Agenda – Council – July 18, 2012

Report – Executive Policy Committee – July 11, 2012

Item No. 11 Subdivision and Rezoning – 1269 St. Anne's Road
(St. Vital Ward)
File DASZ 6/2012

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 11, 2012, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee and submits the following to Council:

1. That the plan of subdivision under File DASZ 6/2012 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 6/2012 dated June 28, 2012 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 Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 28, 2012 which is Schedule "B" of this report.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 6/2012 dated June 28, 2012 to an "RMF-S" Multi-Family Small District and a "C2" Commercial Community District subject to the following:

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

        i. That for the development of any building, and/or accessory parking area and/or signage within the lands zoned "RMF-S" Residential Multi-Family, or within the lands zoned "C2" Commercial Community, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

Report – Executive Policy Committee – July 11, 2012

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 (2) 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 (2)-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 Servicing 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 (1) 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 one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

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 and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

Report – Executive Policy Committee – July 11, 2012

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 11, 2012, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 9, 2012, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

RE: **Subdivision and Rezoning – 1269 St. Anne's Road**
File DASZ 6//2012

For submission to: **Executive Policy Committee**

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

Report date: **July 10, 2012**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 9, 2012, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommends to the Executive Policy Committee:

1. That the plan of subdivision under File DASZ 6/2012 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 6/2012 dated June 28, 2012 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 Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 28, 2012 which is Schedule "B" of this report.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 6/2012 dated June 28, 2012 to an "RMF-S" Multi-Family Small District and a "C2" Commercial Community District subject to the following:

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

        i. That for the development of any building, and/or accessory parking area and/or signage within the lands zoned "RMF-S" Residential Multi-Family, or within the lands zoned "C2" Commercial Community, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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 (2) 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 (2)-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 Servicing 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 (1) 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 one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

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 and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

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

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated June 28, 2012.

2. The development is consistent with the emerging neighbourhood.

PUBLIC HEARING SUMMARY

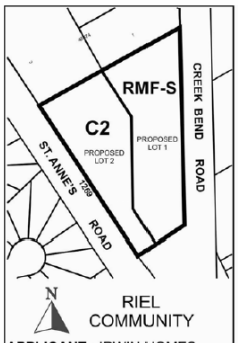
File: DASZ 6/2012

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

Public Hearing: July 9, 2012
Council Chamber
Council Building, 510 Main Street

Applicant: Irwin Homes (Andrew Koop)

Subject:



APPLICANT : IRWIN HOMES
FILE : DASZ 6/12
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY DISTRICT and a "C2" COMMERCIAL COMMUNITY DISTRICT to allow for the construction of multi-family dwellings and the maintenance of an existing place of worship and daycare use. **For information, phone Mr. R. Kostiuk, Planner, at 986-7367.**
DEMANDEUR : IRWIN HOMES
N° DE RÉFÉRENCE : DALZ 6/12
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus et proposition de modification du Règlement municipal no 200/2006 visant à changer le zonage des sols délinéés ci-dessus qui passeraient de la catégorie RR5 (SECTEUR RÉSIDENTIEL EN MILIEU RURAL 5) à la catégorie RMF-S (SECTEUR DE PETITES HABITATIONS MULTIFAMILIALES) et à la catégorie C2 (SECTEUR COMMERCIAL COMMUNAUTAIRE) afin de permettre la construction d'une habitation multifamiliale et le maintien d'un lieu de culte et d'un service de garde de jour. **Pour plus de renseignements, veuillez communiquer avec M. R. Kostiuk, urbaniste, au 986-7367.**

Premises Affected: 1269 St. Anne's Road

Exhibits Filed:

1. Application dated May 17, 2012
2. Notification of Public Hearing dated June 1, 2012
3. Manitoba Status of Title 1363271/1
4. Letter of authorization dated April 26, 2012 from Southside Bible Church to Theo Enns
5. Letter of authorization dated February 22, 2012 from Southside Bible Church to Irwin Homes Ltd.
6. Surveyor's Building Location Certificate and sketch undated
7. Plans (5 pages)
8. Report from the Planning and Land Use Division dated June 28, 2012
9. Inspection Report
10. Supporting Documentation submitted by Andrew Koop at the Public Hearing
11. Audio Recording of Representations

