PUBLIC HEARING - PROPOSED AMENDMENT TO PLAN WINNIPEG

255.

Proposed Amendment to Plan Winnipeg By-law No. 7630/2000 by Re-designating Lands Located North of Portage Avenue, West of Camp Manitou Road from a Rural Policy Area to a Neighbourhood Policy Area
File EP-1.1(PW) (Vol. 16)

Applicant: The Director of Planning, Property and Development

Subject: Proposed amendment to Plan Winnipeg By-law No. 7630/2000 by redesignating lands located North of Portage Avenue and West of Camp Manitou Road from a Rural Policy Area to a Neighbourhood Policy Area.

Exhibits:
1. Notice of Public Hearing
2. Report from the Director of Planning, Property and Development dated April 17, 2002.
3. Communication dated June 25, 2002, from Gord Parker, Project Planning Engineer, Manitoba Highways and Government Services, to Mike Teillet, Director of Provincial Planning Services, Intergovernmental Affairs, advising that a permit from the Highway Traffic Board will be required for a change in land use for the site.
4. Written submission with objections to the Plan Winnipeg Amendment from Valinda Morris, The Provincial Council of Women of Manitoba, Inc.
5. Communication dated June 24, 2002, from Paul F. Robson, Chief Executive Officer, Red River Exhibition Park, in support to the Plan Winnipeg Amendment.

Summary of Representation:

In Support:

Councillor De Smedt, St. Charles Ward
Paul F. Robson, Chief Executive Officer, Red River Exhibition Park

In Opposition:

Valinda Morris and Elizabeth Fleming, The Provincial Council of Women of Manitoba, Inc.

Minutes - Executive Policy Committee - June 26, 2002

Moved by Councillor Clement,

That the receipt of public representation be concluded.

Carried

Moved by Councillor Vandal,

That Committee rescind its decision to close the receipt of public representation.

The motion was put and in view of a tie vote was declared lost in accordance with Rule 58 of the Procedure By-law.

Moved by Councillor Eadie,

That the Executive Policy Committee recommend as follows:

I. That Council give second reading to By-law No. 8030/2002, being a by-law of the City of Winnipeg to amend Plan Winnipeg By-law No. 7630/2000, by re-designating lands located on the North side of Portage Avenue to a depth of approximately 103.5 metres (340 feet) bounded by the Winnipeg City limits to the West, and the existing Plan Winnipeg Neighbourhood Policy Area to the East from a Rural Policy Area to a Neighbourhood Policy Area.

II. That Council direct the City Clerk to forward five certified copies of the by-law, as approved on second reading, together with a copy of the report and recommendation of the Executive Policy Committee respecting said by-law, to the Minister of Intergovernmental Affairs for approval in accordance with Section 580(1) of The City of Winnipeg Act.

III. That Council direct the City Clerk to serve the required written notice under Section 580(2) of The City of Winnipeg Act, to any person who made representation at the public hearing.

IV. That subject to provincial approval and third reading of Plan Winnipeg Amending By-law No. 8030/2002 by Council, a plan be prepared for re-designating lands located on the North side of Portage Avenue to a depth of approximately 103.5 metres (340 feet) bounded by the Winnipeg City limits to the West, and the existing Plan Winnipeg Neighbourhood Policy Area to the East from a Rural Policy Area to a Neighbourhood Policy Area; and that the Chief Administrative Officer be required to coordinate and do all things necessary in connection with the formulation of said plan such that it may be considered by Council.

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

and forwarded to Council.

Carried

Moved by Councillor Eadie,
That the Public Hearing be concluded.

