

# ADMINISTRATIVE REPORT

**Title:** DAV 21-139674\C – 258 Burnell Street

**Issue:** For a Variance to permit the establishment of a mixed use development with 106 residential units and commercial space on the ground floor.

**Critical Path:** Director of Planning, Property and Development

## AUTHORIZATION

Author	Department Head	CFO	CAO
A. Ross, RPP, MCIP	n/a	n/a	

## DECISION AND CONDITIONS

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

1. for the construction of a mixed-use commercial and residential building to permit:
  - a. A lot area per dwelling unit of 400 square feet (37.16 square metres) instead of 500 square feet (46.45 square metres);
  - b. 85 parking spaces instead of 102 spaces;
  - c. A front yard of 8.8 feet (2.68 metres) instead of 20 feet (6.09 metres);
  - d. A rear yard of 19.6 feet (5.97 metres) instead of 25 feet (7.62 metres);
2. for the establishment of an accessory parking area to permit:
  - a. Parking stalls located on side yard;

Subject to the following condition:

1. That the development shall be built in substantial conformance with the plans attached and hereto identified as Sheets 1-7 for File DAV 21-139674C, and thereafter maintained to the satisfaction of the Director of Planning, Property and Development.

## REASON FOR THE REPORT

- The applicant seeks to build a 6-storey multifamily dwelling with 106 dwelling units and commercial on the ground floor.
- The proposal requires approved variances in order to proceed.

## IMPLICATIONS OF THE RECOMMENDATIONS

The variance to permit the establishment of a mixed use development with 106 residential units and commercial space on the ground floor is approved.

## FILE/APPLICANT DETAILS

**FILE:** DAV 21-139674C  
**RELATED FILES:** N/A  
**COMMUNITY:** City Centre Committee  
**NEIGHBOURHOOD #:** 1.112

**SUBJECT:** To vary the "RMU" dimensional standards of Zoning By-Law No. 200/2006 as follows:  
1) for the construction of a mixed-use commercial and residential building to permit:  
a) a lot area per dwelling unit of 400 square feet (37.16 square metres) instead of 500 square feet (46.45 square metres);  
b) 85 parking spaces instead of 102 spaces;  
c) a front yard of 8.8 feet (2.68 metres) instead of 20 feet (6.09 metres);  
d) a rear yard of 19.6 feet (5.97 metres) instead of 25 feet (7.62 metres);  
2) for the establishment of an accessory parking area to permit:  
a) Parking stalls located on side yard;  
b) Insufficient parking lot interior landscaping.

**LOCATION:** 258 Burnell ST  
**LEGAL DESCRIPTION:** LOT 15 PLAN 33989 63/64 ST JA

**APPLICANT:** Matthew Robinson  
Richard + Wintrup Planning and Development  
139 Roslyn Rd Unit 301  
Winnipeg, MB R3L 0G7

**OWNER:** BURNELL INVESTMENTS INC.  
10211 Yonge St 202  
RICHMOND HILL, ON L4C 3B3

## HISTORY

- On April 23, 2013, Council approved DAZ 232/2012 which rezoned the land to the “RMU” – Residential Mixed Use district, to enable the establishment of an 80-unit multifamily dwelling with 4 commercial units.
- That approval included a zoning agreement capping building height on the property to 60 feet, and required Administrative Plan approval on the subject property going forward. The zoning agreement still applies.
- Associated Variance File No. DAV 166105/2012D was approved by City Centre Community Committee on February 5, 2013 but lapsed. The variance no longer applies.
- The subject variance application brings forth a new proposal under the 2013 Council approved established RMU district.

## DISCUSSION

### CRITERIA FOR APPROVAL

Pursuant to Section 247(3) of *The City of Winnipeg Charter*, an application for a variance with respect to a property may be approved if the variance:

- (a) is consistent with Plan Winnipeg and any applicable secondary plan;
- (b) does not create a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway;
- (c) is the minimum modification of a zoning-by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and
- (d) is compatible with the area in which the property to be affected is situated.

### SITE DESCRIPTION

The subject property is located on the west side of Burnell Street, one property north of Portage Avenue, in the St. Matthews neighbourhood of the Daniel McIntyre ward.

The site is designated as Mature Community under the *Complete Communities Direction Strategy*. The property is 42,510 sq. ft. in size, is zoned “RMU” – Residential Mixed Use district, and has been vacant since 2019 when the previous onsite building was demolished.



