Minutes – Executive Policy Committee – September 17, 2024

PUBLIC HEARINGS

Item No. 1 **Secondary Plan Amendment – Complete Communities Direction Strategy By-law No. 119/2020 (Northeast Corner of King Edward Street and Jefferson Avenue)**
(Old Kildonan Ward)
File SPA 3/2024

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council:

1. That first reading be given to By-law No. 86/2024, a draft of which is attached as Appendix B, being a by-law to amend the Complete Communities Direction Strategy 2.0 By-law No. 119/2020 in accordance with this report.

2. That following first reading and upon instruction from the Director of Planning, Property and Development, the City Solicitor and Director of Legal Services be directed to return the By-law directly to Council by way of communication 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.

DECISION MAKING HISTORY:

The Winnipeg Public Service to advise that all statutory requirements with respect to this application have been complied with.

Moved by Councillor Rollins,
That the report of the Winnipeg Public Service be taken as read.

Carried

Moved by Councillor Rollins,
That the receipt of public representations be concluded.

Carried

Moved by Councillor Rollins,
That the recommendation of the Winnipeg Public Service be concurred in and forwarded to Council.

Supporting Reasons:

1. Our focus is on housing. We're running out room to build, this has servicing and a plan that has been successful that people have moved into, and want to continue to, given the demand.

2. All the supportive reasons outline in the report of the Public Service.

Carried

Moved by Councillor Rollins,
That the following supporting reasons be provided, namely:

Carried

Moved by Councillor Rollins,
That the public hearing with respect to this application be concluded.

Carried

PUBLIC HEARING SUMMARY

File: **SPA 3/2024**

Before: Executive Policy Community
His Worship Mayor Gillingham, Chairperson
Councillor Browaty
Councillor Duncan
Councillor Lukes
Councillor Rollins
Councillor Santos

Public Hearing: September 17, 2024
Council Building, 510 Main Street

Applicant: Landmark Planning and Design Inc. (Jeff Pratte)

Subject:



Premises Affected: Northeast Corner of King Edward Street and Jefferson Avenue

For submission to: Council

Prepared by: K. McMillan, Manager of the Decision Making Process

Report date: September 17, 2024

Executive Policy Committee Recommendation:

On September 17, 2024, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council:

1. That first reading be given to By-law No. 86/2024, a draft of which is attached as Appendix B, being a by-law to amend the Complete Communities Direction Strategy 2.0 By-law No. 119/2020 in accordance with this report.

2. That following first reading and upon instruction from the Director of Planning, Property and Development, the City Solicitor and Director of Legal Services be directed to return the By-law directly to Council by way of communication 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.

The Executive Policy Committee provided the following supporting reasons for its recommendation:

1. Our focus is on housing. We're running out room to build, this has servicing and a plan that has been successful that people have moved into, and want to continue to, given the demand.

2. All the supportive reasons outline in the report of the Public Service.

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 May 7, 2024 2. Notification of Public Hearing 3. Manitoba Status of Title 3136887/1 4. Letter of authorization dated February 1, 2023, from Jefferson Heights Development Inc. to Landmark Planning and Design 5. Site Plans 6. Secondary Plan Terms of Reference dated December 5, 2023 7. Waterford Heights Municipal Servicing Brief dated March 14, 2023 8. Jefferson Heights Residential Development Traffic Impact Study, Draft Report Version 3 dated February 5, 2024 9. Report from the Urban Planning Division dated August 8, 2024 10. Presentation dated September 17, 2024, in support of the application submitted by the Applicant 11. Recording of Representations

REPRESENTATIONS:

In Support:

Jeff Pratte
Carolina Herrera Garza

In Opposition:

Nil

For Information:

Nil

For the City:

E. Allan, Planner, Planning, Property and Development Department

Exhibit "9" referred to in File SPA 3/2024

ADMINISTRATIVE REPORT

Title: SPA 3/2024 (By-law 86/2024) Proposed Amendments to the Complete Communities Direction Strategy By-law No.119/2020 – Public Hearing Report

Critical Path: Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Veitch	H. Borys	T. Graham	S. Armbruster Interim CAO

EXECUTIVE SUMMARY

On March 15, 2024, the Urban Planning and Design Division received an application to amend the *Complete Communities Direction Strategy Bylaw No. 119/2020* (CCDS 2.0) by removing approximately 48.3 acres of land (the 'Subject Lands') from an area designated "New Communities" and identified as Precinct 'B' and designating it as "Recent Community". The amendment will enable this land to be added to the *Waterford Green Precinct Plan* (Precinct 'C') as part of a future application.

