Agenda – Board of Adjustment – March 4, 2020

PUBLIC HEARINGS

Item No. 9 Variance – 167 Aikins Street
(Mynarski Ward)
File DAV 102664/2020C

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

The Urban Planning Division recommends Adjournment due to improper posting of the application to vary the "R2" Residential Two-Family dimensional standards of Zoning By-Law No. 200/2006 for the construction of an addition to an existing single-family dwelling (not-for-profit mission) with accessory food kitchen and dining hall to permit as follows:

1. a front yard of 9 feet (2.74 metres) instead of 20 feet (6.10 metres);

2. a west corner side yard of 9 feet (2.74 metres) instead of 25 feet (7.62 metres);

3. a west corner side yard eave projection of 3 feet (0.91 metres) instead of 2 feet (0.61 metres);

4. an east side yard of 4 feet (1.22 metres) instead of 25 feet (7.62 metres); and

5. a lot coverage of 72.1% instead of 50%.

Agenda – Board of Adjustment – March 4, 2020

File:	DAV 102664/2020C
Applicant:	GPP Architecture (Guy Prefontaine)
Premises Affected:	167 Aikins Street
Legal Description:	EXC N 10F LOT 829/830 PLAN 53 37/8 ST J, hereinafter called "the land"
Property Zoned:	"R2" Residential Two-Family
Nature of Application:	To vary the "R2" District Dimensional Standards of the Winnipeg Zoning By-Law No. 200/2006 for the construction of addition to an existing single family dwelling (convent) with accessory food kitchen and dining hall to permit as follows: a. a front yard of 9 feet (2.74 metres) instead of 20 feet (6.10 metres); b. a west corner side yard of 9 feet (2.74 metres) instead of 25 feet (7.62 metres); c. a west corner side yard eave projection of 3 feet (0.91 metres) instead of 2 feet (0.61 metre); d. an east side yard of 4 feet (1.22 metres) instead of 25 feet (7.62 metres); and, e. a lot coverage of 72.1% instead of 50%.
Exhibits Filed:	1. Application dated January 28, 2020 2. Notification of Public Hearing dated February 13, 2020 3. Manitoba Status of Title 2407374/1 4. Letter of authorization dated August 26, 2019 from Sr. M. Rosetta (Missionaries of Charity) to Tom Malkiewicz and Kristin Kay (Crosier Kilgour & Partners Ltd.) and Guy Prefontaine (GPP Architecture Inc.) 5. Surveyor's Building Location Certificate and sketch dated November 19, 2019 and December 12, 2019 6. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising 7. Affidavit of Lost Duplicate Title dated October 21 2009

Exhibits Filed (continued)	8.	Plans, Sheets 1 to 9 inclusive, for File DAV 102664/2020C dated January 24, 2020
	9.	Report from the Urban Planning Division dated February 24, 2020
	10.	Communication dated February 19, 2020 from St. Ignatius Parish in support of the application
	11.	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.

Agenda – Board of Adjustment – March 4, 2020

Moved by

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

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

Moved by

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

Exhibit “9” referred to in File DAV 102664/2020C

ADMINISTRATIVE REPORT

Title: DAV 20-102664\C – 167 Aikins Street

Issue: For consideration at the public hearing for variances associated with the construction of a principal building addition.

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

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Hayer, MCP	n/a	n/a	

RECOMMENDATIONS

The Urban Planning Division recommends **Adjournment** due to improper posting of the application to vary the "R2" Residential Two-Family dimensional standards of Zoning By-Law No. 200/2006 for the construction of addition to an existing single-family dwelling (not-for-profit mission) with accessory food kitchen and dining hall to permit as follows:

a) a front yard of 9 feet (2.74 metres) instead of 20 feet (6.10 metres);

b) a west corner side yard of 9 feet (2.74 metres) instead of 25 feet (7.62 metres);

c) a west corner side yard eave projection of 3 feet (0.91 metres) instead of 2 feet (0.61 metre);

d) an east side yard of 4 feet (1.22 metres) instead of 25 feet (7.62 metres); and

e) a lot coverage of 72.1% instead of 50%.

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 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 application will be adjourned.

FILE/APPLICANT DETAILS

FILE: **DAV 20-102664\C**
RELATED FILES:
COMMUNITY: Lord Selkirk - West Kildonan Committee
NEIGHBOURHOOD #: 3.302 (William Whyte)
SUBJECT: To vary the "R2" dimensional standards of Zoning By-Law No. 200/2006 for the construction of addition to an existing single family dwelling (convent) with accessory food kitchen and dining hall to permit as follows:

a) a front yard of 9 feet (2.74 metres) instead of 20 feet (6.10 metres);
b) a west corner side yard of 9 feet (2.74 metres) instead of 25 feet (7.62 metres);
c) a west corner side yard eave projection of 3 feet (0.91 metres) instead of 2 feet (0.61 metre);
d) an east side yard of 4 feet (1.22 metres) instead of 25 feet (7.62 metres); and,
e) a lot coverage of 72.1% instead of 50%.

