

Agenda – Appeal Committee – September 13, 2022**PUBLIC HEARINGS**

**Item No. 2 Appeal – Variance – 821-827 Grosvenor Avenue
 (Fort Rouge-East Fort Garry Ward)
 File DAV 226612A/2021C [c/r DCU 226609A/2021C]**

Appeals were received against the decision of the Director of Planning, Property and Development to approve a Variance on “the land” as follows:

1. For the construction of a multi-family dwelling (15 units) to permit:
 - A. a front yard of 20 feet (6.10 metres) instead of 25 feet (7.62 metres);
 - B. 15 parking spaces instead of 18 parking spaces;
2. For the establishment of an accessory parking area to permit:
 - A. no east side yard instead of 4 feet (1.22 metres);
 - B. no west side yard instead of 4 feet (1.22 metres);
 - C. insufficient buffering of parking area located within 20 feet (6.10 metres) of a side or rear lot line abutting or adjacent to a residential zoning district.

Agenda – Appeal Committee – September 13, 2022

DECISION MAKING HISTORY:

COMMITTEE RECOMMENDATION:

On June 16, 2022, the appeal hearing for 821-827 Grosvenor Avenue, originally scheduled for June 16, 2022, was re-scheduled to a later date due to an administrative error.

Agenda – Appeal Committee – September 13, 2022

File:	DAV 226612A/2021C
Appellants:	Els de Gussem Janna Dirks Matt Dirks Helen Feniuk Jordan Flynn Jeff Gillman Lloyd Grahame James Hoeschen, on behalf of Roman Panchyshyn Allison Koots Jocelyne Lalonde Jeff Laurin Carmen Sichewski Christine Skene Phil Stevens Nathan Wikstrom John Youngman
Applicant:	Braydin Huynen (Karma Builders Ltd.)
Premises Affected:	821-827 Grosvenor Avenue
Legal Description:	LOT 23/24 PLAN 26579 35:43 ST B, hereinafter called “the land”
Property Zoned:	“R2 PDO-1Corydon Osborne” (Residential Two-Family Planned Development Overlay-1 Corydon Osborne District)
Nature of the Application:	<p>To vary the “R2 PDO-1Corydon Osborne” of the Winnipeg Zoning By-law No. 200/2006 as follows:</p> <ol style="list-style-type: none">For the construction of a multi-family dwelling to permit:<ol style="list-style-type: none">a front yard of 20 feet (6.10 metres) instead of 25 feet (7.62 metres);15 parking spaces instead of 18 parking spaces;For the establishment of an accessory parking area to permit:<ol style="list-style-type: none">no east side yard instead of 4 feet (1.22 metres);

Agenda – Appeal Committee – September 13, 2022

Nature of the Application:
(continued)

- b. no west side yard instead of 4 feet (1.22 metres);
- c. insufficient buffering of parking area located within 20 feet (6.10 metres) of a side or rear lot line abutting or adjacent to a residential zoning district.

Exhibit Filed:

1. Order DAV 226612/2021C dated April 21, 2022
2. Notice of Appeal filed by Matt and Janna Dirks, received April 26, 2022
3. Notice of Appeal filed by Helen Feniuk, received May 4, 2022
4. Notice of Appeal filed by Allison Koots, received May 4, 2022
5. Notice of Appeal filed by Lloyd Grahame, received May 5, 2022
6. Notice of Appeal filed by Els de Gussem, received May 5, 2022
7. Notice of Appeal filed by Phil Stevens, received May 5, 2022
8. Notice of Appeal filed by Jeff Gillman, received May 5, 2022
9. Notice of Appeal filed by Jocelyne Lalonde, received May 5, 2022
10. Notice of Appeal filed by John Youngman, received May 5, 2022
11. Notice of Appeal filed by Nathan Wikstrom, received May 5, 2022
12. Notice of Appeal filed by Jordan Flynn, received May 5, 2022
13. Notice of Appeal filed by Christine Skene, received May 5, 2022
14. Notice of Appeal filed by Jeff Laurin and Carmen Sichewski, received May 5, 2022
15. Notice of Appeal filed by James Hoeschen, on behalf of Roman Panchyshyn, received May 5, 2022
16. Notification of Public Hearing dated May 31, 2022
17. Manitoba Status of Titles 2774214/1, 2978754/1 and 2978948/1
18. Caveat 180794
19. Letter of authorization dated March 5, 2021 from Paul Knight, 3524701 Manitoba Ltd. to Braydin Huynen, Karma Builders Ltd.

Agenda – Appeal Committee – September 13, 2022

- Exhibit Filed (continued):
20. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising
 21. Plans, Sheets 1, 3 to 7 inclusive dated January 7, 2022, and Sheets 2 and 8 dated April 1, 2022, for File DAV 226612/2021C
 22. Arborist Report and Tree Protection Plan dated April 13, 2021
 23. Report from the Urban Planning Division dated April 6, 2022
 24. Communication dated April 26, 2022 from Matt, Janna and Hayden Dirks in support of the appeal
 25. Communication dated May 5, 2022 from Frederick Innis in support of the appeal
 26. Communication dated May 5, 2022 from Debra Wikstrom in support of the appeal
 27. Communication dated May 5, 2022 from Terry Wikstrom in support of the appeal
 28. Inspection Report
 29. Notice of Adjournment dated June 10, 2022
 30. Corrected Order DAV 226612/2021C dated July 11, 2022
 31. Notice of Appeal filed by Nick Logan, received July 20, 2022
 32. Notice of Appeal filed by Nathan Wikstrom, received July 25, 2022
 33. Communication dated July 13, 2022 from Els de Gussem in support of the appeal
 34. Communication dated July 15, 2022 from Helen Feniuk in support of the appeal
 35. Communication dated July 17, 2022 from Matt and Jana Dirks in support of the appeal
 36. Communication dated July 19, 2022 from Allison Koots in support of the appeal
 37. Communication dated July 21, 2022 from Christine Skene in support of the appeal
 38. Communication dated July 25, 2022 from Jeff Laurin and Carmen Sichewski in support of the appeal
 39. Communication dated July 25, 2022 from Jocelyne Lalonde in support of the appeal
 40. Notification of Public Hearing dated August 26, 2022
 41. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising

Agenda – Appeal Committee – September 13, 2022

- Exhibit Filed (continued):
- 42. Revised Report from the Urban Planning Division dated June 27, 2022
 - 43. Inspection Report

Agenda – Appeal Committee – September 13, 2022

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.

Agenda – Appeal Committee – September 13, 2022

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 226612/2021C be confirmed / cancelled.

Moved by Councillor

That the decision of the Director of Planning, Property and Development be / not be concurred in.

Moved by Councillor

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

Exhibit “42” referred to in File DAV 226612A/2021C

ADMINISTRATIVE REPORT-revised

Title: DAV 21-226612\C – 821-827 Grosvenor AVE

Issue: For consideration of a variance to establish a 15 unit multi-family residential use.

Critical Path: Director of Planning, Property and Development Department.

AUTHORIZATION

Author	Department Head	CFO	CAO
Dylan Harris, RPP, MCIP	n/a	n/a	

RECOMMENDATIONS

The Urban Planning Division **approves** the application to vary the "R2 PDO-1Corydon Osborne" dimensional standards of Zoning By-Law No. 200/2006 as follows:

- 1) For the construction of a multi-family dwelling to permit:
 - a) a front yard of 20 feet (6.10 metres) instead of 25 feet (7.62 metres);
 - b) 15 parking spaces instead of 18 parking spaces;
- 2) For the establishment of an accessory parking area to permit:
 - a) no east side yard instead of 4 feet (1.22 metres);
 - b) no west side yard instead of 4 feet (1.22 metres);
 - c) insufficient buffering of parking area located within 20 feet (6.10 metres) of a side or rear lot line abutting or adjacent to a residential zoning district.

REASON FOR THE REPORT

- As outlined in Zoning By-law 200/2006, variances to the dimensional standards and parking supply requirements are required to enable the proposed development.

FILE/APPLICANT DETAILS

FILE:	DAV 21-226612\C
RELATED FILES:	DCU 226609/2021C, DASSF 501/22
COMMUNITY:	City Centre Committee
NEIGHBOURHOOD #:	1.601 Crescentwood
SUBJECT:	<p>To vary the "R2 PDO-1Corydon Osborne" dimensional standards of Zoning By-Law No. 200/2006 as follows:</p> <p>1) For the construction of a multi-family dwelling to permit:</p> <p> a) a front yard of 20 feet (6.10 metres) instead of 25 feet (7.62 metres);</p> <p> b) 15 parking spaces instead of 18 parking spaces;</p> <p>2) For the establishment of an accessory parking area to permit:</p> <p> a) no east side yard instead of 4 feet (1.22 metres);</p> <p> b) no west side yard instead of 4 feet (1.22 metres);</p> <p> c) insufficient buffering of parking area located within 20 feet (6.10 metres) of a side or rear lot line abutting or adjacent to a residential zoning district.</p>
LOCATION:	821 Grosvenor AVE
LEGAL DESCRIPTION:	LOT 23/24 PLAN 26579 35:43 ST B
APPLICANT:	<p>Braydin Huynen (Karma Builders Ltd.)</p> <p>671 Pembina Hwy</p> <p>Winnipeg, MB R3M 2L6</p>
OWNER:	<p>Alan Knight</p> <p>415 Hosmer Blvd</p>

Winnipeg, MB R3P 0H8

HISTORY

- The applicant contacted the Urban Planning Division to elicit feedback on a proposed lot consolidation and multi-family residential development at 821-827 Grosvenor Ave.
- The Urban Planning Division advised the applicant to undertake a pre-application in order to provide comprehensive feedback on the proposed development.
- The applicant submitted a pre-application for a proposed 15 unit multi-family residential development in March of 2021.
- A pre-application feedback letter was provided to the applicant by the Urban Planning Division on May 28, 2021.

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 site consists of three (3) contiguous properties located on the north side of Grosvenor Ave. and are located in the Crescentwood Neighbourhood of the River Heights – Fort Garry Ward.
- Each of the three (3) subject properties are currently zoned “R2 PDO-1 Corydon Osborne” Residential Two Family district.
- The subject properties have the following site dimensions:
 - 827 Grosvenor Ave: 50 x 120 feet = 6001 sq. ft.
 - 821 Grosvenor Ave: 30 x 120 feet = 3600 sq. ft.
 - Unaddressed irregular shaped lot: 2605 sq. ft.
- If consolidated, the subject site would be 80 feet wide by 120 feet deep with an area of 12 206 sq. ft.
- The site is currently vacant.



Figure 1: Site survey of subject and surrounding lots (captured 2021)

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Single family residential uses and multi-family residential uses zoned “R2” Residential Two-Family district and a rear lane.

South: Grosvenor Ave. then a single family residential use and a four (4) unit residential use zoned “R2 PDO-1” Residential Two Family Corydon Osborne district.

East: A 31 unit multi-family residential use zoned “R2 PDO-1” Residential Two Family Corydon Osborne district.

West: A four (4) unit multi-family residential use zoned “R2 PDO-1” Residential Two Family Corydon Osborne district.



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to consolidate three (3) existing lots to enable the establishment of a 15 unit multi-family residential building on site.
- The proposed development will include 15 motor vehicle parking spaces at the rear of the building accessed by a public lane. Parking is located under a portion of the building and behind the building.
- A secure indoor bicycle parking room is located in the proposed building. Visitor bicycle parking is also provided in the front yard setback.
- The proposed building utilizes a four (4) storey construction.

- The proposed building has been designed to break up building width into two (2) sections to replicate the rhythm of original lot lines and increase visual interest.
- Building articulation is achieved through the use of varied roof lines, architectural detailing, entrance locations, balcony placement and cladding material.
- The front building elevation contains the main building entrance, amenity space and a residential unit at grade.
- The residential unit contains a street facing balcony and unit entrance to activate the facing streets and to improve pedestrian orientation of the building.
- An at grade main entrance on Grosvenor Ave. leads to a main foyer with elevator access which improves building accessibility.
- The building utilizes a range of higher quality cladding materials including brick veneer, storefront window glazing, smooth panel siding, lap siding and EIFS stucco.
- In conjunction with a submitted arborist report, a landscaping plan has been submitted which illustrates:
 - Protection and preservation of four (4) trees on site per arborist recommendations.
 - Planting of two (2) new trees on site.
 - Planting of 18 shrubs on site.
 - Interior site landscaping
- A corresponding conditional use application (DCU 21-226609C) is required to enable the proposed development. Please refer to the conditional use report for additional information.

Collaboration with the Public Service:

- For a summary of the collaborative process between the applicant and the Urban Planning Division please see the corresponding conditional use report (DCU 21-226609C).

Public engagement:

- For a summary of the public consultation process undertaken by the applicant please see the corresponding conditional use report (DCU 21-226609C).

REASONS FOR APPLICATION*Front yard setback*

The Zoning By-law requires that when residential redevelopment occurs within an established context, that a front yard alignment be undertaken to determine the required front yard setback. Given adjacent context, a front yard setback of 25 feet is required. The applicant is proposing a front yard of 20 feet. For this reason, a variance is required.

Parking supply

When undertaking multi-family residential development in the Mature Communities (the Urban Infill Area) policy area, a minimum parking supply of 1.2 stalls per dwelling unit is required. Given a proposed 15 dwelling units, 18 parking spaces are required. The applicant is proposing to establish 15 parking stalls. For this reason, a variance is required.

Parking area east side yard

When undertaking multi-family residential development in the “R2” district, a four (4) foot side yard is required between surface parking spaces and side property lines, when parking is located in the side yard. Due to the irregular shape of this lot, the side property lines at the back of the site are counted as a side yard. Parking stalls are located adjacent to these property lines without four (4) foot separation. For this reason, a variance is required.

Parking area west side yard

When undertaking multi-family residential development in the “R2” district, a four (4) foot side yard is required between surface parking spaces and side property lines, when parking is located in the side yard. Due to the irregular shape of this lot, the side property lines at the back of the site are counted as a side yard. Parking stalls are located adjacent to these property lines without four (4) foot separation. For this reason, a variance is required.

Insufficient buffering of a parking area

When a parking area is located within 20 feet of a side or rear lot line which abuts a residential zoning district, that lot line must be buffered from adjacent uses through use of landscaping or fencing. The applicant is partially buffering property lines through use of fencing. For this reason, a variance is required.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- The subject properties are currently within the Areas of Stability – Mature Communities Policy Area under *the Complete Communities Direction Strategy*. With regard to this proposal, the key policies guiding the development of Areas of Stability include:
 - *Encourage intensification to occur at centres and along corridors.*
 - *Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.*
 - *Support Complete Communities by ensuring diverse and high quality housing stock.*
 - *In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses.*

The proposed development will result in a new multi-family residential development on this vacant lot fronting Grosvenor Ave, increasing residential housing choice in the area. The proposed development is consistent with new and existing development on the Grosvenor Ave. corridor. Design interventions have been employed to reduce impact and improve the proposal's fit within the existing context.

Corydon Osborne Area Plan

- The subject properties fall within the Higher Density Residential area of the *Corydon Osborne Area Plan (COAP)*.
- When properties located in the Higher Density Residential area front onto Grosvenor Ave. policies 3.5.20 Grosvenor, Wellington, Stafford and Lilac Neighbourhood Compatibility are used to guide proposed development. These policies state:
 - *“Grosvenor Avenue, the south side of Wellington Crescent, Stafford Street north of Corydon Avenue and Lilac Street North of Corydon Residential Avenue shall follow the design guidelines / controls for Corydon North Residential and the density policy for Higher Density Residential Areas, but to a height limit of 4 storeys. Other design considerations include:*
 - *Parking in rear yard / behind the building*
 - *Articulated entrances to all streets*
 - *Variation across the width of the façade to reflect the rhythm of adjacent lots*
 - *Increased lot coverage and building height toward the corner “*

The proposed 15 unit multi family dwelling is consistent with the maximum four (4) storey heights enabled on Grosvenor Ave. fronting properties. Parking and vehicular access is located at the rear of the building. Articulated entrances to the building lobby and ground level units are provided. The front façade has been designed in two distinct sections to replicate the rhythm of adjacent / underlying lots.

