Minutes – Executive Policy Committee – July 13, 2022

REPORTS

Item No. 13 Subdivision and Rezoning – 398 Elmhurst Road (Charleswood-Tuxedo-Westwood Ward) File DASZ 17/2022 [c/r DAV 111120/2022D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee and recommended to Council:

1. That the subdivision under Development Application No. DASZ 17/2022 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 17, 2022 and attached as Schedule "A" and with the Proposed By-law attached as Appendix "B" to this report, with such changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated May 25, 2022 to the satisfaction of the Director of Planning, Property and Development.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R1-M PDO-1 Airport Vicinity" Residential Single Family (Medium) District, as shown on the map dated June 17, 2022 and included within Schedule "A".

3. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 17/2022, as determined by the City's Director of Planning, Property and Development.

4. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at the next available Council meeting.

5. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of subdivision (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with Recommendations 1 and 6 of this Report, and all associated ancillary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

6. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the "Fees") are not submitted within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.

7. That the subdivision section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

8. That the zoning section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

9. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with recommendation 7 unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

10. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

11. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

12. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 17/2022.

DECISION MAKING HISTORY:

Moved by Councillor Gilroy,

That the recommendation of the Assiniboia Community Committee be concurred in and forwarded to Council.

Yea:	Bowman, Allard, Browaty, Chambers, Gilroy, Mayes, Rollins	7
Nay:		0

Carried

COMMUNITY COMMITTEE RECOMMENDATION:

On June 27, 2022, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

PUBLIC HEARING SUMMARY

File: DASZ 17/2022

Before: Assiniboia Community Committee
Councillor Gillingham, Chairperson
Councillor Klein
Councillor Lukes

Public Hearing: June 27, 2022
Council Building, 510 Main Street

Applicant: Impulse Homes Inc. (Aman Sachar)

Subject:



APPLICANT : Impulse Homes Inc. (Aman Sachar)
FILE : DASZ 17/2022
PROPOSAL : An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "R1-L PDO-1 AIRPORT VICINITY" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT to an "R1-M PDO-1 AIRPORT VICINITY" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT in order to allow for the creation of an infill residential building lot for future development. **For information, phone Mr. Robert Galston, Planner at 204-986-8645.**

Premises Affected: 398 Elmhurst Road

For submission to: The Executive Policy Committee

Prepared by: L. Cowan, Senior Committee Clerk
Assiniboia Community Committee

Report date: June 29, 2022

Community Committee Recommendation:

On June 27, 2022, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the subdivision under Development Application No. DASZ 17/2022 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 17, 2022 and attached as Schedule "A" and with the Proposed By-law attached as Appendix "B" to this report, with such changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated May 25, 2022 to the satisfaction of the Director of Planning, Property and Development.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R1-M PDO-1 Airport Vicinity" Residential Single Family (Medium) District, as shown on the map dated June 17, 2022 and included within Schedule "A".

3. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 17/2022, as determined by the City's Director of Planning, Property and Development.

4. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at the next available Council meeting.

5. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of subdivision (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with Recommendations 1 and 6 of this Report, and all associated ancillary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading.

6. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the "Fees") are not submitted within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.

7. That the subdivision section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

8. That the zoning section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

9. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with recommendation 7 unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

10. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

11. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

12. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 17/2022.

The Assiniboia Community Committee provided the following supporting reasons for its recommendation:

1. The applicant has taken the time to speak with area residents, had taken the time to consider the trees that are in the area, has made a commitment to saving as many trees as possible, the number was nine.

2. The design is certainly within character of the neighbourhood and of the street.

Objections under the Charter:	Total number of **v**alid objections as per section 125(2) – 0 In accordance with section 236.1(1), the threshold for sufficient objection has not been met.
Exhibits Filed:	1. Application dated March 25, 2022 2. Notification of Public Hearing dated May 6, 2022 3. Manitoba Status of Title 3131207/1 4. Surveyor's Building Location Certificate and sketch dated May 4, 2022 5. Plans (8 pages) 6. Report from the Urban Planning Division dated June 17, 2022 7. Inspection Report 8. Presentation dated June 27, 2022 from Aman Sachar in support of the application 9. Recording of Representations

REPRESENTATIONS:

In Support:

Aman Sachar

In Opposition:

Nil

For Information:

Nil

For the City:

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

Exhibit "6" referred to in File DASZ 17/2022

ADMINISTRATIVE REPORT

Title: DASZ 17/2022 – 398 Elmhurst Rd.

Issue: For consideration at the public hearing for an application to subdivide and rezone the property to the R1-M zoning district for the purpose of creating two single family residential lots.

Critical Path: Assiniboia Community Committee → Standing Policy Committee on Property and Development, Heritage and Downtown Development → Executive Policy Committee → Council as per the Development Procedures By-law and *The City of Winnipeg Charter.*

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Clark, RPP, MCIP	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 17/2022 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 17, 2022 and attached as Schedule "A" and with the Proposed By-law attached as Appendix "B" to this report, with such changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated May 25, 2022 to the satisfaction of the Director of Planning, Property and Development.

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11. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

12. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 17/2022;

REASON FOR THE REPORT

- Subdivision and Rezoning applications require a public hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee's consideration of the development application at the public hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Winnipeg Public Service are concurred in, the subject property may be subdivided and rezoned consistent with the map provided in Schedule "A" of this report.

CONSULTATION

In preparing this Report there was consultation with: N/A

OURWINNIPEG POLICY ALIGNMENT

OUR WINNIPEG 2045

Key policies applicable to the proposed development include:

OurWinnipeg Goal - City Building

1. Responsibly plan, prioritize and accommodate growth in areas that best support Complete Communities principles, to achieve this Plan's sustainable development goals facilitate growth and change strategically within Winnipeg's unique Transformative Areas and Established Neighbourhoods, to enhance the ability of the urban environment to contribute towards this Plan's goals. municipal infrastructure capacity.

2. Integrate resilient land use, transportation and infrastructure planning, and investments. Ensure that land use, transportation, and infrastructure planning are aligned to provide the conditions for compact, complete and connected communities, supported by sustainable transportation options and

3. Facilitate development opportunities that complete established communities, and plan new communities as complete and connected from the outset. New and existing communities are complete when they demonstrate: universally designed environments; mixed-income neighbourhoods; a continuum of housing types; multi-modal connections within and to elsewhere in the city; heritage conservation; opportunities for physical activity, social interaction, and access to healthy food, daily needs, employment, education, recreation, and green infrastructure.

6.16 Established Neighbourhoods

Designate Established Neighbourhoods within the Urban Structure, representing lands that will accommodate additional growth in a context-sensitive manner, while promoting the efficient use of land, cost-effective municipal servicing, enhanced housing choice and affordability, and conservation of green infrastructure and heritage resources and districts, as defined in Complete Communities.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

One of the Vision Statement's in the Climate Action Plan is that:

> *Winnipeg facilitates compact development and healthy neighbourhoods that are connected through a network of active and transit-oriented mobility options. This means*

that the City strategically integrates climate action within both land use and transportation decision-making.

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

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the PRS and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

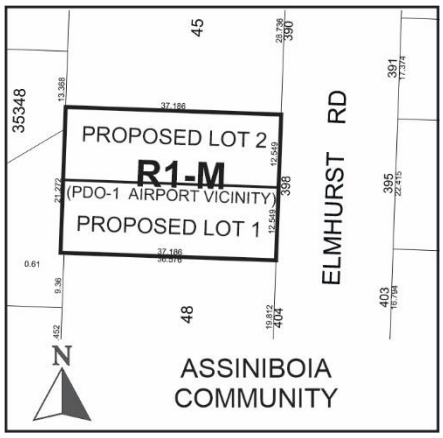
Department	Planning, Property and Development
Division	Urban Planning
Prepared by	D. Clark, RPP, MCIP
Date:	June 17,2022
File No.	DASZ 17/2022

List of Schedules and Attachments

- Appendix “A,” Planning Discussion.
- Appendix “B,” Proposed By-law
- Schedule “A,” of File DASZ 17/2022**,** Assiniboia Community Committee, dated June 17, 2022**.**
- Schedule “B,” Report of the Administrative Co-ordinating group, dated May 25, 2022, Re: Proposed Subdivision and Rezoning of land located at 398 Elmhurst Rd.