**Figure 1: Aerial Photo of Subject Site and Surrounding Uses (flown 2014)**

**SURROUNDING LAND USE AND ZONING (See Figure 2)**

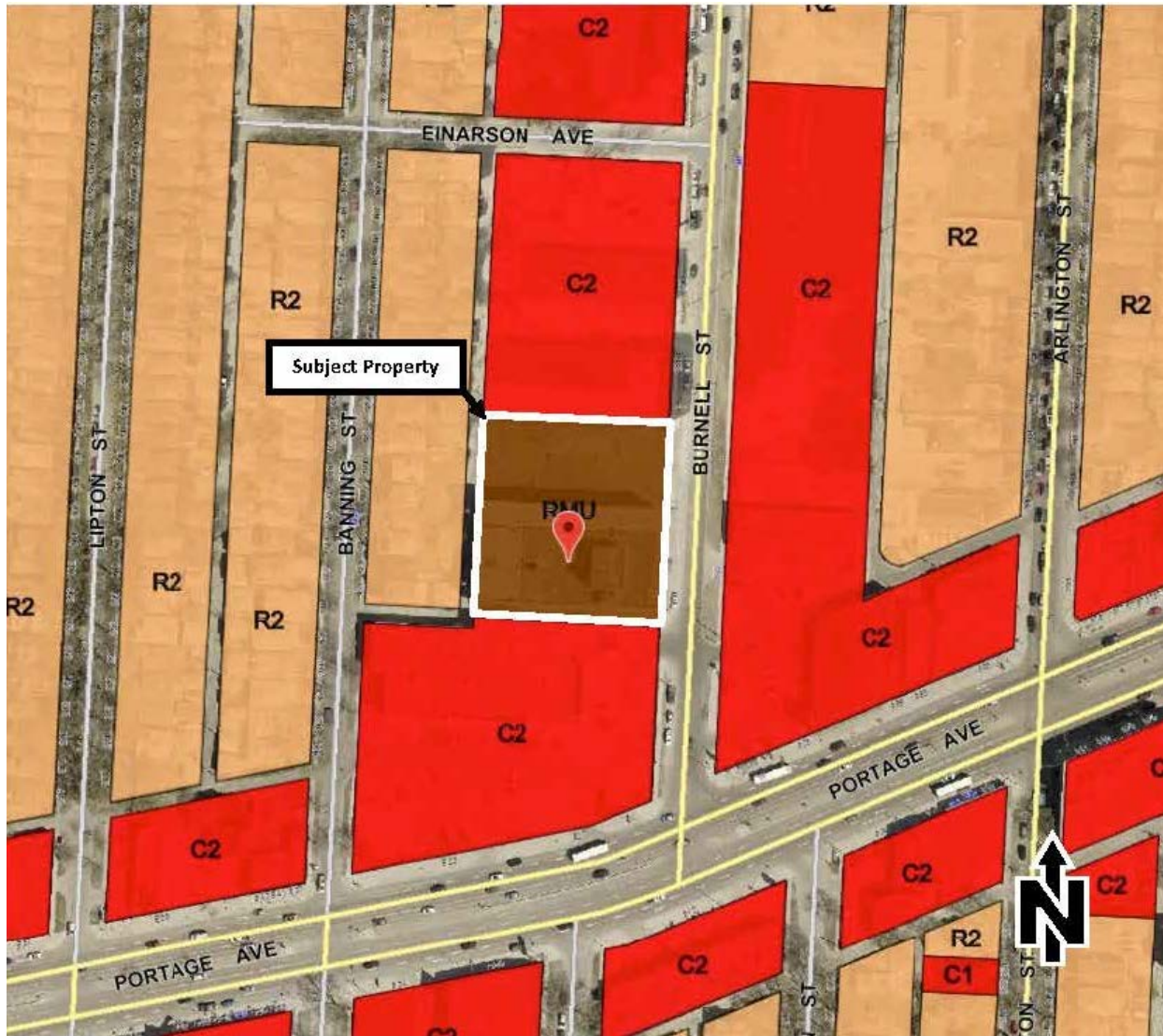
**North:** Indoor Curling Rink use zoned "C2" – Commercial Community

**South:** Retail uses zoned "C2" – Commercial Community

**East:** Burnell Street, then vacant lands zoned "C2" – Commercial Community

**West:** Rear lane, then single family dwellings zoned "R2" – Residential Two-Family





**Figure 2: Zoning of the site and surrounding area.**

### **DESCRIPTION OF THE PROPOSED DEVELOPMENT**

The applicant plans to construct a 6-storey multifamily building with 106 dwelling units, and ~2,936 sq. ft. of commercial space with storefront windows on the ground floor facing Burnell Street.

Almost all parking is underground or internal to the site, hidden from view of the street.

The development contains 85 parking stalls, for a ratio of 0.80 per dwelling unit, and a total of 44 bike parking stalls, mostly indoor.

The new building will provide accessibility through its inclusion of elevator access.

The development provides a scale reflective of the multifamily context, and high quality exterior façade materials including Hardie cement panel and real brick.

## **REASON FOR APPLICATION**

The applicant seeks variances for density, parking and yards.

### **Density**

The RMU district contains a maximum permitted density of 500 sq. ft. of lot area per dwelling unit. The applicant seeks a density of 400 sq. ft. of lot area per dwelling unit, therefore a variance is required.

### **Parking**

The required number of parking stalls, for this mixed use development located in the Urban Infill Area, is 102. The applicant is proposing 85 stalls instead of 102, therefore a variance is required.

### **Yards**

#### Front yard

The minimum front yard required in the RMU district is 20 ft. The applicant proposes a front yard of 8.8 ft., therefore a variance is required.

#### Rear yard

The minimum rear yard required in the RMU district is 25 ft. The applicant proposes a rear yard of 19.6 ft., therefore a variance is required.

#### Side yard to parking

Parking is not permitted in side yards for multifamily development. The plans include parking in the north side yard, therefore a variance is required.

## **ANALYSIS AND ISSUES**

### COLLABORATIVE PLANNING

The applicant worked with the Urban Planning Division on design aspects of the project. Specifically, the following adjustments were made to the development through the collaborative planning process leading up to receipt of the application:

#### Parking

Given the location close to Portage Avenue with high frequency transit service, the Division indicated support for a minimum parking ratio of 0.8 stalls per unit, provided that a large complement of indoor secure bike parking is provided as an offset. The applicant provided this (44 bike parking stalls, mostly indoor).

#### Design

The Division recommended a design option that 'breaks-up' the massing along Burnell. The applicant has provided individual entrances along Burnell, and a defined base, midsection and crown to the building.

#### Landscaping

The Division recommended meeting landscaping requirements of the Zoning By-Law. This is provided.

### Accessible parking stalls

The Division recommended meeting the required number, and regulation widths, of accessible parking stalls. This is provided.

### Pedestrian connections

The applicant had most pedestrian connections in place at the outset. Per a request of the Division, the applicant provided additional connections to ensure that all main commercial and residential entrances meet the standards of the Zoning By-Law; and added a connection from the rear door to the west.

### Façade materials

The applicant worked with the Division to provide high quality exterior façade materials including real brick in addition to the proposed corrugated metal and fibre cement panel.

