Minute No. 433
Report - Standing Policy Committee on Property and Development - May 3, 2005

Item No. 6 **Subdivision and Rezoning - southeast corner of Knowles Avenue and Gateway Road**
File DASZ 45/2004

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 proposed under File DASZ 45/2004 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 45/2004 dated March 29, 2005, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer amend the plan as outlined in the report of the Administrative Coordinating Group dated March 24, 2005.

    B. 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 March 24, 2005.

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

3. That The Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 45/2004 dated March 29, 2005, to an "R1-4" Single Family Residential District and a "R1-5" Single Family Residential District subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

    A. That the Developer shall erect a uniform wood fence [two (2) metres in height] abutting Gateway Road to the satisfaction of the Director of Public Works. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Planning, Property and Development.

Report - Standing Policy Committee on Property and Development - May 3, 2005

COUNCIL DECISION (continued)

B. That residential lots with rearage on the Gateway Road right-of-way shall provide a minimum fifty (50) foot (15.24 metre) setback between the rear property line and any habitable rooms of principal buildings.

C. That a minimum side yard of 32.8 feet (10.0 metres) be maintained for single family residential lots that flank the Gateway Road right-of-way.

4. That a ten (10) percent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land and the creation of additional sites.

5. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

6. That the City Solicitor/Manager of Legal Services 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 execution by the City of Winnipeg of the Development Agreement.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and the Zoning Agreement has been filed by caveat in the Winnipeg Land Titles Office against those lands provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

9. That the Plan of Subdivision be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Report - Standing Policy Committee on Property and Development - May 3, 2005

DECISION MAKING HISTORY:

Moved by Councillor De Smedt,

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

Councillor Lubosch called for the yeas and nays, which were as follows:-

Yea: His Worship Mayor Katz, Councillors Eadie, Clement, De Smedt, Magnifico, Pagtakhan, Steeves, Swandel, and the Speaker Councillor O'Shaughnessy. 9

Nay: Councillors Benham, Gerbasi, Lubosch, Smith, Thomas and Wyatt 6

and the motion for adoption of the item was declared carried.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 11, 2005, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development (which did not concur in the recommendation of the East Kildonan-Transcona Community Committee) and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 3, 2005, the Standing Policy Committee on Property and Development did not concur in the recommendation of the East Kildonan-Transcona Community Committee and concurred in the administrative recommendation and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 5, 2005, the East Kildonan-Transcona Community Committee did not concur in the administrative recommendation, recommended that the application for subdivision and rezoning not be proceeded with and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: Subdivision and Rezoning - Southeast corner of Knowles Avenue and Gateway Road
File DASZ 45/2004

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

Prepared by: **Inga Skundberg, Clerk**
East Kildonan-Transcona Community Committee

Report date: **April 20, 2005**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 5, 2005, the East Kildonan-Transcona Community Committee did not concur in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development that the application for subdivision and rezoning under File DASZ 45/2004 not be proceeded with.

The East Kildonan-Transcona Community Committee provided the following supporting reasons for its recommendation:

1. The community position is clear that they will not accept any residential development of this size and magnitude.

2. That development of this size and magnitude not be proceeded with until the Chief Peguis Trail has been constructed.

PUBLIC HEARING SUMMARY

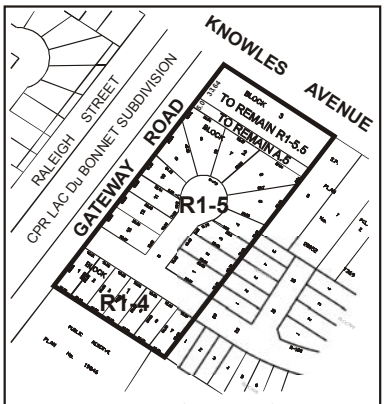
File: DASZ 45/2004

Before: East Kildonan-Transcona Community Committee
Councillor Wyatt, Chairperson
Councillor Lubosch
Councillor Thomas

Public Hearing: April 5, 2005
Helen Mayba Theatre
Miles Macdonell Collegiate
757 Roch Street

Applicant: Doug Henne Planning Services (c/o Doug Henne)

