Minutes – Council – March 21, 2024

Minute No. 205
Report – Executive Policy Committee – March 12, 2024

Item No. 11 Rezoning – 262 Cadboro Road and 50 Frontier Trail (Waverley West Ward) File DAZ 221/2023

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "EI" Educational and Institutional District in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated February 15, 2024, and attached as Schedule "A" to this report.

2. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DAZ 221/2023 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

3. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a by-law in accordance with this report (the "By-law") and bring same directly to Council by way of communication for first reading.

4. That, upon instruction from the Director of Planning, Property and Development that the developer has paid the Dedication Fee and all other associated ancillary fees (collectively, the "Fees"), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for consideration for second and third reading.

5. That Development Application No. DAZ 221/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not paid the Fees within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2-year period and Council approves the extension.

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

Report – Executive Policy Committee – March 12, 2024

DECISION MAKING HISTORY:

Moved by His Worship Mayor Gillingham,
That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 12, 2024, the Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 27, 2024, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

PUBLIC HEARING SUMMARY

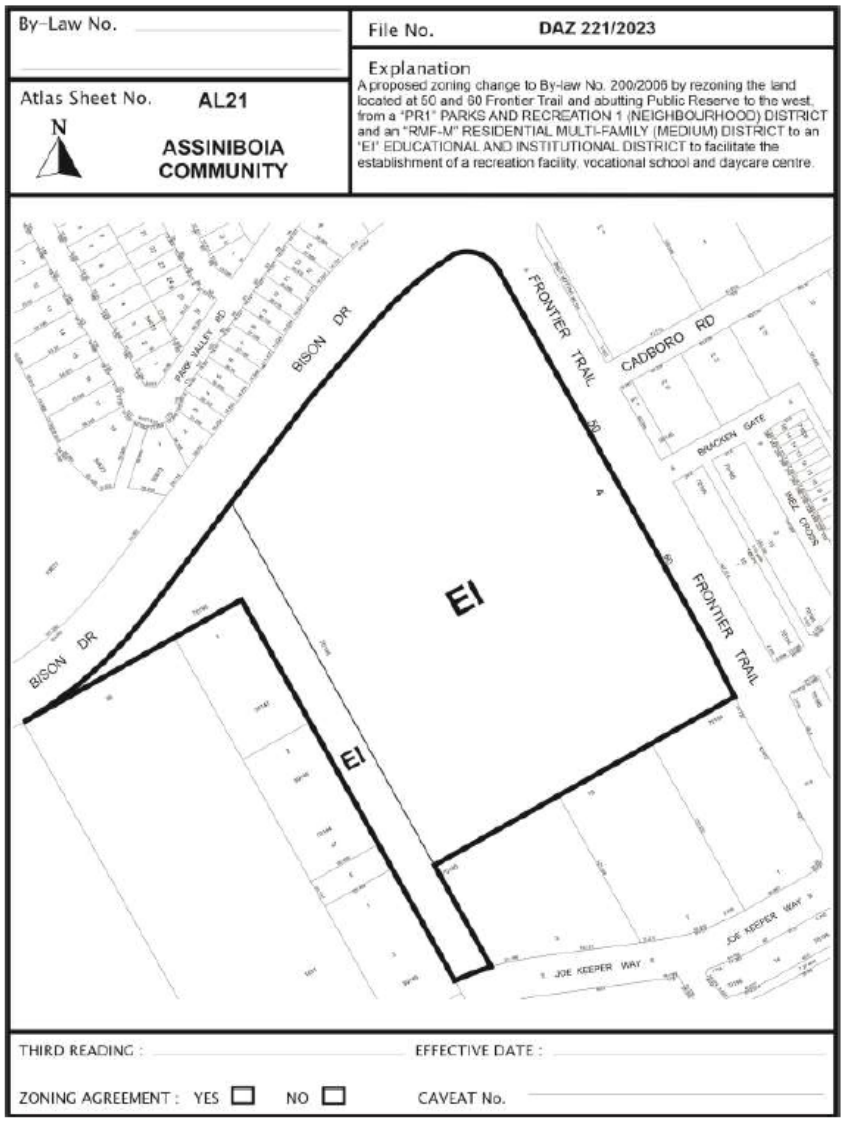
File: DAZ 221/2023

Before: Assiniboia Community Committee
Councillor Lukes, Chairperson
Councillor Dobson
Councillor Duncan

