Agenda - Executive Policy Committee – December 8, 2010

Moved by Councillor

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

Report - Standing Policy Committee on Property and Development – December 6, 2010

Item No. 11 Subdivision and Rezoning - South Side of Ravelston Avenue West, West of Peguis Street DASZ 10/2010 (Transcona Ward)

STANDING COMMITTEE RECOMMENDATION:

On December 6, 2010, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submits the following to Council:

1. That the application for rezoning under File DAZ 10/2010 be rejected.

2. That the Proper Officers be authorized to do all things necessary to implement the intent of the foregoing.

Agenda - Executive Policy Committee – December 8, 2010

Report - Standing Policy Committee on Property and Development – December 6, 2010

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On December 6, 2010, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 28, 2010, the East Kildonan-Transcona Community Committee did not concur in the recommendation of the Winnipeg Public Service recommended to the recommended to the Standing Policy Committee on Property and Development that the application for subdivision and rezoning under File DASZ 10/2010 be rejected.

On July 13, 2010, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on September 28, 2010.

RE: **Subdivision and Rezoning - South Side of Ravelston Avenue West, West of Peguis Street**
File DASZ 10/2010

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

Prepared by: **Carlos Gameiro, Senior Committee Clerk**
East Kildonan-Transcona Community Committee

Report date: **October 4, 2010**

COMMUNITY COMMITTEE RECOMMENDATION:

On September 28, 2010, the East Kildonan-Transcona Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Property and Development that the application for rezoning under File DASZ 10/2010 be rejected.

The East Kildonan-Transcona Community Committee provided the following supporting reasons for its recommendation:

1. There are significant issues outstanding, you are not just dealing with vacant lands, you are dealing with existing homes and an existing neighbourhood.

2. If we do not deal with the long standing issues of transportation in this area the situation will only get worse.

3. There is a need to connect Reenders to Peguis and to deal with the Almey intersection. There was an assumption made that this will happen with this application…that's not the case.

4. The proposed road network does not allow for this and future developments to be adequately serviced by transit.

PUBLIC HEARING SUMMARY

File:	DASZ 10/2010
Before:	East Kildonan-Transcona Community Committee Councillor Browaty, Chairperson Councillor Thomas Councillor Wyatt
Public Hearing:	September 28, 2010 The Royal Canadian Legion, Transcona Branch 117 Regent Avenue East July 13, 2010 Bronx Park Community Centre 720 Henderson Highway
Applicant:	McGowan Russell Design Group Inc. (Susan Russell)
Subject:	
Premises Affected:	south side of Ravelston Avenue West, west of Peguis Street

Exhibits Filed:

1. Application dated April 15, 2010
2. Notification of Public Hearing dated May 7, 2010
3. Manitoba Status of Title 2413255
4. Letter of authorization dated January 20, 2010 from North Grassie Properties Inc. to McGowan Russell Design Group Inc.
5. Surveyor's sketch dated April 7, 2010
6. Report from the Planning and Land Use Division dated July 8, 2010
7. Inspection Report
8. Presentation in opposition to the application, submitted at the public hearing by Frank Fiorentino
9. Listing of vegetation and wild life found in the area between Peguis Street and Ravelston Avenue West, submitted at the public hearing by Marie Kopczewski
10. Map of the subject area, submitted at the public hearing by Marie Kopczewski
11. Copy of a letter to the editor submitted to the Winnipeg Free Press submitted at the public hearing by Melody Rogan
12. Photographs (10) of the subject area, submitted at the public hearing by Melody Rogan
13. Notice of Adjournment dated July 15, 2010
14. Presentation in support of the application, submitted and read into the record at the public hearing by Mike Malyk
15. Audio Recording of representations

REPRESENTATIONS:

In Support:

Norm Boyle
Susan Russell, McGowan Russell Design Group Inc.
Mike Malyk

In Opposition

Stan and Judith Burym
Levica Feys
Frank Fiorentino
R. Gaudio
Magdalene Gollub
Mr. and Mrs. Albert Hartwig
Troy Hildebrand
Marie Kopczewski

John Lechow
Callum MacPhail
Jonathan Michaluk
Anne Michalyna
Nadine Miller
Ted Nestor
Christine Piotrowski
Peter and Judy Pshednovak
Melody Rogan
Ron Snider
Fred Tosky

For Information:

David Boles
Marcel and Sonya Carriere
Berny Chura
Bob Downs
George Hartwig
Dale Pawloski
Jim Perfanick
Michael Stronger
George and Mary Sumka
Cory Torch
Albert Toews
Gloria Woodcock

For the City:

Mr. J. Wintrup, Senior Planner, Planning, Property and Development Department
Ms. S. Matille, Land Development Engineer, Planning, Property and Development Department

Exhibit "6" referred to in File DASZ 10/2010 [c/r DAV 116388/2010D]

ADMINISTRATIVE REPORT

Title: DASZ 10/2010 – south of Ravelston Ave W, west of Peguis.

Issue: For consideration at the Public Hearing for a subdivision and rezoning to create single and multiple family lots that will have full municipal services.

Critical Path: East Kildonan - Transcona 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 proposed under File DASZ 10/10 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 10/10 dated July 8, 2010 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in Schedule B, the report of the Administrative Coordinating Group dated July 8, 2010.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 10/10 dated July 8, 2010, to R1-S Single Family Residential District – Small; R1-M Residential Single-Family District – Medium; R1-L Residential Single-Family District – Large; PR1 Parks and Recreation 1 (Neighbourhood) District; RMF- M Residential Multi-Family District – Medium; and RMF-L Residential Multi-Family District – Large subject to the following:

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

i. That for all single-family or two-family lots abutting Peguis Street, the Developer shall erect a uniform wood fence (2 metre in height) abutting Peguis Street to the satisfaction of the Director of Public Works. Future owners of the individual building lots along this fencing shall be responsible for maintaining this fencing to the satisfaction of the Director of Planning, Property and Development;

ii. That all single-family or two-family lots with rearage abutting Peguis Street shall provide a minimum rear yard of 49.2 foot (15.0 m);

iii. That for the lands zoned RMF-M Residential Multi-Family District – Medium; and RMF- L Residential Multi-Family District – Large; the development of any building, and/or accessory parking area and/or signage, 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 East Kildonan – Transcona Community Committee and the Director of Planning, Property and Development 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.

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

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

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

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

7. That the zoning section of the by-law shall come into force and effect when the plan of subdivision 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.

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

9. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, 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 twelve (12) month period and the extension is subsequently approved by Council.

