Minutes - Executive Policy Committee – June 15, 2011

Minute No. 344
Report - Standing Policy Committee on Property and Development – June 7, 2011

Item No. 9 **Subdivision and Rezoning – South side Warde Avenue, west side Plessis Road**
(St. Boniface Ward)
File DASZ 3/2011

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

1. That the plan of subdivision proposed under File DASZ 3/2011 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2011 dated April 19, 2011 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated April 28, 2011 which is Schedule "B" of this report, with the following amendment:

        i. Delete Clause 13 under Section B - Development Agreement in its entirety and renumber the remaining recommendations accordingly.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 3/2011 dated April 19, 2011 to "R1-S" and "R1-M" Single Family Districts, a "PR1" Parks and Recreational District 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 the development of any building and/or accessory parking area and/or signage within the lands zoned "RMF-S" Residential Multi-Family, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the

Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That the Developer shall construct within the rear yards of all single and two-family lots abutting Warde Avenue and Plessis Road, a uniform, 2.0-metre high noise-attenuation fence, to the satisfaction of the Director of Public Works. All future owner(s) of these single and two-family lots shall maintain and/or repair and/or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

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 two (2) years 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 the two (2)-year period and Council approves the extension.

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 is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one (1) year from the date the by-law is passed.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) 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 an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

Report - Standing Policy Committee on Property and Development – June 7, 2011

9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

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.

Report - Standing Policy Committee on Property and Development – June 7, 2011

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

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

Carried

STANDING COMMITTEE RECOMMENDATION:

On June 7, 2011, 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 May 16, 2011, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- Amend Recommendation 1. A. by adding the following to the end of the Recommendation:

  "with the following amendment, namely:

  i. Delete Clause 13 under Section B - Development Agreement in its entirety and renumber the remaining recommendations accordingly,

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

RE: **Subdivision and Rezoning – South side Warde Avenue, west side Plessis Road**
File DASZ 3/2011

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

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

Report date: **May 17, 2011**

COMMUNITY COMMITTEE RECOMMENDATION:

On May 16, 2011, 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 3/2011 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2011 dated April 19, 2011 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated April 28, 2011 which is Schedule "B" of this report, ***with the following amendment:***

        i. Delete Clause 13 under Section B - Development Agreement in its entirety and renumber the remaining recommendations accordingly.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 3/2011 dated April 19, 2011 to "R1-S" and "R1-M" Single Family Districts, a "PR1" Parks and Recreational District 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 the development of any building and/or accessory parking area and/or signage within the lands zoned "RMF-S" Residential Multi-Family, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the

Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That the Developer shall construct within the rear yards of all single and two-family lots abutting Warde Avenue and Plessis Road, a uniform, 2.0-metre high noise-attenuation fence, to the satisfaction of the Director of Public Works. All future owner(s) of these single and two-family lots shall maintain and/or repair and/or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

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 two (2) years 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 the two (2)-year period and Council approves the extension.

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 is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one (1) year from the date the by-law is passed.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) 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 an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

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.

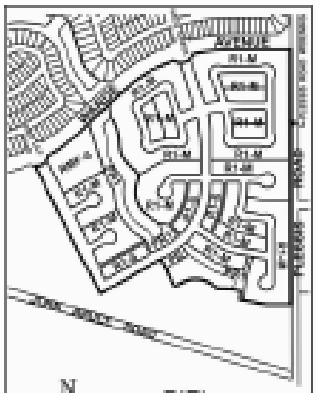
The Riel Community Committee provided the following supporting reason for its recommendation:

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated April 19, 2011.

PUBLIC HEARING SUMMARY

File:	DASZ 3/2011
Before:	Riel Community Committee Councillor Steeves, Chairperson Councillor Swandel Councillor Vandal
Public Hearing:	May 16, 2011 Council Chamber Council Building, 510 Main Street
Applicant:	Sage Creek Development Corp. (Lyne Jones)

Subject:



N

RIEL COMMUNITY

APPLICANT : SAGE CREEK DEVELOPMENT CORP.

FILE : DASZ 3/11

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" & "R1-M" RESIDENTIAL SINGLE-FAMILY (Small & Medium) DISTRICTS, an "RMF-S" RESIDENTIAL MULTI-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION 1 (Neighbourhood) DISTRICT to allow for the creation of sites for future residential development. **For information, phone Mr. R. Kostiuk, Planner at 986-7367.**

DEMANDEUR : SAGE CREEK DEVELOPMENT CORP.

