Agenda - Executive Policy Committee – September 19, 2007

Report - Standing Policy Committee on Property and Development – September 4, 2007

Item No. 7 Subdivision and Rezoning – north side of Sage Creek Boulevard (St. Boniface Ward) File DASZ 24/2007

STANDING COMMITTEE RECOMMENDATION:

On September 4, 2007, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submits the following to Council:

1. That the plan of subdivision under File DASZ 24/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 24/2007 dated July 10, 2007, for registration in the Winnipeg Land Titles Office subject to the following:

   A. That the Developer be required to enter into an Addendum to Servicing Agreement AG 51/05 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated July 9, 2007.

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 24/2007 dated July 10, 2007, to a "C2" Commercial District .

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

4. 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.

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

6. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Addendum to the Servicing Agreement.

7. 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.

Report - Standing Policy Committee on Property and Development – September 4, 2007

8. 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.

9. 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.

10. 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.

Agenda - Executive Policy Committee – September 19, 2007

Report - Standing Policy Committee on Property and Development – September 4, 2007

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On September 4, 2007, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 17, 2007, the Riel Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning - Sage Creek Boulevard**
File DASZ 24/2007

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

Prepared by: **Marc Pittet, Clerk,**
Riel Community Committee

Report date: **July 18, 2007**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 17, 2007, the Riel Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision under File DASZ 24/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 24/2007 dated July 10, 2007, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into an Addendum to Servicing Agreement AG 51/05 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated July 9, 2007.

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 24/2007 dated July 10, 2007, to a "C2" Commercial District .

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

4. 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.

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

6. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Addendum to the Servicing Agreement.

7. 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.

8. 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.

9. 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.

10. 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.

The Riel Community Committee provided the following supporting reason for its recommendation:

1. The Riel Community Committee agreed with the administrative comments contained in the report from the Planning and Land Use Division dated July 10, 2007 and in the report from the Administrative Coordinating Group dated July 9, 2007.

PUBLIC HEARING SUMMARY

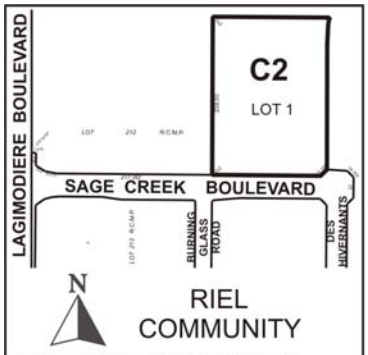
File: DASZ 24/2007

Before: Riel Community Committee
Councillor Vandal, Chairperson
Councillor Steeves

Public Hearing: July 17, 2007
Council Chamber, Council Building, 510 Main Street

Applicant: Sage Creek Development Corporation (Lyne Jones)

Subject:



APPLICANT : SAGE CREEK DEVELOPMENT CORPORATION
FILE: DASZ 24/07
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.5" AGRICULTURAL DISTRICT to a "C2" COMMERCIAL DISTRICT. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : SAGE CREEK DEVELOPMENT CORPORATION
N° DE RÉFÉRENCE : DALZ 24/07
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du Règlement municipal n° 6400/94 visant à changer le zonage des sols délinéés ci-dessus qui passeraient de la catégorie A.5 (SECTEUR AGRICOLE) à la catégorie C2 (SECTEUR COMMERCIAL). **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: Sage Creek Boulevard

Exhibits Filed:

1. Application dated March 23, 2007
2. Notification of Public Hearing dated May 31, 2007
3. Manitoba Status of Title 2206193
4. Report from the Planning and Land Use Division dated July 10, 2007
5. Report from the Administrative Coordinating Group dated July 9, 2007
6. Inspection Report

REPRESENTATIONS:

In Support:

Lyne Jones, Sage Creek Development Corporation
Eric Vogan

In Opposition

Nil

For the City:

Mr. K. Raban, Land Development Administrator, Planning, Property and Development Department
Ms. A Clark, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Eric Vogan appeared in support of the application and provided an overview of the proposal.

Exhibit “4” referred to in File DASZ 24/2007

Planning, Property and Development Department Report

To the Riel Community Committee

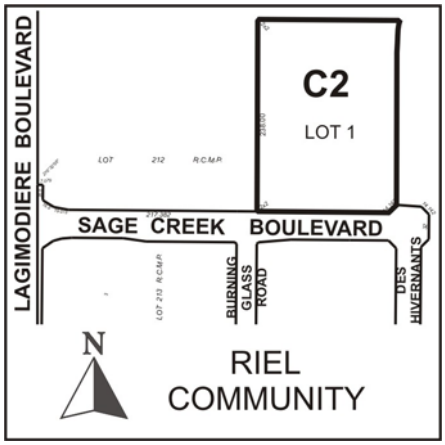
Date: July 10/ 2007

File: DASZ 24 /07
Related Files: DASZ 51/ 2005
Subject: The subject application will create a 5.6 acre (2.2 hectare) lot and rezone it to a “ C2” Commercial category in order t o facilitate development of an office building.