Carried

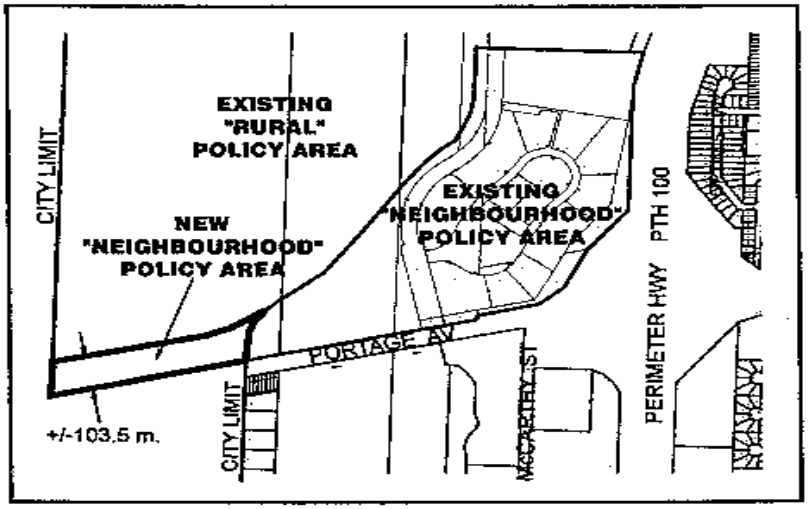
EXHIBIT 1

Winnipeg

NOTICE OF PUBLIC HEARING

Executive Policy Committee Public Hearing
Date : Wednesday, June 26, 2002
Time : 9:00 a.m.
Location : West Committee Room, Council Building
510 Main Street

PROPOSED PLAN WINNIPEG AMENDMENT



The Executive Policy Committee will be holding a Public Hearing to receive representations on a proposed amendment to Plan Winnipeg to re-designate lands located on the north side of Portage Avenue to a depth of approximately 103.5 metres (340 feet), bounded by Winnipeg City Limits to the west and the existing Plan Winnipeg "Neighbourhood" Policy Area to the east (as shown outlined above), from a Plan Winnipeg "Rural" Policy Area to a Plan Winnipeg "Neighbourhood" Policy Area. Relevant documents are available for inspection by contacting Ms Dianne Johnson at 986-7731. Persons wishing to make representation at the above hearing are requested to notify Mr. Bob MacCallum, Clerk of the Executive Policy Committee, Council Building, 510 Main Street, Winnipeg, R3B 1B9, telephone 986-2136, to assist in scheduling representations. Simultaneous French/English translation will be available if requested.

EXHIBIT 2

Re: PW 01/02 Proposed amendment to *Plan Winnipeg* By-Law no. 7630/2000 by redesignating lands located North of Portage Avenue and West of Camp Manitou Road from a *Rural Policy Area* to a *Neighbourhood Policy Area*

For submission to: **Executive Policy Committee**

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

Report date: April 17, 2002

In camera item: **No**

Recommendation(s):

1) That *Plan Winnipeg* By-Law no. 7630/2000 be amended by redesignating lands located on the North side of Portage Avenue to a depth of approximately 103.5 metres (340 feet), bounded by the Winnipeg City limits to the West, and the existing *Plan Winnipeg Neighbourhood Policy Area* to the East from a *Rural Policy Area* to a *Neighbourhood Policy Area* as outlined in the attachment;
2) That in accordance with recommendation 1), By-Law No. XXXX/2002 (attached), amending By-Law 7630/2000 receive first reading; and
3) That Executive Policy Committee be instructed to hold a public hearing in accordance with Sections 579(3) & 632 to 645 of the City of Winnipeg Act.

REPORT SUMMARY

KEY ISSUES:

- The subject lands were proposed for redesignation during the *Plan Winnipeg* review process when the Plan received second reading
- The purpose of the redesignation was to ensure consistency of land use as adjacent lands to the east were already designated *Neighbourhood*, developed and serviced, as well, land to the south within the City was also proposed to be redesignated to *Neighbourhood*. Land immediately to the West and South in the R.M. of Headingley are also designated *Commercial* under the R.M.'s Development Plan.
- Council redesignated the subject lands at second reading, after public hearings had been closed. The Minister of Intergovernmental Affairs required that such a redesignation be the subject of a separate public hearing, therefore the subject lands were returned to their original designation (as passed at first reading).
- The subject lands are now being brought forward for redesignation under the *Plan Winnipeg* amendment process.

