Minutes – Executive Policy Committee – June 16, 2021

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 8, 2021

Item No. 7 Updates to the Airport Vicinity Protection Area (St. James Ward)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

1. That the Public Service be directed to request funding commitments from the Winnipeg Airports Authority and Province of Manitoba totaling $250,000 in order to finance the updating of the Airport Vicinity Protection Area (AVPA) and affected by-laws.

2. That subject to receipt of written confirmation of funding commitments as described in Recommendation 1, the operating budget of the Planning, Property and Development Department be amended to include additional expenditure budget of $250,000 and additional grant revenue budget of an equivalent amount.

3. That subject to approval of Recommendation 2, the Public Service initiate a process to update the Airport Vicinity Protection Area Secondary Plan By-law 6378/94 (AVPA) and affected by-laws, namely the Airport Vicinity Acoustic Insulation By-law 6419/94, PDO-1 Airport Vicinity of the Winnipeg Zoning By-law 200/2006, and potentially *OurWinnipeg* and the *Complete Communities Direction Strategy.*

4. That any applications for development which were made prior to June 8, 2021 should not be delayed as a result of this request for funding and should continue to be processed as expeditiously as possible in accordance with the relevant procedure bylaws.

5. 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 – June 8, 2021

DECISION MAKING HISTORY:

Moved by Councillor Gilroy,

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

Carried

Moved by Councillor Gilroy,

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

Yea:	Bowman, Allard, Browaty, Gillingham, Gilroy, Mayes, Rollins	7
Nay:		0

Carried

STANDING COMMITTEE RECOMMENDATION:

On June 8, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- Add the following new Recommendation 4 and renumber the remaining recommendation accordingly:

  "4. That any applications for development which were made prior to June 8, 2021 should not be delayed as a result of this request for funding and should continue to be processed as expeditiously as possible in accordance with the relevant procedure bylaws.

and submitted the matter to the Executive Policy Committee and Council.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 8, 2021

DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION (continued):

On March 15, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Assiniboia Community Committee and directed the Winnipeg Public Service to review the Province of Manitoba's report regarding the Airport Vicinity Protection Area and report back within 90 days on the following:

1. A summary of findings from the report;

2. The potential impact on the City's existing and forthcoming planning and development policies and bylaws, including but not limited to, Our Winnipeg 2045, Complete Communities 2.0 and the Residential Infill Strategy; and

3. Any necessary recommendations related to updating the City of Winnipeg's Airport Vicinity Protection Area Secondary Plan By-law No. 6378/94.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 3, 2021, the Assiniboia Community Committee passed the following motion:

WHEREAS the Airport Vicinity Protection Area Secondary Plan By-law No. 6378/94 (AVPA) and other city land use plans guide the Public Service in assessing development applications and making recommendations;

AND WHEREAS the Province of Manitoba recently released Planning Analysis and Recommendations - Winnipeg International Airport reports (The Reports) which contain updated noise exposure forecasts (NEF);

AND WHEREAS The Reports make recommendations including but not limited to, municipal by-laws should be updated/amended to reflect new NEF contours with a corresponding exercise to update land use restriction areas and polices.

AND WHEREAS implementing the recommendations of the reports will have an impact on development applications in the affected area;

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 8, 2021

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

THEREFORE BE IT RESOLVED that the Standing Policy Committee on Property and Development, Heritage and Downtown Development be requested to direct the Winnipeg Public Service to review the Province of Manitoba's report regarding the Airport Vicinity Protection Area and report back in 90 days on the following:

1. A summary of findings from the report;

2. The potential impact on the City's existing and forthcoming planning and development policies and bylaws, including but not limited to, Our Winnipeg 2045, Complete Communities 2.0 and the Residential Infill Strategy; and

3. Any necessary recommendations related to updating the City of Winnipeg's Airport Vicinity Protection Area Secondary Plan By-law No. 6378/94.

ADMINISTRATIVE REPORT

Title: Review of Provincial Noise Exposure Forecast Study and Provincial Planning Recommendations Report and Updating the Airport Vicinity Protection Area Secondary Plan By-law 6378/94 and Affected By-laws

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

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Veitch	J. Kiernan	C. Kloepfer	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

On March 15, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development (SPC) directed the Winnipeg Public Service to review the Province of Manitoba's report(s) regarding the City of Winnipeg's Airport Vicinity Protection Area Secondary Plan By-law 6378/94 (AVPA) and report back to SPC within 90 days on the following: a summary of findings, potential implications on existing and forthcoming policies and by-laws, and recommendations for updating the AVPA.

The "Province of Manitoba's report" referred to in the March 15, 2021 SPC motion consists of the following documents:

- *Noise Exposure Forecast Study – Winnipeg International Airport - Final Report* January 8, 2021 ("Provincial NEF Study"); and,
- *Planning Analysis and Recommendations – Winnipeg International Airport – Final Report* February 10, 2021 ("the Provincial Report").

These documents, along with Final Summary Reports dated February 18, 2021 and February 25, 2021 respectively, were released by the Province on March 2, 2021.

The Public Service has reviewed the Provincial NEF Study and Provincial Report. The Provincial NEF Study includes four scenarios which all result in significant reductions to the total area to which the NEF contours found in the current AVPA apply.

Although the Provincial NEF Study and the Provincial Report do not have a direct impact on the City of Winnipeg's existing and forthcoming planning and development policies and by-laws, these reports provide a foundation of background materials to consider when updating the AVPA, the Planned Development Overlay (PDO-1) Airport Vicinity and the Airport Vicinity Acoustic Insulation By-law and potentially *OurWinnipeg* and the *Complete Communities Direction Strategy*.

The AVPA is over 26 years old and has not been subject to a comprehensive review or update since coming into force and effect in 1994. Recent AVPA amendment applications (SPA 1/2019 & SPA 2/2019) and the Winnipeg Airports Authority's (WAA) objection to these applications have helped to emphasize the value of a comprehensive review of the AVPA. As a result of the WAA's objection to SPA 1/2019 and SPA 2/2019 on behalf of the Federal Government, both applications are awaiting a public hearing before the Municipal Board per section 270 of the *City of Winnipeg Charter*.

A successful update to the AVPA will require collaboration between the key parties with overlapping jurisdictional interests, namely the Province of Manitoba, WAA and City of Winnipeg. Resources or funding from the Province of Manitoba and the WAA is crucial to the update. Without collaboration and resources or funding, there is virtually no opportunity to successfully update the AVPA and affected by-laws.