10. 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 subject property is **32.23 acres** located between Almey, Ravelston and Peguis in the Peguis neighbourhood of the Transcona ward.
- The development will include 91 fully serviced single family residential lots; 8.11 acres of multiple family zoned lands; 2.34 acres of open space; and a 3.62 acre retention pond.
- The Transcona West Area Structure Plan classifies the subject lands as 'Residential Mixed Use Area' - a significant use of land within Residential Mixed Use Areas will incorporate low, medium and higher density residential uses.
- The Developer will be required to provide two (2) lanes of concrete pavement in Peguis Street from the terminus of the existing concrete pavement near Costco and extended northwards to Ravelston Avenue and down Ravelston Avenue to the new north/south residential street.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, the subdivision and rezoning will proceed for the creation of residential dwellings.

HISTORY

History of Residential Development – Almey Avenue:
Almey Avenue, east of Lagimodiere Blvd and west of Peguis Street has a total of 56 single-family dwellings on 65 lots. Most of these lots were created well before Plan Winnipeg established clear standards for municipal infrastructure. The last two plans of subdivision approved were in 1987 (DASSF 54/87) and 2007 (DASSF 547/2007) for the creation of two lots each.

The City of Winnipeg has rejected a number of enquiries and applications for subdivisions in the Almey / Ravelston / Lagimodiere area based on the Plan Winnipeg policy requiring a full range of municipal infrastructure.

The rejections included two previous applications (DAZ 214/92 and DAZ 201/93) to develop the property at the Almey / Ravelston/ Lagimodiere intersection due to the lack of piped municipal infrastructure.

In 1999, the City of Winnipeg approved a development application (DASZ 14/1999) at the Almey / Ravelston / Lagimodiere intersection. A full range of municipal infrastructure was available for that site because an on-site storage facility for land drainage was provided and water and sewer were extended along Almey in 2005 as a Local Improvement to serve this commercial development. A full range of municipal infrastructure (piped water, piped sewer, piped land drainage, and concrete road) need be provided in an environmentally-sound, economical and timely manner, prior to the City approving any residential development along Almey Avenue.

Future Access to Land Drainage System:
Municipal piped water, sanitary sewer and land drainage are being progressively extended westward. It is anticipated that further residential developments will provide future land drainage to the Almey / Ravelston area, with the planned construction of two new impoundments to be inter-connected to the Transcona 'deep' pond and the Kildare Avenue trunk. One new lake will be located west of Peguis Street, north of Ravelston and one lake located between Almey and Ravelston.

In 2005, the level of servicing required for the Almey / Ravelston area was reviewed with residents as part of the 'Transcona West Secondary Plan' process. Proposed land-use concept plans, including retention lakes and policies requiring a full range of municipal infrastructure, had public input at two (2) public open houses. An exit survey of residents indicated that the neighbourhood supported the changes / improvements as proposed.

Transcona West Secondary Plan:
In April 2005, the Standing Policy Committee on Property and Development identified the Transcona West Area Structure Plan as a priority project within the Planning, Property and Development Department's 2005 Secondary Plan Work Program.

On June 23, 2005 a public open house was held, in the community to gather preliminary comments on two alternative land use and road network configurations for the plan area. Approximately 50 members of the public attended. In general, the majority of the attendees, through conversation and the exit survey, indicated a positive response to a development concepts for the area. Specific public concerns were related to downstream traffic impacts and the need for the extension of major roads through the area, and how large lot fragmented land holdings within the plan area would be integrated into the plan.

On May 24, 2006 a public open house was held, in the community to gather input on the proposed land use and road network configuration for the Transcona West Area and the Almey - Ravelston Special Planning Area. The event was attended by approximately 40 people including: representation from the River East Transcona School Division, Transcona Trails Association and the local MP who also lives near the Plan Area. Twenty-three (23) people filled out the survey with the majority being residents of the Almey - Ravelston Special Planning Area (11 people). At least 4 people asked for copies of the survey to send in at a later date. The results of the survey indicate a clear majority support developing the Transcona West Area (78

%); and for the Transcona West Area Structure Plan (78 %). The most mentioned reason for positive support: that the neighbourhood needs the changes/improvements.

On September 17, 2007 the East-Kildonan –Transcona Community Committee held a Public Hearing to consider the Transcona West Secondary Plan.

On October 15, 2007, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommend to the Standing Policy Committee on Property and Development the adoption of the Transcona West Secondary Plan as a by-law.

On July 16, 2008 Council adopted By-law No. 215/2006, a Secondary Plan for the Transcona West neighbourhood. The 'Transcona West Area' eastern boundary is Plessis Road; southern boundary is Regent Avenue; western boundary is Lagimodiere Blvd; and northern boundary is Cordite Road (see Appendix B for relevant policies).

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 *John Wintrup*
Date: *July 8, 2010*
File No. *DASZ 10/10*

List of Schedules and Attachments

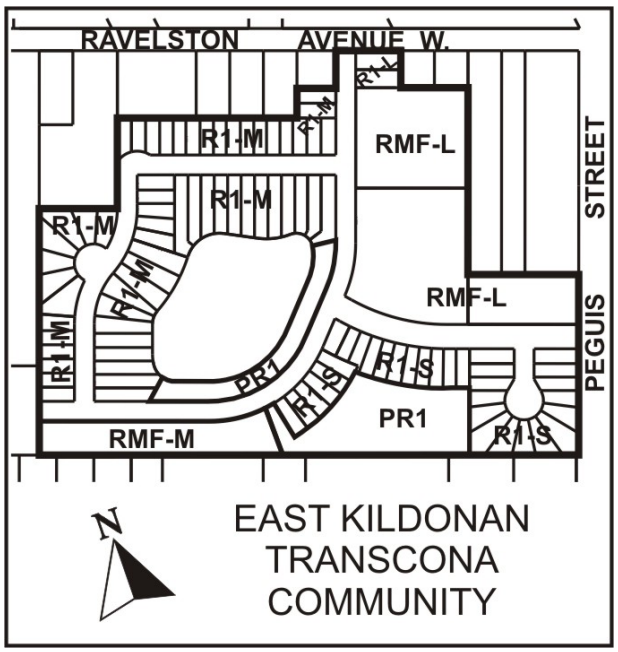
1. Appendix A – Planning Discussion
2. Schedule "A" for File No. DASZ 10/2010
3. Schedule "B" – Report of the Administrative Coordinating Group
4. Appendix B – Transcona West Area Structure Plan policies.
5. Appendix C – Area Residents Questions (June 17 Open House).