## OURWINNIPEG

Direction 9 of *OurWinnipeg* states:

- Collaborate with developers, community organizations and other partners to foster an age-friendly and accessible urban environment.

That Direction sets out the following Enabling Strategy:

- With guidance from Complete Communities, encourage age-friendly and accessible new development in existing neighbourhoods.

The proposed development provides two elevators, which enables access to those living with mobility challenges and supports universal accessibility, identified as a priority in *OurWinnipeg*.

## COMPLETE COMMUNITIES DIRECTION STRATEGY

As noted above, the subject property is located in a Mature Community.

*Complete Communities* states Mature Communities “present some of the best opportunities to accommodate infill development, to increase housing choice and to maximize the use of existing infrastructure.”

Areas of Stability / Mature Communities Direction 1 in *Complete Communities* states the public service should “encourage conservation and upgrading of existing housing in mature areas and expand housing opportunities through infill development.”

The proposed 106 unit residential building will add significant density to this Mature Community in a context sensitive manner that is consistent with the direction established for Mature Communities as identified in the *Complete Communities Direction Strategy*.

## WINNIPEG ZONING BY-LAW 200/06

### VARIANCES

#### **Density**

Although the maximum permitted density in the RMU district is 500 sq. ft. of lot area per dwelling unit, the Division is supportive of a density of 400 sq. ft., for the following reasons:

- Although the property is not situated directly on a mixed use corridor, it sits immediately behind, and has good access to, the Portage Avenue Regional Mixed Use Corridor.
- Portage Avenue is a high frequency transit corridor and as such can support higher densities and associated resident mix of drivers and transit users.

#### **Parking**

The Division supports the proposed ratio of 0.8 stalls per dwelling unit in this location for the following reasons:

- The site is immediately proximate to Portage Avenue with high frequency transit service.
- The development provides a large complement of secure bike parking (44 bike parking stalls, mostly indoor).
- The site is located in very close walkable proximity to commercial and service amenities including grocery (Food Fare) and pharmacy (Shopper's Drug Mart), restaurants and services.

The above factors support a reduced need for personal automobile ownership, which can in turn reduce demand and functional requirement for car parking stalls.

#### **Yards**

##### Front yard

The traditional built form of multifamily and mixed use buildings on collector and residential streets in this area includes reduced front yards and buildings positioned closer to the street. 8.8 ft. still allows sufficient space for viable growth of street edge landscaping including trees, which is being provided. For these reasons, The Division supports this variance.

##### Rear yard

A variance for 19.6 ft. instead of 25 ft. is a minor variance, and is required in order to provide for an exit stairwell; the remainder and majority of the building meets the Zoning By-Law requirement. For these reasons, the Urban Planning Division supports this variance.

##### Side yard to parking

The Division is supportive of parking in the north side yard as proposed. Little or no adverse impact is introduced from this given the north abutting property is a commercial property which may also have parking up to this same property line.

### CONDITIONS OF APPROVAL

#### **Substantial Conformance**

Given the collaborative design work between applicant and the Division, a condition is included to ensure the development substantially conforms with the plans attached to this application.



## 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 development represents a context sensitive infill development in a Mature Community, as envisioned in the *Complete Communities Direction Strategy*.
- (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 scale, density, massing, parking, setbacks, and exterior design are all reflective of multifamily and mixed use developments in this neighbourhood context.
- (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*, the variances are relatively few given the scale of the project, and are similar to others approved for multifamily and mixed use developments in this neighbourhood.
- (d) is compatible with the area in which the property to be affected is situated.  
*In that*, the variances are relatively few given the scale of the project, and are similar to others approved for multifamily and mixed use developments in this neighbourhood.

## CONSULTATION

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

## OURWINNIPEG POLICY ALIGNMENT

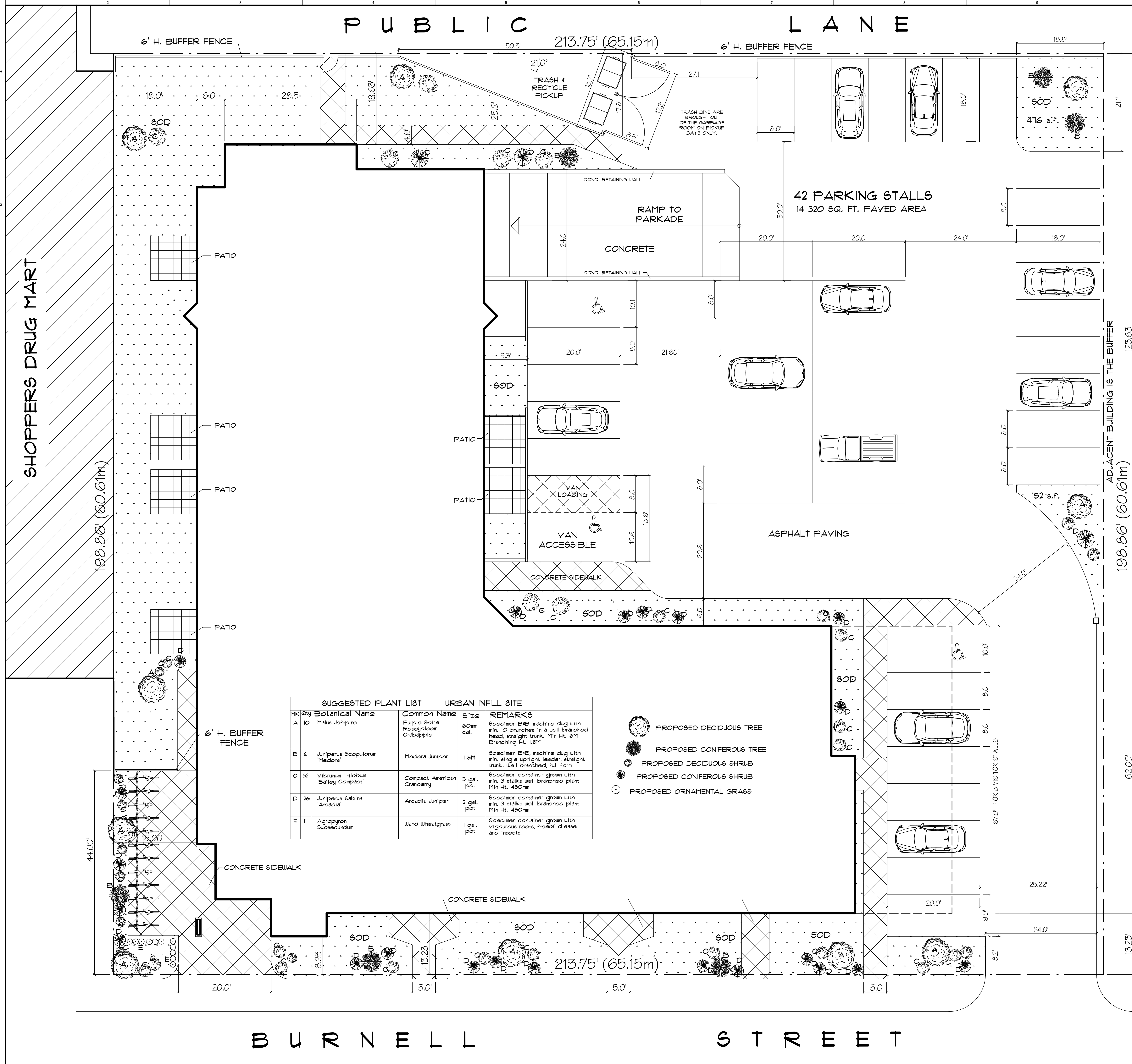
The proposal aligns with the Key Direction of *OurWinnipeg* that applies to the Mature Communities Policy Area, which states: “*Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg’s changing population.*”

## WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The proposal complies with the *Winnipeg Climate Action Plan* because the proposed development would increase the residential density of an established neighbourhood.

## SUBMITTED BY

Department: Planning, Property and Development  
Division: Urban Planning  
Prepared by: Andrew Ross, RPP, MCIP  
Date: Tuesday, May 18, 2021  
File No. DAV 21-139674\C



**PARKING DATA:**

AT GRADE PARKING = 42 STALLS  
 UNDERGROUND PARKING = 43 STALLS  
 TOTAL PARKING PROVIDED = 85 STALLS

ACCESSIBLE STALLS = 5 STANDARD  
 2 VAN STALLS  
 BICYCLE LOCKUP 34 INDOOR  
 12 OUTDOOR

**SUGGESTED PLANT LIST URBAN INFILL SITE**

NO.	Botanical Name	Common Name	Size	REMARKS
A 10	Malus Japense	Purple Spine Renealmia Crabapple	60mm cal.	Specimen B4B, machine dug with min. 10 branches in a well branched head, straight trunk. Min Ht. 6M Branching Ht. 1.8M
B 6	Juniperus scopulorum 'Medora'	Medora Juniper	1.8M	Specimen B4B, machine dug with min. single upright leader, straight trunk. Well branched, full form
C 32	Viburnum Trilobum 'Bailey Compact'	Compact American Cranberry	5 gal. pot	Specimen container grown with min. 3 stalks well branched plant Min Ht. 450mm
D 26	Juniperus Sabina 'Arcadia'	Arcadia Juniper	2 gal. pot	Specimen container grown with min. 3 stalks well branched plant Min Ht. 450mm
E 11	Agropyron Subsecundum	Wand Wheatgrass	1 gal. pot	Specimen container grown with vigorous roots, free of disease and insects.

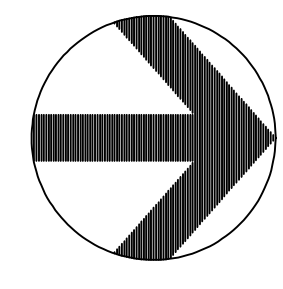
- PROPOSED DECIDUOUS TREE
- PROPOSED CONIFEROUS TREE
- PROPOSED DECIDUOUS SHRUB
- PROPOSED CONIFEROUS SHRUB
- PROPOSED ORNAMENTAL GRASS