IMPLICATIONS

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:

- The subject lands are privately held and this redesignation will affect their ability to be developed.

Policy implications

	No (*There are no policy implications if the report is asking for a one-time decision.)*
X	Yes *(There are policy implications if the recommendation(s) is/are asking for a decision that will be used to guide decisions over time.)*

Comment:

- The recommendation asks for changes to *Plan Winnipeg Policy Plate A – Land Use*, the Policy Plate that guides land development for the City of Winnipeg

Financial implications

	Within approved current and/or capital budget
	Current and/or capital budget adjustment required
X	No financial implications

Comment:

- The proposed change is of a policy nature and is not anticipated to have financial implications for the organization

REPORT

RECOMMENDATION(S):

1) That *Plan Winnipeg* By-Law no. 7630/2000 be amended by redesignating lands located on the North side of Portage Avenue to a depth of approximately 103.5 metres (340 feet) bounded by the Winnipeg City limits to the West, and the existing *Plan Winnipeg Neighbourhood Policy Area* to the East from a *Rural Policy Area* to a *Neighbourhood Policy Area* as outlined in the attachment;
2) That in accordance with recommendation 1), By-Law No. XXXX/2002 (attached), amending By-Law 7630/2000 receive first reading; and
3) That Executive Policy Committee be instructed to hold a public hearing in accordance with Sections 579(3) & 632 to 645 of the City of Winnipeg Act.

REASON FOR THE REPORT:

At its meeting of October 25, 2000 Council gave second reading to *Plan Winnipeg* By-Law 7630/2000 which included an amendment to redesignate lands fronting Portage Avenue in the Assiniboia Downs Neighbourhood from a *Rural Policy Area* to a *Neighbourhood Policy Area*. This redesignation was subsequently reversed under the instructions of the Minister of Intergovernmental Affairs when *Plan Winnipeg* By-Law 7630/2000 received third reading on December 12, 2001. The Director of Planning, Property and Development Department has initiated this amendment process for consideration by **Executive Policy Committee** as the committee responsible for Plan Winnipeg.

HISTORY:

In 1995 *Plan Winnipeg* was amended to redesignate a portion of the lands located West of the Perimeter Highway, North of Portage Avenue from a *Rural Policy Area* to a *Neighbourhood Policy Area*. These lands have since been serviced with a full range of municipal services and developed as the Pointe West Auto Park. During the recent *Plan Winnipeg* review process lands in the Assiniboia Downs Neighbourhood located south of Portage Avenue were also redesignated from *Rural Policy Area* to *Neighbourhood Policy Area* as there was a need for an additional supply of residential land to meet demand in the westernmost part of the City and, the lands could be serviced with a full range of municipal services.

After the Public Hearing on *Plan Winnipeg*, and prior to third reading, a proposal came forward from the landowner with the support of the area councillor to also redesignate the remaining frontage along the North side of Portage Avenue to *a Neighbourhood Policy Area*. The **Executive Policy Committee** considered this proposal and chose to include this redesignation in the amended *Plan Winnipeg* that went forward to Council and received second reading. This amended Plan was sent to the Minister of Intergovernmental Affairs for comment and approval.

The Minister regarded that significant changes in land-use designation should not occur after public hearings have been closed and directed Council to return the subject property to its original designation.

DISCUSSION:

The subject property is located on the North side of Portage Avenue, adjacent to the Pointe West Auto Park to the East. Lands immediately to the South and West are in the R.M. of Headingley and designated for Commercial Development under their development plan. The redesignation of the subject property along the Portage Avenue frontage would ensure consistency of land use for the immediate area. This land is suitable for highway commercial development and can be readily serviced with the full range of municipal services as required by *Plan Winnipeg Policy 3B-02 - Guide the Development of New and Existing Residential Areas*.

Under this *Plan Winnipeg* amendment process, the redesignation of these lands will be advertised and be the subject of a public hearing, thus addressing the concerns of the Minister of Intergovernmental Affairs. As the lands will remain zoned A – Agricultural, their development will also require a rezoning where any detailed concerns such as servicing and access can be dealt with more thoroughly.