RECOMMENDATIONS

1. That the Public Service be directed to request funding commitments from the Winnipeg Airports Authority and Province of Manitoba totaling $250,000 in order to finance the updating of the AVPA and affected by-laws.

2. That, subject to receipt of written confirmation of funding commitments as described in Recommendation 1, the operating budget of the Planning, Property and Development Department be amended to include additional expenditure budget of $250,000 and additional grant revenue budget of an equivalent amount.

3. That, subject to approval of Recommendation 2, the Public Service initiate a process to update the Airport Vicinity Protection Area Secondary Plan By-law 6378/94 (AVPA) and affected by-laws, namely the Airport Vicinity Acoustic Insulation By-law 6419/94, PDO-1 Airport Vicinity of the Winnipeg Zoning By-law 200/2006, and potentially *OurWinnipeg* and the *Complete Communities Direction Strategy.*

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

On March 15, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Assiniboia Community Committee and directed the Winnipeg Public Service to review the Province of Manitoba's report regarding the Airport Vicinity Protection Area and report back within 90 days on the following:

1. A summary of findings from the report;
2. The potential impact on the City's existing and forthcoming planning and development policies and bylaws, including but not limited to, Our Winnipeg 2045, Complete Communities 2.0 and the Residential Infill Strategy; and
3. Any necessary recommendations related to updating the City of Winnipeg's Airport Vicinity Protection Area Secondary Plan By-law No. 6378/94.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Winnipeg Public Service are concurred in, subject to receipt of written confirmation of funding commitments from the Winnipeg Airports Authority and Province of Manitoba, the Planning, Property and Development Department's operating budget will be amended to include additional expenditure and grant revenue budget of $250,000 and the Public Service will initiate a process to update the AVPA and affected by-laws.

HISTORY/DISCUSSION

Background

The purpose of the AVPA is to protect the 24-hour air operations of the airport by managing residential noise complaints, which are understood to be *a limiting factor at some major Airports which are currently forced to operate under regulatory curfews* (p 17). Such curfews can potentially eliminate night time operations and reduce total economic benefits by capping opportunities (p 17).

According to the AVPA, '…*the principal concern for residents living in proximity to the Airport is the noise generated by the arrival and departure of aircraft.'* Tolerance for aircraft noise is measured using the Noise Exposure Forecast (NEF) which is an internationally-accepted method adopted by Transport Canada in 1987.

The boundaries of policy Areas I and II provided in the AVPA are directly related to the NEF contours. The 25 NEF contour approximates the outer limit of the AVPA plan area.

The AVPA also provides that; '…*the Airport vicinity boundary will be reviewed and revised as necessary to reflect changes to the NEF contours.'* The AVPA is over 26 years old and has not been subject to a comprehensive review or update since coming into force and effect in 1994. Re-calculation of the NEF contours may result in a consideration towards altering the policy Area I and Area II boundaries.

The AVPA states that the City '*shall regulate the use of land and buildings within the AVPA as follows:*

i. within Area I no new residential development shall be permitted (subject to statutory nonconforming rights and any related variance); but, existing dwellings may be replaced if destroyed or demolished. Subject to any required rezoning or other change in land use controls. Exceptions for minor residential infilling in existing and established residential areas may be approved;

ii. subject to any required zoning or other change in land use controls, within Area II new single-family dwellings may be approved and new multiple residential dwellings may be approved up to 85 units per hectare (35 units per acre) and approved above that density by conditional use approval.'

On April 16, 2019, the Urban Planning and Design Division received an application (SPA 1-2019) to amend the AVPA proposing to re-designate approximately 80 acres of land bordered by Portage Avenue, St. James Street, St. Matthews Avenue, and Empress Street, (commonly referred to as "Polo Park" and the "former Winnipeg Stadium site"), from policy Area I to Area II.

In accordance with section 270 of the City of Winnipeg Charter (the "Charter"), an objection to the proposed amendment filed by a neighbouring municipality or another level of government would result in the proposed amendment being referred to the Municipal Board before second reading.

In May 2020, the Winnipeg Airports Authority (WAA) filed an objection to the proposed amendment on behalf of the Government of Canada (Transport Canada). The matter was referred to the Municipal Board per section 270 of the Charter. The Municipal Board Hearing remains pending.

It should also be noted that a second AVPA amendment (SPA 2-2019) was received by the City of Winnipeg. The WAA objected to this amendment as well. The Municipal Board has not determined the hearing status for SPA 2-2019 at this time.

On August 11, 2020, the Province issued a Request for Proposals (RFP) for a NEF Study and Planning Recommendations for the airport area.

On March 2, 2021, the Province released the following reports as described in the RFP:

- *Noise Exposure Forecast Study – Winnipeg International Airport - Final Report* January 8, 2021 ("Provincial NEF Study"); and
- *Planning Analysis and Recommendations – Winnipeg International Airport – Final Report* February 10, 2021 ("the Provincial Report").

Provincial NEF Study – Summary of Findings

The Provincial NEF Study includes the following four scenarios:

- Scenario 1 – 2019 Baseline Conditions: Contours derived from 2019 aircraft movement statistics to illustrate the baseline conditions of Winnipeg International Airport (Attachment A).
- Scenario 2 – 2033 Forecast Conditions: Contours that illustrate conditions at the end of the planning horizon of the Winnipeg Airports Authority's (WAA's) 2033 Master Plan for Winnipeg International Airport (Attachment B).
- Scenario 3 – 2050 Forecast Conditions: Illustrates forecast noise conditions over a 30-year planning horizon, which aligns with the horizons of municipal and regional plans such as the OurWinnipeg 2045 Draft Plans and the Capital Planning Region 2050 Draft Plan (Attachment C).
- Scenario 4 – Ultimate-Term Conceptual Conditions: Considers the noise conditions at an indeterminate time in the future where a third runway is implemented, and the three-runway system operates at its maximum capacity (Attachment D).

All four of these scenarios result in significant reductions to the total area to which the NEF contours found in the current AVPA apply.

Page 2 of the Provincial NEF Study states:

> *'The Noise Exposure Forecast Study has been prepared for the exclusive use of the Province of Manitoba. Any use, reliance on, or decision made by a third party based on this report is the sole responsibility of that third party.'*

Given the statement above, it appears that the City of Winnipeg may consider using the Provincial NEF Study if/when undertaking a review of the AVPA but the Provincial NEF Study was not necessarily developed for this express purpose.

The Public Service has sought input from Transport Canada for further clarity on the review and approval process for NEF contours, but had not received a response at time of writing.

