Re: **PLAN WINNIPEG AMENDMENT – NORTH OF SWAILES RIGHT OF WAY**

For submission to: **Executive Policy Committee**

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

Report date: April 6, 2005

Recommendation(s):

1.) That By-law No. 46/2005, a proposal to amend Plan Winnipeg 2020 Vision By-law No. 7630/2000 by re-designating lands identified on Attachment 1 from Industrial Policy Area to Neighbourhood Policy Area, be forwarded to Council for Second Reading.

REPORT SUMMARY

Key Issues:

- On March 23, 2005, Council gave First Reading to By-law No. 46/2005 directing the Executive Policy Committee to schedule a public hearing (April 13, 2005) 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 consideration, prior to Third Reading and final approval at Council.

- Although background research and analysis demonstrates that the subject area identified in Attachment 1 would benefit from a comprehensive land use review as part of the up-coming Plan Winnipeg review process, Planning, Property and Development (the Department) feels that there is merit in considering a site-specific amendment (approximately 18 acres vacant land) to Plan Winnipeg. The proposed re-designation would extend the adjacent Neighbourhood Policy Area, located to the south and west, to include the subject area.

- The merits of a site-specific amendment to Plan Winnipeg are furthered by the concurrent consideration of the applicant's subdivision and re-zoning application (DASZ 53/04). The Department supports the proposed re-zoning and subdivision of the subject site, provided that a Plan Winnipeg amendment to "Neighbourhood Policy Area" is approved.

- The Department feels that the expansion of Neighbourhood Policy Area and proposed re-zoning and subdivision to support residential development is reasonable and logical. As supported in Plan Winnipeg, the re-designation to Neighbourhood Policy Area and subsequent re-zoning and subdivision, will support a more compact urban form as the existing vacant subject area is 'infilled' with new residential development that can be serviced in an environmentally sound, economical and timely manner.

- The Department feels that the subsequent loss of approximately 18 acres of Industrial Policy Area will not negatively impact the area's industrial land supply. Encroaching residential development, coupled with access issues, has diminished the subject area's viability to be developed for industrial use. Industrial activity has never materialized and the area remains vacant and unserviced.

- Sections 227 and 278 of The City of Winnipeg Charter provide that hearings required in respect of an amendment to Plan Winnipeg may be combined with another hearing. Since this proposed amendment is running concurrently with an application for re-zoning (DASZ 53/04), Executive Policy Committee will consider both the Plan Winnipeg amendment and subdivision and re-zoning application at the April 13, 2005 hearing.

Implications of the Recommendation(s):

General implications:

	None
X	**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):

- The amendment will allow for consideration of residential development of the subject lands to meet growing demand.

Policy implications:

	No
X	**Yes**

Comment(s):

- Change from Industrial to Neighbourhood Policy Area will not negatively impact the City's industrial land supply.

Environmental implications:

X	**No**
	Yes

Comment(s):

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Human resources implications:

X	**No**
	Yes

Comment(s):

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Financial implications:

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

Comment(s):

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REASON FOR THE REPORT:

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

HISTORY:

In 1989, the subject area formed part of a Plan Winnipeg amendment that recommended re-designation of the lands located south of the former CPR –Bergen Cut-off, between the former alignment of the McGregor Street Extension and Ferrier Street from Industrial Policy Area to Neighbourhood Policy Area.

Although area residents were in favour of re-designating the subject area, a major industrial business to the north objected to the re-designation. The Province referred the Plan Winnipeg by-law to The Municipal Board, who subsequently recommended and the Minister of Urban Affairs concurred, that the subject area be removed from the by-law.

In their recommendation, the Municipal Board cited that while land to the south of the subject area was suitable for residential development, the subject area itself was not suitable because of adjacent intensive industrial activity. In particular, they suggested that dust and noise from heavy truck traffic on the Bergen Cut-off made the subject area unsuitable for residential development. They also indicated that encroaching residential development may, over time, harm the viability of the industry to the north of the Bergen Cut-off.

Since this time, much of the land west and south of the subject area, in the adjacent Neighbourhood Policy Area, has now been absorbed while the adjacent Industrial Policy Area, including the subject area, remains underutilized or vacant (52% vacant – Templeton Sinclair Industrial Policy Area). Any significant industrial activity remains concentrated north of the former CPR Bergen Cut-off, in the West Kildonan Industrial Policy Area.