- In regards to residential density Section 3.5.19 says:

- *“Medium multi-family development may be accommodated subject to design guidelines / controls and the discretionary review process. The maximum building height for these areas should be 3 storeys, except for corners where the maximum building height should be 4 storeys. Greater increases in height or density would be considered on a case by case basis through the rezoning process.”*

The proposed 15 unit development results in a lot area per dwelling unit of 813 sq. ft. This proposed density is consistent with “RMF-M” Residential Multi-Family Medium district density as outlined in the Zoning By-law and as enabled through conditional use approval in the “R2” Residential Two-Family district. The proposed four (4) storey height is consistent with Corydon Plan policy and Planned Development Overlay (PDO) regulation for Grosvenor Ave. fronting property.

- Policy 3.5.22 Residential North of Corydon states *“Multiple lot development allowed north of Corydon Ave shall provide varied massing, setbacks, colours and or rooflines in the building, for every two at grade units to reflect the rhythm of the detached homes in the area.”*

The proposed development has been designed in two distinct building front sections to replicate the original lot lines at 821-827 Grosvenor Ave. Provision of an at grade residential unit with patio space and main lobby entrance provide building variation and replicate the rhythm of residential lots in the area. Varied rooflines emphasize the two (2) building sections and a mix of horizontal and vertical cladding materials further articulates the street facing elevation.

The *Corydon Osborne Area Plan* also contains a number of General Built Form and Development Policies that apply to the proposed development at 676-666 McMillan Ave:

- *3.5.31. Diversity of Character: The various character areas within the study area should be expressed in the built form to strengthen the sense of place and neighbourhood.*
- *3.5.32 Architecture Design: High quality architectural design reinforcing the sense of place and relating to the street and pedestrian environment should be promoted including active first floor storefronts with windows, awnings, architectural features and landscaping*
- *3.5.37 Entrances: Principal building entrances shall be oriented to the public street and secondary entrances to the rear parking areas or lanes.*
- *3.5.43. Building orientation: Buildings shall be functionally and visually oriented to the public street and sited to be parallel to the public street and generally aligned to the neighbouring buildings.*
- *3.5.51. Elevated views: Residential buildings should minimize the intrusion of elevated viewing spaces overlooking private recreational / outdoor space*
- *3.5.53. Roofs: Roof lines should reflect the surrounding context. Roof gardens should be encouraged on low-rise and mid-rise buildings only.*
- *3.5.54. Mature Trees: Encourage preservation of existing mature canopy shade trees and natural areas through good design.*

The proposed development is consistent with the above character policies in that submitted designs illustrate an architecturally thoughtful building. The buildings main entrance is oriented to Grosvenor Ave. A ground level unit with outdoor patio space and above grade balconies are also oriented to Grosvenor Ave. thereby improving pedestrian orientation. The proposed

development provides a 30 foot rear yard which increases separation from rear facing balconies and adjacent residential uses. The rear building elevation utilizes a step back at the fourth floor to further separate rear balconies from adjacent uses. Lastly, an arborist report has been submitted which has resulted in a commitment to preserve and protect four (4) trees on site.

Corydon Osborne Planned Development Overlay:

- This site is located within the Higher Density Residential Area of the Corydon Osborne Planned Development Overlay (PDO-1).
- A number of development and design regulations apply to properties in the Higher Density area of the PDO that front onto Grosvenor Ave. including:
 - A maximum building height of 45 feet
 - For multi-family dwellings, the required interior side yard is a minimum of 4 feet and increases 2 feet per storey above the second storey
 - All building facades must provide a main entrance facing a street.
 - Any accessory parking must be located either below grade, behind the building, or within the building such that parking is separated from public rights-of-way (other than public lanes) by residential uses. Loading and service areas must be located behind a building.
- The proposed development is consistent with PDO regulations for the Higher Density Residential Area in that:
 - A maximum height of 45 feet is provided
 - Eight (8) foot side yards are provided
 - Main entrances are located on the Grosvenor Ave. frontage.
 - Motor vehicle parking is located behind the building.

North of Corydon Ave. Residential Design Guidelines

- The subject properties are subject to the North of Corydon Residential design guidelines outlined in the *Corydon Osborne Area Plan*.
- For complete analysis of how the proposed development meets North of Corydon Residential design guidelines please see Appendix A of the associated conditional use report (DCU-21-226609).

VARIANCES

Front yard setback

The North of Corydon design guidelines in the *Corydon Osborne Area Plan* apply to the subject property. These guidelines enable a front yard setback for new development to be within +/- 5 feet of the average of the two adjacent buildings. The calculated average front yard setback of 811 Grosvenor Ave. (east) and 831 Grosvenor Ave. (west) is 25 feet. The proposed 20 foot front yard is within the allowable five (5) foot reduction as enabled in the North of Corydon design guidelines. The provided 20 foot setback in conjunction with quality landscaping and active pedestrian oriented design will have a positive impact on the Grosvenor Ave. frontage with minimal impact to adjacent uses. The applicant has also provided a 30 foot rear yard, which exceeds the by-law requirement for rear yard setback by five (5) feet, thereby increasing separation distance from adjacent residential uses. For these reasons, the Urban Planning Division **supports** this variance.

Parking supply

The Urban Planning Division will consider support for a reduced parking supply in areas of the city that are well served by public transit and are characterized by a highly walkable / bikeable urban environment.

Grosvenor Ave. and Wellington Crescent provide frequent transit service, with stops within metres of the subject site on Grosvenor Ave. The subject site is within 325 metres of frequent transit service on Corydon Ave. and 315 metres on Stafford St.

In addition to quality transit service, the area is well served by commercial amenities within a short walking distance on Grosvenor Ave, Lilac St. and Corydon Ave. At the request of the Urban Planning Division, the applicant has provided secure indoor bicycle parking and quality visitor bicycle parking on site. The provision of one parking stall per dwelling unit is a reasonable parking supply given area transit service, access to commercial amenity and the high quality pedestrian / cycling environment. For these reasons, the Urban Planning Division **supports** this variance.

Parking area east side yard

The subject property is of unusual shape, particularly at the rear of the subject site. These dimensions result in application of a side yard requirement for parking stalls adjacent to property lines, despite these stalls being located behind the rear wall of the building. This unusual situation results in need for variance. As stated the subject parking stalls are behind the subject building, which is typically permitted. The subject parking stalls are adjacent to an existing surface parking area for adjacent multi-family residential uses. It is the opinion of the Urban Planning Division this condition will not pose negative impact to adjacent uses. For this reason, the Urban Planning Division **supports** this variance.

Parking area west side yard

Similar to the rationale above, due to the property dimension, parking stalls located at the rear of the subject property, adjacent to the west property line are required to provide a four (4) foot side yard setback. The applicant is proposing to establish a fence between the proposed parking area, to ensure property line delineation and adequate screening from adjacent residential uses. Based on this condition, the proposed parking arrangement is not anticipated to pose negative impact on adjacent uses. For these reasons, the Urban Planning Division **supports** this variance.

Insufficient buffering of a parking area

Submitted plans illustrate a vehicular parking area at the rear of the property, accessed by a rear lane. The proposed parking area has a drive aisle that leads to a parking stall, that is within 20 feet of the rear property line. The parking stall within 20 feet of the rear property line is mostly screened from view by a fenced garbage enclosure. A portion of the west side property line at the rear of the property is also unfenced to accommodate a gate alignment to the adjacent property. In effect, both the rear and side property lines contain screening to effectively buffer the parking area from adjacent uses. For these reasons, the Urban Planning Division **supports** this variance.

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;
In that, the proposed variances enable the establishment of a new multi-family residential development in a fashion consistent with policies in the Corydon Osborne Area 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;
In that, the proposed development’s yard setbacks, variable building height, quality landscaping and building design reduce potential impacts on adjacent uses.
- (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
In that, requested variances represent minor reductions and enable development that is consistent with *Corydon Osborne Area Plan* policies.
- (d) is compatible with the area in which the property to be affected is situated.
In that, the proposed building has been designed to fit within existing area context and is consistent in scale and density with existing residential uses on this section of Grosvenor Ave.

CONSULTATION

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

OURWINNIPEG POLICY ALIGNMENT

City Building Direction 3: *Promote compact urban form and manage the extension of municipal services for new growth.*

The continued infill development of this Mature Community will make use of existing municipal infrastructure and promote the development of compact urban form.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

- Strategic opportunity 4:** *Facilitate Compact, Complete Development and Increase Density*
- 4.1** *Increase Strategic Infill Development that Provides Access to and Capitalizes on Existing and Planned Corridors with Frequent Transit Service*
 - 4.2** *Ensure New Areas of Growth are designed According to the Principles of Complete Communities*

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

- Consideration was given as to whether this report connects to the Winnipeg Poverty Reduction Strategy (PRS) and its Goals and Objectives, and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning
Prepared by: Dylan Harris, RPP, MCIP
Date: June 27, 2022
File No. DAV 21-226612\C

Exhibit “23” referred to in File DAV 226612A/2021C

ADMINISTRATIVE REPORT

Title:

DAV 21-226612\C – 821-827 Grosvenor AVE

Issue:

For consideration of a variance to establish a 15 unit multi-family residential use.

Critical Path:

Director of Planning, Property and Development Department.

AUTHORIZATION

Author	Department Head	CFO	CAO
Dylan Harris, RPP, MCIP	n/a	n/a	

RECOMMENDATIONS

The Urban Planning Division **approves** the application to vary the "R2 PDO-1Corydon Osborne" dimensional standards of Zoning By-Law No. 200/2006 as follows:

- 1) For the construction of a multi-family dwelling to permit:
- a) a front yard of 20 feet (6.10 metres) instead of 25 feet (7.62 metres);

b) 15 parking spaces instead of 18 parking spaces;
- 2) For the establishment of an accessory parking area to permit:
- a) no east side yard instead of 4 feet (1.22 metres);

b) no west side yard instead of 4 feet (1.22 metres);

REASON FOR THE REPORT

- As outlined in Zoning By-law 200/2006, variances to the dimensional standards and parking supply requirements are required to enable the proposed development.

FILE/APPLICANT DETAILS

FILE:	DAV 21-226612\C
RELATED FILES:	DCU 226609/2021C, DASSF 501/22
COMMUNITY:	City Centre Committee
NEIGHBOURHOOD #:	1.601 Crescentwood
SUBJECT:	<p>To vary the "R2 PDO-1Corydon Osborne" dimensional standards of Zoning By-Law No. 200/2006 as follows:</p> <p>1) For the construction of a multi-family dwelling to permit:</p> <p> a) a front yard of 20 feet (6.10 metres) instead of 25 feet (7.62 metres);</p> <p> b) 15 parking spaces instead of 18 parking spaces;</p> <p>2) For the establishment of an accessory parking area to permit:</p> <p> a) no east side yard instead of 4 feet (1.22 metres);</p> <p> b) no west side yard instead of 4 feet (1.22 metres);</p>
LOCATION:	821 Grosvenor AVE
LEGAL DESCRIPTION:	LOT 23/24 PLAN 26579 35:43 ST B
APPLICANT:	<p>Braydin Huynen (Karma Builders Ltd.)</p> <p>671 Pembina Hwy</p> <p>Winnipeg, MB R3M 2L6</p>
OWNER:	<p>Alan Knight</p> <p>415 Hosmer Blvd</p> <p>Winnipeg, MB R3P 0H8</p>

HISTORY

- The applicant contacted the Urban Planning Division to elicit feedback on a proposed lot consolidation and multi-family residential development at 821-827 Grosvenor Ave.
- The Urban Planning Division advised the applicant to undertake a pre-application in order to provide comprehensive feedback on the proposed development.
- The applicant submitted a pre-application for a proposed 15 unit multi-family residential development in March of 2021.
- A pre-application feedback letter was provided to the applicant by the Urban Planning Division on May 28, 2021.

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 site consists of three (3) contiguous properties located on the north side of Grosvenor Ave. and are located in the Crescentwood Neighbourhood of the River Heights – Fort Garry Ward.
- Each of the three (3) subject properties are currently zoned “R2 PDO-1 Corydon Osborne” Residential Two Family district.
- The subject properties have the following site dimensions:
 - 827 Grosvenor Ave: 50 x 120 feet = 6001 sq. ft.
 - 821 Grosvenor Ave: 30 x 120 feet = 3600 sq. ft.
 - Unaddressed irregular shaped lot: 2605 sq. ft.
- If consolidated, the subject site would be 80 feet wide by 120 feet deep with an area of 12 206 sq. ft.
- The site is currently vacant.



Figure 1: Site survey of subject and surrounding lots (captured 2021)

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Single family residential uses and multi-family residential uses zoned “R2” Residential Two-Family district and a rear lane.

South: Grosvenor Ave. then a single family residential use and a four (4) unit residential use zoned “R2 PDO-1” Residential Two Family Corydon Osborne district.

East: A 31 unit multi-family residential use zoned “R2 PDO-1” Residential Two Family Corydon Osborne district.

West: A four (4) unit multi-family residential use zoned “R2 PDO-1” Residential Two Family Corydon Osborne district.



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to consolidate three (3) existing lots to enable the establishment of a 15 unit multi-family residential building on site.
- The proposed development will include 15 motor vehicle parking spaces at the rear of the building accessed by a public lane. Parking is located under a portion of the building and behind the building.
- A secure indoor bicycle parking room is located in the proposed building. Visitor bicycle parking is also provided in the front yard setback.
- The proposed building utilizes a four (4) storey construction.

- The proposed building has been designed to break up building width into two (2) sections to replicate the rhythm of original lot lines and increase visual interest.
- Building articulation is achieved through the use of varied roof lines, architectural detailing, entrance locations, balcony placement and cladding material.
- The front building elevation contains the main building entrance, amenity space and a residential unit at grade.
- The residential unit contains a street facing balcony and unit entrance to activate the facing streets and to improve pedestrian orientation of the building.
- An at grade main entrance on Grosvenor Ave. leads to a main foyer with elevator access which improves building accessibility.
- The building utilizes a range of higher quality cladding materials including brick veneer, storefront window glazing, smooth panel siding, lap siding and EIFS stucco.
- In conjunction with a submitted arborist report, a landscaping plan has been submitted which illustrates:
 - Protection and preservation of four (4) trees on site per arborist recommendations.
 - Planting of two (2) new trees on site.
 - Planting of 18 shrubs on site.
 - Interior site landscaping
- A corresponding conditional use application (DCU 21-226609C) is required to enable the proposed development. Please refer to the conditional use report for additional information.

Collaboration with the Public Service:

- For a summary of the collaborative process between the applicant and the Urban Planning Division please see the corresponding conditional use report (DCU 21-226609C).

Public engagement:

- For a summary of the public consultation process undertaken by the applicant please see the corresponding conditional use report (DCU 21-226609C).

REASONS FOR APPLICATION*Front yard setback*

The Zoning By-law requires that when residential redevelopment occurs within an established context, that a front yard alignment be undertaken to determine the required front yard setback. Given adjacent context, a front yard setback of 25 feet is required. The applicant is proposing a front yard of 20 feet. For this reason, a variance is required.

Parking supply

When undertaking multi-family residential development in the Mature Communities (the Urban Infill Area) policy area, a minimum parking supply of 1.2 stalls per dwelling unit is required. Given a proposed 15 dwelling units, 18 parking spaces are required. The applicant is proposing to establish 15 parking stalls. For this reason, a variance is required.

Parking area east side yard

When undertaking multi-family residential development in the “R2” district, a four (4) foot side yard is required between surface parking spaces and side property lines, when parking is located in the side yard. Due to the irregular shape of this lot, the side property lines at the back of the site are counted as a side yard. Parking stalls are located adjacent to these property lines without four (4) foot separation. For this reason, a variance is required.

