Appendix C – Draft Amending By-law

THE CITY OF WINNIPEG

BY-LAW NO. 140/2022

A By-law of THE CITY OF WINNIPEG to amend the Winnipeg Zoning By-law to add the Glenwood Planned Development Overlay 1 under development application number DAZ 224/2022.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1 The Winnipeg Zoning By-law No. 200/2006 is amended by adding the document attached to this By-law and identified as "Schedule Y Glenwood Planned Development Overlay 1 (PDO-1 Glenwood)" as Schedule Y.

RECEIVED FIRST READING on this ___ day of _____, 202__.

RECEIVED SECOND READING on this ___ day of _____, 202__.

RECEIVED THIRD READING on this ___ day of _____, 202__.

DONE AND PASSED this ___ day of _____, 202__.

_____
Mayor

_____
City Clerk

Approved as to content:

_____
Director of Planning, Property
and Development

Legally reviewed and certified as to form:

_____
for Director of Legal Services
and City Solicitor

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SCHEDULE Y

GLENNWOOD PLANNED DEVELOPMENT OVERLAY 1 (Glenwood PDO-1)

Purpose

1. The purpose of this overlay is to implement the *Small-Scale and Low-Rise Residential Development Guidelines for Mature Communities* for new construction, redevelopment, or expansion of single-family detached dwellings, two-family dwellings, or two-family semi-detached dwellings within the R1 or R2 zoning districts.

Applicability

2. PDO-1 Glenwood overlay district is shown on the attached map identified as PDO-1 Glenwood Overlay Map (Map 1).

Development Standards

3. Except to the extent modified by the standards in this overlay, all applicable standards of this By-law apply within the boundaries shown on Map 1.

Design Review

4. (1) Subject to subsection (2), within the boundaries shown on Map 1, all:

(a) new construction;

(b) redevelopment;

(c) expansion equal to or more than 50% of the gross floor area; or

(d) expansions through an approved variance

of a single-family detached dwelling, two-family dwelling, or two-family semi-detached dwelling in the R1 or R2 zoning districts is subject to urban design review and must be approved by the Director.

Design Review Process

(2) Urban design review applications must include, but not be limited to, fully dimensioned site plans, landscaping plans, elevation drawings and any other documentation requested at the discretion of the Director.

(3) Urban design review applications must be submitted to and approved by the Director prior to submittal of a building permit application.

(4) An applicant may, in accordance with *The City of Winnipeg Charter*, appeal a decision by the Director to deny approval of an urban design review application, to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

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Design Review Considerations

(5) Review of new construction, redevelopment, or expansion proposals is primarily intended to ensure the thoughtful integration of such proposals into their local context and consistency with the design statements articulated in the *Small-Scale and Low-Rise Residential Development Guidelines for Mature Communities*.

(6) In making a decision concerning the approval or denial of approval of proposed development and redevelopment within the boundaries of Map 1 pursuant to subsection (1) above, the Director must consider the extent to which the proposed development or redevelopment is consistent with the *Small-Scale and Low-Rise Residential Development Guidelines for Mature Communities*.

Development and Design Standards

Dimensional Standards

5. Notwithstanding other provisions of this By-law, single-family detached dwelling, two-family dwelling, or two-family semi-detached dwelling development within the R1 or R2 zoning districts must comply with the dimensional standards listed in this subsection.

Lot Area

(1) The minimum lot area for:

(a) a two-family dwelling on a lot that abuts a public lane at the rear of the lot is 2,880 square feet; and

(b) a two-family semi-detached dwelling on a lot that abuts a public lane at the rear of the lot is 4,000 square feet (2,000 square feet per dwelling unit).

Lot Width

(2) The minimum lot width for:

(a) a two-family dwelling on a lot that abuts a public lane at the rear of the lot is 32 feet; and

(b) a two-family semi-detached dwelling on a lot that abuts a public lane at the rear of the lot is 40 feet (20 feet per dwelling unit).

Front Yard

(3) The minimum front yard setback may be 5 feet less than the average of the existing front yards within that street block or portion of the street block, but in no case will the minimum front yard setback be less than 10 feet.

(4) The maximum front yard setback must not exceed 5 feet greater than the average front yard setback of abutting lots.

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(5) Where an abutting lot is vacant, the vacant lot will be deemed to have a front setback of the next abutting developed lot.

