Agenda - Council – September 22, 2010

Report - Standing Policy Committee on Property and Development – September 14, 2010

Item No. 7 Subdivision and Rezoning – North of Sage Creek Boulevard, east of Hydro Transmission Line
(St. Boniface Ward)
File DASZ 12/2010

STANDING COMMITTEE RECOMMENDATION:

On September 15, 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 12/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" for File DASZ 12/2010 dated July 2, 2010, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a new Development Agreement with the City containing all the conditions outlined in Schedule "C" the report of the Administrative Coordinating Group dated June 30, 2010, with the following amendments:

        i. Section A. Plan Considerations

            a. Amend Recommendation 5 by deleting the words "105 m in length" and replacing with "122 m in length with a maximum of 24 lots".

            b. Add the following Recommendation 7:

                "7. The Developer shall increase the width of the public reserve from Prairie Smoke Drive into Public Reserve C from 6.0 metres to 12.0 metres to provide for a visual entrance into the park at the end of Wild Iris Walk at no expense to the City."

Report - Standing Policy Committee on Property and Development – September 14, 2010

ii. Section B. Development Agreement

a. Amend Recommendation 13 by deleting the words "and b) along the west side of the north-south street from Edward Turner Drive to Prairie Smoke Drive, to provide improved pedestrian connectivity to the major park space and school site".

b. Amend Recommendation 18 by deleting the words "all in accordance with drawings and specifications to be prepared by the Developer and submitted to, and approved by, the Director of Public Works".

c. Amend Recommendation 22 by deleting the words "Prior to construction" in the first line thereof and deleting the words "Planned Area" and replacing same with the word "community" in the second line thereof.

d. Amend Recommendation 29 by adding the following to the end of the Recommendation:

"The City acknowledges an Agreement dated August 17, 2006 between The Manitoba Hydro-Electric Board, The City of Winnipeg and Sage Creek Development Corporation that allows for the installation and maintenance of landscaping improvement projects within the Hydro Corridor lands within Sage Creek from Bishop Grandin south to John Bruce Road. The City agrees to provide a credit in the form of 9.05 acres for the improvements undertaken and installed by Sage Creek Development Corporation that provided, in partnership, public access to and use of approximately 52.0 acres within the Hydro Corridor located in Sage Creek in lieu of land dedication."

e. Amend Recommendation 30 by deleting the words "Above and beyond the required grading, levelling, sodding and provision of land drainage and water service" in the fifth line thereof and replacing same with "Where the Developer is providing naturalized landscaping in lieu of traditional sodding" and deleting the words "tree and shrub planting, site furnishings" in the seventh line thereof.

f. Delete Recommendations 14, 31 and 32 in their entirety and renumber the remaining Recommendations accordingly.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "B" for File DASZ 12/2010 dated July 2, 2010, to "R1-S" and "R1-M Single Family Districts, "PR1" Parks and Recreational Districts and an "RMF-S" Multiple Family 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 " RMF-S" 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.

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 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 Development Agreement.

Report - Standing Policy Committee on Property and Development – September 14, 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 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 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.

11. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report - Standing Policy Committee on Property and Development – September 14, 2010

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 15, 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 September 14, 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 July 12, 2010, the Riel Community Committee concurred in the recommendation contained in the revised report of the Winnipeg Public Service dated July 12, 2010, with the following amendments, namely:

- Amend Recommendation 1. A. by adding the following after the words "dated June 30, 2010", namely:

  "with the following amendments:

  i. Section A. Plan Considerations

  a. Amend Recommendation 5 by deleting the words "105 m in length" and replacing with "122 m in length with a maximum of 24 lots".

  b. Add the following Recommendation 7:

  "7. The Developer shall increase the width of the public reserve from Prairie Smoke Drive into Public Reserve C from 6.0 metres to 12.0 metres to provide for a visual entrance into the park at the end of Wild Iris Walk at no expense to the City."

Report - Standing Policy Committee on Property and Development – September 14, 2010

DECISION MAKING HISTORY: (continued)

COMMUNITY COMMITTEE RECOMMENDATION: (continued)

ii. Section B. Development Agreement

a. Amend Recommendation 13 by deleting the words "and b) along the west side of the north-south street from Edward Turner Drive to Prairie Smoke Drive, to provide improved pedestrian connectivity to the major park space and school site".

b. Amend Recommendation 18 by deleting the words "all in accordance with drawings and specifications to be prepared by the Developer and submitted to, and approved by, the Director of Public Works".

c. Amend Recommendation 22 by deleting the words "Prior to construction" in the first line thereof and deleting the words "Planned Area" and replacing with the word "community" in the second line thereof.

d. Amend Recommendation 29 by adding the following to the end of the Recommendation:

"The City acknowledges an Agreement dated August 17, 2006 between The Manitoba Hydro-Electric Board, The City of Winnipeg and Sage Creek Development Corporation that allows for the installation and maintenance of landscaping improvement projects within the Hydro Corridor lands within Sage Creek from Bishop Grandin south to John Bruce Road. The City agrees to provide a credit in the form of 9.05 acres for the improvements undertaken and installed by Sage Creek Development Corporation that provided, in partnership, public access to and use of approximately 52.0 acres within the Hydro Corridor located in Sage Creek in lieu of land dedication."

Report - Standing Policy Committee on Property and Development – September 14, 2010

DECISION MAKING HISTORY: (continued)

COMMUNITY COMMITTEE RECOMMENDATION: (continued)

e. Amend Recommendation 30 by deleting the words "Above and beyond the required grading, levelling, sodding and provision of land drainage and water service" in the fifth line thereof and replacing same with "Where the Developer is providing naturalized landscaping in lieu of traditional sodding" and deleting the words "tree and shrub planting, site furnishings" in the seventh line thereof.

f. Delete Recommendations 14, 31 and 32 in their entirety and renumber the remaining Recommendations accordingly."

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

RE: **Subdivision and Rezoning – North of Sage Creek Boulevard, East of Hydro Transmission Line**
File DASZ 12/2010

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

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

Report date: **July 13, 2010**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 12, 2010, the Riel Community Committee concurred in the recommendation contained in the revised report of the Winnipeg Public Service dated July 12, 2010, as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 12/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" for File DASZ 12/2010 dated July 2, 2010, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a new Development Agreement with the City containing all the conditions outlined in Schedule "C" the report of the Administrative Coordinating Group dated June 30, 2010, ***with the following amendments:***

        i. Section A. Plan Considerations

            a. Amend Recommendation 5 by deleting the words "105 m in length" and replacing with "122 m in length with a maximum of 24 lots".

            b. Add the following Recommendation 7:

                "7. The Developer shall increase the width of the public reserve from Prairie Smoke Drive into Public Reserve C from 6.0 metres to 12.0 metres to provide for a visual entrance into the park at the end of Wild Iris Walk at no expense to the City."

        ii. Section B. Development Agreement

            a. Amend Recommendation 13 by deleting the words "and b) along the west side of the north-south street from Edward Turner Drive

to Prairie Smoke Drive, to provide improved pedestrian connectivity to the major park space and school site".

b. Amend Recommendation 18 by deleting the words "all in accordance with drawings and specifications to be prepared by the Developer and submitted to, and approved by, the Director of Public Works".

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f. Delete Recommendations 14, 31 and 32 in their entirety and renumber the remaining Recommendations accordingly.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "B" for File DASZ 12/2010 dated July 2, 2010, to "R1-S" and "R1-M Single Family Districts, "PR1" Parks and Recreational Districts and an "RMF-S" Multiple Family 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 " RMF-S" 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.

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 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 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 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.

