Agenda – Council – April 28, 2010

Report – Standing Policy Committee on Property and Development – April 6, 2010

Item No. 3 Subdivision and Rezoning – Northwest corner Burning Glass Road and Sage Creek Boulevard (St. Boniface Ward) File DASZ 3/2010

STANDING COMMITTEE RECOMMENDATION:

On April 21, 2010, the Executive Policy Committee concurred in the recommendation 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 proposed under File DASZ 3/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2010 dated March 8, 2010 with such minor changes as may be required and registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into an Amendment to Development Agreement AG 51/2005 containing all the Recommendations outlined in the report of the Administrative Coordinating Group dated March 1, 2010, with the following amendment:

        i. That Recommendation 3 be deleted in its entirety and replaced with the following:

            "3 To add to AG 51/05 the requirement that the Developer construct, under the Private Access By-law, as negotiated to the satisfaction of the Developer, the Fire and Paramedic Chief, and the Director of Public Works, all works necessary to provide appropriate access to the proposed fire hall, including median openings in, and private approaches to, Sage Creek Boulevard."

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 3/2010 dated March 8, 2010 to a "C2" Commercial Community District subject to the following:

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

Report – Standing Policy Committee on Property and Development – April 6, 2010

i. That, for the development of any building, and/or accessory parking area and/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 signage to the Riel Community Committee and the Director of Planning, Property and Development 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 the approval and use of all median breaks and approaches for the proposed fire hall shall be negotiated to the satisfaction of the Developer, the Fire and Paramedic Chief and the Director of Public Works.

iii. That the following uses shall only be permitted on the land:
   a. Protection and Emergency Services;
   b. Community Gardens;
   c. Park /Plaza/square/playground;
   d. Community / Recreation Centre;
   e. Gallery / Museum.

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

4. That in the event the matter is not proceeded with expeditiously and the by-law is not passed 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 Director of Legal Services and City Solicitor 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 Amendment to Development Agreement AG 51/2005.

Report – Standing Policy Committee on Property and Development – April 6, 2010

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 one year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

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

Report – Standing Policy Committee on Property and Development – April 6, 2010

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 21, 2010, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 6, 2010, 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 March 15, 2010, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments:

- Amend Recommendation 1. A. by adding the following after the words "Development Agreement AG 51/2005", namely:

  "containing all the Recommendations outlined in the report of the Administrative Coordinating Group dated March 1, 2010, with the following amendment:

  i. That Recommendation 3 be deleted in its entirety and replaced with the following:

  "3 To add to AG 51/05 the requirement that the Developer construct, under the Private Access By-law, as negotiated to the satisfaction of the Developer, the Fire and Paramedic Chief, and the Director of Public Works, all works necessary to provide appropriate access to the proposed fire hall, including median openings in, and private approaches to, Sage Creek Boulevard.

- Delete Recommendation 2. A. ii. in its entirety and replace with the following:

Report – Standing Policy Committee on Property and Development – April 6, 2010

DECISION MAKING HISTORY: (continued)

COMMUNITY COMMITTEE RECOMMENDATION: (continued)

> "2.A.ii. That the approval and use of all median breaks and approaches for the proposed fire hall shall be negotiated to the satisfaction of the Developer, the Fire and Paramedic Chief, and the Director of Public Works."

and forwarded to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning - Northwest corner Burning Glass Road and Sage Creek Boulevard**
File DASZ 3/2010 [c/r DAV 107778/2010D]

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

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

Report date: **March 16, 2010**

COMMUNITY COMMITTEE RECOMMENDATION:

On March 15, 2010, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 3/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2010 dated March 8, 2010 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into an Amendment to Development Agreement AG 51/2005 ***containing all the Recommendations outlined in the report of the Administrative Coordinating Group dated March 1, 2010, with the following amendment:***

        i. That Recommendation 3 be deleted in its entirety and replaced with the following:

            "3 To add to AG 51/05 the requirement that the Developer construct, under the Private Access By-law, as negotiated to the satisfaction of the Developer, the Fire and Paramedic Chief, and the Director of Public Works, all works necessary to provide appropriate access to the proposed fire hall, including median openings in, and private approaches to, Sage Creek Boulevard."

