Report of the Executive Policy Committee dated December 5, 2001

Plan Winnipeg . . . 2020 Vision
File EP-1.1 (PW) (Vol. 15)

2. The Executive Policy Committee has been advised that under Clause 577 (1)(b) of *The City of Winnipeg Act*, Council is required to "review and, by by-law, readopt or replace Plan Winnipeg at least once within five years after each re-adoption or replacement of Plan Winnipeg, subject to such extension of time as the minister allows."

After a substantial review by a Council appointed steering committee, Plan Winnipeg …2020 Vision was granted first reading on May 11, 2000 and a public hearing was held on June 12, 2000.

After considering the representations and evidence, Council gave second reading to an amended Plan Winnipeg …2020 Vision on October 25, 2000 and forwarded the by-law to the Minister of Intergovernmental Affairs.

The Minister of Intergovernmental Affairs referred the by-law to the Municipal Board, which held hearings from June 26 to June 28, 2001.

The Minister of Intergovernmental Affairs, after considering the report of the Municipal Board, gave written notice to Council of the decision to approve the proposed Plan Winnipeg By-law subject to specific amendments. The Minister also informed Council that it must adopt the Plan Winnipeg By-law as amended by January 1, 2002.

The original version of Plan Winnipeg was tabled before Council in 1981 following approximately three years of intensive research and study. That Plan was not formally passed as By-law No. 2960/81 until 1986, although it became interim policy for most of the intervening years. At the time Plan Winnipeg replaced the Metropolitan Development Plan of 1968.

Plan Winnipeg…toward 2010 (still called Plan Winnipeg for short) is the City's current long-range policy plan, having been adopted as By-law No. 5195/92 of the City of Winnipeg on June 23, 1993 to replace the original Plan Winnipeg of 1986. *The City of Winnipeg Act* required that this plan be readopted or replaced within 5 years of its adoption (i.e. by June 23, 1998).

Due to considerations around the timing of the civic elections, the Minister of Urban Affairs granted an extension to this timeframe. Following the civic elections of October 1998, the Mayor appointed a five-member committee comprised of Councillors Eadie, Gerbasi, Lubosch, Prystanski and Vandal as Chair, to undertake the review of Plan Winnipeg.

On May 4, 2000, the Plan Winnipeg Review Committee submitted its recommendation in the form of a report and a draft By-law No. 7630/2000 titled "Plan Winnipeg…2020 Vision" to the Executive Policy Committee.

On May 11, 2000, City Council granted first reading to By-law No. 7630/2000, and instructed Executive Policy Committee to hold a public hearing in accordance with *The City of Winnipeg Act* Section 579 (3). That public hearing was held on June 12, 2000.

On October 25, 2000, after consideration was given to all representations and submissions, Council amended and granted second reading to By-law No. 7630/2000 as amended. In accordance with Section 579 (4) and 580 (1) of The City of Winnipeg Act, five (5) certified copies of By-law No. 7630/2000 were forwarded to the Minister of Intergovernmental Affairs on November 2, 2000.

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Following the receipt of objections by those persons who made representation at the public hearing for By-law No. 7630/2000, the Minister of Intergovernmental Affairs referred the by-law to the Municipal Board for review and recommendations. The Municipal Board gave notice and held public hearings from June 26 to June 28, 2001. The Board submitted its report and recommendations to the Minister on August 27, 2001.

Following receipt of the Municipal Board report and recommendations, and in accordance with section 581 (5) of The City of Winnipeg Act, the Minister of Intergovernmental Affairs gave written notice to Council of the decision to approve the proposed Plan Winnipeg By-law, subject to nine (9) amendments. Each of these is reviewed in the following section:

The Minister of Intergovernmental Affairs' letter of September 21, 2001 outlined nine (9) amendments required for the adoption of the Plan Winnipeg By-law. The following is a list of those amendments and an explanation of how the by-law has been altered to reflect them.

