Agenda - Council - January 28, 2009

Report - Executive Policy Committee - January 21, 2009

Item No. 2 Plan Winnipeg Amendment - Southwest and northwest quadrants of Sterling Lyon Parkway and Kenaston Boulevard (Charleswood-Tuxedo Ward) File EP-1.1(PW 2/2008)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 2009, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submits the following to Council:

1. That By-law No. 2/2009, a proposal to amend Plan Winnipeg 2020 Vision By-law No. 7630/2000 at the southwest and northwest quadrants of Sterling Lyon Parkway and Kenaston Boulevard by:

   A. re-designating lands identified on Attachment 1 from Industrial Policy Area to Neighbourhood Policy Area, and;

   B. expanding the Area of Regional Commercial and Mixed-Use Concentration, as identified on Attachment 1,

   as outlined in the report of the Director of Planning, Property and Development dated January 12, 2009, be forwarded to Council for first reading to allow for a public hearing on this issue.

2. That the Executive Policy Committee schedule a public hearing in accordance with sections 227 and 278 of The City of Winnipeg Charter to consider the proposed amendment to Plan Winnipeg 2020 Vision By-law No. 7630/2000, and related development applications under The Winnipeg Zoning By-law No. 200/2006.

3. That in conjunction with the combined hearing for the Plan Winnipeg Amendment and related development applications, that the Public Service be requested to report back to the Executive Policy Committee on: (a) the provision of private access requirements for the proposed major development, identifying any necessary amendments to Private Access By-law; (b) related street closings / openings; and (c) Transit service requirements.

4. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the preparation of any necessary by-laws.

Reports - Executive Policy Committee - January 21, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 2009, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

RE: Plan Winnipeg Amendment – Southwest and northwest quadrants of Sterling Lyon Parkway and Kenaston Boulevard – PW 2/2008

FOR SUBMISSION TO:	**Executive Policy Committee**
ORIGINAL REPORT SIGNED BY:	**Director of Planning, Property and Development**
REPORT DATE:	**January 12, 2009**

RECOMMENDATION:

1.) That By-law No. 2/2009, a proposal to amend Plan Winnipeg 2020 Vision By-law No. 7630/2000 at the SW & NW quadrants of Sterling Lyon and Kenaston by:

A. re-designating lands identified on Attachment 1 from Industrial Policy Area to Neighbourhood Policy Area, and;

B. expanding the Area of Regional Commercial and Mixed-Use Concentration, as identified on Attachment 1,

as outlined in the report of the Director of Planning, Property and Development dated January 12, 2009 be forwarded to Council for first reading to allow for a public hearing on this issue.

2.) That the Executive Policy Committee schedule a public hearing in accordance with sections 227 and 278 of The City of Winnipeg Charter to consider the proposed amendment to Plan Winnipeg 2020 Vision By-law No. 7630/2000, and related development applications under The Winnipeg Zoning By-law No. 200/2006.

3.) That in conjunction with the combined hearing for the Plan Winnipeg Amendment and related development applications, that the Public Service be requested to report back to the Executive Policy Committee on: (a) the provision of private access requirements for the proposed major development, identifying any necessary amendments to Private Access By-law; (b) related street closings / openings; and (c) Transit service requirements.

4.) That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the preparation of any necessary by-laws

Report Summary

Key Issues:

The Planning, Property and Development Department supports the Plan Winnipeg amendment application that will re-designate 233 acres from 'Industrial Policy Area' to 'Neighbourhood Policy Area' in the Tuxedo Industrial Policy area.

The subject 198 acres of lands proposed to be rezoned 'Commercial' are vacant and under-utilised that previously accommodated the CN Intermodal Yards, which was shifted to the east side of Winnipeg in 2007.

The re-designation of these lands will support the logical and orderly re-alignment of the Tuxedo Industrial Policy area's boundaries to reflect the nearby changing land-uses.

The loss of lands designated 'Industrial Policy Area' in the Tuxedo Industrial Policy area will not negatively impact the industrial land supply in relation to demand in the quadrant.

The addition of these lands to Neighbourhood Policy Area, and Area of Regional and Mixed Use Commercial Concentration will meet the growing demand for commercial lands.

This will be a 'smart' development where the surrounding area's current infrastructure deficit will be accelerated for implementation by the Developer front-ending the costs to extend services for their development. Council will be asked to use the incremental municipal tax dollars generated by the development to pay back the developer over a number of years.

Sections 227 and 278 of The City of Winnipeg Charter provide that the hearing required in respect of an amendment to Plan Winnipeg may be combined with another hearing for the same proposed development. Therefore Executive Policy Committee, upon forwarding the proposed Plan Winnipeg amendment to Council for first reading, may schedule a hearing to consider the Plan Winnipeg amendment, the rezoning/subdivision, and related variances.

