Minute No. 193
Report – Executive Policy Committee – February 6, 2018

Item No. 3 **Subdivision and Rezoning – Des Hivernants Boulevard / Grey Heron Drive (St. Boniface Ward) File DASZ 27/2017**

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the plan of subdivision under File DASZ 27/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 27/2017 dated December 29, 2017 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the planned area of DASZ 19/2016 and the servicing conditions under AG 19/2016 be amended to include the extension of Boulevard des Hivernants as approved by the Director of Public Works.

2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 27/2017 dated January 7, 2017 to a "R1-M" Residential Single-Family (Medium) District.

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 Servicing Agreement.

Report – Executive Policy Committee – February 6, 2018

COUNCIL DECISION (continued):

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, 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.

Report – Executive Policy Committee – February 6, 2018

DECISION MAKING HISTORY:

Moved by His Worship Mayor Bowman,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 6, 2018, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 15, 2018, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

RE: **Subdivision and Rezoning – Des Hivernants Boulevard / Grey Heron Drive**
File DASZ 27/2017

For submission to: **Executive Policy Committee**

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

Report date: **January 16, 2018**

COMMUNITY COMMITTEE RECOMMENDATION:

On January 15, 2018, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the plan of subdivision under File DASZ 27/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 27/2017 dated December 29, 2017 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

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2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 27/2017 dated January 7, 2017 to a "R1-M" Residential Single-Family (Medium) District.

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 Servicing 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, 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.

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

1. The applicant has done their work – got concurrence from the Planning Department, and there was no opposition to the application.
2. We see how green development is easier than infill development; we should be supportive of this.

PUBLIC HEARING SUMMARY

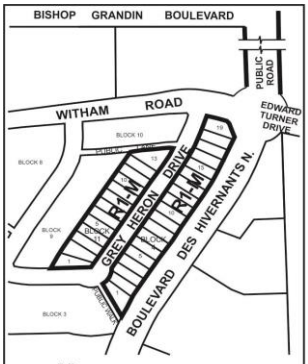
File: DASZ 27/2017

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

Public Hearing: January 15, 2018
Council Building, 510 Main Street

Applicant: Qualico Communities

Subject:



APPLICANT : QUALICO COMMUNITIES
FILE : DASZ 27/17
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 "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to facilitate the construction of single-family dwellings and the opening of a public right-of-way (north extension of Boulevard Des Hivernants North).
For information, phone Ms. S. Jerez, Planner at 204-986-7175.
DEMANDEUR : QUALICO COMMUNITIES
N° DE DOSSIER : DALZ 27/17
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du Zoning By-law No. 200/2006 (règlement municipal sur le zonage) visant à modifier le zonage des sols délinéés ci-dessus de sorte qu'ils passent de la catégorie RMF-S (secteur de petites habitations multifamiliales) à la catégorie R1-M (secteur d'habitations unifamiliales moyennes) en vue de faciliter la construction d'habitations unifamiliales ainsi que l'aménagement d'une emprise publique (prolongement nord du boulevard des Hivernants Nord).
Pour plus de renseignements, veuillez communiquer avec Mme. S. Jerez, urbaniste, au 204-986-7175.

Premises Affected: Des Hivernants Boulevard / Grey Heron Drive

Exhibits Filed:

1. Application dated December 1, 2017
2. Revised Application dated December 5, 2017
3. Notification of Public Hearing dated December 8, 2017
4. Manitoba Status of Title 2641322/1
5. Letter of authorization from Eric Vogan, Sage Creek Development Corporation, to Qualico Communities
6. Statutory Easement 4610043/1
7. Plans (2 pages)
8. Schedule of the City of Winnipeg Planning Lot Width and Area Calculations Block 1
9. Schedule of the City of Winnipeg Planning Lot Width and Area Calculations Block 2
10. Report from the Urban Planning Division dated December 29, 2017
11. Inspection Report

REPRESENTATIONS:

In Support:

Trevor Grafton
Lyne Jones
Bryan Ward

In Opposition

Nil

For Information:

Nil

For the City:

R. Mahe, Planner, Planning, Property and Development Department
S. Jerez, Planner, Planning, Property and Development Department

Exhibit "8" referred to in File DASZ 27/2017

ADMINISTRATIVE REPORT

Title: DASZ 27/2017 – Des Hivernants BLVD/ Grey Heron DR

Issue: For consideration at the public hearing for subdivision and rezoning for the establishment of 32 single-family residential lots and to extend Des Hivernants Boulevard north.