APPENDIX 'A'

DATE: July 8, 2010
FILE: DASZ 10/10
RELATED FILES: DASZ 14/1999
COMMUNITY: Transcona
NEIGHBOURHOOD #: 4.417

SUBJECT: Subdivision and Rezoning to create 91 fully serviced single family residential lots; 8.11 acres of multiple family zoned lands; 2.34 acres of open space; and a 3.62 acre retention pond.

LOCATION: West of Peguis, between Almey and Ravelston



APPLICANT: Susan Russell McGowan Russell Design Group Inc.
120 FORT ST SUITE 200
WINNIPEG MB

OWNER: North Grassie Properties
Box 25094
Mission, BC V1W 3Y7

RECOMMENDATION: Approval

REPORT SUMMARY

- The subject property is **32.23 acres** located between Almey, Ravelston and Peguis in the Peguis neighbourhood of the Transcona ward.

- The development will include 91 fully serviced single family residential lots; 8.11 acres of multiple family zoned lands; 2.34 acres of open space; and a 3.62 acre retention pond.
- The Transcona West Area Structure Plan classifies the subject lands as 'Residential Mixed Use Area' - a significant use of land within Residential Mixed Use Areas will incorporate low, medium and higher density residential uses.
- The Developer will be required to provide two (2) lanes of concrete pavement in Peguis Street from the terminus of the existing concrete pavement near Costco and extended northwards to Ravelston Avenue and down Ravelston Avenue to the new north/south residential street.

SURROUNDING LAND USES AND ZONING

- The subject property is **32.23 acres** located between Almey, Ravelston and Peguis in the Peguis neighbourhood of the Transcona ward.
- The site is zoned **RR 5 Rural Residential District** and is under-developed lands.
- Adjacent properties include single family dwellings to the south and north along Almey and Ravelston that are split-zoned "R1-L" Single Family Residential and "RR5" Rural Residential 5.
- Surrounding lands include:
    - 125 acres of under-developed lands to the east of Peguis, south of Ravelston;
    - 163 acres east of Peguis, north of Ravelston – all of which is controlled by a major land developer; and
    - +1,000,000 square feet of retail at the Regent / Lagimodiere intersection designated as an Area of Regional Commercial and Mixed-Use Concentration under *Plan Winnipeg*.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to consolidate a number of lots and then subdivide the planned area into new lots for single family dwellings and multiple family dwellings with a new residential collector street being extended east from Peguis Street.
- The development will include 91 fully serviced single family residential lots; 8.11 acres of multiple family zoned lands; 2.34 acres of open space; and a 3.62 acre retention pond.
- A full range of municipal services (piped sewer, piped water, piped land drainage, and paved rights-of-way) will be extended into the planned area.
- A future right-of-way is provided to extend west into adjacent lands to ensure future development can occur for these under-developed parcels.
- No new lots will be created along Peguis, Ravelston or Almey Avenue.

ANALYSIS AND ISSUES

PLAN WINNIPEG

- *Plan Winnipeg 2020 Vision* is our primary planning policy document that guides all land use, development and planning matters within the City of Winnipeg;

- All versions of *Plan Winnipeg*, (1986, 1993 and 2001) have included policies limiting the subdivision of un-serviced lots;

TRANSCONA WEST SECONDARY PLAN

- The Secondary Plan provides policies to guide land development within the Transcona West area over a 15 to 20 year time frame.

- The Area Structure Plan applies to those lands comprising Transcona West, approximately 607 hectares (1500 acres) of land bounded by Cordite Road to the north, Regent Avenue to the south, Plessis Road to the east and Lagimodiere Boulevard to the west.
- The Plan outlines the future transportation infrastructure works for a 5 to 20 year timeline for the creation of an interconnected and efficient road network while facilitating alternative mode choices.
- A land use plan is provided to guide the overall direction for the Transcona West Area and facilitate residential and commercial developments.
- Policies in the Transcona West ASP specify the location, type and form of future development within the planning area.
- The Secondary Plan encourages the orderly development of the planned area in consideration of the municipal infrastructure requirements and needs.
- The Secondary Plan identifies the area between Reenders, Lagimodiere, Peguis and CPR Molson Subdivision as the 'Almey – Ravelston Special Planning Area', which includes the subject lands being considered under this application (See Appendix B).
- The Secondary Plan classifies the subject lands under consideration in this application as 'Residential Mixed Use Area' - a significant use of land within Residential Mixed Use Areas will incorporate low, medium and higher density residential uses.

ZONING (BY-LAW 200/2006)

- **R1-S Single Family Residential District - Small** is intended to accommodate primarily single family residential development in lower-density neighbourhood.
    - There is a minimum lot size of 2,500 square feet.
    - A side yard of 4 feet is required.
    - Maximum building height is 35 feet.

- **R1-M Residential Single-Family District – Medium** minimum lot sizes of 3,500 square feet are required.
    - Side yards of 4 feet are required.
    - Front yard requirements are 15 feet; rear yard requirements are 25 feet.
    - Maximum building height is 35 feet.

- **R1-L Residential Single-Family District – Large** minimum lot sizes of 5,500 square feet are required.
    - Side yards of 4 feet are required.
    - Front yard requirements are 15 feet;
    - rear yard requirements are 25 feet.
    - Maximum building height is 35 feet.

- **PR1 Parks and Recreation 1 (Neighbourhood) Distric**t 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, no parking facilities are 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.

- **RMF- M Residential Multi-Family District - Medium** is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities.
    - There is a front & rear yard requirement of 25 feet and the maximum building height is 60 feet.
    - The minimum lot area per dwelling unit is 800 square feet per dwelling unit.
- **RMF- L Residential Multi-Family District - Large** is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities.
    - There is a front & rear yard requirement of 25 feet and the maximum building height is 150 feet.
    - The minimum lot area per dwelling unit is 500 square feet per dwelling unit.

- **RR 5 Rural Residential District** minimum lot sizes of 5 acres are required.
    - Side yards of 25 feet are required.
    - Front yard requirements are 100 feet;
    - Rear yards are 25 feet.
    - Maximum building height is 35 feet.
    - Agricultural cultivation is a permitted use:, Stable or riding academy, Landscape/garden contractor or production, and Apiary are 'conditional' uses.