Provincial Planning Recommendations Report – Summary of Findings

The Provincial Planning Recommendations Report ("Provincial Report") was produced to provide:

- an overview of the planning hierarchy for airports and land use in Canada
- a review of federal, provincial (Manitoba), and municipal (City of Winnipeg, RM of Rosser) policies and regulations
- a review of case studies from Canadian municipalities and their associated airport vicinity regulations and policies (Mississauga, ON, Richmond, BC, and Calgary, AB)
- potential land use implications of the newly generated NEF contours and alternative policy directions for Winnipeg
- recommendations for potential amendments to federal, provincial, and municipal regulations based on above-noted review and analysis.

In the overview of planning hierarchy for airports and land use and review of provincial regulations, the Provincial Report acknowledges that:

- The Provincial Planning Regulation (81/2011), which reflects the Provincial Government's interest in land and resource use and sustainable development, and informs reviews of development plans, includes the following provision:
  '9.1.3 Land use planning in the capital region should be coordinated to protect and capitalize on the region's key economic advantages, including
  (c) the Winnipeg James Richardson International Airport, its 24-hour operation status, and the clustering of industrial development in the vicinity of the airport.'
- Section 269 of the *City of Winnipeg Charter* allows the Lieutenant Governor in Council to make regulations that establish policies for the use of real property and for development in the AVPA.

Although the Provincial Report provides a variety of recommendations for potential amendments to federal, provincial, and municipal regulations, a preferred set of amendments is not identified.

The Provincial Report discusses the potential land use implications of using the Ultimate-Term Conceptual Conditions (Scenario 4) NEF contours, which is the most conservative approach to revising the AVPA boundaries.

Using the Scenario 4 NEF contours, the Provincial Report states that "4,162 acres would no longer be regulated by the AVPA" (page 70) and that "168 acres of (commercially zoned) land could be developed or redeveloped for residential or mixed-use purposes" (page 71). Full details of this analysis are provided in Attachment E.

TP1247 – Land Use in the Vicinity of Aerodromes (TP1247), which was published by Transport Canada's Civil Aviation Directorate – Standards Branch, Flight Standards Division and provides land use guidance within specific NEF contours, is reviewed in the Provincial Report. Attachment F includes the land use compatibility guidance for residential and other development from TP1247, which has been referenced, reproduced, and included in the Provincial Report.

Inconsistencies between the AVPA and TP1247 include:

- The existing AVPA currently allows residential uses to be established in areas identified as having greater than 30 NEF (i.e. above the 30 NEF contour) subject to a conditional use public hearing and specific construction standards to mitigate noise impacts; whereas TP 1247 does not recommend this.
- The AVPA differentiates among levels of density for new residential developments, whereas TP1247 is silent on the matter.

It should also be noted that TP 1247 indicates that residential uses may be acceptable in areas that are below the 30 NEF where developers inform tenants or purchasers that annoyance by aircraft may begin as low as NEF 25 and, where appropriate acoustic features are considered in the building design (refer to "Explanatory Note A" in Attachment F).

- Placing a caveat on title is a key way to ensure that developers are required to notify tenants or purchasers of the annoyance caused by aircraft. However, it is currently not possible to place these types of caveats on titles in Manitoba.

The Provincial Report recommends:

- Undertaking a *"detailed legal analysis of the Real Property Act and associated regulations to identify provisions that limit the use of caveats on title for aircraft noise and making amendments, as required, to facilitate the use of caveats on title"* (page 74).
- Amendments to Municipal By-laws, including: *OurWinnipeg*, the *Complete Communities Direction Strategy*, the AVPA and PDO-1, and the *Airport Vicinity Acoustics Insulation By-law* (see Attachment G).

The Provincial Report concludes:

> *'Regardless of the approach taken, the policy language of both the OurWinnipeg Plan and Complete Communities Direction Strategy emphasizes collaboration with impacted municipalities, the Winnipeg Airports Authority, and relevant stakeholders in periodic reviews of the AVPA Plan.'*
> *'A collaborative approach which incorporates technical reviews and best-practices from other jurisdictions would be the most productive.'*
> *'Any exercise to review, update, or replace the AVPA Plan should be grounded in consultation with all impacted parties.'*

Potential Impact on City Policies and By-laws

As discussed above, the Provincial NEF Study has been prepared for the exclusive use of the Province of Manitoba, and although the Provincial Report considers the opportunity for airport-related regulations to be implemented at the provincial level, which could include adopting NEF contours within the regulations and setting a minimum regulatory land use standard to be reflected by local municipalities in their plans, it does not explicitly recommend this approach.

Accordingly, the Provincial NEF Study and Provincial Report do not have a direct impact on the City of Winnipeg's existing and forthcoming planning and development policies and by-laws.

Instead, the Provincial NEF Study and Provincial Report provide background materials to consider when updating the AVPA, the PDO-1 Airport Vicinity and the *Airport Vicinity Acoustic Insulation By-law* and potentially *OurWinnipeg* and the Complete Communities Direction Strategy (if/as necessary).

Updating the City of Winnipeg's Airport Vicinity Protection Area Secondary Plan By-law No. 6378/94

A successful update to the AVPA will require collaboration between the key parties with overlapping jurisdictional interests, namely the Province of Manitoba, WAA and City of Winnipeg.

Resources or funding from the Province of Manitoba and the WAA is crucial to the update. Without collaboration and resources or funding, there is virtually no opportunity to successfully update the AVPA and affected by-laws.

The following steps are recommended to update the AVPA and affected by-laws:

i. That the Public Service be directed to request funding commitments from the Winnipeg Airports Authority and Province of Manitoba totaling $250,000 in order to finance the updating of the AVPA and affected by-laws.

ii. That, subject to receipt of written confirmation of funding commitments, the operating budget of the Planning, Property and Development Department be amended to include additional expenditure and revenue budget of $250,000 and the Winnipeg Public Service initiate a process to update the Airport Vicinity Protection Area Secondary Plan By-law 6378/94 (AVPA) and affected by-laws, namely the Airport Vicinity Acoustic Insulation By-law 6419/94, PDO-1 Airport Vicinity of the Winnipeg Zoning By-law 200/2006, and potentially *OurWinnipeg* and the *Complete Communities Direction Strategy.*

FINANCIAL IMPACT

Financial Impact Statement

Date: May 17, 2021

Project Name:

First Year of Program **2021**

Review of Provincial Noise Exposure Forecast Study and Provincial Planning Recommendations Report and Updating the Airport Vicinity Protection Area Secondary Plan By-law 6378/94 and Affected By-laws