Subject:



EAST KILDONAN TRANSCONA COMMUNITY

APPLICANT : DOUG HENNE PLANNING SERVICES
FILE : DASZ 45/04
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. 6400/94 by rezoning the land shown outlined above from an "A.5" AGRICULTURAL DISTRICT to an "R1-4" SINGLE-FAMILY DISTRICT and an "R1-5" SINGLE-FAMILY DISTRICT. **For information, phone Mr. J. Wintrup, Planner at 986-5102.**

Premises Affected: southeast corner of Knowles Avenue and Gateway Road

Exhibits Filed:

1. Application dated November 16, 2004
2. Notification of Public Hearing dated March 9, 2005
3. Manitoba Status of Title 1821338
4. Surveyor's Building Location Certificate and Sketch dated June 9, 1981

5a. Letter of authorization dated August 30, 2004 from Lawrence Henry and Marlene Rose Kostynyk to North Grassie Properties Inc., or its Agent

5b. Letter of authorization dated October 8, 2004 from North Grassie Properties Inc. to Doug Henne Planning Services

6. Proposed Plan of Subdivision
7. Schedule of Lot Width and Area Calculations
8. Report from the Manager of Planning and Land Use dated March 29, 2005
9. Revised Report from the Administrative Coordinating Group dated March 29, 2005
10. Inspection Report
11. Communication dated April 5, 2005, from Terry Kozak with respect to the application

REPRESENTATIONS

In Support:

Doug Henne, Doug Henne Planning Services
Norm Boyle
Don and Pat Guigueno
Ed and Hanna Hindle
Robert and Nikki Klos
Robert Linney
Mirko and Ethel Ljubic
Kelly Pickard
Dan Powell
John Schoofs
Randal Thomas
Leonard van Leeuwen

In Opposition:

Bruce and Nancy Adams
Peter Allerton
James Ashton
Florence Asante and Mary Barzey
Gaylynne Bergen
Doug Bird
Gina Boily
Brad Borgstrom
Valerie Bumstead
Peter Celhar
Art and Patricia Cerkow
Debbie Chomiak
Bob and Kim Church
Doug Christie
Henry Claeys
Cathy Cox
Cynthia P. and Orest Cychmistruk
Rob Dilk and Shelly Eckert Dilk
Henni and Reg Dyck
Don Engel
Henry and Susan Enns
Rod and Tracy Falk
Yumi Falk
Lindsey Fuller
Ernie and Patricia Gagnon
Brian and Joyce Gainor
Miguel and Sheri Garrido
Kay, Robert and Stan Gigiel
Gerald and Penny Goosen
Livia and John Groppi
Steve Halabura
Gail and Glen Hammond
Annette and Randall Hay
Jim Hazell
Heinz and Anita Hindemith
Alvina and Rob Hlady
Michael Hodgkinson
Murray and Pat Hope
Raymon Houle
N.B. Ingram
Elly and Vic Janzen
Jeff and Paula Johnson
Marlene Jorgenson
Werner C. and Waltraut Jarschke
Fred Kaita
Carole Kenning
Betty Anne and Ken Kilbrie
Don King
R. and Sandra Klinck
Gord and Martina Korne
Peter Kotyk
Gary Kubinec
Ken and Marie Kuhn
Eugene and Mary Kyrzyk
Dean Lash
Adolf and Elfriede Laubstedt
Ryan Litton
Lawrence Lobay
Anne and W.L. Macbeth
Lena Mancluk
Helen and Wes Mark
Teresa Marsh
Cathy Martens
William Mazur
Heather McColl
Diana and Jim McEachern
Reinhard Mohr
Walter Naherny
Sal Napolfone
Cam Neirinck
James Novasat
Paul Nyhof
Barry Olinkin
Judi Parry
Don and Gail Paul
Ken Peter
Jim Prokopowich
Bruck Prozyk
Kathy Pyper
Barbara Quinlan
Anita Quiring
Henry Quiring
Bill and Zelma Quiring
Carmine Racano
Sharon M. Raddatz
Gaylene D. Rathwell-Nemeth
Teri Reske
Darryl Robinson
William Sandulak
Guenter Schaub
Daniel Sernyk
Mike and Rosalie Shupenia
June and Nick Shymko
Richard Stefanic
Carol and Gary Stelter
Frankie and Nicole Foster-St. Bernard
Ted Stoesz
Ellery and Susanne Strell
Karen and Trevor Strome
Isabel Thornhill
Marvin Thorsteinson
Lawrence Traa
Andre Trudeau
Jordan, Karen, Leanne and Rick Veale
Larry and Karen Vince
Leonard Watts
A.S. and R.E. Willms
Hedy and Keith Witzky
Cathie and Fred Woodhall
Al Wozny
R.and N. Yackel
Helen Zacharias
Richard Zaric