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 3/2010 dated March 8, 2010 to a "C2" Commercial Community District subject to the following:

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

i. That, for the development of any building, and/or accessory parking area and/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 signage to the Riel Community Committee and the Director of Planning, Property and Development 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 the approval and use of all median breaks and approaches for the proposed fire hall shall be negotiated to the satisfaction of the Developer, the Fire and Paramedic Chief, and the Director of Public Works.

iii. That the following uses shall only be permitted on the land:
   a. Protection and Emergency Services;
   b. Community Gardens;
   c. Park /Plaza/square/playground;
   d. Community / Recreation Centre;
   e. Gallery / Museum.

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

4. That in the event the matter is not proceeded with expeditiously and the by-law is not passed 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 Amendment to Development Agreement AG 51/2005.

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 one year from the date the by-law is passed, failing

which the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

9. 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 Riel Community Committee provided the following supporting reasons for its recommendation:

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated March 8, 2010.

2. That the construction of a Fire Station will improve the emergency response time in the area should the site in question be selected.

PUBLIC HEARING SUMMARY

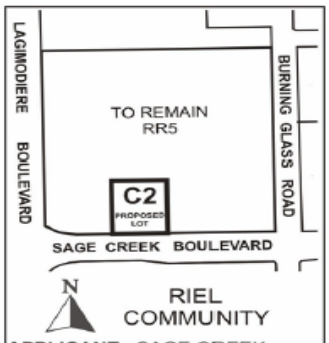
File: DASZ 3/2010 [c/r DAV 107778/2010D]

Before: Riel Community Committee
Councillor Vandal, Chairperson
Councillor Steeves
Councillor Swandel

Public Hearing: March 15, 2010
Council Chamber
Council Building, 510 Main Street

Applicant: Sage Creek Development Corporation (Glenn Halldorson)

Subject:



APPLICANT : SAGE CREEK DEVELOPMENT CORPORATION
FILE : DASZ 3/10
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. 200/2006 by rezoning the land shown outlined above from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to a "C2" COMMERCIAL COMMUNITY DISTRICT which is intended to allow for future establishment of a fire hall. **For information, phone Mr. J. Wintrup, Planner at 986-5102.**
DEMANDEUR : SAGE CREEK DEVELOPMENT CORPORATION
N° DE RÉFÉRENCE : DALZ 3/10
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du Règlement municipal n° 200/2006 visant à changer le zonage des sols délinéés ci-dessus qui passeraient de la catégorie RR5 (SECTEUR RÉSIDENTIEL RURAL 5) à la catégorie C2 (SECTEUR COMMERCIAL COMMUNAUTAIRE) dans le but de permettre l'aménagement éventuel d'une caserne d'incendie. **Pour plus de renseignements, veuillez communiquer avec M. J. Wintrup, urbaniste, au 986-5102.**

Premises Affected: Northwest corner Burning Glass Road and Sage Creek Boulevard

Exhibits Filed:

1. Application dated February 8, 2010
2. Notification of Public Hearing dated February 23, 2010
3. Manitoba Status of Title 2402276
4. Plans (3 pages)
5. Report from the Planning and Land Use Division dated March 8, 2010
6. Inspection Report
7. Supporting Documentation submitted by Lyne Jones at the Public Hearing
8. Audio Recording of representations of public hearing held on March 15, 2010

REPRESENTATIONS:

In Support:

Mike Armstrong
Lyne Jones
Ravi Joshi

In Opposition

Kelly and Robert Hadath

For the City:

Ms. S. Matile, Land Development Engineer, Planning, Property and Development Department
Mr. R. Kostiuk, Planner, Planning, Property and Development Department

Exhibit "5" referred to in File DASZ 3/2010 [c/r DAV 107778/2010D]

ADMINISTRATIVE REPORT

ISSUE: DASZ 3/10 – NW Burning Glass @ Sage Creek – Public Hearing

Critical Path: Riel Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Himbeault	NA	NA	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 3/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2010 dated March 08, 2010 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into an Amendment to Development Agreement AG 51/05.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 3 /2010 dated March 08, 2010 to a C2 Commercial Community District subject to the following:

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

        i. That, for the development of any building, and/or accessory parking area and/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 signage to the RIEL Community Committee and the Director of Planning, Property and Development 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 the approval and use of the private approach and median opening for the proposed fire hall shall be restricted to emergency vehicles only;

iii. That the following uses shall only be permitted on the land:
   a. Protection and Emergency Services;
   b. Community Gardens;
   c. Park /Plaza/square/playground;
   d. Community / Recreation Centre;
   e. Gallery / Museum.

