Minute No. 46
Report - Standing Policy Committee on Property and Development – October 30, 2007

Item No. 6 **Subdivision and Rezoning - Lands west of Waverley Street to Kenaston Boulevard between Lee Boulevard and Perimeter Highway (St. Norbert Ward)**
File DASZ 22/2007

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 under File DASZ 22/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 22/2007 dated October 2, 2007, 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 October 1, 2007, with the following amendments:

      i. That Recommendation 2. under Development Agreement Conditions be deleted in its entirety and substituting therefore:

         "2.a) "The Developer shall, at no expense to the City, construct portland cement concrete pavements to widths of 7.5m, 8.0m and 10.0m, 150mm and 200mm in thickness in all streets within the Planned Area, including the section of the existing Waverley Street that will remain as a collector street, (with the exception of the most northerly approximately 500m of Waverley Street, from the north limit of the Planned Area to where the realigned Waverley Street ties into the existing Waverley Street, for which the developer shall be responsible for the construction of only the south bound (westerly) lane;) and all related works including, but not necessarily limited to street lighting, boulevard landscaping and land drainage sewer all as determined by and to the satisfaction of the Director of Public Works.

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COUNCIL DECISION (continued):

"2.b) That prior to the commencement of construction under Phase II as identified in the Waverley West Southeast Neighbourhood Area Structure Plan, the Developer shall be responsible for front-ending the cost of twinning Waverley Street from Bison Drive to proposed Collector B;and that payback be within 10 years and any interest paid not exceed the City's borrowing rate."

ii. That Recommendation 15. under Development Agreement Conditions be amended by deleting the words "and Kenaston Boulevard" in the fifth line thereof.

iii. That Recommendation 16.a) under Development Agreement Conditions be amended by adding the word "asphalt" after the word "construct" in the third line thereof.

iv That Recommendation 17.i. under Development Agreement Conditions be amended by deleting the words "ten (10) years" and substituting therefore "five (5) years".

2. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 22/2007 dated October 2, 2007, to an "R1-3.5" Residential District, an "RM-2" and "RM-4" Multiple Family District, a "PR-1" Parks and Recreational District and a "C2" Commercial District subject to the following:

A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions:

i. That as it relates to the proposed multiple family and future commercial sites, detailed plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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COUNCIL DECISION (continued):

ii. That, in the event that the option for the designated proposed school site expires and the site is developed for multiple family purposes (in accordance with the proposed zoning):

a. A 50 foot wide buffer shall be maintained along the east periphery of the site, within which no residential structures shall be permitted; and

b. A provision shall be made at the northeast corner of the site for a 15 foot wide public pedestrian access-way to link the adjoining street and the proposed public reserve areas and active recreational facilities adjoining the naturalized waterway system.

B. That the City will transfer part of Drain Plan No. 6788 WLTO to the Developer for incorporation within the plan of subdivision subject to the Developer paying all administration costs incurred by the City in acquiring the subject Drain from the Province of Manitoba.

C. That where single family and two family lots back onto either the new east/west Waverley alignment or the future Kenaston Boulevard right-of-way, the said lots are to be established with minimum rear yards of 17.5 metres.

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

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.

Report - Standing Policy Committee on Property and Development – October 30, 2007

COUNCIL DECISION (continued):

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 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.

Report - Standing Policy Committee on Property and Development – October 30, 2007

DECISION MAKING HISTORY:

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 14, 2007, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee, as amended, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On October 30, 2007, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee with the following amendment, namely:

- That Recommendation 1.A.i. be amended to delete in its entirety Recommendation 2.a) under Development Agreement conditions, and replace with the following:

  2.a) The Developer shall, at no expense to the City, construct portland cement concrete pavements to widths of 7.5m, 8.0m and 10.0m, 150mm and 200mm in thickness in all streets within the Planned Area, including the section of the existing Waverley Street that will remain as a collector street, (with the exception of the most northerly approximately 500m of Waverley Street, from the north limit of the Planned Area to where the realigned Waverley Street ties into the existing Waverley Street, for which the developer shall be responsible for the construction of only the south bound (westerly) lane;) and all related works including, but not necessarily limited to street lighting, boulevard landscaping and land drainage sewer all as determined by and to the satisfaction of the Director of Public Works,

Report - Standing Policy Committee on Property and Development – October 30, 2007

DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION (continued):

- That the following new recommendation be added as 1.A.iii:

    iii. That Recommendation 16.a) under Development Agreement Conditions be amended by adding the word "asphalt" after the word "construct" in the third line thereof,

    and renumber the remaining recommendation accordingly,

and forwarded to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On October 9, 2007, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments, namely:

Report of the Administrative Coordinating Group

2. That Recommendation 2. under Development Agreement Conditions be renumbered to 2.a) and a new Recommendation 2.b) be added as follows, namely:

    "2.b) That prior to the commencement of construction under Phase II as identified in the Waverley West Southeast Neighbourhood Area Structure Plan, the Developer shall be responsible for front-ending the cost of twinning Waverley Street from Bison Drive to proposed Collector B and that payback be within 10 years and any interest paid not exceed the City's borrowing rate."

3. That Recommendation 15. under Development Agreement Conditions be amended by deleting the words "and Kenaston Boulevard" in the fifth line thereof.

4. That Recommendation 17.i. under Development Agreement Conditions be amended by deleting the words "ten (10) years" and substituting therefore "five (5) years".

Report - Standing Policy Committee on Property and Development – October 30, 2007

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

Report from the Planning and Land Use Division

5. That a new Recommendation 2.C. be added as follows, namely:

> "2.C. That where single family and two family lots back onto either the new east/west Waverley alignment or the future Kenaston Boulevard right-of-way, the said lots are to be established with minimum rear yards of 17.5 metres."

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

RE: Subdivision and Rezoning - Lands west of Waverley to Kenaston between Lee Boulevard and Perimeter Highway
(St. Norbert Ward)
File DASZ 22/2007

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

Prepared by: Marc Pittet, Senior Committee Clerk
Riel Community Committee

Report date: October 16, 2007

COMMUNITY COMMITTEE RECOMMENDATION:

On October 9, 2007, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision under File DASZ 22/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 22/2007 dated October 2, 2007, 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 October 1, 2007, ***with the following amendments:***

      i. That Recommendation 2. under Development Agreement Conditions be renumbered to 2.a) and a new Recommendation 2.b) be added as follows, namely:

         "2.b) That prior to the commencement of construction under Phase II as identified in the Waverley West Southeast Neighbourhood Area Structure Plan, the Developer shall be responsible for front-ending the cost of twinning Waverley Street from Bison Drive to proposed Collector B and that payback be within 10 years and any interest paid not exceed the City's borrowing rate."

      ii. That Recommendation 15. under Development Agreement Conditions be amended by deleting the words "and Kenaston Boulevard" in the fifth line thereof.

iii. That Recommendation 17.i. under Development Agreement Conditions be amended by deleting the words "ten (10) years" and substituting therefore "five (5) years".

2. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 22/2007 dated October 2, 2007, to an "R1-3.5" Residential District, an "RM-2" and "RM-4" Multiple Family District, a "PR-1" Parks and Recreational District and a "C2" Commercial District subject to the following:

A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions:

i. That as it relates to the proposed multiple family and future commercial sites, detailed plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That, in the event that the option for the designated proposed school site expires and the site is developed for multiple family purposes (in accordance with the proposed zoning):

a. A 50 foot wide buffer shall be maintained along the east periphery of the site, within which no residential structures shall be permitted; and

b. A provision shall be made at the northeast corner of the site for a 15 foot wide public pedestrian access-way to link the adjoining street and the proposed public reserve areas and active recreational facilities adjoining the naturalized waterway system.

