Agenda - Council - September 30, 2009

Report - Standing Policy Committee on Property and Development – September 8, 2009

Item No. 5 Secondary Plan Amendment – Waverley West Northeast Neighbourhood
(St. Norbert Ward)
File SPA 1/2009 [c/r DASZ 3/2009]

STANDING COMMITTEE RECOMMENDATION:

On September 23, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submits the following to Council:

1. That By-law No. 35/2009, an amendment to the Waverley West Northeast Neighbourhood Area Structure Plan, be forwarded to Council for second and third reading with the following amendments:

   A. Part 2 Figure 3 is repealed and replaced with revised Attachment "B".
   B. Part 3(c) In the "Parkway (incl. 7 acre school site)" row, "68a" is struck out and "*69*a" is substituted;
   C. Part 3(e) DELETED;
   D. Part 4(a) "102" is struck out and "*85*" is substituted;

2. 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 Property and Development – September 8, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 23, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 8, 2009, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 13, 2009, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and submitted its recommendation to the Standing Policy Committee on Property and Development.

COUNCIL DECISION:

On March 25, 2009, Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That By-law No. 35/2009, an amendment to the Waverley West Northeast Neighbourhood Area Plan be forwarded to Council for First Reading to allow for the Riel Community Committee to conduct a Public Hearing.

RE: **Secondary Plan Amendment – Waverley West Northeast Neighbourhood**
File SPA 1/2009 [c/r DASZ 3/2009]

For submission to: **The Standing Policy Committee on Property and Development /**

Prepared by: **Marc Pittet, Senior Committee Clerk**
Riel Community Committee

Report date: **July 14, 2009**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 13, 2009, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development:

1. That By-law No. 35/2009, an amendment to the Waverley West Northeast Neighbourhood Area Structure Plan, be forwarded to Council for second and third reading with the following amendments:

   - Part 2 Figure 3 is repealed and replaced with revised Attachment "B".
   - Part 3(c) In the "Parkway (incl. 7 acre school site)" row, "68a" is struck out and "*69*a" is substituted;
   - Part 3(e) *DELETED;*
   - Part 4(a) "102" is struck out and "*85*" is substituted;

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

The Riel Community Committee provided the following supporting reason for its recommendation:

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated June 30, 2009.

PUBLIC HEARING SUMMARY

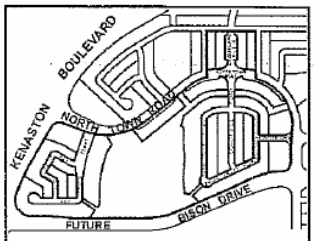
File: SPA 1/2009 [c/r DASZ 3/2009]

Before: Riel Community Committee
Councillor Swandel, Chairperson
Councillor Steeves
Councillor Vandal

Public Hearing: July 13, 2009
Council Chamber
Council Building, 510 Main Street

Applicant: MMM Group Limited (Veronica Hicks)

Subject:



APPLICANT : MMM GROUP LTD.
FILE : SPA 1/09
PROPOSAL: Council has given first reading to By-Law No. 35/2009, which proposes to amend the Waverley West Northeast Neighbourhood Area Structure Plan By-Law No. 210/2006 (subject area shown outlined above) by replacing Figure 3: Land Use Concept Plan and revising section 5 regarding allotments of residential, parkway and open space uses and use of the former landfill site. **For information, phone Mr. K. Kowalke, Planner at 986-5917.**
DEMANDEUR: MMM GROUP LTD.
N° DE RÉFÉRENCE : SPA 1/09
PROJET : Le Conseil a adopté en première lecture le projet de règlement n° 35/2009 qui prévoit la modification du règlement no 210/2006 (zone indiquée ci-dessus) sur le Plan d'aménagement du secteur de Waverley Ouest (quartier nord-est) par le remplacement de l'illustration 3 : Plan conceptuel d'utilisation des sols et révision de la partie 5 visant le lotissement des aires résidentielles, des parcs et des espaces ouverts ainsi que l'utilisation de l'ancienne décharge. **Pour obtenir des renseignements, veuillez communiquer avec M. K. Kowalke, urbaniste, au 986-5917.**

Premises Affected:	Waverley West Northeast Neighbourhood, Lands west of Waverley Street and North of Cadboro Road

Exhibits Filed:

1. Application dated February 5, 2009
2. Notification of Public Hearing dated April 21, 2009, 2009
3. Letter of authorization dated January 13, 2009 from Dwayne Rewniak, Director of Land Development, The Manitoba Housing and Renewal Corporation to MMM Group Limited
4. Plans (2 pages)
5. Report from the Planning and Land Use Division dated June 30, 2009
6. Inspection Report
7. Supporting Documentation submitted by Paul McNeil at the Public Hearing
8. Audio Recording of representations of public hearing held on July 13, 2009

REPRESENTATIONS:

In Support:

James Gallagher
Paul McNeil, MMM Group Limited

In Opposition

Nil

For the City:

Ms. S. Matile, Land Development Engineer, Planning, Property and Development Department
Mr. K. Kowalke, Planner, Planning, Property and Development Department

Exhibit "5" referred to in File SPA 1/2009 [c/r DASZ 3/ 2009]

ADMINISTRATIVE REPORT

ISSUE: SPA 1/09 Waverley West Northeast Neighbourhood Public Hearing

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

AUTHORIZATION

Author	Department Head	CFO	CAO
Kurtis Kowalke Planner			

RECOMMENDATIONS

1. That By-law No. 35/2009, an amendment to the Waverley West Northeast Neighbourhood Area Structure Plan, be forwarded to Council for second and third reading with the following amendments:
   E. Part 2 Figure 3 is repealed and replaced with revised Attachment "B".
   F. Part 3(c) In the "Parkway (incl. 7 acre school site)" row, "68a" is struck out and "*69*a" is substituted;
   G. Part 3(e) *DELETED;*
   H. Part 4(a) "102" is struck out and "*85*" is substituted;

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, it will enable the redevelopment of the City-owned former landfill site with the addition of housing and an active recreational open space for the Waverley West Northeast Neighbourhood (Bridgwater Forest).

HISTORY

The Waverley West Area Structure Plan was approved by City Council on November 21, 2007 as By-Law No. 10/06.

The Waverley West Northeast Neighbourhood Area Plan was approved by City Council on December 6, 2006 as By-Law No. 210/06.

On January 13, 2009, the City of Winnipeg Planning, Property and Development Department (Real Estate Division) authorized this application on condition of the sale of the former landfill site to Manitoba Housing and Renewal Corporation.

MMM Group, on behalf of MHRC, submitted an application to amend the Waverley West Northeast Neighbourhood Area Plan on January 21, 2009.

Council gave first reading to By-law No. 35/2009, an amendment to the Waverley West Northeast Neighbourhood Area Structure Plan, on March 25, 2009.

Subsequent to first reading of the By-Law, the applicant had a professional survey plan created to more accurately calculate the amount of public space dedication. As a result, the total amount of parkway allotted under this application is one acre less than originally estimated (69 acres instead of 70 acres).

CONSULTATION

In preparing this Report there was consultation with:

Public Works Department
Transit Department
Water and Waste Department

SUBMITTED BY

Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by	Kurtis Kowalke
Date:	June 30, 2009
File No.	SPA 1 / 09

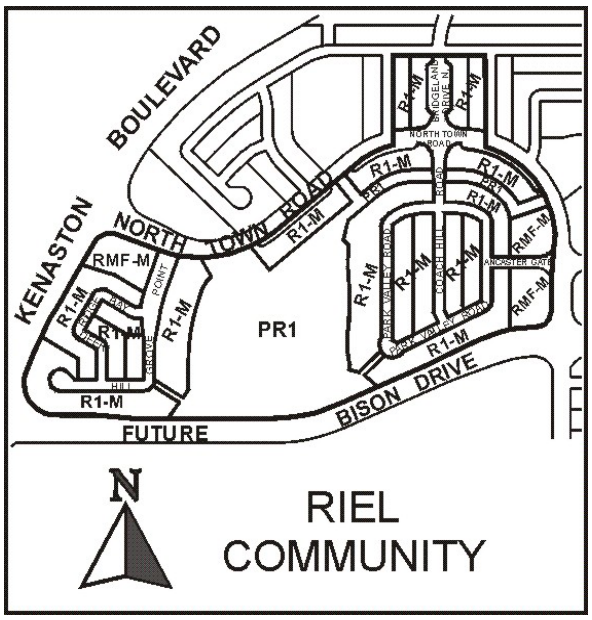
Appendix A – Analysis
Attachment A – By-law No. 35/2009
Attachment B – Proposed land use concept plan - Waverley West Northeast Neighbourhood
Attachment C – Existing land use concept plan - Waverley West Northeast Neighbourhood

