Agenda - Council – September 28, 2011

Report - Standing Policy Committee on Property and Development – September 13, 2011

Item No. 2 Subdivision and Rezoning – North side of Rothshire Drive, east of Redonda Street (Canterbury Park)
(Transcona Ward)
File DASZ 25/2011 [c/r DAC 15/2011]

STANDING COMMITTEE RECOMMENDATION:

On September 21, 2011, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and East Kildonan-Transcona Community Committee and submits the following to Council:

1. That the plan of subdivision proposed under File DASZ 25/2011 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 25/2011 dated July 11, 2011, 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 amendment to Development Agreement AG 42/87 with the City containing all the conditions outlined in Schedule C, the report of the Administrative Coordinating Group, with the following amendments:

        i. Delete Section A – Plan Amendment in its entirety.

        ii. Add the following Condition:

            "i. That the Developer shall at no expense to the City construct portland cement concrete sidewalks on both sides of Rothshire Drive from to John Duncan Drive to Redonda Street."

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 25/2011 dated July 11, 2011, to R1-M Residential Single-Family District – Medium.

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

Report - Standing Policy Committee on Property and Development – September 13, 2011

4. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two years 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 the two year period and Council approves the extension.

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 amendment to Development Agreement.

7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one year from the date the by-law is passed, failing which the matter shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

9. That the City owned property shown outlined and identified as "Subject City Property" on Schedule “C” be declared surplus to the needs of the City.

10. That the Director of Planning, Property and Development be delegated the authority to negotiate and approve the sale of the City-owned property shown outlined and identified as "Subject City Property" on Schedule “C”, to the applicant at fair market value and on terms and conditions satisfactory to the Director of Planning, Property and Development and the Director of Legal Services and City Solicitor in order to protect the interests of the City and to achieve the intent of Council.

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

Report - Standing Policy Committee on Property and Development – September 13, 2011

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 21, 2011, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 13, 2011, 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 July 19, 2011, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments, namely:

<u>Report from the Planning and Land Use Division</u>

- Amend Recommendations 1. and 2. by deleting "Schedule "B"" and replacing it with "Schedule "A""

<u>Report of the Administrative Coordinating Group</u>

- Delete Section "A – Plan Amendment" in its entirety.

- Add the following Condition:

  That the Developer shall at no expense to the City construct portland cement concrete sidewalks on both sides of Rothshire Drive from to John Duncan Drive to Redonda Street."

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

RE: **Subdivision and Rezoning – North Side of Rothshire Drive, East of Redonda Street (Canterbury Park)**
File DASZ 25/2011 [c/r DAC 15/2011]

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: **July 21, 2011**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 19, 2011, the East Kildonan-Transcona 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 proposed under File DASZ 25/2011 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with ~~***Schedule "B"***~~ ***Schedule "A"*** for File DASZ 25/2011 dated July 11, 2011, 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 amendment to Development Agreement AG 42/87 with the City containing all the conditions outlined in Schedule C, the report of the Administrative Coordinating Group***, with the following amendments:***

        i. Delete Section A – Plan Amendment in its entiret.

        ii. Add the following Condition:

            "i. That the Developer shall at no expense to the City construct portland cement concrete sidewalks on both sides of Rothshire Drive from to John Duncan Drive to Redonda Street."

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on ~~***Schedule "B"***~~ ***Schedule "A"*** for File DASZ 25/2011 dated July 11, 2011, to R1-M Residential Single-Family District – Medium.

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

4. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two years 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 the two year period and Council approves the extension.

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 amendment to Development Agreement.

7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one year from the date the by-law is passed, failing which the matter shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

9. That Council declare the City owned property shown outlined and identified as "Subject City Property" on Schedule “C” surplus to the needs of the City.

10. That the Director of Planning, Property and Development be delegated the authority to negotiate and approve the sale of the City-owned property shown outlined and identified as "Subject City Property" on Schedule “C”, to the applicant at fair market value and on terms and conditions satisfactory to the Director of Planning, Property and Development and the Director of Legal Services/City Solicitor in order to protect the interests of the City and to achieve the intent of Council.

11. That the Director of Legal Services and City Solicitor 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 East Kildonan-Transcona Community Committee provided the following supporting reason for its recommendation:

1. The East Kildonan-Transcona Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated July 11, 2011.

PUBLIC HEARING SUMMARY

File: DASZ 25/2011 [c/r DAC 15/2011]

Before: East Kildonan-Transcona Community Committee
Councillor Wyatt, Chairperson
Councillor Browaty
Councillor Steen

Public Hearing: July 19, 2011
Bronx Park Community Centre
720 Henderson Highway

Applicant: Novamet Development Corporation
(Lyne Jones)

Subject:



Premises Affected: North Side of Rothshire Drive, East of Redonda Street

(Canterbury Park)

Exhibits Filed:

1. Application dated June 22, 2011
2. Notification of Public Hearing dated June 22, 2011
3. Manitoba Status of Titles 1906678, 2524078, 2524090, 2524091, 2524092, 2524093 and 2524095
4. Letter of authorization dated June 23, 2011 from the City of Winnipeg to Novamet Development Corporation
5. Plans (2 pages)
6. Report from the Planning and Land Use Division dated July 11, 2011
7. Inspection Report
8. Audio Recording of representations