The Waterford Green Precinct Plan is a non-statutory secondary plan adopted as policy by Council in 2012. In accordance with *The City of Winnipeg Charter*, all Secondary Plans must be enacted through by-law. *OurWinnipeg 2045* (OW2045), stipulates that Secondary Plans can be led by external parties in collaboration with the City. To this end, the City has entered into a Terms of Reference (TOR) with the applicant, identifying a process that is amenable to the City in this regard.

If adopted by Council, the proposed amendments will:

a) Re-designate the Subject Lands from 'New Community' to 'Recent Community'
b) Change the boundary of Precinct 'B' on the Greenfield Phasing Map

The Public Service is supportive of the proposed amendments provided the proposed development does not incur capital expenditures by the City to enable the proposed development and that all expectations outlined in the Terms of Reference are met in full.

The updated proposal contained a policy analysis, preliminary servicing and land drainage studies, a preliminary transportation impact analysis, and a conceptual subdivision concept.

Upon further review and analysis from various City departments, it was determined by the Public Service that applications to develop the Subject Lands could proceed, in accordance with all City requirements and the signing of a TOR now complete.

RECOMMENDATIONS

1. That Council give first reading to By-law No. 86/2024, a draft of which is attached as Appendix B, being a by-law to amend the *Complete Communities Direction Strategy 2.0 By-law No. 119/2020* in accordance with this report.

2. That following first reading and upon instruction from the Director of Planning, Property and Development, the City Solicitor and Director of Legal Services be directed to return the By-law directly to Council by way of communication 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

An application has been received to amend the *Complete Communities Direction Strategy 2.0 By-law No. 119/2020*. If Council adopts the proposed by-law amendment, all future development applications within the plan area will need to conform to the amendment.

A secondary plan by-law, including amendments, requires a public hearing prior to first reading in accordance with *The City of Winnipeg Charter* and *The Development Procedures By-law No. 160/2011*.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Public Service are concurred in, the *Complete Communities Direction Strategy 2.0 By-law No. 119/2020* will be amended in accordance with this report.

HISTORY/DISCUSSION

The Subject Lands are located at the northeast corner of the intersection of Jefferson Avenue and King Edward Street in the Rosser / Kildonan neighbourhood of the Old Kildonan Ward and are currently vacant.

The Subject Lands are currently designated as New Community in CCDS 2.0, and identified as Precinct ‘B’ in the Greenfield Phasing Plan.

As early as the 1960s, and up to the adoption of the Winnipeg Transportation Master Plan in 2011, the City has identified a westerly extension of Chief Peguis Trail between Main Street and Brookside Boulevard as a core east-west arterial road. This future road formed the boundary for several secondary plans and future development precincts in northwest Winnipeg, including the

northerly boundary of the *Waterford Green Secondary Plan* (Precinct ‘C’) and the southern boundary of Precinct ‘B’.

In 2019, the City concluded a functional design of the westerly extension of Chief Peguis Trail which resulted in a realignment of the roadway. The westernmost section of the extension was moved north, to align with the recently completed CentrePort Canada Way (PTH 190). As part of the functional design, a collector road network was also established within Precinct ‘B’ to facilitate traffic from existing streets (Dr. Jose Rizal Way and Leila Avenue) to the re-aligned Chief Peguis Trail Extension West.

On September 8, 2020, a Pre-Application (PA 20-289643) was submitted to the City to receive comments on a development proposal for the Subject Lands. The proposal suggested the possibility of changing the boundary between Precinct ‘B’ and Precinct ‘C’ to accommodate future development in light of recent changes to the alignment of Chief Peguis Trail. Without a physical boundary to the north of Precinct ‘C’, development could be established. While Precinct ‘B’ is understood to require growth-enabling infrastructure to facilitate development, a servicing study of the Subject Lands by an engineer has shown there is existing capacity for wastewater and land drainage in Precinct ‘C’ to the south.

On December 18, 2020, a Pre-Application Response Letter was provided to the applicant advising that the Public Service has not historically been supportive of expanding development into undeveloped precinct areas in fragmented portions, however, was amendable to further discussion.

