Minutes – Council – May 30, 2024

Minute No. 309
Report – Standing Policy Committee on Property and Development – May 9, 2024

Item No. 7 **Secondary Plan Amendment – Repeal of Henderson Highway Corridor Secondary Plan By-law No. 3215/82 (North Kildonan Ward, Elmwood-East Kildonan Ward) File SPA 2/2024**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That first reading be given to By-law No. 61/2024 (the "By-law", a draft of which is attached as Appendix 'B' to this Report) to repeal the Henderson Highway Corridor Area Action Plan By-law No. 3215/82.

2. That following first reading of the By-law and upon instruction from the Director of Planning, Property and Development, the By-law be returned directly to Council for second reading and third reading.

3. 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 – May 9, 2024

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

That the recommendation of the Standing Policy Committee on Property and Development be adopted.

Carried

Councillor Schreyer asked to be recorded as having voted against the item in accordance with Rule 47(7) of the Procedure Bylaw.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 22, 2024, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 9, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, with the following amendment:

- Delete Recommendation 3 and renumber the remaining Recommendation accordingly

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

COMMUNITY COMMITTEE RECOMMENDATION:

On May 3, 2024, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- Add the following new Recommendation 3 and renumber the remaining recommendation accordingly:

Report – Standing Policy Committee on Property and Development – May 9, 2024

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

> "3. That the Public Service report back within 365 days to the East Kildonan-Transcona Community Committee on a plan to initiate a Plan Development Overlay or Plan Development Overlays for the area currently covered by the Henderson Highway Corridor Secondary Plan in consultation with the area councillors, and that a Class 5 estimated be provided to the Community Committee within 6 months for the purpose of funding said Plan Development Overlays. Further, in the event that more than one Plan Development Overlay is required that all Plan Development Overlays be considered as one project, together at the same time."

and forwarded to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File: **SPA 2/2024**

Before: East Kildonan-Transcona Community Committee
Councillor Schreyer, Chairperson
Councillor Browaty
Councillor Wyatt

Public Hearing: May 3, 2024 (most recent date)
Council Building, 510 Main Street

Applicant: The City of Winnipeg
(Director of Planning, Property and Development)

Subject:



Premises Affected:	Lands Bounded by North Henderson Highway Secondary Plan, Red River, Brazier Street, Dearborn Avenue, Lacy Street, Roch Street, Sutton Avenue
For submission to:	The Standing Policy Committee on Property and Development
Prepared by:	Brenden Harris, Committee Clerk East Kildonan-Transcona Community Committee
Report date:	May 6, 2024

Community Committee Recommendation:

On May 3, 2024, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development:

1. That first reading be given to By-law No. 61/2024 (the "By-law", a draft of which is attached as Appendix 'B' to this Report) to repeal the Henderson Highway Corridor Area Action Plan By-law No. 3215/82.

2. That following first reading of the By-law and upon instruction from the Director of Planning, Property and Development, the By-law be returned directly to Council for second reading and third reading.

3. That the Public Service report back within 365 days to the East Kildonan-Transcona Community Committee on a plan to initiate a Plan Development Overlay or Plan Development Overlays for the area currently covered by the Henderson Highway Corridor Secondary Plan in consultation with the area councillors, and that a Class 5 estimated be provided to the Community Committee within 6 months for the purpose of funding said Plan Development Overlays. Further, in the event that more than one Plan Development Overlay is required that all Plan Development Overlays be considered as one project, together at the same time.

4.~~3.~~ 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 East Kildonan-Transcona Community Committee provided the following supporting reasons for its recommendation:

1. The area has changed over the years and what may have been appropriate or even protectionist back in 1977 is really no longer relevant today.

2. The Public Service has done a good job in recent years updating both Our Winnipeg and Complete Communities Direction Strategy 2.0 to reflect orderly development on major corridors like Henderson Highway. The types of both permissiveness to promote additional development, as well as a protection to ensure that residents that are there aren't going to have something very out of scale next to them are present in those planning documents.

