Agenda - Executive Policy Committee – September 18, 2013

Report - Standing Policy Committee on Property and Development – September 10, 2013

Item No. 2 Plan of Subdivision – Elizabeth Street at Plessis Road (St. Boniface Ward) File DAS 19/2013 [c/r DAV 127531/2013D]

STANDING COMMITTEE RECOMMENDATION:

On September 10, 2013, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the following to Council:

1. That the plan of subdivision under File DAS 19/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" for File DAS 19/2013 dated June 3, 2013 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 the report of the Administrative Coordinating Group dated May 27, 2013, which is Schedule "C" of this report, with the following amendments, namely:

        B. Engineering Report and Servicing Criteria

        i. Delete condition 1 in its entirety, and renumber the remaining conditions accordingly

        C. Agreement Conditions

        i. Condition 3: Replace the word "bio-swales" with the words "vegetated swales"

        ii. Condition 9: Replace the words "paved rural" with the word "asphalt"

Report - Standing Policy Committee on Property and Development – September 10, 2013

iii. Delete condition 12 in its entirety, and replace with the following new condition 12:

"The Developer shall, at no expense to the City, pay all costs associated with the supply and installation of stop signs as railway crossing protection, at the Mazenod Road crossing of the Winnipeg Railway. If necessary until full build-out of the site, the Developer shall pay their share of costs associated with the installation of increased railway crossing protection as may be required pursuant to Draft RTD 10 Road/Railway Grade Crossings Technical Standards dated October 24, 2002 or any subsequent revisions, to the satisfaction of the Director of Public Works."

iv. Condition 13: Add the following at the end of the condition: "and that the construction of Ray Marius Road shall be done in conjunction with the extension of the pavement works east of Ray Marius Road."

v. Delete condition 14 in its entirety, and replace with the following new condition 14:

"The Developer shall, at no expense to the City, pay all costs associated with the supply and installation of stop signs as railway crossing protection, at the Ray Marius Road crossing of the Winnipeg Railway. If necessary until full build-out of the site, the Developer shall pay their share of costs associated with the installation of increased railway crossing protection as may be required pursuant to Draft RTD 10 Road/Railway Grade Crossings Technical Standards dated October 24, 2002 or any subsequent revisions, to the satisfaction of the Director of Public Works."

vi. Condition 17: Replace the word "houses" with the word "buildings"

vii. Condition 21: Replace "350m" with "875m"

viii. Delete condition 16 in its entirety.

ix. Delete condition 22 in its entirety.

x. Renumber the remaining conditions accordingly.

Agenda - Executive Policy Committee – September 18, 2013

Report - Standing Policy Committee on Property and Development – September 10, 2013

2. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional lots, be paid to the City for the purchase of land for purposes of the City other than streets.

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 Development Agreement.

7. 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.

8. 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.

9. 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.

Agenda - Executive Policy Committee – September 18, 2013

Report - Standing Policy Committee on Property and Development – September 10, 2013

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On September 10, 2013, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 8, 2013, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service be concurred in, with the following amendments:

- Recommendation 1. A., add the following after the words “Schedule “C” of this report”:

  “, with the following amendments, namely:

  B. Engineering Report and Servicing Criteria

  i. Delete condition 1 in its entirety, and renumber the remaining conditions accordingly

  C. Agreement Conditions

  i. Condition 3: Replace the words “bio-swales” with the words “vegetated swales”

  ii. Condition 9: Replace the words “paved rural” with the word “asphalt”

  iii. Delete condition 12 in its entirety, and replace with the following new condition 12:

  “The Developer shall, at no expense to the City, pay all costs associated with the supply and installation of stop signs as railway crossing protection, at the Mazenod Road crossing of the Winnipeg Railway. If necessary until full build-out of the site, the Developer shall pay their share of costs associated with the installation of increased railway crossing protection as may be required pursuant to Draft RTD 10 Road/Railway Grade Crossings Technical Standards dated October 24, 2002 or any subsequent revisions, to the satisfaction of the Director of Public Works.”

