REASON FOR THE REPORT

- This report provides information and makes recommendations regarding the subject application's compliance with The City of Winnipeg Charter.
- Conditional Use 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 Board of Adjustment's consideration of the development application at the public hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, a development permit can be issued.

FILE/APPLICANT DETAILS

FILE:	DCU 19-208244\C
RELATED FILES:	
COMMUNITY:	Riel Committee
NEIGHBOURHOOD #:	5.513 – Norwood East
SUBJECT:	For a Conditional Use under Zoning By-Law No. 200/2006 to permit the establishment of a multi-family dwelling use.
LOCATION:	397 Horace ST
LEGAL DESCRIPTION:	LOT 32 PLAN 29257 80 ST B
APPLICANT:	Landon Friesen 128 James AVE Unit 100 Winnipeg , Manitoba R3B 0N8
OWNER:	Landon Friesen 128 JAMES AVE 100 Winnipeg , Manitoba R3B 0N8

HISTORY

N/A

DISCUSSION

CRITERIA FOR APPROVAL

Pursuant to Section 247(3) of *The City of Winnipeg Charter*, an application for a conditional use with respect to a property may be approved if the conditional use:

(a) is consistent with Plan Winnipeg and any applicable secondary plan;

(b) does not 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;

(d) is compatible with the area in which the property to be affected is situated.

SITE DESCRIPTION

- The subject property is located on the north side of Horace Street between Rue Des Meurons and Youville Street, in the Norwood East neighbourhood of the St Boniface ward.
- The site is within the Areas of Stability – Mature Communities Policy Area under the *Complete Communities Direction Strategy*. The property is zoned "R2" Residential Two-Family.
- The site is 4,897 square feet and currently occupied by a one storey 659 square foot dwelling built in 1928.



Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2018)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Public lane; then commercial uses zoned “C2” Commercial Community; then Marion Street.

South: Horace Street; then residential uses and a private school zoned “R2” Residential Two-Family.

East: Single-family residential uses zoned “R2” Residential Two-Family.

West: Single and multi-family residential uses zoned “R2” Residential Two-Family.



Figure 2: Zoning of the Site and Surrounding Area

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to demolish the existing dwelling and build a 2-storey (+/- 29 feet to the roof peak) 3 unit apartment style multi-family building.
- Each of the proposed units is 2 bedrooms and approximately 950 square feet in area.
- One suite is located on each floor of the proposed dwelling, each with a separate entrance, located on the front and east elevations to access the proposed 3 units.
- Vehicular access is proposed to be taken from the public lane.
- The applicant proposes to provide three (3) parking stalls and will provide, an additional accessible/visitor parking stall.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- *The Complete Communities Direction Strategy* 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 classified as an "Area of Stability – Mature Community" in *Complete Communities'* Urban Structure map. Areas of Stability will accommodate low to moderate density infill development to support more efficient use of land, infrastructure, and services as well as enhance housing choice and affordability.
- With regard to this proposal, the key policies guiding the development of Areas of Stability include:
    - In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses.
    - Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form.
    - Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
    - Support Complete Communities by ensuring diverse and high quality housing stock.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

Reason for Conditional Use

- Multi-family residential developments require a Conditional Use Order in the Residential two-family (R2) district.

ANALYSIS OF CONDITIONAL USE

- Certain uses in the Zoning By-law 200/06 are deemed conditional as they may or may not be appropriate for the particular context considered. As such, conditional uses require a higher level of planning review and analysis to determine suitability.
- As noted above, the Areas of Stability – Mature Communities policy area under the *Complete Communities Direction Strategy* supports infill development that is context sensitive and complementary to the existing scale, character, and built form of the neighbourhood. As part of analyzing whether a project is "complementary" to existing development, the Urban Planning Division takes into consideration such things as surrounding land use, building heights, built-form, dwelling unit density, building setbacks, parking and site access.
- From a land use perspective, the subject property is located in an area characterized by a mix of single-family housing and small to medium scale multi-family housing, with examples of multi-family residential dwellings mid-block (i.e., 30-unit multi-family dwelling at 376 Marion Street / 377 Horace Street and a duplex at 376/378 Horace Street). As such, the

proposal to develop a multi-family project on the subject property is consistent with existing development in the area.