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 March 12, 2024
2. Notification of Public Hearing dated March 19, 2024
3. Report from the Urban Planning Division dated April 24, 2024
4. Communication dated May 2 in support of the application submitted by Michel Durand-Wood
5. Documentation dated May 2, 2024 in support of the application submitted by the Applicant at the public hearing
6. Recording of Representations

REPRESENTATIONS:

In Support:

Valdene Lawson
Daniel Serhal
Michel Durand-Wood

In Opposition:

Nil

For Information:

Nil

For the City:

D. Chyz-Lund, Planner, Planning, Property and Development, Department
R. Kostiuk, Senior Planner, Planning, Property and Development Department

Exhibit “3” referred to in File SPA 2/2024

ADMINISTRATIVE REPORT

Title: SPA 2/2024 (By-law 61/2024) – Repeal of Henderson Highway Corridor Secondary Plan By-law No. 3215/82

Critical Path: East Kildonan-Transcona Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Veitch	H. Borys		

EXECUTIVE SUMMARY

The Henderson Highway Corridor Area Action Plan (Henderson Highway Corridor Secondary Plan), By-law No 3215/82 was enacted in 1983 and provides limited land use policy concerning future development of lands along Henderson Highway between the Red River and Chief Peguis Trail.

The Henderson Highway Corridor Secondary Plan is not in alignment with the policies of *Complete Communities Direction Strategy 2.0* or the *Small-Scale and Low-Rise Residential Development Guidelines for Mature Communities* and therefore, the Public Service is recommending it be repealed. The repeal process follows the same process as amending a Secondary Plan.

RECOMMENDATIONS

1. That first reading be given to By-law No. 61/2024 (the “By-law”, a draft of which is attached as Appendix ‘B’ to this Report) to repeal the Henderson Highway Corridor Area Action Plan By-law No. 3215/82.

2. That following first reading of the By-law and upon instruction from the Director of Planning, Property and Development, the By-law be returned directly to Council for second reading and third reading.

3. 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

The subject application is being brought forward for consideration in accordance with previous direction from Council and the associated committees of Council to review the status of the Henderson Highway Corridor Area Action Plan By-law, following the adoption of OurWinnipeg 2045 and Complete Communities Direction Strategy 2.0.

Secondary plan by-laws and amendments thereto, including amending by-laws to repeal secondary plans, require a public hearing prior to first reading in accordance with The City of Winnipeg Charter.

Repealing a secondary plan by-law follows the same process as an amendment to a secondary plan by-law.

Council approval is required to enact the proposed by-law.

IMPLICATIONS OF THE RECOMMENDATIONS

If Council concurs with the recommendation of the Public Service, the Henderson Highway Corridor Area Action Plan By-law No. 3215/82 and all amending by-laws thereto will be repealed.

HISTORY/DISCUSSION

Plan History

- On February 2, 1983, Council adopted the Henderson Highway Corridor Secondary Plan in accordance with By-law No. 3215/82 to promote orderly development on Henderson Highway between the Red River and Chief Peguis Trail. The Henderson Highway Corridor Plan is the second oldest secondary plan currently in effect in the City of Winnipeg.

- The plan is intended to preserve and maintain the stable residential neighbourhoods presently abutting Henderson Highway within the plan area.

- On December 14th, 2005, the Plan was amended by By-law 163/2005 to allow 'sensitive development proposals' on lots 4, 5, 6 and 7 Plan 3041.

Repeal Process

- On June 7, 2011, the Standing Policy Committee on Property & Development (SPC-PD) concurred with the recommendation from the East Kildonan – Transcona Community Committee and requested the Public Service to initiate a preliminary review and analysis of a planning study or secondary plan for the Henderson Highway area. The review was slated to occur as part of the ongoing reviews of existing secondary plans for compliance with the City's *Complete Communities Direction Strategy.*

- On January 13, 2015, the SPC-PD directed the Public Service to conduct a review of the Henderson Corridor and North Henderson plans to determine whether they can be

modified to become more compatible with the direction of *OurWinnipeg* and the *Complete Communities Direction Strategy*, or if they should be repealed. At this time, a formal review was placed on hold while the Public Service anticipated the commencement of a Corridor Strategy, the findings of which would provide critical context for the review of the Henderson Highway secondary plans.