Financial Impact Statement

Date: 23-Apr-02

COMMENTS:

As the recommendations of this report relate to legal/administrative elements only, it is anticipated that there will be no material financial impact to the City in their implementation.

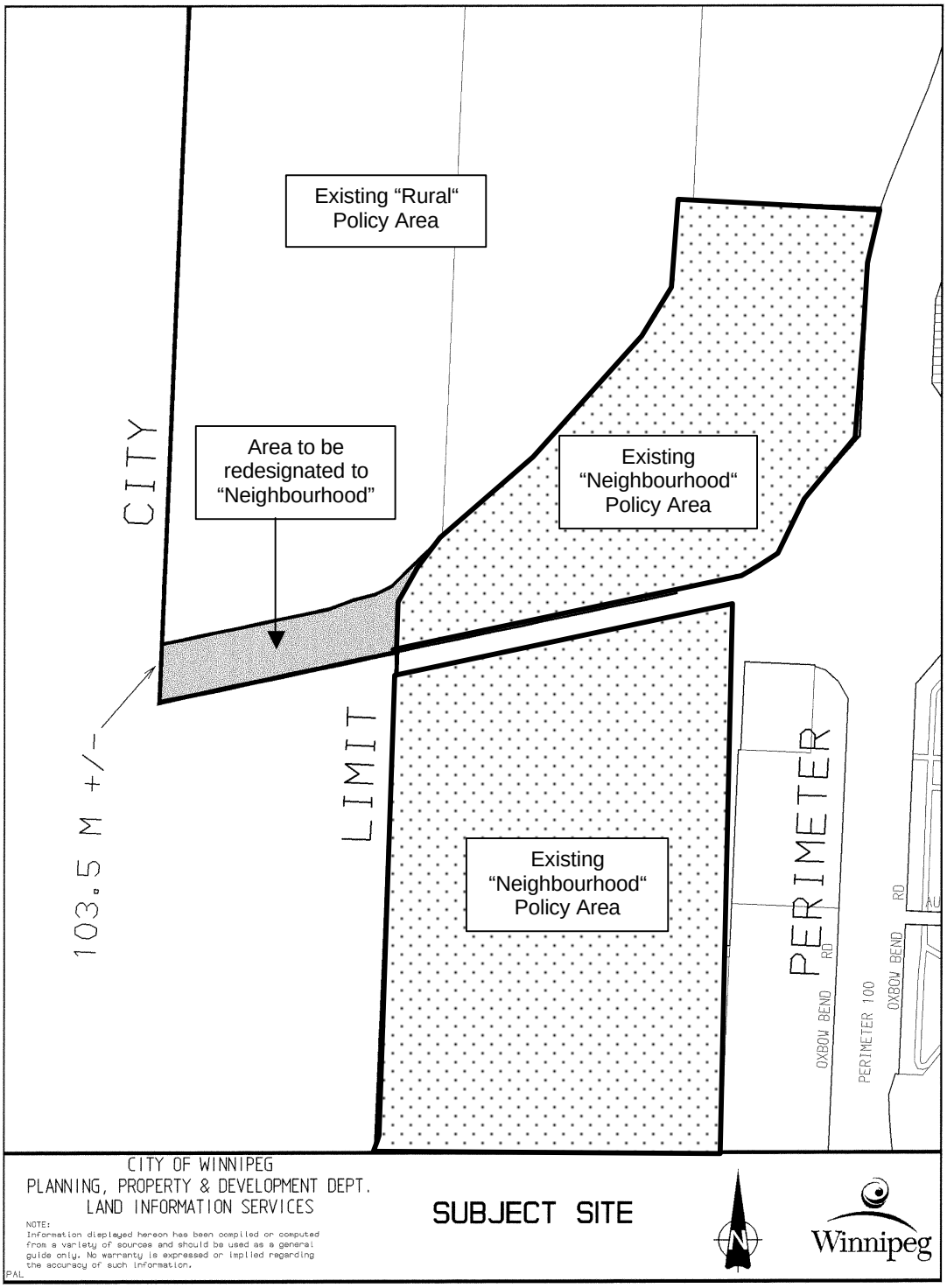
Gord Courage, Manager
Support Services Division