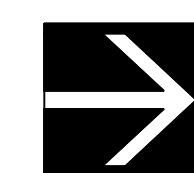
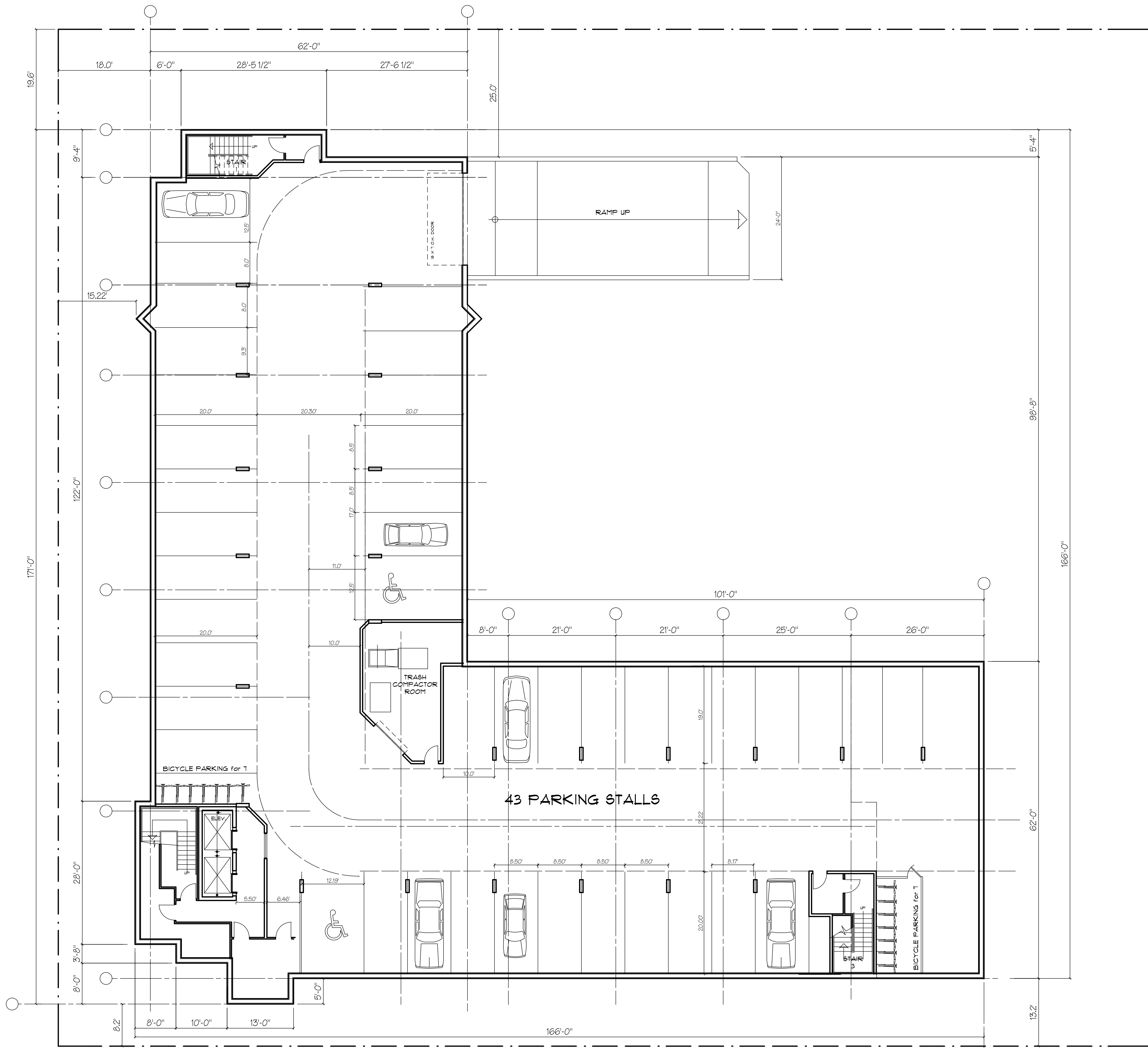
Consultants  
  
 ARCHITECTURAL TECHNOLOGIST  
 tsquaretechniques@gmail.com  
 204.771.2436

Project manager  
 Architect  
  
 2310 - 65 SWINDON WAY  
 WINNIPEG, MB, R3P 0T8  
 PHONE: (204) 832-8666

Project title  
**258 BURNELL STREET**  
 MIXED USE  
 MULTI-FAMILY  
 COMMERCIAL RENTAL  
 WINNIPEG MB  
 Designed by: **BLM GAK**  
 Drawn by: **BLM**  
 Checked by:  
 Approved by:

Sheet title  
**SITE PLAN**  
 Date: 18/05/2021  
 Scale: 1/8" = 1' - 0"  
 Sheet Number: **A.1A**





**LOWER PARKING GARAGE PLAN**

16 359 S.F.

Consultants

Lead

Project manager

Description	Date (YYYY)	Drawn	Checked

Architect

**GERALD A. KORZENIOWSKI ARCHITECT INC.**  
 2310 - 65 SWINDON WAY  
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 PHONE: (204) 832-8666

**258 BURNELL STREET**  
 MIXED USE  
 MULTI-FAMILY  
 COMMERCIAL RENTAL

Winnipeg MB

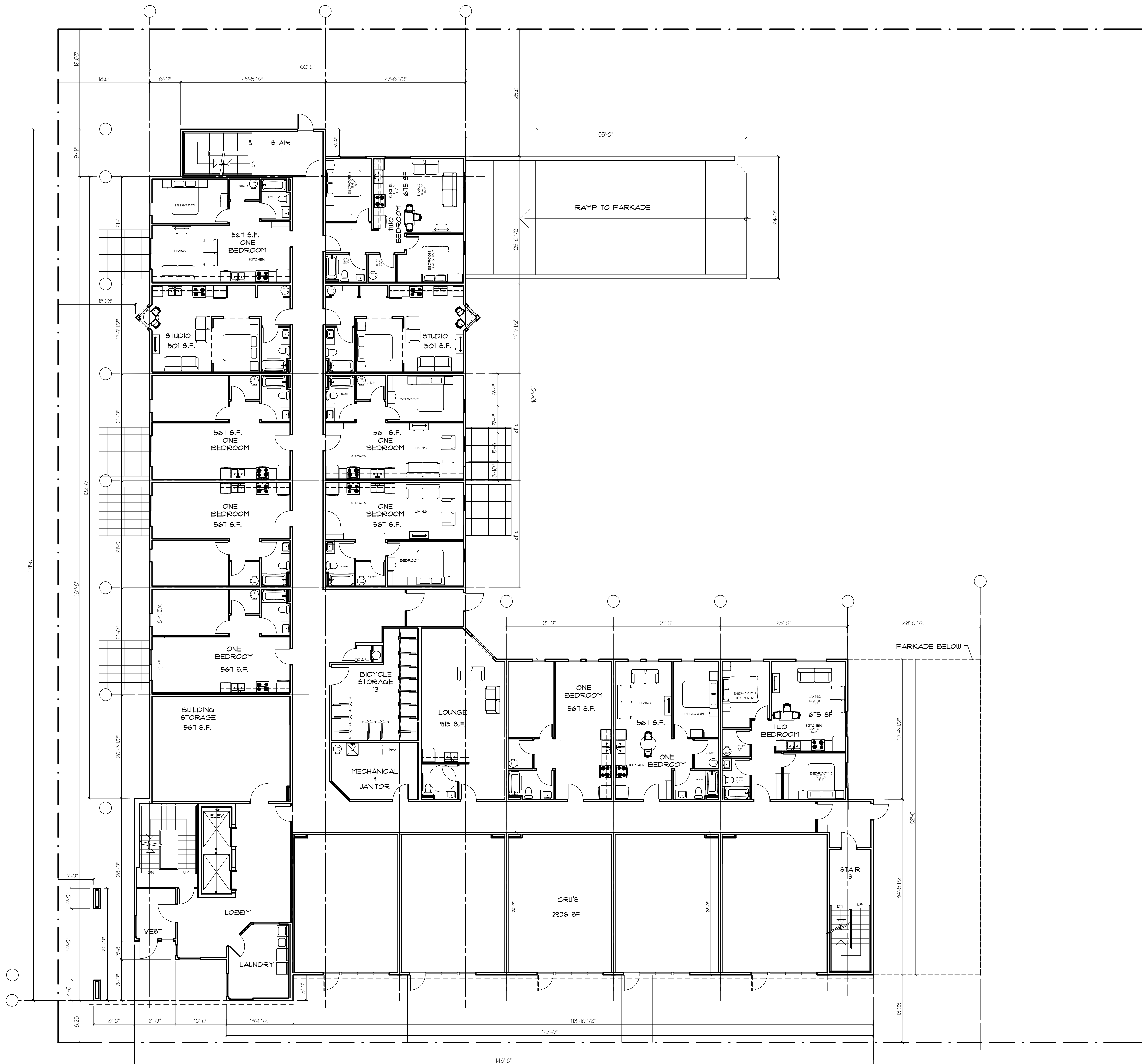
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Checked By		Initialed
Approved By		Initialed

