Minutes – Board of Adjustment – February 5, 2020

PUBLIC HEARINGS

Item No. 7 Conditional Use – 1079 Corydon Avenue
(River Heights-Fort Garry Ward)
File DCU 176962/2019C [c/r DAV 176967/2019C]

BOARD OF ADJUSTMENT DECISION:

The Board of Adjustment concurred in the recommendation of the Winnipeg Public Service and approved a Conditional Use on "the land" to permit the establishment of a multifamily dwelling use, subject to the following condition:

1. That the development shall be built in substantial conformance with the plans hereto attached and identified as Sheets 1-4, dated December 27, 2019, for File No. DCU 19-176962\C;

   OR

   That final plans, showing the location and details of buildings, elevations, parking, landscaping and fencing shall be submitted to the Director of Planning, Property and Development for approval prior to the issuance of any development permit or building permits; and thereafter shall be maintained to the satisfaction of the Director of Planning, Property and Development.

DECISION MAKING HISTORY:

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

Moved by Kara Bjornson,
That the report of the Winnipeg Public Service be taken as read.

Carried

Moved by Kara Bjornson,
That the receipt of public representations be concluded.

Carried

Moved by Kara Bjornson,
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:

1. The Board of Adjustment agreed with the administrative comments contained in the report of the Urban Planning Division dated January 27, 2020.

Carried

DECISION MAKING HISTORY (continued):

Moved by Kara Bjornson,

That the recommendation of the Winnipeg Public Service be concurred in, and the Conditional Use be approved.

Carried

Moved by Kara Bjornson,

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

Carried

THE CITY OF WINNIPEG
CONDITIONAL USE ORDER
BOARD OF ADJUSTMENT

DCU 176962/2019C [c/r DAV 176967/2019C]

Before:	Board of Adjustment Bill Sawka, Chairperson Bill Evans Kara Bjornson
Hearing:	February 5, 2020 Council Building, 510 Main Street
Applicant:	Reno Tech Renovations (Cam Church)
Premises Affected:	1079 Corydon Avenue
Legal Description:	LOT 4 PLAN 26801 34/35 ST B, hereinafter called “the land”
Property Zoned:	"R2 PDO-1 Airport Vicinity Protection Area" Residential Two-Family Planned Development Overlay (District)
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.

It is the opinion of the Board of Adjustment that subject to conditions listed below, if any, this Conditional Use meets the statutory criteria as outlined in Section 254 and Subsection 247(3) of The City of Winnipeg Charter in that it:

(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:

1. The Board of Adjustment agreed with the administrative comments contained in the report of the Urban Planning Division dated January 27, 2020.

ORDER:

The Board of Adjustment orders that a Conditional Use under the Winnipeg Zoning By-Law No. 200/2006 is approved on "the land", to permit the establishment of a multifamily dwelling use subject to the following condition, which the Board of Adjustment considers necessary to ensure compliance with criteria (a), (b) and (d) as outlined in Section 254 and Subsection 247(3) of The City of Winnipeg Charter, namely:

1. That the development shall be built in substantial conformance with the plans hereto attached and identified as Sheets 1-4, dated December 27, 2019, for File No. DCU 19-176962\C;

   OR

   That final plans, showing the location and details of buildings, elevations, parking, landscaping and fencing shall be submitted to the Director of Planning, Property and Development for approval prior to the issuance of any development permit or building permits; and thereafter shall be maintained to the satisfaction of the Director of Planning, Property and Development.

THIS ORDER IS SUBJECT TO ALL BUILDING, HEALTH OR OTHER REGULATIONS PERTAINING TO THE LAND HEREIN REFERRED TO.

DATE OF ORDER: February 11, 2020

CERTIFIED BY:

Leah Cowan
Senior Committee Clerk

HOW TO APPEAL

If you object to this Order, you are entitled to file a notice of appeal. Your notice of appeal must:

(a) be in writing;

(b) contain your name, mailing address and phone number;

(c) be addressed as set out below;

(d) be received at that office not later than 4:30 p.m. on February 28, 2020;

[IF RECEIVED LATE YOUR APPEAL CANNOT BE HEARD.]

(e) refer to Conditional Use Order No. DCU 176962/2019C; and

(f) provide the reason(s) for the appeal

The City Clerk may not schedule an appeal hearing until your notice of appeal meets the above requirements.

