Agenda – Council – July 23, 2020

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

Item No. 11 Public Markets Secondary Plan – 660-856 Marion St., 746 Archibald St. & 1 Speers Rd., Riel Community File SP 1/2019

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 15, 2020, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee, as amended, and submitted the following to Council:

1. That the Public Markets Secondary Plan By-law No. 47/2019 (the "By-law") be amended in accordance with Revised Appendix 'D' of this report, with the following additional amendments:

    A. Delete Section 31 in its entirety and replace with the following:

        "31. Add the following policies after policy 3.2.2.6 and renumber these policies and any remaining policies within section 3.2.2 accordingly:

            3.2.2. Commercial buildings may be required to include sprinkler systems as part of ensuring that added safety measures are provided within the planning area. This determination will be made in consultation with the City, and industry experts and be based on use, building size, occupancy and applicable building code.

            3.2.2. Residential buildings shall include sprinkler systems as part of ensuring that added safety measures are provided within the planning area.

            3.2.2. With the intent to further minimize any potential concerns related to odour or noise emanating from existing industrial land uses outside the planning area, residential dwelling units shall be climate controlled with noise attenuation features. Such requirements shall be dealt with at the Development Application stage, detailed in a Zoning or Development Agreement and registered on title."

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

3.2.2. Notification signage shall be considered in areas where new residential development may be impacted by existing industrial uses outside of the planning area. Specific signage requirements shall be identified at the Development Application stage."

B. Delete Section 52 in its entirety and replace with the following:

"52. Add the following policies after policy 3.3.2.16. and renumber these policies and any remaining policies within section 3.3.2 accordingly:

3.3.2. With the intent to further minimize any potential concerns related to odour or noise emanating from existing industrial land uses outside the planning area, residential dwelling units shall be climate controlled with noise attenuation features. Such requirements shall be dealt with at the Development Application stage, detailed in a Zoning or Development Agreement and registered on title

3.3.2. Notification signage shall be considered in areas where new residential development may be impacted by existing industrial uses outside of the planning area. Specific signage requirements shall be identified at the Development Application stage."

C. Delete Section 90 in its entirety and replace with the following:

"90. Up to 600 dwelling units may be permitted within Phase 1 with collector road access to Marion Street, generally located across from Dupuy Avenue, and access at the northern terminus of and connected to Speers Road. Additional dwelling units may be permitted once emergency access can be established to the satisfaction of the Director of Planning, Property & Development in consultation with the Chief of the Winnipeg Fire Paramedic Service and Director of Public Works. A proposal to develop the emergency access should be supported by a study that demonstrates how target emergency response times to the planning area will be met."

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

D. Amend Section 19 by deleting the word "to" immediately after "where determined" and adding the word "to" immediately after "City".

E. Amend Section 27 by deleting the words "this policy" and replacing with "these policies" in the introductory paragraph

F. Amend Section 83 by replacing "MSCD" with "MCSD"

2. That Council give second and third reading to the By-law, as amended.

3. That Council rescind its decision of March 22, 2006 under file EP-1 "Public Markets Land Use Plan Update":

    1. That the Conceptual Land Use Plan dated March 9, 2006, be approved as the preferred land use and development plan for the Public Markets site.

4. 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 – July 13, 2020

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 15, 2020, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee, with the following amendments:

- Delete Recommendation 1.C. in its entirety and replace with the following:

  "C. Delete Section 90 in its entirety and replace with the following:

  90. Up to 600 dwelling units may be permitted within Phase 1 with collector road access to Marion Street, generally located across from Dupuy Avenue, and access at the northern terminus of and connected to Speers Road. Additional dwelling units may be permitted once emergency access can be established to the satisfaction of the Director of Planning, Property & Development in consultation with the Chief of the Winnipeg Fire Paramedic Service and Director of Public Works. A proposal to develop the emergency access should be supported by a study that demonstrates how target emergency response times to the planning area will be met."

  D. Amend Section 19 by deleting the word "to" immediately after "where determined" and adding the word "to" immediately after "City".

  E. Amend Section 27 by deleting the words "this policy" and replacing with "these policies" in the introductory paragraph

  F. Amend Section 83 by replacing "MSCD" with "MCSD""

and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 13, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development did not concur in the recommendation of the Riel Community Committee and submitted the matter to Executive Policy Committee and Council without recommendation.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

DECISION MAKING HISTORY:

COMMUNITY COMMITTEE RECOMMENDATION:

On June 25, 2020, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments:

- In Recommendation 1, delete the words "Appendix "D" to this report" and replace with the following:

  "Revised Appendix 'D' to this report, with the following additional amendments:

  A. Delete Section 31 in its entirety and replace with the following:

     "31. Add the following policies after policy 3.2.2.6 and renumber these policies and any remaining policies within section 3.2.2 accordingly:

     3.2.2. Commercial buildings may be required to include sprinkler systems as part of ensuring that added safety measures are provided within the planning area. This determination will be made in consultation with the City, and industry experts and be based on use, building size, occupancy and applicable building code.

     3.2.2. Residential buildings shall include sprinkler systems as part of ensuring that added safety measures are provided within the planning area.

     3.2.2. With the intent to further minimize any potential concerns related to odour or noise emanating from existing industrial land uses outside the planning area, residential dwelling units shall be climate controlled with noise attenuation features. Such requirements shall be dealt with at the Development Application stage, detailed in a Zoning or Development Agreement and registered on title.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

3.2.2. Notification signage shall be considered in areas where new residential development may be impacted by existing industrial uses outside of the planning area. Specific signage requirements shall be identified at the Development Application stage.

B. Delete Section 52 in its entirety and replace with the following:

"52. Add the following policies after policy 3.3.2.16. and renumber these policies and any remaining policies within section 3.3.2 accordingly:

3.3.2. With the intent to further minimize any potential concerns related to odour or noise emanating from existing industrial land uses outside the planning area, residential dwelling units shall be climate controlled with noise attenuation features. Such requirements shall be dealt with at the Development Application stage, detailed in a Zoning or Development Agreement and registered on title

3.3.2. Notification signage shall be considered in areas where new residential development may be impacted by existing industrial uses outside of the planning area. Specific signage requirements shall be identified at the Development Application stage.

C. Amend Section 90 by deleting the word "may" immediately following "Additional dwelling units" and replace with the word "shall"."

and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

PUBLIC HEARING SUMMARY

File: **SP 1/2019**

Before: Riel Community Committee
Councillor Allard, Chairperson
Councillor Chambers
Councillor Mayes

Public Hearing: June 25, 2020
June 5, 2020
Council Building, 510 Main Street

Applicant: McGowan Russell Group (Susan Russell)

Subject:

PUBLIC MARKETS SECONDARY PLAN
SP 1/2019



Council has given first reading to the Public Markets Secondary Plan By-law No. 47/2019, which applies to the lands identified in the Complete Communities Direction Strategy By-law No. 68/2010 as Major Redevelopment Site 'D', and authorized a Public Hearing (pursuant to Section 234(3) of the City of Winnipeg Charter) to be held before the Riel Community Committee. The proposed Secondary Plan provides direction for the orderly development of lands within Major Redevelopment Site 'D'. It incorporates land use concepts, transportation networks, and municipal service delivery. **For information, phone Mr. R. Kostiuk, Planner, at 204-986-7367.**

Le conseil municipal a fait une première lecture du Public Markets Secondary Plan By-law No. 47/2019 (règlement municipal sur le plan secondaire de Public Markets), qui s'applique aux biens-fonds décrits comme site de réaménagement majeur D dans le Complete Communities Direction Strategy By-law No. 68/2010 (règlement municipal sur la stratégie d'orientation des collectivités complètes), et a approuvé la tenue d'une audience publique (conformément au paragraphe 234(3) de la Charte de la ville de Winnipeg) devant le comité municipal de Riel. Le plan secondaire proposé établit des directives pour l'aménagement ordonné des biens-fonds du site de réaménagement majeur D. Il prend en compte différents concepts d'utilisation des sols, les réseaux de transport et la prestation des services municipaux. **Pour plus de renseignements, veuillez communiquer avec M. R. Kostiuk, urbaniste, au 204-986-7367.**

Premises Affected:	660-856 Marion St., 746 Archibald St. & 1 Speers Rd.
For submission to:	The Standing Policy Committee on Property and Development, Heritage and Downtown Development
Prepared by:	Rebecca Ford, Committee Clerk Riel Community Committee
Report date:	June 30, 2020

Community Committee Recommendation:

On June 25, 2020, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the Public Markets Secondary Plan By-law No. 47/2019 (the "By-law") be amended in accordance with ~~***Appendix "D" to this report***~~***, Revised Appendix "D" to this report, with the following additional amendments***:

    A. Delete Section 31 in its entirety and replace with the following:

        31. Add the following policies after policy 3.2.2.6 and renumber these policies and any remaining policies within section 3.2.2 accordingly:

            3.2.2. Commercial buildings may be required to include sprinkler systems as part of ensuring that added safety measures are provided within the planning area. This determination will be made in consultation with the City, and industry experts and be based on use, building size, occupancy and applicable building code.

            3.2.2. Residential buildings shall include sprinkler systems as part of ensuring that added safety measures are provided within the planning area.

            3.2.2. With the intent to further minimize any potential concerns related to odour or noise emanating from existing industrial land uses outside the planning area, residential dwelling units shall be climate controlled with noise attenuation features. Such requirements shall be dealt with at the Development Application stage, detailed in a Zoning or Development Agreement and registered on title.

3.2.2. Notification signage shall be considered in areas where new residential development may be impacted by existing industrial uses outside of the planning area. Specific signage requirements shall be identified at the Development Application stage.

B. Delete Section 52 in its entirety and replace with the following:

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3.3.2. With the intent to further minimize any potential concerns related to odour or noise emanating from existing industrial land uses outside the planning area, residential dwelling units shall be climate controlled with noise attenuation features. Such requirements shall be dealt with at the Development Application stage, detailed in a Zoning or Development Agreement and registered on title

3.3.2. Notification signage shall be considered in areas where new residential development may be impacted by existing industrial uses outside of the planning area. Specific signage requirements shall be identified at the Development Application stage.

C. Amend Section 90 by deleting the word "may" immediately following "Additional dwelling units" and replace with the word "shall"

2. That Council give second and third reading to the By-law, as amended.

3. That Council rescind its decision of March 22, 2006 under file EP-1 "Public Markets Land Use Plan Update":

1. That the Conceptual Land Use Plan dated March 9, 2006, be approved as the preferred land use and development plan for the Public Markets site.

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

Note: The wording in bold and italics denotes amendments made by the Community Committee.

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

1. I this this applicant really has done a tremendous job with public engagement, engagement with the Public Service, area stakeholders, and they've presented a secondary plan which is workable in an extremely complicated site. A major redevelopment with industrial, commercial and residential. I think this does go in line with what has been a desire in the community of St. Boniface for some time to de-industrialize, or at least de-intensify industrial uses in the area, in particular because of some of the negative interactions we have with residential and industrial operations. I think that this plan has probably brand new language around the co-existence of residential and industrial uses. With some of the language that's been added in the Secondary Plan. This plan is bringing in things that I've never seen before in city documents, and some of them are really moving forward on some of the issues that I've experienced as an area Councillor, especially under industrial and residential mitigation issues.

2. There's a good balance between all of the interests. This is a complicated site, it's not going to be without its challenges to develop I'm sure. Once, and if the secondary plan is approved by Council, we'll start the work of drilling down in to what buildings and development applications will be considered.

3. The other thing I find of particular interest to this development in terms of our Climate Change Action Plan and climate change alignment is the mode-shift component, which we've heard the proponent guesstimated anywhere within 20 to 30 percent. Our Climate Change Action Plan recommends mode-shift of 50 percent by 2030, which is a tall order. We need to approve development like the one that we're considering approving today, for secondary plans, like the secondary plan we're considering today in order to eventually hit those targets. I'm particularly thrilled with the concept of a pedestrian and active transportation connection, which once fully-built would be a beautiful addition to our overall active transportation network.

4. In terms of the safety issues, which were perhaps the crux of the Administration's reservations, I think they have been addressed by subject matter experts in terms of the risk of trains blocking all of the accesses, I understand the chances to be very, very small. Hard to comprehend the number because it's so small. I think if you compare it to other developments where you may only have one access for example, I think it is reasonable what's being proposed here. Those are some of my thoughts. Overall it's been a very robust process. I want to thank everybody involved, including our Public Service, who's done tremendous work on this issue.