APPENDIX 'A'

DATE:	June 17, 2022
FILE:	**DASZ 17/2022**
RELATED FILES:	DAV 22-111120D
COMMUNITY:	Assiniboia Community
NEIGHBOURHOOD #:	2.608 (Varsity View)
SUBJECT:	For consideration at the public hearing for a subdivision and rezoning to create two single family residential lots zoned R1-M
LOCATION:	398 Elmhurst Rd.
LEGAL DESCRIPTION:	Lot 7 Plan 35348 WLTO IN RL 33 AND 34 PARISH OF ST. CHARLES



APPLICANT:	Impulse Homes Inc. (Aman Sacher) 838 Lindenwood Drive West Winnipeg, MB R3P 2S1
OWNER:	Same as applicant
RECOMMENDATION:	Approval

HISTORY

N/A

DISCUSSION

SITE DESCRIPTION

- The subject site is located on the west side of Elmhurst Rd. in the Varsity View Neighbourhood of the Charleswood – Tuxedo – Westwood Ward.
- The subject site is comprised of one lot with an area of 10,044.26 square feet.
- Currently, there is a one and a half storey single family dwelling on the property that was built in 1915. The total livable area is 1,583 sq. ft.
- The site is located within the Areas of Stability - Recent Communities Policy Area under *the Complete Communities 2.0 Direction Strategy*.

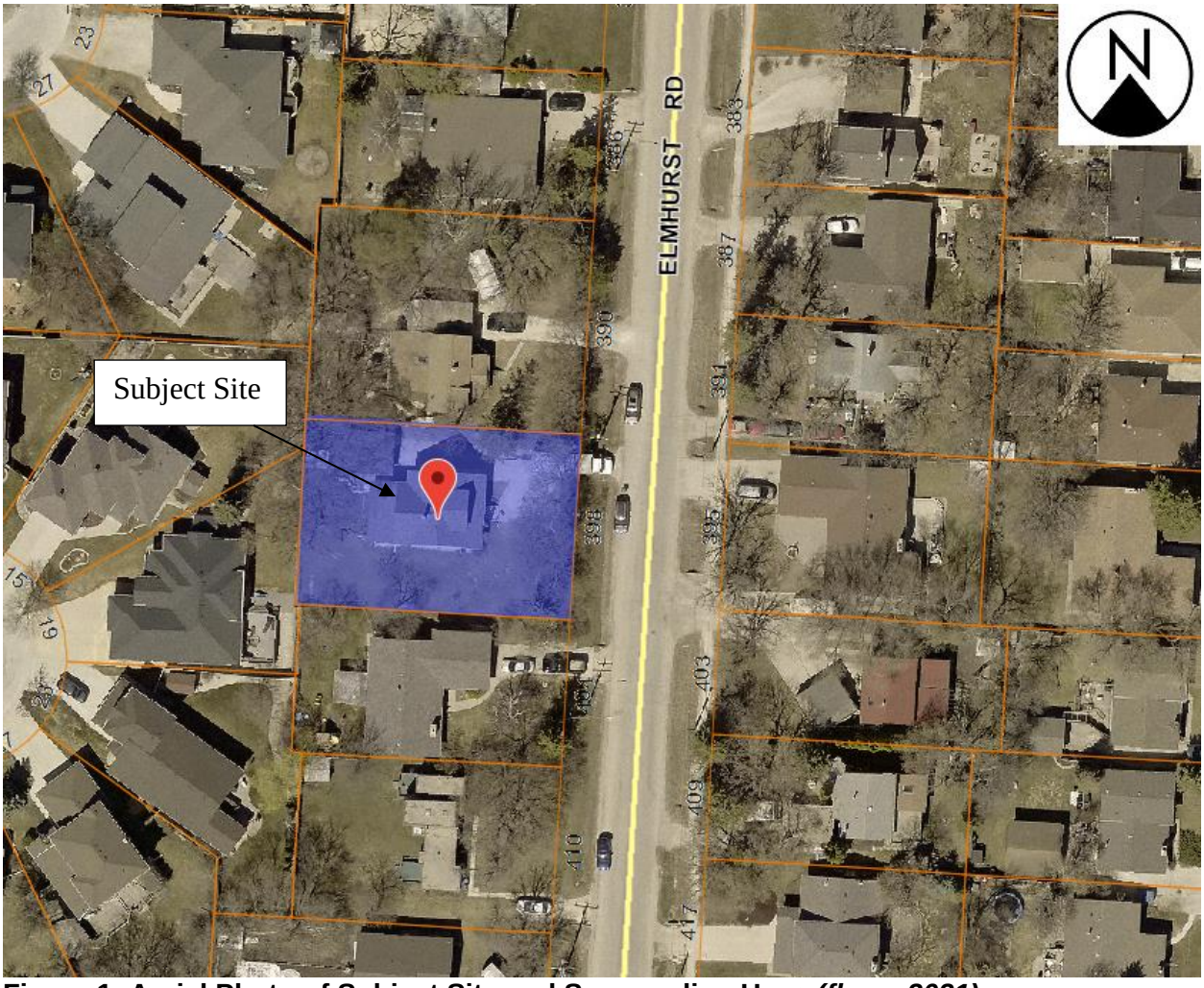


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2021)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Single-family dwellings zoned “R1-L” Residential Single Family - Large

South: Single-family dwellings zoned “R1-E” Residential Single Family - Estate

East: Elmhurst Road then single-family dwellings zoned “R1-L” Residential Single Family – Large.