LAND USE BY-LAW

- The proposed single family zoning category are consistent with residential subdivisions in Winnipeg such as Eaglemere, Amber Trails, Canterbury Park, Whyte Ridge, Riverbend South, Kildonan Green and Arrow wood.
- A number of developers have stated today's main market is willing to purchase the 35 - 48 foot wide lots, and a minority of the market is willing to purchase 50 foot wide lots.
- The range of lot sizes permit the construction of a variety of new single family dwellings that diversify the housing stock and provide residents with different housing options.
- The multiple family zone is consistent with residential subdivisions such as Harbourview South Phase 2 and Kildonan Green in the Transcona West Area.

TRANSPORTATION AND SITE ACCESS

- The Developer will be required to provide two (2) lanes of concrete pavement in Peguis Street (which will be a four lane major collector) from the terminus of the existing concrete pavement near Costco and extend it north to Ravelston Avenue West.
- The Developer will be required to provide two (2) lanes of concrete pavement in Ravelston Avenue West at a collector street status (10.0 metres) from Peguis to their new north/south street that goes into the Planned Area.
- The Developer will be required to provide a residential collector street connecting to Peguis Street and a secondary point vehicular access.
- Reenders is not required to be extended to Peguis Street as part of this application: the City of Winnipeg only has about a 16.0 metre wide right-of-way for most of the length of the street.
- Almey Avenue is not required to be disconnected at Lagimodiere as part of this application and will not occur until Reenders is extended (see Appendix B).

UNDERGROUND MUNICIPAL SERVICES

- A full range of municipal services (piped water, piped sewer, piped land drainage, and paved roadway) will be extended along the new street into the planned area. Whatever water and sewer pipes need to be extended from the existing network, will be extended.
- a 3.62 acre retention pond will be constructed that will be connected to the Deep Water Pond to the east via an underground pipe under Ravelston Avenue West.
- The catchment area for the retention pond will be 118 acres and will be all the lands south of Ravelston Avenue west; west of Peguis; north of the most northerly property line of the lots fronting the north side of Almey; and the lands developed under DASZ 14/1999 at the Almey / Ravelston / Lagimodiere intersection.
- A future pond will be required north of Ravelston Ave, west of Peguis, south of the CPR tracks to service the 93 acres of land in this area of Transcona West.

SIDE WALKS

- The Developer will be required to provide two (2) side walks along Ravelston Ave from their new north/south street to Peguis Street.
- The Developer will be required to provide one sidewalk along the west side Peguis Street from the terminus of the existing concrete pavement near Costco and extend it north to Ravelston Avenue West.
- The Developer will be required to provide two (2) side walks along the new residential collector street from Peguis Street into the Planned Area.
- The Developer will be required to provide one sidewalk along the east side of the new north/south residential street from Ravelston Avenue West to the east/west residential collector that extends west from Peguis.

FUTURE DEVELOPMENT

As per the Transcona West Area Secondary Plan, *Policy 5.2.2 (2) Subdivision* a Concept Plan that demonstrates how the subdivision may be integrated into the re-subdivision of adjacent and surrounding parcels in order to ensure that the future potential for adjacent subdivision is not compromised - a future right-of-way is provided to extend west into the adjacent lands to ensure development can occur for these under-developed parcels.

NATUARAL LANDS

The City in following Council's adopted policy the *Ecological Significant Natural Lands Strategy*: *Step 2 – Planning for ESNL 4.2.2 The Development Review Process (Subdivisions, Rezoning, etc.)* used a panel to evaluate the lands under the 'Multi-Criteria Evaluation Matrix' .

The panel, including the City Naturalist and Parks Planner, determined these lands are not Environmentally Sensitive Natural Lands that require protection: the lands are a very wet aspen forest, sedge meadow and willow thicket area with limited connectivity for humans and/or animals. Many of the trees have succumbed to flooding. Dead poplars are throughout the area. The site has seen some disturbances and dumping in the past, especially along the north edge. There is an abundance of willows and wet grassland species, and a mixture of natives and non native species. Both European Buckthorn and Purple Loosestrife were observed within this area.

The City did conduct a detailed assessment to see if there are some higher quality areas that would be more valuable as part of the land dedication as per Step Three – *4.3.3 Acquisition of Natural Areas under Land Dedication.* Under this step, the City is requesting the developer to

provide lands that have been identified as part of the 'Land Dedication'. These lands are where the PR-1 Park space is located and the portion of this area (the western quarter) that has the higher quality aspen will be included – under Schedule B *A. Plan Consideration # 6* - the developer will be required to widen the open space area that is aligned to the location of this aspen tree area.

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.
- If dedication is 'cash in lieu' of land, then the developer is required to pay the City its share of the costs of landscaping and services that it would have expended had a dedication of the land been made, which will equal 10 %.
- Land will be required instead of cash under this development application.

PUBLIC INPUT

On May 5, 2010 the applicant held a Public Open House at Canad Inn Regent from 5:00 pm to 8:00 pm where sixteen (16) people attended.

On June 17, 2010 the City of Winnipeg held a Public Open House at Canad Inn Regent from 5:30 pm to 9:00 pm where approximately 25 people attended.

RECOMMENDATIONS

The Planning and Land-Use Division supports rezoning and subdividing the property to residential to allow the construction of a residential dwellings:

- The proposed land-use is consistent with the adjacent properties on the nearby streets of residential land uses.
- The proposed development will enable the future development of the under-serviced lands between Almey / Ravelston – and better facilitate the development of the under-serviced lands north of Ravelston.
- Municipal services will be extended into the area including land drainage with the construction of a new retention pond that will enable the future extension of land drainage pipes for existing residents.
- The location of residential development will be within walking distance of Winnipeg's second largest regional commercial concentration, thus decreasing the required travel times to acquire goods & services, and enabling multiple transportation choices for people to reach commercial / employment destinations.
- A diversity of housing types will accommodate all stages of life (from 'new families' to 'aging in place').

The Public Service will not be requiring a ten (10) percent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication. The Developer will satisfy this requirement by dedicating open green space.

The Public Service is recommending that site plan approval for the multiple family buildings be reviewed by the East Kildonan – Transcona Community Committee and the Director of Planning, Property and Development.

This Report Submitted by: John Wintrup
Planning, Property and Development Department
Planning and Land Use Division
Report Prepared by:
PPD File # DASZ 10/10

Schedule “A” for File No. DASZ 10/10, East Kildonan – Transcona Community Committee, dated July 8, 2010 .