Parking area west side yard

When undertaking multi-family residential development in the “R2” district, a four (4) foot side yard is required between surface parking spaces and side property lines, when parking is located in the side yard. Due to the irregular shape of this lot, the side property lines at the back of the site are counted as a side yard. Parking stalls are located adjacent to these property lines without four (4) foot separation. For this reason, a variance is required.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- The subject properties are currently within the Areas of Stability – Mature Communities Policy Area under *the Complete Communities Direction Strategy*. With regard to this proposal, the key policies guiding the development of Areas of Stability include:
 - *Encourage intensification to occur at centres and along corridors.*
 - *Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.*
 - *Support Complete Communities by ensuring diverse and high quality housing stock.*
 - *In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses.*

The proposed development will result in a new multi-family residential development on this vacant lot fronting Grosvenor Ave, increasing residential housing choice in the area. The proposed development is consistent with new and existing development on the Grosvenor Ave. corridor. Design interventions have been employed to reduce impact and improve the proposal's fit within the existing context.

Corydon Osborne Area Plan

- The subject properties fall within the Higher Density Residential area of the *Corydon Osborne Area Plan (COAP)*.
- When properties located in the Higher Density Residential area front onto Grosvenor Ave. policies 3.5.20 Grosvenor, Wellington, Stafford and Lilac Neighbourhood Compatibility are used to guide proposed development. These policies state:
 - *“Grosvenor Avenue, the south side of Wellington Crescent, Stafford Street north of Corydon Avenue and Lilac Street North of Corydon Residential Avenue shall follow the design guidelines / controls for Corydon North Residential and the density policy for Higher Density Residential Areas, but to a height limit of 4 storeys. Other design considerations include:*
 - *Parking in rear yard / behind the building*
 - *Articulated entrances to all streets*
 - *Variation across the width of the façade to reflect the rhythm of adjacent lots*
 - *Increased lot coverage and building height toward the corner “*

The proposed 15 unit multi family dwelling is consistent with the maximum four (4) storey heights enabled on Grosvenor Ave. fronting properties. Parking and vehicular access is located at the rear of the building. Articulated entrances to the building lobby and ground level units are provided. The front façade has been designed in two distinct sections to replicate the rhythm of adjacent / underlying lots.

- In regards to residential density Section 3.5.19 says:

- *“Medium multi-family development may be accommodated subject to design guidelines / controls and the discretionary review process. The maximum building height for these areas should be 3 storeys, except for corners where the maximum building height should be 4 storeys. Greater increases in height or density would be considered on a case by case basis through the rezoning process.”*

The proposed 15 unit development results in a lot area per dwelling unit of 813 sq. ft. This proposed density is consistent with “RMF-M” Residential Multi-Family Medium district density as outlined in the Zoning By-law and as enabled through conditional use approval in the “R2” Residential Two-Family district. The proposed four (4) storey height is consistent with Corydon Plan policy and Planned Development Overlay (PDO) regulation for Grosvenor Ave. fronting property.

- Policy 3.5.22 Residential North of Corydon states *“Multiple lot development allowed north of Corydon Ave shall provide varied massing, setbacks, colours and or rooflines in the building, for every two at grade units to reflect the rhythm of the detached homes in the area.”*

The proposed development has been designed in two distinct building front sections to replicate the original lot lines at 821-827 Grosvenor Ave. Provision of an at grade residential unit with patio space and main lobby entrance provide building variation and replicate the rhythm of residential lots in the area. Varied rooflines emphasize the two (2) building sections and a mix of horizontal and vertical cladding materials further articulates the street facing elevation.

The *Corydon Osborne Area Plan* also contains a number of General Built Form and Development Policies that apply to the proposed development at 676-666 McMillan Ave:

- *3.5.31. Diversity of Character: The various character areas within the study area should be expressed in the built form to strengthen the sense of place and neighbourhood.*
- *3.5.32 Architecture Design: High quality architectural design reinforcing the sense of place and relating to the street and pedestrian environment should be promoted including active first floor storefronts with windows, awnings, architectural features and landscaping*
- *3.5.37 Entrances: Principal building entrances shall be oriented to the public street and secondary entrances to the rear parking areas or lanes.*
- *3.5.43. Building orientation: Buildings shall be functionally and visually oriented to the public street and sited to be parallel to the public street and generally aligned to the neighbouring buildings.*
- *3.5.51. Elevated views: Residential buildings should minimize the intrusion of elevated viewing spaces overlooking private recreational / outdoor space*
- *3.5.53. Roofs: Roof lines should reflect the surrounding context. Roof gardens should be encouraged on low-rise and mid-rise buildings only.*
- *3.5.54. Mature Trees: Encourage preservation of existing mature canopy shade trees and natural areas through good design.*

The proposed development is consistent with the above character policies in that submitted designs illustrate an architecturally thoughtful building. The buildings main entrance is oriented to Grosvenor Ave. A ground level unit with outdoor patio space and above grade balconies are also oriented to Grosvenor Ave. thereby improving pedestrian orientation. The proposed

development provides a 30 foot rear yard which increases separation from rear facing balconies and adjacent residential uses. The rear building elevation utilizes a step back at the fourth floor to further separate rear balconies from adjacent uses. Lastly, an arborist report has been submitted which has resulted in a commitment to preserve and protect four (4) trees on site.

Corydon Osborne Planned Development Overlay:

- This site is located within the Higher Density Residential Area of the Corydon Osborne Planned Development Overlay (PDO-1).
- A number of development and design regulations apply to properties in the Higher Density area of the PDO that front onto Grosvenor Ave. including:
 - A maximum building height of 45 feet
 - For multi-family dwellings, the required interior side yard is a minimum of 4 feet and increases 2 feet per storey above the second storey
 - All building facades must provide a main entrance facing a street.
 - Any accessory parking must be located either below grade, behind the building, or within the building such that parking is separated from public rights-of-way (other than public lanes) by residential uses. Loading and service areas must be located behind a building.
- The proposed development is consistent with PDO regulations for the Higher Density Residential Area in that:
 - A maximum height of 45 feet is provided
 - Eight (8) foot side yards are provided
 - Main entrances are located on the Grosvenor Ave. frontage.
 - Motor vehicle parking is located behind the building.

North of Corydon Ave. Residential Design Guidelines

- The subject properties are subject to the North of Corydon Residential design guidelines outlined in the *Corydon Osborne Area Plan*.
- For complete analysis of how the proposed development meets North of Corydon Residential design guidelines please see Appendix A of the associated conditional use report (DCU-21-226609).

VARIANCES

Front yard setback

The North of Corydon design guidelines in the *Corydon Osborne Area Plan* apply to the subject property. These guidelines enable a front yard setback for new development to be within +/- 5 feet of the average of the two adjacent buildings. The calculated average front yard setback of 811 Grosvenor Ave. (east) and 831 Grosvenor Ave. (west) is 25 feet. The proposed 20 foot front yard is within the allowable five (5) foot reduction as enabled in the North of Corydon design guidelines. The provided 20 foot setback in conjunction with quality landscaping and active pedestrian oriented design will have a positive impact on the Grosvenor Ave. frontage with minimal impact to adjacent uses. The applicant has also provided a 30 foot rear yard, which exceeds the by-law requirement for rear yard setback by five (5) feet, thereby increasing separation distance from adjacent residential uses. For these reasons, the Urban Planning Division **supports** this variance.

Parking supply

The Urban Planning Division will consider support for a reduced parking supply in areas of the city that are well served by public transit and are characterized by a highly walkable / bikeable urban environment.

Grosvenor Ave. and Wellington Crescent provide frequent transit service, with stops within metres of the subject site on Grosvenor Ave. The subject site is within 325 metres of frequent transit service on Corydon Ave. and 315 metres on Stafford St.

In addition to quality transit service, the area is well served by commercial amenities within a short walking distance on Grosvenor Ave, Lilac St. and Corydon Ave. At the request of the Urban Planning Division, the applicant has provided secure indoor bicycle parking and quality visitor bicycle parking on site. The provision of one parking stall per dwelling unit is a reasonable parking supply given area transit service, access to commercial amenity and the high quality pedestrian / cycling environment. For these reasons, the Urban Planning Division **supports** this variance.

Parking area east side yard

The subject property is of unusual shape, particularly at the rear of the subject site. These dimensions result in application of a side yard requirement for parking stalls adjacent to property lines, despite these stalls being located behind the rear wall of the building. This unusual situation results in need for variance. As stated the subject parking stalls are behind the subject building, which is typically permitted. The subject parking stalls are adjacent to an existing surface parking area for adjacent multi-family residential uses. It is the opinion of the Urban Planning Division this condition will not pose negative impact to adjacent uses. For this reason, the Urban Planning Division **supports** this variance.

Parking area west side yard

Similar to the rationale above, due to the property dimension, parking stalls located at the rear of the subject property, adjacent to the west property line are required to provide a four (4) foot side yard setback. The applicant is proposing to establish a fence between the proposed parking area, to ensure property line delineation and adequate screening from adjacent residential uses. Based on this condition, the proposed parking arrangement is not anticipated to pose negative impact on adjacent uses. For these reasons, the Urban Planning Division **supports** this variance.

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;
In that, the proposed variances enable the establishment of a new multi-family residential development in a fashion consistent with policies in the Corydon Osborne Area 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;
In that, the proposed development’s yard setbacks, variable building height, quality landscaping and building design reduce potential impacts on adjacent uses.
- (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
In that, requested variances represent minor reductions and enable development that is consistent with *Corydon Osborne Area Plan* policies.
- (d) is compatible with the area in which the property to be affected is situated.
In that, the proposed building has been designed to fit within existing area context and is consistent in scale and density with existing residential uses on this section of Grosvenor Ave.

CONSULTATION

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

OURWINNIPEG POLICY ALIGNMENT

City Building Direction 3: *Promote compact urban form and manage the extension of municipal services for new growth.*

The continued infill development of this Mature Community will make use of existing municipal infrastructure and promote the development of compact urban form.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic opportunity 4: *Facilitate Compact, Complete Development and Increase Density*

- 4.1 Increase Strategic Infill Development that Provides Access to and Capitalizes on Existing and Planned Corridors with Frequent Transit Service*
- 4.2 Ensure New Areas of Growth are designed According to the Principles of Complete Communities*

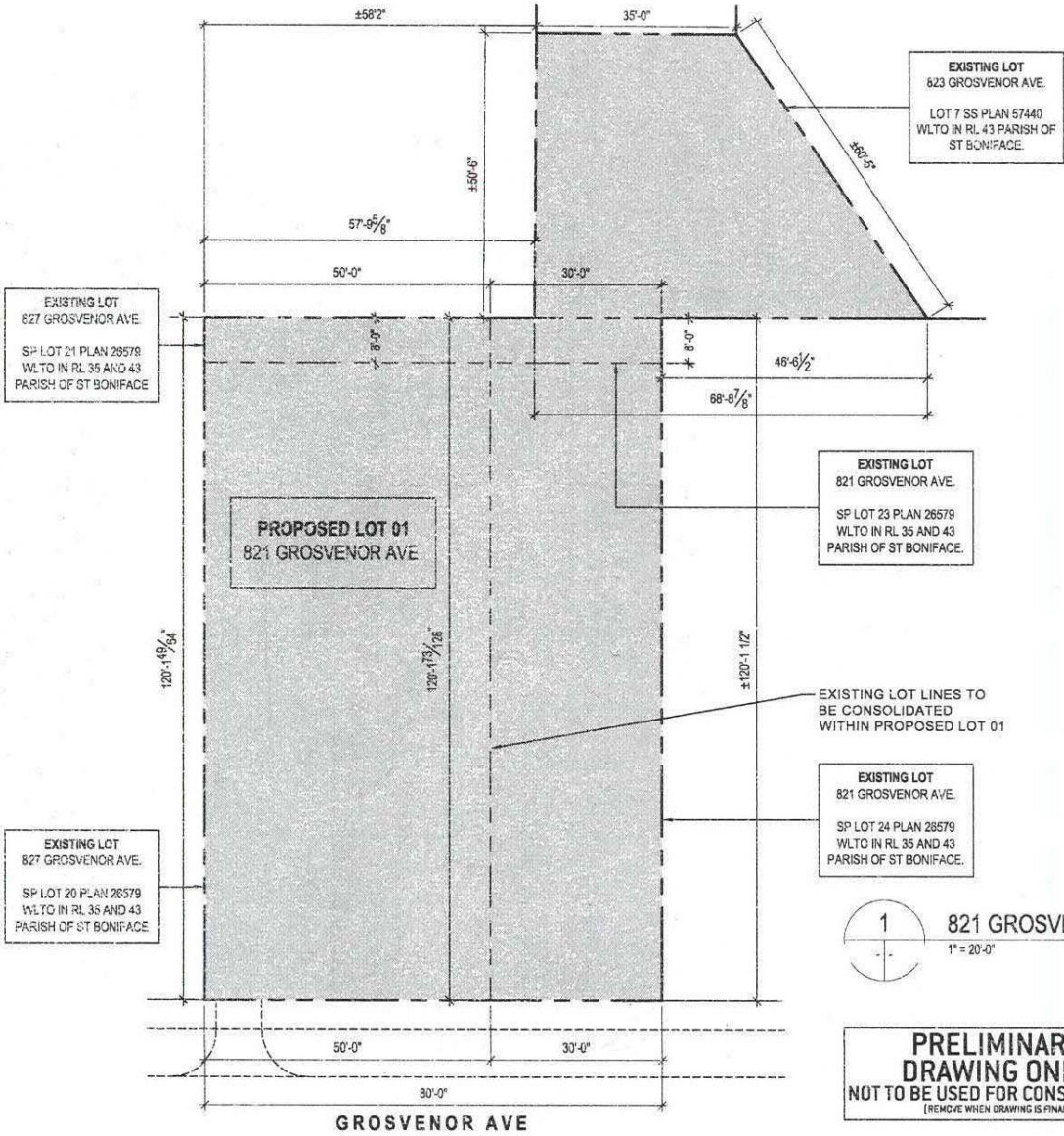
WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

- Consideration was given as to whether this report connects to the Winnipeg Poverty Reduction Strategy (PRS) and its Goals and Objectives, and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning
Prepared by: Dylan Harris, RPP, MCIP
Date: April 6, 2022
File No. DAV 21-226612\C

Exhibit “21” referred to in File DAV 226612A/2021C



821 GROSVENOR AVE - PROPOSED LOT LINES
1" = 20'-0"



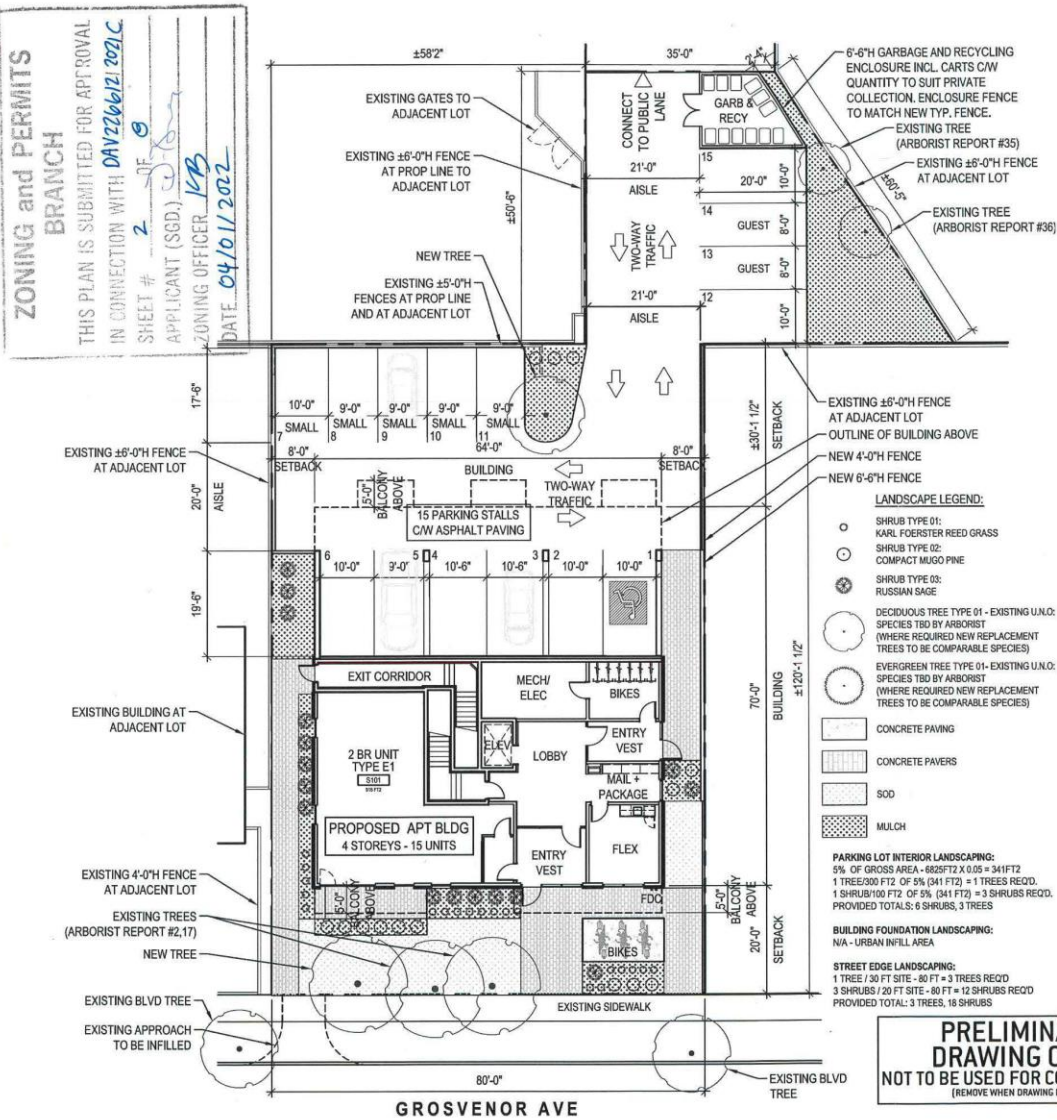
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PROJECT 821 GROSVENOR APARTMENTS			
DRAWN	MB	REV'D	KS
DATE	16 DEC 2021	PROJECT NO.	2018_30
SCALE	AS NOTED	DRAWING NO.	A02

