Agenda – Executive Policy Committee – October 12, 2011

REPORTS

Item No. 1 Historical Buildings By-law No. 1474/77 - former Monte Cassino Court Building, 639 Portage Avenue - Subdivision and Rezoning – 635 and 639 Portage Avenue
(Daniel McIntyre Ward)
File DASZ 22/2011

STANDING COMMITTEE RECOMMENDATION:

On October 3, 2011, the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management did not concur in the recommendations of the City Centre Community Committee or the Historic Buildings Committee and recommends to Council:

1. That the former Monte Cassino Court Building, 639 Portage Avenue, remain on the Inventory of Buildings under the terms of the Historical Buildings By-law No. 1474/77, as the proposed development for this property is not being proceeded with.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 5, 2011, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommends to the Executive Policy Committee and Council:

3. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 22/2011 dated June 28, 2011 to an "RMU" Residential Mixed Use District, subject to the following conditions:

    i. That for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

4. 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.

5. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

7. That the zoning section of the by-law come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

8. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

9. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On October 3, 2011, the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management did not concur in the recommendations of the City Centre Community Committee or the Historic Buildings Committee and recommended to Council:

1. That the former Monte Cassino Court Building, 639 Portage Avenue, remain on the Inventory of Buildings under the terms of the Historical Buildings By-law No. 1474/77, as the proposed development for this property is not being proceeded with.

On September 12, 2011, the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management laid the matter over for 30 days to allow the Winnipeg Public Service to clarify the status of the associated rezoning application.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 5, 2011, the City Centre Community Committee concurred in Recommendations 1 and 2 of the Winnipeg Public Service (and did not concur in the recommendation of the Historical Buildings Committee) and submitted its recommendation to the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management.

Also on July 5, 2011, the City Centre Community Committee concurred in Recommendations 3 to 9 inclusive of the Winnipeg Public Service, and via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

RE: **Subdivision and Rezoning - 635 and 639 Portage Avenue**
File DASZ 22/2011

For submission to: **Executive Policy Committee**

Prepared by: **Ms Josie Marques, Senior Committee Clerk**
City Centre Community Committee

Report date: **July 7, 2011**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 5, 2011, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommends to the Executive Policy Committee:

1. That the former Monte Cassino Court Building, 639 Portage Avenue, not be placed on the Buildings Conservation List under the terms of the Historical buildings By-law No. 1474/77 (as amended) at this time as its long-term economic viability is very uncertain.

2. That at such time as the owner has prepared a firm development proposal and has made a formal application for a building permit; a demolition permit may be issued.

3. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 22/2011 dated June 28, 2011 to an "RMU" Residential Mixed Use District, subject to the following conditions:

    i. That for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

4. 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.

5. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

7. That the zoning section of the by-law come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

8. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

9. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

The City Centre Community Committee provided the following supporting reason(s) for its recommendation:

1. This is the most exciting project in the Daniel McIntyre Ward.

2. The Spence Neighbourhood Association is in support.

3. The current building has empty for a number years and will remain so unless this development proceeds.

4. The development will revitalize area, and is a thrust for further development.

5. This is a fantastic project.

PUBLIC HEARING SUMMARY

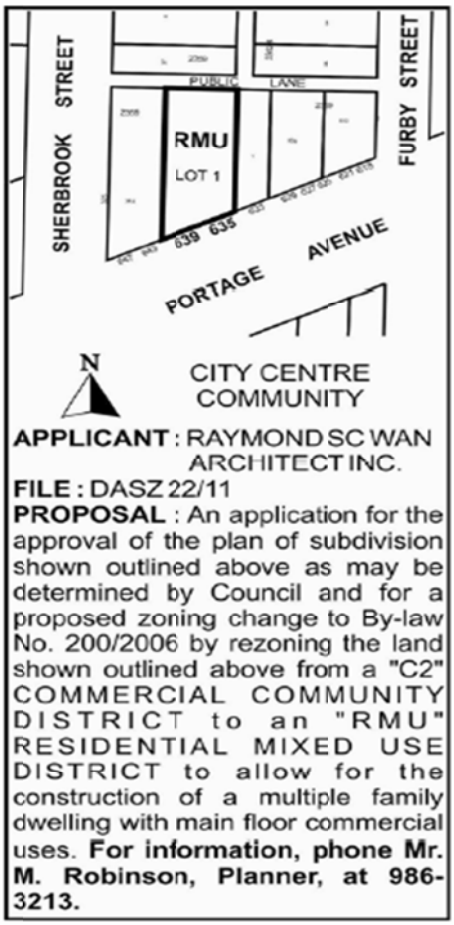
File: DASZ 22/2011

Before: City Centre Community Committee
Councillor Gerbasi, Chairperson
Councillor Orlikow
Councillor Smith

Public Hearing: July 5, 2011
West Committee Room
Council Building, 510 Main Street

Applicant: Raymond S.C.Wan Architects (Raymond Wan)

Subject:



Premises Affected: 635 and 639 Portage Avenue

Exhibits Filed:

1. Application dated May 9, 2011
2. Notification of Public Hearing dated May 30, 2011
3. Manitoba Status of Titles 1444059 and 2422145
4. Letter of authorization dated April 18, 2011 from Pamjon Investments Ltd. to Raymond S.C. Wan Architects
5. Drawings (2 pages) of subject property
6. Plans (4 pages)
7. Report from the Planning and Land Use Division dated June 28, 2011
8. Inspection Report
9. Audio Recording of representations of public hearing held on July 5, 2011

REPRESENTATIONS:

In Support:

David Danyluk
Mario Lopes
Alan Simms
Michael Stronger
Mark Thiessen
Ray Wan, Raymond S.C.Wan Architects

In Opposition

Nil

For Information:

David Fulham
Fernando Velarde Trejo

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Ms J. Hansell, Acting Senior Planner (Heritage), Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 22/2011

ADMINISTRATIVE REPORT

Title: DASZ 22/2011 – 635 and 639 Portage Avenue & to consider an application to demolish and redevelop the site of the former Monte Cassino Court Building, 639 Portage Avenue

Issue: For consideration at the public hearing for a Rezoning for DASZ 22/2011– 635 and 639 Portage Avenue; and to consider an application to demolish and redevelop the site of the former Monte Cassino Court Building, 639 Portage Avenue, which is currently on the Inventory of Historical Buildings as per By-law 1474/77.

Critical Path: City Centre Community Committee as per the Development Procedures By-law and *The City of Winnipeg Charter.*

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	n/a	n/a	

RECOMMENDATIONS

1. That the former Monte Cassino Court Building, 639 Portage Avenue, not be placed on the Buildings Conservation List under the terms of the Historical buildings By-law No. 1474/77 (as amended) at this time as its long-term economic viability is very uncertain.
2. That at such time as the owner has prepared a firm development proposal and has made a formal application for a building permit; a demolition permit may be issued.
3. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 22/2011 dated June 28, 2011 to an "RMU" Residential Mixed Use District, subject to the following conditions:

    i. That for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

4. 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.

5. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

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8. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

9. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

REASON FOR THE REPORT

DASZ
The Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

Heritage
All applications to remove buildings from the Inventory of Buildings under the terms of the Historical Buildings By-law No. 1474/77 (as amended) which the Historical Buildings Committee recommends as having special architectural and historical significance must be heard by the relevant Community Committee for a recommendation, the appropriate Standing Policy Committee depending on the location of the property, Executive Policy Committee and Council.

IMPLICATIONS OF THE RECOMMENDATIONS

DASZ
If the recommendations of the Planning and Land Use Division are concurred in, the property will be rezoned.

Heritage
At the request of the owner who is intending to demolish the property, the Historical Buildings Committee evaluated the structure on June 16, 2011 and determined it to be eligible as a Grade III structure. The Committee is recommending that because of the property's special historical and architectural significance that it be considered to be placed on the Building's Conservation List under the terms of the Historical Buildings Bylaw No. 1474/77 (as amended).