By–Law No. _____

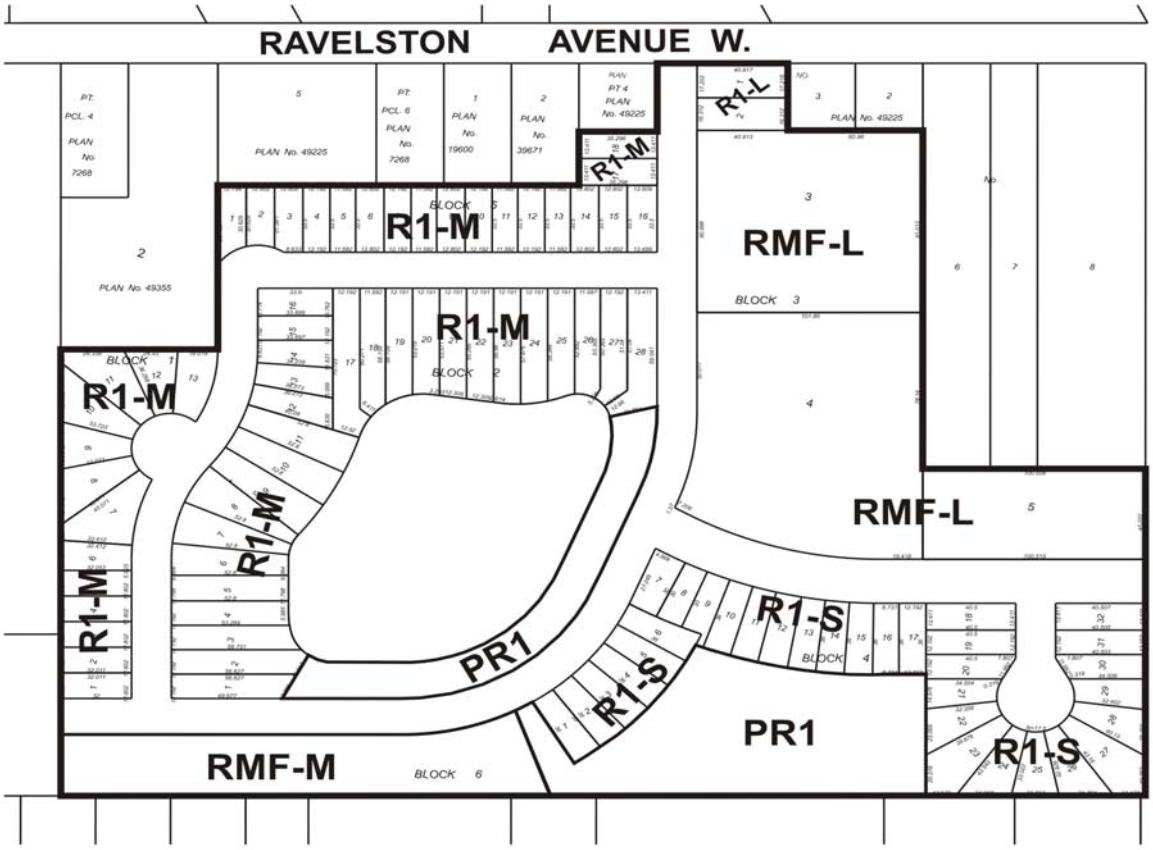
File No. **DASZ 10/10**

Atlas Sheet No. **Y31**

EAST KILDONAN TRANSCONA 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 south side of Ravelston Avenue West, west of Peguis Street from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "R1-S", "R1-M", "R1-L" RESIDENTIAL SINGLE FAMILY (small, medium & large) DISTRICTS, an "RMF-M",& "RMF-L" RESIDENTIAL MULTI-FAMILY (medium & large) DISTRICTS and a "PR1" PARKS AND RECREATION 1 (Neighbourhood) DISTRICT to allow for future residential development including new public rights-of-ways as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – REVISED JULY 8, 2010

RE: PROPOSED SUBDIVISION AND REZONING OF LAND SOUTH OF RAVELSTON AVENUE WEST, WEST OF PEGUIS ST. – NGP INC. - DASZ 10/10

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

A. Plan Considerations

1. The Applicant dedicating and legally opening property required for a 0.942-m widening of the Ravelston Avenue West right-of-way abutting the Planned Area, as determined by, and to the satisfaction of, the Director of Public Works.

2. The Applicant dedicating and legally opening property required for a 2.134-m widening of the Peguis Street right-of-way abutting the Planned Area, as determined by, and to the satisfaction of, the Director of Public Works.

3. The Applicant dedicating and legally opening property for right-of-way corner cuts measuring 3.0 m by 3.0 m in the northwest and northeast corners of the intersection of Peguis Street with the proposed street entering the development, to the satisfaction of the Director of Public Works.

4. The Applicant 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.

5. The Applicant providing a frontage road, with a minimum right-of-way width of 9.0 m and terminus points to be located and designed to the satisfaction of the Director of Public Works, along the proposed east/west collector street off Peguis Street.

6. The Applicant providing a minimum 120-ft-wide “window” into the proposed public reserve, preferably from the north, in addition to the existing walkway at the southwest corner of the site.

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, toward which the Developer shall receive credit for the cost of any regional land drainage facilities constructed by the Developer - including the value of the land for the stormwater retention basins. If the cost of the regional land drainage facilities constructed by the Developer exceeds the Developer's share of that cost, the City shall reimburse the Developer for the difference, as determined by the Director of Water and Waste, when the City collects from the benefitting property owners, in accordance with the Development Agreement Parameters in effect at that time, or upon approval of capital funding by City Council.

7. 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.

8. 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.

9. 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.

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

11. The Developer shall, at no expense to the City, construct 150-mm-thick portland cement concrete pavement to a width of 6.0 m within the proposed frontage road within the Planned Area and all related works including, but not limited to, drainage facilities, 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 1.5-m-wide by 100-mm-thick portland cement concrete sidewalks along both sides of: a) all streets within the Planned Area with rights-of-way measuring 22.0 m in width or greater, except where frontage roads are provided; and b) the east side of the proposed street entering the Planned Area off Ravelston Avenue West, from Ravelston Avenue West south to the proposed collector street off Peguis Street, as determined by, and to the satisfaction of, the Director of Public Works.

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

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

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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, and a north directional arrow; Peguis Street, and all proposed arterial and collector streets, public lanes, sidewalks, and active-transportation facilities; the proposed stormwater retention basin; and all natural tree stands, proposed school sites, parks, and community mail-box sites - all with the approval of, and to the satisfaction of, the Director of Planning, Property and Development.

22. 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.

23. 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.

24. 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.

25. There shall be no private approaches serving one and two-family residential development off residential collector streets (i.e. rights-of-way 22.0 m or wider), except where frontage roads are provided.

26. The Developer shall, at no expense to the City, construct, within the rear yards of all single-family or two-family lots abutting Peguis Street, 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.