West: Single-family dwellings zoned “R1-L” Residential Single Family - Large

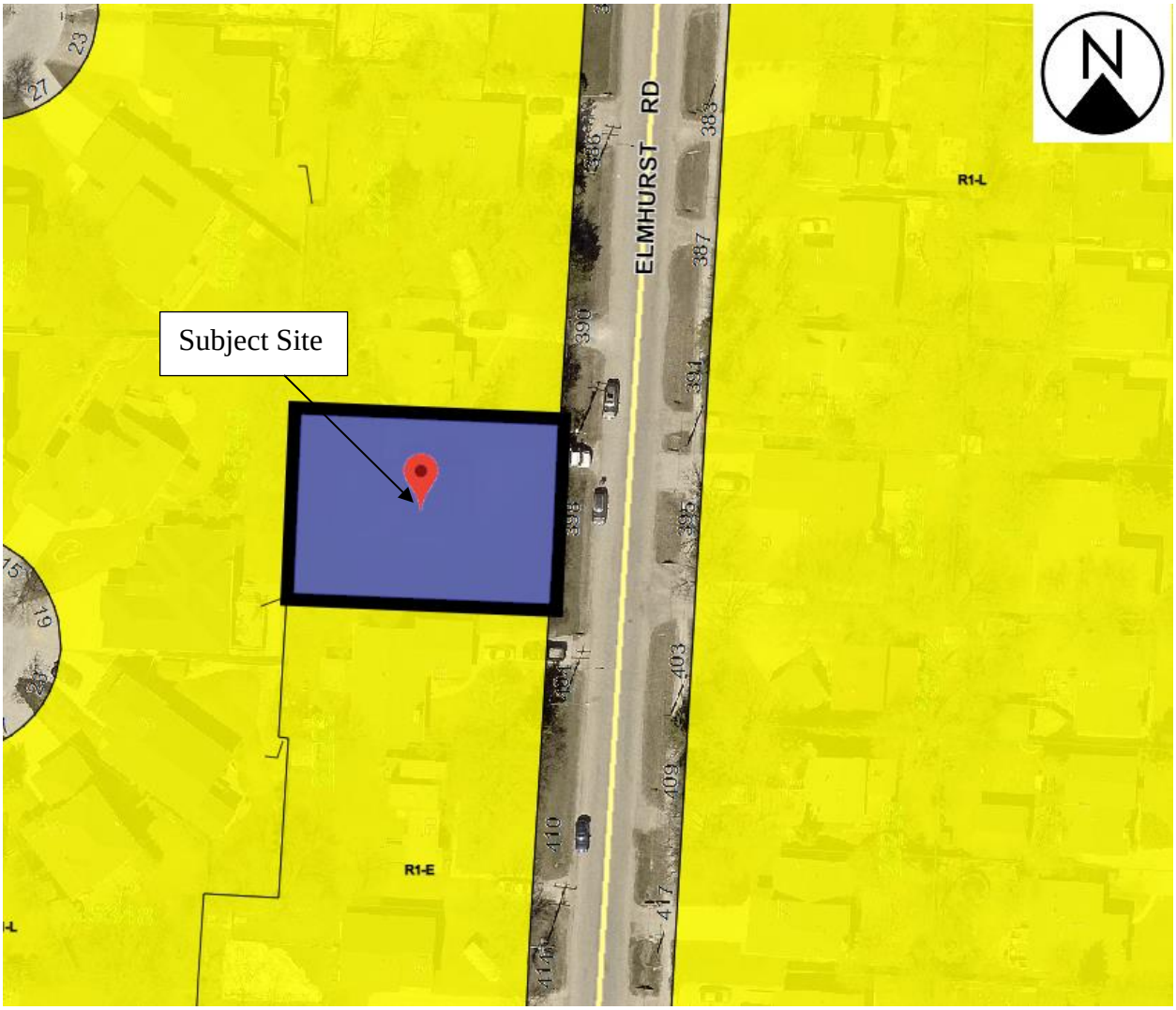


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The proposed development involves subdividing one lot into two lots and rezoning each lot to the “R1-M” Zoning District.
- The current lot size is 10,044.26 square feet and the proposal is to split the lot evenly so that two 5,022.13 square foot lots are established.

- A new single family dwelling is proposed on each lot. Each of the dwellings is proposed to be one storey with a front attached garage. The dwelling is to be 1,593 square feet and the attached garage is to be 399 square feet.

ANALYSIS AND ISSUES

OUR WINNIPEG 2045

Key policies applicable to the proposed development include:

OurWinnipeg Goal - City Building

1. Responsibly plan, prioritize and accommodate growth in areas that best support Complete Communities principles, to achieve this Plan's sustainable development goals Facilitate growth and change strategically within Winnipeg's unique Transformative Areas and Established Neighbourhoods, to enhance the ability of the urban environment to contribute towards this Plan's goals. municipal infrastructure capacity.

2. Integrate resilient land use, transportation and infrastructure planning, and investments. Ensure that land use, transportation, and infrastructure planning are aligned to provide the conditions for compact, complete and connected communities, supported by sustainable transportation options and

3. Facilitate development opportunities that complete established communities, and plan new communities as complete and connected from the outset. New and existing communities are complete when they demonstrate: universally designed environments; mixed-income neighbourhoods; a continuum of housing types; multi-modal connections within and to elsewhere in the city; heritage conservation; opportunities for physical activity, social interaction, and access to healthy food, daily needs, employment, education, recreation, and green infrastructure.

6.16 Established Neighbourhoods

Designate Established Neighbourhoods within the Urban Structure, representing lands that will accommodate additional growth in a context-sensitive manner, while promoting the efficient use of land, cost-effective municipal servicing, enhanced housing choice and affordability, and conservation of green infrastructure and heritage resources and districts, as defined in Complete Communities.

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

Consideration of the policies in Complete Communities 2.0 with respect to servicing are required because the property is located on a street without a full range of municipal services, namely land drainage sewer.

Relevant policies with respect to servicing and the proposed development include the following:

B.3 Servicing

Minor residential infill in built-up areas (p.35)

> *2.4 Accept minor infill subdivision proposals with frontage on an existing improved public street with less than a full range of municipal services only where it can be demonstrated that all proposed lots:*
>
> > *2.4.1 Are located entirely in an R1 or R2 zoning district.*
> >
> > > *a. Accept rezoning applications on a case-by-case basis, most notably to address split-zoned lots or lots with R1 zoning designations that are inconsistent with the majority of the lots in the immediate area.*
> >
> > *2.4.2 Meet the minimum dimensional standards (excluding special boundary conditions) for lot area of the applicable zoning bylaw without requiring a variance.*
> >
> > *2.4.3 Do not interfere with or potentially disrupt the planned and orderly development of neighbouring holdings or plans.*
> >
> > *2.4.4 Conform to any applicable secondary plan.*
> >
> > *2.4.5 Will be appropriately accommodated by the existing local land drainage system, to the satisfaction of the Director of Water and Waste.*
> >
> > *2.4.6 Will be serviced with piped wastewater and piped water, to the satisfaction of the Director of Water and Waste.*
> >
> > *2.4.7 Respect the local context and character of the area.*
> >
> > *2.4.8 Will not result in any potential health, safety, environmental impacts, or impacts to property associated with the development, as determined by the Directors of Public Works, Water and Waste, and Planning, Property & Development.*

The subject site is located within the Established Neighbourhoods – Recent Communities Policy Area. Key policies applicable to the proposed development include:

Vision Statement

Established Neighbourhoods will continue to evolve as complete communities to increase the diversity of housing choices, improve housing affordability, and more efficiently use land, infrastructure and services.

Goal1 1.0 Encourage compatible residential development within Established Neighbourhoods to build more Complete Communities and align with the City's residential intensification target.

> *1.1 Encourage residential development that positively contributes to neighbourhood character while expanding housing options for residents in a manner that is sensitive and complementary to existing development.*
>
> *1.2 Increase the population within Established Neighbourhoods to contribute to the physical renewal and revitalization of older neighbourhoods.*

1.3 Support the subdivision or the consolidation of land when it is done in a context-sensitive manner.

1.6 In the absence of a secondary plan guiding the local development of an Established Neighbourhood, intensification should be guided by a number of factors to ensure compatible development, including:

a. Existing zoning of the property and adjacent properties;

b. Characteristics of the immediately surrounding built form including building mass, height, lot coverage, setbacks, and layout;

c. Surrounding uses and their characteristics including residential density and the intensity of commercial and other non-residential uses;

d. Characteristics of the lot, including whether it is a corner lot, a larger lot than is typical for the neighbourhood, or the shape of the lot;

e. Proximity to Downtown, Mixed Use Centres, Major Redevelopment Sites and Mixed Use Corridors;

f. The supporting street network (ex. local, collector, or arterial streets) and the street network's ability to support proposed development;

g. The supporting transit, pedestrian and active transportation network; and

h. The supporting water, wastewater, and land drainage infrastructure and capacity to accommodate a proposed development or ability to make the required upgrades necessary to accommodate a proposed development.

1.17 Single-family residential uses will generally be directed to locate on collector streets and local streets.

Goal 2 2.0 Design new development in Established Neighbourhoods to a high standard of urban design and construction to ensure new development adds value to public and private urban spaces to create a sense of place and civic pride.

General policies

Building setbacks

2.1 Single-family buildings should have setbacks that respect existing building alignments on a street. Setbacks should provide adequate space for tree growth and open space. (p.96)

Building design

2.4 Encourage the use of high-quality, energy efficient, and durable exterior building façade materials.

2.5 Encourage a variety of architectural styles.

2.6 Encourage building design to include a range of architectural features that create visual interest and positively contribute to the visual aesthetics of the street and neighbourhood (p.96).

Pedestrian orientation

2.7 Single-family buildings should relate to the street on which they are located through, but not limited to the following: a. Front doors facing the public street; b. Thoughtful window placement; c. Architectural features such as porches, awnings and dormers; and d. A variety of exterior building façade materials.

2.12 New development should respect and complement the existing character of the built form of surrounding properties.

Parking and Loading

2.19 Where motor vehicle parking must be accessed from a front street, it should be effectively screened or incorporated into the building in a manner that positively contributes to the attractiveness of the streetscape.

Site design

2.21 Site design should take cues from the character of the neighbourhood or street and should mitigate the potential for land use conflict with adjacent properties that have different scales, densities and uses. Parking location (motor vehicle and bicycle), vehicular access, servicing elements, building placement and landscaping treatment will be important design elements to ensure context-sensitive design.