On March 6, 2023, the applicant met with the Urban Planning & Design Division to discuss a renewal of the application, following the adoption of OW2045 and CCDS 2.0 in 2022. The updated proposal contained a policy analysis, preliminary servicing and land drainage studies, a preliminary transportation impact analysis, and a conceptual subdivision concept. The preferred process of removing the lands from Precinct ‘B’ and adding them to the Waterford Green Secondary Plan remained.

Upon further review and analysis from various City departments, it was determined by the Public Service that applications to develop the Subject Lands could proceed, in accordance with all City requirements and the signing of a TOR.

A TOR was signed by the applicant and the City on December 11, 2023.

In accordance with *The City of Winnipeg Charter,* the *Waterford Green Secondary Plan* (currently a non-statutory secondary plan) needs to be converted into a secondary plan by-law before it can be amended to include the Subject Lands. OW2045 allows Secondary Plans to be led by external parties, in collaboration with the City.

In order to allow development to occur in the Subject Lands, several applications are required:

- First, an application to amend CCDS 2.0 is required to remove lands from Precinct B.

- Secondly, an application to establish a new secondary plan for the Waterford Green neighbourhood (based on the existing non-statutory secondary plan) with the addition of the Subject Lands.

- Lastly, a subdivision and rezoning for the Subject Lands to facilitate development.

On May 7, 2024, the Public Service accepted SPA 3/2024 as a complete application to amend CCDS 2.0.

Proposed Amendments

This application seeks to amend CCDS 2.0 to facilitate future applications involving the Subject Lands. The amendments proposed by SPA 3/2024 are as follows:

- Re-designate the Subject Lands from New Community to Recent Community on the Map of the Urban Structure (**Map 1**)
- Remove the Subject Lands from Precinct 'B' on the Map of Greenfield Phasing (**Map 3**)
- Remove the Subject Lands from the Map of New Communities (**Map 9**)
- Remove the Subject Lands from the Map of Precincts (**Map 10**)
- Add the Subject Lands to the Map of Established Neighbourhoods (**Map 11**)

FINANCIAL IMPACT

Financial Impact Statement

Date: August 8, 2024

Project Name:

SPA 3/2024 (By-law 86/2024) Proposed Amendments to the Complete Communities Direction Strategy By-law No.119/2020 – Public Hearing Report

COMMENTS:

There are no financial implications associated with this report.

Mike McGinn Aug. 8, 2024

Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

Legal Services, as to legal issues

OURWINNIPEG POLICY ALIGNMENT

OurWinnipeg 2045

The Subject Land, to which the proposed amendment applies, is designated *New Communities* as per Figure 2 (Map of the Urban Structure) of *OurWinnipeg 2045.*

6.27 New Communities
Designate New Communities within the Urban Structure, representing large undeveloped land areas identified for future urban development, that are not currently served by a full range of municipal services.

6.28 New Communities
Designated Precincts within New Communities must have secondary plans, to ensure these areas are developed as complete and connected from the outset, and area available to accommodate growth.

6.29 New Communities
Plan New Communities to identify and include a defined level of service for public infrastructure and resource requirements, or approved alternative, to achieve complete communities, including an integrated and sustainable transportation system, recreation, parks, libraries, emergency services, and digital communications technology.

Complete Communities Direction Strategy 2.0 (CCDS 2.0)
The Subject Land, to which the proposed amendment applies, is entirely within New Communities as shown on Map 1 (Map of the Urban Structure) and identified as *'Precinct B'* shown on Map 10 (Map of Precincts) in CCDS 2.0.

Section C6 (New Communities) Goal 1 states: Establish and maintain New Communities through planned, orderly development.

Section B1 (General Growth) Goal 4 states: Provide for the responsible management of greenfield lands.

Policy 4.9 Notwithstanding Policy 4.3, the City may deviate from the greenfield phasing plan with regards to the provision of capital infrastructure and local area plans where:

a. The proposal is in alignment with updated City infrastructure priorities;
b. Technical limitations prevent higher priority sites from proceeding; or
c. The proponent of a higher priority site is not able to advance local area planning.

And as a result, failure to adjust the phasing plan will result in significant shortage in vacant serviced and/or planned greenfield land.

