Agenda – Executive Policy Committee – July 19, 2006

Report - Standing Policy Committee on Property and Development – July 4, 2006

Item No. 15 Subdivision and Rezoning - north of Leila Avenue and west of Grasbourg Drive
File DASZ 20/2006

STANDING COMMITTEE RECOMMENDATION:

On July 4, 2006, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submits the following to Council:

1. That the plan of subdivision proposed under File DASZ 20/2006 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 20/2006 dated May 31, 2006, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into an Addendum to Development Agreement AG 3/96 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 12, 2006.

    B. A revised subdivision plan, including a pedestrian corridor with a walkway and landscaping, shall be submitted to and approved by the Director of Planning, Property and Development prior to the enactment of the By-law. The plan shall be as generally indicated on the concept plan identified as Appendix A.

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 20/2006 dated May 31, 2006, to an "R1-4" Residential District and a "PR-1" Parks and Recreation 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. Future owners of the individual building lots abutting the uniform noise attenuation fence, constructed within the rear yards of all the single-family lots abutting Leila Avenue, shall be responsible for maintaining, repairing, and replacing the fence, as warranted, as originally constructed to the satisfaction of the Director of Public Works.

Report - Standing Policy Committee on Property and Development – July 4, 2006

B. That residential lots with rearage on Leila Avenue shall maintain a minimum rear yard setback of 17.5 metres.

C. That residential lots with flankage on Leila Avenue shall maintain a minimum side yard setback of 10.0 metres.

D. That the developer shall, at no expense to the City, construct within all yards abutting the pedestrian corridor, a uniform fence, consistent in material and style with fencing installed in previous phases of the development, to the satisfaction of the Director of Planning, Property and Development. Future owners of the individual building lots abutting this fencing shall be responsible for maintaining, repairing, and replacing this fencing, as warranted, as originally constructed to the satisfaction of the Director of Planning, Property, and Development.

4. 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.

5. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

6. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision 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.

8. That 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.

9. 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.

10. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

Report - Standing Policy Committee on Property and Development – July 4, 2006

11. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Agenda – Executive Policy Committee – July 19, 2006

Report - Standing Policy Committee on Property and Development – July 4, 2006

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On July 4, 2006, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 20, 2006, the Lord Selkirk-West Kildonan Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning - north of Leila Avenue and west of Grasbourg Drive**
File DASZ 20/2006

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

Prepared by: **Diane Timmins, Clerk**
Lord Selkirk-West Kildonan Community Committee

Report date: **June 26, 2006**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 20, 2006, the Lord Selkirk-West Kildonan Community Committee concurred in the administrative recommendation and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 20/2006 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 20/2006 dated May 31, 2006, for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into an Addendum to Development Agreement AG 3/96 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 12, 2006;

    B. A revised subdivision plan, including a pedestrian corridor with a walkway and landscaping, shall be submitted to and approved by the Director of Planning, Property and Development prior to the enactment of the By-law. The plan shall be as generally indicated on the concept plan, identified as Appendix A.

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 20/2006 dated May 31, 2006, to an "R1-4" Residential District and a "PR-1" Parks and Recreation 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. Future owners of the individual building lots abutting the uniform noise attenuation fence, constructed within the rear yards of all the single-family lots abutting Leila Avenue, shall be responsible for maintaining, repairing, and

replacing the fence, as warranted, as originally constructed to the satisfaction of the Director of Public Works.

B. That residential lots with rearage on Leila Avenue shall maintain a minimum rear yard setback of 17.5 metres.

C. That residential lots with flankage on Leila Avenue shall maintain a minimum side yard setback of 10.0 metres.

D. That the developer shall, at no expense to the City, construct within all yards abutting the pedestrian corridor, a uniform fence, consistent in material and style with fencing installed in previous phases of the development, to the satisfaction of the Director of Planning, Property and Development. Future owners of the individual building lots abutting this fencing shall be responsible for maintaining, repairing, and replacing this fencing, as warranted, as originally constructed to the satisfaction of the Director of Planning, Property, and Development.