Goal 3 3.0 Ensure all communities provide a diversity of housing options and meet resident life-cycle housing needs.

3.1 Encourage a variety of housing types and tenures within Established Neighbourhoods to meet life-cycle housing needs and affordability ranges.

Goal 8 8.0 Facilitate the redevelopment of Established Neighbourhoods that contributes to the further development of walkable, bikeable and transit-oriented communities in accordance with city pedestrian and cycling strategies.

8.1 Protect, maintain and expand the pedestrian network within Established Neighbourhoods to create a more comfortable and accessible pedestrian environment.

8.5 All developments should provide a private pedestrian pathway that connects to a public sidewalk or multi-use pathway where present.

CLIMATE CHANGE ACTION PLAN

2030 Land Use Performance Indicators
The contribution of land use to GHG emission reductions is primarily realized through other sectors (i.e., transportation and buildings). For example, as the City becomes more spread out with growth occurring primarily at the periphery, the number and length of personal vehicle travel increases, and other mobility options become less viable or more costly to implement. The type of residential development influences building emissions – in general single detached houses are more energy intensive than multi-unit residential buildings. Therefore, supporting diverse housing forms, density, complete community and transit-oriented development are land use strategies that support the reduction of GHG emissions from transportation and buildings. Evaluating the success of land use related actions therefore necessitates a consideration of indicators in these other sectors. To work towards the City's overall emission reduction goals, the City seeks to support residential infill and greater densities in strategic locations that provide convenient access to transit. More specifically, it is envisioned that by 2031:

» 50% of all new residential construction takes place in strategic infill locations (p.22)

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

SUBDIVISION

- The proposal is to subdivide one lot into two equal sized lots.
- With respect to policy 1.3 for Established Neighbourhoods under *Complete Communities 2.0,* which says*:*

  Support the subdivision or the consolidation of land when it is done in a context-sensitive manner.

  The following discussion will include information that considers how the proposed subdivision is context sensitive.

REZONING

- The site is currently zoned *"R1-L" Residential Single Family – Large*
- The dimensional standards for development in the R1-L zone are:
  - Minimum lot area – 5,500
  - Minimum lot width – 25
  - Minimum front yard – 20 feet
  - Minimum rear yard – 25 feet
  - Minimum side yard – 4 feet
  - Maximum height of buildings – 35
  - Maximum Lot Coverage (%) - 40
- The proposed zoning district is *"R1-M" Residential Single Family - Medium*
- The dimensional standards for single family structures in the R1-M zone are:
  - Minimum lot area – 3,500

- Minimum lot width – 25
- Minimum front yard – 15 feet
- Minimum rear yard – 25 feet
- Minimum side yard – 4 feet
- Maximum height of buildings – 35
- Maximum Lot Coverage (%) - 45

- The applicant is seeking a rezoning to the "R1-M" zoning district in order to comply with the servicing policies in *Complete Communities 2.0* which indicate criteria for a subdivision when there is not a full range of municipal services:
    - *2.4.2 Meet the minimum dimensional standards (excluding special boundary conditions) for lot area of the applicable zoning bylaw without requiring a variance.*
- Without rezoning, the lot sizes would not meet the dimensional standards for the "R1-L" zoning district, which is 5,500 square feet. Variances are still required for this application with respect to the special boundary conditions, though no other variances to the bulk dimensional standards table are required.

PUBLIC CONSULTATION

- The applicant informed the Urban Planning Division that they reached out to a few neighbours in close proximity to the subject property for their feedback on the proposal.
- According to the applicant, residents at 390, 410, 414, 403 and 409 Elmhurst were consulted. The resident at 390 Elmhurst was supportive of the two new homes, but raised concerns over trees that may be lost. The residents at 409, 410 and 414 Elmhurst were supportive. The resident at 403 Elmhurst was concerned that the lot sizes were small for the street, but was pleased that the plans included bungalow homes

COMPATIBILITY WITH THE SURROUNDING AREA

- The proposed development is to be located on a block that contains a variety of lot sizes with single family dwellings. The existing lot is currently 10,042 sq. ft. in area and 82.33 feet wide. When subdivided equally, it results in lot sizes of 5,021 sq. ft. and 41.165 feet in width.

Lot Sizes

- There are a variety of lot widths and areas contained along the block located between Grant Avenue. and Parkin Ave. Some examples include:
    - *345 Elmhurst – 41.65 feet wide with a lot area of 4,797 square feet*
    - *349 Elmhurst – 41.65 feet wide with a lot area of 4,796 square feet*
    - *350 Elmhurst – 50 feet wide with a lot area of 5,731 square feet*
    - *360 Elmhurst – 50 feet wide with a lot area of 5,738 square feet*
    - *371 Elmhurst – 82 feet wide with a lot area of 9,485 square feet*
    - *390 Elmhurst - 95 feet wide with a lot area of 11,499 square feet*

- The proposed lot sizes would be similar in width and larger in lot area than the two lots located at 345 and 349 Elmhurst.

Lot Coverage and Building Design

- The proposed buildings are designed as bungalows with a building footprint of 1,593 square feet for the principal dwelling and 399 square feet for a front attached garage. The proposed lot sizes are 5,021 square feet, which results in a principal building lot coverage of just under 32%. The layout of the proposed homes with the front attached garage is characteristic of newer homes that have been built on Elmhurst Rd. over the last 30 plus years. For example:
    - 356 Elmhurst is a bi-level dwelling, with a living area of 1,572 square feet, built in 1997. The lot size is 5,736 sq. ft., which results in an approximate 27% lot coverage
    - 354 Elmhurst is a single storey dwelling, with a living area of 1,222 square feet, built in 2003, lot size of 5,733 sq ft., which results in an approximate 21% lot coverage
    - 349 Elmhurst is a single storey dwelling, with a living area of 1,438 square feet, built in 2017. Lot size of 4,796 sq. ft., which results in an approximate lot coverage of 30%
    - 427 Elmhurst is a single storey dwelling, with a living area of 1,626 square feet, built in 1989, lot size is 6,790 sq. ft., which results in an approximate lot coverage of 24%
- The proposed layout with the garage in the front is consistent with a number of houses on the block; however, the current proposed design of each of the dwellings results in one of the higher lot coverages when compared to other houses with a similar format of front attached garage.
- The Zoning By-law permits lot coverage on a different basis for the “R1-L” and “R1-M” Zoning districts. The maximum lot coverage for principal dwellings in the “R1-L” zoning district is 40% whereas in the “R1-M” zoning district, the maximum lot coverage is 45%
- The Urban Planning Division recommends as part of the variance application, a condition that limits the lot coverage to 40% in order to be consistent with the “R1-L” district.

Front Yard Setbacks

- The front yard setbacks proposed with the development of two new homes is 31 feet to the attached garage. The front yard setback to either the garage or principal building for some of the neighbouring properties is as follows:
    - *404 Elmhurst, which is immediately to the south has an approximate 33-foot front yard setback to the attached garage at the front of the home.*
    - *390 Elmhurst – has an approximate 41-foot front yard setback to the principal dwelling.*
    - *395 Elmhurst – has an approximate 22-foot front yard setback to the attached garage at the front of the home.*
    - *403 Elmhurst – has an approximate 35-foot front yard setback.*

- Accordingly, the proposed front yard setbacks appear to generally be keeping in line with the established homes in close proximity to the subject site.

Approaches

- Access to properties on Elmhurst Road is taken exclusively from the front street by all properties as there is no public lane.
- The Urban Planning Division encourages the approaches to be designed in a manner that does not take up a significant portion of the front yard and that the location be flexible based on the outcome of an arborist report.
- Driveways associated with older homes on the block tend to be more narrow, which accommodates more room for trees and green space on the property. The Urban Planning Division would encourage consideration of narrower driveways if possible to help increase the amount of permeable surfacing on the properties.

Arborist Report

- Tree loss was identified by one of the neighbouring residents as a concern with respect to the proposed development.
- The applicant indicates that they intend to preserve as many trees as possible. The Urban Planning Division is recommending as a condition of the variance application, that an arborist report be conducted prior to the submission of plans for plan approval in order to determine what the health of the trees are, the likelihood for survival based on proposed design, measures to be taken during construction to protect trees and their root systems, and if any design changes may be made to help with the preservation of trees on site.