- The subject site is approximately 175 feet south of Marion Street, which is well serviced by Winnipeg Transit and is among the most significant commercial/mixed-use corridors in St. Boniface.
- From the perspective of scale and built form, at the roof peak the proposed tri-plex will be approximately 29 feet tall , which is well below the maximum permitted height of 35 feet mid-roof line in the “R2” zone and consistent with neighbouring properties.
- The applicant is proposing a generous side yards of 7 feet and 6 inches from the proposed four-plex to neighbouring property lines.
- The design of the buildings with varying articulations and a combination of cladding materials and colours also helps to break-up the massing of the development which minimizes the impact on neighbouring properties. In addition, the applicant has maintained a front yard setback of 30 feet, which is consistent with the alignment requirement for a front yard on the north side of Horace Street.
- The Urban Planning Division is supportive of the Conditional Use application to permit the expansion of a multi-family dwelling use in a R2 zoning district.

CONDITIONS OF APPROVAL

- The Urban Planning Division is recommending substantial conformance with the drawings submitted, or that should there be any changes that final plans be submitted to the Director of Planning, Property for review prior to the issuance of a development permit on the lot. The inclusion of this clause will allow the Urban Planning Division to review final plans and design details before development takes place to ensure high quality design of the proposed multi-family building and site.

REASONS FOR RECOMMENDATIONS

In the context of Section 247(3), the Urban Planning Division recommends **approval** for the following reasons:

(a) is consistent with Plan Winnipeg and any applicable secondary plan;

In that, the application is consistent with the Complete Communities Direction Strategy*, which promotes a mix of housing type and tenure in Areas of Stability, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses, in order to meet the full life-cycle of housing needs within the community.*

(b) does not 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;

In that, the proposed scale, character and built form of the multi-family dwelling is consistent with existing development on the street and the proposed conditional use will not have an adverse effect on the adjoining properties.

(d) is compatible with the area in which the property to be affected is situated.

In that, the proposal is compatible with the residential character of Horace Street at this location and that there are two-family and multi-family dwellings that exist within close proximity to the subject site.

CONSULTATION

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

OUR WINNIPEG POLICY ALIGNMENT

01-1a OurWinnipeg's Approach to City Building

- **Direction 3: 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.

01-1c Key Directions for Specific Areas – Areas of Stability

- **Key Direction:** Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

- **Key Direction 4.2:** Ensure new areas of growth are designed according to the principles of Complete Communities.

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Urban Planning
Prepared by:	Simi Jerez
Date:	Friday, December 20, 2019
File No.	DCU 19-208244\C

Exhibit “6” referred to in File DCU 208244/2019C

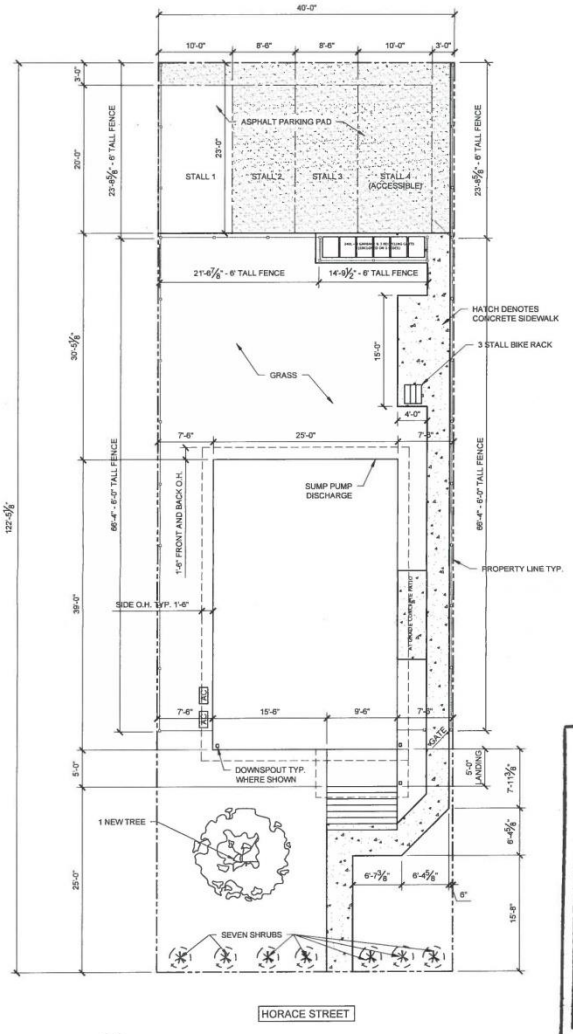
397 Horace - Triplex



ZONING and PERMITS BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DCU 208244/19C
SHEET # 1 OF 7
APPLICANT (SGD.)
ZONING OFFICER
DATE Dec 5/19