B. That the City will transfer part of Drain Plan No. 6788 WLTO to the Developer for incorporation within the plan of subdivision subject to the Developer paying all administration costs incurred by the City in acquiring the subject Drain from the Province of Manitoba.

C. That where single family and two family lots back onto either the new east/west Waverley alignment or the future Kenaston Boulevard right-of-way, the said lots are to be established with minimum rear yards of 17.5 metres.

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

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 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 Riel Community Committee provided the following supporting reason for its recommendation:

1. The Riel Community Committee agreed with the comments contained in the Winnipeg Public Service report from the Planning and Land Use Division dated October 2, 2007 and in the report from the Administrative Coordinating Group dated October 1, 2007.

PUBLIC HEARING SUMMARY

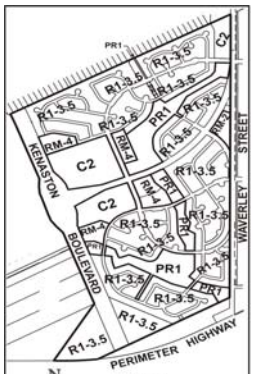
File: DASZ 22/2007

Before: Riel Community Committee
Councillor Swandel, Chairperson
Councillor Steeves
Councillor Vandal

Public Hearing: October 9, 2007
Council Chambers, Council Building, 510 Main Street

Applicant: Ladco Company Limited (Ken Oblik)

Subject:



APPLICANT : LADCO COMPANY LIMITED
FILE: DASZ 22/07
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" AGRICULTURAL DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT, an "R1-3.5" RESIDENTIAL DISTRICT an "RM-2" and "RM-4" MULTIPLE-FAMILY DISTRICTS and a "C2" COMMERCIAL DISTRICT. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : LADCO COMPANY LIMITED
N° DE RÉFÉRENCE : DALZ 22/07
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du Règlement municipal n° 6400/94 visant à changer le zonage des sols délinéés ci-dessus qui passeraient de la catégorie A (SECTEUR AGRICOLE) à la catégorie PR1 (SECTEUR DES PARCS ET DES LOISIRS), à la catégorie R1-3.5 (SECTEUR RÉSIDENTIEL), aux catégories RM-2 et RM-4 (SECTEURS D'HABITATIONS MULTIFAMILIALES) et à la catégorie C2 (SECTEUR COMMERCIAL). **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected:	lands west of Waverley of Kenaston between Lee Boulevard and Perimeter Highway
Exhibits Filed:	1. Application dated June 4, 2007
	2. Notification of Public Hearing dated September 20, 2007
	3. Manitoba Status of Titles 1607132, 1607133, 2097085, 2097087, 2097090, 2208404, 2208405
	3A. Certificate of Title A 14612, A 14615, A 14620, A 14624, 358406, E 36509, B 66306, 713978, 775001
	4. Caveat No 245446
	5. Letter of authorization dated April 20, 2007 from 5427089 Manitoba Ltd. to Ladco Company Limited
	6. Site Plan
	7. Plans (3 pages)
	8. Land Surveying - Geomatics Plan
	9. Report from the Planning and Land Use Division dated October 2, 2007
	10. Report from the Administrative Coordinating Group dated October 1, 2007
	11. Inspection Report
	12. Communication from Phyllis Watson, Civic Issues Chair, The Council of Women of Winnipeg, in opposition to the application dated October 9, 2007,
	13. Presentation in support of the application submitted by Michael Carruthers, Ladco Company Limited, at the public hearing on October 9, 2007
	14. Presentation in opposition to the application submitted by Mark Cohoe at the public hearing on October 9, 2007
	15. Presentation and supporting documentation in opposition to the application submitted by J. A. Paterson at the public hearing on October 9, 2007
	16. Presentation in opposition to the application submitted by David Watson at the Public Hearing on October 9, 2007

REPRESENTATIONS:

In Support:
Alan Borger
David Borger
Henry Borger
Michael Carruthers
Frank Curtis
Spencer Curtis

Leonard Hoey
Peter Johnston
Mark Kneale
Ken Loscerbo
Cheryl Oakden
Ken Oblik
Brian McIntosh
Peter Muir
Garth Steek
Gordon Steiss
Brent Wara

In Opposition:
Mark Cohoe
J.A. Paterson
David Watson

For Information:
Chuck & Lisanne Arnason
Doug Dobrowski
Dan Krebs
B. Nanowski

For the City:
Ms. D. Beaton, Park Strategic Planner, Planning, Property and Development Department
Mr. E. Carriere, Land Development Administrator, Planning, Property and Development Department
Ms. A. Clark, Planner, Planning, Property and Development Department
Ms. D. Emerson, Traffic Management Engineer, Public Works Department
Mr. T. Josephson, Services Development Engineer, Water and Waste Department
Mr. K. Lalor, Senior Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS MADE AT THE COMBINED PUBLIC HEARING FOR THE WAVERLEY WEST SOUTHEAST NEIGHBOURHOOD AREA STRUCTURE PLAN FILE SP 2/2007 AND SUBDIVISION / REZONING FILE DASZ 22/2007

Angie Clark, Planner, Planning, Property and Development Department, appeared in support and provided an overview of the Waverley West Southeast Neighbourhood Area Structure Plan

(WWSNASP). Ms. Clark introduced Donna Beaton, Park Strategic Planner, Planning, Property and Development Department, Ernie Carriere, Land Development Administrator, Planning, Property and Development Department, Diana Emerson, Traffic Management Engineer, Public Works Department, Terry Josephson, Services Development Engineer, Water and Waste Department, and Kevin Lalor, Senior Planner, Planning, Property and Development Department, members of the City of Winnipeg Administration appearing in support of the Area Structure Plan.

Ms. Clark stated that since first reading of the by-law on July 18, 2007, the WWSNASP has been amended; the major amendments, mutually agreed upon by the Winnipeg Public Service and the Developer, include but are not limited to the following::

- Transit: increased requirements for service and infrastructure;
- Land drainage system as it relates to the greenway system;
- Parks and Open Space to ensure a balance of active/passive greenspace;
- School site: including further conditions should the site in question not be developed as a school site.

In response to a question from Councillor Vandal, Ms. Clark stated that the westerly extension of Waverley Street will occur as part of the first phase of development.

Michael Carruthers, Development Officer, accompanied by Alan Borger, President, Mark Kneale, Chief Financial Officer and Ken Oblik, Manager of Land Development, Ladco Company Limited, the applicants for the subdivision/rezoning, appeared in support of the WWSNASP and the subdivision/rezoning. Mr. Carruthers gave a brief overview of the proposal and read into the record a presentation, filed as Exhibit 13. The Applicants indicated concurrence in the recommendations contained in the administrative reports from the Planning and Land Use Division dated October 2, 2007, and the Administrative Coordinating Group dated October 1, 2007, with the following exception:

- The applicants did not concur in Recommendation 17 in the report from the Administrative Coordinating Group and provided two options to amend said recommendation as outlined in their submission, filed as Exhibit 13.

Discussion ensued with respect to:

- Infrastructure phasing;
- The flow of traffic to/from the subdivision;
- The proposed school site and the amendment requested by the applicant;
- The projected build-out of the subdivision, which is anticipated to take 7.5 - 10 years based on today's market conditions.

