Minute No. 486
Report - Standing Policy Committee on Property and Development - July 13, 2007

Item No. 4 **Subdivision and Rezoning - north side Bishop Grandin Boulevard south of 555 Hervo Street (River Heights-Fort Garry Ward) File DASZ 6/2007**

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submits the following to Council:

1. That the plan of subdivision proposed under File DASZ 6/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 6/2007 dated June 19, 2007, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 19, 2007, with the following amendments, namely:

        Add the following second paragraph to Recommendation 9:

        "9. The City acknowledges that if the developer and/or the City determine that the cost to remove the existing railway crossing and related crossing protection can and will be borne by the Canadian Pacific Railway, Manitoba Hydro, or others, in a timely manner, then upon receipt of such satisfactory confirmation by the City, the developer's obligation regarding this recommendation shall lapse."

        Add the following new Recommendations 26 and 27:

        "26. The developer shall, for development control purposes, amend its plan to include one (1) foot development control strips (buffers) along both sides of the proposed access roads at the following locations:
            A. from the intersection of Waverley Street and Scurfield Boulevard to the west limit of the planned area, and
            B. from Chevrier Boulevard to the north limit of the planned area

27. The City shall permit the developer to stage the works and payments for works described herein on a logical basis according to servicing and infrastructure requirements as determined by and to the satisfaction of the Director of Public Works and the Director of Water and Waste."

2. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 6/2007 dated June 19, 2007, to an "M2" Industrial District subject to the following:

   A. That the applicant enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following:

      i. That the following use shall not be permitted:

         a. "Advertising sign"

      ii. That mobile and temporary signs shall not be permitted.

      iii. That a conceptual master plan indicating locations and sizes of proposed buildings, locations and sizes of stormwater retention facilities and roadway accesses shall be submitted to City Centre Community Committee and the Director of Planning, Property, and Development for approval prior to the issuance of any building or development permit.

      iv. That for the development of any building, accessory parking area, or signage plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and free-standing signage to the Director of Planning, Property, and Development for plan approval prior to the issuance of any building or development permit and thereafter maintained to the satisfaction of the Director of Planning, Property, and Development.

3. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land and the creation of additional lots.

4. That the Director of Planning, Property, and Development be authorized to certify any documents in connection therewith.

Report - Standing Policy Committee on Property and Development - July 13, 2007

5. That in the event the application is not proceeded with expeditiously and the By-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

6. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and the Zoning Agreement has been filed by caveat in the Winnipeg Land Titles Office against those lands provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

9. That the subdivision section of the by-law shall come into force and effect upon registration of the plan in the Winnipeg Land Titles Office.

10. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the By-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

12. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Minutes - Executive Policy Committee – July 18, 2007

Report - Standing Policy Committee on Property and Development – July 13, 2007

DECISION MAKING HISTORY:

Moved by Councillor Swandel,

That the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On July 13, 2007, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 26, 2007, the City Centre Community Committee concurred in the administrative recommendation with the following amendments, namely:

Report from the Administrative Coordinating Group dated June 19, 2007:

- Add the following second paragraph to Recommendation 9:

  "The City acknowledges that if the developer and/or the City determine that the cost to remove the existing railway crossing and related crossing protection can and will be borne by the Canadian Pacific Railway, Manitoba Hydro, or others, in a timely manner, then upon receipt of such satisfactory confirmation by the City, the developer's obligation regarding this recommendation shall lapse."

- Add the following new recommendations:

  "26. The developer shall, for development control purposes, amend its plan to include one (1) foot development control strips (buffers) along both sides of the proposed access roads at the following locations:

  A. from the intersection of Waverley Street and Scurfield Boulevard to the west limit of the planned area, and

Report - Standing Policy Committee on Property and Development - July 13, 2007

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

B. from Chevrier Boulevard to the north limit of the planned area

27. The City shall permit the developer to stage the works, and payments for works described herein on a logical basis, according to servicing and infrastructure requirements as determined by and to the satisfaction of the Director of Public Works and the Director of Water and Waste."

Report from the Planning and Land Use Division dated June 19, 2007:

- Delete recommendation 1B in its entirety,

and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning - north side Bishop Grandin Boulevard (south of 555 Hervo Street) (River Heights-Fort Garry Ward) File DASZ 6/2007**

For submission to: **The Standing Policy Committee on Property and Development**

Prepared by: **Josie Marques, Clerk, City Centre Community Committee**

Report date: **June 28, 2007**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 26, 2007, the City Centre Community Committee concurred in the administrative recommendation, as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 6/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 6/2007, dated June 19, 2007, for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 19, 2007, ***with the following amendments, namely:***

    Recommendation 9, add the following second paragraph:

    The City acknowledges that if the developer and/or the City determine that the cost to remove the existing railway crossing and related crossing protection can and will be borne by the Canadian Pacific Railway, Manitoba Hydro, or others, in a timely manner, then upon receipt of such satisfactory confirmation by the City, the developer's obligation regarding this recommendation shall lapse.

    Add the following new recommendations:

    26. The developer shall, for development control purposes, amend its plan to include one (1) foot development control strips (buffers) along both sides of the proposed access roads at the following locations:

    A. from the intersection of Waverley Street and Scurfield Boulevard to the west limit of the planned area and;

B. from Chevrier Boulevard to the north limit of the planned area.

27. The City shall permit the developer to stage the works, and payments for works described herein on a logical basis, according to servicing and infrastructure requirements as determined by and to the satisfaction of the Director of Public Works and the Director of Water and Waste.