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

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Planning and Land Use
Prepared by: Dianne Johnson
PPD File #: PW 01/02

Document name: o:\reports directive\planning and land use\urban planning reports\pw021-report.doc


Existing "Rural" Policy Area
Area to be redesignated to "Neighbourhood"
Existing "Neighbourhood" Policy Area
Existing "Neighbourhood" Policy Area
CITY
LIMIT
103.5 M +/-
PERIMETER
OXBOW BEND
OXBOW BEND
PERIMETER 100
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.
PAL
SUBJECT SITE
N
Winnipeg

REFERENCE: FILE NO: XXX.X.X (PW 01/02)

THE CITY OF WINNIPEG

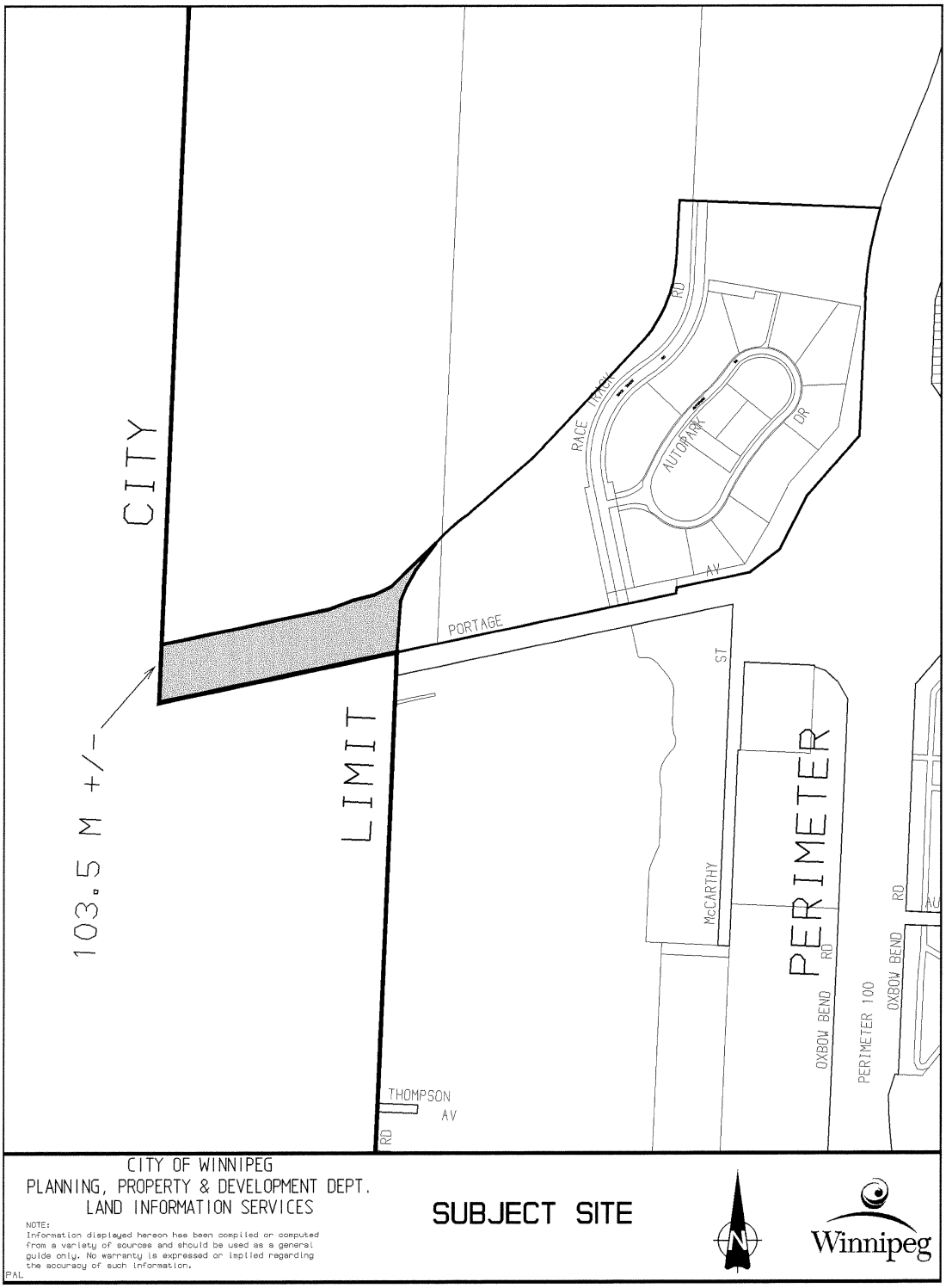
BY-LAW NO. /2002

A By-law of **THE CITY OF WINNIPEG** to amend By-law No. 7630/2000, a By-law establishing **PLAN WINNIPEG**, being a statement of the City's policy and general proposals in respect of development or use of land in the City.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. The map titled "POLICY PLATE A, LAND USE, PLAN WINNIPEG 2020 VISION", attached to and forming part of By-law No. 7630/2000 is hereby amended as follows:

"Lands located on the North side of Portage Avenue to a depth of approximately 103.5 metres (340 feet), bounded by the Winnipeg City limits to the West, and the existing Plan Winnipeg Neighbourhood Policy Area to the east in the Assiniboine Park-Fort Garry Community of The City of Winnipeg, shown outlined on the map below, are hereby designated as "NEIGHBOURHOOD" Policy Area and the said Plan Winnipeg Policy Area Map shall hereafter be read and construed as though the said lands were indicated thereon as "NEIGHBOURHOOD" Policy Area."


CITY
LIMIT
103.5 M +/-
PORTAGE
AV
RACE TRACK
RD
AUTOPARK
DR
ST
McCARTHY
PERIMETER
RD
OXBOW BEND
PERIMETER 100
OXBOW BEND
RD
THOMPSON
AV
RD
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PAL
SUBJECT SITE
N
Winnipeg

