Minute No. 509
Report - Standing Policy Committee on Downtown Development - June 9, 2005

Item No. 1 **Rezoning - east side of Waterfront Drive between Galt Avenue and McDermot Avenue**
File DAZ 226/2005

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Downtown Development and adopted the following:

1. That the Downtown Winnipeg Zoning By-law No. 100/2004 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 226/05, dated May 19, 2005, to "Riverbank Sector".

2. 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.

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

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

5. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report - Standing Policy Committee on Downtown Development - June 9, 2005

DECISION MAKING HISTORY:

Moved by Councillor De Smedt,

That the recommendation of the Standing Policy Committee on Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 15, 2005, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 9, 2005, the Standing Policy Committee on Downtown Development concurred in the administrative recommendation and submitted the matter to the Executive Policy Committee and Council.

The Standing Policy Committee on Downtown Development provided the following supporting reasons for its recommendation:

1. The Standing Policy Committee on Downtown Development agreed with the administrative comments contained in the report of the Manager of Planning and Land Use dated May 30, 2005.

2. The rezoning is consistent with Plan Winnipeg.

3. The use is appropriate for riverbank land use.

On April 4, 2005, The Standing Policy Committee on Downtown Development concurred in the administrative recommendation, namely:

1. That the Director of Planning, Property, and Development be instructed to initiate an application to rezone properties east of Waterfront Drive from “Downtown Living Sector” to “Riverbank Sector”, under Downtown Winnipeg Zoning By-Law No. 100/2004;

2. That the public hearing for the rezoning application be scheduled before the Standing Policy Committee on Downtown Development in accordance with the Development Procedures By-Law requirements.

3.

Report - Standing Policy Committee on Downtown Development - June 9, 2005

DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION (continued):

On February 28, 2005, The Standing Policy Committee on Downtown Development requested that the Director of Planning, Property, and Development submit a report to the meeting scheduled for April 4, 2005, relative to initiating an application to rezone properties east of Waterfront Drive, currently zoned 'Downtown Living Sector' under the Downtown Winnipeg Zoning By-Law No. 100/2004, to 'Riverbank Sector'.

PUBLIC HEARING SUMMARY

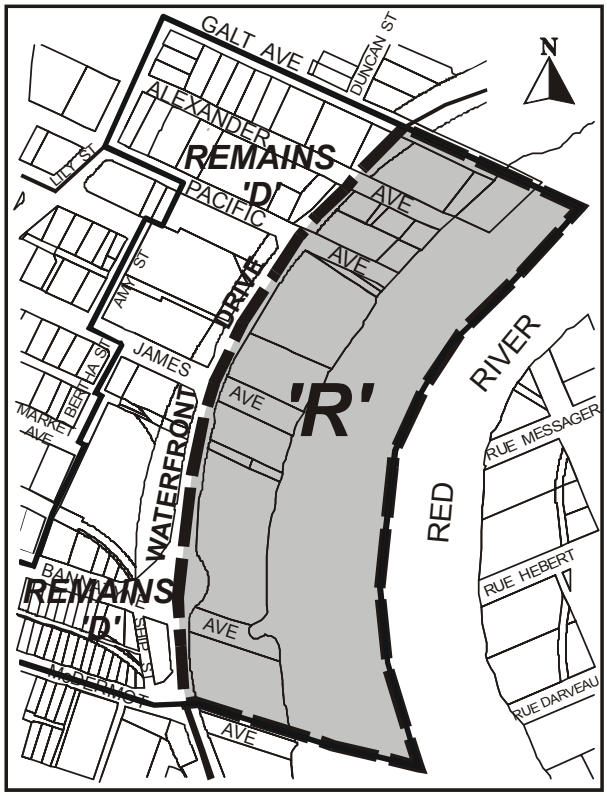
File: DAZ 226/2005

Before: Standing Policy Committee on Downtown Development
Councillor De Smedt, Chairperson
Councillor Gerbasi
Deputy Mayor Pagtakhan (ex-officio)

Public Hearing: June 9, 2005, 2005
Council Building, 510 Main Street

Applicant: Director, Planning, Property and Development,
Planning, Property and Development Department

Subject:



In accordance with Section 236 of the City of Winnipeg Charter, Council has initiated an amendment to the Downtown Winnipeg Zoning By-law No. 100/2004 to rezone the lands from "Downtown Living Sector" to "Riverbank Sector".