Critical Path: Riel Community Committee as per the Development Procedures By-law and The City of Winnipeg Charter

AUTHORIZATION

Author	Division Head	Department Head	CFO	CAO
Simi Jerez	B. Smith	n/a	n/a	

RECOMMENDATIONS

1. That the plan of subdivision under File DASZ 27/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 27/2017 dated December 29, 2017 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

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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

- Rezoning applications 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 property may be rezoned and subdivided, subject to conditions.

HISTORY

Summary of Major By-laws and Subdivision and Rezonings Relevant to the Subject Application

- 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, Lagimodière 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 September 26, 2007 Council adopted the plan of subdivision proposed under DASZ 21/2007, which was considered Phase 2 of the Sage Creek development. The application involved the subdivision and rezoning of 79.2 acres of land east of the Manitoba Hydro right-of-way and extended Sage Creek Blvd and Warde Avenue. This subdivision is considered to complete Phase 2 of the Sage Creek development
- On June 22, 2011, Council recommended approval for the subdivision and rezoning of a 71 acre site in Sage Creek from RR5 to blocks zoned R1-M, R1-S, RMF-S, and PR1 under file DASZ 3/11.

DASZ 19/2016 (Sage Creek Phase 8)

- On December 5, 2016 the Riel Community Committee approved a subdivision and rezoning of the subject 38 acre site from “RR5” Rural Residential 5 to 14 blocks zoned “RMF-S” and “RMF-M” in order to establish a new residential development phase for Sage Creek to create approximately 427 dwelling units . The rezoning also included lands zoned PR1 to accommodate pathways and the creation of new public rights-of-way.

CONSULTATION

In preparing this Report there was internal consultation with: N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Simi Jerez
Date:	December 29, 2017
File No.	DASZ 27/2017

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule “A” — Recommended File No. DASZ 27/2017 Riel Community Committee, dated December 29, 2017

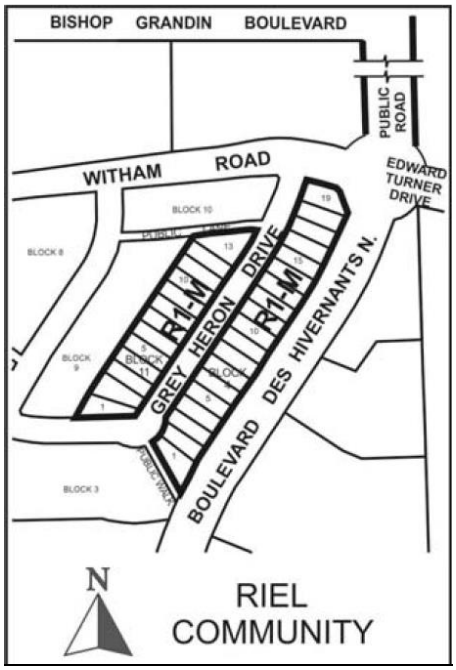
APPENDIX 'A'

DATE: December 29, 2017
FILE: **DASZ 27/2017**
RELATED FILES: DASZ 19/2016
COMMUNITY: Riel Community
NEIGHBOURHOOD #: 5.553 - South St. Boniface

SUBJECT: To rezone the land from an "RMF-S" Residential Multi-family (Small) District to an "R1-M" Residential Single-Family (Medium) District.

LOCATION: Block 4 DASZ 19/2016 Des Hivernants North and Block 11 DASZ 19/2016 Grey Heron Drive

LEGAL DESCRIPTION: BLOCK 4 & 11 DASZ 19/2016



APPLICANT: Qualico Communities (Jordan Sodomsky)
1 Dr David Friesen Drive
Winnipeg , Manitoba R3X 0G8

OWNER: Qualico Communities
1 Dr David Friesen Drive
Winnipeg , Manitoba R3X 0G8

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject plan area is located at the southeast side of Sage Creek Boulevard & Des Hivernants Boulevard in the Sage Creek neighbourhood of the St. Boniface Ward.
- The plan area is currently vacant.
- The site is zoned “RMF-S” Residential Multi-family Small and is located within the Areas of Stability – Recent Communities Policy Area under the Complete Communities Direction Strategy.
- The site is also located within the Residential Policy Area and includes a Neighbourhood Node under the South St. Boniface Secondary Plan.