Exhibits Filed:

1. Application dated May 10, 2019
2. Notification of Public Hearing
3. Council Decision of October 4, 2019; contains report from the Director of Planning, Property and Development dated September 13, 2019
4. First Reading of By-law No. 47/2019 by Council on October 4, 2019
5. Manitoba Status of Titles 1198487/1, 1198490/1, 1225764/1, 2312935/1, 2466721/1, 2684230/1, 2691167/1, 2704118/1, 2835751/1, 2835759/1, 2835770/1, 2835786/1, 2835783/1, 2835786/1
6. Letter of authorization dated May 16, 2019 from May 16, 2019 to McGowan Russell Group Inc.
7. Caveats 87-34546, 3464734/1, 4444256/1
8. Plans (1 page)
9. Drainage Brief dated May 3, 2019
10. Public Markets Redevelopment Traffic Impact Assessment dated May 3, 2019
11. Public Markets (MRS D) Emergency Response Mitigating Measures dated May 28, 2019
12. Development of MRS-D Traffic Impact Study dated February 11, 2020 and revised May, 2020
13. Public Markets Site (MRS D) Conceptual Development Plan Open House #1 dated June 21, 2018
14. Public Markets Site (MRS D) Conceptual Development Plan Open House Round 2 dated November 29, 2018
15. Public Markets Site (MRS D) Conceptual Development Plan First Stakeholders Meetings dated June 4, 5, and 6, 2018
16. Public Markets Site (MRS D) Conceptual Development Plan Stakeholder Meeting #2 dated October 30, 2018
17. Remediation Plan for the Former Canada Packers, Swifts Canada Company and Public Markets Site in Winnipeg, Manitoba dated June 26, 2018
18. Canada Packers Land – Preliminary Servicing Analysis dated January 14, 2019
19. Market Analysis Examining the Need and Demand for New Mixed-Use Development – Public Markets Redevelopment Site, 660 & 780 Marion Street, Winnipeg, MB dated October, 2017
20. Emergency Access Evaluation dated May, 2020
21. Communication dated January, 2020 and revised May 14, 2020, from McGowan Russell with regards to the application
22. Report from the Urban Planning Division dated May 27, 2020

Exhibits Filed (continued)

23. Communication dated June 4, 2020, from Gary Tessier in support of the application
24. Communication dated June 3, 2020, from Michelle Berger in support of the application
25. Communication dated June 3, 2020, from Christine Trickey in support of the application
26. Communication dated May 27, 2020, from Don Snodgrass in support of the application
27. Communication dated May 28, 2020, from Dennis Cruise, Bituminex Paving, in support of the application
28. Plan submitted by Jackie Wilkie in support of the application
29. Communication from Jonathan Boisvert in support of the application
30. Communication dated May 26, 2020, from Luc Dube, PIT Enterprises, in support of the application
31. Communication dated March 13, 2020, from Norm Gousseau, CEOP, Entreprises Riel, in support of the application
32. Communication dated May 28, 2020, from Scott W. Bailey, Piston Ring Service, in support of the application
33. Communication dated May 26, 2020, from Trottier Piling Ltd. in support of the application
34. Communication from Joel Grant in opposition to the matter
35. Communication dated June 5, 2020, from Walter Kleinschmit in support of the application
36. Communication from Tom Scott, Chair, United Neighbourhoods of Winnipeg, in support of the application
37. Presentation dated June 5, 2020 from Olexa Developments in support of the application
38. Presentation dated June 5, 2020, from Donovan Toews, Landmark Planning, in support of the application
39. Applicant comments and revisions to the proposed change based on Appendix D
40. Communication dated March 4, 2020, from Jennifer Mathieson, Executive Director, Norwood Grove BIZ, in support of the application
41. Recording of Representations
42. Notice of Adjournment dated June 11, 2020
43. Presentation submitted by Jackie Wilkie in support of the application

REPRESENTATIONS:

In Support:

Susan Russell
Robert Scarletta
Jackie Wilkie
Meagan Boles
Dave Poole
Robert Kurylko
Brad Cook
Claudio Covelli
Dan Mages
Norman Gousseau
Walter Kleinschmit

In Opposition:

Kelly Simpson
Mike Walks
Mark Kennedy
Jeff Miller

For Information:

Brendan Salakoh
Donovan Toews
John Bayliss
Scott Masterson
Joel Grant

For the City:

E. Finnigan, Planner, Planning, Property and Development Department
R. Kostiuk, Planner, Planning, Property and Development Department
J. Lane, Chief Fire Paramedic, Fire Paramedic Service
D. Patman, Manager of Transportation, Public Works Department
M. Reshaur, Assistant Chief of Fire Prevention and Public Education, Fire and Paramedics Service
D. Trenchard, Land Development Engineer, Planning, Property and Development Department

Exhibit "22" referred to in File SP 1/2019

ADMINISTRATIVE REPORT

Title: Proposed Secondary Plan for the Public Markets Major Redevelopment Site (Major Redevelopment Site 'D') – By-law 47/2019 – File No. SP 1/2019

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

AUTHORIZATION

Author	Department Head	CFO	CAO
V. Lawson	J. Kiernan		

EXECUTIVE SUMMARY

The purpose of a secondary plan is to provide detailed policies to direct development within a specific area of the city. Through a collaborative planning process, these plans should adapt and implement the objectives and policies of *OurWinnipeg* and the *Complete Communities Direction Strategy* ("Complete Communities") to the local context and provide certainty regarding future development aspirations for the area.

On May 31, 2019 the Urban Planning and Design Division received a secondary plan application for Major Redevelopment Site 'D' – Public Markets ("Public Markets Secondary Plan," hereinafter referred to as the "Proposed Plan"). The Proposed Plan is organized into three land use policy areas (Employment, Commercial, and Medium and Higher Density Residential) to achieve the vision and guiding principles. The majority of the site is designated for Employment uses, while Commercial uses are predominantly located in the northwest portion of the site. The target number of dwelling units in the Medium and Higher Density Residential policy area is 1,200.

On October 24, 2019 Council gave First Reading to the Public Markets Secondary Plan By-law No. 47/2019. The Administrative Report for First Reading, while supportive, identified the following key outstanding concerns:

> *A preliminary review of the Proposed Plan and key supporting studies has identified a number of issues, including potentially serious concerns related to emergency access to the Planning Area and traffic. The Public Service will continue to work with the applicant to attempt to resolve such outstanding issues in advance of the public hearing. Recommendations resulting from continued discussion with the applicant will be included in the Public Service Report for the public hearing.*

Per the above, the Public Service continued to work with the applicant, particularly on emergency access, which is a key concern because the subject site is surrounded by rail. On May 7, 2020, the applicant provided the Final Emergency Access Evaluation for the subject site. The Emergency Access Evaluation seeks to answer two questions:

1. What is the probability of one or more of the three grade level crossings being blocked, when WFPS is responding to a call within the Development?
2. If one or more of the three grade level crossings are blocked when WFPS is responding to call within the Development, is there an increase in response time, and if so, what is the response time for WFPS?

The Emergency Access Evaluation indicates that the chances of the subject site being completely blocked by rail during an emergency call is low (0.00228%), and that the chances of the site having two of the three proposed accesses blocked by rail during an emergency call is also low (0.241%). The Emergency Access Evaluation states that the chance of one of the three accesses being blocked by rail during an emergency call is 8.07% and concludes through an analysis of multiple scenarios, that in most scenarios, the target emergency response times for the WPFS should be met.

However, the Public Service's review of the Emergency Access Evaluation notes a number of limitations, the most significant being the assumption that emergency responders are made aware of a blockage at dispatch through the use of a technical solution, which is not the case. This raises concerns that first responders may not reach the subject site within the target response times as presented in the Emergency Access Evaluation. Accordingly, from an emergency services perspective, the Public Service views that subject site continues to function as if it has two accesses and continues to recommend a maximum of 600 dwelling units on the subject site, which is consistent with NFPA document 1141, Standard for Fire Protection Infrastructure for Land Development in Wildland, Rural and Suburban Areas.

Other key concerns, such as mitigation between incompatible land uses, have been addressed through revised policies with respect to minimum setbacks. The Public Service is recommending a number of alterations to the Public Markets Major Redevelopment Site "D" Secondary Plan. Most of these are minor amendments that are intended to: add clarity to existing policies or sections, address minor grammatical errors, or replace certain terms with defined terms in the Plan. Key recommended alterations to the Proposed Secondary Plan include:

- Elimination of any reference to the Medium Density Residential Area
- The restriction of certain land uses in some policy areas
- A requirement for sprinkler systems in buildings in all policy areas
- An updated Appendix A – Land Use and Transportation Concept Plan
- Updated phasing policies
- Clearer policies for mitigation from rail operations.

With the recommendations of the Public Service, the Proposed Secondary Plan is consistent *OurWinnipeg* and the *Complete Communities Direction Strategy.*

RECOMMENDATIONS

1. That the Public Markets Secondary Plan By-law No. 47/2019 (the “By-law”) be amended in accordance with Appendix “D” to this report.
2. That Council give second and third reading to the By-law, as amended.
3. That Council rescind its decision of March 22, 2006 under file EP-1 “Public Markets Land Use Plan Update”:

    1. That the Conceptual Land Use Plan dated March 9, 2006, be approved as the preferred land use and development plan for the Public Markets site.

4. 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

An application has been received for the adoption of a secondary plan for the Public Markets Major Redevelopment Site ‘D’ (MRS ‘D’) of the *Complete Communities Direction Strategy*.

On October 24, 2019, Council gave First Reading to Secondary Plan By-law No. 47/2019 and directed the Riel Community Committee to conduct a public hearing and provide its recommendations to Council.

Only Council can enact a by-law. A public hearing is required to be held between first and second reading of a secondary plan by-law.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Public Service are concurred in, the Public Markets Secondary Plan By-law No. 47/2019 will be given second and third reading in accordance with the alterations provided in Appendix “D” of this report.

The reasons for the recommended alterations to the Plan are provided in Appendix “A” (Planning Discussion) attached to this report.

HISTORY/DISCUSSION

- The subject site had been used for livestock related industries for most of the 1900's.
- In the 1990's, the City of Winnipeg acquired much of the subject site through direct acquisition and tax sale.
- In 2006, Council endorsed a concept plan for the site (see March 22, 2006, Council Minutes "Public Markets Land Use Plan Update," File EP-1).
- In 2006, DASZ 15/2006 was approved by Council, but the application was not proceeded with and a by-law was not enacted (see June 28, 2006, Council Minutes "Subdivision and Rezoning - 660 and 780 Marion Street," DASZ 15/2006).
- In 2007, lands owned by the City of Winnipeg on the Public Markets site were sold.
- In 2011, the subject site was designated as a Major Redevelopment Site under *OurWinnipeg* and the *Complete Communities Direction Strategy*.
- In May and October of 2018, the proponent submitted pre-applications for the subject site. The Public Service provided feedback letters to those pre-applications in July and December, 2018 respectively.
- In June and November of 2018 the proponent undertook public consultation for proposed development on the site.
- On May 31, 2019 the Urban Planning and Design Division received a secondary plan application for Major Redevelopment Site 'D' – Public Markets along with the following supporting studies:
    - A traffic impact assessment (TIA)
    - An emergency response memo
    - A drainage brief.
- In mid-June, 2019, the Proposed Plan and available supporting studies were circulated for internal and external comment.
- On August 12, 2019, a Draft Traffic Impact Study, which provided more detail than the TIA, was submitted and was circulated for review by the Public Works Department.
- On August 19, 2019, the following studies were submitted:
    - Preliminary infrastructure review (servicing analysis)
    - Environmental remediation plan
    - Public consultation report
    - A market analysis.
- On October 24, 2019, the Public Markets Major Redevelopment Site "D" Secondary Plan No. 47/2019 was given First Reading by Council. The Administrative Report for First Reading, while supportive, identified key concerns related to emergency access and traffic, and stated that the Public Service would continue to work with the applicant to attempt to resolve such outstanding issues in advance of the public hearing.

- In early-January, through continued dialogue with respect to concerns raised by the WFPS about emergency access, the applicant proposed to undertake an Emergency Access and Evaluation Study. Information requested from the City to complete study included historical call data for a 5-year period provided in a Geographic Information System (GIS) format.
    - The Public Service expended a significant amount of time processing the dataset to ensure that private call-related information would not be included.
    - Following the preparation of the dataset, it was determined that the data sharing agreement would require Council approval. The Administrative Report for the data sharing agreement was submitted in late-February, 2020.
- On January 14, 2020, the applicant submitted a draft Review of Separation Distances between Proposed Multi-Family Residential and Existing Industrial along with proposed changes to the Plan policies that aligned with the review.
- On March 18, 2020, the applicant submitted a draft Emergency Access Evaluation, which included an alternative approach from what was discussed in January, 2020 and that relied on publically available data.
- On May 4, 2020, the applicant provides an email stating that they would like to proceed to the June 5 Riel Public Hearing and will submit a Final Emergency Access Evaluation that will not rely on the historical call data that was subject to a data sharing agreement.
- On May 6, 2020, Council approves a data sharing agreement to de-identified electronic data with the proponent to quantify the risk associated with the proposed development of the subject site.
- On May 7, 2020 the applicant provides the Final Emergency Access Evaluation.
- On May 15, 2020, the applicant provides the Final Review of Separation Distances between Proposed Multi-Family Residential and Existing Industrial, and Final Traffic Impact Study (after review with the Public Works Department).

CONSULTATION

This Report has been prepared in consultation with:

Internal:
- Legal Services (as to legal issues)
- Planning, Property and Development
- Public Works
- Water and Waste
- Community Services
- Transit
- Winnipeg Fire and Paramedic Service
- Office of Sustainability

OURWINNIPEG POLICY ALIGNMENT

OurWinnipeg

The subject land is identified as a Major Redevelopment Site in figure 01a (Winnipeg's Urban Structure) of *OurWinnipeg.*

The Key Direction for Major Redevelopment Sites (Section 01-1c) is that they will *provide transformative opportunities for the development of complete communities with significant residential and employment densities and attractive urban design, capitalizing on vacant or underutilized sites within the existing urban fabric.*

***OurWinnipeg* refers to section 03-3 of *Complete Communities* for additional detail.**

Complete Communities Direction Strategy

The subject land is identified as Major Redevelopment Site 'D' in figure 03f of *Complete Communities*.

Complete Communities provides the following characteristics of a Major Redevelopment Site:

- Large, functionally obsolete or under-utilized lands, such as former industrial areas.
- Located within the existing urban framework, often along rail lines, major corridors or rapid transit corridors and adjacent to existing communities.
- Present opportunities for transformative and strategic mixed use infill and intensification.
- May present challenges to redevelopment, such as inadequate infrastructure capacity or contamination.

Section 03-3 Major Redevelopment Sites, states: *major redevelopment sites will provide transformative opportunities for the development of complete communities with significant residential and employment densities and attractive urban design, capitalizing on vacant or underutilized sites within the existing urban fabric.*

Key Directions for 'Major Redevelopment Sites' (Section 03-3) include:

- Direction 1 - Promote development of Major Redevelopment Sites with proactive and collaborative planning process.
- Direction 2 - Capitalize on the proximity of Major Redevelopment Sites to rapid transit and high frequency transit and high frequency transit.
- Direction 4 - Major redevelopment sites will provide for complete communities with significant levels of mixed use, high density development, with strong urban design and attractive parks, places and open spaces.