Premises Affected:	east side of Waterfront Drive between Galt Avenue and McDermot Avenue
Exhibits Filed:	1. Application dated April 26, 2005 2. Notification of Public Hearing dated May 19, 2005 3. Report from the Manager of Planning and Land Use dated March 21, 2005 4. Report from the Manager of Planning and Land use dated May 30, 2005

REPRESENTATIONS:

In Support:
Diane Bampton, CentreVenture Development Corporation

In Opposition
Nil

For Information:
Nil

For the City:
Mr. I. McKay, Acting Director of Planning, Property and Development
Mr. J. McNairnay, Development Management, Coordinator, Planning, Property and Development Department
Mr. J. Carter, Solicitor, Legal Services Division, Corporate Services Department
Ms C. Knoll, Manager of Planning and Land Use, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS MADE AT THE PUBLIC HEARING

John McNairnay, Development Management, Coordinator, Planning, Property and Development Department, introduced the proposed amendment to the Downtown Winnipeg Zoning By-law No. 100/2004 to rezone the subject land as shown on Schedule “A”, for file DAZ 226/05, and dated May 19, 2005, from “Downtown Living Sector” to “Riverbank Sector”.

Exhibit "3" referred to in File DAZ 226/2005

RE: REZONING PROPERTIES LOCATED EAST OF WATERFRONT DRIVE TO "RIVERBANK SECTOR" (DOWNTOWN WINNIPEG ZONING BY-LAW NO. 100/2004)

For submission to: **Standing Policy Committee on Downtown Development**

Original report signed by: **Director of Planning, Property and Development**

Report date: March 21, 2005

Recommendations:

1. That the Director of Planning, Property, and Development be instructed to initiate an application to rezone properties east of Waterfront Drive from "Downtown Living Sector" to "Riverbank Sector", under *Downtown Winnipeg Zoning By-law* No. 100/2004;
2. That the public hearing for the rezoning application be scheduled before Standing Policy Committee on Downtown Development in accordance with the *Development Procedures By-law* requirements.

REPORT SUMMARY

Key Issues:

- *Downtown Winnipeg Zoning By-law* No. 100/2004, which came into force and effect on June 23, 2004, established a "Downtown Living Sector" along both sides of Waterfront Drive;
- The City of Winnipeg owns all of the properties within that portion of the "Downtown Living Sector" east (river side) of Waterfront Drive;
- The "Downtown Living Sector" designation does not clearly align with Council policies and expectations for the properties located east of Waterfront Drive.

Implications of the Recommendation(s):

General implications:

	None
	For the organization overall and/or for other departments
X	**For the community and/or organizations external to the City of Winnipeg**
	Involves a multi-year contract

Comment(s):

- The subject properties will be subject to more restrictive zoning regulations under the "Riverbank Sector" designation.

Policy implications:

X	**No**
	Yes

Comment(s):

- The "Riverbank Sector" regulations align with Council policies regarding riverbank properties.

Environmental implications:

X	**No**
	Yes

Comment(s):

-

Human resources implications:

X	**No**
	Yes

Comment(s):

-

Financial implications:

X	Within approved current and/or capital budget
	Current and/or capital budget adjustment required

Comment(s):

-

REASON FOR THE REPORT:
On February 28, 2005, Standing Policy Committee on Downtown Development requested that the Director of Planning, Property, and Development submit a report to committee's April 4, 2005 meeting regarding rezoning properties along the east side of Waterfront Drive, from "Downtown Living Sector" to "Riverbank Sector" (*Downtown Winnipeg Zoning By-Law* No. 100/2004).

Public hearings regarding rezoning applications in Downtown Winnipeg are required before Standing Policy Committee on Downtown Development.

HISTORY:
Following public forums (November, 2002) and facilitated workshop sessions (March, 2003), Planning, Property, and Development Department initiated application to replace the former downtown zoning by-law (No. 4800/88) with the new *Downtown Winnipeg Zoning By-Law* (No. 100/2004).

The properties along the east side of Waterfront Drive (from Galt Avenue to McDermot Avenue) were zoned "Downtown Living Sector" under the new *Downtown Winnipeg Zoning By-Law*. See Attachment 1—Current Zoning Map.

The public hearing on the new downtown zoning by-law was held before the new Standing Policy Committee on Downtown Development in June, 2004. Council subsequently approved the by-law and brought it into force and effect later that month.

DISCUSSION:
Planning, Property, and Development Department recommends the subject properties be rezoned to "Riverbank Sector" to align with Council's commitments and policies regarding the acquisition, use, and management of these specific riverbank properties and those city-wide. See Attachment 2 - Recommended Zoning Map.

Council's vision for these properties is expressed collectively in the following policies and guidelines:

- *Plan Winnipeg: 2020 Vision*;
- *CentrePlan: Vision & Strategies*:
- *CentrePlan: Development Framework*;
- *Downtown Winnipeg Urban Design Guidelines*;
- *Priorization of Development for a City-wide Riverbank Parkway System*; and
- *Ad Hoc Committee on Riverbank Acquisition, Policy and Priorities, Management, and Land Use*.

