Minutes – Executive Policy Committee – February 18, 2020

REPORTS

Item No. 5 **Subdivision – Sage Creek – Sage Creek / Robert Bockstael Drive, Stoneknife Crescent, Birdsong Lane, Lloyd McKinnon Way, Snowy Owl Crescent**
(St. Vital Ward)
File DAS 36/2019

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Riel Community Committee and recommended to Council:

1. That the plan of subdivision proposed under File DAS 36/2019 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule 'A' for File DAS 36/2019 dated December 20, 2019 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 amend the Development Agreement to File No. DASZ 20/2016 (AG 20/16) with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated December 11, 2019 which is Schedule 'B' of this report.

2. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Development Agreement Amendment, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

3. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing ten percent (10%) of the appraised value of the Development Application, as determined by the City.

4. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

5. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment the By-law in accordance with the above.

6. That the subdivision section of the by-law shall come into when the amendment to the Development Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

7. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with recommendation 6 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

8. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

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

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

That the recommendation of the Riel Community Committee be concurred in and forwarded to Council.

Carried

COMMUNITY COMMITTEE RECOMMENDATION:

On February 3, 2020, 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.

PUBLIC HEARING SUMMARY

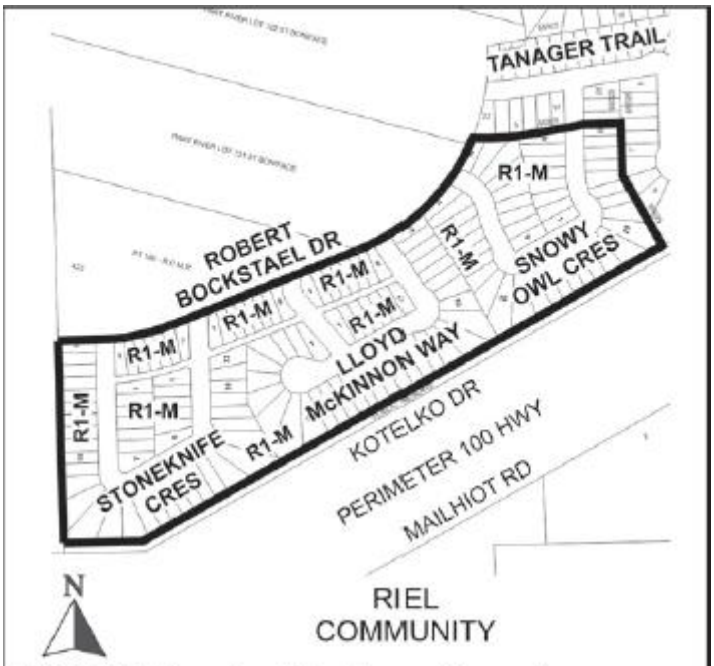
File: DAS 36/2019

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

Public Hearing: February 3, 2020
Council Building, 510 Main Street

Applicant: Sage Creek Development Corporation

Subject:



APPLICANT: Sage Creek Development Corporation
FILE: DAS 36/2019
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council to facilitate the re-lotting of a portion of an existing plan of subdivision by the creation of additional residential building lots and the establishment of public lanes. **For information, phone E. Finnigan, Planner at 204-986-8602.**
DEMANDEUR: Sage Creek Development Corporation
N° DE DOSSIER: DAL 36/2019
PROJET: Demande d'approbation par le conseil municipal du plan de lotissement délinéé ci-dessus visant à permettre de modifier une partie d'un plan de lotissement existant en ajoutant des lots résidentiels et en aménageant des voies publiques. **Pour obtenir des renseignements, veuillez appeler E. Finnigan, urbaniste, au 204-986-8602.**

Premises Affected:	Sage Creek – Sage Creek / Robert Bockstael Drive, Stoneknife Crescent, Birdsong Lane, Lloyd McKinnon Way, Snowy Owl Crescent
For submission to:	Executive Policy Committee
Prepared by:	Kate McMillan, Senior Committee Clerk Riel Community Committee
Report date:	February 3, 2020

Community Committee Recommendation:

On February 3, 2020, 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 proposed under File DAS 36/2019 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule 'A' for File DAS 36/2019 dated December 20, 2019 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 amend the Development Agreement to File No. DASZ 20/2016 (AG 20/16) with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated December 11, 2019 which is Schedule 'B' of this report.

2. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Development Agreement Amendment, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

3. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing ten percent (10%) of the appraised value of the Development Application, as determined by the City.

4. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

5. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment the By-law in accordance with the above.

6. That the subdivision section of the by-law shall come into when the amendment to the Development Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

7. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with recommendation 6 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

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9. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

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

1. They are trying in Sage Creek – an effort is being made to densify. The onus is to try and densify where we can.

2. This is a relatively low impact rezoning. The developer in Sage Creek is trying to make a complete community. There is much more of an attempt compared to where we were 30 years ago.