Landscaping

- Landscaping is not required as part of the development of single-family dwellings, per the Zoning By-law. However, the Urban Planning Division would encourage that new trees be considered for planting where possible on site that will over time, mature in a manner that is characteristic of the neighbourhood.

CONDITIONS OF APPROVAL

Terms and Conditions for Servicing

- The Winnipeg Public Service identifies a number of terms and conditions associated with servicing the site. These items are discussed in the Report of the Administrative Coordinating Group (ACG), which is attached to this report as Schedule “B.”

Land Dedication

- As a condition of rezoning or subdivision of a parcel of land, a developer is required to contribute a portion of the land to be developed to the City of Winnipeg for parks purposes or cash-in-lieu of land. The amount of land is not less than 8 percent.
- With respect to this application, the Public Service is recommending the developer provide ‘cash in lieu’ as determined by the Planning, Property and Development Department.

RECOMMENDATION

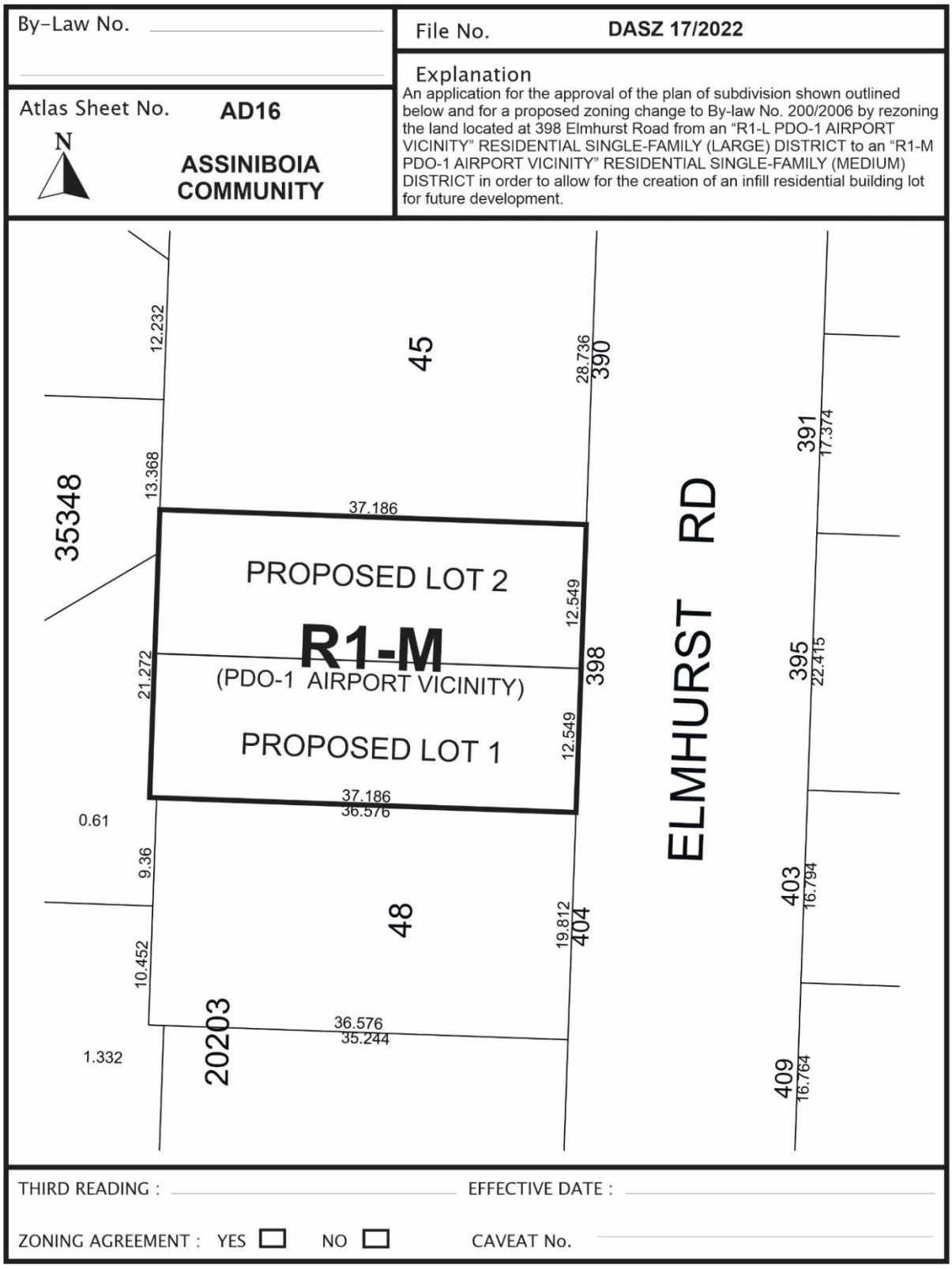
The Urban Planning Division recommends **approval** for the following reasons:

- The proposed development is located on a street with a variety of lot sizes containing single family residential dwellings. Generally, the proposed single-family dwellings are consistent and compatible with the block.
- The street does not have a full range of municipal services, namely land drainage sewer. In instances where properties do not have a full range of municipal services *Complete Communities 2.0* outlines a number of criteria that must be followed for the subdivision of a property into two lots. With the rezoning to the "R1-M" zoning district, the proposed lot sizes meet the criteria to establish on a street without a full range of municipal services as variances are not required to the dimensional standards table for the "R1-M" zoning district.
- The Urban Planning Division notes that the proposed lot sizes are similar to two other lots on the block. Further, the current lot size of the subject site is one of the larger properties on the block that can be subdivided to a lot size that is currently found on the block. Where lots of a similar or the same size as the proposed are identified on the block, the Urban Planning Division will typically consider a subdivision to be compatible.
- A number of points were identified in this report with respect to elements that help determine compatibility, such as lot sizes, building sizes and lot coverage, front yard setbacks, driveway sizes and trees. The Urban Planning Division is recommending as part of the variance that an arborist report and plan approval be required in order to ensure building designs remain compatible and that trees are preserved and/or new ones are planted.
- The Urban Planning Division is also recommending a condition on the variance that limits the lot area coverage to 40% in order to remain consistent with the "R1-L" zoning district. To this point, the lot coverages proposed are around 31% for the principal building. While demonstrated to be on the higher end of the lot coverages for dwellings on the block, they still fall well below the 40% coverage prescribed in the Zoning By-law

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division

Report Prepared by: D. Clark, RPP, MCIP
PPD File #: DASZ 17/2022

Schedule "A" for File DASZ 17/2022, Assiniboia Community Committee, dated June 17, 2022



SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 398 ELMHURST ROAD

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DASZ 17/2022. The Developer should take into consideration the following servicing and design requirements and considerations in the redevelopment of the site:

Section I - Servicing Conditions

1) Charleswood Transportation Levy

The Developer shall pay to the City, in cash, prior to the release of mylars for registration in the Winnipeg Land Titles Office, their share of the Charleswood Transportation Levy, as determined by and to the satisfaction of the Director of Public Works.

2) Lot Line Servicing

The Developer shall provide a signed letter to the City of Winnipeg's Land Development Branch stating that:

i. the Developer understands that they are responsible for the full costs to install separate sewer and water lot line services from the respective mains in Elmhurst Road to the property line of the newly created Lots 1 and 2; and,

ii. if the Developer sells any of the newly created Lots 1 and 2 before they have installed the lot line services referred to above, they will undertake to inform the purchaser (new owner) in writing that the purchaser is responsible for the costs to install the lot line services referred to in *i*.

3) Lot Grading

a) The Developer shall, at no expense to the City and prior to release of subdivision mylars for registration in the Winnipeg Land Titles Office, provide a lot grading plan for the Planned Area, prepared by a qualified municipal engineer, to the satisfaction of the Director of Water and Waste.

b) The Developer shall, at no expense to the City, construct all drainage works necessitated by the lot grading plan of record to the satisfaction of the Director of Water and Waste.

c) Upon registration of the approved subdivision mylars in the Land Titles Office, the Developer shall, at no expense whatsoever to the City, grant to the City and register easements in respect of all swales, catchbasins and leads for lot drainage within the Planned Area.

d) The Developer shall, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, post security deposits for all catch basin(s) and leads, as required by the approved lot grading plan, to the satisfaction of the Director of Water and Waste.