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

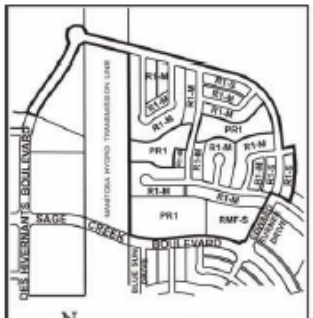
The Riel Community Committee provided the following supporting reason for its recommendation:

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated July 2, 2010.

PUBLIC HEARING SUMMARY

File:	DASZ 12/2010
Before:	Riel Community Committee Councillor Steeves, Chairperson Councillor Swandel Councillor Vandal
Public Hearing:	July 12, 2010 Council Chamber Council Building, 510 Main Street
Applicant:	Sage Creek Development Corporation

Subject:



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RIEL COMMUNITY

APPLICANT : SAGE CREEK DEVELOPMENT CORPORATION
FILE : DASZ 12/10
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 an "R1-S" (Small) and "R1-M" (Medium) RESIDENTIAL SINGLE-FAMILY DISTRICTS, an "RMF-S" RESIDENTIAL MULTI-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION 1 (Neighbourhood) DISTRCT and establish Public Right-of-Ways and Storm Water Retention Basins to allow for future residential development. **For information, phone Mr. R. Kostiuk, Planner at 986-7367.**
DEMANDEUR : SAGE CREEK DEVELOPMENT CORPORATION
NO DE DOSSIER : DALZ 12/10
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 EN MILIEU RURAL 5) à la catégorie RI-S (SECTEUR DE PETITES HABITATIONS UNIFAMILIALES), à la catégorie R1-M (SECTEUR D'HABITATIONS UNIFAMILIALES MOYENNES), à la catégorie RMF-S (SECTEUR DE PETITES HABITATIONS MULTIFAMILIALES) et à la catégorie PR1 (SECTEUR DES PARCS ET DES LOISIRS 1 [QUARTIER]) et à établir des emprises et des bassins de retenue des eaux pluviales afin de permettre l'aménagement domiciliaire. **Pour plus de renseignements, veuillez communiquer avec M. R. Kostiuk, urbaniste, au 986-7367.**

Premises Affected: North of Sage Creek Boulevard, East of Hydro Transmission Line

Exhibits Filed:

1. Application dated May 5, 2010
2. Notification of Public Hearing dated June 1, 2010
3. Manitoba Status of Titles 2428342 and 2428343
4. Plan
5. Report from the Planning and Land Use Division dated July 2, 2010
6. Revised Report from the Planning and Land Use Division dated July 12, 2010
7. Inspection Report

REPRESENTATIONS:

In Support:

Eric Vogan

In Opposition

Nil

For Information:

Jeremy House
Suzanne Mittermuller

For the City:

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

Exhibit "6" referred to in File DASZ 12/2010

ADMINISTRATIVE REPORT

Title: DASZ 12/2010 – Sage Creek Blvd public hearing

Issue: For consideration at the public hearing for a subdivision and rezoning to accommodate 200 single family housing units

Critical Path: Riel Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	N/A	N/A	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 12/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" for File DASZ 12/2010 dated July 2, 2010, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a new Development Agreement with the City containing all the conditions outlined in Schedule "C" the report of the Administrative Coordinating Group dated June 30, 2010.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "B" for File DASZ 12 /2010 dated July 2/2010, to "R1-S" and "R1-M Single Family District and "PR1" Parks and Recreational District and "RMF-S" Multiple Family 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 " RMF-S" 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.

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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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 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.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, a development permit can be issued.

HISTORY

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 . Since 2006, at least three new phases (one predominantly commercial and two residential) have been ratified by the Riel Community Committee and City Council.

CONSULTATION

In preparing this report there was consultation with:

N/A

SUBMITTED BY

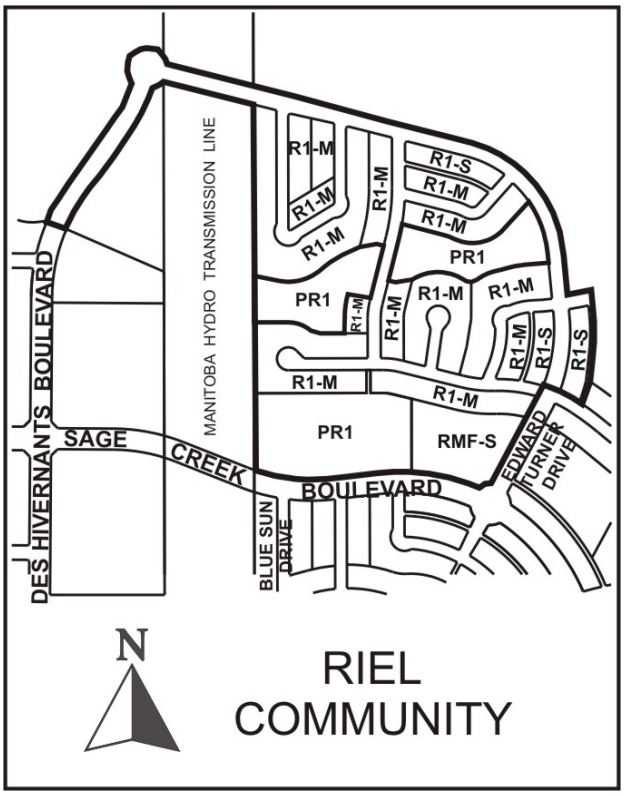
Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by:	Kevin Lalor
Date:	***REVISED* July 12, 2010**
File No.	DASZ 12/10

APPENDIX 'A'

DATE: July 2, 2010
FILE: DASZ 12/10
RELATED FILES: DASZ 51/05, DASZ 21/07, DASZ 24/07, DASZ 32/07, DASZ 35/09
COMMUNITY: Riel
NEIGHBOURHOOD #: 5.526

SUBJECT: To rezone and subdivide the subject lands from the existing " RR-5" Rural Residential category to an " RMF-S" Multiple Family District , "R1-M & R1-S" Single Family Districts and " PR" Parks & Recreational Districts in order to facilitate new parks areas, a future school site and single family residential development in Phase 5 of the South St. Boniface Area Structure Plan for Sage Creek.

LOCATION: N.W. Corner of Edward Turner Drive & Sage Creek Boulevard
LEGAL DESCRIPTION: See Attached File



APPLICANT: Sage Creek Development Corporation

OWNER: Same as above

RECOMMENDATION: Approval

REPORT SUMMARY

- Sage Creek Development Corporation has submitted its latest subdivision proposal which constitutes Phase 5 of the South St. Boniface Area Structure Plan.
- Phase 5 is situated immediately east of the Manitoba Hydro Power Transmission Line and will be accessed via Boulevard Des Hivernants and Sage Creek Boulevard. It encompasses an area of approximately 64.5 acres.
- Included in the plan is a large 7.48 acre Public Reserve site adjacent to a proposed future 4 acre school site. There are also two water storage areas and provision for approximately 200 new single family housing lots.
- The proposed new neighborhood has been reviewed by the Planning Department and is deemed to be in compliance with the overall objectives of the South St. Boniface Area Structure Plan.
- The Planning Department therefore recommends approval of the proposed rezoning and subdivision application subject to any and all conditions outlined in the Development Agreement and Zoning Agreement.

SURROUNDING LAND USES AND ZONING

Existing Land Use & Zoning:

The subject 64 acre site is vacant and lies between the Manitoba Hydro Transmission Line and Plessis Road (the City boundary). It is currently zoned “RR-5” Rural Residential.