For Information:

Guy Chartier
Frank Domareski
Violet Dudeck
Warren Earl
Les Gawinski
Peter H. Gsols
Lloyd Hiebert
Andrew Hretzay, Anson Developments
Douglas Jentsch
Elfriede Kehler
Christopher J. and Michele Kolba
Ingrid and Reynold Martens
Bonnie Mitchelson
G.E. O'Brien
Donn C. Poitras
Verna Prigroski
Wilf Regier
Victor Reimer
Allen Robinson
Louis Schoofs
Mike Shupenia
Susan Thomas
Donald and Beatrice Tymko
Arie Van Ry
Jo-Anne and Rick Wierzbicki
Greg and April Wozney
R. Zacharias

For the City:

Ernie Carriere, Land Development Engineer, Planning, Property and Development Department
John Wintrup, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Doug Henne appeared in support of the application. He commented that the viability of the subject application is in question inasmuch as DASZ 20/2004 is being recommended by the Community Committee that it not be proceeded with. In this connection, he requested that the subject public hearing be adjourned until after Council has deliberated on the related application DASZ 20/2004.

Henry Enns appeared in opposition to the application.

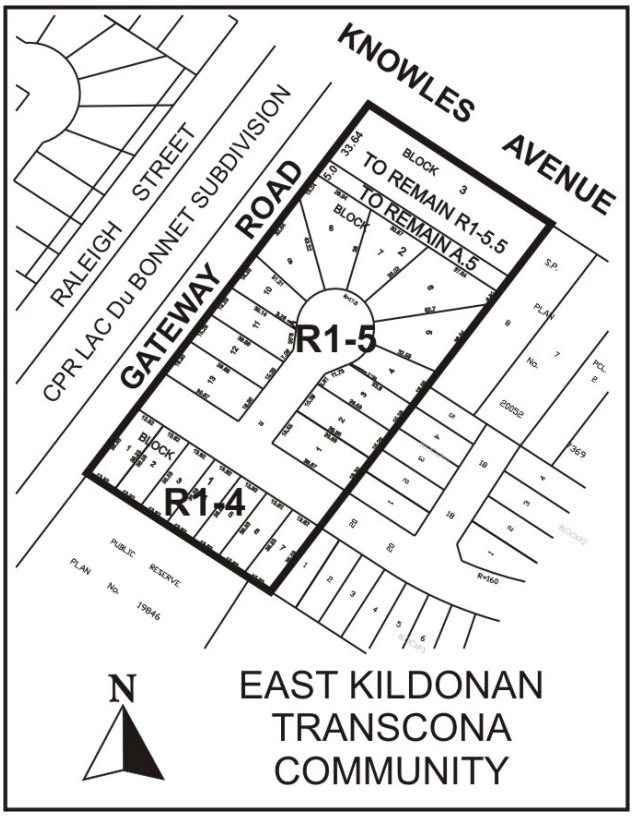
Exhibit "8" referred to in File DASZ 45/2004

Winnipeg

Planning, Property and Development Department Report

To the East Kildonan - Transcona Community Committee

Date: **March 29, 2005**
File: **DASZ 45/04**
Related Files: **DASZ 20/04; DASZ 10/1990**
Subject: **Subdivide and rezone the land for single family dwellings.**
Location:



Applicant: **Doug Henne Planning Services**
Owner: **Lawrence and Marlene Kostynyk**

Recommendation: **Approve with Conditions.**

Report Summary:

- The applicant intends to subdivide the subject property in order to construct 20 single family dwellings.
- Headmaster Row will be connected to Gateway Road and to Lagimodiere Blvd in conjunction with **DASZ 20/04**.