Public Hearing: February 27, 2024
Council Building, 510 Main Street

Applicant: The City of Winnipeg

Subject:



Premises Affected: 262 Cadboro Road and 50 Frontier Trail

For submission to: Executive Policy Committee

Prepared by: Leah Cowan, Senior Committee Clerk
Assiniboia Community Committee

Report date: February 29, 2024

Community Committee Recommendation:

On February 27, 2024, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "EI" Educational and Institutional District in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated February 15, 2024, and attached as Schedule "A" to this report.

2. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DAZ 221/2023 (the "Dedication Fee"), as determined by the Director of Planning, Property and Development.

3. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a by-law in accordance with this report (the "By-law") and bring same directly to Council by way of communication for first reading.

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5. That Development Application No. DAZ 221/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not paid the Fees within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2-year period and Council approves the extension.

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

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

1. I don’t want to use the word ‘cleanup’, but it’s a rezoning, I guess we could call it a clean up, a rezoning cleanup of the properties and looking to the future because the recreation campus onsite will have a similar rezoning. So, long history in land acquisition flipping and proceeding to get to this point. So, a rezoning cleanup is, I guess, what we use.

Objections under the Charter:	Total number of **v**alid objections as per section 125(2) – 0 In accordance with section 236.1(1), the threshold for sufficient objection has not been met.
Exhibits Filed:	1. Application dated December 4, 2023 2. Notification of Public Hearing dated January 9, 2024 3. Manitoba Status of Titles 3193347/1, 3207611/1 4. Letter of authorization dated October 25, 2023 from H.M. The King in the Right of the Province of Manitoba (Joseph Dunford) to The City of Winnipeg 5. Conceptual Site Plan 6. Caveat 5436596/1 7. Plans (1 page) 8. Report from the Urban Planning Division dated February 15, 2024 9. Inspection Report

REPRESENTATIONS:

In Support:

Gord Chappell

In Opposition:

Nil

For Information:

Nil

For the City:

R. Galston Urban Planner, Planning, Property and Development Department

Exhibit “8” referred to in File DAZ 221/2023

ADMINISTRATIVE REPORT

Title: DAZ 221/2023 – 262 Cadboro Road and 50 Frontier Trail

Issue: For consideration at the public hearing for an application to rezone the subject property to the “EI” Educational and Institutional District.

Critical Path: Assiniboia Community Committee → Standing Policy Committee on Property and Development, Heritage and Downtown Development → Executive Policy Committee → Council as per the Development Procedures By-law and *The City of Winnipeg Charter.*

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Galston, MCP	n/a	n/a	

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an “EI” Educational and Institutional District in accordance with the proposed by-law attached as Appendix “B” to this report and as shown on the map dated February 15, 2024, and attached as Schedule “A” to this report.

2. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DAZ 221/2023 (the “Dedication Fee”), as determined by the Director of Planning, Property and Development.

3. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a by-law in accordance with this report (the “By-law”) and bring same directly to Council by way of communication for first reading.

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5. That Development Application No. DAZ 221/2023 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not paid the Fees within 2 years following the date on which Council gives first reading to the By-law,

unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.

6. 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

- Rezoning applications require a public hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee's consideration of the development application at the public hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Winnipeg Public Service are concurred in, the subject property may be rezoned to the "EI" Educational and Institutional zoning district.