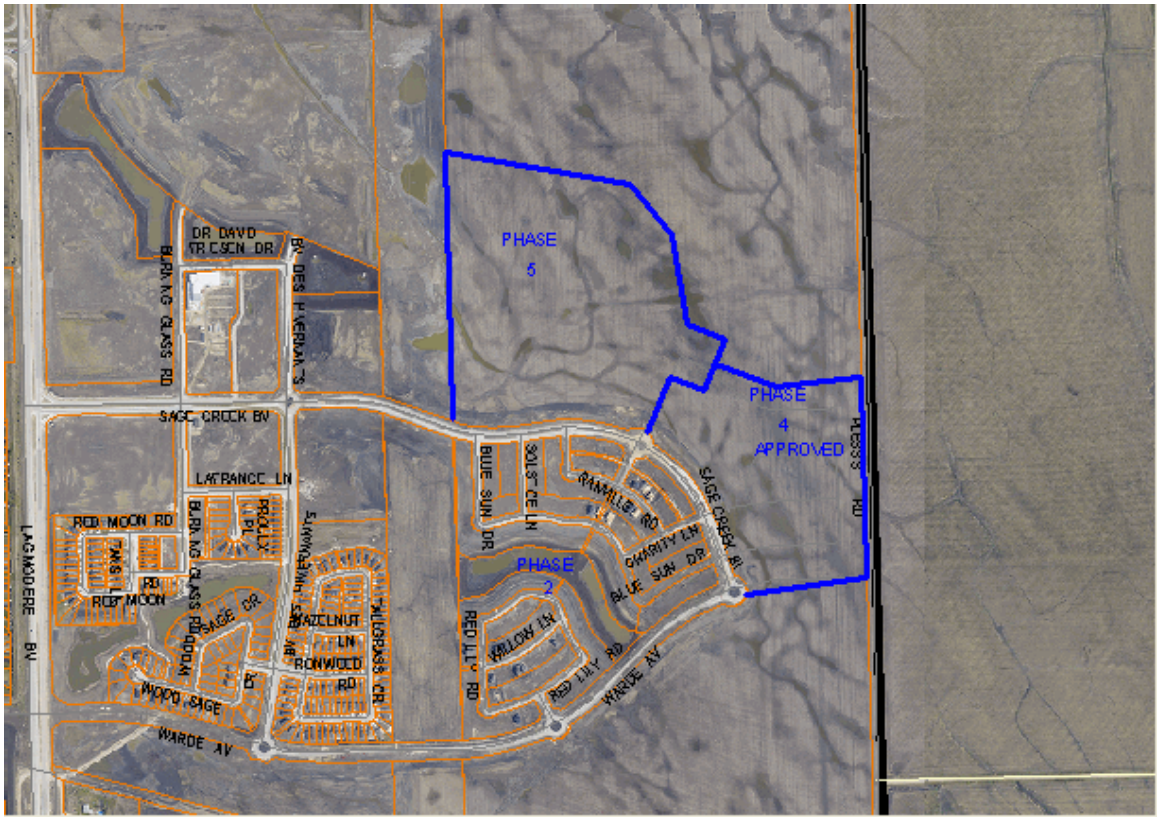
Surrounding Land Use & Zoning:

North: To the north is a large undeveloped area, destined for a future phase of residential development. It is zoned “RR-5” Rural Residential.

West: To the immediate west is the Manitoba Hydro Transmission Line corridor which is zoned “RR-5” Rural Residential.

South: The adjoining neighborhood to the south (Phase 2) was approved for residential development under DASZ 21/07. Approximately 213 single family dwellings are planned in that quadrant over the next several years- the neighborhood is to be a mix of zoned “R1-S” and “R1-M” Single Family housing.

East: The neighborhood adjoining to the east was similarly recently approved for residential development under DASZ 35/09. What constitutes Phase 4 of the Area Structure Plan will accommodate 229 single family homes and is zoned “R1-S” and “R1-M” Single Family and “RMF-S” Multiple Family



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. Since 2006, at least three new phases (one predominantly commercial and two residential) have been ratified by the Riel Community Committee and City Council.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

Phase 5 is similar in many ways to Phases 2 and 4 with two distinct differences: 1) there are no multiple family sites identified under the new phase of development. A four acre parcel is being

rezoned to " RMF-S" Multiple Family but it is identified as a future four (4) acre school site and 2) in addition to the usual connective pedestrian pathway systems along the water storage areas, provision has also been made in Phase 5 for a 7.48 acre open space park area adjoining the proposed school site. The lineal greenway systems in Phase 5 are also interconnected with and an integral part of the overall parks plan for Sage Creek (which also includes parts of the Manitoba Hydro lands). The number of housing units proposed for the new neighborhood is between 200 and 212 which is consistent , from a density standpoint, with Phases 2 and 4. The two water storage areas coupled with adjacent open space encompass a total area of 7.3 acres and are readily accessed from several major streets.

ANALYSIS AND ISSUES

The newest Phase of residential development falls within a designated Neighborhood Policy Area and is therefore in complete compliance with Plan Winnipeg Policy Guidelines.

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 neighborhood 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 5th 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 promotes a community development that is compatible with and a logical extension to the adjoining second phase earlier approved in 2007 and the fourth phase ratified in 2009. 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. It should be noted that in the original ad cut, a small parcel of " R1-M" single family housing was to be situated adjacent to the water retention area in Public Reserve A. That has been deleted in the revised plan of subdivision. It should further be noted that a zoning agreement with a plan approval clause has been added to the recommendation section. The plan approval clause is specific to the proposed "RMF-S" site which lies directly adjacent to future single family housing.

RECOMMENDATIONS

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

- The proposed rezoning and plan of subdivision complies with the goals and policies outlined in the Area Structure Plan.
- The proposal, as submitted, is an orderly extension of the adjoining plans of subdivision, identified as Phase 2 under DASZ 21/2007 and Phase 4 under DASZ 35/2009.

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division
Report Prepared by: Kevin Lalor
PPD File # DASZ 12/10

Schedule "A" Advertised Subdivision and Rezoning for Planned Area

By-Law No. _____

File No. **DASZ 12/10**

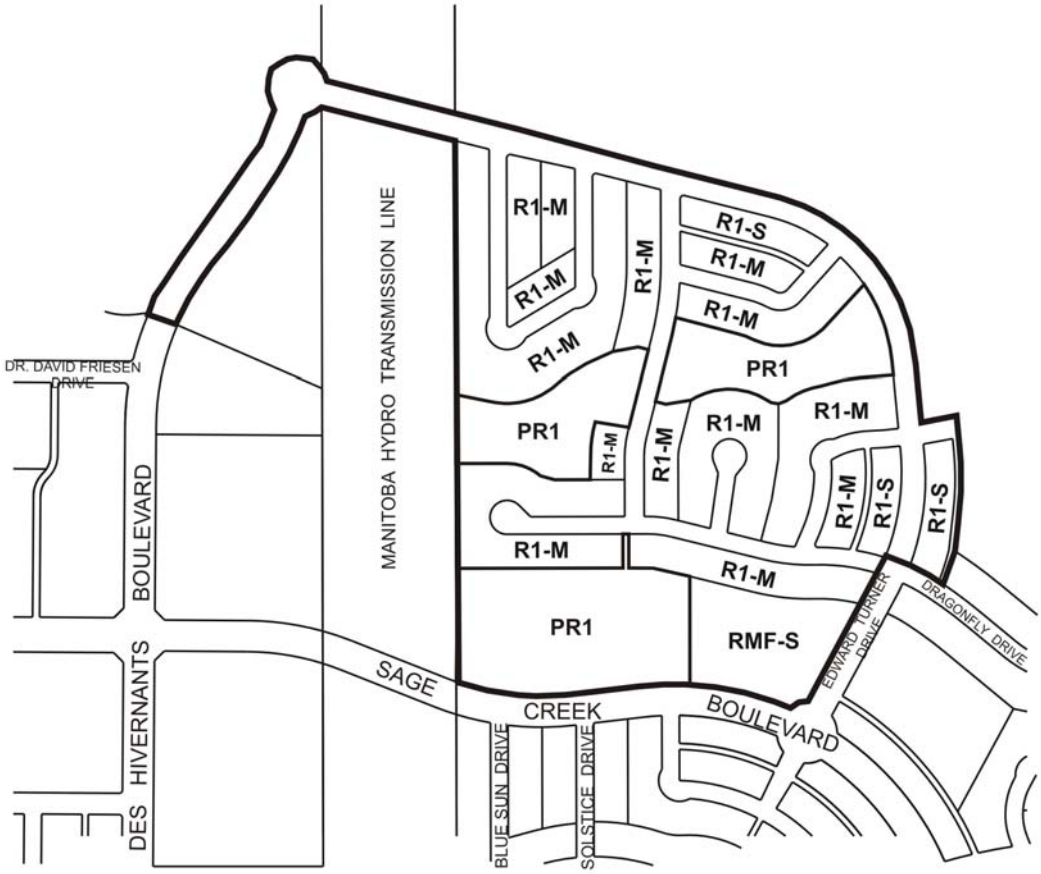
Atlas Sheet No.