Shakes: Evening Blue
2nd Floor Siding: Pearl Grey
Main Floor Siding: Boothbay Blue
Window Trim: Evening Blue
Eaves, Facia, Soffit: Kaycan 15 Black

Roof Shingles: Mystique 42 - Twighlight Grey
Stucco: Imasco 56-1P Winter Lace
Railing: Black
Front Door Color: TBD



397 HORACE STREET TRIPLEX: SITE PLAN
SCALE: 1/8" = 1'-0"
SINGLE FLOOR AREA: 975 SQFT

ZONING and PERMITS BRANCH

THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH DCA 208244 19C

SHEET # 2 OF 5

APPLICANT (SGD)

ZONING OFFICER

DATE Dec 5/19

Project:

TRIPLEX
VERITAS DEVELOPMENT GROUP LTD

397 HORACE STREET, WINNIPEG, MANITOBA

drawing title	SITE PLAN		
approved by		drawn by	B.C.
date	NOV 2019	project no.	19.250
designed by	L.F.		
sheet	1 OF 5		REV.

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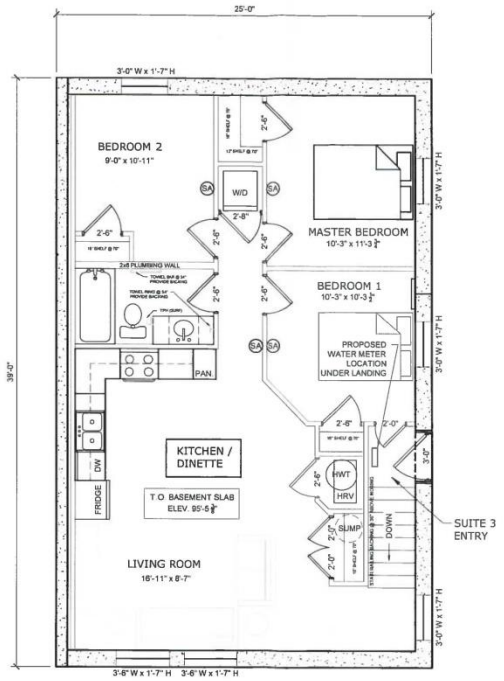
THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS, DATUMS AND LEVELS NOTED ON THE DRAWINGS WITH THE CONDITIONS ON SITE AND SHALL BE RESPONSIBLE FOR REPORTING ANY ERRORS OR



397 HORACE STREET TRIPLEX
BASEMENT SUITE LAYOUT

SCALE: 1/4" = 1'-0"
SINGLE FLOOR AREA: 975 SQFT

ZONING and PERMITS BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DCU 208244/ MC
SHEET # 3 OF 7
APPLICANT (SGD.)
ZONING OFFICER
DATE Nov 21/19

TRIPLEX VERITAS DEVELOPMENT GROUP LTD 397 HORACE STREET, WINNIPEG, MANITOBA	drawing title: BASEMENT LAYOUT	
	approved by	drawn by: B.C.
	date: NOV 2019	project no: 19.250
	designed by	
	sheet: 2 OF 5	REV

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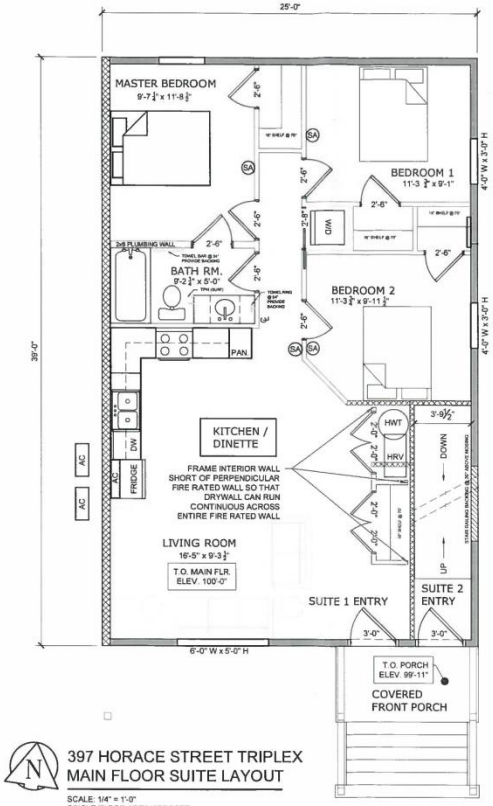