Address:	City Clerk, City of Winnipeg c/o Appeal Committee Susan A. Thompson Building Main Floor, 510 Main Street Winnipeg, Manitoba, R3B 1B9
Fax:	204-947-3452
Email:	CLK-Appeals@winnipeg.ca

THE FOLLOWING PERSONS MADE REPRESENTATIONS AND ARE ENTITLED TO APPEAL:

In Support:

Joel Burr
Ryan Burr
Alden Neufeld
Matthew Nicolas
Chris Thorne

In Opposition:

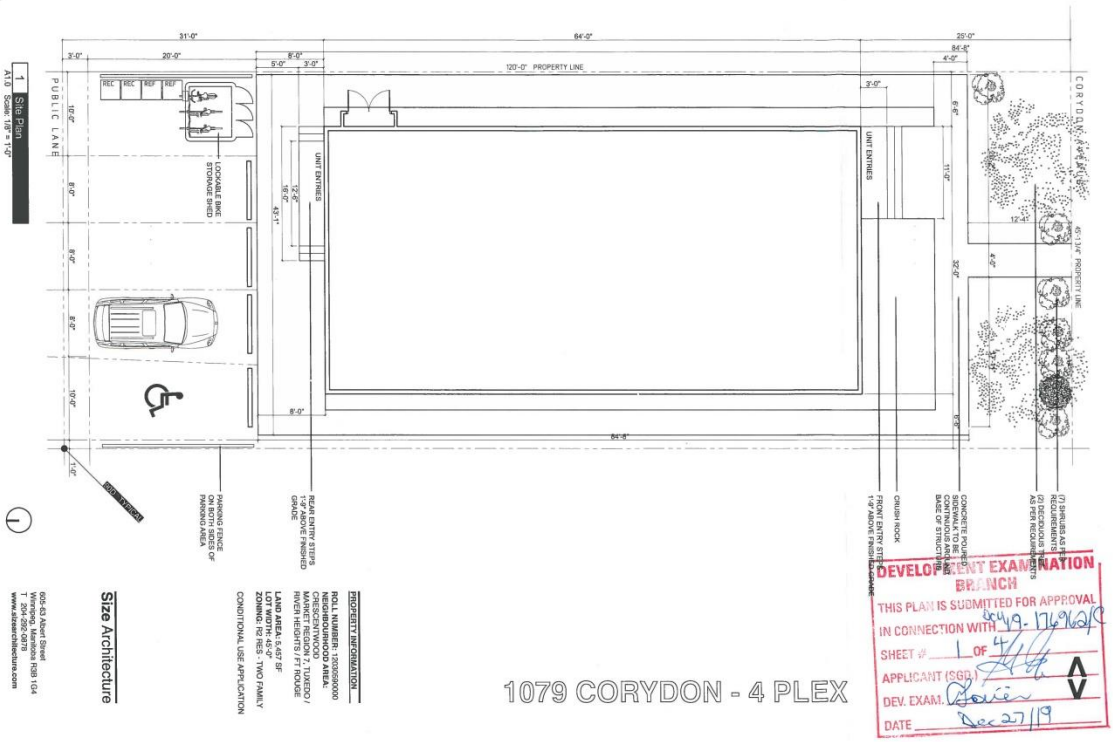
Nil

For Information:

Nil

For the City:

J. Hildebrand, Planner, Planning Property and Development Department
R. Galston, Planner, Planning, Property and Development Department



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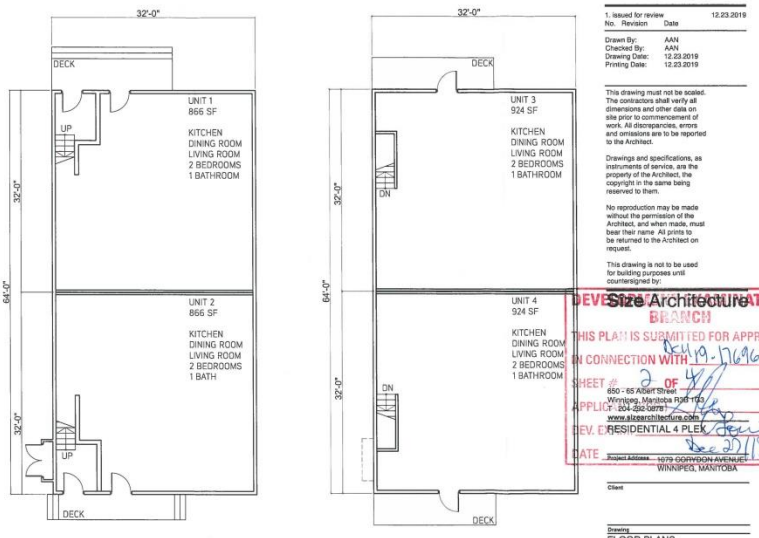
PROPERTY INFORMATION
ROLL NUMBER: 13035900000
NEIGHBOURHOOD AREA: CRESCENTWOOD
MUNICIPAL NEIGHBOURHOOD: TUXEDO / RIVER HEIGHTS / FT ROUGE
LAND AREA: 5,457 SF
LOT WIDTH: 49'-0"
ZONING: R2 RES - TWO FAMILY
CONDITIONAL USE APPLICATION

1079 CORYDON - 4 PLEX

DEVELOPMENT EXAMINATION BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH 19-176962
SHEET # 1 OF 4
APPLICANT (SGD.)
DEV. EXAM.
DATE Dec 27/19