- On May 26, 2022, City of Winnipeg Council adopted *OurWinnipeg 2045* (OW 2045) and *Complete Communities Direction Strategy 2.0* (CCDS 2.0). Policy H1-2.1 states:

  > *Ensure that all City development and land use related decisions, policies, and practices are consistent with this By-law and regulatory obligations that apply to the infrastructure the City is responsible for.*

- It has been shown that policies within the current Henderson Corridor Plan are generally inconsistent with Winnipeg's broader planning policy framework since the adoption of OW 2045 and CCDS 2.0.

- On June 24, 2021, Council approved the *Residential Infill Strategy: Small-Scale and Low-Rise Residential Development Guidelines for Mature Communities* (Infill Guidelines) as part of the Residential Infill Strategy. The Infill Guidelines apply to Mature Communities identified in OW 2045 and CCDS 2.0, but exclude areas covered by an existing Secondary Plan. Policies within the Henderson Corridor Plan are not consistent with the Infill Guidelines or the City's targets for residential intensification outlined in CCDS 2.0.

FINANCIAL IMPACT

Financial Impact Statement

Date: February 15, 2024

Project Name:

SPA 2/2024 (By-law 61/2024) – Repeal of Henderson Highway Corridor Secondary Plan By-law No. 3215/82

COMMENTS:

There are no financial implications associated with this report.

Mike McGinn Feb. 15, 2024

Mike McGinn, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

OurWinnipeg 2045 – City Building

- 6.13 Support amendments to existing secondary plans that further the vision, goals, and policies of this Plan and Complete Communities.
- 6.16 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.
- 6.20 Designate Corridors within the Urban Structure as targeted segments of the primary transit network that provide the best opportunity for mixed use intensification outside of the Downtown. Prioritize the creation and maintenance of vibrant pedestrian and transit-oriented places in Urban Mixed Use Corridors, while encouraging the transition of Regional Mixed Use Corridors towards this character over the longer term.

Complete Communities Direction Strategy 2.0

- 8.2 Review existing secondary plans and Planned Development Overlays for conformance with Corridor policies and amend as necessary over time.

- 2.1 Ensure that all City development and land use decisions, policies, and practices are consistent with this By-law and regulatory obligations that apply to the infrastructure the City is responsible for.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #4: Facilitate Compact, Complete Development and Increase Density

- 4.1 Increase Strategic Infill Development That Provides Access to and Capitalizes on Existing and Planned Corridors with Frequent Transit Service (Primary Responsibility: Planning, Property and Development Department)

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the PRS and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning and Design
Prepared by: Evan Allan, RPP, MCIP
Date: April 24, 2024
File No: SPA 2/2024

Attachments: Appendix A Planning Discussion
Appendix B Draft Amending By-law No. 61/2024

APPENDIX 'A' – Planning Discussion

DATE: April 5, 2024

FILE: **SPA 2/2024 (By-law no. 61/2024)**
RELATED FILES:

COMMUNITY: East Kildonan-Transcona
NEIGHBOURHOOD #: 4.411 (Kildonan Drive)
4.413 (Rossmere-A)
4.434 (Rossmere-B)
4.407 (Munroe West)
4.409 (Glenelm)
4.401 (Chalmers)

SUBJECT: Proposed amendment to the Henderson Highway Corridor Secondary Plan (By-Law No. 3215/82)