**ZONING and PERMITS
BRANCH**

THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DAV 226612 / 2021C
SHEET # 1 OF B
APPLICANT (SGD.) [Signature]
ZONING OFFICER [Signature]
DATE 01 / 07 / 2022



821 GROSVENOR AVENUE

821 GROSVENOR AVENUE, WINNIPEG, MB
MULTI-FAMILY APARTMENTS - 15 UNITS

LEGAL DESCRIPTION: LOT 7 SS PLAN 57440 WLTO IN RL 43 PARISH OF ST BONIFACE; SP LOTS 20 AND 21 PLAN 26579 WLTO IN RL 35 AND 43 PARISH OF ST BONIFACE.					
MULTI-FAMILY BUILDING INFORMATION: 821 GROSVENOR AVENUE					
4 STOREYS RESIDENTIAL					
CURRENT ZONING DISTRICT		R2			
PROPOSED ZONING		R2 - CONDITIONAL USE			
BUILDING DIMENSIONS		64'-0" FT x 10'-0" FT			
BUILDING HEIGHT		TOP OF 4TH FLOOR = 31'-6" FT			
		MIDPOINT OF ROOF SLOPE = 45'-0" FT			
SITE AREA		12 225 12 / 0.28 ACRES			
BUILDING AREA		4 480 12 / 416.3 m2			
BUILDING GROSS FLOOR AREA		15 618 12 / 1451.5 m2			
SUITE TYPES		1 BEDROOM	2 BEDROOM	TOTAL:	
SUITE COUNT		8	7	15	
ZONING SETBACKS	MIN. FRONT YARD REQD:	MIN. REAR YARD REQD:	MIN. INT. SIDE YARDS REQD:	MIN. REVERSE CORNER SIDE YARDS REQD:	MAX. BUILDING HEIGHT
	PER C OF W ALIGNMENT	25'-0"	8'-0"	N/A	45'-0"
	FRONT YARD PROVIDED:	REAR YARD PROVIDED:	INT. SIDE YARDS PROVIDED:	CORNER SIDE YARD PROV.:	BUILDING HEIGHT:
	20'-0"	30'-1 1/2"	8'-0" (WEST) 8'-0" (EAST)	N/A	45'-0"
PARKING INFORMATION					
PARKING CATEGORY (TABLE 5-4)		3 (1.5 X NO. OF DWELLING UNITS @ 80% PER URBAN INFILL = 1.2 X NO. OF UNITS)			
REQD BICYCLE PARKING		1 PER 10 REQUIRED PARKING SPACES - 2 REQD / 11 PROVIDED			
REQD GUEST PARKING		10% OF REQUIRED PARKING SPACES - 2 REQD / 2 PROVIDED			
SURFACING		ASPHALT			
PARKING SPACE DIMENSIONS	INDOOR TYPICAL = 3.05 x 6.10 m [9'-0" X 20 FT]				
	OUTDOOR TYPICAL = 2.51 x 6.10 m [8'-0" X 20 FT]				
	SMALL CAR = 2.44 x 4.88 m [8 X 16 FT]				
	ACCESSIBLE = 3.05 x 6.10 m [10 x 20 FT]				
TOTAL PARKING SPACES		REQUIRED		PROVIDED	
		18 @ 1.2 X 15 UNITS		15	
OUTDOOR PARKING SPACES		18		15	
ACCESSIBLE SPACES		1		1	
VAN ACCESSIBLE SPACES		0		0	
PARKING AISLE WIDTH		MIN. 6.10 m [20 FT]		MIN. 6.10M [20 FT]	



821 GROSVENOR AVE - SITE PLAN

1" = 20'-0"



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PROJECT
821 GROSVENOR APARTMENTS

821 GROSVENOR AVENUE, WINNIPEG MB

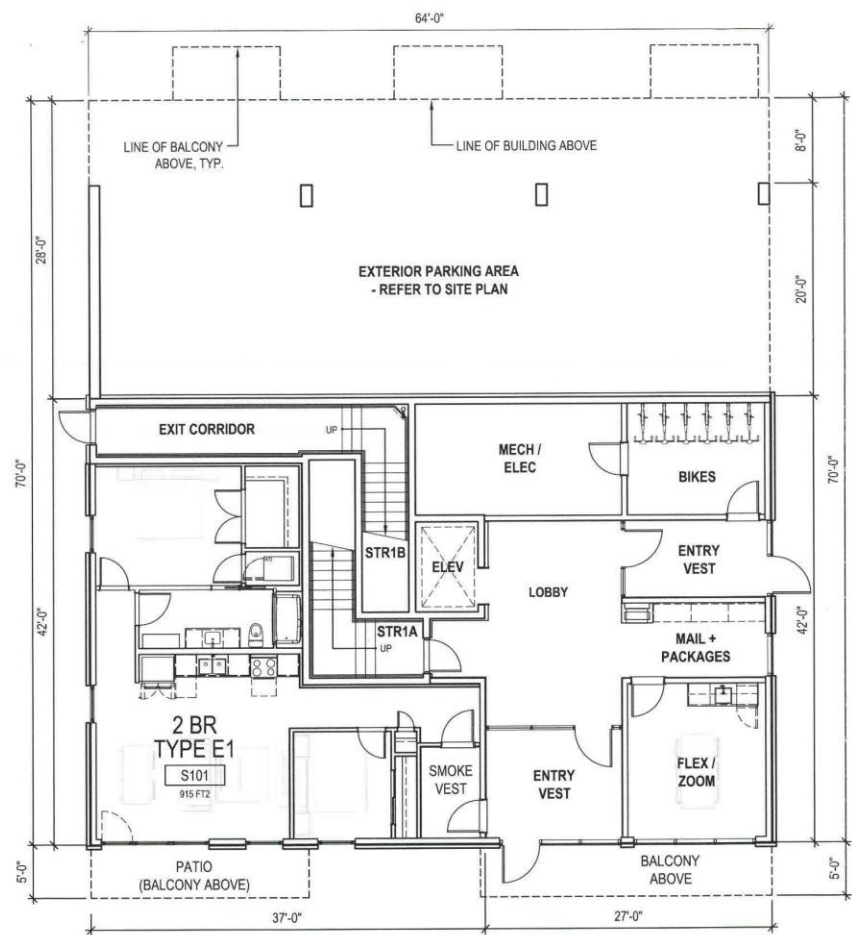
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DATE 30 MAR 2022 DRAWING NO.

SCALE AS NOTED

A01

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IN CONNECTION WITH DAV22661212021c

SHEET # 3 OF 8

APPLICANT (SGD.) [Signature]

ZONING OFFICER KB

DATE 01/07/2022

1
A01 A11
821 GROSVENOR AVE
LEVEL 01 PLAN
3/32" = 1'-0"



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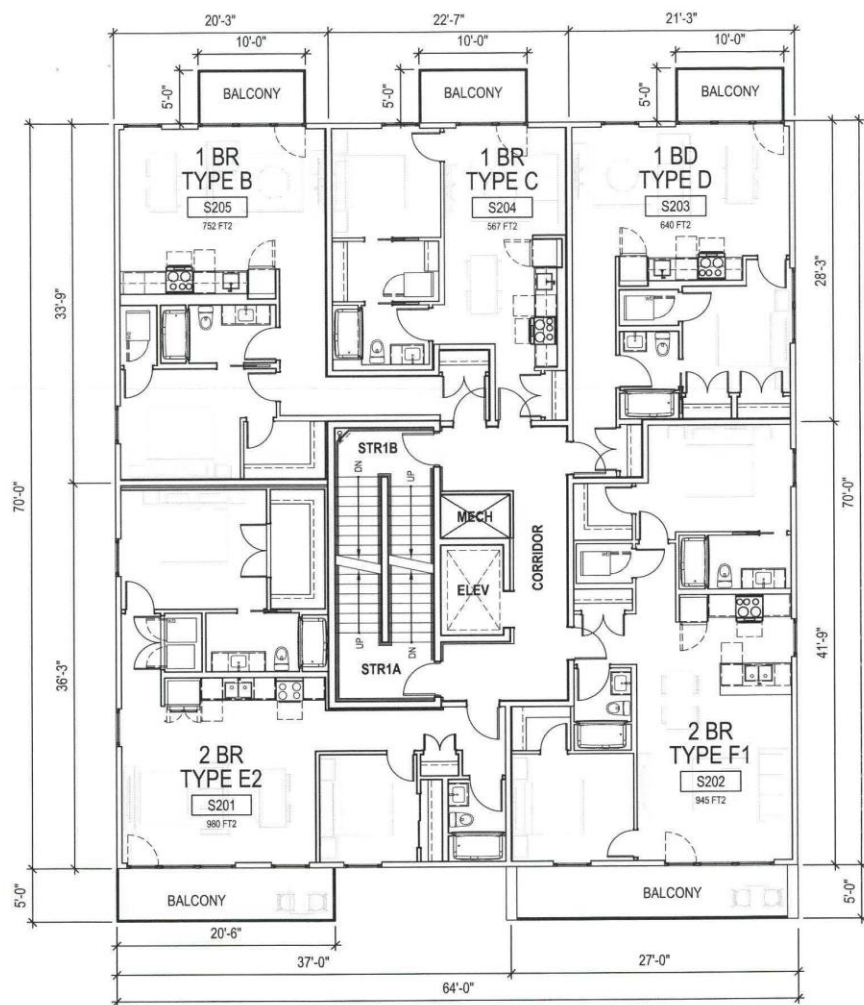


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PROJECT
821 GROSVENOR APARTMENTS
821 GROSVENOR AVENUE, WINNIPEG MB
DRAWN MB REVD KS PROJECT NO. 2018_30
DATE 04 AUG 2021 DRAWING NO.
SCALE AS NOTED

A11



821 GROSVENOR AVE
LEVEL 02-03 TYPICAL PLAN
3/32" = 1'-0"



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**ZONING and PERMITS
BRANCH**
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DAV226612/2021C
SHEET # 4 OF B
APPLICANT (SGD.) [Signature]
ZONING OFFICER [Signature]
DATE 01/07/2022

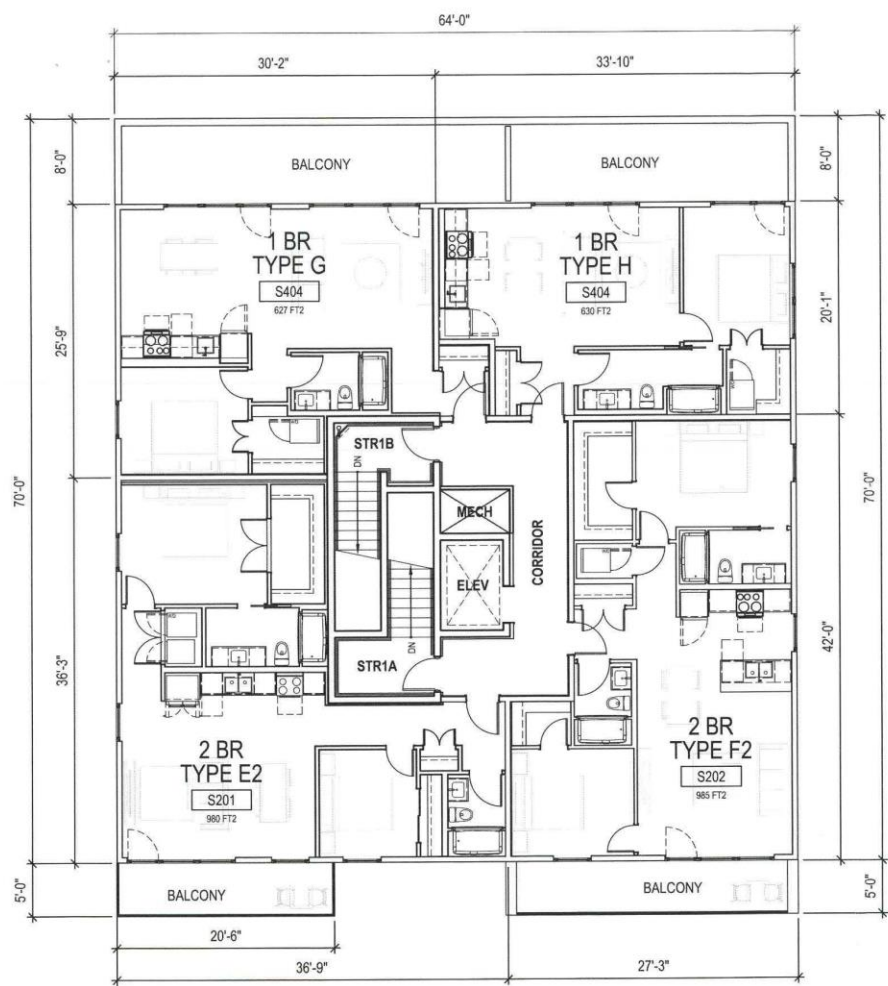


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PROJECT
821 GROSVENOR APARTMENTS
821 GROSVENOR AVENUE, WINNIPEG MB
DRAWN MB REV'D KS PROJECT NO. 2018_30
DATE 04 AUG 2021 DRAWING NO.
SCALE AS NOTED

A12



**ZONING and PERMITS
BRANCH**

THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DAV226612 12021C

SHEET # 5 OF 8

APPLICANT (SGD.) [Signature]

ZONING OFFICER KB

DATE 01/07/2022



821 GROSVENOR AVE
LEVEL 04 PLAN

3/32" = 1'-0"

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PROJECT
821 GROSVENOR APARTMENTS

821 GROSVENOR AVENUE, WINNIPEG MB

DRAWN MB REV'D KS PROJECT NO. 2018_30

DATE 04 AUG 2021 DRAWING NO.