Mark Cohoe appeared in opposition to the applications and summarized his presentation, filed as Exhibit 14.

J. A. Paterson appeared in opposition to the applications and read into the record a presentation, filed as Exhibit 15.

David Watson appeared in opposition to the applications and read into the record a presentation, filed as Exhibit 16.

Michael Carruthers, Alan Borger, Mark Kneale, and Ken Oblik returned in rebuttal on the subdivision/rezoning application. The Applicants provided the following responses to questions raised during the public hearing and by the members of the Committee:

- There are approximately five (5) kilometres of trails identified in the plan and a trail may be built on the southern portion of Waverley Street once it has been decommissioned;
- Sidewalks and/or pathways will be constructed on both sides of all collector streets;
- Asphalt pathways would not be appropriate in the naturalized parkway system, should be located along major roadways and would require increased maintenance;
- When Waverley Street is extended into the neighbourhood, traffic breaks will slow traffic;
- The Developer would be willing to enter into discussions with the City of Winnipeg with respect to front-ending the cost of extending Waverley Street from Bison Drive to Sandusky Drive;
- For the future extension of Kenaston Boulevard, the Developer is responsible for providing land and berming;
- Traffic should flow to and from the development at Sandusky Drive as the two neighbourhoods will eventually become one;
- In the early years of development, vehicular traffic may use Sandusky Drive as a short cut to Pembina Highway but in the long term, traffic should be contained within the community;
- The Applicants concur with the amendments to the WWSNASP as per the submission from the Winnipeg Public Service;
- The Developer envisions the speed limit on the extension of Waverley Street to be sixty kilometres per hour (60 km/h);
- The development provides for approximately fifteen hundred (1,500) single-family units and, depending on what occurs with the proposed school site, between two-hundred and fifty (250) and four-hundred and fifty (450) multiple family units.

Angie Clark, Donna Beaton, Ernie Carriere, Diana Emerson, Terry Josephson, and Kevin Lalor returned in rebuttal. In response to questions arising out of the representations and questions from Committee, the following responses were provided:

- The plan provides a good balance of asphalt and granular pathways;
- The extension of Waverley Street will not exceed the threshold of vehicles to warrant the construction of a cycling lane as per Transportation Association of Canada (TAC) guidelines;
- The Winnipeg Public Service will be required to make application to the Provincial Highway Traffic Board to reduce the speed limit on Waverley Street.

Exhibit "9" referred to in File DASZ 22/2007

Winnipeg

Planning, Property and Development Department Report

To the Riel Community Committee

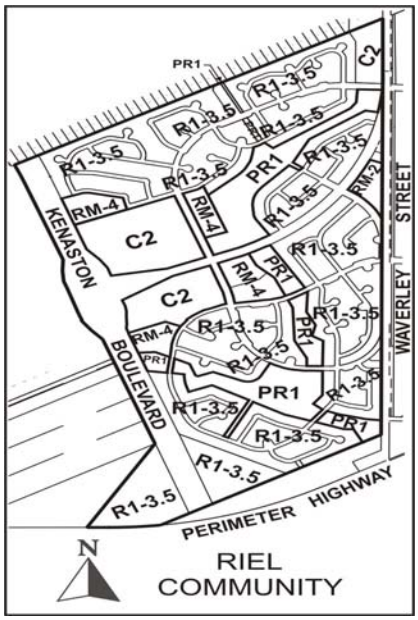
Date: October 2/2007

File: DASZ 22/07
Related Files: SP 2/2007

Subject: The purpose of the subject application is to rezone and subdivide the said lands from an "A" Agricultural District to "R1-3.5" & " RM-2, RM-4" Residential Districts and to "C2" Commercial and "PR-1" Parks and Open Space Districts to facilitate new development in the S.E. Neighbourhood of Waverley West**.**

Location: West of Waverley Street, North of the Perimeter Highway, East of the extension of Kenaston Blvd., South of Lee Blvd.

Legal Description: See file # DASZ 22/07

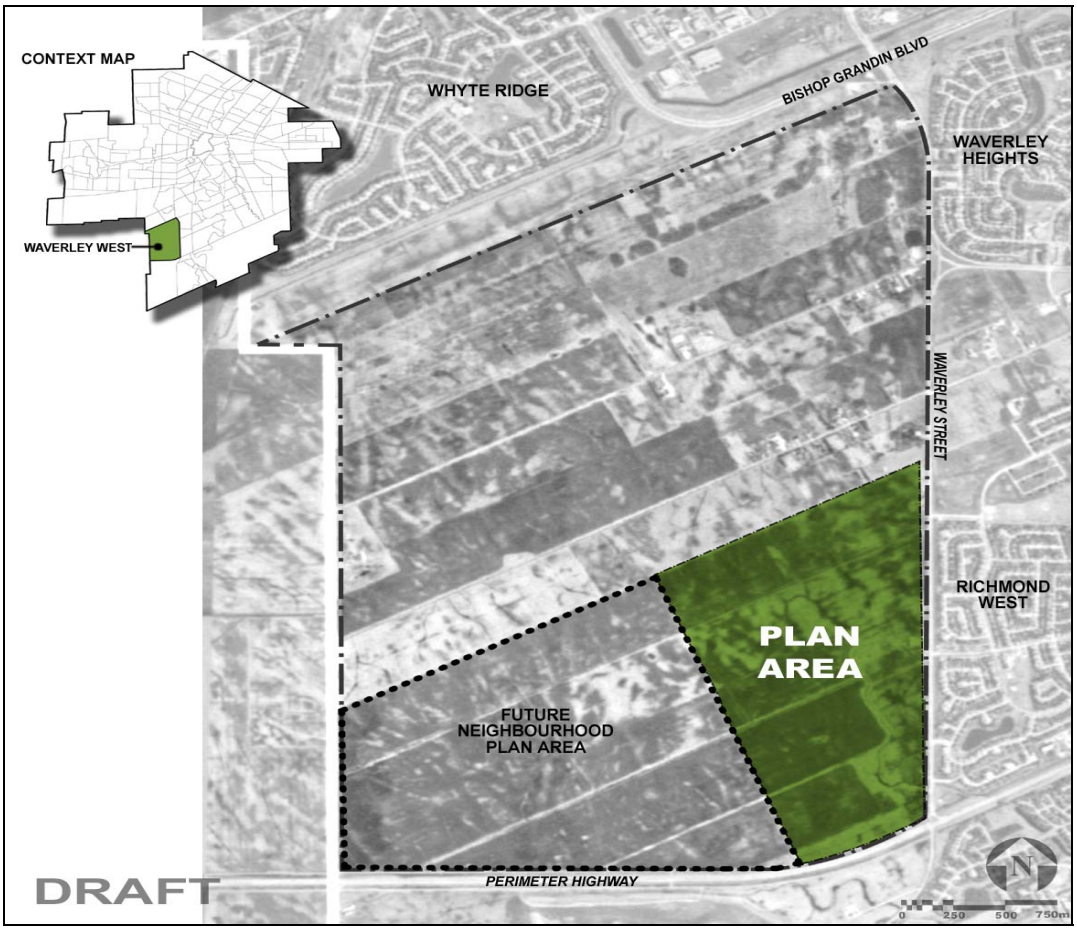


Applicant: Ladco Company Ltd.