LOCATION: Henderson Highway



APPLICANT: James Veitch, Principal Planner / Acting Manager, City of Winnipeg

OWNER: N/A

RECOMMENDATION: Approval

SITE DESCRIPTION

- The plan area includes various properties situated between Chief Peguis Trail to the north, the Red River to the west and south, and the extension of Brazier St, Roch St, and Rothesay St to the east in the Rossmere, Kildonan Drive, Munroe West, Glenelm and Chalmers neighbourhoods of parts of the North Kildonan and Elmwood – East Kildonan wards.
- The plan area is approximately 551 hectares in area, and contains a variety of land uses including single-family homes, multiple-family homes, institutional uses and commercial / retail developments.
- Under Complete Communities 2.0, the majority of the area is designated as “Mature Communities” with a small portion designated as “Recent Communities”. Several sections of Henderson Highway are designated as “Urban Mixed Use Corridor” and “Regional Mixed Use Corridor”.

SURROUNDING LAND USE & ZONING



Figure 1: Aerial map of subject plan area and surrounding neighbourhoods

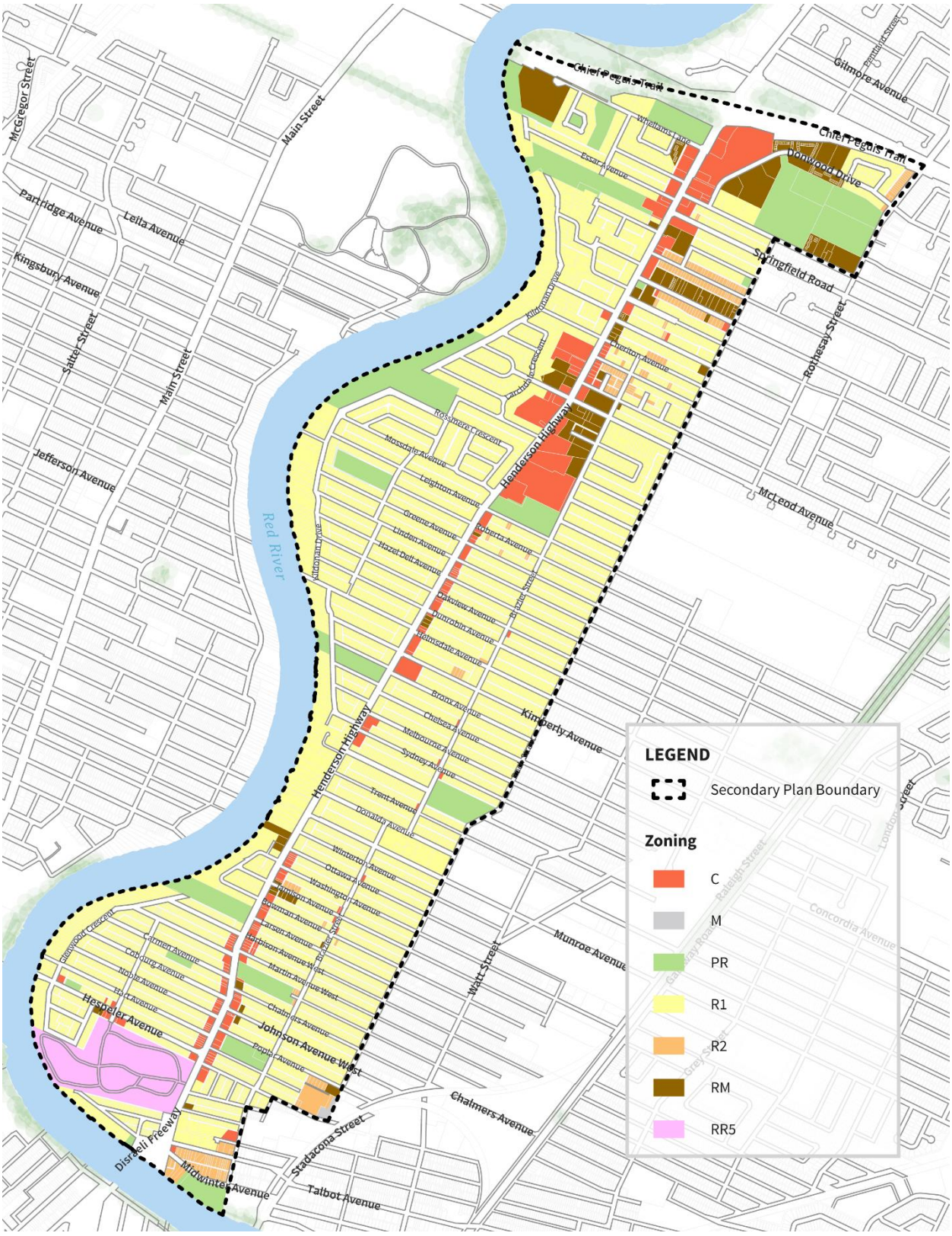


Figure 2: Zoning Map of the plan area

DESCRIPTION OF THE PROPOSED AMENDMENT

- The applicant (The City of Winnipeg) is proposing to repeal the Henderson Highway Corridor secondary plan.

POLICY CONTEXT

OurWinnipeg 2045

- *OurWinnipeg 2045* is the City's development plan. As prescribed by the City of Winnipeg Charter, it sets out the City's long term plans and policies respecting its purposes, its physical, social, environmental, and economic objectives, and sustainable land use and development.
- *OurWinnipeg 2045* was adopted by Council on May 26, 2022.
- Applicable OurWinnipeg 2045 policies would include:
    - *6.13 Support amendments to existing secondary plans that further the vision, goals, and policies of this Plan and Complete Communities.*
    - *6.16 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.*
