Minute No. 146
Report – Standing Policy Committee on Property and Development – January 13, 2015

Item No. 4 **Subdivision and Rezoning – North Side of Sage Creek Boulevard between Lagimodiere Boulevard and Burning Glass Road (St. Boniface Ward) File DASZ 24/2014**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the plan of subdivision under File DASZ 24/2014 be approved for preparation as a plan of survey by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 24/2014 dated October 30, 2014 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

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 24/2014 dated October 30, 2014 to a "C3" Commercial Corridor District and a "C2" Commercial Community 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 free-standing signage within the lands zoned "C3" Commercial Corridor or "C2" Commercial Community, 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, within the C3 zoned lands, a supermarket principal use shall not exceed 55,000 square feet of gross floor area.

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COUNCIL DECISION (continued):

iii. That, within the C3 zoned lands, the following principal uses shall not exceed 80,000 square feet of gross floor area:

a. Personal Services
b. Retail Sales

3. That, the obligation requirements for Public Reserve under this application shall be applied to the overall dedication requirements for the entire Sage Creek Development.

4. Prior to the release of subdivision mylars, The Developer shall enter into an agreement with the City for the implementation of the landscaping plan as submitted to the Riel Community Committee dated December 1, 2014, referred to as exhibit 12, on pages 2 and 3, all as to the satisfaction of the Director of Public Works.

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

6. 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.

7. That, the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

8. That, the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Survey in the Winnipeg Land Titles Office.

9. That, the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land within one year from the date the by-law is passed, failing which the by-law will expire and 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.

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COUNCIL DECISION (continued):

10. That, the plan of survey 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.

11. 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.

12. 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.

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DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development be adopted.

Carried

(See Minute No. 142 for disclosure of a potential conflict of interest, as a result of inadvertently having attended a meeting on this matter, by Councillor Allard)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 2015, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 13, 2015, 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 December 1, 2014, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Delete condition 2.A.ii. in its entirety, and replace it with the following new condition 2.A.ii.:

  2.A.ii. That, within the C3 zoned lands, a supermarket principal use shall not exceed 55,000 square feet of gross floor area.

- Add the following new condition 2.A.iii.:

  2.A.iii. That, within the C3 zoned lands, the following principal uses shall not exceed 80,000 square feet of gross floor area:
  a. Personal Services
  b. Retail Sales

Report - Standing Policy Committee on Property and Development - January 13, 2015

DECISION MAKING HISTORY (continued):

- Add the following new condition 4:

  "4. Prior to the release of subdivision mylars, The Developer shall enter into an agreement with the City for the implementation of the landscaping plan as submitted to the Riel Community Committee dated December 1, 2014, referred to as exhibit 12, on pages 2 and 3, all as to the satisfaction of the Director of Public Works."

- Renumber the remaining conditions accordingly.

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

On November 10, 2014, the Riel Community Committee concluded public representation on the application and adjourned the public hearing to its meeting on December 1, 2014 at 5:00 p.m. in the Council Building, 510 Main Street.

RE: **Subdivision and Rezoning – North Side of Sage Creek Boulevard between Lagimodiere Boulevard and Burning Glass Road File DASZ 24/2014**

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

Prepared by: **Rochelle Viray, Assistant Committee Clerk Riel Community Committee**

Report date: **December 5, 2014**

COMMUNITY COMMITTEE RECOMMENDATION:

On December 1, 2014, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 24/2014 be approved for preparation as a plan of survey by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 24/2014 dated October 30, 2014 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.

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 24/2014 dated October 30, 2014 to a "C3" Commercial Corridor District and a "C2" Commercial Community 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 free-standing signage within the lands zoned "C3" Commercial Corridor or "C2" Commercial Community, 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, within the C3 zoned lands, the following principal uses shall not exceed 55,000 square feet of gross floor area:***~~

      ~~***a. Personal Services***~~

~~***b. Retail Sales***~~
~~***c. Supermarket***~~

ii. That, within the C3 zoned lands, a supermarket principal use shall not exceed 55,000 square feet of gross floor area.

iii. That, within the C3 zoned lands, the following principal uses shall not exceed 80,000 square feet of gross floor area:

a. Personal Services
b. Retail Sales

3. That, the obligation requirements for Public Reserve under this application shall be applied to the overall dedication requirements for the entire Sage Creek Development.