~~***B. That the Plan of Subdivision be amended by deleting the right-in/right-out street connection to Bishop Grandin Boulevard.***~~

2. That The Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 6/2007 dated June 19, 2007, to an "M2" Industrial District subject to the following:

   A. That the applicant enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter, to provide for the following:

      i. That the following use shall not be permitted:

         a. "Advertising sign"

      ii. That mobile and temporary signs shall not be permitted.

      iii. That a conceptual master plan indicating locations and sizes of proposed buildings, locations and sizes of stormwater retention facilities, and roadway accesses shall be submitted to City Centre Community Committee and the Director of Planning, Property, and Development for approval prior to the issuance of any building or development permit.

      iv. That for the development of any building, accessory parking area, or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping, and free-standing signage to the Director of Planning, Property, and Development for plan approval prior to the issuance of any building or development permit and thereafter maintained to the satisfaction of the Director of Planning, Property, and Development.

3. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land and the creation of additional lots.

4. That the Director of Planning, Property, and Development be authorized to certify any documents in connection therewith.

5. That in the event the application is not proceeded with expeditiously and the By-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

6. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and the Zoning Agreement has been filed by caveat in the Winnipeg Land Titles Office against those lands provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

9. That the subdivision section of the by-law shall come into force and effect upon registration of the plan in the Winnipeg Land Titles Office.

10. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the By-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

12. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Note: The wording in bold and italics denotes amendments made by the Community Committee.

The City Centre Community Committee provided the following supporting reason(s) for its recommendation:

1. The City Centre Community Committee agreed with the administrative comments contained in the report from the Planning and Land Use Division dated June 19, 2007 and in the report from the Administrative Coordinating Group dated June 19, 2007 and the suggested amendments.

PUBLIC HEARING SUMMARY

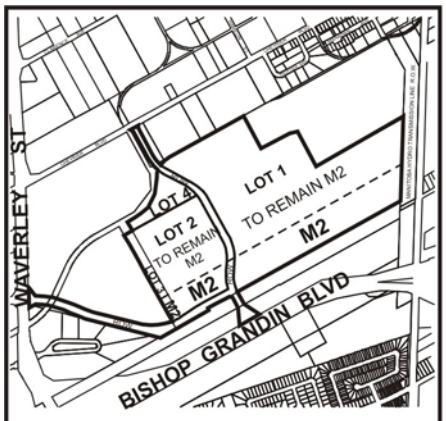
File: DASZ 6/2007

Before: City Centre Community Committee
Councillor Gerbasi, Chairperson
Councillor Leipsic
Councillor Smith

Public Hearing: June 26, 2007
North Committee Room
Council Building, 510 Main Street

Applicant: Hopewell (Bishop Grandin) Development Inc. (Patrick Hamilton)

Subject:



APPLICANT : Hopewell (Bishop Grandin) Development Inc.
FILE : DASZ 6/07
PROPOSAL : An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 6400/94 by rezoning the land shown outlined above from an "A" AGRICULTURAL DISTRICT to an "M2" INDUSTRIAL DISTRICT. **For information, phone Mr. M. Sandhurst, Planner at 986-5066.**

Premises Affected: north side of Bishop Grandin Boulevard
(south of 555 Hervo Street)

Exhibits Filed:

1. Application dated February 8, 2007
2. Notification of Public Hearing dated May 31, 2007
3. Manitoba Status of Title(s) 2198364, 2198372
   Certificate of Title 88090
   Title Search(s) 1494491, 1922767, 1922768, 2147213, 2147215, 2122029
4.A Letter of authorization dated February 5, 2007 from Manitoba Hydro to Hopewell Development Inc.
4.B Letter of authorization dated January 30, 2007 from Hopewell Development Corporation to Hopewell Corporation (Bishop Grandin) Development Inc. and Cushman & Wakefield LePage
5. Caveat dated May 29, 1966
6. Zoning Agreement DAZ 227/91 dated December 20, 1995
7. Caveat No. 2084367 dated November 21, 1996
8. Caveat No. 3377996 dated November 9, 2006
9. Drawing of subject property
10. Plans (3 pages)
11. Report from the Planning and Land Use Division dated June 19, 2007
12. Report from the Administrative Coordinating Group dated June 19, 2007
13. Inspection Report
14. Communication dated May 24, 2007, from the applicant in support of the application
15. Communication dated June 20, 2007, from Robert S. Harris, President, R.S. Harris Ltd., in support of the application submitted by the applicant at the public hearing
16. Communication dated June 25, 2007, from J. Quinn Menec, Manager, Property Department, Manitoba Hydro, submitted by applicant at the public hearing
17. Presentation dated June 26, 2007, in support of the application, submitted Paul McNeil, MMM Goup
18. Presentation dated June 26, 2007, in support of the application, submitted by Richard Tebinka, MMM Group

REPRESENTATIONS:

In Support:

Patrick Hamilton, on behalf of Hopewell (Bishop Grandin) Development Inc.
Robert S. Harris, R.S. Harris Ltd.
Ron Holowatuk
Jason Kraatz
Paul McNeil, MMM Group

J. Quinn Menec, Manager, Property Department, Manitoba Hydro
Kevin Pshebniski
Richard Tebinka, MMM Group

In Opposition

Nil

For Information:

Nil

For the City:

Mr. M. Sandhurst, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

The applicant, Patrick Hamilton, on behalf of Hopewell (Bishop Grandin) Development Inc., appeared in support of the application and gave a brief overview of the proposal. Mr. Hamilton submitted two letters in support of the application filed as exhibits 15 and 16.

Kevin Pshebniski appeared in support of the application.