N

AG32
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 on north of Sage Creek Boulevard, east of Hydro Transmission Line from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "R1-S" (Small) and "R1-M" (Medium) RESIDENTIAL SINGLE-FAMILY DISTRICTS, an "RMF-S" RESIDENTIAL MULTI-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION 1 (Neighbourhood) DISTRCT and establish Public Right-of-Ways and Storm Water Retention Basins to allow for future residential development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule "B" for File No. DASZ 12/10, Riel Community Committee, dated July 2, 2010

By-Law No. _____

File No. **DASZ 12/10**

Atlas Sheet No.

N

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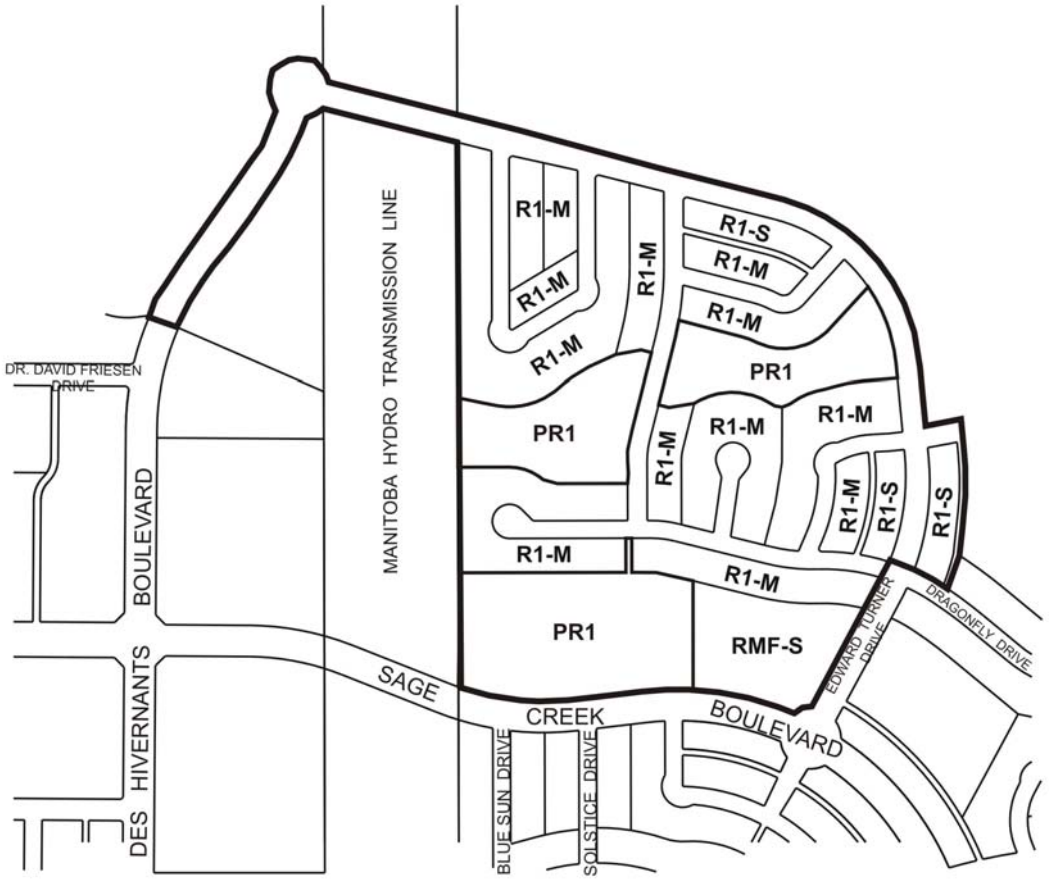
RIEL
COMMUNITY

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 on north of Sage Creek Boulevard, east of Hydro Transmission Line from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "R1-S" (Small) and "R1-M" (Medium) RESIDENTIAL SINGLE-FAMILY DISTRICTS, an "RMF-S" RESIDENTIAL MULTI-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION 1 (Neighbourhood) DISTRCT and establish Public Right-of-Ways and Storm Water Retention Basins to allow for future residential development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule "C" Report of the Administrative Co-ordinating Group dated June 30, 2010

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – JUNE 30, 2010

RE: PROPOSED SUBDIVISION AND REZONING OF LAND NORTH OF SAGE CREEK BOULEVARD, EAST OF HYDRO TRANSMISSION LINE – QUALICO - SAGE CREEK PHASE 5 - DASZ 12/10

It is recommended that the approval of DASZ 12/10 be subject to the following:

A. Plan Considerations

1. The Developer dedicating and legally opening property for right-of-way corner cuts: a) 3.0m by 3.0m in *all* streets where the angle of intersection is less than 80º, and b) 2.0m by 2.0m in each corner of all other intersections of two streets 22.0m wide – all to the satisfaction of the Director of Public Works.

2. The Developer providing right-of-way to accommodate each cul-de-sac turnaround consistent with the dimensions shown on Streets and Transportation Drawing ST-90 (revised) or ST-90-A.

3. The Developer providing right-of-way widths of 6.25 m for each proposed public lane, to the satisfaction of the Director of Public Works.

4. The Developer providing a right-of-way width of 6.00 m for the proposed public walk, to the satisfaction of the Director of Public Works.

5. The Developer ensuring that no cul-de-sac street exceeds 105 m in length.

6. The Developer reconfiguring the park space to a) eliminate areas hidden from view from the street, and b) minimize tight 'S' curves, to better accommodate park pathway development.

B. Development Agreement

The applicant entering into a **Development Agreement** with the City of Winnipeg, containing the following conditions:

1. The Developer shall, at no expense to the City, install all wastewater sewers required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

2. The Developer shall, at no expense to the City, install all watermains required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

3. The Developer shall install lot line services to service all lots within the Planned Area, as follows:

    i. The Developer shall, at no expense to the City, construct and install wastewater and water building services from the wastewater sewer and watermain, to service all lots within the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.
    ii. The Developer shall ensure that each sewer service remains plugged from installation until the foundation excavation has been backfilled and the roof of the dwelling has been sheathed, after which the house sewer may be connected. The Developer shall indemnify the City against all actions, claims, demands, damages, losses, and costs, including legal and court costs, suffered or incurred by the City arising out of any failure to do so prior to the issuance of a Final Acceptance Certificate certifying completion of all work under this Agreement.
    iii. The Developer shall replace or repair any water or sewer service found to be defective within one year following the date the water is turned on for domestic use, and shall pay the City any cost incurred by the City arising out of any such defect.