LOCATION: 167 Aikins ST
LEGAL DESCRIPTION: EXC N 10F LOT 829/830 PLAN 53 37/8 ST J

APPLICANT: Guy Prefontaine
139 Willmington Drive Unit 10
Winnipeg, Manitoba R3X 1Y2

OWNER: The Missionaries of Charity INC
167 Aikins Street
Winnipeg, Manitoba R2W 4G1

DISCUSSION

CRITERIA FOR APPROVAL

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

(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;

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

SITE DESCRIPTION

The subject property, identified on Figures 1 and 2, is:

- at the north east corner of Aikins Street and Pritchard Avenue, in the William Whyte neighbourhood and Mynarski ward;
- has a total lot area of 6,966 sq. ft.;
- is zoned “R2” Residential Two-Family District; and
- is designated as “Areas of Stability – Mature Community” policy area under the *Complete Communities Direction Strategy* of *OurWinnipeg.*

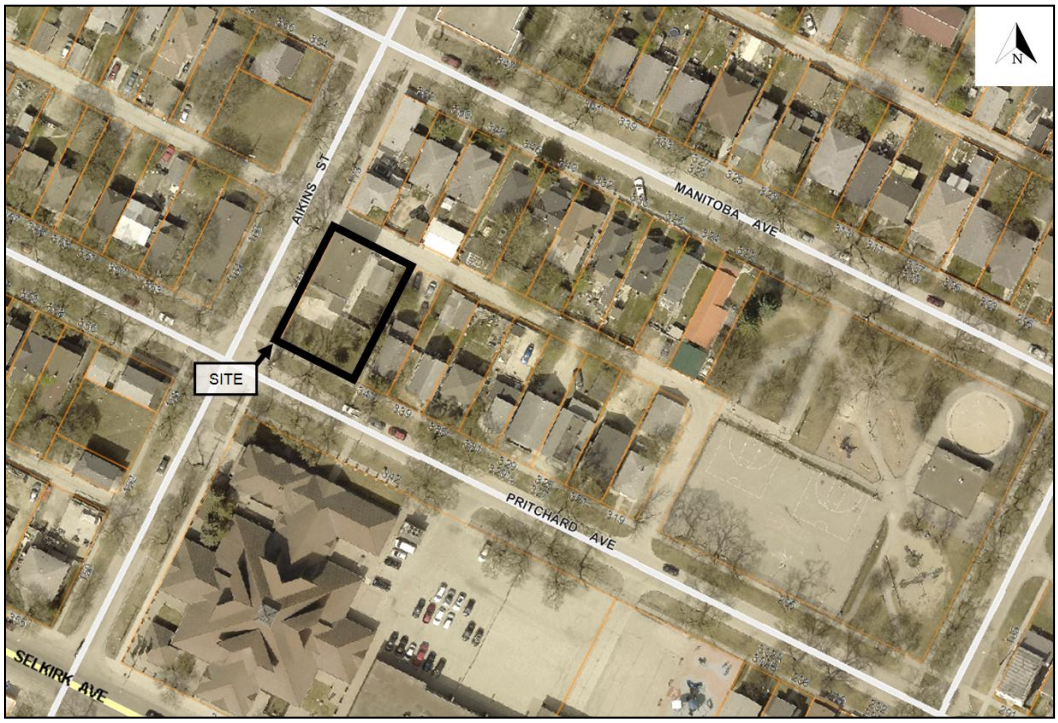


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2018)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Public lane; then multi-family dwelling (triplex) zoned “R2” Residential Two-Family.

South: Pritchard Avenue; then a place of worship zoned “R2” Residential Two-Family.

East: Multi-family dwelling (triplex) zoned “R2” Residential Two-Family.

West: Aikins Street; then two-family dwelling zoned “R2” Residential Two-Family.



Figure 2: Zoning of the site and surrounding area.

REASONS FOR RECOMMENDATIONS

In the context of Section 247(3), the Urban Planning Division recommends **Adjournment** due to improper posting.

CONSULTATION

In preparing this report there was internal consultation with the Zoning & Permits Branch.

OURWINNIPEG POLICY ALIGNMENT

NA

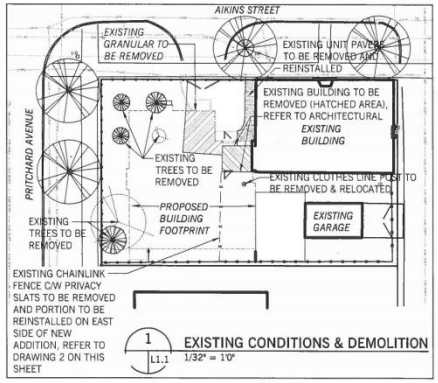
WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