Paul McNeal, MMM Group, appeared in support of the application. Mr. McNeal gave a power point presentation filed as exhibit 17.

Richard Tebinka, MMM Group, appeared in support of the application. Mr. Tebinka stated non-concurrence with recommendation 1B of the report from the Planning and Land Use Division and gave a power point presentation, placed on file as exhibit 18, to support allowing access onto Bishop Grandin Boulevard.

Patrick Hamilton requested recommendation 1B of the report from the Planning and Land Use Division be deleted. He stated concerns with the Administrative Coordinating Group report and requested an amendment to recommendation 9 and the addition of two new recommendations.

Exhibit "11" referred to in File DASZ 6/2007

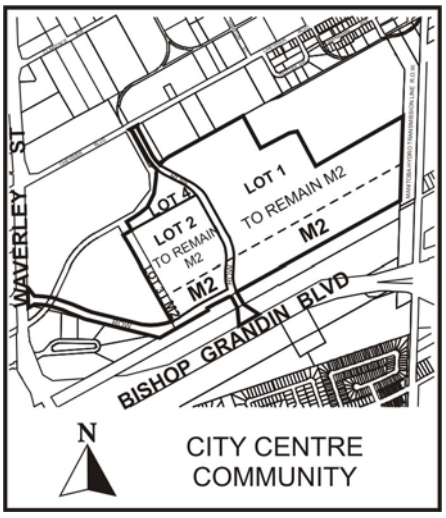
Winnipeg

Planning, Property and Development Department Report

To City Centre Community Committee

Date: June 19, 2007
File: **DASZ 6/07**
Related Files: n/a
Subject: To subdivide the land shown below to create new lots and rights-of-way and to rezone portions presently zoned "A" Agricultural District to "M2" Industrial District.

Location: 0 Bishop Grandin Boulevard (north side, generally east of Waverley Street, south of Chevrier Boulevard, and west of Pembina Highway)
Legal Description: Lot 2 Plan 45598 in RL 18 to 22, Pcl A Plan 13721 in RL 16 to 21, Pcl B Plan 13721 in RL 16 to 21, Pcl D Plan 13721 in RL 16 to 21, Pcl E Plan 13721 in RL 16 to 21, Plan 6638 in RL 20 to 23, Plan 22995 in RL 23, SP Lot 1 Plan 22995 in RL 18 to 23 Parish of St. Vital



Applicant: Hopewell (Bishop Grandin) Developments Inc.
Owner: Hopewell (Bishop Grandin) Developments Inc. and Manitoba Hydro

Recommendation: Approved with conditions

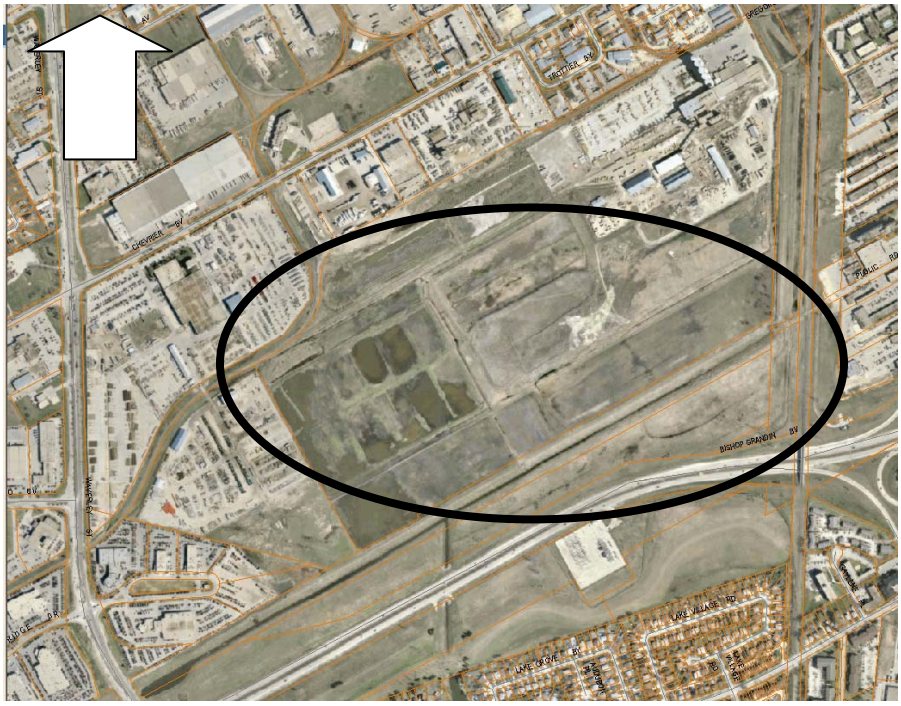
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Site Description

The subject site is located along the north side of Bishop Grandin Boulevard, east of the Manitoba Hydro facility at 1840 Chevrier Boulevard and the automall at 1700 Waverley Street. The vacant, approximately 100-acre site is the residual portion of lands previously associated with the Manitoba Sugar processing plant at 555 Hervo Street. The plant ceased operations in the early-1990s. Subsequently (since the late-1990s), the physical plant and associated elevators and parking areas have been in use as a sawmill/lumber storage facility and truck terminal. In early-2006, the active portion of the site was subdivided from the larger holding (under DASSF 581/05 and DAV 05-164376/C).

The majority of the subject site is zoned "M2" Industrial District, with the southerly portion (adjacent to the Lot 16 drain) paralleling Bishop Grandin zoned "A" Agricultural District. As a result of the 2006 subdivision, there is no vehicular access to the subject site.