RECEIVED FIRST READING on this _____ day of _____ A.D., 2002.

RECEIVED SECOND READING on this _____day of _____ A.D., 2002.

RECEIVED THIRD READING on this _____day of _____ A.D., 2002.

DONE AND PASSED in Council assembled this _____ day of _____ A.D., 2002.

_____
Mayor

_____
City Clerk

Certified as to Planning Details:

_____
for Chief Administrative Officer

Certified as to Form:

_____
for City Solicitor/Manager of
Legal Services

File No.

PROPOSED AMENDMENT TO PLAN WINNIPEG BY-LAW NO. 7630/2000 BY REDESIGNATING LANDS LOCATED NORTH OF PORTAGE AVENUE AND WEST OF CAMP MANITOU ROAD FROM A "RURAL" POLICY AREA TO A "NEIGHBOURHOOD" POLICY AREA

File PW 01/02

PROPOSED SCHEDULE

April 11/02	Application Filed
May 8/02	Report and draft by-law considered by EPC and forwarded to Council
May 22/02	Council considers report, gives Plan Winnipeg by-law first reading, and instructs EPC to hold a public hearing (Sections 579(3) & 632 to 645 CW Act)
May 23/02	EPC Clerk sends out notice of public hearing to Minister and affected parties
June 6/02	First ad of Public Hearing appears in newspapers (not less than 21 days prior to hearing – Section 579 (3) and 632 to 645 CW Act)
June 13/02	Second ad appears in newspapers (must appear for 2 consecutive weeks)
June 26/02	EPC conducts public hearing and forwards report and by-law to Council for 2nd reading
June 27/02	EPC advises those persons who made representation at public hearing of when Council will be considering its report and by-law
July 17/02	Council gives 2nd reading to Plan Winnipeg By-law (Section 579(4) CW Act)
July 18/02	EPC sends letter to Minister of Urban Affairs and all persons making representation requesting objections to be filed with the Minister by August 2, 2002
September 18/02*	EPC considers Minister's response and forwards Plan Winnipeg by-law to Council for 3rd reading
September 25/02*	Council gives 3rd reading to Plan Winnipeg By-Law