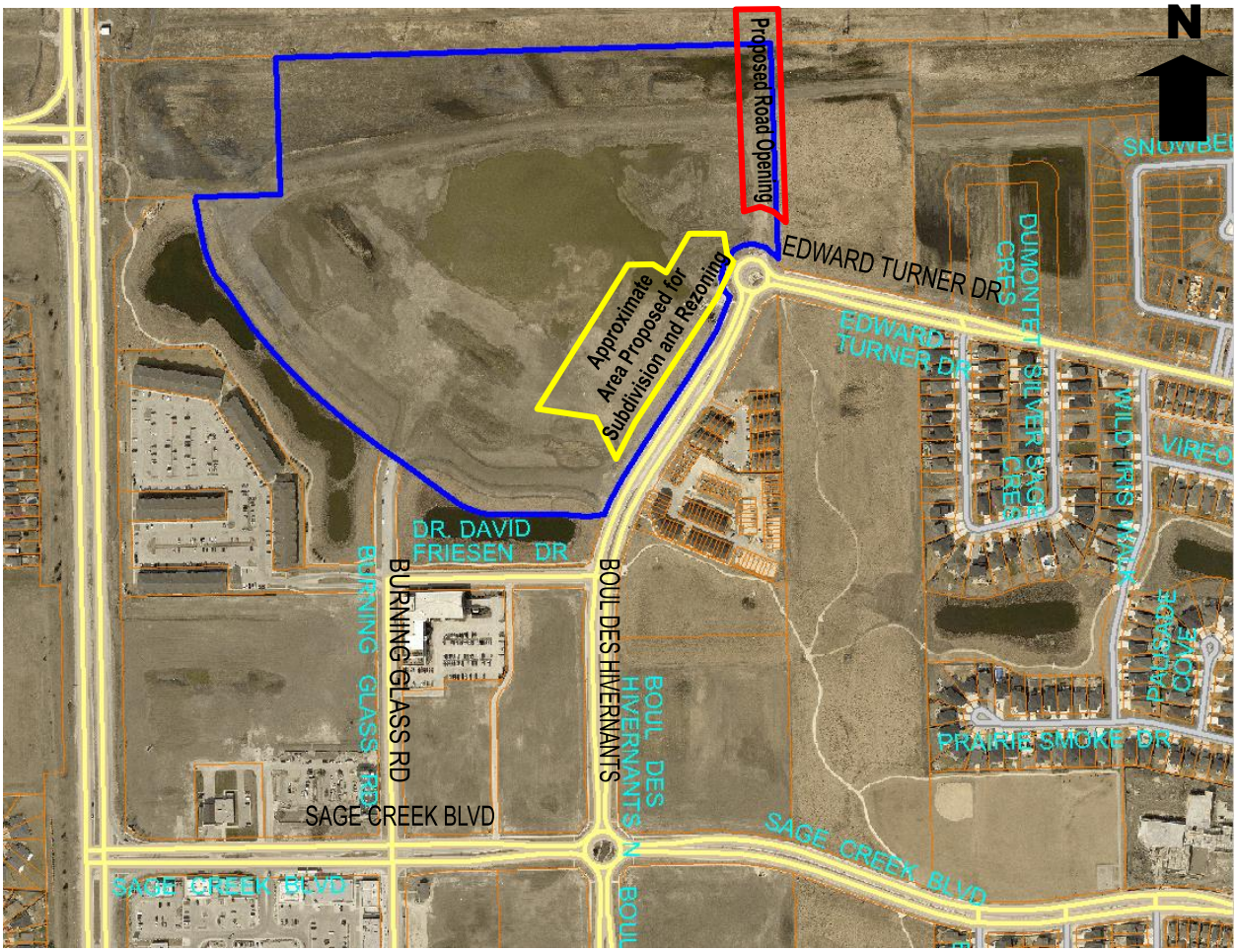


Figure 1: Air photo of the Location of Subject Property and Surrounding Area (2016)

North: Witham Road; then vacant land zoned "RMF-S" Residential Multi-family Small.

South: Public reserve land zoned PR-1 under DASZ 19/2016.

East: Des Hivernants Boulevard; then vacant lands zoned “RMF-S” Residential Multi-family Small and “C1” Commercial Neighbourhood.

