Minute No. 129
Report - Standing Policy Committee on Property and Development - November 27, 2007

Item No. 8 Subdivision and Rezoning - Amber Trails - Phase 9
File DASZ 36/2007

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 proposed under File DASZ 36/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 36/2007 dated November 1, 2007, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a further Addendum to Development Agreement AG 3/96 with the City containing all the conditions outlined in the reports from the Administrative Coordinating Group dated October 31, 2007 and November 13, 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 36/2007, dated November 1, 2007, to a "R1-4" Residential District and a "PR-1" Parks and Recreation District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to, to include the following conditions:

    i. Future owners of the individual building lots abutting the uniform noise attenuation fence, constructed within the rear yards of all the single-family lots abutting Leila Avenue and the future Chief Peguis Trail, shall be responsible for maintaining, repairing, and replacing the fence, as warranted, as originally constructed to the satisfaction of the Director of Public Works.
    ii. That residential lots with rearage on Leila Avenue shall maintain a minimum rear yard setback of 17.5 metres.
    iii. That residential lots with flankage on Leila Avenue shall maintain a minimum side yard setback of 10.0 metres.
    iv. That residential lots with rearage on the future Chief Peguis Trail shall maintain a minimum rear yard setback of 15.0 metres.

Report - Standing Policy Committee on Property and Development - November 27, 2007

COUNCIL DECISION (continued)

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

3. That the plan of subdivision be amended in order that property for a 20.0m widening to the future Chief Peguis Trail right-of-way along that portion of the Planned Area abutting the future Chief Peguis Trail, as determined by the Director of Public Works, be transferred and legally opened at no cost to the City.

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

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

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

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

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

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

Report - Standing Policy Committee on Property and Development - November 27, 2007

COUNCIL DECISION (continued)

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

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

12. 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 - November 27, 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 December 12, 2007, the Executive Policy Committee concurred in the recommendation 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 November 27, 2007, 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 November 13, 2007, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, and submitted its recommendation to the Standing Policy Committee on Property and Development

RE: **Subdivision and Rezoning - Amber Trails - Phase 9**
(Old Kildonan Ward)
File DASZ 36/2007 [c/r DAC 19/2007]

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

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

Report date: **November 16, 2007**

COMMUNITY COMMITTEE RECOMMENDATION:

On November 13, 2007, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 36/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 36/2007 dated November 1, 2007, for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a further Addendum to Development Agreement AG 3/96 with the City containing all the conditions outlined in the reports from the Administrative Coordinating Group dated October 31, 2007 and November 13, 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 36/07, dated November 1, 2007, to a "R1-4" Residential District and a "PR-1" Parks and Recreation District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to, to include the following conditions:

    i. Future owners of the individual building lots abutting the uniform noise attenuation fence, constructed within the rear yards of all the single-family lots abutting Leila Avenue and the future Chief Peguis Trail, shall be responsible for maintaining, repairing, and replacing the fence, as warranted, as originally constructed to the satisfaction of the Director of Public Works.
    ii. That residential lots with rearage on Leila Avenue shall maintain a minimum rear yard setback of 17.5 metres.
    iii. That residential lots with flankage on Leila Avenue shall maintain a minimum side yard setback of 10.0 metres.
    iv. That residential lots with rearage on the future Chief Peguis Trail shall maintain a minimum rear yard setback of 15.0 metres.

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

3. That the plan of subdivision be amended in order that property for a 20.0m widening to the future Chief Peguis Trail right-of-way along that portion of the Planned Area abutting the future Chief Peguis Trail, as determined by the Director of Public Works, be transferred and legally opened at no cost to the City.

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

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

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

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

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

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

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

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

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

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

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the in the report from the Planning and Land Use Division dated November 1, 2007, and the reports from the Administrative Coordinating Group dated October 31, 2007 and November 13, 2007.