Location: North side of Sage Creek Boulevard

Legal Description:
PARCEL 1: LOTS 182, 183, 184, 185, 186, 212, 213 AND 214 PLAN 433 WLTO
EXC OUT OF SAID LOTS 182 AND 214, PLAN 41547 WLTO
EXC OUT OF SAID LOTS 183, 184, 212, 213 AND 214, PLAN 45829 WLTO
EXC OUT OF SAID LOT 186, RIGHT OF WAY OF CITY OF WINNIPEG
TRANSMISSION LINE, PLAN 3364 WLTO AND FURTHER
EXC OUT OF SAID LOTS 182, 183, 184, 185 AND 186, RIGHT OF WAY OF
MANITOBA HYDRO POWER TRANSMISSION LINE, PLAN 8986 WLTO
IN THE ROMAN CATHOLIC MISSION PROPERTY.

PARCEL 2: LOT 211 PLAN 433 WLTO
EXC OUT OF SAID PARCEL 2, FIRSTLY: RIGHT OF WAY OF CITY OF WINNIPEG
TRANSMISSION LINE, PLAN 3364 WLTO, AND
SECONDLY: ALL THAT PORTION CONTAINED WITHIN THE FOLLOWING LIMITS:
COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTHERN LIMIT OF THE
RIGHT OF WAY OF CITY OF WINNIPEG POWER TRANSMISSION LINE,
PLAN 3364 WLTO, WITH THE WESTERN LIMIT OF SAID LOT,
THENCE ELY, ALONG SAID SOUTHERN LIMIT, 580.8 FEET
THENCE SLY, PARALLEL WITH SAID WESTERN LIMIT, 450 FEET
THENCE WLY, PARALLEL WITH SAID SOUTHERN LIMIT, TO SAID WESTERN LIMIT,
THENCE NLY, ALONG SAID WESTERN LIMIT, TO THE POINT OF COMMENCEMENT;
IN THE ROMAN CATHOLIC MISSION PROPERTY.



Applicant: Sage Creek Development Corporation

Owner: Same as above

Recommendation: Recommend approval with conditions

Site Description:



5080

Surrounding Land Use
North: To the north are open agricultural lands, zoned "A-5" Agricultural and set aside for future phasing of the Sage Creek Development.
South: To the immediate south is a zoned "C2" Commercial area which will constitute the proposed 18.4 acre Village Centre of the first phase of development .
West: To the west is Lagimodiere Boulevard and the Island Lakes residential neighbourhood zoned "R1-5" single family residential.
East: To the east large undeveloped open areas zoned " A-5" Agricultural and set aside under the Area Structure Plan for future phases of development.

Existing Zoning
The subject parcel is currently vacant and zoned " A-5" Agricultural.

Background:

In April 2005, the Standing Policy Committee on Property and Development identified the South St. Boniface Area Structure Plan as a priority project within the Planning, Property and Development Department's 2005 Secondary Plan Work Program.
The department implemented a collaborative planning process in partnership with Qualico Developments and their consulting team to prepare the area structure plan. This process also included close consultation with all affected City departments to address any issues related to the development of the subject lands and to ensure that the City's requirements were incorporated into the plan's policies.
On September 28, 2005, Council gave first reading to By-law 158/05 to adopt the South St. Boniface Area Structure Plan as a Secondary Plan and directed that the Riel Community Committee conduct a public hearing respecting the proposed by-law and plan. It was ultimately passed by Council November 23/05. In the early part of 2006, City Council endorsed the 1st phase of Sage Creek (DASZ 51/05) , which encompasses 103 acres overall and lies to the immediate south of Sage Creek Boulevard.

Description of the Proposed Development

The applicants are proposing to create a 5.6 acre parcel just east of the current entrance to the Sage Creek development and on the north side of Sage Creek Boulevard. The primary purpose of the rezoning is to accommodate the establishment of an office building, essentially the corporate head office of Qualico Developments. At this juncture, the administration does not have specific building details or site plans. It is apparent however, that construction is to begin soon after the rezoning process has been completed.

Analysis:

The subject parcel is situated in an area designated under the Area Structure Plan for future commercial and possibly some residential use. It will be part of what is described as an expanded village centre complex. Therefore the office building use, as proposed, is entirely appropriate and in accordance with the overall plans. Detailed building plans were not as yet available , at the

time of the report completion. It should be noted that dedication is to be addressed under the accompanying ACG Addendum to the original agreement under DASZ 51/05.

Recommendation

The Planning and Land Use Division recommends approval of the proposed rezoning and subdivision for the following reason:

- The proposed use is consistent with the overall plans approved under the Area Structure Plan.

Recommended Conditions of Approval

1. That the plan of subdivision proposed under File DASZ 24/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 24/2007 dated July 10, 2007, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into an Addendum to Servicing Agreement AG 51/05 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated July 10/2007 , 2007.

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 24/2007 dated July 10/ 2007, to a "C2" Commercial District .

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

4. 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.

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

6. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Addendum to the Servicing Agreement.

7. 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.

8. 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.

9. 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.