N° DE RÉFÉRENCE : DALZ 3/11

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 R1-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]) afin de permettre l'aménagement de futurs sites domiciliaires. **Pour plus de renseignements, veuillez communiquer avec M. R. Kostiuk, urbaniste, au 986-7367.**

Premises Affected: South side Warde Avenue, west side Plessis Road

Exhibits Filed:

1. Application dated March 3, 2011
2. Notification of Public Hearing dated March 22, 2011
3. Manitoba Status of Title 2494952
4. Plans (2 pages)
5. Report from the Planning and Land Use Division dated April 19, 2011
6. Inspection Report
7. Audio Recording of representations

REPRESENTATIONS:

In Support:

Mike Armstrong
Gregg Davey
Bob Hinkelman
Lyne Jones
Eric Vogan

In Opposition

Nil

For the City:

Ms. S. Matille, Land Development Engineer, Planning, Property and Development Department
Mr. R. Kostiuk, Planner, Planning, Property and Development Department
Mr. J. Kiernan, Coordinator, Parks, Riverbanks and Community Initiatives, Planning, Property and Development Department

Exhibit "5" referred to in File DASZ 3/2011

ADMINISTRATIVE REPORT

Title: DASZ 3/2011 – Sage Creek South Side of Warde Avenue (West of Plessis) Public Hearing

Issue: For consideration at the Public Hearing for a subdivision and rezoning of a 71 acre site in Sage Creek from RR5 to blocks zoned R1-M, R1-S, RMF-S, and PR1.

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 3/2011 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2011 dated April 19, 2011 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office subject to the following:

   A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated April 28, 2011 which is Schedule "B" of this report.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 3/2011 dated April 19, 2011 to "R1-S" and "R1-M" Single Family Districts, a "PR1" Parks and Recreational District 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 the development of any building, and/or accessory parking area and/or signage within the lands zoned "RMF-S" Residential Multi-Family, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private

approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii) That, the Developer shall construct within the rear yards of all single and two-family lots abutting Warde Avenue and Plessis Road, a uniform, 2.0-metre high noise-attenuation fence, to the satisfaction of the Director of Public Works. All future owner(s) of these single and two-family lots shall maintain and/or repair and/or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

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 two (2) years 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 the two (2)-year period and Council approves the extension.

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 is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one (1) year from the date the by-law is passed.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) 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 an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

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.

REASON FOR THE REPORT

- The applicant is proposing to subdivide and rezone the subject property from RR5 to blocks zoned R1-M, R1-S, RMF-S, and PR1 in order to make a residential development.
- This subdivision is considered Phase 6 of the Sage Creek development and will connect to Phases 2 and 4, which are located to the north and west.
- The applicant is proposing that approximately 40.5 acres or about 57% of the gross area of the site will be used for the development of 293 single-family lots/homes that will be zoned both R1-M and R1-S.
- Approximately 3 acres or about 4% of the gross area of the site will be used for the development of 36 multi-family dwelling units zoned RMF-S. The RMF-S site will be situated at the southeast corner of Warde Avenue and Red Lilly Road. This site is located in a Neighbourhood Node as identified in the South St. Boniface Secondary Plan.
- Approximately 3.5 acres or about 5% of the gross area of the site will be used for park land zoned PR1
- Subdivisions and rezonings require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Planning and Land Use Division are concurred in, the subject 71 acre site will be subdivided and rezoned from RR5 to blocks zoned R1-M, R1-S, RMF-S, and PR1 in order to make a residential development.

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 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, 2005.

- 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 was identified 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 Manitoba 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 linear public reserve and three water storage areas, which total of 7.4 acres. Boulevard des Hivernants and Burning Glass Road were extended north of Burning Glass Road in order to connect with Dr. David Friesen Drive being constructed in between.
- 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 sites have an area of 2.38 acres, and 3.18 acres, with Qualico's corporate offices established on the most northerly commercial parcel.
- On June 24, 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 was to 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 was the remaining thirteen (13) acres adjoining to the south that 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.

- On April 28, 2010, Council approved File DASZ 3/2010 for the subdivision and rezoning of the northwest corner of Burning Glass Road and Sage Creek Boulevard (27 Sage Creek Boulevard) to a "C2" Commercial Community District, subject to the developer providing an addendum to the existing development agreement for the site (AG 51/05) and a entering into a zoning agreement with the City.
- On September 22, 2010, Council approved the subdivision and rezoning proposed under File DASZ 12/2010, which was Phase 5 of the Sage Creek Development. Phase 5 is situated immediately east of the Manitoba Hydro Power Transmission Line and is accessed via Boulevard Des Hivernants and Sage Creek Boulevard. It encompasses an area of approximately 64.5 acres. The land was rezoned from RR5 to RMF-S, R1-M, R1-S, and PR1 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. Phase 5 will provide for the development of approximately 200 single-family housing lots.
- On December 15, 2010, Council approved File SPA 2/2010 to amend the South St. Boniface Area Structure Plan (Secondary Plan) in order to relocate proposed school sites within the plan.