27. All single- and two-family residential lots backing onto Peguis Street shall be of sufficient depth to provide a minimum rear-yard set-back of 15.0 m, and the Zoning Agreement covering those lots shall stipulate a minimum rear yard of 15.0 m.

28. 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.

29. 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.

31. a) The Developer shall, at no expense to the City, construct a10-m-wide, 200-mm- thick portland cement concrete pavement and all related works, including, but not limited to, sidewalks on both sides, ornamental street lighting, boulevard landscaping, drainage facilities, and asphaltic concrete transitions to the existing roadway at either end, in Ravelston Avenue West, from Peguis Street to the proposed street in the Planned Area connecting to Ravelston Avenue West - all as determined by, and to the satisfaction of, the Director of Public Works.

b) The City will endeavour, within the limits of its powers, to make recoveries from other benefiting privately-owned lands through subsequent agreements - or, alternatively, the Developer may request the City to endeavour to enact a Local Improvement By-Law - for the improvements described in a) above.

32. a) The Developer shall, at no expense to the City, construct an 8.3-m-wide, 200-mm-thick portland cement concrete pavement in either the existing

(west side) Peguis Street right-of-way, or the proposed widened Peguis Street right-of-way (east side), from the existing terminus of the concrete pavement in Peguis Street (approximately 280 m north of Regent Avenue West) to Ravelston Avenue West, and all related works, including, but not limited to, street lighting, landscaping, drainage facilities, a 1.5-m-wide by 100-mm-thick portland cement concrete sidewalk along the west side of Peguis Street, and an asphaltic concrete pavement transition north of Ravelston Avenue West, all as determined by, and to the satisfaction of, the Director of Public Works.

b) Should the Developer opt to construct the easternmost two lanes of Peguis Street described in a) above, the Developer shall obtain either the required (approximately 20-m) right-of-way for the widening of Peguis Street, or the required (approximately 20-m) easement on the private land adjacent to, and east of, Peguis Street, to accommodate the works identified in Paragraph 32 a) above.

c) Should the Developer opt to construct the westernmost two lanes of the Peguis Street pavement described in a) above, the Developer shall effect the pavement re-alignment by terminating (south end) the concrete pavement adjacent to the northern terminus of the existing Peguis Street concrete pavement, and constructing a temporary asphaltic concrete transition from the terminus of the new pavement, to connect to the existing concrete pavement at least 60 m south, to the satisfaction of the Director of Public Works.

.

d) The City will endeavour, within the limits of its powers, to make recoveries from other benefiting privately-owned lands through subsequent agreements - or, alternatively, the Developer may request the City to endeavour to enact a Local Improvement By-Law - for the improvements described in a) and b) above.

33. 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 - all in accordance with City policy, and site design plans and specifications approved, by the Directors of Public Works and Planning, Property, and Development. The Developer, in accordance with the City's Development Agreement Parameters, is required to provide water service to the site. If the City determines that the provision of water service to the public open space is not required, the Developer shall provide compensation either in site amenities of equivalent value or in accrued credit.

34. In calculating open-space dedication, the public reserve adjacent to the retention pond is considered excessive and of limited usability, so no credit will be given for excess serviced frontage.

35. The Developer shall, in consultation with the City Naturalist and Urban Designer, determine the viability, and, if necessary, implement the best methods, of protecting and preserving the existing natural areas within the proposed Public Reserve.

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

37. 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 which the Director of Public Works considers to be beyond the standard scope of development.

38. Following completion of all major construction works, the Developer shall, at its cost, have the locations of the survey monuments within the Planned Area 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.

39. 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 by March 31 of the year following substantial performance showing, the services required to serve the Planned Area.

40. 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 10/10
Revised July 8, 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

