

## Agenda – Appeal Committee – November 26, 2015

### PUBLIC HEARINGS

**Item No. 3**                    **Appeal - Variance - 166, 176, 178, 180 and 184 Roslyn Road**  
**(Fort Rouge-East Fort Garry Ward)**  
**File DAV 127821A/2015D [c/r DAC 3/2015 and DAS 16/2015]**

Appeals were received against the decision of the City Centre Community Committee to approve a Variance on “the land” as follows:

1.        for the construction of a multi-family dwelling (78 units) to permit:
  - A.        a front yard of 13.7 feet (4.2 metres) instead of 24 feet (7.32 metres);
  - B.        an east side yard of 14 feet (4.27 metres) instead of 20 feet (6.1 metres);
  - C.        a rear yard of 1.9 feet (0.6 metres) instead of 25 feet (7.62 metres);
  - D.        70 parking spaces instead of 94 spaces;
  - E.        a minimum of 3 visitor parking spaces instead of 7 spaces;
  - F.        a three-sided garbage enclosure instead of a fully enclosed one;
  
2.        for the establishment of an accessory parking area to permit:
  - A.        a front yard of 7.5 feet (2.3 metres) instead of 24 feet (7.32 metres);
  - B.        no west side yard instead of 8 feet (2.44 metres);
  - C.        stall widths of 8.8 feet (2.7 metres) instead of 10 feet (3.05 metres) for parking spaces adjacent to a wall or fence;
  - D.        stall lengths of 19.6 feet (6 metres) instead of 23 feet (7.01 metres) for parking spaces adjacent to a public lane;
  - E.        no buffering of parking along the rear lot line adjacent to a residential zoning district;
  - F.        a continuous fence buffer on the west side instead of a fence buffer having a horizontal length of 48 feet (14.63 metres) followed by a landscaped strip having a length of 16 feet (4.88 metres);
  
3.        for the construction of a privacy screen in the front yard to permit a fence/wall height of 5.9 feet (1.8 metres) instead of 4 feet (1.22 metres).

subject to the following conditions:

1.        That, if any variance granted by this order is not established within two (2) years of the date hereof, this order, in respect of that Variance shall terminate.

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2. That for the development of any building or structure, plans showing the location and design of proposed buildings, accessory parking areas, fencing, landscaping, indoor and outdoor bicycle parking, garbage enclosures, signage, and site lighting shall be submitted to the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.
3. That a parking management plan shall be submitted to and approved by the City Centre Community Committee and the Director of Planning, Property, and Development prior to the issuance of any development permits. The parking management plan shall include, at a minimum, provision of one car share vehicle on the subject property.

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File: DAV 127821A/2015D

Appellants: Jennifer Altemeyer  
Carl Graham Evans  
Maxine Fromkin  
Jacquie Glen  
Jim Glen  
Frank J. Hechter  
Elaine Henderson  
Michele Henderson  
Monique Henderson  
Jean Hird  
Joan Hodgson  
Heather Hogarth  
Judith Lehn  
Richard Lemmon  
Terena Mabon  
J. Palamartchuk,  
Laird Rankin  
Herman Thorvaldson  
Elizabeth Turnbull  
David Wilken

Applicant: Sunstone Resort Communities (Christine Wilson-MacLeod)

Premises Affected: 166, 176, 178, 180 and 184 Roslyn Road

Legal Description: Lot 13 Plan 27379 42 St B, Lot 14 Plan 27379 42 St B, Lot 15 Plan 27379 42 St B, Lot 16 Plan 27379 42 St B, hereinafter called “the land”

Property Zoned: “RMF-L” (Residential Multi-Family, Large)

Nature of the Application: To vary the “RMF-L” (Residential Multi-Family, Large) Dimensional Standards of the Winnipeg Zoning By-law No. 200/2006 for the consolidation of four (4) residential lots to permit as follows:

1. for the construction of a multi-family dwelling (78 units) to permit:

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- A. a front yard of 13.7 feet (4.2 metres) instead of 24 feet (7.32 metres);
  - B. an east side yard of 14 feet (4.27 metres) instead of 20 feet (6.1 metres);
  - C. a rear yard of 1.9 feet (0.6 metres) instead of 25 feet (7.62 metres);
  - D. 70 parking spaces instead of 94 spaces;
  - E. no visitor spaces instead of 7 spaces;
  - F. a three-sided garbage enclosure instead of a fully enclosed one;
2. for the establishment of an accessory parking area to permit:
    - A. a front yard of 7.5 feet (2.3 metres) instead of 24 feet (7.32 metres);
    - B. no west side yard instead of 8 feet (2.44 metres);
    - C. stall widths of 8.8 feet (2.7 metres) instead of 10 feet (3.05 metres) for parking spaces adjacent to a wall or fence;
    - D. stall lengths of 19.6 feet (6 metres) instead of 23 feet (7.01 metres) for parking spaces adjacent to a public lane;
    - E. no buffering of parking along the rear lot line adjacent to a residential zoning district;
    - F. a continuous fence buffer on the west side instead of a fence buffer having a horizontal length of 48 feet (14.63 metres) followed by a landscaped strip having a length of 16 feet (4.88 metres);
  3. for the construction of a privacy screen in the front yard to permit a fence/wall height of 5.9 feet (1.8 metres) instead of 4 feet (1.22 metres).

### Exhibit Filed:

1. Order DAV 127821/2015D dated September 22, 2015
- 2a. Notice of Appeal filed by Frank J. Hechter, received September 28, 2015
- 2b. Notice of Appeal filed by Jean Hird, received October 5, 2015
- 2c. Notice of Appeal filed by Laird Rankin, received October 6, 2015

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- 2d. Notice of Appeal filed by Elaine Henderson, received October 6, 2015
- 2e. Notice of Appeal filed by Michele Henderson, received October 6, 2015
- 2f. Notice of Appeal filed by Monique Henderson, received October 6, 2015
- 2g. Notice of Appeal filed by Heather Hogarth, received October 7, 2015
- 2h. Notice of Appeal filed by Judith Lehn, received October 7, 2015
- 2i. Notice of Appeal filed by Joan Hodgson, received October 7, 2015
- 2j. Notice of Appeal filed by Richard Lemmon, received October 7, 2015
- 2k. Notice of Appeal filed by Maxine Fromkin, received October 7, 2015
- 2l. Notice of Appeal filed by Elizabeth Turnbull, received October 7, 2015
- 2m. Notice of Appeal filed by Jacquie and Jim Glen, received October 7, 2015
- 2n. Notice of Appeal filed by Jennifer Altemeyer, received October 7, 2015
- 2o. Notice of Appeal filed by Herman Thorvaldson, received October 8, 2015
- 2p. Notice of Appeal filed by Terena Mabon, received October 9, 2015
- 2q. Notice of Appeal filed by David Wilken, received October 9, 2015
- 2r. Notice of Appeal filed by Carl Graham Evans, received October 9, 2015
- 2s. Notice of Appeal filed by J. Palamartchuk, received October 9, 2015
- 3. Notification of Public Hearing dated November 10, 2015
- 4. Surveyor's Building Location Certificate and sketch dated February 23, 2015
- 5. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising
- 6. Plans, Sheets 1 to 8 inclusive, for File DAV 127821/2015D dated May 20, 2015

## **Agenda – Appeal Committee – November 26, 2015**

7. Report from the Urban Planning Division dated September 9, 2015
8. Communication dated October 8 from Diane Monnier in support of the appeal
9. Communication dated October 13 from James Kacki in support of the appeal
10. Communication dated October 22 from Victor Mousseau in support of the appeal
11. Inspection Report

## **Agenda – Appeal Committee – November 26, 2015**

The Winnipeg Public Service to advise that all statutory requirements with respect to these appeals have been complied with.

### **REPRESENTATIONS:**

In Support of the Appeals:

In Opposition to the Appeals:

For Information on the Appeals:

For the City:

Moved by Councillor

That the report of the Winnipeg Public Service be taken as read.

Moved by Councillor

That the receipt of public representations be concluded.

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Moved by Councillor

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 Councillor

That the appeals be allowed / allowed in part / denied and Order DAV 127821/2015D be confirmed / cancelled.

Moved by Councillor

That the decision of the City Centre Community Committee be / not be concurred in.

Moved by Councillor

That the public hearing with respect to these appeals be concluded.



## ADMINISTRATIVE REPORT

**Title:** DAV 15-127821\D – 166 Roslyn Rd

**Issue:** For consideration at the public hearing for a variance for DAV 15-127821\D - 166 Roslyn RD

**Critical Path:** City Centre Committee as per the Development Procedures By-law and The City of Winnipeg Charter.

### AUTHORIZATION

Author	Division Head	Department Head	CFO	CAO
Michael Robinson	B. Smith	n/a	n/a	

### RECOMMENDATIONS

The Urban Planning Division recommends approval of the application to vary the "RMF-L" Dimensional Standards of Zoning By-law No. 200/2006 for the consolidation of four (4) residential lots to permit as follows:

- 1) for the construction of a multi-family dwelling (78 units) to permit:
  - a) a front yard of 13.7 feet (4.2 metres) instead of 24 feet (7.32 metres);
  - b) an east side yard of 14 feet (4.27 metres) instead of 20 feet (6.1 metres);
  - c) a rear yard of 1.9 feet (0.6 metres) instead of 25 feet (7.62 metres);
  - d) 70 parking spaces instead of 94 spaces;
  - e) no visitor spaces instead of 7 spaces;
  - f) a three-sided garbage enclosure instead of a fully enclosed one;
  
- 2) for the establishment of an accessory parking area to permit:
  - a) a front yard of 7.5 feet (2.3 metres) instead of 24 feet (7.32 metres);
  - b) no west side yard instead of 8 feet (2.44 metres);
  - c) stall widths of 8.8 feet (2.7 metres) instead of 10 feet (3.05 metres) for parking spaces adjacent to a wall or fence;
  - d) stall lengths of 19.6 feet (6 metres) instead of 23 feet (7.01 metres) for parking spaces adjacent to a public lane;
  - e) no buffering of parking along the rear lot line adjacent to a residential zoning district;
  - f) a continuous fence buffer on the west side instead of a fence buffer having a horizontal length of 48 feet (14.63 metres) followed by a landscaped strip having a length of 16 feet (4.88 metres);
  
- 3) for the construction of a privacy screen in the front yard to permit a fence/wall height of 5.9 feet (1.8 metres) instead of 4 feet (1.22 metres).

subject to the following condition(s):

- 1) That, if any variance granted by this order is not established within two (2) years of the date hereof, this order, in respect of that Variance shall terminate.
- 2) That for the development of any building or structure, plans showing the location and design of proposed buildings, accessory parking areas, fencing, landscaping, indoor and outdoor bicycle parking, garbage enclosures, signage, and site lighting shall be submitted to the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.
- 3) That a parking management plan shall be submitted to and approved by the City Centre Community Committee and the Director of Planning, Property, and Development prior to the issuance of any development permits. The parking management plan shall include, at a minimum, provision of one car share vehicle on the subject property

### 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 City Centre Committee'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, development permits can be issued

### FILE/APPLICANT DETAILS

**FILE:** DAV 15-127821\D  
**RELATED FILES:** DAS 16/2015  
**COMMUNITY:** City Centre Committee  
**NEIGHBOURHOOD #:** 1.117

**SUBJECT:** To vary the "RMF-L" Dimensional Standards of Zoning By-law No. 200/2006 for the consolidation of four (4) residential lots to permit as follows:

- 1) for the construction of a multi-family dwelling (78 units) to permit:
  - a) a front yard of 13.7 feet (4.2 metres) instead of 24 feet (7.32 metres);
  - b) an east side yard of 14 feet (4.27 metres) instead of 20 feet (6.1 metres);
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  - e) no buffering of parking along the rear lot line adjacent to a residential zoning district;
  - f) a continuous fence buffer on the west side instead of a fence buffer having a horizontal length of 48 feet (14.63 metres) followed by a landscaped strip having a length of 16 feet (4.88 metres);
- 3) for the construction of a privacy screen in the front yard to permit a fence/wall height of 5.9 feet (1.8 metres) instead of 4 feet (1.22 metres).