Together, these policies and guidelines foresee an interconnected linear parkway system. The parkway system provides public access along the riverbanks, integrated with the adjacent neighbourhoods via streets and pathways linked to the rivers at a number of activity nodes.

These nodes have many forms and encourage public gathering at a variety of intensities - ranging from casual viewpoints to programmed public activity areas such as The Forks. The Alexander Docks site is envisioned as a key focal point for inviting visitors into the Exchange District and connecting Exchange District denizens to the North Winnipeg Parkway System.

None of these policies and guidelines prevents or prohibits development of riverbank properties in general or the Alexander Docks site in particular. On the other hand, they do encourage development of the subject properties to be of a form and function that strengthens public access opportunities to, from, and along the Red River and that its operations have a clear connection to its riverbank location.

The subject properties are located along the west bank of the Red River. These properties are a portion of the North Winnipeg Parkway System. The site has a long history of river-related and public gathering uses.

The *Downtown Winnipeg Zoning By-Law* includes four zoning sectors -"Multiple-Use Sector", "Character Sector", "Downtown Living Sector", and "Riverbank Sector". The "Riverbank Sector" Intent Statement (downtown zoning by-law, Part 6) reads:

> *"This sector is intended primarily for the use and enjoyment of the public. Uses supportive of and accessory to a continuous linear parkway and public gathering nodes are encouraged. In order to ensure that views and access to and from the Red and Assiniboine rivers are enhanced, urban design review in this sector will encourage modestly-scaled buildings and structures, as well as high-quality built form."*

Rezoning the subject properties from the current "Downtown Living Sector" designation to "Riverbank Sector" accommodates a more limited range of uses and reduced built forms (i.e. building height, density, yards) representative of Council's commitments to riverbank sites in Downtown Winnipeg.

Financial Impact Statement Date: March 17, 2005

COMMENTS:

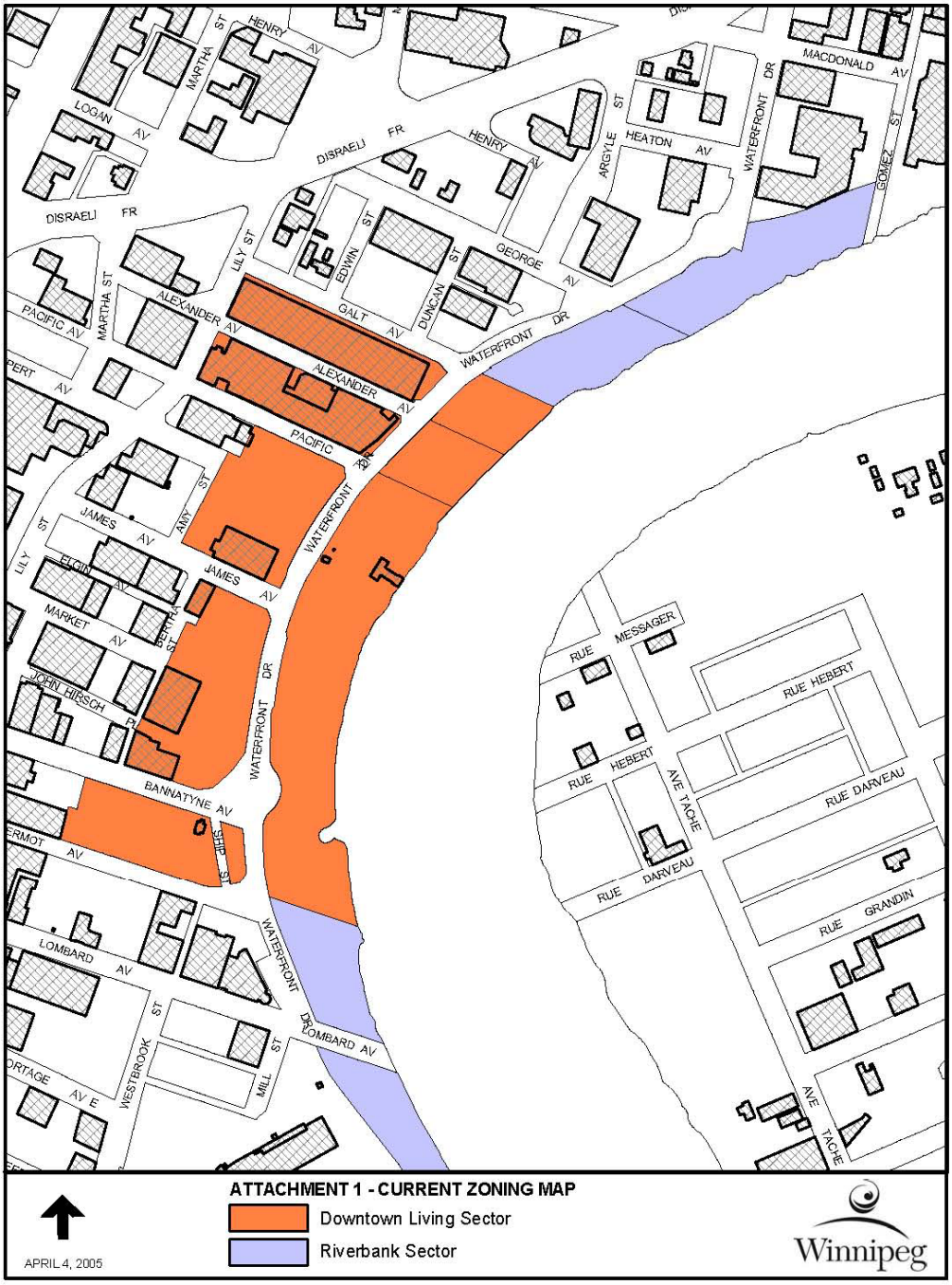
The recommendations are that the Director of Planning, Property, and Development be instructed to initiate an application to rezone properties east of Waterfront Drive from "Downtown Living Sector" to "Riverbank Sector", under Downtown Winnipeg Zoning By-Law No. 100/2004 and that the public hearing for the rezoning application be scheduled before Standing Policy Committee on Downtown Development in accordance with the Development Procedures By-Law requirements. There are no financial implications associated with these recommendations.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Planning & Land Use
Prepared by: M. Sandhurst
PPD File #:


ATTACHMENT 1 - CURRENT ZONING MAP
Downtown Living Sector
Riverbank Sector
APRIL 4, 2005
Winnipeg
HENRY AV
MARTHA ST
LOGAN AV
DISRAELI FR
HENRY AV
ARGYLE ST
HEATON AV
WATERFRONT DR
MACDONALD AV
GOMEZ ST
LILY ST
EDWIN ST
GEORGE AV
DUNCAN ST
GALT AV
ALEXANDER AV
PACIFIC AV
WATERFRONT DR
JAMES AV
ANNY ST
ELGIN AV
MARKET AV
BERTHA ST
JOHN HIRSCH PL
BANNATYNE AV
SHIP ST
LOMBARD AV
WESTBROOK ST
MILL ST
RUE MESSAGER
RUE HEBERT
AVE TACHE
RUE DARVEAU
RUE GRANDIN

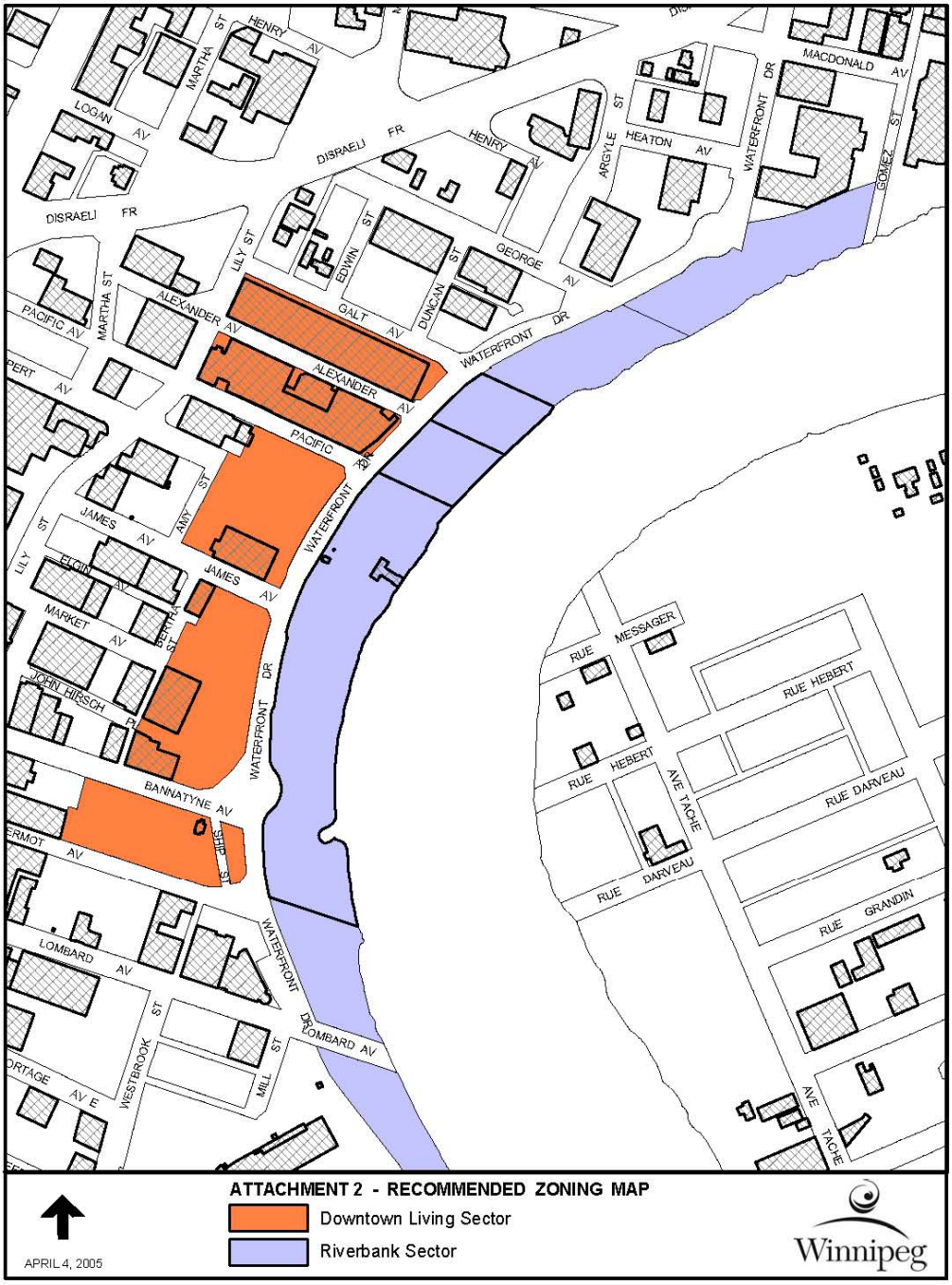

ATTACHMENT 2 - RECOMMENDED ZONING MAP
Downtown Living Sector
Riverbank Sector
APRIL 4, 2005
Winnipeg
HENRY AV
MARTHA ST
LOGAN AV
DISRAELI FR
HENRY AV
ARGYLE ST
HEATON AV
WATERFRONT DR
MACDONALD AV
GOMEZ ST
LILY ST
EDWIN ST
GEORGE AV
DUNCAN ST
GALT AV
ALEXANDER AV
PACIFIC AV
WATERFRONT DR
JAMES AV
ANNY ST
ELGIN AV
MARKET AV
BERTHA ST
JOHN HIRSCH PL
BANNATYNE AV
SHIP ST
LOMBARD AV
WESTBROOK ST
MILL ST
RUE MESSAGER
RUE HEBERT
AVE TACHE
RUE DARVEAU
RUE GRANDIN

Exhibit "4" referred to in File DAZ 226/2005

RE: PROPOSAL TO REZONE PROPERTIES LOCATED EAST OF WATERFRONT DRIVE FROM "DOWNTOWN LIVING SECTOR" TO "RIVERBANK SECTOR" (DAZ 226/05)

For submission to: **Standing Policy Committee on Downtown Development**

Original report signed by: **Director of Planning, Property and Development**

Report date: May 30, 2005

Recommendation(s):

I. That *Downtown Winnipeg Zoning By-law* No. 100/2004 be amended by rezoning the subject land as shown on Schedule "A", for file DAZ 226/05, attached hereto and dated May 19, 2005, to "Riverbank Sector".

II. 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.

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

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

REPORT SUMMARY

Key Issues:

- *Downtown Winnipeg Zoning By-law* No. 100/2004, which came into force and effect on June 23, 2004, established a "Downtown Living Sector" along both sides of Waterfront Drive;
- The City of Winnipeg owns all of the properties within that portion of the "Downtown Living Sector" east (river side) of Waterfront Drive;
- The "Downtown Living Sector" designation does not clearly align with Council policies and expectations for the properties located east of Waterfront Drive.

Implications of the Recommendation(s):

General implications:

	None
	For the organization overall and/or for other departments
X	**For the community and/or organizations external to the City of Winnipeg**
	Involves a multi-year contract

Comment(s):

- The subject properties will be subject to more restrictive zoning regulations under the "Riverbank Sector" designation.

Policy implications:

X	**No**
	Yes

Comment(s):

- The "Riverbank Sector" regulations align with Council policies regarding riverbank properties.

