Minute No. 671
Report - Standing Policy Committee on Property and Development - October 2, 2008

Item No. 6 **Subdivision and Rezoning - North of Cadboro Road, West of Waverley Street (Waverley West - Phase 2)**
(St. Norbert Ward)
File DASZ 27/2008

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 27/2008 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" dated September 8, 2008, with such minor changes as may be required, and 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 August 22, 2008, with the following amendment, namely:

      i. Delete the following sentence contained in Recommendation 29. under Section B. Development Agreement in its entirety, namely:

      "The City shall take into account the over-dedication of land, including landscaping and the provision of serviced frontage, within the Planned Area under Development Agreement AG 1/06 in determining the open-space requirements for the Planned Area under this application."

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 27/2008 dated September 8, 2008 to an "R1-M" Single Family District and "PR-1" Parks and Recreation District .

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

Report - Standing Policy Committee on Property and Development - October 2, 2008

COUNCIL DECISION (continued):

4. That in the event the matter is not proceeded with expeditiously and the by-law is not passed 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.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

9. 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 2, 2008

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 October 15, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On October 2, 2008, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 15, 2008, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

Report from the Planning and Land Use Division
That the report from the Planning and Land Use Division dated September 8, 2008, be amended as follows:

- Delete Recommendation 3. in its entirety and renumber the remaining Recommendations accordingly.

Report from the Administrative Coordinating Group
That the report from the Administrative Coordinating Group dated August 22, 2008, be amended as follows:

- Delete the following sentence contained in Recommendation 29. under Section B. Development Agreement in its entirety, namely:

  "The City shall take into account the over-dedication of land, including landscaping and the provision of serviced frontage, within the Planned Area under Development Agreement AG 1/06 in determining the open-space requirements for the Planned Area under this application."

and forwarded the matter to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning - North of Cadboro Road, West of Waverley Street (Waverley West - Phase 2)**
(St. Norbert Ward)
File DASZ 27/2008 [c/r DAV 135408/2008D]

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

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

Report date: **September 17, 2008**

COMMUNITY COMMITTEE RECOMMENDATION:

On September 15, 2008, 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 27/2008 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" dated September 8, 2008, with such minor changes as may be required, and 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 August 22, 2008***, with the following amendment, namely:***

      i. Delete the following sentence contained in Recommendation 29 under Section B Development Agreement in its entirety, namely:

      "The City shall take into account the over-dedication of land, including landscaping and the provision of serviced frontage, within the Planned Area under Development Agreement AG 1/06 in determining the open-space requirements for the Planned Area under this application."

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 27/2008 dated September 8, 2008 to an "R1-M" Single Family District and "PR-1" Parks and Recreation District .

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

4. That in the event the matter is not proceeded with expeditiously and the by-law is not passed 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.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

9. 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.

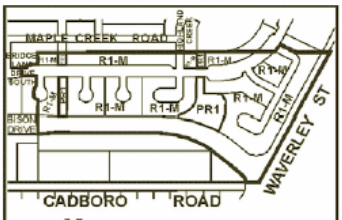
Note: ***The wording in bold and italics denotes amendments made by the Community Committee.***

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

1. The proposed development is consistent with the Neighbourhood and Area Structure Plans.

PUBLIC HEARING SUMMARY

File:	DASZ 27/2008 [c/r DAV 135408/2008D]
Before:	Riel Community Committee Councillor Steeves, Chairperson Councillor Swandel Councillor Vandal
Public Hearing:	September 15, 2008 Council Chamber Council Building, 510 Main Street
Applicant:	MMM Group
Subject:	