4. 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.

5. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

6. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision 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.

8. That 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.

9. That 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.

10. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

11. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

The Lord Selkirk-West Kildonan Community Committee provided the following supporting reason for its recommendation:

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report from the Planning and Land Use Division dated May 31, 2006 and in the report from the Administrative Coordinating Group dated June 12, 2006.

PUBLIC HEARING SUMMARY

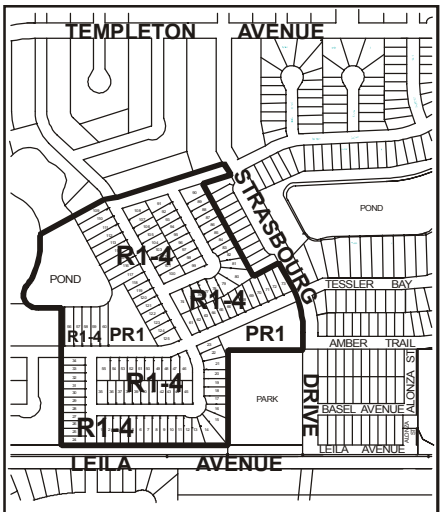
File: DASZ 20/2006

Before: Lord Selkirk-West Kildonan Community Committee
Councillor Lazarenko, Chairperson
Councillor O'Shaughnessy
Councillor Pagtakhan

Public Hearing: June 20, 2006
West Committee Room, Council Building
510 Main Street

Applicant: Genstar Development Company (Greg Jasper)

Subject:



LORD SELKIRK
WEST KILDONAN
COMMUNITY

APPLICANT : GENSTAR DEVELOPMENT COMPANY
FILE : DASZ 20/06
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 a "PR1" PARKS AND RECREATION DISTRICT and an "R1-4" RESIDENTIAL DISTRICT. **For information, phone Mr. M. Robinson, Planner at 986-3213.**

Premises Affected: north of Leila Avenue and west of Grasbourg Drive

Exhibits Filed:

1. Application dated May 10, 2006
2. Notification of Public Hearing dated May 17, 2006
3. Manitoba Status of Titles 2088472, 2113021 and 2113022
4. Plans (3 pages)
5. Report from the Planning and Land Use Division dated May 31, 2006
6. Report from the Administrative Coordinating Group dated June 12, 2006
7. Communication dated June 20, 2006 submitted by Maria Doerr with respect to the application
8. Inspection Report

REPRESENTATIONS:

In Support:

Greg Jasper, Genstar Development Company
Jerry Klein, Genstar Development Company

In Opposition

Nil

For Information:

Maria Doerr

For the City:

Mr. E. Carriere, Land Development Engineer, Planning, Property and Development Department
Mr. J. Wintrup, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Greg Jasper, on behalf of Genstar Development Company, appeared in support of the application and indicated concurrence in the recommendations outlined in the reports of the Planning and Land Use Division dated May 31, 2006 and the Administrative Coordinating Group dated June 12, 2006.

Exhibit "5" referred to in File DASZ 20/2006

Planning, Property and Development Department Report

To the Lord Selkirk-West Kildonan Community Committee

Date:	**May 31, 2006**
File:	**DASZ 20/06**
Related Files:	
Subject:	**An application for approval of a plan of subdivision and related zoning change to Zoning By-Law No. 6400/94 by rezoning the subject lands from an "A-5" Agricultural District to a "R1-4" Residential District and a "PR-1" Parks and Recreation District to allow for the creation of residential lots and public reserve land.**
Location:	**North of Leila Avenue and West of Strasbourg Drive**



Applicant:	**Genstar Development Company (Greg Jasper)**
Owner:	**Same**
Recommendation:	**Approval**
Report Summary:	**Phase VIII of the Amber Trails residential development**

Site Description

The subject site, which is west of Strasbourg Drive, north of Leila Avenue, and south of Thorn Drive, is located in the Amber Trails neighbourhood of the Old Kildonan ward.

