Agenda – Council – December 15, 2004

Report - Executive Policy Committee – November 25, 2004

Item No. 3 Plan Winnipeg Amendment: 1535 Wellington Crescent – Oak Point Transit Corridor
File EP-1.1 (PW 1/2004)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 25, 2004, the Executive Policy Committee concurred in the administrative recommendation and submits the following to Council:

1. That By-law No. 112/2004, a proposal to amend Plan Winnipeg By-law Vision 2020 No. 7630/2000 by:

   A. Deleting from Policy Plates B and C, that portion of the "Busway" route crossing the Assiniboine River at the St. James Bridge known as the "Oak Point Transit Corridor",

   be forwarded to Council for second reading.

2. 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 – November 25, 2004

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 25, 2004, the Executive Policy Committee concurred in the administrative recommendation and submitted the matter to Council.

PUBLIC HEARING SUMMARY

File: EP-1.1 (PW 1/2004)

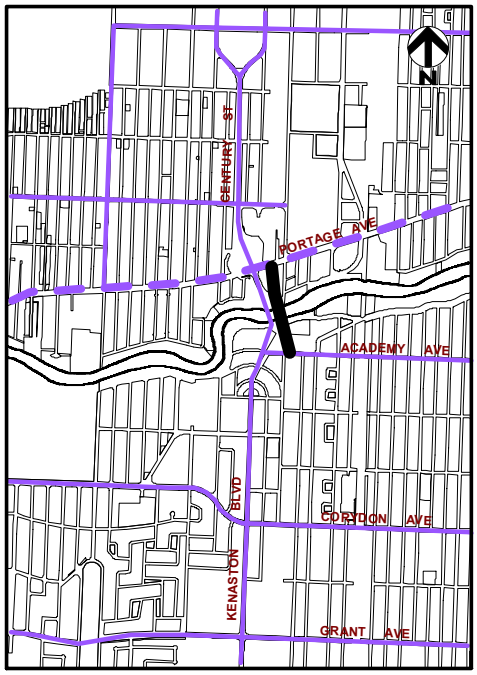
Before: Executive Policy Committee
His Worship Mayor Katz, Chairperson
Deputy Mayor Pagtakhan
Councillor Clement
Councillor Eadie
Councillor De Smedt
Councillor Steeves
Councillor Thomas

Public Hearing: November 25, 2004
West Committee Room
Council Building, 510 Main Street

Applicant: Stechesen Katz Architects – Alec Katz

Subject: A proposal to amend Plan Winnipeg By-law No. 7630/2000 by:

1. Deleting the area shown as black line (portion of the Busway Route crossing the Assiniboine River at the St. James Bridge).



Exhibits Filed:

1. Application dated March 25, 2004
2. Council Decision of July 21, 2004; contains report from the Director of Planning, Property and Development dated June 14, 2004
3. First Reading of By-law No. 112/2004 by Council on July 21, 2004
4. Notification of Public Hearing to the Minister of Intergovernmental Affairs dated November 1, 2004
5. Advertising Notices dated November 10 and 17, 2004
6. Report from the Director of Planning, Property and Development dated November 16, 2004
7. Communication dated November 12, 2004, from the Manager Environment and Risk Management, Winnipeg Airports Authority, with respect to the application
8. Communication dated November 15, 2004 from Elizabeth Fleming in opposition to the application
9. Communication dated November 16, 2004 from Vic Pruden in opposition to the application
10. Communication dated November 22, 2004 from Doreen F. Pruden in opposition to the application
11. Communication dated November 23, 2004 from Jeff and Lillian Duff in opposition to the application
12. Communication dated November 24, 2004 from Ed Hume, Organizer of Citizens Against Condos on the Bridge, in opposition to the application
13. Communication dated November 24, 2004 from Donna Beynon-Patterson and Gary Patterson in opposition to the application
14. Presentation submitted by Larry Dagg in opposition to the application at the public hearing
15. Presentation with respect to the application from Ken Klassen submitted by Elizabeth Fleming at the public hearing.
16. Listing of 30 residents, in opposition to the application, submitted by Doreen F. Pruden at the public hearing

REPRESENTATIONS:

In Support:

Alec Katz, Stechesen Katz Architects
Councillor Benham, River Heights- Fort Garry Ward
Councillor Gerbasi, Fort Rouge-East Fort Garry Ward
Mark Olson