HISTORY

NA

CONSULTATION

In preparing this report there was consultation with: N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning and Design Division
Prepared by	Robert Galston, MCP
Date:	February 15, 2024
File No.	DAZ 221/2023

List of Schedules and Appendices

Appendix A	Planning Discussion
Scheduled A	Recommended File No. DAZ 221/2023 Assiniboia Community Committee, dated February 15, 2024
Appendix B	Proposed By-law

APPENDIX 'A'

FILE:	**DAZ 221/2023**
RELATED FILES:	n/a
COMMUNITY:	Assiniboia Committee
NEIGHBOURHOOD #:	2.681 (Waverley West "B")
SUBJECT:	To rezone the subject property to the "EI" Educational and Institutional district
LOCATION:	262 Cadboro Road and 50 Frontier Trail
LEGAL DESCRIPTION:	PUBLIC RESERVE D PLAN 70195 7 LOT 4 BLOCK 15 PLAN 70195



APPLICANT:	City of Winnipeg (Gord Chappell) 65 Garry Street, Second Floor Winnipeg, Manitoba R3C 4K4
OWNERS:	The City of Winnipeg H.M. The King in right of the Province of Manitoba
RECOMMENDATION:	Approval

SITE DESCRIPTION

- The subject property is located at the southwest corner of Frontier Trail and the future extension of Bison Drive. It is in the Waverley West "B" Neighbourhood of the Waverley West Ward. The property also has frontage on Joe Keeper Way, a collector street on the south side of the site.
- The subject property is currently comprised of two (2) separate lots, and has a total area of approximately 24.8 acres. A public elementary school constructed in 2023, named

Bison Run School, is currently located on the property. A gravel road, formerly a portion of Cadboro Road, also runs across the property.

- The subject property is located in the Established Neighbourhoods – Recent Communities Policy area under the *Complete Communities Direction Strategy 2.0* Urban Structure Map. It is also located within a Community Node policy area under the *Waverley West Neighbourhood "B" Secondary Plan*.
- The property is currently zoned a mix of "RMF-M" Residential Multi-Family (Medium) and "PR1" Parks and Recreation 1 (Neighbourhood).