4. Prior to the release of subdivision mylars, The Developer shall enter into an agreement with the City for the implementation of the landscaping plan as submitted to the Riel Community Committee dated December 1, 2014, referred to as exhibit 12, on pages 2 and 3, all as to the satisfaction of the Director of Public Works.

5. ~~***6.***~~ That, the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

6. ~~***7.***~~ 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.

7. ~~***8.***~~ That, the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

8. ~~***9.***~~ That, the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Survey in the Winnipeg Land Titles Office.

9. ~~***10.***~~ That, the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land within one year from the date the by-law is passed, failing which the by-law will expire and 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.

10. ~~11.~~ That, the plan of survey 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.

11. ~~12.~~ 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.

12. 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 reasons for its recommendation:

1. The 80,000 square feet provision makes sense.

2. Though there are some concerns about the noise; there is some movement here with the landscaping that was brought forward.

PUBLIC HEARING SUMMARY

File: DASZ 24/2014

Before: Riel Community Committee
Councillor Mayes, Chairperson
Councillor Allard
Councillor Lukes

Public Hearing: December 1, 2014
November 10, 2014
Council Building, 510 Main Street

Applicant: McGowan Russell (Susan Russell)

Subject:



APPLICANT : McGOWAN RUSSELL
FILE : DASZ 24/14
PROPOSAL: An application for the approval of the plan of survey shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to a "C2" COMMERCIAL COMMUNITY DISTRICT and a "C3" COMMERCIAL CORRIDOR DISTRICT to facilitate the commercial development of the Sage Creek Village north lands. **For information, phone Mr. R. Kostiuk, Planner, at 204-986-7367.**
DEMANDEUR : McGOWAN RUSSELL
N° DE RÉFÉRENCE : DALZ 24/14
PROJET : Demande d'approbation par le Conseil du plan d'arpentage indiqué ci-dessus et proposition de modification du Règlement municipal no 200/2006 visant à changer le zonage du bien-fonds indiqué ci-dessus afin de le faire passer de la catégorie RR5 (secteur résidentiel en milieu rural 5) aux catégories C2 (secteur commercial) et C3 (secteur de couloir commercial) afin de faciliter l'aménagement commercial des terrains situés au nord de Sage Creek Village. **Pour plus de renseignements, veuillez communiquer avec M. R. Kostiuk, urbaniste, au 204-986-7367.**

Premises Affected:	Land bounded by Lagimodiere Boulevard to the West, Burning Glass Road to the East and Sage Creek to the South

Exhibits Filed:

1. Application dated August 26, 2014
2. Notification of Public Hearing dated September 16, 2014
3. Manitoba Status of Title 2529970/1
4. Letter of authorization dated August 13, 2014, 2014 from Eric Vogan, President, Sage Creek Development Corporation to McGowan Russell Group Inc.
5. Plans (2 pages)
6. Report from the Urban Planning Division dated October 30, 2014
7. Communication dated November 4, 2014, from Neil Blundell, President, Lakeview Cove Condominiums and Val Coward, Residents representative, in opposition to the application
8. Inspection Report
9. Plan submitted at the Public Hearing by Eric Vogan
10. Audio Recording of representations of public hearing held on November 10, 2014
11. Notice of Adjournment dated November 12, 2014
12. Communication and plan submitted at the Public Hearing by Susan Russell (3 pages)

REPRESENTATIONS:

In Support:
Elliott Hannam
Aaron Hirota
Susan Russell, McGowan Russell
Eric Vogan

In Opposition:
Gordon Benson
Neil Blundell
Val Coward
Paul Coward
Gordon Kitchen

For Information:
Nil

For the City:
Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department
Mr. R. Kostiuk, Planner, Planning, Property and Development Department
Mrs. E. Finnigan, Planner, Planning, Property and Development Department

