Minute No. 704
Report - Standing Policy Committee on Property and Development – July 4, 2006

Item No. 10 **Subdivision and Rezoning - north side Beecher Avenue between Ferrier Street and Northmount Cove**
File DASZ 40/2004

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 40/2004 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with revised Schedule "A" for File DASZ 40/2004 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 a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 12, 2006 with the following amendments:

        i. That recommendation numbered 2 be renumbered 2a. and a new clause 2b. be added, namely:

            "2b. All land drainage services within the proposed subdivision shall proceed by way of Local Improvement."

        ii. That recommendation numbered 3 be renumbered 3a. and a new clause 3b. be added, namely:

            "3b. The Developer shall plant trees and shrubs on Beecher Avenue to the satisfaction of the property owners of 612 and 616 Beecher Avenue, and in the event there is non-concurrence, the Ward Councillor shall be the arbitrator of the type of trees to be installed."

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

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

COUNCIL DECISION (continued):

3. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on revised Schedule "A" for File DASZ 40/2004 dated May 31, 2006, to an "R1-3.5***"*** 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 condition***:***

   A. That the Developer shall, at no expense to the City, construct within the rear yards of all the single-family lots abutting the future McGregor Street extension, a uniform noise attenuation fence 2.0m in height, to the satisfaction of the Director of Public Works. Future owners of the individual building lots abutting this fencing shall be responsible for maintaining, repairing, and replacing the fence, as warranted, as originally constructed to the satisfaction of the Director of Public Works.

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.

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

COUNCIL DECISION (continued):

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.

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

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DECISION MAKING HISTORY:

Moved by Councillor De Smedt,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 19, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submitted the matter to Council.

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 with the following amendments, namely:

<u>Report of the Planning and Land Use Division</u>

- In recommendations 1 and 3, add the word “revised” before the word “Schedule ‘A’
- In recommendation 3, change the zoning from “R1-4” to “Rl-3.5”

<u>Report of the Administrative Coordinating Group</u>

- Renumber recommendation 2 to 2a. and add a new clause 2b, namely:

  “2b. All land drainage services within the proposed subdivision shall proceed by way of Local Improvement.”

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

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

- Renumber recommendation 3 to 3a. and add a new clause 3b, namely

  "3b. The Developer shall plant trees and shrubs on Beecher Avenue to the satisfaction of the property owners of 612 and 616 Beecher Avenue, and in the event there is non-concurrence, the Ward Councillor shall be the arbitrator of the type of trees to be installed"

and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning - north side Beecher Avenue between Ferrier Street and Northmount Cove**
File DASZ 40/2004

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 27, 2006**

COMMUNITY COMMITTEE RECOMMENDATION:

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

1. That the plan of subdivision proposed under File DASZ 40/2004 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with ***revised*** Schedule "A" for File DASZ 40/2004 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 a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 12, 2006 ***with the following amendments:***

        i. That recommendation numbered 2 be renumbered 2a. and a new clause 2b. be added, namely:

            "2b. All land drainage services within the proposed subdivision shall proceed by way of Local Improvement."

        ii. That recommendation numbered 3 be renumbered 3a. and a new clause 3b. be added, namely:

            "3b. The Developer shall plant trees and shrubs on Beecher Avenue to the satisfaction of the property owners of 612 and 616 Beecher Avenue, and in the event there is non-concurrence, the Ward Councillor shall be the arbitrator of the type of trees to be installed."

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 ***revised*** Schedule "A" for File DASZ 40/2004 dated May 31, 2006, to an "R1-***3.5***" 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, to include the following condition:

   A. That the Developer shall, at no expense to the City, construct within the rear yards of all the single-family lots abutting the future McGregor Street extension, a uniform noise attenuation fence 2.0m in height, to the satisfaction of the Director of Public Works. Future owners of the individual building lots abutting this fencing shall be responsible for maintaining, repairing, and replacing the fence, as warranted, as originally constructed to the satisfaction of the Director of Public Works.

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.

I1. 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

Note: The wording in bold and italics denotes amendments made by the Community Committee.

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 May 30, 2006.