APPENDIX 'A'

File: **SPA 1/2009**
Related Files: SP 4/05, SP 5/05, DASZ 1/06, DASZ 3/09

Subject: Amend the Waverley West Northeast Neighbourhood Area Structure Plan By-Law No. 210/2006 (subject area shown outlined below) by replacing and revising Figure 3: Land Use Concept Plan and revising section 5 regarding allotments of residential, parkway and open space uses and use of the former landfill site

Location: Waverley West Northeast Neighbourhood (Bridgwater Forest) east of Kenaston Boulevard between Bison Drive & North Town Road



Applicant: Veronica Hicks, MMM Group Ltd.
Suite 111 – 93 Lombard Avenue
R3B 3B1

Owner: Manitoba Housing and Renewal Corporation
City of Winnipeg

1.0 Site Description
The Waverley West Northeast Neighbourhood Area is located in the northeast portion of Waverley West, south of Bishop Grandin Boulevard and west of Waverley Street. It comprises approximately 145 hectares (360 acres) of land. The proposed amendment affects areas south of North Town Road only. Adjacent areas north of North Town Road are currently undeveloped, but are comprised of parks and recreation zoning and single-family and multi-family residential zoning. Lands south and west of the planned area represent future phases of Waverley West for which detailed neighbourhood plans have not yet been completed.

2.0 Description of the Proposed Development

- The proponent as made an offer to purchase the former landfill site from the City of Winnipeg for $1.00 and to excavate, remediate and redevelop the site at no cost to the City of Winnipeg.
- Originally designated for future passive open space, the former landfill site will be developed with a ten acre active recreation space.
- The Land Use Concept Plan would be amended to rationalize drainage, circulation and organization of land uses in conjunction with the redevelopment of the former landfill. (See Schedules B and C.)
- The breakdown in changes to land uses are as follows:

Land Use	Existing (acres)	Proposed (acres)
Lower Density Residential	199	219
Higher Density Residential	28	25
Parkway	68	59
Future Open Space (former landfill)	18	0
Open Space for Active Recreation	0	10

3.0 Analysis

3.1 PLAN INTENT

The guiding principles of the Waverley West Northeast Neighbourhood Plan are:

- Creation of a cohesive and diverse neighbourhood
- Development of an efficient, multi-modal transportation system
- Protection of existing natural areas
- Compatibility and connectivity with existing and future neighbourhoods
- Creation of an innovative and unique neighbourhood design
- Greater use of alternative energy sources
- Access to a wide choice of housing alternatives

3.2 RESIDENTIAL AREAS

- The Northeast Neighbourhood Plan provides for the development of a residential neighbourhood at predominantly low densities with limited higher density residential on the east, next the Waverley Street entrance, and the west, adjacent to the future Town Centre neighbourhood.
- The Amendment will permit the development of 112 more single-family lots within the Plan area on lands formerly designated for future open space (landfill site), multi-family and parkway development.
- The Amendment also includes a slight reduction in multi-family designated areas, from 28 to 25 acres.

3.3 NEIGHBOURHOOD NODES

- The purpose of Neighbourhood Nodes is to provide a transit focus and meeting place for the surrounding Residential Area. Connectivity of the Neighbourhood Node to the surrounding neighbourhood will be achieved through the convergence of roads and pathways on the node. A Neighbourhood Node should be complementary to the

surrounding neighbourhood while maintaining a distinct and identifiable character. A Neighbourhood Node shall contain any combination of the following:

i) a transit stop;
ii) a concentration of housing which may include multi-unit residential;
iii) a park;
iv) a school;
v) a pathway connection;
vi) institutional, recreational, community, local commercial, or other uses determined to be transit-supportive.

- The Amendment eliminates the multi-unit residential component from one of the Neighbourhood Nodes. The question remains as to what combination of elements will create the "*distinct and identifiable character*" that defines a Node under the plan, or whether this Node is effectively lost.
- The two other Neighbourhood Nodes and Key Focal Point are unaffected by this application.