Neighbouring properties are predominantly industrial (zoned "M2" Industrial District or "MP-2" Industrial Park District), with a cluster of automobile dealerships to the southwest (zoned "M2"). To the east, across a Manitoba Hydro transmission corridor and the CNR Letellier railway line, is the Pembina Highway commercial strip (with commercial properties zoned "C2" Commercial District and multiple-family properties zoned "RM-2", "RM-3", and "RM-4" Multiple-Family District). Also of note, though somewhat isolated from the subject site, are single-family dwellings located along Chevrier Boulevard between the railway line and Pembina Highway (zoned "R1-5.5" Single-Family District).



Subject site: aerial photo flown 2005.

Background
An application to redevelop the subject site was submitted in 2000 (under DASZ 30/00). An industrial park development was proposed, with vehicular access via Chevrier and Bishop Grandin boulevards. This proposal was not proceeded with.

Description of the Proposed Development
The applicant proposes to establish new lots for future development and establish vehicular access to and from the subject site at Waverley Street (aligned with Scurfield Boulevard), Chevrier Boulevard, and Bishop Grandin Boulevard (at the approximate mid-point between Pembina Highway and Waverley) via new road rights-of-way. Vehicular accesses to Waverley and Chevrier are dependent on a land-swap with Manitoba Hydro. Vehicular access to Bishop Grandin is dependent on Government of Manitoba permission to cross the Lot 16 drain.

In addition, the applicant proposes to rezone approximately one-third of the subject site from "A" Agricultural District to "M2" Industrial District—consistent with the majority of the site's current zoning.

The applicant proposes a staged redevelopment plan, guided by a vision to develop a mixed-use "destination complex" that includes light industrial, office, and commercial uses. The size of the site and build-out potential point to, in the developer's words, "a major employment and service node" establishing at this location. For comparison purposes:

- First Professional (SmartCentres) commercial site at the north east corner of Kenaston and McGillivray boulevards is approximately 48 acres, zoned "C2" Commercial District;
- Buffalo (Fort Garry) Industrial Park north east of Waverley Street and McGillivray Boulevard is approximately 145 acres, zoned "MP-2" Industrial Park District.

Analysis
Industrial Policy
The Chevrier neighbourhood characterization area is designated "Industrial" under *Plan Winnipeg*. This designation accommodates and seeks to concentrate manufacturing, processing, warehousing, and compatible commercial uses. Further, *Plan Winnipeg* encourages stability and predictability by restricting land uses in industrial areas. Although commercial uses can be accommodated, the intent is for these uses to provide a buffer between industrial concentrations and other adjacent uses or for them to service the local industrial population. Collectively, *Plan Winnipeg* policies direct that industrial concentrations require ongoing stewardship in order to ensure sufficient industrial land supply at strategic locations. These policies also encourage the reuse of obsolete industrial areas that cannot sustain ongoing industrial use.

The City of Winnipeg initiated review of *Plan Winnipeg* in late-2006, in accordance with *The City of Winnipeg Charter*. Subsequently, the City initiated the *Comprehensive Employment Lands Strategy*, the next step (with the first being the 2002 *Winnipeg Industrial Inventory and Industrial Market Review,* prepared by UMA Engineering Ltd and subconsultants for the Planning, Property, & Development Department) in achieving an "Industrial Land Planning Strategy" (*Plan Winnipeg* policy 2C-04) for Winnipeg. The 2002 market review stressed potential synergies between the subject site and the University of Manitoba's SmartPark

development. Combined, these efforts are expected to provide the framework for decisions regarding sustaining, enhancing, and modifying existing and developing new employment and manufacturing clusters.

Land Use and Zoning
As part of the *Comprehensive Review of the Winnipeg Zoning By-Law #6400/94*, changes to industrial zoning regulations are anticipated. Apart from reducing the number of industrial districts, the draft zoning by-law includes a new "Manufacturing Mixed-Use" District that will likely provide for the establishment of a specific mix of compatible uses for large, master-planned sites such as the current proposal.

Underground Services
Water, wastewater, and land drainage servicing for the subject site, though costly, are not complex. Costs of servicing and site remediation, balanced by current industrial and warehouse lease rates, suggest that a pure industrial development is not possible at this location at this time or in the foreseeable future—without significant third-party (likely government) capital expenditure or other forms of financial intervention.

Transportation
Supposing that a significant portion of the subject site will be developed for commercial uses, analysis of this application must include the impacts of vehicular traffic generated by a significant industrial/commercial cluster. Transportation Engineering Division states that even with extensive improvements to the surrounding local and regional street system recommended in the Administrative Coordinating Group report, the development of this site will result in reduced traffic operations and escalated traffic delays—particularly along Waverley and Bishop Grandin boulevards.

It should be noted, the developer has initiated discussions with Winnipeg Transit regarding a future transit station adjacent to the railway line (at the east end of the subject site). This station would provide transportation choice for future employees and customers destined for or leaving the subject site. The transit station is dependent on Council implementation of the South Winnipeg Transit Corridor. In addition, the developer has initiated discussions with the City of Winnipeg (Planning, Property, & Development; Public Works; Community Services) regarding extension of the Bishop Grandin Greenway along the southern end of the subject site, which would provide walking and cycling options.

Land Dedication
Dedication of land for public open space is included in the Administrative Coordinating Group report (dated June 19, 2007).