Site Description

The subject property is approximately 20 223 square metres (5 acres) located east of Gateway Road between Bonner and Knowles Avenues in the Springfield North neighbourhood of the North Kildonan Ward. The site is zoned "A-5" Rural District and "R1-5.5" Residential District. Adjacent lands include vacant land to the east designated "A-5" and single family dwellings zoned "R1-5.5". Surrounding lands include open green space to the south along Bonner Avenue.

Background

DASZ 10/1990
The EKT CC recommended approval of a previous application, DASZ 10/1990, for single family dwellings on the subject lands on February 26, 1991 after four public hearing that included neighbourhood opposition and support. The recommendation was adopted by Council on May 29, 1991. The applicant at that time, Kingsford Development Corporation, did not proceed with the approved plans. An extension of time was requested for this plan in September, 2001 and the request was not granted. This plan has subsequently expired. DASZ 10/1990 also included the adjacent lands to the east, which are subject to DASZ 20/04.

DASZ 20/04
This application was made in June of 2004 and did not include the subject lands. The first design of DASZ 20/04 was different than the previous application made under DASZ 10/1990 in terms of street patterns and the retention lake. The Administration recommended in October at a Public Hearing that DASZ 20/04 be laid over to allow the applicant time to work with the City of Winnipeg to generate a revised plan. DASZ 45/04 was made in November, 2004.

Description of the Proposed Development

The applicant intends to subdivide the subject property in order to construct 20 single family dwellings. The residential lots will range from 40 feet to + 50 feet. Residential lots will front the south side of Headmaster Row. A cul-de-sac will extend north from Headmaster Row. There will be no additional lots or single family dwellings added to the south side of Knowles Avenue. This design is consistent with the previous subdivision for this property made under DASZ 10/1990.

Analysis

PLAN WINNIPEG
The proposed concept complies with Plan Winnipeg in that a residential rezoning is allowed in Neighbourhood Policy Areas. The proposed development is supported by the following policy:

3B-02 Guide the Development of New and Existing Residential Areas
The City shall guide the development of new and existing residential areas designated as Neighbourhood by:

i) requiring development to provide a full range of municipal infrastructure in an environmentally-sound, economical, and timely manner

All rezonings and new developments must concur with Plan Winnipeg Policies. The applicant proposed rezoning/subdivision for new single family dwellings along Knowles Avenue as part of this application. However, this can not occur without a full range of municipal services. The lands along Knowles Avenue will remain with its existing zoning as a residual parcel (Block 3) that can be further subdivided/rezoned in the future when full municipal services are provided along Knowles Avenue.

ZONING
- The **"R1-5.5" Single Family Residential District** requires a minimum lot size of 5,500 square feet and a minimum lot width of 50 feet.
- The **"R1-5" Single Family Residential District** requires a minimum lot size of 5,000 square feet and a minimum lot width of 50 feet.
- The **"R1-4" Single Family Residential District** will require a minimum lot size of 4,000 square feet and minimum lot width of 40 feet.

TRANSPORTATION AND SITE ACCESS
The proposed street pattern is consistent with the *North Kildonan Traffic Study*. Headmaster Row will be connected to Lagimodiere Blvd with a set of traffic signals in conjunction with DASZ 20/04. This new road will serve as a residential collector street.

COMPATIBILITY WITH SURROUNDING USES
The Administration supports single family residential uses on the subject site: the proposal represents a logical completion of the Springfield North residential community.

LAND USE BY-LAW ISSUES
The proposed zoning categories are consistent with a number of residential subdivisions in Winnipeg such as Eaglemere, Amber Trails, Canterbury Park, Whyte Ridge and Riverbend South. A number of developers have stated today's main market is willing to purchase the 35 - 48 foot wide lots, and a minority of the market is willing to purchase 50 foot wide lots. There are a large number of 50 foot wide lots in the North Kildonan area and there is also a large number of 35 - 45 foot wide lots. The range of lot sizes will permit the construction of a variety of new single family dwellings that will diversify the housing stock and provide residents with different housing options.