Policy 4.10 In addition to Policy 4.9, the following considerations should be weighed by the City when evaluating proposals that deviate from the greenfield phasing plan:

a. Requirements for City funded growth-enabling and growth-supporting infrastructure and its costs relative to those of alternative greenfield sites, as well as the City's ability to finance this infrastructure;
b. The site's readiness for development, including the scope of the site's remaining enabling work;
c. The sequencing of linear infrastructure extensions;
d. How the proposal will promote a reasonably equitable distribution of vacant serviced greenfield and between different City quadrants;
e. The extent to which the site promotes Complete Communities principles, including, but not limited to its proximity to employment, its ability to leverage existing capacities of nearby schools, and its ability to promote sustainable modes of transportation, relative to other alternative greenfield sites.

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

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

The proposal to amend map boundaries in CCDS 2.0 is technical in nature and not directly applicable to the Poverty Reduction Strategy.

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning and Design
Prepared by: Evan Allan, MCIP, RPP
Date: August 8, 2024
File No: SPA 3/2024 (By-law 86/2024)

Attachments:
Appendix A – Planning Discussion
Appendix B – By-law No. 86/2024
Appendix C – Applicant's Letter of Intent

APPENDIX A – Planning Discussion

DATE: June 21, 2024

FILE: SPA 3/2024 (By-law 86/2024)

COMMUNITY: Lord Selkirk – West Kildonan
NEIGHBOURHOOD #: 3.335 Rosser – Old Kildonan

SUBJECT: Amendments to the Complete Communities Direction Strategy By-law No.119/2020 to allow for the development of a new community.

LOCATION: See map below:



APPLICANT: Landmark Planning & Design Inc. (Jeff Pratte)
298 Waterfront Dr.
Winnipeg, MB, R3B 0G5

OWNER(S): Jefferson Heights Development Inc.
2nd Floor – 287 Tache Avenue
Winnipeg, MB R2H 2A1

RECOMMENDATION: Approval

SITE DESCRIPTION

- The subject property includes one parcel located at the north east corner of Jefferson Avenue and King Edward Street, situated immediately north of the area known as Waterford Green. The site is located in Rosser – Old Kildonan neighbourhood in the Old Kildonan ward.
- The subject area is approximately 48.3 ac (19.5 ha) in area, with approximately 376m of frontage along King Edward Street.
- The site is currently vacant and under limited cultivation.



Figure 1: Aerial map of the subject lands and surround area

- The site is currently designated as “New Communities” in the Complete Communities Direction Strategy 2.0 (CCDS 2.0). It is also identified as part of Precinct “B” as part of the Greenfield Phasing Plan. The site is currently zoned “A” Agricultural.