SCALE AS NOTED

A14

ZONING and PERMITS
BRANCH

THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DAV 226612/2021C

SHEET # 6 OF B

APPLICANT (SGD.) [Signature]

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DATE 01/07/2022



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PROJECT 821 GROSVENOR APARTMENTS			
821 GROSVENOR AVENUE, WINNIPEG MB			
DRAWN MB	REV'D KS	PROJECT NO. 2018_30	
DATE 04 AUG 2021	DRAWING NO.		A20
SCALE AS NOTED			

ZONING and PERMITS
BRANCH

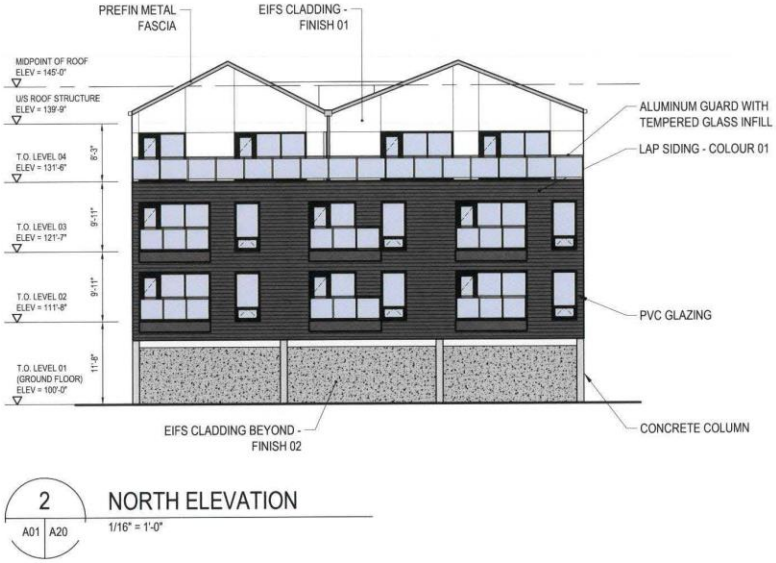
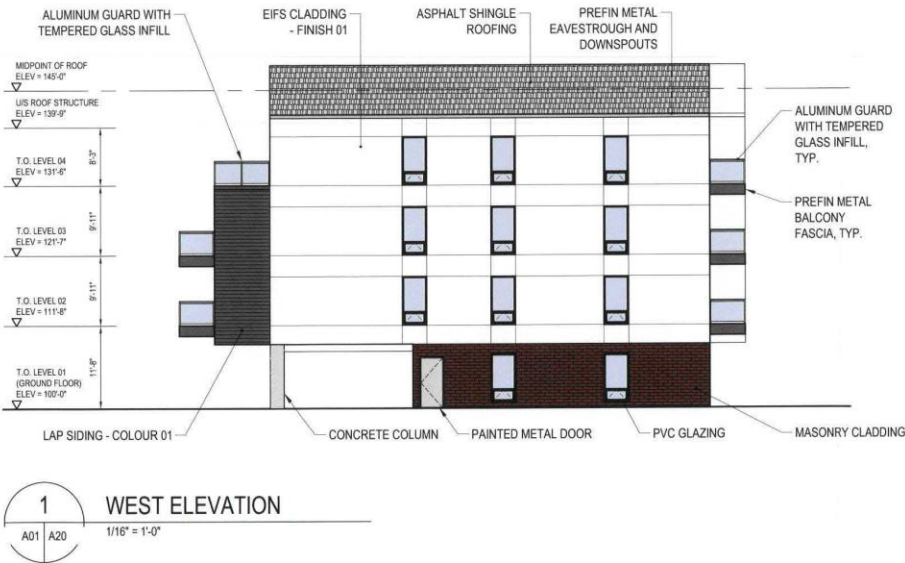
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SHEET # 7 OF 8

APPLICANT (SGD.) [Signature]

ZONING OFFICER KB

DATE 01/07/2022



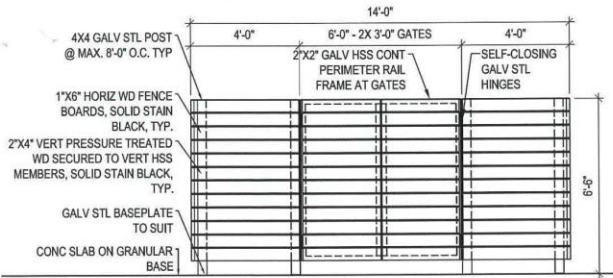
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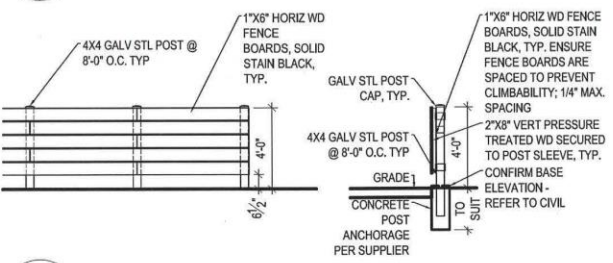
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Winnipeg, Manitoba
Canada, R3L 2B9

T: 1 204 417 6884
E: info@bldgoffice.com

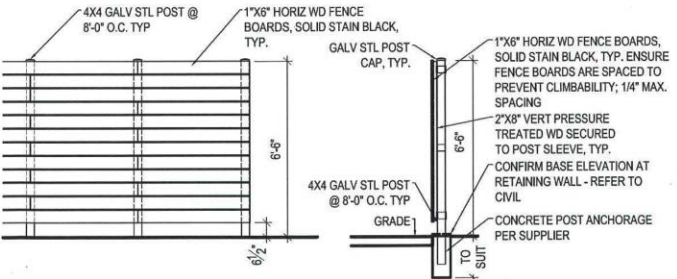
PROJECT 821 GROSVENOR APARTMENTS			
821 GROSVENOR AVENUE, WINNIPEG MB			
DRAWN MB	REV'D KS	PROJECT NO.	2018_30
DATE	04 AUG 2021	DRAWING NO.	A21
SCALE	AS NOTED		



6 GARBAGE ENCLOSURE - WEST ELEVATION
1/4" = 1'-0"



2 4'-0" WOOD FENCE
1/4" = 1'-0"



1 6'-6" WOOD FENCE (SIM. @ GARBAGE ENCLOSURE)
1/4" = 1'-0"

**ZONING and PERMITS
BRANCH**

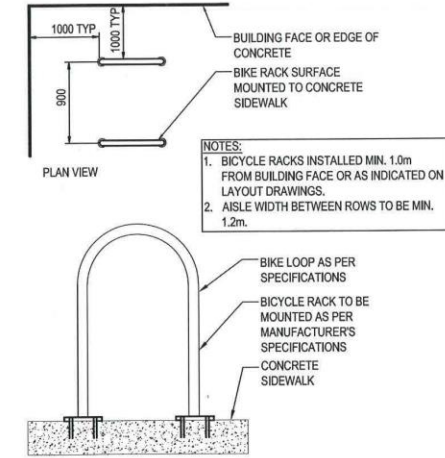
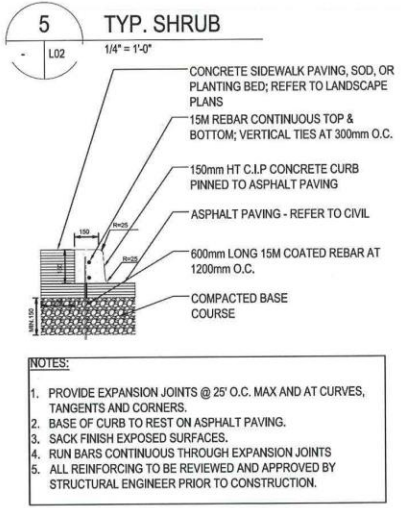
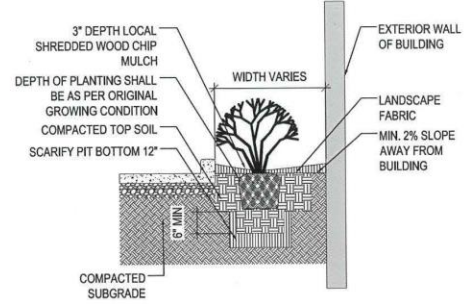
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DAN2264212021C

SHEET # 8 OF 8

APPLICANT (SGD.) [Signature]

ZONING OFFICER KB

DATE 04/01/2022



3 TYP. BIKE RACK
1/4" = 1'-0"

4 TYP. CURB
1/4" = 1'-0"

**PRELIMINARY
DRAWING ONLY**
NOT TO BE USED FOR CONSTRUCTION
(REMOVE WHEN DRAWING IS FINAL)

BLDG
architecture office inc.

694 Osborne Street
Winnipeg, Manitoba
Canada, R3L 2B9

T: 1 204 417 6884
E: info@bldgoffice.com

PROJECT
821 GROSVENOR APARTMENTS
LANDSCAPE DETAILS
821 GROSVENOR AVENUE, WINNIPEG MB

DRAWN MB REV'D KS PROJECT NO. 2018_30

DATE 30 MAR 2022 DRAWING NO.

SCALE AS NOTED

L01

Exhibit “32” referred to in File DAV 226612A/2021C

From: Wikstrom, Nathan
Sent: Monday, July 25, 2022 5:50 PM
To: CLK-Appeals <clk-appeals@winnipeg.ca>;
Subject: Appeal against DAV 21-226612/C and DCU 21-226609/C

Hello,

Please see attached my appeal against DAV 21-226612/C and DCU 21-226609/C regarding the proposed development at 821-827 Grosvenor Ave. I previously submitted an appeal but would now like to amend it to the following based on the changes to the variances and the new appeal deadline of July 25th.

- I support the development in accordance with the Corydon-Osborne plan.
- I do not support the establishment of the parking area which directly abuts over 100 feet of both our side and back lots with zero (0) feet of setback between the parking lot and our private lot (our lot is immediately adjacent to the proposed development lot). There should be at least 4 feet of setback permitted between our lot and the parking area that abuts about 50 feet of our side lot.

Here are my suggestions to limit the “substantial adverse affect on the use of our adjoining property”:

- Retain the building dimensional design as is, but push the entire building south (10 feet) towards Grosvenor Avenue. The front of the building would align with other properties in the neighborhood. There are a number of other buildings within a ½ block radius on Grosvenor and Lilac that have almost 0 foot frontages including The Ritz, Eugene, and The Brussels.
- Support the improvement of a 5 to 10 foot green buffer between the parking lot and 2 Ruskin. This would include retaining all trees along the north side of the development and planting new trees in order to preserve both 2 Ruskin and the new developments’ privacy. There are currently a large number of trees on the proposed development property that provide a natural landscaped barrier between our property and the other properties on Grosvenor and Wellington. Removal of any of these trees will substantially adversely affect our use of the property by reducing our privacy significantly. These trees also act as a barrier to sound and light pollution coming from other surrounding multitenant lots.
- Preserve the mature trees 1, 2, 3, 4, 5, 6, 17, 25, 30, 31, 35, 36 as they are all in fair to good condition, and many are on the outer edges of the development property. As well they are all greater than 30 cm in diameter and would be preserved if they were public trees as per Public Works / Urban Forestry Branch’s policies. Tree 5 should be preserved because it is on the property line between the proposed development and 2 Ruskin Row. Trees 4, 30, and 31 should be preserved as per the verbal agreement with Dwell Design. Please consult with a second arborist to maximize the preservation of the remaining mature trees.

Nathan Wikstrom

To whom it may concern,

Regarding the proposed new development at 821-827 Grosvenor, I would like to appeal both the Conditional Use DCU 21-226609/C and the Variances outlined in DAV 21-226612/C.

- Specifically, I am appealing the following items listed in the Conditional Use and Variance notices:
- 1. 15 parking spots instead of 18
 - 2. No east side / west side yard instead of 4 feet (to allow for more parking spaces)
 - 3. The protection of only Trees 2, 17, 35, and 36

Summary

Significant time and effort was made in developing the Corydon-Osborne Area Plan, including considerable public engagement. For any new development within the areas specified within the plan, the rules and regulations of the plan should be upheld in their entirety. Why should any variances or adjustments be granted on such a newly developed and detailed secondary plan? If they are not to be upheld, why develop any specific secondary plans at all? I have outlined my rational below regarding reasons why the conditional use and variances should not be approved as is. The amount of parking spaces is insufficient for the property and the developer should consider building a smaller complex that can support the amount of parking spots. The property can adequately support a maximum of 10 units or less to adequately support the required amount of parking spaces. Further to this, the arborist has identified that 32 of the 36 trees affected by the development should be destroyed. Many of these mature trees are 30+ cm diameter and near the periphery of the property, away from the building foundation, and should be preserved.

Insufficient Parking Spots

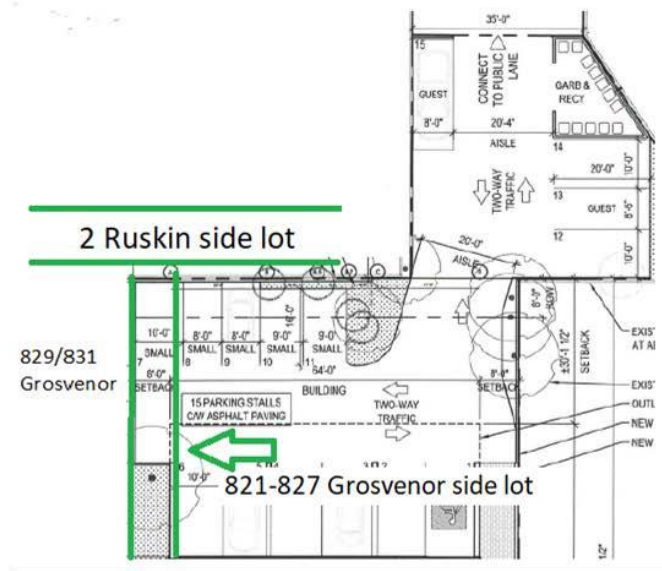
- The developer’s proposal outlines 15 parking spaces instead of the minimum 18 spaces required to support a 15 unit development.
- Even further to the reduction in required spots, the size of the parking spots proposed is smaller than what is required per the Winnipeg Zoning Bylaws. According to City of Winnipeg By-Law No. 148/2016, Amendments to the Winnipeg Zoning By-Law, the minimum parking space must be at least “any combination in between where the sum of the width and length equals 28 feet” (see table 5-12 below). Note b indicates that “a maximum of 33 percent of the total number of parking spaces for multi-family residential uses, may be reduced in length to 16 feet and designed for small cars only”. Note b, however, does not mention nor negate the requirement noted about that the sum of width and length sum still equally at least 28 feet.
- Parking spots 8, 9, 10, and 11 all sum up to 26.5 feet are undersized according to the Winnipeg By-Law (Parking Spot 7 sums up to 27.5 feet and is also undersized).

TABLE 5-12: Minimum Required Parking Space Dimensions

Angle of Parking [note a]	Minimum Dimensions of Parking Space [note c]	Minimum One-Way Parking Aisle Width (Ft.)	Minimum Two-Way Parking Aisle Width (Ft.)
75 to 90 degrees	8 feet wide by 20 feet long; or 10 feet wide by 18 feet long, or any combination in between where the sum of the width and length equals 28 feet	20	20
50 to 74 degrees		18	20
Less than 50 degrees		12	20
Parallel	8 feet wide by 23 feet long; by 7 feet high	12	20

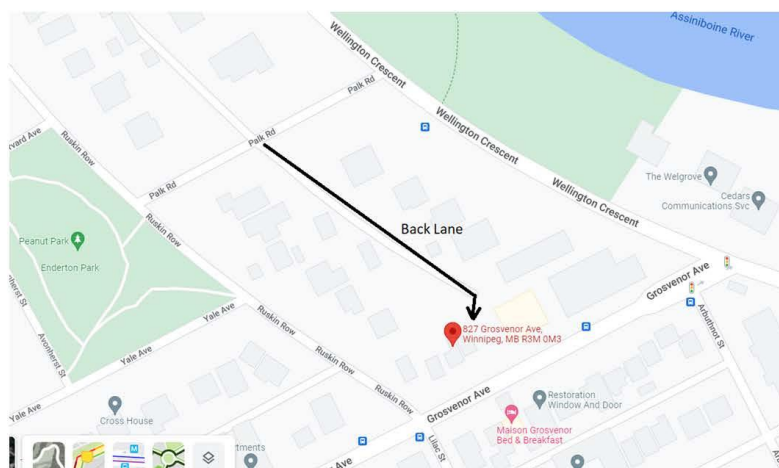
NOTES:
a. The angle of parking must be measured between the centre line of the parking space and the centre line of the parking aisle.
b. A maximum of 25 percent of the total number of parking spaces for non-residential uses, and a maximum of 33 percent of the total number of parking spaces for multi-family residential uses, may be reduced in length to 16 feet and designated for small cars only.
c. Width must be increased to 10 feet if long dimension is immediately adjacent to a fence or wall.

