

ADMINISTRATIVE REPORT

Title: DAV 24-220304\C – 270 Morley Avenue

Issue: For consideration of a Variance associated with a multifamily and community programming building.

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 and Design Division **approves** the application to vary the “C2 PDO Neighbourhood Main Streets” Development and Design Standards of Winnipeg Zoning By-law No. 200/2006 as follows:

1. for the re-establishment of a multi-family dwelling to permit the following:
 - a. construction of an elevator addition to permit a south side yard of 8 feet (2.4 metres) instead of 12 feet (3.6 metres);
 - b. a lot area per dwelling unit of 560 square feet (52.03 square metres) instead of 800 square feet (74.3 square metres);
2. for the redevelopment of an open parking area to permit:
 - a. 1 parking space instead of 3 parking spaces;
 - b. no standard accessible parking spaces instead of 1 standard accessible parking space.

Subject to the following condition(s):

1. That the development shall be constructed in substantial conformance with the plans identified as Sheets 1-3 for File No. DAV- 24-220304C, dated September 16, 2024 and thereafter maintained to the satisfaction of the Director of Planning, Property and Development;

OR

That the Owner must submit plans showing the location and design of any and all proposed:

- i. buildings;
- ii. accessory parking areas;

- iii. garbage enclosures; and
- iv. fencing

on the Owner’s Land (“Works”) to the Director of Planning, Property and Development for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

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

REASON FOR THE REPORT

- The applicant is proposing to convert an existing 3 storey building into a multifamily and community programming building with a commercial space on the ground floor. This requires Variances to the *Winnipeg Zoning By-Law*.
- This report provides information regarding the subject application’s compliance with *The City of Winnipeg Charter*, section 249.

FILE/APPLICANT DETAILS

FILE: DAV 24-220304\C
RELATED FILES: DCU 24 – 220327\C, 2024 221037 000 00 ZR
COMMUNITY: City Centre Committee
NEIGHBOURHOOD #: 1.666 - (RIVERVIEW)

SUBJECT: To vary the “C2 PDO Neighbourhood Main Streets” Development and Design Standards of Winnipeg Zoning By-law No. 200/2006 as follows:

- 1) for the re-establishment of a multi-family dwelling to permit the following:
 - a) construction of an elevator addition to permit a south side yard of 8 feet (2.4 metres) instead of 12 feet (3.6 metres);
 - b) a lot area per dwelling unit of 560 square feet (52.03 square metres) instead of 800 square feet (74.3 square metres);
- 2) for the redevelopment of an open parking area to permit:
 - a) 1 parking space instead of 3 parking spaces;
 - b) no standard accessible parking spaces instead of 1 standard accessible parking space.

LOCATION: 270 Morley Ave
LEGAL DESCRIPTION: LOT 1/2 BLOCK 11 PLAN 249 25 ST B

APPLICANT: Pamela Kravetsky (AtLRG Architecture Inc.)
82 George Ave
Winnipeg, MB R3B 0K1

OWNER: FIRST NATION HEALING CENTRE INC.
(PO BOX 365 PO)
KOOSTATAK, MB R0C 1S0

HISTORY

- 270 Morley (the Rubin Block) was built in 1914 and originally contained 21 apartments in the upper floors and retail on the ground floor.
- Two fires occurred in the building; the building has been vacant since 2014.
- Since its closure, many Winnipeggers have been active in advocating for the building's conversion and reuse. There have been fears its continued vacancy could lead to demolition. The structure has been seen as iconic and historically integral to the South Osborne streetscape and wider neighbourhood.
- In 2019, the building was placed on the National Trust for Canada's Top 10 Endangered Places List.

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 southeast corner of Morley Avenue and Osborne Street, in the Riverview neighbourhood of the Fort Rouge - East Fort Garry ward.
- The property is zoned "C2" – Commercial Community District, is 7,283 sq. ft. in size, and is accessed by a paved rear lane.
- The site used to contain apartment units and commercial space but is currently vacant.
- Under the *Complete Communities Direction Strategy 2.0*, the site is within the Urban Mixed Use Corridor policy area.