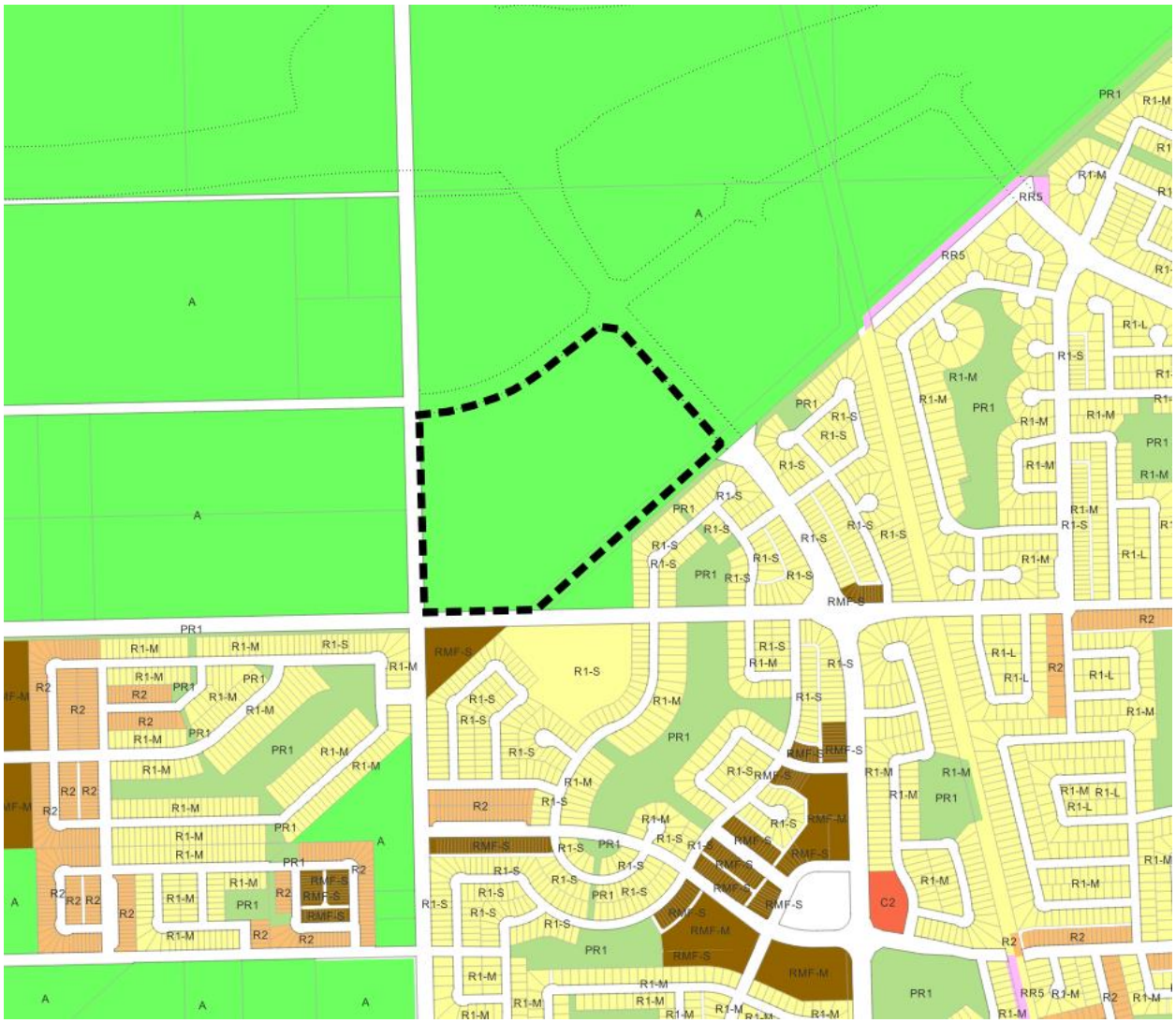

Figure 2: Zoning Map of the subject lands and surrounding area

- **North:** North of the site is additional agricultural land identified as part of Precinct “B”. Immediately north of the site is a future east-west collector street established during the Functional Design of the Western Extension of Chief Peguis Trail.
- **South:** South of the site is an existing rural residential home and a single-family neighbourhood in the Waterford Green Secondary Plan area. The former CPR Bergen ROW forms the southern edge of the site area.
- **East:** East of the site is additional vacant lands.
- **West:** West of the site is additional vacant lands that constitutes Precinct “A” and is intended to be industrial development.

PROPOSED AMENDMENTS

- This application seeks to amend CCDS 2.0 to facilitate the future development of the subject lands. The site is currently designated “New Communities”. The amendments proposed by SPA 3/2024 are all mapping amendments and include the following:
    - Re-designate the Subject Lands from New Community to Recent Community on the Map of the Urban Structure (**Map 1**)
    - Remove the Subject Lands from Precinct ‘B’ on the Map of Greenfield Phasing (**Map 3**)
    - Remove the Subject Lands from the Map of New Communities (**Map 9**)
    - Remove the Subject Lands from the Map of Precincts (**Map 10**)
    - Add the Subject Lands to the Map of Established Neighbourhoods (**Map 11**)

ANALYSIS AND DISCUSSION

Policy Analysis

- Within CCDS 2.0, the “New Communities” designation is intended to accommodate the City’s projected population growth through the use of a Precinct Plan. The Subject Lands are currently part of Precinct “B” which spans an area between King Edward Street in the west and Pipeline Road to the east. Within the Greenfield Phasing Plan contained in Section B1 – General Growth, Precinct “B” is identified as Tier 4 (short-to-medium).
- Policy 4.5 states that precinct planning should not commence for lower priority lands until plans for all higher priority lands have, at minimum, been initiated. Currently, Precinct “D” (see **Figure 3**) is a higher priority and remains unplanned at this time.