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

4. That in the event the matter is not proceeded with expeditiously and the by-law is not passed 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 Acting 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 Amendment to Development Agreement AG 51/05.

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 one year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

9. That the Acting 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.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations in this report are implemented, a development permit can be issued for the redevelopment of the subject land, subject to the recommended conditions of approval.

HISTORY

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 for 918 acres of land 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; 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.

On February 22, 2006 Council adopted the plan of subdivision proposed under File DASZ 51/2005 Phase 1 Sage Creek to rezone and subdivide 103 acres and is situated at the N.E. corner of the
future Warde Avenue extension and Lagimodiere Blvd. It is bounded on the east by the Manitoba Hydro Power Transmission Line. The northernmost periphery of the phase I plan area adjacent to the intersection of Lagimodiere and Sage Creek Boulevards as the Village Centre of 18.4 acres. A small portion of this area will be zoned to a Multiple Family category while the remainder (approx.16 acres) will be zoned C2 Commercial.

On July 11, 2007, Executive Policy Committee recommended the filing of the plan of subdivision proposed under File DASZ 10/2007 to rezone and subdivide a 3.12 acre parcel on the north side of Sage Creek Boulevard just east of Lagimodiere Blvd. The primary purpose of the rezoning is to accommodate the establishment of an office building, essentially the corporate head office of Qualico Developments. On May 15, 2007, the Riel Community Committee concurred in the administrative recommendation to create a 3.12 acre (1.26 hectare) lot and rezone it to " C2" Commercial category in order to facilitate development of an office building.

On September 26, 2007 Council adopted the plan of subdivision proposed under DASZ 21/2007 Phase 2 Sage Creek to rezone and subdivide 79.2 acres of land east of the MB Hydro right-of-way to extend Sage Creek Blvd and Warde Avenue to construct over 213 single family units and 118 multiple family dwelling units.

On November 21, 2007 Council adopted the plan of subdivision proposed under DASZ 32/2007 Phase 3 north of Sage Creek Blvd. and west of the Manitoba Hydro Transmission Line to rezone and subdivide 4.49 acres of lineal public reserve and three water storage areas , which have an overall total of 7.4 acres; the extension north of Boulevards des Hivernants which is 32m wide, extension north of Burning Glass Road to be connected with Dr. David Frieson Drive

On July 16, 2008 Council adopted the plan of subdivision proposed under File DAS 17/2008 Phase 3 Sage Creek to subdivide the existing "C2" Commercial site (created under DASZ 24/2007) on the west side of Burning Glass Road and North Side of Sage Creek, into two commercial parcels, and separate these parcels with a public lane against a multiple family parcel of 5.3 acres. The C2 Commercial have an area of 2.38 acres, and 3.18 acres, with Qualico's corporate offices established on the most northerly commercial parcel

On November 25, 2009 Council adopted the plan of subdivision proposed under File DASZ 12/2009 to rezone the northern half of an approximately twenty four (24) acre parcel north of Sage Creek boulevard between Lagimodiere Boulevard and Burning Glass Road from its current " RR-5" Rural Residential category to an " RMF-M" Multiple Family category and a " PR-1" Parks and Recreation category.

- Lot 1 the 9.44 acre “RMF-M” site will facilitate development of an approximately 300 unit multiple family housing complex.
- the proposed .60 acre “PR-1” lands are to be set aside as a green space buffer strip adjacent to Lagimodiere Boulevard.
- Lot 2 will be the remaining thirteen (13) acres adjoining to the south that will remain vacant and retain its “RR-5” Rural Residential zoning.

On February 24, 2010 Council adopted the plan of subdivision proposed under File DASZ 35/2009 Phase 4 Sage Creek to rezone and subdivide 39.9 gross acres of land situated at the N.E. corner
of Warde Avenue and Sage Creek Boulevard to construct approximately 40 multiple family units and 179 single family units.