Owner: Same as above

Recommendation: Approve with conditions

Site Description:



Background:

In 2005 Council adopted an amendment to Plan Winnipeg to designate the entire Waverley West area (west of Waverley and south of Bishop Grandin) as a Neighbourhood Policy Are.

On July 26, 2006 Council adopted the Waverley West Area Structure Plan. That plan identifies seven Neighbourhood Plan Areas that define "the logical extension of community access networks (primarily roadways)". Under that plan the second land to be developed (Neighbourhood C) is the Ladco Co. Limited land that is the subject of both the Simultaneous with the processing of the afore noted Structure Plan, a rezoning and subdivision application (DASZ 22/07) was initiated.

The department has worked closely with Ladco Co. Ltd. and their consulting teams to prepare the area structure plan. This process also included close consultation with all affected City departments to address any issues related to the development of the subject lands and to ensure that the City's requirements were incorporated into the plan's policies.

On July 18, 2006 Council gave first reading to By-law 140/2007 to adopt the Waverley West Southeasteast Neighbourhood Area Structure Plan as a Secondary Plan and directed that the Riel Community Committee conduct a public hearing respecting the proposed by-law and plan.

Description of the Proposed Development:

Residential:

Residential areas will provide opportunities for a range of housing that meets and responds to the market based demand for housing. Single-family and two family housing will be the predominant land use (80-90% of the residential area), however compatible and complementary multiple-family housing and other uses may be developed around the Neighbourhood Nodes and along Waverley Street.

To promote and encourage the use of transit, most homes (at least 80%) will be located within a five minute walk (400 metres) of a collector street and related transit routes. The Greenway System will link Residential areas and other uses in the Southeast Neighbourhood. Overall acreage for single family development is upwards of 296 acres (which includes street rights-of-way. That could translate into as many as 1650 single family lots and as few as 1450 lots depending on lot the ultimate width. Lot widths are likely to range between 42' average lot width and 48' average lot width. The designated multiple family areas will total 24.7 acres and could accommodate, in total, between 250-625 dwelling units. Three of the proposed multiple sites are being rezoned to an "RM-4" higher density category. One site will be rezoned to a " RM-2" classification. The heaviest concentrations of multiple family development will be located athe intersection of Waverley St. and the future Kenaston Blvd. extension and will , in all likelihood, be combined with higher intensity commercial development.

This Neighbourhood Area Structure Plan also establishes a target density range to ensure that residential development: occurs within an acceptable range that is compatible with the adjacent neighbourhoods; meets the needs of the housing market; and reduces the spatial consumption of land and servicing costs.

(1) The residential density shall be a minimum of 11.1 units per Gross Developable Hectare (4.5 units per Gross Developable Acre) and a maximum of 19.7 units per Gross Developable Hectare (8.0 units per Gross Developable Acre).

(2) Multiple-Family Residential shall be a minimum of 19.7 units per Gross Developable Hectare (8.0 units per Gross Developable Acre).

Commercial:

The ASP identified the strategic intersection of Kenaston Boulevard and Waverley Street as the location of one of two primary commercial areas in Waverley West. Kenaston Boulevard is expected to be the primary traffic route connecting Winnipeg to the economic centres of the mid-continental trade corridor. Waverley Street is the first intersection on this important Expressway within Winnipeg.

The primary commercial area permits and may include a variety of Community Scale Commercial, Local Commercial, Office, Institutional, Residential and Mixed Uses. The primary commercial area may be integrated with Higher Density Multiple-family Residential and various community facilities. This area is integral to the Southeast Neighbourhood and the wider Community, providing retail services, employment opportunities, entertainment and other community services. The design will include convenient vehicle, transit and pedestrian connections to the surrounding area including connections to Waverley Street, the collector street network and the Greenway System. Commercial uses will be integrated with residential areas through appropriate buffering, landscaping and setbacks.

The ASP also contemplates the creation of neighbourhood commercial areas that provide retail goods and services to the surrounding neighbourhoods (herein referred to as secondary commercial sites). A secondary commercial site may be developed at Node 1 (northwest corner of Waverley Street and Collector Street "A"). This secondary commercial site is intended to provide retail goods and commercial services to the surrounding neighbourhoods. Local Commercial, Multiple-family Residential and Mixed Use development are all permitted. Any secondary commercial site located directly adjacent to a residential area will be appropriately buffered through the use of landscaping, fencing and building setbacks.

Overall, 54.8 acres of the total area has been set aside for primary and/ or secondary commercial development.

Neighbourhood Nodes:

Neighbourhood Nodes provide a focal point where Multiple-Family Residential, Local Commercial, Non-Retail Commercial, Institutional, Recreational, school and other suitable uses can be located. Connectivity of the Neighbourhood Node to the surrounding neighbourhood will be achieved through the convergence of roads, trails and sidewalks.

Each Neighbourhood Node will be strategically located on a collector street, at a key intersection and will have multiple routes to the surrounding neighbourhood. Each node is generally described as follows:

> **Node 1:** located at the intersection of Waverley Street and Sandusky, represents the northern entry point into the neighbourhood. Uses surrounding this node may include a secondary commercial site or Multiple-Family Residential development (northwest corner) and park space (southwest corner). A gateway feature identifying the entry into the community may be incorporated into the design. This node is connected to the surrounding neighbourhood by the Greenway System, sidewalks and the intersection of Collector Street "A" and Waverley Street.
>
> **Node 2**: located at the northeast corner of the primary commercial area along Collector Street "A", may consist of higher intensity uses including a school reserve or Multiple-Family Residential development (southeast corner) and Multiple-Family Residential development or Community Scale Commercial (southwest corner). This node is connected to the surrounding neighbourhood by the Greenway System, sidewalks and Collector Street "A".
>
> **Node 3**: located at the intersection of Collector Street "A" and Collector Street "C", may consist of higher intensity uses including Multiple-Family Residential development (northeast corner) and Multiple-Family Residential development or Community Scale Commercial (northwest corner). This node is connected to the surrounding neighbourhood by sidewalks and two collector streets with close proximity and access to the Greenway System.

Parks/Open Space:

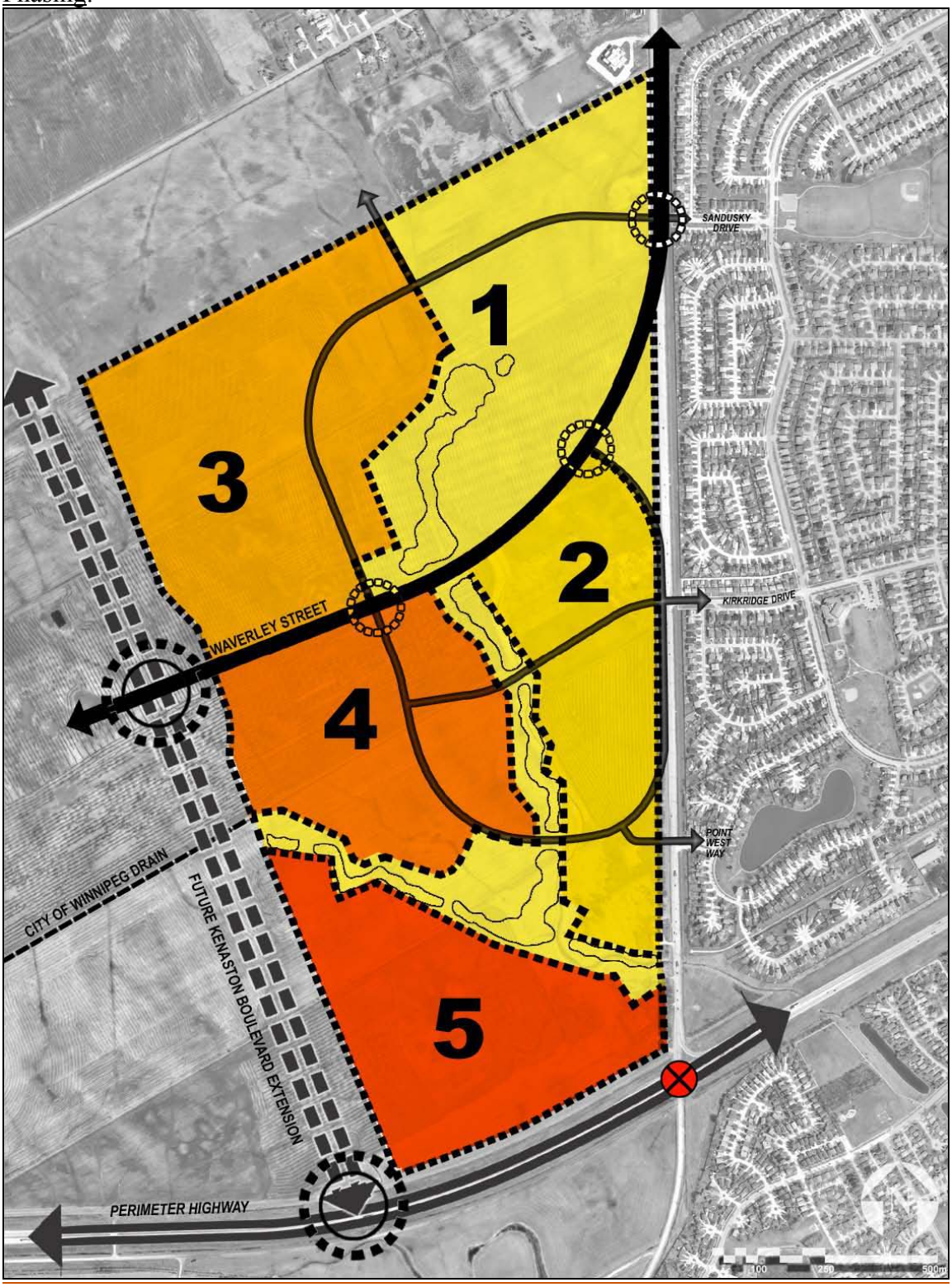
To provide a balance between active and passive recreation areas that will meet the needs of the residents of the Southeast Neighbourhood, a variety of parks and open spaces will be provided. A key feature of the Southeast Neighbourhood will be the Greenway System which is centrally located and provides a number of recreational opportunities. Recreation trails that provide opportunities for passive use, along with two play fields will be an integral component of the Greenway System. Native vegetation will be incorporated into the parks and open spaces which will improve the aesthetics of the urban environment and reduce the cost of maintenance. Overall there is approximately 64 acres of Greenway (including drainage), 14 acres of which is deemed to be active open space. That does not include the future designated school site.

Transportation & Site Access:

The external roads within or adjacent to the Southeast Neighbourhood include a Expressway (future Kenaston Boulevard), an arterial street (Waverley Street) and a provincial highway (the Perimeter Highway-PTH 100). The general location of the existing and proposed external roads is shown on Map 3: Transportation. The intersection at Waverley Street and the Perimeter Highway will be closed by the Province of Manitoba once Kenaston Boulevard is extended to the Perimeter Highway. Waverley Street will be realigned and will bend south and westward through Waverley West to intersect Kenaston Boulevard and will eventually be extended to Brady Road. The realignment and extension of Waverley Street will depend on timing of development. Portions of the existing Waverley Street right-of-way will be incorporated into the collector street network for the Southeast Neighbourhood. The remaining portions of the right-of-way will become a recreation and utility corridor that will continue to contain an existing water feeder-main and a Manitoba Hydro transmission line.


DRAFT
COLLECTOR A
SANDUSKY DRIVE
WAVERLEY STREET
COLLECTOR C
COLLECTOR A
COLLECTOR B
KIRKRIDGE DRIVE
POINT WEST WAY
CITY OF WINNIPEG DRAIN
FUTURE KENASTON BOULEVARD EXTENSION
PERIMETER HIGHWAY
LEGEND
PARKS AND OPEN SPACE
NATURALIZED LAND DRAINAGE / WETLANDS
ARTERIAL STREET
COLLECTOR STREET
POTENTIAL FUTURE GRADE SEPARATED INTERSECTION (INITIALLY SIGNALIZED)
POTENTIAL AT-GRADE INTERSECTIONS (SIGNALIZED)
INTERSECTION CLOSURE
POTENTIAL TRAIL NETWORK

Phasing:


1
2
3
4
5
SANDUSKY DRIVE
KIRKRIDGE DRIVE
POINT WEST WAY
WAVERLEY STREET
CITY OF WINNIPEG DRAIN
FUTURE KENASTON BOULEVARD EXTENSION
PERIMETER HIGHWAY

Ladco proposes to register this development in phases with phase 1 beginning immediately. The plan of subdivision and zoning for each phase will be registered following approval by the City. Phasing breakdown of the s.e. neighbourhood and approximate time frames for each phase are as follows;

Timing	Est. Years of SF
Phase 1	1.7 – 2.3
Phase 2	1.7 – 2.3
Phase 3	2.0 – 2.7
Phase 4	1.0 – 1.3
Phase 5	1.1 – 1.4

Note: this is based on assumptions for the number of single-family home construction starts per year. (roughly an overall of total 1450-1550 SF homes at an approximate rate of 150 – 200 starts per year) . This does not include Multi-family and Commercial. At that assumed rate, Ladco would expect to be moving to their second neighbourhood between the 8th and 11th year in order to provide for a continuous flow of lots.

School sites:

The Pembina Trails School Division (PTSD) has identified the potential need for a future school in the Southeast Neighbourhood. A site that is centrally located, readily accessible by vehicle, transit and pedestrian traffic and located in the direct vicinity of a park will be reserved. A 4.95 acre site has actually be identified and is situated immediately to the east of the largest proposed C2 Commercial site and just north of Waverley street. It is be zoned to a "RM-4" Multiple Family category. The decision to develop a school ultimately rests with the PTSD and the Public Schools Finance Board. The PTSD shall have a five (5) year option from the time the school site is established to purchase the site from the developer as outlined in the Development Agreement Parameters or alternate option terms as mutually agreed to by the Developer and the PTSD. The Developer is , in fact , pursuing a ten (10) year option with the right of first refusal and an option to purchase. It should be noted that, in the event that the site is not developed for school division purposes but rather for residential multiple family development, the City has requested that provision for a public pedestrian pathway be

incorporated into the final plans at the n.e. corner of the subject site. A fifty foot buffer between any proposed new residential buildings and the proposed Public Reserve area to the east has also been identified as a condition of approval under the zoning agreement.

Servicing:

To ensure that adequate infrastructure including paved streets, piped municipal utilities (water and wastewater), land drainage and shallow utilities (gas, electrical and telecommunications) are provided to serve the Southeast Neighbourhood, infrastructure will be constructed in a phased

manner as development progresses. Rights-of-way and easements will be provided to accommodate the extension of services. Infrastructure alignments will be identified at the Development Application stage and confirmed prior to or during approval of the construction drawings.