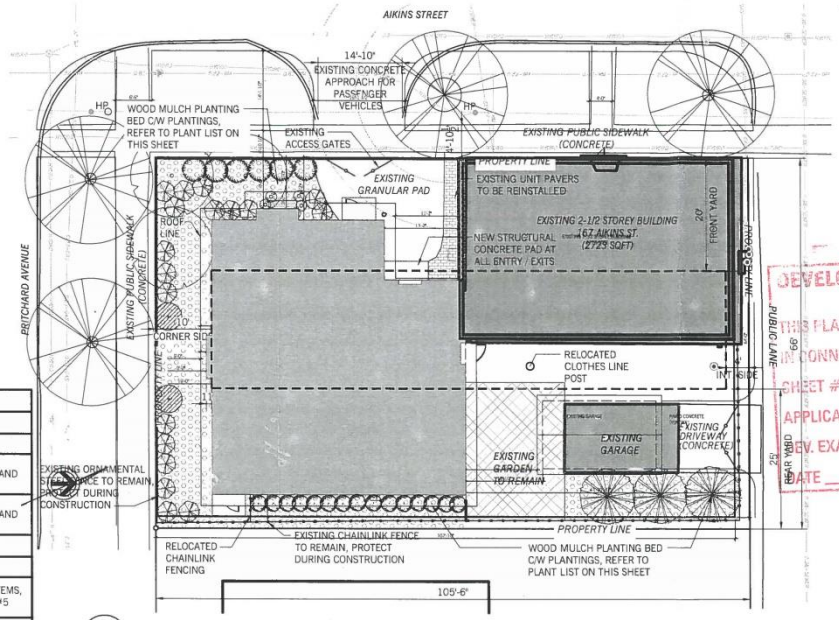
NA

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Urban Planning
Prepared by:	R. Hayer, MCP
Date:	Monday, February 24, 2020
File No.	DAV 20-102664\C

Exhibit “8” referred to in File DAV 102664/2020C





DEVELOPMENT EXAMINATION BRANCH
THIS PLAN IS EXAMINED FOR APPROVAL IN CONNECTION WITH DAV 20-102664/C
SHEET # 1 OF 9
APPLICANT (SGD.)
DEV. EXAM.
DATE Jan 24/2020

PRELIMINARY
DATE PLOTTED
JAN 23, 2020
NOT FOR CONSTRUCTION

TREE SPECIFICATION LIST			
SYMBOL	TOTAL	COMMON NAME / *BOTANICAL NAME*	SIZE & REMARKS
CONIFEROUS TREES			
	2	WEEPING BLUE SPRUCE / *Picea pungens 'Pendula'*	1800MM HT., MIN 950mm WIDE ROOTBALL, STRAIGHT TRUNK, FULL AND BUSHY TO GRADE
	3	FAT ALBERT BLUE SPRUCE / *Picea pungens 'Fat Albert'*	1800MM HT., MIN 950mm WIDE ROOTBALL, STRAIGHT TRUNK, FULL AND BUSHY TO GRADE
SHRUB SPECIFICATION LIST			
DECIDUOUS SHRUBS			
	18	TINY WINE GOLD NINEBARK / *Physocarpus opulifolius 'SMNPOTWG'*	600mm HEIGHT, 7 MAJOR BASAL STEMS, DENSE BUSHY PLANT, CONTAINER #5
	15	ALPINE CURRANT / *Ribes alpinum*	600mm HEIGHT, 7 MAJOR BASAL STEMS, DENSE BUSHY PLANT, CONTAINER #5
CONIFEROUS SHRUBS			
	6	BLUE CHIP JUNIPER / *Juniperous horizontalis 'Blue Chip'*	450mm SPREAD, 5 MAJOR BASAL STEMS, DENSE BUSHY PLANTS, CONTAINER #3
PERENNIAL AND VINE SPECIFICATION LIST			
SYMBOL	TOTAL	COMMON NAME / *BOTANICAL NAME*	SIZE & REMARKS
PERENNIALS & VINES			
	6	ENGLEMANN IVY / *Parthenocissus quinquefolia 'var. englemanni'*	12CM POT, 1 YEAR, 10CM CLUMP FIELD GROWN TRANSPLANT AS PER CANADIAN STANDARDS FOR NURSERY STOCK FOR GROUND COVERS.

CITY OF WINNIPEG ZONING REQUIREMENTS AS PER BY-LAW NO. 200/2006 - PART : DEVELOPMENT AND DESIGN STANDARDS

ZONING CATEGORY: R2
TOTAL LOT AREA: 6,966 ft²
TOTAL AREA OF EXISTING: 2,723 ft²
TOTAL AREA OF NEW ADDITION: 2,021 ft²

PARKING SPACES REQUIRED
1 FOR EACH 550 SQ.FT: (4,744 ft² / 550) = 8
MIN. ACCESSIBLE SPACES REQUIRED: 1
BICYCLE PARKING (1 FOR EVERY 10 VEHICLE SPACE): 0

PARKING SPACES SHOWN
INDOOR: 1 (IN EXISTING GARAGE)

CITY OF WINNIPEG LANDSCAPIN EQUIREMENTS AS PER BY-LAW NO. 26/2006 - PART 5: DEVELO T AND DESIGN STA DARDS

STREET EDGE LANDSCAPING
1 TREE PER 30 LIN. FEET OF S FRONTAGE
3 SHRUBS PER 20 IN. FEET O ET FRONTAGE.

