

City of Selkirk  
ZONING BY-LAW 4968  
VARIATION ORDER FILE NO. 104 & 105, 2018

# PUBLIC HEARING

We are  
Listening.

**Public  
Hearing  
Monday,  
December 10, 2018  
6:30 PM  
Council Chambers  
200 Eaton Ave.  
Selkirk, MB**

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As per *The Planning Act*, any person can make a representation on the matter at the meeting.

### What is VO 104 & 105, 2018 about?

These variance applications are to allow minimum site areas & site width & interior side yard variances in the "R" Residential Zone:

- 1) Lot 641 site area of **~3878.45 sq. ft.** from the required 5500 sq. ft., site width **~32.99 ft.** from the required 55 ft. & interior side yard of **0 ft.** from the required 5 ft. (VO 104, 2018).
- 2) Lot 642 site area of **~3881.27 sq. ft.** from required 5500 sq. ft., site width of **~32.99 feet** from the required 55 feet & interior side yard of **0 ft.** from the required 5 ft. (VO 105, 2018).



**523 & 525 Manitoba Ave.**

For more information please contact the Red River Planning District.

Red River Planning District Mon-Fri\*  
806-A Manitoba Ave., Selkirk 8:30-4:15

\*excludes all statutory holidays

\*Note: Property owners are responsible for notifying "Tenants"

**Date:** October 18, 2018  
**File:** VO 104 & 105, 2018  
**Prepared by:** Ingrid Zarichney, Community Planning Assistant  
**From:** Derek Eno, B.A. M.C.P. MCIP RPP Senior Planner, Red River Planning District  
**To:** Council, City of Selkirk

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**Premises:** Lots 641 & 642, Plan 4L  
 523 & 525 Manitoba Ave. (Roll No. 217400 & 217450)

**Subject:** Land Use Zoning: “R” Residential General Dwelling  
 City of Selkirk Zoning By-Law #4968

Subject	Requirement (Min.)	Proposed
Site Area (per lot)	5500 sq. ft.	Lot 641: ~3878.45 sq. ft. (VO 104/18) Lot 642: ~3881.27 sq. ft. (VO 105/18)
Site Width (per lot)	55 ft.	Lot 641: ~32.99 ft. (VO 104/18) Lot 642: ~32.99 ft. (VO 105/18)
Side Yard (interior)	5 ft.	Lot 641: 0 ft. (VO 104/18) Lot 642: 0 ft. (VO 105/18)

**Issue:**

The applicant is seeking variances for undersized site areas, site widths and interior side yards in order to bring the lots into compliance with the zoning by-law. Building Location Certificates are attached.

**Background:**

The property is located on the 500 block of Manitoba Avenue on the north side of the street. A duplex has been constructed (permit issued August 15, 2016) under one title. The use, or establishment, of a duplex was permitted by Council through their approval of Conditional Use application No. CU 4/15 in May of 2015. This Conditional Use approval also required that the applicant enter into a Development Agreement with the City.

Since the time of constructing the duplex the lot received a separate Property Title for two existing lots which were previously under one Property Title. The applicant is now requesting variances for site area and site width in order to bring the lots into compliance with the City of Selkirk Zoning By-law. In addition, the applicant is request variances for side yard setback in order to allow a 0 ft. setback along the common wall (along the property line) of the duplex. There are other lots of similar size within the surrounding residential neighbourhood along Manitoba Avenue, Superior Avenue and Clandeboye Avenue.

**Analysis:**

The creation of these 32.99ft wide residential properties could be an opportunity to diversify the variety of housing types and affordability available within the City. The subject property is designated as *Urban Neighborhood* within the Planning District’s Development Plan, which

supports the establishment of a variety of housing types and affordability. Therefore, the proposal appears to conform to the Development Plan.

**Options:**

Under section 97(1) of *the Planning Act*, on completion of the public hearing, Council may:

- (a) reject the requested variance; or
- (b) varying the application of specific provisions of the zoning by-law with regard to the affected property in the manner specified in the order if the variance
  - (i) will be compatible with the general nature of the surrounding area,
  - (ii) will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area,
  - (iii) is the minimum modification of a zoning by-law required to relieve the injurious affect of the zoning by-law on the applicant's property, and
  - (iv) is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law.