THIS REPORT SUBMITTED BY:

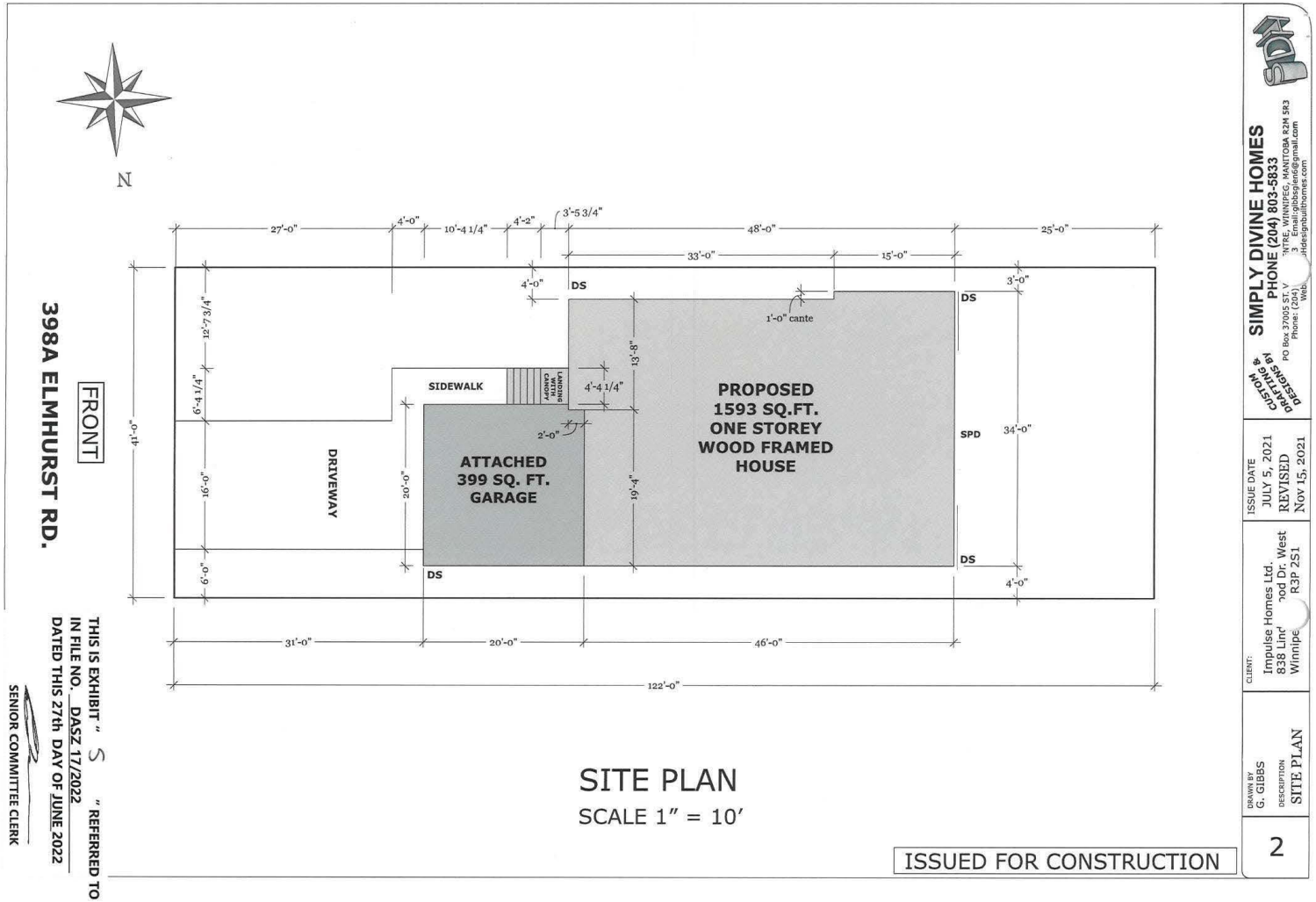
Administrative Co-ordinating Group
File No. DASZ 17/2022
May 25, 2022

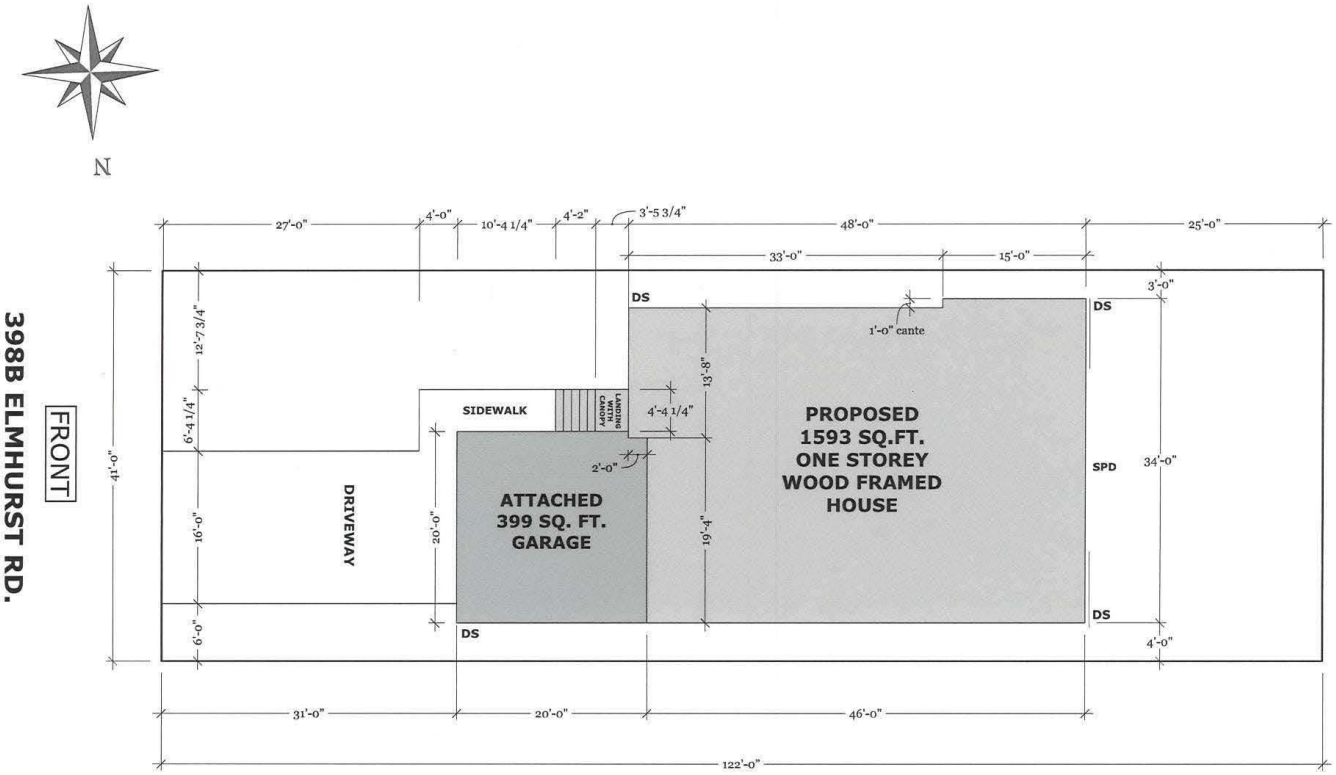
"*Original Signed by D. Trenchard"*
D. Trenchard, P. Eng.
Land Development Branch
Planning, Property and Development Department

"*Original Signed by C. Desjardine"*
C. Desjardine, M. Sc., P. Eng.
Transportation Division
Public Works Department

"*Original Signed by M. Gajda"*
M. Gajda, P. Eng.
Engineering Division
Water and Waste Department