- As well, in order to obtain the 15 spaces, the developer has planned to use space that directly abuts both the properties of 829/831 Grosvenor (37 feet) and 2 Ruskin Row (57 feet) without any setback between the parking pad and these adjacent private property lines. Please note that there is no public access lane between the proposed new development and these 2 properties at this corner of the proposed parking lot location.
- Within the Corydon-Osborne Area Plan document, section 11. (3) (f): "for multiple-family dwellings, the required interior side yard is a minimum of 4 feet and increases 2 feet per story above the second story."
- Parking Spot 7 (see figure below) does not comply with section 11. (3) (f).
- The adjacent property at 2 Ruskin that abuts the new development has a frontage westerly to Ruskin Row. Therefore, 2 Ruskin's side lot runs east/west from Ruskin, while the side lots for 821-827 run north/south. The minimum side lot requirement referenced in 11. (3) (f) should apply similarly in reference to 2 Ruskin because 2 Ruskin's side lot abuts the northern section of the new development's parking lot, namely parking spots 7, 8, 9, 10, and 11. Therefore the parking spots should be designed to be at minimum 4 feet away from the southern edge of 2 Ruskin's property line.
- And finally, on page 10 of the Administrative Report DCU 21-226609\C – 821-827 Grosvenor Ave, the developer states the development is consistent with the PDO regulations in that "Eight (8) foot side yards are provided". This is not the case as parking spot 7 reduces the side lot to zero (0) feet.
- Simply put there are not enough parking spots available, some of the ones that are available are too small, and five of the spots should be moved or eliminated in order to create a 4 foot setback from 2 Ruskin's side lot. There are not enough parking spots available to justify a 15-unit development.



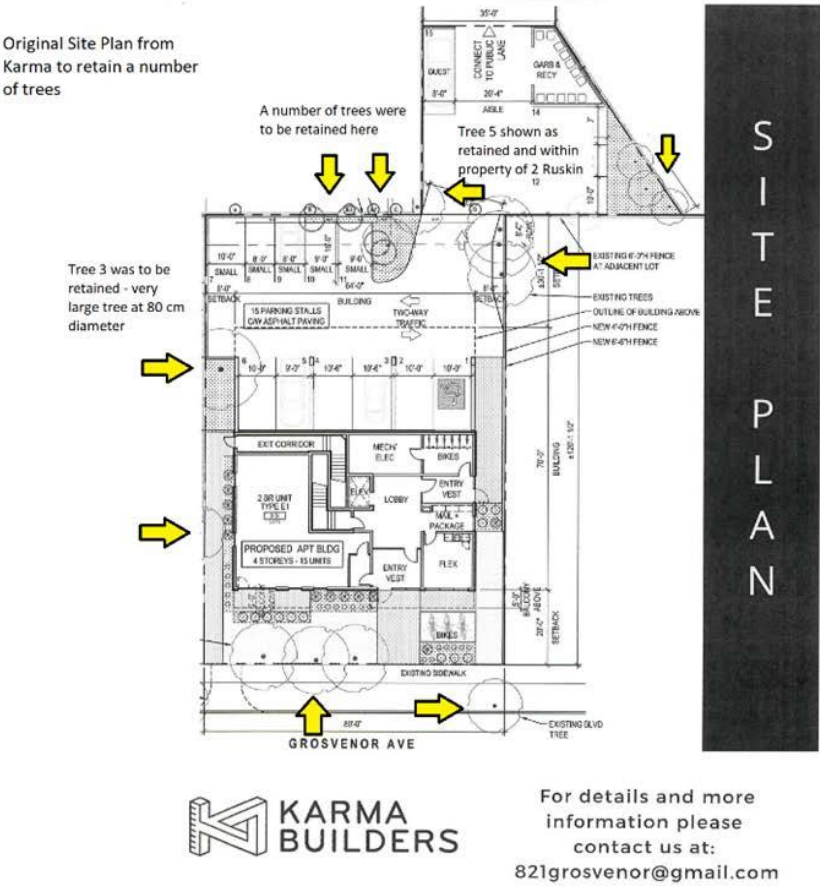
Back Lane Access

- Public Works proposed and approved a one-way access to and from the development through a dead-end one-way only back alley that is approximately 520 feet long.
- How will snow removal through a 520 foot dead-end alley be completed? In previous years large amounts of snow were dumped into the empty lot that will now become the development.
- Currently, garbage removal is done whereby the truck must back up the full length of the alley as there is insufficient space to turn around at the end of the lane.
- Although the back lane has been upgraded it is not wide enough for two lane traffic and any vehicles that try to go by each other will need to encroach on to private property to do so.



Preservation of Mature Trees

- The arborist report presented by the developer recommends removing 32 of the 36 trees on this lot (of which 34 are private and 2 are on public lands) and preserving at total of only four (4) trees (Trees 2, 17, 35, 36).
- Almost all the trees are on the periphery of the property and would be minimally impacted by the ground disturbance of the proposed development. The trees on the north side of the lot (Trees 4, 5, 8, 9, 30, 31, 32, 33, 34) are over 30 feet away from the foundation of the building and were indicated on the original site plan to be preserved. Trees along the north east side of the triangular lot parking area also meet this criterion.
- The original site plan from Karma Builders had a large number of trees proposed to be preserved – why was this plan changed so significantly (see figure below).





- The Winnipeg Public Works Department, within their tree removal guidelines states that “where trees in fair to good condition are proposed to be removed...” that for any trees that are “30cm+ The Urban Forestry Branch’s position is to deny removal”
- 12 of the 36 trees on this property meet the criteria of being at least in fair condition and having a diameter of >30cm (Trees 1, 2, 3, 4, 5, 6, 17, 25, 30, 31, 35, 36). If these trees were on public lands they would all be mandated to be preserved.
- The Crescentwood – Enderton Park Heritage Conservation District is currently under nomination and will include the property of 2 Ruskin and will be immediately adjacent to this new development. In fact, the triangular lot was originally proposed to be part of the district, but has since been removed. Part of the conservation districts mandate is to preserve as many mature trees as possible. The proposed development borders with properties that sit within the conservation district and the developer should make every attempt to preserve trees that border this district.
- Tree 3 is one of the largest standing trees in the neighborhood at 80 cm diameter and was also indicated on the original site plan to be preserved.
- In communication with Dwell Design in late April 2022, it was verbally confirmed by Braydin Huyne to me that they had intended to save trees 4, 30, and 31 as per their initial design.

Recent discussion between Dwell and the arborist indicates that those trees will now be preserved.

- Tree 5 is on the property line with 2 Ruskin and under no circumstances should be removed. See picture along east fence line showing Tree 5 right on property line.



Recommendations

- I support this development without and deviations or variances relative to the Corydon-Osborne Area Plan. The Corydon-Osborne Area Plan is a relatively new plan enacted in 2016 and every effort should be made to uphold the well thought out requirements within it.
- Per the Corydon-Osborne Area Plan the property cannot accommodate the appropriate parking for the number of units proposed. The developer should consider at a 10 unit development which is able to support adequately sized parking spots at 1.2 spots per unit within the existing footprint of the property.
- Set back the parking lot 4 feet from both the property lines that abuts 829/831 Grosvenor and 2 Ruskin by reducing the number of parking spaces or moving them 4 feet away from the property lines (this includes parking spaces 7, 8, 9, 10, and 11).
- Preserve the mature trees 1, 2, 3, 4, 5, 6, 17, 25, 30, 31, 35, 36 as they are all in fair to good condition. As well they are all greater than 30 cm in diameter and would be preserved if they were public trees as per Public Works / Urban Forestry Branch's policies. Tree 5 should be preserved because it is on the property line between the proposed development and 2 Ruskin Row. Trees 4, 30, and 31 should be preserved as per the verbal agreement with Dwell Design. Please consult with a second arborist to maximize the preservation of the remaining mature trees.

Nathan Wikstrom

5-May-2022

Exhibit “31” referred to in File DAV 226612A/2021C

From: Nick Logan

Sent: Wednesday, July 20, 2022 12:41 PM

To: CLK-Appeals <clk-appeals@winnipeg.ca>

Subject: File No. & Property address: DCU 226609/2021C & DAV 226612/2021C - 821-827 Grosvenor Avenue

City Clerk, City of Winnipeg
c/o Appeals Committee
Susan A. Thompson Bldg.
510 Main Street
Winnipeg, MB, R3B 1B9
Fax 947-3452
Email: clk-appeals@winnipeg.ca

I am opposing this appeal on the bases that it will cause unnecessary traffic down a back lane and take down a mature tree canopy. The development is over sized for the lot and should not proceed to benefit a developer squeezing more revenue out of a small area.

Nick Logan

Exhibit “15” referred to in File DAV 226612A/2021C

From: James Hoeschen
Sent: Thursday, May 5, 2022 3:09 PM
To: CLK-Appeals <clk-appeals@winnipeg.ca>
Subject: Appeal against DAV 21 -226612/C

VARIANCE – DAV 21 -226612/C

The variance cannot be granted due to Lot 20 already having existing street access from Grosvenor on the west side of the lot.

The developer should be made the re-design the proposed building to allow for access to the proposed surface parking lot on the north side of the property via the existing driveway.

The use of the existing driveway will alleviate a) the loss of privacy of the building adjacent to the west by increasing the frontage from no west side yard to 10’ and b) the substantial adverse effect of:

- 1) The loss of morning light for the buildings adjacent to the west and the north.
- 2) The loss of the amenity of a mature elm on the west side of the property.
- 3) The substantial increase in back lane traffic that was never designed for use by adjacent streets.
- 4) The substantial increase in back lane traffic that will permanently affect existing property owner enjoyment, garage access and city services access.
- 5) An area being designated a heritage district.

James Hoeschen

Roman Panchyshyn

From: roman
Sent: Friday, May 6, 2022 1:04 PM
To: CLK-Appeals <clk-appeals@winnipeg.ca>
Cc: Jameshoeschen
Subject: letter of authorization

attn.karly dolski

clk-appeals@winnipeg.ca

i authorize james hoeschen as my representative for
variance DAZ21-226612/C

regarding all issues relating to

thank you.

roman panchyshyn

rock paper scissors inc

Exhibit “14” referred to in File DAV 226612A/2021C

From: Laurin, Jeffrey
Sent: Thursday, May 5, 2022 4:27 PM
To: CLK-Appeals <clk-appeals@winnipeg.ca>
Cc: Dolski, Karly <KarlyDolski@winnipeg.ca>
Subject: RE: Appeal against DAV 21-226612/C

Yes, confirming appeal on both Conditional Use Order DCU 226609/2021C and Variance Order DAV 226612/2021C for 821-827 Grosvenor Avenue.

Reasons:

Conditional Use Order DCU 226609/2021C

- Using a back lane as the only entrance to this proposed 15 unit dwelling will degrade the safety of vehicles and pedestrians that use the laneway. The width of the existing lane doesn't allow two cars to pass each other. One vehicle ends up backing up to let another pass. I see this now with the traffic that is in the lane. The amount of reversing looks to me like a safety issue as the lane is currently used by pedestrians as well
- Grosvenor currently has a private approach leading to the property. Use what exists.

DAV 226612/2021C for 821-827 Grosvenor Avenue

- 15 parking spaces instead of 18. We already have a shortage of parking on streets such as Ruskin Row. Reduction is only going to aggravate an existing issue
- No east/west side yard. Not consistent with surrounding homes. Reduction of green space to allow maximum number of units on a property is not the way the area was originally planned. This building would stand out.

From: Laurin, Jeffrey
Sent: Thursday, May 5, 2022 2:10 PM
To: CLK-Appeals <clk-appeals@winnipeg.ca>
Subject: Appeal against DAV 21-226612/C

Letter of appeal against DAV 21-226612/C BY:

Jeff Laurin

And

Carmen Sichewski

Best regards,

Jeff Laurin, C.E.T., LC

Exhibit “13” referred to in File DAV 226612A/2021C

May 5, 2022

Office of the City Clerk
Susan A. Thompson Building
510 Main St.
Winnipeg Manitoba
R3B 1B9

Re: Conditional Use – DCU 21-226609/C
Variance _ DAV 21-226612/C

Councillors Rollins, Orlikow, Browaty, and Schreyer

My presentation today opposes the request for Variances and Conditional Use proposed for 821-827 Grosvenor Ave.

The assertion by the Director of Planning Property and Development that the changes proposed do not create substantial adverse effect on the neighbourhood does not take into account the views of those neighbours.

The decision to allow the parking and access for this property off of the back lane from Palk Boulevard creates a traffic nightmare for the neighbours of those properties. There currently is a public approach from Grosvenor and a clever architect could have made use of this feature.

The situation of this parking area at the rear of the building also removes the majority of the trees on this property and I thought trees were a priority for this city!

The adjacent neighbour is working through the slow laborious process to gain Heritage Conservation District Status and it was only a stroke of a pen that removed the property with the little forest from protection.

The request to ignore the setbacks that govern development on residential property either mean that the zoning bylaws are wrong or that our city has a bad habit of tinkering with the plans that are supposed to be in place to preserve the look and liveability of our city. What is wrong with leaving the required 4 feet side yards and 25 foot front yard. The proposed parking lot which wipes out the little forest is proposed to also go lot line to lot line preventing the addition of any new vegetation that allows privacy, wild life and bird habitat and cooling for the city!!

Too often I see pressure put on panels like we have today to allow variances because the developer can't make a go of a development without them. I do not feel that it is your job to bail out proposals that are not properly thought out in the first place!!

With these points in mind, please do not allow the Variances and Conditional Use requested today.

Christine Skene
Winnipeg

Exhibit “12” referred to in File DAV 226612A/2021C

May 5, 2022

Appeals Committee
City of Winnipeg
510 Main Street, Winnipeg, MB
R3B 1B9

Letter of Appeal
821-827 Grosvenor Avenue
Variance – DAV 21-226612/C

Dear Appeals Committee,

Please accept this letter of appeal to the variance being applied for at 821-827 Grosvenor Avenue (Variance – DAV 21-226612/C). There are numerous issues with this variance application which will have a substantial adverse effect on adjoining property owners and residents. The following issues are noted with the variance application:

1a) Application for front yard of 20 feet instead of 25 feet

This variance is not acceptable as it does not fit with the character of the neighbourhood. Introducing a tall building so close to the street is incompatible with the scale of the neighbourhood. The variance will result in considerable shading on properties on the other side of Grosvenor Avenue. The properties on the other side of Grosvenor Avenue currently enjoy sun in the evening hours. These properties will now be shaded from evening sun due to the construction of a tall building so close to the property line.

1b) Application for 15 parking spaces instead of 18 parking spaces

Street parking in the Grosvenor/Lilac area is already extremely limited for the number of dwellings in the immediate area. Finding parking in the area is an ongoing challenge for area of residents. With the introduction of 15 new dwellings on such a small lot, and without sufficient parking for the new residents and their guests, will result in an unacceptable level of congestion for the area and have a serious adverse effect on the quality of life of area residents.

2a/b) Application for establishment of accessory parking area with no east side/west side yard instead of 4 feet

This is not acceptable due to the presence of several mature trees on the edges of the lot. It appears that these trees could be preserved if the footprint of the new development was reduced. The applicant should not be permitted to remove mature trees from the edges of the lot. These trees contribute greatly to the character of the area and the quality of life of area residents.

This variance application will create a substantial adverse effect on area residents and is not compatible with the area in which the property to be affected is situated. The applicant should not be allowed to construct a large building on such a small lot. Introducing 15 new dwellings on a lot which previously had two single family dwellings is unacceptable and will greatly reduce the quality of life of current area residents.