REPRESENTATIONS:

In Support:

Lyne Jones, Novamet Development Corporation
Eric Vogan, Novamet Development Corporation
Mike Armstrong, Novamet Development Corporation

In Opposition:

Nil

For Information:

Nil

For the City:

Mr. K. Raban, Land Development Administrator,
Planning, Property and Development Department
Mr. J. Wintrup, Senior Planner, Planning, Property and Development Department

Exhibit "6" referred to in File DASZ 25/2011 [c/r DAC 15/2011]

ADMINISTRATIVE REPORT

Title: DASZ 25/2011 – Canterbury Park, Hosfield Bay & Ronald Houston Park (Phase 9 and 10).

Issue: For consideration at the Public Hearing for a subdivision and rezoning to allow for future single family residential development and open space.

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			

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 25/11 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" for File DASZ 25/11 dated July 11, 2011 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 amendment to Development Agreement AG 42/87 with the City containing all the conditions outlined in Schedule C, the report of the Administrative Coordinating Group.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "B" for File DASZ 25/11 dated July 11, 2011, to R1-M Residential Single-Family District – Medium.

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

4. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two years 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 the two year period and Council approves the extension.

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 amendment to Development Agreement.

7. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one year from the date the by-law is passed, failing which the matter shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

9. That Council declare the City owned property shown outlined and identified as "Subject City Property" on Schedule “C” surplus to the needs of the City.

10. That the Director of Planning, Property and Development be delegated the authority to negotiate and approve the sale of the City owned property shown outlined and identified as "Subject City Property" on Schedule “C”, to the applicant at fair market value and on terms and conditions satisfactory to the Director of Planning, Property and Development and the Director of Legal Services/City Solicitor in order to protect the interests of the City and to achieve the intent of Council.

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 is proposing to develop single family dwellings within the planned area: the developer wants to re-align Hosfield Bay to connect on Rothshire Drive across from Edmond Gale Drive.
- The City will NOT require any additional land or “cash-in-lieu” for any of the lands in the DASZ application (10.79 acres of City lands and 9.27acres of Novamet lands) beyond the required 1.08 acres.
- The Public Service is requiring the developer to provide public access along a 6-m-wide walkway corridor connecting the west limit of the Planned Area to the south limit of the adjacent School lands

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Planning and Land Use Division are concurred in, this will facilitate the creation of single family dwellings.

HISTORY

DASZ 42/1987 on August 2, 1989 Canterbury Park was approved in principle by Council. The subdivision plan provides for approximately 1300 single family lots, two school sites and 26 acres of park land covering 238 acres of land.

DASZ 27/05 on July 26, 2006 Council approved a rezoning and subdivision of four (4) lots into fifty (55) single family lots. George Reshaur Bay & Edmund Gale. The applicant is proposing to develop fifty-five (55) single family residential lots fronting Edmund Gale and George Reshaur Bay as part of Canterbury Park. A new 11.84 acre park on the north side of Edmund Gale will be developed.

ZAA 05/2010 on June 23, 2010 Council approved an amendment to the Zoning Agreement restricting lot depths and rear yard setbacks along Pandora Avenue.

Plan Approval – Pandora Walkway Site Plan - Canterbury Park (West of Ravenhurst, North of Pandora Avenue) on July 27, 2010 as per the May 25, 2010 - Amendment to Development Agreement AG 42/87 – Public Walkways/Openings to Pandora Avenue East – Canterbury Park, the site plan of the landscaping for the multi-use active transportation corridor along Pandora Avenue East must be
submitted to the East Kildonan - Transcona Community Committee for approval. The site plans indicate that Standard City Concrete Sidewalks of 5 feet (1.5 metre) wide will lead from the Pandora Avenue Active Transportation Path into Harlow, Hiley and Ed Golding Bays within Canterbury Park.

BY-LAW NO. 127/2010 on December 15, 2010 Council approved a By-law of The City Of Winnipeg to approve a plan of subdivision and amend Winnipeg Zoning Bylaw No. 200/2006 to rezone lands located north of Pandora Avenue, between Ravenhurst Street and Redonda Street (DASZ 42/1987 – Phase 10) in the East Kildonan-Transcona Community and to repeal By-Law No. 98/2010. This by-law created blocks zoned “R1-M” and open streets for the vacant land south of John Duncan Drive, west of Ravenhurst, east of Redonda and south of Ronald Houston Park in Canterbury Park.