2 Level One
A1.0 Scale: 3/32" = 1'-0"

3 Level Two
A1.0 Scale: 3/32" = 1'-0"

No.	Revision	Date
1.	issued for review	12.23.2019

Drawn By: AAN
Checked By: AAN
Drawing Date: 12.23.2019
Printing Date: 12.23.2019

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DEVELOPMENT EXAMINATION BRANCH
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SHEET # 2 OF 4
APPLICANT (SGD.)
DEV. EXAM.
DATE Dec 27/19

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RESIDENTIAL 4 PLEX

Project Address: 1079 CORYDON AVENUE WINNIPEG, MANITOBA

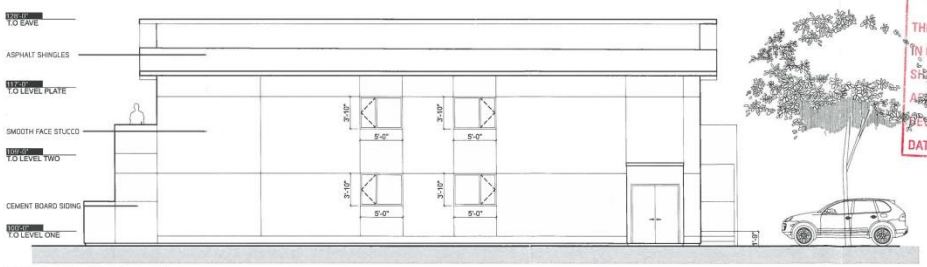
Client

Drawing
FLOOR PLANS

A1.0



1 South Elevation
A2.0 Scale: 1/8" = 1'-0"



2 East Elevation
A2.0 Scale: 1/8" = 1'-0"

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APPLICANT
DEVELOPMENT OFFICER
DATE Dec 27/19

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Project RESIDENTIAL 4 PLEX
Project Address 1079 CORYDON AVENUE
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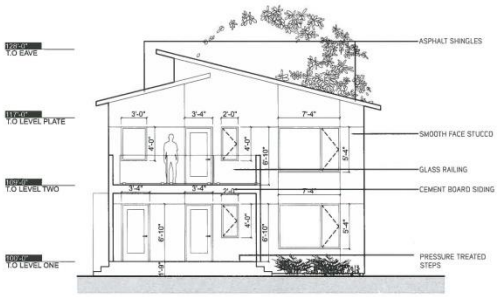
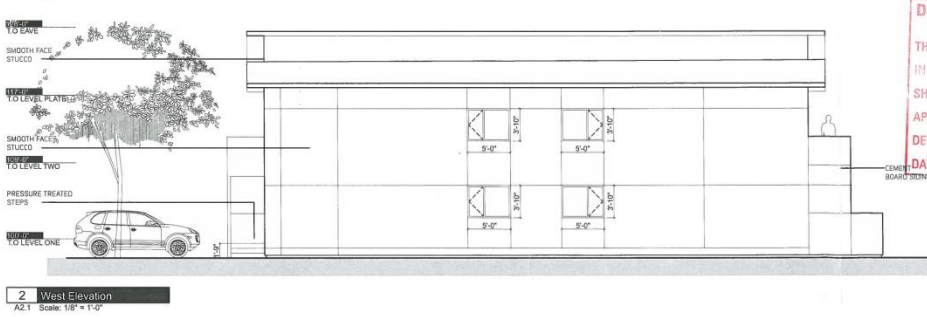
Client
Drawing ELEVATIONS

A2.0



1 North Elevation
A2.1 Scale: 1/8" = 1'-0"



2 West Elevation
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DEVELOPMENT OFFICER
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Project Address 1079 CORYDON AVENUE
WINNIPEG, MANITOBA
Client
Drawing ELEVATIONS

A2.1

EXHIBITS FILED FOR DCU 176962/2019C

1. Application dated December 31, 2019
2. Notification of Public Hearing dated January 15, 2020
3. Manitoba Status of Title 2911316/1
4. Letter of authorization dated July 24, 2019 from Kathleen Anne Easton to Joel Burr and Matthew Nicolas
5. Surveyor's Building Location Certificate and sketch dated June 6, 2019
6. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising
7. Plans, Sheets 1 to 4 inclusive, for File DCU 176962/2019C dated December 27, 2019
8. Report from the Urban Planning Division dated January 27, 2020
9. Inspection Report
10. Documentation dated December 10, 2019, in support of the application submitted by the Applicant at the public hearing

Exhibit “8” referred to in File DCU 176962/2019C

ADMINISTRATIVE REPORT

Title: DCU 19-176962\C – 1079 Corydon AVE

Issue: For consideration at the public hearing for a conditional use to permit a multifamily dwelling with four units.

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

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Lam, MCIP	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 multifamily dwelling use.

  Subject to the following conditions(s):

  1. That the development shall be built in substantial conformance with the plans hereto attached and identified as Sheets 1-4, dated December 27, 2019, for File No. DCU 19-176962\C;

     OR

     That final plans, showing the location and details of buildings, elevations, parking, landscaping and fencing shall be submitted to the Director of Planning, Property and Development for approval prior to the issuance of any development permit or building permits; and thereafter shall be maintained to the satisfaction of the Director of Planning, Property and Development.