1. Minister: *That the circles identified on Policy Plate "A" be removed and the Areas of Commercial Concentration on Policy Plate "A" be delineated and identified by specific boundaries that include lands in each Area that are suitable for the types of regional mixed use activities identified in the policies of Plan Winnipeg.*

Our response: Policy Plate "A" has been altered to reflect this requested change. The Areas of Commercial Concentration have been delineated with more specific boundaries reflecting the commercial and potential mixed-use areas surrounding and including the existing Regional Shopping Centres. The wording of the policy statements within the plan remain unchanged. Areas of Regional Commercial Concentration will continue to signify "the general desired locations for large-scale commercial development attracting customers city-wide and beyond, with the intent to direct future development of that nature to those general locations". The policies also state that priority for accommodating new commercial development is through the infill and expansion of existing commercial areas. The boundaries of these areas have been drawn in such a way as to provide sufficient land to accommodate regional commercial and mixed-use growth over the coming years. The land within these boundaries will be seen as priority areas for the location of major regional commercial projects. (e.g. a collection of retail stores on a large site or a major retailer that will attract customers from an entire quadrant of the city). Major alterations of these boundaries will require a Plan Winnipeg Amendment. These boundaries and their relation to the policies will continue to be examined by the Planning, Property and Development Department in order to ensure clarity in their application and interpretation.

2. Minister: *That the term "Areas of Commercial Concentration" on Policy Plate "A" and in the text of the Plan be deleted and replaced by a term which more closely reflects the types of activities being included, such as "Areas of Regional Commercial and Mixed-use Concentration."*

Our response: The legend of Policy Plate "A" has been changed to reflect the proposed new wording, as have policies 3A-01, 3B-04 and 3B-05. This wording change is consistent with the intent of the policies.

3. Minister: *That within two years of Third Reading of the by-law, the Plan be amended to include a Policy Plate, with accompanying text in the Policy 5C-04, that designates natural areas that are environmentally-sensitive or significant*.

Our response: This does not affect the by-law being adopted under this report, however, according to the Minister's letter, Council must commit to the implementation of this recommendation. A process is already underway to develop this sensitive lands plan, led by the Environmental Coordinator and involving several departments including Community Services and Planning, Property and Development. The two-year time frame is reasonable for the completion of this process.

4. Minister: *That Policy 5C-04 (ii) be amended by adding the words "designates natural areas that are environmentally-sensitive and/or significant and" following the word "which" in the first line.*

Our response: Policy 5C-04 currently reads as follows: The City shall protect environmentally-sensitive lands that contain important pockets of natural flora or fauna or that are susceptible to damage from flooding or erosion by: … ii) developing a lands plan which provides measures for the possible acquisition, preservation, protection, and maintenance of such lands. The amended clause would read as follows: … ii) developing a lands plan which designates natural areas that are environmentally-sensitive and/or significant and provides measures for the possible acquisition, preservation, protection, and maintenance of such lands. This change provides greater clarity to the policy consistent with its intent. It essentially requires that the proposed Sensitive Lands Plan identify and designate specific areas that are environmentally sensitive in addition to providing measures for their possible acquisition, preservation, protection, and maintenance as is already stated in the policy. This is an initiative that was already anticipated to be part of the Sensitive Lands Plan as this proposed plan was to expand on the sensitive lands inventory, which is already substantially complete.

5. Minister: *That the Stockyard lands be designated Industrial on Policy Plate "A".*

Our response: A large portion of the Stockyards lands were redesignated from Industrial to Neighbourhood by Council at second reading of the by-law and after the public hearing was closed. The Minister was concerned that this significant change in land use designation occurred without the opportunity for public input, especially from area landowners. It was the City's position at the Municipal Board hearing to agree to return the land designation of the Stockyards to Industrial. This change has therefore been incorporated into Policy Plate "A". The Planning, Property and Development Department has recently initiated a study to identify potential land-use and development options for this site. One outcome of this study is the creation of a concept plan for the property. Once this concept plan has been completed a Plan Winnipeg amendment can be initiated to re-designate the lands in accordance with the plan. The concept plan process and the Plan Winnipeg amendment process will allow for sufficient public consultation on this land use change.

