Agenda - Council – September 26, 2007

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

Item No. 6 Subdivision and Rezoning - Sage Creek, Phase II
(St. Boniface Ward)
File DASZ 21/2007

STANDING COMMITTEE RECOMMENDATION:

On September 19, 2007, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee, and submits the following to Council:

1. That the plan of subdivision under File DASZ 21/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 21/2007 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 Development 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 21/2007 dated July 10, 2007, to "RM-1", "RM-2" and "RM-L" Multiple Family Districts, an "R2" Two Family District, an "R1-3.5" Single Family District and a "PR-1" Parks and Recreational District subject to the following:

    A. That the Developer enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

        i. That for any development in the proposed "RM-1", "RM-2" and "RM-L" Multiple Family Districts, 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 signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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

ii. That where single and two family residential lots back onto Warde Avenue, the said lots are to be established with minimum rear yards of 17.5 metres.

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 Development 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 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.

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 - Council – September 26, 2007

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

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 19, 2007, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

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 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 21/2007

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 21/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 21/2007 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 Development 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 21/2007 dated July 10, 2007, to "RM-1", "RM-2" and "RM-L" Multiple Family Districts, an "R2" Two Family District, an "R1-3.5" Single Family District and a "PR-1" Parks and Recreational District subject to the following:

    A. That the Developer enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

        i. That for any development in the proposed "RM-1", "RM-2" and "RM-L" Multiple Family Districts, 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 signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That where single and two family residential lots back onto Warde Avenue, the said lots are to be established with minimum rear yards of 17.5 metres.

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 Development 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 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.

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

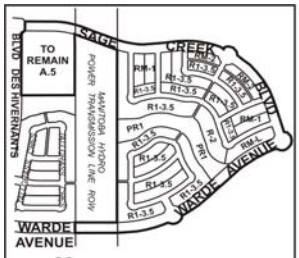
File: DASZ 21/2007]

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:



N

RIEL COMMUNITY

APPLICANT : SAGE CREEK DEVELOPMENT CORPORATION
FILE: DASZ 21/07
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 "PR1" PARKS AND RECREATION DISTRICT, an "R1-3.5" and "R2" RESIDENTIAL DISTRICTS and an "RM-2", "RM-1" and "RM-L" MULTIPLE-FAMILY DISTRICTS. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : SAGE CREEK DEVELOPMENT CORPORATION
N° DE RÉFÉRENCE : DALZ 21/07
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du Règlement municipal no 6400/94 visant à changer le zonage des sols délinéés ci-dessus qui passeraient de la catégorie A.5 (SECTEUR AGRICOLE) à la catégorie PR1 (SECTEUR DES PARCS ET DES LOISIRS), aux catégories R1-3.5 et R2 (SECTEURS RÉSIDENTIELS) et aux catégories RM-2, RM-1 et RM-L (SECTEURS D'HABITATIONS MULTIFAMILIALES). **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: Sage Creek Boulevard

Exhibits Filed:

1. Application dated May 18, 2007
2. Notification of Public Hearing dated June 12, 2007
3. Manitoba Status of Title 2102396
4. Plans (2 pages)
5. Report from the Planning and Land Use Division dated July 10, 2007
6. Report from the Administrative Coordinating Group dated July 9, 2007
7. 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 "5" referred to in File DASZ 21/2007

Winnipeg

Planning, Property and Development Department Report

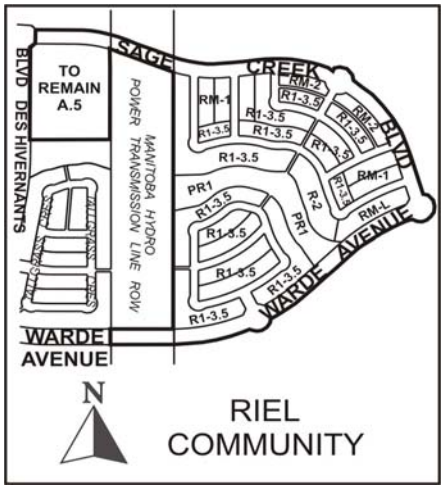
To the Riel Community Committee

Date: July 10/2007
File: DASZ 21 /07
Related Files: DASZ 51/2005

Subject: To rezone and subdivide the said lands from "A-5" Agricultural to " PR-1" Parks and Recreation District, "R1-3.5"Single Family Residential District, "R2" Two Family Residential District, and " RM-L, RM-1, RM-2" Multiple Family Districts.

Location: Bounded by Sage Creek Blvd. on the north, Warde Avenue extension on the south, the Manitoba Hydro Transmission Line to the west and lands abutting Plessis Road to the East.