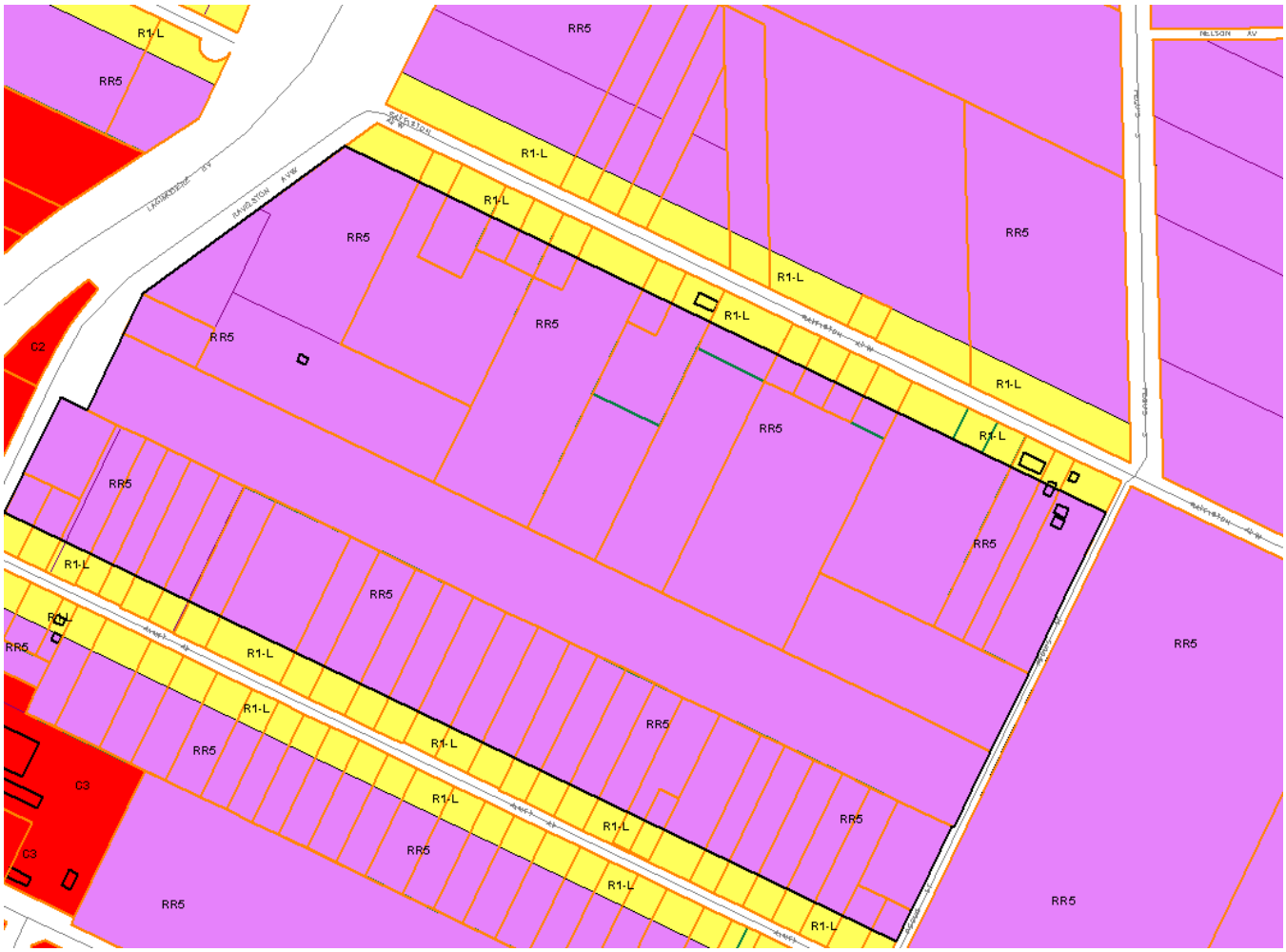


Figure 1: Existing Zoning for subject property and Surrounding Area.

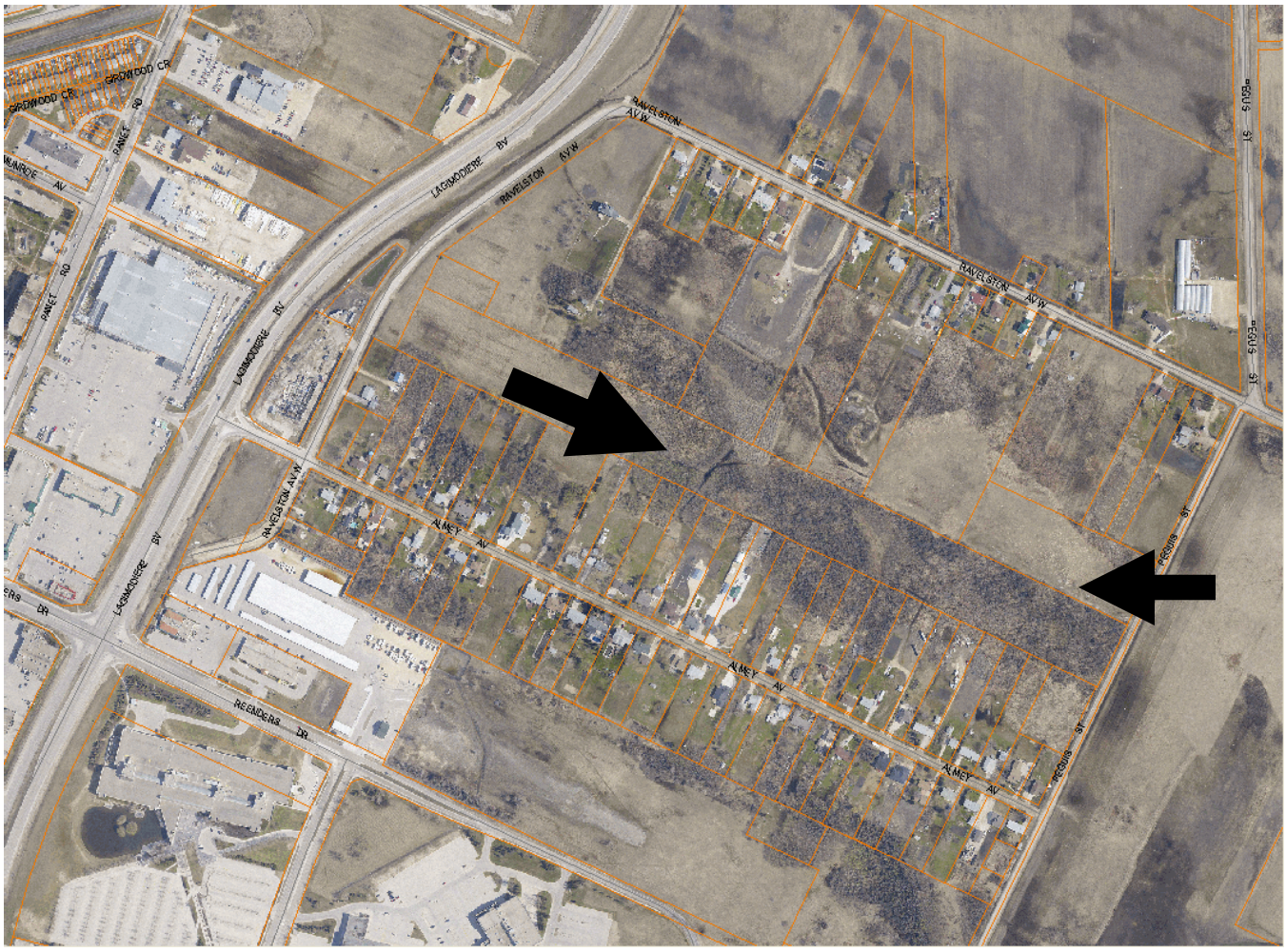


Figure 2: Existing Land-Uses for subject property and Surrounding Area.

APPENDIX 'B' - TRANSCONA WEST AREA STRUCTURE PLAN

5.2 Almey- Ravelston Special Planning Area

5.2.1 Purpose

The purpose of the Almey – Ravelston Special Planning Area is to provide policies that are specific to the area shown on Map 4. This map consists of a series of areas and symbols that define a future land use pattern and transportation network for the community.

The policies of this Special Planning Area allow for both the preservation of the existing large lot single family residential development while permitting some re-subdivision and development of existing larger parcels where appropriate.

With the recent extension of municipal services through a local improvement along Almey Avenue, there is now an opportunity to re-subdivide larger parcels within this area. The fragmented nature of the ownership poses challenges for the development of a comprehensive plan that would allow for a phased and logical extension of roads and services into the area. The following policies are intended to provide a framework toward the development of such a comprehensive plan.

5.2.2 Policies

(1) Land Uses

(e) Natural Areas identified on Map 4, within the Special Planning Area, may be acquired through Conversation Easements, Charitable Donations (ecological gift), Outright Purchase, Land Exchange, and/or Land Dedication.