**LOCATION:** 166 Roslyn RD  
**LEGAL DESCRIPTION:** LOT 16 PLAN 27379 42 ST B

**APPLICANT:** Christine Wilson-MacLeod  
 275 Commerce DR  
 Winnipeg , Manitoba R3P 1B3

**OWNER:**  
 111 FORT ST  
 Winnipeg , Manitoba R3C 1C6

## HISTORY

On June 24, 2009, City Council approved the removal of Dennistown House (166 Roslyn Road) from the Buildings Conservation List.

A condition of approval was that no demolition permits be issued for 166 Roslyn Road prior to the issuance of building permits for a new development on the property.

## 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, which is currently zoned “RMF-L” Residential Multiple Family District, is located on the south side of Roslyn Road, between Nassau and Osborne Streets, in the Osborne Village neighbourhood of the Fort Rouge – East Fort Garry ward.

**North:** Residences zoned “R2” Residential Two-Family District and “R1-M” Residential Single-Family District

**South:** Commercial use zoned “C2” Commercial District and residences zoned “RMF-L” Residential Multiple-Family District

**East:** Commercial use zoned “C2” Commercial District

**West:** Residence zoned “RMF-L” Residential Multiple-Family District

## **DESCRIPTION OF THE PROPOSED DEVELOPMENT**

The applicant seeks approval to consolidate four (4) contiguous lots, with an approximate total land area of 32,036 square feet for the purpose of constructing a 7 storey, 78 unit multiple-family building.

The land is currently zoned “RMF-L” Residential Multi-Family District and is designated as Village High Density Residential (V-HDR) in the Osborne Village Neighbourhood Plan.

In addition to an associated subdivision application (DAS 16/15), the applicant requires several variances in order to establish the use.

### *Reason for application*

#### *Front yard*

In the “RMF-L” Residential Multi-Family District, a front yard setback of 24 feet is required. The applicant is proposing a front yard setback of 13.7 feet. For this reason, a variance is required.

#### *East side yard*

In the “RMF-L” Multi-Family District, the side yard setbacks are based on the height of the building. A seven storey building requires a setback of 20 feet (8 feet + 2 feet for every storey above grade). The applicant is proposing a setback of 14 feet for a portion of the building. Consequently, a variance is required.

#### *Rear yard*

In the “RMF-L” Multi-Family District, a rear yard setback of 25 feet is required. The applicant is proposing a rear yard setback of 1.9 feet for a portion of the building. In light of this, a variance is required.

#### *Parking*

In the urban infill area, multiple-family residential uses require 1.2 parking stalls per unit. Based on the number of units proposed (78 units), a total of 94 parking stalls area required. The applicant is providing 70 parking stalls. Accordingly, a variance is required.

#### *Visitor parking*

The Winnipeg Zoning By-law required 10% of the total number of stalls to be designated as visitor parking stalls. The applicant is requesting that this requirement be waived through a variance.

### *Garbage enclosure*

The Winnipeg Zoning By-law required garbage receptacles to be screened on all four sides. The applicant is requesting approval to screen the receptacle on only three sides.

### ***Parking area***

#### *Front yard*

The Winnipeg Zoning By-law requires parking areas for multiple-family residential uses to be setback from the front property line. In this case, the required front yard setback is 24 feet. The applicant is requesting approval for a setback of 7.5 feet for a portion of the parking lot.

#### *West side yard*

The Winnipeg Zoning By-law requires parking areas for multiple-family residential uses to be setback from the side property line. In this case, the required side yard setback is 8 feet. The applicant is requesting approval for a setback of zero.

#### *Stall width*

Stalls adjacent to a wall or fence require a width of 10 feet. The applicant is requesting approval to reduce the width to 8.8 feet for some of the stalls

#### *Stall length*

Parking stalls adjacent to a public lane are required to have a length of 23 feet. The applicant is requesting approval to reduce the width to 19.6 feet for some of the stalls.

#### *Buffering*

Multiple-family residential developments are required to have buffering of the parking area at the rear. Given that the property abuts a rear lane, the applicant is requesting to waive this requirement.

#### *Fencing*

The Winnipeg Zoning By-law requires fences for multiple-family residential uses to have a break every 48 feet, with a landscape strip. The applicant is proposing to have a continuous fence, with no breaks, along the west property line. For this reason, a variance is required.

#### *Privacy Screen*

The Winnipeg Zoning By-law permits fences/screening walls in the front yard to have a maximum height of 4 feet. The applicant is proposing a screening wall that will be 5.9 feet. In light of this, a variance is required.

## **ANALYSIS AND ISSUES**

### *Front yard*

The applicant is transferring land in the front yard to the City of Winnipeg, in order to construct a public sidewalk on Roslyn Road. This is reducing the front yard setback from the property line by 3.6 feet, but it is not reducing the front yard setback from the street.

It should also be noted that the setback of 13.7 feet is for one corner of the building, where the property line curves because of the curve in Roslyn Road. The majority of the building will be setback approximately 20 feet from the front property line.

The proposed setback is compatible with the area and will not have an adverse impact on adjoining properties. It is recommended that the variance be approved.

*East side yard*

The proposed east side yard setback is for a corner of the building only and the adjoining parcel is an unoccupied landscape area. The proposed variance meets the criteria for approval and it is recommended that it be approved.

*Rear yard*

Rear yard variances are required adjacent to the rear lane and the proposed relocated hammerhead, for one small portion of the building. These variances are minor and they meet the criteria for approval. It is recommended that the variance be approved.

*Parking*

The applicant is proposing 70 parking stalls for 78 units (.90 parking ratio). The proposed development is close to amenities such as a grocery store and drug store, has convenient access to downtown and major transit routes. In addition, the applicant is providing a car share vehicle for residents on site as well as indoor bicycle parking.

The overall combination of on-site parking, car share, and bicycle parking are adequate to address the parking requirements for the proposed use. It is recommended that the variance be approved.

*Visitor parking*

As is typical with multi-family developments in Osborne Village, visitor parking will be accommodated on the street. With that said, it is recommended that if there is surplus parking, some of the surplus parking stalls should be reserved for use by visitors.

*Garbage enclosure*

The City garbage truck will not pick up garbage from dumpsters that are fully enclosed. Consequently, the applicant is requesting that the enclosure be open on one side, to meet City Water and Waste Department requirements. It is recommended that the variance be approved.

**Parking area**

*Front yard*

A portion of the parking area encroaches into the front yard setback. The parking will be fully screened with landscaping and a masonry wall and will be setback further than the front of the building – mitigating any visual impact.

*West side yard*

The parking lot is proposed to be constructed against the west property line. It would be screened by a six foot high fence and would abut a driveway for the adjoining building to the west. The proposed variance is compatible with the area and it is recommended that it be approved.

*Stall width*

A few of the stalls adjacent to a wall are less than 10 feet wide. It is recommended that these stalls be reserved as small car stalls.

*Stall length*

The intent of this requirement is to ensure that cars do not stick out into the lane and impede traffic flow and to allow enough room for snow storage. In this instance, only a very limited number of stalls (approximately 3 stalls) will back directly into the lane.

The lane is a dead end where these stalls will be backing up, which means that there will be no impact on traffic flow through the lane. With respect to snow storage, any of the snow on private property will

be handled by a private contractor and any snow on the lane can be piled at the end of the lane and next to the garbage enclosures. Consequently, the reduced stall length will not have an adverse impact on traffic flow or snow storage. It is recommended that the variance be approved.

*Buffering*

In mature neighbourhoods with a back lane, it is not feasible to screen the parking at the rear. The parking takes direct access from a lane and is typically abutted by other parking lots and service areas. In this case, the parking is abutted by the back of the Safeway building and a parking lot for an adjoining multi-family residential building. For these reasons, it is recommended that the variance be approved.

*Fencing*

There is an existing solid fence along the west property line. This fence does not have any breaks and given that there is parking on both sides of the fence, it is not necessary.

*Privacy Screen*

The applicant is proposing a 5.90 foot high masonry wall to screen the parking area in front. It is desirable to have a screen wall that is high enough to screen the parking from view. If the wall was any lower, it would not fully screen the parking. With that said, the wall will have some openings, in order to allow views in and out for safety and comfort.

**REASONS FOR RECOMMENDATIONS**

In the context of Section 247(3), the Urban Planning Division recommends **approval** for the following reasons:

- (a) is consistent with Plan Winnipeg and any applicable secondary plan;
- (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.

**CONSULTATION**

In preparing this report there was internal consultation with:  
N/A

**SUBMITTED BY**

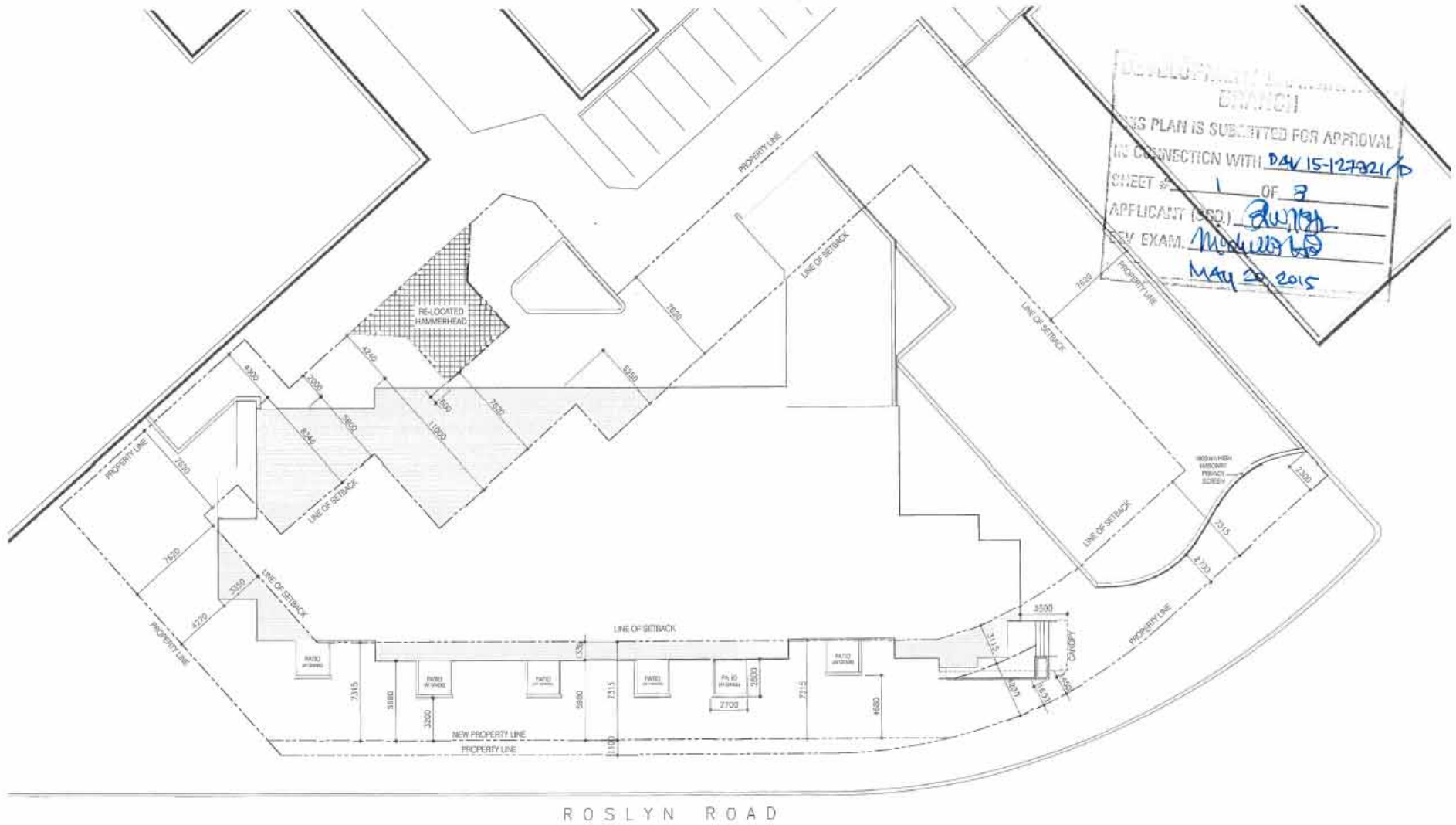
Department: Planning, Property and Development  
Division: Urban Planning  
Prepared by: Michael Robinson, MCIP  
Date: September 9, 2015  
File No. DAV 15-127821\D