Under section 98(1) of *the Planning Act*, in making a variance order under clause 97(1)(b) above, Council may:

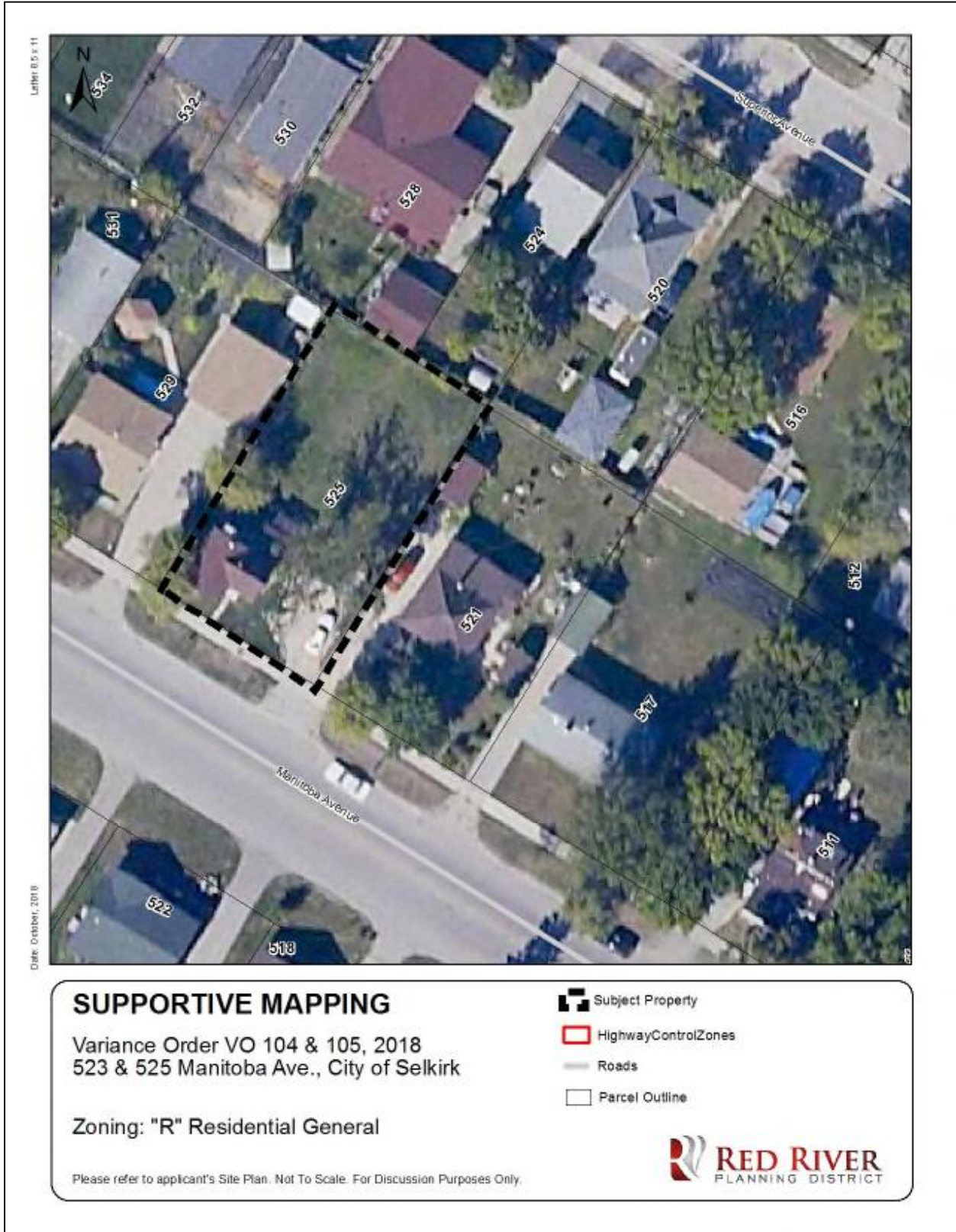
- (a) impose any conditions on the applicant or the owner of the affected property that it considers necessary to meet the requirements of clause 97(1)(b); and
- (b) require the owner of the affected property to enter into a development agreement under section 150.