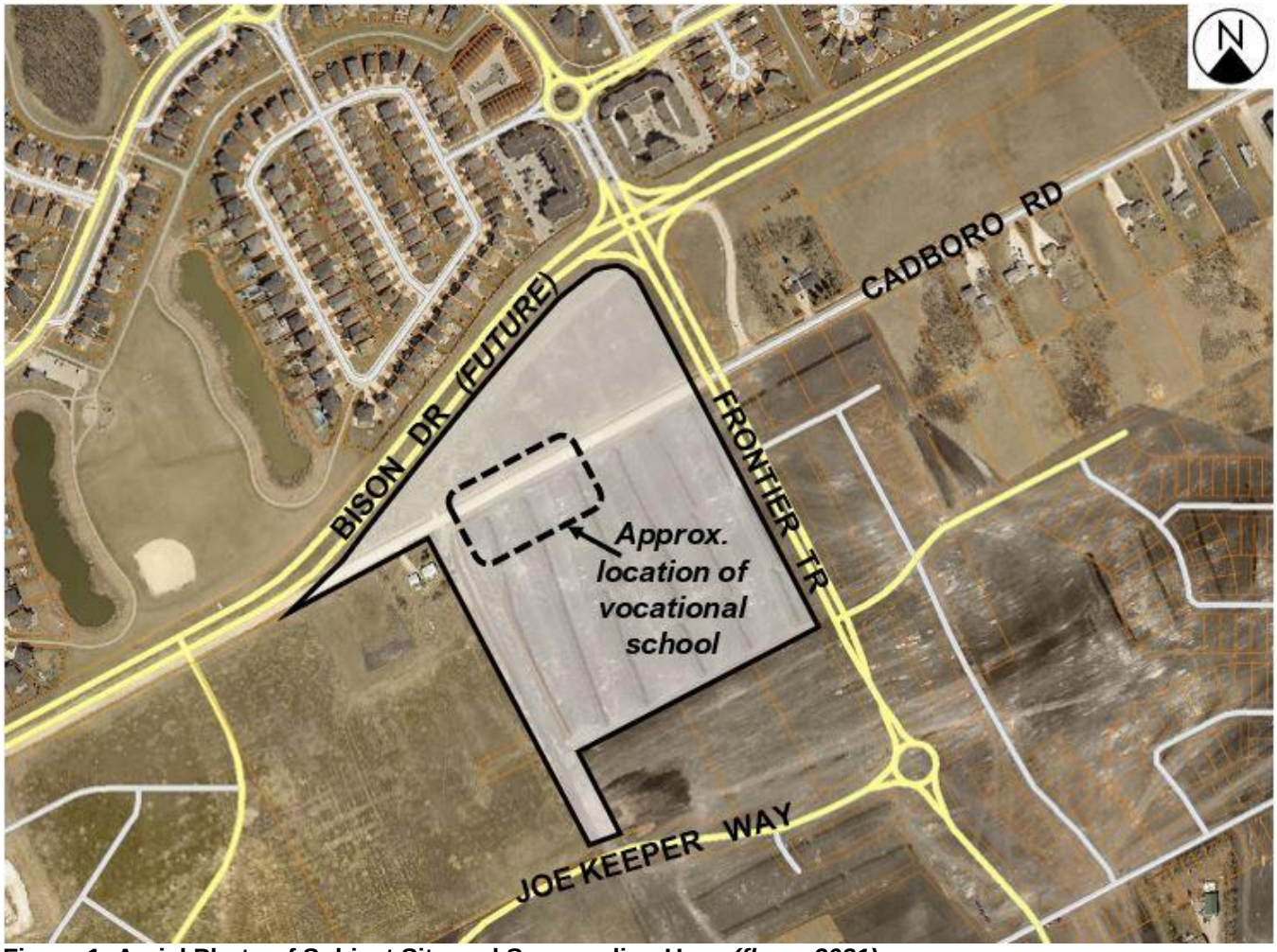

Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2021)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Public right-of-way that will accommodate a future extension of Bison Drive, then a mix of residential uses in the Bridgwater Forest Neighbourhood

South: Vacant land zoned "RMF-M" Residential Multi-Family (Medium).

East: Frontier Trail, then vacant land zoned "RMF-M" Residential Multi-Family (Medium) and "A" Agricultural.

West: Vacant land zoned "EI" Educational and Institutional.

