Minutes - Executive Policy Committee – July 14, 2010

Minute No. 429
Report - Standing Policy Committee on Property and Development – July 6, 2010

Item No. 14 **Subdivision and Rezoning – Northeast Kenaston Boulevard / Bison Drive / Southtown Road – Bridgwater Development (St. Norbert Ward) File DASZ 4/2010 [c/r SP 1/2010 and SP 2/2010]**

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee and submits the following to Council:

1. That the plan of subdivision under File DASZ 4/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" dated June 7, 2010, 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 amended Report of the Administrative Coordinating Group dated June 14, 2010 (Exhibit 9), with the following amendments:

        i. Delete Recommendations 16 and 17 under Section C. Development Agreement in their entirety and replace with the following:

            "16. Sidewalks shall be permitted back of curb on one side of residential streets in the Northwest Neighbourhood

            17a. The Developer shall, at no expense to the City, construct a) in all streets in the Northwest Neighbourhood measuring 22.0m in width or greater, except where frontage roads are constructed, 1.5m wide by 100mm thick Portland cement concrete sidewalks on the standard alignment, 0.3m off the property line, along both sides of the street; and b) in all streets in the Northwest Neighbourhood less than 22.0m in width, excluding cul-de-sacs, 1.5m wide by 100mm thick Portland cement concrete sidewalks on one side of the street, at back of curb, as determined by and to the satisfaction of the Director of Public Works.

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17b. The Developer shall, at no expense to the City, construct, in all streets in Town Centre - except for North Town Road, Centre Street, South Town Road, and Bison Drive, in each of which full-width sidewalks will be permitted – 1.5m wide by 100mm thick Portland cement concrete sidewalks at back of curb, along both sides of the street, as determined by and to the satisfaction of the Director of Public Works."

ii. Amend Recommendation 51 under Section C. Development Agreement by deleting the worlds "1.2-m" in the seventh bullet and replacing same with the words "1.5-m"

2. That the City of Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "B" for File DASZ 4/2010 dated June 7, 2010, to an "R1-M" Residential Single-Family District, an "RMF-S" Multi-Family District, an "RMF-L" Multi-Family District, a "PR1" Parks and Recreation 1 (Neighbourhood) District, a "PR2" Parks and Recreation 2 (Community) District, a "C2" Commercial Community District, a "C3" Commercial Corridor District, a "CMU" Commercial Mixed Use District, and an "MMU" Manufacturing Mixed Use 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, for the development of any building, and/or accessory parking area and/or signage within the lands zoned "RMF-S" Residential Multi-Family Small, "RMF-L" Residential Multi-Family Large, "C2" Commercial Community, "C3" Commercial Corridor, "CMU" Commercial Mixed Use, and "MMU" Manufacturing Mixed Use, 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 the following conditions shall apply to all lands zoned "R1-M" Residential Single-Family District:

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a. That where single family residential lots back onto Bison Drive, the said lots are to be established with minimum rear yards of 12.5 metres (41 feet);

b. That where single residential lots back onto Kenaston Boulevard, the said lots are to be established with minimum rear yards of 17.5 metres (57.41 feet);

c. That the Developer shall erect a uniform wood fence (2 metres in height) abutting Bison Drive and Kenaston Boulevard to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development;

d. That the Developer shall upon the request of the Director of Public Works and the Director of Planning, Property and Development, erect a uniform wrought iron-style fence to a maximum height of 1.5 metres (5 feet) at the rear yards of single family dwelling lots that abut a right-of-way used as a walkway/pathway (excludes automobile use) incorporated into the stormwater drainage system at the back of these lots. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development;

e. That all single family dwelling lots that abut a right-of-way used as a walkway/pathway (excludes automobile use) incorporated into the stormwater drainage system at the back of lots shall not have any light proof fencing (ex. solid wood, brick, concrete, or other material) along the rear property line.

iii. That the following conditions shall apply to all lands zoned "C2" Commercial Community, "C3" Commercial Corridor, "CMU" Commercial Mixed Use, and "MMU" Manufacturing Mixed Use:

a. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the land;

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b. The following uses shall not be permitted on the land:
- Contractor's establishments
- Kennel;
- Towing and storage facility;
- X-rated Store;
- Advertising Sign;
- Fleet Services.

c. That prior to any future expansion of the Town Centre within the Planned Area beyond 662,500 square feet of retail; 216,400 square feet of office and 1,020 residential units, an updated traffic impact study shall be required as determined by and to the satisfaction of the Director of Public Works;

d. That the Developer shall erect two, 4 foot by 8 foot signs on the vacant subject property indicating the location and zoning of the "C2" Commercial Community, "C3" Commercial Corridor, "CMU" Commercial Mixed Use, and "MMU" Manufacturing Mixed Use properties within twelve (12) months from the date that the said rezoning by-law is adopted by Council; and plans for the signs showing their location and design shall be submitted to Director of Planning, Property and Development for approval; and the signs shall be maintained to the satisfaction of the Director of Planning, Property and Development until such time as the land is either rezoned or a building permit issued for development;

e. That prior to the issuance of any new occupancy permit and/or upon the request of the Chief of the Winnipeg Fire Paramedic Service ("WFPS"), the Developer shall install and erect, at his/her own expense and at no cost to the City, signs depicting the Master Plan of development on the subject property as it exists from time to time. Such signs shall clearly show the location of all existing buildings, accessory parking areas, private approaches, garbage enclosures, internal roads, building addresses and/or unit numbers, and building names, and must be posted at outside locations near the public right-of-way and internal roads on the subject property. The location, quantity, size and illumination of such signs will be determined by the Chief of WFPS. The Developer shall maintain all such signs to the satisfaction of the Chief of the WFPS;

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f. That copies of the current Master Plan be provided to the Chief of WFPS prior to the issuance of any new occupancy permit and/or upon the request of the Chief of WFPS;

g. That the address number of every building on the subject property (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located;

h. Where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the WFPS;

i. That building numbers and names required to be attached or displayed by this Zoning Agreement must be of a colour that contrasts with the colour of the structure to which they are attached so as to be clearly visible from the street or internal road on which the building is located and of a height as determined by and to the satisfaction of the Chief of the WFPS;

j. That no other numbers or names are to be attached to any buildings on the subject property that could be confused with the address numbers or building names;

k. That the owner/occupier of a building must ensure that the number assigned to a building is clearly visible from the street or internal road on which the building is located while the building is under construction as determined by and to the satisfaction of the Chief of WFPS;

3. That the City owned property shown in outline and identified as "Subject City Property" shown on Misc. Plan No. 13776 be declared surplus to the City's needs.

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4. That the Director of Planning, Property and Development be authorized to negotiate and approve the sale of the "Subject City Property" as outline and identified on Misc. Plan No. 13776, to the applicant on terms and conditions satisfactory to the Director of Planning, Property and Development and the Director of Legal Services in order to protect the interests of the City and to achieve the intent of the Standing Policy Committee on Property and Development.

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

6. 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.

7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

8. 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.

9. That the zoning section of the by-law shall come into force and effect when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

10. 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.

11. 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.

12. That the Director of Legal Services be requested to do all thing necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

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DECISION MAKING HISTORY:

Moved by Councillor Steeves,

That the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On July 6, 2010, 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 June 15, 2010, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments, namely:

- Amend Recommendation 1. A. by deleting the words "Schedule "C" the Report of the Administrative Coordinating Group dated June 7, 2010," and replacing with the following:

  "the amended Report of the Administrative Coordinating Group dated June 14, 2010 (Exhibit 9), with the following amendments:

  i. Delete Recommendations 16 and 17 under Section C. Development Agreement in their entirety and replace with the following:

     "16. Sidewalks shall be permitted back of curb on one side of residential streets in the Northwest Neighbourhood

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DECISION MAKING HISTORY: (continued)

COMMUNITY COMMITTEE RECOMMENDATION: (continued)

17a. The Developer shall, at no expense to the City, construct a) in all streets in the Northwest Neighbourhood measuring 22.0m in width or greater, except where frontage roads are constructed, 1.5m wide by 100mm thick Portland cement concrete sidewalks on the standard alignment, 0.3m off the property line, along both sides of the street; and b) in all streets in the Northwest Neighbourhood less than 22.0m in width, excluding cul-de-sacs, 1.5m wide by 100mm thick Portland cement concrete sidewalks on one side of the street, at back of curb, as determined by and to the satisfaction of the Director of Public Works.

17b. The Developer shall, at no expense to the City, construct, in all streets in Town Centre - except for North Town Road, Centre Street, South Town Road, and Bison Drive, in each of which full-width sidewalks will be permitted – 1.5m wide by 100mm thick Portland cement concrete sidewalks at back of curb, along both sides of the street, as determined by and to the satisfaction of the Director of Public Works."

ii. Amend Recommendation 51 under Section C. Development Agreement by deleting the worlds "1.2-m" in the seventh bullet and replacing same with the words "1.5-m"."

- Amend Recommendation 2.A.ii.a. by deleting the words "17.5 metres (57.41 feet)" in the last line thereof and replacing same with the words "12.5 metres (41 feet)".

- Amend Recommendation 2.A.ii.d. by deleting the words "1.22 metres (4.0 feet)" in the fourth line thereof and replacing same with the words "1.5 metres (5 feet)",

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

RE: **Subdivision and Rezoning – N/E Kenaston Boulevard / Bison Drive / Southtown Road – Bridgwater Development**
File DASZ 4/2010 [c/r SP 1/2010 and SP2/2010]

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

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

Report date: **June 16, 2010**

COMMUNITY COMMITTEE RECOMMENDATION:

On June 15, 2010, 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 4/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" dated June 7, 2010, 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 ***~~Schedule "C" the Report of the Administrative Coordinating Group dated June 7, 2010,~~ the amended Report of the Administrative Coordinating Group dated June 14, 2010 (Exhibit 9), with the following amendments:***

        i. Delete Recommendations 16 and 17 under Section C. Development Agreement in their entirety and replace with the following:

            "16. Sidewalks shall be permitted back of curb on one side of residential streets in the Northwest Neighbourhood

            17a. The Developer shall, at no expense to the City, construct a) in all streets in the Northwest Neighbourhood measuring 22.0m in width or greater, except where frontage roads are constructed, 1.5m wide by 100mm thick Portland cement concrete sidewalks on the standard alignment, 0.3m off the property line, along both sides of the street; and b) in all streets in the Northwest Neighbourhood less than 22.0m in width, excluding cul-de-sacs, 1.5m wide by 100mm thick Portland cement concrete sidewalks on one side of the street, at back of curb, as determined by and to the satisfaction of the Director of Public Works.

17b. The Developer shall, at no expense to the City, construct, in all streets in Town Centre - except for North Town Road, Centre Street, South Town Road, and Bison Drive, in each of which full-width sidewalks will be permitted – 1.5m wide by 100mm thick Portland cement concrete sidewalks at back of curb, along both sides of the street, as determined by and to the satisfaction of the Director of Public Works."

ii. Amend Recommendation 51 under Section C. Development Agreement by deleting the worlds "1.2-m" in the seventh bullet and replacing same with the words "1.5-m"

2. That the City of Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "B" for File DASZ 4/2010 dated June 7, 2010, to an "R1-M" Residential Single-Family District, an "RMF-S" Multi-Family District, an "RMF-L" Multi-Family District, a "PR1" Parks and Recreation 1 (Neighbourhood) District, a "PR2" Parks and Recreation 2 (Community) District, a "C2" Commercial Community District, a "C3" Commercial Corridor District, a "CMU" Commercial Mixed Use District, and an "MMU" Manufacturing Mixed Use 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, for the development of any building, and/or accessory parking area and/or signage within the lands zoned "RMF-S" Residential Multi-Family Small, "RMF-L" Residential Multi-Family Large, "C2" Commercial Community, "C3" Commercial Corridor, "CMU" Commercial Mixed Use, and "MMU" Manufacturing Mixed Use, 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 the following conditions shall apply to all lands zoned "R1-M" Residential Single-Family District:

a. That where single family residential lots back onto Bison Drive, the said lots are to be established with minimum rear yards of ~~***17.5 metres (57.41 feet)***~~ ***12.5 metres (41 feet);***

b. That where single residential lots back onto Kenaston Boulevard, the said lots are to be established with minimum rear yards of 17.5 metres (57.41 feet);

c. That the Developer shall erect a uniform wood fence (2 metres in height) abutting Bison Drive and Kenaston Boulevard to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development;

d. That the Developer shall upon the request of the Director of Public Works and the Director of Planning, Property and Development, erect a uniform wrought iron-style fence to a maximum height of ~~***1.22 metres (4.0 feet)***~~ ***1.5 metres (5 feet)*** at the rear yards of single family dwelling lots that abut a right-of-way used as a walkway/pathway (excludes automobile use) incorporated into the stormwater drainage system at the back of these lots. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development;

e. That all single family dwelling lots that abut a right-of-way used as a walkway/pathway (excludes automobile use) incorporated into the stormwater drainage system at the back of lots shall not have any light proof fencing (ex. solid wood, brick, concrete, or other material) along the rear property line.

iii. That the following conditions shall apply to all lands zoned "C2" Commercial Community, "C3" Commercial Corridor, "CMU" Commercial Mixed Use, and "MMU" Manufacturing Mixed Use:

a. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the land;

b. The following uses shall not be permitted on the land:
- Contractor's establishments
- Kennel;
- Towing and storage facility;
- X-rated Store;
- Advertising Sign;
- Fleet Services.

c. That prior to any future expansion of the Town Centre within the Planned Area beyond 662,500 square feet of retail; 216,400 square feet of office and 1,020 residential units, an updated traffic impact study shall be required as determined by and to the satisfaction of the Director of Public Works;

d. That the Developer shall erect two, 4 foot by 8 foot signs on the vacant subject property indicating the location and zoning of the "C2" Commercial Community, "C3" Commercial Corridor, "CMU" Commercial Mixed Use, and "MMU" Manufacturing Mixed Use properties within twelve (12) months from the date that the said rezoning by-law is adopted by Council; and plans for the signs showing their location and design shall be submitted to Director of Planning, Property and Development for approval; and the signs shall be maintained to the satisfaction of the Director of Planning, Property and Development until such time as the land is either rezoned or a building permit issued for development;

e. That prior to the issuance of any new occupancy permit and/or upon the request of the Chief of the Winnipeg Fire Paramedic Service ("WFPS"), the Developer shall install and erect, at his/her own expense and at no cost to the City, signs depicting the Master Plan of development on the subject property as it exists from time to time. Such signs shall clearly show the location of all existing buildings, accessory parking areas, private approaches, garbage enclosures, internal roads, building addresses and/or unit numbers, and building names, and must be posted at outside locations near the public right-of-way and internal roads on the subject property. The location, quantity, size and illumination of such signs will be determined by the Chief of WFPS. The Developer shall maintain all such signs to the satisfaction of the Chief of the WFPS;

f. That copies of the current Master Plan be provided to the Chief of WFPS prior to the issuance of any new occupancy permit and/or upon the request of the Chief of WFPS;

g. That the address number of every building on the subject property (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located;

h. Where a building on the subject property is in a location that results in its number or name not being clearly visible from the

street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the WFPS;

i. That building numbers and names required to be attached or displayed by this Zoning Agreement must be of a colour that contrasts with the colour of the structure to which they are attached so as to be clearly visible from the street or internal road on which the building is located and of a height as determined by and to the satisfaction of the Chief of the WFPS;

j. That no other numbers or names are to be attached to any buildings on the subject property that could be confused with the address numbers or building names;

k. That the owner/occupier of a building must ensure that the number assigned to a building is clearly visible from the street or internal road on which the building is located while the building is under construction as determined by and to the satisfaction of the Chief of WFPS;

3. That Council declare the City owned property shown in outline and identified as "Subject City Property" shown on Misc. Plan No. 13776 as surplus to the City's needs.

4. That the Director of Planning, Property and Development be authorized to negotiate and approve the sale of the "Subject City Property" as outline and identified on Misc. Plan No. 13776, to the applicant on terms and conditions satisfactory to the Director of Planning, Property and Development and the Director of Legal Services in order to protect the interests of the City and to achieve the intent of the Standing Policy Committee on Property and Development.

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

6. 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.

7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

8. 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.

9. That the zoning section of the by-law shall come into force and effect when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

10. 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.

11. 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.

12. That the Director of Legal Services be requested to do all thing 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(s) for its recommendation:

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated June 7, 2010.

2. The proposed subdivision/rezoning is consistent with the Area Structure Plan and representative of orderly development.