Environmental implications:

X	**No**
	Yes

Comment(s):

-

Human resources implications:

X	**No**
	Yes

Comment(s):

-

Financial implications:

X	Within approved current and/or capital budget
	Current and/or capital budget adjustment required

Comment(s):

-

REASON FOR THE REPORT:
Public hearings regarding rezoning applications in Downtown Winnipeg are required before Standing Policy Committee on Downtown Development, in accordance with the *Development Procedures By-Law* No. 5893/92.

HISTORY:
Following public forums (November, 2002) and facilitated workshop sessions (March, 2003), the Planning, Property, and Development Department initiated application to replace the former downtown zoning by-law (No. 4800/88) with the new *Downtown Winnipeg Zoning By-Law* (No. 100/2004).

The properties along the east side of Waterfront Drive (from Galt Avenue to McDermot Avenue) were zoned "Downtown Living Sector" under the new *Downtown Winnipeg Zoning By-Law*. See Attachment 1 - Current Zoning Map.

The public hearing on the new downtown zoning by-law was held before the new Standing Policy Committee on Downtown Development in June 2004. Council subsequently approved the by-law and brought it into force and effect later that month.

On April 4, 2005, Standing Policy Committee on Downtown Development instructed the Director of Planning, Property, and Development to initiate application to rezone properties east of Waterfront Drive from "Downtown Living Sector" to "Riverbank Sector", under *Downtown Winnipeg Zoning By-Law* No. 100/2004.

DISCUSSION:
Planning, Property, and Development Department recommends the subject properties be rezoned to "Riverbank Sector" to align with Council's commitments and policies regarding the acquisition, use, and management of these specific riverbank properties and those city-wide. See Attachment 2—Recommended Zoning Map.

Council's vision for these properties is expressed collectively in the following policies and guidelines:

- *Plan Winnipeg: 2020 Vision*;
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- *CentrePlan: Development Framework*;
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Rezoning the subject properties from the current "Downtown Living Sector" designation to "Riverbank Sector" accommodates a more limited range of uses and reduced built forms (i.e. building height, density, yards) representative of Council's commitments to riverbank sites in Downtown Winnipeg.

Financial Impact Statement Date: May 19, 2005

COMMENTS:

The recommendations in this report deal with a proposal to rezone properties located east of Waterfront Drive from "Downtown Living Sector" to "Riverbank Sector". There are no direct financial implications to the City of Winnipeg associated with the recommendations.

"Original signed by"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:

N/A

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Planning & Land Use
Prepared by: M. Sandhurst
PPD File #: DAZ 226/05

SCHEDULE "A"