Report - Standing Policy Committee on Property and Development – September 10, 2013

DECISION MAKING HISTORY: (continued)

COMMUNITY COMMITTEE RECOMMENDATION: (continued)

iv. Condition 13: Add the following at the end of the condition: "and that the construction of Ray Marius Road shall be done in conjunction with the extension of the pavement works east of Ray Marius Road."

v. Delete condition 14 in its entirety, and replace with the following new condition 14:

"The Developer shall, at no expense to the City, pay all costs associated with the supply and installation of stop signs as railway crossing protection, at the Ray Marius Road crossing of the Winnipeg Railway. If necessary until full build-out of the site, the Developer shall pay their share of costs associated with the installation of increased railway crossing protection as may be required pursuant to Draft RTD 10 Road/Railway Grade Crossings Technical Standards dated October 24, 2002 or any subsequent revisions, to the satisfaction of the Director of Public Works."

vi. Condition 17: Replace the word "houses" with the word "buildings"

vii. Condition 21: Replace "350m" with "875m"

viii. Delete condition 16 in its entirety.

ix. Delete condition 22 in its entirety.

x. Renumber the remaining conditions accordingly."

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

COMMUNITY COMMITTEE RECOMMENDATION:

On June 10, 2013, the Riel Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on July 8, 2013, at 5:00 p.m. at 510 Main Street.

RE: **Plan of Subdivision – Elizabeth Street at Plessis Road**
File DAS 19/2013 [c/r DAV 127531/2013D]

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

Prepared by: **Rochelle Viray, Clerk**
Riel Community Committee

Report date: **July 10, 2013**

COMMUNITY COMMITTEE RECOMMENDATION:

On July 8, 2013, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DAS 19/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule ~~"A"~~ ***"B"*** for File DAS 19/2013 dated June 3, 2013 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 the report of the Administrative Coordinating Group dated May 27, 2013, which is Schedule "C" of this report, ***with the following amendments, namely:***

      B. Engineering Report and Servicing Criteria

      i. Delete condition 1 in its entirety, and renumber the remaining conditions accordingly

      C. Agreement Conditions

      i. Condition 3: Replace the word "bio-swales" with the words "vegetated swales"

      ii. Condition 9: Replace the words "paved rural" with the word "asphalt"

      iii. Delete condition 12 in its entirety, and replace with the following new condition 12:

      "The Developer shall, at no expense to the City, pay all costs associated with the supply and installation of stop signs as railway crossing protection, at the Mazenod Road crossing of the Winnipeg Railway. If

necessary until full build-out of the site, the Developer shall pay their share of costs associated with the installation of increased railway crossing protection as may be required pursuant to Draft RTD 10 Road/Railway Grade Crossings Technical Standards dated October 24, 2002 or any subsequent revisions, to the satisfaction of the Director of Public Works, ."

iv. Condition 13: Add the following at the end of the condition: "Waste, and that the construction of Ray Marius Road shall be done in conjunction with the extension of the pavement works east of Ray Marius Road."

v. Delete condition 14 in its entirety, and replace with the following new condition 14:

"The Developer shall, at no expense to the City, pay all costs associated with the supply and installation of stop signs as railway crossing protection, at the Ray Marius Road crossing of the Winnipeg Railway. If necessary until full build-out of the site, the Developer shall pay their share of costs associated with the installation of increased railway crossing protection as may be required pursuant to Draft RTD 10 Road/Railway Grade Crossings Technical Standards dated October 24, 2002 or any subsequent revisions, to the satisfaction of the Director of Public Works."

vi. Condition 17: Replace the word "houses" with the word "buildings"

vii. Condition 21: Replace "350m" with "875m"

viii. Delete condition 16 in its entirety.

ix. Delete condition 22 in its entirety.

x. Renumber the remaining conditions accordingly.

3. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional lots, be paid to the City for the purchase of land for purposes of the City other than streets.

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

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

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

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

8. That the 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.

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

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

1. This is a joint venture; there should be some corporate oversight over joint ventures so we don't have these types of issues at these Public Hearings.

2. This is a positive development to the City that will accrue hundreds of thousands of property and business tax dollars for the City.

3. It'll make us competitive in the capital region, and it's a great development for Winnipeg.

PUBLIC HEARING SUMMARY

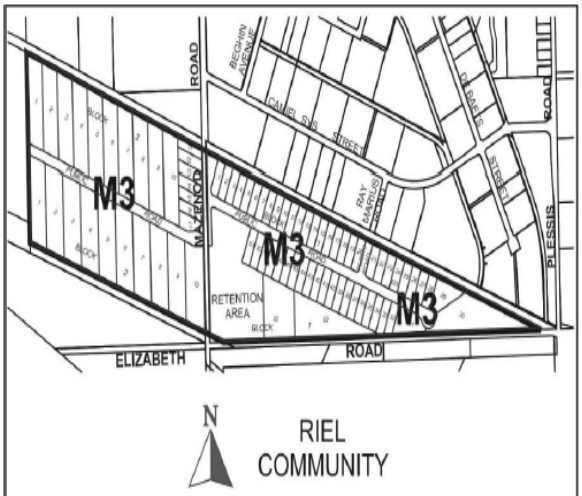
File: DAS 19/2013

Before: Riel Community Committee
Councillor Swandel, Chairperson
Councillor Vandal