REASON FOR THE REPORT

- 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, the conditional use for a multifamily dwelling with four units may be approved.

FILE/APPLICANT DETAILS

FILE:	**DCU 19-176962/C**
RELATED FILES:	DAV 19-176967/C
COMMUNITY:	City Centre Committee
NEIGHBOURHOOD #:	1.601 (Crescentwood)
SUBJECT:	For a Conditional Use under Zoning By-Law No. 200/2006 to permit the construction of a multifamily dwelling.
LOCATION:	1079 Corydon AVE
LEGAL DESCRIPTION:	LOT 4 PLAN 26801 34/35 ST B
APPLICANT:	Cam Church 7777 Wilkes AVE Winnipeg , Manitoba R3H 1B8
OWNER:	KATHLEEN EASTON 1079 CORYDON AVE Winnipeg , Manitoba R3M 0X3

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 Corydon Avenue between Wilton Street and Guelph Street, in the Crescentwood neighbourhood of the River Heights - Fort Garry ward.
- The property is 45 ft. wide and +/- 120 ft. deep; and has a total lot area of 5,457 sq. ft.
- The subject property currently contains a 1.5 storey home (built in 1949) with a detached garage.
- Under *OurWinnipeg* and *Complete Communities*, the property is classified under the “Areas of Stability – Mature Community” policy area and is zoned "R2 PDO-1 Airport Vicinity Protection Area 2”.

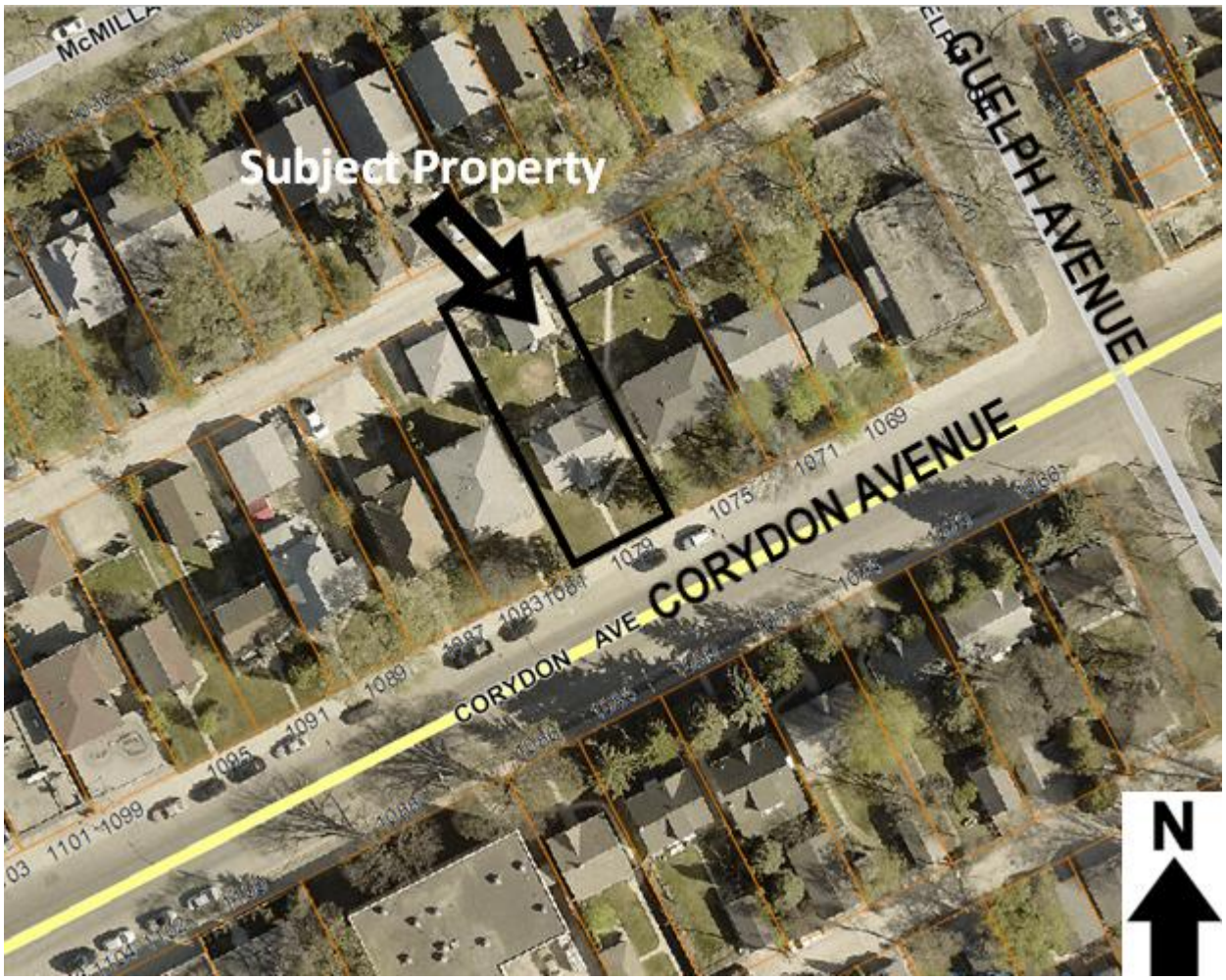


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2018)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Backlane, then single family residential uses zoned “R1-M” Residential Single- Family (Medium)