By-Law No. _____

File No. **DAZ 226/05**

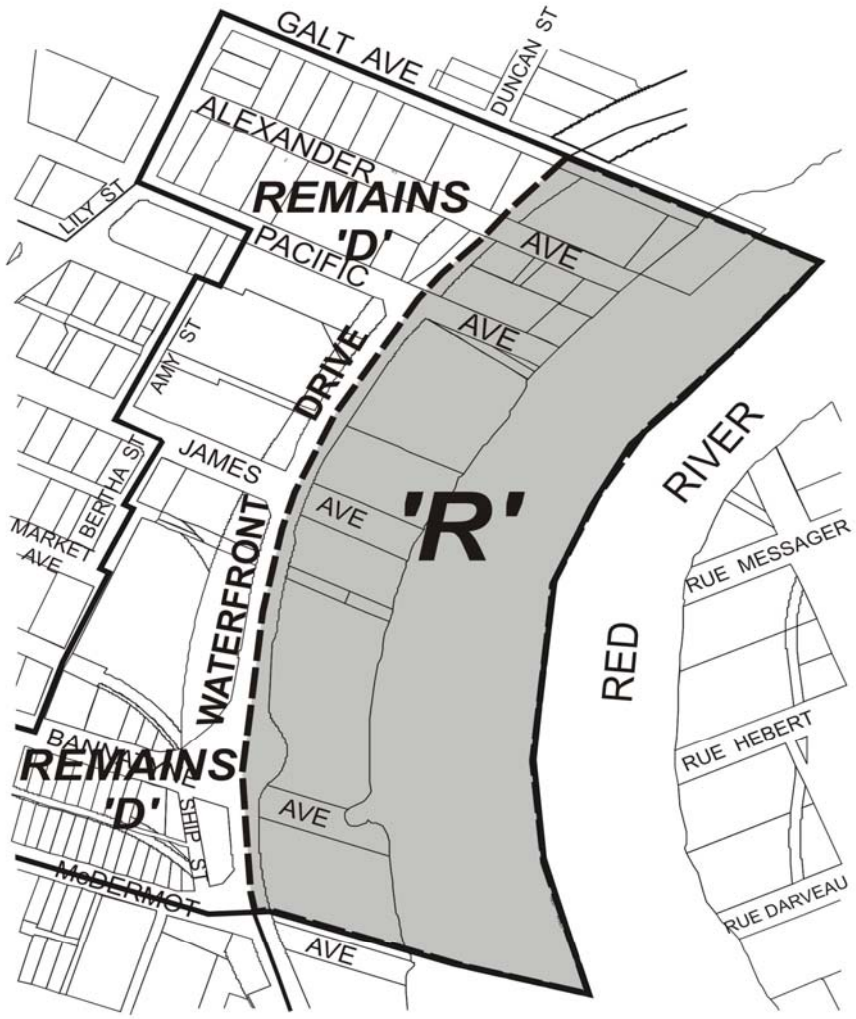
Explanation

An application for a proposed zoning change to By-law No.100/2004 by rezoning the land located along the east side of Waterfront Drive from "D" Downtown Living Sector to "R" Riverbank Sector".