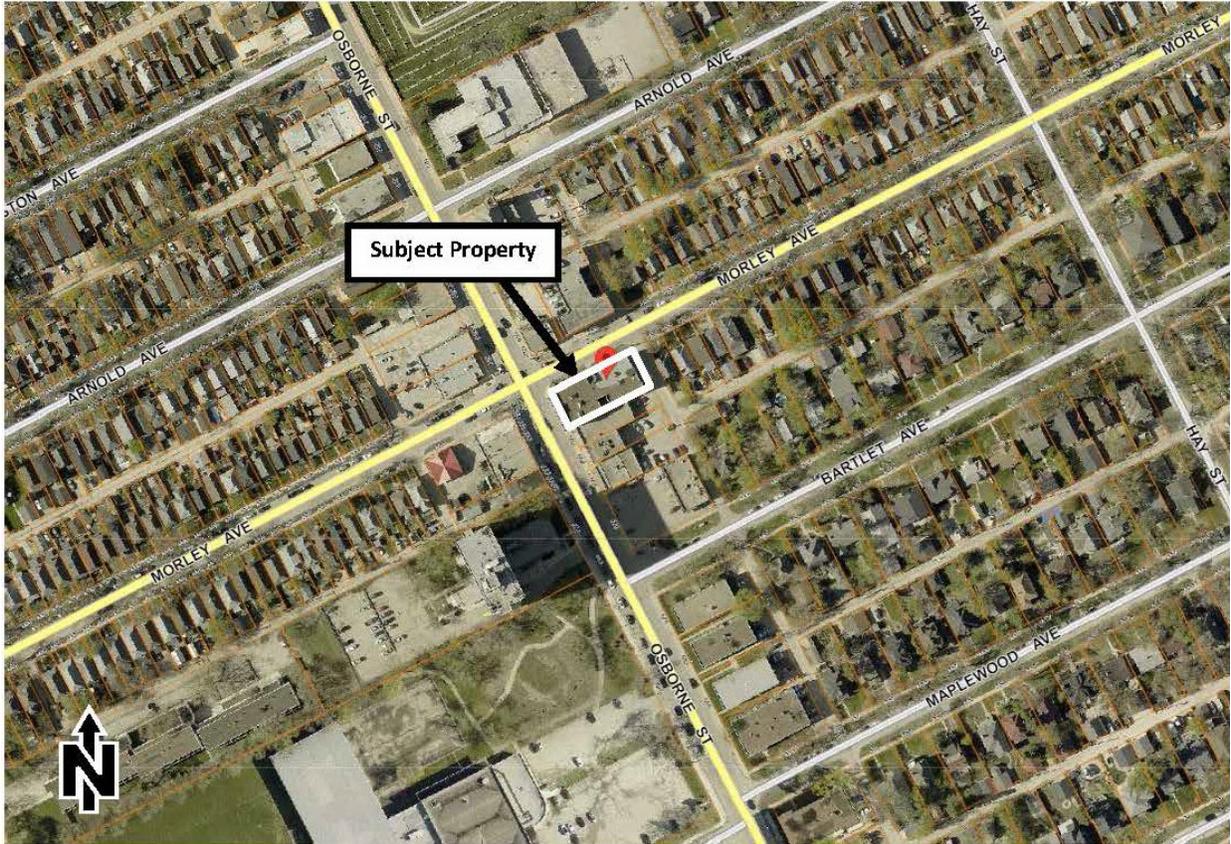


Figure 1: Aerial photo of subject site and surrounding area (flown 2024)

SURROUNDING LAND USE AND ZONING (See Figure 2)

- North:** Morley Avenue, then multifamily and commercial development zoned “C2” – Commercial Community.
- South:** Commercial development zoned “C2” – Commercial Community.
- East:** Rear lane, then single family dwelling zoned “R1-M” – Residential Single Family – Medium.
- West:** Osborne Street, then commercial development zoned “C2” – Commercial Community.



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant seeks to convert the building to a multifamily and community programming building.
- The building will contain 13 family sized apartment units, a small office and reception area, and one rentable commercial space fronting Osborne Street on the ground floor.
- The building will contain 5 stalls of indoor, secure bike parking, and one car parking stall in the rear off the lane.

VARIANCES – WINNIPEG ZONING BY-LAW 200/06

South side yard

The minimum required interior side yard for multifamily development in the “C2” district is 8 ft. plus 2 ft. for every storey above the ground level, for a total of 12 ft. for this 3-storey building. Although the existing yards are ‘grandfathered’, the applicant requires an elevator addition on the south side, set back 8 ft. instead of 12 ft. from the south property line. For this reason, a variance is required.

Density

The maximum permitted density for multifamily development in the “C2” district is 800 sq. ft. of lot area per dwelling unit. The applicant seeks a lot area per dwelling unit of 560 sq. ft., therefore a variance is required.

Number of stalls

The required number of vehicular parking stalls for the 13-bed communal living facility and one commercial unit is 3. The applicant proposes 1 stall, therefore a variance is required.

Accessible stall

The development requires 1 accessible stall. An accessible stall is not provided, therefore a variance is required.

ANALYSIS AND ISSUES

COLLABORATIVE PLANNING

The applicant agreed to the following adjustments as part of the collaborative planning process:

- Commercial unit
The applicant was asked to explore retaining a commercial presence facing Osborne Street to support activity on the corner. This is provided.
- Window transparency
The applicant was asked to provide transparent windows where suitable, to maintain interplay between the building and the sidewalk. This was provided.
- Parking plan
The applicant was asked to detail their parking plan given the lack of onsite parking. This was provided (see below under “Number of parking stalls”).
- Fencing
The applicant was asked to provide decorative fencing to screen the rear of the property from the sidewalk. This is provided.

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0 (CCDS 2.0)

This portion of Osborne is designated as “Urban Mixed Use Corridor” under CCDS 2.0. The following are the key policies relevant to this proposal:

Goal 1

1.2 Where higher intensity commercial or residential uses are interrupted by lengths of low density residential development along Corridors, higher intensity residential development should be directed towards established nodes.

Goal 3

3.1 Ensure that development on Urban Mixed Use Corridors is designed to prioritize a comfortable pedestrian environment and attractive public realm by:

3.1.1 Providing minimal building setbacks from the public right-of-way to define the street edge.

3.1.2 Having entrances provide direct access to the public sidewalk.

3.1.3 Promoting a fine-grained and transparent street-level façade with active ground floor uses.

3.1.4 Encouraging balconies and public spaces, such as plazas, patios, or other pedestrian amenities.

3.1.5 Minimizing impacts of vehicular access and parking on the pedestrian environment by having vehicular access off of existing lanes.

3.1.6 Encouraging the location of parking above- or below-grade, or behind the primary building.

3.1.7 Promoting pedestrian-scale signage.

3.2 Fine-grained local commercial uses and vertical mixed-use buildings with ground floor commercial uses will be encouraged.

Goal 4

4.1 Maintain ground floor commercial space when redeveloping properties in Urban Mixed Use Corridors.

4.4 Support and protect Corridors' continued retail and service function by encouraging retail and service use intensification and by supporting reinvestment in existing Corridors.

4.5 Encourage the location of the most active retail and service uses to ground floor commercial spaces, and direct less active uses above-grade.

Goal 6

6.2 Ensure the design of Corridors encourages the use of the frequent transit service provided on routes in the Primary Transit Network as well as connections to the feeder network.

G7. Heritage Conservation

Identify and maintain local heritage resources

4.1 Work with community stakeholders to...support the sustainable reuse of existing building stock and historic infrastructure.

CCDS 2.0 Summary:

The proposal meets the above policies of CCDS 2.0 in the following ways:

- The site is located at an established 'node' along a Corridor.
- The building will be vertical mixed-use with a ground floor commercial use.
- By adaptively reusing the existing sidewalk-oriented building, the proposal supports a comfortable pedestrian environment.
- Through its location on Osborne Street, the proposal encourages the use of frequent transit service and the Primary Transit Network.
- The proposal supports the sustainable reuse of existing building stock and historic infrastructure.

ANALYSIS OF VARIANCES

South side yard

For accessibility reasons, the Division supports the addition of an elevator to the building. This necessitates a substandard side yard of 8 ft. because the existing building provides no other suitable location for an elevator. The Urban Planning Division therefore supports this variance.

Density

The applicant seeks 13 units. The maximum permitted density for multifamily development in the "C2" district is 800 sq. ft. of lot area per dwelling unit, which would allow up to 9 units (or 10 units with the normal maximum allowable 10% density variance).