Exhibits Filed:

1. Application dated November 5, 2019
2. Notification of Public Hearing dated December 20, 2019
3. Caveats 5075666/1, 5075668/1
4. City of Winnipeg By-law No. 55/2018
5. Title Plot
6. Title Plot Detail List
7. Plans (2 pages)
8. Report from the Urban Planning Division dated January 23, 2020
9. Inspection Report
10. Presentation in support of the application submitted by the Applicant at the public hearing
11. Recording of Representations

REPRESENTATIONS:

In Support:

Bryan Ward
Tara Reid

In Opposition:

Nil

For Information:

Nil

For the City:

S. Jerez, Planner, Planning Property and Development Department
J. Hildebrand, Planner, Planning, Property and Development Department

Exhibit “8” referred to in File DAS 36/2019

ADMINISTRATIVE REPORT

Title: DAS 36/2019 – Sage Creek / Robert Bockstael Drive, Stoneknife Crescent, Birdsong Lane, Lloyd McKinnon Way, Snowy Owl Crescent.

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

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Hildebrand	n/a	n/a	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DAS 36/2019 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule ‘A’ for File DAS 36/2019 dated December 20, 2019 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 amend the Development Agreement to File No. DASZ 20/2016 (AG 20/16) with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated December 11, 2019 which is Schedule ‘B’ of this report.

2. That authority be delegated to the City’s Director of Planning, Property and Development (the “Director”) to negotiate and approve the terms and conditions of the Development Agreement Amendment, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

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unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

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9. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

- This report provides information and makes recommendations regarding the subject application's compliance with The City of Winnipeg Charter.
- Subdivision 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 subdivided, subject to a Development Agreement amendment to AG 20/16.

HISTORY/DISCUSSION

South St. Boniface Area Structure Plan

- On November 23, 2005, Council passed By-law 158/2005, known as the *South St. Boniface Area Structure Plan*. The plan guides development within this area of the city, and the subject properties fall within the boundaries of the plan.

DASZ 21/2007

- 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.

DASZ 3/2011

- 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. This subdivision is considered Phase 6 of the Sage Creek development and connects to Phases 2 and 4, which are located to the north and west.

DASZ 45/13

- On April 30, 2014, Council recommended approval for the subdivision and rezoning of a 53.61 acre site in Sage Creek from RR5 and R1-M to blocks zoned R1-S, R1-M, and PR1 under file DASZ 45/13. This subdivision is considered Phase 9A of the Sage Creek development and connects to Phases 2 and 6, which are located to the north and east.

DASZ 20/2016

- On January 11, 2017, Council approved an application by Sage Creek Development Corporation to rezone the 49.73-acre subject site from 'RR5' Rural Residential 5 to blocks zoned 'R1-M' Residential Single-Family Medium, and 'PR1' Parks and Recreation 1 (Neighbourhood), and to approve a plan of subdivision to allow for the creation of 285 single-family lots/homes.

CONSULTATION

This Report has been prepared in consultation with: Administrative Coordinating Group (Land Development, Public Works, Water and Waste, Winnipeg Fire and Paramedic Services).

OURWINNIPEG POLICY ALIGNMENT

01-1a OurWinnipeg's Approach to City Building

- **Direction 3: Promote compact urban form and manage the extension of municipal services for new growth:**
    - Support new developments that are contiguous with existing developments to minimize the spatial use of land and the extension of services.

01-1c Key Directions for Specific Areas – Areas of Stability

- **Key Direction:** Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population.
- **Key Direction:** Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population.
- **Key Direction:** Support the completion of Areas of Stability.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #4: Facilitate Compact, Complete Development and Increase Density

- **Key Direction 4.2:** Ensure new areas of growth are designed according to the principles of Complete Communities.

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning
Prepared by: Jonathan Hildebrand MCIP, RPP
Date: January 23, 2020
File No: DAS 36/2019

List of Schedules and Attachments

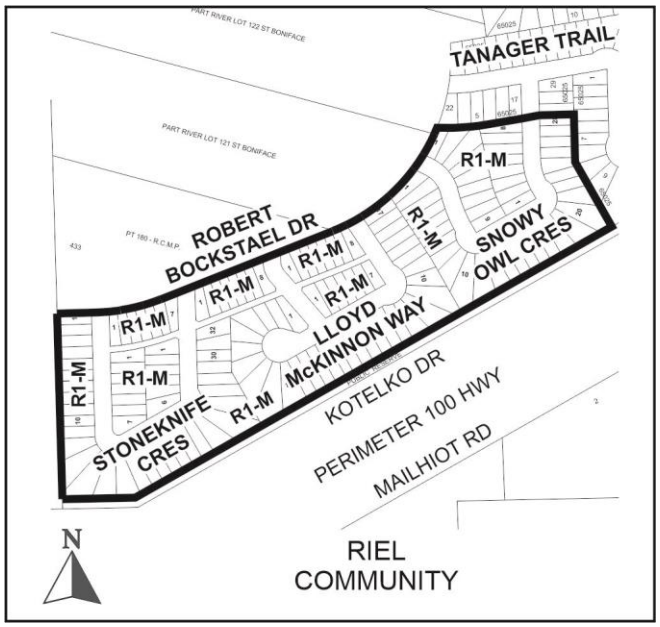
1. Appendix 'A' Planning Discussion
2. Schedule 'A' Recommended File No. DAS 36/2019 Riel Community Committee, dated January 23, 2020
3. Schedule 'B' Report of the Administrative Working Group – December 11, 2019