South: Corydon Avenue, then single family residential uses zoned “R1-M” Residential Single-Family (Medium)

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

West: Two-Family residential uses zoned “R2” Residential Two-Family

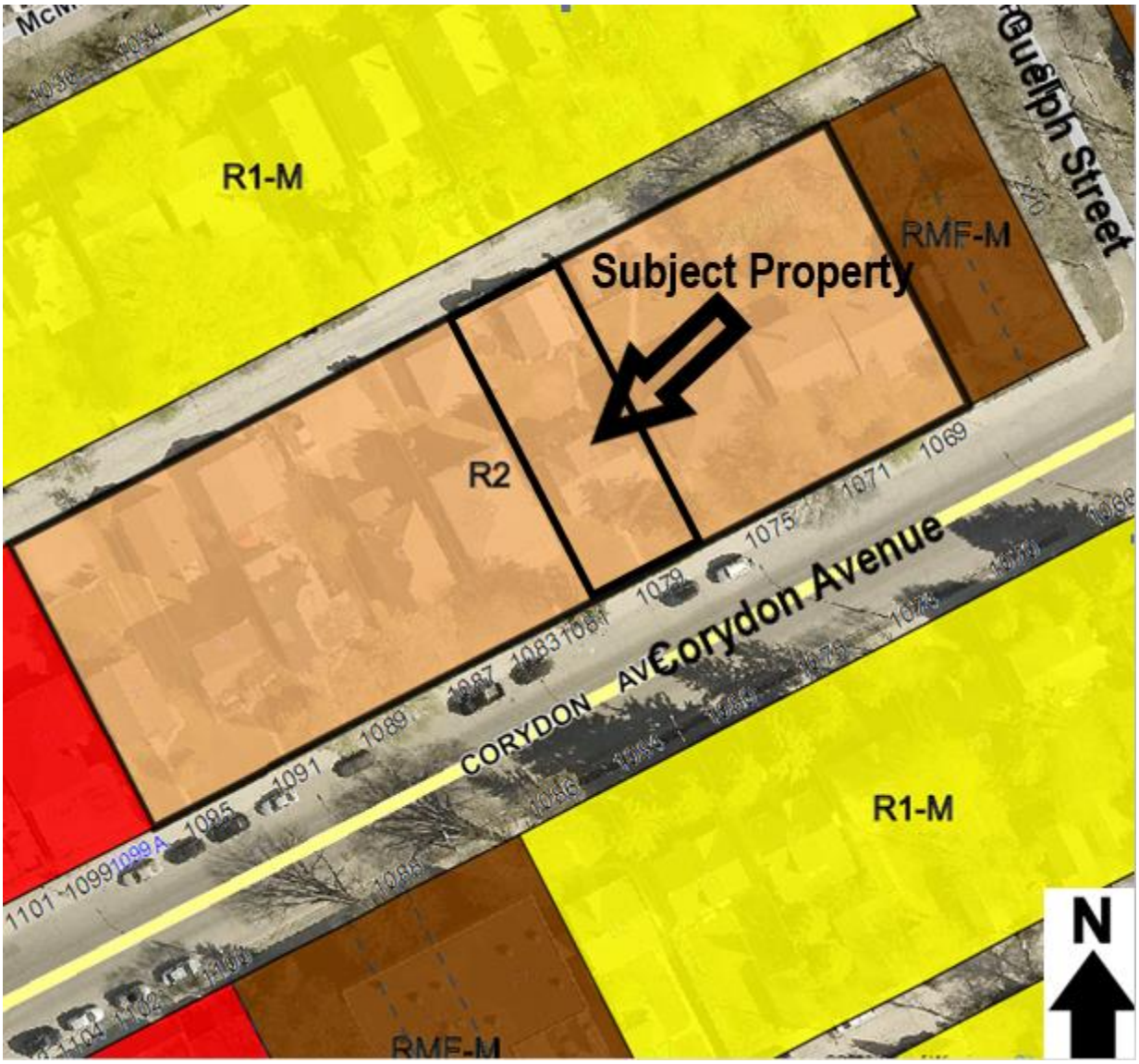


Figure 2: Zoning of the site and surrounding area

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant seeks a conditional use in order to demolish the existing dwelling and establish a two storey residential development with four units on the property.
- In the “R2” – Residential Two-Family District, multifamily developments are a conditional use and require review by the Urban Planning Division for suitability within the context.

- There is an associated variance application (DAV 19-176967/C) for reductions to the front yard, parking, and buffering of parking.