**Figure 1: Aerial Photo (Flown in 2014)**



Exhibit " 6 " referred to in File DAV 127821A/2015D



DEVELOPMENT PLAN  
 BRANCH  
 THIS PLAN IS SUBMITTED FOR APPROVAL  
 IN CONNECTION WITH **DAV 15-127821/D**  
 SHEET # **1** OF **3**  
 APPLICANT (S.S.D.) **Dwight**  
 CIV. EXAM. **Medwin**  
**MAY 20 2015**

THIS DRAWING MUST NOT BE SOLD.  
 THE APPLICANT/CONTRACTOR SHALL VERIFY ALL DIMENSIONS, BEARING AND LEVELS PRIOR TO COMMENCEMENT OF WORK. NO CLAIMS ARE UNDERTAKEN TO BE HELD FOR INACCURACIES, OMISSIONS OR OTHER DEFICIENCIES.  
 WORKERS AND WORKMANS SHOULD BE AWARE THAT DIMENSIONS SHALL NOT BE CHANGED WITHOUT WRITTEN PERMISSION OF NUMBER TEN ARCHITECTURAL GROUP.  
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project: 166-188 ROSLYN ROAD DEVELOPMENT  
 sheet title: SETBACK VARIANCES

scale: NTS  
 drawn by:  
 checked by: May 14/15  
 date:

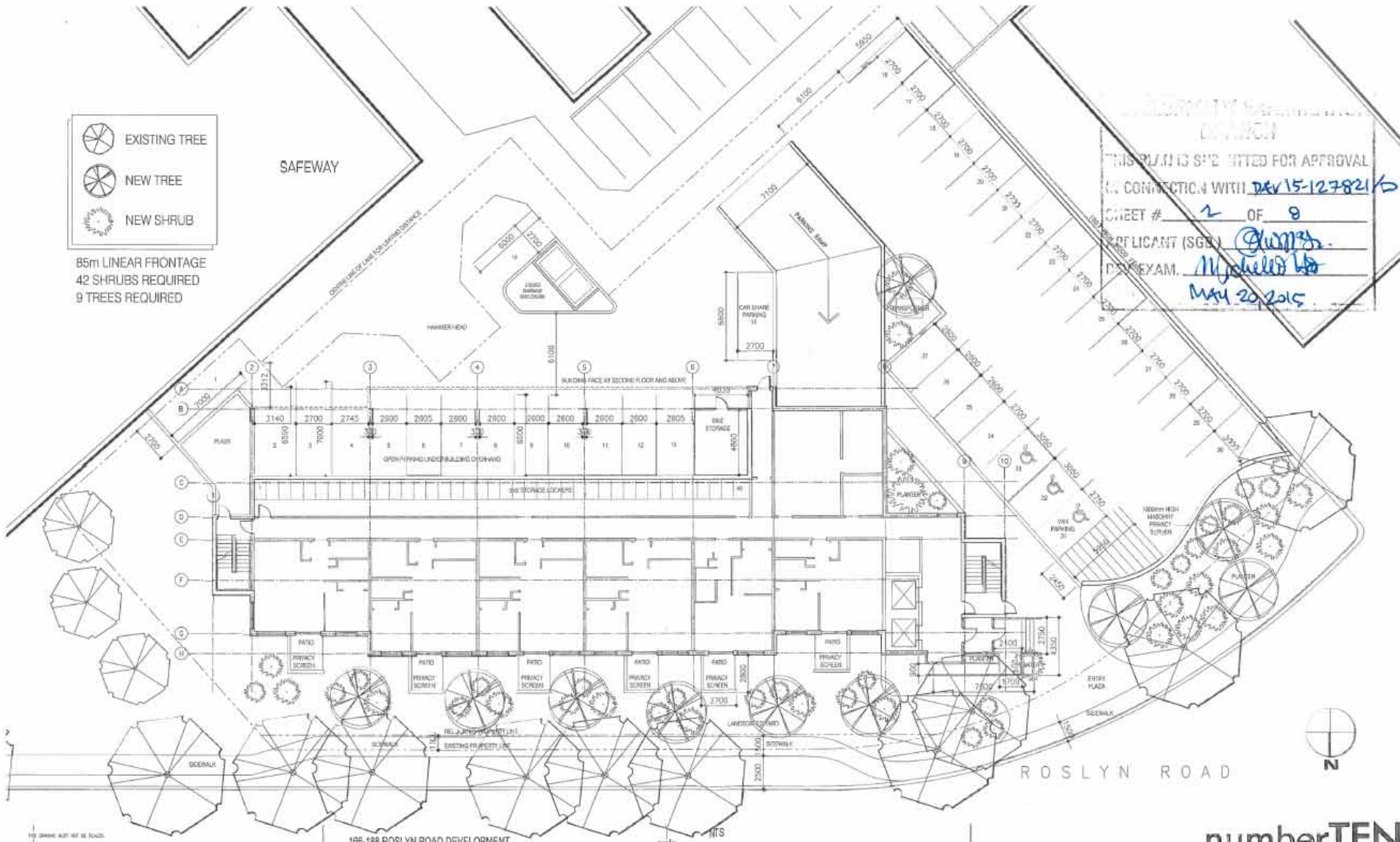
project no. 2014053  
 sheet no. DA0

**numberTEN**  
 architectural group  
 winnipeg MB 204 942-0781  
 victoria BC 250 560-2196  
 architecture • interior design • graphic design

-  EXISTING TREE
-  NEW TREE
-  NEW SHRUB

85m LINEAR FRONTAGE  
42 SHRUBS REQUIRED  
9 TREES REQUIRED

PROPOSED DEVELOPMENT  
COUNCIL  
THIS PLAN IS SUBMITTED FOR APPROVAL  
IN CONNECTION WITH DAV 15-127821/K  
SHEET # 2 OF 8  
APPLICANT (SGL) Quinn  
D. MEXAM. Michelle Ho  
MAY 20, 2015



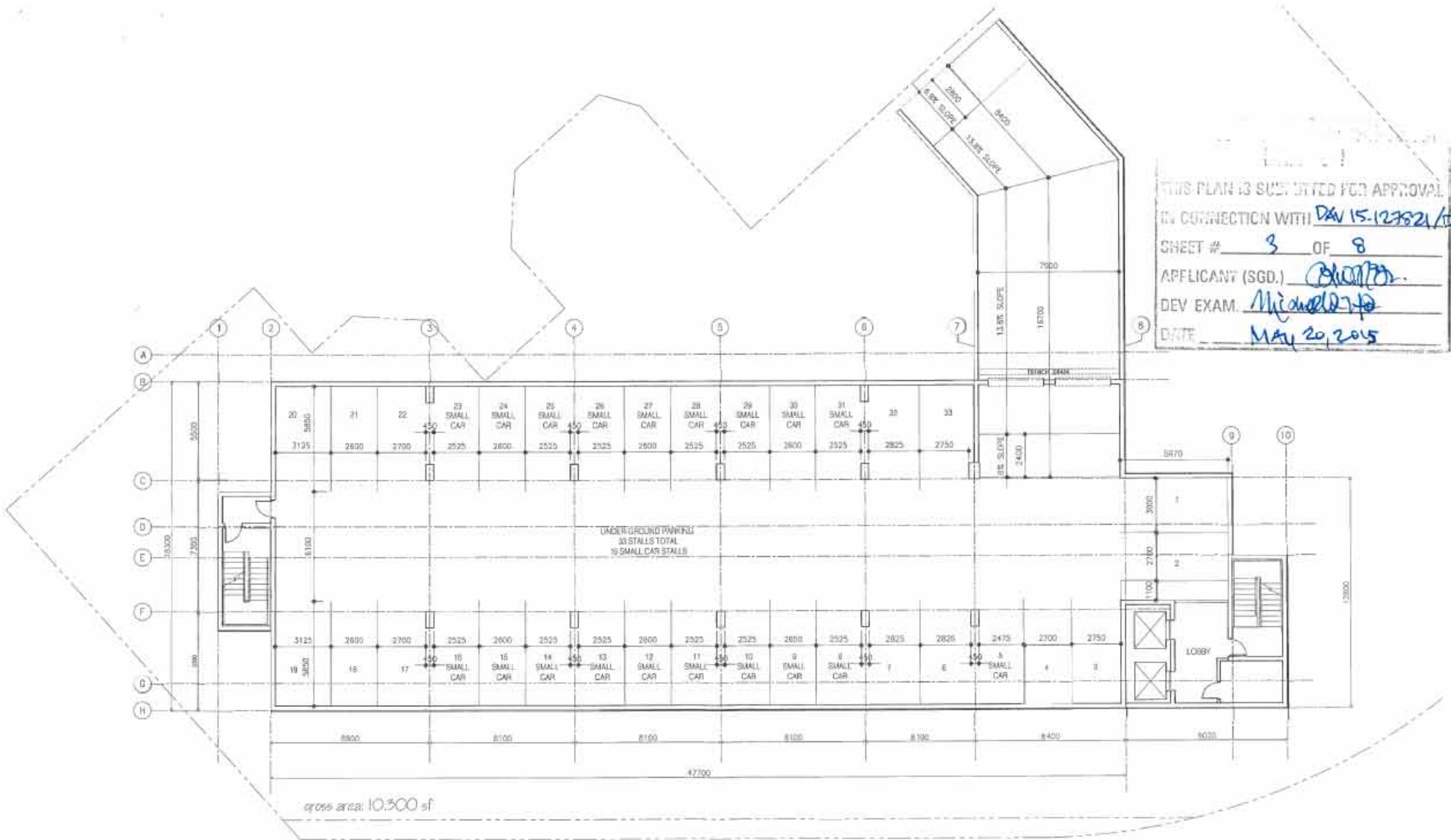
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THE DRAWING CONTRACTOR SHALL VERIFY ALL DIMENSIONS, MARKS, AND LEVELS PRIOR TO  
CONSTRUCTION OF WORK. ANY ERRORS AND OMISSIONS TO BE REPORTED TO NUMBER TEN  
ARCHITECTURAL GROUP BEFORE PROCEEDING.  
CONTRACTOR SHALL MAINTAIN ACCESS TO ALL SERVICES TO REMAIN UNOBTAINED UNLESS  
AND UNLESS OTHERWISE SPECIFIED BY NUMBER TEN ARCHITECTURAL GROUP.  
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SYSTEM WITHOUT PERMISSION.

