Minutes – Executive Policy Committee – May 22, 2020

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – May 21, 2020

Item No. 8 Amendment to Council Policy PD-023 Railside at the Forks Concept Plan (Fort Rouge-East Fort Garry Ward)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

1. That the Railside at the Forks Concept Plan, Policy No. PD-023 be amended in accordance with Appendix "C" attached hereto.

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, Heritage and Downtown Development – May 21, 2020

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than four business days preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Mayes,

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

Carried

Councillor Mayes asked to be recorded as having voted against the above motion, in accordance with Rule 47(7) of The Procedure By-law No. 50/2007.

STANDING COMMITTEE RECOMMENDATION:

On May 21, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

STANDING COMMITTEE RECOMMENDATION:

On January 6, 2020 the Standing Policy Committee on Property and Development, Heritage and Downtown Development further laid the matter over to its meeting on April 6, 2020.

Tom Scott submitted a communication with respect to the matter.

On November 18, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development laid the matter over for 30 days.

ADMINISTRATIVE REPORT

Title: Amendment to Council Policy PD-023 Railside at the Forks Concept Plan

Critical Path: Standing Policy Committee on Property and Development, Heritage and Downtown Development – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	J. Kiernan	N/A	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

The Forks Renewal Corporation (FRC) has submitted requests for a series of amendments to the Railside at the Forks Concept Plan (the Concept Plan) to provide for more flexibility as building design proposals are considered.

Railside at the Forks Concept Plan is a local area plan and is defined as the lands generally bounded by Stephenson Way to the north, Waterfront Drive to the east, Forks Market Road to the south, and the CNR right-of-way to the west. It was adopted as Council policy in December 2017 and is not a statutory plan. No new development entitlements were conveyed through adoption of the Plan. The City is an owner/shareholder in the Forks Renewal Corporation.

The Public Service recommends approval of the amendments since they do not impact the overall goals of the concept plan and they remain consistent with existing zoning entitlements.

RECOMMENDATIONS

1. That the Railside at the Forks Concept Plan, Policy No. PD-023 be amended in accordance with Appendix “C” attached hereto.

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

REASON FOR THE REPORT

On September 25, 2019, Scatliff Miller Murray, as consultants for the FRC, submitted a request to amend the Concept Plan (attached as Appendix A). Prior to the report being referred to Council a second letter with further proposed amendments was received (attached as Appendix B). The specific wording of the amendments in Appendix C was arrived at collaboratively with FRC and their consulting team.

Only Council can amend adopted policy and Appendix B of the Concept Plan spells out the process for an amendment. Concept Plan amendments require notification to all property owners within the plan area; in this instance, the City and Forks Renewal Corporation are the only property owners.

IMPLICATIONS OF THE RECOMMENDATIONS

The Railside at the Forks Concept Plan is intended to guide future decision making. It provides a series of policies for the Public Service to follow during the review and analysis of development applications. The Plan is adopted as Council policy and not as a by-law since it is not intended to be prescriptive or regulatory in nature. All future development applications, most notably urban design review, will be considered in the context of the policies, as amended.

HISTORY/DISCUSSION

The Railside at the Forks Concept Plan was adopted by Council on December 13, 2017. The intent of the Concept Plan is to refine and implement the City's broader planning objectives, as contained in *OurWinnipeg* and *Complete Communities*. The Concept Plan articulates the long-term vision and core principles for the development of the Railside Lands, and provides the guidance required to realize that vision.
The following summarizes the requested changes laid out in Appendix C and describes the rationale:

Change to policy 6.1.1
Removing the size range (15,000 – 25,000 square feet) to describe individual development parcels
Explanation:
Actual parcels are expected to be both above and below this range, but the ability to foster a diverse mix of architecture and ownership models remains.