With the recommendations of the Public Service, the Proposed Secondary Plan is consistent with *OurWinnipeg* and the *Complete Communities Direction Strategy.*

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

With the recommendations of the Public Service, the Proposed Secondary Plan aligns with the following policies from the Winnipeg Climate Action Plan:

4.2 Ensure New Areas of Growth are Designed According to the Principles of Complete Communities
4.4 Support Redevelopment of Former Commercial and Industrial Lands into Active Use

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning
Prepared by: Robert Kostiuk, MCIP RPP
Date: May 27, 2020
File No: SP 1/2019 (By-law 47-2019)

Attachments:

Appendix ‘A’ – Planning Discussion
Appendix ‘B’ – By-law No. 47/2019
Appendix ‘C’ – Schedule “A” to By-law No. 47/2019 - Public Markets Secondary Plan
Appendix ‘D’ – Recommended Second and Third Reading Alterations to the Public Markets Major Redevelopment Site “D” Secondary Plan
Appendix ‘E’ – Supporting Studies Submitted After First Reading

APPENDIX 'A' – Planning Discussion

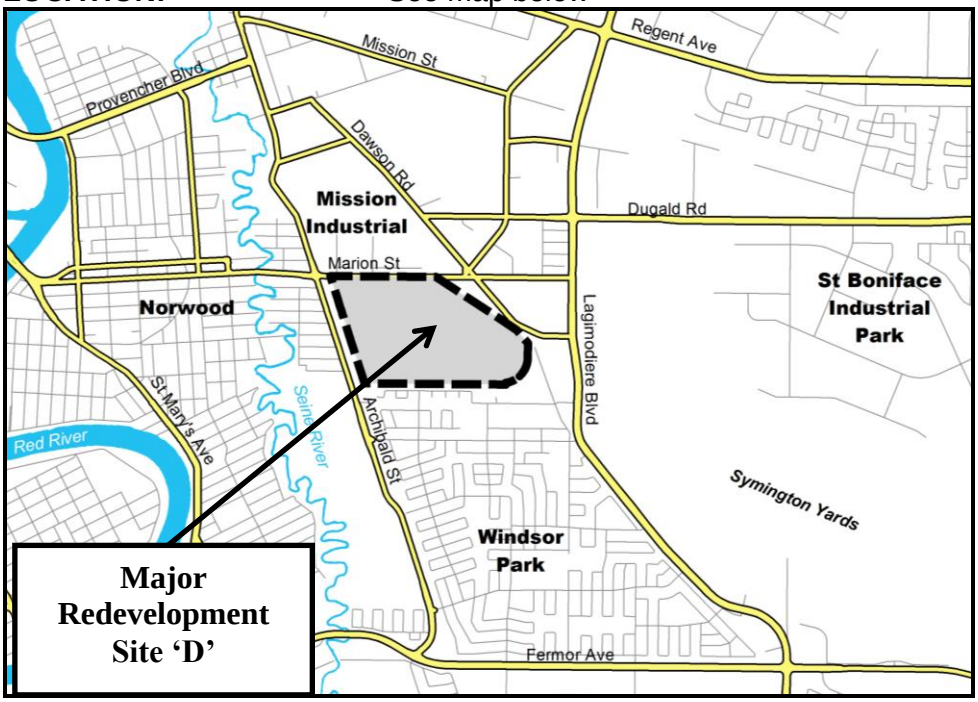
DATE: May 27, 2020

FILE: SP 1/2019 (By-law 47/2019)

COMMUNITY: Riel
NEIGHBOURHOOD #: 5.539 Stock Yards

SUBJECT: Proposed Public Markets Secondary Plan (Secondary Plan By-law No. 47/2019) for Complete Communities Major Redevelopment Site 'D'.

LOCATION: See map below



APPLICANT: McGowan Russell (Susan Russell)
825 St. Joseph Street
Winnipeg, MB R2H 34B

OWNER(S): 7319828 Manitoba Ltd.
CP Limited & CNR Company
5695954 Manitoba
David Jeanson Holdings
Marion Business Park Inc.
5513597 Manitoba

RECOMMENDATION: **Approval with amendments**

PURPOSE OF THE PROPOSED PLAN

- The proposal is to adopt a secondary plan by-law to guide the future residential, commercial and industrial development of Major Redevelopment Site 'D' – Public Markets (hereinafter referred to as the Public Markets) as identified in *Complete Communities*.

PLANNING AREA

- The Planning Area, identified in *Complete Communities*, is approximately 222 acres in area and comprises just over half of the Stock Yards neighbourhood (see Figure 1 – Planning Area).

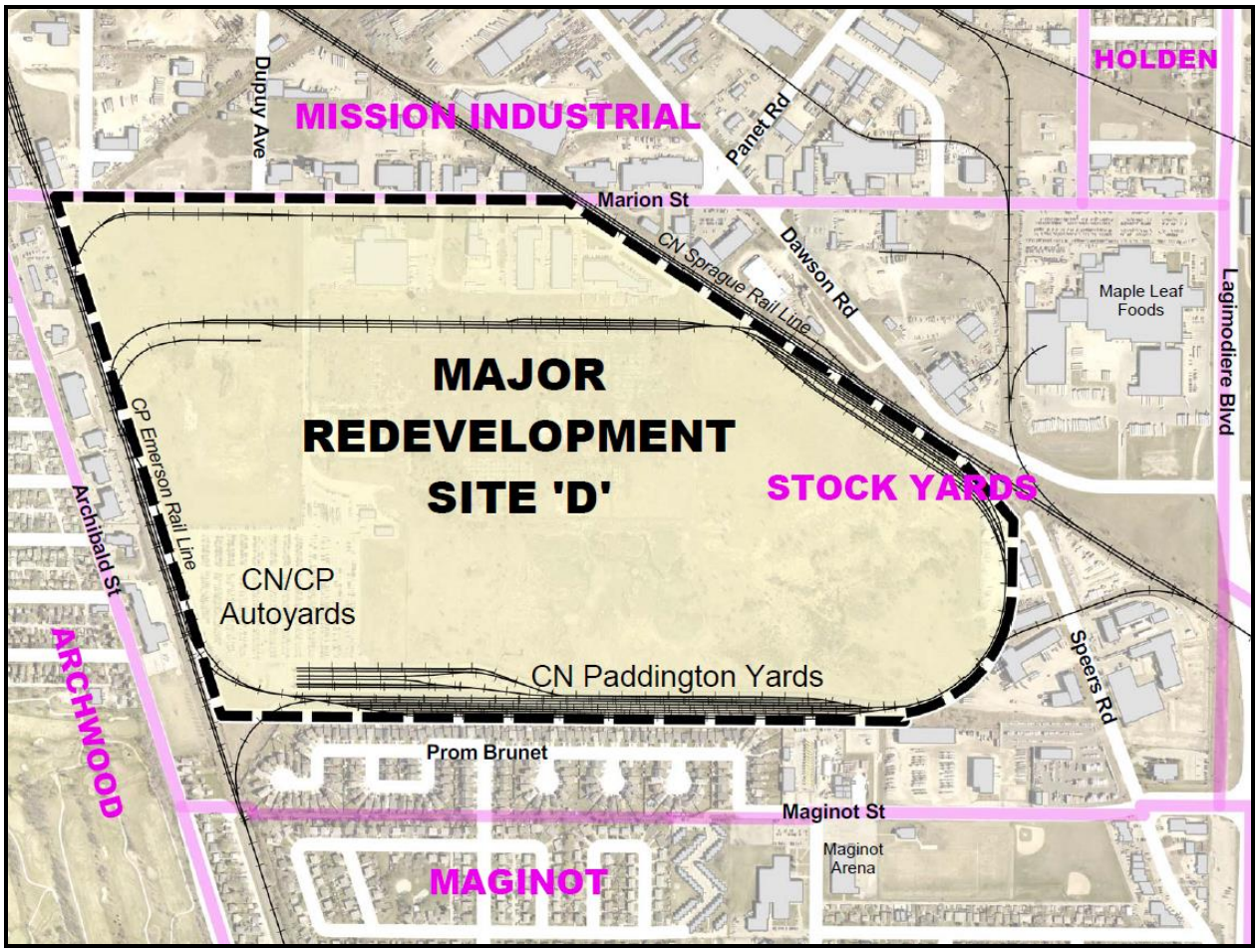


Figure 1 – Planning Area

- The Stock Yards neighbourhood contains existing industrial uses, which are located adjacent to the east side of the Planning Area, and along the southern portion of the Planning Area itself (CN Paddington Yards), as well as the eastern portion of the northern boundary.

- A small strip of land within the Stock Yards neighbourhood and west of the CP Emerson Rail Line contains a gas station, funeral home, place of worship, school, curling club and a pocket of multi-family residential. These properties front onto Archibald Street.

- The Planning Area is bounded by Marion Street to the north, CN Sprague Rail Line to the east, the Stock Yards single-family residential neighbourhood to the south (along Promenade Brunet) and CP Emerson Rail Line to the west.
- Rail lines and yards surround the Planning Area.

CN Paddington

- CN Paddington Yards (~17.5 acres) and the CN/CP Autoyards (~20 acres) currently operate together along the southern portion of the Planning Area as a rail-to-trailer transfer facility for automobile shipping.
- CN Paddington Yards extends along the entire southern boundary of the Major Redevelopment Site.
- Private access to the CN/CP Autoyards from Marion Street is obtained by a private access road which extends across a property owned by proponent, identified as '7319828 Manitoba' on Figure 2 – Ownership.

Ownership

- A majority of the Planning Area (~165 ac) is owned by the proponent.

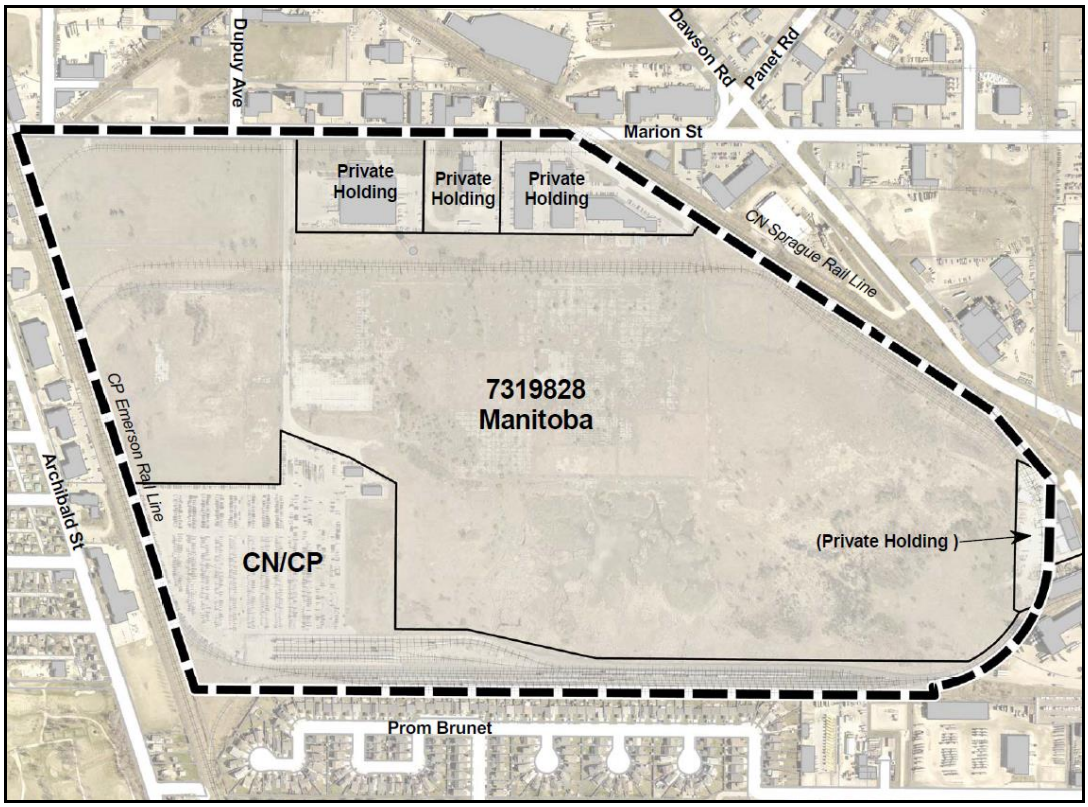


Figure 2 – Ownership

- CN/CP own ~38 acres along the southern portion of the Planning Area.
- Three parcels along the north east of the Planning Area, comprising of ~16.5 acres, have separate ownership and contain existing industrial/business uses.

ZONING

- All of the land within the Planning Area is currently zoned “M3” – Manufacturing Heavy in the City of Winnipeg Zoning By-law (see Figure 3 – Zoning).

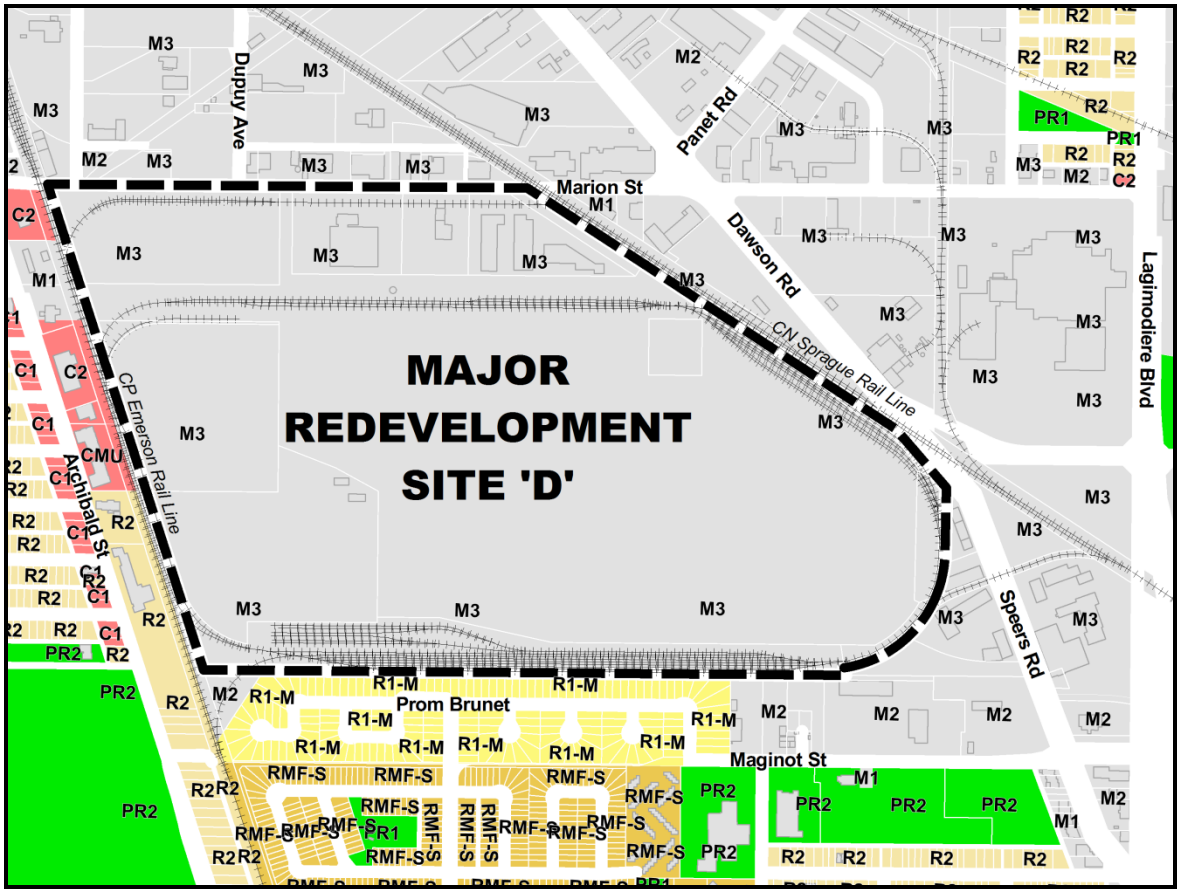


Figure 3 – Zoning

- The Zoning By-law provides that the M3 -Manufacturing Heavy zoning district *is intended to provide for light or heavy industrial development, including heavy manufacturing, storage, major freight terminals, waste and salvage, resource extraction, processing, transportation, major utilities, and other related uses, particularly those that require very large buildings, frequent heavy truck traffic for supplies or shipments, or that may require substantial mitigation to avoid sound, noise, and odour impacts to neighbouring properties. New M3 zone districts should not be established within 300 feet of an existing residential zone district.*

- Most of the lands to the north and east of the site are zoned M3. Lands south of the subject site are zoned R1-M and M2, while lands to the west of the site are zoned for commercial, manufacturing or residential purposes.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The proposed secondary plan by-law will guide future development within the Public Markets Major Redevelopment Site.
- Under *Complete Communities,* development in Major Redevelopment Sites is to be promoted through a collaborative planning process.
- The vision for the Public Markets is:

  The Public Markets will be developed as an employment hub, including industrial and commercial uses, complemented by medium to high density residential and recreational uses. A wide range of employment opportunities will be provided in a business park setting and the Public Markets will offer retail, institutional, active and passive recreation for employees, residents, and visitors.
- The Plan is organized into three land use policy areas to achieve the vision and guiding principles:
  - *Employment*
  - *Commercial*
  - *Medium and Higher Density Residential*
- The Employment Policy Area covers most of the plan area (see Figure 4 below) and is intended to predominantly accommodate light to general industrial uses. Other land uses such as institutional, recreational facilities, and parks and open space uses may be considered. Policies for buffering between employment uses and residential uses are included in the Proposed Secondary Plan.