4. The Developer shall, at no expense to the City, install all land drainage sewers and stormwater retention facilities required to serve the Planned Area and adjacent lands, as determined by, and to the satisfaction of, the Director of Water and Waste.

5. The Developer shall dedicate all land and provide all easements necessary to accommodate the required stormwater retention and land drainage facilities, as determined by the Director of Water and Waste, in accordance with the City's Development Agreements Parameters.

6. The Developer's share of the regional stormwater management facilities owing for the Planned Area shall be deducted from any amounts owed to the Developer for the facilties to be constructed and previously constructed by the Developer.

7. The Developer shall, at no expense to the City, provide a lot grading plan, prepared by a municipal engineer, for the Planned Area, and construct all drainage works necessitated by the design.

8. The Developer shall, at no expense to the City, construct all swales, catchbasins, and leads required to provide lot drainage prior to the issuance of building permits.

9. The Developer shall, at no expense to the City, provide all easements with respect to the installation, maintenance, and replacement of swales, catchbasins, and leads for lot drainage upon registration of the approved subdivision mylars in the Land Titles Office.

10. The Developer shall, at no expense to the City, construct 200-mm and 150-mm- thick portland cement concrete pavements to widths of 10.0 m, 8.0 m, and 7.5 m, and all

related works, including, but not limited to, drainage facilities, in all streets within the Planned Area, all as determined by, and to the satisfaction of, the Director of Public Works.

11. The Developer shall, at no expense to the City, construct, within the proposed public lanes within the Planned Area, 5.0-m-wide by 150-mm-thick portland cement concrete pavements, as determined by, and to the satisfaction of, the Director of Public Works.

12. The Developer shall pay to the City, on demand, its share of the future costs of the works required in Warde Avenue, abutting the Planned Area, and of the works required at and in the vicinity of the intersection of Warde Avenue and Lagimodiere Boulevard - including the installation of traffic control signals, all as and when determined by the Director of Public Works.

13. The Developer shall, at no expense to the City, construct 1.5-m-wide by 100-mm-thick portland cement concrete sidewalks: a) along both sides of all streets within the Planned Area with rights-of-way 22.0 m or greater in width, and b) along the west side of the north-south street from Edward Turner Drive to Prairie Smoke Drive, to provide improved pedestrian connectivity to the major park space and school site - all as determined by, and to the satisfaction of, the Director of Public Works.

14. The Developer shall construct all sidewalks concurrently with the pavements with which they share the right-of-way.

15. The City may file appropriate caveats in the Land Titles Office, notifying prospective homeowners of the proposed sidewalk locations.

16. The Developer shall, at no expense to the City, construct a paved cul-de-sac-style vehicle turnaround at the terminus of each temporarily paved dead-ended street and provide any rights-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, 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.

18. The Developer shall, at no expense to the City, sod boulevards and plant trees on all streets within the Planned Area, all in accordance with drawings and specifications to be prepared by the Developer and submitted to, and approved by, the Director of Public Works.

19. The Developer shall, at no expense to the City, maintain the boulevard improvements for one year, in accordance with specifications approved by the Director of Public Works.

20. The Developer shall, at no expense to the City, ensure that two means of paved vehicular access are available at all times to each stage of development of the Planned Area, to the satisfaction of the Director of Public Works. This may require the

construction of temporary paved roadways and the provision of easements or rights-of-way.

21. 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.

22. Prior to construction, the Developer shall, at no expense to the City, obtain approval of and install, and subsequently maintain, at the entrances to the Planned Area, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, Kenaston and Bishop Grandin Boulevards, all proposed arterial and collector streets, public lanes, sidewalks, and active transportation facilities, the proposed stormwater retention basin, all natural tree stands, the proposed school site, and all proposed parks, and proposed community mail-box sites - all with the approval of, and to the satisfaction of, the Director of Planning, Property and Development.

23. The Developer shall, at no expense to the City, cause to be installed ornamental street lights in all streets within the Planned Area, to the satisfaction of the Director of Public Works.

24. The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the Planned Area, to the satisfaction of the Director of Public Works.

25. The Developer shall pay all costs associated with the relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to be constructed by the Developer to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Public Works.

26. There shall be no private approaches: a) serving single-family residential development off residential collector streets (i.e. rights-of-way 22.0 m or wider), except where frontage roads are provided; b) serving single or two-family residential development off Boulevard des Hivernants.

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

28. The Developer shall, at no expense to the City, initiate and control the regular cleanup 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 completion of all construction, as determined by, and to the satisfaction of, the Director of Public Works.

29. The Developer shall dedicate to the City, as public reserve, at least 8% of the land contained within the entire Sage Creek Development, and pay its share of the cost of

services in streets abutting the dedicated land - all in accordance with City policy, and as determined by, and to the satisfaction of, the Directors of Public Works and Planning, Property, and Development. The dedication of public reserve for this application shall be accrued with the dedication of public reserve for all other phases of the development, with compensation tabulated, as necessary, within the final phase of development.

30. The Developer shall, at no expense to the City, landscape the public open space to a standard consistent with the level of development established in previous phases of Sage Creek development, all in accordance with plans and specifications provided by the Developer and approved, prior to the commencement of construction, by the Director of Planning, Property and Development. Above and beyond the required grading, levelling, sodding, and provision of land drainage and water service, the scope of landscaping shall include pathway development, naturalized areas, tree and shrub planting, site furnishings, and a site drainage proposal that minimizes runoff across the path system.

31. The Developer shall work collaboratively with the City and the General Council of Winnipeg Community Centres (GCWCC) in the planning and development of Public Reserve C to accommodate the requirements of a neighbourhood recreation centre, which may be located entirely or partially within this site.

32. If the City determines that the provision of water service to the public open space is not required, the Developer shall provide compensation either in site amenities of equivalent value or in accrued credit.

33. The City considers the proposed street frontages of Public Reserves A and B to be excessive for public reserves of this size, and will not compensate the Developer for the provision of serviced frontage in excess of the standard 100 ft per acre for these sites.

34. The Developer shall assume responsibility for the maintenance of all park sites until they are developed, as-built drawings have been provided, and they are turned over to the City for maintenance.

35. The Developer shall, at no expense to the City, maintain the public open space improvements for a period of two years in accordance with specifications approved by the Director of Public Works**.** The City also reserves the right to impose longer maintenance terms for amenities and features, such as naturalized areas, that the Director of Public Works deems to be beyond their standard scope of development.

36. Following completion of all major construction works, the Developer shall, at its cost, have the locations of the survey monuments within the Planned Are verified and, where the survey monuments have been disturbed, moved, covered, mutilated, or destroyed, have them replaced by a Manitoba Land Surveyor, who shall provide the Director of Planning, Property and Development with a certificate that all survey monuments within the Planned Area have been verified and/or replaced.

37. The Developer shall pay the full cost of engineering services provided by or on behalf of the City in connection with the installation of, and provision of as-built drawings by March 31 of the year following substantial performance showing, the services required to serve the Planned Area.

38. The Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, $1,200.00 plus GST per acre of the Planned Area to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 12/10
June 30, 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

Exhibit "5" referred to in File DASZ 12/2010

ADMINISTRATIVE REPORT

Title: DASZ 12/2010 – Sage Creek Blvd public hearing

Issue: For consideration at the public hearing for a subdivision and rezoning to accommodate 200 single family housing units

Critical Path: Riel Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	N/A	N/A	

RECOMMENDATIONS

2. That the plan of subdivision proposed under File DASZ 12/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 12/2010 dated July 2, 2010, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a new Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 30, 2010.

11. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 12 /2010 dated July 2/2010, to "R1-S" and "R1-M Single Family District and " PR1" Parks and Recreational District and " RMF-S" Multiple Family 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 " RMF-S" 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.

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

13. 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.

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

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, a development permit can be issued.

HISTORY

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 . Since 2006, at least three new phases (one predominantly commercial and two residential) have been ratified by the Riel Community Committee and City Council.

CONSULTATION

In preparing this report there was consultation with:

N/A

SUBMITTED BY

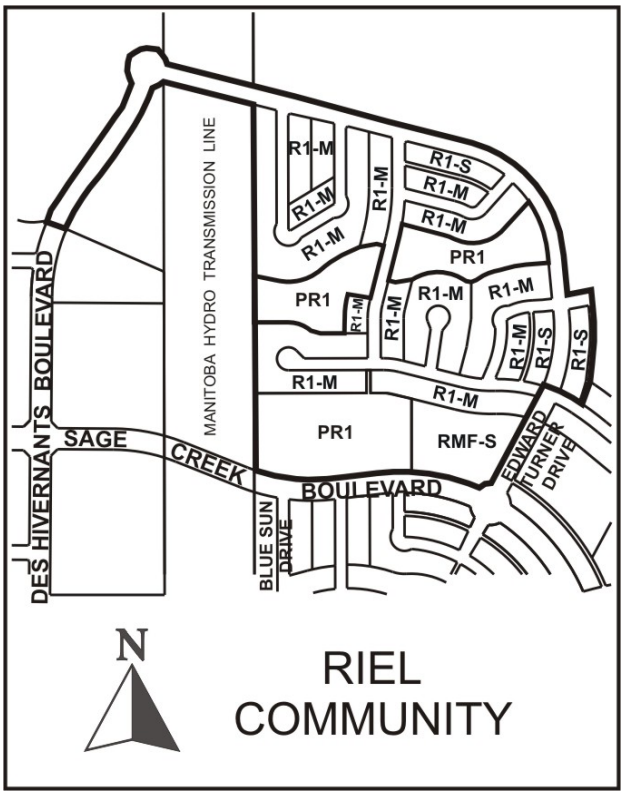
Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by:	Kevin Lalor
Date:	July 2, 2010
File No.	DASZ 12/10

APPENDIX 'A'

DATE: July 2, 2010
FILE: DASZ 12/10
RELATED FILES: DASZ 51/05, DASZ 21/07, DASZ 24/07, DASZ 32/07, DASZ 35/09
COMMUNITY: Riel
NEIGHBOURHOOD #: 5.526

SUBJECT: To rezone and subdivide the subject lands from the existing " RR-5" Rural Residential category to an " RMF-S" Multiple Family District , "R1-M & R1-S" Single Family Districts and " PR" Parks & Recreational Districts in order to facilitate new parks areas, a future school site and single family residential development in Phase 5 of the South St. Boniface Area Structure Plan for Sage Creek.

LOCATION: N.W. Corner of Edward Turner Drive & Sage Creek Boulevard
LEGAL DESCRIPTION: See Attached File



APPLICANT: Sage Creek Development Corporation

OWNER: Same as above

RECOMMENDATION: Approval

REPORT SUMMARY

- Sage Creek Development Corporation has submitted its latest subdivision proposal which constitutes Phase 5 of the South St. Boniface Area Structure Plan.
- Phase 5 is situated immediately east of the Manitoba Hydro Power Transmission Line and will be accessed via Boulevard Des Hivernants and Sage Creek Boulevard. It encompasses an area of approximately 64.5 acres.
- Included in the plan is a large 7.48 acre Public Reserve site adjacent to a proposed future 4 acre school site. There are also two water storage areas and provision for approximately 200 new single family housing lots.
- The proposed new neighborhood has been reviewed by the Planning Department and is deemed to be in compliance with the overall objectives of the South St. Boniface Area Structure Plan.
- The Planning Department therefore recommends approval of the proposed rezoning and subdivision application subject to any and all conditions outlined in the Development Agreement and Zoning Agreement.

SURROUNDING LAND USES AND ZONING

Existing Land Use & Zoning:

The subject 64 acre site is vacant and lies between the Manitoba Hydro Transmission Line and Plessis Road (the City boundary). It is currently zoned " RR-5" Rural Residential.

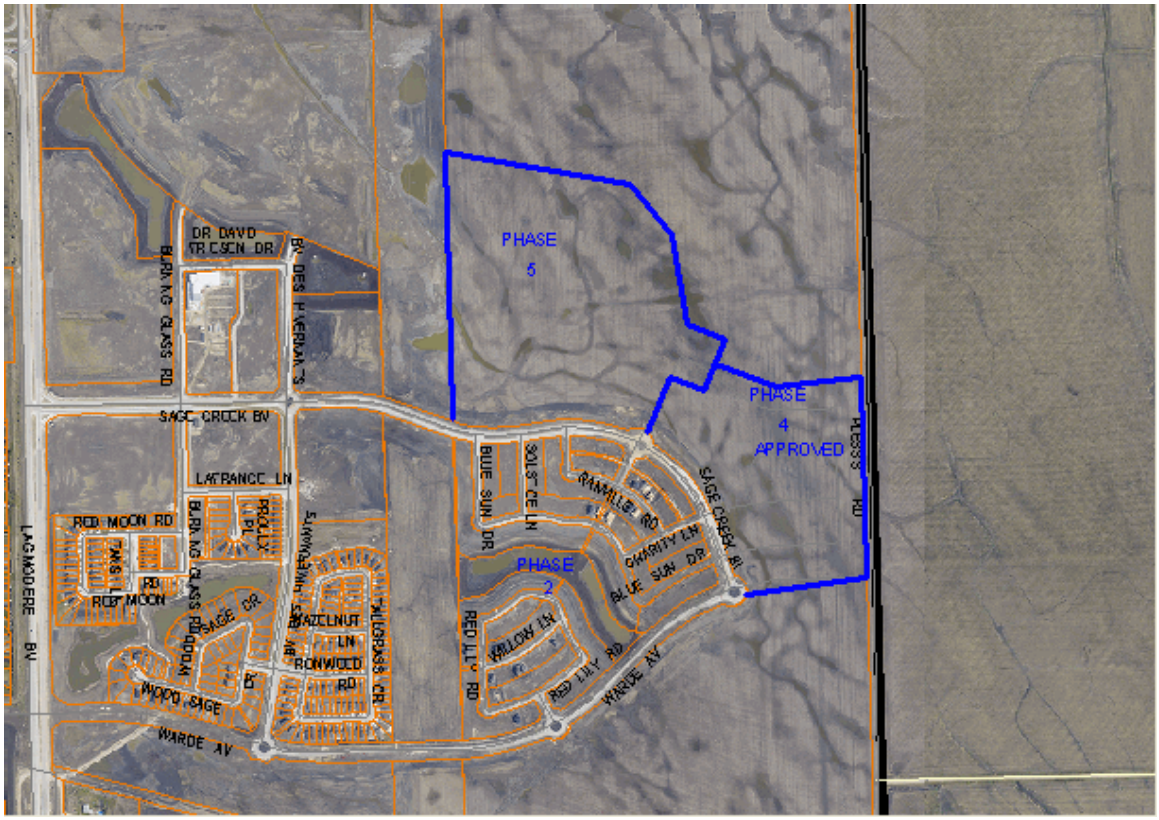
Surrounding Land Use & Zoning:

North: To the north is a large undeveloped area, destined for a future phase of residential development. It is zoned " RR-5" Rural Residential.

West: To the immediate west is the Manitoba Hydro Transmission Line corridor which is zoned " RR-5" Rural Residential.