6. Minister: *That "or such other minimum size as would be allowed under an applicable secondary plan, and" be inserted in Policy 3B-08 i) after "(40 acres)" and before "subject".*

AND

7. Minister: *That the following section vii) be added to Policy 3B-08 as follows:*

> *"vii) considering the South St. Vital Action Area Plan to be an unserviced residential area secondary plan as provided for under item ii) above, notwithstanding item v) above."*

Our response: These two changes were requested by the City of Winnipeg to provide additional clarity to the policies related to Rural Areas as well as to correct an oversight of a policy that had not been carried over from the previous Plan Winnipeg …towards 2010.

8. Minister: *That the lands to the west of the Perimeter Highway north of the Trans-Canada Highway, excluding the land covered by the previous amendment, be designated "Rural".*

Our response: As with the Stockyards area, the Minister expressed concern that this change in land use designation was made at Second Reading after the public hearing and did not allow for public input. Much like item five (5), this change can be initiated as a Plan Winnipeg amendment after the new plan has been adopted.

9. Minister: *That the term, "Capital Region", be defined in the glossary of the Plan.*

Our response: This change has been incorporated into the text of the Plan. The City of Winnipeg will rely on the Provincial definition of "Capital Region", as follows: Manitoba's Capital Region includes the City of Winnipeg (the province's capital), the City of Selkirk, the Town of Stonewall and thirteen rural municipalities: Cartier, East St. Paul, Headingley, Macdonald, Ritchot, Rockwood, Rosser, St. Andrews, St. Clements, St. François-Xavier, Springfield, Taché, and West St. Paul. It is called a region because of the shared interests of the municipalities in the sustainable future of its communities, economy, environment and natural and human resources.

After considering all aspects of this proposed by-law, and after considering the conditions of approval of the Minister of Intergovernmental Affairs, the Executive Policy Committee recommends:

I. That By-law No. 7630/2000, which was granted first reading on May 11, 2000 and second reading on October 25, 2000 be amended in accordance with the list of amendments set forth in Appendix "A", as requested by the Minister of Intergovernmental Affairs in her letter of September 21, 2001, and outlined on Appendix "B".

II. That By-law No. 7630/2000, as amended be given third reading.

III. That two certified copies of By-law No 7630/2000, as amended, be forwarded to the Minister of Intergovernmental Affairs in accordance with *The City of Winnipeg Act* section 581 (5).

IV. That Council consider amending Plan Winnipeg within two years of Third Reading of the by-law by including a Policy Plate, with accompanying text in Policy 5C-04, that designates natural areas that are environmentally-sensitive or significant, as requested by the Minister of Intergovernmental Affairs in her letter of September 21, 2001, and outlined on Appendix "B".

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

Appendix "A" referred to in Clause 2 of the Report of the Executive Policy Committee dated December 5, 2001

List of changes to the Draft Plan Winnipeg By-law 7630/2000 Granted First Reading on May 11, 2000 and Second Reading on October 25, 2000

Changes to Policy Plate A: Land Use

Assiniboia Downs
Change designation of the strip of land located along the north side of Portage Avenue between Camp Manitou Road and the City Limits from "Neighbourhood" to "Rural".

Stock Yards
Change designation of the land within the Stockyards area from "Neighbourhood" to "Industrial", with the exception of lands located adjacent to Maginot Street designated "Neighbourhood" under the previous Plan Winnipeg.

Legend
Change "Areas of Commercial Concentration" in the legend to "Areas of Commercial and Mixed-Use Concentration".

Areas of Commercial and Mixed-Use Concentration
Delineate the six Areas of Commercial and Mixed-Use Concentration with specific boundaries, outlined by the crimson lines as per the amended Policy Plate A attached.

Changes to Policy Wording

Chapter 3: Planned Development, Transportation and Infrastructure

Policy 3A-01 Promote Orderly Development
Under subsection v), change …areas of "Regional Commercial Concentration" to …areas of "Regional Commercial and Mixed-Use Concentration".