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:	Robert Kostiuk
Date:	*REVISED* April 19, 2011
File No.	DASZ 3/11

List of Schedules and Attachments

1. Appendix A – Planning Discussion
2. Schedule "A" for File No. DASZ 3/11
3. Schedule "B" – Report of the Administrative Coordinating Group

APPENDIX 'A'

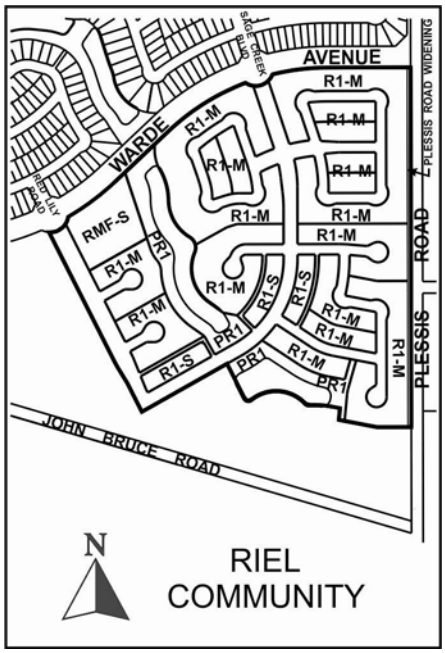
DATE: April 19, 2011

FILE: DASZ 3/11
RELATED FILES: SPA 2/2010, DASZ 12/2010, DASZ 3/2010, DASZ 35/2009, DASZ 12/2009, DAS 17/2008, DASZ 32/2007, DASZ 21/2007, DASZ 10/2007, DASZ 51/2005, By-law 158/05

COMMUNITY: Riel
NEIGHBOURHOOD #: 5.553

SUBJECT: An application for the subdivision and rezoning of a 71 acre site in Sage Creek from "RR5" Rural Residential 5 to blocks zoned "R1-M" Residential Single-Family Medium, "R1-S" Residential Single-Family Small, "RMF-S" Residential Multi-Family Small, and "PR1" Parks and Recreation 1 (Neighbourhood)

LOCATION: Sage Creek – South Side of Warde Avenue (West of Plessis)



APPLICANT: Sage Creek Development Corporation (Lyne Jones)
1 Dr. David Friesen Drive
Winnipeg, MB R3X 0G8

OWNER: Same

RECOMMENDATION: Approval with Conditions

REPORT SUMMARY

- The applicant is proposing to subdivide and rezone the subject property from RR5 to blocks zoned R1-M, R1-S, RMF-S, and PR1 in order to make a residential development.
- This subdivision is considered Phase 6 of the Sage Creek development and will connect to Phases 2 and 4, which are located to the north and west.
- The applicant is proposing that approximately 40.5 acres or about 57% of the gross area of the site will be used for the development of 293 single-family lots/homes that will be zoned both R1-M and R1-S.
- Approximately 3 acres or about 4% of the gross area of the site will be used for the development of 36 multi-family dwelling units zoned RMF-S. The RMF-S site will be situated at the southeast corner of Warde Avenue and Red Lilly Road. This site is located in a Neighbourhood Node as identified in the South St. Boniface Secondary Plan.
- Approximately 3.5 acres or about 5% of the gross area of the site will be used for park land zoned PR1.
- The Planning and Land Use Division recommends supporting this subdivision and rezoning application.

SITE DESCRIPTION

- The subject site is located south of Warde Avenue, west of Plessis Road in the Sage Creek neighbourhood of the St. Boniface Ward.
- The property is vacant and approximately **71 acres (28.7 hectares) in area**.
- The site is within Plan Winnipeg 2020's Neighbourhood Land Use Policy Area and within the Areas of Stability – Recent Communities Policy Area under the *Draft* Complete Communities Direction Strategy.
- The site is also located within the Residential Policy Area of the South St. Boniface Secondary Plan and is zoned "RR-5" Rural Residential 5.



Figure 1: Aerial photograph showing approximate area of subject property (flown 2009)

SURROUNDING LAND USES & ZONING (See Figure 2)

North: Phase 4 of the Sage Creek development, which consists of land zoned R1-S and R1-M.

South: Vacant land that is zoned RR5 and located within the Residential Policy Area of the South St. Boniface Secondary Plan.

East: Plessis Road (the City of Winnipeg boundary), and predominantly vacant agricultural land.