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 11, 2011*
File No.	*DASZ 25/11*

List of Schedules and Attachments

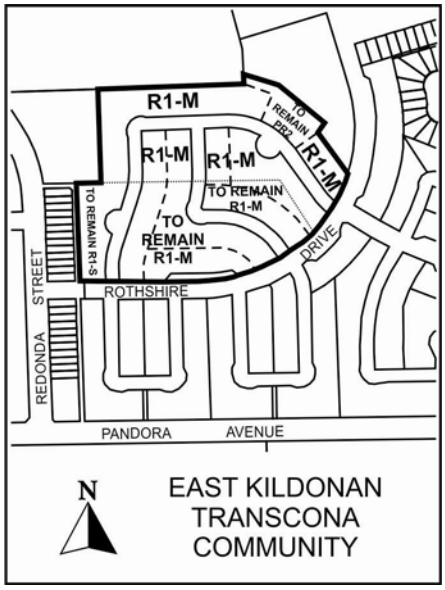
1. Appendix A – Planning Discussion.
2. Schedule “A” for File No. DASZ 25/11 as Advertised.
3. Schedule “B” for File No. DASZ 25/11 as Recommended.
4. Schedule “C” - Administrative Coordinating Group Servicing Agreement.
5. Schedule “D” - Misc. Plan No. 14028/2 City Owned Lands.
6. Schedule “E” - Canterbury Park Plan of Subdivision as per DASZ 42/1987.

APPENDIX 'A'

DATE: July 11, 2011
FILE: DASZ 25/11
RELATED FILES: DASZ 42/1987; ZAA 05/2010; DAC 15/2011
COMMUNITY: Transcona Community
NEIGHBOURHOOD #: 4.414

SUBJECT: Subdivision and Rezoning of 21.24 acres of land to create 1.08 acres as part of land dedication and 20.06 acres for single family residential development on 10.79 acres of City lands and 9.27 acres of Novamet lands.

LEGAL DESCRIPTION:



APPLICANT: Novamet Development Corporation (Lyne Jones)

OWNER: Novamet Development Corporation (Lyne Jones)
City of Winnipeg

RECOMMENDATION: Approval with Conditions

REPORT SUMMARY

- The applicant is proposing to develop single family dwellings within the planned area: the developer wants to re-align Hosfield Bay to connect on Rothshire Drive across from Edmond Gale Drive.
- The City will NOT require any additional land or "cash-in-lieu" for any of the lands in the DASZ application (10.79 acres of City lands and 9.27acres of Novamet lands) beyond the required 1.08 acres being provided under this development application.

- The Public Service is requiring the developer to provide public access along a 6-m-wide walkway corridor connecting the west limit of the Planned Area to the south limit of the adjacent School lands.

SURROUNDING LAND USES AND ZONING

- The subject properties are 9.27 acres (Novamet) and 10.79 acres (City lands) for a total of 21.24 acres located on the north side of Rothshire Drive between Redonda Street and Edward Gale Drive in the Canterbury Park neighbourhood of the Transcona ward.
- The planned area is vacant, zoned **RR 5 Rural Residential District** and **PR2 Parks and Recreation 2 (Community) District**, and currently in-accessible because none of the adjacent roads have been improved.
- Adjacent properties include single family dwellings, and College Pierre Elliot Trudeau zoned PR-3 to the west along Redonda; Murdoch MacKay Collegiate and 7.3 acres of open space 'school yard' is to the north zoned PR-3 along Redonda.
- Surrounding lands include single family dwellings approved along Rothshire Drive and Edmond Gale Drive.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- Subdivision and Rezoning of 21.24 acres of land (i.e., 10.79 acres of City lands and 9.27acres of Novamet lands).to create 1.08 acres as part of land dedication and 20.06 acres for single family residential development.
- The City will NOT require any additional land or "cash-in-lieu" for any of the lands in the DASZ application (10.79 acres of City lands and 9.27acres of Novamet lands) beyond the required 1.08 acres being provided under this development application
- Hosfield Bay will be legally closed under a road closing application (DAC 15/2011), and a new alignment created under this application.
- The new Hosfield Bay will align with Edmond Gale at the east, and with Harlow Bay to the west.
- A new street will be created between Hosfield and Rothshire aligned with Hiley Bay.
- Open space, Ronald Houston Park, will be provided between Hosfield Bay and George Marshall Way.
- John Duncan Drive will ***not*** be extended west past Rothshire Drive as part of this application.
- Houses along the new Hosfield Bay will back against College Pierre Elliot Trudeau to the west, Murdoch MacKay Collegiate's school yard and Ronald Houston Park to the north.

ANALYSIS AND ISSUES

ZONING BY-LAW 200/06

- **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.

- **PR2 Parks and Recreation 2 (Community) 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 pens, 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.

- **PR3 Parks and Recreation 3 (Regional**) is intended for sites that include major recreation facilities and parks that are a regional destination.
    - These sites may include major recreation facilities, aquatic leisure centres, regional parks, sport multi-plexes and athletic field developments.
    - Parking facilities ranging from 100 to 300+ stalls may be associated with these uses.
    - These facilities are typically found along major arterials

NEIGHBOURHOOD COMPATIBILITY

- The subject property is surrounded by a mix of residential land uses, including "**R1-M Residential Single-Family District – Medium** immediately south of the site. As such, the proposed zoning for this area is compatible with the neighbourhood.
- Canterbury Park was approved in principle by Council on August 2, 1989 under DASZ 42/87 as per Schedule E.
- The subdivision plan provides for approximately 1300 single family lots, two school sites and 26 acres of park land covering 238 acres of land.
- The plan was approved for nine (9) stages and allows the applicant to proceed with the stages with by-law approvals from Council on a needed basis.
- Ronald Houston Park was created as Phase 9, at 13.8 acres.
- The development of the stages has occurred out-of-order over the years with the original stages 1, 4, 2 and 3 being partially completed and renumbered.
- This application is consistent with the original rezoning and subdivision of Canterbury Park for residential land-uses and the creation of Ronald Houston Park.