PUBLIC HEARING SUMMARY

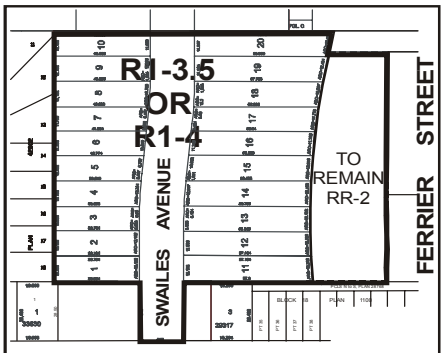
File: DASZ 40/2004

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: Global Homes Ltd. (Bernhard Goertzen)

Subject:



LORD SELKIRK
WEST KILDONAN
COMMUNITY

APPLICANT : GLOBAL HOMES
FILE : DASZ 40/04
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 "R1-4" RESIDENTIAL DISTRICT, an "R1-20" RESIDENTIAL DISTRICT and an "RR-2" RESIDENTIAL DISTRICT to an "R1-3.5" RESIDENTIAL DISTRICT or an "R1-4" RESIDENTIAL DISTRICT. **For information, phone Mr. M. Robinson, Planner at 986-3213.**

Premises Affected: north side Beecher Avenue between Ferrier Street and Northmount Cove

Exhibits Filed:

1. Application dated March 17, 2005
2. Notification of Public Hearing dated May 26, 2006
3. Manitoba Status of Titles 1259993, 1656770, 1695429, 1841867, 1842455, 1842463 and 2061470

4a. Letter of authorization dated December 1, 2003 from IVZ Enterprises Ltd. (Zvi Gitter) to Bernhard Goertzen

4b. Letter of authorization dated March 16, 2005 from The City of Winnipeg to Global Homes Ltd.

5. Plan showing proposed subdivision dated September 20, 2004
6. Report from the Planning and Land Use Division dated May 31, 2006
7. Report from the Administrative Coordinating Group dated May 30, 2006
8. Inspection Report

REPRESENTATIONS:

In Support:

Bernhard Goertzen

In Opposition

Pino and Deanna Valeri

For Information:

Norm Boyle

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

Bernard Goertzen appeared in support of the application and indicated concurrence in the recommendations outlined in the reports of the Planning and Land Use Division and the Administrative Coordinating Group with the exception of the following:

1. Would prefer the "R1-4" zoning rather than "R1-3.5" to eliminate the need for approximately ten (10) variances at a cost of $300.00 each. In this connection, Mr. Goertzen stated he would be willing to accept the "R1-3.5" zoning if there was a recommendation to waive the variance application fees. He also stated the land would be subdivided in accordance with the plan submitted if he received the "R1-3.5" zoning. Mr. Goertzen drew Committee's attention to the fact that he has already given up three (3) lot to accommodate the access road. .In answer to Committee's question, Mr. Goertzen stated that most of the twenty (20) lots were 40 feet in width and that the smallest is approximately 38 feet wide. The Land Development Engineer confirmed that all of the lots were over 4,000 square feet in area.

2. With respect to recommendation 12 in the Administrative Coordinating Group report requiring the Developer to pay $1200.00 per acre to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement, Mr. Goertzen asked whether the land for the road allowance would be excluded in the calculation, to which the Land Development Engineer confirmed that it would.

3. With respect to recommendation 3 requiring the Developer to install sod and trees on each side of the proposed street, Mr. Goertzen suggested the City should pay for the trees inasmuch as the City is gaining a lot with the access road.

4. With respect to the installation of land drainage services, Mr. Goertzen requested whether the portion of the access road to the northern portion of the North Grassie Properties could proceed by way of local improvement.

Mr. Goertzen requested clarification of what the full range of services consisted of in recommendation 1 of the Administrative Coordinating Group report, to which the Land Development Engineer responded it included, water, sewer, land drainage, concrete pavement, ornamental street lighting and a sidewalk; only City services and no utilities.

Pino and Deanna Valeri, appearing in opposition to the application, expressed concern relative to the placement of the proposed street in relation to their home on Beecher Avenue. They requested clarification as to the location of the proposed street, and the Planner showed them a plan of the proposed development. After seeing the map, Mr. and Mrs. Valeri indicated they would be directly affected by increased traffic in the area, as well as the headlights of vehicles

given that their dining room window will face the proposed street. They suggested it would be better if the placement of the proposed street was moved somewhat and that the extra traffic diverted to a larger street. They requested that something be done to protect their home and to mitigate the effects of the proposed street. Mrs. Valeri stated she was not aware that her neighbours had requested that trees be planted along the proposed street and felt this was a good idea. In answer to the type of lighting to be installed in the proposed development, Committee was advised it would be decorative black lighting.