Legal Description: Firstly : Lots 146,147,148, 149, 150 AND 175,176,177,178, AND 179, PLAN 433 WLTO EXC OUT OF LOTS 146 AND 179 BRUCE ROAD PLAN 2641 WLTO AND EXC OUT OF LOTS 150 AND 175 RIGHT OF WAY OF CITY OF WINNIPEG POWER TRANSMISSION LINE PLAN 3364 WLTO OF THE ROMAN CATHOLIC MISSION PROPERTY SECONDLY : ALL THOSE PORTIONS OF THE ROMAN CATHOLIC MISSION PROPERTY CONTAINED WITHIN THE LINITS OF LAMONTAGNE ROAD (NOW CLOSED)SHOWN COLORED YELLOW ON A PLAN ATTECHED TO CITY OF ST. BONIFACE BY-LAW NO. 433887 AND EXC OUT OF SAID SECONDLY; RIGHT OF WAY OF THE MANITOBA HYDRO POWER TRANSMISSION LINE PLAN 8986 WLTO



Applicant: Sage Creek Development Corporation

Owner: Same as above

Recommendation: Approve with conditions

Site Description :

The overall Structure Plan area which comprises 918 acres of land is bounded by the Bishop Grandin Boulevard extension to the north, Lagimodiere Boulevard and the Island Lakes residential community to the west, the Perimeter Highway to the south and Plessis Road (the City Boundary) to the east. The first phase of the Sage Creek Development as outlined in a previous application (DASZ 51/05) , is comprised of a gross area of 103 acres and is situated at the N.E. corner of the future Warde Avenue extension and Lagimodiere Blvd and south of Sage Creek Boulevard . It is bounded on the east by the Manitoba Hydro Power Transmission Line. That phase, which includes a large commercial component, is currently well underway. The subject application (Phase II) , is east of the Manitoba Hydro Transmission line and bounded on the north by the extension of Sage Creek Boulevard and on the south by the extension of Warde Avenue. The proposed gross overall area has a total of 79.2 acres.

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. Shortly thereafter, the details of the first phase of the overall plan were submitted to and assessed by various City Departments including Public Works, Water and Waste and the Planning and Land Use Division. The application outlining details of the first phase of residential and commercial development were approved by Riel Community Committee on January 17th/2006 .

Description of the Proposed Development :

Unlike the first phase which had a significant commercial component, the second phase is focused primarily on single family development. While there is to be a healthy mix of multiple

family and single family housing in the proposed Phase II area, 27.2 acres of the overall total will be set aside for 'R1-3.5' single family housing versus 7.6 acres of low to medium density multiple family housing. Specifically, there will be 213 single family units and 118 multiple family dwelling units projected for the 2nd Phase. In addition, the proposal calls for 14 'R2' two family dwelling units for an overall total of 345 housing units. A relatively small area adjoining the central impoundment area is to be rezoned for "PR" Public Reserve purposes. As with the first phase of development, provision has been made for public walk-way access to Hydro lands which effectively divide both phases.

Analysis :

The Area Structure plan provided a framework that included a vision of the proposed new community and identified a series of policies that were designed to collectively achieve that objective. Several of the more noteworthy goals outlined were as follows: 1) to create a viable and cohesive community, 2) to develop a vital core commercial centre , 3) accommodate a diversity of housing types, 4) foster a sense of neighbourhood and 5) create an interconnected and efficient road and pedestrian network throughout the proposed community. It is the view of the Planning and Land Use Division that the proposed second phase of the Sage Creek Development outlined in the subject application clearly continues to embody many of the aforementioned goals and policies contained in the Area Structure Plan. The proposed concept is both innovative and creative and , in our view , promotes a community development that is compatible with and a logical extension to the first phase earlier approved in 2006. It should be noted that there are ongoing discussions with the Parks, Riverbanks & Community Initiatives Branch related to several issues (i.e. landscaping of the Hydro corridor and the location of a future community centre) . These issues may or may not be resolved before the July 17th Public Hearing. However that aside, it is recommended that your Committee endorse the proposal as submitted subject to all condition outlined in this report and the report of the Administrative Coordinating Group.

Recommendation :

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

Recommended Conditions of Approval:

1. That the plan of subdivision proposed under File DASZ 21/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 21/2007 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 Development Agreement AG 51/05 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated July 10, 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 21 /2007 dated July 10, 2007, to "RM-1 , RM-2 & RM-L "Multiple Family Districts, to an" R2" Two Family District, to a " R1-3.5" Single Family District and a "PR-1" Parks and Recreational District subject to the following:

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

      i. That for any development in the proposed "RM-1, RM-2, or RM-L" Multiple Family areas, 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 signage to the Director of Planning, Property and Development and the **Riel** Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

      ii. Where single and two family residential lots back onto Warde Avenue, the said lots are to be established with minimum rear yards of 17.5 metres.

