Winnipeg

# BOARD OF ADJUSTMENT
# DISPOSITION OF ITEMS

## MARCH 4, 2020

MEMBERS
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SECRETARY
TO THE BOARD: T. Pomanski, City Clerk's Department

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| Item | Application | Order of the Board |
|---|---|---|
| | | **PUBLIC HEARINGS** |
| 1 | Conditional Use – 933 Taylor Avenue<br>File DCU 105131/2020C<br>[c/r DAV 105147/2020C] | 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 multi-family dwelling use.<br><br>Subject to the following conditions:<br><br>1. That the development shall be constructed in substantial conformance with the plans submitted under File No. DCU 20-105131C, dated January 23, 2020 and thereafter maintained to the satisfaction of the Director of Planning, Property and Development;<br><br>OR<br><br>That the Owner must submit plans showing the location and design of any and all proposed:<br><br>A. buildings<br>B. accessory parking areas<br>C. driveways<br>D. garbage enclosures<br>E. fencing<br>F. freestanding signage<br>G. landscaping<br><br>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.<br><br>2. That prior to the issuance of any building permits, the applicant shall provide the City with an arborist report to the satisfaction of the Planning, Property and Development Department. |
| 2 | Variance – 933 Taylor Avenue<br>File DAV 105147/2020C<br>[c/r DCU 105131/2020C] | The Board of Adjustment concurred in the recommendation of the Winnipeg Public Service and approved a Variance on "the land" as follows:<br><br>1. For the construction of a multi-family dwelling to permit 8 parking spaces;<br><br>2. For the establishment of an accessory parking area to permit insufficient buffering to a parking area that is located within 20 feet (6.10 metres) of a rear lot line abutting or adjacent to a residential zoning district. |
| 3 | Conditional Use – 463 Redwood Avenue<br>File DCU 110936/2020C<br>[c/r DAV 110932/2020C] | The Board of Adjustment concurred in the recommendation of the Winnipeg Public Service and approved a Conditional Use on "the land" to permit for the establishment of a multi-family dwelling use. |

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# MARCH 4, 2020
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|---|---|---|
| | | Subject to the following condition:<br><br>1. That the Owner must submit plans showing the location and design of any and all proposed:<br><br>A. buildings<br>B. accessory parking areas<br>C. driveways<br>D. garbage enclosures<br>E. fencing<br>F. landscaping<br><br>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. |
| 4 | Variance – 463 Redwood Avenue<br>File DAV 110932/2020C<br>[c/r DCU 110936/2020C] | The Board of Adjustment concurred in the recommendation of the Winnipeg Public Service, and approved a Variance on "the land" as follows:<br><br>1. For the construction of a multi-family dwelling to permit:<br><br>A. a front yard of 12 feet (3.66 metres)<br><br>B. 3 parking spaces<br><br>C. insufficient foundation landscaping on the east side<br><br>2. For the establishment of an accessory parking area to permit no buffering of parking located within 20 feet (6.1 metres) of a rear lot line adjacent to a residential district.<br><br>Subject to the following condition:<br><br>1. That a landscaping plan be provided showing additional trees and/or shrubs in the front or west side yard, to the satisfaction of the Direction of Planning, Property and Development. |
| 5 | Variance – 1051 Royse Avenue<br>File DAV 106580/2020C | The Board of Adjustment concurred in the recommendation of the Winnipeg Public Service and approved a Variance on "the land" for the establishment of two residential zoning lots to permit lot areas of 2525 square feet (234.6 square metres).<br><br>Subject to the following conditions:<br><br>1. That the height of principal buildings shall be limited to a maximum of 30 feet. |

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# MARCH 4, 2020
# DISPOSITION OF ITEMS