APPENDIX 'A'

DATE: January 23, 2020
FILE: **DAS 36/2019**
RELATED FILES: DASZ 20/2016
COMMUNITY: Riel Community
NEIGHBOURHOOD #: 5.553 (Sage Creek)

SUBJECT: To subdivide 140 lots into 151 lots and 3 public lanes.
LOCATION: Sage Creek: Robert Bockstael Drive, Stoneknife Crescent, Birdsong Lane, Lloyd McKinnon Way, Snowy Owl Crescent

LEGAL DESCRIPTION: LOTS 1 TO 34, BLOCK 1, PLAN 65025; LOTS 1 TO 19, BLOCK 2, PLAN 65025; LOTS 1 TO 32, BLOCK 3, PLAN 65025; LOTS 1 TO 13, BLOCK 4, PLAN 65025; LOTS 1 TO 16, BLOCK 5, PLAN 65025; LOTS 1 TO 26, BLOCK 6, PLAN 65025 WLTO IN LOTS 145, 146, 179 AND 180 ROMAN CATHOLIC MISSION PARISH AND RL 121 AND 122 PARISH OF ST. BONIFACE



APPLICANT: Sage Creek Development Corporation (Tara Reid)
1 Dr. David Friesen Drive
Winnipeg , Manitoba R3X 0G8

OWNER: Sage Creek Development Corporation
1 Dr. David Friesen Drive
Winnipeg , Manitoba R3X 0G8

RECOMMENDATION: Approval

SITE DESCRIPTION

- The subject site is located between Robert Bockstael Drive to the north, Kotelko Drive and the Perimeter Highway to the south, Tanager Trail to the east, and a Manitoba Hydro transmission line right-of-way to the west. It is in the Sage Creek neighbourhood of the St. Vital ward.
- The site is currently undeveloped, and is zoned 'R1-M' Single-Family Residential Medium. It is located within the boundaries of a subdivision and rezoning that was undertaken and approved in 2016 (DASZ 20/2016).
- The site falls within the 'Areas of Stability – Recent Community' policy area of the *Complete Communities Direction Strategy*.
- The site is also located within the 'Residential' policy area of the *South St. Boniface Area Structure Plan*.