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

( ) Involves a multi-year contract

Comment(s): The amendment will allow for the consideration of the commercial development at a public hearing.

Policy Implications

( ) No

(x) Yes

Comment(s): Change from Industrial Policy Area to Neighbourhood Policy Area is consistent with Plan Winnipeg 2020 Vision policies and will facilitate orderly and logical development.

Regulatory Implications

( ) None

(x) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s): Combining the applications to appear at one meeting of the Executive Policy Committee will reduce the need for the applicant to appear before multiple hearing bodies and for different applications to be considered by multiple Committees' of Council, thus streamlining the approval process.

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): Proceeding to a public hearing for further scrutiny is the consideration for this report.

Report

REASON FOR THE REPORT:
Pursuant to the City of Winnipeg Charter, the Executive Policy Committee is the designated hearing body responsible for Plan Winnipeg.

Sections 227 and 278 of the City of Winnipeg Charter provide that hearings required in respect to an amendment to Plan Winnipeg may be combined with another hearing.

Since the proposed amendment is running concurrently with an application for rezoning and subdivision (DASZ 37/08), Executive Policy Committee will consider the Plan Winnipeg amendment and subdivision and rezoning together, at one public hearing.

BACKGROUND:
MMM Group has made, on behalf of Winnipeg Intermodal Ltd. and 5083851 Manitoba Ltd., several applications with the City of Winnipeg for the proposed redevelopment of the former CN Intermodal Yards located in the northwest and southwest quadrants at the intersection of Kenaston Blvd and Sterling Lyon Parkway in the Tuxedo Industrial Policy area as a 'super-regional' commercial destination with large destination retail stores that establish in only one location in a marketplace.

The subject lands are designated 'Industrial Policy Area' and zoned 'M2 – Manufacturing Light' and 'M3 - Manufacturing Heavy Districts' and require a Plan Winnipeg Amendment and Rezoning.

The South Tuxedo Neighbourhood Policy Area is to the north, and the Tuxedo Industrial Policy area is to the south, west and east.

Zoning in the area varies: the lands south and west of the site are zoned A – Agriculture; to the north zoned R1-L Residential Single-Family and RR5 – Rural Residential 5; and to the south and east zoned M2 & M3 Manufacturing Light and Manufacturing Heavy Districts.

Gross Site Area to be re-designated under Plan Winnipeg - 233 Acres (includes the Wilkes and Sterling Lyon Right-of-ways and a strip of City of Winnipeg Lands in the NE corner) bound on the east by Kenaston Blvd, north by CN Rivers, west by Fort Whyte Alive, and south by Inland Cement.

Total Site Areas to be rezoned to 'Commercial' - 198 acres (not including the Wilkes or Sterling Lyon Parkway right-of-way, or the City of Winnipeg Lands) with:

- 158 acres of retail lands (C4 Commercial)

- 40 acres of supporting and complementary mixed-use lands (CMU – Commercial Mixed Use)

The main anchor will be IKEA, other actual tenants for the proposed retail spaces have not been finalised but may include a grocery store, a sporting goods / outdoor store, or a home improvement store. The store sizes will likely be:

- Home furnishing store - 350,000 square feet
- At least one store in the 200,000+ square foot range,
- Two stores in the 140,000 - 200,000 square foot range.
- Numerous smaller retail stores (less than 50,000 square foot in floor area).

The commercial portion of the development is estimated at a maximum of 1.5 million sq.ft. The non-commercial may include a 100 room hotel, 16 screen movie theatre, 150,000 sq ft office park, and a 500 unit multi-residential condominium.

DISCUSSION:

For the purpose of this First Reading report, three (3) critical questions need to be considered in determining if the proposed amendment to Plan Winnipeg to re-designate the subject area from Industrial Policy Area to Neighbourhood Policy Area as an Area of Regional Commercial and Mixed Use Concentration should proceed to a public hearing.

1) Industrial Land Supply

What is the impact of removing the lands from the Industrial Land inventory?

Based on preliminary analysis, there will be no adverse impacts on the Industrial Land Inventory.

The City of Winnipeg Employment Lands Strategy (Draft) identifies these lands being better suited for other uses including commercial as these lands are redundant and obsolete for industrial uses:

- Strategically located lands in other parts of Winnipeg (Airport West) are identified as meeting market place demands for employment lands over the next 25 years due their ability to meet the demands of emerging economic sectors including Transportation, Trucking, Logistics, Intermodal and Trans-shipment.

- Nearby industrial areas can capture the demand for smaller, leased premises that combine an office component with a warehouse, repair or assembly space in flexible building format that has become the market place preference.

- The proximity of Fort Whyte Alive nature centre, which has expanded over the years to become the largest land owner within the Tuxedo Industrial Policy Area and emerging Major Open Space; and the South Tuxedo Neighbourhood Policy area to the north and Lindenwood residential area to the south east, caused conflicts as residents lobbied for several years for the CN Intermodal yard to be relocated.