AIKINS ST.: TREES REQ . 3 SHOWN:
SHRUBS RE . 15 SH WN: 1

PRITCHARD AVE.: TREES REQUIRED: 2 SHOWN
SHRUBS REQUIRED: 9 SHOWN:

BUILD NG FOUNDATION LANDSCAPING
1 SHRUB PER 1 IN. FEET OF EACH FACADE FACING R O.W. OR CONTAINING THE PR NCIPAL BUILDING EN REQU RED SHRUBS: 4 SHOWN: 4

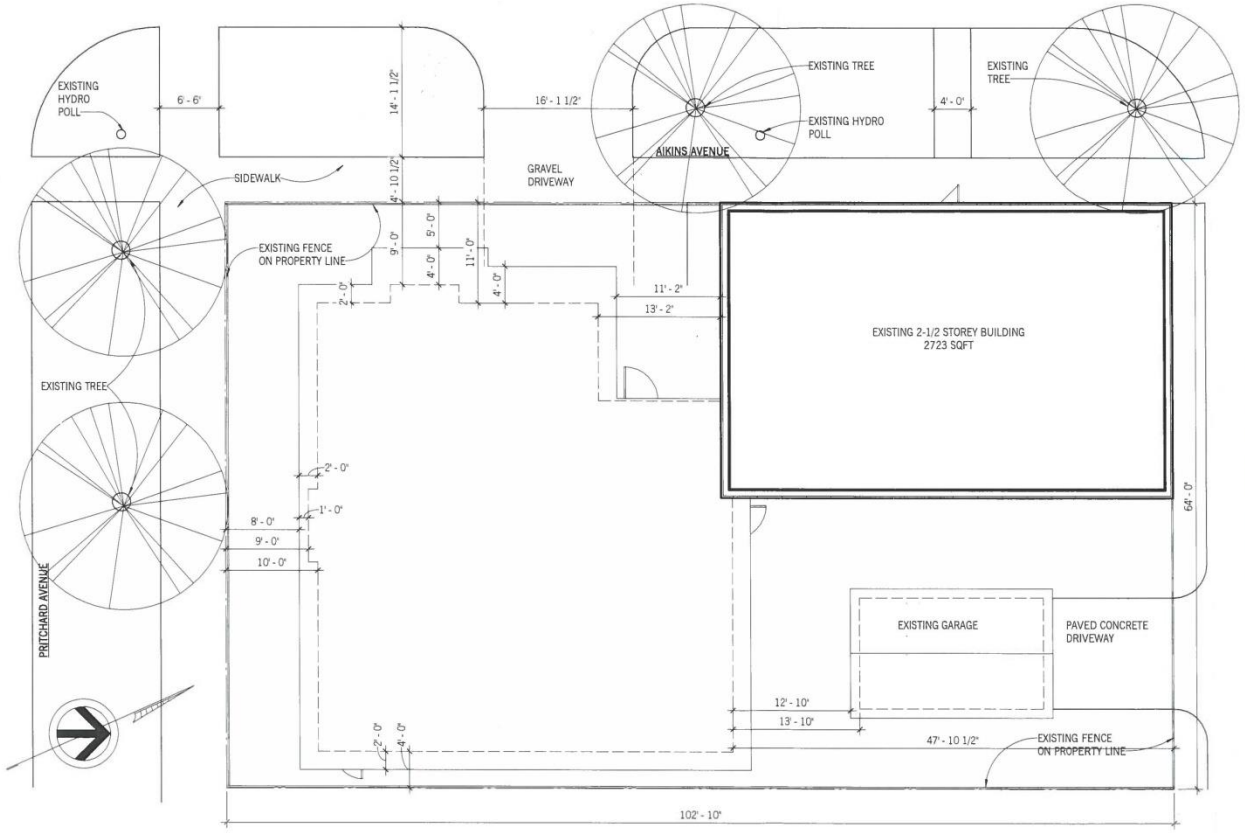
NORTH
PROJECT NORTH

ft3
Architecture
Landscape
Interior Design
Suite 200, 300 Waterfront Drive
Winnipeg MB Canada R3B 0G5
toll free 877.640.1192
t. 204.885.9323 f. 204.837.7235

PROJ C ITL
DRAWN BY SM
DATE Dec. 6, 2019
PROJECT 19385

MISSIONARIES OF CHARITY
HOUSE ADDITION
EXISTING CONDITIONS & LANDSCAPE SITE PLAN

L1.1



DEVELOPMENT EXAMINATION BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH 20-102664/C
SHEET # 2 OF 9
APPLICANT (SGD.)
DEV. EXAM.
DATE JAN 24 2020

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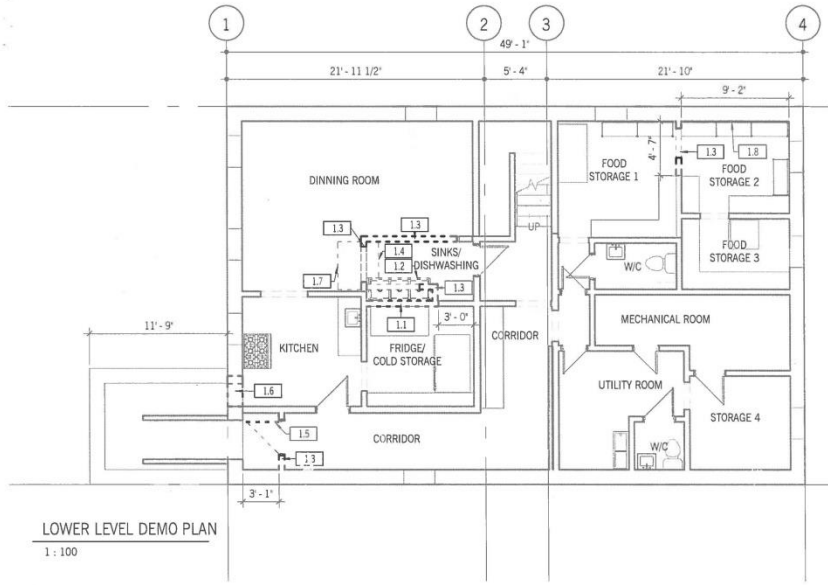
Project Client
MISSIONARIES OF CHARITY - HOUSE ADDITION