ANALYSIS AND ISSUES

OUR WINNIPEG AND COMPLETE COMMUNITIES DIRECTION STRATEGY

The subject site is in an “Areas of Stability” policy area of *OurWinnipeg* and *Complete Communities.* The Key Direction in these documents that applies to the Areas of Stability states: “Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg’s changing population.”

Under the *Complete Communities Direction Strategy*, relevant policies for Areas of Stability that apply directly to the proposed multi-family use include:

> *Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complementary to the existing scale, character and built form;*

- The establishment of a fourplex on this block of Corydon Avenue is a moderate density change that is consistent with the policy above.
- The scale and form of the subject proposal is compatible with surrounding structures, including other multi-family structures within the immediate vicinity.
- Specifically, the development includes the following characteristics which address compatibility with the context. Some of these items have been added or addressed in collaboration with the Urban Planning Division.
    - The proposal is two storeys in height, which aligns with Plan policies and with the residential context along the block which ranges between one and three storeys.
    - The design includes the use of varied surface materials and design elements that help to visually ‘break up’ the building both horizontally and vertically.
    - Façade materials include stucco and fibre cement board planking.
    - The design achieves the impression of a duplex; two of the four entrances are visible from Corydon Avenue.
    - The design provides a slanted/peaked roof which is compatible with the context.
    - The proposal includes a walkway connecting the front and rear of the property.

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.

- This block of Corydon is comprised of a mix of single, two family, and multifamily residential dwellings. The proposed development adds to the mix of housing types in the Corydon neighbourhood and provides a moderate increase in density in a context sensitive manner.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

PDO-1 Airport Vicinity Area 2 policy area

The subject property is within the PDO-1 Airport Vicinity Area 2 policy area. Urban Planning Division staff worked with the applicant to reduce the amount of units to 4, in order to ensure compliance with the density requirements of the policy area.

Analysis of Conditional Use

The Urban Planning Division is supportive of the conditional use because the multifamily dwelling is considered an appropriate method of creating a modest increase in density without creating an impact on the form or character of the neighbourhood.

A four-unit multifamily building as a conditional use is supportable in this context for the following reasons:

- Four units are within the allowable density as provided for in the PDO-1 Airport Vicinity Area 2 policies affecting this property.
- The density is suitable given the following other actors considered by the Division:
    - The proposal is two storeys in height, which aligns with the PDO-1 Airport Vicinity Area 2 policy and with the residential context along the block which ranges between one and three storeys.
    - The yard proposals are compatible with the range along the block.

Based on the above, the subject proposal meets the *OurWinnipeg* Key direction in terms of quality, completeness and sustainability, and the *Complete Communities* in that the proposal is consistent with existing community context.

Substantial Conformance

Due to the collaboration between the applicant and the Urban Planning Division on the design aspects of the development in line with the PDO-1 Airport Vicinity Area 2 policy, the Division is including a condition that the development be built in substantial conformance with the plans attached to this application.

SUMMARY

This two storey, four unit residential development provides a moderate increase in density within this Mature Community. The development meets the PDO-1 Airport

Vicinity Area 2 policy, and is compatible with the context on this stretch of Corydon Avenue which is characterized by a mix of single family, two-family and multiple family residential developments.

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 proposed fourplex promotes a building scale and form that is sensitive to the community context and addresses the transition between new and existing developments.

(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 addition of four (4) units as proposed is not anticipated to have an adverse effect on the safety and convenience of adjoining properties.

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

In that, the proposal is compatible with existing multi-family development within the immediate vicinity including the subject block.

CONSULTATION

- Urban Design Division staff worked with the applicant to accommodate four units, in order to ensure compliance with the density requirements of the policy area and the R2 zoning district.

OURWINNIPEG POLICY ALIGNMENT

- Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg’s changing population.