CONSULTATION

In preparing this Report there was consultation with:
N/A

SUBMITTED BY

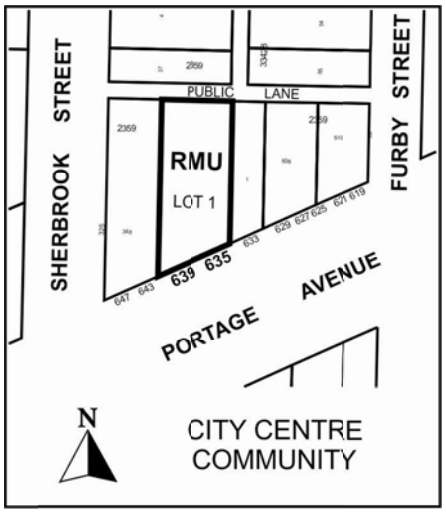
Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Michael Robinson, AICP, Senior Planner
	Gilles Bugailiskis, Senior Planner (Heritage)
Date:	June 28, 2011
File No.	DASZ 22/2011

APPENDIX 'A'

DATE: June 28, 2011
FILE: DASZ 22/2011
RELATED FILES: DAV 11-129539/D
COMMUNITY: City Centre Community
NEIGHBOURHOOD #: 1.104

SUBJECT: To rezone the subject land from a "C2" Commercial District to an "RMU" Residential Mixed Use District

LOCATION: 635 and 639 Portage AVENUE
LEGAL DESCRIPTION: Lot 2 Plan 33428 72/74 St Ja



APPLICANT: Raymond Wan (Raymond S.C. Wan Architecture)

OWNER: Pamjon Investments Ltd.

RECOMMENDATION: Approval

SITE DESCRIPTION

The subject properties, which are currently zoned "C2" Commercial District, are located on the north side of Portage Avenue, between Sherbrook and Furby Streets, in the Spence neighbourhood of the Daniel McIntyre ward.

North: Commercial use zoned "C2" Commercial District
South: Mixed uses zoned "C2" Commercial
East: Mixed uses zoned "C2" Commercial
West: Mixed uses zoned "C2" Commercial

BACKGROUND:

Heritage

The former Monte Cassino Court buildingwas built between 1907 and 1910 with retail space on the ground floor and eight residential suites (four per floor) on the second and third floors. Much

of the exterior has remained unchanged; the interior includes updated areas (ground floor and part of the second floor) and unaltered space (part of the second and all of the third floors). Because of an extended period of vacancy, some of the exterior and interior elements have deteriorated (see Appendix A for a "short report" history of the structure).

The Historical Buildings Committee visited and evaluated this property on June 16, 2011 at the request of the building owner and based on age, architectural and historical significance only, the building received a Grade III status.

The owner has requested this evaluation because he wishes to demolish the building and redevelop the property as described below.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

Proposed Use

The applicant seeks approval to consolidate two existing lots into one lot and rezone from "C2" Commercial District to "RMU" Residential Mixed Use District to allow for the redevelopment of the site by constructing a new, nine storey, 32 unit residential multi-family development with main floor commercial.

The development will have 20 ground level exterior parking spaces at the rear of the building.

Current Use

639 Portage Avenue is currently occupied by a ± 100 year old, 3 storey structure, known as the "Monte Cassino Court" and "National Typewriter Building". The building has been vacant for the last 10+ years. Previously, and for about 40 years, it served as the offices for National Typewriter and before that, it was configured with ground floor commercial space and several residential units on floors 2 and 3.

635 Portage Avenue, which is contiguous to and east of 639 Portage Avenue, there is a single-storey, non-descript and narrow building which is currently leased to a thrift shop.

Reason for application

The proposed density exceeds what is allowed in "C2" Commercial District as a conditional use. "RMU" Residential Mixed Use District, however, allows for a higher density. Consequently, to accommodate the proposed density, a rezoning to "RMU" is required.

ANALYSIS AND ISSUES

Plan Winnipeg Compliance

Under Plan Winnipeg 2020, the subject area is, in its entirety, within a Neighbourhood Policy Area. Neighbourhood Policy Areas are intended to include a residential mix together with a variety of educational, recreational, institutional, commercial and possibly industrial uses, at a scale and density compatible with each other. This development meets several key goals of Plan Winnipeg including *supporting new development which is adjacent to, and compatible with, existing development and designed to minimize the spatial use of land* (3A-02v). There is a demonstrated need for a mix of residential housing types in the City and a growing recognition that infill lands, with existing services in place, are the best place to accommodate it.