RIEL COMMUNITY

APPLICANT : MMM GROUP
FILE : DASZ 27/08
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. 200/2006 by rezoning the land shown outlined above from an "A" AGRICULTURAL DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT and a "PR1" PARK AND RECREATION DISTRICT. **For information, phone Mr. K. Lalor, Planner at 986-5069.**
DEMANDEUR : MMM GROUP
N° DE RÉFÉRENCE : DALZ 27/08
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du Règlement municipal no 200/2006 visant à changer le zonage des sols délinéés ci-dessus qui passeraient de la catégorie A (SECTEUR AGRICOLE) à la catégorie R1-M (SECTEUR D'HABITATIONS UNIFAMILIALES RÉSIDENTIEL) et à la catégorie PR-1 (Secteur des parcs et des loisirs). **Pour plus de renseignements, veuillez communiquer avec M. K. Lalor, urbaniste, au 986-5069.**

Premises Affected: North of Cadboro Road, West of Waverley Street

Exhibits Filed:

1. Application dated August 11, 2008
2. Notification of Public Hearing dated August 25, 2008
3. Manitoba Status of Titles 1773301, 2267469, 2267491 and 2298101
4. Letter of authorization dated May 23, 2008 from Israel And Sarah Friedman to Manitoba Housing and Renewal Corporation and their consultants, MMM Group Limited
5. Letter of authorization dated June 5, 2008 from The Manitoba Housing and Renewal Corporation to MMM Group Limited
6. Plans (3 pages)
7. Report from the Planning and Land Use Division dated September 8, 2008
8. Report from the Administrative Coordinating Group dated August 22, 2008
9. Inspection Report
10. Audio Recording of Representations

REPRESENTATIONS:

In Support:

Frieder Aldinger, MMM Group Limited
Paul McNeil, MMM Group Limited

In Opposition

Bill Nanowski

For Information:

Chuck Arnason

For the City:

Shirley Matille, Land Development Engineer, Planning, Property and Development Department
Kevin Lalor, Senior Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 27/2008 [DAV 135408/2008D]

Winnipeg

Planning, Property and Development Department Report

To the Riel Community Committee

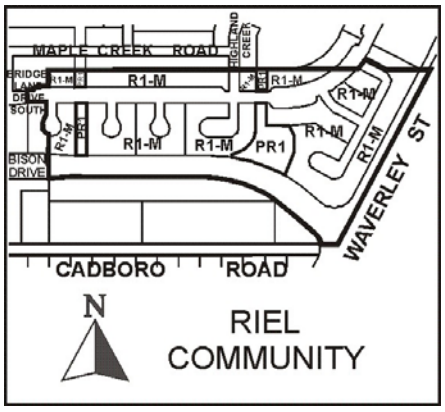
Date: September 8/2008
File: DASZ 27 /08

Related Files: DAV 08 135408D

Subject: To rezone and subdivide the subject land from an Agricultural category to a combination of " R1-M" Residential and " PR-1" Parks & Recreation categories. A portion of the area as defined will also be dedicated to the establishment of the future westward extension of Bison Drive.