3.4 PARKS AND OPEN SPACE

- Policies in the Parks and Open Space section provide for the dedication of park land to achieve several functions including on-site drainage, passive and active recreation and active transportation networks. Greenspaces shall be connected to one another through a neighbourhood greenway system that facilitates a generally uninterrupted network of habitats and/or pathways.
- The original Northeast Neighbourhood Plan included an over-dedication of public space. Although the amended land use plan reduces the public space dedication from 86 to 69 acres, it still represents an over-dedication of public space for the Northeast Neighbourhood (above the required 8% of developable land).
- Details around how the reduced over-dedication of public space will affect public space allocations in future Waverley West Neighbourhoods is outlined in the report of the Administrative Coordinating Group, attached to the report for file DASZ 3/09 as Schedule B.
- 18 acres of public space allotment in the original Northeast Neighbourhood Plan was the City owned landfill site, which was not in a condition suitable for public use. No funds had ever been identified to redevelop the landfill for passive open space, which would involve either minimal excavation and capping or the more costly complete excavation and clean-up being proposed.
- As part of this application, the developer has committed to complete remediation of the former landfill in exchange for the land.
- As a result of the Amendment, the Neighbourhood will have a major ten-acre active recreation space created that can accommodate two soccer fields and a baseball diamond with available parking in the immediate vicinity on-street and off-street for over 150 cars.
- The original Land Use Concept Plan included a parkway system of trails that seamlessly linked the lakes, forest stands, and other public open spaces. The Amendment results in a long segment of pathway that now goes through the middle of a residential area rather than through park space. However, the path does satisfy the policies for paths and parkways in the Plan and has its own 60 foot wide green corridor.

3.5 DEVELOPMENT DENSITY

- Plan Winnipeg encourages the development of new residential areas to be “compact” in order to reduce land consumption and overall servicing and maintenance costs. Higher residential densities in suburban areas also improves the efficiency of transit routes by exposing a greater potential ridership to the transit route.
- Policies in the Northeast Neighbourhood Area Structure Plan are designed to provide opportunities to increase the overall density of residential areas. Higher density residential areas will generally be located near the Town Centre, or along bus routes, with the exception of a site at the Waverley Street entrance to the plan area. There are also provisions for flexibility in the application of density ranges as the area develops.
- While the Amendment increases the overall density of the Neighbourhood in terms of estimated number of dwellings, the net density of the residential areas decreases as a result of increased single-family areas and a slight decrease in multi-family areas.
- The applicant refers to changes in market conditions (no detailed data available) related to the viability of higher amounts of multi-family residential development.
- The applicant notes that the future Town Centre Neighbourhood to the west will accommodate a significant proportion of the multi-family market. The mixed-used concept for that area will demand a significant residential density for its viability.

3.6 SERVICING AND PHASING

- Part of the former landfill site is being used for the Winnipeg Police shooting range until mid-2011.
- The eastern half of the site can be excavated prior to 2011 without interrupting the operation of the shooting range. Manitoba Housing and Renewal Corporation is prepared to coordinate with the Winnipeg Police Service to ensure safety and to minimize the likelihood of conflicting activities.
- Excavation of the east half of the site will enable the development of the Lake 3 retention pond, which is needed before any site grading can take place for Phase 3 of the Northeast Neighbourhood in 2010.
- Phase 3 includes the Kenaston Boulevard extension between Bishop Grandin and North Town Road. (See Figure 1 – Construction Phasing.) The development agreement, as amended at Council in December, requires the construction of the second vehicular access by the end of 2010. That same development agreement amendment limits the number of building permits that can be released for this neighbourhood to 500 before the second access is in place.
- Phase 1 (parts A, B and C) includes approximately 470 building lots. Phase 2 will include approximately 250 building lots. Therefore, very little development of Phase 2 will be possible until the main transportation link through Phase 3 is complete.
- To date, 136 building permits have been issued for this neighbourhood (all in Phase 1).
- Other servicing recommendations of the Administrative Coordinating Group are found attached to the report for file DASZ 3/09 as Schedule B.

