Minutes - Executive Policy Committee – July 10, 2013

Minute No. 407
Report - Standing Policy Committee on Property and Development – July 2, 2013

Item No. 28 Site Planning Process for Co-located community amenities – School Divisions and City of Winnipeg

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the matrix in Appendix A be endorsed in principle as a tool to be utilized in discussions between the Public Service and School Divisions in the City of Winnipeg.

2. That the Winnipeg Public Service be directed to use the tool as a guide for joint planning for the development of co-located community amenities on shared or School Division and City of Winnipeg lands.

3. That site plans related to this report be subject to plan approval by the appropriate Community Committee.

4. That the Public Service be directed to enter into discussions with the Pembina Trails School Division (PTSD) and the Public Schools Finance Board to confirm the short and long-term plans for the Division’s building expansion program.

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

Minutes - Executive Policy Committee – July 10, 2013

Report - Standing Policy Committee on Property and Development – July 2, 2013

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That the recommendation of the Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On July 2, 2013, the Standing Policy Committee on Property and Development recommended that the following be forwarded to the Executive Policy Committee and Council:

1. That the matrix in Appendix A be endorsed in principle as a tool to be utilized in discussions between the Public Service and School Divisions in the City of Winnipeg.

2. That the Winnipeg Public Service be directed to use the tool as a guide for joint planning for the development of co-located community amenities on shared or School Division and City of Winnipeg lands.

3. That site plans related to this report be subject to plan approval by the appropriate Community Committee.

4. That the Public Service be directed to enter into discussions with the Pembina Trails School Division (PTSD) and the Public Schools Finance Board to confirm the short and long-term plans for the Division's building expansion program.

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

STANDING COMMITTEE RECOMMENDATION:

On June 11, 2013, the Standing Policy Committee on Property and Development laid over the matter to the July 2, 2013, meeting of the Standing Policy Committee on Property and Development.

Report - Standing Policy Committee on Property and Development – July 2, 2013

DECISION MAKING HISTORY: (continued)

STANDING COMMITTEE RECOMMENDATION: (continued)

On May 7, 2013, the Standing Policy Committee on Property and Development granted the Winnipeg Public Service an extension of time of 30 days to report back on the matter.

On March 12, 2013, the Standing Policy Committee on Property and Development granted an extension of time of 60 days for the Winnipeg Public Service to report back on the matter.

On January 15, 2013, the Standing Policy Committee on Property and Development granted an extension of time to March 12, 2013, for the Winnipeg Public Service to report back on the matter.

On November 30, 2012, the Standing Policy Committee on Property and Development referred the recommendation of the Riel Community Committee to the Winnipeg Public Service for report back at the Standing Policy Committee on Property and Development meeting on January 15, 2013.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 5, 2012, the Riel Community Committee passed the following motion, namely:

WHEREAS the Pembina Trails School Division and the Public Schools Finance Board are considering an 8 classroom and daycare space expansion of École RHG Bonnycastle School in Waverley Heights;

AND WHEREAS this appears to be the unloading of school and daycare needs in Waverley West onto this already mature community;

AND WHEREAS there have been major traffic and pedestrian safety issues around the school;

AND WHEREAS a child was struck by a car in front of the school last week;

Report - Standing Policy Committee on Property and Development – July 2, 2013

DECISION MAKING HISTORY: (continued)

COMMUNITY COMMITTEE RECOMMENDATION: (continued)

AND WHEREAS a joint use agreement exists with the school for the parks lands around the school and whereas the parks lands were part of the dedication in the original development on Waverley Heights and form part of the overall concept of the neighbourhood;

AND WHEREAS any expansion can have an impact on those lands and the overall community;

THEREFORE BE IT RESOLVED that no approvals or permits for an expansion of École RHG Bonnycastle School be approved until such time as a community based planning process for the entire site (school and adjacent green space and parking) be conducted and recommendations from that process are brought forward to inform a plan for the said site, and forwarded to the Standing Policy Committee on Property and Development.

ADMINISTRATIVE REPORT

Title: Issuance of Permits for École RHG Bonnycastle School Expansion (St. Norbert Ward)

Critical Path: Standing Policy Committee on Property and Development

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Kiernan	B. Thorgrimson	N/A	P. Sheegl

RECOMMENDATIONS

1. That the Public Service be directed to enter into discussions with the Pembina Trails School Division (PTSD) and the Public Schools Finance Board to confirm the short and long-term plans for the Division's building expansion program.

REASON FOR THE REPORT

On May 7, 2013 the Standing Policy Committee on Property and Development granted an extension of
time of 30 days for the Winnipeg Public Service to report back on the matter.