SITE DESIGN ISSUES
Public Works has indicated that the Headmaster Row extension from Gateway Road to Lagimodiere Blvd is to be established as a residential collector street. Headmaster Row east of Gateway Road is to be established with a 27.0 metre in width right-of-way for a distance of 60 metre east of the intersection and is to be tapered from 27 metre to 22 metre though and additional 50.0 metres east thereof. The proposed street width is not consistent with Public Works requirements.

Recommendation

The Administration recommends approval of the subject to the following:

- that the proposed residential lots backing onto Gateway Road are to be established with 50 foot rear yards or 33 foot side yards, and a uniform noise attenuation fence.

The Administration is also recommending that the plan be amended to indicate the requirements for a residential collector street.

Recommended Conditions of Approval

1. That the plan of subdivision proposed under File No. **DASZ 45/04** be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. **DASZ 45/04,** attached hereto and dated **March 29, 2005**, for registration in the Winnipeg Land Titles Office, subject to the following:

    C. That the Developer amend the plan as outlined in the report of the Administrative Coordinating Group dated March 24, 2005;

D. 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 **March 24, 2005**;

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

3. That The Winnipeg Zoning By-Law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File No. **DASZ 45/04,** attached hereto and dated **March 29, 2005**, to an ""R1-4" Single Family Residential District, and a "R1-5" Single Family Residential District subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

   A. That the Developer shall erect a uniform wood fence (2 metre in height) abutting Gateway Road to the satisfaction of the Director of Public Works. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Planning, Property and Development.

   B. That residential lots with rear age on the Gateway Road right-of-way shall provide a minimum 50 foot (15.24 metre) setback between the rear property line and any habitable rooms of principal buildings.

   C. That a minimum side yard of 32.8 feet (10.0 metres) be maintained for single family residential lots that flank the Gateway Road right-of-way.

4. That a ten (10) percent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land and the creation of additional sites.

5. That, in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

6. That the City Solicitor/Manager of Legal Services 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 execution by the City of Winnipeg of the Development Agreement.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office, and the Zoning Agreement has been filed by caveat in the Winnipeg Land Titles Office against those lands **provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council**.

9. The Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

10. In the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

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

Report Prepared by: John S. Wintrup
PPD File # .419

Schedule "A"