Recommendation
Planning and Land Use Division recommends approval for the following reasons:

- By developing new industrial lands at this location (the entire site or portions), the proposal is consistent with the "Industrial" designation under *Plan Winnipeg*;

- By rezoning the southerly portion of the site to "M2" Industrial District, the site zoning will be consistent throughout and with that of properties in the surrounding area;
- By providing vehicular access and improving offsite roadway and signalization components recommended in the June 19, 2007 Administrative Coordinating Group report, the development will have a manageable impact on the local street system and on the broader transportation system.

Recommended Conditions of Approval

1. That the plan of subdivision proposed under File No. DASZ 6/07 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 6/07, attached hereto and dated June 19, 2007, for registration in the Winnipeg Land Titles Office, subject to the following:

    ii. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 19, 2007.
    iii. That the Plan of Subdivision be amended by deleting the right-in/right-out street connection to Bishop Grandin Boulevard.

2. That The Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 56/05, attached hereto and dated December 5, 2006, to an "M2" Industrial District, subject to the following:
    A. That the applicant enter into a Zoning Agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter, to provide for the following:
        i. That the following use shall not be permitted:
            a. "Advertising sign".
        ii. That mobile and temporary signs shall not be permitted.

iii. That a conceptual master plan indicating locations and sizes of proposed buildings, locations and sizes of stormwater retention facilities, and roadway accesses shall be submitted to City Centre Community Committee and the Director of Planning, Property, & Development for approval prior to the issuance of any building or development permit.

iv. That for the development of any building, accessory parking area, or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping, and free-standing signage to the Director of Planning, Property, & Development for plan approval prior to the issuance of any building or development permit and thereafter maintained to the satisfaction of the Director of Planning, Property, & Development.

3. That a ten (10) percent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land and the creation of additional lots.

4. That the Director of Planning, Property, and Development be authorized to certify any documents in connection therewith.

5. That, in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

6. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

7. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and the Zoning Agreement has been filed by caveat in the Winnipeg Land Titles Office against those lands provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

9. That the subdivision section of the by-law shall come into force and effect upon registration of the plan in the Winnipeg Land Titles Office.

10. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

12. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division

Report Prepared by: M. Sandhurst
PPD File # DASZ 6/07

Schedule "A"

By-Law No.

File No. **DASZ 6/07**

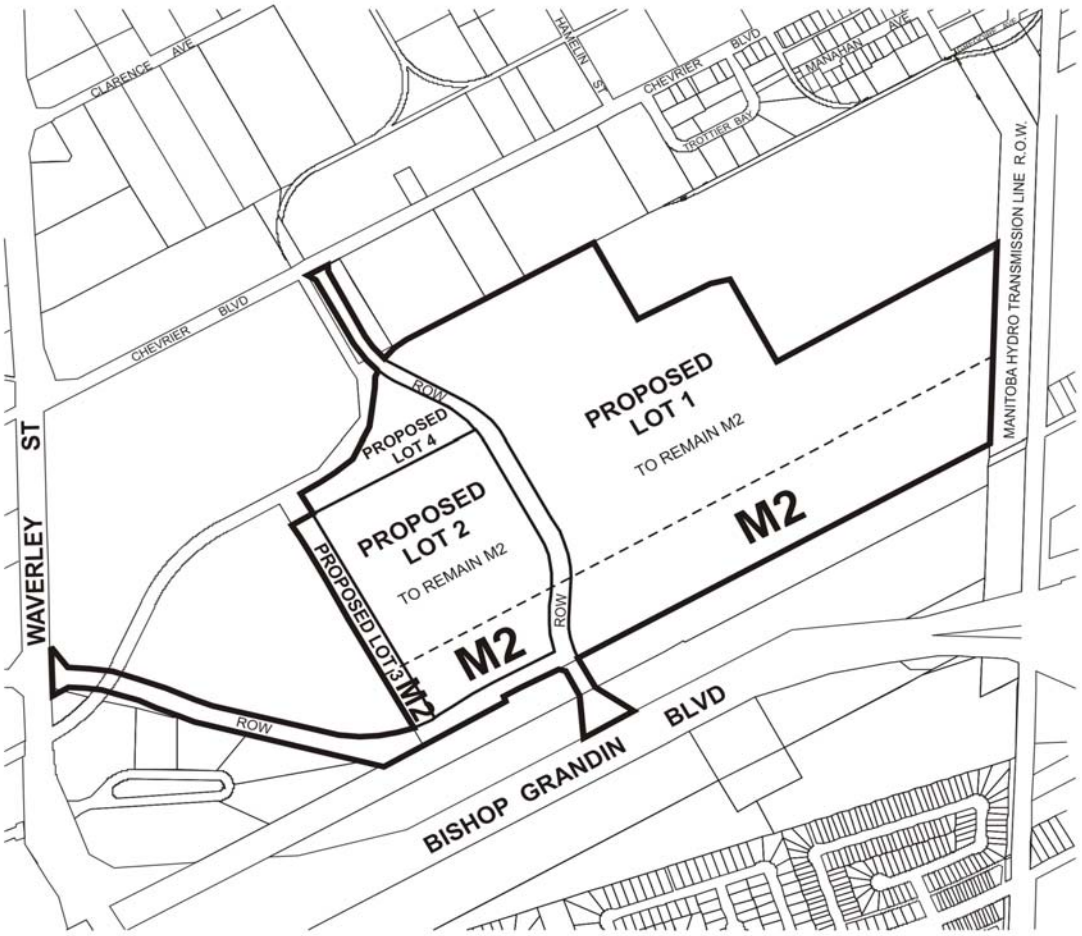
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AH22
CITY CENTRE
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land located on the north side of Bishop Grandin Boulevard, east of Waverley Street from an "A" AGRICULTURAL DISTRICT to an "M2" INDUSTRIAL DISTRICT as shown outlined below.



THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.

Schedule "A" to the report to City Centre Community Committee for file # DASZ 6/07 dated June 19, 2007.

4482

Exhibit “12” referred to in File DASZ 6/2007

Re: Proposed subdivision and rezoning of lands located on the north side of Bishop Grandin Boulevard - east of Waverley Street – DASZ 6/07

An application has been submitted by Hopewell Development Inc. to subdivide and rezone land located on the north side of Bishop Grandin Boulevard - east of Waverley Street.

The Committee is advised that the traffic that will be generated by this development is anticipated to cause extremely poor traffic operations and excessive delays to traffic on Waverley Street and Bishop Grandin Boulevard, even with the improvements recommended in the Developer’s consultant's report. It is further noted that the proposed right-in/right-out traffic connection to Bishop Grandin Boulevard will only result in a very minor improvement to traffic flows. Therefore it is recommended that the right-in/right-out street connection to Bishop Grandin Boulevard be deleted from the proposed plan.

Notwithstanding the above, if it is recommended by Committee that this application is to proceed, with the right-in/right-out connection to Bishop Grandin Boulevard, then it is recommended that approval of this application be subject to the Developer entering into a Development Agreement containing the following clauses:

1. The Developer shall, at no expense to the City, construct the following improvements at and in the vicinity of the right-in/right-out connection on Bishop Grandin Boulevard at the proposed north/south street:
    a. A westbound right turn deceleration lane and upstream transition;
    b. A westbound acceleration lane;
    c. A new roadway bridge/culvert structure crossing the Lot 16 Drain facility in accordance with plans and specifications as determined by and to the satisfaction of the Director of Public Works and the Director of Water and Waste.

The following recommendations apply regardless of Community Committee’s recommendation with respect to the right-in/right-out street connection to Bishop Grandin Boulevard:

2. The developer shall, at no expense to the City, construct watermains as required to serve the planned area all as determined by the Director of Water and Waste

3. The developer shall, at no expense to the City, construct wastewater sewers as required to serve the planned area all as determined by the Director of Water and Waste.

4. The developer shall, at no expense to the City, construct all land drainage facilities required to serve the proposed subdivision, all as determined by the Director of Water and Waste.

5. The Developer shall, at no expense to the City, provide an engineering report for approval by the Director of Water and Waste identifying land drainage requirements for the subject property and adjacent lands. Land drainage runoff from the site shall be

restricted to a maximum outflow of 200 l/s and shall be directed to the Lot 16 Drain. The land drainage flow and storage analysis in the report shall demonstrate that the proposed development can meet this criterion.

6. The Developer shall pay its share of the cost of the Lot 16 land drainage system. The 2007 rate is therefor $1,357.00/acre.

7. The Developer shall, at no expense to the City, construct a second westbound left-turn storage lane and upstream transition on Bishop Grandin Boulevard at Waverley Street and all related works, all as determined by and to the satisfaction of the Director of Public Works.

8. The Developer shall, at no expense to the City, construct a 3rd westbound traffic lane on Bishop Grandin Boulevard from a point approximately 350m east of Waverley Street, plus upstream transition, to tie into the existing 3rd lane west of Waverley Street, including the construction of a re-established westbound right-turn deceleration lane and upstream transition at Waverley Street with a length and upstream transition as presently exists, and all related works, all as determined by and to the satisfaction of the Director of Public Works.

9. The Developer shall, at no expense to the City, remove the existing railway crossing and related crossing protection at the former CPR Sugar Beet spur line crossing of Waverley Street and restore the Waverley Street roadway, boulevard and median all as determined by and to the satisfaction of the Director of Public Works.

10. The Developer shall, at no expense to the City, construct or pay the costs of the following improvements at and in the vicinity of the intersection of Waverley Street and the easterly extension of Scurfield Boulevard:

    a. A double southbound left turn storage lane and upstream transition;
    b. A third northbound lane on Waverley Street between the existing Automall access and Scurfield Boulevard;
    c. Right-turn channelization in the southeast and northeast corners of the intersection;
    d. Modifications to the existing median opening on Waverley Street as may be required;
    e. All costs associated with the modification of the existing traffic control signals at the intersection of Waverley Street and Scurfield Boulevard to include the proposed east leg of the intersection as determined by the Director of Public Works;
    f. Advance permanent street name signs on Waverley Street, north and south of Scurfield Boulevard;
    g. all related works.

    all as determined by and to the satisfaction the Director of Public Works.

11. The Developer shall, at no expense to the City, construct portland cement concrete pavement to widths of 6.0m, 8.0m and 10.0m and thicknesses of 200mm respectively in all streets within the proposed subdivision, and all related works including, but not necessarily limited to boulevard landscaping, ornamental street lighting and land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.

12. The Developer shall, at no expense to the City, construct a portland cement concrete sidewalk to a width of 1.5m by 100mm in thickness on the both sides of the proposed north/south street from Chevrier Boulevard to its intersection with the easterly extension of Scurfield Boulevard and on one side of all other streets, including the easterly extension of Scurfield Boulevard, as determined by and to the satisfaction of the Director of Public Works.

13. The Developer shall, at no expense to the City, cause to be installed standard reflectorized permanent street name signs at each new intersection within or adjacent to the Planned Area, as determined by the Director of Public Works.

14. The Developer shall, at no expense to the City, provide underground electrical and telephone services to serve the proposed subdivision and will pay the full cost to convert any existing overhead services within the proposed subdivision to underground.