Rear Yard

(6) The rear yard will be determined as follows:

(a) the minimum rear yard setback of the principal building must be 36% of the lot depth or the average rear yard setback of abutting lots less 10 feet, whichever is less; and

(b) in no case will the minimum rear yard setback be less than 25 feet.

Side Yards

(7) Side yards for single-family detached dwellings will be determined as follows:

(a) lots that are 30 feet wide or greater must have a minimum side yard setback of 4 feet on each side of the building;

(b) lots less than 30 feet wide must have a minimum side yard setback of 4 feet on one side and a minimum side yard setback of 3 feet on the other side; and

(c) in all cases, at least one side yard setback must be 4 feet and be clear of all projections for the first storey.

(8) The minimum side yard setback for two-family dwellings or semi-detached dwellings is 4 feet from the exterior lot lines.

Building Height

(9) Building height maximums are determined on the following basis:

(a) for lots less than 60 feet in width, the maximum building height must be the greater of:

(i) 28 feet; or

(ii) the average of abutting lots plus 5 feet, to a maximum of 35 feet.

(b) for lots 60 feet or greater in width, the maximum building height is 35 feet.

Lot Coverage

(10) The maximum lot coverage for the principal building is 30%.

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(11) The maximum lot coverage for a principal building with an attached garage is:

(a) 30% for the principal building plus 440 square feet for the attached garage, for lots equal to or less than 3,700 square feet in area; and

(b) 42% for principal buildings with attached garages for lots greater than 3,700 square feet in area.

(12) When determining lot coverage, living space above an attached garage is counted as part of the principal building.

(13) Unenclosed porches and decks do not count towards the lot area coverage.

Entrance Height

(14) The maximum height of the front entrance or rear entrance must not exceed 4 feet as measured from established grade to the finished floor height.

(15) The maximum height of a side entrance must not exceed 2 feet as measured from established grade to the finished floor height.

Design Standards

6. Notwithstanding other provisions of this By-law, newly constructed single-family detached dwellings, two-family dwellings, or two-family semi-detached dwellings within the R1 or R2 zoning districts must comply with the design standards listed in this subsection.

Entrances

(1) Primary entrances to a single-family detached dwelling or two-family semi-detached dwelling unit must:

(a) be located on the front façade of the building,

(b) be clearly visible from the street, and

(c) have a direct path to the public sidewalk.

(2) The primary entrance for at least one of the dwelling units in a two-family dwelling must:

(a) be located on the front façade of the building; and

(b) be clearly visible from the street.

(3) All entrances to a dwelling unit in a two-family dwelling must have a direct path to the public sidewalk.

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Façade Materials

(4) Excluding foundation parging, windows, and dormers, the façade of the principal building must include at least two types of exterior cladding.

(5) A minimum of 20% of the front façade of the principal building must be covered by one of at least two types of exterior cladding.

Architectural Features

(6) Newly constructed single-family detached dwellings or two-family dwellings must not have identical or mirrored front elevations with development on abutting lots, each building must be architecturally distinct through the use of at least two different design elements or architectural features.

(7) Newly constructed two-family semi-detached dwellings must not have identical or mirrored front elevations; each dwelling unit must be architecturally distinct through the use of at least two different design elements or architectural features.

Accessory Structures

7. Notwithstanding other provisions of this By-law, structures accessory to a single-family detached dwelling, two-family dwelling, or two-family semi-detached dwelling in the R1 or R2 zoning districts must comply with the standards listed below:

Lot Coverage

(1) The maximum lot coverage for accessory structures (including detached garages) must be 440 square feet for lots 3,700 square feet in area or less.

(2) The maximum lot coverage for accessory structures (including detached garages) must be 12% for lots greater than 3,700 square feet in area, to a maximum of 880 square feet.

Separation Distance

(3) The minimum separation distance between a detached accessory structure and a detached principal building must be:

(a) 10 feet if the lot depth is 100 feet or greater; or

(b) 5 feet if the lot depth is less than 100 feet.

Permitted Projections

8. Notwithstanding other provisions of this By-law, owners may permit the building elements listed in the table below to project into required front and side yards of single-family detached dwellings, two-family dwellings, or two-family semi-detached dwellings located within the R1 and R2 zoning districts.