CONSULTATION

In preparing this Report there was consultation with:

N/A

SUBMITTED BY

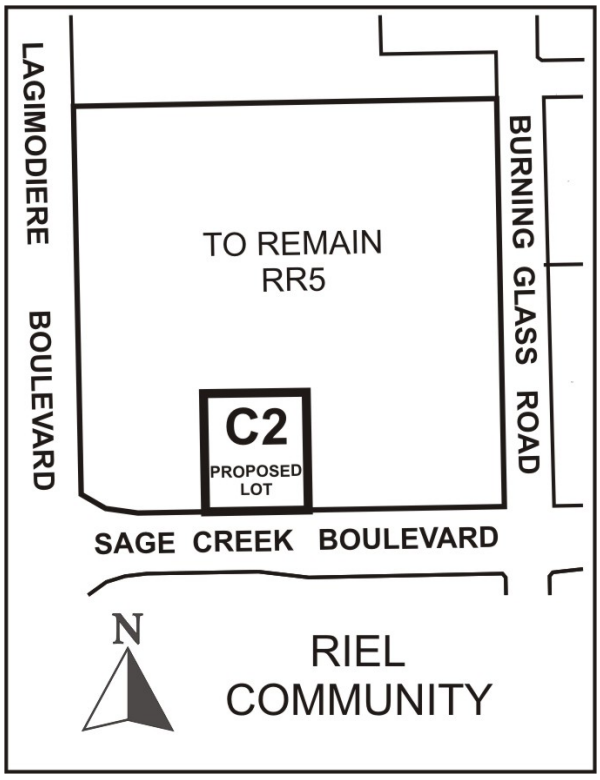
Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by	John Wintrup
Date	March 08, 2010
File	DASZ 03/2010

List of Schedules and Attachments

1. Attachment 1 – Planning Discussion
2. Schedule “A” for File No. DASZ 03/2010, RIEL Community Committee, dated March 03, 2010.
3. Schedule “B” – ACG Report for File DASZ 3/2010.

Attachment 1 – Planning Discussion

DATE	March 08, 2010
FILE	DASZ 03/2010
RELATED FILES	DAV 10-107778/D; DASZ 51/2005; DASZ 10/2007; DASZ 21/2007; DASZ 24/2007; DASZ 32/2007; DAS 17/2008; DASZ 12/2009; DASZ 35/2009
COMMUNITY	RIEL Community
NEIGHBOURHOOD	5.553
SUBJECT	Rezoning and create one lot to facilitate fire hall construction
LOCATION:	NW Burning Glass Road @ Sage Creek Blvd
LEGAL DESCRIPTION:	LOT 2 PLAN 49228
APPLICANT:	Sage Creek Developments (Glenn Halldorson) 1 DR. DAVID FRIESEN DR WINNIPEG MB R3X 0G8
OWNER:	Sage Creek Development Corporation 30 SPEERS RD WINNIPEG MB R2J 1L9



RECOMMENDATION Approve with conditions

REPORT SUMMARY

- The proposed C2 land is within Lot 2 that is thirteen (13) acres of vacant land zoned "RR-5" Rural Residential zoning created under DASZ 12/2009.
- The proposed lot is contiguous with Phase 1 and does not involve the creation of streets.
- Winnipeg Fire and Paramedic is interested in potentially locating a fire hall on the proposed new lot.

SURROUNDING LAND USES AND ZONING:

North: To the north are open agricultural lands, zoned "RR-5" Rural Residential and set aside for future phasing of the Sage Creek Development.

South: To the immediate south is a zoned "C2" Commercial area that 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" single family residential.

East: To the immediate east are several "C2" commercial parcels and a multiple family site between Dr. David Friesen Drive and Sage Creek Boulevard including an office complex.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- A 1.05 acre of Commercial land on the north side Sage Creek between Lagimodiere and Burning Glass Road would be created out of the overall the 13 acres that will remain zoned RR5 Rural Residential.
- A new fire hall is considered to be constructed at the site.

ANALYSIS AND ISSUES

SECONDARY PLAN

- The subject parcel is situated in an area designated under the Area Structure Plan for future commercial and/or residential use. It will eventually be part of what is described as an expanded village centre complex.

ZONING

- **C2 Commercial Community District** is intended to accommodate more intensive commercial sites that do not have a local or neighbourhood orientation.
    - The district is intended to include attractive commercial, institutional, recreational, and service facilities needed to support the surrounding neighbourhoods and the broader community.
    - C2 districts are generally located along collector streets, at arterial/collector intersections, or along portions of arterial streets with relatively shallow lots.
    - There is a rear yard requirement of 25 feet and a maximum building height of 49 feet.

    - Multi-family residential structures in the C2 district must meet the requirements of the RMF-M zone.

- **RMF- M Residential Multi-Family District - Medium** is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities.
    - There is a front & rear yard requirement of 25 feet and the maximum building height is 60 feet.
    - The minimum lot area per dwelling unit is 800 square feet per dwelling unit.