South: The adjoining neighborhood to the south (Phase 2) was approved for residential development under DASZ 21/07. Approximately 213 single family dwellings are planned in that quadrant over the next several years- the neighborhood is to be a mix of zoned " R1-S" and " R1-M" Single Family housing.

East: The neighborhood adjoining to the east was similarly recently approved for residential development under DASZ 35/09. What constitutes Phase 4 of the Area Structure Plan will accommodate 229 single family homes and is zoned "R1-S" and " R1-M" Single Family and " RMF-S" Multiple Family



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 . Since 2006, at least three new phases (one predominantly commercial and two residential) have been ratified by the Riel Community Committee and City Council.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

Phase 5 is similar in many ways to Phases 2 and 4 with two distinct differences: 1) there are no multiple family sites identified under the new phase of development. A four acre parcel is being

rezoned to " RMF-S" Multiple Family but it is identified as a future four (4) acre school site and 2) in addition to the usual connective pedestrian pathway systems along the water storage areas, provision has also been made in Phase 5 for a 7.48 acre open space park area adjoining the proposed school site. The lineal greenway systems in Phase 5 are also interconnected with and an integral part of the overall parks plan for Sage Creek (which also includes parts of the Manitoba Hydro lands). The number of housing units proposed for the new neighborhood is between 200 and 212 which is consistent , from a density standpoint, with Phases 2 and 4. The two water storage areas coupled with adjacent open space encompass a total area of 7.3 acres and are readily accessed from several major streets.

ANALYSIS AND ISSUES

The newest Phase of residential development falls within a designated Neighborhood Policy Area and is therefore in complete compliance with Plan Winnipeg Policy Guidelines.

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 neighborhood 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 5th 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 promotes a community development that is compatible with and a logical extension to the adjoining second phase earlier approved in 2007 and the fourth phase ratified in 2009. 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. It should be noted that in the original ad cut, a small parcel of " R1-M" single family housing was to be situated adjacent to the water retention area in Public Reserve A. That has been deleted in the revised plan of subdivision. It should further be noted that a zoning agreement with a plan approval clause has been added to the recommendation section. The plan approval clause is specific to the proposed "RMF-S" site which lies directly adjacent to future single family housing.

RECOMMENDATIONS

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

- The proposed rezoning and plan of subdivision complies with the goals and policies outlined in the Area Structure Plan.
- The proposal, as submitted, is an orderly extension of the adjoining plans of subdivision, identified as Phase 2 under DASZ 21/2007 and Phase 4 under DASZ 35/2009.

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division
Report Prepared by: Kevin Lalor
PPD File # DASZ 12/10

APPENDIX "B"

Schedule "A" for File No. DASZ 12/10, Riel Community Committee, dated July 2, 2010

By-Law No. _____

File No. **DASZ 12/10**

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 on north of Sage Creek Boulevard, east of Hydro Transmission Line from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "R1-S" (Small) and "R1-M" (Medium) RESIDENTIAL SINGLE-FAMILY DISTRICTS, an "RMF-S" RESIDENTIAL MULTI-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION 1 (Neighbourhood) DISTRCT and establish Public Right-of-Ways and Storm Water Retention Basins to allow for future residential development as shown outlined below.

Atlas Sheet No.

N

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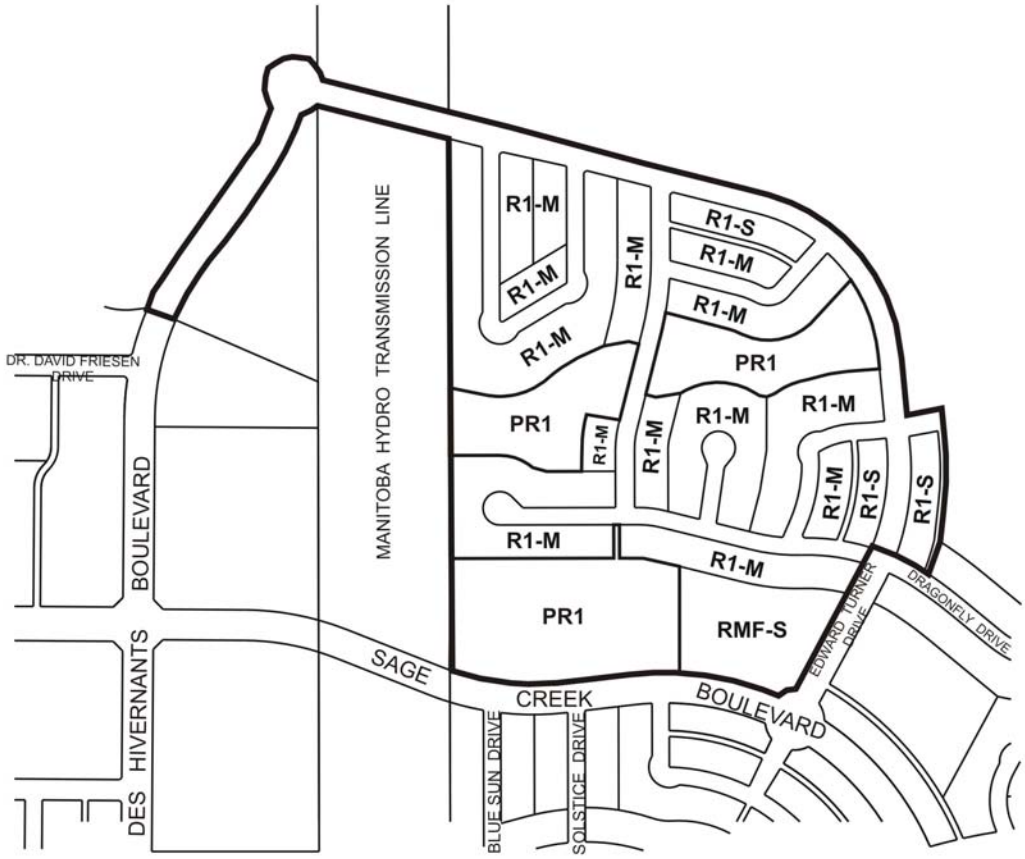

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule "B"

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – JUNE 30, 2010

RE: PROPOSED SUBDIVISION AND REZONING OF LAND NORTH OF SAGE CREEK BOULEVARD, EAST OF HYDRO TRANSMISSION LINE – QUALICO - SAGE CREEK PHASE 5 - DASZ 12/10

It is recommended that the approval of DASZ 12/10 be subject to the following:

C. Plan Considerations

7. The Developer dedicating and legally opening property for right-of-way corner cuts: a) 3.0m by 3.0m in *all* streets where the angle of intersection is less than 80º, and b) 2.0m by 2.0m in each corner of all other intersections of two streets 22.0m wide – all to the satisfaction of the Director of Public Works.

8. The Developer providing right-of-way to accommodate each cul-de-sac turnaround consistent with the dimensions shown on Streets and Transportation Drawing ST-90 (revised) or ST-90-A.

9. The Developer providing right-of-way widths of 6.25 m for each proposed public lane, to the satisfaction of the Director of Public Works.

10. The Developer providing a right-of-way width of 6.00 m for the proposed public walk, to the satisfaction of the Director of Public Works.

11. The Developer ensuring that no cul-de-sac street exceeds 105 m in length.

12. The Developer reconfiguring the park space to a) eliminate areas hidden from view from the street, and b) minimize tight 'S' curves, to better accommodate park pathway development.