	2021	2022	2023	2024	2025
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ 250,000	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	250,000	-	-	-	-
Net Cost/(Benefit)	$ -	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Direct costs represent the upset maximum amount of a consultant services contract to be awarded in 2021 while incremental revenue represents grant funding from both the Province and WAA to finance the updating of the AVPA and affected by-laws, including the PDO-1 Airport Vicinity of the Winnipeg Zoning By-law the Airport Vicinity Acoustic Insulation By-law. **No additional mill rate support is requested.**

Mike McGinn May 17, 2021

Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

N/A

OURWINNIPEG POLICY ALIGNMENT

The report recommendations align with *OurWinnipeg* and *Complete Communities* policies, which direct the City of Winnipeg to support the Airport and maintain a compatible land use relationship with neighbourhoods affected by airport-related noise through the AVPA and PDO-1 Airport Vicinity of the Winnipeg Zoning By-law, both of which should be periodically reviewed in cooperation with relevant stakeholders:

OurWinnipeg:

- *Support the role of the Winnipeg James Armstrong Richardson International Airport as a major transportation hub for passengers and cargo.*
- *Adhere to the Airport Vicinity Development Plan (AVDP) and periodically review the plan in cooperation with relevant stakeholders.*
- *In order to maintain compatible land use relationships, regulate land use and building regulations for all those neighbourhoods or portions thereof significantly affected by airport related noise through:*
    - *The Airport Vicinity Development Plan By-law 6378/94* (ie. the *Airport Vicinity Protection Area Secondary Plan)*.[1]
    - *Airport Vicinity Protection Area Planned Development Overlay*

The *Complete Communities Direction Strategy* also adds the following direction:

Direction 1

- *Support the 24-hour status of airport operations and airport related activities by working with the Winnipeg Airports Authority and all stakeholders.*

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

[1] The name of the *Winnipeg Airport Vicinity Development Plan* was changed to the *Airport Vicinity Protection Area Secondary Plan* By-law by Charter Implementation By-law No. 8162/2002.

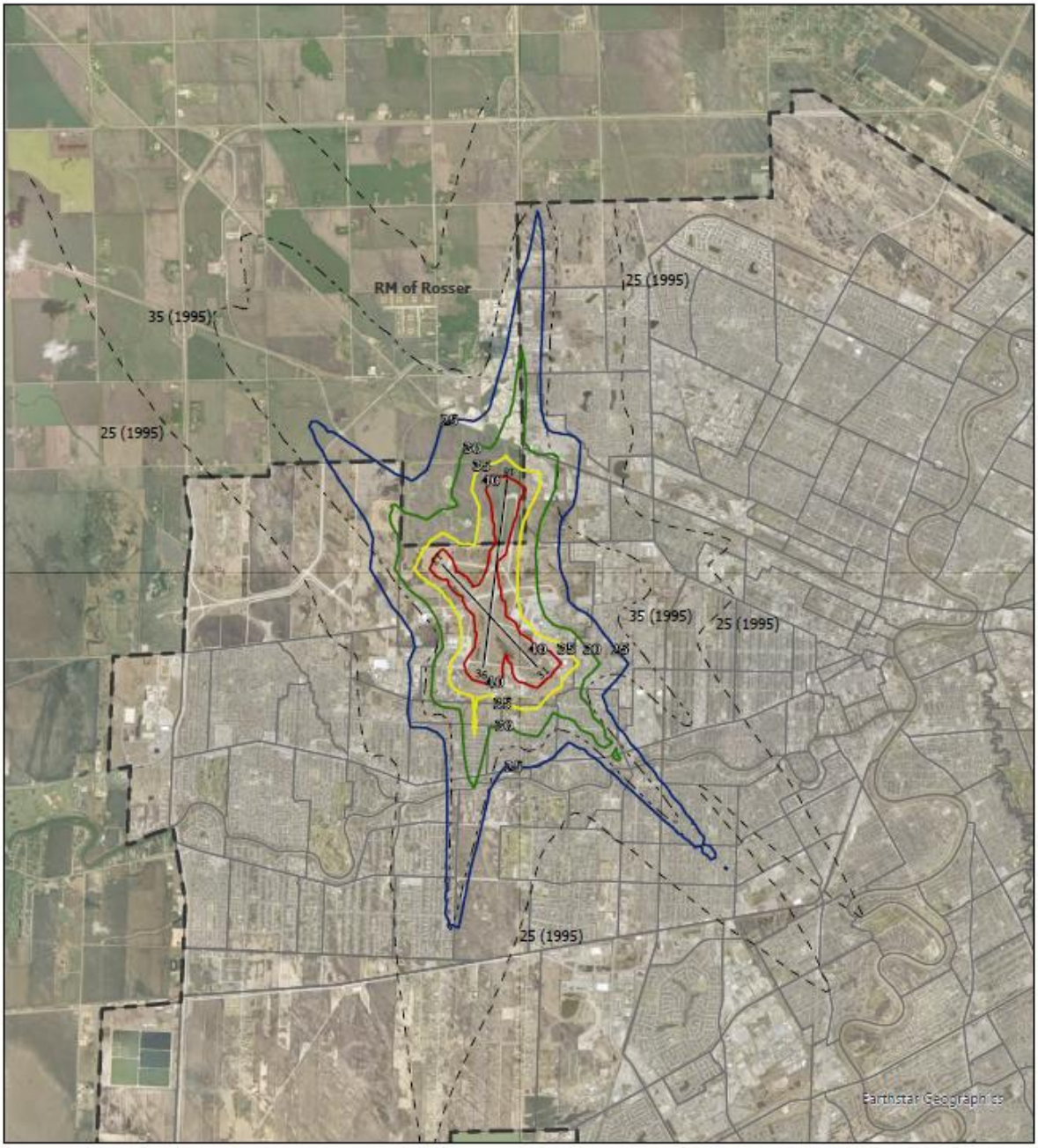
SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning and Design
Prepared by: Robert Kostiuk, RPP, MCIP
Date: May 18, 2021
File No:

Attachments:

Attachment A – Provincial NEF Study 2019 Baseline Conditions (Scenario 1)
Attachment B – Provincial NEF Study 2033 Forecast Conditions (Scenario 2)
Attachment C – Provincial NEF Study 2050 Forecast Conditions (Scenario 3)
Attachment D – Provincial NEF Study 2050 Ultimate-Term Conceptual Conditions (Scenario 4)
Attachment E – Provincial Planning Recommendations Report: Land Use Implications Summary
Attachment F – TP1247: Land Use in the Vicinity of Aerodromes
Attachment G – Provincial Planning Recommendations Report: Planning Recommendations