Exhibit "6" referred to in File DASZ 24/2014

ADMINISTRATIVE REPORT

Title: DASZ 24/2014 – North Side of Sage Creek Boulevard between Lagimodiere Boulevard and Burning Glass Road Public Hearing

Issue: An application for consideration at the Public Hearing to subdivide and rezone approximately 13.7 acres of land in the Sage Creek Village Centre

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
B. Smith	N/A	N/A	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 24/2014 be approved for preparation as a plan of survey by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 24/2014 dated October 30, 2014 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office.
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 24/2014 dated October 30, 2014 to a "C3" Commercial Corridor District and a "C2" Commercial Community District, subject to the following:

    B. 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 free-standing signage within the lands zoned "C3" Commercial Corridor or "C2" Commercial Community, 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, within the C3 zoned lands, the following principal uses shall not exceed 55,000 square feet of gross floor area:

a. Personal Services

b. Retail Sales

c. Supermarket

3. That, the obligation requirements for Public Reserve under this application shall be applied to the overall dedication requirements for the entire Sage Creek Development.

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

5. 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.

6. That, the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

7. That, the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Survey in the Winnipeg Land Titles Office.

8. That, the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land within one year from the date the by-law is passed, failing which the by-law will expire and 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, the plan of survey 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.

10. 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.

11. 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 into parcels (A & B) and rezone the site from RR5 to C3 (Parcel A) and C2 (Parcel B).
- Parcel A will be approximately 8.3 acres in area and Parcel B will be approximately 5.4 acres in area.
- 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 Urban Planning Division are concurred in, the subject site will be subdivided and rezoned consistent with the map provided in Schedule "A" of this report.

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 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.

CONSULTATION

In preparing this report there was consultation with: N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Robert Kostiuk, MCIP
Date:	October 30, 2014
File No.	DASZ 24/2014

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule “A” — Recommended File No. DASZ 24/2014 Riel Community Committee, dated October 30, 2014

APPENDIX 'A'

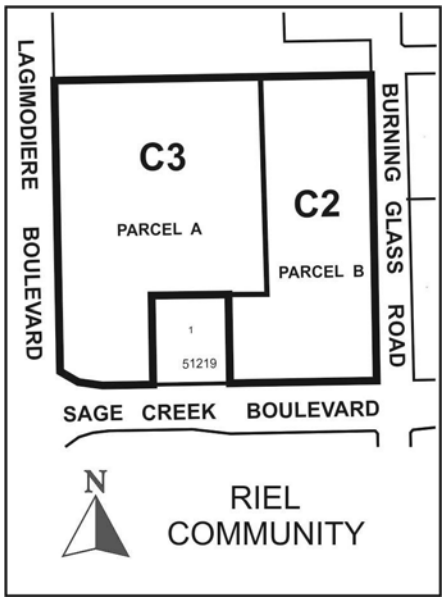
DATE: October 30, 2014

FILE: DASZ 24/2014
RELATED FILES: By-law 158/05, DASZ 51/2005, DASZ 10/2007, DASZ 12/2009

COMMUNITY: Riel
NEIGHBOURHOOD #: 5.553

SUBJECT: An application to subdivide approximately 13.7 acres of land in the Sage Creek Village Centre and rezone the land from RR5 to C3 and C2.

LOCATION: North Side of Sage Creek Boulevard between Lagimodiere Boulevard and Burning Glass Road (see map below)



APPLICANT: McGowan Russell
825 St. Joseph Street
WINNIPEG MB R2H 3A8

OWNER: Sage Creek Development Corporation
1 Dr. David Friesen Drive
WINNIPEG MB R3J 1L9

RECOMMENDATION: Approval with Conditions

SITE DESCRIPTION

- The subject plan area is located on the north side of Sage Creek Boulevard between Lagimodiere Boulevard and Burning Glass Road in the Sage Creek neighbourhood of St. Boniface ward.
- The plan area is vacant and approximately **13.7 acres in area.**
- The site is zoned "RR5" Rural Residential 5 and is located within the Village Centre policy area of the South St. Boniface Area Structure Plan (Secondary Plan – see By-law 158/2005).