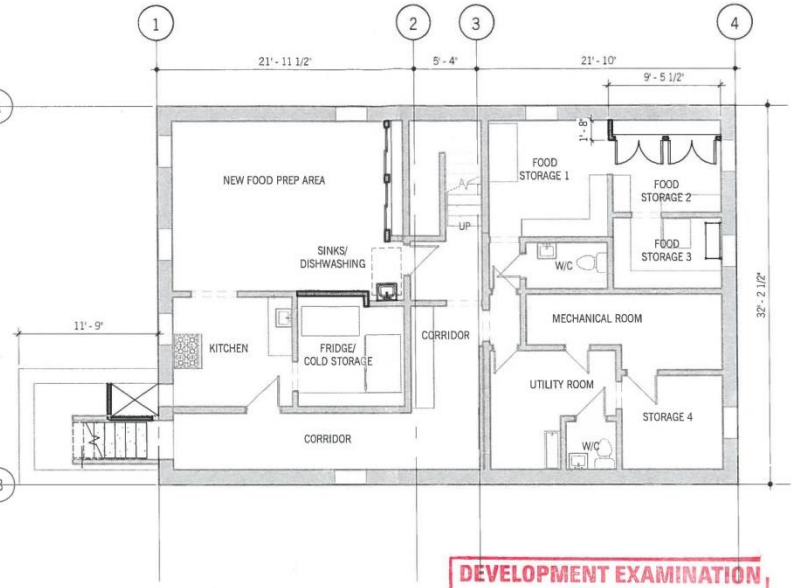
ARCHITECTURAL
SITE PLAN

2019/12/19



LOWER LEVEL DEMO PLAN

1 : 100



NEW LOWER LEVELPLAN

1 : 100

Key Value	Keynote Text
1.1	EXISTING WALL TO BE DEMOLISHED. PLUMBING TO BE RELOCATED TO SUIT NEW 3 STAGE DISHWASHING SINK. PATCH AND MAKE GOOD FLOOR, CEILING AND ADJACENT WALLS.
1.2	EXISTING DISHWASHER TO BE REMOVED, DISASSEMBLED AND SALVAGED FOR LATER USE.
1.3	DEMOLISH WALL AS SPECIFIED. PATCH AND REPAIR FLOOR AND CEILING AS REQUIRED TO MATCH EXISTING.
1.4	DEMOLISH STAINLESS BOX, EXISTING WATER METER INSIDE IS TO BE RELOCATED. PATCH AND REPAIR FLOOR AS REQUIRED TO MATCH EXISTING FLOOR.

Key Value	Keynote Text
1.5	REMOVE EXISTING DOOR AND HARDWARE AND SALVAGE FOR LATER USE.
1.6	DEMOLISH WALL AS SPECIFIED IN DETAIL TO ALLOW FOR INSTALLATION OF NEW DUMBWAITER.
1.7	MILLWORK TO BE DEMOLISHED. PATCH AND REPAIR FLOOR AS REQUIRED TO MATCH EXISTING.
1.8	REMOVE DRYWALL, REMOVE INSULATION, AND ANY EXISTING WOOD STUDS TO EXPOSE THE CONCRETE FACE OF THE FOUNDATION WALL AS PER

DEVELOPMENT EXAMINATION BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH 20-122444/C
SHEET # 3 OF 9
APPLICANT (SGD.)
DEV. EXAM.
DATE JAN 24 2020