Sheet Title: **LOWER PARKING GARAGE PLAN**

Date: 29/03/2021

Scale: 1/8" = 1' - 0" Sheet Number: **A.2**

Project Number



<b>MAIN FLOOR</b>		
ONE BEDROOM	8	
TWO BEDROOM	2	
STUDIO	2	
	<b>12 UNITS</b>	
<b>SECOND FLOOR</b>		
ONE BEDROOM	13	
TWO BEDROOM	3	
STUDIO	2	
	<b>18 UNITS</b>	
<b>THIRD FLOOR</b>		
ONE BEDROOM	14	
TWO BEDROOM	3	
STUDIO	2	
	<b>19 UNITS</b>	
<b>FOURTH FLOOR</b>		
ONE BEDROOM	14	
TWO BEDROOM	3	
STUDIO	2	
	<b>19 UNITS</b>	
<b>FIFTH FLOOR</b>		
ONE BEDROOM	14	
TWO BEDROOM	3	
STUDIO	2	
	<b>19 UNITS</b>	
<b>SIXTH FLOOR</b>		
ONE BEDROOM	14	
TWO BEDROOM	3	
STUDIO	2	
	<b>19 UNITS</b>	
<b>TOTAL SUITES</b>	<b>106</b>	

Description	Date (Y/M/D)	Drawn	Checked
Revision/Notice (Read list)			
Architect			
Project Manager			

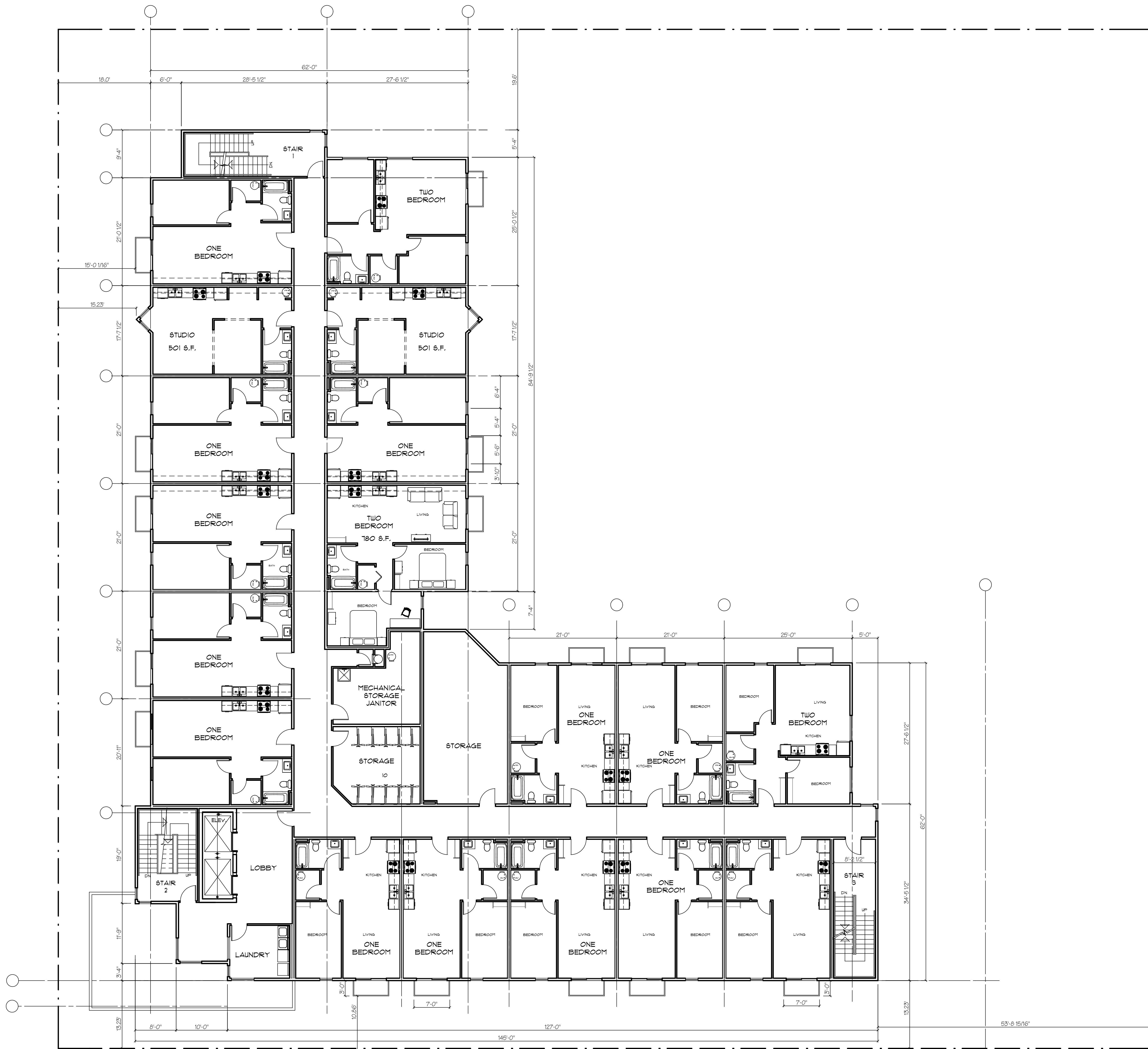
**GERALD A. KORZENIOWSKI ARCHITECT INC.**  
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**258 BURNELL STREET**  
 MIXED USE  
 MULTI-FAMILY  
 COMMERCIAL RENTAL