Policy 3B-04 Accommodate Commercial and Retail Development
Under subsection iv), change …the areas of "regional commercial concentration" to …the areas of "regional commercial and mixed-use concentration".

Policy 3B-05 Promote Commercial Densification
Under subsection iii), change …areas of "commercial concentration" to …areas of "regional commercial and mixed-use concentration".

Policy 3B-08 Regulate Land Uses in Rural Areas
Under subsection i), change "…through the requirement of a minimum site areas of 16 ha (40 acres), subject to minimal variances" to "…through the requirement of a minimum site area of 16 ha (40 acres) or such other minimum size as would be allowed under an applicable secondary plan and subject to minimum variances".

Under subsection v), remove the word "and" at the end of the clause.

Under subsection vi), replace the period at the end of the clause with a semi-colon and add the word "and".

Add a new subsection vii) to read "considering the South St. Vital Action Area Plan to be an unserviced residential area secondary plan as provided for under item ii) above, notwithstanding item v) above."

Chapter 5 Environment, Image and Amenities

Policy 5C-04 Protect Environmentally-Sensitive Lands
Under subsection ii), change "developing a lands plan which provides measures for the possible acquisition..." to "developing a lands plan which designates natural areas that are environmentally-sensitive and/or significant and provides measures for the possible acquisition...".

Glossary

The following definition is added to the glossary between "Benefit/Cost Analysis" and "Centre Plan":
Capital Region: Manitoba's Capital Region includes the City of Winnipeg (the province's capital), the City of Selkirk, the Town of Stonewall and thirteen rural municipalities: Cartier, East St. Paul, Headingley, Macdonald, Ritchot, Rockwood, Rosser, St. Andrews, St. Clements, St. François-Xavier, Springfield, Taché, and West St. Paul. It is called a region because of the shared interests of the municipalities in the sustainable future of its communities, economy, environment and natural and human resources.

Administrative Changes

On each of the Policy Plates, the labels "For Discussion Purposes" have been removed and the effective date has been revised to reflect the date of third reading by Council.

Appendix "B" referred to in Clause 2 of the Report of the Executive Policy Committee dated December 5, 2001

MAYORS OFFICE
CITY OF WINNIPEG
MANITOBA, CANADA
2001 SEP 24 P 2:03

MINISTER OF
INTERGOVERNMENTAL AFFAIRS

Room 201
Legislative Building
Winnipeg, Manitoba, CANADA
R3C 0V8
General Office: (204) 945-3788
Fax: (204) 945-1383

September 21, 2001

His Worship Glen Murray
Mayor
City of Winnipeg
2nd Floor – 510 Main Street
Winnipeg MB R3B 1B9

Your Worship:

On March 23, 2001, I wrote to you advising that I had referred a number of outstanding Provincial concerns and public objections regarding proposed Plan Winnipeg By-law No. 7630/2000 to The Municipal Board (Board) of Manitoba for review and recommendation. As you know, the Board gave notice in accordance with Section 632(5) of *The City of Winnipeg Act*, sat on June 26, 27 and 28, 2001, and heard all persons who appeared and gave evidence or made representations. The Board submitted its Report and Recommendations to me on August 27, 2001 (copy attached.)

The Province has now considered The Municipal Board's report, and in accordance with subsection 581(5) of *The City of Winnipeg Act*, I am giving written notice to Council of the decision to approve the proposed Plan Winnipeg By-law, subject to the following amendments recommended by The Municipal Board in Schedule "A" of their report:

1. That the circles identified on Policy Plate "A" be removed and the Areas of Commercial Concentration on Policy Plate "A" be delineated and identified by specific boundaries that include lands in each Area that are suitable for the types of regional mixed use activities identified in the Policies of Plan Winnipeg.

2. That the term "Areas of Commercial Concentration" on Policy Plate "A" and in the text of the Plan be deleted and replaced by a term which more closely reflects the types of activities being included, such as "Areas of Regional Commercial and Mixed-use Concentration."

3. That within two years of Third Reading of the By-law, the Plan be amended to include a Policy Plate, with accompanying text in Policy 5C-04, that designates natural areas that are environmentally-sensitive or significant.