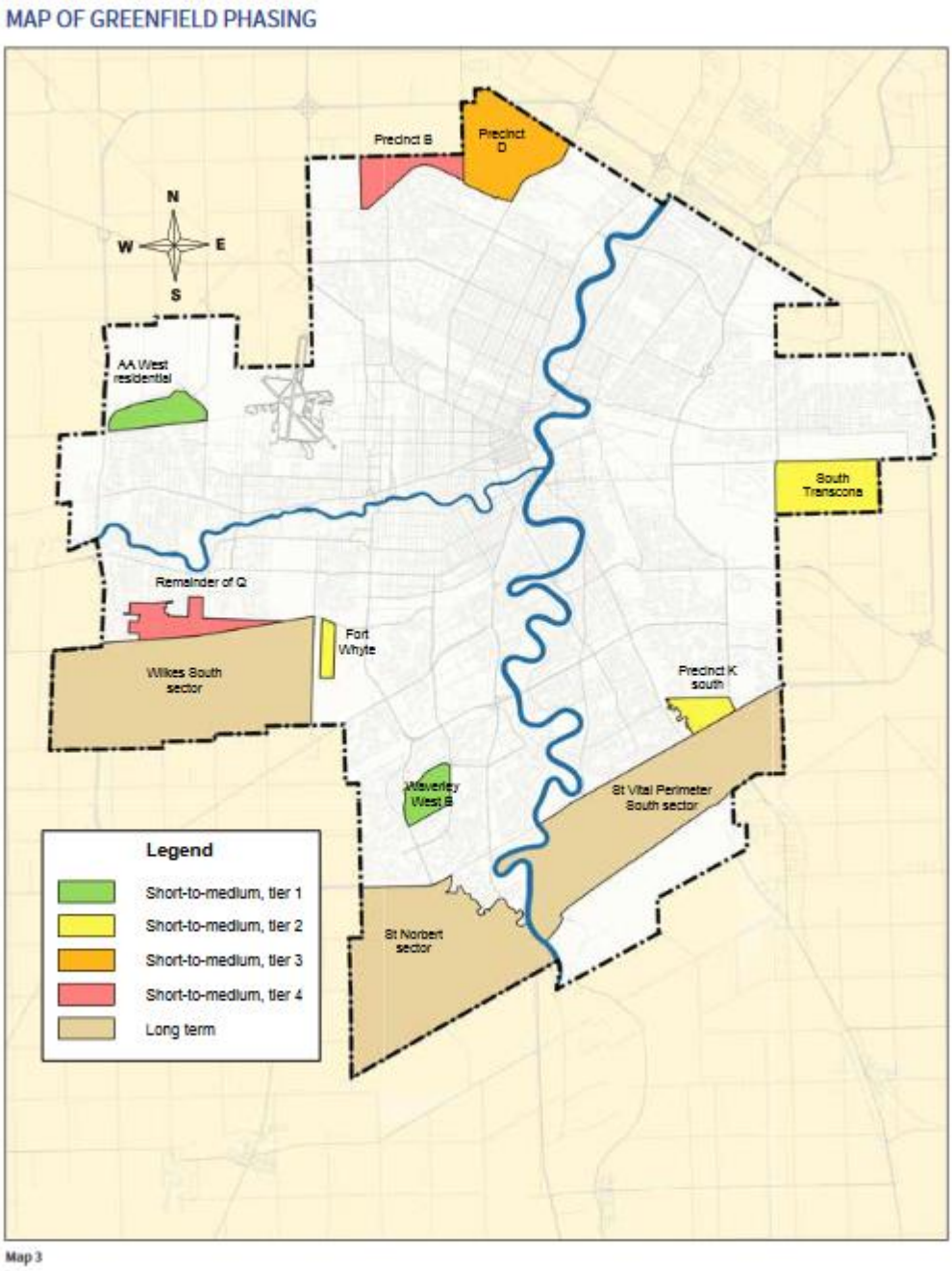

Figure 3: Map of Greenfield Phasing

- The “Recent Community” designation, including the Emerging Communities subset, is intended to provide for compact development, a mix of uses, a diversity of housing types, the promotion of public transit, the encouragement of active transportation, and community connectivity.
- In light of the unique nature of this application, and various options for development of greenfield lands, a limited analysis was conducted to determine the optimal path for this application. The analysis showed that an amendment to CCDS 2.0, together with an

externally led Secondary Plan process, in collaboration with the City, would yield the certainty that such a development could maximize the goals and objectives of CCDS 2.0.