397 HORACE STREET TRIPLEX
MAIN FLOOR SUITE LAYOUT

SCALE: 1/4" = 1'-0"
SINGLE FLOOR AREA: 975 SQFT

ZONING and PERMITS BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DCU 208244/19C
SHEET # 4 OF 7
APPLICANT (SGD.)
ZONING OFFICER
DATE Nov 21/19

Project: TRIPLEX VERITAS DEVELOPMENT GROUP LTD 397 HORACE STREET, WINNIPEG, MANITOBA	drawing title: MAIN FLOOR LAYOUT approved by drawn by: B.C. date: NOV 2019 project no.: 19.250 designed by sheet: 3 OF 5 REV

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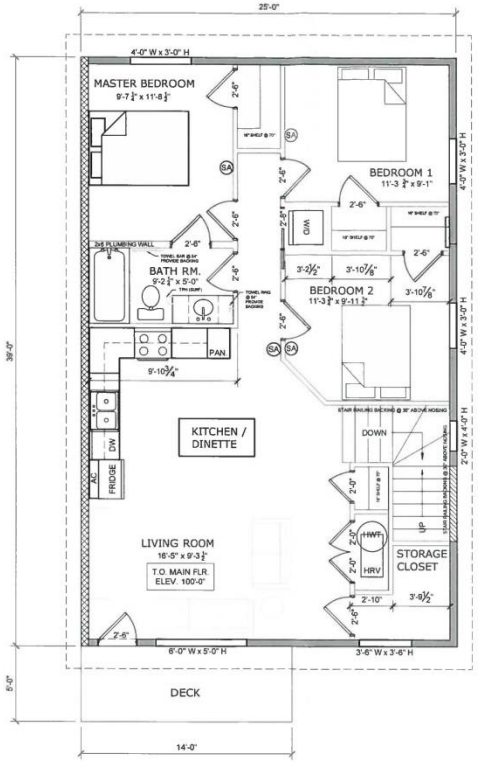
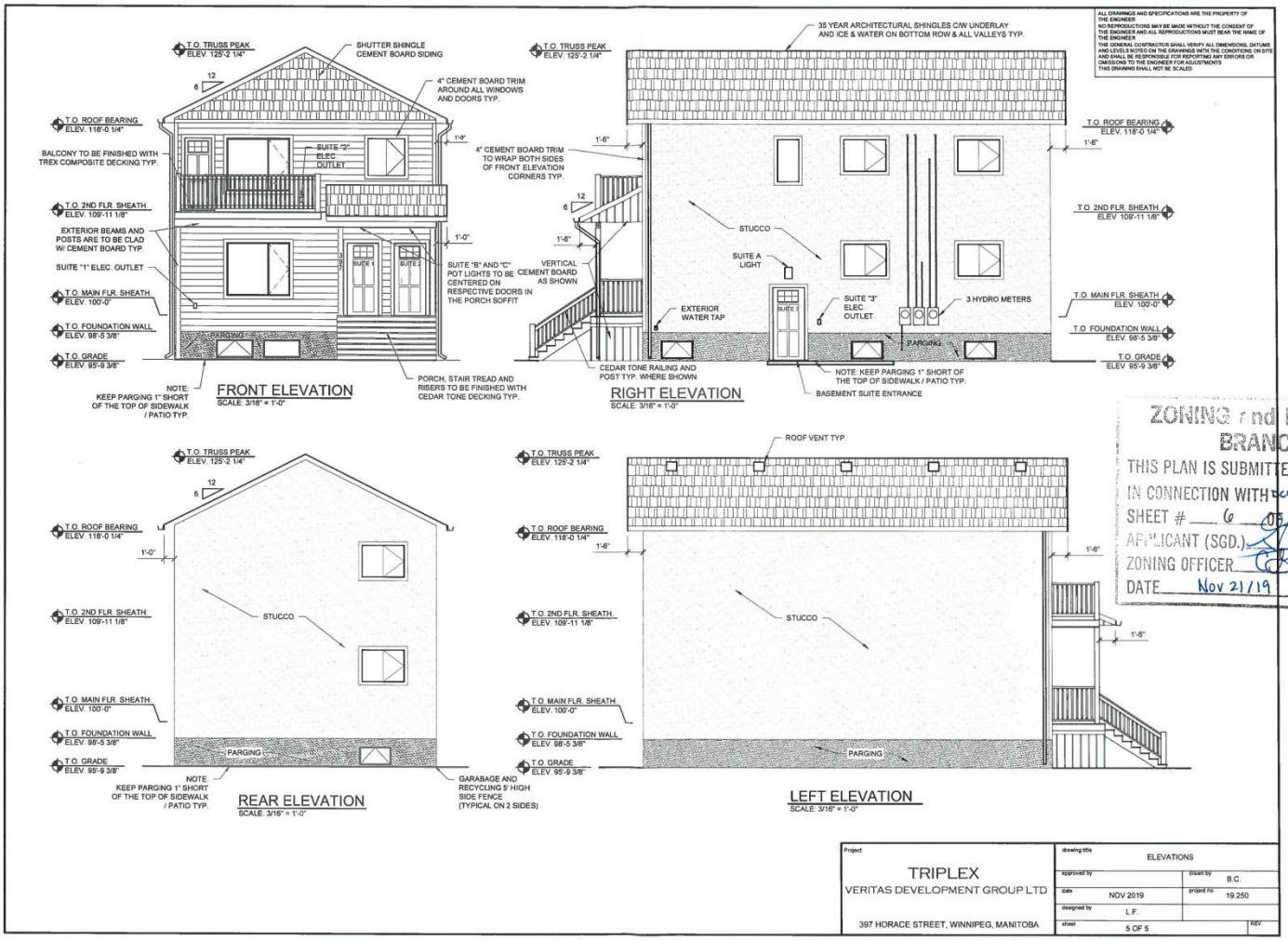