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Drawn By	BLM	Initialed	
Checked By		Initialed	
Approved By		Initialed	

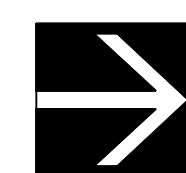
Sheet Title: **MAIN FLOOR PLAN**  
 Date: 31/03/2021  
 Scale: 1/8" = 1' - 0"  
 Sheet Number: **A.3**

**MAIN FLOOR PLAN** MAIN FLOOR BUILDING AREA = 14 963 sq. ft.



**SECOND FLOOR**

ONE BEDROOM	13
TWO BEDROOM	3
STUDIO	2
<b>TOTAL</b>	<b>18 UNITS</b>



**SECOND FLOOR**

FLOOR AREA 14 788 S.F.

Consultants

Site

Project manager

Description	Date (Y/M/D)	Drawn	Checked
Revision/Notice (Read list)			

Architect

**GERALD A. KORZENIOWSKI ARCHITECT INC.**  
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Project title

**258 BURNELL STREET**  
 MIXED USE  
 MULTI-FAMILY  
 COMMERCIAL RENTAL

Winnipeg MB

Designed by	GAK	Initialed
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Approved by		Initialed

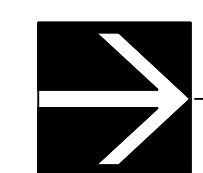
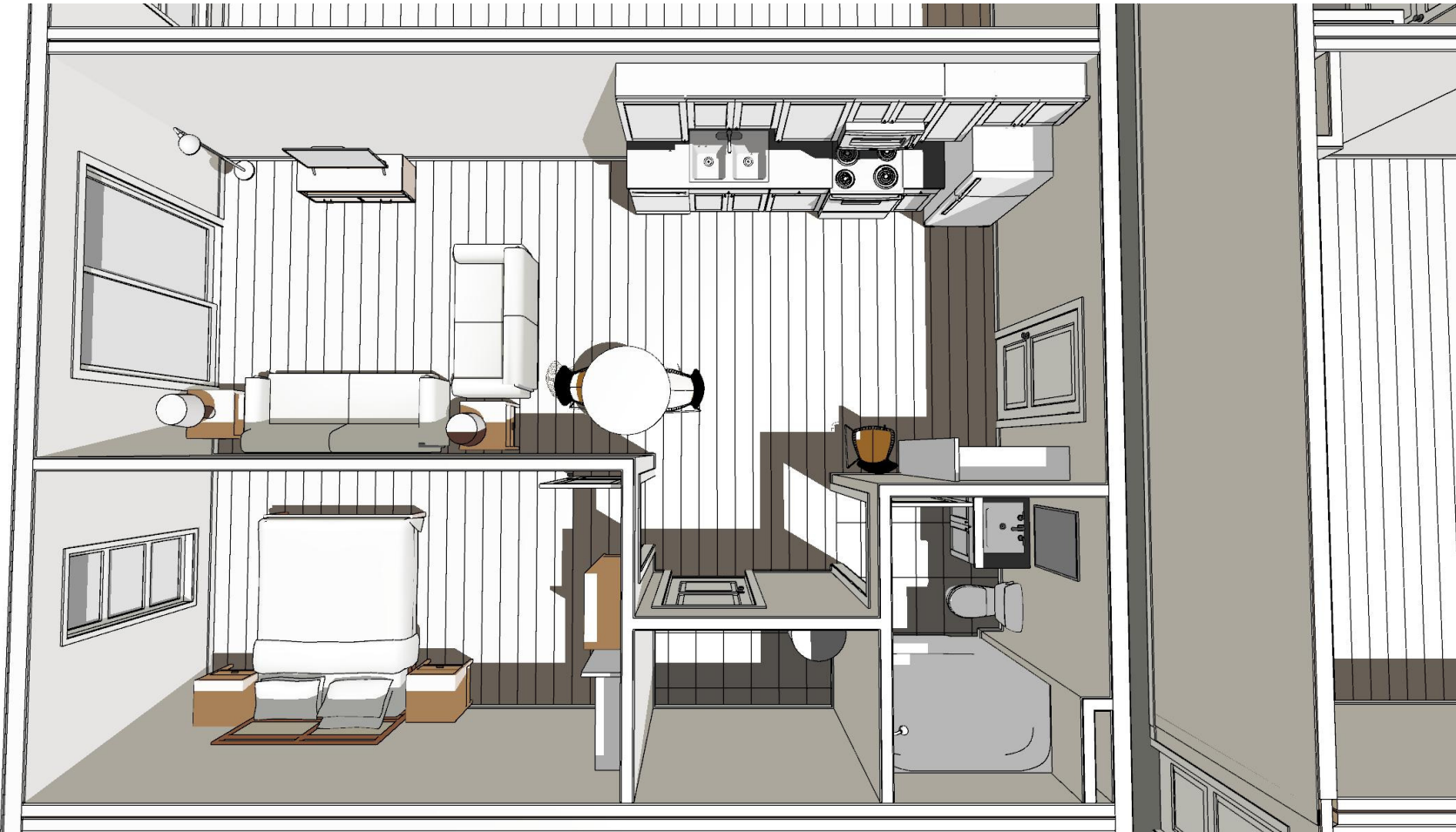
**SECOND FLOOR PLAN**