North: Undeveloped land zoned "A-5" Agricultural
South: City landfill zoned "A-5" Agricultural then Leila Avenue
East: Residences zoned "R1-4" Residential and parkland zoned "PR-1" Parks and Recreation
West: Undeveloped land zoned "A-5" Agricultural

Background

The subject site is proposed to be developed as Phase 8 of the existing Amber Trails residential development. It is part of an overall concept plan put forward by Genstar for development that encompasses an area extending west as far as Ritchie Street and north as far as the future proposed Kildonan Corridor (north of Templeton Avenue).

The history of the Amber Trails development is as follows:

Phase	File Number	Acres	Number of Lots	Zoning
1	DASZ 34 / 1988	54	170	R1-5
2	DASZ 3 / 1996	25	110	R1-4
3	DASZ 1 / 2002	12	49	R1-4
4	DASZ 17 / 2003	11	50	R1-4
5	DASZ 12 / 2004	7	54	R1-4
6	DASZ 43/2004	38	146	R1-4
7	DASZ 7/2006	± 6	30	R1-4
8	DASZ 20/06	±87	125	R1-4

Description of the Proposed Development

Lots

The applicant is proposing to develop one hundred twenty five (125) single-family residential lots on the subject lands. The lots will all be zoned "R1-4" Residential, which has a minimum lot area of 4,000 square feet and a minimum lot width of 40 feet.

Land Dedication

The applicant is dedicating approximately 2.64 acres of land for public reserve, adjoining the City landfill site. In conjunction with this, the applicant is intending to continue their existing recreational trail through this phase of the development

Land Drainage

The applicant will be developing a portion of Amber Trails third retention pond for land drainage purposes within this phase of the development.

Analysis

The Department supports single-family residential use on the subject lands. The proposed use is consistent with the surrounding single-family residential uses in the Amber Trails neighbourhood. The proposed zoning designation will further add single-family dwellings in the neighbourhood and accommodate the growing demand for housing in the Old Kildonan community. This phase can be considered orderly development since it is contiguous of the previous phase.

Plan Winnipeg
The subject parcels fall with a designated Neighbourhood Policy Area under Plan Winnipeg which allows for a variety of residential, commercial, institutional, and mixed uses; thus, the proposed rezoning is in conformance with Plan Winnipeg 2020.

Transportation and Site Access
The Public Works Department is recommending that Leila Avenue be extending west to Strasbourg Drive, in conjunction with this application. This will provide an additional point of access to serve the proposed new lots.

Site Design Issues
Public Works is recommending that the residential lots that back onto Leila Avenue be developed with a minimum rear yard setback of 57.41 feet (17.5 metres) for the purposes of noise attenuation. The proposed lot depths are adequate to accommodate this condition.

Similarly, Public Works is requesting that a uniform noise attenuation fence, 6.5 feet (2.0m) in height, be constructed within the rear yards of all lots abutting Leila Avenue.

Landfill Control Zone
The Water and Waste Department Solid Waste Services Division has been monitoring the existing landfill and have indicated that they are confident in reducing the Control Zone along the west boundary. The new Control Zone will extend 20 metres beyond the west boundary of the landfill site. This means that no residential lots along the west boundary of the landfill site will be permitted to encroach into the revised control zone.

The Leila Ave West landfill site control zone is now 24 metres along the east boundary, 27 metres along the south boundary, and 20 metres along the west boundary. The north boundary is yet unchanged at 45 metres.

Open Space
The Parks and Open Space Division is currently working on plans to develop the landfill site for use as a park. Depending on whether the landfill can be remediated, the nature of the park and whether it will serve as a passive or an active space, will be determined. The applicant's proposed land dedication, which is immediately adjacent to the landfill, will then be used to expand the park area.

