Report of the Standing Policy Committee on Property and Development dated October 30, 2001

Proposed Plan of Subdivision and Rezoning - 474 Wellington Crescent - City Centre Community
File DASZ 23/2001 [c/r DAV 663/2001D]

12. The Standing Policy Committee on Property and Development has been advised that an application was received from Aikins, MacAulay and Thorvaldson (Charles Chappell), 30th Floor, 360 Main Street, Winnipeg, for approval of a plan of subdivision and related zoning change to Zoning By-law No. 6400/94 by rezoning the subject lands from an "RM-2" Multiple-Family District and an "R1-9" Single-Family District to an "RM-L" Multiple-Family District.

Site Area
The subject site is 54,415 square feet; roughly 275 feet of frontage on Wellington Crescent and 200 feet of flankage on Kingsway Avenue.

Existing Land Use and Zoning
The subject site is zoned "RM-L" Multiple-Family District and "R1-9" Single-Family District; and is a vacant house containing two dwelling units.

Surrounding Land Use and Zoning

North:	Across Kingsway Avenue, single-family dwelling at 514 Wellington Crescent zoned "R1-9" Single-Family District (Note: For reference, throughout this document, the north limit of the property is taken as Kingsway Avenue.)
South:	Single-family dwelling at 466 Wellington Crescent zoned "R1-9" Single-Family District
East:	Across Wellington Crescent, public park zoned "PR-1" Parks and Recreation District
West:	Across the back lane, single-family dwellings at 12 Kingsway Avenue, and 18 and 20 Ruskin Row zoned "R1-9" Single-Family District

The property contains a 2.5-storey, brick century home designed with two self-contained dwelling units. The property is in two titles. The northerly title contains the house and was rezoned, amidst considerable controversy, to "R3" under By-law No. 16502 to permit its conversion to three condominium units. The preamble to the Zoning Agreement describes the resultant density of one unit per 13,330 square feet of lot area as being consistent with existing housing in the area. The rezoning was regarded as a way of preserving a building listed on the Historical Buildings Inventory. It was hoped that the rezoning would also serve as a model for recycling old mansions into multiple-family dwellings while preserving the residential character of the neighbourhood. The Zoning Agreement went on to limit the number of units on the site to three (3), and to limit the height of buildings to three storeys or 42 feet. The Zoning Agreement does not make the rezoning contingent upon the preservation of the existing house.

The northerly property title was rezoned under the Winnipeg Zoning By-law No. 6400/94 to "RM-L" Multiple-Family District, the lowest density multiple-family district in the by-law. The southerly title retains the "R1-9" designation, and would be rezoned to "RM-L" under the current application.

The current owner acquired the property in 1994. The house has been vacant on-and-off since and is in a deteriorated condition with reported structural problems. Upgrading the home would require a substantial investment in the areas of heating, cooling, plumbing, electrical service, foundation stabilization, and interior decorating, as well as windows, exterior building elements and site landscaping. The applicant maintains that converting the building to three residential units would be

uneconomical and, in fact, has a structural engineer's report claiming that it would be cheaper to demolish and reconstruct the house in accordance with the original plans rather than undertake the necessary repairs and renovations to the existing structure.

In 1999, the building was reviewed by the Historical Buildings Committee, which recommended that the building be placed on the Building Conservation List as a Grade III structure. The then Standing Committee on Property and Development and, ultimately, City Council, did not concur in the recommendation of the Historical Buildings Committee, thereby enabling demolition of the house.

The current proposal would involve construction of a three-storey condominium apartment building containing fifteen (15) units and underground parking for thirty-three (33) vehicles. The building appearance might be categorized as "Chateau " style with turret elements and a mansard roof. The mansard roof was chosen in order to minimize the height of the building. A pitched or ridge roof would be more consistent with the "Chateau" style, but would increase the effective height of the structure. It is noteworthy that the numeric height of the two roof styles for zoning purposes can be similar in that mansard roofs are measured at the roof-line (in this case 46 feet) whereas pitched roofs, although effectively taller, are measured halfway between the eave and the ridge board. Architectural elements, like turrets and steeples, are exempt from the height requirements under the by-law as long as they do not exceed a height of ten (10) feet above the measured roofline.

In comparison to the 46-foot height of the proposed structure, the Winnipeg Zoning By-law prescribes a maximum height of 30 feet in "RM-L" zones, the same as single-family zones including the "R1-9" zone. The existing house is in the order of 37.5 feet high, measured halfway up the pitch (zoning measurement), and 45 feet high at the ridge board.