* Subject to change pending response from the Minister of Intergovernmental Affairs

EXHIBIT 3

Manitoba

Highways and Government Services

Engineering and Operations Division

14th Floor – 215 Garry Street
Winnipeg MB R3C 3Z1

PH: 945-5053
FAX: 945-0593

June 25, 2002

Mike Teillet, Director of Provincial Planning Services
Intergovernmental Affairs
400 – 800 Portage Avenue
Winnipeg, MB

Dear Mike:

Re: Bylaw No.
Proposed Amendment to Plan Winnipeg
Pt RL 89 Parish of St. Charles, City of Winnipeg
(Plan Winnipeg Neighbourhood Policy Area)

In response to your letter dated June 17, 2002, we have reviewed the above proposal. We understand the proposed amendment will change from a "Rural" policy area to the "Neighbourhood" area. The parcel fronts on PTH 1 just within the city limit.

You should advise the applicant that under the Highways Protection Act, they would require a permit from the Highway Traffic Board for a change in land use for this site, if the City approves this proposal. The contact person at the board is Iris Murrell at 945-0940. Our department will recommend against any direct access from this parcel onto PTH 1, and all existing farm accesses be removed. All access to this site will be from an internal road system connecting to PTH 1 opposite Camp Manitou Road to the east and ultimately connecting to a service road to the west. Our department has developed a Highway Upgrading and Access Management Plan in concert with the RM of Headingley and the City of Winnipeg detailing these roadway plans. You should also inform the applicant there is a future need for 25 metres of property along the north limit of PTH 1 for highway improvements. Our department would also recommend an offset distance from the future right-of-way to any permanent structures that may be constructed in the future. The width of this offset would depend on the type of development that is proposed and it would further reduce the depth of lot available for development. In light of this, the city may wish to review the depth of this parcel and determine if it is in fact developable.

Because of the land use and size of this parcel, your office should advise subsequent developers that once they have more detailed proposals, we will request sufficient traffic and drainage information to ensure the highway system is not negatively impacted. Please note the cost of any revisions to the highway system that are directly associated with development would be the responsibility of the developer.

Please reference the regulations affecting this land.

Statutory Regulations

Provincial Trunk Highway 1 is a Limited Access Highway under the jurisdiction of the Highway Traffic Board. Under The Highways Protection Act any new, modified or relocated access to this highway (including change in use of a driveway) requires a permit from the Highway Traffic Board.

A permit is also required from the Traffic Board to change the use of the land or buildings, or to place/construct any structures (including the alteration of existing buildings) within 76.2 m (250 ft) from the edge of the right-of-way of PTH 1.

Yours truly,

Gord Parker, P. Eng.
Project Planning Engineer

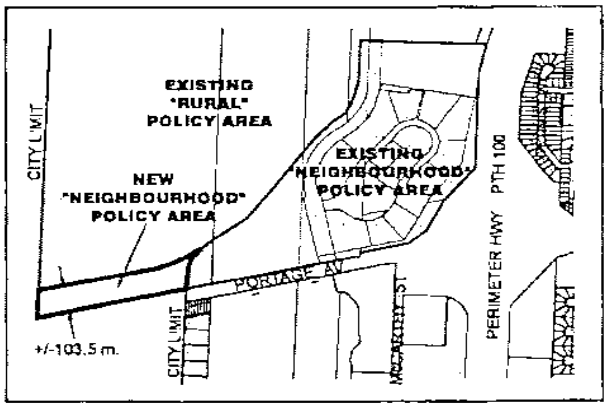
Copy: B MacCallum, FAX 947-3452
Dianne Johnson, Fax 947-3452
R Borody, ND Lea Fax 943-4948
A Chadha/R Coleman
HTB
Region 1
Central Records