SITE DESIGN MATTERS

- The original subdivision plan as submitted by the applicant was advertised in for the Public Hearing and is provided as Schedule "A".
- As identified in Schedule "B" and outlined in the Report of the Administrative Coordinating Group in Schedule "C", the developer is to provide public access along a 6-m-wide walkway corridor connecting the west limit of the Planned Area to the south limit of the adjacent School lands.
- This public walkway is to facilitate school children walking to the nearby schools and local residents to access the adjacent open space for recreational opportunities.
- The public walkway's need and location was selected by the City of Winnipeg's Active Transportation Coordinator and the River East – Transcona School Division.

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 be providing1.08 acres as part of land dedication land and not 'cash in lieu'.
- The City will NOT require any additional land or "cash-in-lieu" for any of the lands in the DASZ application (10.79 acres of City lands and 9.27acres of Novamet lands) beyond the required 1.08 acres being provided under this development application
- The 1.08 acres to be taken as 'land dedication' was advertised showing the land to be zoned "PR2" Parks and Recreation 1 (see Schedule "A").
- The land dedication is to be made in accordance with the Report of the Administrative Coordinating Group (Schedule "C").
- The Developer, as per the Development Procedures, will be required to grade, level, sod, and install land drainage systems within the proposed Public Reserve.
- The Developer will be required to fulfill its obligations for landscaping the adjacent public reserve lands (Ronald Houston Park) in accordance with the previously signed development agreement (AG 42/87) for Canterbury Park.

RECOMMENDATION

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

- The proposed development and rezoning conforms with the surrounding neighbourhood.
- The proposed development and rezoning is consistent with the single-family developments along Rothshire Dive near the planned area.
- The rezoning is consistent with City of Winnipeg policies to provide housing at appropriate locations and helps facilitate the development of Ronald Houston Park.
- Open space provided in the community within walking distance includes 7.3 acres adjacent to Murdoch Mackay Collegiate, 11.3 acres at Sir Winston Churchill Park, and 24.2 acres at Crocus Park / Victoria Jason Park.
- The City will NOT require any additional land or "cash-in-lieu" for any of the lands in the DASZ application (10.79 acres of City lands and 9.27acres of Novamet lands) beyond the required 1.08 acres being provided under this development application.

This Report Submitted by: John Wintrup
Planning, Property and Development Department
Planning and Land Use Division
PPD File # DASZ 25/11

Schedule “A” for File No. DASZ 25/11, East Kildonan – Transcona Community Committee, dated July 11, 2011.