REPRESENTATIONS:

In Support:

Theo Enns
A. Klassen
Andrew Koop
David Powell
Brian Stimpson
Tassos Xanthopoulos

In Opposition

Nil

For Information:

David Watson

For the City:

Mr. K. Raban, Land Development Administrator, Planning, Property and Development Department
Mr. R. Kostiuk, Planner, Planning, Property and Development Department

Exhibit "8" referred to in File DASZ 6/2012

ADMINISTRATIVE REPORT

Title: DASZ 6/2012 – 1269 St. Anne's Road Drive Public Hearing

Issue: An application for consideration at the Public Hearing to subdivide the site into two (2) lots and rezone the land from RR5 to RMF-S (Lot 1) and C2 (Lot 2).

Critical Path: Riel Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

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

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 6/2012 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 6/2012 dated June 28, 2012 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 Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 28, 2012 which is Schedule "B" of this report.

2. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the planned area as shown on Schedule "A" for File DASZ 6/2012 dated June 28, 2012 to an "RMF-S" Multi-Family Small District and a "C2" Commercial Community District subject to the following:

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

      i) That, for the development of any building, and/or accessory parking area and/or signage within the lands zoned "RMF-S" Residential Multi-Family, or within the lands zoned "C2" Commercial Community, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

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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 and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

REASON FOR THE REPORT

- The applicant is proposing to subdivide the site into two (2) lots and rezone the property from “RR5” Rural Residential 5 to “RMF-S” Residential Multi-Family Small (Lot 1) and “C2” Commercial Community (Lot 2).
- Subdivisions and rezonings require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee’s consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Urban Planning Division are concurred in, the subject site will be subdivided into two (2) lots and rezoned from RR5 to RMF-S and C2.

HISTORY

DAV 425/90

- Under DAV 425/90, the owner was permitted a gravel surfaced parking lot, but was ordered to pave the parking lot by June, 1994. This variance order subsequently expired in June, 1995.

CONSULTATION

In preparing this report there was consultation with: N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Robert Kostiuk. MCIP
Date:	June 28, 2012
File No.	DASZ 6/2012

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule “A” — Recommended File No. DASZ 6/2012 Riel Community Committee, dated June 28, 2012.
3. Schedule “B” — Report of the Administrative Coordinating Group
4. Appendix “B” — Plan Approval Design Guidelines for DASZ 6/2012

APPENDIX 'A'

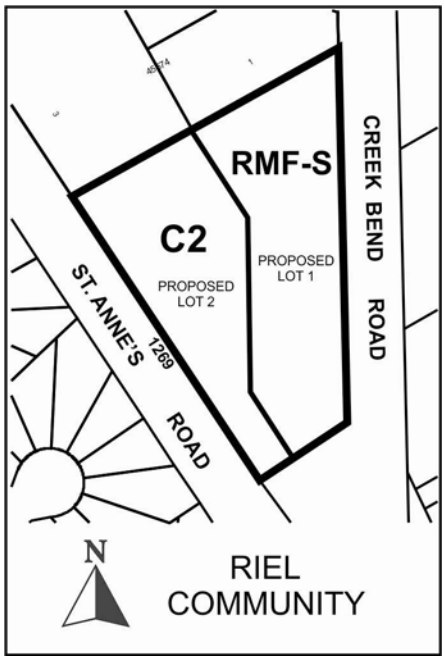
DATE: June 28, 2012

FILE: DASZ 6/2012
RELATED FILES: DAV 425/90

COMMUNITY: Riel
NEIGHBOURHOOD #: 5.530

SUBJECT: An application to subdivide the site into two (2) lots and rezone the site from RR5 to RMF-S (Lot 1) and C2 (Lot 2).