Winnipeg

NOTICE OF PUBLIC HEARING

Executive Policy Committee Public Hearing
Date : Wednesday, June 26, 2002
Time : 9:00 a.m.
Location : West Committee Room, Council Building
510 Main Street

PROPOSED PLAN WINNIPEG AMENDMENT



The Executive Policy Committee will be holding a Public Hearing to receive representations on a proposed amendment to Plan Winnipeg to re-designate lands located on the north side of Portage Avenue to a depth of approximately 103.5 metres (340 feet), bounded by Winnipeg City Limits to the west and the existing Plan Winnipeg "Neighbourhood" Policy Area to the east (as shown outlined above), from a Plan Winnipeg "Rural" Policy Area to a Plan Winnipeg "Neighbourhood" Policy Area. Relevant documents are available for inspection by contacting Ms Dianne Johnson at 986-7731. Persons wishing to make representation at the above hearing are requested to notify Mr. Bob MacCallum, Clerk of the Executive Policy Committee, Council Building, 510 Main Street, Winnipeg, R3B 1B9, telephone 986-2136, to assist in scheduling representations. Simultaneous French/English translation will be available if requested.

EXHIBIT 4

The Provincial Council of Women of Manitoba, Inc.
630 Westminster Avenue, Winnipeg, MB R3C 3R4
Phone: 992-2751 Fax: 783-3882

To the Chair and Members of the Executive Policy Committee, City of Winnipeg
Re: Objections to Plan Winnipeg Amendment
June 26, 2002

The Provincial Council of Women of Manitoba is filing an objection to the re-designation from "Rural" to "Neighbourhood" of the lands located on the north side of Portage Avenue (also known as the Trans-Canada Highway or PTH #1 West) bounded by the City Limits to the west and the existing Plan Winnipeg "Neighbourhood" Policy Area to the east.

The Provincial Council of Women of Manitoba finds itself acting once again as the public conscience and in the public interest. Our concerns regarding this Amendment revolve around traffic safety and the protection of the Trans-Canada Highway as a throughway.

Our files on the development of the lands immediately to the east which now contain the Auto Mall go back to 1998. We note that the Provincial long-range plan was and still is to build a Trans-Canada Highway by-pass north of Saskatchewan Street, out of the airport, passing north of Headingley and rejoining the present Trans-Canada further west. As of today, there is no date or actual land amassed for this highway.

Therefore, all levels of Government must safeguard the through-traffic concept of the existing Trans-Canada Highway by restricting the number of incidental access roads that accommodate local businesses or future developers and by allowing the 80 km. per hour speed limit to be achieved without traffic congestion, accidents or too many traffic lights. The provincial shorter term plan, also without any planned date of commencement, is to create a 6-lane divided highway with the present traffic light for the cemeteries to the south and the exit from the auto mall shifted west to Camp Manitou Road.

The R.M. of Headingley, in co-operation with the Department of Transportation and Government Services is already addressing the problem by gradually acquiring land for service roads parallel to the highway and we strongly recommend that the City of Winnipeg do the same thing. This means insisting that allowance for such a road be mandatory on the subject parcel if and when it is re-designated from "Rural" to "Neighbourhood" zoning and before any further development is planned. The suggested service road would tie into a similar one being planned adjacent in Headingley and would keep local traffic off the main highway with one exit via Camp Manitou Road. (See Dept. Transportation "Proposed Highway Upgrading and Access Management Plan, May 1, 2001---PTH No. 1 West to Headingley, Design Parameter").

Due to the volume of traffic already going in and out of the auto mall, Red River Exhibition and Assiniboine Downs, PCWM does not recommend any encouragement of further commercial development, at least until the median is built and the lights are moved to Camp Manitou Road. Therefore, we oppose the proposed Plan Winnipeg Amendment.

For further information, please contact Valinda Morris, 284-6950