By-Law No. _____

File No. **DASZ 25/11**

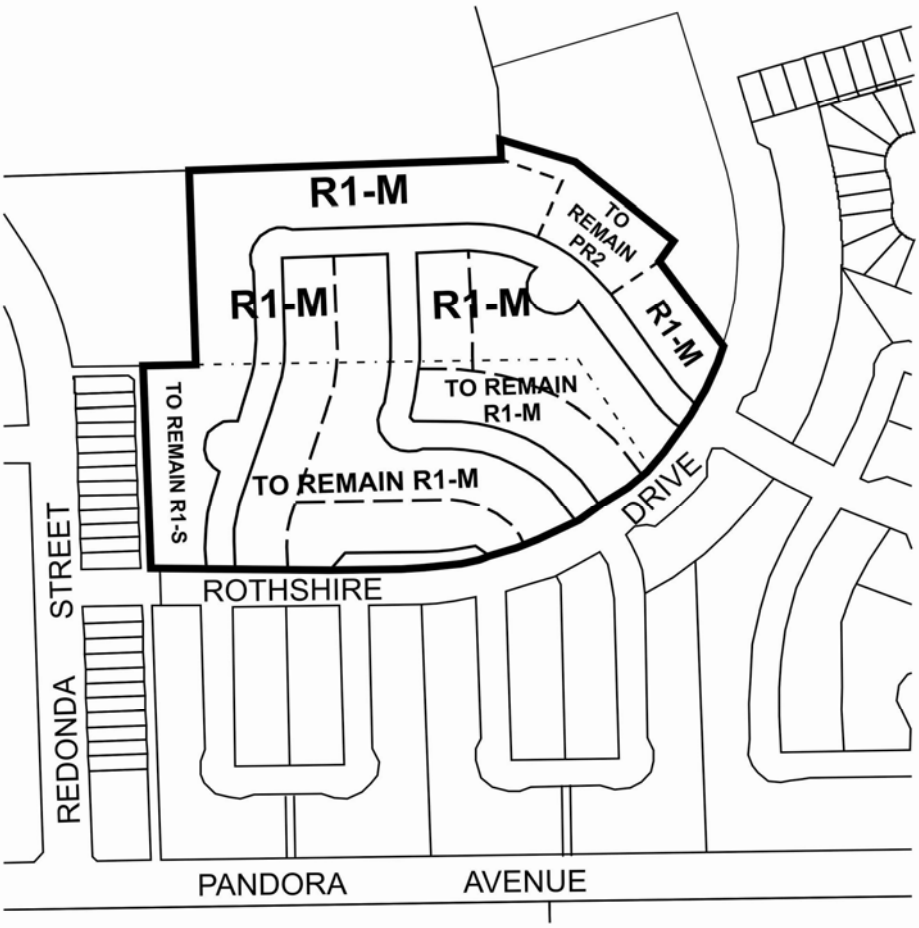
Atlas Sheet No. **Z37**

N

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 in Canterbury Park-Ronald Houston Park from a "PR2" PARKS AND RECREATION 2 DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT to allow for creation of block plan and right-of-way for future residential development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule “B” for File No. DASZ 25/11, East Kildonan – Transcona Community Committee, dated July 11, 2011.

By–Law No. _____

File No. **DASZ 25/11**

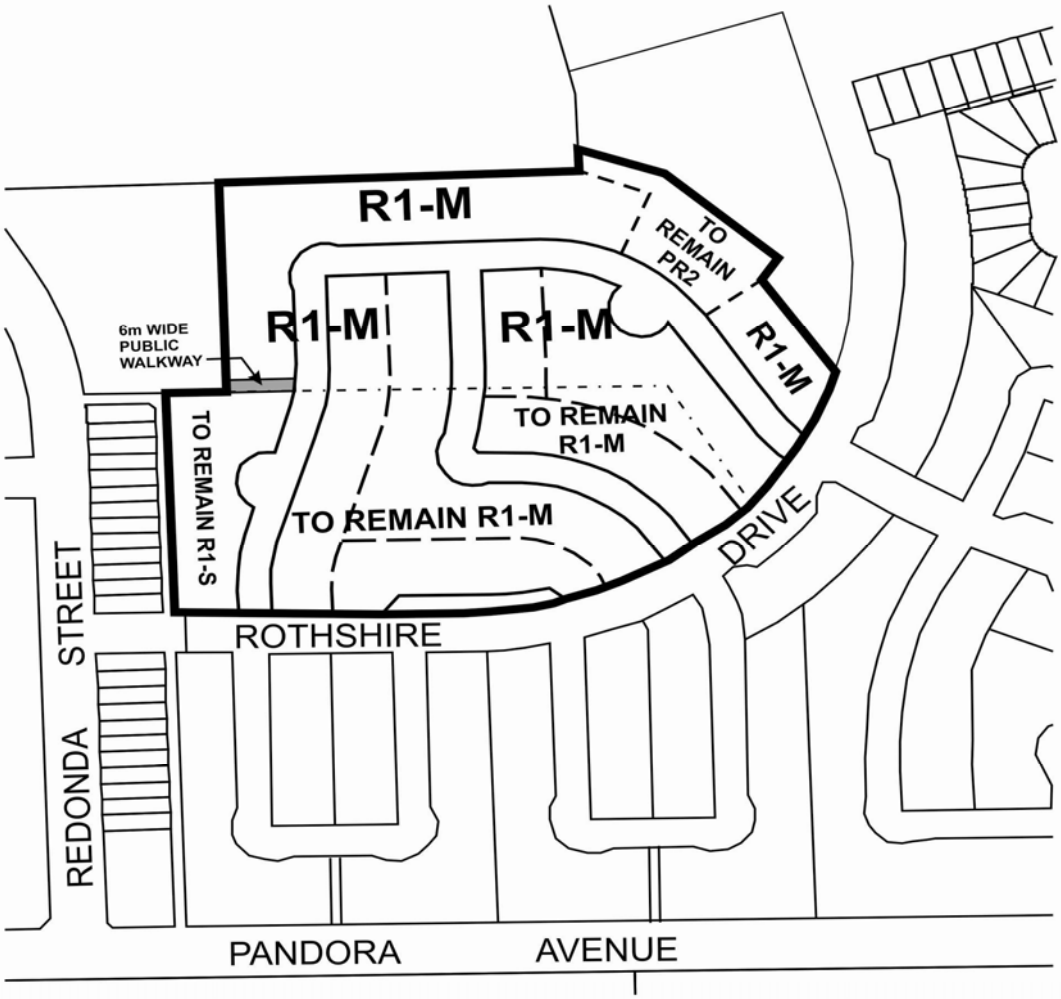
Atlas Sheet No. **Z37**

N

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 in Canterbury Park-Ronald Houston Park from a "PR2" PARKS AND RECREATION 2 DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT to allow for creation of block plan and right-of-way for future residential development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE C

RE: PROPOSED RE-SUBDIVISION AND RE-ZONING OF HOSFIELD BAY (CANTERBURY PARK PHASE 10) AND ADJACENT PUBLIC RESERVE (CANTERBURY PARK PHASE 9) – DASZ 25/11

It is recommended that the approval of DASZ 25/11 be subject to the following:

A. Plan Amendment

The addition to the Plan of a 6-m-wide walkway corridor connecting the west limit of the Planned Area to the south limit of the adjacent School lands, in accordance with Schedule B.