West: Vacant lands zoned “RMF-S” Residential Multi-family Small.

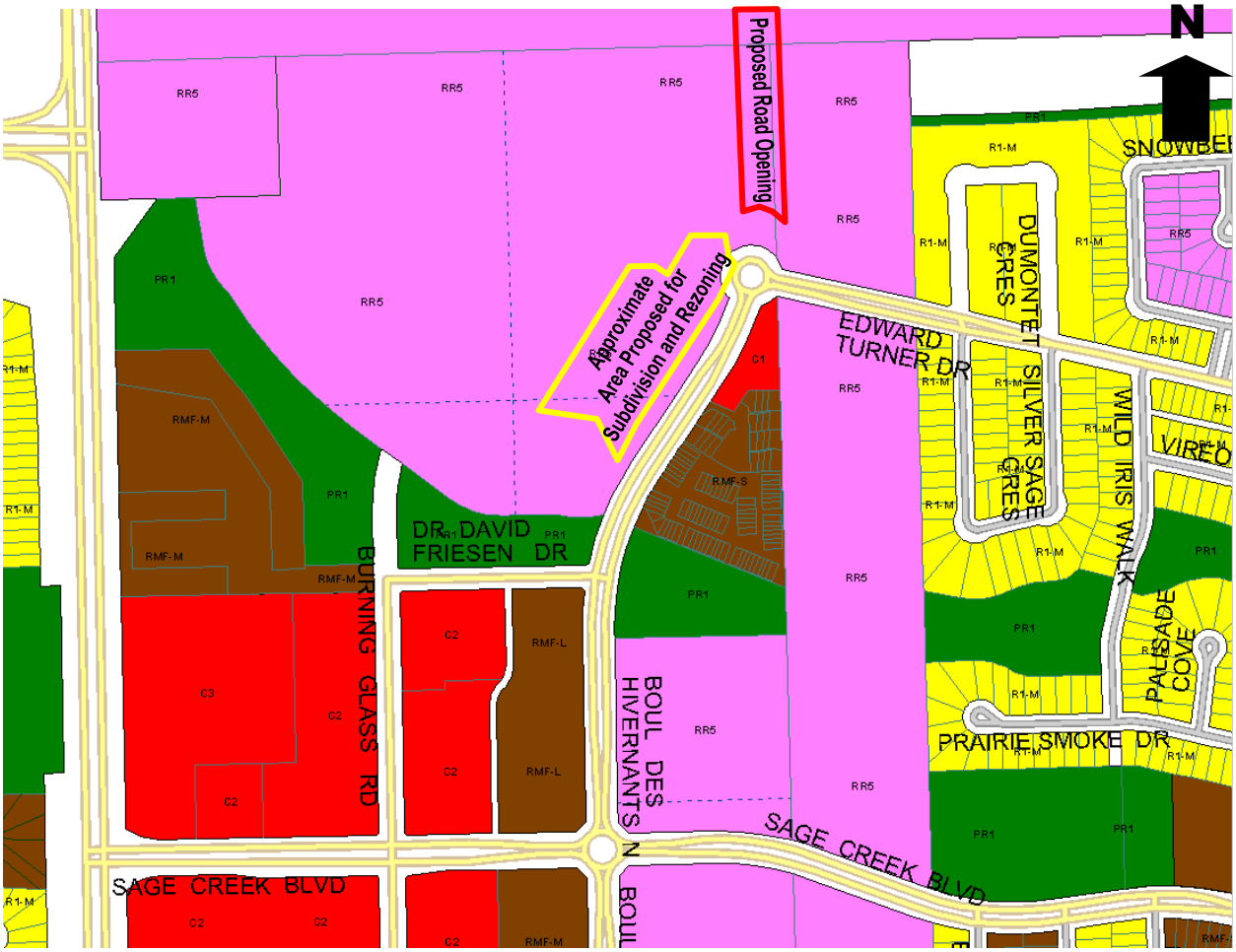


Figure 2: Zoning Context *(Note: DASZ 19/2016 is not represented)*

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the subject site from “RMF-S” Residential Multi-Family Small to “R1-M” Residential Single-family (Medium) to establish thirty-two (32) Single-family residential lots.
- The proposed development includes the extension of Des Hivernants Boulevard north from Edward Turner Drive to Bishop Grandin Boulevard.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *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 the 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 in the Residential Area

     (a) The Residential Area shall

        i. be served by public transit, and

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

  3) Design of the Residential Area

     (a) The design of the Residential Area shall

i. be determined through the development application process,

ii. emphasize opportunities for distinct neighbourhoods that comprise unifying elements to create a cohesive community, and

iii. provide for residents to access adjacent communities and the Village Centre area through roadway, walkway, pathway, and bikeway connections.