15. The Developer is to pay all costs associated with the installation and/or relocation of street lights and other utilities made necessary as a result of or required to accommodate works, which are required by the Developer to serve the proposed subdivision, as determined by and to the satisfaction of the Director of Public Works.

16. The Developer shall, at no expense to the City, construct a cul-de-sac type vehicle turnaround at the terminus of each temporarily dead-ended street and provide any right-of-way or easements necessary to accommodate same, all as determined by and to the satisfaction of the Director of Public Works.

17. The Developer shall be responsible to control and to initiate the clean up of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction. The clean up of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

18. The Developer shall ensure that construction traffic uses access routes as determined by the Director of Public Works. The Developer shall maintain, at no expense to the City, the access routes in a clean, dust free and safe condition, free of dropped and tracked-on mud, and shall undertake regular scraping and sweeping of streets until building construction, including landscaping is complete, all as determined by and to the satisfaction of the Director of Public Works.

19. The Developer shall, at no expense to the City, erect and maintain barricades and signing across the full width of any temporarily dead-ended streets, due to phasing of development, immediately upon completion of the paving or when house construction has begun, whichever is sooner, as determined by and to the satisfaction of the Director of Public Works.

20. The Developer shall ensure that two paved means of vehicular access are available at all times through all stages of development of the Planned Area to the satisfaction of the Director of Public Works. This may require the construction of temporary roadways and the provision of easements or right-of-way therefore.

21. The Developer shall, at no expense to the City, cause ornamental street lighting to be installed in all streets within the proposed subdivision.

22. No private approaches serving development within the Planned Area will be permitted off Bishop Grandin Boulevard.

23. Right-of-way to accommodate cul-de-sac turnarounds are to be consistent with the dimensions illustrated on Streets and Transportation Drawing ST-91.

24. The Developer shall pay $450.00/acre to defray the City's administration and related costs associated with the preparation and implementation of the servicing agreement.

25. The Developer shall pay 10% cash in lieu of dedication of land or open space as determined by the Director of Planning, Property and Development.

THIS REPORT SUBMITTED BY:

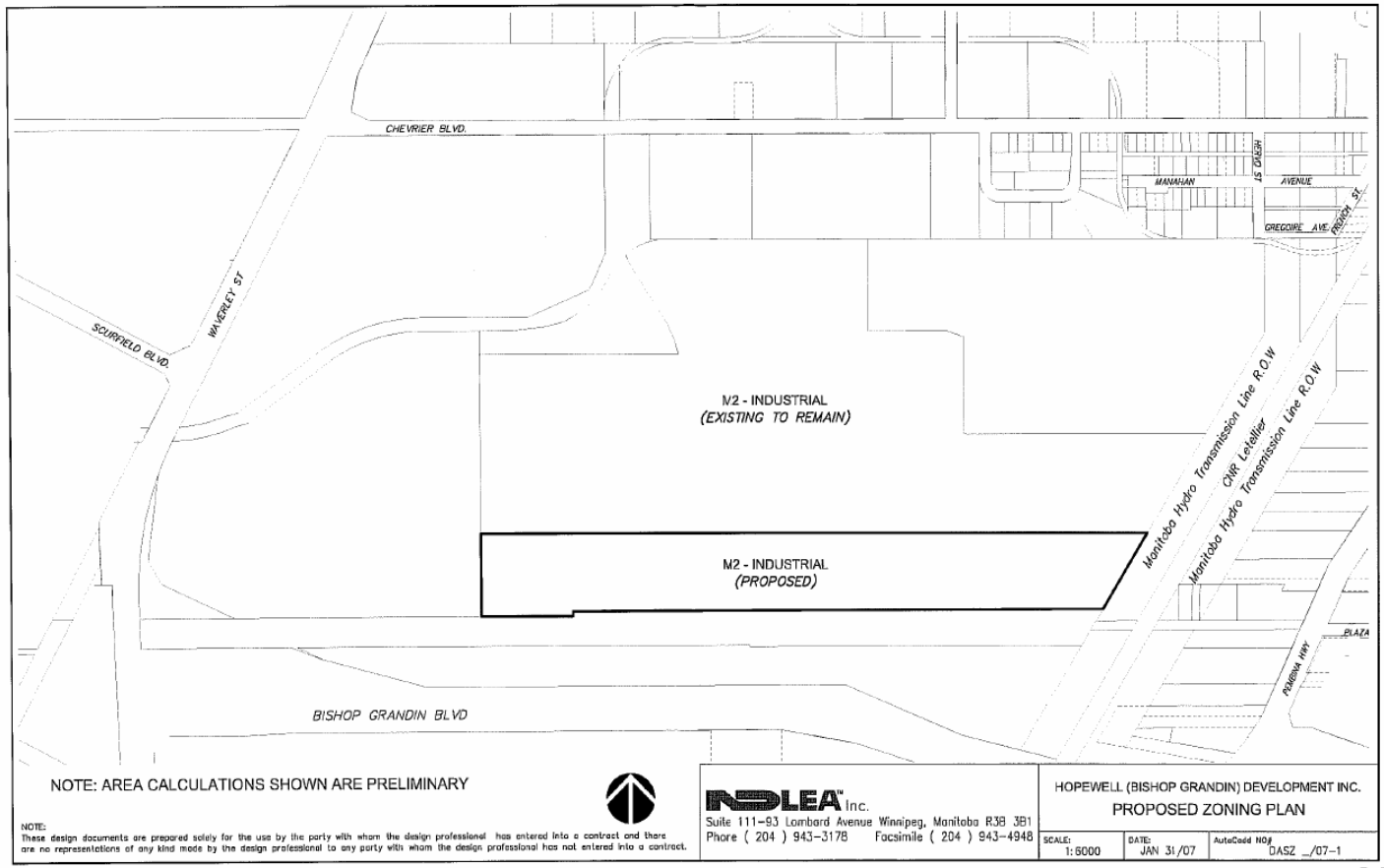
Administrative Coordinating Group
File No. AG 6/07
June 19, 2007