LOCATION: 1269 St. Anne's Road
LEGAL DESCRIPTION: SP Lot 22 Plan 20519



APPLICANT: Irwin Homes (Andrew Koop)
230 Henderson Highway
Winnipeg, MB R2L 1L9

OWNER: Southside Bible Church
38 Aldgate Road
Winnipeg, MB R2N 2X6

RECOMMENDATION: Approval with Conditions

REPORT SUMMARY

- The applicant is proposing to subdivide the site into two (2) lots and rezone the property from “RR5” Rural Residential 5 to “RMF-S” Residential Multi-Family Small (Lot 1) and “C2” Commercial Community (Lot 2).
- Lot 1 will be 104,841 square feet (2.41 acres) in area and will contain approximately 47 condominium townhouse units. Lot 2 will be 86,622 square feet (1.99 acres) in area and will remain used for the existing 5,318 square foot church on the site.
- The Urban Planning Division recommends supporting this application.

SITE DESCRIPTION

- The subject site is located on the east side of St. Anne’s Road, immediately north of the St. Anne’s Road and Creek Bend Road intersection in the Dakota Crossings neighbourhood of the St. Vital Ward.
- The property is **191,463 square feet (4.4 acres) in area** and contains the Southside Bible Church. There is also a sizable area east of the church that contains mature deciduous trees.
- The site is located along a Regional Mixed Use Corridor (St. Anne’s Road) under the Complete Communities Direction Strategy and is zoned “RR5” Rural Residential 5.



Figure 1: Aerial photograph showing approximate area of the subject site and surrounding area (2009)

SURROUNDING LAND USES AND ZONING (See Figure 2)

North: A three storey multi-family development zoned RMF-M.

South: Creek Bend Road.

East: Recently rezoned land for future multi-family development.

West: St. Anne's Road and detached homes zoned R1-M.