PUBLIC HEARING SUMMARY

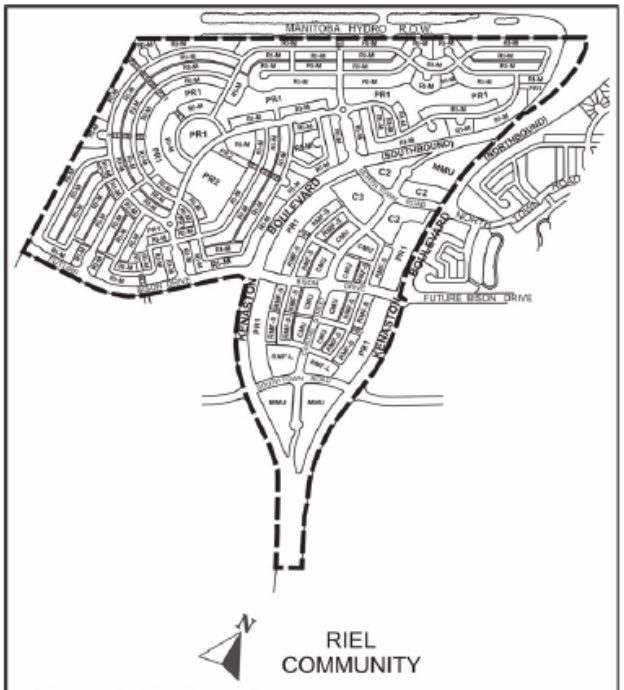
File: DASZ 4/2010 [c/r SP 1/2010 and SP2/2010]

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

Public Hearing: June 15, 2010
Council Building, 510 Main Street

Applicant: MMM Group

Subject:



APPLICANT : MMM GROUP
FILE : DASZ 4/10
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, "RMF-S" & "RMF-L" RESIDENTIAL MULTI-FAMILY DISTRICTS, "PR1" PARKS AND RECREATION 1 (Neighbourhood) DISTRICT, "PR2" PARKS AND RECREATION 2 (Community) DISTRICT, "C2" COMMERCIAL COMMUNITY DISTRICT, "C3" COMMERCIAL CORRIDOR DISTRICT, "CMU" COMMERCIAL MIXED USE DISTRICT and "MMU" MANUFACTURING MIXED USE DISTRICT. **For information, phone Mr. R. Kostiuk, Planner at 986-7367.**
DEMANDEUR : MMM GROUP
NO DE DOSSIER : DALZ 4/10
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du Règlement municipal n° 200/2006 visant à changer le zonage des sols délinéés ci-dessus qui passeraient de la catégorie A (Secteur agricole) aux catégories R1-M (Secteur d'habitations unifamiliales), RMF-S et RMF-L (Secteur d'habitations multifamiliales), PR-1 (Secteur des parcs et des loisirs 1 [Quartier]), PR-2 (Secteur des parcs et des loisirs 2 [Communautaire]), C2 (Secteur commercial communautaire), C3 (Secteur de couloir commercial), CMU (Secteur commercial polyvalent) et MMU (Secteur manufacturier polyvalent). **Pour plus de renseignements, veuillez communiquer avec M. R. Kostiuk, urbaniste, au 986-7367.**

Premises Affected: N/E Kenaston Boulevard / Bison Drive / Southtown Road – Bridgwater Development

Exhibits Filed:

1. Application dated March 19, 2010
2. Notification of Public Hearing dated May 6, 2010
3. Manitoba Status of Titles 1924006, 1924013, 1932720,1932721, 1932761, 1932799, 1932801, 2267609, 2267659, 2267758, 2271591, 2294811 and 2305680
4. Certificate of Titles C 66685, C 96584, 738597 and E 43887
5. Letter of authorization dated February 19, 2010 from Dewayne Rewniak, Director of Land Development, Manitoba Housing and Renewal Corporation to MMM Group Limited
6. Plans (4 pages)
7. Report from the Planning and Land Use Division dated June 7, 2009
8. Inspection Report
9. Amended Report of the Administrative Coordinating Group dated June 14, 2010
10. PowerPoint Presentation submitted by Paul McNeil, MMM Group Limited, at the Public Hearing
11. Audio Recording of Representations

REPRESENTATIONS:

In Support:

Paul McNeil, MMM Group
Veronica Hicks, MMM Group
Brock Feenstra
Jim Gallager
Lauren Lange
Paul Sunderland

In Opposition

Nil

For the City:

Ms. S. Matile, Land Development Engineer, Planning, Property and Development Department
Mr. R. Kostiuk, Planner, Planning, Property and Development Department

Exhibit "9" referred to in File DASZ 4/2010

SCHEDULE C

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – REVISED JUNE 14, 2010

RE: PROPOSED SUBDIVISION AND REZONING OF LAND AT NORTHEAST KENASTON/BISON/SOUTHTOWN ROAD – BRIDGWATER LAKES AND BRIDGWATER CENTRE - DASZ 4/10

It is recommended that the approval of DASZ 4/10 be subject to the following:

A. Plan Considerations

1. The Developer dedicating and legally opening property required for Bison Drive between the northbound lanes of Kenaston Boulevard and Brady Road, consistent with the right-of-way provided for Bison Drive in the Northeast Neighbourhood under Development Agreement AG 1/06, including right-of-way corner cuts at the intersections of Bison Drive with Kenaston Boulevard (northbound and southbound) and Brady Road, as determined by, and to the satisfaction of, the Director of Public Works.

2. The Developer dedicating and legally opening property required for a 1.825m widening of the Brady Road right-of-way abutting the Planned Area, as determined by, and to the satisfaction of, the Director of Public Works.

3. The Developer dedicating and legally opening property required for Kenaston Boulevard between Bishop Grandin Boulevard and the south limit of the Planned Area, including right-of-way corner cuts at the intersections of North Town Road and South Town Road, and right-of-way for the transitions at the two connections with Centre Street, as determined by, and to the satisfaction of, the Director of Public Works.

4. The Developer dedicating and legally opening property for right-of-way corner cuts in the northwest and northeast corners of the intersection of the two collector streets with Bison Drive, and all four corners of the intersection of Centre Street with Bison Drive, as determined by, and to the satisfaction of, the Director of Public Works.

5. The Developer dedicating and legally opening property for right-of-way corner cuts: a) 3.0m by 3.0m in *all* streets where the angle of intersection is less than 80º, and b) 2.0m by 2.0m in each corner of all other intersections of two streets 22.0m wide – all to the satisfaction of the Director of Public Works.

6. The Developer providing minimum right-of-way widths of 9.0m for all proposed frontage roads, with frontage-road terminus points to be located and designed to the satisfaction of the Director of Public Works.

7. The Developer providing right-of-way to accommodate each cul-de-sac turnaround consistent with the dimensions shown on Streets and Transportation Drawing ST-90 (revised) or ST-90-A.

8. The Developer providing right-of-way widths of 6.25m for each public lane serving single or two-family residential development, and 7.25m for each public lane serving multi-family residential and commercial development, to the satisfaction of the Director of Public Works.

9. The Developer designing intersections of local streets within the Planned Area such that the angle of intersection is no less than 70º, as measured in the quadrant with the acute angle.

10. The Developer ensuring that, where two local residential streets intersect with a residential collector street on opposite sides of the collector, the centerlines of the local streets either coincide with one another at their intersection with the collector, or are offset by a minimum of 45.0m along the collector.

11. The Developer ensuring that, where any local residential street is aligned to curve within 20.0m of its intersection with a residential collector street, that curve have a minimum centerline radius of 60.0m.

12. The Developer ensuring that no cul-de-sac street exceeds 105m in length.

13. The Developer ensuring that entrances and exits to/from proposed frontage roads along any collector street are coincident with, or a minimum of 20.0m from, intersections on the opposite side of the collector street, to the satisfaction of the Director of Public Works.

The Developer dedicating and legally opening property required for the six proposed roundabouts at the intersections of collector streets within the Planned Area, all as determined by, and to the satisfaction of, the Director of Public Works.

15. The Developer providing a minimum 6-m-wide public reserve and pathway to connect the park path network that runs along the east side of the larger park parcel directly to the Active Transportation corridor on Kenaston Boulevard, and thereby enhancing the Developer's axial views and connections to the future focal point element.

16. The Developer, in consideration that the greenway network between the Northeast and Northwest neighbourhoods is not contiguous, designating and establishing, to an appropriate standard in consultation with the Active Transportation Co-ordinator, an Active-Transportation corridor along North Town Road, extending into the Northwest Neighbourhood, along the frontage road, to the greenway.

B. Engineering Report and Servicing Criteria

1. The applicant providing, to the satisfaction of the Director of Water and Waste, a comprehensive servicing report, prepared by a qualified municipal engineer, outlining the provision of underground services for the planned area and adjacent land.

2. The applicant submitting, to the satisfaction of the Director of Water and Waste, servicing criteria sheets for water, wastewater, and land drainage facilities, including plans showing the ultimate service areas.

C. Development Agreement

The applicant entering into a **Development Agreement** with the City of Winnipeg, containing the following conditions:

1. The Developer shall, at no expense to the City, install all wastewater sewers required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

2. The Developer shall, at no expense to the City, install all watermains required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

3. The Developer shall install lot line services to service all lots within the Planned Area, as follows:

    a) The Developer shall, at no expense to the City, construct and install wastewater and water building services from the wastewater sewer and watermain, to service all lots within the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.
    b) The Developer shall ensure that each sewer service remains plugged from installation until the foundation excavation has been backfilled and the roof of the dwelling has been sheathed, after which the house sewer may be connected. The Developer shall indemnify the City against all actions, claims, demands, damages, losses, and costs, including legal and court costs, suffered or incurred by the City arising out of any failure to do so prior to the issuance of a Final Acceptance Certificate certifying completion of all work under this Agreement.
    c) The Developer shall replace or repair any water or sewer service found to be defective within one year following the date the water is turned on for domestic use, and shall pay the City any cost incurred by the City arising out of any such defect.

4. The Developer shall, at no expense to the City, install all land drainage sewers and stormwater retention facilities required to serve the Planned Area and adjacent lands, as determined by, and to the satisfaction of, the Director of Water

and Waste.

5. The Developer shall dedicate all land and provide all easements necessary to accommodate the required stormwater retention and land drainage facilities, as determined by the Director of Water and Waste, in accordance with the City's Development Agreements Parameters.

6. 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

7. The Developer's share of the regional stormwater management facilities owing for the Planned Area shall be deducted from any amounts owed to the Developer for facilities previously constructed by the Developer.

8. The Developer shall, at no expense to the City, provide a lot grading plan, prepared by a municipal engineer, for the Planned Area, and construct all drainage works necessitated by the design.

9. The Developer shall, at no expense to the City, construct all swales, catchbasins, and leads required to provide lot drainage prior to the issuance of building permits.

10. The Developer shall, at no expense to the City, provide all easements with respect to the installation, maintenance, and replacement of swales, catchbasins, and leads for lot drainage upon registration of the approved subdivision mylars in the Land Titles Office.

11. The Developer shall, at no expense to the City, construct 200mm and 150mm thick portland cement concrete pavements to widths of 10.0m, 8.0m, and 7.5m, and all related works, including, but not limited to, boulevard landscaping and drainage facilities, in all streets within the Planned Area, all as determined by, and to the satisfaction of, the Director of Public Works.

12. The Developer shall, at no expense to the City, construct, within the proposed public lanes within the Planned Area serving single or two-family residential development, 5.0m wide by 150mm thick portland cement concrete pavements, and, within the proposed public lanes within the Planned Area serving multi-family residential and commercial development, 6.0-m-wide by 150-mm-thick portland cement concrete pavements, as determined by, and to the satisfaction of, the Director of Public Works.

13. The Developer shall, at no expense to the City, construct 150-mm-thick portland cement concrete pavements to widths of 6.0m within the proposed frontage roads within the Planned Area and all related works including, but not limited to, boulevard landscaping and drainage works, all as determined by, and to the satisfaction of, the Director of Public Works.

14. The Developer shall pay to the City, on demand, the cost of constructing, in portland cement concrete pavement, an eastbound left-turn storage lane, upstream transition, and median opening on Bison Drive, at its intersection with

the two collector streets, west of Kenaston Boulevard, as determined by the Director of Public Works.

15. The Developer shall pay to the City, on demand, the full cost of the installation of 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 at the intersection of Bison Drive with the two Collector Streets, west of Kenaston Boulevard, as determined by the Director of Public Works.

16. Sidewalks will not be permitted back of curb on residential streets in the Northwest Neighbourhood, even though they were allowed, on a trial basis, for the Northeast Neighbourhood, because the results of the trial have yet to be fully evaluated.

17. The Developer shall, at no expense to the City, construct, in all streets in the Northwest Neighbourhood and in the Town Centre measuring 22.0m in width or greater, except where frontage roads are constructed - and except for North Town Road, Centre Street, South Town Road, and Bison Drive, in each of which full-width sidewalks will be permitted - 1.5-m-wide by 100-mm-thick portland cement concrete sidewalks on the standard alignment, 0.3m off the property line, along both sides of the street, as determined by, and to the satisfaction of, the Director of Public Works.

18. The Developer shall construct all sidewalks concurrently with the pavements with which they share the right-of-way.

19. The City may file appropriate caveats in the Land Titles Office, notifying prospective homeowners of the proposed sidewalk locations.

20. The Developer shall, at no expense to the City, construct a paved cul-de-sac-style vehicle turnaround at the terminus of each temporarily paved dead-ended street and provide any rights-of-way or easements necessary to accommodate same, all as determined by, and to the satisfaction of, the Director of Public Works.

21. The Developer shall, at no expense to the City, erect and maintain barricades and signing across the full width of any temporarily dead-ended streets, due to phasing of development, immediately upon completion of the paving or when house construction has begun, whichever is sooner, as determined by, and to the satisfaction of, the Director of Public Works.

22. The Developer shall, at no expense to the City, sod boulevards and plant trees on all streets within the Planned Area, all in accordance with drawings and specifications to be prepared by the Developer and submitted to, and approved by, the Director of Public Works.

23. The Developer shall, at no expense to the City, maintain the boulevard improvements for one year, in accordance with specifications approved by the Director of Public Works.

24. The Developer shall, at no expense to the City, ensure that two means of paved vehicular access are available at all times to each stage of development of the Planned Area, to the satisfaction of the Director of Public Works. This may require the construction of temporary paved roadways and the provision of easements or rights-of-way.

25. The Developer shall, at no expense to the City, cause to be installed standard, reflectorized, permanent street-name signs at each new intersection within or adjacent to the Planned Area, as determined by the Director of Public Works.

26. Prior to construction, the Developer shall, at no expense to the City, obtain approval of and install, and subsequently maintain, at the entrances to the Planned Area, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, Kenaston and Bishop Grandin Boulevards, all proposed arterial and collector streets, public lanes, sidewalks, and active transportation facilities, the proposed stormwater retention basin, all natural tree stands, the proposed school site, and all proposed parks, and proposed community mail-box sites - all with the approval of, and to the satisfaction of, the Director of Planning, Property and Development.

27. The Developer shall, at no expense to the City, cause to be installed ornamental street lights in all streets within the Planned Area, to the satisfaction of the Director of Public Works.

28. The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the Planned Area, to the satisfaction of the Director of Public Works.

29. 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.

30. There shall be no private approaches: a) serving single-family residential development off residential collector streets (i.e. rights-of-way 22.0m or wider), except where frontage roads are provided; b) serving single or two-family residential development off Bison Drive or Brady Road; or c) off Kenaston Boulevard.

31. The Developer shall, at no expense to the City, construct, within the rear yards of all single-family or two-family lots abutting Bison Drive, Brady Road, and Kenaston Boulevard, a uniform, 2.0-m-high noise-attenuation fence, as determined by, and to the satisfaction of, the Director of Public Works, and permit the City to file a caveat against the title of each such lot, requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

32. All single-family and two-family residential lots backing onto Bison Drive shall be of sufficient depth to provide a minimum rear-yard set-back of 12.5 m, and the Zoning Agreement covering those lots shall stipulate a minimum rear yard of 12.5 m.

33. All single-family and two-family residential lots backing onto Kenaston Boulevard 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 65dBA in the typical outdoor recreation area of those lots, and the Zoning Agreement covering those lots shall stipulate this minimum rear yard.

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

35. The Developer shall, at no expense to the City, initiate and control the regular cleanup of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until completion of all construction, as determined by, and to the satisfaction of, the Director of Public Works.

36. The Developer shall pay to the City, on demand, its share of the cost of the following services to be installed in Brady Road, along the full length of the Planned Area abutting the east side of Brady Road:

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

    all as determined by, and to the satisfaction of, the Director of Public Works.

37. The Developer shall construct - or pay to the City, on demand, its share of the cost of - the following services to be installed in Bison Drive, along the full length of the Planned Area abutting the north side of Bison Drive:

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

    all as determined by, and to the satisfaction of, the Director of Public Works.

38. The Developer shall, at no expense to the City, construct and/or pay on demand the full cost of the following works on Centre Street, at and in the vicinity of its intersection with Bison Drive:

a) auxiliary lanes, transitions, median-opening modifications, channelization, and all related works;
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, and to the satisfaction of, the Director of Public Works.

39. The Developer shall, at no expense to the City, construct the proposed pedestrian bridge structure crossing the lineal land-drainage retention facilities and all related works, in accordance with drawings and specifications approved by, and to the satisfaction of, the Director of Public Works.

The Developer shall ensure that all works are constructed under the supervision of a Registered Professional Engineer to the satisfaction of the Director of Public Works.

The Director of Public Works will appoint a Representative to who will oversee the Works and be responsible for the approving any changes proposed by the Developer. The Developer shall ensure that the Representative is afforded full access.

The Developer shall, at no expense to the City, correct all defects and deficiencies for a period of two years, or longer periods as may be specified in the Specifications for certain products or work, from the Date of Total Performance, to the satisfaction of the Director of Public Works, acting reasonably. The Developer shall, at no expense to the City, undertake engineering study and monitoring of identified defects and deficiencies when requested by, and to the satisfaction of, the Director of Public Works, acting reasonably.

The Developer shall submit as-built Plans, Specifications, Shop Drawings, and a Construction Report to the Director of Public Works upon completion of the works.

40. The Developer shall, at no expense to the City, construct the six proposed roundabouts at the six intersections of collector streets, all as determined by, and to the satisfaction of, the Director of Public Works.

41. The Developer shall pay its share of the cost of constructing Kenaston Boulevard from its intersection with Bishop Grandin Boulevard to the south limit of the Planned Area, in accordance with terms and conditions previously negotiated between the City and the Province, all as determined by, and to the satisfaction of, the Director of Public Works.