397 HORACE STREET TRIPLEX
SECOND FLOOR SUITE LAYOUT

SCALE: 1/4" = 1'-0"
SINGLE FLOOR AREA: 975 SQFT

ZONING and PERMITS BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DCU 208244196
SHEET # 5 OF 7
APPLICANT (SGD.)
ZONING OFFICER
DATE Nov 21/19

Project: TRIPLEX VERITAS DEVELOPMENT GROUP LTD 397 HORACE STREET, WINNIPEG, MANITOBA	drawing title: SECOND FLOOR LAYOUT		
	approved by	drawn by: B.C.	
	date: NOV 2019	project no.: 19.250	
	designed by		
	sheet: 4 OF 5		REV.


T.O. TRUSS PEAK ELEV. 125'-2 1/4"
SHUTTER SHINGLE CEMENT BOARD SIDING
4" CEMENT BOARD TRIM AROUND ALL WINDOWS AND DOORS TYP.
T.O. ROOF BEARING ELEV. 118'-0 1/4"
BALCONY TO BE FINISHED WITH TREX COMPOSITE DECKING TYP.
SUITE "2" ELEC. OUTLET
T.O. 2ND FLR. SHEATH ELEV. 109'-11 1/8"
EXTERIOR BEAMS AND POSTS ARE TO BE CLAD W/ CEMENT BOARD TYP.
SUITE "1" ELEC. OUTLET
SUITE "B" AND "C" POT LIGHTS TO BE CENTERED ON RESPECTIVE DOORS IN THE PORCH SOFFIT
T.O. MAIN FLR. SHEATH ELEV. 100'-0"
T.O. FOUNDATION WALL ELEV. 98'-5 3/8"
T.O. GRADE ELEV. 95'-9 3/8"
PARGING
NOTE: KEEP PARGING 1" SHORT OF THE TOP OF SIDEWALK / PATIO TYP.
PORCH, STAIR TREAD AND RISERS TO BE FINISHED WITH CEDAR TONE DECKING TYP.
FRONT ELEVATION
SCALE: 3/16" = 1'-0"
35 YEAR ARCHITECTURAL SHINGLES C/W UNDERLAY AND ICE & WATER ON BOTTOM ROW & ALL VALLEYS TYP.
4" CEMENT BOARD TRIM TO WRAP BOTH SIDES OF FRONT ELEVATION CORNERS TYP.
VERTICAL CEMENT BOARD AS SHOWN
STUCCO
SUITE A LIGHT
EXTERIOR WATER TAP
SUITE "3" ELEC. OUTLET
3 HYDRO METERS
CEDAR TONE RAILING AND POST TYP. WHERE SHOWN
NOTE: KEEP PARGING 1" SHORT OF THE TOP OF SIDEWALK / PATIO TYP.
BASEMENT SUITE ENTRANCE
RIGHT ELEVATION
SCALE: 3/16" = 1'-0"
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THIS DRAWING SHALL NOT BE SCALED.
ROOF VENT TYP.
GARABAGE AND RECYCLING 5' HIGH SIDE FENCE (TYPICAL ON 2 SIDES)
REAR ELEVATION
SCALE: 3/16" = 1'-0"
LEFT ELEVATION
SCALE: 3/16" = 1'-0"
ZONING and PERMITS BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DCU 208244 / 19C
SHEET # 6 OF 7
APPLICANT (SGD.)
ZONING OFFICER
DATE Nov 21/19
Project
TRIPLEX
VERITAS DEVELOPMENT GROUP LTD
397 HORACE STREET, WINNIPEG, MANITOBA
drawing title
ELEVATIONS
approved by
drawn by
B.C.
date
NOV 2019
project no
19.250
designed by
L.F.
sheet
5 OF 5
REV.