It should also be noted that the applicant has indicated that they intend to continue their existing recreational trail through the current phase of the development. As part of a revised concept plan that the applicant is working on, it is envisioned that the trail will ultimately continue to the future Chief Peguis Trail on the west and then along the future Chief Peguis Trail right of way – creating a complete east to west and north to south link through the entire development.

Recommendation

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

- The proposed development is in compliance with Plan Winnipeg & its policies;
- The proposed development is an extension to the existing Amber Trails development;
- The proposed development is contiguous to the previous phase of Amber Trails, and thus may be considered orderly development.

Recommended Conditions of Approval

I. That the plan of subdivision proposed under File No. DASZ 20/06 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 20/06, attached hereto and dated May 31, 2006, for registration in the Winnipeg Land Titles Office, subject to the following:

A. That the Developer be required to enter into an Addendum to Development Agreement AG 3/96 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 12, 2006;
B. A revised subdivision plan, including a pedestrian corridor with a walkway and landscaping, shall be submitted to and approved by the Director of Planning, Property, and Development prior to the enactment of the By-law. This plan shall be as generally indicated on the attached concept plan, identified as Appendix A.

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

III 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 20/06, attached hereto and dated May 31, 2006, to a "R1-4" Residential District and a "PR-1" Parks and Recreation 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, to include the following conditions:

1. Future owners of the individual building lots abutting the uniform noise attenuation fence, constructed within the rear yards of all the single-family lots abutting Leila Avenue, shall be responsible for maintaining, repairing, and

replacing the fence, as warranted, as originally constructed to the satisfaction of the Director of Public Works.

2. That residential lots with rearage on Leila Avenue shall maintain a minimum rear yard setback of 17.5 metres
3. That residential lots with flankage on Leila Avenue shall maintain a minimum side yard setback of 10.0 metres
4. That the developer shall, at no expense to the City, construct within all yards abutting the pedestrian corridor, a uniform fence, consistent in material and style with fencing installed in previous phases of the development, to the satisfaction of the Director of Planning, Property, and Development. Future owners of the individual building lots abutting this fencing shall be responsible for maintaining, repairing, and replacing this fencing, as warranted, as originally constructed to the satisfaction of the Director of Planning, Property, and Development

IV. 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.

V. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

VI. 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.

VII. 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.**

VIII. 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.

IX. 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.

X. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

XI. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

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

Report Prepared by: Michael Robinson, AICP
PPD File # 3.337

Schedule "A"

Schedule "A" to the report of the Lord Selkirk-West Kildonan Community Committee for File No. DASZ 20/06 dated May 31, 2006