- The 2023 Land Monitoring Report indicates the City has a healthy supply of vacant greenfield land (including serviced greenfield land), with current supply exceeding all targets outlined in CCDS 2.0.
- While Precinct 'B' is generally understood to require growth enabling infrastructure, a servicing study has shown development of the subject lands can be serviced through existing capacity to the south. This includes wastewater servicing, land drainage and accommodations for downstream impacts.

Chief Peguis Trail Extension West

- As early as the 1960s, and up to the adoption of the Winnipeg Transportation Master Plan in 2011, the City has identified a westerly extension of Chief Peguis Trail (CPT) between Main Street and Brookside Boulevard as a core east-west arterial road. This future road formed the boundary for several secondary plans and future development precincts in northwest Winnipeg, including the northerly boundary of the *Waterford Green Secondary Plan* (Precinct "C") and the southern boundary of Precinct "B".
- The westerly extension of Chief Peguis Trail has informed the physical boundary of several precinct plans throughout the northern half of the City, including the northern boundary of Precinct "C" (Waterford Green) and the southern boundary of Precinct "B".
- In 2019, the City concluded a functional design of the westerly extension of CPT which resulted in a realignment of the roadway (see **Figure 4**). The westernmost section of the extension (within Precinct "B" and Precinct "A") was moved north, to align with the recently completed CentrePort Canada Way (PTH 190). As part of the functional design, a collector road network was also established within Precinct 'B' to facilitate traffic from existing collector streets (Dr. Jose Rizal Way and Leila Avenue) to the re-aligned Chief Peguis Trail Extension West.

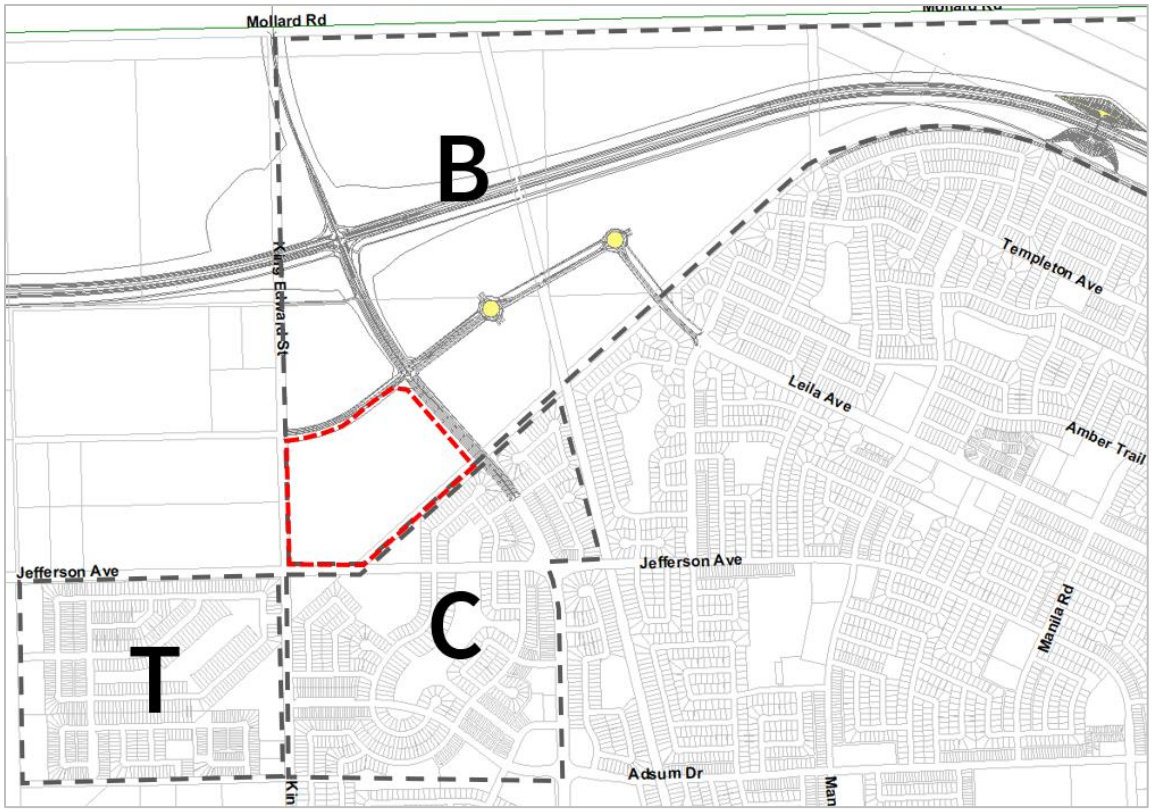

Figure 4: **Surrounding context including existing Precincts and identified collector roads from the Functional Design of Chief Peguis Trail Extension West.**