Exhibit “5” referred to in File DASZ 17/2022





SITE PLAN

SCALE 1" = 10'

ISSUED FOR CONSTRUCTION

CUSTOM DRAFTING & DESIGNING BY
SIMPLY DIVINE HOMES
PHONE (204) 803-5833
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Web: [illegible]ldesignbuilthomes.com

ISSUE DATE
JULY 5, 2021
REVISED
Nov 15, 2021

CLIENT:
Impulse Homes Ltd.
838 Linc[illegible]ood Dr. West
Winnipe[illegible] R3P 2S1

DRAWN BY
G. GIBBS

DESCRIPTION
SITE PLAN

2

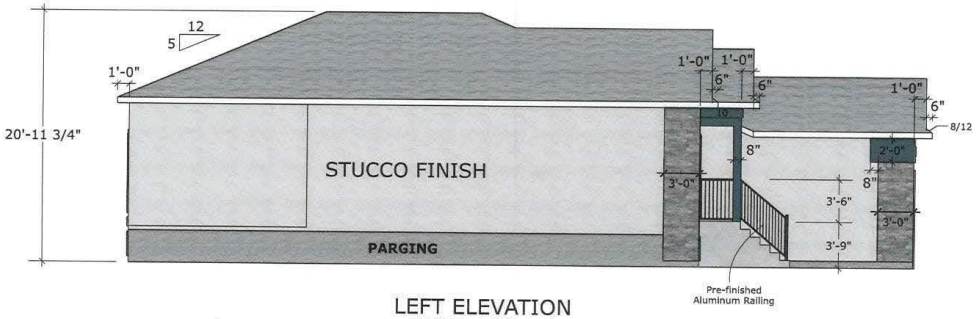
JOB ADDRESS: 398B ELMHURST RD. WINNIPEG, MB.



NOTE:

- STEP FLASHING AS REQUIRED.
- FLASHING REQ'D OVER ALL EXTERIOR OPENINGS.

FRONT ELEVATION
SCALE 1/4" = 1'



LEFT ELEVATION
SCALE 1/8" = 1'

THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS. DO NOT SCALE THE DRAWING. ANY ERRORS OR OMISSIONS SHALL BE REPORTED TO GSP CUSTOM HOMES. WITHOUT DELAY.

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Website: simplydivinehomes.com

ISSUE DATE
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NOV 18, 2021

CLIENT:
Impulse Homes Ltd.
838 Lindenwood Dr. West
Winnipeg, 3P 2S1

DRAWN BY:
G. GIBBS

DESCRIPTION
ELEVATIONS

1a

JOB ADDRESS: 398A ELMHURST RD. WINNIPEG, MB.



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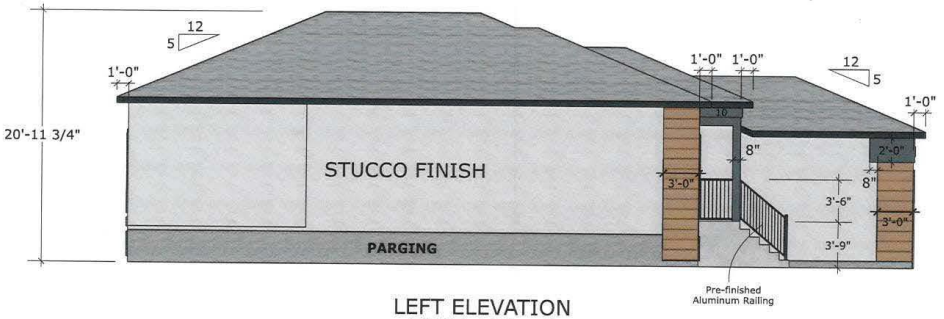

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ISSUE DATE
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REVISED
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838 Lindenwood Dr. West
Winnipeg, 3P 2S1

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1a

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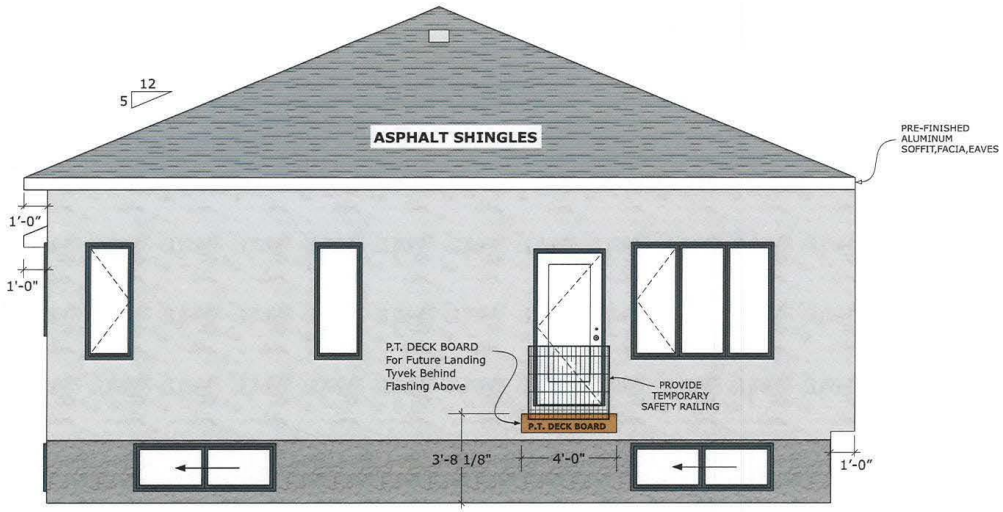

REAR ELEVATION
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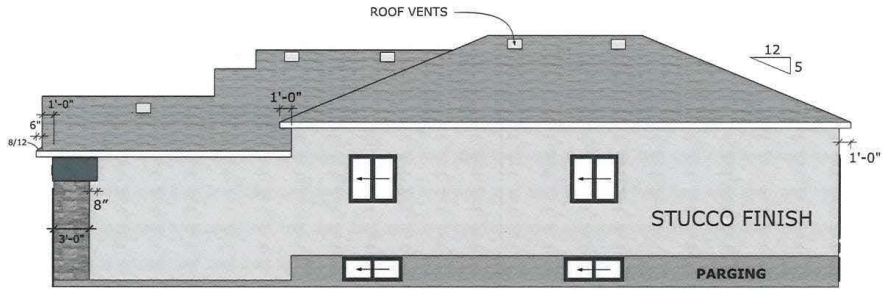

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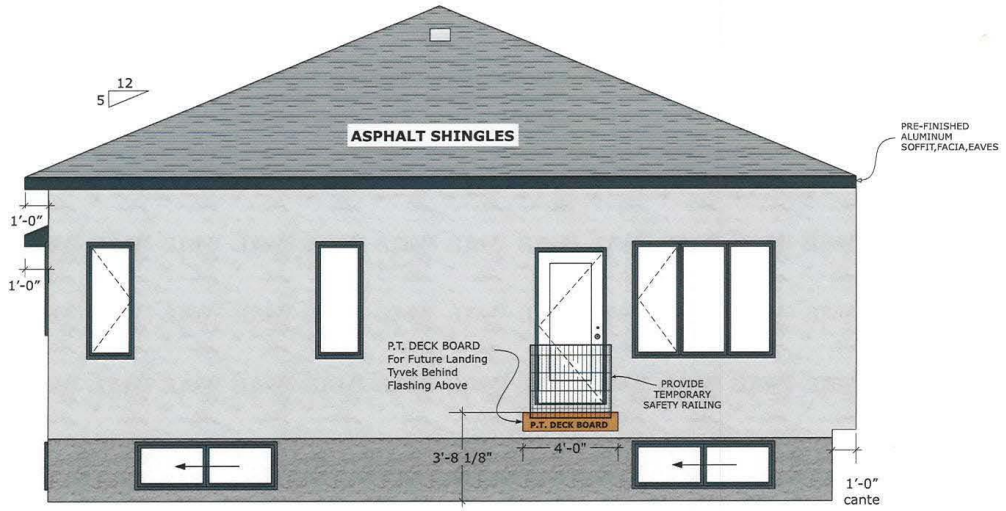