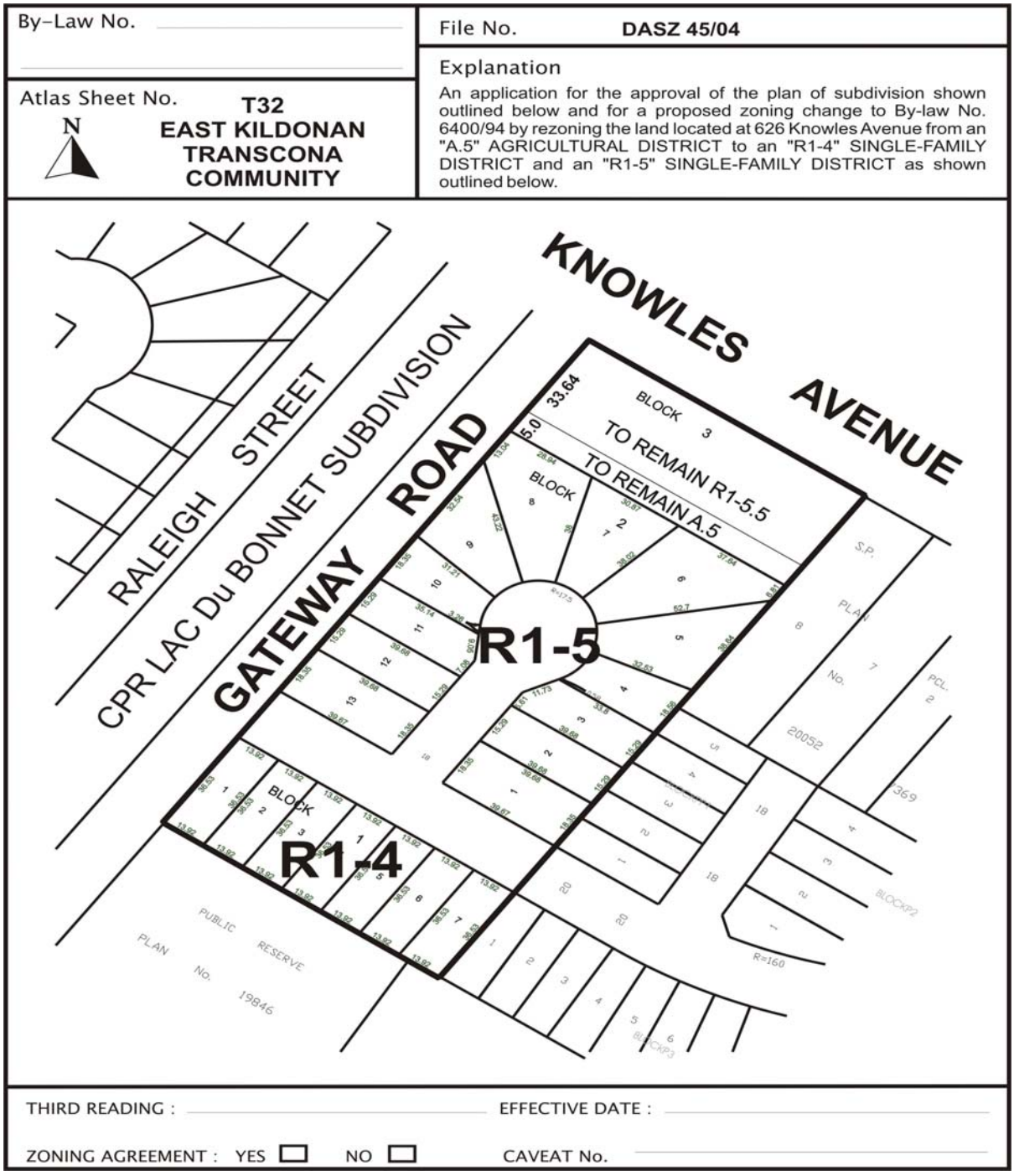


Figure 1: Schedule "A" to the report to the East Kildonan -Transcona Community Committee for File No. DASZ 45/04, dated March 29, 2005.