Change to policy 6.1.1(1)
Allowing 6 storey buildings to exceed 65 feet in height and providing criteria and a process by which taller buildings may be developed up to 8 storeys
Explanation:
The default building height maximum within this zoning sector is 100 feet, while properties adjacent to William Stephenson Way are exempt from the maximum height to a Floor Area Ratio of 12. Buildings over six storeys can be accommodated by addressing shadow impacts on public spaces. Approval to build over 6 storeys would be informed by the Urban Design Review process.

Change to policy 7.1.1(2)
Decreasing the minimum amount of public realm that will be incorporated into the development
Explanation:
75% public space remains the intent for the overall Railside development, assuming future reconfiguration of the Israel Asper right-of-way. Within the boundaries of individual phases (for example, the Phase 1 TIF area) the net amount of public space would be less, but no less than 60% of total land area. It is acknowledged that that vehicular loading, patios and pedestrian pathways will comprise part of the 60%. Typically in new

subdivisions, 10% of land is dedicated to park space. In a downtown context, the Public Service is more concerned with the quality, content, functionality and programming of these spaces, which will be addressed as part of the Urban Design Review process.

Change to policy 9.3.1(4)
Changing the type of policy to allow the development to proceed without a geothermal heating and cooling system if it is deemed impractical or impossible or to allow an acceptable equivalent alternative
Explanation:
It is not the intent of a local area plan policy to impose undue hardship on a developer that would make a project unviable. The applicant is building under existing entitlements and no servicing agreement is expected to be required.

Change to policy 9.3.1(10)
Changing the type of policy to allow the development to proceed without district energy monitoring
Explanation:
This change is linked to the previous one. District energy monitoring is not possible if a geothermal system is not implemented.

Change to policy 9.3.1(11)
Changing the type of policy to allow alternatives to community gardens and green roofs provided the intent of addressing local food production is still met
Explanation:
This change provides more flexibility in achieving the overall intent.

Change to policy 9.5.1(5)
Changing the reference to the location of the archaeological dig and potential stormwater retention
Explanation:
This is correcting an error. The archaeological dig and potential stormwater retention is located at Railside North.

Change to policy 10.3.1(4)
Adding a reference to building code requirements for sprinklers and fire department connections
Explanation:
Not all buildings will necessarily require sprinklers and fire department connections.

The FRC has submitted requests, included as Appendix A and Appendix B, to amend the Concept Plan to provide for more flexibility as building design proposals are considered.

The Concept Plan envisions the Railside area as an urban village, with modestly scaled fine-grained buildings designed to minimize shadows and create well-proportioned pedestrian spaces. The proposed amendments are not a significant deviation from this intent, and are primarily intended to provide more flexibility as detailed designs come forward.

FINANCIAL IMPACT

Financial Impact Statement

Date: February 28, 2020

Project Name:

Amendment to Council Policy PD-023 Railside at the Forks Concept Plan

COMMENTS:

There are no direct financial implications associated with the recommendations in this report.

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

CONSULTATION

This Report has been prepared in consultation with:
N/A

OURWINNIPEG POLICY ALIGNMENT

The Railside Lands are in the Downtown, which is designated as a Transformative Area in *OurWinnipeg*. The Key Direction under *Complete Communities* part 03-1a Organizing Downtown states –

> *Pursue a focused district, destination and cluster approach to development downtown that will seek to:*
> - *provide more predictability and opportunity for investment;*
> - *increase the variety of complementary experiences and opportunities;*
> - *help achieve a critical mass of people-oriented activity that is vital to ongoing economic success.*

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The proposed amendments support the redevelopment of the Railside Lands and advances Key Direction 4.1 from the Winnipeg Climate Action Plan:

> *Increase Strategic Infill Development that Provides Access to and Capitalizes on Existing and Planned Corridors with Frequent Transit Service*

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning and Design
Prepared by: Kurtis Kowalke, Principal Planner
Date: March 5, 2020

Attachments:

Appendix A – September 25, 2019 amendment request on behalf of FRC

Appendix B – November 24, 2019 amendment request on behalf of FRC

Appendix C – Policy Amendment