To that point, the Conference Board of Canada has projected a substantial shift in the share of new units, away from single-family, and towards apartment/condo multiple-family units, over the next 20+ years. As per the Conference Board forecast from 2009 to 2031

- Single-family is projected to decrease from a 71% share to a 35% share of housing starts
- Multiple-family is projected to rise from a 29% share to a 65% share of housing starts.

The proposed development helps to meet this growing trend in the City.

Draft Our Winnipeg/Complete Communities Direction Strategy
The subject property is situated within a regional mixed use corridor. Regional Mixed Use Corridors are specifically designated, major regional arterial roads intended to serve as a link between Downtown and one or more Regional Mixed Use Centres or major activity areas. They connect neighbourhoods, are well served by public transit, and accommodate a mix of uses, functioning as vibrant urban places for Winnipeggers to live, work and play.

Key relevant policies guiding development along Regional Mixed Use Corridors include:

- Provide a mix of employment, higher-density residential opportunities, retail and service uses that support the needs of and respect the context of adjacent communities.
- Support a range of housing opportunities in terms of type, tenure, unit size.
- Promote the highest levels of intensification at significant intersections. Between each centre, lower intensities of commercial, residential and mixed use development are appropriate.
- Support active uses (such as retail and services) at street level and office and housing on the upper levels of multi-storey developments.
- Support development in accordance with Universal Design and Crime Prevention Through Environmental Design (CPTED) policies.
- Promote innovative parking strategies and high intensity developments, including locating parking lots to the rear of developments, encouraging the development of underground parking or parking structures and encouraging the preservation and/or planting of trees and other types of vegetation within and around surface parking lots.

In this instance, the proposed location is at the intersection of Portage Avenue and Sherbrook Street, which is a community mixed use corridor, and adjacent to the University of Winnipeg. For these reasons, the proposed intensification is desirable and appropriate at this location.

Heritage
The Historical Buildings Committee evaluates structures to determine if they have special architectural and historical significance. Recommendations to designate heritage buildings from them arise purely from this perspective, and is advisory.

While the subject property has been deemed as having historical value by the Historical Buildings Committee, Decision-making Committees consider issues in a much broader context, including factors such as economical viability, neighbourhood well-being, etc. The building has been vacant since 1997 and would require significant costs to upgrade to meet current Code requirements.

Zoning
The 'Residential Mixed Use District" is described as follows in Zoning By-law 200/2006:

The Residential Mixed Use District is intended to facilitate the development of primarily medium – to higher-density residential development, though it may also contain limited small-scale commercial, institutional, recreational, and service facilities needed to support residential development. The area, site, or building should retain a predominantly residential character. Development in the "RMU" District should encourage and facilitate pedestrian travel between residential and non-residential uses. This district is often adjacent and incidental to a town centre, neighbourhood commercial centre, or other type of mixed use or major employment centre.

The "RMU" District permits a maximum height of 100 feet.

With that said, the "RMU" District is an appropriate zoning category for the proposed site location and type of development which are proposed.

Use
The applicant is proposing a mixed use building with commercial uses on the first floor and residential uses on the upper floors. This type of development is desirable because it promotes pedestrian activity at the ground level while accommodating residences, which assists in accommodating Winnipeg's population growth in a sustainable way and builds a critical population mass to enhance the vitality of the street and local amenities.

Design
As shown in Appendix "E", the applicant is proposing a tower which provides significant transparency and articulation, in order to break down the overall massing and to provide visual interest from the street.

Given the prominence of the intersection and location adjacent to Downtown and the university, the proposed height and massing are contextually suitable.

While the style is a significant departure for this particular block of Portage Avenue, it is symbolic of the change that is taking place in this area – set in motion principally by new development at the University of Winnipeg.