B. Updated Engineering Report

The Applicant's providing, to the satisfaction of the Director of Water and Waste, an updated servicing report, prepared by a qualified municipal engineer, demonstrating that the existing water and sewer systems have the capacity to service the additional Planned Area.

C. Development Agreement Amendment

The Applicant's entering into a further amendment to Development Agreement AG 42/87, as follows:

1. By adding to AG 42/87 a copy of the Plan of Subdivision approved under DASZ 25/11;

2. By adding to AG 42/87 (a) conceptual servicing and lot-grading drawing(s) for the Planned Area for DASZ 25/11;

3. By adding to AG 42/87 the following requirements:

    a) That the Developer dedicate to the City as public open space at least 10% of the land contained within the planned area for DASZ 25/11.

    b) That the Developer be required to grade, level, sod, and install land drainage systems within the proposed Public Reserve in accordance with plans and specification to be prepared by the Developer to the satisfaction of the Directors of Public Works and Planning, Property and Development; and that the City reimburse the Developer for 48% of the cost of grading, levelling, and

sodding, as certified by the Director of Planning, Property and Development, subject to the approval of Capital funding by Council.

c) That, concurrently with the development of the Public Reserve within the Planned Area, the Developer shall fulfill its obligations for landscaping the adjacent public reserve lands in accordance with AG 42/87. The Developer shall contribute, in the form of improvements to the Planned Area and adjacent Public Reserve lands, the equivalent of its 52% share of the grading, levelling, and sodding of the northeasterly approximately one acre of park (Ronald Houston Park) that has already been landscaped by others. This may include, but is not limited to, pathways, bollards, plantings, and site furnishings, the specifics of which shall be as approved by the Director of Planning, Property and Development. The tabulation shall take into account a $6,500 contribution by the Developer (in kind) for land drainage works.

d) That the Developer construct a 1.5-m-wide concrete sidewalk within, and landscape the remainder of, the 6.0-m-wide public pedestrian corridor, incorporating, if previous landscaping and irrigation credits permit, tree planting and bollard fencing at the east and west limits of the walkway.

e) That the Developer pay the full cost of installing all services abutting the public open space, with no additional payment or credit for over-dedicated frontage lands, unless the overall frontage is increased by the addition of the 6-m walkway.

f) That the Developer assume responsibility for the maintenance of the site until two years following its development, until the City issues Final Acceptance of the site.

4. By adding to AG 42/87 the requirement that the Developer, at no expense to the City:

    i. ensure that construction traffic uses access routes determined by the Director of Public Works;

    ii. maintain those access routes in a clean, dust-free condition, free of dropped and tracked-on mud; and

    iii. undertake the regular cleaning, including, but not limited to, scraping and sweeping of those access routes and all streets within the Planed Area,

    until building construction, including landscaping, is complete, and all as determined by, and to the satisfaction of, the Director of Public Works.

5. By adding to AG 42/87 the requirement that the Developer, 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.

6. By adding to AG 42/87 the requirement that, 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.

7. By adding to AG 42/87 the requirement that the Developer 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.

8. By adding to AG 42/87 the requirement that the Developer 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 (minimum $1,650.00), to help defray the City's administration and related costs associated with the preparation and implementation of the Amendment Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 25/11
July 7, 2011