Figure 1: Aerial photograph the subject site and surrounding area (2014)

SURROUNDING LAND USES AND ZONING (See Figure 2)

North: A multi-family site zoned RMF-M and developed with apartment blocks.

South: Commercial development that forms the southern portion of the Village Centre and is zoned C3.

East: An office and vacant land zoned C2 and form part of the Village Centre.

West: Lagimodiere Boulevard.



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide into parcels (A & B) and rezone the site from RR5 to C3 (Parcel A) and C2 (Parcel B).
- Parcel A will be approximately 8.3 acres in area and Parcel B will be approximately 5.4 acres in area.
- The applicant states that the rezoning to C3 on Parcel A is being requested to allow for the inclusion of larger retail, restaurant and service uses closer to Lagimodiere Boulevard, which is an arterial. The C2 related uses on Parcel B will be located on the eastern portion of the planned area along Burning Glass Road where there are already sites zoned C2.
- The applicant has submitted a conceptual plan to provide a sense of how development may occur. However, the plan is conceptual and therefore any potential variances are not being reviewed at this time.

ANALYSIS AND ISSUES

SOUTH ST. BONIFACE AREA STRUCTURE PLAN (SECONDARY PLAN)

- The subject site is located within the Village Centre policy area under the South St. Boniface Area Structure Plan (Secondary Plan). Relevant policies to this application include:

5.3.2 Village Centre Policies

1) Composition of the Village Centre

(a) Subject to the policies of this Plan,

(i) a significant use of land within the Village Centre shall be retail and service commercial uses located within a comprehensively planned Village Centre,

(ii) in order to create a cohesive shopping, living and leisure environment within the Village Centre

(A) institutional, office, recreational or public uses that complement and support the Village Centre may be allowed, and

(B) multi-unit residential shall be required and, subject to adequate demand, it is the intent to be the predominant residential housing form,

(iii) a site for a retail food store of no greater than 5,110 square metres (55,000 square feet) shall be allowed within the Village Centre.

4) Design of the Village Centre

(a) The Village Centre shall contain as part of its design a well-defined pedestrian-oriented component.

(i) A highly visible and accessible location,

(ii) Internal pedestrian routes to buildings and amenities,

(iii) A pedestrian precinct that integrates mixed use buildings (commercial and residential) with adjacent related uses and includes walking, entertainment, and meeting areas,

(v) Strong and convenient pedestrian connections to other uses on the site

5) Suggested Criteria for a Design Concept of the Village Centre

(a) The Village Centre Design Concept should:

(i) Provide for the compatible interface treatment with adjacent development,

(ii) Minimize the intermixing of commercial and residential traffic on internal roads within an adjacent residential area,

(iii) Contain a visually appealing site design and landscape treatment particularly when visible from roads with higher volumes of traffic,

(iv) Be suitably integrated with any residential, institutional, recreational, and public uses within or adjacent to the site,

(v) Connect to local pedestrian trails, and be conveniently and directly accessible to pedestrians both within and adjacent to the site

vi) Ensure convenient and efficient road, pedestrian, and pathway connections that converge on the Village Centre from the surrounding residential areas are provided.

vii) Contain parking areas that are designed to maximize direct access to adjacent uses while not to visually overwhelm the landscape. Methods by which this can be implemented include, but are not limited to the following:

A) Appropriate landscaping through earth berms, tree/shrub planting, and/or fencing,

B) On-street parking,

C) Parking areas between buildings

viii) Minimize building setbacks along major roadways in order to create an "urban setting" to encourage a strong pedestrian environment. The facades of these buildings should be made attractive through various methods including appropriate articulation, glazing, and use of a variety of building materials.

ix) Illustrate and locate the various categories of uses within the Village Centre.

CURRENT ZONING DISTRICT:

"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%.