At 15 units, the density of the proposed development is one unit per 3,628 square feet of lot area. The maximum achievable density under the "RM-L" designation is one unit per 2,500 square feet of lot area, or 21 units.

The parking requirement in "RM-L" zones is 1.5 stalls per dwelling unit with ten percent (10%) assigned to visitors. The proposed development would provide underground parking for upwards of 33 vehicles and surface parking for four vehicles, for a parking ratio of 2.5 stalls per dwelling unit.

To avoid increasing traffic on the adjacent public lane, access to the underground parking would be provided off Kingsway Avenue. Access to the front door of the building and visitor parking would be provided via a one-way loop off of Wellington Crescent using existing approaches.

It is proposed to construct a 6.5-foot wrought-iron fence with brick piers around the perimeter of the property. Where possible, existing mature elm trees will be preserved, although the site plans show the likely removal of nine trees in order to accommodate the enlarged building footprint. A proper landscaping plan showing plant species and specifications and fencing details would be required prior to the release of any development permits.

The selection of exterior building materials is preliminary at this point but is expected to consist of a combination of smooth-faced tyndall stone and a neutral coloured drivet or cultured stone and metal roofing. The condominium units would range in area from 2,135 to 2,380 square feet, and would be arranged in semi-circular fashion around an exterior, west or rear-facing courtyard. The building would be serviced with two elevators.

The proposed rezoning complies with Plan Winnipeg.

The Planning, Property and Development Department is prepared to support this application for the following reasons:

- The proposed development is in character with the mixed-housing character of the McMillan and Crescentwood neighbourhoods.
- The existing house was not protected by City Council and is in deteriorated condition with little prospect for rehabilitation.
- The site is large enough to comfortably support the proposed density, and the height and bulk of the building will not overwhelm adjacent housing due to the separation distances.
- The development will retain sufficient mature trees to help screen the building and soften its appearance from adjacent properties and streets.
- The parking provided is mostly underground and well in excess of the by-law requirement.
- With the exception of the special front yard (determined from the setback of the existing house and adjacent houses), the development provides substantial yards in comparison to typical infill developments in older neighbourhoods.
- The target market for the prospective owners is upper income singles and couples whose life-styles would be compatible with residents in the immediate area.
- Wellington Crescent east of Academy Road has changed in character over the past century from a quiet, mansion-lined street to a busy thoroughfare developed with a variety of uses including apartment buildings, single- and multi-family houses. Development in the immediate vicinity of the site includes the Hampton Park condominiums at 525 Wellington Crescent, the recently opened restaurant at 529 Wellington Crescent, St. Mary's Academy, and the Shaarey Zedek Synagogue. The Planning, Property and Development Department is of the opinion that the proposed development compliments the evolving, mixed-use character of the street and maintains an appropriately high standard of development.
- At fifteen (15) units, the development will not have an appreciable impact on area traffic. Sensitive infill development is supported by Plan Winnipeg as a key element in maintaining the stability of older neighbourhoods.
- Given the building separations, the orientations of surrounding homes, and the mature landscaping on and around the site, the adjacent and adjoining properties will not, in the opinion of the Planning, Property and Development Department, be adversely impacted by the proposed development. This is not, of course, meant to diminish the loss to the neighbourhood and City of the existing house and setting that has been a Crescentwood landmark since 1912.

In view of the foregoing, the Manager of Planning and Land Use of the Planning, Property and Development Department recommended as follows:

1. That the plan of subdivision proposed under File DASZ 23/2001 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 23/2001 dated September 12, 2001, for registration in the Winnipeg Land Titles Office.

2. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

3. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 23/2001 dated September 12, 2001, to an "RM-L" Multiple-Family District, subject to the applicant entering into a Zoning Agreement with the City pursuant to

Section 591(1) of The City of Winnipeg Act to apply to the subject site to include the following conditions:

A. The height of the building is limited to three storeys or 46 feet.

B. The number of residential units is limited to fifteen (15) with underground parking for a minimum of thirty (30) vehicles and surface parking for a maximum of five (5) vehicles.

C. The development shall provide minimum yards of 40 feet against Wellington Crescent, 45 feet against the adjacent property to the south, 27 feet against the public lane at the southwest corner of the building increasing to 44.5 feet at the northwest corner of the building, and 41 feet against Kingsway Avenue.

D. Vehicular access to the underground parking is restricted to Kingsway Avenue.

E. Prior to the issuance of a demolition or development permit, plans showing the layout of the development including site layout and access, building elevations and materials, landscaping and fencing, and site lighting be submitted for the approval of the City Centre Community Committee.