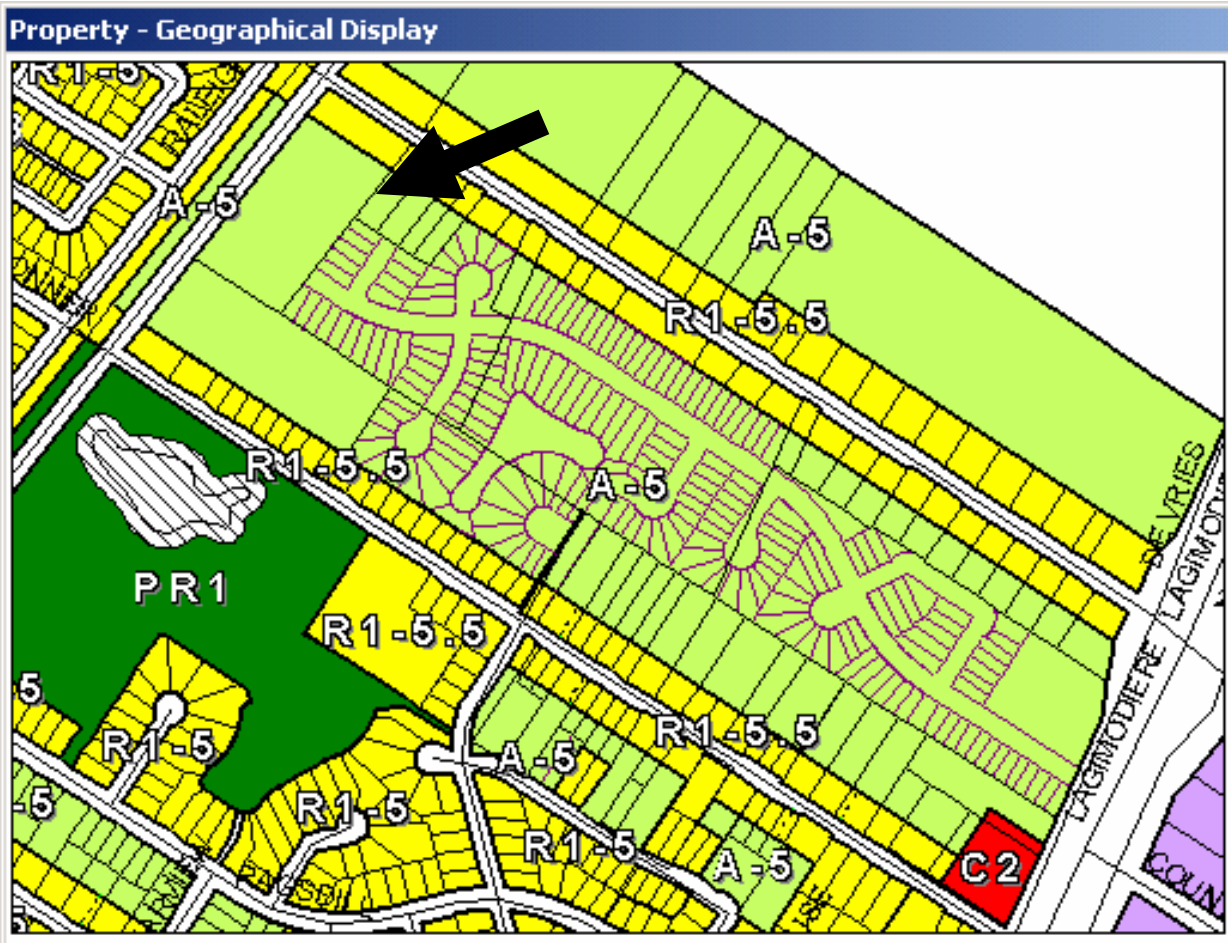


Figure 2: Existing Zoning for subject property and Surrounding Area.



Figure 3: Existing Land-Uses for subject property and Surrounding Area.

Exhibit "9" referred to in File DASZ 45/2004

Re: Proposed subdivision and rezoning on land located on the southeast corner of Knowles Avenue and Gateway Road – DASZ 45/04

An application has been submitted by Doug Henne Planning Services to subdivide and rezone land located on the southeast corner of Knowles Avenue and Gateway Road.

It is recommended that the proposed plan be amended as follows:

A. The Headmaster Row extension from Gateway Road to Lagimodiere Boulevard is to be established as residential collector street to the satisfaction of the Director of Public Works. Headmaster Row east of Gateway Road is to be established with a 27.0m in width right-of-way for a distance of 60.0m east of the intersection and is to be tapered from 27.0m to 22.0m through an additional 50.0m east thereof. The tapered section is to be symmetric about the centreline of the right-of-way. The centreline of Headmaster Row east of Gateway Road is to be coincident with Headmaster Row west of Gateway Road.

B. The Developer shall, at no expense to the City, transfer and legally open property required to widen the Knowles Avenue right-of-way by 2.286m (7.5ft.) along the full length of the Planned Area abutting Knowles Avenue.

C. The single-family residential lots backing onto Gateway Road are to be established with lot depths to provide for 15.0m rear yards to the principal dwelling. The Zoning Agreement for the subject lots is to stipulate this 15.0m rear yard.

D. The single-family residential lots flanking Gateway Road at Headmaster Row and Knowles Avenue are to be established with a width to provide for a 10.0m corner side yard to the wall of the principal dwelling. The Zoning Agreement for the subject lots is to stipulate this 10.0m corner side yard.

It is also recommended that approval of this application amended as per A. to D. above be subject to the Developer entering into a Development Agreement as follows:

1. The Developer shall, at no expense to the City, construct watermains and wastewater sewers to serve the proposed subdivision and adjacent lands as determined by and to the satisfaction of the Director of Water and Waste. The City will reimburse the Developer for any oversizing as determined by the Director of Water and Waste. The Developer shall abandon the existing septic field serving 626 Knowles Avenue and convert to a pump-out tank in accordance with the Sewer By-law prior to the release of the approved subdivision mylars for registration in the Land Titles Office.