By-Law No. _____

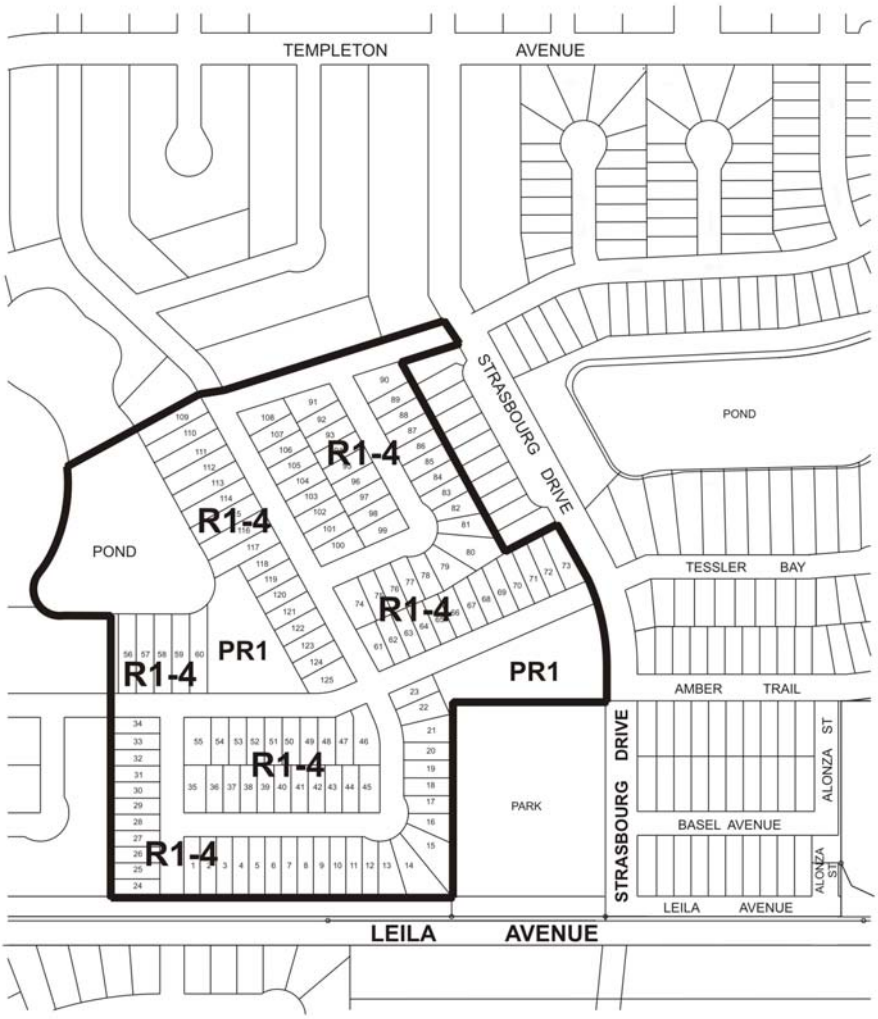
File No. **DASZ 20/06**

Atlas Sheet No. **R22**

LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land located at north of Leila Avenue, west of Strasbourg Drive from an "A.5" AGRICULTURAL DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT and an "R1-4" RESIDENTIAL DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Appendix A