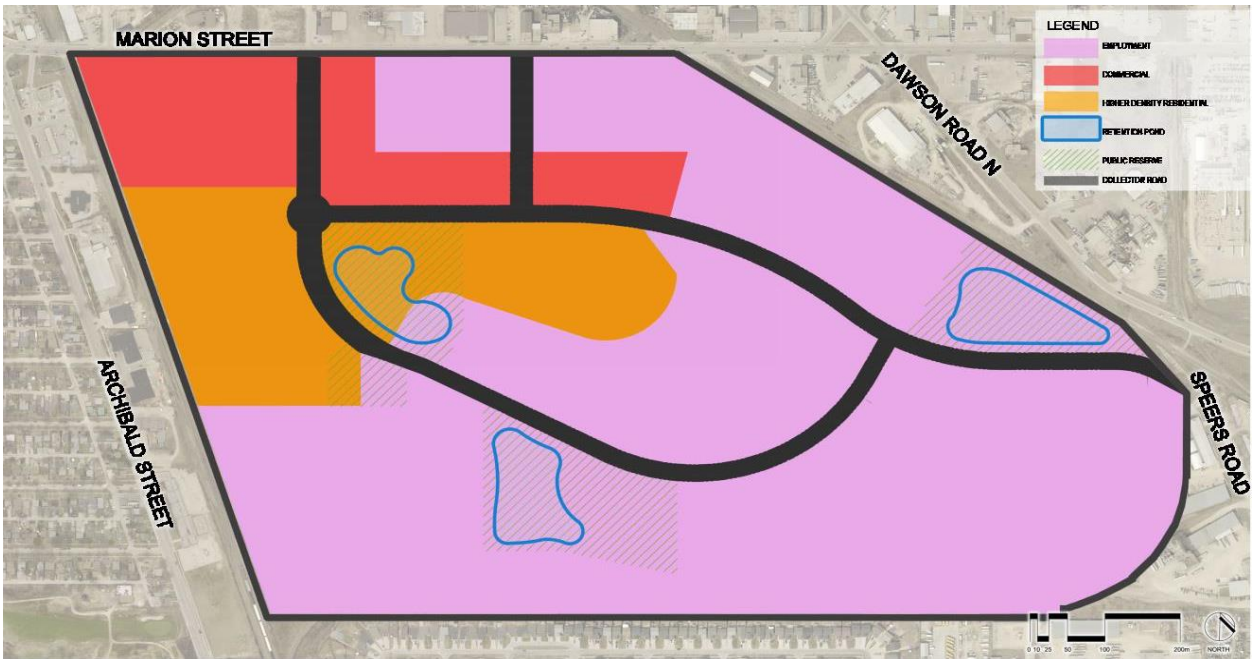


Figure 4: Land Use and Transportation Concept

- The Commercial Policy Areas are primarily located on the northwest portion of the site (refer to Figure 4 above). Commercial development is intended to be the predominant land use within this policy area, while other uses such as multi-family residential, institutional, recreational and parks uses may be considered.
- The Medium and Higher Density Policy Areas include policies for the Higher Density Residential policy area, which is shown in Appendix A - Land Use and Transportation Concept. The target number of dwelling units in the Higher Density Residential policy area is 1,200.
- Although the Medium Density Residential area is mapped within the Proposed Secondary Plan (see Figure 5 below), it is not a policy designation. The only policy designations that are applicable in the plan are those included in Appendix A - Land Use and Transportation Concept. Further discussion regarding the Medium and Higher Density policy areas is provided in the Analysis section below.

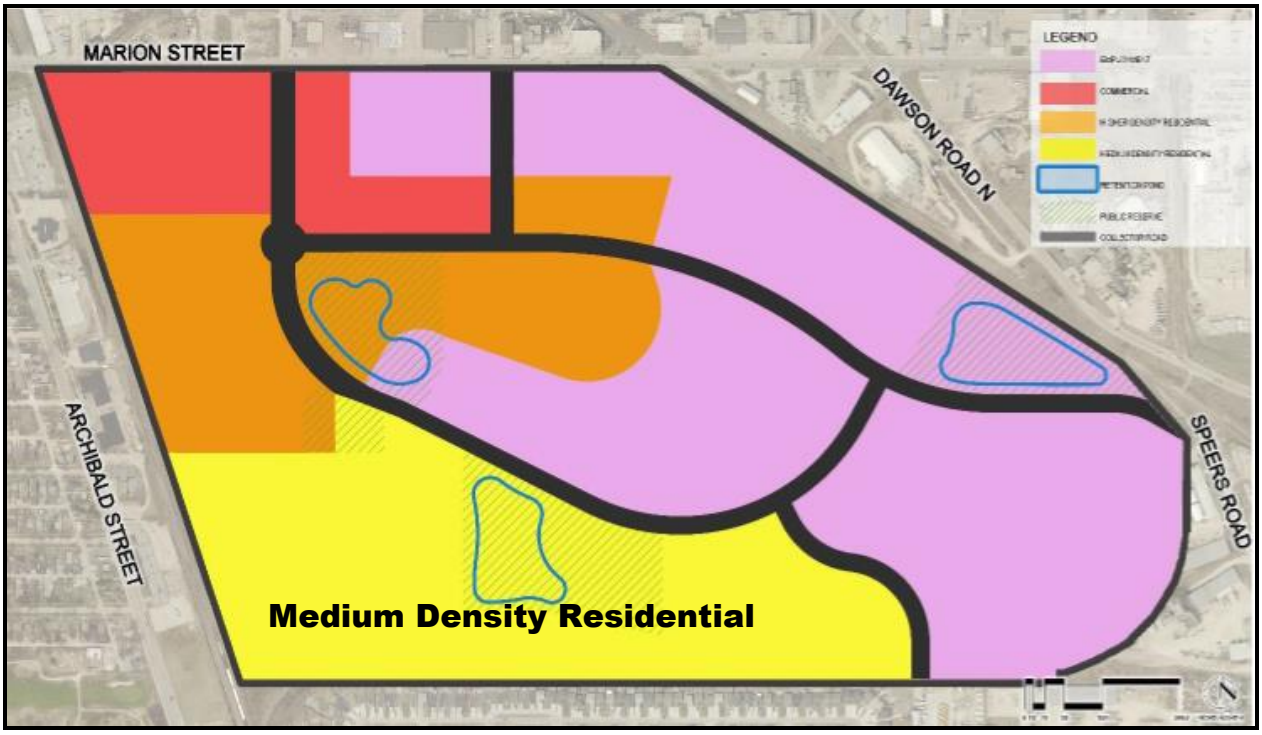


Figure 5 –Medium Density Residential Policy Area (as shown in Figure 4 of the Proposed Plan)

- Parks and open space and sustainable design policies are included.
- Two collector road connections are proposed along Marion Street: (1) at Dupuy Ave, and (2) across from approximately 765 Marion Street. The other collector connection is proposed at Speers Road.
- New development in the Plan Area must be serviced by a full range of municipal services (urban standard roadway, piped water, piped wastewater, piped land drainage).
- Phasing policies and cost sharing policies are included in the Plan.

ANALYSIS

- As referenced in *Complete Communities*, many Major Redevelopment Sites present challenges to redevelopment. The most significant planning challenges in the Public Service's review of the Proposed Plan for the Public Markets site include:
    - Access and egress (including emergency access), given the unique nature of the site being surrounded by rail lines without grade-separated road access
    - Potential for land use conflict.
- Key issues associated with the proposed development were identified by the Public Service in their comments to two pre-applications for the site in 2018.
- The Administrative Report for First Reading, while supportive, identified the key outstanding concerns:

  A preliminary review of the Proposed Plan and key supporting studies has identified a number of issues, including potentially serious concerns related to emergency access to the Planning Area and traffic. The Public Service will continue to work with the applicant to attempt to resolve such outstanding issues in advance of the public hearing. Recommendations resulting from continued discussion with the applicant will be included in the Public Service Report for the public hearing.
- The following sections provide a review of the key outstanding concerns with the plan and how these concerns have been addressed or can be addressed.

Transportation Impact Study

- The final transportation impact study that was submitted by the applicant has been reviewed by the Public Works Department.
- The Public Works Department does not have concerns regarding the transportation analysis, however it should be noted that the solutions presented cannot be confirmed prior to the completion of the City's Marion Street Study.
- Even though the transportation impact study indicates that the proposed developments' impact to vehicular delays on Marion Street are minimal, the development is still expected to generate approximately 24,000 vehicles per day and without infrastructure improvements, it is expected vehicular delays will increase.

Emergency Access

Background

- Access to the Planning Area requires travel over one of three rail crossings as shown in Figure 6 – Rail Crossings.

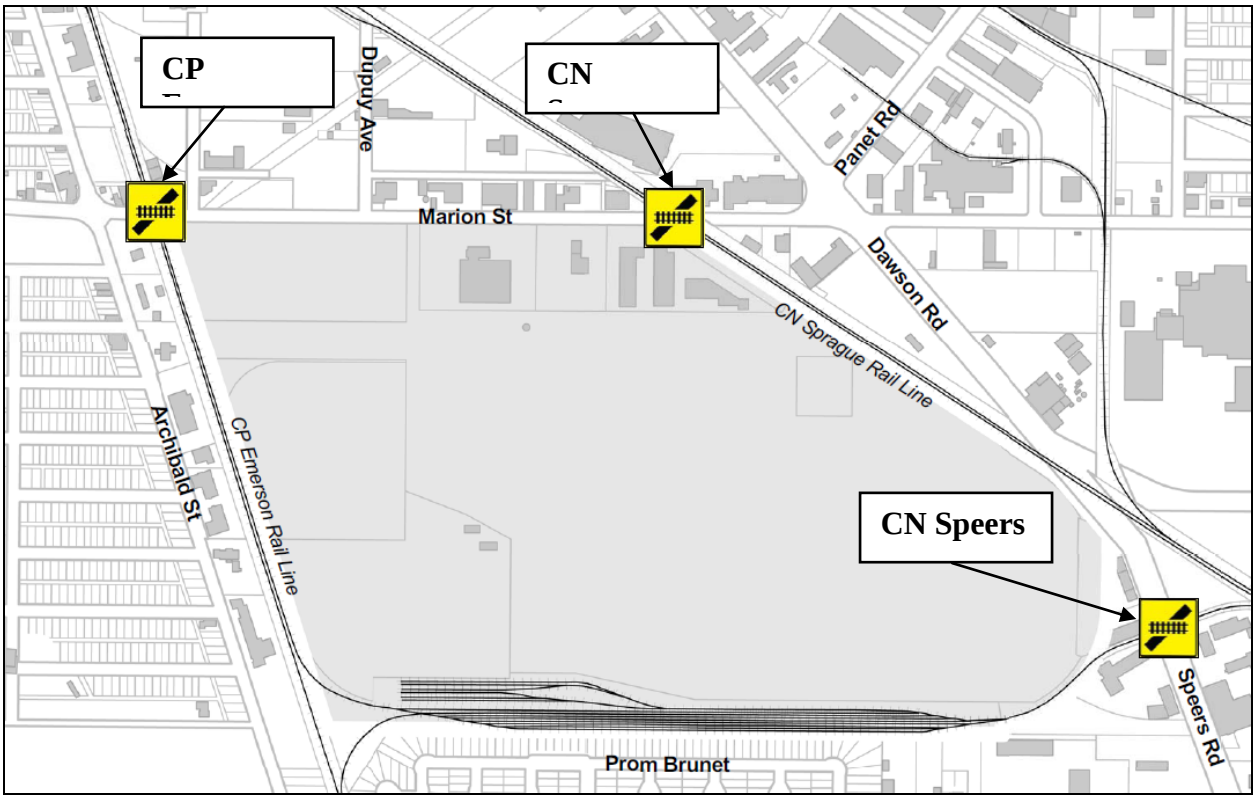


Figure 6 – Rail Crossings

- Concern has been raised regarding the potential for access to the Planning Area being blocked by a train during an emergency call event (ie ambulance or fire). The concerns include both the ability for emergency vehicles (apparatus) to both respond to a call from within the Planning Area, as well as travel from a call to a hospital (in the case of an ambulance).
- The Winnipeg Fire and Paramedic Service (WFPS) uses response time targets as provided by the National Fire Protection Association 1710 *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments* (NFPA 1710 target standard).
- The NFPA 1710 target standard is said to be achieved for any given location if:
    - A minimum of four firefighters can arrive at a fire suppression incident within four minutes. This is referred to as the 'Initial Arriving Company'; and,
    - Fifteen firefighters can arrive on scene with required apparatus within eight minutes. This is referred to as 'Initial Full Alarm Assignment'.
- Through continued dialogue with respect to concerns raised by the WFPS about emergency access, the applicant proposed to undertake an Emergency Access and Evaluation Study in early-January 2020.