42. The Developer shall, at no expense to the City, construct and/or pay on demand the full cost of the following temporary and permanent works on Kenaston Boulevard at and in the vicinity of its four intersections with the Collector Streets

a) auxiliary lanes, transitions, median opening modifications, channelization, and all related works;
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, and to the satisfaction of, the Director of Public Works.

43. The Developer shall, at no expense to the City, construct and/or pay on demand the full cost of the following temporary and permanent works on Kenaston Boulevard at and in the vicinity of its two intersections with Bison Drive:

a) auxiliary lanes, transitions, median-opening modifications, channelization, and all related works;
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, and to the satisfaction of, the Director of Public Works.

44. The Developer shall pay to the City, on demand, the cost of constructing, in portland cement concrete pavement, a southbound left- turn storage lane, upstream transition, and median opening on Brady Road, at its intersection with Bison Drive, as determined by the Director of Public Works.

45. The Developer shall pay to the City, on demand, 50% of the cost of the installation of 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 at the intersection of Bison Drive with Brady Road, as determined by the Director of Public Works.

46. The Developer shall dedicate to the City as public reserve at least 8% of the land contained within the overall development area, landscape the dedicated land, and pay its share of the cost of services in streets abutting the dedicated land, in accordance with City policy, and as determined by, and to the satisfaction of, the Directors of Public Works and Property, Planning & Development. In calculating park dedication:

- In consideration of the narrowness of the corridors which limits multi-use opportunities, only 50% credit shall be given for the linear public reserves that parallel the retention ponds;
- In consideration of its limited functionality, only 75% credit shall be given for the public reserve designated as the “focal point”;
- No credit shall be given for the excess parks frontages in either the Town Centre or the Northwest Neighbourhood.

- No credit for land dedication shall be given for any 6.25-m-wide rear-yard corridor;
- No credit shall be given for the proposed public open spaces between the retention ponds and Kenaston Boulevard;
- No credit shall be given for the proposed PR2 parcel identified as a proposed school site;
- In the event that the proposed school site is not used as a school site, the Developer shall dedicate, at no cost to the City, the PR2 parcel to the City as Public Reserve, and shall receive no credit for the dedication
- In consideration of the above clauses, the Public Service and Developer agree to take into consideration the excess serviced frontages and Developer's increased level of site development within the Planned Area, to ensure that the dedication nets out at $0 cash owing or carry-overs.

47. The Developer shall, at no expense to the City, landscape the public open space to a standard consistent with the level of development established in the Bridgwater Forest Development under Development Agreement AG 1/06 and addenda, all in accordance with plans and specifications provided by the Developer and approved, prior to the issuance of a development permit, by the Director of Planning, Property & Development. The scope of landscaping shall include, at a minimum, 2.4-m-wide asphalt paths, tree and shrub plantings, site furnishings, play equipment, and the development of at least one athletic field.

48. The Developer shall negotiate with the City a Memorandum of Understanding for the establishment and ongoing maintenance of the focal point feature, all to the satisfaction of the Director of Planning, Property and Development.

49. If the school division does not exercise its option to develop a school on the designated lands, the developer shall, at no cost to the City, landscape the PR2 parcel in accordance with plans and specifications provided by the Developer and approved, by the Director of Planning, Property & Development.

50. The Developer shall, at no expense to the City, construct, within the rear yards of all single-family lots abutting parks lands, a uniform, max. 1.5-m-high fence, to the satisfaction of the Director of Public Works, and permit the City to file a caveat against the title of each such lot, requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

51. If the 6.25-m-wide rear-yard rights-of way associated with visitable housing are to be developed as public walkways, the Developer shall:
    - accommodate a minimum 3.0 m wide, hard surface, clear path of travel walkway;
    - construct the walkway to a standard that supports heavy equipment;
    - ensure that the pedestrian walkway is unencumbered with any land drainage infrastructure (e.g. manholes, catch basins, or drainage swales);

- provide for bench/ sitting nodes along the length of the path; the design of which shall be in accordance the Universal Design standards, with the exception that spacing may be extended to approximately 300-400 m on-centre or as deemed appropriate by the Universal Design Coordinator;
- provide sod and, if possible, trees along the length of the path;
- provide pedestrian-scale lighting spaced along the length of the corridor to provide a minimum of 5 Lux along the path of travel, and incorporated into the hard surfacing (but outside of the path of travel) to simplify site maintenance, all to the satisfaction of the Director of Public Works;
- construct, within the rear yards of all single-family lots abutting the walkway, and to the satisfaction of the Director of Public Works, a uniform, max 1.2-m ,wrought iron or other approved 'open-style' fence, complete with one gate per property, and permit the City to file a caveat against the title of each such lot, requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed, to the satisfaction of the Director of Public Works;
- turf maintenance to become the responsibility of the property owner backing onto the path, as governed by caveat or by-law;
- ensure CPTED (Crime Prevention Through Environmental Design) principles for are applied, particularly related to establishing clear site lines between designated points of access/egress along the length of the path.

52. Where a designated AT corridor extends along a collector having a frontage road, the pathway specifications shall be applied to the frontage road service island, ensuring a continuous path which aligns with the AT pathway at either end.

53. The Developer shall, as deemed necessary by, and at no expense to, the City, supply and install trail network signage and trail related traffic signage, on pathways and Active Transportation corridors, consistent with standards and specifications applied to similar citywide networks, and as determined by, and to the satisfaction of, the Directors of Public Works and Planning, Property, and Development.

54. The Developer shall assume responsibility for the maintenance of all park sites until they are developed and turned over to the City for maintenance.

55. The Developer shall, at no expense to the City, maintain the public open space improvements for a period of two years in accordance with specifications approved by the Director of Public Works. The City also reserves the right to impose longer maintenance terms for amenities and features that the Director of Public Works deems to be beyond their standard scope of development.

56. Following completion of all major construction works, the Developer shall, at its cost, have the locations of the survey monuments within the Planned Are verified and, where the survey monuments have been disturbed, moved, covered, mutilated, or destroyed, have them replaced by a Manitoba Land Surveyor, who

shall provide the Director of Planning, Property and Development with a certificate that all survey monuments within the Planned Area have been verified and/or replaced.

57. The Developer shall pay the full cost of engineering services provided by or on behalf of the City in connection with the installation of, and provision of as -built drawings within three months of substantial performance showing, the services required to serve the Planned Area.

58. The Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, $1,200.00 plus GST per acre of the Planned Area to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 7/10
Revised June 14, 2010

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

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

"original signed by F. C. Mazur, P. Eng."
F. C. Mazur, P. Eng.
Water & Waste Department

"original signed by D. Beaton, MLArch."
D. Beaton, MLArch.
Parks, Riverbanks, & Community Initiatives Branch

Exhibit "7" referred to in File DASZ 4/2010

ADMINISTRATIVE REPORT

Title: DASZ 4/10 - NW Kenaston/Bison Public Hearing – Waverly West

Issue: For consideration at the Public Hearing for a subdivision and rezoning to create the Waverley West Northwest Neighbourhood and Town Centre.

Critical Path: Riel Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	N/A	N/A	

RECOMMENDATIONS

1. That the plan of subdivision under File DASZ 4/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" dated June 7, 2010, 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 Schedule "C" the Report of the Administrative Coordinating Group dated June 7, 2010.

1. That the City of Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "B" for File DASZ 4/2010 dated June 7, 2010, to an "R1-M" Residential Single-Family District, an "RMF-S" Multi-Family District, an "RMF-L" Multi-Family District, a "PR1" Parks and Recreation 1 (Neighbourhood) District, a "PR2" Parks and Recreation 2 (Community) District, a "C2" Commercial Community District, a "C3" Commercial Corridor District, a "CMU" Commercial Mixed Use District, and an "MMU" Manufacturing Mixed Use 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, for the development of any building, and/or accessory parking area and/or signage within the lands zoned "RMF-S" Residential Multi-Family Small, "RMF-L" Residential Multi-Family Large, "C2" Commercial Community, "C3" Commercial Corridor, "CMU" Commercial Mixed Use, and

"MMU" Manufacturing Mixed Use, 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 the following conditions shall apply to all lands zoned "R1-M" Residential Single-Family District:

a. That where single family residential lots back onto Bison Drive, the said lots are to be established with minimum rear yards of 17.5 metres (57.41 feet);

b. That where single residential lots back onto Kenaston Boulevard, the said lots are to be established with minimum rear yards of 17.5 metres (57.41 feet);

c. That the Developer shall erect a uniform wood fence (2 metres in height) abutting Bison Drive and Kenaston Boulevard to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development;

d. That the Developer shall upon the request of the Director of Public Works and the Director of Planning, Property and Development, erect a uniform wrought iron-style fence to a maximum height of 1.22 metres (4.0 feet) at the rear yards of single family dwelling lots that abut a right-of-way used as a walkway/pathway (excludes automobile use) incorporated into the stormwater drainage system at the back of these lots. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development;

e. That all single family dwelling lots that abut a right-of-way used as a walkway/pathway (excludes automobile use) incorporated into the stormwater drainage system at the back of lots shall not have any light proof fencing (ex. solid wood, brick, concrete, or other material) along the rear property line.

iii. That the following conditions shall apply to all lands zoned "C2" Commercial Community, "C3" Commercial Corridor, "CMU" Commercial Mixed Use, and "MMU" Manufacturing Mixed Use:

a. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the land;

b. The following uses shall not be permitted on the land:
   1. Contractor's establishments
   2. Kennel;
   3. Towing and storage facility;
   4. X-rated Store;
   5. Advertising Sign;
   6. Fleet Services.

c. That prior to any future expansion of the Town Centre within the Planned Area beyond 662,500 square feet of retail; 216,400 square feet of office and 1,020 residential units, an updated traffic impact study shall be required as determined by and to the satisfaction of the Director of Public Works;

d. That the Developer shall erect two, 4 foot by 8 foot signs on the vacant subject property indicating the location and zoning of the "C2" Commercial Community, "C3" Commercial Corridor, "CMU" Commercial Mixed Use, and "MMU" Manufacturing Mixed Use properties within twelve (12) months from the date that the said rezoning by-law is adopted by Council; and plans for the signs showing their location and design shall be submitted to Director of Planning, Property and Development for approval; and the signs shall be maintained to the satisfaction of the Director of Planning, Property and Development until such time as the land is either rezoned or a building permit issued for development;

e. That prior to the issuance of any new occupancy permit and/or upon the request of the Chief of the Winnipeg Fire Paramedic Service ("WFPS"), the Developer shall install and erect, at his/her own expense and at no cost to the City, signs depicting the Master Plan of development on the subject property as it exists from time to time. Such signs shall clearly show the location of all existing buildings, accessory parking areas, private approaches, garbage enclosures, internal roads, building addresses and/or unit numbers, and building names, and must be posted at outside locations near the public right-of-way and internal roads on the subject property. The location, quantity, size and illumination of such signs will be determined by the Chief of WFPS. The Developer shall maintain all such signs to the satisfaction of the Chief of the WFPS;

f. That copies of the current Master Plan be provided to the Chief of WFPS prior to the issuance of any new occupancy permit and/or upon the request of the Chief of WFPS;

g. That the address number of every building on the subject property (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly

visible from the street or internal road on which the building is located;

h. Where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the WFPS;

i. That building numbers and names required to be attached or displayed by this Zoning Agreement must be of a colour that contrasts with the colour of the structure to which they are attached so as to be clearly visible from the street or internal road on which the building is located and of a height as determined by and to the satisfaction of the Chief of the WFPS;

j. That no other numbers or names are to be attached to any buildings on the subject property that could be confused with the address numbers or building names;

k. That the owner/occupier of a building must ensure that the number assigned to a building is clearly visible from the street or internal road on which the building is located while the building is under construction as determined by and to the satisfaction of the Chief of WFPS;

2. That Council declare the City owned property shown in outline and identified as "Subject City Property" shown on Misc. Plan No. 13776 as surplus to the City's needs.

3. That the Director of Planning, Property and Development be authorized to negotiate and approve the sale of the "Subject City Property" as outline and identified on Misc. Plan No. 13776, to the applicant on terms and conditions satisfactory to the Director of Planning, Property and Development and the Director of Legal Services in order to protect the interests of the City and to achieve the intent of the Standing Policy Committee on Property and Development.

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 Director of Legal Services and City Solicitor 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 is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

9. 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.

10. 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.

11. That the Director of Legal Services be requested to do all thing necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

REASON FOR THE REPORT

- The applicant would like to subdivide and rezone 444 acres of land in the Waverley West area to create a single-family residential neighbourhood (the Northwest Neighbourhood) and a mixed-use centre (Town Centre).
- The applicant has submitted Neighbourhood Area Structure Plans for the Northwest Neighbourhood (Area "F") and the Town Centre (see files SP 1/2010 and SP 2/2010 respectively).
- The Northwest Neighbourhood is approximately 310 acres and is to be primarily comprised of single-family detached homes zoned R1-M. Using the density minimums provided by the applicant, it is anticipated that there will be a minimum of approximately 1,225 dwelling units in this neighbourhood.
- The proposed Town Centre is approximately 134 acres in area. The applicant is proposing to include a range of residential, commercial, and employment land uses to accommodate the development of a mixed-use urban centre.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, 444 acres of land in the Waverley West area will be rezoned and subdivided in order to develop a single-family residential neighbourhood (the Northwest Neighbourhood) and a mixed-use centre (Town Centre).

HISTORY

- On April 27, 2005, Council adopted By-Law No. 50/2004 (PW 2/2003), which amended Plan Winnipeg 2020 in order to designate the lands south of the westerly extension of Bishop Grandin Boulevard, east of Brady Road, north of the Perimeter Highway, and west of Waverley Street (lands commonly known as "Waverley West"), from Rural Policy Area to Neighbourhood Policy Area.
- On July 26, 2006, Council adopted the *Waverley West Area Structure Plan* under By-Law No. 10/2006 (SP 4/2005). This secondary plan guides all development in the Waverley West area.
- The Waverley West Area Structure Plan (By-Law No. 10/2006) under Sections 4.2 and 13 identifies Waverley West to be comprised of seven neighbourhoods (A, B, C, D, E, F and the Town Centre) all of which require detailed planning in the form of a Neighbourhood Area Structure Plan.
- On April 6, 2010, the Standing Policy Committee on Property and Development forwarded By-Law 37/2010 and 38/2010 to Council for First Reading to allow for the Riel Community Committee to conduct a public hearing for the Waverley West Northwest Neighbourhood and Town Centre Area Structure Plans.

CONSULTATION

In preparing this Report there was consultation with:

N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Planning and Land Use
Prepared by	Robert Kostiuk
Date:	June 7, 2010
File No.	DASZ 4/10

Appendix A	Administrative Report
Schedule “A”	Advertised Subdivision and Rezoning for DASZ 4/10
Schedule “B”	Recommended File No. DASZ 4/10, Riel Community Committee, dated June 7, 2010
Schedule “C”	Report of the Administrative Coordinating Group
Schedule “D”	Misc. Plan No. 13776
Appendix B	Plan Amendments, Secondary Plans, and Subdivisions & Rezonings Waverley West
Appendix C	Design Guidelines for Plan Approval for Town Centre.

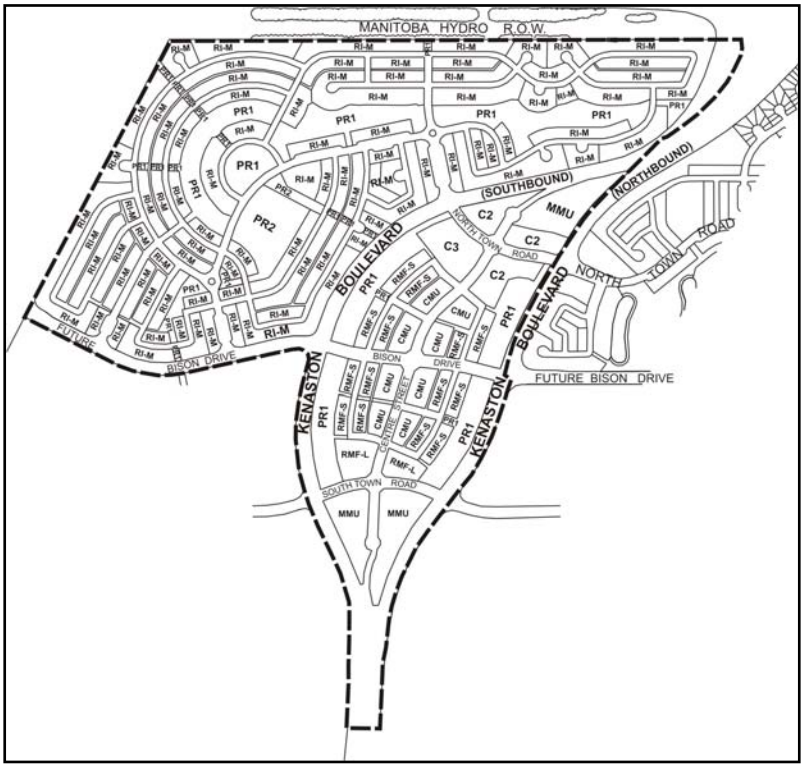
APPENDIX 'A'

DATE: June 7, 2010
FILE: DASZ 4/10
RELATED FILES: PW 2/2003; SP 4/2005; SP 1/2010; SP 2/2010
COMMUNITY: Riel

NEIGHBOURHOOD #: 5.685 (Northwest Neighbourhood) and 5.686 (Town Centre)

SUBJECT: The applicant is proposing to subdivide and rezone 444 acres of land in the Waverley West area for the development of a single-family residential neighbourhood (the Northwest Neighbourhood) and a mixed-use centre (the Town Centre).