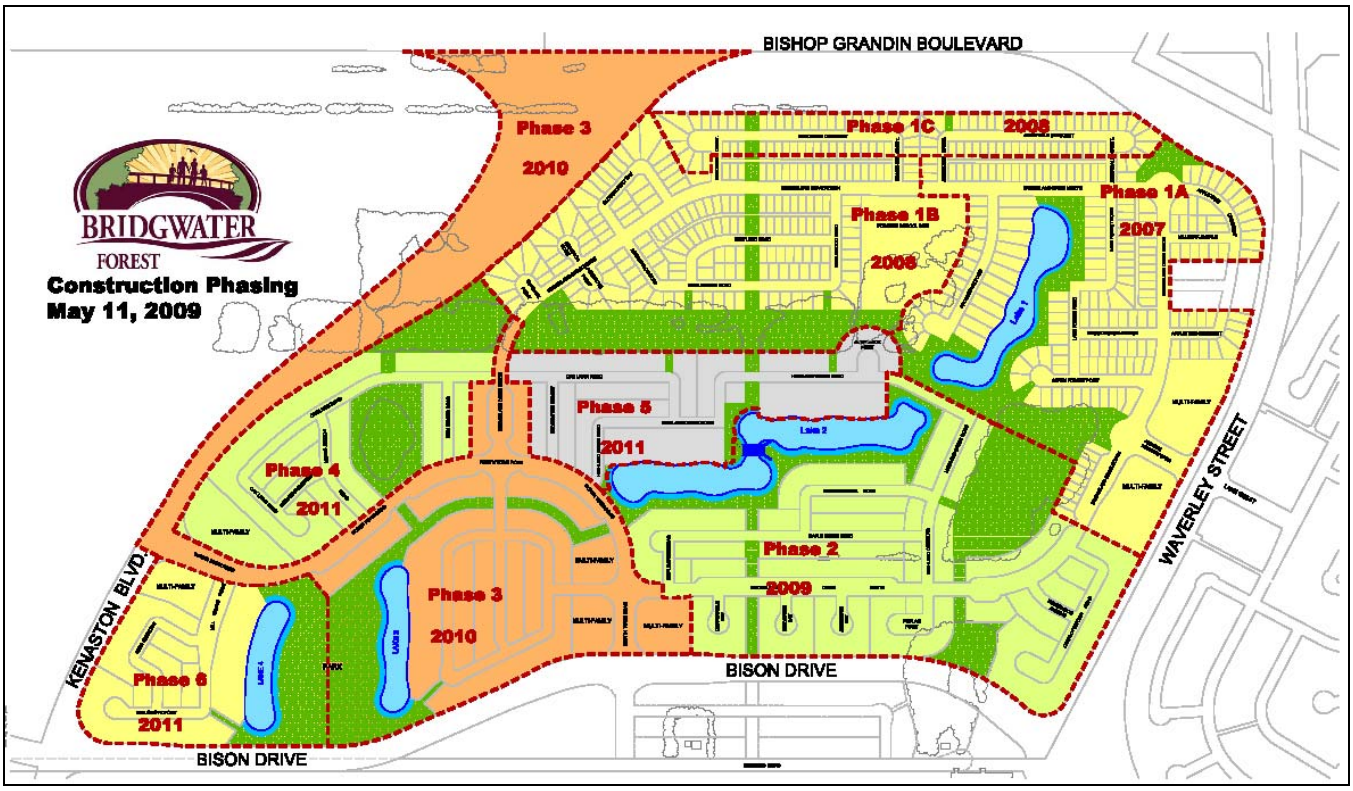


Figure 1: Construction phasing - Waverley West Northeast Neighbourhood

4.0 Recommendation

The Planning and Land Use Division recommends approval.

- The policies and intent of both the Northeast Area Structure Plan and the overall Waverley West Area Structure Plan are satisfied.
- The removal of the landfill and development of active recreation space will provide a positive net benefit to the neighbourhood.
- Secondary changes resulting from this amendment will impact some aspects of neighbourhood character (notably: residential diversity, design of the parkway and neighbourhood nodes).
- As subsequent phases of Waverley West are developed, the local mix of residential densities, park space and public amenities is expected to balance out (without creating a deficit within any one neighbourhood) in accordance with the policies of the overall Waverley West Area Structure Plan.

Attachment 'A' to the report to the Riel Community Committee for File SPA 1/2009, dated June 30, 2009.

THE CITY OF WINNIPEG

BY-LAW NO. 35/2009

A By-law of THE CITY OF WINNIPEG to amend the Waverley West Northeast Neighbourhood Area Structure Plan By-law No. 210/2006.