- This realignment would effectively remove the physical barrier that once formed the northern boundary of Precinct “C” and the southern boundary of Precinct “B” and could allow for a logical extension of existing development in the area.
- The realignment of Chief Peguis Trail through Precinct ‘B’ can also be expected to complicate future precinct planning initiatives, creating various issues for connectivity, noise mitigation, circulation and the ability of the precinct to be planned as a complete community. These planning challenges will be especially felt in areas of Precinct ‘B’ that are north of CPT. This area has no southerly access points and, while still developable, may benefit from a planning process that involves areas currently outside the City limits.
- The collector road network designed as part of the Functional Design creates a blueprint for future phases of greenfield development. The process of designing a collector road network for Precinct ‘B’ would have otherwise taken place during a precinct planning process.

Terms of Reference

- Historically, the Public Service has not been supportive of expanding development into undeveloped precinct areas. However, given the site’s unique context, the availability of local servicing without capital expenditure, and increased demand for single-family and multi-family development in the local area, the Public Service was amenable to further discussion on the proposal.

- Upon further review and analysis from various City departments, it was determined by the Public Service that applications to develop the Subject Lands could proceed, in accordance with all existing City requirements and the signing of a TOR.
- The TOR outlines the process for which the application can proceed, namely an amendment to CCDS 2.0, followed by an application for a Secondary Plan By-law (converting the existing non-statutory Waterford Green Secondary Plan) incorporating the Subject Lands, and an accompanying subdivision and rezoning process.
- The TOR also contains expectations for communication, scheduling, stakeholder and public engagement, dispute resolution, and the roles and responsibilities of the City and the development proponent. A TOR was finalized and signed by the applicant and the City on December 11, 2023.

OTHER CONSIDERATIONS

- The application to amend CCDS 2.0 was circulated to other relevant City departments for review and comment. There were no outstanding issues or comments expressed from City departments for the proposed application.
- In accordance with the TOR, a public open house was held for the proposed application with most of those in attendance generally supportive of the application.

CONCEPTUAL SUBDIVISION DESIGN

- This application seeks to amend CCDS 2.0 and does not yet contemplate a subdivision design for this area. However, a conceptual subdivision plan was provided as part of the application indicating the general intent of the future neighbourhood. In accordance with the TOR, any subdivision design must be reviewed and approved through the Development Application process.
- Several comments were collected from City departments regarding the conceptual subdivision and are noted here, in advance of future applications.
- As proposed, the configuration for Public Reserve dedication does not provide adequate usable park space, beyond the provision of pathways. In accordance with the Winnipeg Parks Strategy, a neighbourhood scale park is sought at this location that can accommodate programmed and unprogrammed spaces to meet anticipated interests of the local community.

  Anticipated amenities to be incorporated into a neighbourhood scale park include a playground, naturalization, trees, multi-use open space, picnic and seating area, and pathways.
- As proposed, the current road network does not provide a collector road through the development. The provision of turning radii for school buses and other large vehicles is an important feature of new communities and is not currently demonstrated here.
- The 2022 Community Energy Investment Roadmap (CEIR) offers recommendations on how the City can better support dense and accessible neighbourhoods that enable the use of transit and active transportation. To promote a comfortable pedestrian environment, it is recommended that sidewalks be provided throughout the development.

RECOMMENDATIONS:

1. That Council give first reading to By-law No. 86/2024, a draft of which is attached as Appendix B, being a by-law to amend the Complete Communities Direction Strategy 2.0 By-law No. 119/2022 in accordance with this report.

2. That following first reading and upon instruction from the Director of Planning, Property and Development, the City Solicitor and Director of Legal Services be directed to return the By-law directly to Council by way of communication 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.

Appendix B – By-law No. 86/2024

Appendix C – Applicant's Letter of Intent