Location: North of Cadboro Road, West of Waverley Street

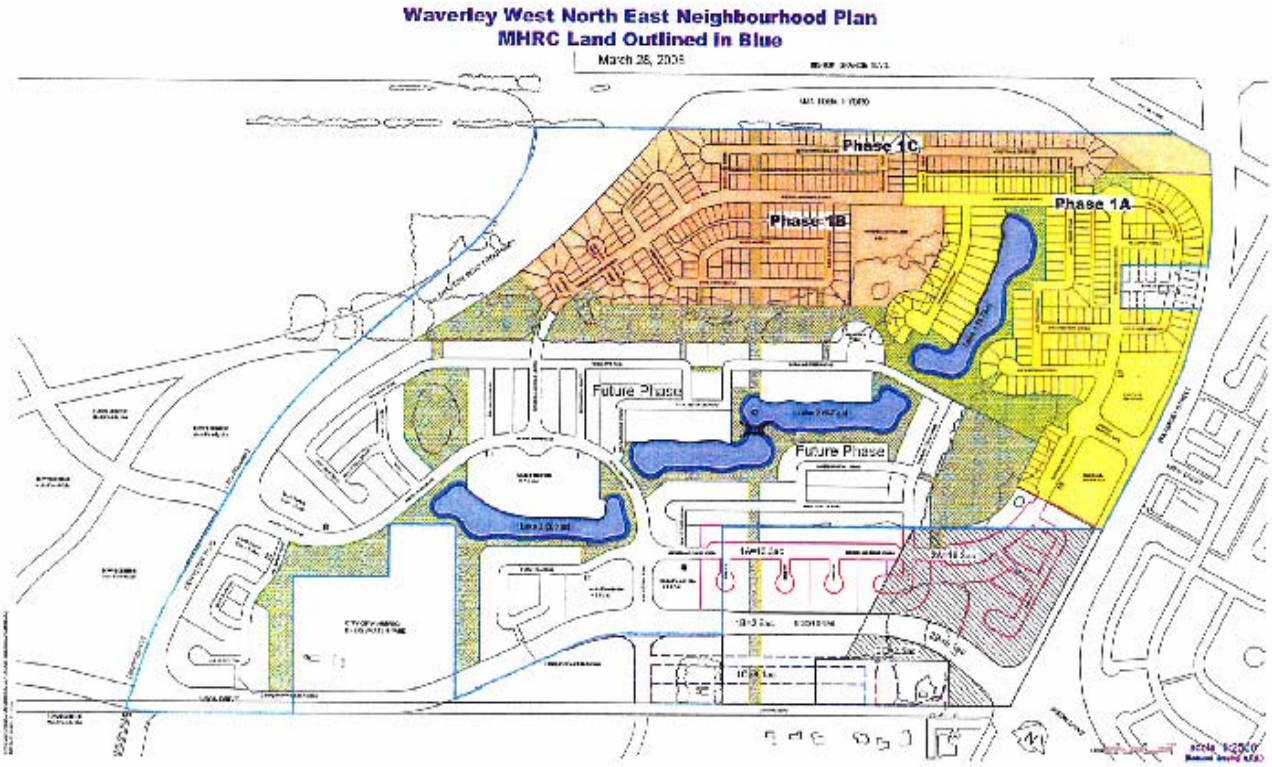
Legal Description: See file no. DASZ 27/08



Applicant: MMM Group

Owner: MHRC & Israel & Sarah Friedman **Recommendation:**

Site Description:
The subject site is situated on the north side of what will eventually be the western extension of Bison Drive and in the southeast corner of Waverley West Northeast Neighbourhood Plan. Of the overall total of 36.3 acres, 7.7 acres is to be allocated for the future Bison R.O.W. A further 8.6 acres on the south side of the future Bison Drive extension has also been acquired by MHRC but does not form part of the current application and will remain, for the time being, zoned " A" Agricultural.



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 Area .

On July 26, 2006 Council adopted the Waverley West Area Structure Plan and on September 27, 2006 Council gave first reading to By-law 210/2006 to adopt the Waverley West Northeast 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.

Simultaneous with the processing of the afore-noted Structure Plan, a rezoning and subdivision application was initiated by ND LEA Engineers & Planners (on behalf of MHRC) , specifically for the Waverley West Northeast Neighbourhood. That application, DASZ 1/06 was made on January 12 /2006 and approved in the fall of 2006. Subsequently MHRC acquired and consolidated the adjoining Van Wallegham lands to the immediate north abutting the Hydro right-of-way under DASZ 1/2007. Constuction of the street system in Phase 1A is generally complete as are housing starts.

Description of the Proposed Development:

The acquisition and incorporation of the subject lands into the overall development scheme will allow for the immediate westerly extension of Bridge Land Drive South and the construction of an additional one hundred and forty (140) housing units. It will also allow for the further extension of several designated " PR" zones identified under the N.E. Neighbourhood Plan. Of the 36.3 acres included in the rezoning, approximately 7.7 acres is to set aside for the future westerly extension of Bison Drive. The work on the new interchange at Waverley Street and the actual construction of the Bison Drive extension, is tentatively scheduled to begin in 2009. Residual lands on the south side of the proposed Bison Drive extension, which were also acquired by MHRC, will not be rezoned at this time and will retain their current " A" Agricultural classification.