**Recommendation(s):**

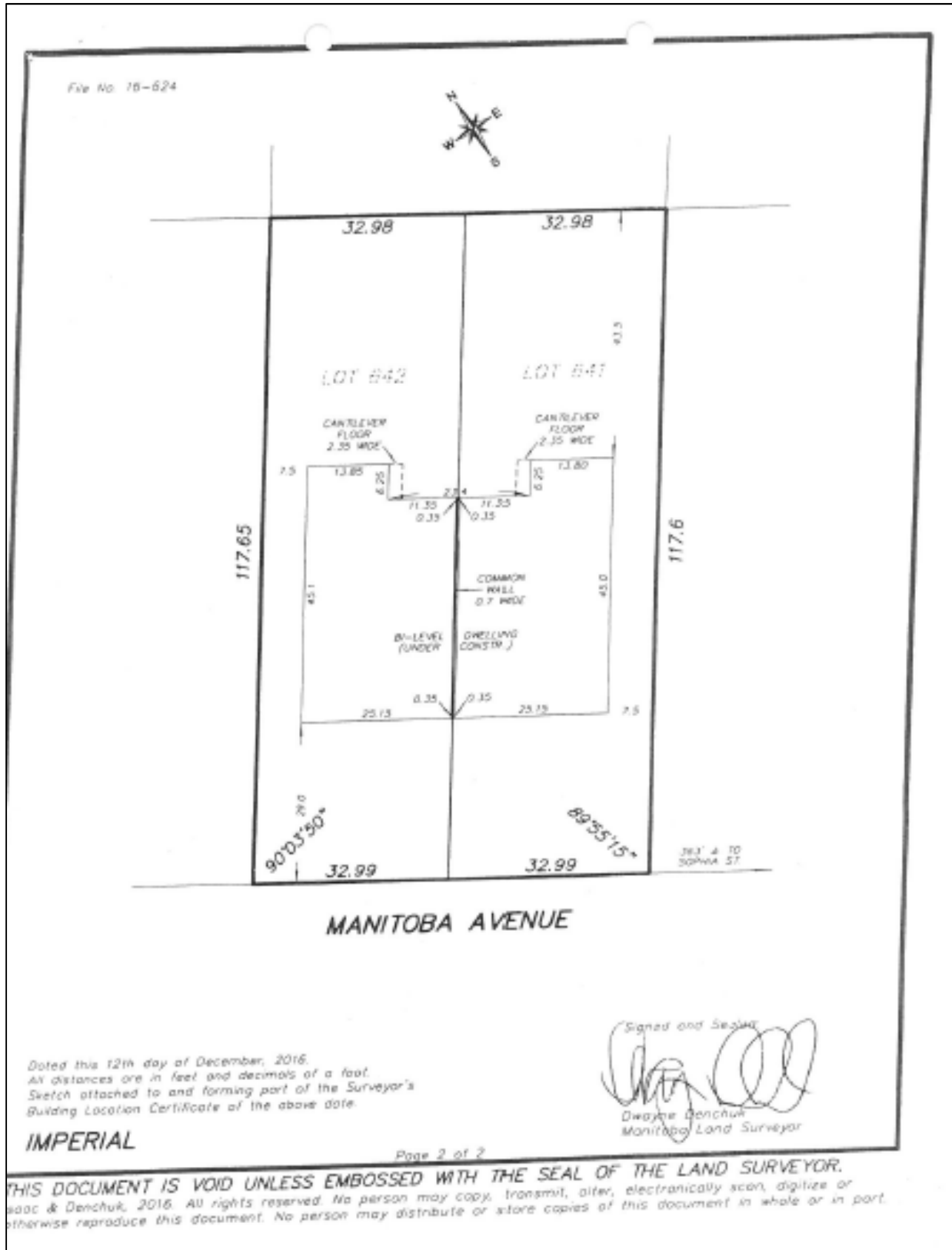
As this application appears to conform to Development Plan policies, and is similar to other existing “infill” lots found within the neighbourhood, our office recommends that this application could be **approved**, subject to the following conditions:

1. This variance is limited to the site areas, site widths and interior side yards as proposed within this application. Any changes will require new variance approval.
2. The applicant / owner obtains all required permits from the The Red River Planning District and the City of Selkirk.