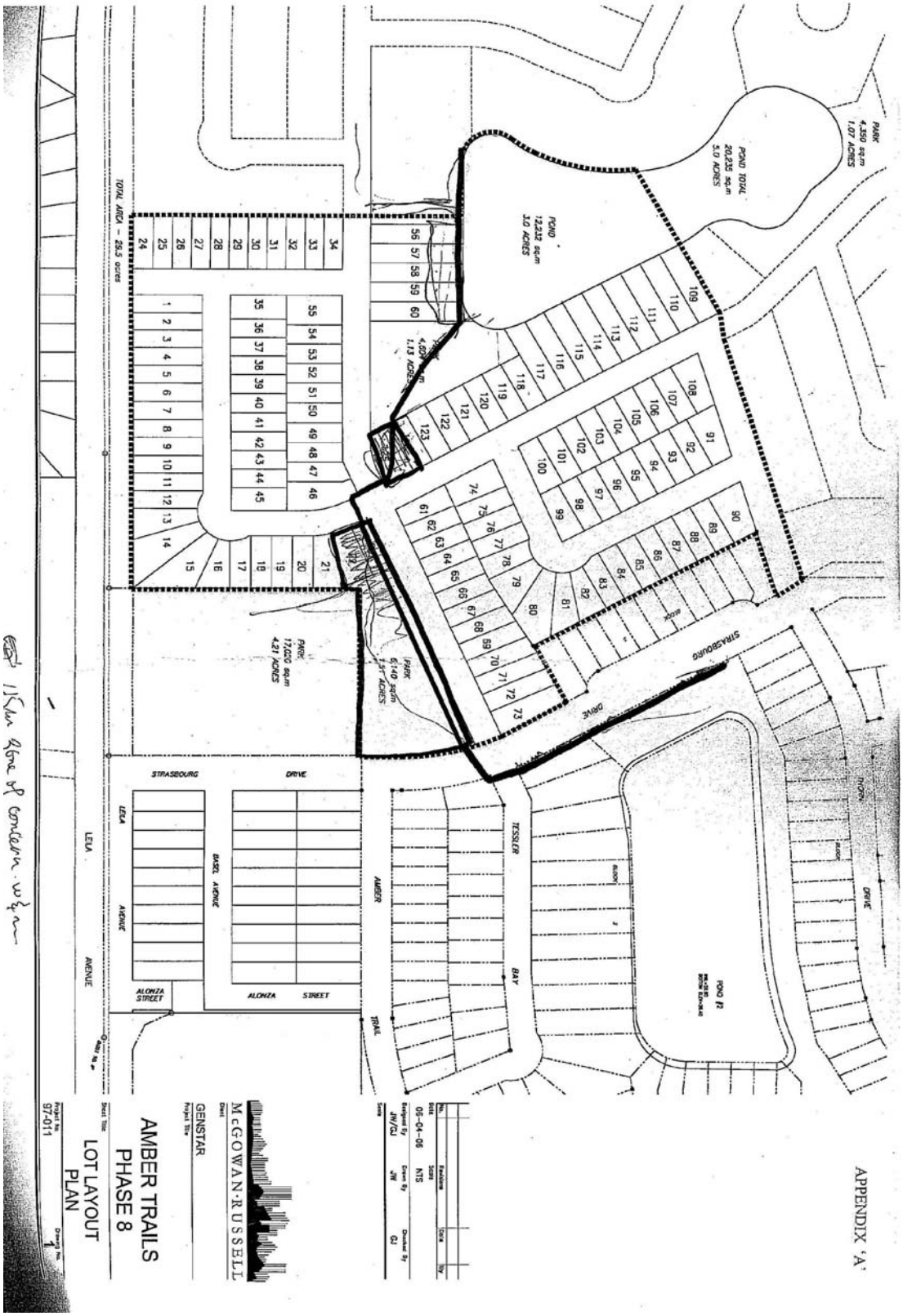

APPENDIX 'A'
McGOWAN·RUSSELL
GENSTAR
AMBER TRAILS
PHASE 8
LOT LAYOUT
PLAN
97-011
06-04-06
NTS
STRASBOURG
DRIVE
TESSLER
BAY
AMBER
TRAIL
BASEL AVENUE
ALONZA STREET
LELA
AVENUE
TOTAL AREA - 25.5 acres
POND TOTAL
20,235 sq.m
5.0 ACRES
POND
12,232 sq.m
3.0 ACRES
PARK
4,350 sq.m
1.07 ACRES
PARK
17,020 sq.m
4.21 ACRES
PARK
6,140 sq.m
1.51 ACRES
POND #2
THORN
DRIVE



Figure 1: Aerial Photo (Flown in 2005)

Exhibit "6" referred to in File DASZ 20/2006

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED NORTH OF LEILA AVENUE, WEST OF STRASBOURG DRIVE - DASZ 20/06

An application has been submitted by Genstar Development Company to subdivide and rezone land located north of Leila Avenue, west of Strasbourg Drive. The subject land is located adjacent to land being developed by the Developer under the terms of Development Agreement AG 3/96 and Addenda thereto..

It is recommended that approval of DASZ 20/06 be subject to the Developer entering into a further Addendum to Development Agreement AG 3/96 as follows:

1. By attaching a plan showing the land covered under DASZ 20/06.

2. By attaching a plan showing the servicing requirements for the land covered under DASZ 20/06 including an 8.3m in width portland cement concrete pavement in Leila Avenue between Agnes Arnold Place and Strasbourg Drive and all related works including necessary land drainage works, a 1.5m in width by 100mm in thickness portland cement concrete sidewalk along the north side of Leila Avenue and an asphalt transition west of Strasbourg Drive.