(2) Subdivision

(a) The rezoning and subdivision of land within the Special Planning Area will be considered by the Community Committee through the Development Application process in accordance with the following additional requirements:

> *(i) any application for subdivision shall be accompanied by a Concept Plan that demonstrates how the subdivision may be integrated into the re-subdivision of adjacent and surrounding parcels in order to ensure that the future potential for adjacent subdivision is not compromised,*
>
> *(ii) all proposed parcels must be serviceable by a full range of municipal services including access to a fully developed public roadway; and*

(4) Street Hierarchy

(d) The Almey – Lagimodiere connection will only be severed upon completion of the Reenders Drive extension connecting at a minimum two lanes of the ultimate four lane roadway with Peguis Street.

(e) the traffic control signals located at the present Almey – Lagimodiere intersection be retained following the closing of Almey Avenue, west of Ravelston Avenue to continue providing adequate northbound and southbound vehicular access to the commercial lands located on the east side of Lagimodiere Boulevard, west of Ravelston Avenue.

(f) That pedestrian access to Lagimodiere Blvd via Almey Avenue be maintained after the Almey Avenue right-of-way has been closed to vehicle traffic west of Ravelston Avenue West and east of Lagimodiere Boulevard, which would be triggered by the extension of Reenders Drive (as stipulated in Recommendation 5.2.2(4)(d).

(g) That the Reenders Drive extension and permanent closure of Almey Avenue west of Ravelston Avenue be done concurrently as one project.

5.4 Residential Mixed Use Areas

5.4.1 Purpose

The purpose of these areas is to create community focal points with mixed-use development that is strategically located within the plan area adjacent to major roadways and transit services. They should contain a grouping of retail and/or service commercial uses integrated with complementary uses such as public open space, single and multi-unit residential development. In addition the design should include convenient vehicle and pedestrian connections within the site and to the surrounding area. The site design, size and composition of the local and community-scale commercial components within these areas will be determined during the Development Application process.

5.4.2 Policies

(1) Composition of Residential Mixed Use Areas

(a) Subject to the policies of this Plan,

(i) a significant use of land within Residential Mixed Use Areas will incorporate low, medium and higher density residential uses.

(ii) in order to create a cohesive shopping, living and leisure environment

(A) institutional, office, recreational or public uses that complement and support the area may be allowed,

(B) local, retail or community-scale commercial uses and services that are compatible with higher residential densities may also be allowed, and

(C) regional scale commercial or office and services are not considered complementary to Residential Mixed Use Area neighbourhoods outside the area identified in Plan Winnipeg as Areas of Regional Commercial and Mixed-Use Concentration.

APPENDIX 'C' - AREA RESIDENTS QUESTIONS (June 17 Open House)

1) Will the aquifer / water table under everyone's property be changed?

This development should not affect the aquifer / water table. The causes of negative affects on the aquifer / water table would be more people taping wells down into the aquifer / water table: this development will have piped water and piped waste water.

2) Why can't the land drainage have a linear stream instead of a lake?

The City of Winnipeg does not mandate the shape of lakes, only the required size to ensure the catchment area is serviced.

3) How do individual property owners address land drainage on their individual lots?

Lot Grading Permits have been required since 1980. If your house was built before then, as the property owner, you are responsible for:

- *maintaining all lot grades that were established and approved by the City before the passing of this by-law or established by a lot grading permit,*
- *ensuring that any surface water originating on your property does not damage neighbouring property, and*
- *ensuring that roof downspouts, downspout extensions, sump pump hoses, and splash pads meet the requirements of the Lot Grading By-law.*

Proper lot grading keeps surface water away from your home and the weeping tile system. Your lot should be sloped away from the home to allow all surface water to flow to the property line and/or swales

Apply for Lot Grade Certification
Call your surveyor to set the grades in order to establish substantial grading. Once you have completed substantial grading on your property, call your surveyor once again to survey your property and prepare a Lot Grade Certificate

Fix the deficiencies noted by your surveyor
You need to adjust the grade levels where instructed by your surveyor. Some adjustments may be as simple as adding some topsoil to a low area, or removing sod or soil from a high area.

If you continue to have runoff from a neighbouring property:

- *contact **311**,*
    - *we will contact you to discuss your concern and may send a lot grading inspector to examine both properties and recommend improvements,*
    - *we will issue a by-law violation notice for infractions of the Lot Grading By-law,*
    - *property owners are required to comply with the by-law.*

4) Do the ditches along Almey and Ravelston flow west?

At the time of this report, we were unable to collect this information.

5) Will the ditches change flow direction and go east? Will the ditches be improved?

This development application does not require improvements to the existing ditches are drainage will be directed into a piped land drainage system.

6) Will a Catch Basin be put in at the end of the ditch on Ravelston (where the new road connects to Ravelston) to connect to the new LDS pipe the Developer is installing out to the deep water pond?

This is normal practice in these situations.

7) Everyone's property drains to the rear of their lots and into the this low area - - When the new lots are constructed, will they be built up on higher ground than the surrounding area?

The new lots will be constructed onto higher ground then the surrounding area. The material excavated to constructed the lake will likely be spread on the surrounding lands.

The Lot Grading by-law 7294/98 discourages private property owners from draining onto their neighbours lands.

8) follow up to question #7 - -- where will the water go now that the new lots are constructed - - the higher ground will mean the water will not flow off their lots?

Existing lots should be directing their lot drainage into the ditches. . . .not draining your property onto the adjoining private lands.

9) Is the proposed retention lake, standing water?

The retention lake is used part of the land drainage network to connect drainage from individual lots into the Deep Water Pond - - water will flow more vigorously during rain showers, etc.

10) Lakeside Meadows pond flooded in May, 2010, will this happen here?

The specifications and standards for retention lakes have changed – the current standards for lakes is 4 foot rise plus 2 feet of freeboard – this is based on the one in 25 year storm event.

11) the Deep Water Pond flooded May, 2010 - and the pump broke too - - - will this Pond be able to hold the water from this new lake? Will the Deep water pond need to be expanded? An additional pump constructed?

Yes – no improvement envisioned in the near future for the Deep Water Pond other then potential upgrades for the pumping capacity and the capacity of the Kildare Trunk.

12) Where does the Deep Water Pond Flow into?

Goes into the Kildare Trunk that leads into the Floodway.

13) What is the requirement for hooking up to a sewer pipe once it is installed down a street?

The disconnection of independent waste water services once a sewer pipe is installed is now under Provincial jurisdiction – we believe it is within 5 years.

14) In the 1960's, when Lag. Blvd was built, the culvert under that was supposed to drain all these lands - - but it was built to high, and it also collapsed - - - is this situation going to be fixed?

We have a combined sewer district on the west side of Lag and we prefer not to have any more drainage going in this direction. The idea is for all the land drainage east of Lag to go into the Floodway.