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.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

"RMF-S" Residential Multi-Family Small District

- The RMF-S district requires: a minimum lot area of 9,000 square feet, minimum lot area per dwelling unit of 1,250 square feet, minimum front yard of 20 feet, a minimum rear yard of 25 feet, a minimum interior side yard of 4 feet, and a minimum corner side yard of 5 feet. The maximum building height is 35 feet.

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%.

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- Single family homes at this location are compatible with the other uses within Phase 8 of Sage Creek's development.

RECOMMENDATION

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

- The subject rezoning complies with the Residential Land Use policies of the South St. Boniface Area Structure Plan.
- The proposed development is compatible with land uses in the vicinity of the proposed lots.

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

Report Prepared by: Simi Jerez
PPD File #: DASZ 27/2017

Schedule "A" for File No. DASZ 27/2017, Riel Committee, dated December 29, 2017

By-Law No. _____

File No. **DASZ 27/17**

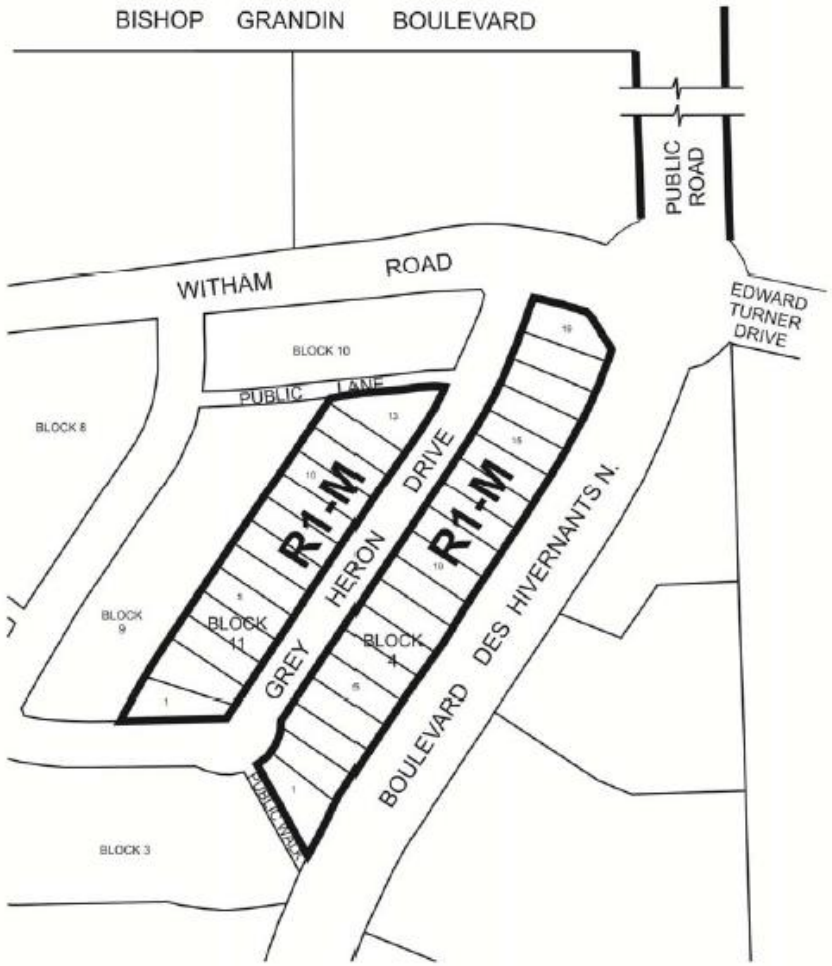
Explanation

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 west of Boulevard Des Hivernants North, north and south of Edward Turner Drive, from an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to facilitate the construction of single-family dwellings and the opening of a public right-of-way (north extension of Boulevard Des Hivernants North) as shown outlined below.

Atlas Sheet No.

N

AG31
RIEL
COMMUNITY



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____