However, the Development Procedures By-Law allows density variances in excess of 10% when the following criteria are met (summarized by the Division):

- The existing multi-family dwelling is being maintained without significant changes to the building height or footprint. (This criteria is met).
- Any dwelling units being added to the existing multi-family dwelling will not require any site servicing upgrades. (The building recently contained 21 units. This criteria is met).
- The existing zoning district allows a multi-family dwelling as either a permitted or Conditional Use. ("C2" allows multi-family as a Conditional Use. This criteria is met).
- The density meets the minimum lot area per dwelling unit requirements of the Residential Mixed Use ("RMU") zoning district where the proposed development is mixed use. (This mixed use building meets the "RMU" density standard. This criteria is met).
- The dimensional standards of the alternative zoning district would require a variance for lot area and substandard side yard; and a legal tool such as a zoning agreement to restrict the maximum building height. (Rezoning to "RMU" would require all of these).

For the above reasons, the Urban Planning Division supports the density.

Number of stalls

The applicant provided the following rationale for their request for a parking variance for 1 stalls instead of 3 stalls (summarized by the Division):

- Tenancy - vehicle ownership for the supportive, communal living project is anticipated to be low, if not zero.
- Transit - the minimal staff will be encouraged to use public transit or active transportation. There is also on-street parking in the area.
- Bike parking – indoor secure bike parking is being provided.
- Shuttle service - part of the supportive housing program is the provision of a van shuttle, to be parked on-site.
- Car-share - the owners intend to purchase a car co-op membership for staff and resident use. There are 3 current locations in the immediate vicinity, including 1 on the same block.
- Transit - the building is located at the intersection of Osborne Street and Morley Avenue, offering several transit route options.

- Shopping and amenities - the building is located in the heart of the 'South Osborne' commercial strip, which offers a diverse assortment of business including grocery, personal services, and restaurants.

For the above reasons, the Urban Planning Division supports this variance.

Accessible stall

The rear condition of the property unfortunately only provides space for a 9-foot-wide parking stall. This is one foot shy of the 10-foot wide requirement for an accessible stall. Given space constraints do not allow for the 10-foot width to be met, the Urban Planning Division supports this variance.

OTHER CONSIDERATIONS

Heritage

The building at 270 Morley Avenue (Rubin Block) is on the Commemorative List under the Historical Resources By-law. While not protected from demolition and alterations, conservation of the building is encouraged because it has some level of heritage value. Information about the building is posted on the City's website.

Plan Approval

If the development is built in substantial conformance with the approved plans, the proponent may apply for permits. However if plans are changed, an administrative plan approval process will be required in order to provide the Urban Planning Division the opportunity to review.

REASONS FOR DECISION

In the context of Section 247(3), the Urban Planning and Design Division **approves** the application for the following reasons:

- (a) is consistent with *Plan Winnipeg* and any applicable secondary plan;
In that, the proposal encourages intensification and reinvestment along a Corridor, and supports the sustainable reuse of existing building stock and historic infrastructure.
- (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 proposal repurposes an existing building that has long been established in this location.
- (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 driven primarily by the existing site conditions and are the minimum required to enable the adaptive reuse of this building.
- (d) is compatible with the area in which the property to be affected is situated.
In that, by adaptively reusing the existing sidewalk-oriented building, the proposal supports a comfortable pedestrian environment.

CONSULTATION

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

OURWINNIPEG 2045 POLICY ALIGNMENT

6.43 Heritage Conservation

Conserve cultural, natural, and heritage resources and districts, as defined in Complete Communities, and Indigenous land-based practices to celebrate sense of place through community history, architecture, civic identity and cultural perspectives.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #5 - 5.1 Increase Energy Performance of Existing Buildings

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given to whether this report connects to any of the specific Goals and Objectives in the *PRS* and it was determined the *PRS* is not applicable to this specific report.

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning and Design
Prepared by: Andrew Ross, RPP, MCIP
Date: September 25, 2024
File No. DAV 24-220304\C