166-188 ROSLYN ROAD DEVELOPMENT  
project  
SITE PLAN  
sheet title

scale:  
drawn by:  
checked by:  
date: May 14/15

project no. 2014053  
sheet no. DA1

**numberTEN**  
architectural group  
victoria BC  
250 380.2106  
architecture • interior design • graphic design



THIS PLAN IS SUBMITTED FOR APPROVAL  
 IN CONNECTION WITH DA 15-123821/10  
 SHEET # 3 OF 8  
 APPLICANT (SGD.) *Blomby*  
 DEV EXAM. *Michael D. J.*  
 DATE *MAY 20, 2015*

THIS DRAWING MUST NOT BE SCALE:  
 THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS, SQUARES AND OTHER WORK IS  
 CORRECTNESS OF WORK. ALL DIMENSIONS ARE SHOWN TO BE REFERRED TO CENTER UNLESS  
 OTHERWISE NOTED.  
 REVISIONS AND ADDITIONS TO THIS DRAWING SHALL BE MADE BY THE ARCHITECT OR HIS  
 AUTHORIZED REPRESENTATIVE BY NUMBER AND DATE.  
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186-188 ROSLYN ROAD DEVELOPMENT  
 project  
 LOWER LEVEL PLAN  
 sheet title

scale: 1:200  
 drawn by:  
 checked by:  
 date: May 19/15

2014053  
 project no.  
 DA2  
 sheet no.

**numberTEN**  
 architectural group  
 winning 388 regina st victoria bc  
 254 942 0981 250 7211501 250 340-2105  
 architect • interior design • graphic design

Exhibit " 2s " referred to in File DAV 127821A/2015D

Mrs.J. Palamartchuk

October 7, 2015

City Clerk, City of Winnipeg  
c/o Appeal Committee  
Administration Building  
Main Floor, 510 Main Street  
Winnipeg, Manitoba, R3B 1B9

Re: Variance Order #DAV 127821/2015D

Dear City Clerk, City of Winnipeg:

With regard to Variance Order #DAV 127821/2015D affecting the properties at 166, 176, 178, 180, and 184 Roslyn Road:

I appeal the order in whole.

Sincerely, *Jurshana Palamartchuk*

Exhibit " 2r " referred to in File DAV 127821A/2015D

CITY CLERKS -WPG \*15 OCT 09 09:20

September 30, 2015

In reference to:

Variance order no.  
DAV 127821/2015D

From: Carl Graham Evans

I wish to appeal the above variance, in whole, on the basis of an incorrect zoning designation of high density, first applied in 2006. I will speak to other issues, but all rest upon this.

Thank you in this regard.

A handwritten signature in black ink, appearing to read "C.G. Evans", with a long horizontal flourish extending to the right.

C.G. Evans

Exhibit " 2q " referred to in File DAV 127821A/2015D

**Winnipeg Condominium Corporation No. 136**

October 9, 2015

To: City Clerk, City of Winnipeg

Sent via email

**RE: Order No. DAV 127821/2015D**

This is a letter of appeal as to the decision as a whole by the City Centre Community Committee on September 16, 2015 approving the above noted redevelopment application,

Yours truly,

David Wilken  
President

Exhibit " 2p " referred to in File DAV 127821A/2015D

Terena Mabon

October 8, 2015

City Clerk, City of Winnipeg  
c/o Appeal Committee  
Administration Building  
Main Floor, 510 Main Street  
Winnipeg, Manitoba, R3B 1B9

**Re: Variance Order #DAV 127821/2015D**

Dear City Clerk, City of Winnipeg:

With regard to Variance Order #DAV 127821/2015D affecting the properties at 166, 176, 178, 180, and 184 Roslyn Road:

I appeal the order in whole.

I feel that there are just too many variances with this project, and the variance requested is not a minor difference from the by-laws. We are talking about significant differences between what they are proposing and the by-laws. For example: the front yard in feet – by-law 24 feet – requesting 13.7. That isn't a few inches, it's a significant difference. Parking stalls 94 to 70. Visitor parking 9 to 0. The list just goes on and on.

In my opinion the number of variances being requested and the significant amount of variance just proves that this proposed building is far too big for the size of the lot, and this will have a negative impact to the community.

Sincerely,



Terena Mabon



Exhibit " 2o " referred to in File DAV 127821A/2015D

Herman Thorvaldson

October 8, 2015

City Clerk, City of Winnipeg  
c/o Appeal Committee  
Administration Building  
Main Floor, 510 Main Street  
Wpg, Mb R3B 1B9

**Re: Variance Order #DAV 127821/2015D**

Dear City Clerk, City of Winnipeg

With regard to Variance Order #DAV 127821/2015D affecting the properties  
at 166, 176, 178, 180 and 184 Roslyn Road:

I appeal the order in whole.

Yours truly,

  
Herman O. Thorvaldson



Exhibit " 2n " referred to in File DAV 127821A/2015D

Jennifer Altemeyer

Sent By E-mail

October 7, 2015

City of Winnipeg  
City Clerk's Dept.  
Administration Building  
510 Main St.  
Wpg. MB.

Attention: Ms. Kate McMillan

**Re: File # DAV/15 -127821/D**  
**Notice of Appeal**  
**Public Hearing date: September 16, 2015**  
**Winnipeg City Council Chamber**

In regards to the application by Sunstone Developers for the three contiguous properties located on Roslyn Road just east of Osborne, I am of the view that there are many deficiencies in the procedure applied to lead the Committee of Council to approval of this project.

While I am not a resident or even frequent visitor to the Osborne Village neighbourhood, I think that some of the same problems I have encountered in my efforts to preserve a community garden in the West Broadway neighbourhood are evident in the activities of the City of Winnipeg's representatives and their treatment of the concerns stated by citizens/delegates at the public hearing for this proposed development by the Sunstone group.

Without intending to imply that all the following issues have been raised by me previously in the context of one or another City Centre Committee hearings, I advise that my appeal of the Roslyn Road re-development is as follows:

1. Many delegates from the vicinity of this property spoke knowledgeably and with conviction about their perspective on the deficiencies this proposal is liable to. Absolutely nobody attended the hearing, or made statements as a delegate in support of the project.

2. I think that the response of the City Councilors to those attending as ‘opposed’, as spoken for by Councilor Gerbasi, including her pitching of relatively ‘soft’ questions to the administration representative for the Property Planning and Development Department, was disrespectful of these delegates’ issues and testimony. Her obvious objective was to demonstrate to those in attendance that regardless of their input, the committee would be taking its direction from other resources. These resources included, as I recall, and primarily, a traffic study, the Osborne Village Community Plan, and the Robinson report dated September 9, 2015(for PPD).
3. By taking this approach she allowed the administration to rehabilitate its reputation by advising that, for example, under the Osborne Village Community Plan, an even bigger building could be approved for this specific location. While I do not disbelieve that this information is accurate, it does not convince me that the plan itself has merit. At a minimum for the reason that here was a substantial number of delegates disputing the Variance issues, and voicing concerns about the decline of the overall character and livability of their neighbourhood. The overall feedback from Gerbasi/the committee was “hey, guess what; we frankly do not care about those things.”
4. Gerbasi further endorsed this development because the applicant developers had agreed to create a sidewalk along the front of the property line, from which I infer there hasn’t been one, ever, or for a very long time. Why is it that the City has been utterly incapable of putting in a sidewalk, if that was believed to be important for the safety of area pedestrians residents and others (including vehicular traffic)??!! I note that an early opposition delegate indicated the question: How is this development going to benefit the community? Improve our surroundings? I guess they sure do have that one covered!
5. While I assume the following is one of those questions that may be asked if you do it right, but asked without any certainty that an answer, or even, a full and relevant and/or truthful answer will result, from anybody, much less that the asker will be allowed to probe the information received or ask further questions (all of which are aspects of procedural fairness), I re-iterate my own inquiry from the hearing, that there is a discrepancy in the points of view on the condition of the Denniston House structure: is it sound or is it damaged?
6. I further observe that a house of historical significance (I do not accept that because it has lost its status as a historically significant structure, it actually has lost said significance) can be a highly valued feature in an otherwise progressively characterless area, such as the large quantity of modern high rise or high density residential buildings.

Especially in a prominent location such as this one, where the house can be frequently looked at, contemplated, appreciated etc. by the many people who are either residents or passers-by, it's loss must be appreciated by civilized, educated persons such as one would hope the City has elected representatives from the apparently dwindling pool of local resources for same, as a great tragedy for the community. Not on the level of a rapid transit hit and run, or a terrorist interlude, but certainly more tragic then, for example, the demise of Papa Georges or the flooding out of Basil's Bistro.

7. I received no 'stewardship' by Gerbasi of this question for the administration, if they could even speak to the issue, but I have noted elsewhere in City archives that a historic property may lose its status if others of similar architectural style or features are discovered, or possibly, if others are better preserved than the one at risk of 'de-listing'. Perhaps that is the situation herewith, and in case it is, that might explain why Gerbasi overlooked this one for further inquiry and investigation on September 16.; she is on the record as blasting or at least roundly criticizing the owners of a historically designated property on South Balmoral St. (the Milner House, as it is known) citing their objective for the house as "Demolition by Neglect". How insightful of her.
8. When I raised to the committee and those in attendance at the hearing, seated in the gallery, the issue of whether or not the Denniston House has been damaged by the extensive re-developments going on all around it for many years, specifically in regards to the damage that can be done to adjacent properties by the 'piled' foundation technique (most obviously coming to my mind are the closest re-developments such as the Shopper's Drug Mart complex, directly east across the lane, though I expect there are other possibilities known to those more familiar than I with the area and recent building activity), Gerbasi did not appear to consider this aspect of the house's circumstances to be either due to neglect by the property owner, or negligence by the construction industry. This house and the community that values it is an acceptable degree of victimization, the "price of progress".
9. If 'we' are the losers, who can 'we' estimate to be the winners? Sunstone obviously, if they actually are seriously wanting to create such an ugly and undistinguished building. The City is a 'winner', at least short-term; they will be getting a whole lot of money from Sunstone through the Land Dedication Reserve Fund; 10% of the projected increase in the value of the development (compared to its' current City of Winnipeg property assessment), and they will annually levy taxes in accordance with the new valuation.

10. Is this a 'sustainable growth strategy' for this municipal administration to be implementing? This is an important question because if it isn't, then it is not consistent with Plan Winnipeg, and as we all may well know, that is Priority Number One for the community committee and all council decision making about Land Use and Planning, as well as numerous other things they also assert are 'priorities'.
11. I am unconvinced at this point that it is sustainable growth; the loss of irreplaceable historic homes in a deemed highly desirable area (such as Osborne Village) is going to affect property values. This consequence will first be experienced by those looking to move away from the neighbourhood, and thus needing to sell their own housing option, or those actively speculating with a portfolio containing O.V. properties.
12. They won't be getting the price they have been led to believe their home is valued at, and ultimately it will probably be impossible to determine if the reasons for that have anything much to do with the disappearance or destruction of Denniston House, and other 'character' or 'quality of life' features, such as parking, greenspace, public parks, a quiet neighbourhood. Maybe the prospective purchasers don't like the colour of the stainless steel appliances, or maybe the marble vanity sink surround doesn't suit their complexion, or possibly, even, those particular buyers are notoriously fussy people.
13. I am pointing this out in order to demonstrate the amount of 'insulation' the City is packing when it comes to setting property values for taxation purposes, and effectively ignoring the impact of planning and land use decisions upon the communities already paying into the municipal coffers. Do you think that because they are taking away three or four detached older character and even historically fabulous homes, they are considering it to be a trade-off? No. They are not going to be lowering anybody else's assessment, certainly not on the basis of the 'anecdotal evidence' of a far from impartial real estate agent hired by the applicant. SO unlikely. So, if you own your condo or other vicinity housing, you are potentially a loser, on September 16, 2015, and every day thereafter.
14. Really good effort on that traffic study, guys. I am not clear on the details, and I'd hate to make it worse just by showing up and standing around being curious for a couple hours, but I certainly didn't hear any discussion about the allegation made that the City or developer commissioned and updated the traffic study they are relying upon to be undertaken during a slow or the slowest relative season and time frame. How iniquitous of them, who should we complain to?