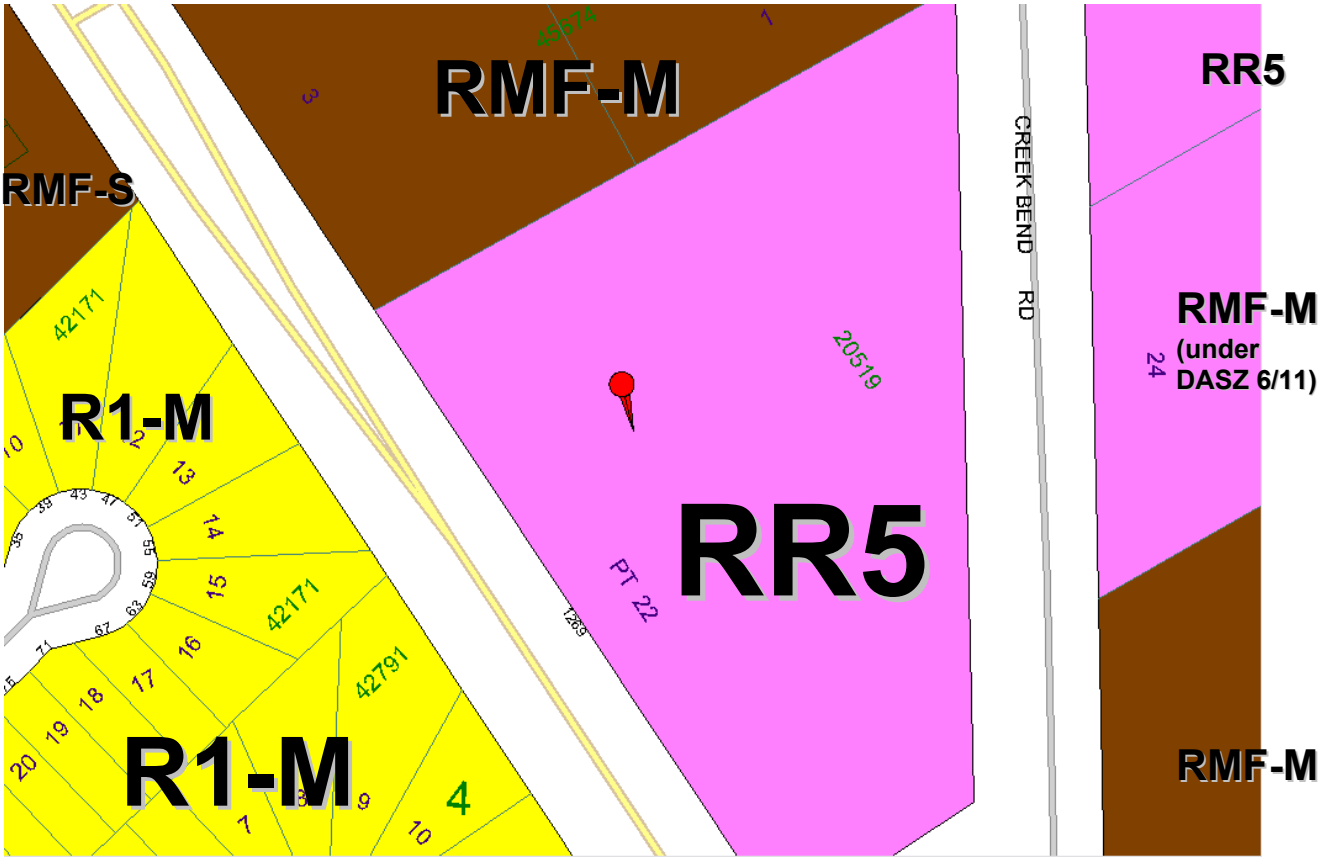


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide the site into two (2) lots and rezone the property from "RR5" Rural Residential 5 to "RMF-S" Residential Multi-Family Small (Lot 1) and "C2" Commercial Community (Lot 2).
- Lot 1 will be 104,841 square feet (2.41 acres) in area and will contain approximately 47 condominium townhouse units. The proposed townhomes will be comprised of 14 three-storey units and 33 two-storey units. The property will be accessed primarily from Creek Bend Road.
- Lot 2 will be 86,622 square feet (1.99 acres) in area and will remain used for the existing 5,318 square foot church on the site. The applicant states that the rezoning better reflects the "place of worship" and "daycare" uses on the site.

- It should be noted that the existing portable located south of the church will be relocated to the north side of the church.

ANALYSIS AND ISSUES

- Under the Complete Communities Direction Strategy the proposed development is located along a Mixed-Use Corridor (St. Anne's Road). Key relevant policies guiding development along Mixed Use Corridors include:
    - Provide a mix of employment, higher-density residential opportunities, retail and service uses that support the needs of and respect the context of adjacent communities.
    - Support a range of housing opportunities in terms of type, tenure, unit size.
    - Promote the highest levels of intensification at significant intersections. Between each centre, lower intensities of commercial, residential and mixed use development are appropriate.
    - Support active uses (such as retail and services) at street level and office and housing on the upper levels of multi-storey developments.
    - Promote high-quality plazas, parks and streetscapes as focal points and networks that are connected to the greater community.
    - Support development in accordance with Universal Design and Crime Prevention Through Environmental Design (CPTED) policies.
    - Promote innovative parking strategies and high intensity developments, including locating parking lots to the rear of developments, encouraging the development of underground parking or parking structures and encouraging the preservation and/or planting of trees and other types of vegetation within and around surface parking lots.

ZONING

"RR5" Rural Residential 5 District

- The RR5 district is intended to provide areas for large-lot rural residential development along with limited agricultural uses. The RR5 district requires: a minimum lot width of 25 feet, a minimum lot area of 5 acres, side yards of 25 feet, a front yard of 25 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 30%.

"RMF-S" Residential Multi-Family Small

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

"C2" Commercial Community District

- The C2 zoning district is intended to accommodate more intensive commercial sites that do not have a local or neighbourhood orientation. The district is intended to include attractive commercial, institutional, recreational, and service facilities needed to support

the surrounding neighbourhoods and the broader community. C2 districts are generally located along collector streets, at arterial/collector intersections, or along portions of arterial streets with relatively shallow lots. Non-residential structures in the C2 zone require the following dimensional standards: a minimum front, side and corner side yard of 0 feet, and a rear yard of 25 feet. The maximum building height is 49 feet and the maximum Floor Area Ratio is 3.0.