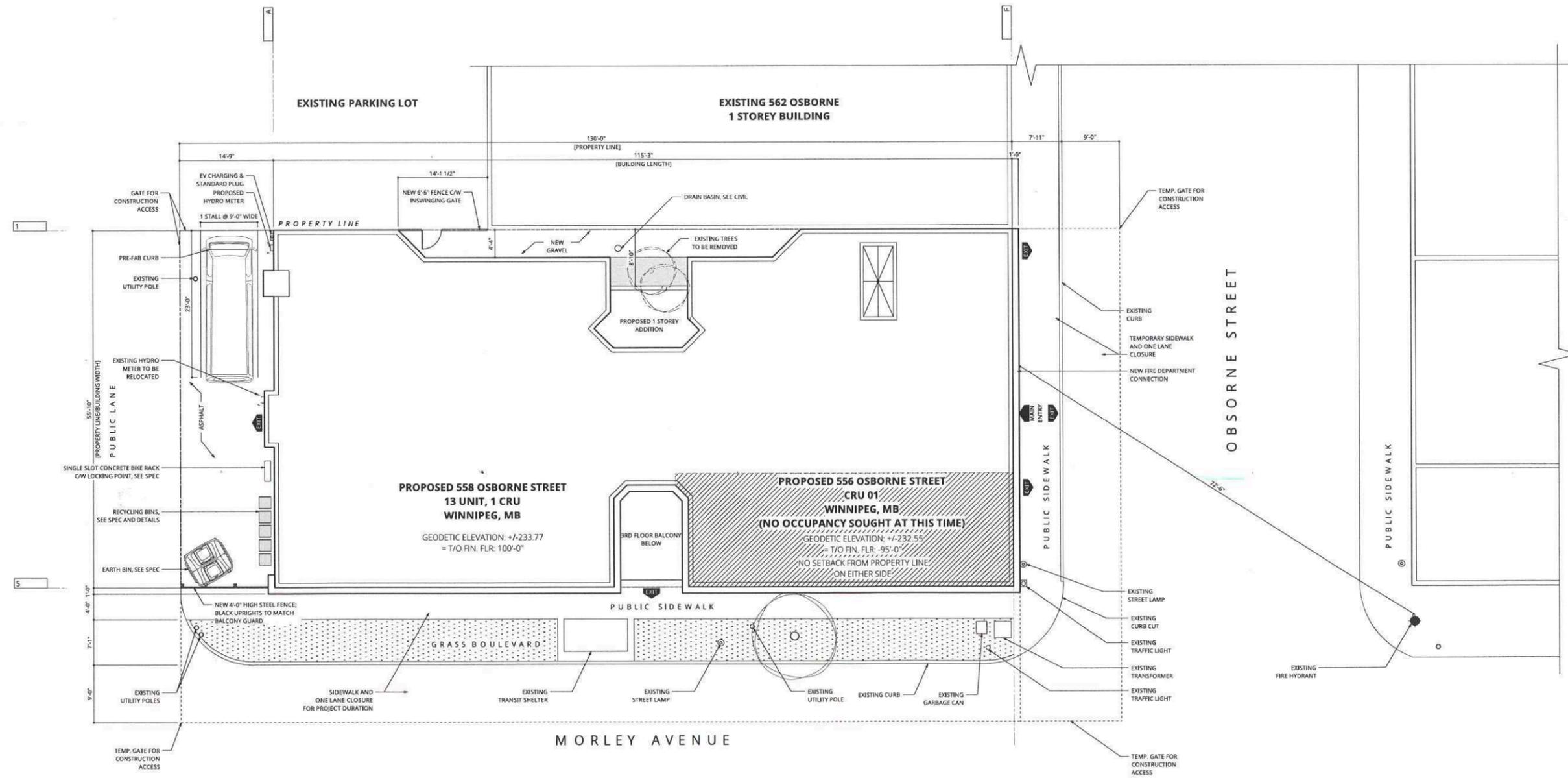
FIRST NATION HEALING CENTRE

270 MORLEY AVE.
2024.05.16 ISSUED FOR DEVELOPMENT PERMIT



GENERAL NOTES:
 1. REFER TO CIVIL FOR GRADING, TYP)

**ZONING and PERMITS
 BRANCH**
 THIS PLAN IS SUBMITTED FOR APPROVAL
 IN CONNECTION WITH DAV 24-220304 / C
 SHEET # 1 OF 3
 APPLICANT (SGD.) _____
 ZONING OFFICER Thigh
 DATE Sept 19, 2024



3 REVISION	2024-09-18
2 REVISION	2024-09-10
1 REVISION	2024-09-04
DRAWN BY:	PK
PLOT DATE:	2024.09.18

ISSUED FOR DEVELOPMENT PERMIT
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 82 George ave Winnipeg MB R3B0K1
 186 FIRST NATION HEALING CENTRE
 558 OSBORNE STREET

1 SITE PLAN
 A1.0 SCALE: 1:100
 PROJECT NORTH TRUE NORTH

A1.0

GENERAL NOTES

1. REPAIR AND REPOINT ALL MASONRY AS REQUIRED; REFER TO SPEC
2. ALL DOOR AND WINDOW OPENINGS EXISTING UNLESS NOTED OTHERWISE



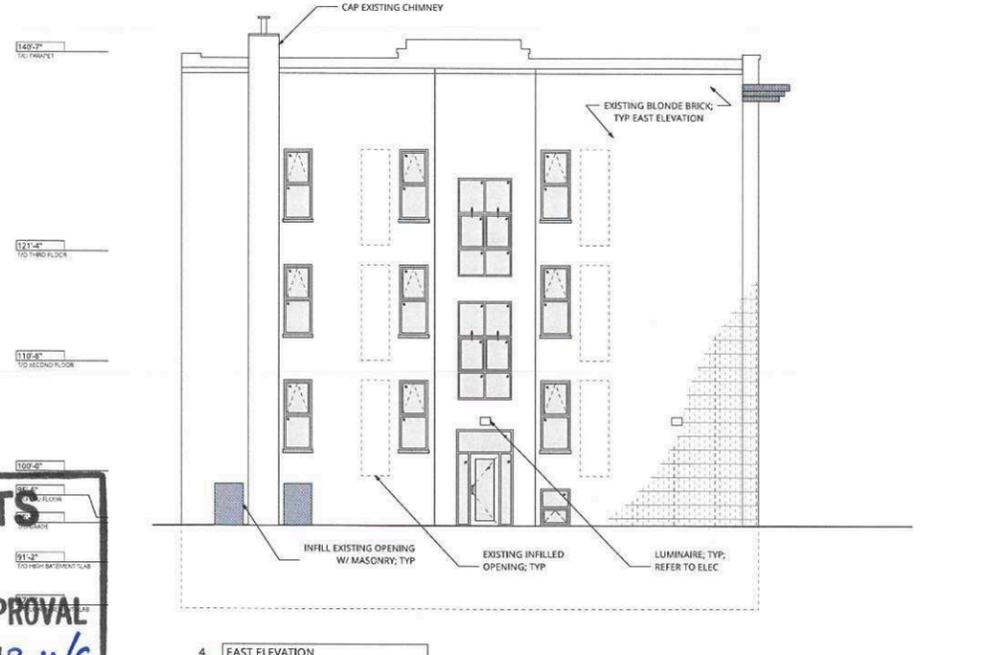
1 NORTH ELEVATION
A2.0 SCALE: 1/8" = 1'-0"



3 WEST ELEVATION
A2.0 SCALE: 1/8" = 1'-0"



2 SOUTH ELEVATION
A2.0 SCALE: 1/8" = 1'-0"



4 EAST ELEVATION
A2.0 SCALE: 1/8" = 1'-0"

**ZONING and PERMITS
BRANCH**

**THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH** DAV 4-220304/C

SHEET # 2 **OF** 3

APPLICANT (SGD.) _____

ZONING OFFICER High.