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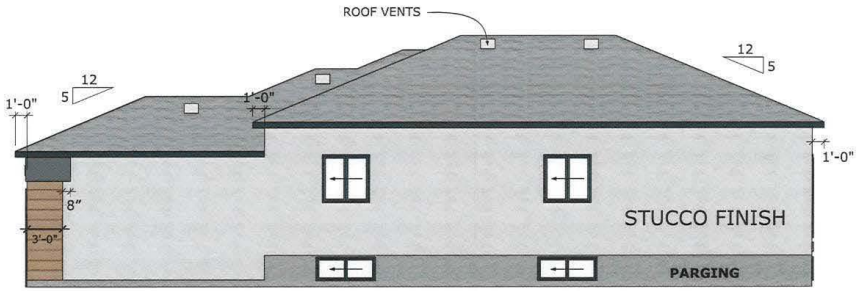

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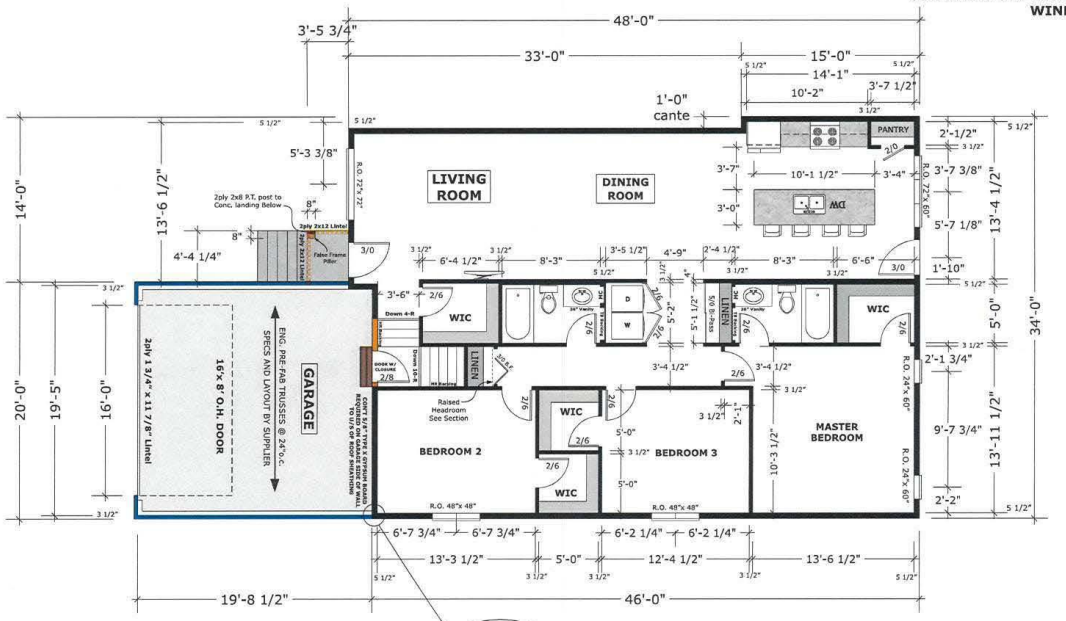
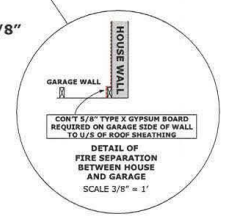


GARAGE WALL HEIGHT @ 10'- 1 1/8"

HOUSE WALL HEIGHT @ 9'- 1 1/8"



*M.C. 14" x 18" R.O. 54" A.F.F.
(3" IN FROM WALL)
*T.B. Backing 48" A.FF
*H.R. Backing 32" A.F.F.

GENERAL NOTES:

- 2PLY 2X10 LINTELS OVER EXT. DOOR AND WINDOW OPENINGS UNLESS NOTED.
- HARD WIRED SMOKE ALARMS REQ'D IN EVERY BEDROOM INC BASEMENT.
- HARD WIRED CARBON MONOXIDE ALARM AND FRESH AIR INTAKES REQUIRED FOR SOLID FUEL APPLIANCES.
- THE EXACT LOCATION OF ALL ELECTRICAL AND HEATING OUTLETS AND FIXTURES IS THE RESPONSIBILITY OF THE INSTALLING CONTRACTOR.
- INSULATE AND V.B AT EXTERIOR WALLS BEHIND TUBS AND SHOWERS BEFORE INSTALLATION.
- DO NOT SCALE PRINTS DIMENSIONS TAKE PRECEDENCE.
- VERIFY ALL WINDOW AND DOOR R.O.'S WITH SUPPLIER BEFORE CONSTRUCTION.
- ALIGN STUDS WITH JOISTS ON ALL PERPENDICULAR INTERIOR WALLS.
- SUPPLY DRYWALL ACCESS TO UPPER FLOOR- TO BE DETERMINED ON SITE.
- ATTIC ACCESS IN REAR GABLE AS INDICATED OR TO BE DETERMINED ON SITE.

MAIN FLOOR PLAN

1593 SQ.FT.

ATTACHED GARAGE 398 SQ.FT.

SCALE 1/8" = 1'

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Web: ...ddesignbuilthomes.com

CUSTOM DRAFTING & DESIGNS BY

ISSUE DATE
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Revised
Nov 16,2021

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838 Lind... ...ood Dr. West
Winnipe... R3P 2S1

DRAWN BY
G. GIBBS

DESCRIPTION
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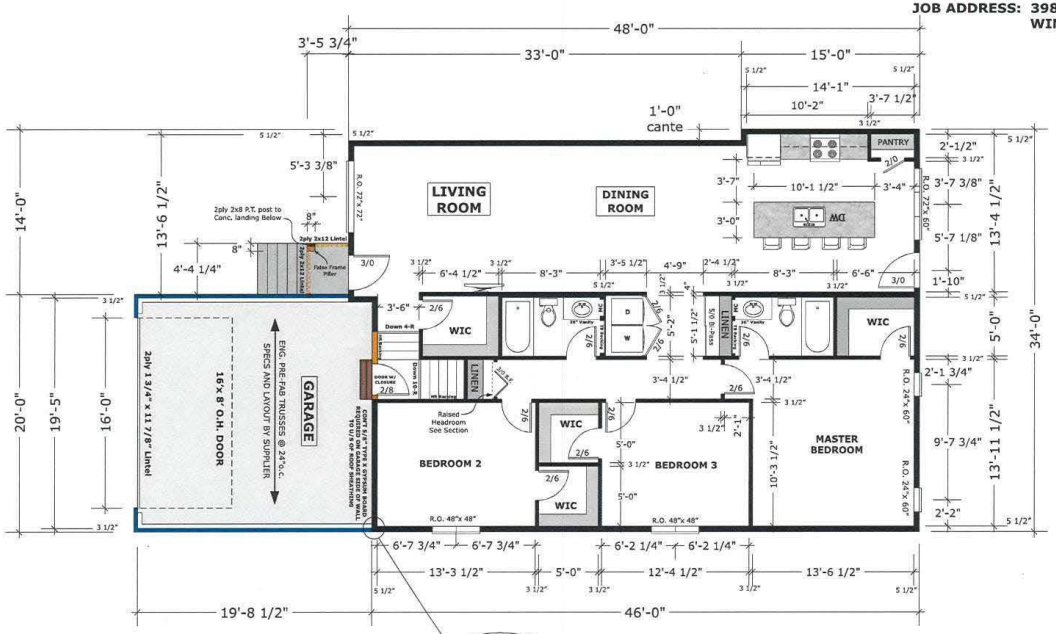
3a

JOB ADDRESS: 398B ELMHURST RD.
WINNIPEG, MB.



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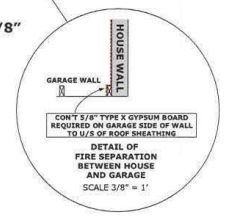

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CUSTOM DRAFTING & DESIGNS BY

ISSUE DATE: JULY 5, 2021
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CLIENT: Impulse Homes Ltd.
838 Lind... ...ood Dr. West
Winnipe... R3P 2S1

DRAWN BY: G. GIBBS
DESCRIPTION: MAIN FLOOR PLAN

3a