PUBLIC HEARING SUMMARY

File: DASZ 36/2007 [c/r DAC 19/2007]

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

Public Hearing: November 13, 2007
Council Chamber
Council Building, 510 Main Street

Applicant: Genstar Development Company (Greg Jasper)

Subject:



Premises Affected: Amber Trails - Phase 9

Exhibits Filed:

1. Application dated October 9, 2007
2. Notification of Public Hearing dated October 22, 2007
3. Manitoba Status of Titles 1697266, 1697276, 2206876 and 2206878
4. Title Plot
5. Concept Plan
6. Report from the Planning and Land Use Division dated November 1, 2007
7. Report from the Administrative Coordinating Group dated October 31, 2007
8. Supplementary Report from the Administrative Coordinating Group dated November 13, 2007
9. Inspection Report

REPRESENTATIONS:

In Support:

Greg Jasper, Genstar Development Company

In Opposition

Nil

For the City:

Mr. K. Raban, Land Development Administrator, Planning, Property and Development Department
Mr. M. Robinson, Planner, Planning, Property and Development Department

SUMMARIZATION OF REPRESENTATIONS AND SUBMISSIONS
MADE AT THE PUBLIC HEARING

Greg Jasper, on behalf of the applicant, Genstar Development Company, appeared in support of the application and indicated concurrence in the recommendations outlined in the report from the Planning and Land Use Division dated November 1, 2007, and the reports from the Administrative Coordinating Group dated October 31, 2007 and November 13, 2007.

Exhibit "6" referred to in File DASZ 36/2007

Winnipeg

Planning, Property and Development Department Report

To the Lord Selkirk-West Kildonan Community Committee

Date: **November 1, 2007**
File: **DASZ 36/07**
Related Files:
Subject: **An application for approval of a plan of subdivision and related zoning change to Zoning By-Law No. 6400/94 by rezoning the subject lands from an "A-5" Agricultural District to a "R1-4" Residential District and a "PR-1" Parks and Recreation District to allow for the creation of residential lots and public reserve land.**
Location: **North of Leila Avenue, west of Sava Way**



Applicant: **Genstar Development Company**
Owner: **Same**

Recommendation: **Approval**

Report Summary:

- **Phase IX of the Amber Trails residential development**

Site Description

The subject site, which is west of Sava Way, north of Leila Avenue, and south of Templeton Avenue, is located in the Amber Trails neighbourhood of the Old Kildonan ward.

North: Undeveloped land zoned "A-5" Agricultural
South: Leila Avenue, then residences zoned "R1-5.5" Residential
East: Residences zoned "R1-4" Residential and parkland zoned "PR-1" Parks and Recreation
West: Undeveloped land zoned "A" Agricultural

Background

The subject site is proposed to be developed as Phase 9 of the existing Amber Trails residential development. It is part of an overall concept plan put forward by Genstar for development that encompasses an area extending west as far as Ritchie Street and north as far as the future proposed Kildonan Corridor (north of Templeton Avenue).

The history of the Amber Trails development is as follows:

Phase	File Number	Acres	Number of Lots	Zoning
1	DASZ 34 / 1988	54	170	R1-5
2	DASZ 3 / 1996	25	110	R1-4
3	DASZ 1 / 2002	12	49	R1-4
4	DASZ 17 / 2003	11	50	R1-4
5	DASZ 12 / 2004	7	54	R1-4
6	DASZ 43/2004	38	146	R1-4
7	DASZ 7/2006	± 6	30	R1-4
8	DASZ 20/06	±87	125	R1-4
9	DASZ 36/07	37.5	162	R1-4

Description of the Proposed Development

Lots

The applicant is proposing to develop one hundred sixty two (162) single-family residential lots on the subject lands. The lots will all be zoned "R1-4" Residential, which has a minimum lot area of 4,000 square feet and a minimum lot width of 40 feet.

Land Dedication

The applicant is dedicating approximately 2.39 acres of land for public reserve. This will include a continuation of the existing recreational trail through this phase of the development (Public Reserve A&B) and a small parcel adjacent to the retention pond (Public Reserve C).

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

Analysis

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

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

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

Site Design Issues

Leila Avenue

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

Also, where lots flank Leila Avenue, the said lots are to be established with a minimum side yard setback of 32.8 feet (10.0 metres) for the purposed of noise attenuation. The proposed lot widths are adequate to accommodate this condition.