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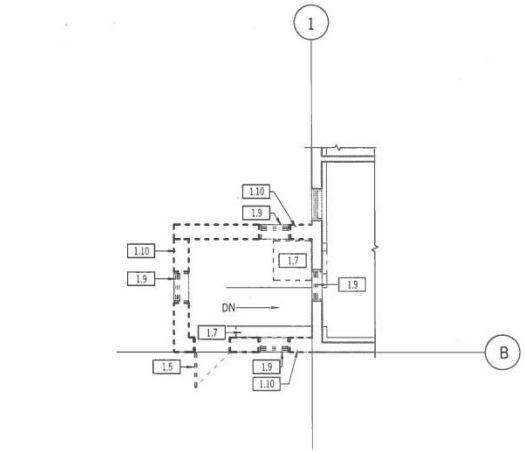
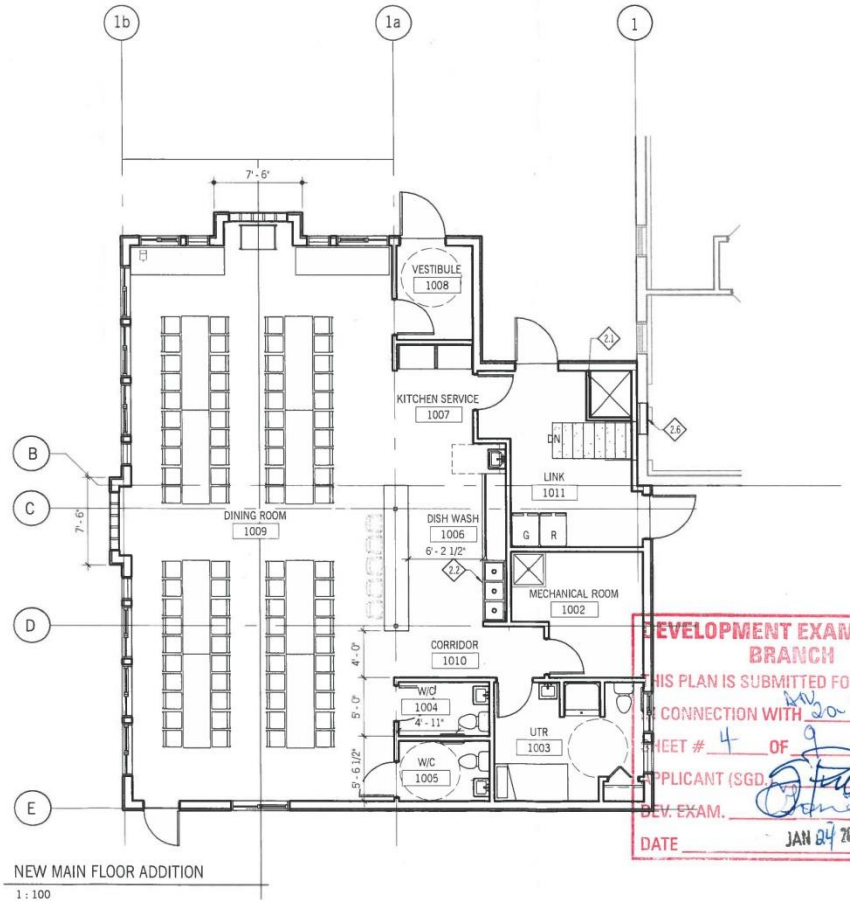
MISSIONARIES OF CHARITY - HOUSE ADDITION

LOWER LEVEL PLAN

2019/12/19



MAIN FLOOR DEMO PLAN
1 : 100



NEW MAIN FLOOR ADDITION
1 : 100

DEVELOPMENT EXAMINATION BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH DP 2a 102664/C
SHEET # 4 OF 9
APPLICANT (SGD.)
DEV. EXAM.
DATE JAN 24 2020

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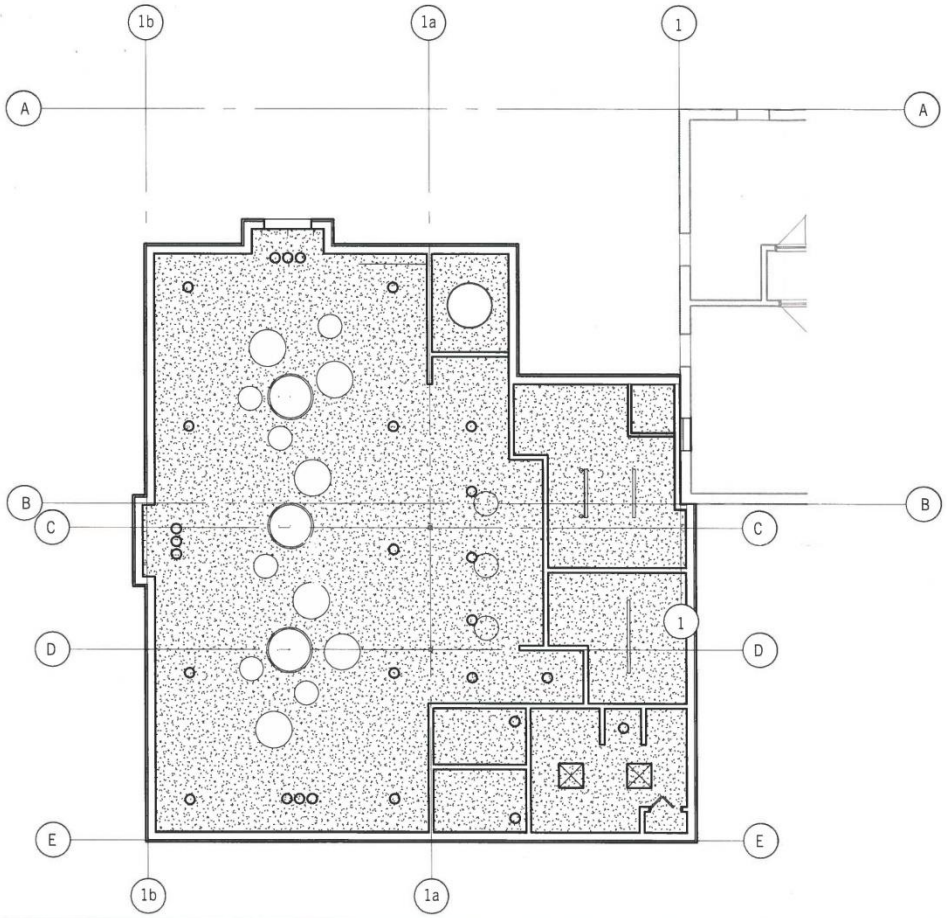
Project Client
MISSIONARIES OF CHARITY - HOUSE ADDITION