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|---|---|---|
| | | 2. That no front approaches shall be permitted.<br><br>3. That there shall be no new garages constructed attached to any principal dwelling on the subject properties.<br><br>4. That any principal dwelling located on the subject properties shall provide an entrance on the building elevation facing the front yard.<br><br>5. That each newly constructed dwelling shall be distinctly different from one another in terms of the design, and incorporate a balance of varying materials into the front façade.<br><br>6. That the Owner must submit plans showing the location and design of any and all proposed:<br><br>A. buildings including elevations of the front façades identifying proposed finishing materials<br>B. accessory parking areas<br>C. driveways<br>D. fencing<br>E. landscaping<br><br>on the Owner's Land ("Works") to the Director of Planning, Property and Development for approval prior to 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.<br><br>7. That alcoves, bay windows, vestibules and similar building elements creating interior floor area shall be at least two feet from any side lot line, measured from the exterior finish of said building elements.<br><br>8. That prior to the issuance of any permits, the applicant shall, at no expense to the City, remove the existing private approach to Royse Avenue on Lot 66, and restore the curb, boulevard, and sidewalk all as determined by and to the satisfaction of the Director of Public Works. The applicant shall make application to the Public Works Department to remove the private approach as per the Private Access By-law No. 49/200. |
| 6 | Variance – 1049 Magnus Avenue<br>File DAV 220253/2019C | The Board of Adjustment concurred in the recommendation of the Winnipeg Public Service and approved a Variance on "the land" for the establishment of two (2) residential building lots to permit:<br><br>1. lot areas of 1865 square feet (173.26 square metres);<br><br>2. lot widths of 24.99 feet (7.618 metres).<br><br>Subject to the following conditions:<br><br>1. That the height of principal buildings shall be limited to a maximum of 30 feet. |

# BOARD OF ADJUSTMENT
# MARCH 4, 2020
# DISPOSITION OF ITEMS

| Item | Application | Order of the Board |
|---|---|---|
| | | 2. That no front driveway approach shall be permitted.<br><br>3. That there shall be no new garages constructed attached to any principal dwelling on the subject property.<br><br>4. That any principal dwelling located on the subject properties shall provide an entrance on the building elevation facing the front yard.<br><br>5. That alcoves, bay windows, vestibules and similar building elements creating interior floor area shall be at least two feet from any side lot line, measured from the exterior finish of said building elements.<br><br>6. That the variance order shall not come into force until the existing dwelling on LOT 15, BLOCK 2, PLAN 1192 WLTO is upgraded along the east wall in order to comply with the Winnipeg Building By-law and Manitoba Building Code for spatial separation, to be determined by and thereafter maintained to the satisfaction of the Director of Planning Property and Development. |
| 7 | Variance – Witham Road<br>File DAV 107522/2020C | The Board of Adjustment concurred in the recommendation of the Winnipeg Public Service, as amended, and approved a Variance on "the land" as follows:<br><br>1. For the construction of a multi-family dwelling (row-houses) to permit front yards between 10 feet (3.05 metres) and 17 feet (5.18 metres);<br><br>2. For the construction of accessory detached garages to permit a total floor area of 6144 square feet (570.8 square metres).<br><br>Subject to the following condition:<br><br>1. That the snow removal of the accessory parking area shall involve the removal of excess snow to another location to facilitate clear access to the public lane. Prior to the issuance of final occupancy permits, the intent, as stated above, shall be captured in writing in the condo declaration of the building, to the satisfaction of the Director of Planning, Property, and Development. |
| 8 | Variance – 41 St. Anne's Road<br>File DAV 106221/2020C | The Board of Adjustment concurred in the recommendation of the Winnipeg Public Service and approved a Variance on "the land" as follows:<br><br>1. For the construction of a mixed-use commercial and residential building to permit:<br><br>A. a lot area of 4,840 square feet (449.65 square metres);<br><br>B. a front yard of 6 feet (1.83 metres) to the residential portion; |

# BOARD OF ADJUSTMENT
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|---|---|---|
| | | C. a north side yard of 4 feet (1.22 metres) to the residential portion;<br><br>D. a south side yard of 4 feet (1.22 metres) to the residential portion.<br><br>2. For the establishment of an accessory parking area to permit no buffering of parking located within 20 feet (6.1 metres) of a rear lot line adjacent to a residential district.<br><br>Subject to the following condition:<br><br>1. That the building shall be constructed in substantial conformance with the plans submitted attached hereto and identified as Sheet Nos. 3 and 4 for File No. DAV 20-106221/C dated February 12, 2020; and maintained thereafter to the satisfaction of the Director of Planning, Property and Development. |
| 9 | Variance – 167 Aikins Street<br>File DAV 102664/2020C | The Board of Adjustment did not hear any representation on the application and adjourned the public hearing to its meeting on April 1, 2020 at 5:00 p.m. in the Council Building at 510 Main Street. |