    - *6.20 Designate Corridors within the Urban Structure as targeted segments of the primary transit network that provide the best opportunity for mixed use intensification outside of the Downtown. Prioritize the creation and maintenance of vibrant pedestrian and transit-oriented places in Urban Mixed Use Corridors, while encouraging the transition of Regional Mixed Use Corridors towards this character over the longer term.*

Complete Communities Direction Strategy 2.0

- The *Complete Communities Direction Strategy 2.0* (CCDS 2.0) is a city-wide secondary plan that guides growth, development and land use in the City of Winnipeg through an urban structure.
- CCDS 2.0 was adopted by Council on May 26, 2022.
- The subject area is designated Mature Community and Recent Community, which are both subsets of the Established Neighbourhoods policy area.
- The subject area is also contains sections of Henderson Highway that are designated as Urban Mixed Use Corridor and Regional Mixed Use Corridor.
- Complete Communities requires that all development and land use decisions are consistent with Complete Communities.

Henderson Highway Corridor Secondary Plan

- The objectives of the Henderson Highway Corridor Secondary Plan are to:

- To endeavor to preserve the neighbourhood stability on Henderson Highway;
- To endeavor to preclude encroachment by incompatible uses upon the residential environment;
- To endeavor to promote the logical completion of redevelopment on the east side of Henderson Highway north of Cheriton Avenue; and
- To endeavor to minimize the impact of commercial development along Henderson Highway upon the character of the adjacent residential areas.

- The Henderson Highway Corridor Secondary Plan contains no discernable land use districts and only contains three distinct policies to guide development in the area. The policies have been shown to no longer be in alignment with the City's current planning framework.
- Aside from the retention of existing low-density residential areas in the plan area, sensitive development proposals may be entertained on the remaining single-family properties on the east side of Henderson Highway between Edison Avenue and Mackay Avenue and additional lots 4, 5, 6 and 7 Plan 3041.