2) Industrial to Commercial Impacts

What is the impact of re-designating lands from Industrial to Neighbourhood / Area of Regional and Mixed Use Commercial Concentration?

Based on preliminary analysis, there will be no adverse impacts on the Commercial Land Inventory.

Commercial space requirements estimates for the next 20 years indicate a demand increasing exponentially. Commercial lands currently available for new developments are limited, and will not meet the short term or longer term demand. Thus, the supply of commercial lands available to meet the growing demand is at a critical level.

3) Transportation and Infrastructure Impacts

Can the lands be serviced in an environmentally sound, economically and timely manner?

Based on preliminary analysis, the lands can be serviced in an environmentally sound, economically and timely manner.

MMM Group analyzed the impacts upon traffic and intersection performance on adjacent roadways resulting from the addition of 200 acres of commercial lands at the intersection of Kenaston and Sterling Lyon in consultation with the Public Works Department. A series of improvements to the surrounding road network will need to be implemented to manage additional vehicle activity in addition to improvements all ready required.

MMM Group in consultation with City of Winnipeg Water and Waste has determined water, waste water, and land drainage services required to develop the subject lands can be extended. A comprehensive servicing report will need to be submitted to outline the provision of underground services for the entire site, and that demonstrates that the existing systems can adequately meet the needs of the proposed development.

The infrastructure implemented in association with servicing the subject lands would be considered “smart” development: infrastructure that is needed for the development is also beneficial to the surrounding area and is front-ended by the Developer at an accelerated rate. Council will be asked to use the incremental municipal tax dollars generated by the development to pay back the developer over a number of years.

Financial Impact Statement Date: January 13, 2009

Project Name:

PLAN WINNIPEG AMENDMENT – PW 2/08 Sterling Lyon / Kenaston

COMMENTS:

The recommendations contained in this report include that 1) that By-law No. 2/2009, a proposal to amend Plan Winnipeg 2020 Vision By-law No. 7630/2000 at the SW & NW quadrants of Sterling Lyon and Kenaston by: a) re-designating lands identified on Attachment 1 from Industrial Policy Area to Neighbourhood Policy Area, and; b) expanding the Area of Regional Commercial and Mixed-Use Concentration, as identified on Attachment 1, as outlined in the report of the Director of Planning, Property and Development dated January 12, 2009 be forwarded to Council for first reading to allow for a public hearing on this issue, 2) that the Executive Policy Committee schedule a public hearing in accordance with sections 227 and 278 of The City of Winnipeg Charter to consider the proposed amendment to Plan Winnipeg 2020 Vision By-law No. 7630/2000, and related development applications under The Winnipeg Zoning By-law No. 200/2006 and, 3) that in conjunction with the combined hearing for the Plan Winnipeg Amendment and related development applications, that the Public Service be requested to report back to the Executive Policy Committee on:
(a) the provision of private access requirements for the proposed major development, identifying any necessary amendments to Private Access By-law; (b) related street closings / openings; and (c) Transit service requirements.

Based on the results on the above, a future report will be submitted setting out financial implications.

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

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Water and Waste

Public Works

Community Services

Winnipeg Transit

External Consultation With: NA

THIS REPORT SUBMITTED BY:

Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by	Michelle Richard & John Wintrup
PPD File No.	PW 2 / 2008

ATTACHMENT 1: Plan Winnipeg Amendment By-law and Map

THE CITY OF WINNIPEG

BY-LAW NO. 2/2009

A By-law of THE CITY OF WINNIPEG to amend By-law No. 7630/2000, a By-law establishing Plan Winnipeg, being a statement of the City's policy and general proposals in respect of development or use of land in the City.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1 *Policy Plate A (Land Use), attached to and forming part of By-law No. 7630/2000, is hereby amended as follows:*

The lands shown outlined on the map below are hereby designated as "NEIGHBOURHOOD" Policy Area and "AREA OF REGIONAL COMMERCIAL AND MIXED USE CONCENTRATION", and Policy Plate A shall hereafter be read and construed as though the said lands were indicated thereon as "NEIGHBOURHOOD" and "AREA OF COMMERCIAL AND MIXED USE CONCENTRATION".

RECEIVED FIRST READING on this day of , 2009.

RECEIVED SECOND READING on this day of , 2009.

RECEIVED THIRD READING on this day of , 2009.

DONE AND PASSED this day of , 2009.

_____
Mayor

_____
City Clerk

Approved as to planning details:

_____
for Planning, Property & Development

Approved as to form:

_____
for City Solicitor/Manager of Legal Services

Map 1: Proposed Re-designation of Industrial Lands to Neighbourhood Policy Area and Creation of Area of Regional Commercial and Mixed-Use