BARNES 1906 &DUNCAN
SURVEYING, ENGINEERING & GEOMATICS

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Christian P. Korell, M.L.S., B.Sc. Eng.
Donald F. Shiach, M.L.S.
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Kelly W. Mantik, M.L.S.
Michael E. Sippola, M.L.S.
Daniel B.J. Gautron, M.L.S.
K. Todd Baley, M.L.S
Johan (John) Dyck, M.L.S.
Brett Carels, P. Eng.

Our File: 19-1178
Acad dwg: 19-1178-1 STK
Field Book: 1319/138-139
Drafter: CJC

Surveyor's Staking Certificate

October 31, 2019

Veritas Development Group Ltd.
100 - 128 James Avenue
Winnipeg, Manitoba
R3B 0N8

ZONING and PERMITS BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DCU 208244/ 19C
SHEET # 7 OF 7
APPLICANT (SGD.)
ZONING OFFICER
DATE Nov 21/19

Dear Sir/Madam:

Re: 397 Horace Street, Winnipeg, Manitoba

Certificate of Title: 3028207 W.L.T.O. (Search Date: October 24, 2019)

Registered Owner: Veritas Development Group Ltd.

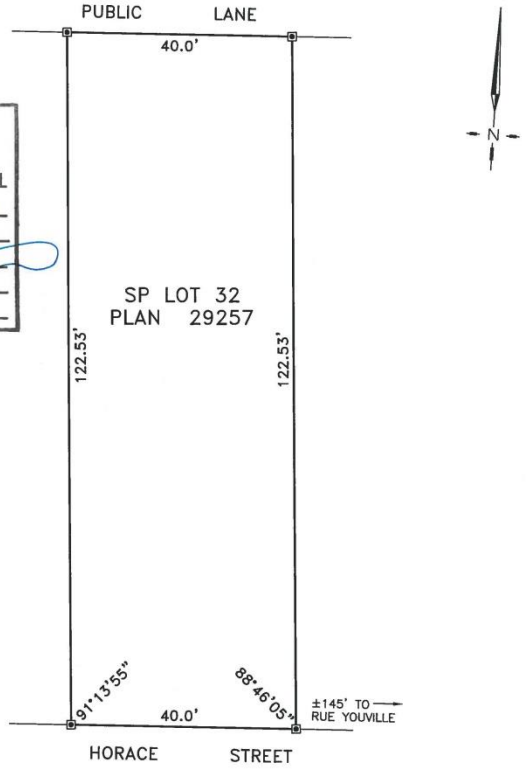
Legal Description: SP Lot 32 Plan 29257 WLTO
in RL 80 Parish of St Boniface

Encumbrances: Instruments Numbered 3316607/1 and 5112879/1 are registered against the above Certificate of Title. Encumbrances noted herein are provided for information purposes only and have not been investigated as to their intent or extent.

As requested, this is to certify that we have staked or referenced the boundaries of the above described land.

There are no encroachments above ground level onto the above described land by buildings from adjoining properties or by the buildings on the above described land onto adjoining properties.

This survey was made on the 28th day of October, 2019, and is monumented on the ground as shown on this sketch.



FOR CITY OF WINNIPEG USE ONLY

Signed & Sealed

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THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED BY THE MANITOBA LAND SURVEYOR

K. Todd Baley, M.L.S.

1/2" x 1/2" x 18" iron posts are placed at all points shown thus _____■

SKETCH - all distances are in feet and decimals of a foot.

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