Attachment A – Provincial NEF Study 2019 Baseline Conditions (Scenario 1)



NOISE EXPOSURE FORECAST STUDY - WINNIPEG INTERNATIONAL AIRPORT

FIGURE 5.1 - 2019 BASELINE CONTOURS

JANUARY 8, 2021

HM AERO AVIATION CONSULTING

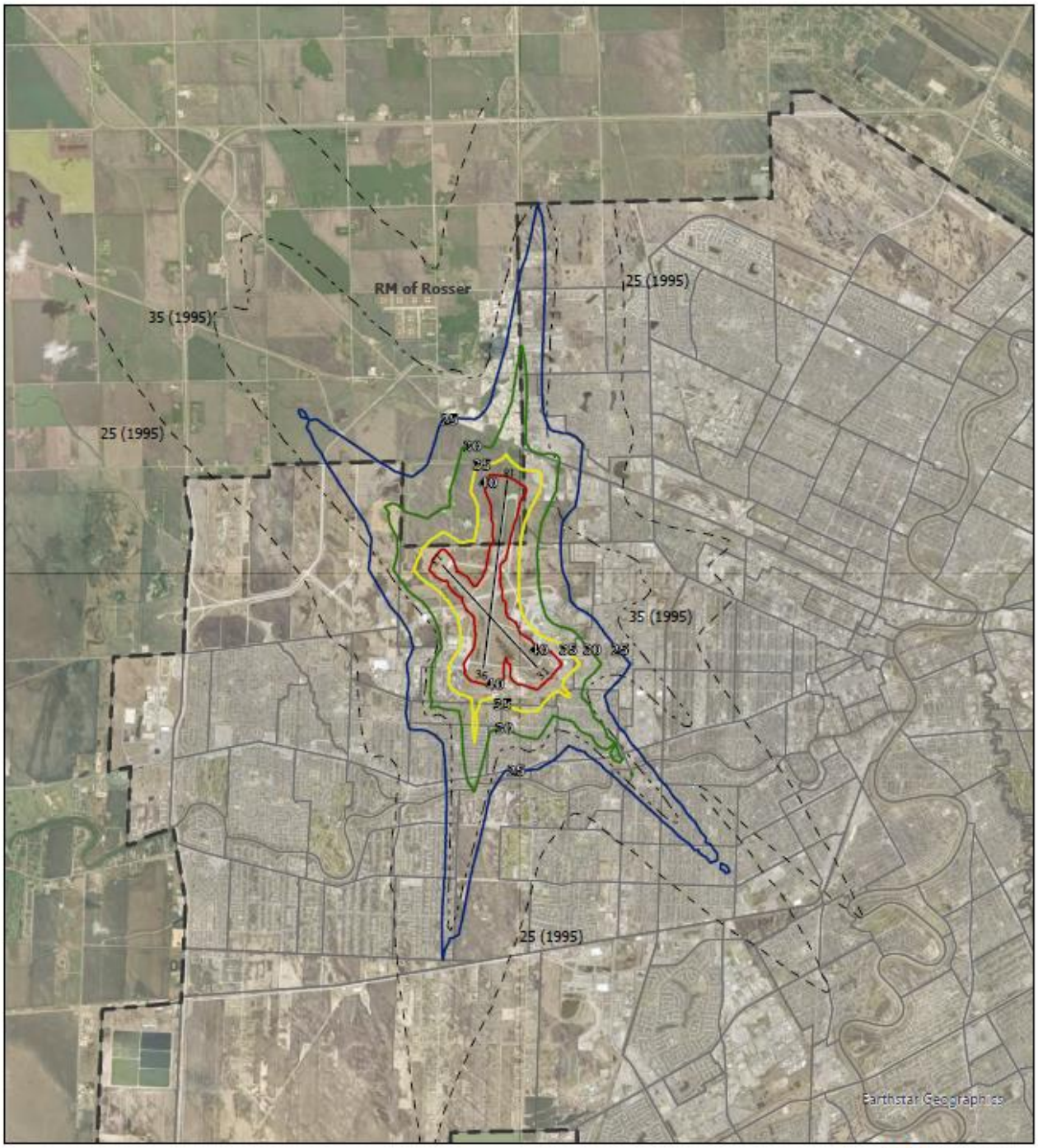
Landmark Planning & Design Inc.

NEF25 — 1995 NEF25
NEF30 — 1995 NEF35
NEF35 City of Winnipeg Limits
NEF40

1 0.5 0 1 2 3 4 Kilometers

N

Attachment B – Provincial NEF Study 2033 Forecast Conditions (Scenario 2)



NOISE EXPOSURE FORECAST STUDY - WINNIPEG INTERNATIONAL AIRPORT

FIGURE 5.2 - 2033 CONTOURS

JANUARY 8, 2021

HM AERO AVIATION CONSULTING

Landmark Planning & Design Inc.