DATE Sept. 16, 2024

DRAWN BY: JF
PLOT DATE: 2024.05.16

ISSUED FOR DEVELOPMENT PERMIT

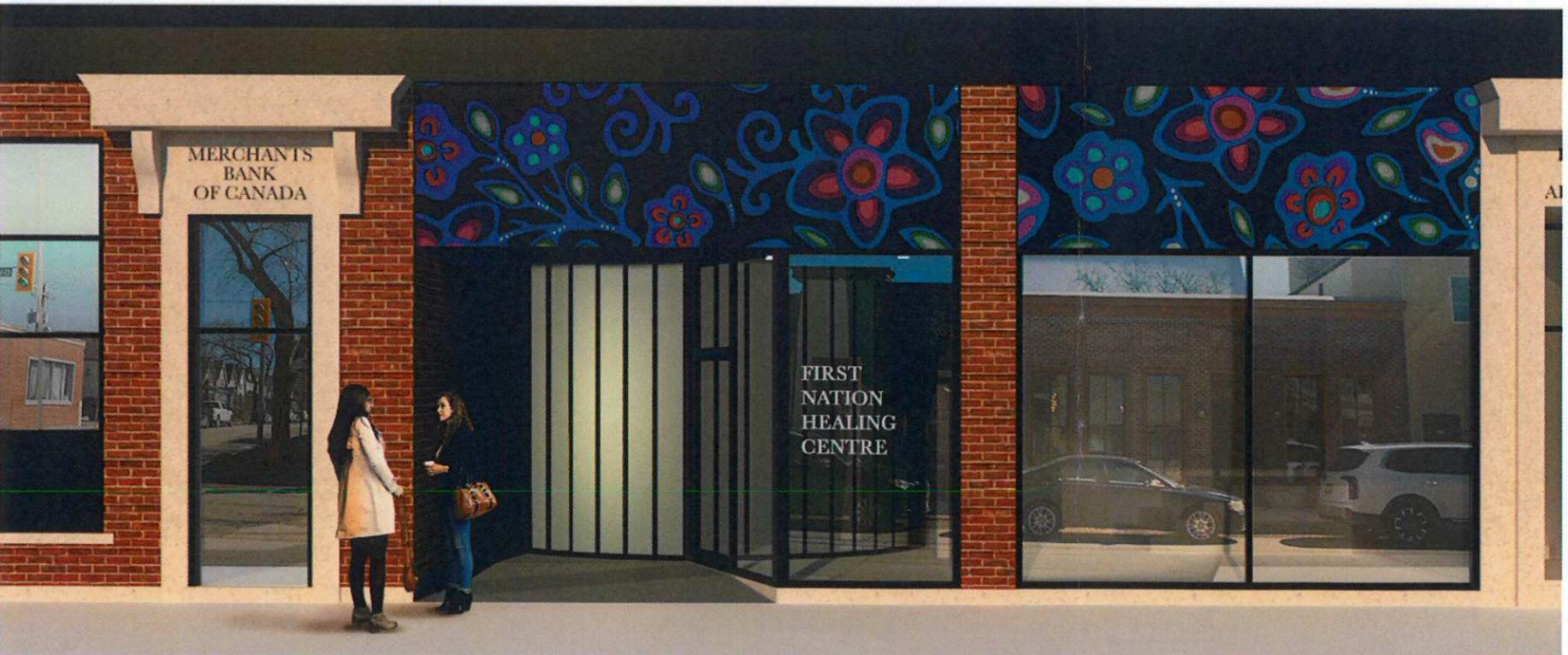
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atlr3
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186 FIRST NATION HEALING CENTRE
270 MORLEY AVE.
ELEVATIONS



**ZONING and PERMITS
BRANCH**
 THIS PLAN IS SUBMITTED FOR APPROVAL
 IN CONNECTION WITH DAV 24-220304/c
 SHEET # 3 OF 3
 APPLICANT (SGD.) _____
 ZONING OFFICER Thiye
 DATE Sept. 16, 2024.

1 WEST FACADE
 SK1 NTS



2 WEST FACADE (DETAIL)
 SK1 NTS

Mural sourced from Jackie Traverse's Ojibway Floral 4 Textile Connection

DRAWN BY: JF
 PLOT DATE: 2024.05.15

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 270 MORLEY AVE.

ENTRY VISUALIZATIONS
 SK1

GENERAL NOTES

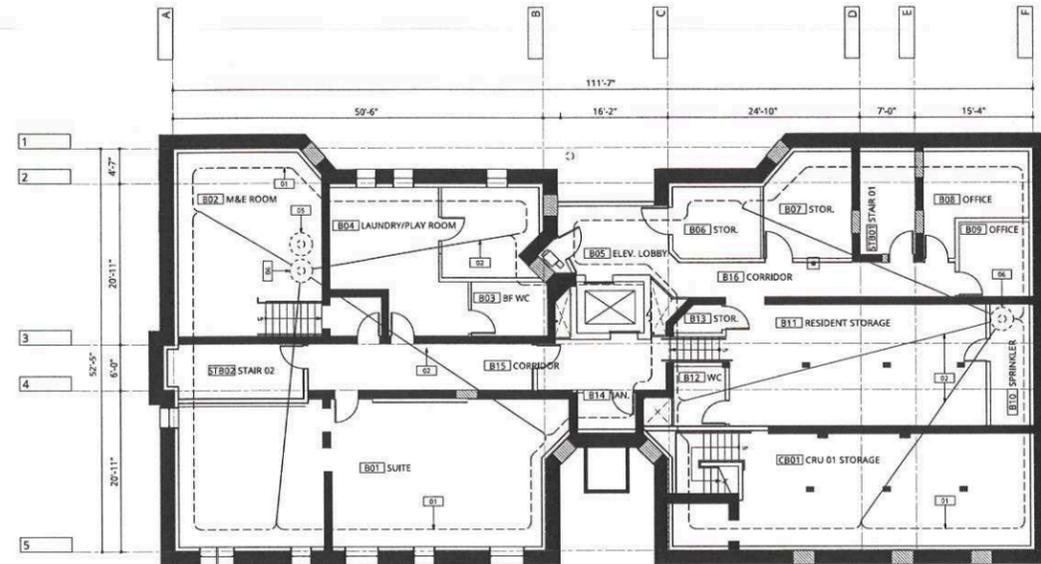
1. NEW CONCRETE SLAB TO BE POURED THROUGHOUT BASEMENT
2. ALL INTERIOR PARTITIONS NEW UNLESS NOTED OTHERWISE
3. REFER TO SPEC FOR WINDOW SCHEDULE
4. REFER TO SPEC FOR DOOR & ROOM FINISH SCHEDULE
5. EXPOSED STRUCTURAL, MECHANICAL, DUCTS AND ELECTRICAL CONDUIT TO BE PAINTED
6. WALLS DIMENSIONED TO GRIDLINE, FACE OF SHEATHING OR FACE OF CONCRETE U.N.O.
7. REFER TO MANUFACTURER FOR ELEVATOR REQUIREMENTS
8. PROVIDE 3/4" PLYWOOD TO 8'-0" HEIGHT IN M&E ROOM & BEHIND ALL WALL MOUNTED M&E EQUIPMENT THROUGHOUT
9. REFER TO DRAWING SHEET A1.15-A1.18 FOR ENLARGED PLANS
10. REFER TO STRUCTURAL, MECHANICAL, ELECTRICAL & CIVIL DRAWINGS FOR TIE-INS & ADDITIONAL INFORMATION