LOCATION: The northwest and central region of Waverley West, bounded by Brady Road to the east, Cadboro Road to the south, the Kenaston Blvd Extension to the west, and the Manitoba Hydro Transmission Corridor to the north.



SITE DESCRIPTION: The subject properties are located within Neighbourhood Plan Area "F" and the Town Centre Plan Area (see Figure 1).

Size: 444 acres (the Planned Area subject to rezoning under Schedule 'A')

134 acres (Town Centre)
310 acres (Northwest Neighbourhood)

Plan Winnipeg: Neighbourhood Policy Area

Zoning: "A" Agricultural District

APPLICANT: MMM Group
111-93 Lombard Ave
Winnipeg MB R3B 3B1

OWNER: Manitoba Housing and Renewal Corporation
2707 -83 Garry Street
Winnipeg MB

RECOMMENDATION: Approval with Conditions

REPORT SUMMARY:

- The applicant would like to subdivide and rezone 444 acres of land in the Waverley West area to create a single-family residential neighbourhood (the Northwest Neighbourhood) and a mixed-use centre (Town Centre).
- The applicant has submitted Neighbourhood Area Structure Plans for the Northwest Neighbourhood (Area "F") and the Town Centre (see files SP 1/2010 and SP 2/2010 respectively).
- The Northwest Neighbourhood is approximately 310 acres and is to be primarily comprised of single-family detached homes zoned R1-M. Using the density minimums provided by the applicant, it is anticipated that there will be a minimum of approximately 1,225 dwelling units in this neighbourhood.
- The proposed Town Centre is approximately 134 acres in area. A range of residential, commercial, and employment land uses are proposed to accommodate the development of a mixed-use urban centre.

SURROUNDING LAND USES & ZONING (See Figures 1 and 2)

North: A Manitoba Hydro transmission line corridor. Immediately north of the Hydro corridor, there is plan of subdivision (Plan 1939 in the Winnipeg Land Titles Office November 1, 1912). However, this land remains undeveloped and was declared obsolete by By-law 1732/77 registered in the WLTO as instrument No. R94581 September 27, 1977. North of the transmission line corridor and the obsolete plan of subdivision are single-family homes that are located in the Whyte Ridge neighbourhood and are zoned "R1-M" Residential Single-Family Medium.

East: The Waverley West Northeast Neighbourhood (Area "A"). This area has not yet been developed to its full extent, but will be predominantly comprised of single-family homes zoned "R1-M" Residential Single-Family Medium with some higher density multi-family development zoned "RMF-M" Residential Multi-Family Medium. A large

portion of this site is also designated “PR-1” Parks and Recreation 1 (Neighbourhood).

South: Vacant land zoned “A” Agricultural. This land forms part of Waverley West Neighbourhood Plan Areas “B” to “E”.

West: Waverley West Neighbourhood Plan Area “E” and Brady Road/the City of Winnipeg boundary.

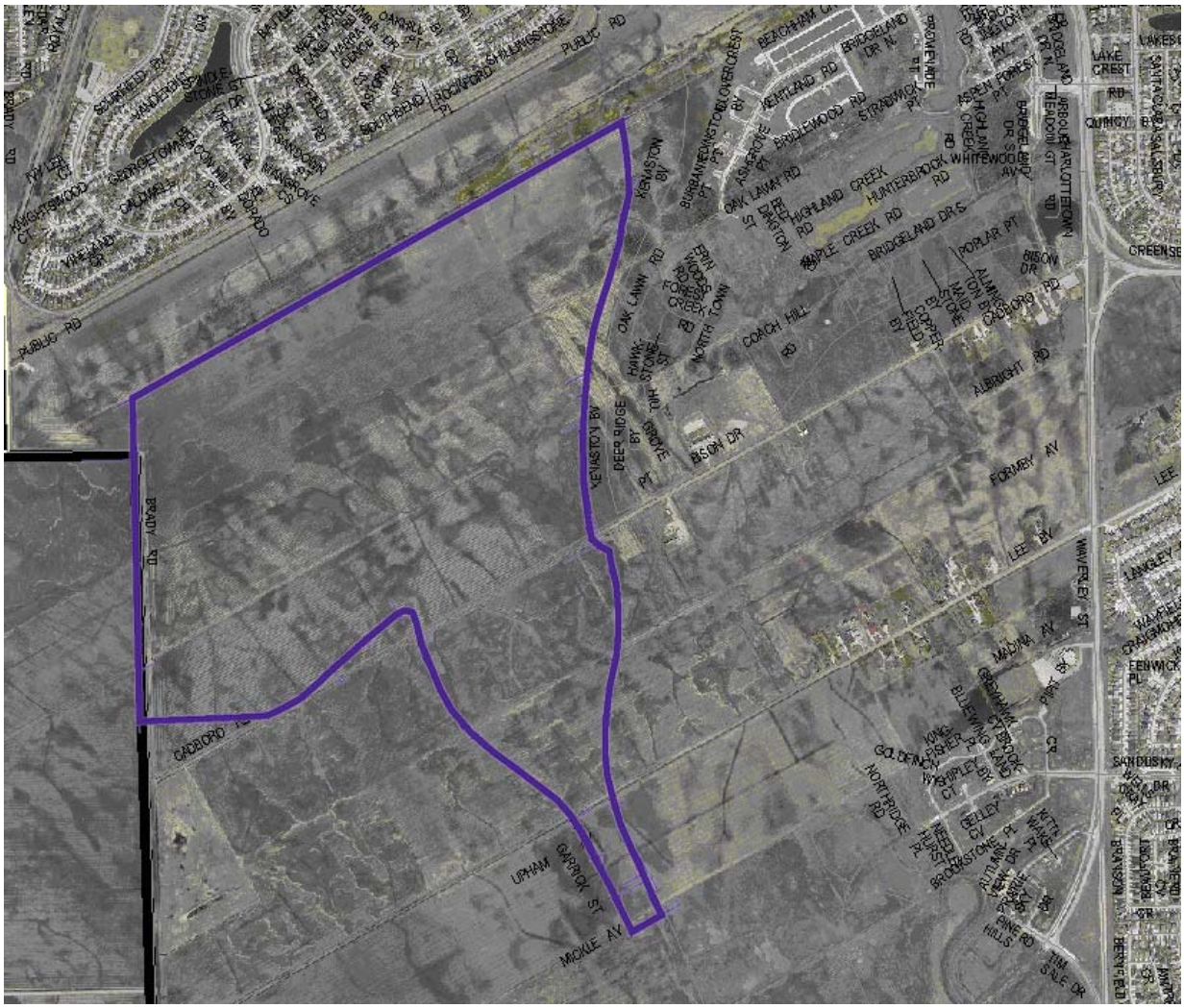


Figure 1: Air photo showing approximate location of the subject property (2009 air photo).

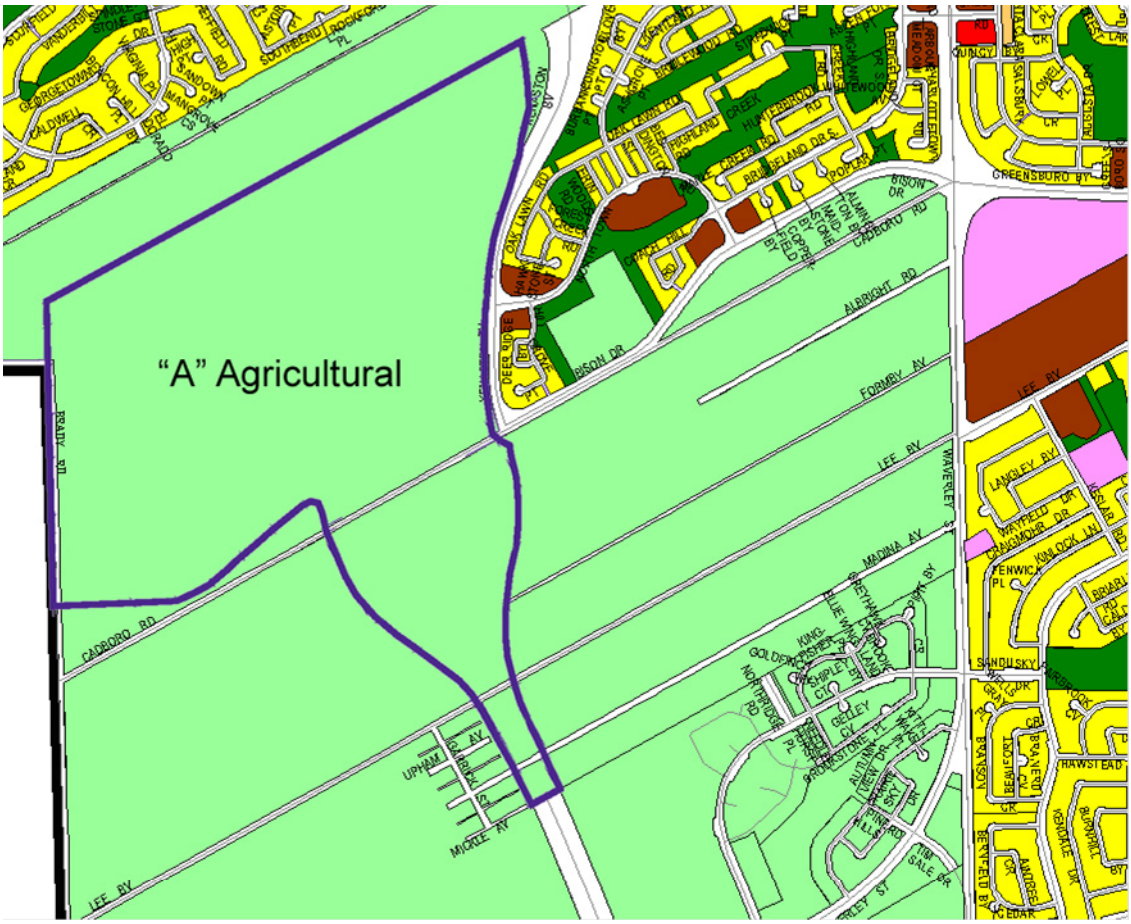


Figure 2: Existing zoning of the subject property and surrounding area.

ANALYSIS

PLAN WINNIPEG COMPLIANCE

- The proposed subdivision and rezoning is located within *Plan Winnipeg 2020's* Neighbourhood Policy Area (Policy Plate "A") and complies with the *Plan.*

WAVERLEY WEST AREA STRUCTURE PLANS COMPLIANCE

- The Waverley West Area Structure Plan (By-Law No. 10/2006) under Sections 4.2 and 13 identifies Waverley West to be comprised of seven neighbourhoods (A, B, C, D, E, F and the Town Centre) all of which require detailed planning in the form of a Neighbourhood Area Structure Plan, and provides the overall planning guidance for the development of Waverley West.
- The proposed subdivision is consistent with the Waverley West Area Structure Plan, and is consistent with the policies in the proposed Neighbourhood Area Structure Plans (see Files SP 1/2010 and SP 2/2010); however, these two plans are yet to be approved by Council.

- **“A” Agricultural District**

  The Agricultural district is intended for general agricultural activities. The minimum lot area is 40 acres, the minimum lot width is 300 feet, and the minimum front yard is 100 feet. The minimum rear and side yards are 25 feet and the maximum building height is 30 feet.

- **“R1-M” Single-Family Residential District**

  This district is intended to accommodate primarily single-family residential development in lower-density neighbourhoods. The requirements for development are: minimum lot widths of 25 feet, minimum lot areas of 3,500 square feet, a front yard of 15 feet, side yards of 4 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 45%.

- **“PR1” Parks and Recreation 1 (Neighbourhood) District**

  This district is intended for sites that are generally passive neighbourhood and community parks and facilities with predominantly pedestrian and cyclist access. These sites may provide unstructured drop-in play and recreation opportunities, including play structures, passive parks, plazas and natural areas. Generally, there are no parking facilities associated with these uses. These parks and open spaces typically occur in a residential neighbourhood or riverbank context and are generally accessed by residential streets.

- **“PR2” Parks and Recreation 2 (Community) District**

  The PR2 district is intended for sites that include community recreation facilities and parks that are accessed by a mix of pedestrian and vehicular traffic. These sites may provide active programs and activities, including community centres, hockey rinks, arenas, indoor soccer, wading pools, spray parks, skateboard parks and athletic fields. Parking facilities ranging from 10 to 100 stalls may be associated with these uses. These parks and facilities typically occur along collector streets.

- **“CMU” Commercial Mixed Use District**

  The CMU zone is intended to provide for community-serving mixed use development at a higher scale than is appropriate for neighbourhood locations. The CMU district is intended for use along selected corridors and at important nodes in the city. The district is intended to include attractive commercial, institutional, recreational, and service facilities needed to support surrounding neighbourhoods and the community at-large. Although the area, site, or building should have a predominantly commercial character, multi-family housing may be incorporated within the district, and development should facilitate pedestrian connections between residential and nonresidential uses. There are no front or side yard requirements and maximum building height is 60 feet. Multi-family residential structures in the CMU district must meet the requirements of the RMF-M zoning. The dimensional standards for development within the CMU zone are: minimum front, side and corner side yards of 0 feet, minimum rear yards of 25 feet, a maximum building height of 60 feet and a maximum floor area ratio of 3.0.

- **“C2” Commercial Community District**

  The C2 zone is intended to accommodate more intensive commercial sites that do not have a local or neighbourhood orientation. The district is intended to include attractive

commercial, institutional, recreational, and service facilities needed to support the surrounding neighbourhoods and the broader community. C2 districts are generally located along collector streets, at arterial/collector intersections, or along portions of arterial streets with relatively shallow lots. The dimensional standards for development within the C2 zone are: minimum front, side and corner side yards of 0 feet, minimum rear yards of 25 feet, a maximum building height of 49 feet and a maximum floor area ratio of 3.0.

- **"C3" Commercial Corridor District**

  The C3 zone is intended primarily for uses that provide commercial goods and services to residents of the community in areas that are dependent on automobile access and exposed to heavy automobile traffic. These commercial uses are subject to frequent view by the public and visitors to Winnipeg, and they should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement. C3 districts are generally located along portions of arterial streets where lot depths are 200 feet or greater, or at arterial/arterial intersections. The dimensional standards for development within the C3 zone are: minimum front, rear and corner side yards of 25 feet, minimum interior side yards of 0 feet, a maximum building height of 49 feet and a maximum floor area ratio of 1.5.

- **"MMU" Manufacturing Mixed Use District**

  The MMU zone is intended to provide linked commercial and industrial activities that are supportive of industrial functions and are compatible with surrounding industrial use areas, while allowing more flexibility of uses and requiring a higher standard of landscaping and design. Uses may include offices, wholesale and business service establishments, campus-style industrial or business parks, and limited retail/personal service storefronts. Supportive retail development, not including offices, would be allowed to a maximum of 35% of site area including any land needed by the supportive retail to satisfy parking requirements, yards/setbacks and development and design standards (e.g., landscaping). During build out, supportive retail shall not exceed 50% of built site area. MMU zone districts should generally include at least thirty-five (35) acres of contiguous land, or land that would be contiguous except for intervening rights-of-way. The dimensional standards for development within the MMU zone are: minimum front and corner side yards of 20 feet, minimum interior side yards of 15 feet, a maximum building height of 85 feet and a maximum floor area ratio of 2.0.

- **"RMF-S" Residential Multi-Family District – Small**

  The RMF-S zoning district is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities. The requirements for development are: minimum lot areas of 9,000 square feet, a minimum lot area per dwelling unit of 1,250 square feet, a front yard of 20 feet, side yards of 4 feet, and a rear yard of 25 feet. The maximum building height is 35 feet.

- **RMF-L Residential Multi-Family District – Large**

  The RMF-L zoning district is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities. There is a front and rear yard requirement of 25 feet and the maximum building height is 150 feet. The minimum side yard is 8 feet; however, if the building is more than one storey in height, the required interior side yard increases by 2 feet for each storey above the ground floor

to a maximum of 20 feet. The minimum lot width is 25 feet and lot area 20,000 square feet (400 square feet per dwelling unit).

DISCUSSION

- Although this subdivision and rezoning has been submitted as one application, it is made up of two areas that are entirely different from each other, but form part of the overall vision for Waverley West as identified in the Waverley West Area Structure Plan (refer to Files SP 1/2010 and SP 2/2010).
- These two areas are known as the *Waverley West Northwest Neighbourhood* and *Waverley West Town Center.* Each of these proposed developments are described and analyzed below.

Northwest Neighbourhood

Acreage & Density

- The Northwest Neighbourhood is approximately 310 acres and is to be primarily comprised of single-family detached homes zoned R1-M. Using the density minimums provided by the applicant (a minimum of 5 units per gross developable acre), it is anticipated that there will be a minimum of approximately 1,225 dwelling units in this neighbourhood.

Proposed Uses

- This neighbourhood is proposed to be almost exclusively lower density residential, zoned "R1-M" Residential Single-Family Medium. In total, approximately 245 acres or 79% of the Northwest Neighbourhood is dedicated to single-family housing (see Figure 3 below).

Land Use	Acres (approx.)	%
Lower Density Residential	**245**	**79%**
Focal Point and Gathering Space (Passive Parks)	**4**	**1%**
Active Walking and Cycling Paths (Linear Parks)	**17**	**7%**
Sports Fields (Active Park Space)	**10**	**3%**
Potential School Reserve	**5**	**1%**
Ponds and Fringe	**21**	**6%**
Deferred Planning Area	**8**	**3%**
Total	**310**	**100%**

Figure 3: Acreage summary of land uses proposed in the Northwest Neighbourhood.