MAIN FLOOR PLAN

2019/12/19



DEVELOPMENT EXAMINATION BRANCH
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IN CONNECTION WITH 20-132664/C
SHEET # 5 OF 9
APPLICANT (SGD.)
DEV. EXAM.
DATE JAN 30 2020

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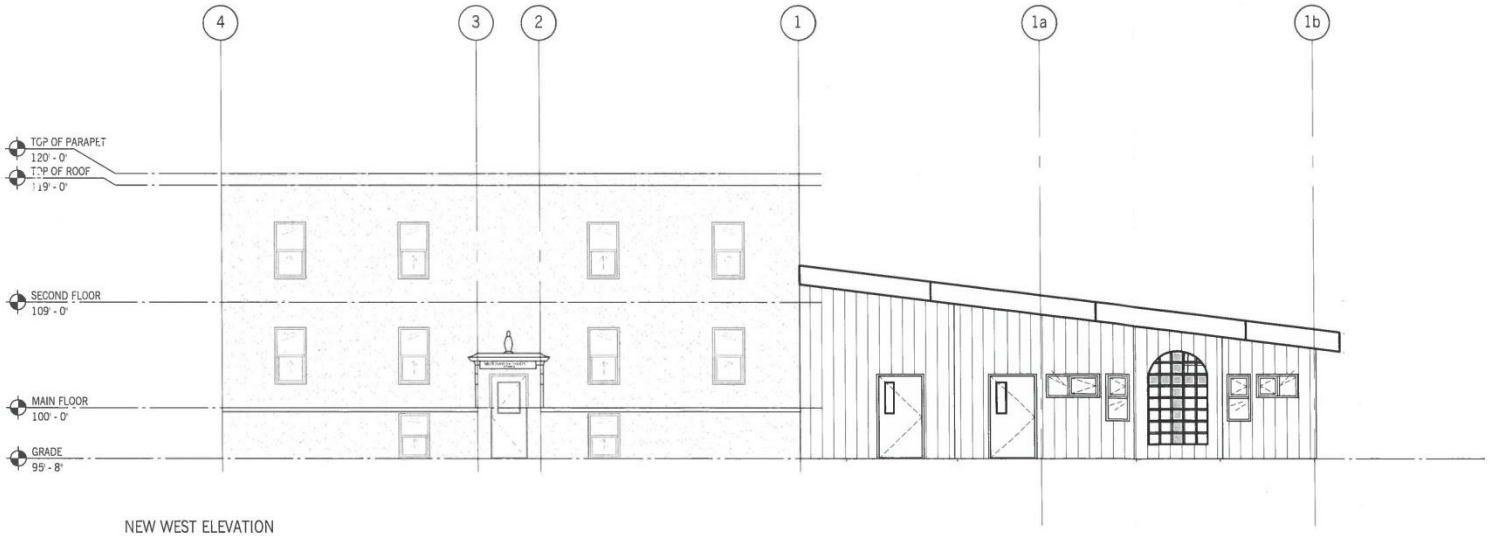
MISSIONARIES OF CHARITY - HOUSE ADDITION

REFLECTED CEILING PLAN

12/19/19

DEVELOPMENT EXAMINATION BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DP 20-102664/C
SHEET # 6 OF 9
APPLICANT (SGD.)
DEV. EXAM.
DATE JAN 24 2020



NEW WEST ELEVATION
1 : 100

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Interior Design

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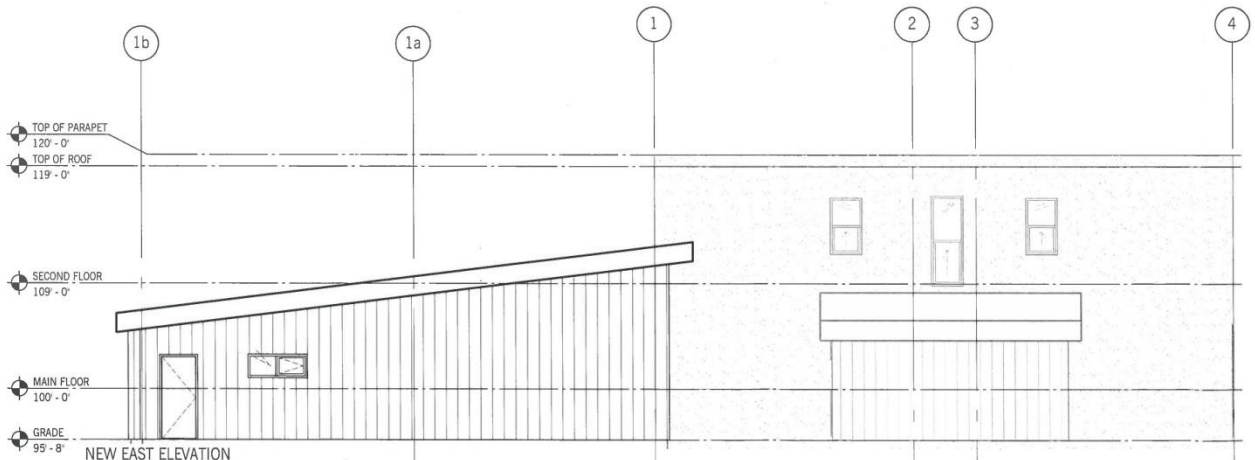
MISSIONARIES OF CHARITY - HOUSE ADDITION