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

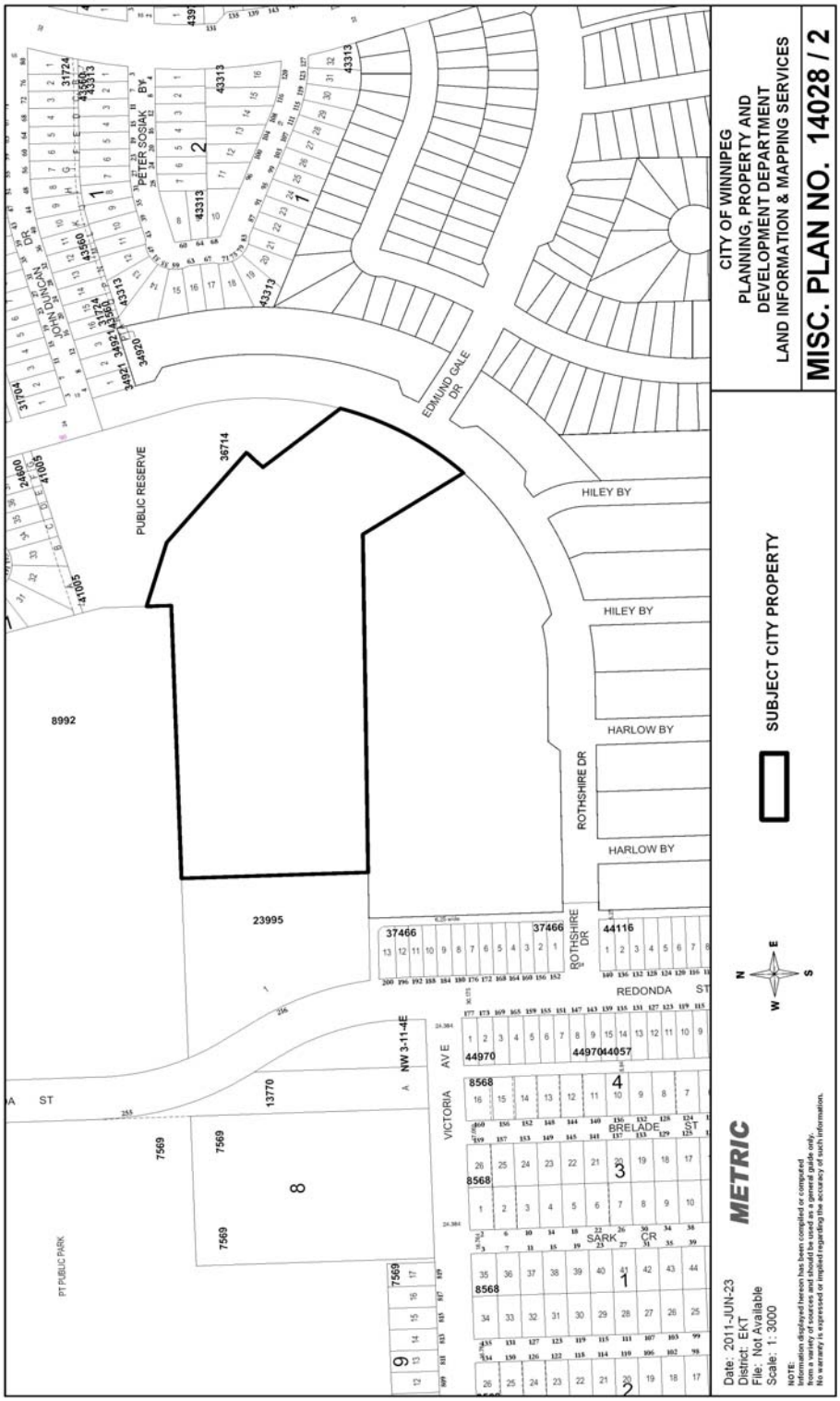
"original signed by R.J. Hartmann, P. Eng."
R.J. Hartmann, P. Eng.
Public Works Department, Transportation Division

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

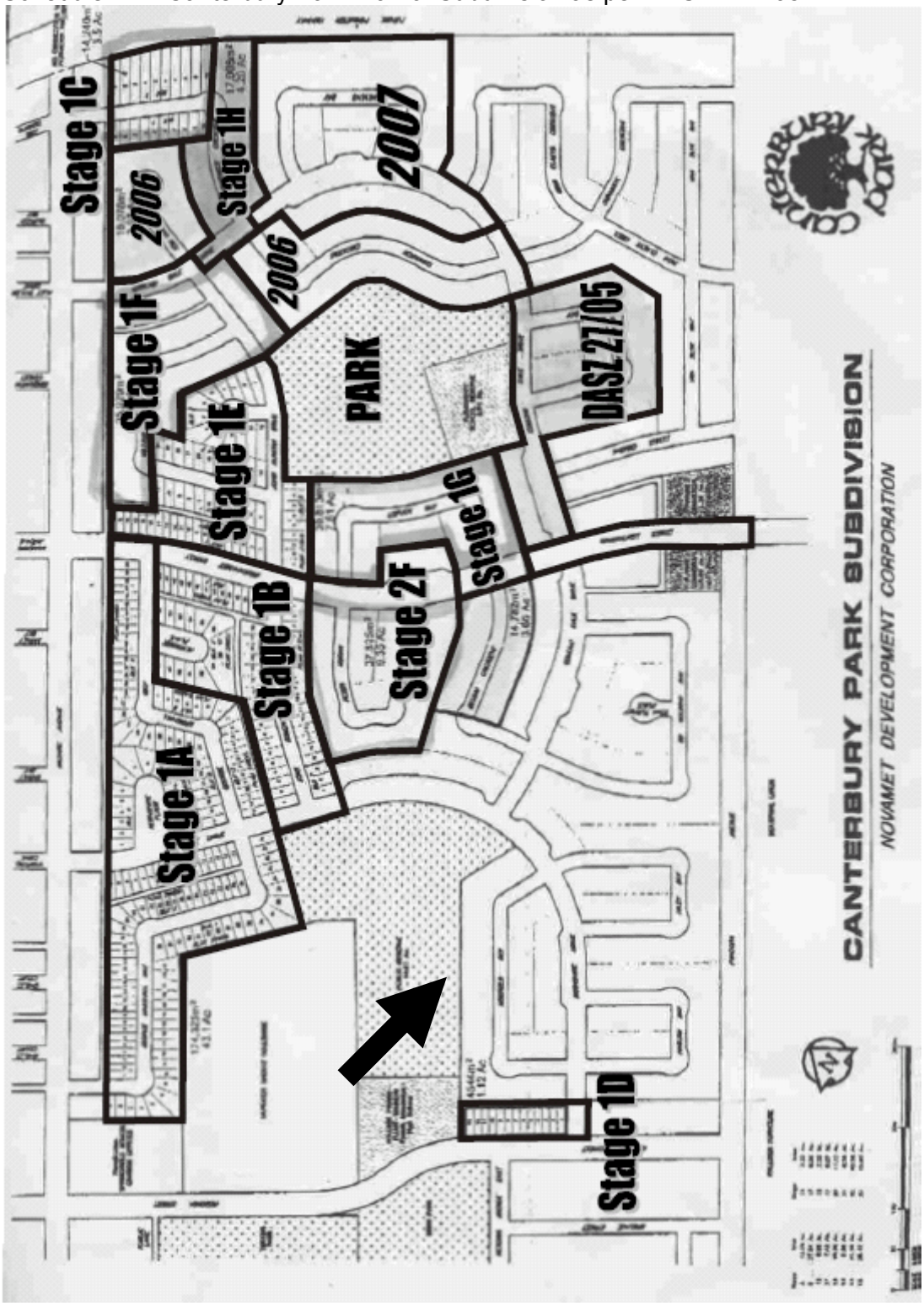
"original signed by D. Beaton, MLArch."
D. Beaton, MLArch.
Parks, Riverbanks, & Community Initiatives Branch