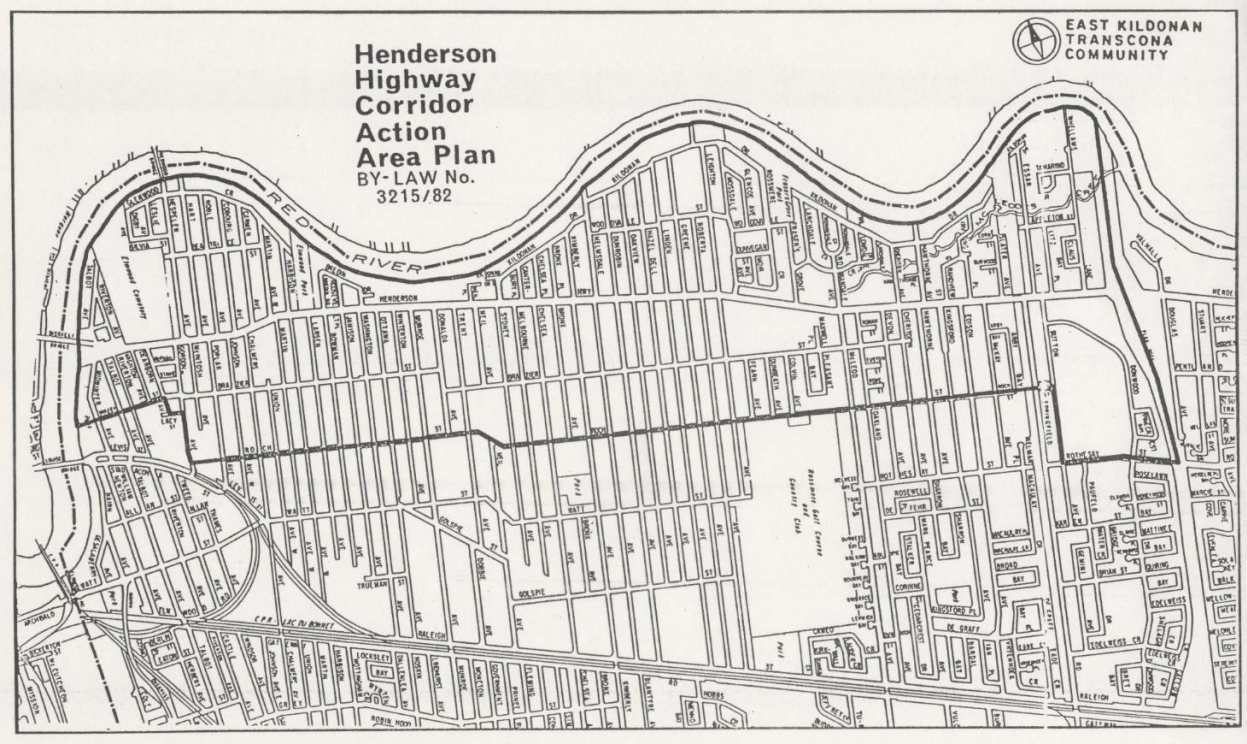


Figure 3: Land Use Designation Map By-law 3215/82

OTHER CONSIDERATIONS

- City departments were circulated and expressed no concerns with the proposed application.

ANALYSIS AND ISSUES

- The Henderson Highway Corridor Secondary Plan has guided land use and development along the Henderson Highway Corridor for over 40 years. Since its adoption, both Winnipeg and the Henderson Highway area have undergone significant change. It is the opinion of the Public Service that this plan is no longer serving its intended purpose and, to better reflect the City's high-level goals for sustainable development and community building, the plan should be repealed.
- With the adoption of *OurWinnipeg 2045* and *Complete Communities Direction Strategy 2.0* in May 2022, the Henderson Highway Corridor Secondary Plan is no longer consistent with our current planning framework. Existing policies hinder development projects with potential to meet complete community goals.
- Local area plans typically provide specific direction for land use and development within a given area. The Henderson Highway Corridor Secondary Plan provides little to no direction in terms of how the Henderson Highway Corridor area is to be developed in the future.
- Once repealed, land development in the plan area will take direction from policies in CCDS 2.0 for the plan area designated as Mature Community with a small portion designated as Recent Community. These designations provide for low- to medium-density residential intensification with supportive commercial uses.
- The repeal of the Secondary Plan would not affect zoning for the area, which will remain unchanged. Any future developments will still need to meet the appropriate zoning requirements.

RECOMMENDATION

The Public Service recommends that the Secondary Plan Amendment be approved and that the Henderson Highway Corridor Secondary Plan be repealed.