Analysis:

The Planning, Property and Development Department fully supports the proposed consolidation and rezoning for single family development. The subject acquisition and consolidation completes what is an important component of the 1st phase of MHRC 'S development and also allows for the eventual extension of Bison Drive. The construction of Bison Drive west will help accelerate development of the 2nd phase of MHRC'S overall development Plan for the Waverley West N.E. Neighbourhood. The proposed residential zoning category is entirely compatible with neighbouring properties and in full compliance with Plan Winnipeg Policy. It should be further noted that there is an accompanying variance to permit the retention of an Agricultural property substandard in overall area under Zoning By-Law 200/2007.

Recommendation:

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

- The proposed plan is in complete compliance with Plan Winnipeg Policy and is contiguous with the first phase of MHRC'S original application endorsed by the Riel Community Committee under DASZ 1/2006.

Recommended Conditions of Approval:

1. That the plan of subdivision under File DASZ 27/2008 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" dated September 8, 2008 with such minor changes as may be required, and 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 August 22, 2008.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 27 /2008 dated September 8, 2008 to a "R1-M" Single Family District and "PR-1" Parks & Recreation District .

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

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

5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed 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.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one year from the date the by-law is passed, failing which 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 # 5.651

Schedule "A"

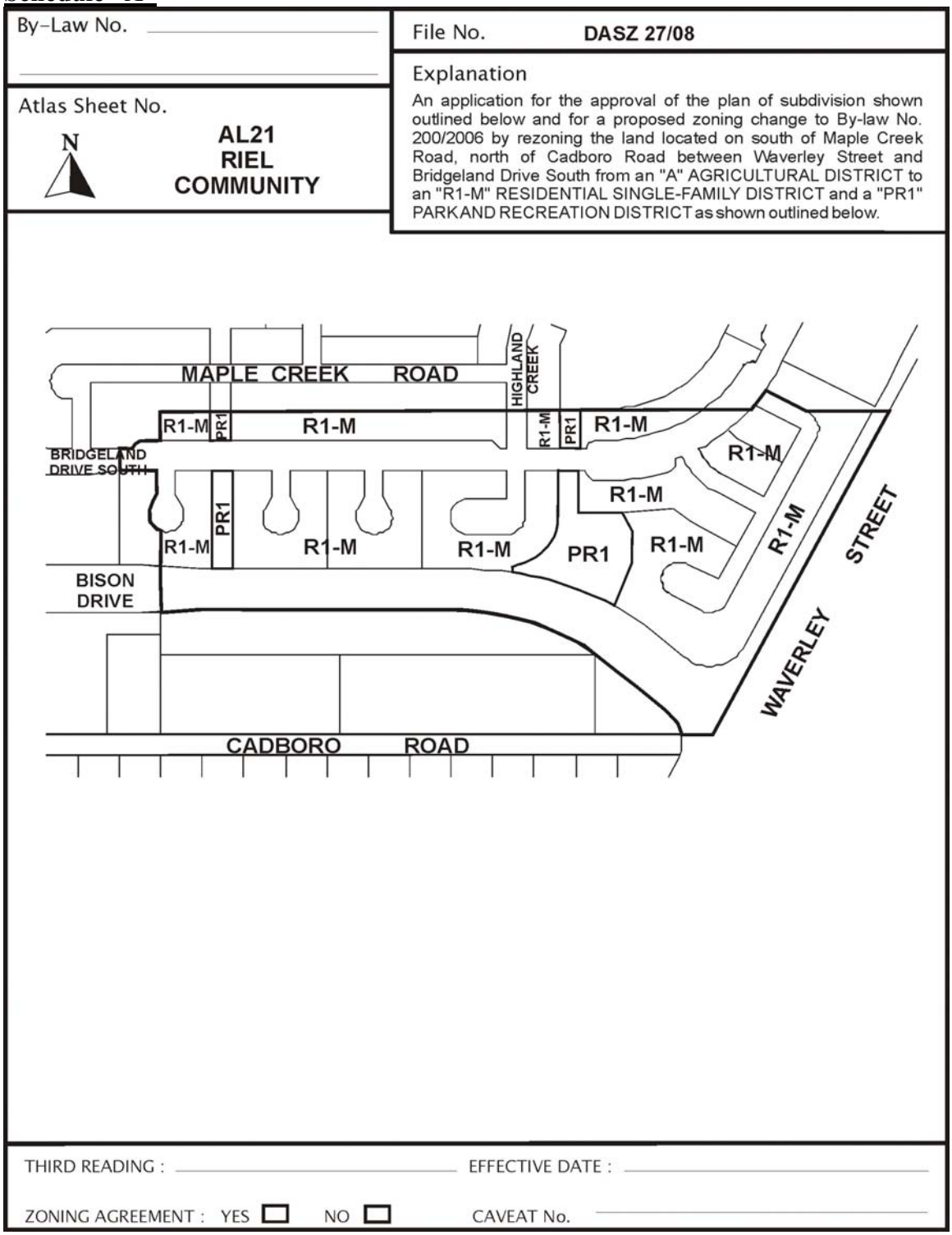


Figure 1: Schedule "A" to the report to the Riel Community Committee for File DASZ 27/2008, dated September 8, 2008.

Exhibit "8" referred to in File DASZ 27/2008 [DAV 135408/2008D]