Zoning Agreement
At this time, the applicant has not submitted final elevations for the architectural design of the building. In light of this, the Division is recommending that a zoning agreement be included which will require final plan approval prior to the issuance of any development permits.

RECOMMENDATIONS

The Planning and Land Use Division recommends approval for the following reasons:

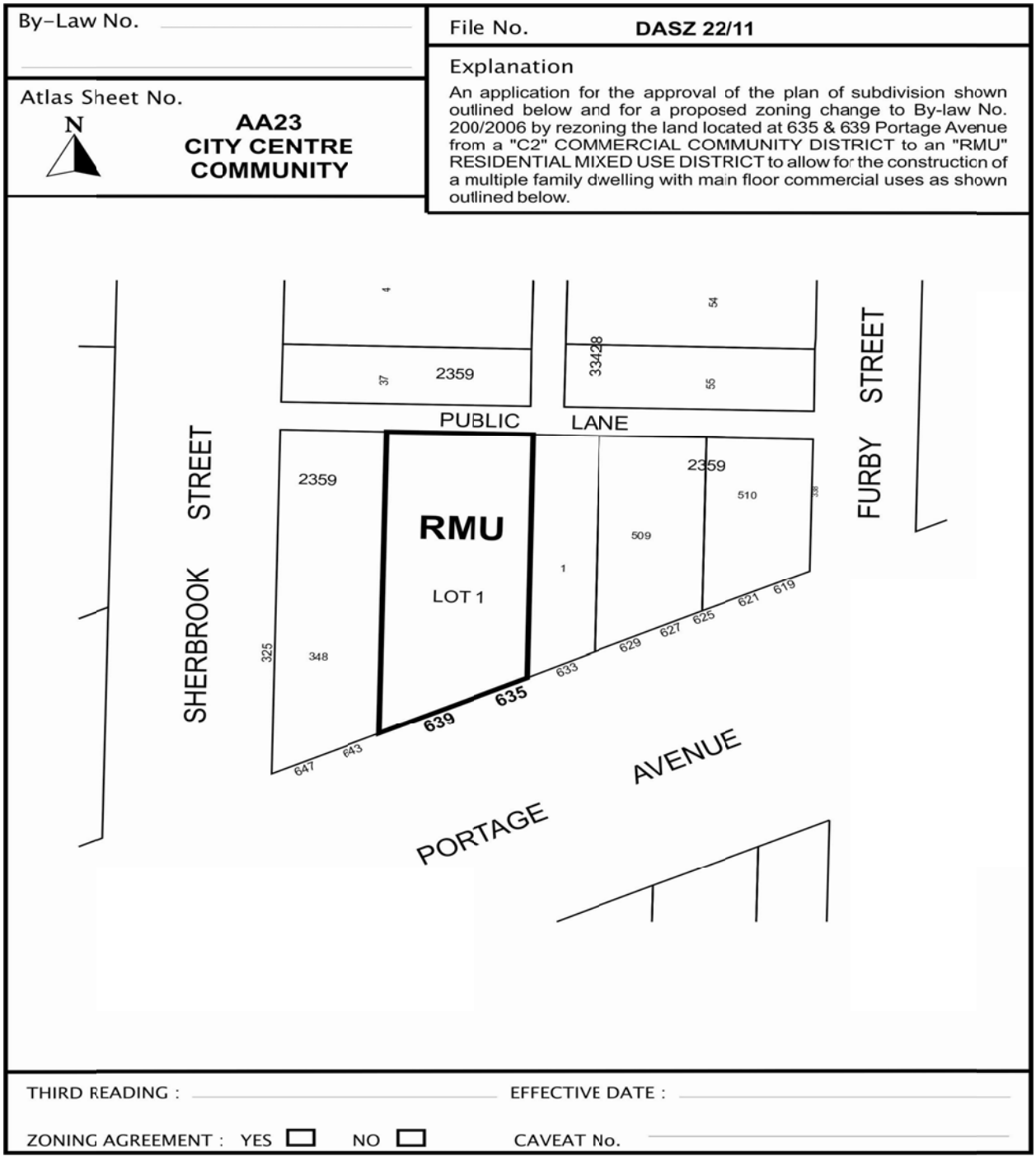
- The proposed use is compatible with the area
- The proposal is consistent with Plan Winnipeg 2020 and Complete Communities Direction Strategy
- The height, massing, and design are contextually suitable with the area
- The existing building has been vacant since 1997 and would require significant costs to upgrade to meet current Code requirements.