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

1 *This By-law amends the Waverley West Northeast Neighbourhood Area Structure Plan By-law No. 210/2006.*

2 *Figure 3 is repealed and replaced with Attachment "B".*

3 *In the table in section 5.0:*

(a) *In the* "Lower Density Residential (incl. 6 acre church site)" *row,* "199a" *and* "60%" *are struck out and* "219a" *and* "66.5%*" respectively are substituted;*

(b) *In the* "Higher Density Residential" *row,* "28a" *and* "8.5%" *are struck out and* "25a" *and* "7.5%" *respectively are substituted;*

(c) *In the* "Parkway (incl. 7 acre school site)" *row,* "68a" *is struck out and* "70a" *is substituted;*

(d) *In the* "Open Space (former landfill)" *row,* "Open Space (former landfill)", "18a" *and* "5.5%" *are struck out;*

(e) In the "TOTAL" *row,* "329a" *is struck out and* "330a" *is substituted.*

4 *In section 5.5, under* "Intent":

(a) "102" *is struck out and* "86" *is substituted;*

(b) *The following is struck out:*

As a result of the high percentage of open space the Northeast Neighbourhood has minimal opportunities for active recreation areas, however, pedestrian connections will be incorporated to access future development cells that will provide active park space.

and the following is substituted:

An active recreation site may be developed on the former landfill site to provide active recreation opportunities for this neighbourhood.

5 *In section 5.5.6:*

(a) *Subsections (1), (2) and (3) are repealed;*

(b) *Subsection (4) is added as follows:*

(4) Prior to development, the former landfill site shall be remediated to the satisfaction of the City of Winnipeg Water and Waste Department.

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

Certified as to content:

for Director of Planning, Property & Development

Approved as to form:

for Acting City Solicitor/Manager of Legal Services

Attachment 'B' to the report to the Riel Community Committee for File SPA 1/2009, dated June 15, 2009