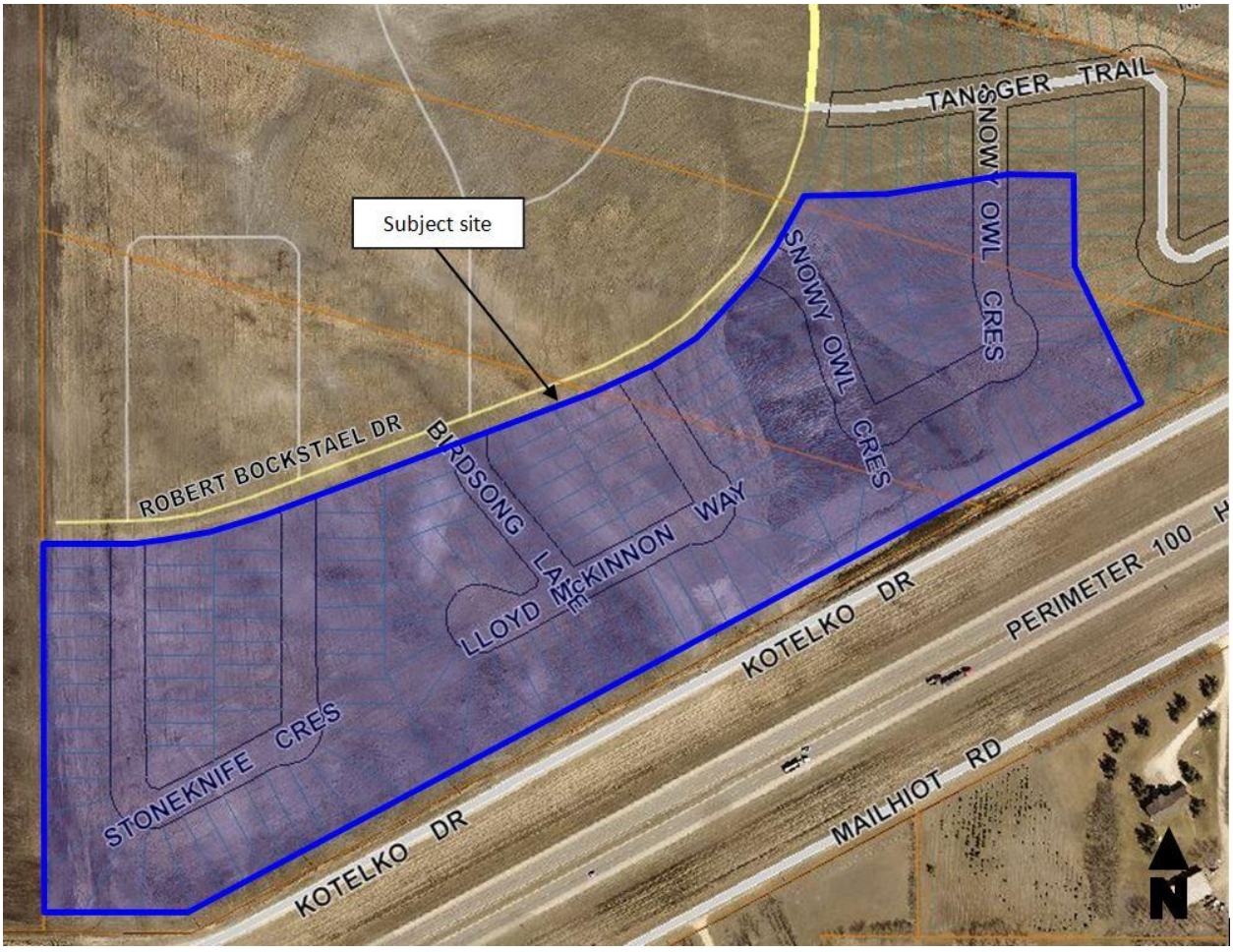


Figure 1: Aerial photo of subject site and surrounding uses *(flown 2018)*.

SURROUNDING LAND USES AND ZONING

North: Robert Bockstael Drive, then undeveloped land zoned 'RR5' Rural Residential 5.

South: Land zoned 'PR1' Parks and Recreation 1 (Neighbourhood), then Kotelko Drive, then the Perimeter Highway.

East: Undeveloped land zoned 'R1-M' Residential Single-Family Medium, then Tanager Trail.

West: Land zoned 'RR5' Rural Residential 5.



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to revise a portion of an existing plan of subdivision (DASZ 20/2016) consisting of 140 lots, in order to create 151 lots and open three (3) public lanes.
- In addition to the increased number of overall lots, a key feature of the proposed subdivision is that the new public lanes will act as rear lanes, and the lots proposed to take access from

these lanes will front onto Robert Bockstael Drive with no front approaches, as opposed to flanking Robert Bockstael Drive with front approaches onto Stoneknife Crescent, Birdsong Lane, Lloyd McKinnon Way, and Snowy Owl Crescent (see Figure 3).

COLLABORATION

- The applicant has collaborated with the Urban Planning Division regarding the inclusion of rear lanes and lots fronting onto Robert Bockstael Drive.