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Features	Zoning District	Projections Permitted	
		Front Yard	Side Yard
Building Elements			
Alcoves, bay windows, vestibules, and similar additions creating interior floor area	R1 & R2	Not limited to one storey Maximum depth = 5 ft. Maximum combined total floor area = 50 sq. ft.; no closer than 10 feet from front lot line	Limited to one storey Maximum floor area = 50 sq. ft. in any yard. Maximum depth 1 foot where 3 feet is the required side yard to maximum length of 10 feet; no closer than 2 feet to side lot line. [note a.] Not permitted on first storey; maximum depth 2 feet on second storey only where 4 feet is the required side yard to a maximum length of 10 feet; no closer than 2 feet to side lot line. [note a.]
Other balconies	R1 & R2	Maximum depth of 4 inches per foot of yard but not exceeding 5 feet; no closer than 10 feet from front lot line	Maximum depth of 4 inches per foot of yard; no closer than 2 feet to side lot line
Brick facing	R1 & R2	Maximum depth = 5 inches; no closer than 10 feet from front lot line	Maximum depth = 5 inches; no closer than 2 feet to side lot line
Exterior wall finish, excluding brick facing	R1 & R2	Maximum depth = 3 inches; no closer than 10 feet from front lot line	Maximum depth = 3 inches, no closer than 2 feet to side lot line
Incidental building architectural features	R1 & R2	Maximum depth = 5 ft; no closer than 10 feet from front lot line	4 inches per foot of side yard; no closer than 2 feet to side lot line
Roofs over exterior entrances (may not be enclosed except by railing)	R1 & R2	Maximum depth = 5 ft; no closer than 10 feet from front lot line; maximum length = 100% of front of principal building	No closer than 4 inches per foot of side yard; no closer than 2 feet to side lot line
Landscaping and Site Features			
Open landings and terraces	R1 & R2	Maximum depth = 5 ft unless maximum height equal to or less than 1 foot; no maximum area; no closer than 10 feet from front lot line	Permitted if 2 ft in height or less; maximum area = 36 sq. ft; no closer than 2 feet to side lot line. Not permitted if over 2 ft in height

Notes:

a. Where there is more than one projection, the aggregate total on each applicable side must not exceed one third of the length of that house, excluding the length of an attached garage (if applicable).

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Landscaping

9. Notwithstanding other provisions of this By-law, each single-family detached dwelling, two-family dwelling, or two-family semi-detached dwellings in the R1 or R2 zoning districts must be landscaped by the owner pursuant to the standards of this section. In the event that standards for the landscaping of two or more of the following areas overlap, or are inconsistent, the standard requiring more landscaping governs.

Expansion of Existing Building or New Development

(1) The landscaping requirements identified in subsections (2) – (9) only apply under the following circumstances:

(a) a new principal dwelling is being constructed on the lot; or

(b) a principal dwelling is being expanded and the expansion represents 50% or more of the gross floor area of the existing building.

Plant Materials

(2) Plan Materials must be:

(a) No. 1 Grade Nursery Stock, supplied and installed in conformance with the latest edition of Canadian Nursery Landscape Association "Canadian Standards for Nursery Stock";

(b) able to withstand local climatic conditions; and

(c) comprised of a salt-tolerant species when located within 20 feet of a public street.

Minimum Plant Sizes

(3) Deciduous trees must have a minimum caliper of 1 ¾ inches.

(4) Coniferous trees must be a minimum of 6 feet in height at the time of planting.

(5) All shrubs must fit no less than a two gallon container, and of species that can remain healthy when trimmed.

Landscaped Area

(6) A minimum of 30% of the lot area must be reserved for soft landscaping, which is defined as an open, unobstructed area that supports the growth of vegetation such as grass, trees, shrubs, flowers or other plants, and that permits water infiltration into the ground.

Minimum Planting Requirements

(7) Lots 35 feet or less in width must contain no less than:

(a) one tree; and

(b) four shrubs.

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(8) Lots greater than 35 feet but less than 50 feet in width must contain no less than:

(a) two trees; and

(b) six shrubs.

(9) Lots 50 feet or greater in width must contain no less than:

(a) three trees; and

(b) six shrubs.

Preservation of Existing Trees

(10) Notwithstanding subsections (7)-(9) above, the requirements to provide trees and shrubs may be satisfied by preserving existing healthy mature trees, subject to an arborist report identifying how these trees will be preserved and protected, as identified in this subsection:

Tree Type	Minimum Caliper of Preserved Tree (inches)	Minimum Tree Height (ft)	Number of Required Trees Credited
Deciduous	7 ¾	n/a	2
Coniferous	n/a	20	2
Deciduous	18	n/a	All
Coniferous	n/a	33	All

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Map 1: PDO-1 Glenwood Overlay Map