Water Distribution

To provide a water distribution system for the Southeast Neighbourhood and beyond, the Southeast Neighbourhood will be served by the existing feeder-main located within the Waverley Street right-of-way which will be extended westerly as development progresses. A future extension of the feeder-main from the northern portion of Waverley West, following the Kenaston Boulevard alignment, will provide additional service during later phases of development.

Wastewater Collection

To provide a wastewater collection system for the Southeast Neighbourhood and beyond, the Southeast Neighbourhood will be serviced by the extension of the Killarney Interceptor Sewer along the re-aligned Waverley Street as development progresses.

Land Drainage System

To guide the design and development of a land drainage system to manage stormwater runoff from the Southeast Neighbourhood, Kenaston Boulevard and the City of Winnipeg drain. Stormwater management plans will be prepared in accordance with the Regional Land Drainage Plan that provides for an integrated network of land drainage facilities.

Stormwater will be detained in a linear retention system consisting of a series of small basins connected by an open channel for conveyance. Water will be released into the Beaujolais Coulee in accordance with predetermined discharge rates. The land drainage system is an integral part of the overall greenway system. As such, it is intended to be an aesthetically appealing system that will be constructed to replicate a natural functioning wetland and watercourse, provide a unique environment for wildlife and provide necessary land drainage protection.

* It should be noted there is a 65' wide drainage right-of-way owned by the Province of Manitoba traversing the Developer's land from the Beaujolais Coulee westerly. The City is currently acquiring title to this drainage right-of-way described as Drain Plan No. 6788 WLTO and will then transfer the subject Drain to the Developer for incorporation into the plan of subdivision.

Analysis:

Plan Winnipeg Compliance:

The Waverley West Southeast Neighbourhood Area Structure Plan is located in the Southeast corner of Waverley West, just north of the Perimeter Highway, and west of Waverley Street. It

encompasses approximately 200 hectares (495 acres) of land. The area is designated Neighbourhood Policy Area by Plan Winnipeg 2020 Vision which allows for 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."

Section 3B-02 of Plan Winnipeg 2020 Vision requires that the development of new residential areas designated as Neighbourhood Policy area must be guided by the preparation of Secondary Plans. The Waverley West Area Structure Plan reinforces this by requiring secondary plans for each of the seven neighbourhoods defined in that area.

The Waverley West Southeast Neighbourhood Area Structure Plan covers the second neighbourhood and was prepared in order to comply with this requirement and as a means to implement the broader strategic policy directions expressed through the policies of the Waverley West Area Structure Plan and Plan Winnipeg 2020 Vision.

This Neighbourhood Area Structure Plan represents the continuing efforts toward building an integrated hierarchy of plans within the City of Winnipeg.

Public Consultation Process:

- The WWASP (ASP) process included a public workshop, two open houses, stakeholder meetings, a neighbourhood advisory committee and City of Winnipeg TAC.
- The ASP public hearing was held on April 20, 2006 and approved July 26, 2006..
- Open house February 1, 2007 – 150 attended
- There was a Neighbourhood Advisory Committee Meeting on Jan 25/07 (there was resident representation from Richmond West and Waverley West,).
- Ongoing meetings with the Pembina Trails School Division on several occasions
- Ongoing meetings with the City of Winnipeg TAC
- A meeting with the Pentecostal Assemblies of Canada on January 30/07
- Ongoing meetings with the MB Infrastructure and Transportation
- Continuing ongoing discussions with various City of Winnipeg Departments over the course of the spring of 2007
- Draft # 1 of the SENASP dated December 11, 2006
- Draft # 2 of the SENASP dated April 27, 2007
- Draft # 3 of the SENASP dated August 23, 2007 (plus minor changes Sept 17)

Innovative/ Unique Features of the Proposal:

-The Greenway is one of the primary innovative features of the subject neighbourhood – it forms the linear spine/backbone of the neighbourhood containing parks, open spaces and a land drainage corridor.
- The land drainage system will use an environmentally conscious and clean approach to manage storm-water, by retaining, enhancing and naturalizing an existing drainage system with wetlands, native vegetation and passive public spaces.
-The Greenway System will provide recreation opportunities and alternative transportation options.
-Future residents will be provided with convenient access to active park sites, passive recreation trails and neighbourhood services.
-Over 15 kilometres of recreation trails and sidewalks will be located in the neighbourhood.
-The Greenway will link land uses throughout the neighbourhood – providing convenient connections between residential and commercial areas. Most residents will be within a five minute (400 m) walk of the Greenway.
-A range of housing, shopping, employment, recreation and community services will be provided in the neighbourhood.
-The new subdivisions will have a variety of housing opportunities serving many different housing markets.
-The centrally located primary commercial area is envisioned to become a multiple use district located at the key intersection of Kenaston Boulevard and Waverley Street. It will provide shopping, retail, services, entertainment and employment opportunities for area residents.
-Proposed neighbourhood nodes will provide opportunities for multiple-family housing, secondary commercial activity and other important community features. The nodes will act as key reference points along the expansive park system.
-Density grid – higher densities will be centred in and around the primary commercial area, with lower density housing occupying the bulk of the remaining area

Conclusion:

All phases of Waverley West are intended to be green, walk-able communities accessible to a range of incomes and families, from those with young children to seniors. There will be a broad mix of housing options, in accordance with the spirit and intent of the land use policies outlined in the Area Structure Plan and the Northeast Neighbourhood Area Structure Plan. Healthy communities, by definition, aspire to improve the social, economic and physical well –being of the people occupying those communities and their natural environments.

It is the position of the City's Planning, Property and Development Department that the subject application fulfills many of the aforementioned goals of a healthy community by: 1) creating a network of safe interconnected trails, sidewalks and walkways; 2) providing a balance of shopping, educational and recreational opportunities; 3) offering transportation options that hopefully reduce auto use and make transit use convenient; 4) supporting diverse housing

choices for all ages, incomes and families and finally; and 5) by providing a walk-able, sustainable and human scaled development.

Ladco has created a neighbourhood development that works toward principles of smart growth and environmental stewardship, Smart Growth communities, those that are compact with a mix of land uses, well connected street and sidewalk networks and a supportive pedestrian environment, can help to achieve various health objectives primarily by affecting people's travel behavior. In essence, communities designed along these principles, provide convenient pedestrian, cycling and transit options for community members who otherwise might be inclined to travel via private automobile for most utilitarian trips.

Recommendation

The Planning and Land Use Division recommends approval of the proposed rezoning and subdivision for the following reasons:

- The development plan provides for a cohesive and diverse neighbourhood.
- There is provision for a safe, efficient and functional transportation system including a hierarchy of public streets, provision of public transit and a community pedestrian network.
- The plan provides for a linear greenway network linking the neighbourhoods of Waverley West to one another and beyond, where naturalized land drainage systems, pedestrian trails, parks, and open spaces can be created in shared corridors.
- There is provision for a system of pathways that effectively integrates the neighbourhoods and amenities.
- Existing natural areas are protected and incorporated into the plan.

Recommended Conditions of Approval

1. That the plan of subdivision proposed under File DASZ 22/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 22/2007 dated October 2, 2007, 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 October 1, 2007.

2. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 22/2007 dated October 2/2007, to an "R1-3.5" Multiple Family District, an " RM-2 & RM-4" Residential District, a " PR-1" Parks & Recreational District and a " C2" Commercial District subject to the following:

A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

i. That as it relates to the proposed multiple family and future commercial sites, detailed plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the **Riel** Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That, in the event that the option for the designated proposed school site expires and the site is developed for multiple family purposes,(in accordance with the proposed zoning), 1) a 50' wide buffer shall be maintained along the east periphery of the site, within which no residential structures shall be permitted and 2) provision shall be made at the n.e. corner of the site for a 15' wide public pedestrian access-way to link the adjoining street and the proposed public reserve areas and active recreational facilities adjoining the naturalized waterway system.

B. The City will transfer part of Drain Plan No. 6788 WLTO to the Developer for *incorporation within the plan of subdivision subject to the Developer paying all administration costs incurred by the City in acquiring the subject Drain from the Province of Manitoba.*

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

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 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: Kevin Lalor
PPD File # .651

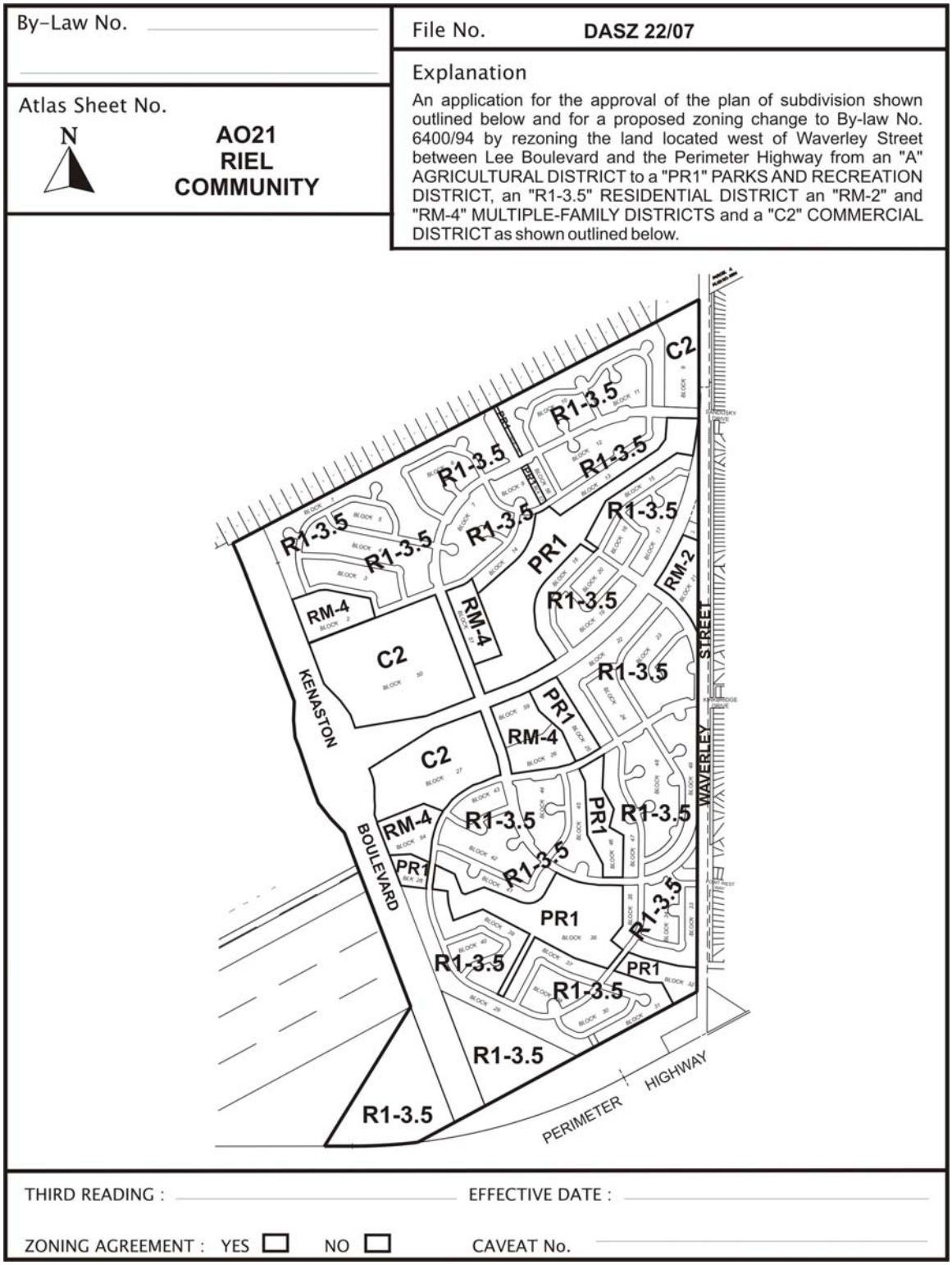


Figure 1: Schedule "A" to the report to the Riel Community Committee for File DASZ 22/2007, dated October 2, 2007.

Exhibit "10" referred to in File DASZ 22/2007

INTER-OFFICE MEMORANDUM

Planning, Property and Development Department

Winnipeg

Date: October 1, 2007

To: Marc Pittet, Community Clerk

From: E.L. Carrière, Land Development Branch

RE: **Proposed subdivision and rezoning on land located the west sied of Waverley Street between Lee Boulevard and the Perimeter Highway**
FILE: DASZ 22/07 (PLEASE QUOTE WHEN REPLYING)

Enclosed is a report of the Administrative Coordinating Group dated October 1, 2007 in connection with the above referenced development application being submitted for consideration by the Riel Community Committee at its meeting to be held on October 9, 2007.

_____
E.L. Carrière, P.Eng.
Land Development Engineer

ELC/

cc: E. Axelrod, Subdivision Officer
W.R. Stovel, Legal Services
R.J. Hartmann, P.Eng., Public Works Department
T.S. Josephson, P.Eng., Water and Waste Department
D. Overby, Planning and Land Use
Councillor Justin Swandel
Kevin Lalor, Planner

Ladco Company Limited

Enclosure

document1

Exhibit "10" referred to in File DASZ 22/2007

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED SOUTH ON THE WEST SIDE OF WAVERLEY STREET BETWEEN LEE BOULEVARD AND THE PERIMETER HIGHWAY- DASZ 22/07

FOR SUBMISSION TO THE CHAIRPERSON AND MEMBERS OF THE RIEL COMMUNITY COMMITTEE

E.L. Carrière
Chairman
Administrative Coordinating Group

October 1, 2007

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED THE WEST SIDE OF WAVERLEY STREET BETWEEN LEE BOULEVARD AND THE PERIMETER HIGHWAY- DASZ 22/07

An application has been submitted by Ladco Company Limited to subdivide and rezone the land located on the west side of Waverley Street between Lee Boulevard and the Perimeter Highway.

Recommendation A: (Plan Amendments)

It is recommended that the plan be amended as follows:

l. The Developer shall dedicate and legally open property required for Kenaston Boulevard within the Planned Area including property for right-of-way corner cuts and property for a single point diamond interchange at the intersection of Kenaston Boulevard and realigned Waverley Street, as determined by and to the satisfaction of the Director of Public Works.

2. The Developer shall dedicated and legally open property required for the widening of the most northerly approximately 500m of Waverley Street, approaching the north limit of the Planned Area where the realigned Waverley Street ties into the existing Waverley Street, to 42.0m in width as determined by and to the satisfaction of the Director of Public Works.

3. The westerly extension of Point West Way, west of the existing Waverley Street to be established as a residential collector street with a minimum right-of-way width of 22.0m to the satisfaction of the Director of Public Works.