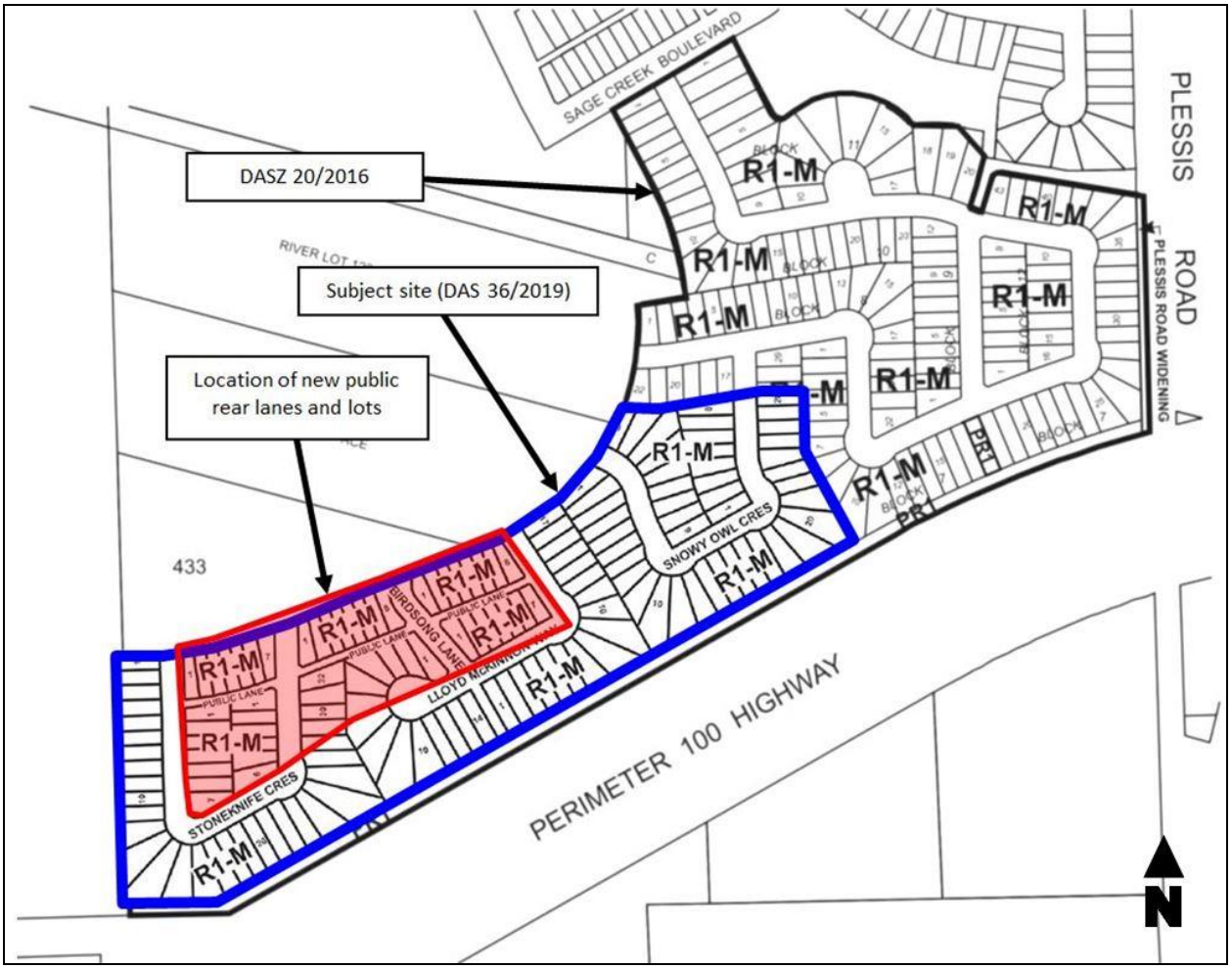


Figure 3: Subject subdivision (DAS 36/2019) and location of new rear lanes and reconfigured lots, shown in the context of the original Subdivision and Rezoning application (DASZ 20/2016).

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under *OurWinnipeg* and the *Complete Communities Direction Strategy*, the subject land is designated as an 'Area of Stability – Recent Community.' 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

- The subject site is located within the 'Residential' policy area of the *South St. Boniface Area Structure Plan* and includes a portion of a 'Neighbourhood Node' as identified in the Plan. Policies relevant to this application include:

5.1.2 Residential Area Policies

1. Composition of Residential Areas
    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.

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.

5. Connections to Neighbourhood Nodes

    a. The road pattern and pedestrian routes from the surrounding residential area should converge at the Neighbourhood Node providing multiple and convenient connections to the node from the surrounding residential areas.

    b. A Neighbourhood Node should be located

        i. Along a collector road system in the general vicinity of the area shown on the Land Use Concept map, and

        ii. In an appropriate location relative to the surrounding neighbourhood.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

- The 'R1-M' Residential Single-Family Medium 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 THE SURROUNDING NEIGHBOURHOOD

- The proposed subdivision and rear lanes will result in lots that front onto a main collector street in the neighbourhood (Robert Bockstael Drive); one that connects to a Neighbourhood Node. The orientation of lot frontages to the street (as opposed to side yards flanking the street) with vehicular access from rear lanes results in a condition that aligns with 'Neighbourhood Node' policies within the *South St. Boniface Area Structure Plan*, including:
    - A more pedestrian-friendly and active streetfront condition, as well as increased visual interest along a key route connecting to a Neighbourhood Node.
    - The increased number of lots in the proposal is appropriate given the proximity to a Neighbourhood Node, where a concentration of housing is called for in the Plan.
- The above items also comply with policies for 'Areas of Stability' under the *Complete Communities Direction Strategy*:
    - In particular the improvement of the streetfront condition along Robert Bockstael Drive promotes a "quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction."
    - This can also help provide opportunities "to increase multi-modal connectivity" in the future development of this area.

RECOMMENDATION

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

- The subject subdivision complies with the 'Residential' and 'Neighbourhood Node' policies of the *South St. Boniface Area Structure Plan*.
- The proposed subdivision also aligns with the policies for 'Areas of Stability' under the *Complete Communities Direction Strategy*.