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

Future Chief Peguis Trail

Public Works is recommending that residential lots which back onto the future Chief Peguis Trail be developed with a minimum rear yard setback of 49.21 feet (15.0 metres) for the purposed of noise attenuation. Such yards are consistent with the rear yards of the Foxwarren Lake development to the southwest of the subject development.

Also, Public Works is recommending that a uniform noise attenuation fence, 6.5 feet (2.0m) in height, be constructed within the rear and/or side yards of all lots abutting the future Chief Peguis Trail.

Finally, Public Works is recommending that the developer transfer and legally open, at no cost to the City, property required for a 20.0m widening of the future Chief Peguis Trail right-of-way. Such a widening is consistent with the widening obtained from the Foxwarren Lake development to the southwest of the subject development.

Open Space

As previously mentioned, the applicant is continuing their existing recreational trail through the current phase of the development. It is envisioned that the trail will ultimately continue to the future Chief Peguis Trail on the west and then along the future Chief Peguis Trail right of way – creating a complete east to west and north to south link through the entire development.

Prior to any future rezonings or subdivisions of land for the Amber Trails development, the Planning and Land Use Division will require a parks plan, identifying future parks space and trails within the remainder of the development.

Recommendation

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

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

Recommended Conditions of Approval

1. That the plan of subdivision proposed under File DASZ 36/2007 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 36/2007 dated November 1, 2007, for registration in the Winnipeg Land Titles Office subject to the following:

A. That the Developer be required to enter into an further Addendum to Development Agreement AG 3/96 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated October 31, 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 No. DASZ 36/07, attached hereto and dated November 1, 2007, to a "R1-4" Residential District and a "PR-1" Parks and Recreation District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to, to include the following conditions:

   i. Future owners of the individual building lots abutting the uniform noise attenuation fence, constructed within the rear yards of all the single-family lots abutting Leila Avenue and the future Chief Peguis Trail, shall be responsible for maintaining, repairing, and replacing the fence, as warranted, as originally constructed to the satisfaction of the Director of Public Works.
   ii. That residential lots with rearage on Leila Avenue shall maintain a minimum rear yard setback of 17.5 metres
   iii. That residential lots with flankage on Leila Avenue shall maintain a minimum side yard setback of 10.0 metres
   iv. That residential lots with rearage on the future Chief Peguis Trail shall maintain a minimum rear yard setback of 15.0 metres
   v. That the developer shall, at no expense to the City, construct within all yards abutting the pedestrian corridor, a uniform fence, consistent in material and style with fencing installed in previous phases of the development, to the satisfaction of the Director of Planning, Property, and Development. Future owners of the individual building lots abutting this fencing shall be responsible for maintaining, repairing, and replacing this fencing, as warranted, as originally constructed to the satisfaction of the Director of Planning, Property, and Development

3. That the plan of subdivision be amended in order that property for a 20.0m widening to the future Chief Peguis Trail right-of-way along that portion of the Planned Area abutting the future Chief Peguis Trail, as determined by the Director of Public Works, be transferred and legally opened at no cost to the City.

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

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

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

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

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

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

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

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

12. 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 # DASZ 36/07

Schedule "A"