3. a) By adding a clause that the land drainage TSR and the Leila Trunk User Charge attributable to the land covered under DASZ 20/06 shall be credited against the cost of regional land drainage facilities installed or to be installed by the Developer.

   b) By adding a clause that the Developer shall pay its share of the cost of the oversized wastewater sewer benefiting the land covered under DASZ 20/06.

4. By adding a clause requiring the Developer to pay $1,200.00 per acre to defray the City's administration and related costs associated with the preparation and implementation of the addendum to Development Agreement AG 3/96.

5. By adding a clause that the land being dedicated within DASZ 20/06 and related landscaping and served frontage will be credited toward the Developer's ongoing dedication obligations for the Developer's land lying south of Templeton Avenue.

6. By adding a clause as follows:

   a) The Developer shall pay its share of the cost of the following improvements on an area basis for the area bounded by Leila Avenue, Pipeline Road and the future Chief Peguis Trail as determined by the Director of Public Works:

      i) an 8.3m in width by 200mm in thickness portland cement concrete pavement in Leila Avenue between Pipeline Road and the future Chief Peguis Trail and in Pipeline Road between Leila Avenue and the future Chief Peguis Trail.

ii) Channelization, including, but not necessarily limited to construction of pavement for through lanes, auxiliary lanes, channelization, transitions, the installation and/or relocation of street lights and other utilities and boulevard landscaping at all street intersections entering Amber Trails from Pipeline Road and Leila Avenue including, but not necessarily limited to, the intersections of Ashville Street and Mandalay Drive with Leila Avenue and the intersections of the two east-west streets entering Amber Trails from Pipeline Road.

iii) Channelization at the intersection of Pipeline Road and Leila Avenue including, but not necessarily limited to construction of pavement for through lanes, auxiliary lanes, channelization, transitions and the installation and/or relocation of street lights and other utilities and boulevard landscaping.

iv) Traffic control signals at the intersection of Leila Avenue and Pipeline Road.

v) Ornamental street lighting, sidewalks, boulevard landscaping and any accessory land drainage works in conjunction with the above works.

b) The Developer shall finance and construct an 8.3m in width portland cement concrete pavement in Leila Avenue between Agnes Arnold Place and Strasbourg Drive and all related works including, but not necessarily limited to street lighting, landscaping and necessary land drainage works, a 1.5m in width by 100mm in thickness portland cement concrete sidewalk along the north side of Leila Avenue and an asphalt transition west of Strasbourg Drive, all as determined by and to the satisfaction of the Director of Public Works.

c) The Developer's share of the cost of improvements as determined in a) above shall be off-set against the cost of services to be constructed pursuant to b) above and the City shall reimburse the Developer for the difference as certified by the Director of Public Works with interest at the City's capital borrowing rate commencing one year following the issuance of the Substantial Completion Certificate(s) as it collects from the benefiting lands in accordance with the Development Agreement Parameters in effect at the time.

7. By adding a clause as follows:

The Developer shall, at no expense to the City, construct within the rear or side yards of all single family lots abutting Leila Avenue, 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 he title of each of these proposed lots abutting Leila Avenue 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.

8. By adding a clause as follows:

   a) Where single family residential lots back onto Leila Avenue the said lots are to be established with a minimum depth to provide a minimum rear yard set back of 17.5m. The Zoning Agreement covering these lots is to stipulate a minimum rear yard of 17.5m.

   b) Where single family residential lots flank Leila Avenue the said lots are to be established with a minimum width to provide a minimum side yard set back of 10.0m. The Zoning Agreement covering these lots is to stipulate a minimum rear yard of 10.0m.

9. By adding a clause that no private approaches will be permitted off Leila Avenue.

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 20/06
June 12, 2006

V:\7-ACG Reports\06ag20-report

(original signed by E.L. Carrière, P.Eng.)
Land Development Engineer

(original signed by T. Josephson, P.Eng.)
Water and Waste Department

(original signed by R. Hartmann, P.Eng.)
Public Works Department
Transportation Division