West: Phase 2 of the Sage Creek development, which predominantly consists of detached single-family homes zoned R1-M and RMF-S. A linear park zoned PR1 is also located west of the site.

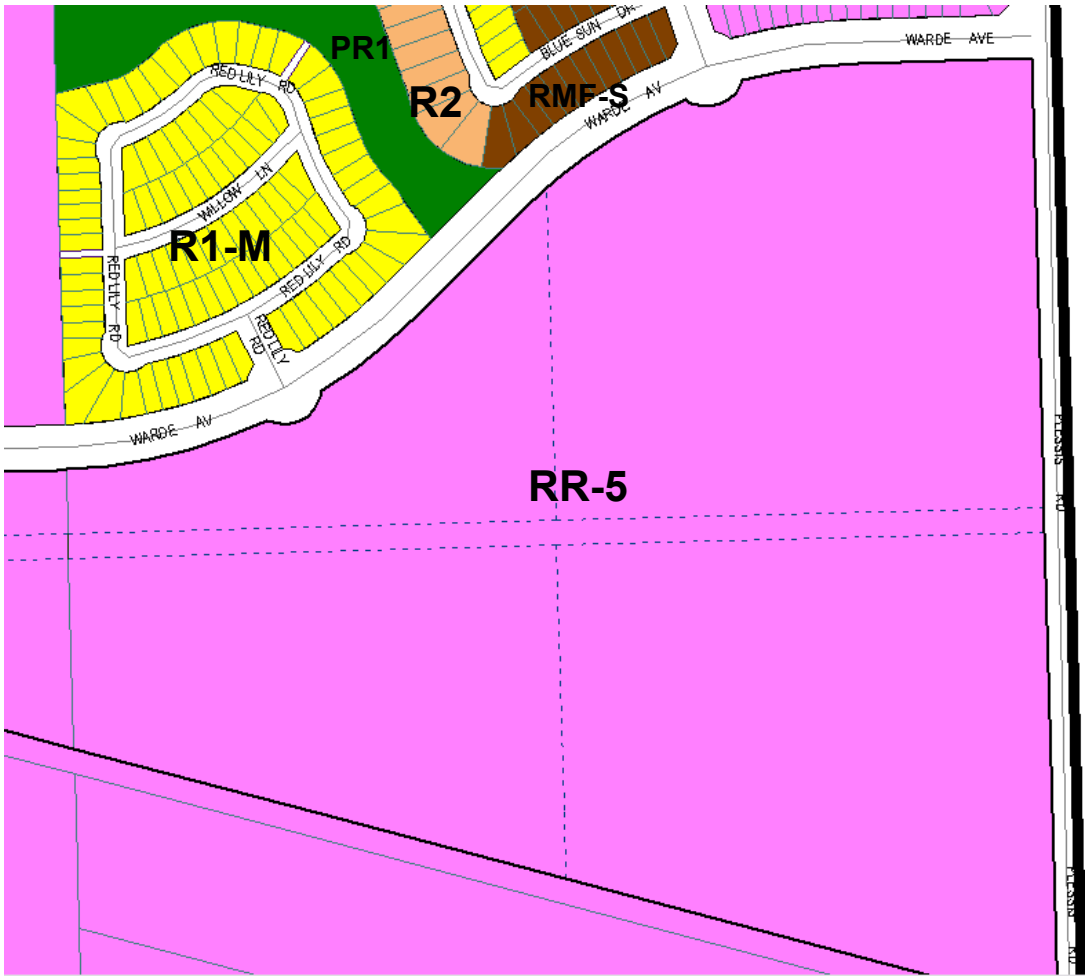


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide and rezone the subject property from RR5 to blocks zoned R1-M, R1-S, RMF-S, and PR1 in order to make a residential development.
- This subdivision is considered Phase 6 of the Sage Creek development and will connect to Phases 2 and 4, which are located to the north and west.
- The applicant is proposing that approximately 40.5 acres or about 57% of the gross area of the site will be used for the development of 293 single-family lots/homes that will be zoned both R1-M and R1-S.
- Approximately 3 acres or about 4% of the gross area of the site will be used for the development of 36 multi-family dwelling units zoned RMF-S. The RMF-S site will be situated at the southeast corner of Warde Avenue and Red Lilly Road. This site is located in a Neighbourhood Node as identified in the South St. Boniface Secondary Plan.
- Approximately 3.5 acres or about 5% of the gross area of the site will be used for park land zoned PR1.