Regards,

Jordan Flynn

Grosvenor Avenue Resident/Property Owner

Exhibit “11” referred to in File DAV 226612A/2021C

From: Wikstrom, Nathan
Sent: Thursday, May 5, 2022 3:55 PM
To: CLK-Appeals <clk-appeals@winnipeg.ca>
Cc:
Subject: Appeal against DAV 21-226612/C and DCU 21-226609/C

Hello,

Please see attached my appeal against DAV 21-226612/C and DCU 21-226609/C regarding the proposed development at 821-827 Grosvenor Ave. The attachment is quite detailed but here are the summarizing points:

- I support this development without and deviations or variances relative to the Corydon-Osborne Area Plan. The Corydon-Osborne Area Plan is a relatively new plan enacted in 2016 and every effort should be made to uphold the well thought out requirements within it.
- Per the Corydon-Osborne Area Plan the property cannot accommodate the appropriate parking for the number of units proposed. The developer should consider at a 10 unit development which is able to support adequately sized parking spots at 1.2 spots per unit within the existing footprint of the property.
- Set back the parking lot 4 feet from both the property lines that abuts 829/831 Grosvenor and 2 Ruskin by reducing the number of parking spaces or moving them 4 feet away from the property lines (this includes parking spaces 7, 8, 9, 10, and 11). This is congruent with what is outlined in the Corydon-Osborne plan related to set backs and side yards.
- Preserve the mature trees 1, 2, 3, 4, 5, 6, 17, 25, 30, 31, 35, 36 as they are all in fair to good condition, and many are on the outer edges of the development property. As well they are all greater than 30 cm in diameter and would be preserved if they were public trees as per Public Works / Urban Forestry Branch's policies. Tree 5 should be preserved because it is on the property line between the proposed development and 2 Ruskin Row. Trees 4, 30, and 31 should be preserved as per the verbal agreement with Dwell Design. Please consult with a second arborist to maximize the preservation of the remaining mature trees.

Regards,

Nathan Wikstrom

To whom it may concern,

Regarding the proposed new development at 821-827 Grosvenor, I would like to appeal both the Conditional Use DCU 21-226609/C and the Variances outlined in DAV 21-226612/C.

Specifically, I am appealing the following items listed in the Conditional Use and Variance notices:

- 1. 15 parking spots instead of 18
- 2. No east side / west side yard instead of 4 feet (to allow for more parking spaces)
- 3. The protection of only Trees 2, 17, 35, and 36

Summary

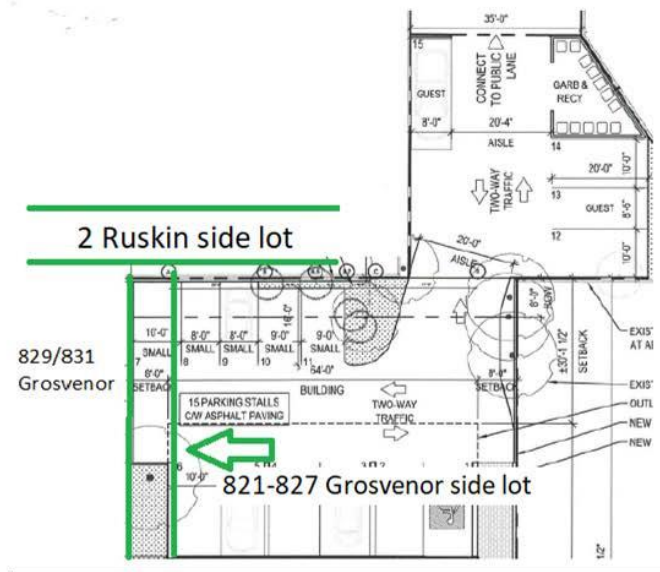
Significant time and effort was made in developing the Corydon-Osborne Area Plan, including considerable public engagement. For any new development within the areas specified within the plan, the rules and regulations of the plan should be upheld in their entirety. Why should any variances or adjustments be granted on such a newly developed and detailed secondary plan? If they are not to be upheld, why develop any specific secondary plans at all? I have outlined my rational below regarding reasons why the conditional use and variances should not be approved as is. The amount of parking spaces is insufficient for the property and the developer should consider building a smaller complex that can support the amount of parking spots. The property can adequately support a maximum of 10 units or less to adequately support the required amount of parking spaces. Further to this, the arborist has identified that 32 of the 36 trees affected by the development should be destroyed. Many of these mature trees are 30+ cm diameter and near the periphery of the property, away from the building foundation, and should be preserved.

Insufficient Parking Spots

- The developer's proposal outlines 15 parking spaces instead of the minimum 18 spaces required to support a 15 unit development.
- Even further to the reduction in required spots, the size of the parking spots proposed is smaller than what is required per the Winnipeg Zoning Bylaws. According to City of Winnipeg By-Law No. 148/2016, Amendments to the Winnipeg Zoning By-Law, the minimum parking space must be at least "any combination in between where the sum of the width and length equals 28 feet" (see table 5-12 below). Note b indicates that "a maximum of 33 percent of the total number of parking spaces for multi-family residential uses, may be reduced in length to 16 feet and designed for small cars only". Note b, however, does not mention nor negate the requirement noted about that the sum of width and length sum still equally at least 28 feet.
- Parking spots 8, 9, 10, and 11 all sum up to 26.5 feet are undersized according to the Winnipeg By-Law (Parking Spot 7 sums up to 27.5 feet and is also undersized).

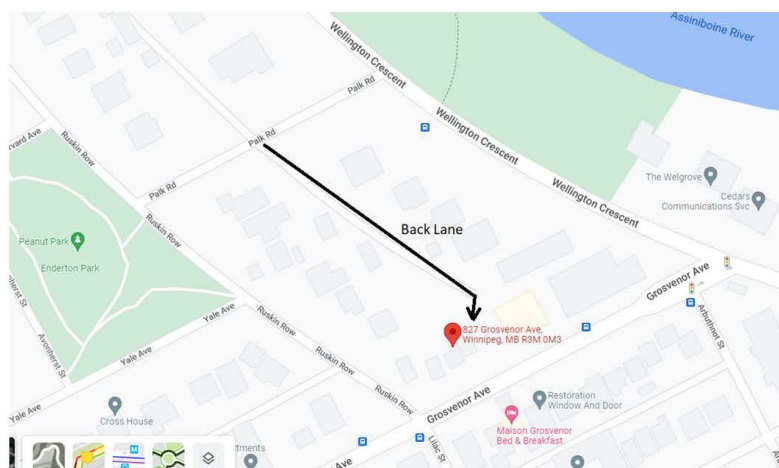
TABLE 5-12: Minimum Required Parking Space Dimensions			
Angle of Parking [note a]	Minimum Dimensions of Parking Space [note c]	Minimum One-Way Parking Aisle Width (Ft.)	Minimum Two-Way Parking Aisle Width (Ft.)
75 to 90 degrees	8 feet wide by 20 feet long; or 10 feet wide by 18 feet long, or any combination in between where the sum of the width and length equals 28 feet 7 feet high [note b]	20	20
50 to 74 degrees		18	20
Less than 50 degrees		12	20
Parallel	8 feet wide by 23 feet long; by 7 feet high	12	20
NOTES: a. The angle of parking must be measured between the centre line of the parking space and the centre line of the parking aisle. b. A maximum of 25 percent of the total number of parking spaces for non-residential uses, and a maximum of 33 percent of the total number of parking spaces for multi-family residential uses, may be reduced in length to 16 feet and designated for small cars only. c. Width must be increased to 10 feet if long dimension is immediately adjacent to a fence or wall.			

- As well, in order to obtain the 15 spaces, the developer has planned to use space that directly abuts both the properties of 829/831 Grosvenor (37 feet) and 2 Ruskin Row (57 feet) without any setback between the parking pad and these adjacent private property lines. Please note that there is no public access lane between the proposed new development and these 2 properties at this corner of the proposed parking lot location.
- Within the Corydon-Osborne Area Plan document, section 11. (3) (f): "for multiple-family dwellings, the required interior side yard is a minimum of 4 feet and increases 2 feet per story above the second story."
- Parking Spot 7 (see figure below) does not comply with section 11. (3) (f).
- The adjacent property at 2 Ruskin that abuts the new development has a frontage westerly to Ruskin Row. Therefore, 2 Ruskin's side lot runs east/west from Ruskin, while the side lots for 821-827 run north/south. The minimum side lot requirement referenced in 11. (3) (f) should apply similarly in reference to 2 Ruskin because 2 Ruskin's side lot abuts the northern section of the new development's parking lot, namely parking spots 7, 8, 9, 10, and 11. Therefore the parking spots should be designed to be at minimum 4 feet away from the southern edge of 2 Ruskin's property line.
- And finally, on page 10 of the Administrative Report DCU 21-226609\IC – 821-827 Grosvenor Ave., the developer states the development is consistent with the PDO regulations in that "Eight (8) foot side yards are provided". This is not the case as parking spot 7 reduces the side lot to zero (0) feet.
- Simply put there are not enough parking spots available, some of the ones that are available are too small, and five of the spots should be moved or eliminated in order to create a 4 foot setback from 2 Ruskin's side lot. There are not enough parking spots available to justify a 15-unit development.



Back Lane Access

- Public Works proposed and approved a one-way access to and from the development through a dead-end one-way only back alley that is approximately 520 feet long.
- How will snow removal through a 520 foot dead-end alley be completed? In previous years large amounts of snow were dumped into the empty lot that will now become the development.
- Currently, garbage removal is done whereby the truck must back up the full length of the alley as there is insufficient space to turn around at the end of the lane.
- Although the back lane has been upgraded it is not wide enough for two lane traffic and any vehicles that try to go by each other will need to encroach on to private property to do so.



Preservation of Mature Trees

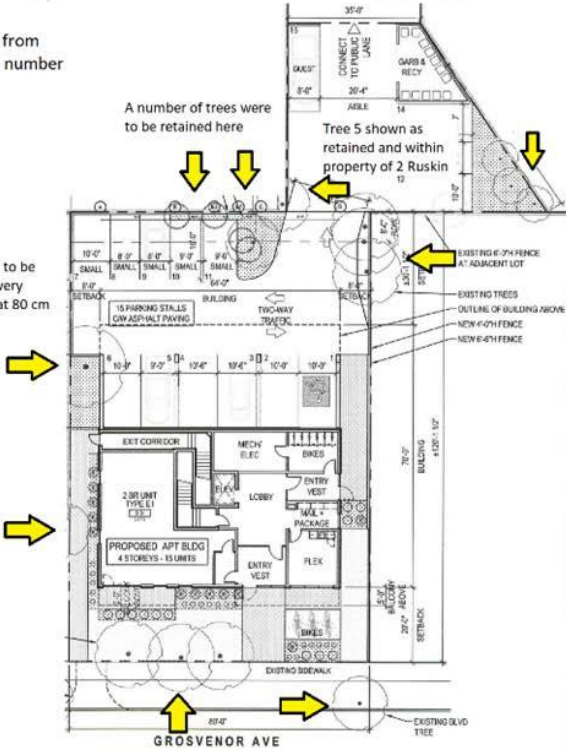
- The arborist report presented by the developer recommends removing 32 of the 36 trees on this lot (of which 34 are private and 2 are on public lands) and preserving at total of only four (4) trees (Trees 2, 17, 35, 36).
- Almost all the trees are on the periphery of the property and would be minimally impacted by the ground disturbance of the proposed development. The trees on the north side of the lot (Trees 4, 5, 8, 9, 30, 31, 32, 33, 34) are over 30 feet away from the foundation of the building and were indicated on the original site plan to be preserved. Trees along the north east side of the triangular lot parking area also meet this criterion.
- The original site plan from Karma Builders had a large number of trees proposed to be preserved – why was this plan changed so significantly (see figure below).

Original Site Plan from Karma to retain a number of trees

Tree 3 was to be retained - very large tree at 80 cm diameter

A number of trees were to be retained here

Tree 5 shown as retained and within property of 2 Ruskin



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For details and more information please contact us at:
821grosvenor@gmail.com



- The Winnipeg Public Works Department, within their tree removal guidelines states that “where trees in fair to good condition are proposed to be removed...” that for any trees that are “30cm+ The Urban Forestry Branch’s position is to deny removal”
- 12 of the 36 trees on this property meet the criteria of being at least in fair condition and having a diameter of >30cm (Trees 1, 2, 3, 4, 5, 6, 17, 25, 30, 31, 35, 36). If these trees were on public lands they would all be mandated to be preserved.
- The Crescentwood – Enderton Park Heritage Conservation District is currently under nomination and will include the property of 2 Ruskin and will be immediately adjacent to this new development. In fact, the triangular lot was originally proposed to be part of the district, but has since been removed. Part of the conservation districts mandate is to preserve as many mature trees as possible. The proposed development borders with properties that sit within the conservation district and the developer should make every attempt to preserve trees that border this district.
- Tree 3 is one of the largest standing trees in the neighborhood at 80 cm diameter and was also indicated on the original site plan to be preserved.
- In communication with Dwell Design in late April 2022, it was verbally confirmed by Braydin Huynen to me that they had intended to save trees 4, 30, and 31 as per their initial design.

Recent discussion between Dwell and the arborist indicates that those trees will now be preserved.

- Tree 5 is on the property line with 2 Ruskin and under no circumstances should be removed. See picture along east fence line showing Tree 5 right on property line.



Recommendations

- I support this development without and deviations or variances relative to the Corydon-Osborne Area Plan. The Corydon-Osborne Area Plan is a relatively new plan enacted in 2016 and every effort should be made to uphold the well thought out requirements within it.
- Per the Corydon-Osborne Area Plan the property cannot accommodate the appropriate parking for the number of units proposed. The developer should consider at a 10 unit development which is able to support adequately sized parking spots at 1.2 spots per unit within the existing footprint of the property.
- Set back the parking lot 4 feet from both the property lines that abuts 829/831 Grosvenor and 2 Ruskin by reducing the number of parking spaces or moving them 4 feet away from the property lines (this includes parking spaces 7, 8, 9, 10, and 11).
- Preserve the mature trees 1, 2, 3, 4, 5, 6, 17, 25, 30, 31, 35, 36 as they are all in fair to good condition. As well they are all greater than 30 cm in diameter and would be preserved if they were public trees as per Public Works / Urban Forestry Branch's policies. Tree 5 should be preserved because it is on the property line between the proposed development and 2 Ruskin Row. Trees 4, 30, and 31 should be preserved as per the verbal agreement with Dwell Design. Please consult with a second arborist to maximize the preservation of the remaining mature trees.

Nathan Wikstrom

5-May-2022

Exhibit “10” referred to in File DAV 226612A/2021C

From: jcy
Sent: Thursday, May 5, 2022 3:14 PM
To: CLK-Appeals <clk-appeals@winnipeg.ca>
Subject: My appeal re: 821-827 Grosvenor

Dear City Clerk,

I would like to appeal the conditional use and variances relating to the proposed development at 821-827 Grosvenor.

My one-way back lane is the proposed lane to be used for exclusive vehicular access to the subject property.

My main concerns are as follows:

1. Back alley congestion. The addition of 18 units accessible only via a one-way back lane will cause unreasonable traffic congestion, more than doubling the traffic that currently exists.
2. Parking congestion. With too few parking spots for the number of units planned, this will only exacerbate existing parking congestion on nearby streets, including Ruskin Row, which is already congested with parked vehicles from the Grosvenor/Lilac area that have no assigned parking.

I am a home owner who:

- ** Lives within one kilometre of the subject property
- ** Uses the same back lane that will be affected from the proposed development, and
- ** Lives on a street that is already congested with parked cars from surrounding neighbourhoods.

I look forward to receiving notice of the hearing date.

Thanking you,

John Youngman

Exhibit “9” referred to in File DAV 226612A/2021C

From: Jocelyne Lalonde
Sent: Thursday, May 5, 2022 2:08 PM
To: CLK-Appeals <clk-appeals@winnipeg.ca>
Cc: Dolski, Karly <KarlyDolski@winnipeg.ca>
Subject: Opposition to the 821-827 Grosvenor Ave Development

May 5, 2022

City of Winnipeg

Appeals Committee

Council Building, 510 Main St.

Winnipeg Manitoba

Re: Conditional Use: DCU 21-226609/C

Variance: DAV 21-226612/C

Dear Councillors Schreyer, Rollins, Orlikow, and Browaty

I support the development at 821-827 Grosvenor Ave in the case that it is built to the specifications of the Corydon Osborne plan. In other words, I do not support any of the proposed variances. I would also like the Committee to consider the impact of the proposed development on my family and my community as it relates to the Conditional Use: “...use, safety and convenience of the adjoining property and adjacent area...”