Visitable Housing

- A key aspect of the residential component is the incorporation of significant amount of visitable housing in the design of the neighbourhood. The visitability component of the

development is also identified as a key component of the vision in the Northwest Neighbourhood Area Structure Plan.

- Visitable housing allows basic and essential access to both residents and visitors who experience difficulties with steps because of mobility limitations. A home incorporating minimum visitable design features would include:
    - One level, no-step entrances that are a minimum of 36 inches wide and located on an accessible route
    - Wider doorways (minimum 32 inches)
    - A wheelchair accessible bathroom on the main floor.[1]
- In total, approximately 55% of the lots in the Northwest Neighbourhood are proposed to be visitable. Approximately 47% of the visitable lots will be in areas that back onto greenspace, the Manitoba Hydro ROW, Brady Road, or back lanes; 27% will have walk-out basements along retention ponds; and, approximately 26% of the visitable lots will back onto 6.25 metre wide open right-of-ways that are proposed to include a pathway.
- The 6.25-metre wide open right-of-way is proposed to include a pathway between some of the visitable housing lots. However, the primary purpose of this open right-of-way is to accommodate drainage for homes that back onto this right-of-way.
- Although the Public Service is supportive of the incorporation of visitable lots into the neighbourhood, the Public Service has concerns with regard to the development of a pathway within the 6.25 metre wide open right-of-way behind the visitable housing lots. Specifically, the Public Service has the following concerns about this proposed pathway:
    - Safety - The proposed pathway is narrow (6.25 metres) with long linear blocks without breaks or openings. There is no required daily activity taking place in the pathway similar to a rear public lane that would put 'eyes on the street'. There are concerns that someone could feel 'trapped' or be trapped, and the pathway, due to the curve or bends, can provide hiding spots for criminal activity. These curves also make it difficult for people to have a clear view of the next exit point(s).
    - Facility - Accessibility for the dwellings will be via the front street / sidewalk / driveway, not the rear pathway, therefore, the rear pathway is not needed for 'visitability'. Further, there are concerns that those with limited mobility will find it challenging to access the pathway. Other access points are at the ends of the blocks. Universal Design guidelines may be incorporated at these main access points to facilitate pedestrians with limited mobility, however, these main access points are far from the mid-block houses.
    - Function - This reflects the drainage and land grading solution. While identified as part of the Active Transportation (AT) pathway system, this pathway is not required as the AT function is already provided through the greenway corridor. The pathway is not considered to be, nor is it being given credit as park space. In this context, it does become a community amenity and, as a right-of-way, creates a form of open space for the City to maintain. Since the 'visitability" element is at the front of the dwelling, and the grades slope to the back, there is no direct connection between the dwelling and the rear path, therefore it does not serve to enhance accessibility or visitability. The pathway does not have destination

[1] City of Winnipeg. (2009). "Building a Visitable Home in Winnipeg." http://www.winnipeg.ca/ppd/UD/visitablehome.pdf

anchors at the ends for pedestrians to travel to and from, such as large scale parks / schools. The location of the pathway also does not facilitate or improve travel to the regional active transportation network. The pathway location duplicates the pathway network being established in the nearby park. Also the pathway area is too narrow to accommodate an asphalt path width to meet the Universal Design standards, drainage swales, and supporting landscape amenities such as trees and sitting areas that would make is useable and attractive community amenity.

  - Maintenance - The on-going maintenance of the pathway is challenging: the grass strips adjacent to the pathway will need mowing and snow removal will be required - a duplication of services also required for the nearby park AT network. Also a concern has been raised by various departments about access to maintain the catchbasins, and the damage that might occur to the asphalt pathway due to the type of equipment needed to maintain the catchbasins.

- The Public Service has proposed the following alternatives:
  - Widen Pathway/Add lighting - A 6 metre width is the minimum that the Public Service expects for short lengths of walk (i.e. connecting one street to another). For something of the distances and magnitude proposed in the plan of subdivision for the Northwest Neighbourhood, the Public Service suggests minimum 20 metre widths, and ideally this would be widened in multiple locations to create internal points of interest and possibly multi-use opportunities. Lighting would need to be included to address safety concerns
  - Rear Yard Drainage - Removing the 6.25 metre corridor and incorporating the drainage facilities into the rear yards of the lots would be acceptable, subject to meeting the design criteria of the Director of Water and Waste;
  - Front Drainage - Eliminate the path and redesign the grading. This would avoid the creation of rear yard swales with many catchbasins.
  - Back Lane - A standard rear public lane, similar to elsewhere in the plan of subdivision, would be encouraged.
- The Public Service has expressed these concerns with the applicant. In response, the applicant has proposed the following modifications:
  - Enhance the visibility at corners by adding 4 metre corner cuts at pathway intersections;
  - Develop a continuous loop by adding more rear walkways;
  - Include pedestrian-scale lighting;
  - Widen the pathway intersections to accommodate benches/meeting areas;
  - Include signage and way-finding material;
  - Include a 4-foot high (1.22 metre) wrought iron-style fencing in the rear yard of all of the homes that back onto the pathway to allow more visibility onto the pathway from the homes.
- This response does not address all of the concerns raised by the Public Service regarding the proposed pathway. However, the Public Service will include conditions within the development agreement and zoning agreement and work with the developer

through a detailed design phase to help ensure that if the pathway is chosen to be developed, it will be developed to a standard that is satisfactory to the Public Service.

Design Standards

- The developer is proposing to create developer-initiated architectural design standards for the Northwest Neighbourhood.

Noise Attenuation & Rear Yard Setbacks

- Single and two-family residential lots backing onto Bison Drive and Kenaston will require a minimum rear-yard setback of 57.4 feet (17.5 metres).
- A uniform 6.5 foot (2 metres) high fence is required within the rear yards of all one and two family lots abutting Bison Drive, Brady Road, and Kenaston Boulevard. The fence shall be developed to the satisfaction of the Director of Public Works and a caveat will be filed against the title of each lot requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed.

School Reserve

- The applicant has consulted with the Pembina Trails School Division and identified a location for an elementary/middle years school (see file SP 1/2010 Northwest Neighbourhood Area Structure Plan).
- The school reserve will be a minimum of approximately 5 acres in area and will have frontage on a collector road or greater standard.
- The proposed zoning for the school area is PR2 and R1-M. The purpose of split zoning this area is to allow for residential development and pathway development if the school does not locate in this particular area.
- If a school is developed on the site, the building should not obstruct the view along the pathway to the “focal point” feature.
- The northernmost land proposed to be zoned PR2 – where the school site is proposed – is not to be included in the land dedication. This land will be private land intended for the development of the school. The PR2 zoning designation was incorporated in the instance that the School Division did not select this site for development, a greenway linkage would remain that would connect to the focal point area. If a school is not developed in this location, the land would be transferred by the developer to the City of Winnipeg at no cost to the City. If the adjacent land to the north (zoned R1-M) is proposed to be rezoned, the City of Winnipeg will not accept the land zoned as PR2 (to the south) to be used as the dedication requirement and will request cash in lieu of park space.

Parks & Open Space

- A total of 31 acres have been identified under the land use category as parks and open space. Of that, approximately 4 acres represent the rear yard pedestrian corridor that

are part of the right-of way network. In addition the Northwest Neighbourhood also incorporates 21 acres of space for retention ponds.

- Active and passive greenspace is proposed in the development.
- Among the active components included is a linear pathway system that will follow the retention pond areas and connect this neighbourhood to the rest of Waverley West and Winnipeg via the Active Transportation corridor.
- Within the linear pathway system, the mid-block pathway crossing at Bison Drive (in the Northwest Neighbourhood) raises some concerns. This mid-block crossing at Bison should be avoided and those using the Northwest Neighbourhood pathway should connect to the Primary Active Transportation Network and cross Bison at a signalized intersection or an alternative controlled intersection in the area.
- A 10 acre area is proposed for sports fields south of the proposed school site.
- Passive greenspace includes natural areas along retention ponds. A "focal point" feature has been proposed but details on this "focal point" have not been provided by the applicant. Prior to the issuance of any building or development permit for the creation of this focal point, a proactive and collaborative planning process with the City is required with the final approval of the Director of Public Works and Director of Planning, Property and Development to determine the type, quality, and location of the focal point feature, as well as supporting infrastructure.
- Within this subdivision, there is a limited amount of City-identified natural areas. The areas identified are classified as Grade B/C habitat that consists of Aspen and Oak Forest and some grassland. The applicant states within the Northwest Neighbourhood Area Structure Plan that existing forest cover will be retained where feasible (excluding areas required for arterial or expressway rights-of-way).

Deferred Area

- A "deferred planning area" of approximately 8 acres is located on the Land Use Concept Map.
- This deferred planning area is essentially a remnant parcel that will potentially be used for a future right-of-way and potential pathway connections.

Street Lay-Out and Connectivity

- The Northwest Neighbourhood will be connected to the Town Centre and the rest of Winnipeg via the western extension of Bison Drive and the Kenaston Extension. A collector street will provide access to Bison Drive at two intersections and access to Kenaston Boulevard at another intersection.
- The collector street will include two roundabouts.
- The design of the residential area includes both laned and non-laned lots.

Sidewalks

- Within the secondary plan for the Northwest Neighbourhood (see file SP 1/2010), the applicant proposes sidewalks on both sides of collector streets and on at least one side of all residential streets (policy 7.4.3).
- Public Works is requesting (in the Development Agreement) that sidewalks be provided on both sides of all streets within the Town Centre and on streets within the planned area with right-of-way widths of 22 metres or greater.
- Within low-density residential neighbourhoods such as the Northwest Neighbourhood there are advantages and disadvantages to having sidewalks on residential streets. Advantages include safer and enhanced pedestrian connectivity, while a disadvantage is maintenance.

Public Transit

- The applicant has provided a conceptual routing plan for public transit. The proposed route follows the collector street.
- The proposed right-of-way for Bison Drive is to be designed in a manner that could accommodate a potential future Rapid Transit corridor.

Utilities and Services

- A full-range of municipal services (water, sewer, land drainage, and paved roadway) will be provided in the development.

Town Centre

Acreage

- The proposed Town Centre is approximately 134 acres in area and is guided by the Waverley West Area Structure Plan and the Waverley West Town Centre Neighbourhood Area Structure Plan (yet to be finalized, see file SP 2/2010).

Vision

- The Town Centre is proposed to act as the central core for Waverley West. Centre Street is envisioned as the heart of the Waverley West community and is to include a mix of uses such as commercial, office and residential. Buildings along Centre Street may include commercial and office uses with residential above.
- The Town Centre is to be pedestrian-oriented with high-quality building and streetscape design and purposefully integrated common areas.

Proposed Uses

- The Town Centre includes a mix of land uses. The approximate land areas dedicated to each proposed land use in the Town Centre are illustrated in the table below. These land

areas do not include regional streets adjacent to the land but do include all internal public roads and lanes.

Land Use	Acres (approx.)	%
Higher Density Residential	**36**	**27%**
Employment Land Mixed-Use	**24**	**18%**
Commercial Mixed-Use	**21**	**16%**
General Commercial	**23**	**17%**
Parks and Open Space	**20**	**15%**
Ponds	**10**	**7%**
Total	**134**	**100%**
Developable land excluding parks and drainage	**104**	

Higher Density Residential

- Including higher density residential areas in the Town Centre is needed to help improve the viability of the area as a commercial core.
- The two sites that allow for the highest density residential areas are the sites zoned "RMF-L" Residential Multi-Family Large, which are located along South Town Road and Centre Street. The maximum building height in the RMF-L zone is 150 feet and the minimum lot area per dwelling unit is 400 square feet.
- There are several blocks within the Town Centre zoned "RMF-S" Residential Multi-Family Small that allow for higher density development. The applicant has stated that these sites are likely to be developed as townhouses (duplexes).
- The "CMU" Commercial Mixed-Use zone also permits multi-family developments. The maximum height for multi-family structures in the CMU zone is 60 feet and the minimum lot area per dwelling unit is 800 square feet.

Residential Density

- The density target for the Town Centre is a minimum of 10 units per gross developable acre. This density target is only applied to the residential uses between North Town Road and South Town Road. Using the zoning designations and the minimum density target, this can translate to a range of approximately 650 to 1,185 dwelling units.

Mixed-Use Employment Lands

- Mixed-use employment areas are located at the northern and southern extents of the Town Centre. These sites are zoned "MMU" Manufacturing Mixed-Use.
- Uses envisioned in the MMU lands include offices, campus-style business parks, retail uses, and potentially some institutional uses. The purpose of including these sites in the

Town Centre is to help establish a more complete community model where residents live closer to areas where they can work.

Mixed-Use Commercial

- The mixed-use commercial areas are located along Centre Street, north and south of Bison Drive. These areas are zoned “CMU” Commercial Mixed Use and are intended to generally have commercial or office uses on the ground floor with residential units on the upper floors.

General Commercial

- The general commercial areas are zoned “C2” Commercial Community and “C3” Commercial Corridor and are located in the northern part of the Town Centre near North Town Road. These areas are intended to accommodate larger-format commercial retail such as grocery stores and drug stores and services that provide for other day-to-day needs such as fuel stations.
- It is anticipated that these properties will be among the first to be developed in the Town Centre in order to serve the needs of the growing population in the Northeast and Northwest communities.

Parks & Open Space

- Approximately 20 acres of land constitute park land use, of which 10 acres is considered park land and another 10 acres comprises noise attenuation berms for Kenaston. In addition, the Town Centre incorporates another 10 acres of land that will be used for retention ponds.
- The Planning and Land Use Division encourages public gathering spaces such as plazas, internal courtyards or pedestrian walkways on private land in the Town Centre along Centre Street.
- Greenspaces along Kenaston (northbound and southbound) will include retention ponds, which are required for the drainage of the Kenaston roadway and for the higher amount of run-off from the more urban development format.
- Two small pocket parks are included in the Town Centre for recreational activities such as areas with small-scale playgrounds and/or social gathering spaces. These areas will generally be less than half an acre in size and may be hardscaped.

Building and Site Design

- The Commercial Mixed Use areas along Centre Street are intended to provide a pedestrian-scale environment that would generally include the following elements: developments located at or near the front property line, and parking located at the rear of buildings with at least one entrance along Centre Street.
- The street lay-out and zoning proposed for the Town Centre is generally consistent with the Waverley West Area Structure Plan.

- The Planning and Land Use Division would like to see the Town Centre developed as a high-quality urban environment that is pedestrian-friendly with well-integrated gathering spaces. To help achieve this character, development within the Town Centre should be guided by building and site design guidelines outlined in this report (see Appendix C).
- Some uses permitted in the Zoning By-Law do not help achieve the urban nature intended for the Town Centre. The recommended zoning agreement does not permit certain uses in order to help ensure that development in the Town Centre is of the type one would expect to find in a high-quality urban environment.
- At this time it is recognized that some elements of the desired urban form for the Town Centre – namely along Centre Street – may not be fully achieved under the existing Zoning By-Law. As such, the developer may consider creating a Planned Development Overlay 1 Zone (PDO1) for properties along Centre Street. This approach may reduce the number of variance in this area.

Street Lay-Out and Connectivity

- The Town Centre will be connected to Waverley West and the rest of Winnipeg via the Kenaston extension. Access to the Town Centre will be provided at North Town Road (collector), Bison Drive (arterial), and South Town Road (collector).
- Northbound and southbound traffic along Kenaston Boulevard is to be split around the Town Centre – the southbound portion will travel along the western extent of the Town Centre while the northbound portion of Kenaston will be along the eastern extent of the Town Centre. Initially it is proposed that the Kenaston extension around will consist of "split pairs" or two lanes each for southbound and northbound traffic. Adequate space will be provided to allow for the expansion of the Kenaston extension to three lanes in each direction if and when warranted and necessary.
- In conjunction with DASZ 1/2006, DASZ 1/2007, and DASZ 22/2007, this application opens the remainder of the right-of-way for Kenaston Boulevard in the Waverley West area. At this time it is anticipated that the Kenaston extension through Waverley West will be constructed by 2014. Once Kenaston is extended to the Perimeter Highway from Bishop Grandin, Waverley Street will be cut-off from the Perimeter Highway.
- A direct connection to Centre Street is provided from both northbound and southbound Kenaston Boulevard.
- There are four (4) roundabouts proposed along Centre Street in the Town Centre: a roundabout along Centre Street at each entrance to the Town Centre from northbound and southbound Kenaston, and roundabouts at the South Town Road and the Centre Street intersection, and at the North Town Road and the Centre Street intersection.
- There are a total of seven (7) at-grade signalized intersections proposed in and along the Town Centre: at Centre Street and Bison Drive, and at Kenaston (northbound and southbound) at North Town Road, Bison Drive, and South Town Road.
- This application also opens the western connection of Bison Drive. Bison Drive will consist of a total of four lanes (two lanes of travel for each direction). The applicant has requested that Bison Drive through the Town Centre not be developed as a typical arterial with a berm, required setbacks, or a noise attenuation fence. Instead, a more urban built form is desired here with buildings developed closer to the street and speed

limits reduced in this area. The Planning and Land Use Division supports this approach to development along Bison Drive in the Town Centre.

Public Transit

- Although Centre Street will allow for vehicle access, in terms of transit, this street is envisioned to function more like Graham Avenue than a single, central transit hub.
- Bison Drive will be designed to accommodate the possibility of a future rapid transit corridor.