D. Development Agreement

The applicant entering into a **Development Agreement** with the City of Winnipeg, containing the following conditions:

39. The Developer shall, at no expense to the City, install all wastewater sewers required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

40. The Developer shall, at no expense to the City, install all watermains required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

41. The Developer shall install lot line services to service all lots within the Planned Area, as follows:

    i. The Developer shall, at no expense to the City, construct and install wastewater and water building services from the wastewater sewer and watermain, to service all lots within the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.
    ii. The Developer shall ensure that each sewer service remains plugged from installation until the foundation excavation has been backfilled and the roof of the dwelling has been sheathed, after which the house sewer may be connected. The Developer shall indemnify the City against all actions, claims, demands, damages, losses, and costs, including legal and court costs, suffered or incurred by the City arising out of any failure to do so prior to the issuance of a Final Acceptance Certificate certifying completion of all work under this Agreement.
    iii. The Developer shall replace or repair any water or sewer service found to be defective within one year following the date the water is turned on for domestic use, and shall pay the City any cost incurred by the City arising out of any such defect.

42. The Developer shall, at no expense to the City, install all land drainage sewers and stormwater retention facilities required to serve the Planned Area and adjacent lands, as determined by, and to the satisfaction of, the Director of Water and Waste.

43. The Developer shall dedicate all land and provide all easements necessary to accommodate the required stormwater retention and land drainage facilities, as determined by the Director of Water and Waste, in accordance with the City's Development Agreements Parameters.

44. The Developer's share of the regional stormwater management facilities owing for the Planned Area shall be deducted from any amounts owed to the Developer for the facilties to be constructed and previously constructed by the Developer.

45. The Developer shall, at no expense to the City, provide a lot grading plan, prepared by a municipal engineer, for the Planned Area, and construct all drainage works necessitated by the design.

46. The Developer shall, at no expense to the City, construct all swales, catchbasins, and leads required to provide lot drainage prior to the issuance of building permits.

47. The Developer shall, at no expense to the City, provide all easements with respect to the installation, maintenance, and replacement of swales, catchbasins, and leads for lot drainage upon registration of the approved subdivision mylars in the Land Titles Office.

48. The Developer shall, at no expense to the City, construct 200-mm and 150-mm- thick portland cement concrete pavements to widths of 10.0 m, 8.0 m, and 7.5 m, and all related works, including, but not limited to, drainage facilities, in all streets within the Planned Area, all as determined by, and to the satisfaction of, the Director of Public Works.

49. The Developer shall, at no expense to the City, construct, within the proposed public lanes within the Planned Area, 5.0-m-wide by 150-mm-thick portland cement concrete pavements, as determined by, and to the satisfaction of, the Director of Public Works.

50. The Developer shall pay to the City, on demand, its share of the future costs of the works required in Warde Avenue, abutting the Planned Area, and of the works required at and in the vicinity of the intersection of Warde Avenue and Lagimodiere Boulevard - including the installation of traffic control signals, all as and when determined by the Director of Public Works.

51. The Developer shall, at no expense to the City, construct 1.5-m-wide by 100-mm-thick portland cement concrete sidewalks: a) along both sides of all streets within the Planned Area with rights-of-way 22.0 m or greater in width, and b) along the west side of the north-south street from Edward Turner Drive to Prairie Smoke Drive, to provide improved pedestrian connectivity to the major park space and school site - all as determined by, and to the satisfaction of, the Director of Public Works.

52. The Developer shall construct all sidewalks concurrently with the pavements with which they share the right-of-way.

53. The City may file appropriate caveats in the Land Titles Office, notifying prospective homeowners of the proposed sidewalk locations.

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

55. 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.

56. The Developer shall, at no expense to the City, sod boulevards and plant trees on all streets within the Planned Area, all in accordance with drawings and specifications to be prepared by the Developer and submitted to, and approved by, the Director of Public Works.

57. The Developer shall, at no expense to the City, maintain the boulevard improvements for one year, in accordance with specifications approved by the Director of Public Works.

58. The Developer shall, at no expense to the City, ensure that two means of paved vehicular access are available at all times to each stage of development of the Planned Area, to the satisfaction of the Director of Public Works. This may require the construction of temporary paved roadways and the provision of easements or rights-of-way.

59. 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.

60. Prior to construction, the Developer shall, at no expense to the City, obtain approval of and install, and subsequently maintain, at the entrances to the Planned Area, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, Kenaston and Bishop Grandin Boulevards, all proposed arterial and collector streets, public lanes, sidewalks, and active transportation facilities, the proposed stormwater retention basin, all natural tree stands, the proposed school site, and all proposed parks, and proposed community mail-box sites - all with the approval of, and to the satisfaction of, the Director of Planning, Property and Development.

61. The Developer shall, at no expense to the City, cause to be installed ornamental street lights in all streets within the Planned Area, to the satisfaction of the Director of Public Works.

62. The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the Planned Area, to the satisfaction of the Director of Public Works.

63. The Developer shall pay all costs associated with the relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to be constructed by the Developer to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Public Works.

64. There shall be no private approaches: a) serving single-family residential development off residential collector streets (i.e. rights-of-way 22.0 m or wider), except where frontage roads are provided; b) serving single or two-family residential development off Boulevard des Hivernants.

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

66. The Developer shall, at no expense to the City, initiate and control the regular cleanup 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 completion of all construction, as determined by, and to the satisfaction of, the Director of Public Works.

67. The Developer shall dedicate to the City, as public reserve, at least 8% of the land contained within the entire Sage Creek Development, and pay its share of the cost of services in streets abutting the dedicated land - all in accordance with City policy, and as determined by, and to the satisfaction of, the Directors of Public Works and Planning, Property, and Development. The dedication of public reserve for this

application shall be accrued with the dedication of public reserve for all other phases of the development, with compensation tabulated, as necessary, within the final phase of development.

68. The Developer shall, at no expense to the City, landscape the public open space to a standard consistent with the level of development established in previous phases of Sage Creek development, all in accordance with plans and specifications provided by the Developer and approved, prior to the commencement of construction, by the Director of Planning, Property and Development. Above and beyond the required grading, levelling, sodding, and provision of land drainage and water service, the scope of landscaping shall include pathway development, naturalized areas, tree and shrub planting, site furnishings, and a site drainage proposal that minimizes runoff across the path system.

69. The Developer shall work collaboratively with the City and the General Council of Winnipeg Community Centres (GCWCC) in the planning and development of Public Reserve C to accommodate the requirements of a neighbourhood recreation centre, which may be located entirely or partially within this site.

70. If the City determines that the provision of water service to the public open space is not required, the Developer shall provide compensation either in site amenities of equivalent value or in accrued credit.

71. The City considers the proposed street frontages of Public Reserves A and B to be excessive for public reserves of this size, and will not compensate the Developer for the provision of serviced frontage in excess of the standard 100 ft per acre for these sites.

72. The Developer shall assume responsibility for the maintenance of all park sites until they are developed, as-built drawings have been provided, and they are turned over to the City for maintenance.

73. The Developer shall, at no expense to the City, maintain the public open space improvements for a period of two years in accordance with specifications approved by the Director of Public Works**.** The City also reserves the right to impose longer maintenance terms for amenities and features, such as naturalized areas, that the Director of Public Works deems to be beyond their standard scope of development.

74. Following completion of all major construction works, the Developer shall, at its cost, have the locations of the survey monuments within the Planned Are verified and, where the survey monuments have been disturbed, moved, covered, mutilated, or destroyed, have them replaced by a Manitoba Land Surveyor, who shall provide the Director of Planning, Property and Development with a certificate that all survey monuments within the Planned Area have been verified and/or replaced.

75. The Developer shall pay the full cost of engineering services provided by or on behalf of the City in connection with the installation of, and provision of as-built drawings by March 31 of the year following substantial performance showing, the services required to serve the Planned Area.

76. The Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, $1,200.00 plus GST per acre of the Planned Area to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 12/10
June 30, 2010

"original signed by S.M. Matile, P. Eng."
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Public Works Department, Transportation Division

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