NEF25 — 1995 NEF25

NEF30 — 1995 NEF35

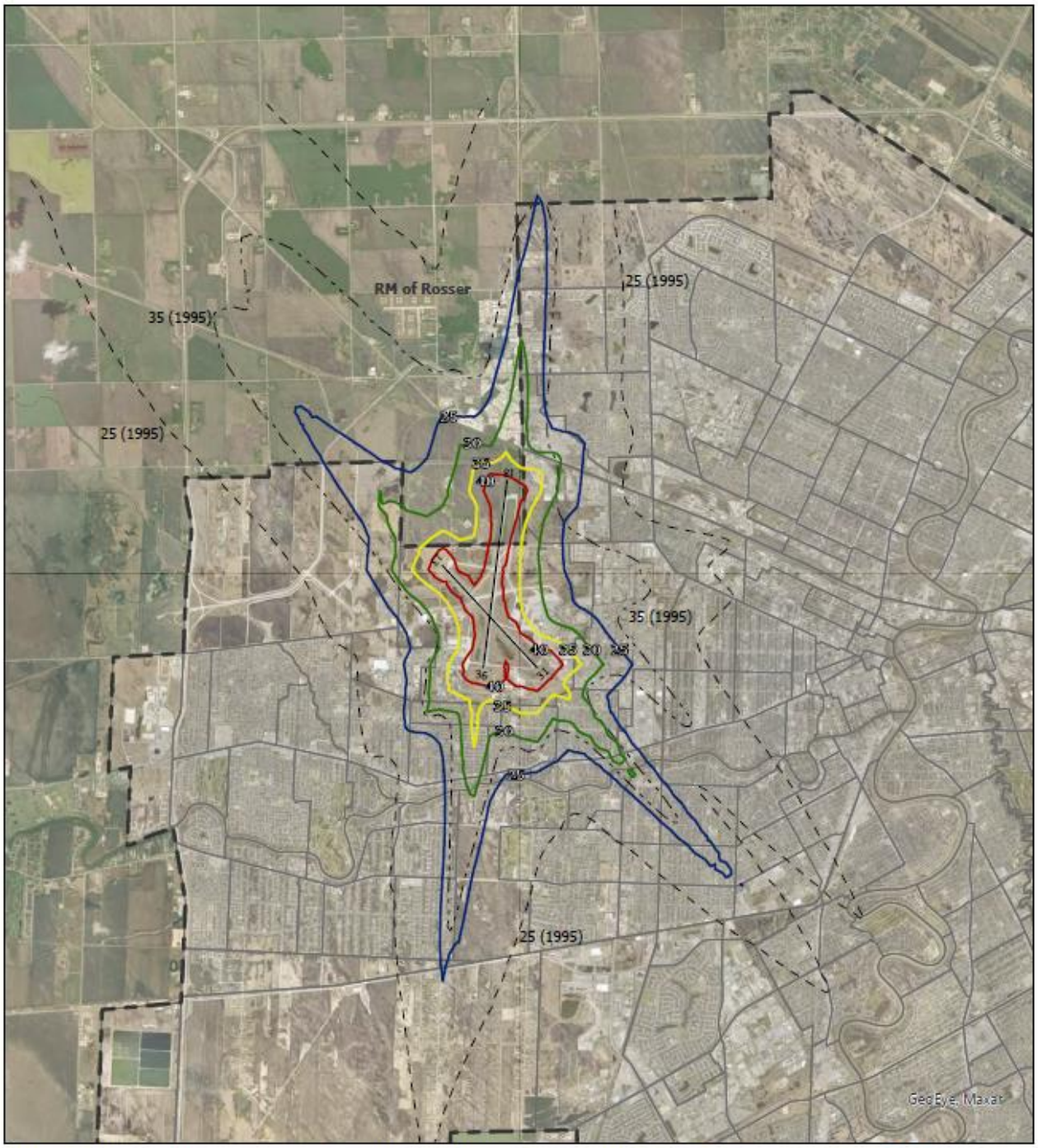
NEF35 City of Winnipeg Limits

NEF40

1 0.5 0 1 2 3 4 Kilometers

N

Attachment C – Provincial NEF Study 2050 Forecast Conditions (Scenario 3)



NOISE EXPOSURE FORECAST STUDY - WINNIPEG INTERNATIONAL AIRPORT

FIGURE 5.3 - 2050 CONTOURS

JANUARY 8, 2021

HM AERO AVIATION CONSULTING

Landmark Planning & Design Inc.

NEF25 — 1995 NEF25

NEF30 — 1995 NEF35

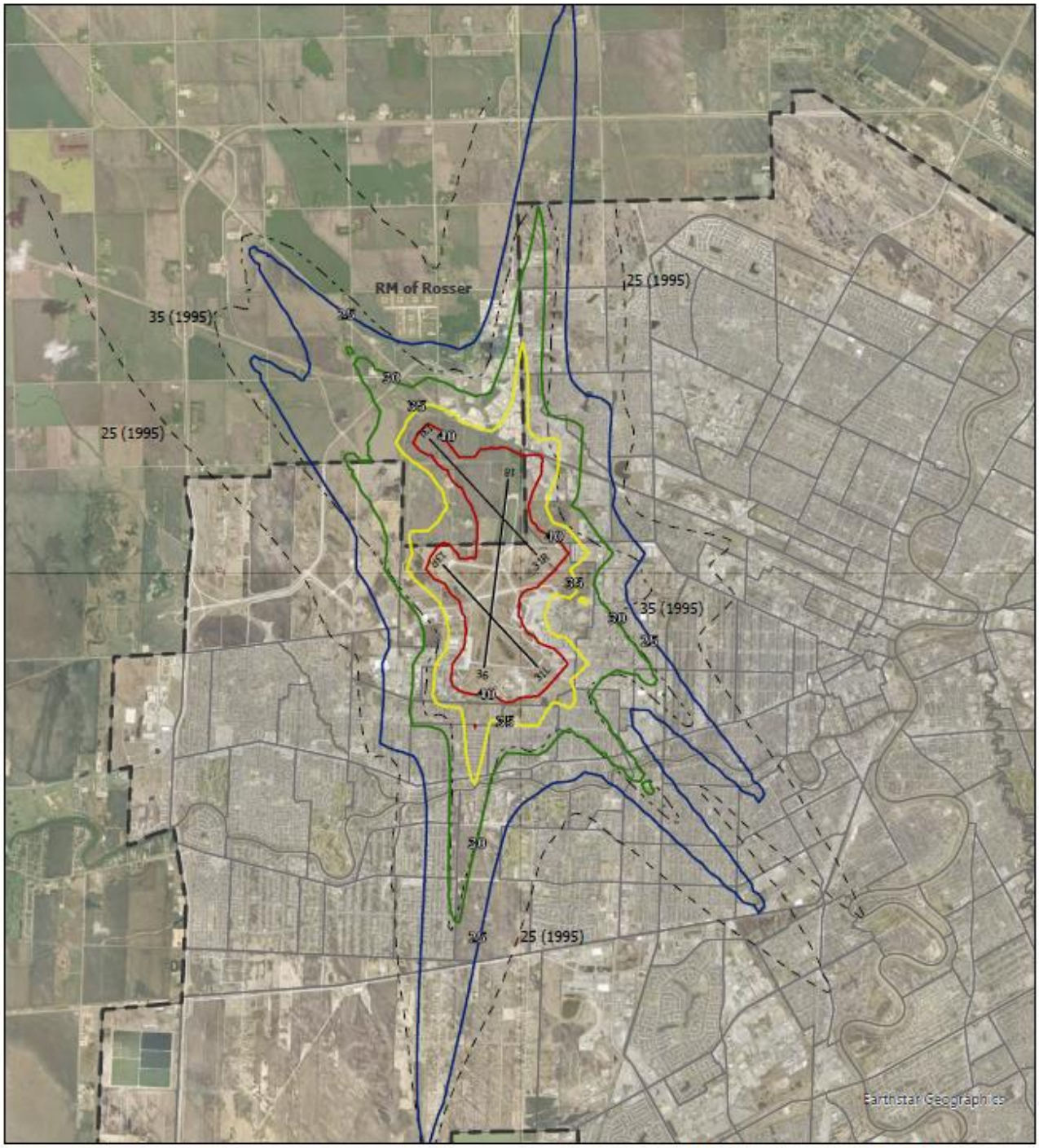
NEF35 City of Winnipeg Limits

NEF40

1 0.5 0 1 2 3 4 Kilometers

N

Attachment D – Provincial NEF Study 2050 Ultimate-Term Conceptual Conditions (Scenario 4)



NOISE EXPOSURE FORECAST STUDY - WINNIPEG INTERNATIONAL AIRPORT

FIGURE 5.4 - ULTIMATE-TERM CONCEPTUAL CONTOURS

JANUARY 8, 2021

HM AERO AVIATION CONSULTING

Landmark Planning & Design Inc.