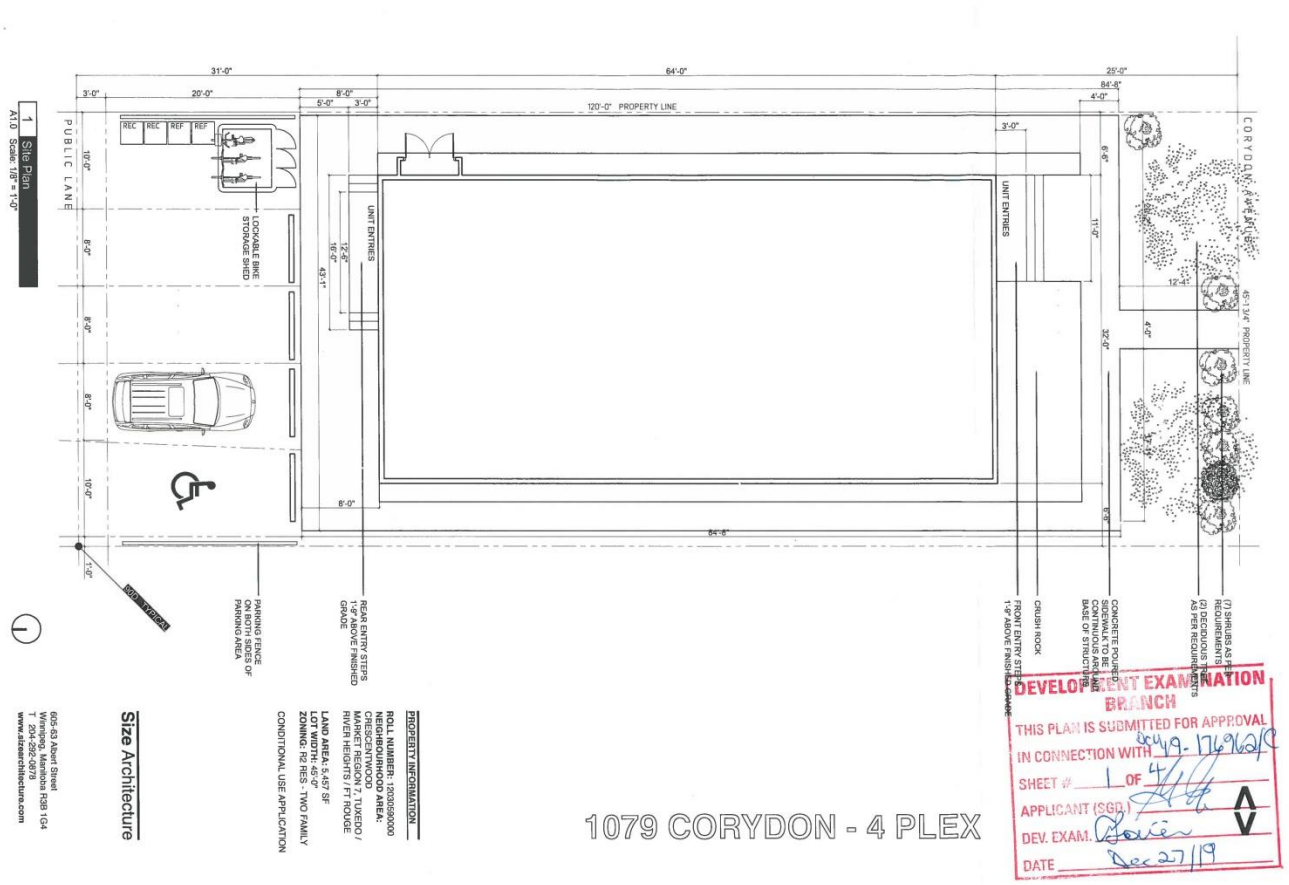
WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

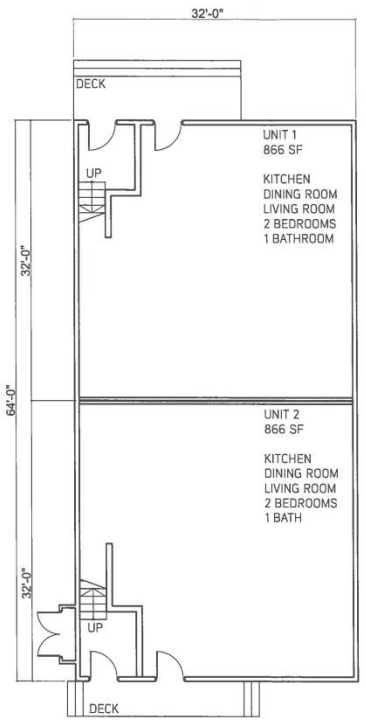
- Construct more complete neighbourhood and revitalize the livability of all communities throughout Winnipeg.

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Urban Planning
Prepared by:	Jessica Lam
Date:	Monday, January 27, 2020
File No.	DCU 19-176962/C

Exhibit “7” referred to in File DCU 176962/2019C





2 Level One
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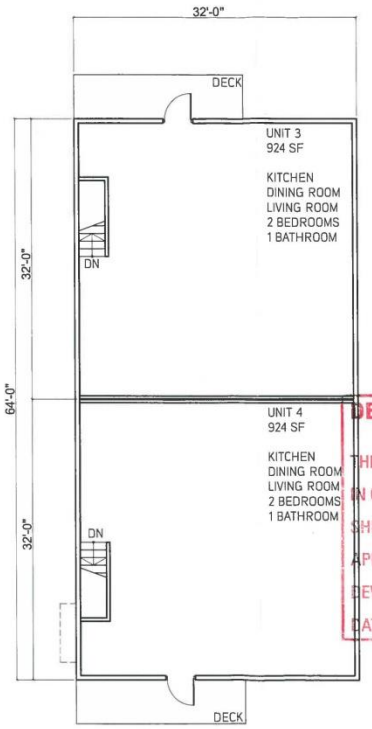

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DEVELOPMENT EVALUATION BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DCU 19-176962/0
SHEET # 2 OF 4
APPLICANT
DEV. EXAM.
DATE Dec 27/19

Size Architecture
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www.sizearchitecture.com