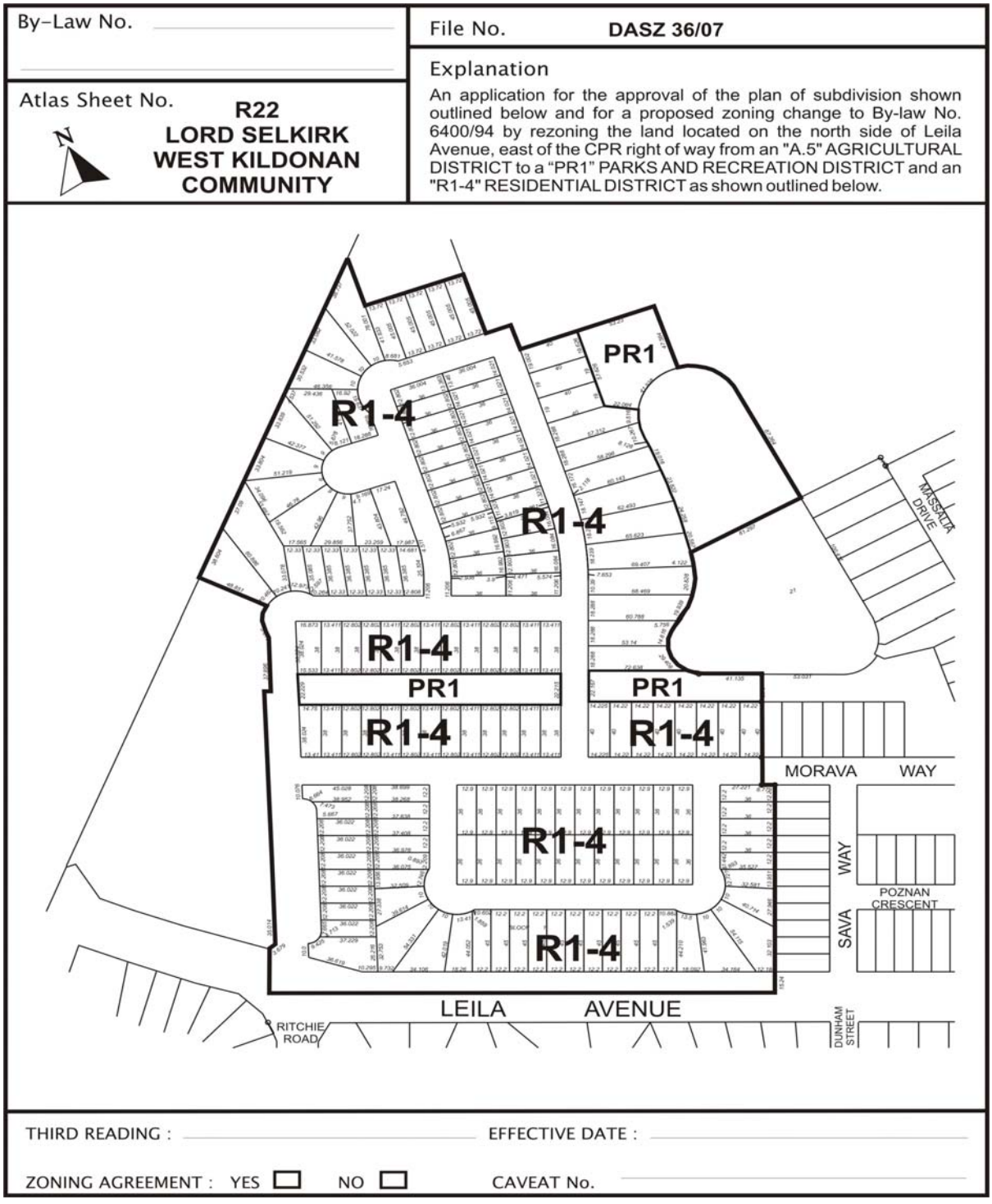

Figure 1: Schedule "A" to the report to the Lord Selkirk-West Kildonan Community Committee for File DASZ 36/2007, dated November 1, 2007.

Exhibit "7" referred to in File DASZ 36/2007

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED NORTH OF LEILA AVENUE, WEST OF STRASBOURG DRIVE - DASZ 36/07

FOR SUBMISSION TO THE CHAIRPERSON AND MEMBERS OF THE LORD SELKIRK-WEST KILDONAN COMMUNITY COMMITTEE

(original signed by E.L. Carrière, P.Eng.)
E.L. Carrière
Chairman
Administrative Coordinating Group

October 31, 2007

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED NORTH OF LEILA AVENUE, WEST OF STRASBOURG DRIVE - DASZ 36/07

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

It is recommended that approval of DASZ 36/07 be subject to the Developer entering into a further Addendum to Development Agreement AG 3/96 as follows:

1. By attaching a plan showing the land covered under DASZ 36/07 which plan is to include a 20m widening to the future Chief Peguis Trail.