- As proposed at that time, the study would include:
    - Analysis of rail operations with development of plausible rail accident scenarios for emergency response
    - Analysis of fire and emergency response time for the plausible scenarios to determine primary and secondary routes with corresponding response times.
    - A risk analysis and evaluation to determine if the risks are acceptable.
- Information requested from the City to complete study included historical call data for a 5-year period provided in a Geographic Information System (GIS) format. Among other things, this data would be used to calibrate travel times of emergency vehicles along City streets when responding to emergency calls.
- The Public Service expended a significant amount of time processing the dataset to ensure that private call-related information would not be included.
- Following the preparation of the dataset it was determined that the data sharing agreement would require Council approval. An administrative report for the data sharing agreement was completed in late-February and approved by Council on May 6, 2020.
- Within this time, the applicant proposed an alternative approach to the evaluation, using publicly available data. Calibration of emergency travel times on Winnipeg streets considers congested traffic travel times along various street classifications from another Canadian city (London, Ontario). Instead of relying on analysis of historic 5-year emergency call data, the alternative approach estimates volume and types of emergency calls based on the overall values included in the 2019 WFPS preliminary operating and capital budgets.
- Using this publically available information, the consultant projected both the volume and type of emergency calls (ie ambulance vs fire) that could be expected from the proposed development in the future to complete the analysis provided in the Emergency Access Evaluation (prepared by Dillon Consulting, dated May 5, 2020 – included in Appendix E).

Emergency Access Evaluation

- The Emergency Access Evaluation seeks to answer two questions:
    1. *What is the probability of one or more of the three grade level crossings being blocked, when WFPS is responding to a call within the Development?*
    2. *If one or more of the three grade level crossings are blocked when WFPS is responding to call within the Development, is there an increase in response time, and if so, what is the response time for WFPS?*
- The scope of work included:

    Rail Operation Analysis – Completed to determine the reasonable circumstances (or scenarios) that would lead to one or more of the three proposed grade level rail crossings being blocked, taking into consideration the crossing(s) being blocked under normal rail operations; and the crossing(s) being blocked due to a rail accident. For each scenario, the length of time that the grade level crossing would be blocked was estimated.

WFPS Response Analysis – Completed to determine the number of emergency calls that may be expected occur within the proposed development. The analysis also assessed the predicted travel times and abilities to assemble staff on-scene, as WFPS responds to emergency calls within the proposed development. This analysis took into consideration the existing WFPS's station locations along with apparatus available at each station. Response times from the stations to each street segment within the proposed development were then estimated using congested travel time data from the City of London, Ontario as a proxy for the City of Winnipeg. Analysis was then repeated to provide for each of a variety of scenarios involving each of the three main rail crossings being blocked when responding to an emergency call from within the proposed development.

Risk Analysis – Completed to determine the probability of having one or more of the three grade level crossings being blocked at the same time, as WFPS is dispatched to respond to an emergency call in the Planning Area. An assessment was also provided of the advantage of providing a road connection to the proposed development from Speers Road.

- The evaluation included various scenarios that considered every combination of rail crossing blockages with Station 9 (864 Marion Street) either in operation or consolidated. For each scenario, estimated response times to each road segment within the proposed development were then evaluated against the NFPA 1710 target standard.
- The Evaluation accounts for an anticipated increase in rail traffic and train length that could be reasonably expected by the year 2030. All conclusions in the study are based on projections to 2030.
- Key findings/conclusions from the Emergency Access Evaluation include:
    - *There is an 87% chance each day that there will be an emergency call from within the proposed development that will require WFPS to be dispatched. This would consist of 255 medical calls and 61 fire calls per year, based on an estimated residential population of 2,000 people – 1.67 persons per unit with 1,200 residential units.*
    - *91.93% chance that all three proposed grade level rail crossings will be open during an emergency call.*
    - *99.759% chance that at least two grade level rail crossings will be open during an emergency call.*
    - *99.998% chance that at least one grade level rail crossing will be open during an emergency call.*
    - *The proposed development and its internal road network will increase connectivity to existing grade level crossings from two to three, providing better access to lands bordered by CN & CP. It will provide one additional access point from the east connecting to the existing Speers Road grade level crossing.*
    - *The chance of having all three grade level crossings blocked at the same time is 0.00263%. By increasing the number of grade level crossings that can be used to access the lands north and south of Marion Street from two to three, there is a 96% net improvement in accessibility [(0.068 – 0.00263)/0.068] = 96%.*

- *The response of the WFPS to the Development achieves the initial arriving company and initial full alarm assignment performance targets, when all three of the rail crossings are open in scenarios that both include and exclude Station 9 (864 Marion Street).*
- *The response of the WFPS to the Development achieves the initial arriving company and initial full alarm assignment performance targets in five of the six scenarios, where one of the three rail crossings is blocked*.
- *When two of the three rail crossings are blocked the WFPS response to the Development achieves the initial arriving company performance targets in three of the six scenarios and achieves travel times of between four to eight minutes in the other three scenarios.*
- *When two of the three rail crossings are blocked the WFPS response to the Development achieves the initial full alarm assignment performance targets to the entire site with the exception of three scenarios that identify small isolated areas below the target.*

- The Emergency Access Evaluation ultimately concludes:

  Based on the analysis and findings presented within this report, in the event that one or two of the grade level rail crossings are blocked, the predicted response times of the WFPS to the Development continue to meet the performance targets or remain within the range of existing service levels provided across the City of Winnipeg. The likelihood of having at least one grade level crossing open during an emergency call is 99.998%, or that within a 43,783 year timeframe, it is reasonable to expect there will be one incident where all three grade level rail crossings would be closed during an emergency call from within the Development.

Public Service Review of Emergency Access Evaluation

- The Emergency Access Evaluation (the Study) presents a measure by which to assess the level by which emergency service access to the proposed development may be impacted by rail operations or by a rail accident.
- The Study was undertaken by an experienced project team, and in accordance with the acknowledged limitations, the Study is authenticated by a Professional Engineer (the project lead) who is also a Certified Risk Manager.
- The Public Service acknowledges the following limitations with the methodology:
  - Estimated travel time of emergency apparatus along city streets during an emergency call have not been calibrated using City of Winnipeg emergency call data.
  - Analysis of ambulance drive times from the call location to hospital are not considered in the Study. A blocked rail crossing along the shortest route from the call location to a hospital could introduce a level of risk.
  - Estimates assume that rail crossing blockages and emergency calls are distributed evenly over a 24-hour period. It is possible that both emergency calls and rail crossing blockages occur more frequently during certain segments of the day (increasing the occurrence of a rail crossing blockage during an emergency call).

    - The scenarios presented in the Emergency Access Evaluation assume that the first dispatched vehicle and subsequent vehicles have the knowledge of the blockage when they leave the station so they can select the appropriate route.

- Overcoming the first three limitations mentioned above can be achieved by employing a methodology involving the use of the 5-year historic emergency call data mentioned previously. The remainder of this discussion will therefore focus on an analysis of the Study provided.
- A key limitation the Public Service identified is that the scenarios presented in the Study assume that all rail blockages are known at the time of dispatch to ensure that apparatus from the responding station selected by dispatch will not encounter a train blockage, or will be aware of an alternate route at the time of dispatch.
- Currently, the WFPS dispatch centre will not know if a rail crossing is obstructed until the responding apparatus encounter the blockage. Once the responding apparatus encounter an obstruction, dispatch is notified and alternate apparatus from a second station is then dispatched. The response times included in the Emergency Access Evaluation do not account for or reflect the time delay between the first and second dispatch.
- Advance knowledge of a rail crossing blockage would come from the use of a technological solution (such as TRAINFO) where a blockage could be identified by dispatch.
- However, at this time, the WFPS does not have access to TRAINFO or any other technological solution. TRAINFO is a relatively new system and the WFPS is in the process of reviewing its potential benefits. The WFPS has not budgeted for the installation of this technology or the ongoing annual subscription cost at this time.
- To provide a clearer understanding, the analysis provided in the Study has been reconfigured into the tables below. In addition, the percentage chance of a blockage for each scenario, as provided in the Study, are presented in the tables as the estimated number of blocked calls per year.

Figure 7 – Summary of Emergency Access Evaluation

Scenario	Study		Crossing Blocked			With Station 9	NFPA 1710 Met	Estimated Blocked Calls per Year	Initial Arriving Company Delay
	Scenario	*Figures*	CP Emerson[1]	CN Sprague[2]	CN Speers[3]				
1	*A*	*11*				Y	Y	0	
2	*B*	*12*				N	Y	0	
3	*A1*	*13 &14*	X			Y	Y	6.3	
4	*B1*	*15 &16*	X			N	N	6.3	One minute for half of study area
5	*A2*	*17 &18*		X		Y	Y	10.9	
6	*B2*	*19 & 20*		X		N	Y	10.9	
7	*A3*	*21 & 22*			X	Y	Y	12.2	
8	*B3*	*23 & 24*			X	N	Y	12.2	
9	*A1*	*25 & 26*		X	X	Y	Y	0.42	
10	*B1*	*27 & 28*		X	X	N	Y	0.42	
11	*A2*	*29 & 30*	X		X	Y	Y	0.24	
12	*B2*	*31 & 32*	X		X	N	N	0.24	One minute delay or more for most of study area.
13	*A3*	*33 & 34*	X	X		Y	N	0.22	Two minute delay for half of study area
14	*B3*	*35 & 36*	X	X		N	N	0.22	One to five minute delay for most of study area
15			X	X	X	Y	N	0.008	Delay un-estimated
16			X	X	X	N	N	0.008	Delay un-estimated

	Minutes blocked per day	Chance of Blockage during emergency	# Fire Calls during blockage per year	# Medical Calls during blockage per year	Total # Calls during blockage per year
CP Emerson	28.52	1.72%	1.20	5.05	6.25
CN Sprague	49.68	3.00%	2.10	8.80	10.90
CN Speers	55.33	3.34%	2.34	9.81	12.15
Total	**133.53**	8.06%	5.64	23.66	**29.30**

[1] Referred to as "CP Marion" or "CP Emerson Subdivision" in the Emergency Access Evaluation.
[2] Referred to as "CN Marion" or the "CN St. Boniface Yard Lead" in the Emergency Access Evaluation.
[3] Referred to as "CN Speers Road" or "CN Industrial Lead" in the Emergency Access Evaluation.

- Of the 16 scenarios considered in the Study, six scenarios result in the NFPA 1710 target standard not being met. However, five of these scenarios involve two or more crossings being blocked, which as the study suggests, is unlikely to occur (see Figure 8 – Summary of Blockages During an Emergency Call), assuming that emergency calls and rail blockages are both evenly distributed over any given day.

Number of Crossings Blocked during an Emergency Call	Annual % Chance of a Crossing Blocked during an Emergency Call	Annual Number of Emergency Calls during Blocked Crossing
1	8.07%	29.32
2	0.241%	0.88
3	0.00228%	0.008

Figure 8: Summary of Blockages During an Emergency Call.

- As presented in Figure 8, the chances of two of the three crossings being blocked by a passing train during an emergency call from within the proposed development in any given year is 0.241%.
- In addition, the chances of all three crossings being blocked by a passing train during an emergency call from within the proposed development in any given year is 0.00228%.
- It is worth noting that the chance of any one of the three crossings being blocked by a passing train during an emergency call from within the proposed development is 8.07%, or approximately 30 times per year. As evidenced from Figure 8 – Summary of Emergency Access Evaluation, not all rail crossing blockages during an emergency call can be expected to result in emergency response times outside of the NFPA 1710 target standard. The only single crossing blockage that the Study identifies as compromising the NFPA 1710 target standard is Scenario 4.

Scenario 4

- Scenario 4 assumes that the CP Emerson crossing is blocked by a passing train during an emergency call from within the proposed development and that Station 9 is consolidated with another station elsewhere (See Figure 9 – Scenario 4).

Scenario	Study		Crossing Blocked			With Station 9	NFPA 1710 Met	Estimated Blocked Calls per Year	Initial Arriving Company Delay
	Scenario	*Figures*	CP Emerson	CN Sprague	CN Speers				
4	*B1*	*15 &16*	**X**			N	N	6.3	One minute for half of study area

Figure 9 – Scenario 4

- This scenario can be expected to occur just over 6 times per year, assuming that emergency calls and rail crossing blockages are evening distributed over any given day.
- The Study provides that the CP Emerson crossing can be expected to be blocked just over 21 minutes per day, and based on projected rail traffic, 28.5 minutes per day by 2030.
- The results of the GIS analysis for Scenario 4 are provided in Figures 15 and 16 of the Study. Figure 15 provides the estimated time for the 'initial arriving company' to arrive at each location within the proposed development. This figure is provided in this discussion as Figure 10 – Scenario 4 – Initial Arriving Company.