LAND USE BY-LAW

- The variances may be appealed to the Appeals Committee for a new public hearing, whereas the recommendation by Community Committee for a rezoning proceeds to Council for decision.
- The variance is for 'use' meaning it would allow the legal creation of lot (and the construction of the fire hall) to proceed immediately, prior to Council approval of the development application.

LAND DEDICATION

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.
- Land dedication has been accrued over all the first three phases and will continue to be accrued under this application.

RECOMMENDATION

- The Planning and Land Use Division recommends approval because, subject to the conditions stated in the section of this report titled "Recommendations," the proposed development and associated rezoning is compatible with the neighbourhood;

- The Servicing Agreement (AG 51/05) will need to be amended to add the proposed Commercial Site within the Planned Area for DASZ 3/10 to the ongoing calculation of the dedication of public open space for the Sage Creek Development;

- The land-uses are restricted to ensure any intensive commercial or residential developments that could occur in a C2 District (should the fire hall not be constructed) be thoroughly reviewed for the appropriate engineering / servicing requirements not considered during this application.

Schedule “A” for File No. DASZ 03/10, RIEL Community Committee, dated March 8, 2010.

By-Law No. _____

File No. **DASZ 3/10**

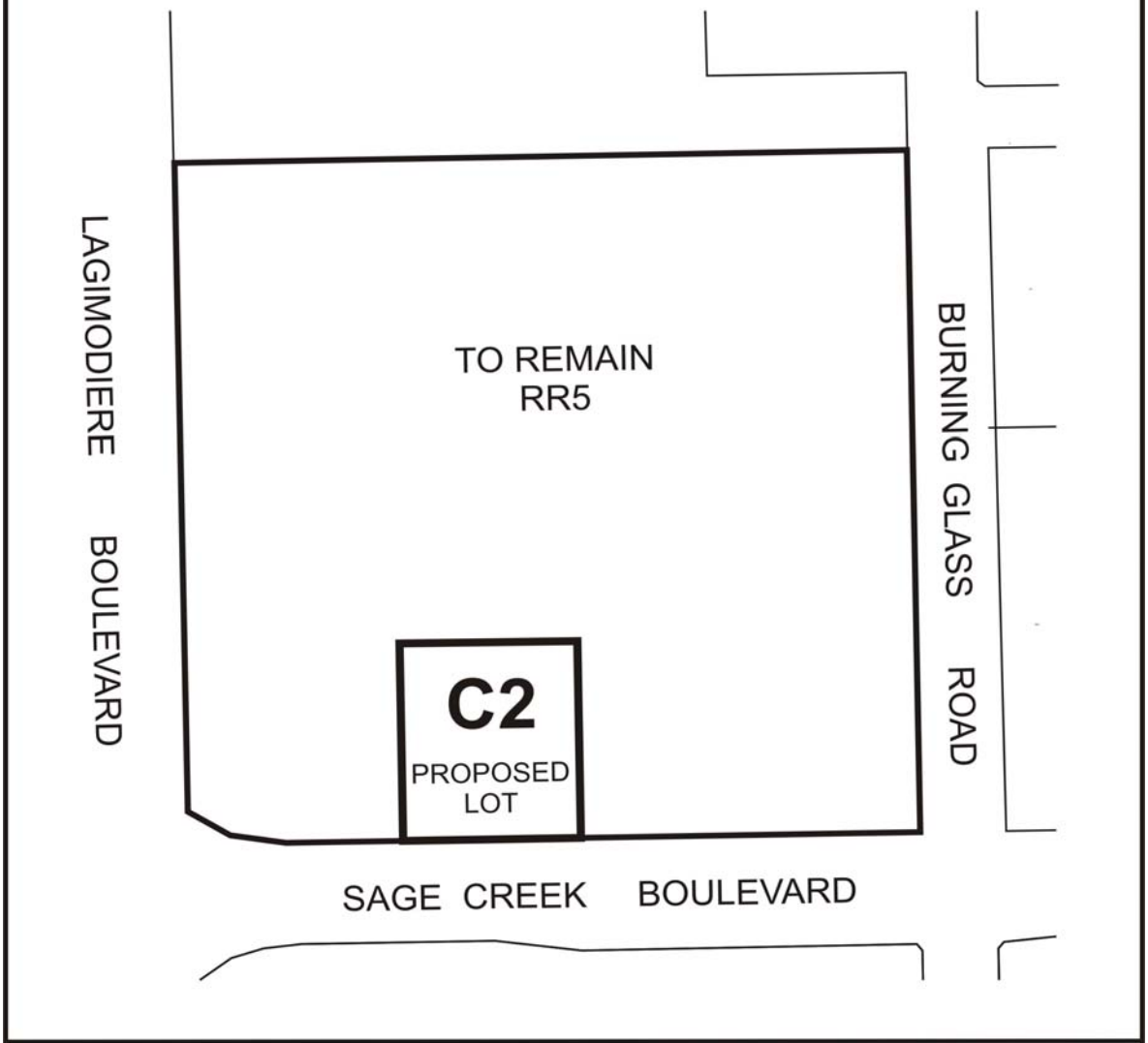
Atlas Sheet No.