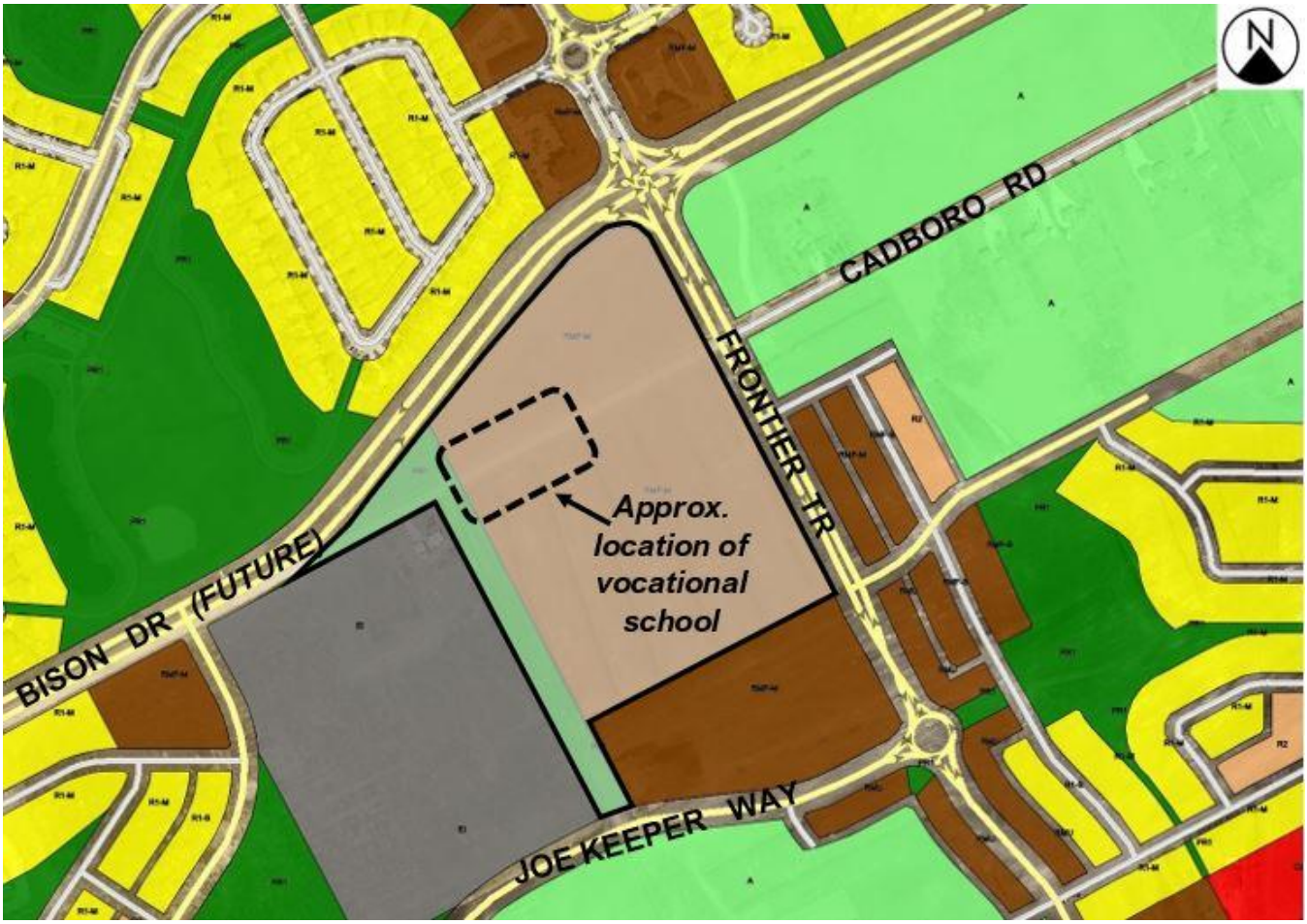

Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the subject site to accommodate the construction of a vocational school. An associated day care centre is also proposed but plans for this day care have not yet been finalized.
- Plans submitted by the applicant show that the future proposed vocational school will be located to the northwest of the existing public school currently located on the site.
- The proposed rezoning is intended to provide a uniform zoning district to the area where educational, recreational uses, and supportive uses such as day care centres, are permitted.
- In a letter of intent, the applicant notes that the two (2) separate lots will be consolidated through a future short-form subdivision application (DASSF).
- No detailed building plans have been submitted with this application.

ANALYSIS AND ISSUES

OURWINNIPEG 2045

- *OurWinnipeg 2045* is the City's long-range development plan. Per *OurWinnipeg 2045*, the subject site is identified as an Established Neighbourhood – Recent Community. The policy for this area states:

6.16 Established Neighbourhoods

- *Designate Established Neighbourhoods within the Urban Structure, representing lands that will accommodate additional growth in a context-sensitive manner, while promoting the efficient use of land, cost-effective municipal servicing, enhanced housing choice and affordability, and conservation of green infrastructure and heritage resources and districts, as defined in* Complete Communities.

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The *Complete Communities Direction Strategy 2.0* supports *OurWinnipeg 2045*, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- As noted above, the subject property is classified as an Established Neighbourhoods – Recent Communities policy area under *Complete Communities 2.0*. Key policies include:

  Goal 5

  5.0 Ensure Established Neighbourhoods accommodate a variety of public and institutional uses to meet a broad range of community needs.

  General Policies

  4.1 Support public and institutional uses where residential neighbourhoods are not well served by these amenities or are areas of higher need. These uses may include day cares, places of worship, elementary schools, libraries, community centres, public parks, and recreation facilities.

  4.2 The expansion or creation of larger scale or regional public and institutional uses will generally be directed towards arterial roads or at locations where they can be community focal points. Larger scale institutional uses should generally be located adjacent to complementary uses in order to mitigate the potential of land use conflicts.

  Goal 6

  6.0 Ensure Neighbourhoods and communities are well served by parks, open spaces, and recreational facilities that contribute to sustainability, wellness and active living.