/sm

Schedule “D” - Misc. Plan No. 14028/2



Schedule “E” - Canterbury Park Plan of Subdivision as per DASZ 42/1987.



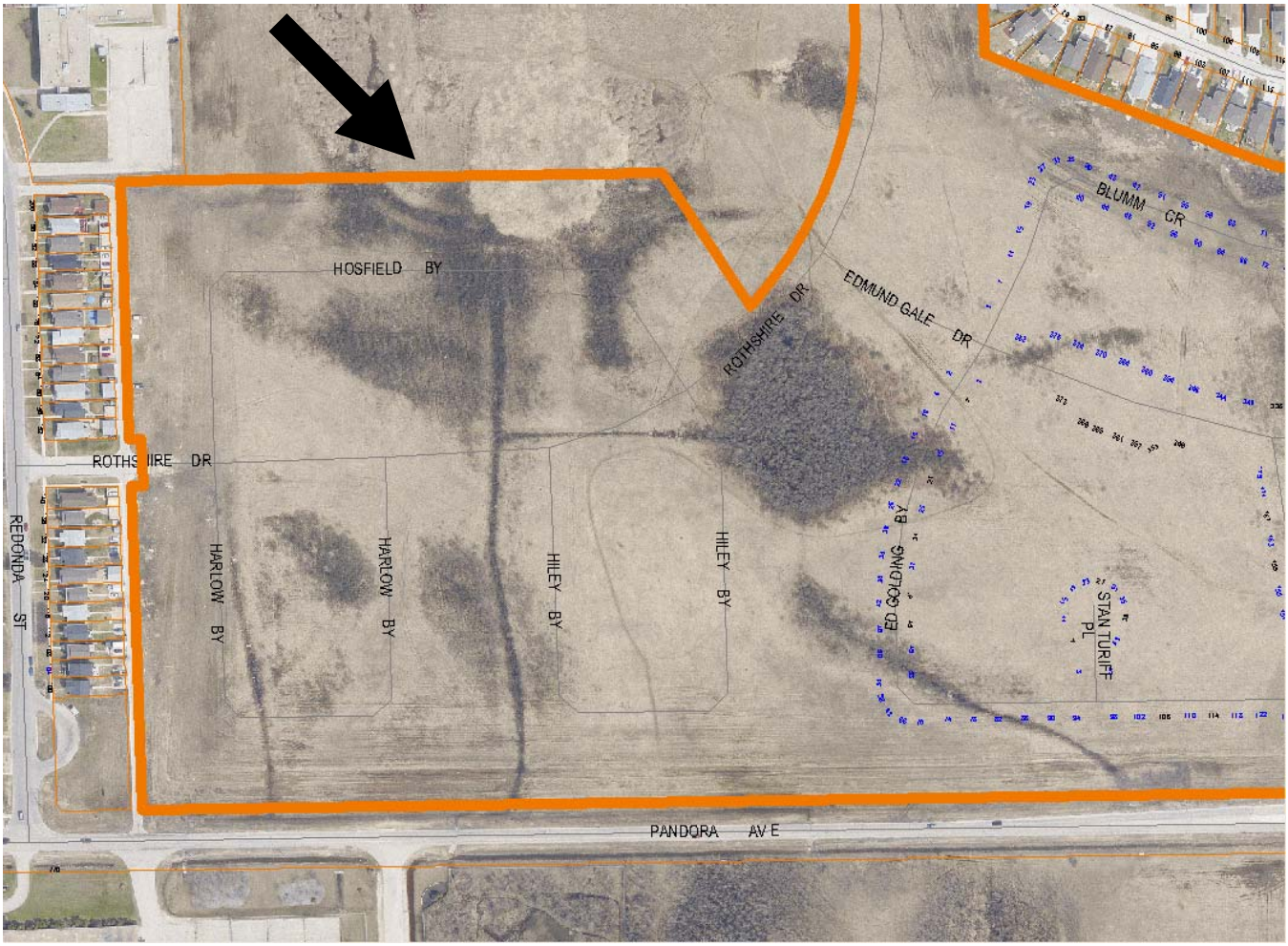


Figure 1: Existing Conditions for subject property and Surrounding Area.