15. I'm also not sure exactly of the configuration or dimensions of the lane between the Roslyn street properties and the Safeway building to the south. From what I recall having been stated by the administration or somebody else equally reliable, they made out that by making this lane or some access lane a 'through street' or route, as opposed to a dead-end, they would be improving the traffic interchanges and reducing congestion. I am not convinced of this. I should think that within about thirty seconds of the construction barricades being taken down, the new through route is going to be quite popular.
16. We all know how absurdly congested Osborne Village is, from stem to stern. I believe that they closed the Osborne end of the back lane running south of and parallel to River Avenue, east of Osborne, about a decade ago, to reduce the impact on traffic volumes of having an ingress/egress option for drivers from this lane. Now they are proposing that to make a local access laneway a through route is a solution to traffic congestion and safety issues. I am solidly on the side of those delegates who spoke from personal experience and knowledge of the traffic and safety issues for this proposal, and I think the City's disregard of their evidence is offensive.
17. I seem to recall that Councilor Gerbasi sought to obtain from the Sunstone team a concession of two visitor parking stalls. I think this effort was totally inadequate to meet the requirements of the situation. People were not saying only that they have issues with 'interlopers' taking parking spaces away from the paying customers, they were saying (among other things) that 70+ more units cannot be supported in this location. That was the fundamental issue, in my view, that was repeatedly spoken to. I think the main response of the City was to advise those in attendance that this parcel of land has been zoned for high density residential. Well, maybe it shouldn't have been.
18. This must be one of the rare remaining pockets of non-high-density housing left in this part of Osborne Village- not including the river-bounding Roslyn Crescent enclave, which is relatively safe from these density hellhounds, apparently, notwithstanding the impacts of the congestion and other detrimental quality of life factors and the inexorable impact of said factors on market- driven (not property assessment) property values. In effect, it is these rare parcels of low-density housing which sustain and enable the rapid re-development of the Osborne Village and other so-called 'Mature Communities'.
19. They do this passively in the sense that for those looking objectively at their (or a) neighbourhood, immediately current re-development proposals or activity is viewed as being more tolerable because of the remaining open spaces, character homes, nice yards

and gardens, etc. Then, once all these other projects have been approved and completed, and practically all that remains is either 'not available for purchase' or 'not fiscally realistic' for those wishing to themselves make scads of money, they take over the remaining most affordable parcels, even if they are of high quality or historic, which have all along been viewed and treated as 'saving' features, are themselves turned into those blessedly bountiful 'cash cows' they have secretly always been identified as.

20. I seem to recall the developer/applicant proposing that to make the re-development project fiscally viable required a seven storey building. Nobody in attendance was given any chance to respond to this defense of the substantial dimensions of the project proposal. Nobody 'from the community' has been provided any fiscal data to review or comment upon. The above-discussed elements of the developer taking on the re-construction of a laneway abutting the property and the creation of a sidewalk are presumed to be a small aspect of the overall projected construction costs, but if that small portion is the difference between a six story and a seven story result, is the City not partially responsible for the size of the project itself?
21. In terms of the overall existing AND future density conditions for the Osborne Village neighbourhood, I would like to have consideration given to the apparent approval by the City for a high-density residential project of about ten storeys for the River and Osborne "Gas Station Theatre" corner. Currently this is a public plaza, a public open space. Soon enough, there will be a large and looming building shading probably most of the surrounding area for a block in three directions, including northwards towards the Roslyn vicinity.
22. Also slated for re-development is the current site of the Osborne Village Motor Inn, currently the site of a modestly proportioned four-storey hotel. I darkly suspect that the new owners do not intend to establish in its place a community park, although, given the costs of constructing new residential buildings, this might be a fiscally viable alternative!! So, this property/neighbourhood is also going to be severely impacted upon by the creation of a probably very large building, shading and obscuring views across the relatively low density, detached dwellings that remain on Wardlaw and Gertrude St. east of Osborne. Stradbroke St. east of Osborne will be plunged into eternal twilight, where it currently is open due to the existing surface parking lot and low-rise beer vendor for the hotel and the adjacent Fire Station. Is this a good area for reduced visibility? No. But apparently I am looking down the road when all the appeals committee is likely willing to do is evaluate Variance issues on a case by case basis, so I will desist. Reluctantly.

23. These two above examples, on top of all the extant recent construction projects in the Village, not to mention the recently approved re-zoning of a green buffer zone of privately owned but arguable community park/open space at Mayfair Place and River Avenue, near the Donald St bridge to allow the construction of a forty-odd unit condominium for essentially it appears the same class of market as the Roslyn Road proposal, upwardly mobile young professionals, this is the further context within which the Osborne Village Community Plan is likely supposed to be meaningfully weighing “pro’s and con’s” associated with ‘neighbourhood revitalization” but in reality most certainly isn’t.

So, to summarize, I appeal the Variance Order of the City Centre Community Committee for the Roslyn Road re-development for the reasons that the proposal is inconsistent with Plan Winnipeg, it constitutes a risk of substantial and adverse impacts upon the existing area and community, and it is incompatible for the area in question.

I also make note of the likely detrimental impact of this construction project upon existing mature trees on the subject properties. I agree with the views of many residents that these trees are valuable and appreciated. I think the pending re-development will substantially and adversely impact their viability, and I further believe that this is an important question and one that the Plan Winnipeg guidelines allow and even require the City’s planning department to weigh as a significant factor in decisions just very much like this one.

I further suggest that if there are structural problems with the foundation of Denniston House and the cause of it has anything whatsoever to do with the re-development of adjacent properties, the proper compensation to the Community (Not to the Property Owner), is to underwrite the re-location of this valuable and unique historical home to another location in the neighbourhood for continued use as relatively affordable housing. This could easily have been attempted or even accomplished in recent years when there still were substantial parcels of land in the neighbourhood which now appear to be decidedly lacking. I condemn the City’s administration *en masse* which has deliberately allowed the future interests of a developer such as Sunstone to control all their own thinking, energy, policy, resources and perspectives on how else to ‘improve’ the Osborne Village neighbourhood.

Signed;  
J. Altemeyer

October 7, 2015

City Clerk, City of Winnipeg  
City Appeal Committee  
Administration Building  
Main Floor, 510 Main Street  
Winnipeg, Manitoba R3B 1B9

Re: Variance Order No. <sup>DAV</sup>127821/2015D

We wish to appeal the whole Variance Order No. DAV 127821/2015D.

The proposed project is too high in density. The project borders and is across from a residential housing district being Roslyn Crescent.

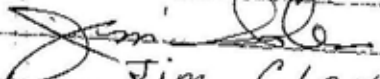
While it is true the general area has high density buildings, this project being directly across from the residential housing, should be medium density (limit to three stories high). The lower density would also tie in with the height of the businesses in the area such as Shoppers Drug Mart, Safeway, etc. Surely a variation and transition of density would be healthy for the neighborhood and add to the beauty of the area.

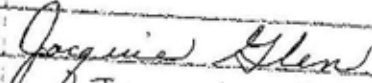
pg. 1



Pg. 2

Yours truly,

  
Jim GLEN

  
JACQUIE GLEN

FAX No. 204-947-3452 (send to)

cc. John Orlibow  
Chair of the Property and  
Planning Standing Committee

Exhibit " 21 " referred to in File DAV 127821A/2015D

E. Turnbull

October 7, 2015

City Clerk, City of Winnipeg  
c/o Appeal Committee  
Administration Building  
Main Floor, 510 Main Street  
Winnipeg, Manitoba, R3B 1B9

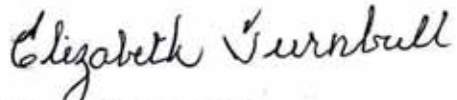
Re: Variance Order #DAV 127821/2015D

Dear City Clerk, City of Winnipeg:

With regard to Variance Order #DAV 127821/2015D affecting the properties at 166, 176, 178, 180, and 184 Roslyn Road:

I appeal the order in whole.

Sincerely,



Elizabeth Turnbull

Maxine Fromkin

October 6th 2015

City Clerk, City of Winnipeg  
Administration Building  
Main floor, 510 Main St.  
Winnipeg, MB  
R3B 1B9.

Re Variance Order.  
DAV 127821/2015D.

Dear City Clerk,  
City of Winnipeg

With regards to the variance order referred to, affecting the properties at 166, 176, 178, 180, and 184 Roslyn Rd. this is a very bad idea. The traffic is already impossible. The whole street is congested already (ie- Shoppers, Safeway, Starbucks). Enough is enough. I appeal the order in whole.

Sincerely

Maxine Fromkin

Exhibit " 2j " referred to in File DAV 127821A/2015D

Richard Lemmon

October 6,2015

City Clerk,City of Winnipeg  
c/o Appeal Committee  
Administration Building  
Main Floor 510 Main Street  
Winnipeg,Manitoba R3B1B9

Re:Variance Order#DAV127821/2015D

With Regard to Variance order #DAV127821/2015D,affecting the properties at 166,176  
178,180,and184 Roslyn Road.  
I appeal the order in whole.

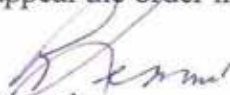
  
Sincerely  
Richard Lemmon

Exhibit " 2i " referred to in File DAV 127821A/2015D

City Clerk, City of Winnipeg  
c/o Appeal Committee  
Administration Building  
Main Floor, 510 Main Street  
Winnipeg, Manitoba R3B 1 89

Sent via email to:CLK-Appeals@winnipeg.ca on October 7<sup>th</sup>, 2015

**Re: Variance Order DAY 12782112015D**

I am filing this appeal in opposition to the whole of the above Variance Order.

Approving the Sunstone project mainly because it is in step with the Osborne Village Neighbourhood Plan and falls within established height limits does not make the project good, either in itself or for the area.

Signed

Joan Hodgson

Exhibit " 2h " referred to in File DAV 127821A/2015D

CITY CLERKS WPG \*15 OCT 07 10:29

Judith Lehn

October 5, 2015

City Clerk, City of Winnipeg  
c/o Appeal Committee  
Administration Building  
Main Floor, 510 Main Street  
Winnipeg, Manitoba, R3B 1B9

Re: Variance Order #DAV 127821/2015D

Dear City Clerk, City of Winnipeg:

With regard to Variance Order #DAV 127821/2015D affecting the properties at 166, 176, 178, 180, and 184 Roslyn Road:

I appeal the order in whole.

Respectfully,

A handwritten signature in cursive script that reads "Judith Lehn".

①  
C  
APPEARING WHOLE ORDER  
PLEASE READ ON:  
CITY CLERKS WPG \*15 OCT 07 09:47  
IT SHOULD  
BE ALL  
INCLUSIV

VARIANCE ORDER No. DAV  
127821/2015D  
[C/C DAC 3/2015, DAS 16/2015]

BEFORE: City Centre Community Committee  
COUNCILLOR ORLIKOW, CHAIRPERSON  
COUNCILLOR GERBASI  
COUNCILLOR GILROY

HEARING: SEPT. 16, 2015  
COUNCIL BLDG, 510 MAIN ST.