In rebuttal, Mr. Goertzen stated that if the City was unwilling to plant the trees along the proposed new street, that he would be agreeable to doing so.

Exhibit "6" referred to in File DASZ 40/2004

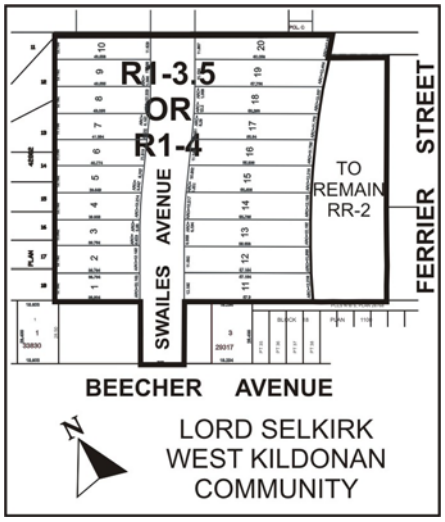
Winnipeg

Planning, Property and Development Department Report

To the Lord Selkirk-West Kildonan Community Committee

Date: **May 31, 2006**
File: **DASZ 40/04**
Related Files: **DASZ 53/04**
Subject: **Application from Global Homes Ltd. to subdivide and rezone the subject lands from "R1-4"and "R1-20" Residential and "RR-2" Rural Residential to "R1-3.5" Residential to create 25 lots for single family residential development.**

Location: **North side of Beecher Avenue between Ferrier Street and Northmount Cove**



Applicant: **Global Homes Ltd.**
Owner: **IVZ Enterprises Ltd.**

Recommendation: **Approval**

Report Summary:

- Application to create 20 single-family residential lots
- The proposed development is in compliance with Plan Winnipeg & its policies;
- The proposed development is contiguous to existing and approved single-family residential development, and thus may be considered orderly development.

Site Description

The subject property, which is currently zoned "R1-4" and "R1-20" Residential and "RR-2" Rural Residential, is located north of Beecher Ave between Ferrier Street and Northmount Court.

North: Undeveloped lands zoned approved for single-family residential development under DASZ
South: Residences zoned "R1-20" Residential
East: Residences zoned "R1-20" Residential and light industrial uses zoned "M1" Industrial
West: Residences zoned "R1-4" Residential

Background

In 2005, City Council approved a Plan Winnipeg Amendment and a subdivision and rezoning application (DASZ 53/04) for the lands immediately to the north of the subject lands. In conjunction with that application, it was determined that the future alignment of Swailes Avenue would deflect to the south and intersect with Beecher Avenue between Northmount Cove and Ferrier Street.

Description of the Proposed Development

Overview

The subject application constitutes infill development on several undeveloped parcels of land in the Templeton-Sinclair neighbourhood of the Old Kildonan Ward.

Lots

20 single-family lots, zoned "R1-3.5" or "R1-4" Residential, are being proposed with this development.

Analysis

Plan Winnipeg

Under Plan Winnipeg 2020, the subject area is, in its entirety, within a Neighbourhood Policy Area. Neighbourhood Policy Areas are intended to include a residential mix together with a variety of educational, recreational, institutional, commercial and possibly industrial uses, at a scale and density compatible with each other. This development meets several key goals of Plan Winnipeg including *infilling of vacant lands* (3A-02 iv) and *supporting new development which*

is adjacent to, and compatible with, existing development (3A-02v). There is a demonstrated need for new residential development in the area and recognition that infill lands, with existing service in place, are the best place to accommodate it. This subdivision represents an orderly expansion of residential development and is a logical expansion of the Templeton-Sinclair neighbourhood.

Zoning
The applicant is proposing "R1-3.5" Single-Family Residential zoning for the residential lots. This zoning designation is not characteristic of the area and would give the developer the ability to add up to two (2) additional lots at a later date without a public hearing.

All of the proposed lots exceed 4,000 square feet in lot area and the vast majority exceed 40 feet in lot width. At the same time, the land to the immediate north (DASZ 53/04) as well as the residences to the immediate west are both zoned "R1-4".