In Opposition:

Bertie Bell
Donna Beynon-Patterson
Michael Cox
Larry Dagg
Phyllis Doran
Jeff and Lillian Duff
Elizabeth Fleming
William Helgason
Ed Hume
Ken Klassen
James Rodney Ledwich
Jeff Lowe
Terrance A.W. Muzychuk
Margaret Orr
Gary Patterson
Doreen F. Pruden
Vic Pruden
Margaret A. Saundry
Don Smith
Barbara Teskey

For Information:

Terence Clifford
Leanne Shewchuk, Winnipeg Airports Authority
Alex Robinson, Winnipeg Airports Authority
P.J. Thomson

For the City:

Harry Finnigan, Director of Planning, Property and Development
Chris Knoll, Manager of Planning and Land Use, Planning, Property and Development Department
Martin Grady, Senior Planner (Plan Winnipeg), Planning, Property and Development Department
Bill Menzies, Manager of Planning and Schedules, Transit Department

SUMMARIZATON OF REPRESENTATIONS AND SUBMISSIONS MADE AT THE PUBLIC HEARING

Alec Katz, Stechesen Katz Architects, appeared in support of the application and provided an overview of the proposed Plan Winnipeg Amendment for 1535 Wellington Crescent, Oak Point Transit Corridor. He referenced proposed Policy Plate "B" Transportation to Plan Winnipeg 2020 to describe the property Stechesen Katz Architects has control of.

Councillor Benham, River Heights – Fort Garry Ward. appeared in support of the application and indicated the subject location is no longer needed for a rapid transit corridor.

Michael Cox appeared in opposition to the application and advised that he has lived 33 years adjacent to the subject application. Mr. Cox requested that the public hearing be adjourned and conducted on an evening at a location within the community.

Larry Dagg appeared in opposition to the application, and read into the record his presentation, filed as Exhibit 14.

Alex Robinson, Vice-President, Business Development. Winnipeg Airports Authority, appeared with respect to the application. He advised that although the subject application is deemed contradictory to the Winnipeg Airport Vicinity Development Plan which was adopted by Council in 1994, mitigating measures can be undertaken to offset them.

Phyllis Doran appeared in opposition to the application, and advised that she is a long time resident on Centennial Street. She requested that the bridge be converted into a walking path to the Polo Park mall.

Elizabeth Fleming appeared in opposition to the application, and referred to her presentation, filed as Exhibit 8. She submitted a presentation, including a number of newspaper articles, on behalf of Ken Klassen, filed as Exhibit 15.

Doreen Pruden appeared in opposition to the application and referred to her presentation, filed as Exhibit 10. In addition, she submitted a listing of 30 residents in opposition to the application, filed as Exhibit 16.

Don Smith appeared in opposition to the application.

Barbara Teskey appeared in opposition to the application.

Alec Katz, Stechesen Katz Architects, summarized the application.

Councillor Thomas questioned the Administration to advise if the bridge is available to still accommodate street cars as it was designed to accommodate originally. Bill Menzies, Manager of Planning and Schedules, Transit Department, advised that there is not sufficient room on the existing bridge to accommodate a street car or a bus. In this connection, Bill Menzies provided an overview of the current bus service in the area and advised that service from Portage Avenue south to Academy Road is included in Plan Winnipeg.

Exhibit "6" referred to in File EP-1.1 (PW 1/2004)

RE: PLAN WINNIPEG BY-LAW NO. 112/2004: OAK POINT TRANSIT CORRIDOR

For submission to: **Executive Policy Committee**

Original report signed by: **Director of Planning, Property and Development**

Report date: **November 16, 2004**

Recommendation(s):

1) That By-Law No.112/2004, a proposal to amend *Plan Winnipeg* By-Law No. 7630/2000 by:

   a. deleting from Policy Plates B and C, that portion of the "Busway" route crossing the Assiniboine River at the St. James bridge known as the "Oak Point Transit Corridor",

   be forwarded to Council for second reading.