APPLICANT: SUNSTONE RESORT COMMUNITIES  
(CHRISTINE WILSON-MACLEOD)

PREMISES AFFECTED: 166, 176, 178, 180 and 184  
ROSLYN ROAD

LEGAL DESCRIPTION: LOT 13 PLAN 27379/42 ST B  
LOT 14 PLAN 27379 42 ST B,  
LOT 15 PLAN 27379 42 ST B,  
LOT 16 PLAN 27379 42 ST B,  
NOW: "THE LAND"

PROPERTY ZONED: "RMF-L" (RESIDENTIAL MULTI-FAMILY  
LARGE)

NATURE OF APPLICATION: TO VARY THE "RMF-L" (RESIDENTIAL  
MULTI-FAMILY, LARGE) DIMENSIONAL  
STANDARDS OF THE WPG ZONING  
BY-LAW No. 200/2006 FOR THE  
CONSOLIDATION OF FOUR (4) RESIDENT  
LOTS TO PERMIT AS FOLLOWS:  
NEXT PAGE



②

VARIANCE ORDER No. DAV  
127821/2015 D

" I APPEAL THE WHOLE ORDER" AND THESE  
ARE MY REASONS WHY:

I, HEATHER HOGARTH,  
OCTOBER 5, 2015, APPEAL THE WHOLE ORDER.  
ON OCT 5, 2015 *H Hogarth*

#1 A FOR THE CONSTRUCTION OF A MULTI-FAMILY DWELLING  
(78 UNITS) TO PERMIT:

- (A) A FRONT YARD OF 13.7' INSTEAD OF 24'
- (B) AN EAST YARD OF 14' INSTEAD OF 20'
- (C) A REAR YARD OF 1.9' INSTEAD OF 25'
- (D) 70 PARKING SPACES INSTEAD OF 94 SPACES
- (E) NO VISITOR SPACES, INSTEAD OF 7 SPACES
- (F) A THREE-SIDED GARBAGE ENCLOSURES INSTEAD OF FULLY ENCLOSED ONE.

TO WHOM IT MAY CONCERN: IN RESPONSE TO  
ABOVE

SO AS TO (A & B) WILL DEAL WITH THEM LATER;  
NOT AS IMPORTANT AS (C): IN BACK - THE BLDG  
IS TO RISE (PRETTY MUCH) STRAIGHT UP FROM  
BACK LANE; THIS WILL ENSURE THE 'SMALL-SIZE  
OF THE BACK LANE (WHICH IS SUPPOSED TO RUN  
TWO DIRECTIONS!?! IMPOSSIBLE!! IN WINTER  
IT WILL EVEN BE MORE IMPOSSIBLE TO PASS  
(IT WILL BE IMPOSSIBLE) AN ON-COMING CAR  
NOW - WE HAVE SPACE TO DRIVE AROUND EACH OTHER  
BECAUSE OF THE OPEN-NESS BACK THERE. IF  
YOU ARE THINKING ABOUT BUILDING RIGHT  
UP FROM THE BACK-LANE YOU WILL SERIOUSLY  
IMPEDE ALL MOVEMENTS BACK THERE.  
THE CONDO ACROSS THE BACK-LANE USES  
ALL THEIR PARKING OFF THE BACK LANE



(3)

EVEN AS WE SPEAK - THESE CARS THAT ARE PARKING AT THEIR CONDO HAVE TO SWERVE WIDE - JUST TO MAKE THEIR STRAIGHT ON PARKING SPACE. (I KNOW THIS FROM OBSERVING FROM MY SECOND FLOOR APARTMENT (KITCHEN) FACING THEM TRYING TO PARK NOW! (AND IT'S NOT EVEN WINTER YET!)

⑩ WE WILL BE GOING DOWN FROM 94 PARKING SPACES TO 70 PARKING SPACES SO WE (YOU) WILL BE TEARING DOWN 4 HOUSES (PLS I LOT) HOW MANY PEOPLE ARE WE? (THAT WILL BE LOSING THEIR HOMES) VERSUS BRAND NEW ACCOMMODATIONS. SO 4 HOUSES EQUALS PARKING WE HAVE NOW. ADD 70 APARTMENTS - WHAT WILL THAT PARKING BE? RIGHT NOW WE ARE LESS PEOPLE WITH MORE PARKING (THAT JUST MESS OUR ENDS) WE WILL BE GOING FROM 94 PARKING SPACES TO 70 PARKING SPACES. SO HOW DOES THIS EVEN MAKE SENSE? THERE ARE LESS OF US RIGHT NOW - AND WE CAN JUST FIT WITH 94 PARKING SPACES. SO LET'S JUST CREATE MORE APARTMENTS WITH EXTRA PEOPLE WITH A TON LESS PARKING SPACES. DOES NOT MAKE A BIT OF SENSE SO - 94 PARKING SPACES NOW (WITH A LOT LESS PEOPLE, BUT IT WORKS WELL) THEN GOING DOWN TO 70 PARKING SPACES AND A LEAST DOUBLE TO TRIPLE THE INCREASE OF PEOPLE?!?



④

- THE MATH DOES NOT SEEM CORRECT!  
ALSO: NO (ZERO) VISITOR PARKINGS TOO!  
BASICALLY PARKINGS (BOTH REGULAR-VISITOR) ARE IN DEBT. WE CAN JUST SUPPORT THE PARKINGS THAT WE HAVE IN OUR AREA AS IT IS — THIS CANNOT POSSIBLY WORK!
- ①F GARBAGE — A 3 SIDED AND NOT ENCLOSED GARBAGE CAN CAUSE HUGE ISSUES. THIS ROSLYN PARK LANE ACTS LIKE A WIND-TUNNEL HIGH WINDS WILL CAUSE GARBAGE TO BLOW OUT IF NOT CONTAINED.

- #2A  
OF FOR THE ESTABLISHMENT OF AN ACCESSORY PARKING LANE AREA TO PERMIT:  
① A FRONT YARD OF 7.5'  
② NO WEST YARD  
③ STALL WIDTHS OF 8.8' ADJACENT TO WALL OR FENCE  
④ STALL LENGTHS 19.6'  
⑤ NO BUFFERING OF PARKING ALONG REAR LOT LINE ADJACENT TO ZONING DISTRICT  
PLUS ⑥ A CONTINUOUS FENCE BUFFER ON WEST SIDE

#3 CONSTRUCTION PRIVACY SCREEN-FENCES 5.9'

#ALL  
2-3 ANSWERS ALL OF THESE DIMENSIONS ARE FAR TOO TINY FOR THE REGULAR VEHICLE FOR PARKING.

I DO NOT HAVE THE ACTUAL NUMBERS TO BE ABLE TO SHOW THAT THERE ARE INDEED PROBLEMS WITH ALL OF THESE NUMBERS. THE FRONT YARDS WOULD BE SURROUNDED BY AN ALMOST 6' FENCE AND SO ON. NUMBERS SHOULD BE CHECKED



5

## SUPPORTING COMMENTS

① THIS IS DIFFICULT AS I RECOGNIZE THE FEELINGS AND CONCERNS OF THE COMMUNITY AND I DO FEEL THAT THERE IS ALSO ANOTHER SIDE TO ALL OF THESE THAT IS VERY COMPELLING.

ANSWER

WELL IF ONE CAN SEE THE POSSIBLE GREAT DIFFICULTY ABOUT SUCH A ~~DECISION~~ ~~...~~ WHY WOULD ANYONE GO AGAINST THE NEIGHBOURHOODS GREATER GOOD WHAT COULD BE SO COMPELLING?

② BY APPROVING THIS TODAY, WE ARE SUPPORTING THE OSBORNE VILLAGE NEIGHBOURHOOD PLAN BECAUSE THIS PARTICULAR SPOT WAS ZONED HIGH DENSITY IN 2006 AND IT WAS ENVISIONED FOR THIS SORT OF THING TO HAPPEN THERE.

ANSWER

BY APPROVING THIS LAND, DOES NOT NECESSARILY MEAN THAT WE ARE OR ARE NOT SUPPORTING THE OSBORNE VILLAGE NEIGHBOURHOOD PLAN - EVEN IF (WE AGREED POSSIBLY IN ERROR TO ZONING THIS AREA FOR HIGH DENSITY IN 2006. WE SHOULD BE LOOKING DEEPER INTO THE REAL "VISION" OF THE AREA.

③ MOST OF THE VARIANCES REQUIRED ARE TO ACCOMMODATE CONCERNS FROM THE COMMUNITY LIKE MOVING IT FURTHER FROM THE OTHER RESIDENCES AND INSTALLING A SIDEWALK WHICH I BELIEVE IS VERY IMPORTANT TO HAVE WALKABLE, SAFE SIDEWALKS IN OSBORNE VILLAGE.



6

Answer

MOVING THE ACCOMMODATION AWAY FROM THE COMMUNITY LIKE PUTTING IN THE SIDEWALK (THAT WAS NEVER THERE FOR OVER 50 YEARS). THE SIDEWALK TO BE ADDED (LIKE IT IS A GREAT THING - IT HAS NEVER BEEN THERE - EVER) BASICALLY - IT'S THE LONG WAY - YOU WILL BE CUTTING OFF EVERYONE'S SHORT-CUT. THIS HAS BEEN USED FOR MORE THAN 50 YEARS. THE BUILDINGS MAY INCLUDE A SIDEWALK BUT THEN IT WILL RISE UP ON THE OTHER SIDE OF SIDEWALK ALMOST 6' (5.9') WHAT WILL YOU BE ABLE TO LOOK AT?

AS FOR THESE NEW SIDEWALKS - I FIND THAT IF THEY WERE SO IMPORTANT TO THE OSBORNE AREA - HOW COME (TO THIS DAY) HAVE WE NEVER HAD A SIDEWALK INSTALLED BY THE CITY? THEY PROBABLY SHOULD HAVE DONE THIS YEARS AGO?! MOST PEOPLE DO NOT USE THE SIDEWALK (IF IT WOULD BE THERE) BECAUSE IT BOWS OUT AND MAKES THE ROUTE TO STORES OR BUSES A LOT LONGER, MOST PEOPLE CUT THROUGH AND TAKE THE SHORT CUT TO WHERE THEY ARE GOING (NOT WHERE A POSSIBLE SIDEWALK WOULD BE.)

#4 THE CURRENT ZONING WOULD HAVE ALLOWED FOR 15 STORY BLDG AND THIS IS A SEVEN STORY BLDG AND IT TOWNS OSBORNE VILLAGE NEIGHBORHOOD TO A LETTER.



7

ANSWER

ZONING FOR 15 VERSUS 7 VERSUS? ....

NO BODY WANTS MORE SHADE IN THEIR NEIGHBOURHOOD - NO BODY WANTS TO LISTEN TO YET ANOTHER YEAR OR TEN YEARS (more) OF CONSTRUCTION EVERYONE LOVES OUR NEIGHBOURHOOD LIKE IT IS NOW!  
~~NO MORE CHANGES PLEASE~~

FOLLOWING A PLAN TO THE LETTER SOUNDS FULL OF 'S\*\*T' (PARDON MY EXPRESSION) IF YOU ASK ANYONE IN THIS AREA - THERE IS NO SUCH THING (WE KNOW THIS AS HUMANS BY NATURE) WHEN HAS THERE BEEN ANY PLAN THAT HAS BEEN ACTUALLY TOTALLY FOLLOWED?

ARE/ IS THIS WHY WE SEEM TO GO THROUGH ALL THESE VARIOUS PROPOSALS? YEAR AFTER YEAR. OBVIOUSLY ALL THEIR LETTERS ARE IN ALPHABETICAL ORDER. ONE WONDERS - YES?

IT IS TIME TO CHANGE SOME OF THE OSBORNE VILLAGE PLAN.

15

WE CAN SAY WE DON'T LIKE THEM OR DON'T AGREE WITH THEM, BUT THE TRAFFIC STUDIES SAY THAT IT'S NOT GOING TO BE A SIGNIFICANT DISRUPTION TO ANYBODY'S LIFE. THE EXISTING CONDITIONS IS WHAT IT IS AND THIS PROJECT ISN'T GOING



8

TO BE A SIGNIFICANT (BIG) IMPACT IN TERMS OF THE TRAFFIC.

ANSWER

### TRAFFIC STUDIES:

WELL HERE IS A STUDY (IN MY OPINION) HAS BEEN DATA MANIPULATED.

I DO NOT AGREE WITH THE TRAFFIC STUDY'S FINDINGS! (I HAVE LIVED AND BEEN IN THIS PARTICULAR NEIGHBOURHOOD FOR 39 YEARS).