RESIDENTIAL 4 PLEX

Project Address 1079 GORYDON AVENUE
WINNIPEG, MANITOBA

Client

Drawing
FLOOR PLANS

A1.0



1 South Elevation
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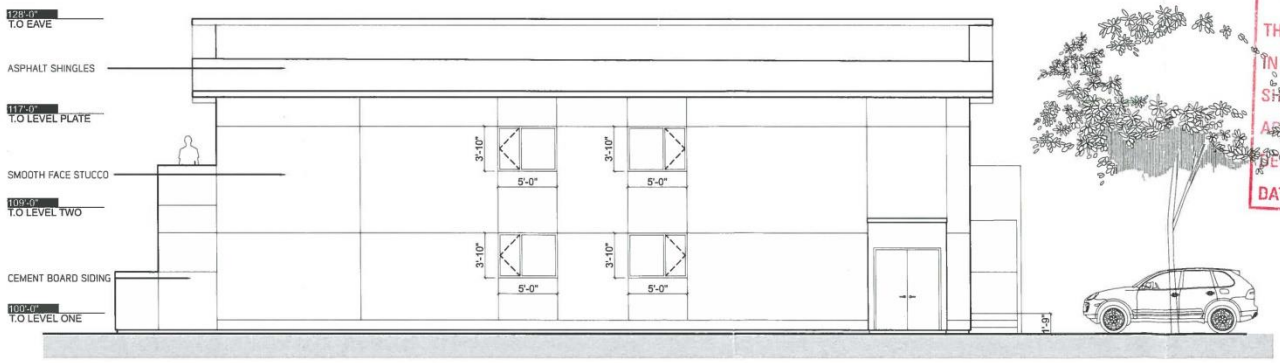

2 East Elevation
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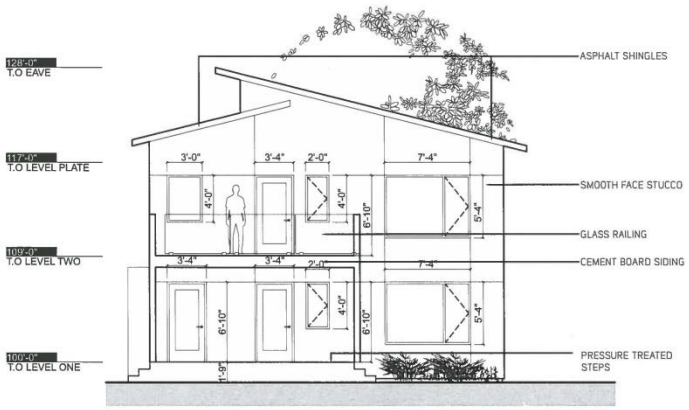
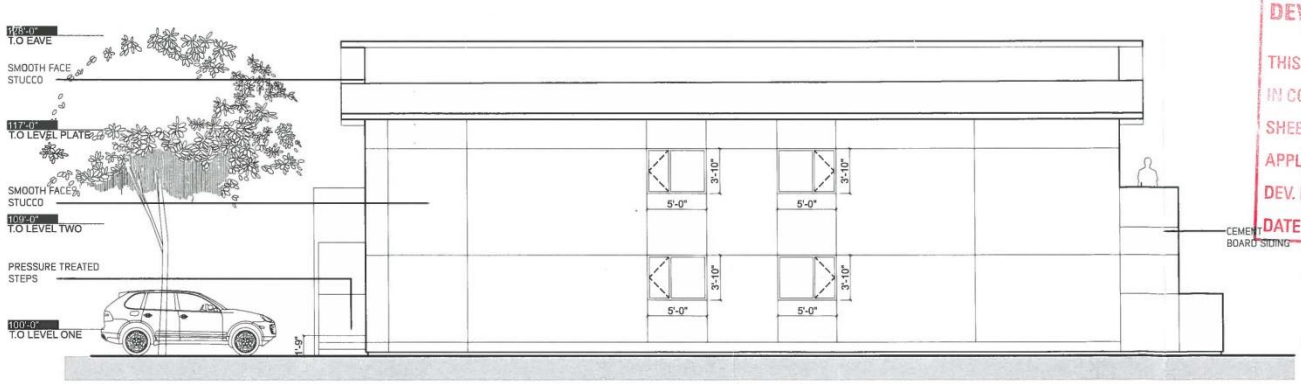
Client

Drawing
ELEVATIONS

A2.0



1 North Elevation
A2.1 Scale: 1/8" = 1'-0"



2 West Elevation
A2.1 Scale: 1/8" = 1'-0"

1. Issued for review 12.23.2019
No. Revision Date

Drawn By: AAN
Checked By: AAN
Drawing Date: 12.23.2019
Printing Date: 12.23.2019

This drawing must not be scaled. The contractors shall verify all dimensions and other data on site prior to commencement of work. All discrepancies, errors and omissions are to be reported to the Architect.

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This drawing is not to be used for building purposes until countersigned by:

DEVELOPMENT EXAMINATION BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DEWP 17-176962/C
SHEET # 4 OF 4
APPLICATION
DEV. EXAM.
DATE Dec 27/19

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Client

Drawing
ELEVATIONS

A2.1