- The remainder of the site will be used for street right-of-ways and the Plessis Road widening (approximately 19 acres or 27% of the gross area) and water storage and impoundment areas (approximately 5 acres or 7% of the gross area).
- The applicant proposing to open collector and local roads to provide for vehicular access to the subdivision. The subdivision will be accessed from Warde Avenue at the Red Lilly Road and Sage Creek Boulevard.

ANALYSIS AND ISSUES

PLAN WINNIPEG

- The proposed development is within the Neighbourhood Policy Area and complies with *Plan Winnipeg 2020*.

DRAFT COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *Draft Complete Communities Direction Strategy* the proposed development is within the Areas of Stability – Recent Communities policy area. Key relevant policies guiding development within Areas of Stability include:
    - Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form.
    - Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
    - Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.
    - Focus housing growth to areas that have municipal service capacity to support intensification, in addition to commercial and recreational amenities.
    - In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses.
    - Provide opportunities to increase multi-modal connectivity when redevelopment occurs.
    - Support a mix of commercial services and employment uses that serve the local community.
    - Ensure that existing public open spaces meet the neighbourhood's current and future requirements.

SOUTH ST. BONIFACE AREA STRUCTURE PLAN (SECONDARY PLAN)

- The subject site is located within the Residential Policy Area of the South St. Boniface Secondary Plan and includes a Neighbourhood Node as identified in the Plan. Relevant policies to this application include:

    5.1.2 Residential Area Policies

1) Composition of Residential Area

(a) Subject to the policies of this Plan,

(i) single family and two family residential uses shall be the predominant use of land within the Residential Area

(ii) alternative housing forms, including multi-unit and special needs housing, institutional uses, recreational uses, public uses, and local commercial sites, and other similar and accessory uses to the above, may be allowed within the Residential Area where determined to be compatible and appropriate, and

(iii) open space shall be provided throughout the Residential Area to meet the active and passive recreational needs of residents.

2) Transit Service to the Residential Area

The Residential Area shall:

(i) be served by public transit, and

(ii) contain transit bus stops within a five-minute (400-metre) walking distance from most homes.

5.2.2 Neighbourhood Node Policies

1) Composition of Neighbourhood Nodes

(a) Subject to the policies of this plan, a Neighbourhood Node

(i) shall contain

(A) one or more transit stops, and

(B) a concentration of housing which may include multi-unit residential,

3) Density of Neighbourhood Nodes

(a) A Neighbourhood Node shall contain a minimum of 1.6 net developable hectares (4.0 net developable acres) of residential land developed at a minimum density of 24.7 units per hectare (10 units per acre) located immediately adjacent to the transit stop(s).

(b) At the Development Application stage, detailed information shall be submitted addressing the boundaries and zoning of the residential development within the Neighbourhood Node.

5.5.2 Parks and Open Space Policies

1) Linear Parkway

(a) The linear parkway system shall contain a pathway alignment along at least one side of the stormwater management facilities.

(b) The linear parkway system shall consist of, but not be limited to, wetland vegetation and appropriate upland native grasses.

(c) Pathways shall be pervious within naturalized areas.

ZONING

"RR5" Rural Residential 5 District

- The RR5 district is intended to provide areas for large-lot rural residential development along with limited agricultural uses. The RR5 district requires: a minimum lot width of 25 feet, a minimum lot area of 5 acres, side yards of 25 feet, a front yard of 25 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 30%.

"R1-S" Residential Single-Family Small District

- The R1-S district requires: a minimum lot width of 25 feet, a minimum lot area of 2,500 square feet, side yards of 3 feet, a front yard of 15 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 45%.

"R1-M" Residential Single-Family Medium District

- The R1-M district requires: a minimum lot width of 25 feet, a minimum lot area of 3,500 square feet, side yards of 4 feet, a front yard of 15 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 45%.

"RMF-S" Residential Multi-Family Small

- The RMF-S zone is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities. The dimensional standards for multi-family structures in the RMF-S zone are: a minimum front yard of 20 feet; a minimum rear yard of 25 feet; a minimum side yard of 4 feet and, a maximum building height of 35 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 1,250 square feet.

"PR1" Parks and Recreation 1 (Neighbourhood) District

- The PR1 district is intended for sites that are generally passive neighbourhood and community parks and facilities with predominantly pedestrian and cyclist access. These sites may provide unstructured drop-in play and recreation opportunities, including play structures, passive parks, plazas and natural areas. Generally, no parking facilities are associated with these uses. These parks and open spaces typically occur in a residential neighbourhood or riverbank context and are generally accessed by residential streets.