ANYONE WHO LIVES HERE WILL NOT AGREE WITH ANY OF THE DATA!

**"IT'S SIMPLY NOT TRUE!"**

I LIVE IN A SINGLE PANED WINDOWED HOUSE (SO I HEAR EVERYTHING —

AND WINTER IS HORRIFIC) THE STATE OF TRAFFIC AROUND ROSLYN ROAD/CRECENT AND NASSAU IS

CRAZY (AT BEST) IF YOU ARE THINKING ABOUT ADDING ANOTHER

100 PEOPLE LIVING IN THIS SPOT (WHERE I LIVE NOW) THE TRAFFIC PROBLEMS (IN MY OPINION) WILL

TRIPLE IN VOLUME; BECAUSE YOU ARE ADDING 100+ PEOPLE...

PLUS! CARS, FRIENDS, FAMILIES, AMENITIES, DELIVERIES, MOVING,

AMBULANCES, WORK CREWS, SNOW REMOVAL, WINDOW WASHERS, GARAGE

MAINTENANCE PEOPLE AND OTHERS. THIS AMPS UP VOLUME IN ONE'S AREA

MANY TIMES.



9

SO DOES TRAFFIC REALLY IMPACT AN AREA? **I THINK SO!** AND IT WILL PROBABLY BE WAY WORSE THAN ANYONE ACTUALLY THINKS. YOU MIGHT CONSIDER CREATING A PARKING LOT FROM OSBORNS TO THE RIVER. WE ALREADY HAVE A RATHER LARGE GRID-LOCK DURING PEAK TIMES ANYWAY.

**#6** THE BENEFITS TO THE COMMUNITY INCLUDE DIVERSITY, DENSITY AND PEDESTRIAN ENVIRONMENT IMPROVEMENTS:

**ANSWER**

SO YOU THINK DIVERSITY, DENSITY AND PEDESTRIAN ENVIRONMENT IMPROVEMENT IS WHAT WE (OSBORNIANS) WILL GAIN? DIVERSITY (BODILY ME) IS BEING KICKED OUT OF OURS HOUSE. I AM PHYSICALLY DISABLED (AND SO ARE MY LOWER LEVEL HOUSE PEOPLE). WE LIVE IN A DUPLEX (180 ROSCYN RD) ... ALL ACCOUNTED FOR WERE AT LEAST 3 DISABLED - WHAT AND WHERE DO WE GO NEXT?

BY LIVING HERE AND BEING JUST ABLE TO WALK OUR AMENITIES (TO SURVIVE) - GROCERY STORES, DRUG STORE BUS STOPS, RESTAURANTS AND ENTERTAINMENT. BEING CLOSE TO DOWNTOWN AND DOCTORS.

SO BY KICKING US OUT - THIS WILL IMPROVE THE NEIGHBOURHOOD?



10

By kicking us out there will be more diversity? and the like?

**DENSITY** - A VERY UNUSUAL QUALITY  
DON'T YOU THINK? THE LAST TIME I HAVE HEARD ANYONE COMPLIMENT BEING PACKED IN LIKE SARDINES HAS BEEN **NEVER!** WE LOVE LIVING TOGETHER ALL STUCK TOGETHER... RIGHT? NO SPACE - NO PLACE TO WALK - NO PARKS - NO GREEN SPACE FOR TREES TO DIGEST POLLUTION - NO TREES LEFT (CUT DOWN TO BUILD THIS CONGLOMERATE), NO AIR, NO ROOM... ETC

HISTORY SHOWS THAT HIGH DENSITY (NEEDS) POPULATIONS ARE EASILY PRONE TO SICKNESS AND WAR. UNFORTUNATELY DIVERSITY PLUS DENSITY ARE THE MAJOR EXAMPLES OF DISPUTE AND WAR. IT IS A LOT HARDER TO GET ALONG PEACEFULLY.

AS FOR PEDESTRIAN IMPROVEMENT - IT'S THE SIDEWALK THAT NO ONE CARES ABOUT OR NEEDS - **SO**

**NO IMPROVEMENTS**

- THIS HAS BEEN MISSING FOR 50+ YEARS ANYWAY

~~#7~~ LOOKING AT THE FACTS IN FRONT OF ME; IT'S ZONED FOR THIS, IT PROVIDES BETTER PEDESTRIAN AMENITIES AND THE QUESTIONS THAT HAVE BEEN RAISED ARE ALL ANSWERED IN THIS REPORT.



11

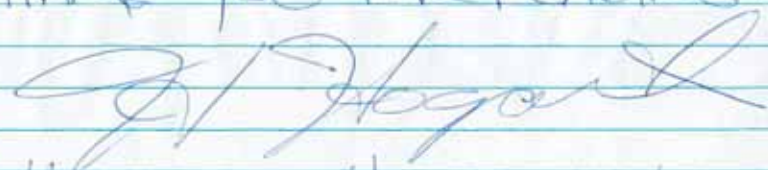
~~proposed~~

IF YOU REALLY ARE LOOKING AT THE FACTS - YOU WILL NOT AGREE THAT ALL THE CODES, ZONINGS AND AMENITIES ARE BEING MET IN THIS REPORT. I WOULD HOPE THAT YOU RECONSIDER ALL THE PEOPLES CONCERNS AND TRY TO UNDERSTAND WHAT THE PEOPLES WHO (HAVE) LIVED HERE FOR 40 TO 50 YEARS. AND THEN THERE ARE US (DISABLED) RENTERS - WHERE ARE WE TO GO? WHO WILL TAKE CARE OF US NOW? HOW WILL WE FIND A PLACE TO LIVE?

IS THERE ROOM IN OSBORNE VILLAGE FOR US?

OR ARE WE BEING  
CENTRIFIED  
OUT?

THANK YOU FOR READING!..



HEATHER HOGARTH

Exhibit " 2f " referred to in File DAV 127821A/2015D

**Monique Henderson**

October 5, 2015

City Clerk, City of Winnipeg  
c/o Appeal Committee  
Administration Building  
Main Floor, 510 Main Street  
Winnipeg, Manitoba, R3B 1B9

Re: Variance Order #DAV 127821/2015D

Dear City Clerk, City of Winnipeg:

With regard to Variance Order #DAV 127821/2015D affecting the properties at 166, 176, 178, 180, and 184 Roslyn Road:

I appeal the order in whole.

Sincerely,



**Monique Henderson**

Exhibit " 2e " referred to in File DAV 127821A/2015D

**Michele Henderson**

October 5, 2015

City Clerk, City of Winnipeg  
c/o Appeal Committee  
Administration Building  
Main Floor, 510 Main Street  
Winnipeg, Manitoba, R3B 1B9

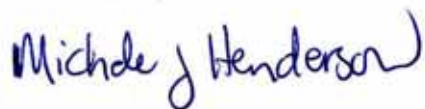
Re: Variance Order #DAV 127821/2015D

Dear City Clerk, City of Winnipeg:

With regard to Variance Order #DAV 127821/2015D affecting the properties at 166, 176, 178, 180, and 184 Roslyn Road:

I appeal the order in whole.

Sincerely,

A handwritten signature in blue ink that reads "Michele Henderson". The signature is written in a cursive style with a large, stylized initial 'M'.

**Michele Henderson**

Exhibit " 2d " referred to in File DAV 127821A/2015D

**Elaine Henderson**

October 5, 2015

City Clerk, City of Winnipeg  
c/o Appeal Committee  
Administration Building  
Main Floor, 510 Main Street  
Winnipeg, Manitoba, R3B 1B9

Re: Variance Order #DAV 127821/2015D

Dear City Clerk, City of Winnipeg:

With regard to Variance Order #DAV 127821/2015D affecting the properties at 166, 176, 178, 180, and 184 Roslyn Road:

I appeal the order in whole.

Sincerely,

A handwritten signature in cursive script, appearing to read "E. Henderson".

Elaine Henderson

Exhibit " 2c " referred to in File DAV 127821A/2015D

October 4, 2015

City Clerk, City of Winnipeg  
c/o Appeal Committee  
Administration Building  
Main Floor, 510 Main Street  
Winnipeg, Manitoba R3B1B9

Sent via email to:CLK-Appeals@winnipeg.ca

**Re: Variance Order DAV 127821/2015D**

I am filing this appeal in opposition to the whole of the above Variance Order.

Approving the Sunstone project mainly because it is in step with the Osborne Village Neighbourhood Plan and falls within established height limits does not make the project good, either in itself or for the area.

A handwritten signature in black ink, appearing to read "L Rankin", with a long horizontal flourish extending to the right.

Laird Rankin

Exhibit " 2b " referred to in File DAV 127821A/2015D

CITY CLERKS 4PG \*15 OCT 05 10:08

City Clerk City of Winnipeg c/o Appeal Committee  
Administration Building  
Main Floor 510 Main St Wpg Mb R3B 1B9

Variance Order No. DAV 127821/2015D

The proposed development is too large for the subject site.

The variances requested are not a minimum modification to the Zoning By-Law

A 13.7 foot front yard instead of 24 feet is a 57% variance

A 1.9 foot rear yard instead of 25 feet is a 76% variance

70 Parking spaces instead of 94 & no visitor parking spaces instead of 7 is not a minimum variance

The proposed building footprint (78 units) with the requested variances is injurious to the neighbourhood.. Lack of parking for existing residents and their guests is currently difficult. A further reduction in required parking will intensify this issue. People attending activities in the village expand into the housing area making it difficult for homeowners and their guests to find a parking spot. Safeway has to employ a parking attendant to keep their lot available for their patrons. People become frustrated and annoyed when their vehicles are towed from the Safeway lot which discourages them from returning to the area.

To my knowledge there has not been a traffic study done for several years. That study was done during July/August when volumes were reduced due to summer vacations.

The overdevelopment of the subject site will impede emergency vehicle access and moving trucks.needng to be parked for longer periods of time.

The area has been high density since the 1970's . As such a development more compliant on the subject lot including required parking would be more compatible to the area.

Submitted by

  
Jean Hird

Exhibit " 2a " referred to in File DAV 127821A/2015D

**Frank J. Hechter** D.M.D., M.Sc., M.Ed., Ph.D.

*Home:*  
*Fax:*  
*Cellphone:*  
*Email:*

*September 28, 2015*

City Clerk, City of Winnipeg  
c/o Appeal Committee  
Administration Building  
Main Floor, 510 Main Street  
Winnipeg, MB R3B 1B9  
E-mail: [CLK-Appeal@winnipeg.ca](mailto:CLK-Appeal@winnipeg.ca)

Dear Madam/Sir:

Re: Variance – DAV 15-127821/D

I am a long time resident on Roslyn Crescent, my grandfather built the house in 1950 and my family has resided their uninterrupted since. When planning and renovations are complete the fourth generation of my family will live in this house and beautiful neighbourhood.

I wish to formally appeal the variance captioned above. It is my understanding that the subdivision – DAS 16/2015 may not be appealed but the variances are subject to appeal.

The first matter that warrants discussion and consideration include the reality the city already has a 15 foot (5 meter) right of way on Roslyn Road side of properties 166, 176, 178, 180 and 184. The question that arises is why the city did not extend the sidewalk recently constructed between the north side of the Safeway property and 188 Roslyn Road. If pedestrian safety is such a critical concern the city has failed to address this issue. Besides the financial cost to Public Works, the construction of a sidewalk has been compromised by the existence of a brick and wrought iron fence on aspects of the properties. The notion that the developer is prepared to 'gift' the city and additional 1.1 meters and construct the sidewalk at their expense is hardly an altruistic offer. This is clearly something that should have been done at taxpayer expense and not be



paraded as a rationale for supporting the project (Counsellor Gerbasi).