WPGUltimate_NEP_Runways
NEF25
NEF30
NEF35
NEF40
1995 NEF25
1995 NEF35
City of Winnipeg Limits

1 0.5 0 1 2 3 4 Kilometers

N

Table 5-2 – Land Uses by Zone – Existing Area I and Area II

Zone	Area I		Area II		Total Regulated Parcels	Total Regulated Acres
	Parcels	Acres	Parcels	Acres		
Commercial	350	557	382	372		
Multiple Family	50	30	150	176		
Single Family	6425	1007	17577	2536		
Two Family	59	16	6186	585		
Industrial	615	4076	443	775		
Other	126	1291	364	4433		
TOTAL	**7625**	**6977**	**25102**	**8878**	**14602**	**15855**

Table 5-3 – Land Uses by Zone – 1995 NEF Contours

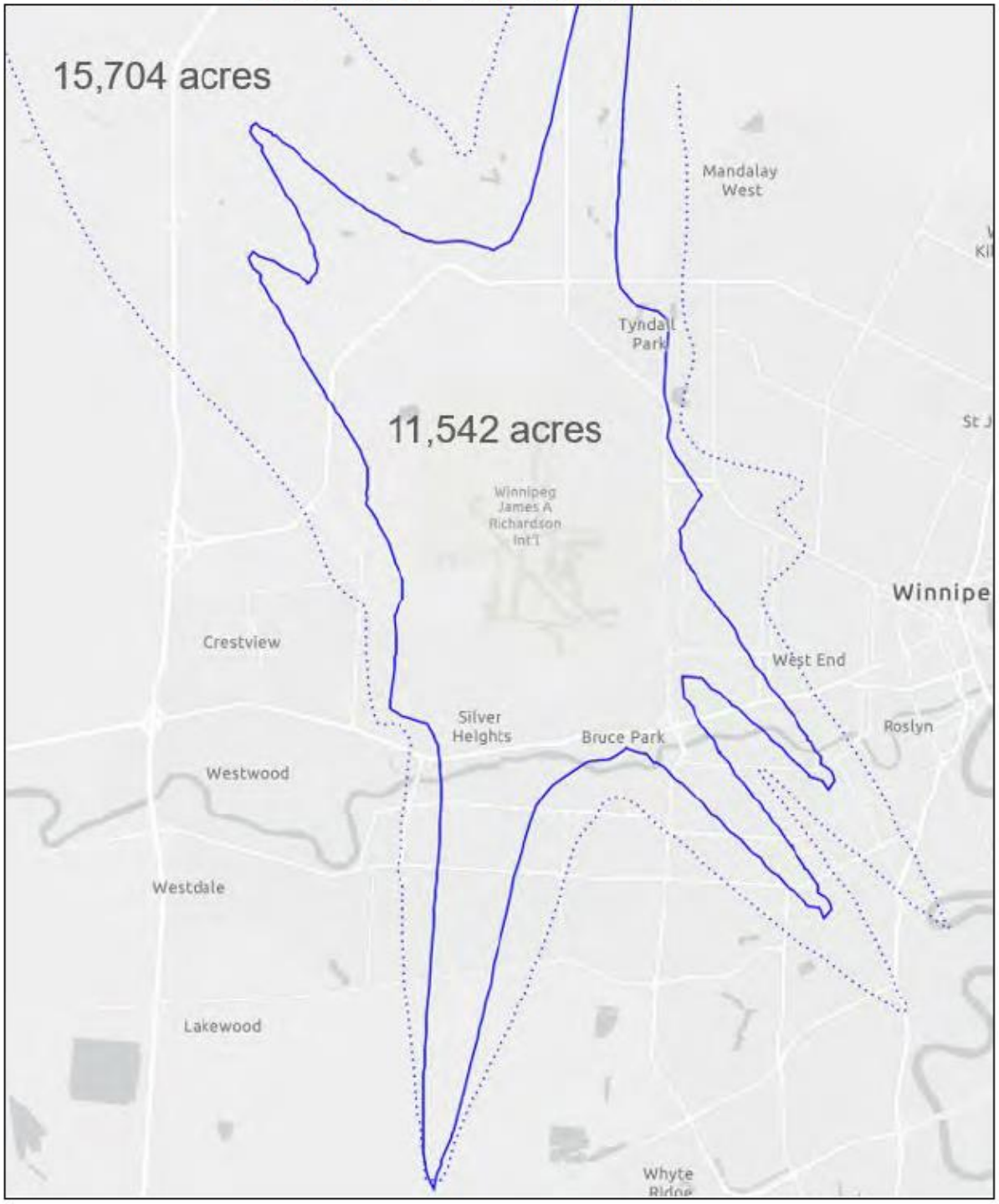
1995	1995 25-30 NEF		1995 30-35 NEF		1995 35-40 NEF		1995 40+ NEF	
Zone	Parcels	Acres	Parcels	Acres	Parcels	Acres	Parcels	Acres
Commercial	358	341	301	317	195	168	42	46
Multiple Family	199	130	94	76	25	20	3	2
Single Family	12903	1793	8809	1179	4981	550	856	169
Two Family	3634	347	1247	116	11	1	2	0
Industrial	358	683	342	807	478	848	142	2420
Other	372	3014	209	1542	125	702	52	432
TOTAL	17824	6308	11002	4038	5815	2289	1097	3069