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"Original signed by K.T. Raban, P. Eng"
[for] Land Development Engineer

"Original signed by R. Hartmann, P. Eng."
Public Works Department
Transportation Engineering Division

"Original signed by T. Josephson, P. Eng."
Water and Waste Department



NOTE: AREA CALCULATIONS SHOWN ARE PRELIMINARY

NOTE:
These design documents are prepared solely for the use by the party with whom the design professional has entered into a contract and there are no representations of any kind made by the design professional to any party with whom the design professional has not entered into a contract.

NDLEA Inc.
Suite 111-93 Lombard Avenue Winnipeg, Manitoba R3B 3B1
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HOPEWELL (BISHOP GRANDIN) DEVELOPMENT INC.

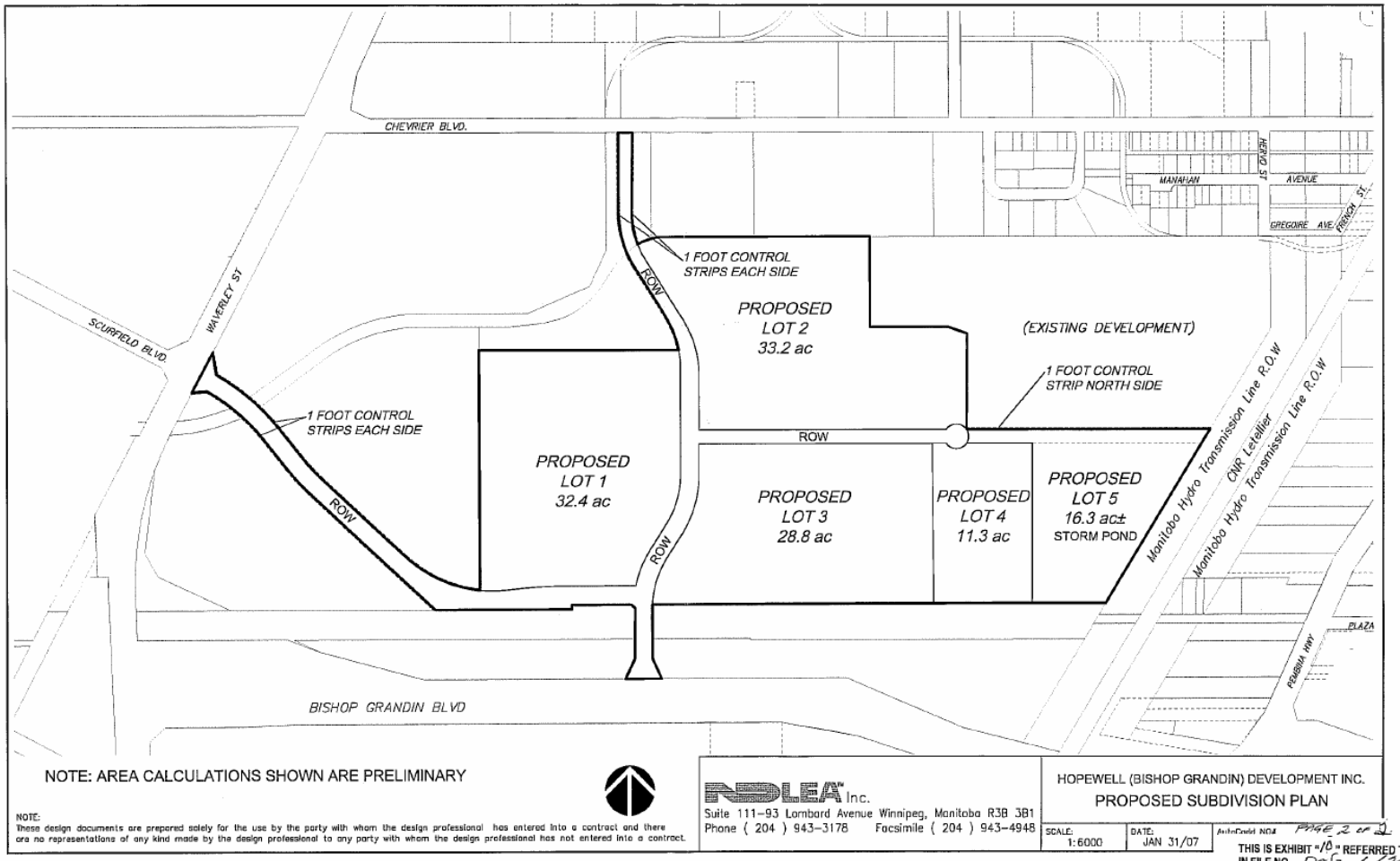
PROPOSED ZONING PLAN

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PAGE 1 of 2

THIS IS EXHIBIT "10" REFERRED TO
IN FILE NO. DASZ 6/2007
DATED THIS 26 DAY OF 06 20 07



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HOPEWELL (BISHOP GRANDIN) DEVELOPMENT INC.
PROPOSED SUBDIVISION PLAN

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THIS IS EXHIBIT "10" REFERRED TO IN FILE NO. DAS2 6/2007
DATED THIS 26 DAY OF 06 2007
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Feb 07, 2007 – 11:59am
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