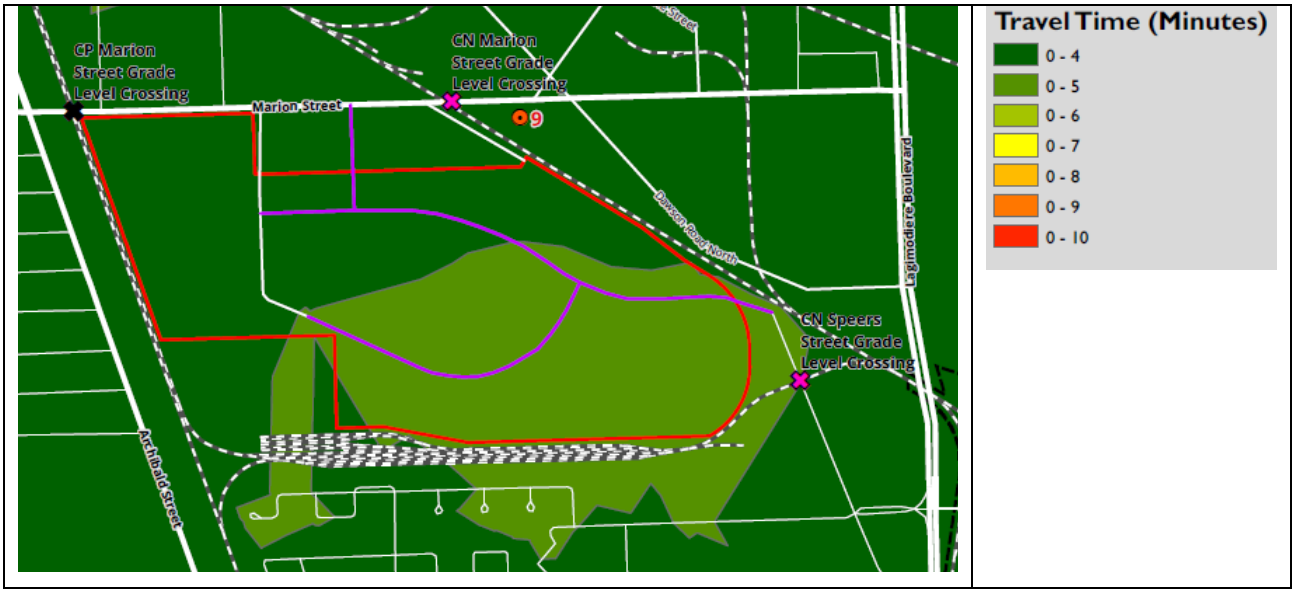


Figure 10 – Scenario 4 – Initial Arriving Company

- Note from Figure 10, that the 'Initial Arriving Company' response time for at least half of the proposed development (identified as a red line in Figure 10) is greater than four minutes.

- It is worth noting that the Proposed Secondary Plan places residential development in the area identified as having a response time of less than four minutes. This four-minute response time meets the NFPA 1710 target standard.
- The Public Service maintains concerns related to the limitation of the Study previously discussed. As mentioned, the Study assumes that all rail crossing blockages are known at the time of dispatch. However, this is not the case.
- In Scenario 4, dispatch notifies the responding station of the emergency and the apparatus leaves the station. After travelling some given amount of time, the initial responding apparatus could encounter the train at the CP Emerson crossing and notifies dispatch or the blockage. Dispatch then contacts a second station who then sends the appropriate apparatus to respond to the emergency call.
- The estimated response times provided in the Study (Figure 7) do not account for or reflect the time delay between the first and second dispatch. It is unknown how much additional response time this adds to the estimates.

GIS Modelling Anomaly

- In reviewing Scenario 12 an anomaly was identified in the analysis. Scenario 12 includes rail crossing blockages at the CN Emerson and CN Speers crossings and assumes Station 9 has been consolidated elsewhere.
- Time estimates for the 'Initial Arriving Company' are found in Figure 31 of the Study, and presented here as Figure 11 – Scenario 12 – Initial Arriving Company

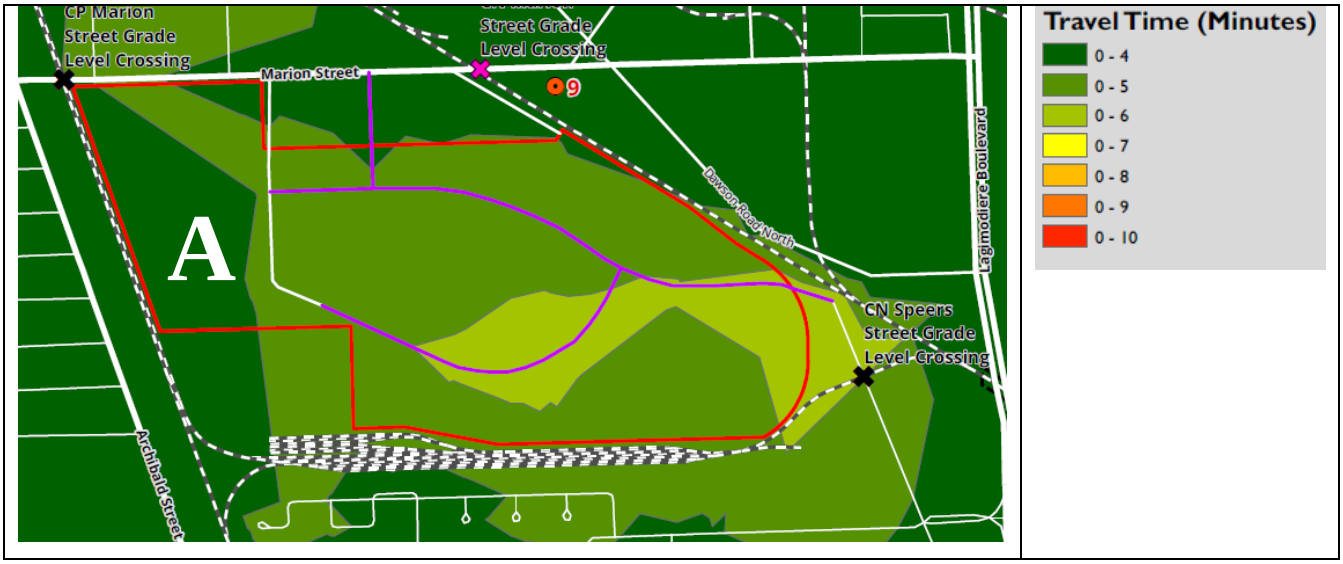


Figure 11 – Scenario 12 – Initial Arriving Company

- From Figure 11, it is apparent that the area marked 'A' is within the 4-minute response time estimate. However, all of the routes to this area are outside of the 4-minute response time estimate.
- The concern is not that estimated travel time to area marked 'A' may be inaccurate when CN Speers and CP Emerson are blocked by a train. The concern is that the model may be inaccurately modelling other scenarios as well. This would result in travel times to area marked 'A' being identified within the four-minute response time when they are not.

- The GIS analysis appears to assume that land parcels adjacent to roads represent the same travel times as on the roadway itself. This suggests that the estimated response time to the residential portion of the Proposed Secondary Plan may be inaccurate.

Key Conclusions from Study Analysis

- The Study provides a means by which to measure and/or assess the level of risk associated with developing 1,200 dwelling units in the Planning Area.
- The Study suggests that the NFPA 1710 target standard can be met in most scenarios involving combinations of each of the three rail crossings being blocked in combination with the existence of Station 9.
- Of the six scenarios that fail to meet NFPA 1710 target standard, only one does not involve more than a single crossing being blocked during an emergency.
- The one scenario (Scenario 12 – blockage at CP Emerson) that creates a situation where the NFPA 1710 target standard may be compromised still provides an estimated response time to the residential area of the Plan in under four minutes.
- There is concern that the response times estimated in Scenario 12 may be underestimated due to:
    - Limitation in the Study methodology that assumes dispatch is aware of rail crossing blockages at the time the emergency call is received.
    - An anomaly in the GIS methodology whereby access to the residential area of the Plan does not seem to be impeded by rail blockages.
- It is understood that some limitations of the Study could be overcome through a methodology using the 5-year historic emergency response data compiled by the City of Winnipeg earlier this year.

Considerations for Maximum Number of Dwelling Units

- While a study without the previously identified limitations could result in a different assessment of risk, it is reasonable to assume that some amount of residential development may be appropriate in the Planning Area.
- Table 6 of the Study indicates at least one of the three access points into the Planning Area will be blocked for just over 2 hours (133 minutes) on any given day. This means that for around 2 hours each day, access to the Planning Area will be limited to 2 access points.
- The Public Service raised emergency access concerns in two pre-applications for the site in 2018.
- The first pre-application proposed 1,250 dwelling units (plus consideration for an additional 625 dwelling units on the CN/CP Autopark lands) with vehicular access from Speers Road and Marion Street at Dupuy Avenue. The WFPS's comments on emergency access were:

    There are only two access roads into the site. Best practices (NFPA 1141) require a minimum of 3 permanent access roads for developments where there are more than 600 households or more than 3,000 parking spaces. The existence of one train will increase emergency response times, and may block all emergency responders' access to the area. We would recommend three roads to provide a dependable way for emergency responders to access and egress the area for residents.

    The surrounding 3 rail lines increases the overall risk to the event of a train derailment. If that were to occur, immediate evacuation of all nearby residences may be

recommended. However, a derailed train may block one access point, significantly limiting the ability of residents to exit efficiently and safely. Given the proximity of the rail lines, at minimum three evacuation points, including one not impacted by a rail line, would be recommended.

- The second pre-application presented an additional access on Marion Street (same as proposed in the subject application – east of the proposed Dupuy Ave/Marion Street intersection) with approximately the same number of dwelling units. The additional access did not change the WFPS's comments regarding emergency access mainly because the additional access was not from a remote direction (west or south).
- Although the Emergency Access Evaluation provides a better understanding of rail operation's potential impact on emergency services to the site, some of the limitations of the Study, most notably the assumption that, through a technological solution, first responders would be aware of a blockage at dispatch puts some findings into question. Further, the fact that an additional access is not provided from a remote direction remains a concern.
- Accordingly, from an emergency services perspective, the Public Service views that the subject site continues to function as if it has two accesses and continues to recommend a maximum of 600 dwelling units on the site.
- NFPA document 1141, Standard for Fire Protection Infrastructure for Land Development in Wildland, Rural and Suburban Areas, provides emergency services infrastructure requirements for ensuring proper strategies are in place to protect people and property from fire dangers. Provisions in this document include standards for means of access including roadways, fire lanes and parking lots; building access and separation; fire protection and fire warning systems; water supply, fire protection during construction; capacity of fire protection services; and community safety and emergency preparedness.
- NFPA 1141 is deemed appropriate standard for the subject site that is commonly applied to a number of residential areas throughout the City of Winnipeg through the development application process.
- NFPA 1141 provides the following standards related to the number of access points required for a given number of households:

# of Dwelling Units	# of Access Routes
1-100	1
101-600	2
601+	3

- Based on the method provided in the Study, a 600 dwelling unit development (1,000 persons) on the site reduces the number of potential emergency calls impacted by blockage to the site in half (see Figure 12 below).

Number of Crossings Blocked during an	Annual % Chance of a Crossing Blocked during	Annual Number of Emergency Calls during

Emergency Call	an Emergency Call	Blocked Crossing
1	4.02%	14.66
2	0.120%	0.44
3	0.00114%	0.004

Figure 12: Summary of Blockages During an Emergency Call based on 600 Dwelling Units

- Figure 13 – Summary of Emergency Access Evaluation with 600 Dwelling Units, provides a comparison of the number of calls for each scenario.

Figure 13 – Summary of Emergency Access Evaluation with 600 Dwelling Units

Scenario	Study		Crossing Blocked			With Station 9	NFPA 1710 Met	Estimated Blocked Calls Per Year	
	Scenario	*Figures*	CP Emerson[4]	CN Sprague[5]	CN Speers[6]			1,200 Dwelling Units	600 Dwelling Units
1	*A*	*11*				Y	Y	0	0
2	*B*	*12*				N	Y	0	0
3	*A1*	*13 &14*	**X**			Y	Y	6.3	3.1
4	*B1*	*15 &16*	**X**			N	N	6.3	3.1
5	*A2*	*17 &18*		**X**		Y	Y	10.9	5.5
6	*B2*	*19 & 20*		**X**		N	Y	10.9	5.5
7	*A3*	*21 & 22*			**X**	Y	Y	12.2	6.1
8	*B3*	*23 & 24*			**X**	N	Y	12.2	6.1
9	*A2*	*25 & 26*		**X**	**X**	Y	Y	0.42	0.21
10	*B2*	*27 & 28*		**X**	**X**	N	Y	0.42	0.21
11	*A1*	*29 & 30*	**X**		**X**	Y	Y	0.24	0.12
12	*B1*	*31 & 32*	**X**		**X**	N	N	0.24	0.12
13	*A3*	*33 & 34*	**X**	**X**		Y	N	0.22	0.11
14	*B3*	*35 & 36*	**X**	**X**		N	N	0.22	0.11
15			**X**	**X**	**X**	Y	N	0.008	0.004
16			**X**	**X**	**X**	N	N	0.008	0.004

[4] Referred to as "CP Marion" or "CP Emerson Subdivision" in the Emergency Access Evaluation.
[5] Referred to as "CN Marion" or the "CN St. Boniface Yard Lead" in the Emergency Access Evaluation.
[6] Referred to as "CN Speers Road" or "CN Industrial Lead" in the Emergency Access Evaluation.

	Minutes blocked per day	Chance of Blockage during emergency	# Fire Calls during blockage per year	# Medical Calls during blockage per year	Total # Calls during blockage per year
CP Emerson	28.52	0.86%	0.60	2.53	3.13
CN Sprague	49.68	1.49%	1.05	4.40	5.45
CN Speers	55.33	1.66%	1.17	4.90	6.07
Total	**133.53**	4.02%	2.82	11.83	**14.65**

Mitigation Between Incompatible Land Uses

- A key consideration for development on the Public Markets site is to minimize land use conflict as the site is surrounded by many heavy manufacturing uses, including rail lines and yards.
- Introducing sensitive uses, particularly residential uses, to the Mission Industrial Neighbourhood can lead to land use incompatibilities if appropriate mitigation measures, including setbacks, are not considered from the outset.
- Land use incompatibilities and resulting complaints can have a particular impact on manufacturing uses, as these complaints may affect the future licensing requirements of some uses.
- Neither the Province of Manitoba nor the City of Winnipeg have established guidelines for separating sensitive uses, such as residential, from heavy manufacturing uses (and vice versa). However, the Winnipeg Zoning By-law's purpose statement for the Heavy Manufacturing Zoning District (M3) suggests the following:

  New M3 zone districts should not be established within 300 feet (91.44 metres) of an existing residential zone.