The Conditional Use document speaks to “...use, safety and convenience of the adjoining property and adjacent area...” This development as proposed will significantly impact my family and I, as our home immediately borders the proposed development.

I have three young daughters. We also live with my in-laws. This includes my father-in-law who has dementia. The development as proposed has open **balconies** hovering directly in our back yard. Typically, balconies look over public spaces, or are facing towards a front street or back lane, with a decent amount of space in-between. There is no space other than private property in between these balconies and us. This impacts our privacy in a substantial way. There are other buildings on Grosvenor with balconies that we can see, but they are not directly in our back yard. They are a great distance away.

All the additional **traffic** (residents, visitors, delivery and services vehicles) in our back lane and down Ruskin Row puts more strain on me as a caregiver. I worry about the **safety** of my children, father in-law and other community members. There is already enough traffic roaring down Ruskin, which goes past a

park that we frequent, and that is frequented by many small children, teenagers and others. Also, the **parking lot** that is proposed to be built **immediately on the other side of our fence against our property line** is a concern. We will be listening to car doors slamming and ignitions starting all day long. Additionally, all the air pollution that comes along with that.

We purchased this home to raise our growing family and to care for my aging in-laws. We purchased this property in part with a small inheritance I received from the passing of my parents in 2020 and 2021. Family and community are more important to me than anything else. I have always been an active community member, working and volunteering for non-profits.

Also, **I want to add** that the developers only reached out to us on March 4th, 2022 via the real-estate agent that sold us our home, and left it to us to call them. This was long after they submitted their final plans to the city. There was no other attempt to reach us. No knocks on the door, no notes in the mailbox. Additionally, properties immediately adjacent to the development property received no communication at all. Not even the pamphlet delivered more than a year ago. The developers have since had conversations with my husband, but I question the sincerity of their engagement at this stage in the game.

We purchased this home based on a set of rules (the Corydon Osborne Plan) and I feel that the city is changing the rules (meaning looking at granting variances) to suit the developers. I sincerely ask that you think about us, our family and our community.

Thank you kindly for your time and consideration.

Sincerely,

Jocelyne Lalonde

Exhibit “8” referred to in File DAV 226612A/2021C

From: Jeff Gillman

Sent: Thursday, May 5, 2022 12:40 PM

To: CLK-Appeals <clk-appeals@winnipeg.ca>

Subject: appeal against DCU 21-226609/C and DAV 21-226612/C

To whom it may concern,

Regarding the proposed new development at 821-827 Grosvenor, I would like to appeal both the
Conditional Use DCU 21-226609/C and the Variances outlined in DAV 21-226612/C.

While I would welcome development of the now vacant property at 821 - 827 Grosvenor Ave I feel that the plan, as is, should be reconsidered and slightly altered to accommodate several concerns.

I am a property owner at 390 Wellington Cres. adjacent to and behind the proposed development. I would welcome an opportunity to discuss those concerns at the appropriate public hearing for that purpose. Please formally register me to do so.

Please confirm receipt of this request by reply email.

Thank you,

Jeff Gillman

Exhibit “7” referred to in File DAV 226612A/2021C

From: Phil Stevens

Sent: Thursday, May 5, 2022 11:34 AM

To: CLK-Appeals <clk-appeals@winnipeg.ca>

Cc:

Subject: DAV 21-226612/C variance and DCU 21-226609/C conditional use for property on Grovesnor

Hello – I am opposed to this development going forward based on its current design –

DAV 21-226612/C – does not meet current regulations for parking spots per unit. Will cause for cars to park on Ruskin or other side streets within my area. The design of this structure will all the cars associated with in will choke or clog the back lane which will be its only access.

DCU 21-226609/C - this application for conditional use removes the front driveway and moves the closer to its neighbour to again accommodate parking for a building that is TOO big for the lot size.

PHIL STEVENS

Exhibit “6” referred to in File DAV 226612A/2021C

To whom it may concern,

Regarding the proposed new development at 821-827 Grosvenor, I would like to appeal both the Conditional Use DCU 226609/2021C and the Variances outlined in DAV 226612/2021C.

I am appealing the proposed permits since they will put an increasing pressure on the infrastructure of the neighborhood, that is not built to facilitate a building of this size and it will significantly affect convenience of adjoining property in the area.

By eliminating the east side yard and west side yard, it will encroach on existing properties. Affecting the convenience of current properties.

By reducing the obligatory minimum requirement of 18 parking spaces to 15 parking spaces, it will increase the pressure on the already limited current street parking. Increasing urban density by eliminating parking space on the property will only increase pressure on the street and negatively affect the quality of life in the neighborhood and liveability of the neighborhood. Winnipeg public transit is currently not meeting the needs for reliable transportation. We live in the neighborhood and are a family of four. Both my husband and I have both a car. If our son returns from university this summer, it is unclear how he will get to work, which is not well accessible by public transport, so we are considering what to do over the summer. I have considered going to work by public transport at least once a week to save the environment, however this would take me at least 50 minutes if I make my connection, while going by car it only takes me 15 minutes. In the ideal world public transport should be used over cars, however that is not the current practice in Winnipeg. And we cannot build property assuming public transport will become the mode of transportation in the future. In that case you first have to create a good public transport system, demonstrate that parking space is no longer essential and then reduce the number of parking spaces in new buildings. Recent practices have shown that by limiting the number of parking spaces in new condominiums being built, it increased the pressure on street parking.

In addition, green spaces are essential for the liveability of a city. By maximizing a lot, you reduce the ecological footprint of the property. I am aware you will try to preserve the current trees on the property and I am really grateful for that. However, in this regard I am opposed to reducing the front yard by 5 feet, this space could be used to improve the ecological footprint of the building. In addition, I would strongly recommend to compensate the reduced ecological footprint by planting more trees on the boulevard in front of the property. It will improve overall wellbeing of citizens.

By increasing urban density to prevent urban sprawl, it is extremely important not to compromise the heart of the city and to keep it a place people are eager to live. For this to happen, you will have to encourage greenery, since if people have a choice they prefer to live in areas that are green. So if you sacrifice this part of the city to developing massive buildings, the heart of the city will die and people who can afford it will live in the greener suburbs, worsening urban sprawl and increasing the use of individual motorized vehicles.

Els de Gussem

Exhibit “5” referred to in File DAV 226612A/2021C

From: lgrahame
Sent: Thursday, May 5, 2022 10:01 AM
To: CLK-Appeals <clk-appeals@winnipeg.ca>
Cc: Lloyd Grahame <lgrahame@mymts.net>
Subject: 821-827 Grosvenor Avenue

Good morning,

I am writing to register my opposition to the proposed conditional use (DCU21 - 226609/C) and variance (DAV21 - 226612/C) associated with the proposed development of 821-827 Grosvenor Avenue.

I previously wrote to the developer with my concerns and they were not addressed at all. I now want to appeal.

The access to this property should be retained directly off Grosvenor, as it has always been, and as 62 other adjacent Grosvenor residents do. Instead of using the opportunity to address and mitigate the pedestrian/vehicular sidewalk crossing, the developer and the City Planning Department have simply pushed the issue down the lane, literally, so that the traffic crosses a blind corner pedestrian sidewalk link on Palk Road between two neighbourhood parks, relieving the developer of any responsibility. That is irresponsible, and I'm stunned that the City Planners feel this is an adequate way to address issues created by the proposed development!

I wish to speak at the appeal hearing.

thank you,
Lloyd Grahame

Exhibit “4” referred to in File DAV 226612A/2021C

From: Allison Koots
Sent: Wednesday, May 4, 2022 9:29 PM
To: Dolski, Karly <KarlyDolski@winnipeg.ca>
Subject: Re: DAV 21-226612/C

Yes I am appealing both the conditional use order and the variance.
Allison

Sent from my iPhone

From: akoots
Sent: Tuesday, May 3, 2022 11:09 PM
To: CLK-Appeals <clk-appeals@winnipeg.ca>
Subject: DAV 21-226612/C

Office of City Clerk,

I am opposed to the variance application DAV21-226612/C of 821-827 Grosvenor Avenue. I oppose the builder' application to have 15 parking spaces instead of 18.

If the proposed building has 15 units one can assume that each unit would require one parking space. This means there would be no parking spaces for visitors or for residents of the building who have two vehicles. These people would need to park on Grosvenor Avenue or Ruskin Row. These two streets already have many cars parked on them from residents and visitors of 1 Ruskin Row, 823/827/829/831/835 Grosvenor Avenue and the 41 unit building at 811 Grosvenor Avenue. There are also the service and delivery vehicles that need to find parking to all these buildings. Ruskin Row is always filled with cars from Grosvenor Avenue to Yale Avenue.

The building code stipulates that the proposed building have 18 parking spaces. The code exists to provide a reasonable number of parking spots for residences and visitors.

A 15 unit building needs to have 18 parking spaces. If 18 spaces are not possible the building needs to have less units so that the required parking spaces can be obtained.

Sincerely,
Allison Koots

Exhibit “3” referred to in File DAV 226612A/2021C

From: Helen Feniuk

Sent: Wednesday, May 4, 2022 6:06 PM

To: CLK-Appeals <clk-appeals@winnipeg.ca>

Subject: Proposed Development at 821-827 Grosvenor Ave., Winnipeg

May this serve as my registration of opposition to the development at 821-827 Grosvenor Ave., Winnipeg, MB, as is currently proposed. Major amendments are needed in order to get my approval for this development and so as to prevent adverse effects on amenities, use, safety and convenience of the adjoining properties and adjacent areas including all the trees on this property should be preserved. The proposed parking situation is in need of amending. The entrance and egress to this property should be from Grosvenor Ave. as opposed to that being proposed that the back lane be used for entrance/egress for the cars belonging the future unit owners as well as service vehicles to said property.

Helen Feniuk

Exhibit “2” referred to in File DAV 226612A/2021C

From: Matt Dirks

Sent: Tuesday, April 26, 2022 1:16 PM

To: CLK-Appeals <clk-appeals@winnipeg.ca>

Subject: Letter of Appeal against DAV 21-226612/C- 821-827 Grosvenor Ave

To the City Clerk's Office,

I'm writing in reference to the proposed development at 821-827 Grosvenor Avenue. Our family has recently moved into the neighborhood and have been enjoying our time in a new part of the city. Part of the initial draw of moving into this area was the ability to utilize the parks, public amenities and unique neighborhood character of the Coryden/Crescentwood area.

Soon after moving into the area, we became aware of multiple proposals along our block and a half of Grosvenor that total 47 new units. We are in favor of infill housing in general, but it's our belief that this specific development has a number of features that should disqualify it from approval as it stands. It should be noted that we recognize that the site will need to be redeveloped, just not in the way that is being proposed. Please see outlined below our points against the current proposal:

Size + Height:

The building is not in compliance with the city's standards in terms of side yards based on height of building. This will in effect create the appearance of a wall going up 45' on all sides. **Additionally, it does not comply with the city's standards on frontage space to the street. Why should these variances be granted when there is no benefit except to the developers?** Our concern is despite the "approved materials" we will be left with a very high and wide building very close to the street. Surely reducing the amount of units would not hurt the developer? Additionally, the layout of the plan means the adjoining properties will be subject to increased resident traffic. Also, there will be a massive effect on the natural sunlight that their properties receive from the South.

Parking, Safety + Access:

The current plan is not in compliance with the required parking spots for this type of development. With the addition of 47 units on a block and a half, it could well be assumed that street parking for residents will be drastically affected along Grosvenor. As someone with parents who have mobility issues, we appreciate the ability to have parking easily available when they visit. We expect this to change. **Why should a variance be granted on parking when the developer could amend the amount of units to comply with the rule?** With the only access being from the back alley, there are a number of safety concerns. This back alley does not have enough clearance to guarantee EMS and Waste Management Trucks the space they need to pick up safely. Additionally, in the case of an emergency, if the side door is opened along the west side of the building, the access is blocked.

Environmental Factors:

This plan involves a net loss of 26 trees (31 destroyed- 4 planted). Additionally it has extremely limited ground cover installed. On a street that already has clear drainage challenges, how does adding a massive 10,000 sq/ft hardscape (roof and parking lot) allow for proper drainage with very limited green space for absorption.

Summary:

In going through the Admin report, there is a clear issue with the proposal in general. This proposed development relies heavily on variances for approval. **The sole purpose of these variances is to allow the developer the ability to place as many units as possible into the space if allowed by the city. I ask, do these variances serve anyone living in the units? Could the developer still put forward a plan that would allow for the badly needed infill housing in downtown, while not requiring variances that negatively affect neighbors and neighborhoods?** We would say they can. By appealing this plan, we ask the city to consider the needs of the existent homeowners over that of developers that are not living at the location. They can assuredly return a profit on investment without the requirement for the city and neighborhood to sacrifice zoning rules that are established for good reason. Additionally it should be noted that if the developers are serious about providing a high quality living experience to potential tenants, those plans should include more green spaces and safer access. We kindly ask that the proposal be denied, and any future proposals be in full compliance with the required zoning.

Thanks for your time,

Matt, Janna and Hayden

Exhibit “30” referred to in File DAV 226612A/2021C



Planning, Property and Development Department
Service de l'urbanisme, des biens et de l'aménagement
 Unit 31 – 30 Fort Street • 30, rue Fort, unité 31 • Winnipeg • Manitoba R3C 4X7

VARIANCE ORDER

DAV 21-226612/C
(CORRECTED ORDER)

APPLICANT: Braydin Huynen (Karma Builders Ltd.)
 671 PEMBINA HWY
 WINNIPEG MB R3M 2L6

PREMISES AFFECTED: 821-827 Grosvenor Avenue
LEGAL DESCRIPTION: LOT 23/24 PLAN 26579 35:43 ST B
 hereinafter called "the land".

PROPERTY ZONED: R2 PDO-1Corydon Osborne

ZONING ATLAS SHEET: AC23

NATURE OF APPLICATION:

To vary the "R2 PDO-1Corydon Osborne" dimensional standards of Zoning By-Law No. 200/2006 as follows:

- 1) For the construction of a multi-family dwelling to permit:
 - a) a front yard of 20 feet (6.10 metres) instead of 25 feet (7.62 metres);
 - b) 15 parking spaces instead of 18 parking spaces;
- 2) For the establishment of an accessory parking area to permit:
 - a) no east side yard instead of 4 feet (1.22 metres);
 - b) no west side yard instead of 4 feet (1.22 metres);
 - c) insufficient buffering of parking area located within 20 feet (6.10 metres) of a side or rear lot line abutting or adjacent to a residential zoning district.

It is the opinion of the Director of Planning, Property and Development Department that subject to conditions listed below, if any, this order meets the statutory criteria of the City of Winnipeg Charter in that it:

- (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.

C.W. Charter Subsection 247(3)

ORDER:

RE: 821-827 Grosvenor Avenue

The Director of Planning, Property and Development Department hereby orders that the provisions of the "R2 PDO-1Corydon Osborne" dimensional standards of Zoning By-Law No. 200/2006 and amendments thereto are **VARIED TO PERMIT** on "the land" the construction of a multi-family dwelling (15 units) having:

- 1a) a front yard of 20 feet (6.10 metres);
- 1b) 15 parking spaces;
- 2) the establishment of an accessory parking area having:
 - a) no east side yard;
 - b) no west side yard;
 - c) insufficient buffering of parking area located within 20 feet (6.10 metres) of a side or rear lot line abutting or adjacent to a residential zoning district.

DATE OF ORDER: July 11, 2022

CERTIFIED BY:

for the Director Planning, Property and Development Department

HOW TO APPEAL

You may appeal this order by filing a letter of appeal. This appeal will be heard by the Appeals Committee. That letter must:

- (a) be addressed as set out below,
- (b) be received at that office not later than 4:30 p.m. on July 25, 2022.
[IF RECEIVED LATE YOUR APPEAL CANNOT BE HEARD.]
- (c) refer to Variance Order No. DAV 21-226612/C, give brief reasons and describe whether you appeal the whole order or only part(s) of it.

You can attend the appeal hearing and speak on issues raised in someone else's appeal; but the Appeals 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 Appeals Committee
Susan A. Thompson Bldg.
510 Main Street
Winnipeg, MB, R3B 1B9
Fax 947-3452
Email: clk-appeals@winnipeg.ca