  General Policies

  6.4 Where significant intensification of housing occurs within a neighbourhood, ensure parks, open spaces, and community facilities respond to community needs through strategic investment.

  6.6 Ensure a variety of public spaces, facilities, parks, and other community amenities are provided in Established Neighbourhoods to support well-being, inclusiveness, and the social fabric of the community.

The proposed rezoning application is consistent with the *Complete Communities Direction Strategy 2.0.* Specifically, the proposed rezoning will accommodate future community amenities to serve the Waverley West “B” Neighbourhood as well as surrounding neighbourhoods in the wider Waverley West area.

WAVERLERY WEST NEIGHBOURHOOD ‘B’ SECONDARY PLAN (By-law No. 1/2019)

Under the *Waverley West Neighbourhood ‘B’ Secondary Plan*, the subject lands are located in the Community Node Policy Area.

Community Node

- *The Community Node area provides for public and institutional uses, including the site for two schools and a recreation centre, limited commercial and multi-family residential, where appropriate. The Community Node area will contain a regional recreational and educational hub.*

3.4.2 POLICIES 1.

1. *Public and institutional uses shall be allowed within the Community Node area. A site for two schools and a site for a recreation centre have been identified within the Community Node area.*
2. *Small-scale, local commercial uses may be allowed within the Community Node area, where determined to be compatible and appropriate. Such uses shall be located adjacent to a collector road and support the development of the Community Node area as a regional recreational and educational hub by providing amenities and complementary services for the users of the public and institutional uses and residents of the Plan Area.*
3. *Multi-family uses such as row dwellings, townhomes and multi-storey residential building may be allowed within the Community Node area, where determined by the City to be compatible and appropriate. Such uses shall be subject to the policies of the Medium Density Residential area.*
4. *Single-family dwellings shall not be allowed.*
5. *The school and recreation sites shall:*
    a. *have at least one property boundary fronting on a collector road to provide safe and convenient access;*
    b. *be accessible by a variety of transportation modes including walking, cycling, transit and automobiles;*
    c. *accommodate space for safe pick up and drop off zones, staff and visitor parking and bus loops within the school site; and*
    d. *provide convenient connections to the neighbourhood, to each other and to the Community Scale Park.*
6. *Throughout the Community Node area, commercial uses may be located in mixed-use buildings, such as the ground floor of a residential building or within the recreational complex.*
7. *Stand-alone commercial development may be located within the Community Node areas located on the east side of the collector road at Bison Drive and at Waverley Street and Lee Boulevard.*
8. *Stand-alone commercial development within the Community Node on the east side of the collector road at Bison Drive: a. shall be limited to neighbourhood commercial uses; and b. should generally be limited to approximately 929.03 square metres (10,000 square feet) of commercial space in total. Additional stand-alone commercial space may be considered on a case-by-case basis provided it is neighbourhood oriented in scale.*
9. *Stand-alone commercial development within the Community Node at Waverley Street and Lee Boulevard should be limited to neighbourhood commercial uses; however, may include fuel sales and/or drive-ins or drive-throughs more typically associated with community commercial uses.*

10. *The following design and siting considerations shall be made for any stand-alone commercial development within the Community Node area:*
    a. *where a building abuts a street, the building shall provide a clear common entrance oriented to the street, unless street access is provided from all individual ground floor units facing the street;*
    b. *where a building does not abut a street, the site design shall provide clear pedestrian connections to the building entrances and any off-street parking areas;*
    c. *off-street parking areas shall be located either underground, to the side or behind buildings;*
    d. *landscaping, including trees, around the perimeter of the lot and between rows of surface parking stalls, shall be provided;*
    e. *where off-street parking areas are visible from the public road, a landscaped buffer shall be provided to visually screen the off-street parking areas from the public road;*
    f. *large expanses of blank walls are discouraged; and g. windows, architectural details and façade treatments shall be used to provide visual interest.*
11. *Parks, open spaces, linear parks, outdoor plazas, or other similar types of amenities should be provided in the Community Node area to meet the active and passive recreational needs of residents and visitors.*
12. *Properties zoned "A" Agricultural shall be required to rezone prior to the establishment of new principal buildings or uses.*

The proposed rezoning application is consistent with policies of the *Waverley West Neighbourhood "B" Secondary Plan.* Specifically, the rezoning will accommodate a school as well future supportive uses such as a day care centre, in a location adjacent to collector roads and accessible to the surrounding Waverley West "B" Neighbourhood.