LAND USE BY-LAW

Rezoning

- The RR5 zoning district is intended for rural, single-family residential development with a minimum lot area of five acres. The applicant is proposing to rezone the land from RR5 to C2 and RMF-S to better reflect the land uses on the site with the existing church and to allow for the development multi-family buildings on Lot 1.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The Complete Communities Direction Strategy encourages the intensification of land uses along major corridors such as St. Anne's Road.
- The proposed rezoning to C2 is intended to better suit the existing land uses on the site, which include a church and daycare. "Places of worship" and "daycare centres" are permitted principal uses in the C2 zone, but are conditional uses in the RR5 zone.
- St. Anne's Road is a high capacity arterial that can appropriately support the permitted uses in the C2 zone. As stated in the Zoning By-Law, C2 districts are intended to be "located along collector streets, at arterial/collector intersections, or along portions of arterial streets with relatively shallow lots."
- The rezoning of Proposed Lot 1 to RMF-S is consistent and compatible with the surrounding properties, which are already zoned for multi-family development. In fact, the proposed zoning allows for less intensive multi-family residential development than the neighbouring properties to the north and east, which are both zoned RMF-M. The RMF-M zoning district allows for developments with a maximum height of 60 feet and a minimum lot area per dwelling unit of 800 square feet. The maximum permitted height in the RMF-S district is 35 feet and the minimum lot area per dwelling unit is 1,250 square feet, which allows for substantially less density than the RMF-M zone.
- It should be noted that, if rezoned to RMF-S, Proposed Lot 1 could accommodate up to 83 dwelling units. However, developing the site to its full capacity would require the construction of a building that is no taller than 35 feet and a site plan that could accommodate all of the required parking. Any building taller than the allowable 35 feet and/or associated parking with less than the Zoning By-law requirement would require a variance application.

RECOMMENDED ZONING AGREEMENT

Plan Approval

- Detailed building elevations and landscaping plans were not included in the subject application for Lot 1 (the RMF-S site). The Urban Planning Division is recommending that final plans be submitted to the Director of Planning, Property and Development and Riel Community Committee for review prior to the issuance of a development permit on

the site. The inclusion of this clause will allow the Urban Planning Division and the Riel Community Committee to review final plans before development takes place for the proposed development and for any future developments on the site.

- The Division is recommending that plan approval also be included as a condition of approval in the zoning agreement for Lot 2 (the C2 site). Although there is no proposed development on this site at this time, the subject property is located along a Regional Mixed Use Corridor where the overall site and building design are key considerations.
- Design guidelines for future development have been included in Appendix "B".

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 land is not less than 10%.
- The developer is to provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.
- The City is requesting cash in lieu this application (see condition 11 of the Report of the Administrative Coordinating Group, which is Schedule "B" of this report).

RECOMMENDATION

The Urban Planning Division recommends **approval** for the following reasons:

- St. Anne's Road is a high capacity arterial that can appropriately support the permitted uses in the C2 zone.
- The rezoning of Proposed Lot 1 to RMF-S is consistent and compatible with the surrounding properties, which are already zoned for multi-family development.

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

Report Prepared By: Robert Kostiuk, MCIP
PPD File # DASZ 6/2012

Schedule "A" for File No. DASZ 6/2012, Riel Community Committee, dated June 28, 2012