PROPOSED ZONING DISTRICTS:

"C3" Commercial Corridor District

- The C3 district is intended primarily for uses that provide commercial goods and services to residents of the community in areas that are dependent on automobile access and

exposed to heavy automobile traffic. These commercial uses are subject to frequent view by the public and visitors to Winnipeg, and they should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement. C3 districts are generally located along portions of arterial streets where lot depths are 200 feet or greater, or at arterial/arterial intersections.

"C2" Commercial Community District

- The C2 zoning district is intended to accommodate more intensive commercial sites that do not have a local or neighbourhood orientation. The district is intended to include attractive commercial, institutional, recreational, and service facilities needed to support the surrounding neighbourhoods and the broader community. C2 districts are generally located along collector streets, at arterial/collector intersections, or along portions of arterial streets with relatively shallow lots.

LAND USE BY-LAW

Rezoning

- 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 C3 and C2 in order to create a fully-serviced commercial area as part of the Sage Creek Village Centre.

ANALYSIS OF THE DASZ

- The subject rezoning is consistent with the Village Centre polices of the South St. Boniface Area Structure Plan, which fully contemplate commercial development at the subject location. A commercial rezoning at the subject site has been anticipated as part of the Village Centre development for some time.
- With respect to the rezoning, the one consideration for the Public Service is the appropriateness of the C3 zone at the subject location. There are aspects of the C3 zone that are not as consistent with the Village Centre policies of the Area Structure Plan, as, for example, the C2 zoning category may be. For instance, the C3 zone does not permit multi-family development but multi-family development is required as in the Village Centre. However, given that the applicant is only seeking to rezone a relatively small portion of the Village Centre area to C3 and that this portion of the Village Centre abuts Lagimodiere Boulevard, the Public Service is supportive of the rezoning to C3, subject to the conditions described below.
- Another point worth mentioning is that the applicant has provided a plan of subdivision with parcel lines creating the dividing boundaries between zoning districts. The Public Service will view the parcel lines as the zone boundaries even if the property ownership between the two parcels is contiguous. As such, the zoning rules for each zone will be applied to the parcel boundaries. A building will not be permitted to straddle the parcel line between the C2 and C3 zoning districts within this subdivision.

RECOMMENDED ZONING AGREEMENT

Plan Approval

- Only a concept plan showing the potential lay-out of the commercial development was provided in the subject application at this time. The Public Service is recommending that final plans be submitted to the Director of Planning, Property and Development and Riel Community Committee for review prior to the issuance of a development permit on the site. The inclusion of this clause will allow the Public Service and the Riel Community Committee to review final plans before development takes place for the proposed development and for any future developments on the site.
- Design guidelines and criteria are included in the Village Centre polices of the South St. Boniface Area Structure Plan. These policies will be used to evaluate any future design proposals for the site.

Size Restrictions of Principal Uses in the C3 Zone

- The Public Service is supportive of the rezoning to C3, but is recommending restrictions on the maximum gross floor area of certain uses in the proposed C3 zone. The reason for this is that the Village Centre policies of the Area Structure Plan promote pedestrian-oriented development and explicitly restricts a retail food store to no more than 55,000 square feet in area. Using 55,000 square feet of gross floor area as a guide and understanding that the C3 zone is intended for heavy automobile traffic, the Public Service is recommending that the following principal uses in the C3 zone be restricted to a maximum of 55,000 square feet of gross floor area:
    - Personal Services
    - Retail Sales
    - Supermarket

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 obligation requirements for Public Reserve under this application shall be applied to the overall dedication requirements for the entire Sage Creek Development.

RECOMMENDATION

The Urban Planning Division recommends **approval** for the following reasons:

- The subject subdivision and rezoning is consistent with the policies of the Village Centre area under the South St. Boniface Area Structure Plan.

- The subject rezoning to commercial has been contemplated in the associated secondary plan.

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

Report Prepared By: Robert Kostiuk, MCIP
PPD File # DASZ 24/2014

Schedule "A" for File No. DASZ 24/2014, Riel Community Committee, dated October 30, 2014