N

AG31
RIEL
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. 200/2006 by rezoning the land located at NW Corner Burning Glass Road & Sage Creek Boulevard from an “RR5” RURAL RESIDENTIAL 5 DISTRICT to a “C2” COMMERCIAL COMMUNITY DISTRICT which is intended to allow for future establishment of a fire hall as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B - REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP

RE: PROPOSED SUBDIVISION OF LAND NORTH OF SAGE CREEK BLVD., EAST OF LAGIMODIERE BLVD., WEST OF BURNING GLASS ROAD (SAGE CREEK DEVELOPMENT PHASE 1B) – DASZ 3/10

Sage Creek Development Corporation has submitted an application to subdivide and rezone an approximately 1.05-acre parcel of land on Sage Creek Boulevard between Burning Glass Road and Lagimodiere Boulevard (Sage Creek Development Phase 1B).

This land is contiguous with Phase 1 of, and was originally intended to comprise part of the original Phase 3B of, the Sage Creek Development.

Phase 1 of the Sage Creek Development was developed under AG 51/05. The adjacent lands in Phase 3 were developed under AG 32/07 (an addendum to AG 51/05), and subsequently amended via AG 17/08 (an addendum to AG 32/07). Additional lands, identified as Sage Creek Phase 3B, were added to Phase 3 via addendum agreement AG 12/09 to AG 32/07. Phase 2 of the Sage Creek Development was developed under AG 21/07 (also an addendum to AG 51/05).

Because the proposed subdivision and re-zoning do not entail the creation of any new public right-of-way, it is recommended that the approval of DASZ 3/10 be subject to the Developer's entering into a fifth addendum to Development Agreement AG 51/05 with the City of Winnipeg, as follows:

Development Agreement Addendum AG 3/10 to Agreement AG 51/05

1. To add to AG 51/05 a copy of the Plan of Subdivision approved under DASZ 3/10;

2. To revise AG 51/05 and its addenda (AG 21//07, AG 32/07, AG 17/08, and AG 12/09), as required, to add the proposed Commercial Site within the Planned Area for DASZ 3/10 to the ongoing calculation of the dedication of public open space for the Sage Creek Development;

3. To add to AG 51/05 the requirement that the Developer construct, under the Private Access By-Law, as determined by and to the satisfaction of the Director of Public Works, all works necessary to provide appropriate access to the proposed fire hall, including a median opening in, and a private approach to, Sage Creek Boulevard – ONLY for the proposed fire hall.

4. To add to AG 51/05 the requirement that the Zoning Agreement for DASZ 3/10 limit the use of the private approach and median opening to the proposed fire hall.

5. To add to AG 51/05 the requirement that the Developer be required to pay $1,200.00 plus GST per acre of the proposed Commercial Site within the Planned Area for DASZ 3/10 (minimum $1,650.00) to defray the City's administration and related costs associated with the preparation and implementation of the new Addendum.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 3/10
March 1, 2010

"original signed by S.M. Matile, P. Eng."
S. M. Matile, P. Eng., Chair
Land Development Branch

"original signed by R.J. Hartmann, P. Eng."
R. J. Hartmann, P. Eng.
Public Works Department, Transportation Division

"original signed by F. C. Mazur, P. Eng."
F. C. Mazur, P. Eng.
Water & Waste Department

"original signed by D. Beaton, MLArch."
D. Beaton, MLArch.
Parks, Riverbanks, & Community Initiatives Branch



Figure 1: Existing Land-Uses for subject property and Surrounding Area.