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

Report Prepared by: Jonathan Hildebrand MCIP, RPP
PPD File #: DAS 36/2019

Schedule 'A' for File No. DAS 36/2019, Dated January 23, 2020

By-Law No. _____

File No. **DAS 36/2019**

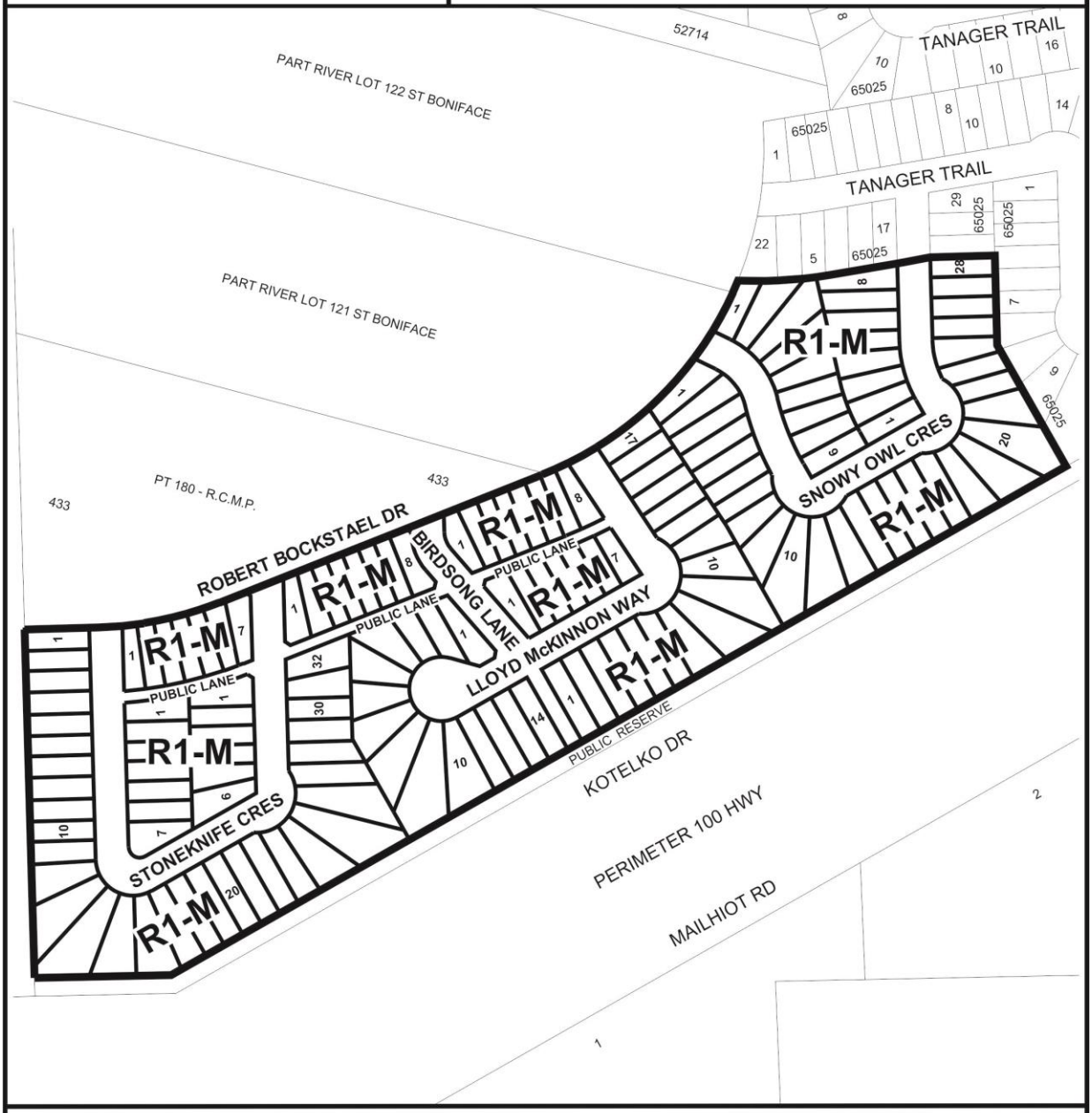
Atlas Sheet No. **AH32**

N

RIEL COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below, on the land located south of Robert Bockstael Drive, west of Tanager Trail, to facilitate the re-lotting of a portion of an existing plan of subdivision by the creation of additional residential building lots and the establishment of public lanes.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule 'B'

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP – December 11, 2019

RE: PROPOSED SUBDIVISION OF LAND LOCATED SOUTH OF ROBERT BOCKSTAEL DRIVE, WEST OF TANAGER TRAIL

The above noted application was reviewed by the ACG Group on December 11, 2019. The application was determined to be within the Planned Area of the Sage Creek lands under development (DASZ 20/2016) and therefore this application is subject to the terms and conditions as outlined in the Development Agreement for AG 20/16.
It is recommended that the approval of DAS 36/2019, if granted, be subject to the applicant entering into a Development Agreement amendment to AG 20/16 addressing the following items:

Plan Considerations

1. Proposed Public Lanes are to be established with a 6.25m right-of-way width in Public Lanes serving single or two-family residential development, to the satisfaction of the Director of Public Works.
2. Amend Schedule "B" under AG 20/16 to reflect the Plan of Subdivision approved under DAS 36/2019.