- A setback of 200 metres from any off-site heavy industrial use for the establishment of any new residential development in the Medium and Higher Density Residential policy areas is currently provided in the Proposed Secondary Plan (section 3.3.2.13).
- Given that the predominant policy designation and zoning to the north and east of the site is intended to accommodate manufacturing uses, and the amount of established manufacturing uses in the area, the Public Service believed greater setbacks for proposed residential would be necessary.
- Some jurisdictions have clearer guidance with respect to the separation of potentially incompatible land uses. For example, the Province of Ontario has an established guide for appropriate land uses near industrial areas entitled: *D-6 Compatibility Between Industrial Facilities*.
- This guide identifies uses that may be deemed "sensitive" (ex. residential, some recreational or institutional uses) and classifies industrial (or manufacturing) land uses on a scale of I-III generally as follows:

  Class I *A place of business for a small scale, self-contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions.*

Class II *A place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e. it has an open process) and/or there are periodic outputs of minor annoyance.*

Class III *A place of business for large scale manufacturing or processing, characterized by: large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations*

- Minimum recommended separation distances are:

  Class I: *20 metres (potential influence area of 70 metres)*

  Class II: *70 metres (potential influence area of 300 metres)*

  Class III: *300 metres (potential influence area of 1000 metres).*

- In January, 2020, the applicant provided the Public Service with a request to increase this separation distance and provided a spatial separation review of the proposed residential policy area in relation to existing heavy manufacturing uses (updated spatial review included in Appendix E).
- The spatial separation demonstrates that most of the proposed policy areas designated for residential development are at least 300 metres away from most heavy manufacturing uses to the east.
- To the north, the nearest off-site M3-zoned properties to proposed policy areas where residential may be considered are 150 metres away on the north side of Marion Street.
- Although zoned M3, these properties on the north side of Marion Street can generally be classified as: vacant/transitional, office, or auto-service related. None of these uses would be classified as heavy manufacturing. The nearest operational heavy manufacturing use north of where residential may be considered on the subject site is at least 300 metres away.
- The new proposed policy 3.3.2.13 increases the minimum setback from 200 metres to 300 metres for any “M3” Manufacturing Heavy zoning district outside the planning area, except for lands located directly across Marion Street to the north, where new Residential zoning districts shall be setback 150 metres (492.13 feet) from any other Manufacturing-zoned industrial lands.
- The Employment section ensures that no new heavy manufacturing uses may be established in the Proposed Secondary Plan (section 3.1.2.3) and that the predominant land use in the Employment policy areas will be light to general industrial (manufacturing). This helps maintain compatibility with existing manufacturing-zone properties to the east and north, and residential properties to the south.
- The Proposed Secondary Plan also includes a policy (3.3.2.12) that is intended to follow the *Federation of Canadian Municipalities & Railway Association of Canada Guidelines for New Development in Proximity to Railway Operations (May 2013)*. The Public Service has recommended altering this policy to add clarification, which is discussed below in the Recommended Alterations to the Proposed Secondary Plan section.
- Last, in order to reduce the potential for land use conflicts on-site, the Proposed Secondary Plan incorporates buffering policies for the establishment of residential or manufacturing uses when these uses are introduced next to one or the other.

Recommended Alterations to the Proposed Secondary Plan

- Alterations to the Proposed Secondary Plan are recommended and identified in Appendix D.
- Most of these are minor amendments that are intended to: add clarity to existing policies or sections, address minor grammatical errors, or replace certain terms with defined terms in the plan (ex. replace “will” with “shall”).
- Additionally, many of the proposed alterations result from further discussions with the applicant.
- Key recommended alterations to the Proposed Secondary Plan are discussed below.

Reference to Medium Density Residential Area

- Multiple references and policies are included for a Medium Density Residential area.
- As previously mentioned in the Description of the Proposed Development section, the Medium Density area is not an actual policy area of the Proposed Secondary Plan. The only land use policy map with the correct land use policy areas is found in section 9.1 Appendix A – Land Use and Transportation Concept Plan. This Concept Plan does not include a Medium Density Residential area.
- The Medium Density Residential area is instead a future consideration proposed by the applicant if and when an unimpeded access towards Windsor Park could be made available.
- The most likely way to accommodate such a connection would be through the removal of the Paddington Yard, which borders the site to the south.
- Given that the removal of the Paddington Yard is not being considered as part of the land use concept, the Public Service is recommending that Figure 4 – Medium Density Residential Development Map and any reference to the Medium Density Residential Development area be removed from the Proposed Secondary Plan.
- Removal of Figure 4 and any reference to the Medium Density Residential area makes the plan more succinct and easier to understand.
- A plan amendment may be initiated at a future date if and when the Paddington Yard is set for removal or relocation.

Limitation of Uses in Policy Areas

- For clarity, the Public Service is recommending that the following uses be restricted:
    - Residential, residential-related, accommodation and retail sales in the Employment policy areas
    - Regional-scale commercial and residential, residential-related, and accommodation uses in the Commercial policy areas.
- These uses are recommended to be restricted primarily to help maintain compatible development with the surrounding area. The recommended restriction on residential development within the Commercial policy area also aligns with the recommended maximum number of residential dwelling units (600 instead of the proposed 1,200).

Maximum Number of Dwelling Units in Higher Density Residential Policy Area

- The Public Service is recommending that the maximum number of dwelling units be limited to 600 in the Higher Density Policy Area, per the supporting rationale discussed in the Emergency Access section.

Sprinkler Requirement in All Policy Areas

- The Public Service is recommending that a policy requiring buildings to have sprinkler systems be added to the Employment and Commercial policy areas to provide an extra level of fire protection.
- Currently, such a policy is only included in the Higher Density Residential policy areas (see 3.3.2.16 of the Proposed Secondary Plan).

Residential Setbacks from Heavy Manufacturing Uses

- As previously discussed in the Mitigation Between Incompatible Land Uses section, the applicant has proposed a new policy to replace policy 3.3.2.13 which addresses setbacks for new residential development from off-site heavy industrial uses.
- The new proposed policy 3.3.2.13 increases the minimum setback from 200 metres to 300 metres for any “M3” Manufacturing Heavy zoning district outside the planning area, except for lands located directly across Marion Street to the north, where new Residential zoning districts shall be setback 150 metres (492.13 feet) from any other Manufacturing-zoned industrial lands.

Updated 9.1 Appendix A – Land Use and Transportation Concept Plan

- The Public Service identified several benefits to locating the central pond east of the proposed location in the Land Use and Transportation Concept Plan, including:
    - A more direct pedestrian linkage to the north, and a more direct park linkage to the north and south;
    - Increased separation distances between the Higher Density Residential policy area and off-site manufacturing uses.
- The applicant was amenable to this change and has provided an updated Land Use and Transportation Concept Plan (see Figures 14 & 15 below for comparative purposes).

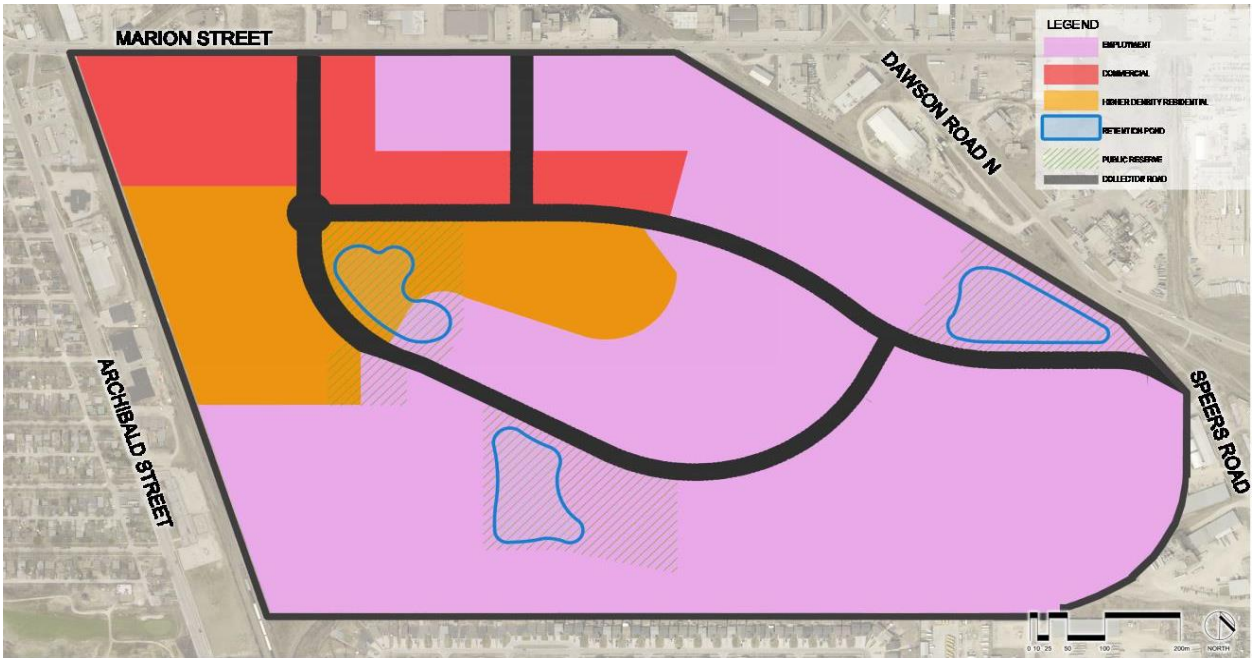


Figure 14: Land Use and Transportation Concept

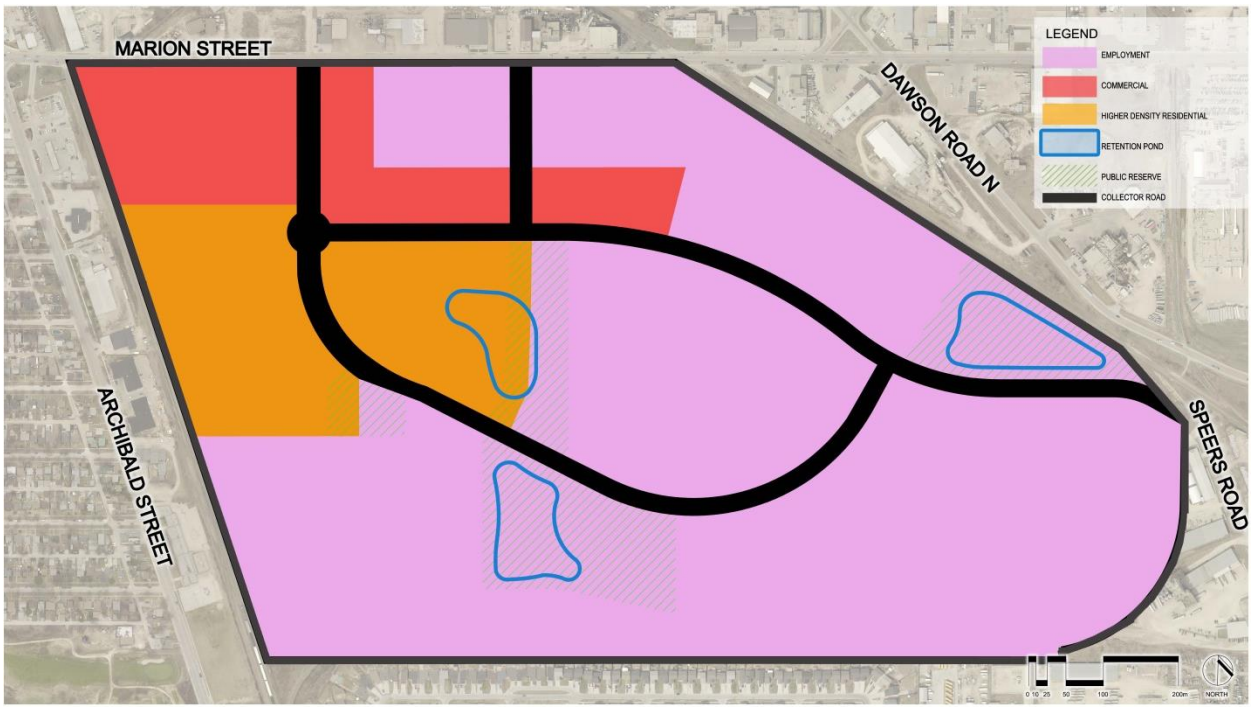


Figure 15: Updated Land Use and Transportation Concept

Phasing

- The Public Service is recommending that phasing policy 8.2.2 eliminate any reference to additional dwelling units beyond 600 to align with the dwelling unit limit previously discussed in the above sections.
- Other notable changes to this section include: updating the Phasing Map, adding a policy for the third collector road access (onto Marion Street), and eliminating any reference to the Medium Density Residential Area.

Cost Sharing

- The Public Service is recommending revisions to all three cost sharing policies in order to better reflect the administration of costs and servicing obligations.

Mitigation from Rail Operations

- Policy 3.3.2.12 includes residential setbacks from rail operations that are consistent with those identified in the *Federation of Canadian Municipalities & Railway Association of Canada Guidelines for New Development in Proximity to Railway Operations (May 2013).*
- The Public Service has proposed deleting this proposed policy and replacing it with a new policy that not only identifies the required setback, but also the required fencing, berming.
- The Public Service also recommends adding policies that would enable the inclusion of potential mitigation measures in the Employment and Commercial areas, which could be determined at the development application stage.

Reference to 2011 Winnipeg Transportation Master Plan (TMP)

- There are two references made to the TMP where it is stated that the Southeast Rapid Transit Corridor is planned to utilize a portion to the CP Emerson Rail Line right-of-way (see sections 1.8 & 6.0).
- The Public Service is recommending to amend this reference for two reasons:
    - The TMP only considers potentially using this corridor beyond 2031; it is not considered in the immediate future.
    - The TMP is under review and the Winnipeg Transit Master Plan is in the process of being developed. The TMP review and Transit Master Plan may result in changes to the timing or use of this corridor.

OurWinnipeg & The Complete Communities Direction Strategy

- *OurWinnipeg* identifies the Planning Area as a Major Redevelopment Site (see Figure 16 – *OurWinnipeg* Area Structure Map).