Date 31/03/2021

Scale 1/8" = 1' - 0" Sheet Number **A.4**

Project Number





THIRD TO FIFTH FLOOR  
SIXTH FLOOR IS SIMILAR

FLOOR AREA 14 134 S.F.

Consultants

Lead

Project manager

Revision/Notice (Read last)	Description	Date (YYYY)	Drawn	Checked

Architect



Project title

**258** BURNELL STREET  
MIXED USE  
MULTI-FAMILY  
COMMERCIAL RENTAL

WINNIPEG MB

Designed by: **GAK** Initials

Drawn by: **BLM** Initials

Checked by: Initials

Approved by: Initials

Sheet title  
**THIRD TO FIFTH FLOOR  
SIXTH FLOOR IS SIMILAR**

Date: 29/03/2021

Scale: 1/8" = 1' - 0" Sheet Number: **A.5**

Project Number





**SOUTH ELEVATION**

SCALE: 3/16" = 1' - 0"



**EAST ELEVATION - BURNELL STREET**

SCALE: 3/16" = 1' - 0"

Project Manager

Description

Revision/Issuance Description

File

Architect

Project Title

258 BURNELL STREET  
MIXED USE  
MULTI-FAMILY  
COMMERCIAL RENTAL

WINNIPEG MB

Designed By: GAK

Drawn By: BLM

Checked By:

Approved By:

Sheet Title

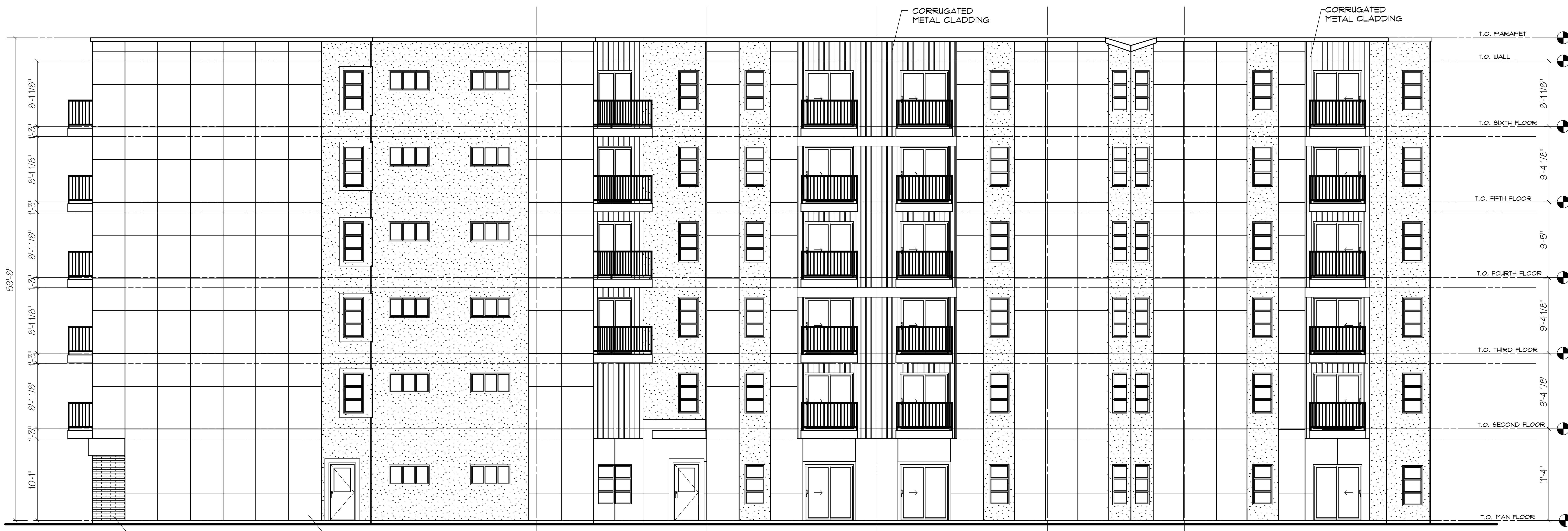
**NORTH & EAST ELEVATIONS**

Date: 30/03/2021

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Sheet Number: **A.1**

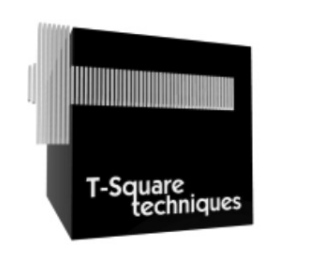
Project Number



NORTH ELEVATION



WEST ELEVATION



Project Manager

Description	Date (month)	Drawn	Checked

Architect

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Project Title

**258 BURNELL STREET**  
 MIXED USE  
 MULTI - FAMILY  
 COMMERCIAL RENTAL

Designed by	BLM / GAK	revised
Drawn by	BLM	revised
Checked by		revised
Approved by		revised

Sheet Title

**NORTH & WEST ELEVATIONS**

Date 31/03/2021

Scale 3/16" = 1' - 0"

Sheet Number **A.8**