4. The Developer shall dedicate and legally open property for right-of-way corner cuts measuring 2.0m by 2.0m in each corner of the intersection of two streets measuring 22.0m in width or greater. Right-of-way corner cuts measuring 3.0m by 3.0m are to be provided at each corner of any intersection where the angle is less than 80^{o} to the satisfaction of the Director of Public Works.

5. Proposed frontage roads are to be accommodated with a minimum right-of-way width of 9.0m and the terminus points of the frontage roads are to be located and designed to the satisfaction of the Director of Public Works.

6. Intersections of local streets within the Planned Area are to be designed such that the angle of intersection is no less than 70^{o} as measured in the quadrant with the acute angle.

7. Where two local residential streets intersect with a residential collector street on opposite sides of said collector, the centrelines of the local streets are to be aligned to be

coincident with one another at their intersection with the collector or be offset by a minimum of 45.0m along the collector.

8. Where local residential streets are aligned to curve within 20.0m of their intersection with a residential collector street, such curves are to have a minimum centreline radius of 60.0.

9. Cul-de-sac streets are not to exceed a length of 105m. The plan is to be designed accordingly. Right-of-way to accommodate each cul-de-sac turnaround is to be consistent with the dimensions illustrated on Streets and Transportation drawing ST-90(revised) or ST-90-A as a minimum.

10. The entrances and exits to/from proposed frontage roads along the collector streets are to be located such that they are coincident with intersections on the opposite side of the collector street or are offset by a minimum of 20.0m from the intersections on the opposite side of the collector street, to the satisfaction of the Director of Public Works.

Recommendation B: (Servicing Reports)

It is recommended that the Developer:

l. Prior to the enactment of the subdivision/rezoning bylaw provide a comprehensive servicing report prepared by a municipal engineer which will outline the provision of underground services for the proposed subdivision and adjacent lands;

2. Submit Servicing Criteria sheets for water, wastewater and land drainage facilities including plans showing the ultimate service areas.

Recommendation C: (Development Agreement Conditions)

It is recommended that approval of the plan of subdivision amended in accordance with Recommendation A above be subject to the Developer entering into a Development Agreement containing the following:

1. a) The Developer shall, at no expense to the City construct all watermains, wastewater sewers, land drainage sewers and stormwater retention facilities required to service the proposed subdivision and adjacent lands as determined by and to the satisfaction of the Director of Water and Waste.

   b) The Developer may be required to front-end the cost of constructing the wastewater interceptor sewer to serve the proposed subdivision if sufficient Capital Funding is not approved and available at the time that the Developer wants to begin service

installation. The Developer would be reimbursed in accordance with the Development Agreement Parameters when Capital funding is approved by Council.

2. The Developer shall, at no expense to the City, construct portland cement concrete pavements to widths of 7.5m, 8.0m and 10.0m, 150mm and 200mm in thickness in all streets within the Planned Area, including the section of the existing Waverley Street that will remain as a collector street and the most northerly approximately 500m of Waverley Street, to the north limit of the Planned Area where the realigned Waverley Street ties into the existing Waverley Street; and all related works including, but not necessarily limited to street lighting, boulevard landscaping and land drainage sewer all as determined by and to the satisfaction of the Director of Public Works.

3. a) The Developer shall, at no expense to the City, construct portland cement concrete pavements to a width of 6.0m by 150mm in thickness within the proposed frontage roads within the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

   b) There are to be no private approaches serving single or two family residential development off residential collector streets (i.e. rights-of-way measuring 22.0m or greater in width) except where frontage roads are provided. The subdivision is to be designed accordingly. No private approaches serving single and two family residential development will be permitted off Waverley Street. No private approaches will be permitted off Kenaston Boulevard.

4. 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 all streets with rights-of-way measuring 22.0m in width or greater except where frontage roads are constructed, within the Planned Area as determined by and to the satisfaction of the Director of Public Works.

5. 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.

6. 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.

7. 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 the Director of Public Works. This clause is not intended to require the relocation of the feeder main or 66 KV Hydro line in the Waverley Street right-of-way.

8. 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.

9. 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.

10. a) The Developer is to provide two means of vehicular access to each stage of development within the Planned Area at all times, to the satisfaction of the Director of Public Works. This may require the construction of temporary streets and the provision of right-of-way or easements therefore.

    b) The Developer is to construct cul-de-sac vehicular turnarounds at the terminus of each temporarily dead-ended street and provide any necessary right-of-way or easements therefore, all as determined by and to the satisfaction of the Director of Public Works.

11. a) The Developer shall, pay to the City in cash, on demand, the cost of constructing in portland cement concrete pavement, an eastbound and/or westbound left turn storage lanes, upstream transitions and median openings on Waverley Street at its three intersections with the collector streets as determined by the Director Public Works.

    b) The Developer shall, pay to the City in cash, the cost of the installation of traffic control signals and all related works including, but not necessarily limited to pedestrian and vehicular actuation and interconnection to adjacent traffic control signals and audible pedestrian signals at the three intersections of Waverley Street with the collector streets as determined by the Director of Public Works.

12. The Developer shall, at no expense to the City, construct and/or pay on demand the full cost of the following works on Kenaston Boulevard at and in the vicinity of its intersection with Waverley Street:

    a) auxiliary lanes, transitions, median opening, channelizaton and all related works;

b) traffic control signals and all related works including, but not necessarily limited to pedestrian and vehicular actuation and interconnection to adjacent traffic control signals and audible pedestrian signals; all as determined by and to the satisfaction of the Director of Public Works.

13. The Developer shall, at no expense to the City, abandon sections of the existing Waverley Street which will no longer be used as public street or pathway, as development proceeds, including, but not necessarily limited to removal of the existing roadway, regrading of the former roadway, seeding/sodding, etc. all when and as determined by and to the satisfaction of the Director of Public Works.

14. 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, bicycle paths, community mail boxes, parks land drainage retention facilities, school sites, commercial sites and multiple family sites, collector and arterial streets, Kenaston Boulevard, the perimeter Highway and future Perimeter Highway interchange.

15. The Developer shall, at no expense to the City, construct within the rear yards of all one and two family lots abutting Waverley Street/realigned Waverley Street a uniform 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 Waverley Street and Kenaston Boulevard 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.

16. a) The Developer shall dedicate more than 8% of the land within the proposed subdivision as public open space. The Developer shall, at no expense to the City, landscape portions of the public open space and construct paths within the public open space in accordance with plans and specifications approved by the Director of Public Works.

b) The Developer shall dedicate land to the City required to accommodate regional land drainage facilities as determined by the Director of Water and Waste in accordance with the City's Development Agreements Parameters.

17. The Developer shall grant an option to the City for $1.00 which option shall be fully assignable to the Pembina Trails School Division, to purchase a site approximately 5 acres for possible school purposes which option shall include but not be limited to the following terms and conditions:

i) The option shall be for ten (10) years,

ii) The land cost shall be based on the City's standard value for acquisition of land for public use as determined and set from time to time by the City*,

iii) The cost of services including land drainage trunk facilities benefiting the school site shall be calculated based on the City's uniform or pooled rates for Local Improvements for the year in which the services were constructed or the actual cost of construction, whichever is the lesser as determined by the City.

*The rate for 2007 is $28,000.00/acre.

18. 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.

19. 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. DASZ 22/07
October 1, 2007

_____
E.L. Carrière, P. Eng.
Land Development Department

_____
Public Works Department
Transportation Division

_____
Water and Waste Department