Atlas Sheet No. **Z25**

N

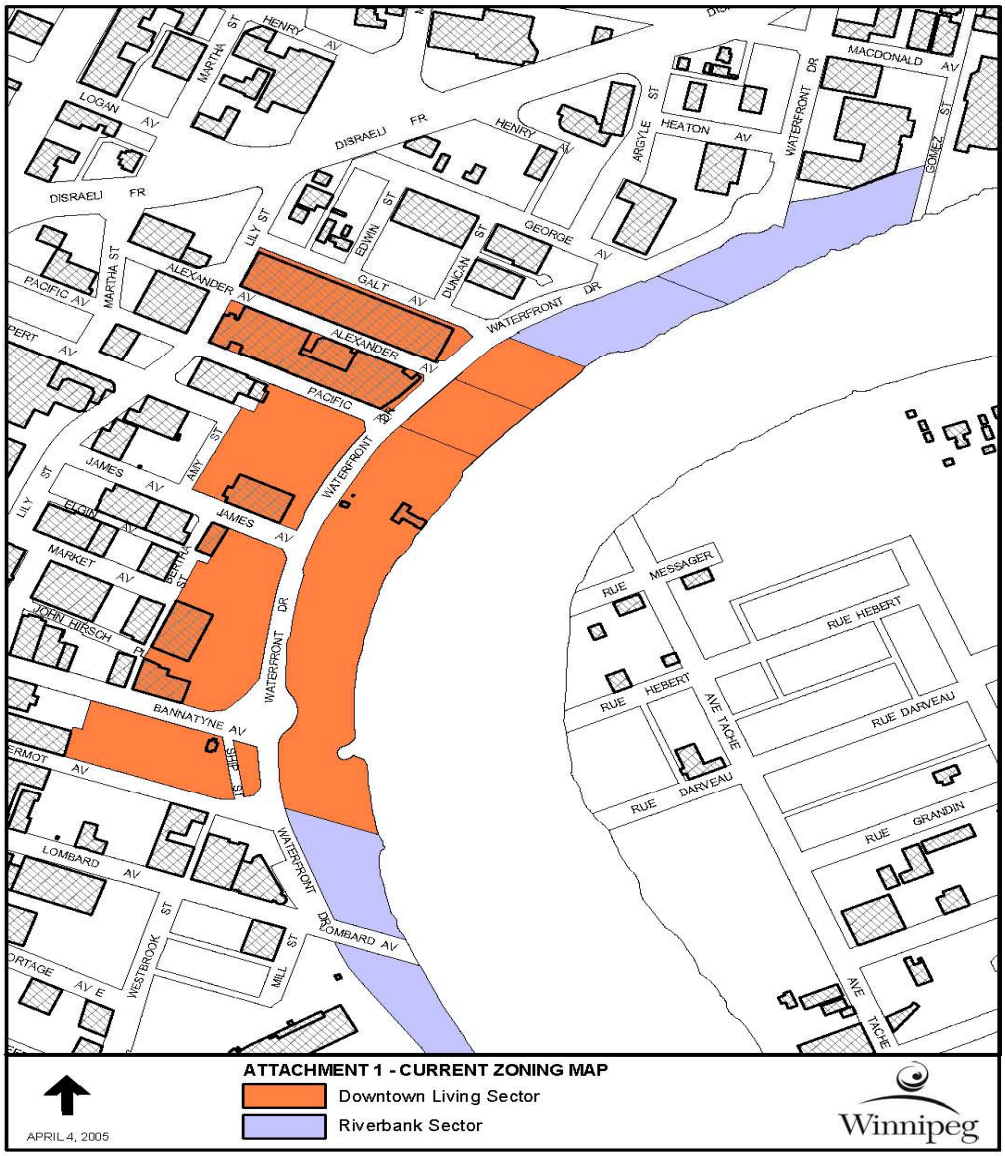
LORD SELKIRK WEST KILDONAN COMMUNITY



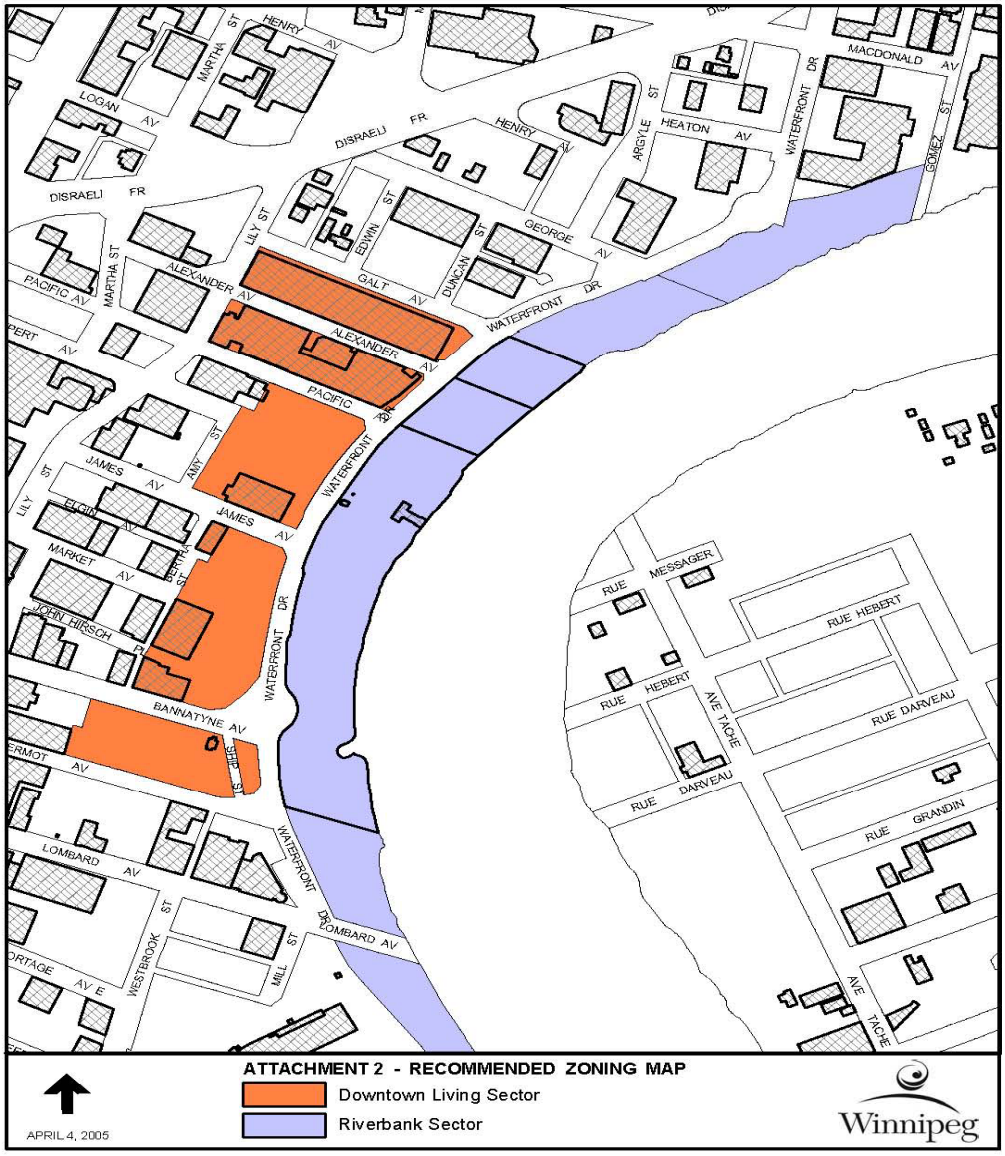
THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

ATTACHMENT 1 - CURRENT ZONING MAP



ATTACHMENT 2 - RECOMMENDED ZONING MAP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DUNCAN ST
GALT AV
ALEXANDER AV
PACIFIC AV
JAMES AV
AMY ST
MARKET AV
BANNATYNE AV
SHERBROOK ST
LOMBARD AV
WESTBROOK ST
MILL ST
PORTAGE AV E
RUE MESSAGER
RUE HEBERT
AVE TACHE
RUE DARVEAU
RUE GRANDIN