Table 5-4 – Land Uses by Zone – Ultimate-Term NEF Contours

ULTIMATE	ULT 25-30NEF		ULT 30-35NEF		ULT 35-40NEF		ULT 40+NEF	
Zone	Parcels	Acres	Parcels	Acres	Parcels	Acres	Parcels	Acres
Commercial	320	812	139	197	17	45	1	1
Multiple Family	83	89	26	21	2	0	0	0
Single Family	9563	1232	4226	585	647	198	3	39
Two Family	910	94	47	3	0	0	0	0
Industrial	406	812	247	1062	120	2130	27	1306
Other	289	2201	77	678	45	112	5	13
TOTAL	11571	5241	4762	2547	831	2486	36	1358

Figure 5-14 – Total Land Regulated 1995 vs Ultimate-Term

Blue Dashed Line – 1995 25NEF
Blue Solid Line – Ultimate-Term 25 NEF



Attachment F – TP1247: Land Use in the Vicinity of Aerodromes

Table 2-2 – Select NEF Land Use Compatibility Guidance (Transport Canada)

NEF Value	NEF > 40	NEF 40-35	NEF 35-30	NEF < 30
Residential Uses				
Detached and Semi-Detached Dwellings	NO	NO	NO (B)	YES (A)
Town Houses	NO	NO	NO (B)	YES (A)
Apartments	NO	NO	NO (B)	YES (A)
Outdoor Recreational Uses				
Athletic Fields	NO	J	K	YES
Golf Courses	YES	YES	YES	YES
Park and Picnic Areas	NO	K	YES	YES
Commercial and Industrial Uses				
Factories	I	I	YES	YES
Offices	F	E	D	YES
Retail Sales	F	D	YES	YES
Restaurants	F	D	D	YES
Hotels and Motels	NO	F	G	YES
Warehouses	YES	YES	YES	YES
Public Uses				
Schools	NO	NO	D	C
Churches	NO	NO	D	C
Hospitals	NO	NO	D	C
Explanatory Notes				

A – Annoyance caused by aircraft noise may begin as low as NEF 25. It is recommended that developers be made aware of this fact and that they undertake to so inform all prospective tenants or purchasers of residential units. In addition, it is suggested that development should not proceed until the responsible authority is satisfied that acoustic insulation features, if required, have been considered in the building design.

B – New residential construction or development should not be undertaken. If the responsible authority chooses to proceed contrary to Transport Canada's recommendation, residential construction, or development between NEF 30 and 35 should not be permitted to proceed until the responsible authority is satisfied that: (1) appropriate acoustic insulation features have been considered in the building and (2) a noise impact assessment study has been completed and shows that this construction or development is not incompatible with aircraft noise. Notwithstanding point 2, the developer should still be required to inform all prospective tenants or purchasers of residential units that speech interference and annoyance caused by aircraft noise are, on average, established and growing at NEF 30 and are very significant by NEF 35.

C – These facilities should not be located close to the 30-NEF contour unless the restrictions outlined in Note D below are applied.

D – These uses should not be approved unless a detailed noise analysis is conducted and the required noise insulation features are considered by the architectural consultant responsible for the building design.

E – When associated with a permitted land use, an office may be located in this zone provided that all relevant actors are considered and a detailed noise analysis is conducted to establish the noise reduction features required to provide an indoor environment suited to the specific office function.

F – It is recommended that this specific land use should be permitted only if related directly to aviation-oriented activities or services. Conventional construction will generally be inadequate and special noise insulation features should be included in the building design.

OurWinnipeg

Potential amendments or areas for consideration in the *OurWinnipeg Plan* could include:

- *A mapping amendment to reflect new Area I and Area II boundaries based on updated NEF contours, as well as any potential changes to the Airport Area; and*
- *The consideration of including more detailed policies from the AVPA Plan in the OurWinnipeg Plan instead of within a separate secondary plan.*

Airport Vicinity Protection Area Secondary Plan

Any amendment process for the AVPA should include:

- *A public and stakeholder engagement exercise.*
- *A detailed planning exercise to determine the new boundaries of Areas I and II, or an alternate approach to land use delineation.*

The recommended planning approach to amending the AVPA would be as follows:

- *Consider consolidating all elements of the Plan (e.g., the acoustics by-law, zoning requirements, etc.) within a single secondary plan by-law for the ease of use and interpretation;*
- *Maintain the current AVPA policy framework and the Area I and Area II structure;*
- *Update the policy maps to reflect the new NEF contours;*
- *Redraw the boundaries of Areas I and II to harmonize with new NEF contours;*
- *Consider using the 30 NEF contour rather than the 35 NEF contour to restrict all new residential development to reflect the reduced geographic footprint of the new NEF contours;*
- *Include simpler policy rules for noise attenuation for Area 2. For example, a detailed policy direction concerning sound insulation and the requirement for an engineered sound study as a condition of building permit; and*
- *Incorporate legal notification elements (dependent on required provincial amendments) to require notices to be placed on title and for developers/purchasers to enter into agreements related to noise warnings.*

Other elements to consider may include:

- *Including mechanisms to allow for new residential and mixed-use development within Regional Mixed-Use Centres (e.g., Polo Park) and along Regional Mixed-Use Centres (e.g., Portage Avenue) as defined in the OurWinnipeg Plan and the Complete Communities Direction Strategy; and*
- *Requiring notification on real-estate and marketing materials for properties and projects within the Airport Area which may be impacted by aircraft noise (e.g., placing signage on sites, brochures for real estate and leasing agents, and easily accessible data on real estate databases).*

Winnipeg Zoning By-law PDO-1 Airport Vicinity

Potential amendments could include:

- *Updating the Area I, Area II, and NEF contour PDO maps;*
- *Revising the regulations within the PDO to reflect new development regulations; and / or*
- *Removing the PDO completely and consolidating all regulations within the AVPA Plan or Development Plan.*

Airport Vicinity Acoustics Insulation By-law

Potential amendments or areas for consideration could include:

- *Consult engineering expertise to update or replace the existing by-law. Acoustic insulation components could be included within an updated AVPA Plan or in a separate by-law; and*
- *Acoustic insulation/building standards could include the following elements:*
    - *Based on engineering expertise, establish an interior decibel limit for all habitable rooms, or separate decibel limits for bedrooms, other rooms, and outdoor areas;*
    - *Require a noise study prepared by a qualified engineering consultant demonstrating that the proposed structure will meet the established decibel limit(s) as part of the building permit process for proposals within the AVPA Plan Area;*
    - *Include mechanisms to ensure all buildings are built to approved specifications;*
    - *Include requirements for heating/cooling and ventilation systems; and*
    - *Provide construction and design guidelines or standards for public and private outdoor spaces, including private balconies, terraces, and outdoor amenity spaces.*