LAND USE BY-LAW

- The RR5 zoning district is intended for large-lot (5 acre minimum) rural development. The applicant is proposing to rezone the land from RR5 to R1-S, R1-M, RMF-S, and PR1 in order to create a fully-serviced residential subdivision that is part of the Sage Creek development.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The proposed subdivision and rezoning represents a logical connection to existing approved subdivisions within Sage Creek, notably Phases 2 and 4 under files DASZ 21/2007 and DASZ 35/2009 respectively.
- The subdivision and rezoning conforms with the South St. Boniface Area Structure Plan; however, the following points should be noted:
    - The southeast corner of the proposed plan shows the linear park ending – less some narrower connections leading north and south – at a residential block before reaching Plessis Road. The Secondary Plan clearly shows a linear greenway that connects to Plessis Road. The Planning and Land Use Division has discussed this point with the applicant and suggested alternative configurations that could help the applicant meet the Secondary Plan, such as the inclusion of a 6 metre wide linear park connection that would lead from the southeastern extent of the proposed park to Plessis Road. This suggestion would require the applicant to reduce the length of the cul-de-sac and extend the linear park connection along the existing southern boundary of the southeastern residential block. The applicant alternatively chose to include the linear park connection in the phase of development that would be south of the proposed plan. The applicant's alternative could still meet the intent of the Secondary Plan. However, anything less than a clear linear park connection to Plessis Road would require an amendment to the Secondary Plan.
    - The roundabout connection at Red Lilly Road and Warde Avenue is identified in the Secondary Plan as a Neighbourhood Node. Among the policies included for Neighbourhood Nodes within the Plan is the requirement for at least 4 net acres of land to be developed at a minimum density of 10 units per acre and that detailed information be submitted addressing the boundaries and zoning of the residential development within the Neighbourhood Node at the development application stage. The applicant has provided a concept that satisfies this requirement (see Figure 3). Subsequent development applications should either be consistent with density and area requirements shown in the concept submitted, or alternatively should show how the density in this Node satisfies the area and density requirements stipulated in the Plan.
- The Planning and Land Use Division is recommending that the developer enter into a zoning agreement with the City of Winnipeg in order to include a plan approval clause for the RMF-S site, and a clause for the construction and maintenance of a noise attenuation fence for single-family and two-family lots abutting Warde Avenue and Plessis Road.
- The proposed zoning agreement is generally consistent with Administration's recommendations for the adjacent Phase 4 (DASZ 35/09) development which is located north of the subject site.
- In future plans for the development of the RMF-S site, the Planning and Land Use Division would like to see that adequate, landscaped setbacks are used from the proposed building(s) to the PR1-zoned park land. For example, a 20 foot setback should be used for a three storey building in order to ensure that a solid wall is not located immediately adjacent to the park. Alternatively the Division would also be supportive of development that is stepped back per storey along the park area as this approach would also achieve the same goal of not creating a hard, imposing wall adjacent to the open

space. Parking areas should be well-screened with landscaping. Well-defined, universally accessible pedestrian pathways should lead out from the site to the nearest Transit stop(s) and to sidewalks.