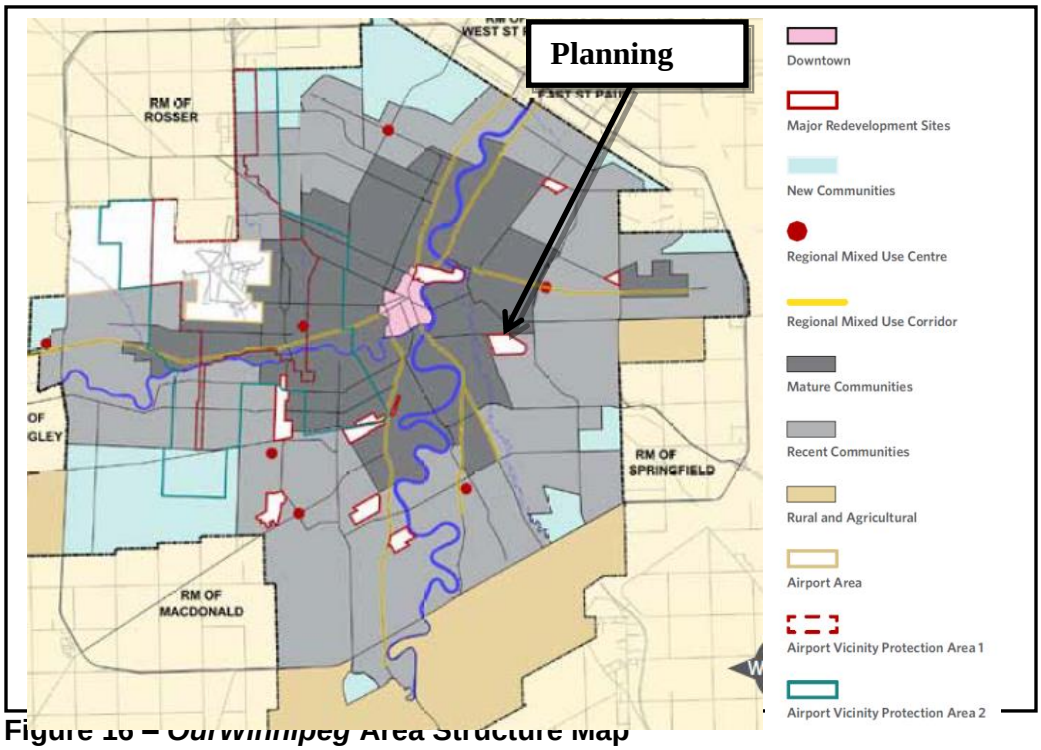


Figure 16 – *OurWinnipeg* Area Structure Map

- **The Key Direction for Major Redevelopment Sites (Section 01-1c) is that they will *provide transformative opportunities for the development of complete communities with significant residential and employment densities and attractive urban design, capitalizing on vacant or underutilized sites within the existing urban fabric.***
- ***OurWinnipeg* refers to section 03-3 of *Complete Communities* for additional detail.**

- Figure 03f of *Complete Communities* identifies the Public Markets site as *Major Redevelopment Site 'D'* (see Figure 17 – Complete Communities Major Redevelopment Sites)

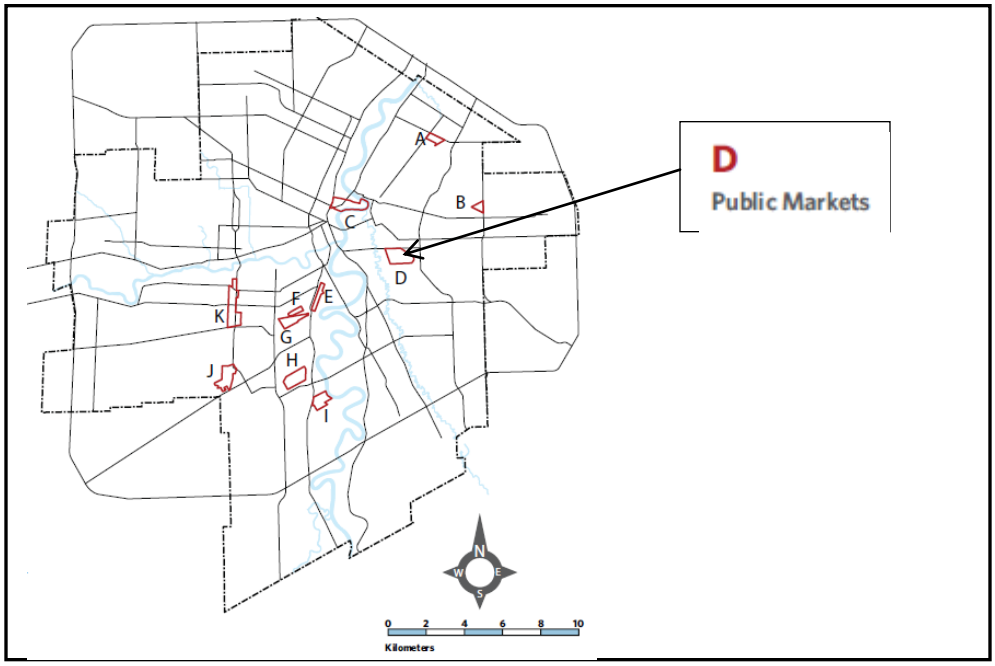


Figure 17 – *Complete Communities* Major Redevelopment Sites

- *Complete Communities* provides the following characteristics of a Major Redevelopment Site:
  - *Large, functionally obsolete or under-utilized lands, such as former industrial areas.*
  - *Located within the existing urban framework, often along rail lines, major corridors or rapid transit corridors and adjacent to existing communities.*
  - *Present opportunities for transformative and strategic mixed use infill and intensification.*
  - *May present challenges to redevelopment, such as inadequate infrastructure capacity or contamination.*

- Section 03-3 Major Redevelopment Sites, states: *Major Redevelopment Sites will provide transformative opportunities for the development of complete communities with significant residential and employment densities and attractive urban design, capitalizing on vacant or underutilized sites within the existing urban fabric.*

- As modified with the Public Service recommendations, the Proposed Secondary Plan conforms to the relevant policies of the *Complete Communities Direction Strategy* in the following ways:

Direction 1:
Promote development of Major Redevelopment Sites with proactive and collaborative planning process.

The applicant undertook a consultation program and provided supporting studies to inform the policies of the Proposed Secondary Plan. The Public Service conducted a review of the supporting studies and has provided recommended alterations to the Proposed Secondary Plan in this administrative report.

Direction 2:
Capitalize on the proximity of Major Redevelopment Sites to Rapid Transit and High Frequency Transit.

The Winnipeg Transportation Master Plan (2011) only considers potentially using the adjacent the CP Emerson Rail Line right-of-way for the Southeast Rapid Transit Corridor beyond 2031; it is not considered in the immediate future.

The Transportation Master Plan is under review and the Transit Master Plan is in the process of being developed. The Transportation Master Plan review and Transit Master Plan may result in changes to the timing or use of this corridor. Given this, the subject site may not be adjacent to Rapid Transit or High Frequency Transit and therefore Direction 2 of *Complete Communities* may not be as applicable for the site.

Direction 4:
Major redevelopment sites will provide for complete communities with significant levels of mixed use, high density development, with strong urban design and attractive parks, places and open spaces.

The Proposed Secondary Plan includes a mix of manufacturing, commercial, residential and park land uses, and includes urban design policies to help create attractive streetscapes and urban areas.

- *Provide a mix of employment, high-density housing, retail and service uses within Major Redevelopment Sites in a way that complements the needs of adjacent communities.*

  The Proposed Secondary Plan's policy designations include a commercial area in the northwest corner that will be generally accessible to both the Tissot and Dufresne neighbours to the west, and the surrounding Mission Industrial area.

- *Promote high-quality plazas, parks and streetscapes as focal points and networks that are connected to the greater community.*

  The recommended alterations to the Proposed Secondary Plan help create favourable park and pedestrian connections through the site and towards Marion Street.

- *Incorporate pedestrian elements like street trees, street furniture, wide sidewalks, bicycle parking and public art in new development.*

  Polices are included to incorporate street trees, street furniture and outdoor gathering areas in the Commercial designation.

- *Encourage the transition of development towards the outer edges of major redevelopment sites that is sensitive to the scale, massing, height, form and character of the surrounding area.*
- *Mitigate any negative impacts new development may have on neighbouring streets, parks and properties.*

  The proposed Employment areas are adjacent to other existing employment areas. Proposed policies restrict heavy manufacturing uses from establishing within the Plan Area. This approach can help minimize potential land use conflict between employment and residential areas that are located both on- and off-site.

  The proposed Higher Density Residential area is located away from manufacturing uses (as discussed in the Mitigation Between Incompatible Land Uses section above), but is near multi-family, public, and commercial uses, which are located to the west, across the CP Emerson Rail Line.

  Policies are included for mitigating land use conflict with the surrounding rail lines and rail yard, which align with the *Federation of Canadian Municipalities & Railway Association of Canada Guidelines for New Development in Proximity to Railway Operations (May 2013)*.

2006 Conceptual Land Use Plan

- On March 22, 2006, Council approved a Conceptual Land Use Plan for the Public Markets site (see Figure 18 below).
- This plan was approved as a concept, not as a by-law, notably a secondary plan by-law.
- Development never occurred on the site as articulated in the Conceptual Land Use Plan.
- In 2011, the subject site was designated as a Major Redevelopment Site under OurWinnipeg and the Complete Communities Direction Strategy where a planning process is required.
- The Public Service is recommending that Council rescind its decision to approve the 2006 Conceptual Land Use Plan and approve the Proposed Secondary Plan (in accordance with the alterations proposed in Appendix D) to avoid any confusion as to what plan is applicable for the site.

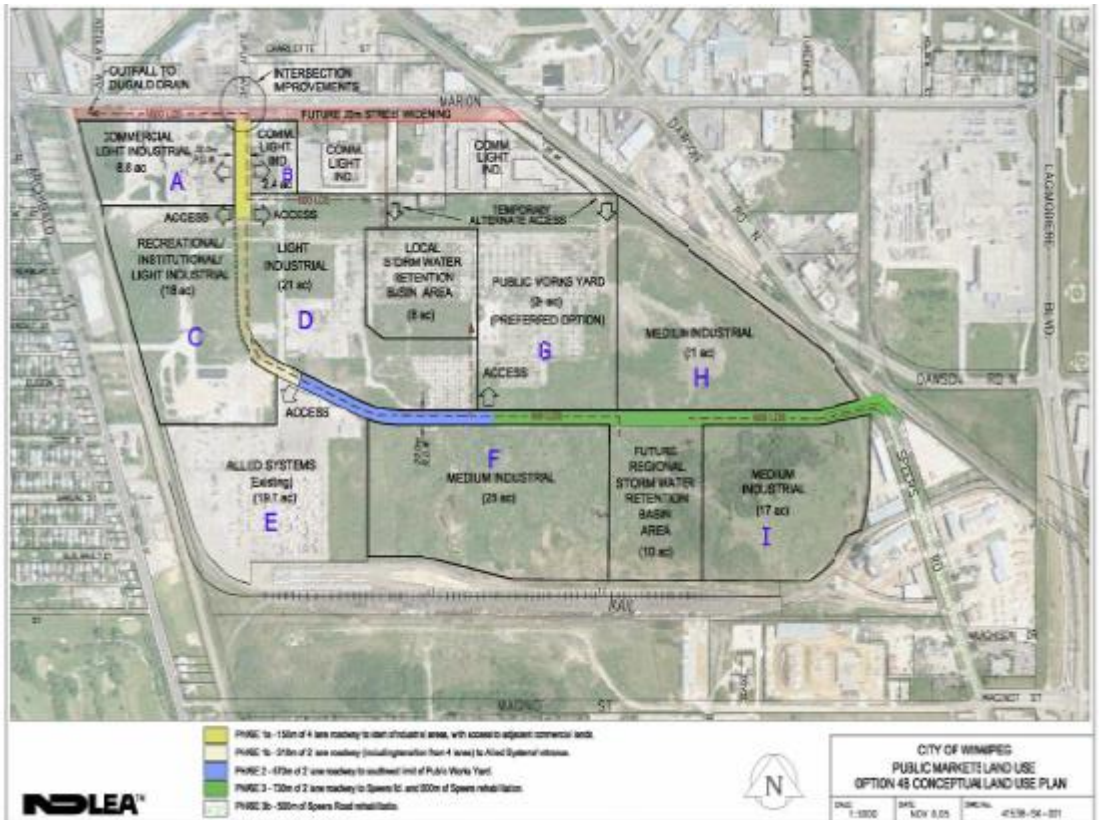


Figure 18: 2006 Conceptual Land Use Plan

RECOMMENDATIONS:

1. That the Public Markets Secondary Plan By-law No. 47/2019 (the "By-law") be amended in accordance with Appendix "D" to this report.
2. That Council give second and third reading to the By-law, as amended.
3. That Council rescind its decision of March 22, 2006 under file EP-1 "Public Markets Land Use Plan Update":
    1. *That the Conceptual Land Use Plan dated March 9, 2006, be approved as the preferred land use and development plan for the Public Markets site.*
4. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASONS FOR RECOMMENDATIONS:

- An itemized list of recommended changes is provided in Appendix "D" - *Recommended Second and Third Reading Alterations to the Public Markets Major Redevelopment Site "D" Secondary Plan.*
- With the recommendations of the Public Service, the Plan is consistent *OurWinnipeg* and the *Complete Communities Direction Strategy*, in that:
    - The Proposed Secondary Plan includes a mix of manufacturing, commercial, residential and park land uses and includes urban design policies to help create attractive streetscapes and urban areas.
    - The proposed Employment areas are adjacent to other existing employment areas. Proposed policies restrict heavy manufacturing uses from establishing within the Plan Area. This approach can help minimize potential land use conflict between employment and residential areas that are located both on- and off-site.
    - The proposed Higher Density Residential area is located away from manufacturing uses, but is near multi-family, public, and commercial uses, which are located to the west, across the CP Emerson Rail Line.
    - Policies are included for mitigating land use conflict with the surrounding rail lines and rail yard, which align with the *Federation of Canadian Municipalities & Railway Association of Canada Guidelines for New Development in Proximity to Railway Operations (May 2013)*.
    - The recommended alterations to the Proposed Secondary Plan help create favourable park and pedestrian connections through the site and towards Marion Street.
- The Emergency Access Evaluation, which was submitted as part of the application, indicates that the chances of the subject site being completely blocked by rail during an emergency call is low (0.00228%) and that the chances of the site having two of the three proposed accesses blocked by rail during an emergency call is also low (0.241%).
- Although three accesses are proposed, the Public Service views that the subject site continues to function as if it has two accesses and recommends a maximum of 600 dwelling units on the site to align with NFPA document 1141, Standard for Fire Protection Infrastructure for Land Development in Wildland, Rural and Suburban Areas.
- The proposed phasing policies help ensure that two access points (Marion and Speers) are developed for the subject site as part of Phase 1 of development.
- Recommending that Council rescind its decision to approve the 2006 Conceptual Land Use Plan and approve the Public Markets Secondary Plan By-law (in accordance with the alterations proposed in Appendix D) avoids any confusion as to what plan is applicable for the site.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning and Design Division

Report Prepared By: Robert Kostiuk, MCIP, RPP

Appendix ‘B’ – By-law No. 47/2019

Appendix ‘C’ – Schedule “A” to By-law No. 47/2019 - Public Markets Secondary Plan

Appendix ‘D’ – Recommended Second and Third Reading Alterations to the Public Markets Major Redevelopment Site “D” Secondary Plan

Appendix ‘E’ – Supporting Studies Submitted After First Reading