4. That Policy 5C-04 (ii) be amended by adding the words "designates natural areas that are environmentally-sensitive and/or significant and" following the word "which" in the first line.

5. That the Stockyard lands be designated Industrial on Policy Plate "A".

6. That "or such other minimum size as would be allowed under an applicable secondary plan, and" be inserted in Policy 3B-08 i) after "(40 acres)," and before "subject."

7. That the following Section vii) be added to Policy 3B-08 as follows:

   "vii) considering the South St. Vital Action Area Plan to be an unserviced residential area secondary plan as provided for under item ii) above, notwithstanding item v) above."

8. That the lands to the west of the Perimeter Highway north of the Trans-Canada Highway, excluding the land covered by the previous amendment, be designated "Rural".

9. That the term, "Capital Region", be defined in the glossary of the Plan.

You will note that Schedule "B" of The Municipal Board Report included four additional recommendations to the Province or the City regarding specific matters which did not result in changes to Plan Winnipeg. Two of the recommendations relate to monitoring the effects of changes to the Plan's language and changes to population growth over the term of the Plan. I have asked planning staff of Manitoba Intergovernmental Affairs to work with City planning staff in this regard. The Board also recommended that the Province amend *The City of Winnipeg Act* to make it consistent with the provisions of *The Planning Act* with regard to significant changes made to a development plan between first and second reading. The Province is prepared to consider such an amendment.

The final recommendation in Schedule "B" proposed that the Charleswood Golf Course be retained as "Major Open Space" and used as a golf course. The land use designation in the current (1993) and proposed (2001) Plan Winnipeg is "Major Open Space" which the Province supports. It is the Province's view, however, that the use of the "Major Open Space", whether it be for a golf course, a park, a playground or a green space, is a local zoning matter and therefore, within the purview of Winnipeg City Council to determine.

A related matter concerns the alignment of the roadway known as the Moray Street Extension. Since no specific Provincial land use policy interests have been identified, the Province concurs with The Municipal Board that this alignment is a local matter. In addition, it is the Province's view that the proposed Plan Winnipeg policies are not intended to limit the use of land for streets and roadways within any land use category including "Major Open Space". For example, Roblin Boulevard and Grant Avenue are designated "Major Open Space" between Shaftsbury Boulevard and Chalfont Road (Assiniboine Park/Forest). In considering the Plan Winnipeg policies, it is important to read Policy Plate "B" on Transportation in conjunction with Policy Plate "A" on Land Use.

I have extended the deadline for the review and replacement of Plan Winnipeg a number of times at the request of the City of Winnipeg. I am now extending the deadline further to January 1, 2002, and requesting that Council incorporate the above changes into Plan Winnipeg By-law No. 7630/2000 for approval by Third Reading before this date.

Yours sincerely,

Jean Friesen

Jean Friesen
Minister

Attachment

c: Councillor Jae Eadie
The Municipal Board
Mr. Ed Sawatzky
Mr. Paul Birston
Mr. Jeffrey Chipman
Councillor Bill Clement
Mr. Orvel L. Currie
Ms. Carolyn Garlich
Mr. Rick Gilbert
Mr. Shael Glesby
Mr. Frank Grande
Ms. Carol Hadley
Mr. Derek Holbrow
Mr. Kerry Holbrow
Ms. Joan Hooton
Ms. Margaret Jablonski
Mr. Allan Jeffrey
Mr. Ken Klassen
Ms. Bev Levine
Mr. Darrell Levine
Mr. Clifford Lougheed
Ms. Iris Magura
Ms. Ashleigh Marsh
Mr. Mel Marsh
Mr. Dewar McKinnon
Mr. Brian McLeod
Ms. Valinda Morris
Mr. John Muller
Mr. James Roberts
Mr. Alex Robinson
Ms. Coleen Rogers
Ms. Jeanne M. Ross
Ms. Leanne Shewchuk
Mr. John Stefaniuk
Mr. James Stewart
Mr. George Taylor
Mr. Nick Ternette
Mr. Jeff Webb

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