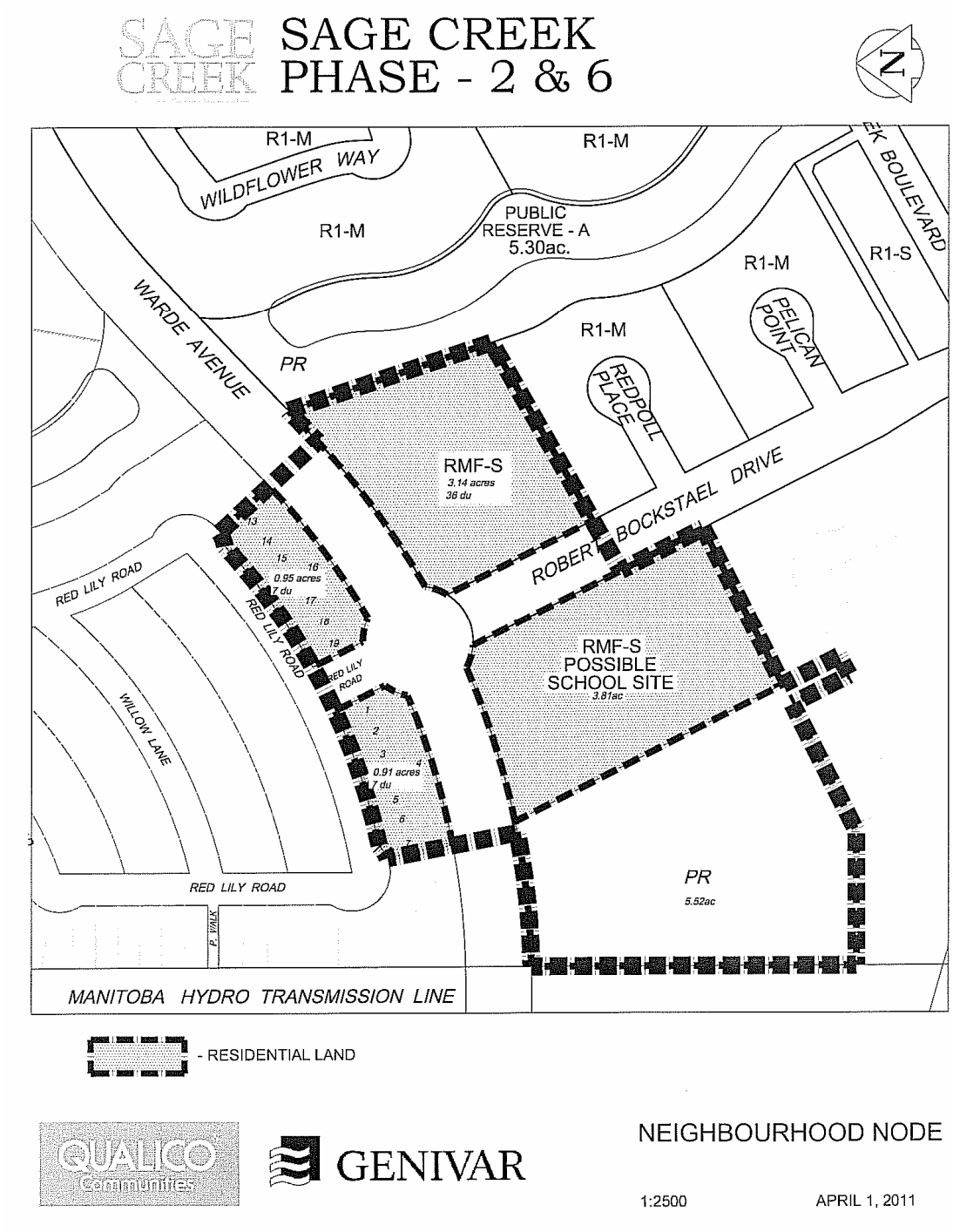


Figure 3: Red Lilly Road and Warde Avenue Neighbourhood Node proposed area and density

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.
- The amount of land is not less than 10%.
- The developer is to provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.
- The City is requesting land for this application as identified in the Report of the ACG (Section 29, Schedule B).

RECOMMENDATION

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

- The proposal, as submitted, is an orderly extension of the adjoining plans of subdivision, identified as Phases 2 and 4 under DASZ 21/2007 and DASZ 35/2009 respectively.
- The proposal is consistent with the policies of the South St. Boniface Secondary Plan, Plan Winnipeg, and the *Draft* Complete Communities Direction Strategy.

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

Report Prepared By: Robert Kostiuk
PPD File # DASZ 3/11

Schedule "A" for File No. DASZ 3/2011, Riel Community Committee, dated April 19, 2011

By-Law No. _____

File No. **DASZ 3/11**

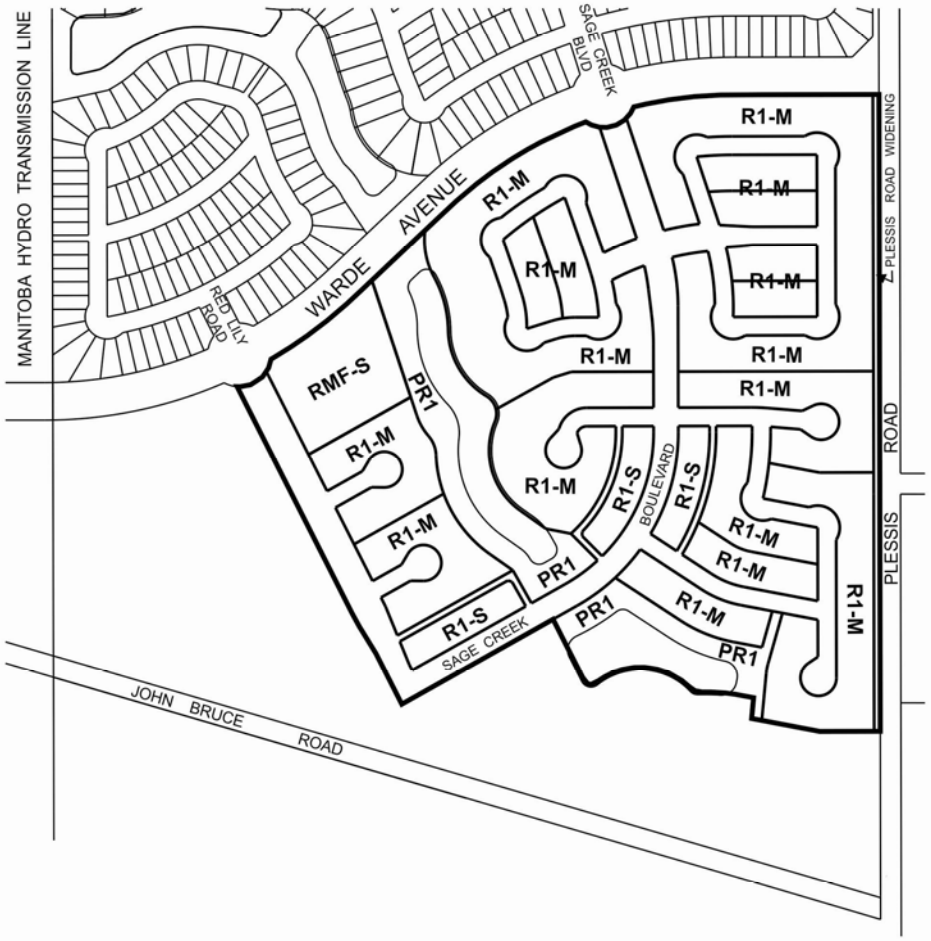
Atlas Sheet No.