2. By attaching a plan showing the servicing requirements for the land covered under DASZ 36/07 including a 10m in width portland cement concrete pavement in Ritchie Road from Leila Avenue to Foxwarren Drive, an 8.3m in width portland cement concrete pavement in Leila Avenue between Ritchie Road and Strasbourg Drive and all related works including necessary land drainage works and a 1.5m in width by 100mm in thickness portland cement concrete sidewalk along the north side of Leila Avenue and on the west side of Ritchie Road.

3. a) By adding a clause that the land drainage TSR and the Leila Trunk User Charge attributable to the land covered under DASZ 36/07 shall be credited against the cost of regional land drainage facilities installed or to be installed by the Developer.
   b) By adding a clause that the Developer shall pay its share of the cost of the oversized wastewater sewer benefiting the land covered under DASZ 36/07.

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

5. By adding a clause that the land being dedicated within DASZ 36/07 and related landscaping and serviced frontage will be credited toward the Developer's ongoing dedication obligations for the Developer's land lying south of Templeton Avenue.

6. By adding a clause that the Developer shall construct a 10m in width portland cement concrete pavement and related works in Ritchie Road from Leila Avenue to Foxwarren Road including a sidewalk on the west side all as determined by the Director of Public Works. The City shall reimburse the Developer for a portion of the cost of the works utilizing funds collected from others pursuant to Development Agreements AG 26/85 and AG 14/87.

7. By adding a clause as follows:
   a) The Developer shall pay its share of the cost of the following improvements on an area

basis for the area bounded by Leila Avenue, Pipeline Road and the future Chief Peguis Trail as determined by the Director of Public Works:

i) an 8.3m in width by 200mm in thickness portland cement concrete pavement in
ii) Leila Avenue between Pipeline Road and the future Chief Peguis Trail and in Pipeline Road between Leila Avenue and the future Chief Peguis Trail.
iii) Channelization, including, but not necessarily limited to construction of pavement for through lanes, auxiliary lanes, channelization, transitions, the installation and/or relocation of street lights and other utilities and boulevard landscaping at all street intersections entering Amber Trails from Pipeline Road and Leila Avenue including, but not necessarily limited to, the intersections of Ashville Street and Mandalay Drive with Leila Avenue and the intersections of the two east-west streets entering Amber Trails from Pipeline Road.
iv) Channelization at the intersection of Pipeline Road and Leila Avenue including, but not necessarily limited to construction of pavement for through lanes, auxiliary lanes, channelization, transitions and the installation and/or relocation of street lights and other utilities and boulevard landscaping.
v) Traffic control signals at the intersection of Leila Avenue and Pipeline Road.
vi) Ornamental street lighting, sidewalks, boulevard landscaping and any accessory land drainage works in conjunction with the above works.

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

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

8. By adding a clause as follows:

The Developer shall, at no expense to the City, construct within the rear or side yards of all single family lots abutting Leila Avenue and the future Chief Peguis Trail, 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 Leila Avenue and the future Chief Peguis Trail 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.

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

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 36/07
October 31, 2007

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

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

"original signed by T. Josephson"
Water and Waste Department

"original signed by R. Hartmann"
Public Works Department
Transportation Division

INTER-OFFICE MEMORANDUM

Planning, Property and Development Department

Development and Inspections Division, Land Development Branch
Main Floor, 65 Garry Street

Date: November 13, 2007

To: Diane Timmins, Community Clerk

From: E.L. Carrière, Land Development Branch

RE: **Proposed subdivision and rezoning of land located north of Leila Avenue, west of Strasbourg Drive**
FILE: DASZ 36/07(PLEASE QUOTE WHEN REPLYING)

Please amend condition 6 of the ACG report dated October 31, 2007 by deleting the second sentence in its entirety and replacing same with the following:

"The City shall reimburse the Developer for the full cost of the above described works subject to the approval of capital funding therefor by the City. (funds for a portion of the cost of the works have been collected from others pursuant to Development Agreements AG 26/85 and AG 14/87.)"

"original signed by E.L. Carriere"
E.L. Carrière, P.Eng.
Land Development Engineer

ELC/cm

c.c. R. Hartmann
G. Jasper