Agreement Conditions

1. Pavement

   The Developer shall, at no expense to the City, construct Portland cement concrete pavements, 5.0m wide by 150mm thick, and all related works, in all Public Lanes within the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DAS 36/2019
January 20, 2020

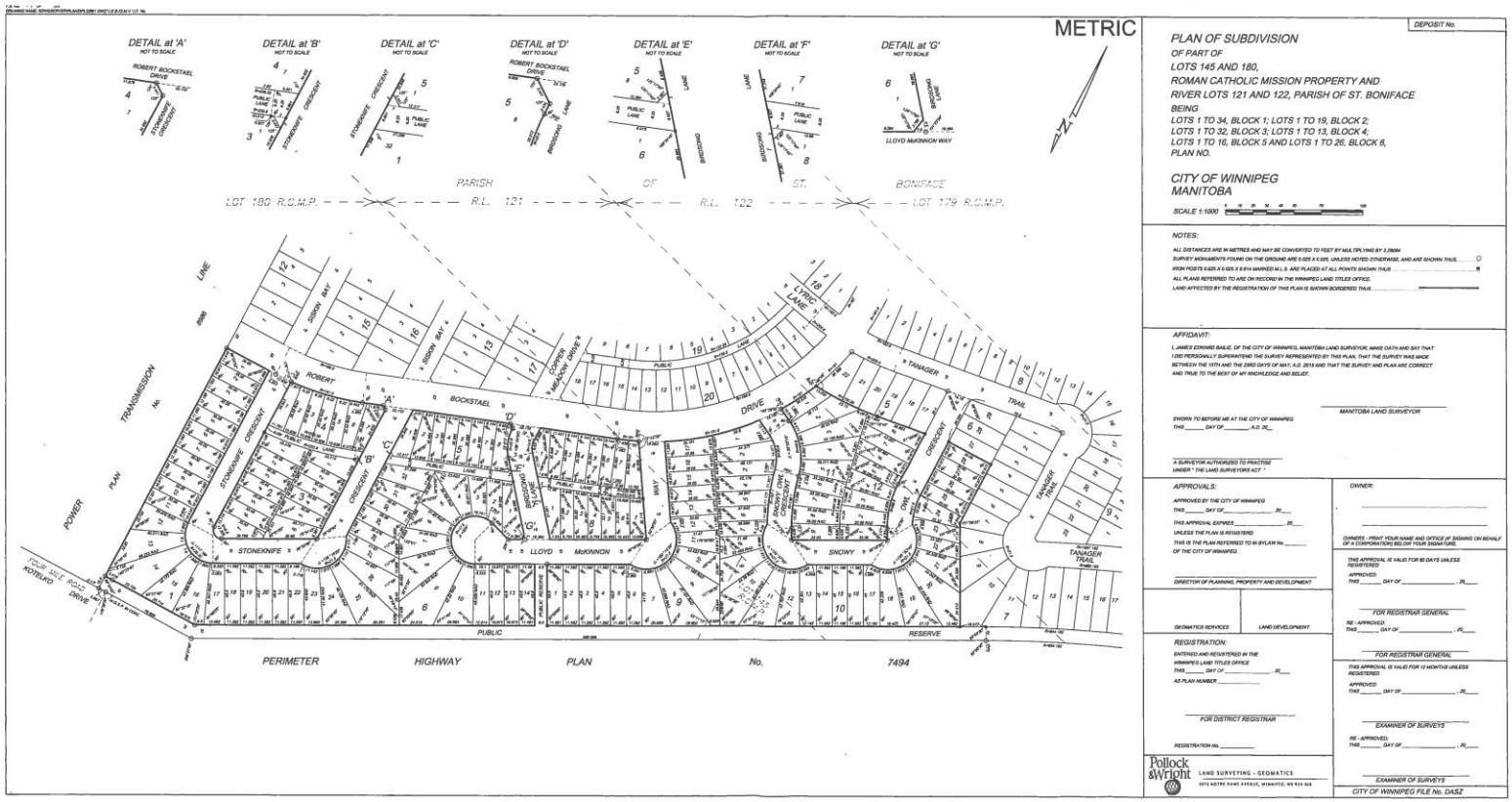
"*Original Signed by D. Trenchard*"