INTER-OFFICE MEMORANDUM

Planning, Property and Development Department

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

Winnipeg

Date: September 8, 2008

To: Marc Pittet, Community Clerk

From: Shirley Matile, Land Development Engineer

RE: **Proposed Subdivision and Rezoning of Land North of Cadboro Road, West of Waverley Street**

FILE: DASZ 27/08 (PLEASE QUOTE WHEN REPLYING)

Enclosed, for consideration by the Riel Community Committee at its September 15, 2008 meeting, is the report of the Administrative Co-ordinating Group, dated August 22, 2008, regarding the captioned development application.

"original signed by S.M. Matile"
S. M. Matile, P.Eng.

cc: A. Savage, Subdivision Officer
R.J. Hartmann, P.Eng., Public Works Dept.
D. Emerson, P.Eng., Public Works Dept.
T.S. Josephson, P.Eng., Water & Waste Dept.
F. Mazur, P. Eng., Water & Waste Dept.
D. Overby, Planning and Land Use
Councillor J. Swandel
K. Lalor, Planner
J. Gallagher, MHRC
F. Aldinger, MMM Group

/sm
Enclosure

RE: PROPOSED SUBDIVISION AND REZONING OF LAND NORTH OF CADBORO ROAD, WEST OF WAVERLEY STREET – DASZ 27/08

FOR SUBMISSION TO THE RIEL COMMUNITY COMMITTEE

"original signed by S.M. Matile"
S.M. Matile, P. Eng.
Chair, Administrative Co-ordinating Group

August 22, 2008

RE: PROPOSED SUBDIVISION AND REZONING OF LAND NORTH OF CADBORO ROAD, WEST OF WAVERLEY STREET – DASZ 27/08

An application has been submitted by Frieder Aldinger, MMM Group Ltd., on behalf of The Manitoba Housing and Renewal Corporation and Israel and Sarah Friedman, to

subdivide and rezone the land north of Cadboro Road, west of Waverley Street, to extend the development of Bridgwater Forest (formerly known as the Waverley West Northeast Neighbourhood), generally in conformance with the Waverley West Northeast Neighbourhood Area Structure Plan.

The proposed subdivision includes the dedication of land for the future extension of Bison Drive, the construction of which is covered under the City's Development Agreement AG 1/06 with the applicant.

It is acknowledged that the area under this application was included in the servicing report submitted and approved under AG 1/06.