KEYNOTES:

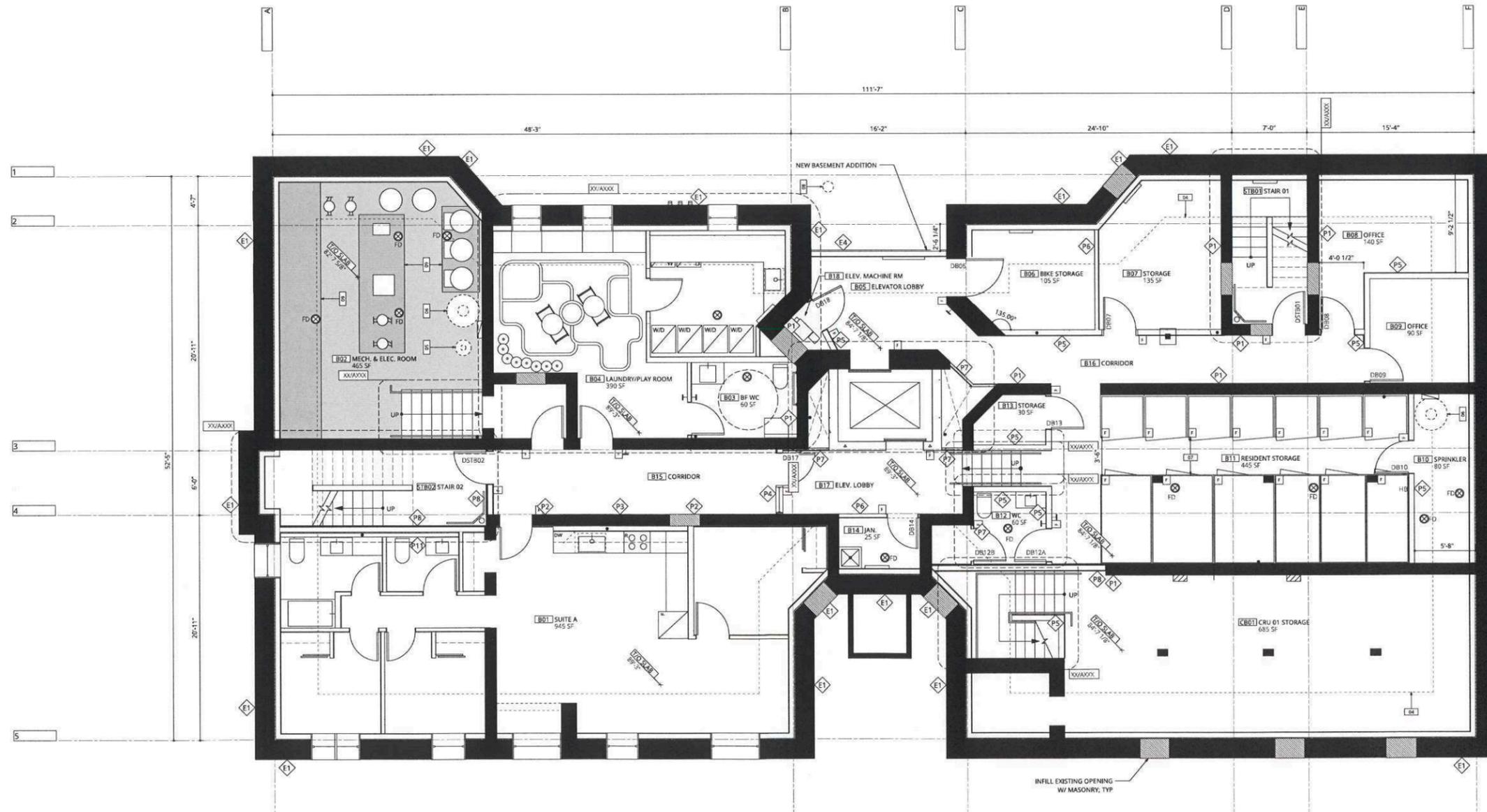
- 01 LINE OF 6" PERFORATED WEeping TILE C/W FILTER SOCK IN 6" MIN. GRANULAR COVER, TYP - REFER TO MECH.
- 02 LINE OF 6" NON PERFORATED WEeping TILE, TYP BELOW SLAB - SLOPE TO SUMP PIT. DEPTH NOT TO EXCEED THAT OF EXIST. RUBBLE FOUNDATION (REFER TO MECH.)
- 03 FLOOR DRAIN (SEE MECH.)
- 04 LINE OF INSULATION AROUND SLAB PERIMETER, 4" WIDTH AROUND SLAB (SEE DWG A001)
- 05 ELEVATOR SUMP PIT (REFER TO MECH)
- 06 SUMP PIT (REFER TO MECH)
- 07 STORAGE PARTITIONS, SEE SPEC. SIZE & DEPTH TBD
- 08 DRAIN BASIN, SEE CIVIL
- 09 HOUSEKEEPING PAD, SEE MECH AND STRUCT.