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.

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6. 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.

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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"

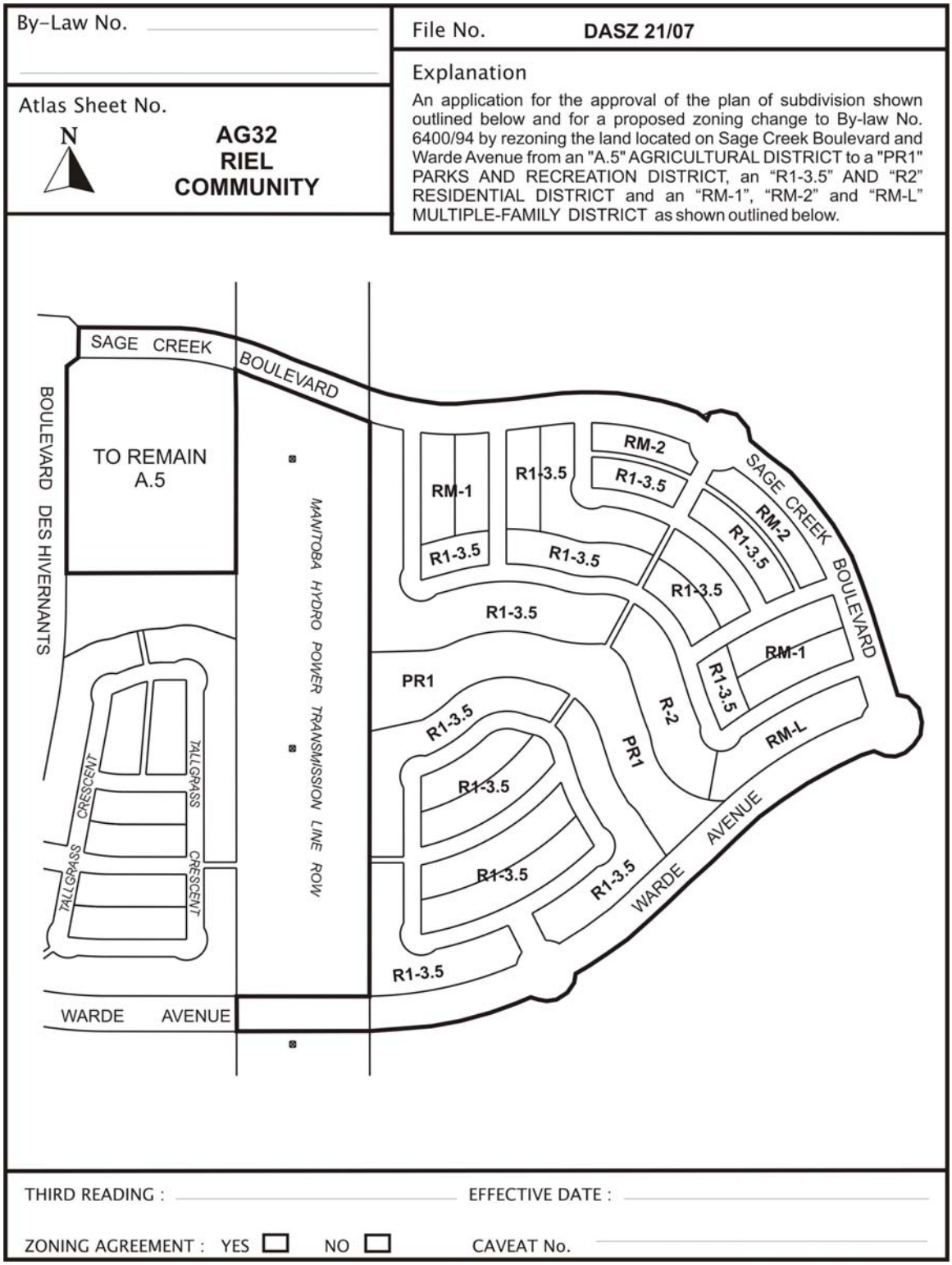


Figure 1: Schedule "A" to the report to the Riel Community Committee for File DASZ 21/2007, dated July 10, 2007.

5070

Exhibit "6" referred to in File DASZ 21/2007

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED ON SAGE CREEK BOULEVARD - DASZ 21/07

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 east of 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 21/07;

2. By adding a clause that the land within DASZ 21/07 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 21/07
July 9, 2007

_____
for Land Development Engineer

_____
Public Works Department

_____
Water and Waste Department

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