The second issue is the use of a 16 foot back lane as the entrance/egress to the properties. The developer articulated the view that this lane would accommodate two vehicles travelling in opposite directions. I will present photographic evidence that this contention is incorrect and disingenuous. Not only may two sedans have difficulty negotiating this pathway, city half ton trucks, never mind delivery trucks, emergency vehicles, recycling and garbage trucks may not pass without considerable risk of collision. There is parking perpendicular to this pathway from both 188 Roslyn Road and well as 50 Nassua Street North. Moreover, the contention that the hammerhead planned will accommodate the vehicles described is also incorrect. A CAD image confirms that this statement is blatantly false.

The contention that the creation of this increase in vehicular traffic flow as a result of this edifice would have a 'benign' effect (developer statement, September 16<sup>th</sup>, 2015) on traffic is simply unconscionable. To this point specifically, it would behoove the city to conduct a current traffic evaluation of the confluence of Roslyn Road, Nassau, and Roslyn Crescent as well as the Osborne, and Roslyn Road intersection. The additional vehicular traffic trying to make its way either north or south bound out of the back lane will further congest already compromised traffic patterns. There is currently street parking on the west side of Nassau Street opposite the back lane. How will large vehicles be able to negotiate this entrance/egress pathway.

The city planner was asked to provide these details and indicated they were not available. As significantly, the administration was not able to provide information regarding the density of the residents bounded by Osborne Street, River Avenue and the Assiniboine River. While the City Centre planning by-law zoned Osborne Village to be a high density area, there is no assessment of the consequence of the current condominium developments. As I have noted in previous submission (May 25, 2009), just because something is allowed does not mean it is a prudent decision. Counsellors have the opportunity to consider what is in the best interests of the community, not the developer(s).

Parking is a genuine concern in the area of Osborne Village, to which every business owner will attest. Safeway, Shoppers Drug Mart, the MLCC jealously monitor their parking lot. There is a severe inadequacy of on and off street parking in the area. The variance requested includes not only a reduction in available parking spaces from 94 to 70, and NO visitor parking is truly unacceptable. Rationalizing this request by the assumption that not every tenant will have a vehicle sets a questionable precedent. The amendment



offered by Counsellor Gerbasi that at least two (2) parking spots be designated for visitors is completely inadequate and does not address or consider the dearth of parking available even now.

Were it not enough that the available parking spots is clearly inadequate, the developer has requested a variance about the size of the parking spots (widths reduced from 10 feet (3.05m) to 8.8 feet (2.7m) and length reduced from 23 feet (7.01 m) to 19.6 feet (6 m). So, not only is there the assumption that not all tenants will have vehicles but those that do will undoubtedly have mini-Coopers or the like. Interesting, but unrealistic, expectations! Clearly the developer's requests highlight the inadequacy of the footprint for such the planned construction, they also request a variance for 'no buffering of parking along the rear lot line adjacent to a residential zoning district' (2.E)

The variance requested to facilitate the construction of a fence/wall (privacy screen) in the front yard, i.e., facing Roslyn Road of 5.9 feet (1.8 m) not the allowable 4 feet (1.22m) will undoubtedly detract from the beauty and ambiance of the neighbourhood.

The request for a three sided garbage enclosure instead of a fully enclosed one is also unacceptable. Not only will this encourage wildlife (racoons who come off the riverbank) to scavenge for food, and create a health risk for residents in the neighbourhood.

I anxiously await the opportunity to present these objections to the appeals committee. I should note that the only people at the September 16<sup>th</sup> meeting in favour of this project are all associated with the development. All others indicated strong opposition.

If you require any additional information, please feel free to contact me through any means indicated on this letterhead.

Respectfully submitted,

Frank J. Hechter, DMD, MSc, Med. PhD



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**THE CITY OF WINNIPEG  
VARIANCE ORDER  
CITY CENTRE COMMUNITY COMMITTEE**

**DAV 127821/2015D [c/r DAC 3/2015, DAS 16/2015]**

**Before:** City Centre Community Committee  
Councillor Orlikow, Chairperson  
Councillor Gerbasi  
Councillor Gilroy

**Hearing:** September 16, 2015  
Council Building, 510 Main Street

**Applicant:** Sunstone Resort Communities (Christine Wilson-MacLeod)

**Premises Affected:** 166, 176, 178, 180 and 184 Roslyn Road

**Legal Description:** Lot 13 Plan 27379 42 St B, Lot 14 Plan 27379 42 St B, Lot 15  
Plan 27379 42 St B, Lot 16 Plan 27379 42 St B, hereinafter called  
“the land”

**Property Zoned:** “RMF-L” (Residential Multi-Family, Large)

**Nature of Application:** To vary the “RMF-L” (Residential Multi-Family, Large)  
Dimensional Standards of the Winnipeg Zoning By-law No.  
200/2006 for the consolidation of four (4) residential lots to permit  
as follows:

1. for the construction of a multi-family dwelling (78 units) to  
permit:

- A. a front yard of 13.7 feet (4.2 metres) instead of 24 feet (7.32 metres);
  - B. an east side yard of 14 feet (4.27 metres) instead of 20 feet (6.1 metres);
  - C. a rear yard of 1.9 feet (0.6 metres) instead of 25 feet (7.62 metres);
  - D. 70 parking spaces instead of 94 spaces;
  - E. no visitor spaces instead of 7 spaces;
  - F. a three-sided garbage enclosure instead of a fully enclosed one;
2. for the establishment of an accessory parking area to permit:
- A. a front yard of 7.5 feet (2.3 metres) instead of 24 feet (7.32 metres);
  - B. no west side yard instead of 8 feet (2.44 metres);
  - C. stall widths of 8.8 feet (2.7 metres) instead of 10 feet (3.05 metres) for parking spaces adjacent to a wall or fence;
  - D. stall lengths of 19.6 feet (6 metres) instead of 23 feet (7.01 metres) for parking spaces adjacent to a public lane;
  - E. no buffering of parking along the rear lot line adjacent to a residential zoning district;
  - F. a continuous fence buffer on the west side instead of a fence buffer having a horizontal length of 48 feet (14.63 metres) followed by a landscaped strip having a length of 16 feet (4.88 metres);
3. for the construction of a privacy screen in the front yard to permit a fence/wall height of 5.9 feet (1.8 metres) instead of 4 feet (1.22 metres).

It is the opinion of the City Centre Community Committee that subject to conditions listed below, if any, this Variance meets the statutory criteria as outlined in Subsection 247(3) of The City of Winnipeg Charter in that it:

- (a)  is consistent  is not consistent  
with Plan Winnipeg, and any applicable secondary plan;
- (b)  does not create  does create

a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway;

- (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:

1. This is difficult as I recognize the feelings and concerns of the community and I do feel that there is also another side to all of these that is very compelling.
2. By approving this today, we are supporting the Osborne Village Neighbourhood Plan because this particular spot was zoned high density in 2006 and it was envisioned for this sort of thing to happen there.
3. Most of the variances required are to accommodate concerns from the community like moving it further from the other residences and installing a sidewalk, which I believe is very important to have walkable, safe sidewalks in Osborne Village.
4. The current zoning would have allowed for a 15 storey building and this is a seven storey building and it follows the Osborne Village Neighbourhood Plan to a letter.
5. We can say we don't like them or don't agree with them, but the traffic studies say that it's not going to be a significant disruption to anybody's life. The existing condition is what it is and this project isn't going to have a big impact in terms of the traffic.
6. The benefits to the community include diversity, density and pedestrian environment improvement.
7. Looking at the facts in front of me, it's zoned for this, it provides better pedestrian amenities, and the questions that have been raised are all answered in the report.

ORDER:

The City Centre Community Committee orders that the provisions of the "RMF-L" Residential Multi-Family, Large" Dimensional Standards of the Winnipeg Zoning By-law No. 200/2006 are varied on "the land" for the consolidation of four residential lots to permit as follows:

1. for the construction of a multi-family dwelling (78 units) to permit:
  - A. a front yard of 13.7 feet (4.2 metres);
  - B. an east side yard of 14 feet (4.27 metres);
  - C. a rear yard of 1.9 feet (0.6 metres);
  - D. 70 parking spaces;
  - E. a minimum of 3 visitor parking spaces
  - F. a three-sided garbage enclosure;
  
2. for the establishment of an accessory parking area to permit:
  - A. a front yard of 7.5 feet (2.3 metres);
  - B. no west side yard;
  - C. stall widths of 8.8 feet (2.7 metres);
  - D. stall lengths of 19.6 feet (6 metres);
  - E. no buffering of parking along the rear lot line adjacent to a residential zoning district;
  - F. a continuous fence buffer on the west side;
  
3. for the construction of a privacy screen in the front yard to permit a fence/wall height of 5.9 feet (1.8 metres);

subject to the following conditions, which the City Centre Community Committee considers necessary to ensure compliance with criteria (a) to (d) above, namely:

1. That, if any variance granted by this order is not established within two (2) years of the date hereof, this order, in respect of that Variance shall terminate.
  
2. That for the development of any building or structure, plans showing the location and design of proposed buildings, accessory parking areas, fencing, landscaping, indoor and outdoor bicycle parking, garbage enclosures, signage, and site lighting shall be submitted to the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.
  
3. That a parking management plan shall be submitted to and approved by the City Centre Community Committee and the Director of Planning, Property, and Development prior to the issuance of any development permits. The parking management plan shall include, at a minimum, provision of one car share vehicle on the subject property.

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

**NOTE: VARIANCE REQUESTED HAS BEEN MODIFIED**

DATE OF ORDER: September 22, 2015

CERTIFIED BY:



Kate McMillan  
Committee Clerk

**HOW TO APPEAL**

You may appeal against either the whole of this order or part(s) of it by filing a letter of appeal.

That letter must be submitted in writing, be signed by the appellant, show the printed name of the appellant, contain the mailing address of the appellant, contain the contact telephone number of the appellant, and

- (a) be addressed as set out below,
- (b) be received at that office not later than 4:30 p.m. on October 9, 2015,  
**[IF RECEIVED LATE YOUR APPEAL CANNOT BE HEARD.]**
- (c) refer to Variance Order No. DAV 127821/2015D, give brief reasons for the appeal and must describe whether you appeal the whole order or only part(s) of it.

Any appeal letters not containing all of the above elements will be rejected by the City Clerk as invalid appeals and will not be heard at an appeal hearing.

You can attend the appeal hearing and speak on issues raised in someone else's appeal, but the appeal committee can only rule on issues raised in appeals filed. If you are not sure what others have appealed you should file your own appeal.

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

THE FOLLOWING PERSONS MADE REPRESENTATIONS AND ARE ENTITLED TO APPEAL:

In Support:

Christine Wilson-MacLeod, Sunstone Resort Communities  
Bill Coady  
Robert Eastwood  
Susan Feldman

In Opposition:

Jennifer Altemeyer  
Sharon Buckley  
Gerald Cairns  
Bruce Cook  
Lauren Cox  
Carl Graham Evans  
Lisa Fraser  
Maxine Fromkin  
Jim Glen  
Jacquie Glen  
Frank Hechter  
Elaine Henderson  
Monique Henderson  
Michele Henderson  
Jean Hird  
Joan Hodgson  
Heather Hogarth  
Betje Jacobs  
Brigitte Jeanson  
Patricia Kendall  
Gary Lally  
Kay Lally  
Judith Lehn  
Richard Lemmon  
Annette Lowe  
Robert Lowe  
Teresa Mabon  
Tara Mamchuk  
Debbie Marantz  
K. Mida Massey

Lynda Metcalfe  
J. Palamartchuk  
Jeremy Pierce  
Michael L. Phillips  
Laird Rankin  
Stephanie Rurak  
Sally Stephens  
Jocelyn Thorvaldson  
Herman Thorvaldson  
Elizabeth (Betty) Turnbull  
David Wilken, President, Winnipeg Condominium Corporation No. 136

For Information:

Cindy Tugwell

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department  
Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department  
Mr. B. Buyachok, Real Property Officer, Planning, Property and Development Department