LEGEND

- EXISTING MASONRY WALL
- INFILL MASONRY OPENING
- NEW PARTITION
- FOB READER (ALL FOBs LINKED TO DAB SHALL BE WIRELESS, SEE ELEC.)
- DOOR ACTUATOR BUTTON



2 BASEMENT SUBGRADE DRAINAGE PLAN
A1.6 SCALE: 3/32" = 1'-0"



1 BASEMENT PLAN
A1.6 SCALE: 3/16" = 1'-0"

1 REVISION 2024-09-18
DRAWN BY: PK
PLOT DATE: 2024 09 18

ISSUED FOR DEVELOPMENT PERMIT
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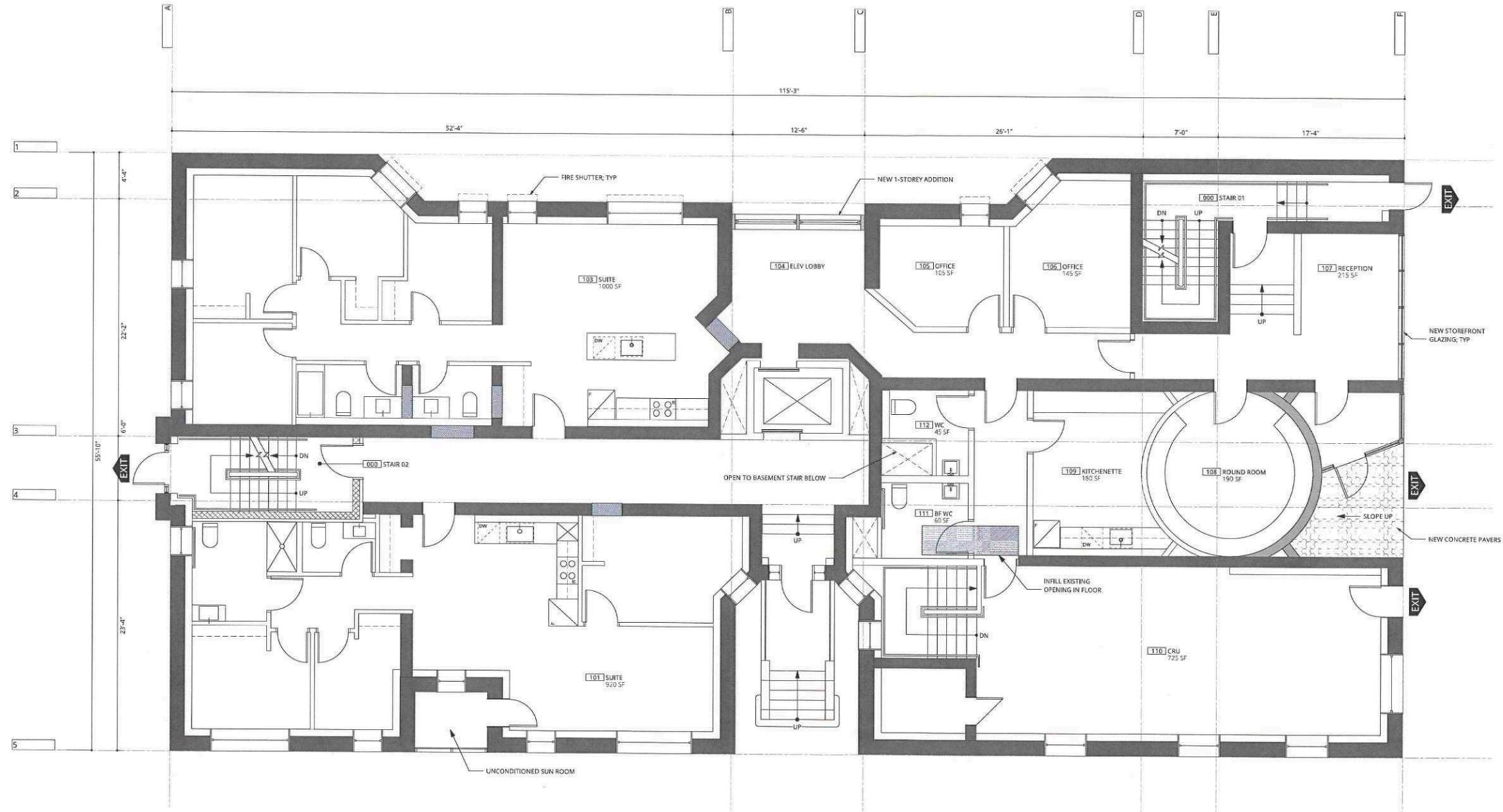


GENERAL NOTES

1. ALL INTERIOR PARTITIONS NEW UNLESS NOTED OTHERWISE

LEGEND

EXISTING MASONRY WALL
 INFILL MASONRY OPENING



1 MAIN FLOOR PLAN
 A1.6 SCALE: 3/16" = 1'-0"

DRAWN BY: JE
 PLOT DATE: 2024 05 16

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 270 MORLEY AVE

MAIN FLOOR PLAN

GENERAL NOTES

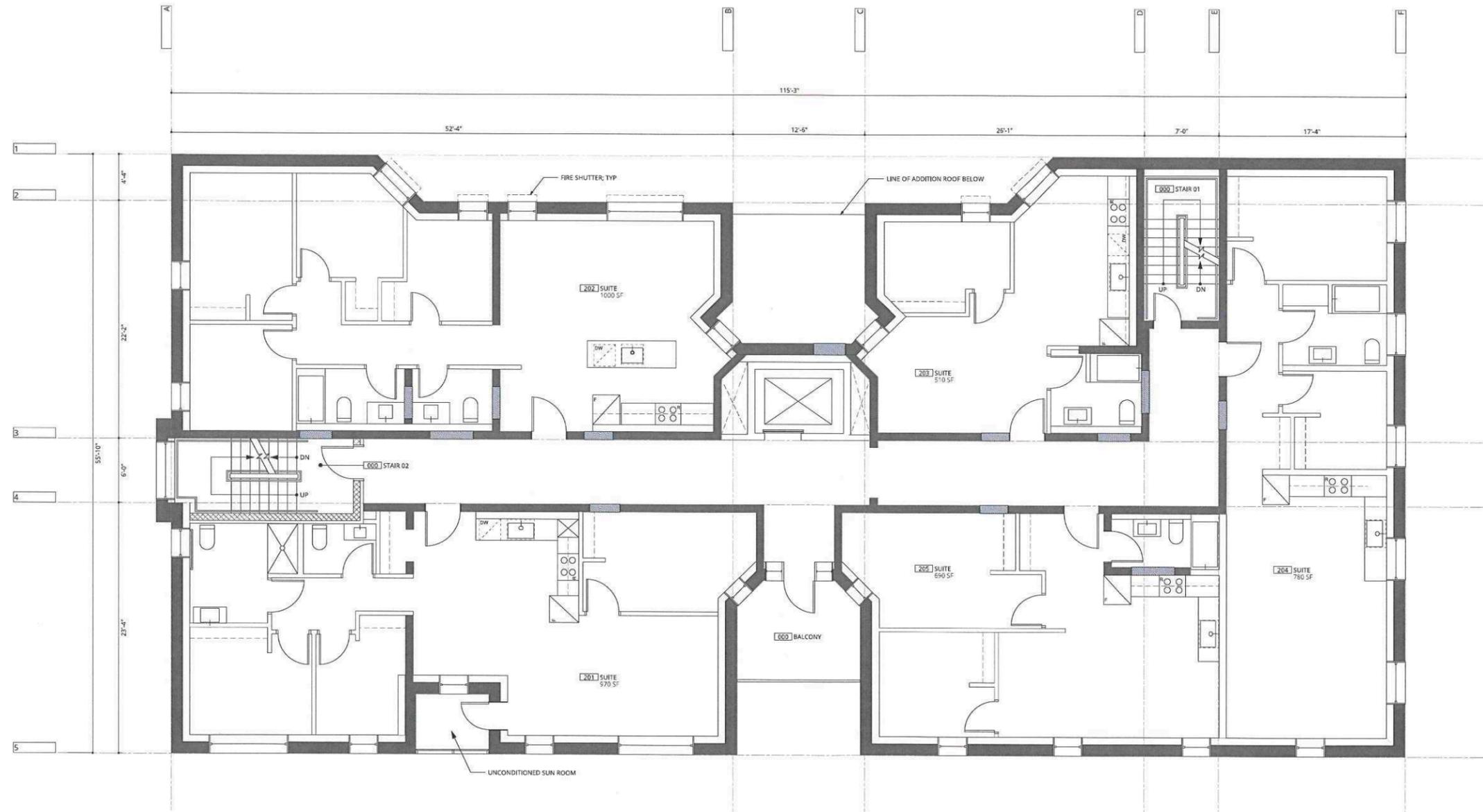
1 ALL INTERIOR PARTITIONS NEW UNLESS NOTED OTHERWISE