REZONING

- As noted above, the subject site is currently zoned a mix of "RMF-M" Residential Multi-Family (Medium) and "PR1" Parks and Recreation Neighbourhood 1. The applicant is proposing to rezone the site to the "EI" Educational and Institutional district.
- The "EI" district is intended to provide areas for the development of large and significant, multi-building, public, quasi-public, or private facilities of a non-commercial character that may have significant impacts on the surrounding areas. Typical uses may include places of worship, schools, colleges and universities, libraries, cultural facilities, hospitals and large research facilities, as well as supporting residential uses.
- Attractive, campus-style development is encouraged within the "EI" district. In some cases, "EI" zoning may be appropriate for clustered or core facilities, while supporting facilities on non-contiguous lots remain in other zoning districts. Commercial or non-commercial uses that support the function of the facility or its population would be considered as accessory uses.
- Principal uses for "EI" districts are generally intended to exclude commercial uses. Permitted uses under the "EI" district include, but are not limited to:
    - Multi-family residential (to the dimensional standards of "RMF-M" districts);

    - Assisted living facility;
    - Community/recreation centre;
    - Library;
    - College or university;
    - Commercial school;
    - Elementary, junior high, or high school;
    - Day care centre;
    - Hospital;
    - Gallery/museum;
    - Office; and
    - Medical/dental/optical/counselling clinic.
- The Winnipeg Zoning By-law also requires that, in "EI" Educational and Institutional districts, a master plan must be submitted as part of any development of one of either:
    - A multi-building campus;
    - Any development with more than 100,000 square feet of combined floor area; or
    - Any development of a site more than 10 acres in area (not including elementary, middle, or high schools).
- The applicant has submitted a master plan for the subject site which shows the proposed vocational school building, accessory parking areas, drive aisles, and sidewalks, all in relation to the existing school on the site. As such, the master plan submitted addresses current and proposed development.

CONDITIONS OF APPROVAL

Land Dedication

- As a condition of rezoning or subdivision of a parcel of land, a developer is required to contribute a portion of the land to be developed to the City of Winnipeg for parks purposes. The amount of land is not less than 10 percent.
- In the case of the subject proposed rezoning, the Planning, Property and Development Department is recommending that the developer provide 'cash in lieu' of a dedication of land for the appraised value of the subject site.

RECOMMENDATION

The Urban Planning Division recommends **approval** for the following reasons:

- The rezoning is consistent with policies guiding development in Established Neighbourhoods – Recent Communities under the *Complete Communities Direction Strategy 2.0,* which support community amenities that serve the surrounding area.
- The rezoning is consistent with policies in the *Waverley West Neighbourhood "B" Secondary Plan,* which supports schools and supportive uses at this location.

- The surrounding area is characterized by a mix of uses, including an existing “EI” Educational and Institutional site to the west of the subject property, which is intended to accommodate future recreational uses.

This Report Submitted by:

Planning, Property and Development Department
Urban Planning Division

Report Prepared by: Robert Galston, MCP
PPD File #: DAZ 221/2023

Schedule "A" for File DAZ 221/2023, Assiniboia Community Committee, dated February 15, 2024

By-Law No. _____

File No. **DAZ 221/2023**

Atlas Sheet No. **AL21**

N

ASSINIBOIA COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 50 and 60 Frontier Trail and abutting Public Reserve to the west, from a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT and an "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT to an "EI" EDUCATIONAL AND INSTITUTIONAL DISTRICT to facilitate the establishment of a recreation facility, vocational school and daycare centre.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Exhibit “7” referred to in File DAZ 221/2023