It is recommended that the approval of DASZ 27/08 be subject to the following:

A. Plan Considerations

1. Single- and two-family residential lots backing onto Waverley Street shall be of sufficient depth to provide a minimum rear-yard set-back to achieve the City's Motor Vehicle Noise Policies and Guidelines sound-level limit of 65 dBA in the recreation area of the rear yard. The Zoning Agreement covering these lots shall stipulate this minimum set-back.

2. The entrances and exits to/from proposed frontage roads along Bridgeland Drive South shall be either coincident with, or offset by a minimum of 20.0 m from, intersections on the opposite side of Bridgeland Drive South, to the satisfaction of the Director of Public Works.

3. The Developer shall dedicate and legally open 2.0 m by 2.0 m right-of-way corner cuts in each corner of the intersection of two streets 22.0 m in width or greater, and 3.0 m by 3.0 m right-of-way corner cuts at each corner of any intersection where the angle is less than 80°, to the satisfaction of the Director of Public Works.

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

5. Local residential streets aligned to curve within 20.0 m of their intersection with a residential collector street shall have a minimum centerline radius of 60.0m.

B. Development Agreement

It is recommended that approval of the Plan of Subdivision be subject to the Developer entering into a Development Agreement with the City, containing the following:

1. The Developer shall, at no expense to the City, construct all watermains, wastewater sewers, land drainage sewers, and water and wastewater sewer lot line connections required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water & Waste.

2. The Developer shall pay its share of the cost of the regional land drainage system for the Planned Area, as determined by the Director of Water and Waste.

3. The Developer shall, at no expense to the City, provide a lot grading plan, prepared by a municipal engineer, for the proposed development, and install, and provide all required easements for, all drainage works necessitated by the design.

4. The Developer shall, at no expense to the City, construct 150-millimetre-thick portland cement concrete pavements to widths of 7.5 metres, and 200-millimetre-thick portland cement concrete pavements to a width of 10.0 metres, and all related works, including, but not limited to, street lighting, boulevard landscaping, and drainage facilities, in all streets within the Planned Area (except for Bison Drive, the construction of which is addressed under Development Agreement AG 1/06), all as determined by, and to the satisfaction of, the Director of Public Works.

5. The Developer shall, at no expense to the City, construct 150-millimetre-thick portland cement concrete pavements to widths of 6.0 metres within the proposed frontage roads within the Planned Area, as determined by, and to the satisfaction of, the Director of Public Works.

6. The Developer shall, at no expense to the City, construct 1.5-metre-wide by 100-millimetre-thick portland cement concrete sidewalks along both sides of Bridgeland Drive South, except where frontage roads are constructed, as determined by, and to the satisfaction of, the Director of Public Works.

7. The Developer shall construct sidewalks on both sides of local residential streets monolithically with the curbs, in accordance with the terms and conditions of the pilot project approved by the City for Phase 1 of the Waverley West development under Development Agreement AG 1/06.

8. The Developer shall pay to the City, on demand, its share, on an area basis, of the cost of the following services installed or to be installed in Waverley Street

along the full length of the Planned Area abutting Waverley Street:

a) a 4.0-m-wide, 200-mm thick portland cement concrete lane of pavement and all related works;
b) a 1.5-m-wide by 100-mm-thick portland cement concrete sidewalk;
c) street lighting in the west boulevard; and
d) landscaping in the west boulevard;

all as determined by the Director of Public Works.

9. The Developer shall pay, on demand, its share of the cost of the reconstruction/ reconfiguration of the intersection of Bison Drive and Waverley Street, including the construction of Bison Drive west to North Town Road and all related works, and provide any property required for right-of-way necessary to accommodate same, all as determined by the Director of Public Works.

10. The Developer shall pay, on demand, its share of the cost of constructing, in portland cement concrete pavement, an eastbound left-turn storage lane, an upstream transition, and a median opening on Bison Drive at its intersection with North Town Road, as determined by the Director of Public Works.