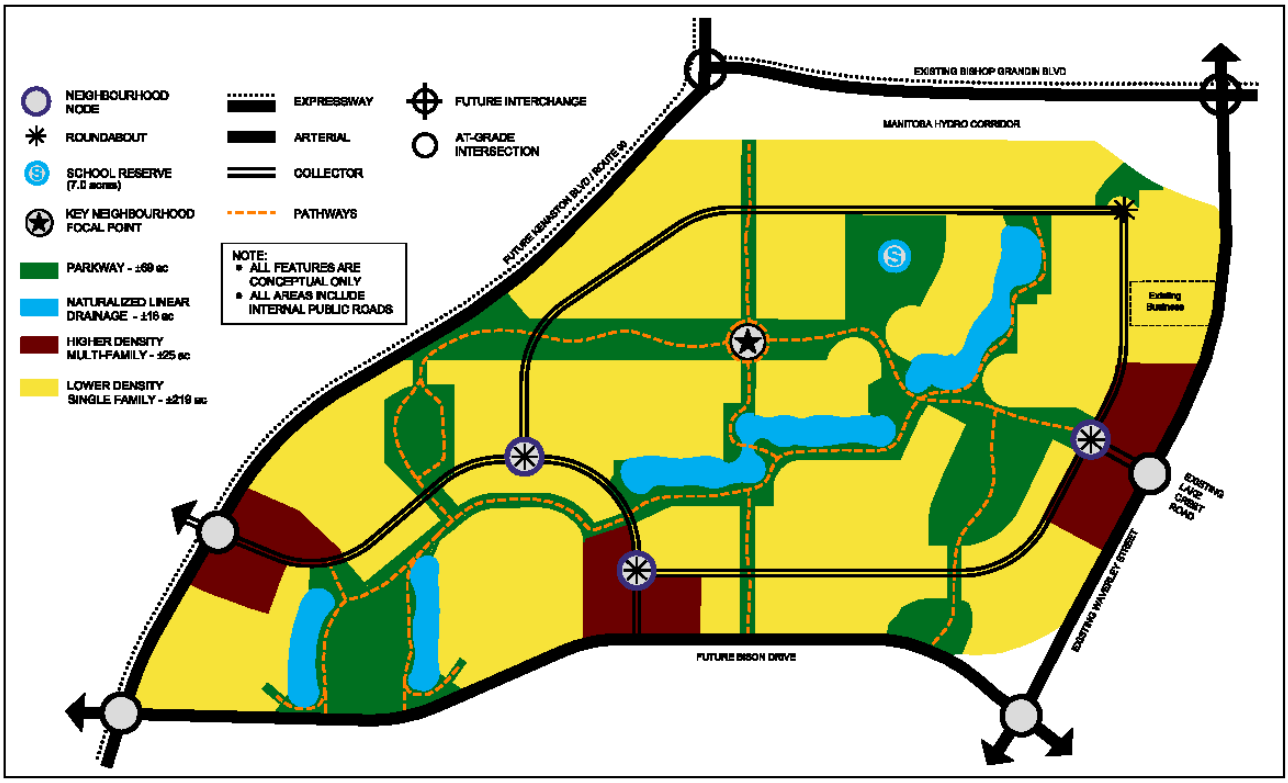
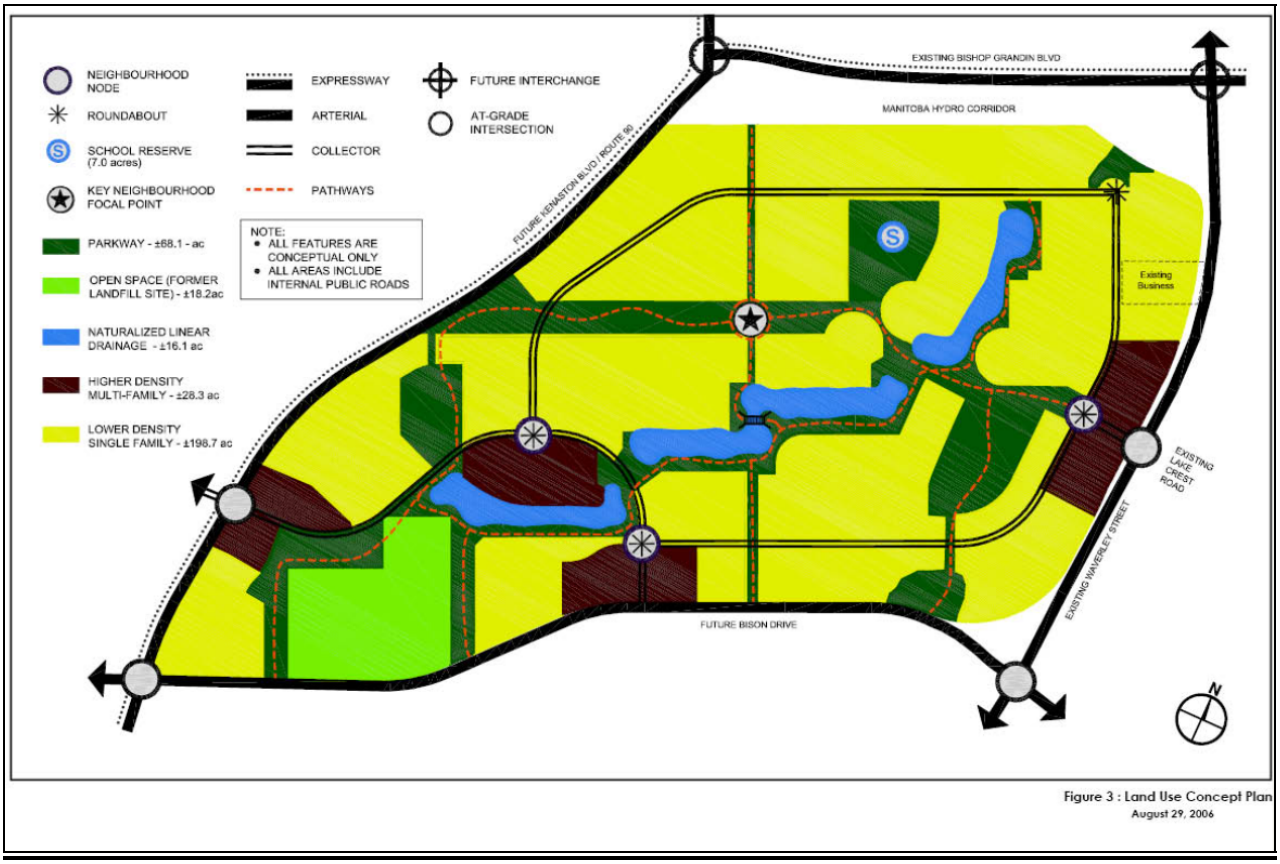


Figure 3: Land Use Concept Plan
June 26, 2009

Proposed land use concept plan - Waverley West Northeast Neighbourhood

Attachment 'C' to the report to the Riel Community Committee for File SPA 1/2009, dated June 15, 2009



Existing land use concept plan - Waverley West Northeast Neighbourhood