N

AH32
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 the south side of Warde Avenue, west side of Plessis Road from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "R1-S" & "R1-M" RESIDENTIAL SINGLE-FAMILY (Small & Medium) DISTRICTS, an "RMF-S" RESIDENTIAL MULTI-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION 1 (Neighbourhood) DISTRICT to allow for the creation of sites for future residential development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – APRIL 28, 2011

RE: PROPOSED SUBDIVISION AND REZONING OF LAND SOUTH OF WARDE AVENUE, WEST OF PLESSIS ROAD – SAGE CREEK PHASE 6 - DASZ 3/11

It is recommended that the approval of DASZ 3/11 be subject to the following:

A. Plan Considerations

1. The Developer dedicating and legally opening property for a right-of-way corner cut at the southwest corner of the intersection of Warde Avenue and Plessis Road, as determined by, and to the satisfaction of, the Director of Public Works.

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

3. The Developer transferring to the City and legally opening property for a 5.942-m widening to the Plessis Road right-of-way, for the full length of the Planned Area abutting Plessis Road, to the satisfaction of the Director of Public Works.

4. 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.

5. 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.

6. The Developer ensuring that Borealis Bay contains no more than 24 lots, and no other cul-de-sac street exceeds 105 m in length.

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 hereby indemnifies 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.
    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 required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. The Developer shall, at no expense to the City, construct 1.5-m-wide by 100-mm-thick portland cement concrete sidewalks along both sides of all streets within the Planned Area with rights-of-way 22.0 m or greater in width, as determined by, and to the satisfaction of, the Director of Public Works.

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

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

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. The Developer shall, at no expense to the City:
    i) ensure that construction traffic uses access routes determined by the Director

of Public Works;

ii) maintain those access routes in a clean, dust-free condition, free of dropped and tracked-on mud; and

iii) undertake the regular cleaning, including, but not limited to, scraping and sweeping, of those access routes and all streets within the Planned Area,

until building construction, including landscaping, is complete, and all as determined by, and to the satisfaction of, the Director of Public Works.

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, Plessis Road, Warde Avenue, all proposed arterial and collector streets, sidewalks, public walks, active transportation facilities, all proposed parks, and all 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. The Developer shall, at no expense to the City,

a) construct, within the rear yards of all single-family and two-family lots abutting Warde Avenue and Plessis Road, a uniform, 2.0-metre-high, noise-attenuation fence, to the satisfaction of the Director of Public Works, and

b) permit the City to file a caveat against the title of each such lot, requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed,

all to the satisfaction of the Director of Public Works.

27. There shall be no private approaches: a) serving single-family or two-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 Warde Avenue; or c) serving residential development off Plessis Road.

28. The Developer shall, at no expense to the City, and of its own volition, 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, 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 phase of the development shall be accrued with the dedication of public reserve for all other phases, including the credit provided for improvements installed by the Developer within the Hydro Corridor as detailed in AG 12/10, 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. Where the Developer is providing naturalized landscaping in lieu of traditional sodding, the scope of landscaping shall include pathway development, naturalized areas, and a site drainage proposal that minimizes runoff across the path system.

31. 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.

32. 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.

33. Following completion of all major construction works, the Developer shall, at its cost, have the locations of the survey monuments within the Planned Area 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.

34. 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.

35. 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 3/11
April 28, 2011

"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

/sm