REPORT SUMMARY

Key Issues:

- On July 21, 2004, Council gave first reading to By-law No.112/2004 directing the Executive Policy Committee to schedule a public hearing (November 25, 2004) to consider amending Plan Winnipeg. Giving second reading to the proposed by-law will allow the proposed amendment to be forwarded to the Minister of Intergovernmental Affairs and Trade for required approval, prior to third reading and final approval at Council.
- The Planning, Property and Development Department supports the Plan Winnipeg amendment, removing the "Busway" designation from Policy Plates B and C, on a portion of the CN Rail Right-of-Way crossing the Assiniboine River at 1535 Wellington Crescent.
- The CN Rail Right-of-Way and bridge crossing the Assiniboine River at 1535 Wellington Crescent initially formed part of the City's rapid transit system. However, since adoption of the Plan Winnipeg 2020 Vision, Transit has refined their concept planning of the transit network and no longer requires the right-of-way and bridge.
- The applicant, Stechesen Katz Architects is requesting an amendment to Plan Winnipeg to remove the subject "Oak Point Transit Corridor" in order to develop a 30 unit multi-family complex along the right-of-way, extending over the Assiniboine River on the existing railway bridge structure.
- The applicant has also applied to rezone the lands for the proposed development. Following a public hearing on July 13, 2004, the City Centre Community Committee

supported the proposed rezoning. Plan Winnipeg must be amended prior to final approval of the rezoning application at Council.

Implications of the Recommendation(s):

General implications:

	None
	For the organization overall and/or for other departments
X	**For the community and/or organizations external to the City of Winnipeg**
	Involves a multi-year contract

Comment(s): Removing the transportation corridor from the Policy Plates will allow consideration of non-transportation-related development on the land and bridge.

-

Policy implications:

	No
X	**Yes**

Comment(s): Removing the transportation corridor from Plan Winnipeg will allow consideration of non-transportation-related development.

-

Environmental implications:

X	**No**
	Yes

Comment(s):

-

Human resources implications:

X	**No**
	Yes

Comment(s):

-

Financial implications:

X	**Within approved current and/or capital budget**
	Current and/or capital budget adjustment required

Comment(s):

-

REASON FOR THE REPORT:

Under the City of Winnipeg Charter, Executive Policy Committee is the designated hearing body responsible for Plan Winnipeg.

HISTORY:

Plan Winnipeg 2020 Vision anticipated that a portion of surplus CN Rail Right-of-Way crossing the Assiniboine River at 1535 Wellington Crescent would form a component of the City of Winnipeg's high speed transit system as this represented an opportunity to cross the river using a dedicated right-of-way.
Since adoption of the Plan, Transit has refined and evolved its conceptual planning of the transit network and no longer requires the right-of-way and bridge. CN has subsequently sold the subject lands to a private development interest.

DISCUSSION:

The Planning, Property and Development Department recommends that Plan Winnipeg be amended to remove the "Busway" designation from Policy Plates B and C, on a portion of the CN Rail Right-of-Way crossing the Assiniboine River at 1535 Wellington Crescent. The amendment will reflect current plans for the City of Winnipeg's rapid transit network and provide an opportunity for consideration of non-transportation uses.

The City is presently considering an application to develop a 30-unit multi-family complex along the right-of-way and extending over the Assiniboine River on the existing railway bridge structure. On July 13, 2004, the City Centre Community Committee held a public hearing to consider rezoning the land and subsequently agreed with the administration's recommendation to rezone the land to "C2" commercial district.

The application for rezoning is running concurrently with the Plan Winnipeg amendment process. Plan Winnipeg must be amended prior to final approval of the rezoning application at Council. Also, Council will have to pass a special by-law to permit construction of a building spanning a waterway, in accordance with Section 159(3) of the City of Winnipeg Charter.

Financial Impact Statement

Date: November 12, 2004

COMMENTS:

The recommendation in this report is that a by-law be forwarded to Council for second reading to allow the proposed amendment to be forwarded to the Minister of Intergovernmental Affairs and Trade for required approval, prior to third reading and final approval at Council. There is no financial impact associated with this recommendation.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:

Transit

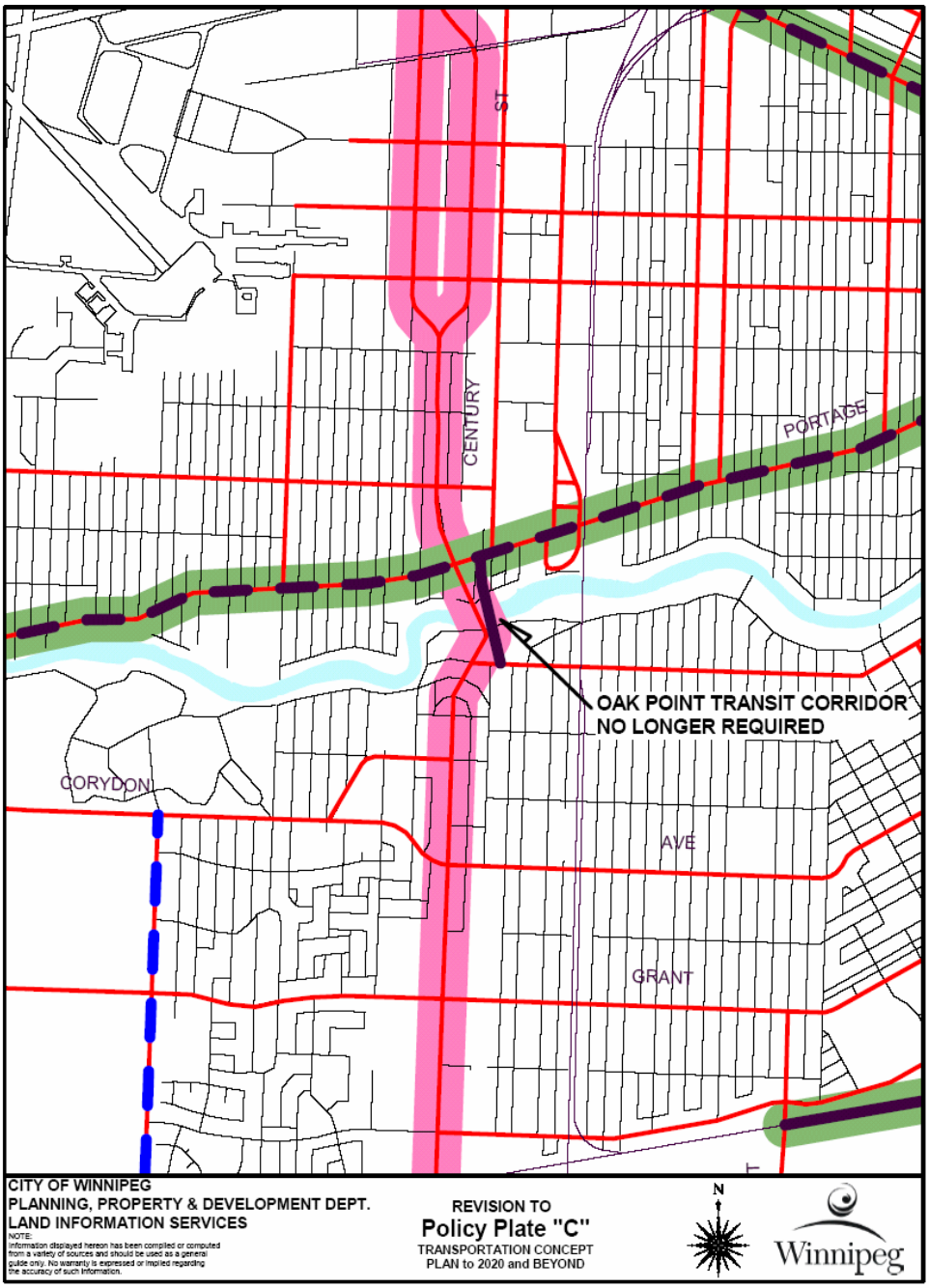
THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Planning and Land Use
Prepared by: Michelle Richard
PPD File #: PW 01/04

Attachments:
Map 1 – Oak Point Transit Corridor – Changes to Policy Plates B & C

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Map 1: Oak Point Transit Corridor – Changes to Plates B & C


ST
CENTURY
PORTAGE
OAK POINT TRANSIT CORRIDOR
NO LONGER REQUIRED
CORYDON
AVE
GRANT
CITY OF WINNIPEG
PLANNING, PROPERTY & DEVELOPMENT DEPT.
LAND INFORMATION SERVICES
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only. No warranty is expressed or implied regarding the accuracy of such information.
REVISION TO
Policy Plate "C"
TRANSPORTATION CONCEPT
PLAN to 2020 and BEYOND
N
Winnipeg