DISCUSSION:

The applicant, North Grassie Properties Ltd. is acting on behalf of the subject area owner, Lincoln Properties Ltd. The subject area of the application is approximately 18 acres of vacant, unserviced land bound by Swailes Avenue to the south, the former CPR Bergen Cut-Off to the north, Birchbark Bay to the west and the future McGregor Street Extension (Plan Winnipeg 2020 – Policy Plate B) to the east.

Background research and analysis demonstrates that the area would benefit from a comprehensive land use review as part of the up-coming Plan Winnipeg review process. An area review can best examine the rationale for maintaining underutilized or vacant Industrial Policy Areas in light of intense residential development pressure.

However, based on the following considerations, there is merit in considering a site-specific amendment to Plan Winnipeg:

– There is a reasonable relationship between the supply of land and projected demand. According to the City of Winnipeg's Residential Land Supply Study, there is presently a shortage of serviced lots in the northwest quadrant with only 1.5 to 2 years supply of serviced

lots. From a long range planning perspective, it is desirable to maintain at least a five year rolling supply of serviced lots (or easily serviced within one construction season).

- The subject area is adjacent to, and compatible with, existing residential development making it a logical extension of existing Neighbourhood Policy Area. Although industrial activity to the north continues to use the former CPR – Bergen Cut-off for vehicle access, a six metre hydro easement contiguous to the Cut-off would provide additional separation.

- The subject area's capacity to be developed for industrial use has eroded over time and it no longer represents a logical extension of industrial activity. The Municipal Board, in its 1990 recommendation, did not support re-designating the subject area from Industrial Policy Area to Neighbourhood Policy Area, citing that the area was most suitable for light industrial development. However, encroaching residential development coupled with site access issues diminished the site's viability. Industrial activity never materialized and the area remains vacant and unserviced.

- The subject area can be serviced in an environmentally sound, economical and timely manner. On December 21, 2004, the applicant applied for subdivision and re-zoning of the subject area. As part of this process, the applicant submitted site and servicing plans. Administration is satisfied that water, wastewater and drainage service plans can appropriately service the area. The applicant has not yet confirmed a secondary vehicular access point. This issue is being addressed through the subdivision/re-zoning process.

- A portion of the subject area falls within the one kilometre odour control zone around the North End Water Pollution Control Centre. Issues related to the odour control zone around the North End Water Pollution Control Centre can be managed by caveats being filed on the title of each lot within the zone. Over the last few years, several subdivision applications within the control zones around both the north end and south end centres have been approved provided that a caveat be filed on the title of each lot informing the owners that they may be exposed to nuisance odours from time to time. The caveat further states that the owner acknowledges and saves harmless the City from any liability resulting from an odour nuisance which may interfere with their comfort, well-being, livelihood or enjoyment of life.

- Sections 227 and 278 of The City of Winnipeg Charter provide that hearings required in respect of an amendment to Plan Winnipeg may be combined with another hearing. Since this proposed amendment is running concurrently with an application for re-zoning (DASZ 53/04), Executive Policy Committee, will give consideration to both the Plan Winnipeg amendment and re-zoning.

- The subject area is currently zoned "A.5" Agricultural District. The Department recommends re-zoning to a "R1-4" Residential District. The DASZ 53/04 application being considered concurrently with the Plan Winnipeg amendment application details the analysis supporting this recommendation.

Financial Impact Statement

Date: March 31, 2005

COMMENTS:

It is recommended in this report that By-law No. 46/2005, a proposal to amend Plan Winnipeg 2020 Vision By-law No. 7630/2000 by re-designating lands identified on Attachment 1 from Industrial Policy Area to Neighbourhood Policy Area be forwarded to Council for second reading. There are no direct financial implications to the City related to these recommendations.

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

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

Transportation Division – Public Works

Engineering Division – Water and Waste

Planning and Schedules Division – Transit

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Planning and Land Use
Prepared by: Michelle Richard
PPD File #: PW01/05

Attachments:
1: Subject Area

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Attachment 1: Subject Area