10. 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: Kevin Lalor
PPD File # (.526)

Schedule "A"

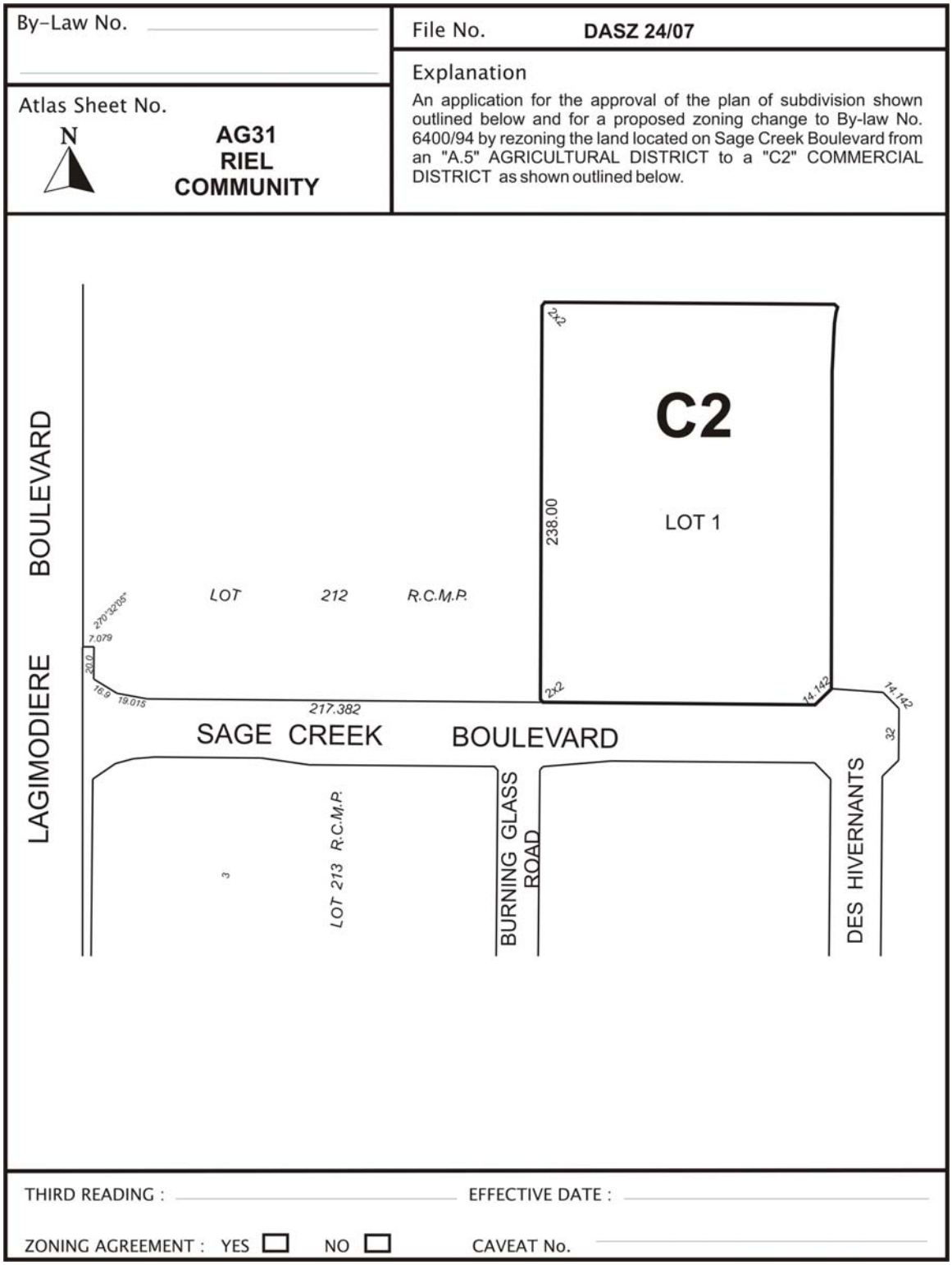


Figure 1: Schedule "A" to the report to the Riel Community Committee for File DASZ 24/2007, dated July 10, 2007.

Exhibit "5" referred to in File DASZ 24/2007

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED ON SAGE CREEK BOULEVARD - DASZ 24/07

An application has been submitted by Sage Creek Development Corporation to subdivide and rezone land located on Sage Creek Boulevard. The subject land is located immediately north and adjacent to Sage Creek's land approved under DASZ 51/05 and covered under Development Agreement AG 51/05.

It is recommended that approval of this application be subject to the Developer entering into an Addendum to the Sage Creek Development Agreement AG 51/05 as follows:

1. *By attaching to AG 51/05, a copy of the plan of subdivision approved under DASZ 24/07;*

2. *By adding a clause that the land within DASZ 24/07 will be subject to all the cost sharing provisions, open space dedication calculations, payment of administration fees, etc. stipulated in AG 51/05;*

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 24/07
July 9, 2007

_____
for Land Development Engineer

_____
Public Works Department

_____
Water and Waste Department