IMPLICATIONS OF THE RECOMMENDATIONS

The Province of Manitoba in June, 2011 amended the Planning Act, Public Schools Act and the City of Winnipeg Charter to address the need for 10-12 acres for elementary schools and 12-15 acres for a high school. Dual track schools, limited early year's class size, and co-located day care requirements have affected current school land requirements.

There have been numerous requests of late by the suburban school divisions to purchase park land for school and daycare expansions. Decisions could be precedent setting and a clear, consistent and well rationalized process and explanations must support the final decision.

A number of joint use agreements have now expired and require re-negotiation with specific individual School Divisions.

HISTORY

The Pembina Trails School Division and the Public Schools Finance Board have proposed an additional eight classrooms and daycare space expansion at École Bonnycastle School in Waverley Heights. Concerns have been identified regarding the impact of this expansion on the proposed development of the required school and daycare in Waverley West and the immediate impacts on an already mature community. In addition, there have been ongoing concerns related to traffic and pedestrian safety issues adjacent to the current school.

A joint use agreement has been in place with the Pembina Trails School Division for the park lands around École Bonnycastle School, and the adjacent park lands were part of the land dedication for the original development in Waverley Heights. These lands form part of the overall concept of the neighbourhood. It has been noted that any facility expansion will have an impact on those lands and the overall community.

On November 30, 2012, the Standing Policy Committee on Property and Development referred the recommendation of the Riel Community Committee to the Winnipeg Public Service for a report based on the following Community Committee motion:

WHEREAS the Pembina Trails School Division and the Public Schools Finance Board are considering an 8 classroom and daycare space expansion of École RHG Bonnycastle School in Waverley Heights.
AND WHEREAS this appears to be the unloading of school and daycare needs in Waverley West onto this already mature community.
AND WHEREAS there have been major traffic and pedestrian safety issues around the school
AND WHEREAS a child was struck by a car in front of the school last week.
AND WHEREAS a joint use agreement exists with the school for the parks lands around the school and whereas the parks lands were part of the dedication in the original development on Waverley Heights and form part of the overall concept of the neighbourhood.
AND WHEREAS any expansion can have an impact on those lands and the overall community.

THEREFORE BE IT RESOLVED that no approvals or permits for an expansion of École RHG Bonnycastle School be approved until such time as a community based planning process for the entire site (school and adjacent greenspace and parking) be conducted and recommendations from that process are brought forward to inform a plan for the said site, and forwarded to the Standing Policy Committee on Property and Development.

On March 12th, 2013 the Standing Policy Committee on Property and Development granted an extension of time of 60 days for the Winnipeg Public Service to report back on the matter of the Issuance of Permits for École RHG Bonnycastle School Expansion (St. Norbert Ward)

On April 30, 2013 the Province of Manitoba announced that the an 86,000-square-foot school, new French-English elementary school, which will be for 600 students from early learning stage to the Grade 8 level, will be built on 8.8 acres at the southeast corner of Waverley Street in the South Pointe area of the Waverley West housing development. The school will also house a new 114-space childcare centre.

The school is to feature:

- Facilities for special-needs students.
- Learning resource centre and library.
- Band and music room.
- Physical education and health facility.
- Science technology education room.
- Outdoor learning environment.
- Practical arts classroom.

On May 7, 2013 the Standing Policy Committee on Property and Development granted an extension of
time of 30 days for the Winnipeg Public Service to report back on the matter.

If additional lands are required for new facilities via joint use, lease or sale then the Public Service seeks the Area Councillor's concurrence. However if the facility expansion is contained within division lands then a building permit may be directly secured. If a variance is required e.g. parking, etc. then Board of Adjustment approval is needed.

The Public Service is cautious in the process of negotiating regarding exclusive use of existing park lands particularly if the lands were previously acquired through the land dedication process.

Legal Services has indicated conditions requested by the City e.g. caveats placing restrictions on former park lands, are not enforceable in the long term without specific maintained interests. The sole means of ensuring that the lands remain as park or open space is for the City to maintain ownership.

Current Status/Next Steps:

- The Winnipeg Public Service has developed a matrix (Appendix A) to guide focused collaboration and planning for joint use or co-located park and school sites, and recommends that following the matrix become a requirement of the process for any development proposed on joint use school sites. Specific site planning requires that the proposed impacts be viewed both from the School Division and Public Service perspective at the neighbourhood, community and regional levels, and the matrix will facilitate the necessary dialogue early in the process.

- The matrix will be used to guide and support all discussions on collaborative planning between the Winnipeg Public Service and any affected School Division regarding the development of shared community amenities.

- Any unsolicited offer which affects park lands will utilize a similar evaluation model.