2. The Developer shall, at no expense to the City, install land drainage sewers to serve the proposed subdivision and adjacent lands as determined by and to the satisfaction of the Director of Water and Waste.

3. The Developer shall pay its share of the cost of the regional land drainage system as determined by the Director of Water and Waste (2005 rate = $16,391.00/acre).

4. The Developer shall, at no expense to the City, construct portland cement concrete pavements to widths of 7.5m, 10.0m and to fit the widened Headmaster Row right-of-way in the first 110m east of Gateway Road, by 150mm and 200mm in thickness in all streets within the Planned Area and all related works including, but not necessarily limited to ornamental street lighting and boulevard landscaping all as determined by and to the satisfaction of the Director of Public Works.

5. The Developer shall, at no expense to the City, construct a 1.5m in width by 100mm in thickness portland cement concrete sidewalk along both sides of Headmaster Row and along the east side of Gateway Road between Bonner Avenue and Knowles Avenue as determined by and to the satisfaction of the Director of Public Works.

6. The Developer shall, at no expense to the City, cause to be installed standard reflectorized permanent street name signs to be installed at all new street intersections being created as a result of the subdivision.

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

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

9. The Developer shall, prior to the release of the subdivision mylars, pay to the City in cash its share of the cost of the following improvements at and in the vicinity of the intersection of Lagimodiere Boulevard and Headmaster Row on an area basis with the total contributing area being the currently undeveloped developable lands bounded by Gateway Road, DeVries Avenue, Bonner Avenue and the north City Limit as determined by the Director of Public Works:

    a) a street connection, channelization and turnouts between Lagimodiere Boulevard and DeVries Avenue and Norris Road;

b) a median opening and northbound left turn deceleration and storage lane;

c) a southbound right turn deceleration lane;

d) a realignment of DeVries Avenue to the north and south of Headmaster Row;

e) 50% of the costs of the installation of traffic control signals and all related works at the intersection of Headmaster Row and Lagimodiere Boulevard including, but not necessarily limited to, pedestrian and vehicular actuation, interconnection to adjacent traffic control signals and audible pedestrian signals;

f) the removal of the street connections between Lagimodiere Boulevard and DeVries Avenue and Norris Road and the removal of the median opening and auxiliary traffic lanes on Lagimodiere Boulevard all at the intersection of Lagimodiere Boulevard and Knowles Avenue; the removal of the Knowles Avenue connection to DeVries Avenue and the construction of a cul-de-sac turnaround at the resulting dead-end;

g) 50% of the costs of advance permanent street name signs on Lagimodiere Boulevard, north and south of Headmaster Row;

h) all related works, including but not necessarily limited to, any necessary land drainage works, street lighting and landscaping;

all as determined by and to the satisfaction of the Director of Public Works.

10. The Developer shall, at no expense to the City, be responsible to control and to initiate the clean-up 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 houses, until completion of all construction. The clean up of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming all costs in remedying the situation to the satisfaction of the Director of Public Works.

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

12. The Developer shall install signs at the entrances to the subdivision, upon which is displayed a plan of the subdivision showing thereon the locations of all proposed sidewalks and community mailboxes.

13. The Developer shall, at no expense to the City, construct within the rear or side yards of all one and two family lots abutting Gateway Road, a uniform noise attenuation fence 2.0m in height, to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title of each of these proposed lots abutting Gateway Road requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

14. The Developer shall pay the full cost of engineering services provided by or on behalf of the City in connection with the installation of services required to serve the proposed subdivision.

15. The Developer shall pay cash in lieu of public open space dedication including servicing and landscaping in accordance with City policy.

16. The Developer shall pay $1,200.00 per acre to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 45/04
March 24, 2005

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"Original signed by E.L. Carrière"
Land Development Engineer

"Original signed by K.T. Raban"
Water and Waste Department

Public Works Department
Transportation Div