By-Law No. _____

File No. **DASZ 6/12**

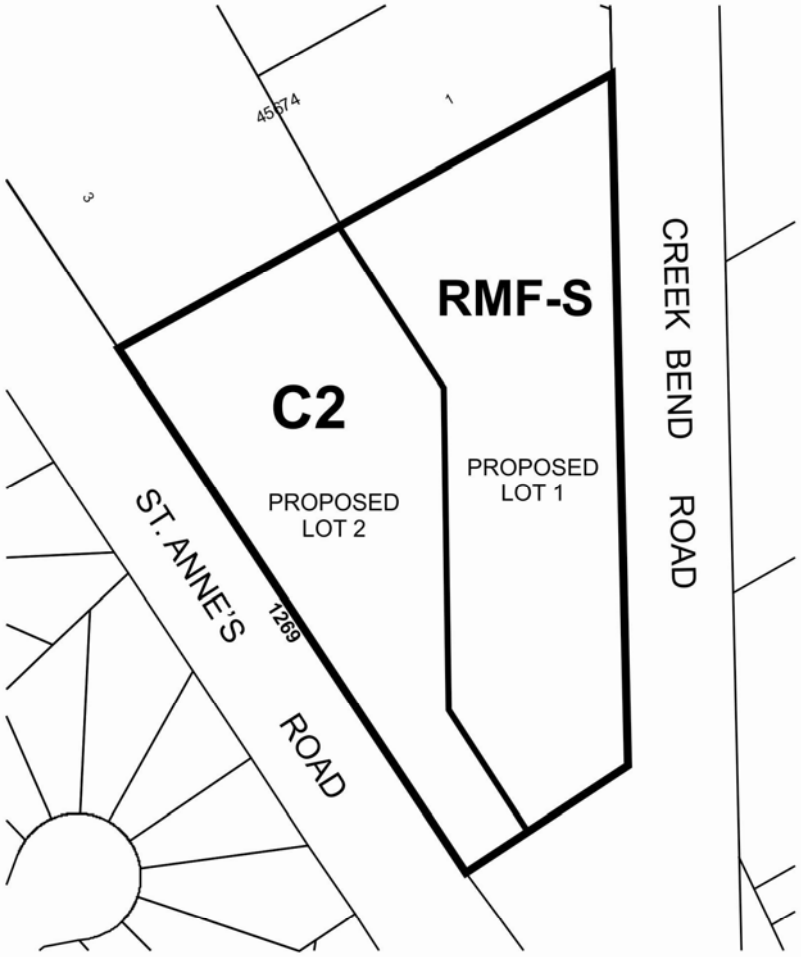
Atlas Sheet No.

N

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RIEL
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 1269 St. Anne's Road from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY DISTRICT and a "C2" COMMERCIAL COMMUNITY DISTRICT to allow for the construction of multi-family dwellings and the maintenance of an existing place of worship and daycare use as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – June 28, 2012

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 1269 ST. ANNE'S ROAD – DASZ 6/2012

It is recommended that the approval of DASZ 6/2012, if granted, be subject to the applicant entering into a Servicing Agreement containing the following conditions:

1. The Developer shall, at no expense to the City, construct all watermains, wastewater sewers and land drainage sewers in Creek Bend Road up to the north limit of the planned area or pay for their share of these facilities installed by others.

2. The Developer shall pay for their share of the cost of the oversized land drainage sewer and outfall constructed by others under Development Agreement AG 52/05. (2012 Rate = $19,895.00/acre)

3. The developer shall pay the Seine River Waterway Land Acquisition charge ($145.00/acre).

4. The Developer shall, at no expense to the City, reconstruct Creek Bend Road, from the existing terminus of the concrete pavement to the north limit of the Planned Area by constructing a portland cement concrete pavement 7.5m in width by 150mm in thickness, and all related works, including, but not necessarily limited to boulevard sodding, ornamental street lighting and land drainage sewer, all as determined by, and to the satisfaction of the Director of Public Works.

5. The Developer shall pay his share of the cost of services, previously installed or to be installed, by others, in Creek Bend Road abutting the Planned Area as determined by the Director of Public Works. This payment is intended as a reimbursement to the Developers of the areas covered under Development Agreement AG 1/10 and City Council's Approval of DASZ 6/11.

6. The Developer shall, at no expense to the City, construct 1.5-m-wide by 100-mm-thick portland cement concrete sidewalk on the north side of the east/west section of Creek Bend Road connecting to St. Anne's Road, as determined by, and to the satisfaction of, the Director of Public Works.