Active Transportation

- The primary active transportation corridor will follow Kenaston Boulevard and Bison Drive and will be linked to the Town Centre pathway system.
- The Town Centre greenspaces will be connected to the other neighbourhoods through a walkway, multi-purpose pathway or Active Transportation corridor. The key connection area will be along North Town Road, which will link the Northeast, Town Centre, and Northwest Neighbourhoods.
- Sidewalks are proposed throughout the Town Centre.

Utilities and Services

- A full-range of municipal services (water, sewer, land drainage, and paved roadway) will be provided in the development.

OTHER

Remnant Parcel

- The proposed subdivision effectively creates two remnant parcels at the northwest corner of the Northwest Neighbourhood. These parcels are located within the Waverley West Area Structure Plan area and are listed as a “deferred planning area” in the Northwest Neighbourhood Area Structure Plan.
- The “deferred planning area” will likely be used as a future right-of-way to accommodate the eventual connection between Brady Road and the Bison Grandin extension.
- These remnant parcels will continue to have rights within the Agricultural area, but are subject to the policies of the secondary plan.

City-Owned Land

- The City of Winnipeg owns Lot 37, Plan 2145, which is near the southeast corner of the planned area approximately where Kenaston will be built. The City of Winnipeg Real Estate Division has permitted the applicant to include this land in the DASZ application (see File 8928, Miscellaneous Plan No. 13776).

- The Public Service is requesting that this land be declared surplus and sold to the developer.

Traffic Impact Analysis

- A traffic impact analysis is required for the development of the Northwest Neighbourhood and Town Centre. A traffic impact analysis has been submitted to Public Works; Public Works is in the process of reviewing this study.

Pathway Connectivity

- The proposed greenway network to link the Northeast and Northwest Neighbourhoods (as conceptualized in the Neighbourhood Area Structure Plans), has not been fully realized through this proposal. While appearing to connect at the north point of Kenaston, a direct, at-grade connection is not possible due to the number of lanes crossing Kenaston. Therefore, the applicant is proposing a link from the Northeast Neighbourhood to the Northwest Neighbourhood via North Town Road, utilizing the Active Transportation network to fulfill this requirement by routing pedestrians up to Bishop Grandin or down to North Town road, where the applicant is adding an Active Transportation network. This is not ideal, given that it necessitates three traffic crossings, but does provide crossings at controlled intersections. The Planning and Land Use Division would be supportive of the development of a future pedestrian bridge over Kenaston Boulevard north of the Town Centre that would link the trail networks in both the Northeast and Northwest Neighbourhoods.

Changes to the Planned Area After Advertisement

- After the subject planned area was advertised, the applicant requested to extend the land zoned PR2 (the portion that comprised part of the intended school site) to the street.
- Additionally, the Planning and Land Use Division is requesting that a 6 metre wide PR1 area be added to the R1-M block to create a pathway connection from Kenaston to the PR1 and PR2 lands that ultimately ends at the “focal point” area.
- This adjustment was not advertised (see Schedule “A”), however, the City of Winnipeg can designate land at a lower intensity zoning (down-zone) if required. The Planning and Land Use Division is recommending that Schedule “B,” which shows the extended PR2 lands and the land to be rezoned as “PR1” Parks and Recreation 1, be approved.

Phasing

- A conceptual phasing plan has been provided by the applicant. This conceptual plan shows that the intended first phase of the construction will be the northern portion of the Town Centre and the drainage ponds along the Kenaston extension and central area of the Northwest Neighbourhood. This first phase requires the development of North Town Road, which will connect the Town Centre, Northwest and Northeast Neighbourhoods.

Public Consultation

- The applicant held a public open house between 4pm – 8pm on Tuesday March 23, 2010 at the Canad Inns Fort Garry (1824 Pembina Highway). The open house was advertised in the Winnipeg Free Press and letter invitations were sent to residents in Bridgwater Forest, South Pointe, and along Cadboro Road and Lee Boulevard.
- Approximately 50 people participated in the open house. A review of the comment sheets showed that those who filled-in the comment sheets were generally supportive of the proposed development.
- Concerns ranged from issues tied to traffic flow, clean-up of construction materials/litter from crews when developing, and connecting the Northeast to the Northwest neighbourhood by raised pathway over Kenaston.

Land Dedication

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.
- The amount of lands is not less than 10%.
- The developer will provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.
- Planning, Property and Development are requesting land for park space for this application.

RECOMMENDATION

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

- The Planning and Land Use Division supports the development of visitable housing and mixed-use neighbourhoods.
- The planned areas meet the requirements of the Waverley West Area Structure Plan.
- The planned areas meet the requirements of the proposed Neighbourhood Area Structure Plans for the Northwest Neighbourhood and the Town Centre.

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

Report Prepared by: Robert Kostiuk
PPD File # DASZ 4/10

<u>Schedule "A"</u> Advertised Subdivision and Rezoning for DASZ 4/10

By-Law No. _____

File No. **DASZ 4/10**

Atlas Sheet No.

AK20
RIEL
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located on the northeast side of Kenaston Boulevard at Bison Drive & Southtown Road from an "A" AGRICULTURAL DISTRICT to an "R1-M", RESIDENTIAL SINGLE-FAMILY DISTRICT, "RMF-S" & "RMF-L" RESIDENTIAL MULTI-FAMILY DISTRICTS, "PR1" PARKS AND RECREATION 1 (Neighbourhood) DISTRICT, "PR2" PARKS AND RECREATION 2 (Community) DISTRICT, "C2" COMMERCIAL COMMUNITY DISTRICT, "C3" COMMERCIAL CORRIDOR DISTRICT, "CMU" COMMERCIAL MIXED USE DISTRICT and "MMU" MANUFACTURING MIXED USE DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

<u>Schedule "B"</u> for File No. DASZ 4/2010, Riel Community Committee, dated June 7, 2010.

By-Law No. _____

File No. **DASZ 4/10**

Atlas Sheet No.

AK20
RIEL
COMMUNITY

Explanation

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THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE C

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – JUNE 7, 2010

RE: PROPOSED SUBDIVISION AND REZONING OF LAND AT NORTHEAST KENASTON/BISON/SOUTHTOWN ROAD – BRIDGWATER LAKES AND BRIDGWATER CENTRE - DASZ 4/10

It is recommended that the approval of DASZ 4/10 be subject to the following:

D. Plan Considerations

14. The Developer dedicating and legally opening property required for Bison Drive between the northbound lanes of Kenaston Boulevard and Brady Road, consistent with the right-of-way provided for Bison Drive in the Northeast Neighbourhood under Development Agreement AG 1/06, including right-of-way corner cuts at the intersections of Bison Drive with Kenaston Boulevard (northbound and southbound) and Brady Road, as determined by, and to the satisfaction of, the Director of Public Works.

15. The Developer dedicating and legally opening property required for a 1.825m widening of the Brady Road right-of-way abutting the Planned Area, as determined by, and to the satisfaction of, the Director of Public Works.

16. The Developer dedicating and legally opening property required for Kenaston Boulevard between Bishop Grandin Boulevard and the south limit of the Planned Area, including right-of-way corner cuts at the intersections of North Town Road and South Town Road, and right-of-way for the transitions at the two connections with Centre Street, as determined by, and to the satisfaction of, the Director of Public Works.

17. The Developer dedicating and legally opening property for right-of-way corner cuts in the northwest and northeast corners of the intersection of the two collector streets with Bison Drive, and all four corners of the intersection of Centre Street with Bison Drive, as determined by, and to the satisfaction of, the Director of Public Works.

18. The Developer dedicating and legally opening property for right-of-way corner cuts: a) 3.0m by 3.0m in *all* streets where the angle of intersection is less than 80º, and b) 2.0m by 2.0m in each corner of all other intersections of two streets 22.0m wide – all to the satisfaction of the Director of Public Works.

19. The Developer providing minimum right-of-way widths of 9.0m for all proposed frontage roads, with frontage-road terminus points to be located and designed to the satisfaction of the Director of Public Works.

20. The Developer providing right-of-way to accommodate each cul-de-sac turnaround consistent with the dimensions shown on Streets and Transportation Drawing ST-90 (revised) or ST-90-A.

21. The Developer providing right-of-way widths of 6.25m for each public lane serving single or two-family residential development, and 7.25m for each public lane serving multi-family residential and commercial development, to the satisfaction of the Director of Public Works.

22. The Developer designing intersections of local streets within the Planned Area such that the angle of intersection is no less than 70º, as measured in the quadrant with the acute angle.

23. The Developer ensuring that, where two local residential streets intersect with a residential collector street on opposite sides of the collector, the centerlines of the local streets either coincide with one another at their intersection with the collector, or are offset by a minimum of 45.0m along the collector.

24. The Developer ensuring that, where any local residential street is aligned to curve within 20.0m of its intersection with a residential collector street, that curve have a minimum centerline radius of 60.0m.

25. The Developer ensuring that no cul-de-sac street exceeds 105m in length.

26. The Developer ensuring that entrances and exits to/from proposed frontage roads along any collector street are coincident with, or a minimum of 20.0m from, intersections on the opposite side of the collector street, to the satisfaction of the Director of Public Works.

27. The Developer dedicating and legally opening property required for the six proposed roundabouts at the intersections of collector streets within the Planned Area, all as determined by, and to the satisfaction of, the Director of Public Works.

15. The Developer providing a minimum 6-m-wide public reserve and pathway to connect the park path network that runs along the east side of the larger park parcel directly to the Active Transportation corridor on Kenaston Boulevard, and thereby enhancing the Developer's axial views and connections to the future focal point element.

16. The Developer, in consideration that the greenway network between the Northeast and Northwest neighbouroods is not contiguous, designating and establishing, to an appropriate standard in consultation with the Active Transportation Co-ordinator, an Active-Transportation corridor along North Town Road, extending into the Northwest Neighbourhood, along the frontage road, to the greenway.

E. Engineering Report and Servicing Criteria

1. The applicant providing, to the satisfaction of the Director of Water and Waste, a comprehensive servicing report, prepared by a qualified municipal engineer, outlining the provision of underground services for the planned area and adjacent land.

2. The applicant submitting, to the satisfaction of the Director of Water and Waste, servicing criteria sheets for water, wastewater, and land drainage facilities, including plans showing the ultimate service areas.

F. Development Agreement

The applicant entering into a **Development Agreement** with the City of Winnipeg, containing the following conditions:

25. The Developer shall, at no expense to the City, install all wastewater sewers required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

26. The Developer shall, at no expense to the City, install all watermains required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

27. The Developer shall install lot line services to service all lots within the Planned Area, as follows:

    a) The Developer shall, at no expense to the City, construct and install wastewater and water building services from the wastewater sewer and watermain, to service all lots within the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.
    b) The Developer shall ensure that each sewer service remains plugged from installation until the foundation excavation has been backfilled and the roof of the dwelling has been sheathed, after which the house sewer may be connected. The Developer shall indemnify the City against all actions, claims, demands, damages, losses, and costs, including legal and court costs, suffered or incurred by the City arising out of any failure to do so prior to the issuance of a Final Acceptance Certificate certifying completion of all work under this Agreement.
    c) The Developer shall replace or repair any water or sewer service found to be defective within one year following the date the water is turned on for domestic use, and shall pay the City any cost incurred by the City arising out of any such defect.

28. The Developer shall, at no expense to the City, install all land drainage sewers and stormwater retention facilities required to serve the Planned Area and adjacent lands, as determined by, and to the satisfaction of, the Director of Water and Waste.

29. The Developer shall dedicate all land and provide all easements necessary to accommodate the required stormwater retention and land drainage facilities, as determined by the Director of Water and Waste, in accordance with the City's Development Agreements Parameters.

30. 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

31. The Developer's share of the regional stormwater management facilities owing for the Planned Area shall be deducted from any amounts owed to the Developer for facilities previously constructed by the Developer.

32. The Developer shall, at no expense to the City, provide a lot grading plan, prepared by a municipal engineer, for the Planned Area, and construct all drainage works necessitated by the design.

33. The Developer shall, at no expense to the City, construct all swales, catchbasins, and leads required to provide lot drainage prior to the issuance of building permits.

34. The Developer shall, at no expense to the City, provide all easements with respect to the installation, maintenance, and replacement of swales, catchbasins, and leads for lot drainage upon registration of the approved subdivision mylars in the Land Titles Office.

35. The Developer shall, at no expense to the City, construct 200mm and 150mm thick portland cement concrete pavements to widths of 10.0m, 8.0m, and 7.5m, and all related works, including, but not limited to, boulevard landscaping and drainage facilities, in all streets within the Planned Area, all as determined by, and to the satisfaction of, the Director of Public Works.

36. The Developer shall, at no expense to the City, construct, within the proposed public lanes within the Planned Area serving single or two-family residential development, 5.0m wide by 150mm thick portland cement concrete pavements, and, within the proposed public lanes within the Planned Area serving multi-family residential and commercial development, 6.0-m-wide by 150-mm-thick portland cement concrete pavements, as determined by, and to the satisfaction of, the Director of Public Works.

37. The Developer shall, at no expense to the City, construct 150-mm-thick portland cement concrete pavements to widths of 6.0m within the proposed frontage roads within the Planned Area and all related works including, but not limited to, boulevard landscaping and drainage works, all as determined by, and to the satisfaction of, the Director of Public Works.

38. The Developer shall pay to the City, on demand, the cost of constructing, in portland cement concrete pavement, an eastbound left-turn storage lane, upstream transition, and median opening on Bison Drive, at its intersection with

the two collector streets, west of Kenaston Boulevard, as determined by the Director of Public Works.

39. The Developer shall pay to the City, on demand, the full cost of the installation of 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 at the intersection of Bison Drive with the two Collector Streets, west of Kenaston Boulevard, as determined by the Director of Public Works.

40. Sidewalks will not be permitted back of curb on residential streets in the Northwest Neighbourhood, even though they were allowed, on a trial basis, for the Northeast Neighbourhood, because the results of the trial have yet to be fully evaluated.

41. The Developer shall, at no expense to the City, construct, in all streets in the Northwest Neighbourhood and in the Town Centre measuring 22.0m in width or greater, except where frontage roads are constructed - and except for North Town Road, Centre Street, South Town Road, and Bison Drive, in each of which full-width sidewalks will be permitted - 1.5-m-wide by 100-mm-thick portland cement concrete sidewalks on the standard alignment, 0.3m off the property line, along both sides of the street, as determined by, and to the satisfaction of, the Director of Public Works.

42. The Developer shall construct all sidewalks concurrently with the pavements with which they share the right-of-way.

43. The City may file appropriate caveats in the Land Titles Office, notifying prospective homeowners of the proposed sidewalk locations.

44. The Developer shall, at no expense to the City, construct a paved cul-de-sac-style vehicle turnaround at the terminus of each temporarily paved dead-ended street and provide any rights-of-way or easements necessary to accommodate same, all as determined by, and to the satisfaction of, the Director of Public Works.

45. The Developer shall, at no expense to the City, erect and maintain barricades and signing across the full width of any temporarily dead-ended streets, due to phasing of development, immediately upon completion of the paving or when house construction has begun, whichever is sooner, as determined by, and to the satisfaction of, the Director of Public Works.

46. The Developer shall, at no expense to the City, sod boulevards and plant trees on all streets within the Planned Area, all in accordance with drawings and specifications to be prepared by the Developer and submitted to, and approved by, the Director of Public Works.

47. The Developer shall, at no expense to the City, maintain the boulevard improvements for one year, in accordance with specifications approved by the Director of Public Works.

48. The Developer shall, at no expense to the City, ensure that two means of paved vehicular access are available at all times to each stage of development of the Planned Area, to the satisfaction of the Director of Public Works. This may require the construction of temporary paved roadways and the provision of easements or rights-of-way.

25. The Developer shall, at no expense to the City, cause to be installed standard, reflectorized, permanent street-name signs at each new intersection within or adjacent to the Planned Area, as determined by the Director of Public Works.

26. Prior to construction, the Developer shall, at no expense to the City, obtain approval of and install, and subsequently maintain, at the entrances to the Planned Area, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, Kenaston and Bishop Grandin Boulevards, all proposed arterial and collector streets, public lanes, sidewalks, and active transportation facilities, the proposed stormwater retention basin, all natural tree stands, the proposed school site, and all proposed parks, and proposed community mail-box sites - all with the approval of, and to the satisfaction of, the Director of Planning, Property and Development.

27. The Developer shall, at no expense to the City, cause to be installed ornamental street lights in all streets within the Planned Area, to the satisfaction of the Director of Public Works.

28. The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the Planned Area, to the satisfaction of the Director of Public Works.

29. 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.

30. There shall be no private approaches: a) serving single-family residential development off residential collector streets (i.e. rights-of-way 22.0m or wider), except where frontage roads are provided; b) serving single or two-family residential development off Bison Drive or Brady Road; or c) off Kenaston Boulevard.

31. The Developer shall, at no expense to the City, construct, within the rear yards of all single-family or two-family lots abutting Bison Drive, Brady Road, and Kenaston Boulevard, a uniform, 2.0-m-high noise-attenuation fence, as determined by, and to the satisfaction of, the Director of Public Works, and permit the City to file a caveat against the title of each such lot, requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

32. All single-family and two-family residential lots backing onto Bison Drive shall be of sufficient depth to provide a minimum rear-yard set-back of 17.5m, and the Zoning Agreement covering those lots shall stipulate a minimum rear yard of 17.5m.

33. All single-family and two-family residential lots backing onto Kenaston Boulevard 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 65dBA in the typical outdoor recreation area of those lots, and the Zoning Agreement covering those lots shall stipulate this minimum rear yard.

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

35. The Developer shall, at no expense to the City, initiate and control the regular cleanup of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until completion of all construction, as determined by, and to the satisfaction of, the Director of Public Works.