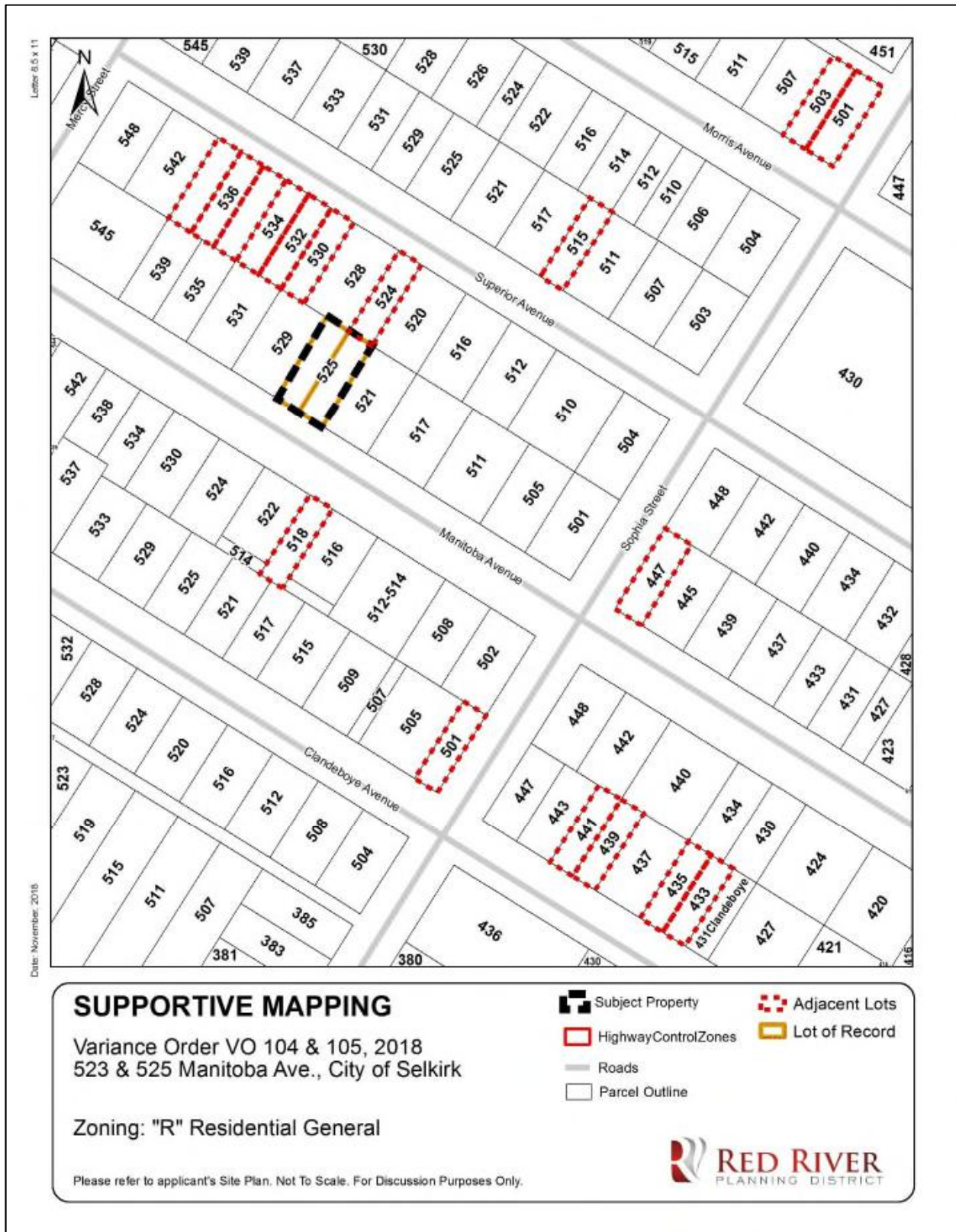
# LOCATION MAP



APPENDIX (Scan of BLC)



**APPENDIX (Map Illustrating Similar Sized Lots)**



**SUPPORTIVE MAPPING**

Variance Order VO 104 & 105, 2018  
 523 & 525 Manitoba Ave., City of Selkirk

Zoning: "R" Residential General

Please refer to applicant's Site Plan. Not To Scale. For Discussion Purposes Only.

-  Subject Property
-  Highway Control Zones
-  Roads
-  Parcel Outline
-  Adjacent Lots
-  Lot of Record