7. The Developer is to pay all costs associated with the installation and/or relocation of street lights and other utilities made necessary as a result of or required to accommodate works, which are required by the Developer to serve the proposed subdivision, as determined by and to the satisfaction of the Director of Public Works.

8. The Developer shall be responsible to control and to initiate the clean up of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction. The clean up of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

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

10. 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, and pay the full cost of converting any existing overhead services within the Planned Area to underground.

11. In lieu of dedication of land for public open space, the Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, 8% of the appraised increase in value of the land plus the cost of landscaping and services which it would have contributed to the City if public open space had been dedicated.

12. 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.
13.
14. 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 & Development with a certificate that all survey monuments within the Planned Area have been verified and/or replaced.

15. 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 Servicing Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 6/2012
June 28, 2012

"Original signed by K.T. Raban, P.Eng."
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Land Development Branch

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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

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D. Beaton, MLArch.
Parks, Riverbanks, & Community Initiatives Branch

APPENDIX 'B' **Design Guidelines**

Plan Approval Design Guidelines for DASZ 6/2012 – 1269 St. Anne's Road

1. Site Planning

1.1 The site layout and building orientation should ensure that the buildings relate appropriately to the street (St. Anne's Road and Creek Bend Road) and surrounding developments and create a cohesive visual identity for the neighbourhood.

1.2 Site design should consider opportunities for enhancing personal security and safety by incorporating Crime Prevention Through Environmental Design (CPTED) principles.

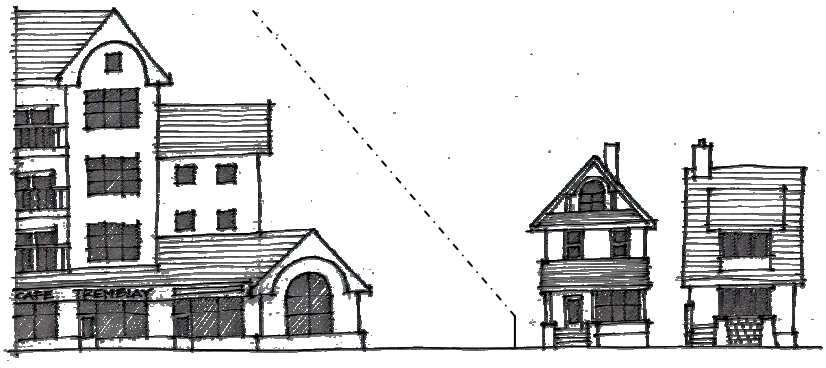
1.3 Parking areas should be well-screened with landscaping or an active development along the street-front.

1.4 Locate refuse storage areas and other building services internal to buildings or screened from view with appropriate fencing/landscaping.

1.5 Provide easy, universally accessible and direct access to public sidewalks.

1.6 Locate walkways to minimize potential conflict with vehicular and services areas.

1.7 Site plans for new development should consider the shading, light, view and privacy of adjacent buildings and lands. An example of how such matters may be addressed is by setting back the upper storeys of buildings in the new developments that are taller than neighbouring developments (see diagram below).



2. Building Orientation and Design

2.1 The building façade facing the public right-of-ways should be well-articulated and should avoid featureless building massing.

2.2 The overall design should be made up of a distinctive, quality, architectural character and style that also avoids monotonous and featureless building massing and design.

2.3 Ensure detailed design supports the identity and quality of the place through good design; quality building materials, sustainable materials; and commitment to long-term maintenance.

2.4 Minimize blank walls – use landscaping, aesthetic characters (such as projections and offsets), change in cladding material, glass, etc. to break up tracts of continuous blank walls.

2.5 Reduce the perception of mass and height through the balanced use of colour, texture and materials.

3. Landscaping

3.1 Landscaping shall be provided to enhance the overall development in key areas such as the development perimeter, corners, common areas, areas along pathways, and entryways.

3.2 High-quality landscaping is required along the streetfront of the development (i.e. along St. Anne's Road or Creek Bend Road) and along the side and rear yards. It is preferred that existing trees be preserved as much as possible.

4. Fencing

4.1 Any proposed fencing should be composed of high quality materials.