F. Outside garbage enclosures are prohibited.

4. That Caveat No.1552690, being Zoning Agreement By-law No. 5947/92, be discharged.

5. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.

6. That, in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

7. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and when the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office against those lands.

9. The Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

10. In the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

On October 2, 2001, a public hearing was held before the City Centre Community Committee. Twenty persons registered in support of the application and thirty-nine persons appeared in opposition thereto.

Report of the Standing Policy Committee on Property and Development dated October 30, 2001

The Community Committee recommended that the proposed plan of subdivision and rezoning application not be proceeded with for the following reasons:

1. A large number of area residents appeared in opposition to the proposed development.
2. Although a significant amount of discussion took place prior to the Public Hearing, a full public consultation was not held.
3. Concerns were expressed with respect to the provision of parking on site as well as increased traffic.
4. Concern was also expressed with respect to access to the site both from Kingsway Avenue and the back lane.
5. The problems with the development are not due to the square footage of the subject site but rather the specific location of the property.

The Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and recommends that the application under File DASZ 23/2001 for approval of a plan of subdivision and related zoning change to Zoning By-law No. 6400/94 by rezoning the subject lands from an “RM-2” Multiple-Family District and an “R1-9” Single-Family District to an “RM-L” Multiple-Family District, not be proceeded with.

Schedule "A" referred to in Clause 12 of the Report of the Standing Policy Committee on Property and Development dated October 30, 2001

By-Law No. _____

Subsection (205)

File No. DASZ 23/2001

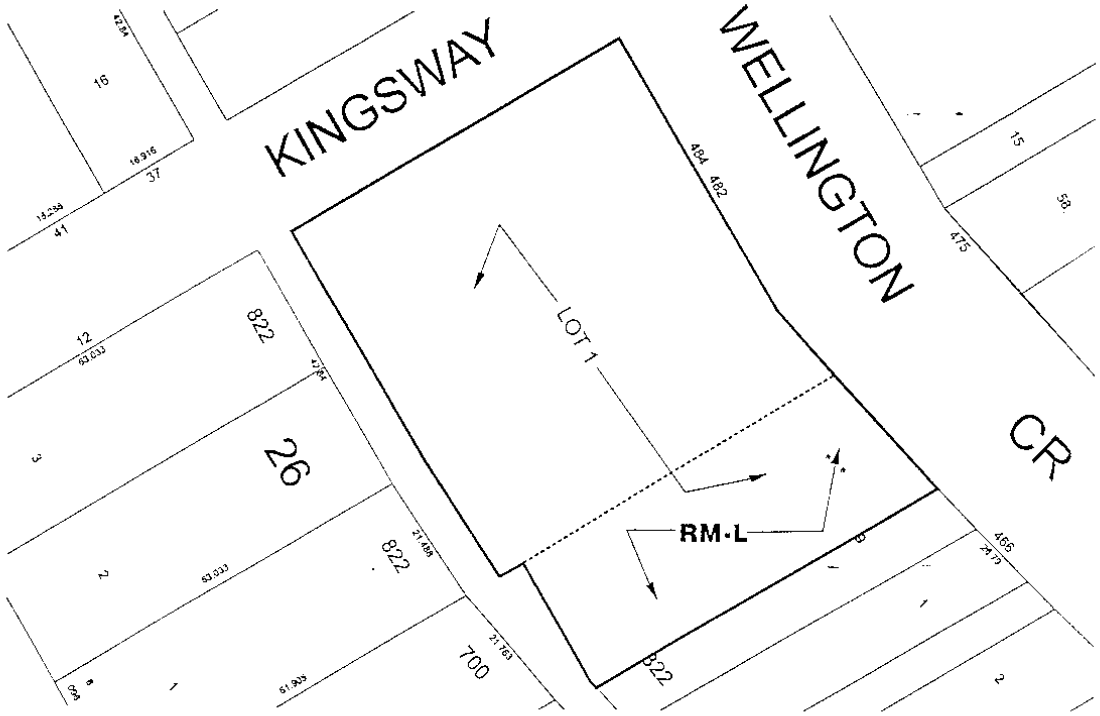
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Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land at the southwest corner of Wellington Crescent and Kingsway from an "R1-9" SINGLE-FAMILY DISTRICT to an "RM-L" MULTIPLE-FAMILY DISTRICT as shown outlined below.



Schedule "A" for
File DASZ 23/01
City Centre
Community Committee
September 12, 2001

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____