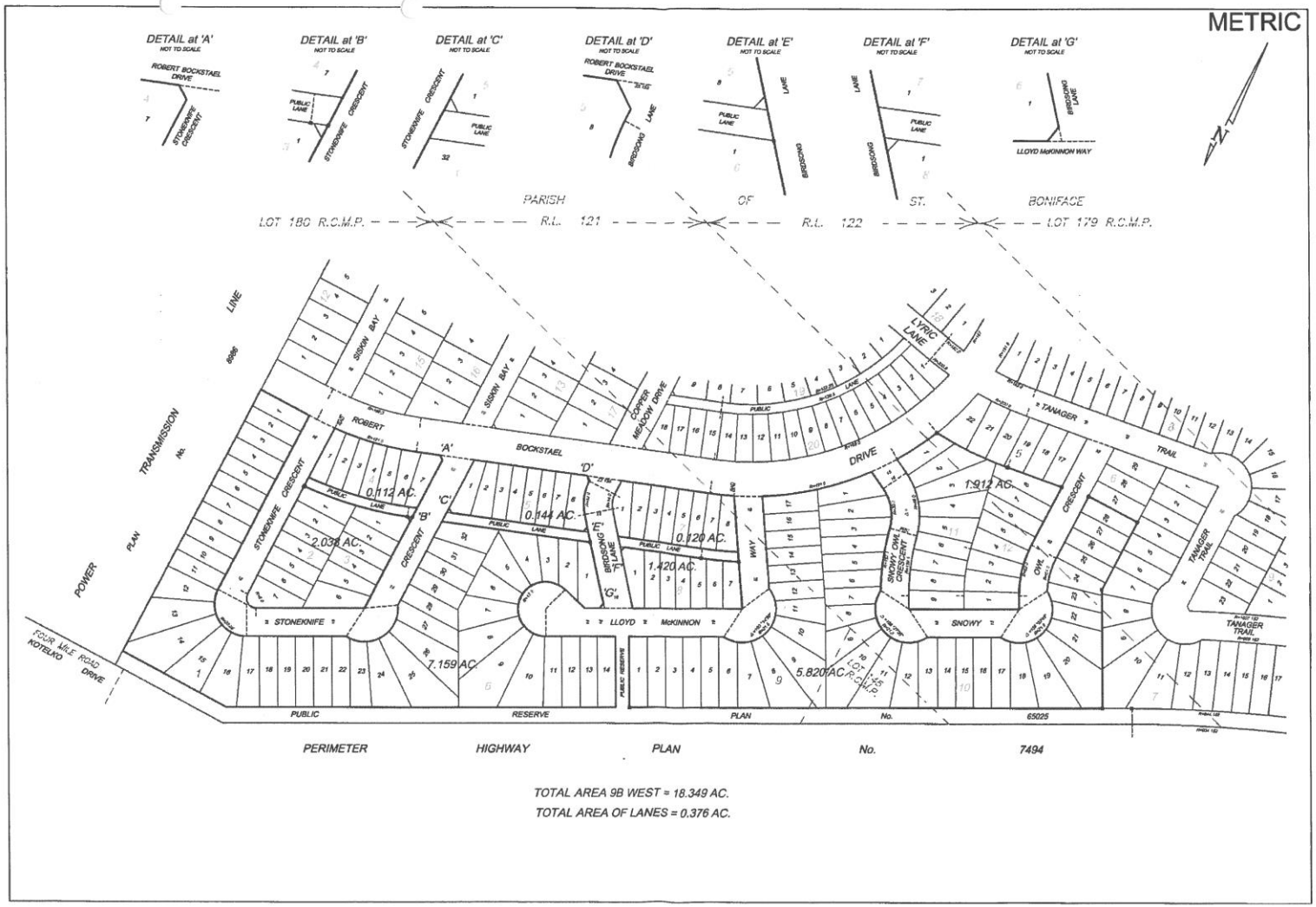
D. Trenchard, P. Eng.,
Land Development Branch

"Original Signed By C.J. Desjardine"

C.J. Desjardine, M.Sc., P. Eng.
Public Works Department, Transportation Division

Exhibit “7” referred to in File DAS 36/2019




METRIC
DETAIL at 'A'
DETAIL at 'B'
DETAIL at 'C'
DETAIL at 'D'
DETAIL at 'E'
DETAIL at 'F'
DETAIL at 'G'
PARISH OF ST. BONIFACE
LOT 180 R.C.M.P.
R.L. 121
R.L. 122
LOT 179 R.C.M.P.
POWER TRANSMISSION LINE
PLAN No. 8986
FOUR MILE ROAD
KOTELKO DRIVE
ROBERT BOCKSTAEL DRIVE
STONEKNIFE CRESCENT
SISKIN BAY
COPPER MEADOW DRIVE
LYRIC LANE
TANAGER TRAIL
BIRDSONG LANE
LLOYD McKINNON WAY
SNOWY OWL CRESCENT
PUBLIC LANE
PUBLIC RESERVE PLAN No. 65025
PERIMETER HIGHWAY PLAN No. 7494
0.112 AC.
2.038 AC.
0.144 AC.
0.120 AC.
1.420 AC.
1.912 AC.
7.159 AC.
5.820 AC.
TOTAL AREA 9B WEST = 18.349 AC.
TOTAL AREA OF LANES = 0.376 AC.