EXTERIOR ELEVATIONS

2019/12/19

DEVELOPMENT EXAMINATION BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH AW 200202164/C
SHEET # 7 OF 9
APPLICANT (SGD.)
DEV. EXAM.
DATE JAN 24 2020



NEW EAST ELEVATION
1 : 100

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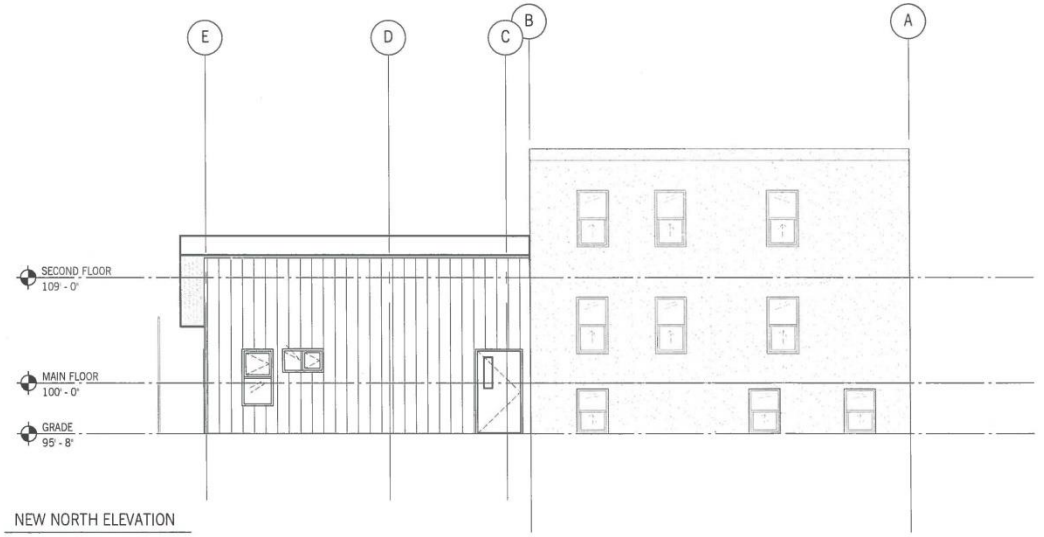
MISSIONARIES OF CHARITY - HOUSE ADDITION

EXTERIOR ELEVATIONS

2019/12/19



NEW NORTH ELEVATION

1 : 100

DEVELOPMENT EXAMINATION BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH A20-1026641C
SHEET # 8 OF 9
APPLICANT (SGD.)
DEV. EXAM.
DATE JAN 27 2020

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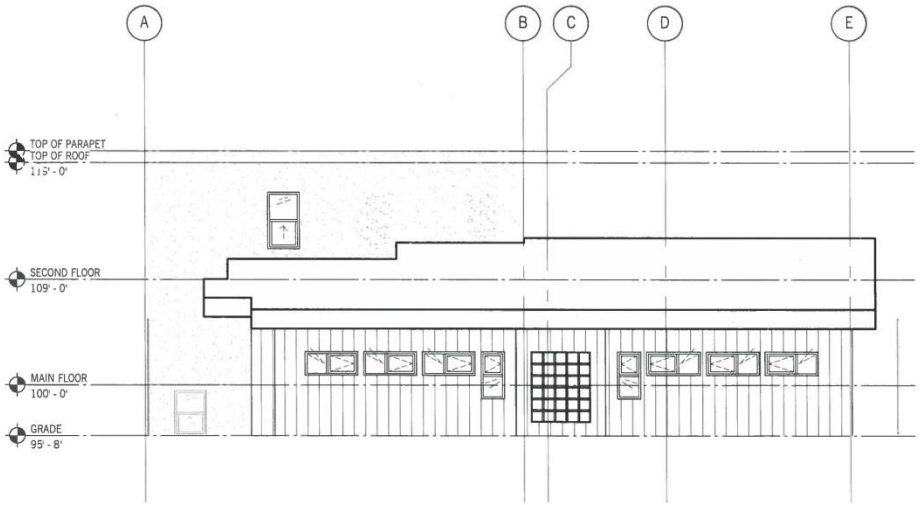
MISSIONARIES OF CHARITY - HOUSE ADDITION

EXTERIOR ELEVATIONS

2019/12/19



NEW SOUTH ELEVATION
1 : 100

DEVELOPMENT EXAMINATION BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH 20-102664/C
SHEET # 9 OF 9
APPLICANT (SGD.)
DEV. EXAM.
DATE JAN 24 2020

ft3
Architecture
Landscape
Interior Design

Project Client
MISSIONARIES OF CHARITY - HOUSE ADDITION

EXTERIOR ELEVATIONS

2019/12/19