Attachments:

Appendix A Matrix for Proposals Impacting City of Winnipeg- Joint Use Sites
Appendix B Proposed Regulations for *The Planning and Land Dedication for Schools*
Appendix C Representative Sample of Co-located Sites

FINANCIAL IMPACT

Financial Impact Statement Date: May 28, 2013

Project Name:

Issuance of Permits for École RHG Bonnycastle School Expansion (St. Norbert Ward)

COMMENTS:

There are no financial implications associated with this report.

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

CONSULTATION

In preparing this report there was consultation with:
Community Services Department
Public Works

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Design
Prepared by: John Kiernan
Date: May 30, 2013
File No.

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Appendix A Evaluation Matrix

Proposals Impacting City of Winnipeg Park Space
School and Joint Use Site Planning

We would note that the items below are to shape the information required to enter into a site planning partnership and allow strategic projects to move forward with greater community support. Elements noted are not a pass/fail but to allow discussion of a specific requests in a broader context.

It will be the applicant's responsibility to show how the proposed changes not only benefit their specific current requirements but the overall community context, and the long term planning requirements of a complete community.

1. Demonstrated / Demographic Need**

- School Demographics and Division demand
- Daycare Need and Policy Changes
- Community Characteristics

2. Overall School Division Plan**

- Current Reality
- Division 5 year Plan / 10 year projections
- School and Division trends and Strategic Plans
- Neighbourhood / Community Consultation strategy

3. Community Green Space Comparison*

- Suburban – Curvilinear
- Traditional – Grid
- Amenities impacts – green space / facilities
- Compensation if any for loss or impact on Greenspace
- Opportunities for joint use – building or site

4. Overall Site Plan - Area Concept Planning #

- Elementary School (min 10 acre)
- High School Minimum (min 15acre)
- Co-location of park and greenspace opportunities

5. Traffic Impact Analysis**

- Review and analysis statement
- Traffic Impact study – As required

6. Detailed Site Planning #

- Proposed site changes
- Parking and drop off requirements
- Functional Review – fields, circulation, parking,
- Site and land drainage
- Site impacts (carrying capacity, maintenance, etc.)
- Application of Walkable Communities, CPTED and Universal Design Principles.

*City of Winnipeg / **Proponent / # Joint review by City of Winnipeg and Proponent

Appendix B

Proposed Regulations for *The Planning and Land Dedication for Schools*

The Planning and Land Dedication for School Sites Act was approved by the Province in 2011. The Act requires municipalities to consult with school divisions as part of the development review process to determine school site needs, requires developers to convey 10% of land or equivalent in-lieu fee to school divisions as part of the subdivision process, that the conveyance be provided on a 'pre-development' assessment cost & not include the cost of servicing, and requires municipalities to have school division concurrence before registering any subdivision with Land Titles.

The Act has been reviewed and critique by many different stakeholders, including municipalities and the development community, on a variety of fronts. These include but are not limited to the consultation process, impediments to development review processes, and ensuring that lands are taken with fair compensation.

- *Application to Subdivision of four or more parcels* – The Act requires any developer who files a subdivision application of four or more parcels and a public road to convey 10% of the land area to the school division for a school site, or pay an equivalent in-lieu fee. Per the Act, the municipality is responsible for imposing this condition as a condition of subdivision approval.

- *Price paid for land* – The Act requires a developer or land owner to convey 10% of the lands at a "pre-development" assessment rate. This rate will be less than the value of land after development approvals, and does not include the cost of servicing the land, which can exceed the land's value.

- *Land Acquired for School Sites* – The Act requires a conveyance of 10% of the land for school purposes, but does not require the school division to construct a school on the site.

- *Model School Site* – The Act proposes a 'model' school site of 10 – 12 acres for elementary schools, with significant areas set aside for outdoor learning centres, day care, school bus unloading areas, drop off areas, and parking lots.

- The model elementary school proposed is significantly larger than schools built to date both in terms of size (typically 3 – 5 acres) and student capacity (model school of 600 students, expandable with up to two additional phases. This will have significant impacts in terms of school site placement, traffic generation and transportation impacts, and ability to access the school via active transportation means.

Appendix C

Representative Co-located Sites and Examples

High Schools

High School	School Land (acres)	City Park Land (acres)	Total Acreage	
Kelvin High School	6.6	0	6.6	
Sisler High School	9.1	23.6	32.7	
River East Collegiate	17.3	5.4 (arena)	17.3	*
Garden City Collegiate	11	0	11	**
Murdoch MacKay	19.7	13.8	33.5	***
Sturgeon Heights	20.3	15.7	36	
Oak Park	4.7	10.2	14.9	

Elementary School

Chief Peguis Jr. High	7.8	5.4 (arena)	7.8	*
Forest Park School	3.1	0	3.1	**
HC Avery Middle School	2.9	0	2.9	**
Pierre Elliot Trudeau	3	13.8	16.8	***