LEGEND

EXISTING MASONRY WALL



INFILL MASONRY OPENING



1 SECOND FLOOR PLAN
A1.7 SCALE: 3/16" = 1'-0"

DRAWN BY: JF
PLOT DATE: 2024.05.16

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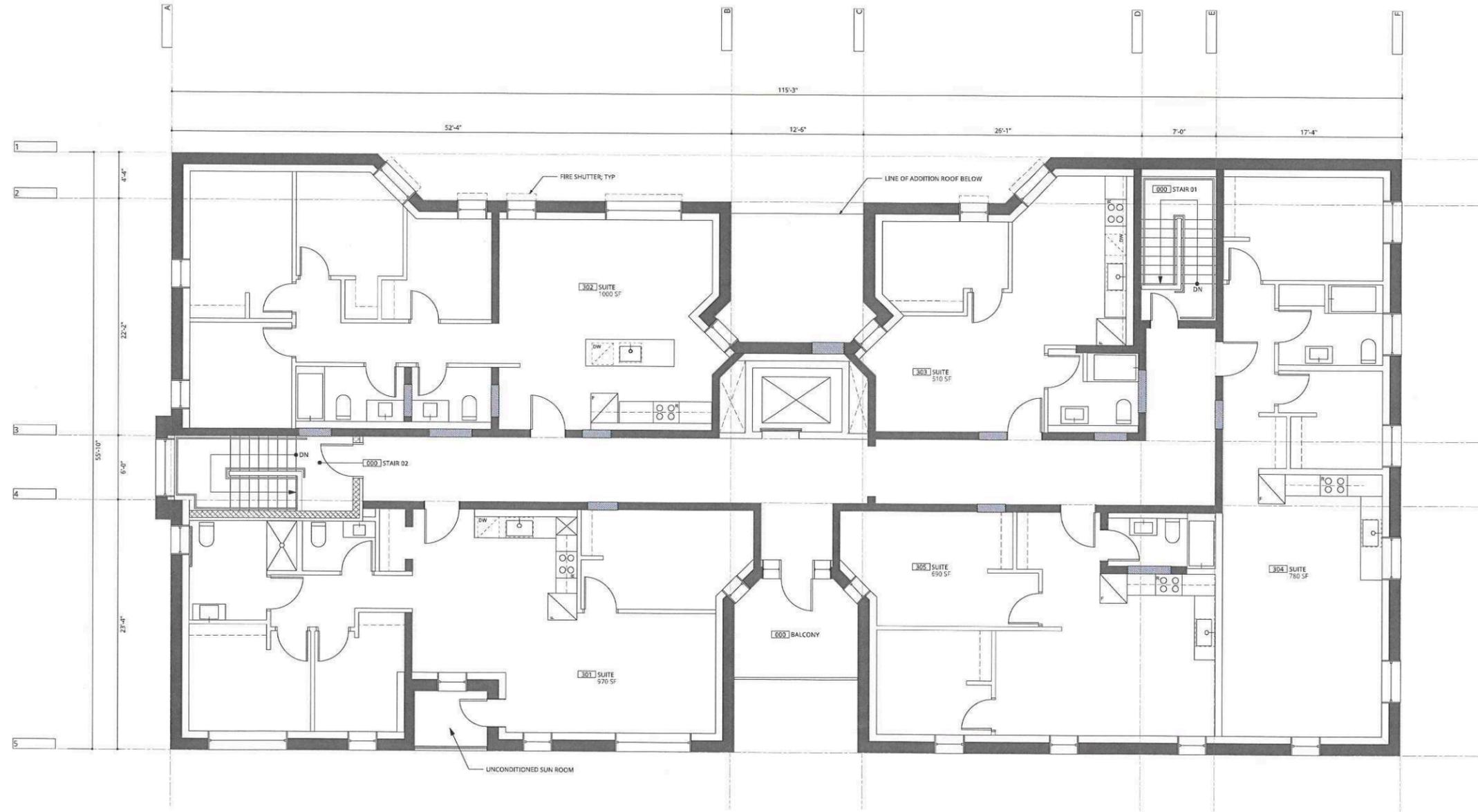
SECOND FLOOR PLAN

GENERAL NOTES

1 ALL INTERIOR PARTITIONS NEW UNLESS NOTED OTHERWISE

LEGEND

EXISTING MASONRY WALL 
INFILL MASONRY OPENING 



1 THIRD FLOOR PLAN
A1.8 SCALE: 3/16" = 1'-0"

DRAWN BY: JF
PLOT DATE: 2024.05.16

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THIRD FLOOR PLAN