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division

Report Prepared by: Michael Robinson, AICP
Gilles Bugailiskis, Senior Planner (Heritage)

PPD File # DASZ 22/2011

APPENDIX "A"
Schedule "A" for File No. DASZ 22/2011, City Centre Community Committee, dated June 28, 2011



APPENDIX "B": AERIAL PHOTO



Figure 1: Aerial Photo (Flown in 2009)

APPENDIX "C": Short Report:

639 PORTAGE AVENUE – MONTE CASSINO COURT

James A. Gauld, 1907 & 1910

This mixed-use structure was originally built in 1907 as a one-storey commercial block with three shops, but due to the ever expanding Winnipeg economy, its owner saw an opportunity to expand its commercial potential and in 1910 renovated the ground floor retail space and added two floors of residential suites, naming the new structure Monte Cassino Court.

This building is an excellent example of the Two-Part Commercial style with classical detailing, named to reflect the structure's use for both commerce and multi-tenant residency and the fact that the exterior design is divided vertically into two distinct sections according to this differential use. In the case of the Monte Cassino Court, the ground floor, although heavily altered, features several entrances and large display windows for the retail space, separated by a large sign (replacing the original cornice) that leads to the upper floors with their brick and stone accenting, regularly placed windows with ornate stained glass transoms and a heavy overhanging metal cornice finished with a stone capped brick parapet.

The side elevations of the building feature window wells on the upper two storeys and windows on all floors. The rear (north) façade originally featured a full-width, three-storey open wooden porch and staircase system that has since been replaced by a metal fire escape.

The interior is mix of old and new spaced, the ground floor retail space has been updated and renovated over time to include a mezzanine level at the north end, although the original tin ceilinged staircase at the east end illuminated by a large skylight is in tact. The second and third floors were originally divided into four suites per floor, all with different layouts and amenities which included interior hallways, two bedrooms, formal dining rooms and parlours. The suites included ornate millwork, transom windows and ornamental tin throughout. Today, most of the layouts and finishes are still present, although the building's long vacancy has led to the deterioration of some of the materials.

Merchant Benedetto (also as Benedicto) Persichini (born 1859) and his wife Virginia (born 1873), operators of the Virginia Grocery, were the original owners of the building. He occupied one of the retail spaces for a short time after construction and one of the upper floor suites for many decades. Other retail occupants included: R.G. Sinclair Company; the Rome Café, Joseph Venier, proprietor; a Post Office Station; the MC Café; Virginia Grocery (John Persichini, proprietor); Chesterfield House; Papas Inn; and The Capri Restaurant.

National Typewriter and Office Equipment bought the building in 1966, a local firm organized in 1956 by John Thiessen (1924-2007), who started the company from his basement and grew it to become one of the largest firms of its kind in Western Canada. Shortly after moving into the Monte Cassino Court in 1967, the firm took over the entire building, using the ground floor for retail and repairs, a small portion of the second floor for offices and the remainder of this floor and the entire third floor for equipment storage. The business was sold in 1996 and the building has remained vacant since 1997.

Elements of the building that would require approval if alterations were planned are:

Exterior:

- The south facing structure with its main façade fronting Portage Avenue
- Rectangular plan with light wells on the east and west sides
- South façade with roughly-dressed limestone accents of the common clay brick cladding
- Original accented recessed entrance at the east end of the south façade
- Regularly placed windows on the upper two storeys of the south façades, including stained glass transoms
- Heavy overhanging metal cornice and parapet with stone coping

Interior:

- Original millwork and wood flooring
- Transom windows
- Central staircase, including skylight
- Ornamental tin ceilings throughout

APPENDIX “D”: Photographs of the former Monte Cassino Court Building



APPENDIX “E”: Rendering of the proposed redevelopment