11. The Developer shall pay, on demand, its share of the cost of the following works on Waverley Street at and in the vicinity of its intersection with Arbour Meadow Gate/Lake Crest Road:

a) auxiliary lanes, transitions, median-opening modifications, channelization, and all related works, and
b) traffic-control signals and all related works including, but not limited to, pedestrian and vehicular actuation, and interconnection to adjacent traffic control signals and audible pedestrian signals,

all as determined by the Director of Public Works.

12. The Developer shall pay, on demand, its share of 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 intersection of Bison Drive with North Town Road, as determined by the Director of Public Works.

13. The Developer shall pay, on demand, its share of the cost of Kenaston Boulevard, from its intersection with Bishop Grandin Boulevard to its intersection with Bison Drive, including the reconstruction of the intersection of Kenaston Boulevard and Bishop Grandin Boulevard, all as determined by the Director of Public Works.

14. The Developer shall pay, on demand, its share of the cost of the following temporary and permanent works on Kenaston Boulevard, at and in the vicinity of its intersection with North Town Road:

    a) auxiliary lanes, transitions, median-opening modifications, channelization, and all related works, and
    b) traffic-control signals and all related works including, but not limited to,pedestrian and vehicular actuation, and interconnection to adjacent traffic-control signals and audible pedestrian signals,

    all as determined by the Director of Public Works.

15. The Developer shall pay, on demand, its share of the cost of the following temporary and permanent works in Kenaston Boulevard, at and in the vicinity of its intersection with Bison Drive:

    a) auxiliary lanes, transitions, median-opening modifications, channelization, and all related works, and
    b) traffic-control signals and all related works including, but not limited to, pedestrian and vehicular actuation, and interconnection to adjacent traffic-control signals and audible pedestrian signals,

    all as determined by the Director of Public Works.

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

17. 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.

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

19. The Developer shall provide two paved means of vehicular access to 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 rights-of-way or easements.

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

21. The Developer shall ensure that direct access to the church at 2171 Waverley Street, which currently has only an approach off Cadboro Road, as well as access to the fire hydrant installed in the Waverley Street median to service the church, is maintained at all times.

22. The Developer shall, at no expense to the City, initiate, control, and pay all costs associated with the regular 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, all as determined by, and to the satisfaction of, the Director of Public Works.

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

24. The Developer shall, at no expense to the City, construct, within the rear yards of all single- and two-family lots abutting Waverley Street, an earth berm and a uniform fence, 2.0 m in height, matching those constructed in Phase 1 of the development under Development Agreement Ag 1/06, to the satisfaction of the Director of Public Works. The Developer shall permit the City to file a caveat against the title of each of these lots, 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.

25. There shall be no private approaches servicing single- or two-family residential development off Bridgeland Drive South, except where frontage roads are provided; no private approaches serving single- and two-family residential development off Bison Drive; and no private approaches off Waverley Street.

26. The Developer shall install signs at the entrances to the subdivision, showing the Planned Area and the locations of Bridgeland Drive South, Bison Drive, and all proposed sidewalks, community mail boxes, parks, and natural tree stands.

27. 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 Planned Area.

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

29. The Developer shall dedicate to the City the public open space shown on the plan, the area of which is less than 8% of the land contained within the Planned Area. The Developer shall, at no expense to the City, landscape portions of the public open space as determined by, and to the satisfaction of, the Directors of Public Works and Property, Planning & Development. The City shall take into account the over-dedication of land, including landscaping and the provision of serviced frontage, within the Planned Area under Development Agreement AG 1/06 in determining the open-space requirements for the Planned Area under this application.

THIS REPORT SUBMITTED BY:
Administrative Co-ordinating Group
File No. DASZ 27/08
August 22, 2008

"original signed by S.M. Matile"
S. M. Matile, P. Eng., Chair
Land Development Branch

"original signed by D. Emerson"
R. J. Hartmann, P. Eng.
Public Works Department, Transportation Division

"original signed by T.S. Josephson"
T. S. Josephson, P. Eng., Water & Waste Department