36. The Developer shall pay to the City, on demand, its share of the cost of the following services to be installed in Brady Road, along the full length of the Planned Area abutting the east side of Brady Road:

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

    all as determined by, and to the satisfaction of, the Director of Public Works.

37. The Developer shall construct - or pay to the City, on demand, its share of the cost of - the following services to be installed in Bison Drive, along the full length of the Planned Area abutting the north side of Bison Drive:

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

    all as determined by, and to the satisfaction of, the Director of Public Works.

38. The Developer shall, at no expense to the City, construct and/or pay on demand the full cost of the following works on Centre Street, at and in the vicinity of its intersection with Bison Drive:

a) auxiliary lanes, transitions, median-opening modifications, channelization, and all related works;
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, and to the satisfaction of, the Director of Public Works.

39. The Developer shall, at no expense to the City, construct the proposed pedestrian bridge structure crossing the lineal land-drainage retention facilities and all related works, in accordance with drawings and specifications approved by, and to the satisfaction of, the Director of Public Works.

The Developer shall ensure that all works are constructed under the supervision of a Registered Professional Engineer to the satisfaction of the Director of Public Works.

The Director of Public Works will appoint a Representative to who will oversee the Works and be responsible for the approving any changes proposed by the Developer. The Developer shall ensure that the Representative is afforded full access.

The Developer shall, at no expense to the City, correct all defects and deficiencies for a period of two years, or longer periods as may be specified in the Specifications for certain products or work, from the Date of Total Performance, to the satisfaction of the Director of Public Works, acting reasonably. The Developer shall, at no expense to the City, undertake engineering study and monitoring of identified defects and deficiencies when requested by, and to the satisfaction of, the Director of Public Works, acting reasonably.

The Developer shall submit as-built Plans, Specifications, Shop Drawings, and a Construction Report to the Director of Public Works upon completion of the works.

40. The Developer shall, at no expense to the City, construct the six proposed roundabouts at the six intersections of collector streets, all as determined by, and to the satisfaction of, the Director of Public Works.

41. The Developer shall pay its share of the cost of constructing Kenaston Boulevard from its intersection with Bishop Grandin Boulevard to the south limit of the Planned Area, in accordance with terms and conditions previously negotiated between the City and the Province, all as determined by, and to the satisfaction of, the Director of Public Works.

42. The Developer shall, at no expense to the City, construct and/or pay on demand the full cost of the following temporary and permanent works on Kenaston Boulevard at and in the vicinity of its four intersections with the Collector Streets

a) auxiliary lanes, transitions, median opening modifications, channelization, and all related works;
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, and to the satisfaction of, the Director of Public Works.

43. The Developer shall, at no expense to the City, construct and/or pay on demand the full cost of the following temporary and permanent works on Kenaston Boulevard at and in the vicinity of its two intersections with Bison Drive:

a) auxiliary lanes, transitions, median-opening modifications, channelization, and all related works;
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, and to the satisfaction of, the Director of Public Works.

44. The Developer shall pay to the City, on demand, the cost of constructing, in portland cement concrete pavement, a southbound left- turn storage lane, upstream transition, and median opening on Brady Road, at its intersection with Bison Drive, as determined by the Director of Public Works.

47. The Developer shall pay to the City, on demand, 50% of the cost of the installation of 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 at the intersection of Bison Drive with Brady Road, as determined by the Director of Public Works.

48. The Developer shall dedicate to the City as public reserve at least 8% of the land contained within the overall development area, landscape the dedicated land, and pay its share of the cost of services in streets abutting the dedicated land, in accordance with City policy, and as determined by, and to the satisfaction of, the Directors of Public Works and Property, Planning & Development. In calculating park dedication:

- In consideration of the narrowness of the corridors which limits multi-use opportunities, only 50% credit shall be given for the linear public reserves that parallel the retention ponds;
- In consideration of its limited functionality, only 75% credit shall be given for the public reserve designated as the “focal point”;

- No credit shall be given for the excess parks frontages in either the Town Centre or the Northwest Neighbourhood.
- No credit for land dedication shall be given for any 6.25-m-wide rear-yard corridor;
- No credit shall be given for the proposed public open spaces between the retention ponds and Kenaston Boulevard;
- No credit shall be given for the proposed PR2 parcel identified as a proposed school site;
- In the event that the proposed school site is not used as a school site, the Developer shall dedicate, at no cost to the City, the PR2 parcel to the City as Public Reserve, and shall receive no credit for the dedication

47. The Developer shall, at no expense to the City, landscape the public open space to a standard consistent with the level of development established in the Bridgwater Forest Development under Development Agreement AG 1/06 and addenda, all in accordance with plans and specifications provided by the Developer and approved, prior to the issuance of a development permit, by the Director of Planning, Property & Development. The scope of landscaping shall include, at a minimum, 2.4-m-wide asphalt paths, tree and shrub plantings, site furnishings, play equipment, and the development of at least one athletic field.

48. The developer shall negotiate with the City a Memorandum of Understanding for the establishment and ongoing maintenance of the focal point feature.

49. If the school division does not exercise its option to develop a school on the designated lands, the developer shall, at no cost to the City, landscape the PR2 parcel in accordance with plans and specifications provided by the Developer and approved, by the Director of Planning, Property & Development.

50. The Developer shall, at no expense to the City, construct, within the rear yards of all single-family lots abutting parks lands, a uniform, max. 1.22-m high fence, to the satisfaction of the Director of Public Works, and permit the City to file a caveat against the title of each such lot, requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

51. If the 6.25-m-wide rear-yard rights-of way associated with visitable housing are to be developed as public walkways, the Developer shall:
    - accommodate a minimum 3.0 m wide, hard surface, clear path of travel walkway;
    - construct the walkway to a standard that supports heavy equipment;
    - ensure that the pedestrian walkway is unencumbered with any land drainage infrastructure (e.g. manholes, catch basins, or drainage swales);
    - provide for bench/ sitting nodes along the length of the path; the design of which shall be in accordance the Universal Design standards, with the exception that spacing may be extended to approximately 300-400 m on-centre or as deemed appropriate by the Universal Design Coordinator;

- provide sod and, if possible, trees along the length of the path;
- provide pedestrian-scale lighting spaced along the length of the corridor to provide a minimum of 5 Lux along the path of travel, and incorporated into the hard surfacing (but outside of the path of travel) to simplify site maintenance, all to the satisfaction of the Director of Public Works;
- construct, within the rear yards of all single-family lots abutting the walkway, and to the satisfaction of the Director of Public Works, a uniform, max 1.2-m ,wrought iron or other approved 'open-style' fence, complete with one gate per property, and permit the City to file a caveat against the title of each such lot, requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed, to the satisfaction of the Director of Public Works;
- turf maintenance to become the responsibility of the property owner backing onto the path, as governed by caveat or by-law;
- ensure CPTED (Crime Prevention Through Environmental Design) principles for are applied, particularly related to establishing clear site lines between points of access/egress along the length of the path.

52. Where a designated AT corridor extends along a collector having a frontage road, the pathway specifications shall be applied to the frontage road service island, ensuring a continuous path which aligns with the AT pathway at either end.

53. The Developer shall, as deemed necessary by, and at no expense to, the City, supply and install trail network signage and trail related traffic signage, on pathways and Active Transportation corridors, consistent with standards and specifications applied to similar citywide networks, and as determined by, and to the satisfaction of, the Directors of Public Works and Planning, Property, and Development.

54. The Developer shall assume responsibility for the maintenance of all park sites until they are developed and turned over to the City for maintenance.

55. The Developer shall, at no expense to the City, maintain the public open space improvements for a period of two years in accordance with specifications approved by the Director of Public Works**.** The City also reserves the right to impose longer maintenance terms for amenities and features that the Director of Public Works deems to be beyond their standard scope of development.

56. Following completion of all major construction works, the Developer shall, at its cost, have the locations of the survey monuments within the Planned Are verified and, where the survey monuments have been disturbed, moved, covered, mutilated, or destroyed, have them replaced by a Manitoba Land Surveyor, who shall provide the Director of Planning, Property and Development with a certificate that all survey monuments within the Planned Area have been verified and/or replaced.

57. The Developer shall pay the full cost of engineering services provided by or on behalf of the City in connection with the installation of, and provision of as -built

drawings within three months of substantial performance showing, the services required to serve the Planned Area.

58. The Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, $1,200.00 plus GST per acre of the Planned Area to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 4/10
June 7, 2010

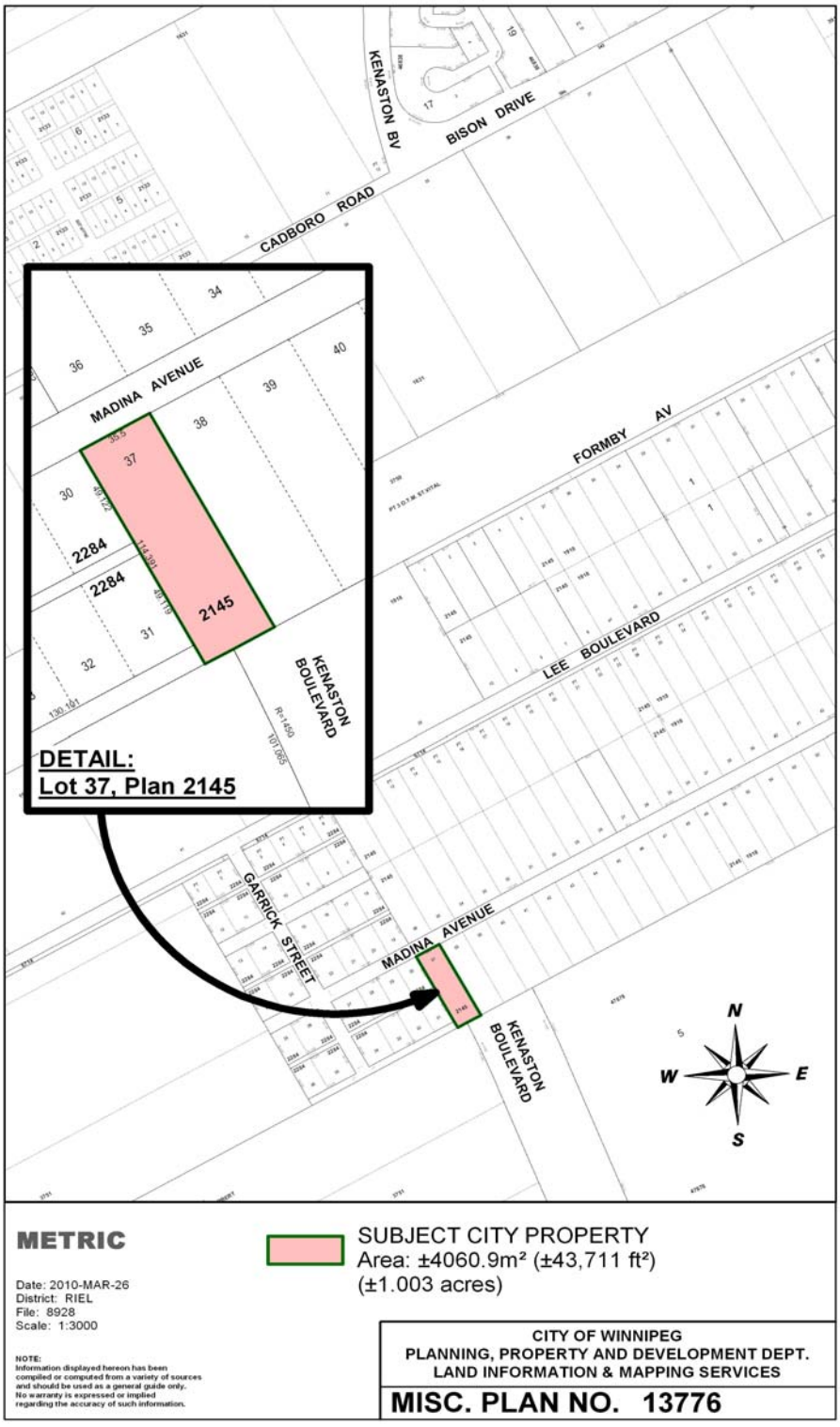
"original signed by S.M. Matile, P. Eng."
S. M. Matile, P. Eng., Chair
Land Development Branch

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

"original signed by F. C. Mazur, P. Eng."
F. C. Mazur, P. Eng.
Water & Waste Department

"original signed by D. Beaton, MLArch."
D. Beaton, MLArch.
Parks, Riverbanks, & Community Initiatives Branch

Schedule "D" **MISC. Plan 13776**



Appendix 'B' Plan Amendments, Secondary Plans, and Subdivisions and Rezonings in Waverley West

- On April 27, 2005, Council adopted By-Law No. 50/2004 (see file PW 2/2003), which amended Plan Winnipeg 2020 in order to designate the lands south of the westerly extension of Bishop Grandin Boulevard, east of Brady Road, north of the Perimeter Highway, and west of Waverley Street (lands commonly known as "Waverley West"), from Rural Policy Area to Neighbourhood Policy Area.
- On July 26, 2006, Council adopted the *Waverley West Area Structure Plan* under By-Law No. 10/2006 (see file SP 4/2005). This secondary plan guides all development in the Waverley West area.
- On December 6, 2006, Council adopted the *Waverley West Northeast Neighbourhood Area Structure Plan* under By-Law No. 210/2006 (see file SP 5/2005). This area structure plan adheres to the requirements of the *Waverley West Area Structure Plan* and specifically guides development in the *Northeast Neighbourhood*.
- On January 24, 2007, Council adopted By-Law No. 20/2007 (see file DASZ 1/2006), allowing the rezoning and subdivision of 360 acres of land in the *Waverley West Northeast Neighbourhood* from an "A.5" Agricultural District to an "R1-3" Residential District, an "R1-4" Residential District, an "RM-3" Multiple-Family District, and a "PR1" Parks and Recreation District under Zoning By-Law No. 6400/94. This subdivision was guided by the *Waverley West Northeast Neighbourhood Area Structure Plan.* A portion of the northeast part the Kenaston Boulevard extension was opened under this subdivision and rezoning application.
- On April 25, 2007, Council adopted By-Law No. 88/2007 (see file DASZ 1/2007), allowing the rezoning and subdivision of 22 acres of land of land in the *Waverley West Northeast Neighbourhood* from an "A" Agricultural District to an "R1-3" Residential District and an "R1-4" Residential District under Zoning By-Law No. 6400/94. This subdivision was guided by the *Waverley West Northeast Neighbourhood Area Structure Plan.* The northernmost portion of the Kenaston Boulevard extension was opened under this subdivision and rezoning application.
- On November 21, 2007, Council adopted the *Waverley West Southheast Neighbourhood Area Structure Plan* under By-Law No. 140/2007 (see file SP 2/2007). This area structure plan adheres to the requirements of the *Waverley West Area Structure Plan* and specifically guides development in the *Southeast Neighbourhood*.
- On April 23, 2008, Council adopted By-Law No. 82/2008 (see file DASZ 22/2007), allowing the rezoning and subdivision of 495 acres of land in the *Waverley West Southeast Neighbourhood* from an "A" Agricultural District to an "R1-3.5" Residential District, an "RM-2" and an "RM-4" Multiple-Family Districts, a "C2" Commercial District, and a "PR1" Parks and Recreation District under Zoning By-Law No. 6400/94. This subdivision was guided by the *Waverley West Southeast Neighbourhood Area Structure Plan.* The southern portion of the Kenaston Boulevard extension was opened under this subdivision and rezoning application.
- On December 17, 2008, Council adopted By-Law No. 186/2008 (see file DASZ 16/2008), allowing the rezoning and subdivision of 3 acres of land in the *Waverley West Northeast Neighbourhood* from an "A" Agricultural District to an "R1-S" Residential Single-Family District. This subdivision was guided by the *Waverley West Northeast*

Neighbourhood Area Structure Plan. During the time of application for file DASZ 1/2006, this land was the site of a soils and aggregate business. The land was sold and 22 single-family lots were created under this application along with the opening of the remnant piece of Appletree Crescent.

- On March 25, 2009, Council adopted By-Law No. 45/2009 (see file DASZ 27/2008), allowing the rezoning and subdivision of 36.3 acres of land in the *Waverley West Northeast Neighbourhood* from an "A" Agricultural District to an "R1-M" Residential District, and a "PR1" Parks and Recreation District under Zoning By-Law No. 200/2006. This subdivision was guided by the *Waverley West Northeast Neighbourhood Area Structure Plan.* Approximately 8 acres of land was used to create the right-of-way for the extension of Bison Drive to the west.
- On September 30, 2009, Council adopted By-Law No. 35/2009 (see file SPA 1/2009), which amended the *Waverley West Northeast Neighbourhood Area Structure Plan.* The resulting amendments include: changes to the total acreage in the land use table (Section 5 of the *Plan*); a reduction of area dedicated for park space in the Northeast Neighbourhood (from 102 acres to 85 acres); text changes to the Parks Section (Section 5.5) that allow for active recreation opportunities on the former landfill site; and the requirement that the former landfill site be remediated to the satisfaction of the City of Winnipeg Water and Waste Department.
- On April 28, 2010, Council adopted By-Law No. 44/2010 (see file DASZ 3/2009) allowing the rezoning and subdivision of the southern portion of the Northeast Neighbourhood from an "A" Agricultural District, "PR1" Parks and Recreation 1 District, "R1-M" and R1-S" Residential Single-Family District to a "PR1" Parks and Recreation 1 District, "RMF-M" Residential Multi-Family District, and an "R1-M" Single-Family District. This application resulted from the applicant making an offer to purchase the former landfill site from the City of Winnipeg and remediate and redevelop the site at no cost to the City. Surrounding areas that had been rezoned and subdivided under file DASZ 1/2006 needed to be reorganized to rationalize drainage, circulation and land uses to tie into the redevelopment of the former landfill. The *Northeast Neighbourhood Secondary Plan* also needed to be amended to allow for this development (see By-Law No. 44/2010 – file SPA 1/2009 above).
- On April 6, 2010, Standing Policy Committee on Property and Development forwarded By-Law 37/2010 and 38/2010 to Council for First Reading to allow for the Riel Community Committee to conduct a public hearing for the Waverley West Northwest Neighbourhood and Town Centre Area Structure Plans.