In light of the above, the Planning and Land Use Division believes that "R1-4" is the most appropriate zoning designation for this property.

Future McGregor Street Extension
The proposed development area is coincident with the west limit of the future McGregor Street Extension. The portion of the applicant's property which is within the future McGregor Street extension right-of-way is not the subject of this application.

Other
The applicant has been asked to determine if the proposed street alignment of Swailes Avenue may cause headlight glare to shine directly into the homes at either 606 or 612 Beecher. If it is determined that there may be glare, the applicant has been asked to take remedial steps, which could include the planting of a spruce tree in the yard of the home opposite.

Recommendation

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

- **The proposed development is contiguous to existing and approved single-family residential development, and thus may be considered orderly development.**
- **Proposal meets Plan Winnipeg policies for infill development and compatible land use**

Recommended Conditions of Approval

I. That the plan of subdivision proposed under File No. DASZ 40/04 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File No. DASZ 40/04, 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 a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 12, 2006;

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 40/04, attached hereto and dated May 31, 2006, to a "R1-4" 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, to include the following conditions:

1. That the Developer shall, at no expense to the City, construct within the rear yards of all the single-family lots abutting the future McGregor Street extension, a uniform noise attenuation fence 2.0m in height, to the satisfaction of the Director of Public Works. Future owners of the individual building lots abutting this fencing shall be responsible for maintaining, repairing, and replacing the fence, as warranted, as originally constructed to the satisfaction of the Director of Public Works.

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 # 3.324

Revised Schedule "A"

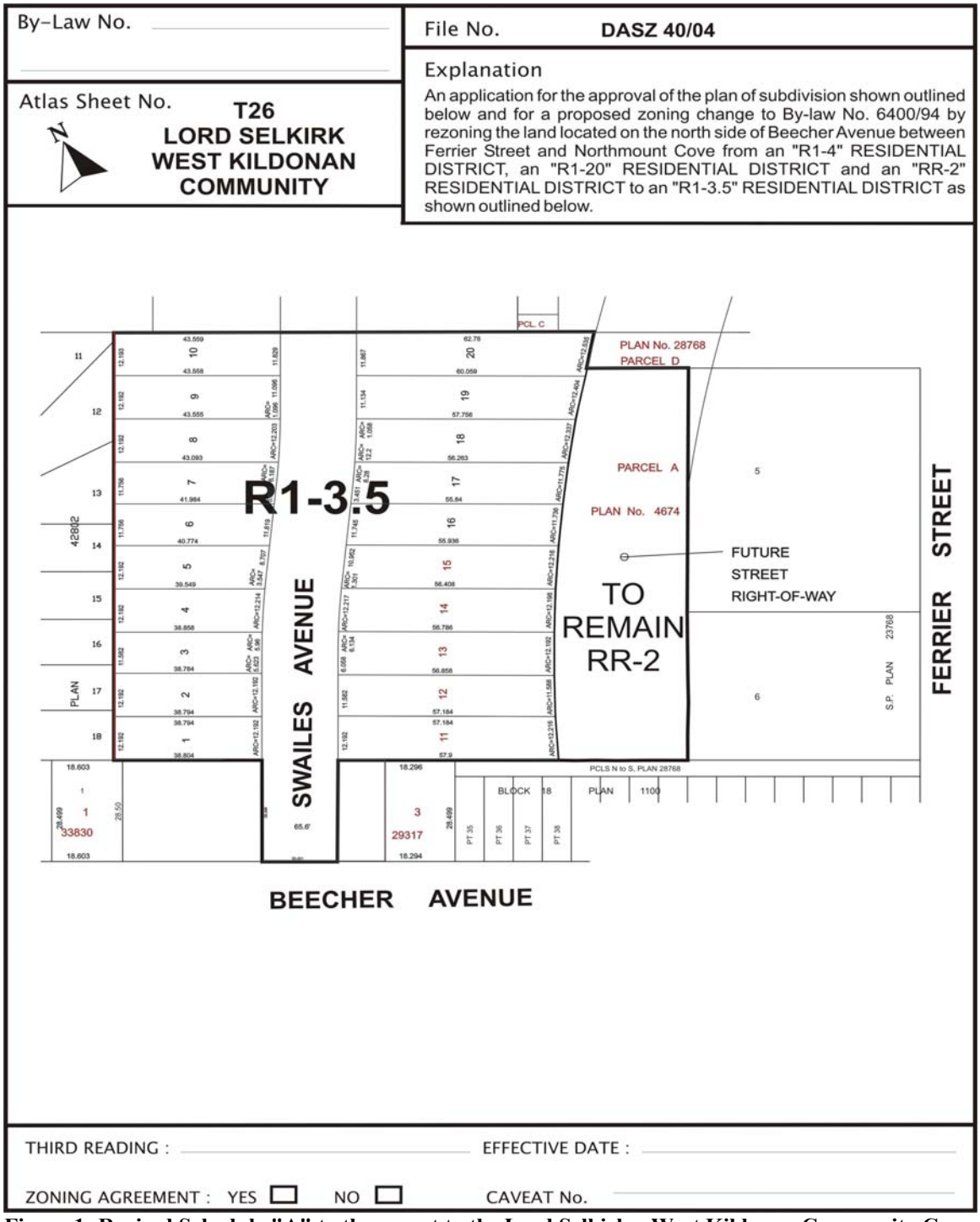


Figure 1: Revised Schedule "A" to the report to the Lord Selkirk – West Kildonan Community Committee for File No. DASZ 40/04, dated May 31, 2006.



Figure 1: Aerial Photo (Flown in 2005)

Exhibit "7" referred to in File DASZ 40/2004

Re: Proposed subdivision and rezoning of land located north of Beecher Avenue, between Northmount Cove and Ferrier Street - DASZ 40/04

An application has been submitted by Global Homes Ltd.. to subdivide and rezone land located north of Beecher Avenue, between Northmount Cove and Ferrier Street.

Global Homes Ltd. and North Grassie Properties Inc., the Developer of the land to the north approved by the City under DASZ 53/04 have entered into an agreement whereby:

1. Global Homes Ltd. has provided an easement to the City covering the proposed Swailes Avenue right-of-way as contemplated by DASZ 40/04,

2. North Grassie Properties Inc. will install a full range of services within the easement area, and

3. Global Homes Ltd. will pay its share of the cost of that full range of services to the City on the basis of Local Improvement rates prevailing at the time payment is made, and

4. The City will remit any and all such funds collected from Global Homes Ltd. to North Grassie Properties Inc.

It is recommended that approval of DASZ 40/04 be subject to Global Homes Ltd. entering into a Servicing Agreement with the City as follows:

1. The Developer shall pay its share of the cost of a full range of services to be installed by North Grassie Properties Inc. within the proposed street, on the basis of Local Improvement rates prevailing at the time payment is received plus the cost of water and wastewater service connections as determined by the Director of Water and Waste.

2. The Developer shall pay $9,801.00/acre as its share of the cost of regional land drainage services benefiting the proposed subdivision.

3. The Developer shall, at no expense to the City, install sod and trees on the boulevards on each side of the proposed street abutting the new lots.

4. The Developer shall, at no expense to the City, provide a lot grading plan prepared by a municipal engineer and shall, at no expense to the City, install all catch basins and leads as indicated on the approved grading plan.

5. The Developer shall, at no expense to the City, cause to be installed standard reflectorized permanent street name signs at the new street intersection being created by the proposed subdivision, as determined by the Director of Public Works.

6. The Developer shall, at no expense to the City, provide underground electrical and telephone services to serve the proposed subdivision and will pay the full cost to convert any existing overhead services within the proposed subdivision to underground.

7. The Developer is to pay all costs associated with the installation and/or relocation of street lights and other utilities made necessary as a result of or required to accommodate works, which are required by the Developer to serve the proposed subdivision, as determined by and to the satisfaction of the Director of Public Works.

8. The Developer shall 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 buildings, until substantial 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 any costs in remedying the situation to the satisfaction of the Director of Public Works.

9. The Developer shall ensure that construction traffic uses access 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 and safe condition, free of dropped and tracked-on mud, and shall undertake regular scraping and sweeping of streets until building construction, including landscaping, is complete, all as determined by and to the satisfaction of the Director of Public Works.

10. The Developer shall, at no expense to the City, construct within the rear yards of all single family lots abutting the future McGregor Street Extension, 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 the future McGregor Street Extension 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.

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

12. The Developer shall pay $1,200.00/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 40/04
May 30, 2006

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