Short-Form Subdivisions and Condo Plans: Lot Creation in Waverley West

- Under DASSF 602/06, 356 single-family residential lots were created in the *Northeast Neighbourhood* (related file DASZ 1/2006).
- Under DASSF 517/07, 111 single-family residential lots were created in the *Northeast Neighbourhood* (related file DASZ 1/2007).
- Under DASSF 533/08, 267 single-family lots were created in the *Southeast Neighbourhood* (related file DASZ 22/2007).

- Under CONDO 7/09, 87 lots were created in the Northeast Neighbourhood (related file DASZ 1/2006).
- Under DASSF 504/09, 64 single-family residential lots were created in the *Southeast Neighbourhood* (related file DASZ 22/2007).
- Under DASSF 506/09, 248 single-family residential lots were created in the *Northeast Neighbourhood* (related file DASZ 1/2006 and DASZ 27/2008).
- Under DASSF 544/09, 183 single-family residential lots were created in the *Southeast Neighbourhood* (related file DASZ 22/2007).
- Under DASSF 514/10, 140 single-family residential lots were created in the *Northeast Neighbourhood* (related file DASZ 3/2009).
- Under DASSF 515/10, 95 single-family residential lots were created in the *Northeast Neighbourhood* (related file DASZ 1/2006).

Appendix 'C' – Design Guidelines for Plan Approval for Town Center.

Community and Regional Centres Site Plan Review and Guidelines

The purpose of this section is to provide design guidelines in the review process that are based upon sound land use planning principles and best practices, relying on the positive experience in other North American cities, to assess the site designs for new "town centre" developments in Community and Regional Centres.

The intent of using Site Plan Guidelines and Review in the approval process is to promote, encourage, and develop the positive aspects of a project while ensuring the negative impacts are sufficiently mitigated. The site plan review and approval process provides proponents the opportunity to show how public space interacts with the private development, and to demonstrate how the proposal achieves or exceeds the following goals:

- Ensure that the pedestrian and cycling environment is safe, accessible, comfortable, convenient and attractive;

- Ensure the vehicular environment for both public and private transportation is well integrated with the pedestrian environment;

- Strengthen the continuity of the Planned Area and the site's development by using elements and/or adding new elements that unify and connect individual areas and buildings;

- Utilize the architectural elements of the building(s) in a sensitive and cohesive manner (i.e.: facades, roofs, entrances, landscaping, signage, and lighting) to enhance the development.

The Design Principles and General Design Guidelines identified below provide guidance on achieving these goals. These design principles and guidelines will be used when reviewing the final site plans as part of the approval process for Development Applications as required as a condition under the Zoning Agreement.

In providing the principles and guidelines in advance of the Site Plan review, the Planning, Property and Development Department is committed to a collaborative and transparent process.

A. Plan Winnipeg Policies

The City has defined a long-term commitment through *Plan Winnipeg*, its major policy document, providing vision and giving direction for managing change over the next 20 years. *Plan Winnipeg* seeks to ensure that major developments are appropriately designed and properly integrated into our city.

- Policy 3B-05 Promote Commercial Densification

  iii) Ensuring that areas of regional commercial and mixed-use concentration be designed and built as focal points for public transit

- Policy 3C-01 Provide Integrated Transportation Network

  ii) Minimizing walking distances to transit in the planning of new developments and making transit connections quick, easy, and weather protected;

  v) Promoting alternative modes of transportation through the inclusion of transit routes and bicycle paths in transportation plans and in the design of new developments;

- 4B-01 Integrate Safety into Overall Planning & Urban Development

  i) Evaluating, in consultation with appropriate organizations, all new developments and major redevelopments in terms of design safety requirements such as universal access, lighting, sightlines, building security, landscaping, and parking facilities;

- 5E-1 Promote High-Quality Urban Design

  iii) encouraging private landowners to incorporate public spaces and landscaping of high visual and functional quality into new developments.

B. General Design Principles and Detailed Design Guidelines

The Director of Planning, Property and Development will use the design principles and guidelines to assess site design when reviewing the final plan submitted as required under the Zoning Agreement for the Town Centre within the Planned Area.

General Design Principles embody the values and goals a redevelopment scheme should strive for in its urban design. The General Design Principles are the 'broad brush', large scale conceptual recommendations made for guiding town centre-type developments. The Detailed Design Guidelines and Considerations provide more specific recommendations and strategies.

The principles, guidelines and considerations are anchored to several *Plan Winnipeg* Policies. These policies essentially strive to ensure that major commercial developments are designed to address the needs of its users in a sustainable manner.

Principle 1: ***Enhance Pedestrian Comfort, Safety & Accessibility***

General Design Guidelines:

- Create a safe and comfortable pedestrian environment.
  - Apply Universal Design Guidelines.
  - Promote Active Transportation.
  - Ensure the principles of Crime Prevention Through Environmental Design (CPTED) are applied.
  - Ensure safe and convenient access to transit facilities.
  - Protect pedestrians from adverse environmental elements.

Detailed Design Considerations:

- Sidewalks

- Size according to their intended use and place in the overall scheme: Wide sidewalks where restaurants and outdoor dining will be concentrated; narrower sidewalks on less intensively used streets.
- Create direct, comfortable and safe pedestrian routes leading to front entrances of stores from parking areas, transit stops, public sidewalks, other stores, and other pedestrian destinations.
- Sidewalks need to impart a sense of permanence. They should be lined by trees, high-quality landscaping, and high-quality materials.

- Parking lots
  - Develop parking lots behind buildings to ensure that an active street-front is maintained.
  - Ensure street-front entrances are included in all developments.
  - Ensure the parking lot design program includes pedestrian safety, comfort and amenity as key priorities.
  - Provide a pedestrian route between main buildings and the public sidewalk that is uninterrupted by surface parking and driveways.
  - Provide shade and high-quality landscaping in surface parking areas.
  - Position parking rows perpendicular to main building entrances to assist safe pedestrian movement toward the building.
  - Limit the length of parking rows to a maximum of 20-30 contiguous spaces. Longer rows should include landscaped breaks, e.g. islands with shade trees for all season to ensure pedestrian safety.
  - Divide large surface parking areas both visually and functionally into smaller parking courts through the use of landscaped islands and protected pedestrian pathways.
  - Edge treatments along public streets and other public spaces should visually screen parked vehicles but not completely obstruct views into and out of the parking lot for the purpose of supporting pedestrian safety and security.

- Pedestrian Crossings
  - Consider installing ‘tables’ (rolled curbs bordering slightly elevated crossings) at major internal pedestrian routes across drive aisles to serve as a traffic calming feature and provide uninterrupted pedestrian connection.
  - Where pedestrian routes cross street access driveways and other major drive aisles, clearly mark crossings and provide unobstructed sight distance for pedestrians and vehicles.

- Signage
  - Use thematic signage in a consistent way finding system to direct pedestrians to different buildings.

- Lighting
  - Select different luminaries with a coordinated appearance to light pedestrian pathways, parking spaces, drive aisles, building and site entrances and other relevant parking lot features.
  - Install lighting that is appropriately scaled to its purpose, i.e. avoid over lighting.
  - Consider providing pedestrian scale lighting, such as bollards or lower scale pole fixtures, along pedestrian routes.

- Transit
  - Ensure transit facilities are near and relate to building exits and entrances, and key on-site pedestrian routes.
  - Explore opportunities for incorporating transit stops into buildings for the purpose of creating weather protection for transit users.

- Building Design – as it impacts the pedestrian environment:
  - Consideration should be given to locating potential uses with associated outdoor areas (such as cafeteria/café/restaurant) where they will receive maximum exposure to sunshine and protection from wind.
  - Buildings and streets should be oriented to provide maximum protection from prevailing winds (streets oriented east/west, buildings situated to buffer wind) and maximum exposure to sunshine in winter to improve pedestrian comfort.
  - Encourage open and inviting building facades at street and 2nd storey level to enhance the convenience, comfort and enjoyment of pedestrian experiences and enhance interactions between the public space and business operations.
  - Locate refuse storage areas and other building services internal to buildings or screened from view with appropriate fencing/landscaping.
  - Direct access to be provided to retailers, service providers and customer service areas from street level.

- Universal Design
  - Ensure the City of Winnipeg Universal Design Standard is used to guide barrier free design on public lands and encourage application of these standards on private exterior and interior spaces.
  - In particular, ensure all pedestrian routes (interior and exterior) are inclusive and incorporate a consistent way finding system through
    - signage and site design (i.e. zoned sidewalk concept - furniture zone at back of curb, pedestrian circulation zone/clear path of travel, building frontage zone); and
    - sidewalks that utilize colour and textural contrasting bands defining pedestrian circulation zone and building entries.

<u>Principle 2</u>: *Create Identifiable Central Features & People Places Where Appropriate to the Overall Site Context*

General Design Guidelines:

- Layout the site to clearly define open spaces for people to gather.
- Provide continuity within and through the public environment through such cues as a theme or character to the development.
- Integrate art and aesthetics into all aspects of the project (signage, street furniture, planting, lighting, etc).
- Arrange buildings such that complementary uses are close to each other to minimize walking distances and the need to lock/unlock bicycles or drive personal vehicles for multiple stops.

Detailed Design Considerations

- Create “outdoor rooms” and gathering places
    - Provide comfortable places with amenities such as seating areas that provide opportunity for people to rest and observe surrounding activity; this includes creating places people want to be, be seen, and/or meet others.
- Use amenities such as water features, clock towers, public art and/or architectural features throughout the site plan as landmarks to guide people to different areas of the development.
    - Not all buildings and spaces must be landmark statements: it is equally important for non-landmark buildings to be well designed as “background buildings” and/or to define spaces on the site”.
- Use central features and safe pedestrian routes from parking to building entrances to break-up large parking areas into smaller parking courts.
- Open space should be designed positively with clear definition and enclosure. Each outdoor space should have a clear function, character and shape and clear boundaries through the positioning of adjacent buildings, walls, fences, trees and plantings.
- Consider using public art to provide identity to the development and use as a tool to give a distinct theme/character to the development.
    - Explore opportunities for public art early in the planning process.
    - Encourage a public art strategy - identify locations and types of work and provide a framework for commissioning artists and seeking funding.

Principle 3: ***Respect The Tradition Of Streets And Streetscapes***.

General Design Guidelines:

- Site layout should provide clear obvious, direct and convenient linkages to site destinations (building entrances, etc.)
- Provide a highly connected roadway system that encourages slow and safe vehicular movement while supporting non-vehicular travel modes with short direct routes.
- Use landscaping features as design elements to create or strengthen a sense of street/connection.

Detailed Design Considerations:

- Establish a site layout that is easily understood and provides visual cues so as to minimize the need for signs, especially those concerned with traffic direction and control
- Create identifiable streets that provide the framework or “mental map” that orients people as to where they are within the development.
    - Provide spatial definition by orienting buildings to the street to support walking, pedestrian accessibility, active transportation and social contact
    - Visually link the interior with pedestrian streets (CPTED).
- Promote local street connectivity to the adjacent communities by creating an interconnected system that encourages walking, cycling and transit use.
- Encourage an interconnected internal roadway pattern to accommodate the development of town centre feeling.
- Lay-out internal roadway to reduce excessive motor vehicle traffic across primary on-site pedestrian routes.
- Configure internal roads to minimize the number of potential conflicts with walking and cycling routes.

- Parking lot edges along public streets should consist of continuous planting, alone or in combination with low decorative fence / wall or a landscaped berm.
    - Provide a variety of deciduous and coniferous vegetation in plantings for year-round interest, texture, shape, and screening.
- Make main entrances on the primary street visible and highly identifiable with landscaping features, public art and/or architectural features.
- Connect the internal transportation network to external bike routes passing the site. These connections should provide a seamless interface between the internal and external road systems.

Principle 4: ***Celebrate & Build On The Best Features Of The Surrounding Context***

General Design Guidelines:

- Reinforce the notion of place, character and identity in all aspects the project.
- Celebrate Winnipeg as a winter city, and Prairie city through appropriate site planning and design.

Detailed Design Considerations:

- Open space planning should take its cue from the patterns of local natural landscape, particularly the density and composition of existing forested areas.
- Be aware of adjacent development and amenities such as open spaces and promote activity linkages.
- Incorporate active transportation linkages with adjacent, complimentary land uses.
- Ensure site planning respects the local winter conditions and Prairie environment through: use of colour, light; sun and wind protection, plant selection, etc.
    - Use native species that are hardy and resistant to stresses of weather exposure;
    - Avoiding monocultures and non-native species that can be susceptible to disease.
    - Consider impacts of snow glare on people and plants
    - Celebrate and take advantage of seasonal changes:
    - Incorporate mix of deciduous and coniferous plant species to provide year round colour.

Principle 5: ***Strive For Quality & Character In The Interface Between Private & Public Space***

General Design Guidelines:

- Ensure detailed design supports the identity and quality of the place through good design; quality, sustainable materials; and commitment to long-term maintenance.
- Encourage variety in architectural expression to create richness and diversity and to strengthen local identity; architecture should appear rich at every scale from a range of viewing distances.
- Provide high quality design and construction attending to human scale, function and sensory experience.
- Design for refinement and integration.

Detailed Design Considerations

- Manage Massing of Buildings and Their Scale

    - Detailed design should create high quality urban space within the building line and three-dimensional mass that helps create the character of streets and squares.
    - Carefully consider the interface between the design of buildings and the public space that surrounds them: including but not limited to surface treatment and articulation of building elevations; fenestration; entrances style, scale and location and perimeter landscaping
    - Minimize blank walls – use landscaping, aesthetic characters (such as reveals, projecting ribs, offsets), change in cladding material, glass, etc. to break up tracts of continuous blank walls
    - Locate loading, service and garbage zones in areas not visible from the public streets.
    - Scale building elevations and cross sections to support and reinforce public spaces; to foster a sense of urbanism so that streets, squares and green space are defined by appropriately scaled buildings or trees fronting onto them.
    - Wrap the perimeter of larger stores with small units to establish a fine-grained setting, externalize active uses (cafes and boutiques) and increase their links to the street
    - Ensure building animation on pedestrian streets, with ground level retail activity, transparent windows, window displays and active uses
- Use building materials that promote permanence, quality and integrated design.
- Provide a coordinated signage strategy for the overall development.
    - Signage is expected to enhance visibility, identity, enable orientation and to contribute to the image of a vibrant pedestrian oriented place.
- Encourage measures to enhance visibility and accessibility of building entrances
    - Make frontages 'active' to add interest, life and vitality to the public realm by providing multiple entry points, window openings, few blank walls, narrow frontage buildings, giving vertical rhythm to the street, articulation of facades, with projections such as bays and porches and lively internal uses visible from the outside or extending onto to the street (e.g. sidewalk café, etc.).
- Provide a comprehensive lighting plan for the development.
    - Select different luminaries with a coordinated appearance to light pedestrian routes, parking spaces, drive aisles, building and site entrances and other relevant site features.
    - Lighting should create an identity for parking areas, enhance adjacent streets / pedestrian environments and be appropriate to the location, context and scale of the areas being lit.

<u>Principle 6:</u> ***Practice Sustainable Design***

General Design Guidelines:

- Incorporate sustainable materials and technologies and practices.
- Promote sustainable forms of transportation.
- Implement practices that protect and preserve our natural features and resources.

Detailed Design Considerations:

- When appropriate, use site grading to enhance the screening of parking lots.
- Mitigate the urban heat island effect of surface parking lots.

    - Retain natural landscape, minimize pavement and promote natural infiltration; explore feasibility of impervious alternatives. If alternatives are not feasible, surface parking lots should be carefully designed to enhance urban design and environmental conditions.
    - Maximize tree canopy coverage by protecting existing trees and by planting large street trees with wide spreading canopies that are long-lived.
    - Select plant material to encourage sustainable landscapes; strive for maximum species diversity.
- Manage storm water quality and quantity on site.
    - Treat storm water as an environmental process (tree canopy intercept precipitation, encourage infiltration into the ground as quickly as possible).
    - Consider incorporating an oil and gas separator into the parking lot land drainage system to capture and remove these products from entering into the storm water retention pond).
    - Provide a site-grading plan compatible with the storm water management approach selected for the site.
- Organize parking spaces and rows to provide consolidated soft landscaped areas and opportunity for on-site storm water management.
- If development is phased, ensure a phasing plan to identify all current and future parking requirements. Parking areas constructed incrementally should match land use build-out schedules. Areas not required for parking should be landscaped.
- Balance the need for safety and security with the reduction of energy consumption and light pollution. Avoid “over lighting”, light spillage on adjacent properties, streets and open spaces, use energy-efficient fixtures and bulbs, incorporate opportunities for off-grid power generation, e.g. solar, wind.
- Integrate bicycle parking into the design and layout of the parking facilities.
- Incorporate transit stops into building design and internal roadway design to provide easy and convenient access for its users.
- Organize and layout the site and provide site infrastructure and amenities to promote safe and convenient pedestrian, bicycle, and transit circulation to and within the site.