Public Hearing: July 8, 2013
June 10, 2013
Council Building, 510 Main Street

Applicant: Terracon Development Ltd. (Matthew Glavin)

Subject:



APPLICANT : TERRACON DEVELOPMENT LTD.
FILE : DAS 19/13
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and presently zoned "M3" MANUFACTURING HEAVY DISTRICT in order to facilitate the proposed development known as Prairie Industrial Park by the creation of lots and the establishment of a public right-of-way for future industrial development. **For information, phone Mr. R. Kostiuk, Planner at 986-7367.**
DEMANDEUR : TERRACON DEVELOPMENT LTD.
N° DE RÉFÉRENCE : DAL 19/13
PROJET : Demande d'approbation par le Conseil du plan de lotissement de catégorie M3 (secteur manufacturier lourd) indiqué ci-dessus afin de permettre la réalisation du projet d'aménagement connu sous le nom de Prairie Industrial Park par la création de lots et l'établissement d'un droit de passage public visant à faciliter l'aménagement futur de lotissements industriels. **Pour plus de renseignements, veuillez communiquer avec M. R. Kostiuk, urbaniste, au 986-7367.**

Premises Affected: Elizabeth Street at Plessis Road

Exhibits Filed:

1. Application dated April 15, 2013
2. Notification of Public Hearing dated May 3, 2013
3. Manitoba Status of Titles 2347768/1 and 2503345/1
4. Letter of authorization dated January 17, 2013 from The City of Winnipeg to Terracon Development Ltd.
5. Copy of By-law 2012/78 dated August 11, 1978
6. Plans (2 pages)
7. Report from the Planning and Land Use Division dated June 3, 2013
8. Inspection Report
9. Notice of adjournment dated June 11, 2013
10. Presentation submitted by Matt Glavin at the Public Hearing
11. Audio Recording of representations of public hearing

REPRESENTATIONS:

In Support:

Matt Glavin, Terracon Development Ltd.
Michael Falk, Terracon Development Ltd.

In Opposition

Nil

For Information:

Nil

For the City:

Mr. M. Pittet, Manager of Land Development, Geomatics, and Land Information Services, Planning, Property & Development Department
Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department
Mr. R. Kostiuk, Planner, Planning, Property and Development Department
Ms C. Desjardine, Community Traffic Engineer, Public Works Department

Exhibit "7" referred to in File DAS 19/2013

ADMINISTRATIVE REPORT

Title: DAS 19/2013 – Elizabeth at Plessis Public Hearing

Issue: An application for consideration at the public hearing to subdivide the site into 80 lots and create public right-of-ways.

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
B. Smith	N/A	N/A	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DAS 19/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DAS 19/2013 dated June 3, 2013 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 the report of the Administrative Coordinating Group dated May 27, 2013, which is Schedule "C" of this report.

2. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional lots, be paid to the City for the purchase of land for purposes of the City other than streets.

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 Development Agreement.

7. 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.

8. 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.

9. 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 80 lots for manufacturing purposes in order to move forward with a joint venture initiated between the City of Winnipeg and Terracon Development Ltd on the subject lands. The proposal includes the creation of new public roads.
- Subdivisions that include public road openings 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 Public Service are concurred in, the subject site will be subdivided into 80 manufacturing-zoned lots and new public roads will be created.

HISTORY

Joint Venture Agreement with Terracon Development Ltd.

- On January 30, 2013, Council recommended approval of a Joint Venture between the City of Winnipeg and Terracon Development Ltd.
- As part of that recommendation, lands included in the subject DAS application were declared surplus. Additionally, the Council decision of November 23, 2005 in regard to the sale of the City lands and economic incentive package for the Olywest Consortium was rescinded.

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 3, 2013
File No.	DAS 19/2013

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule “A” — Advertised Subdivision and Right-Of-Way Opening for DAS 19/2013
3. Schedule “B” — Recommended File No. DAS 19/2013 Riel Community Committee, dated June 3, 2013
4. Schedule “C” — Report of the Administrative Coordinating Group

APPENDIX 'A'

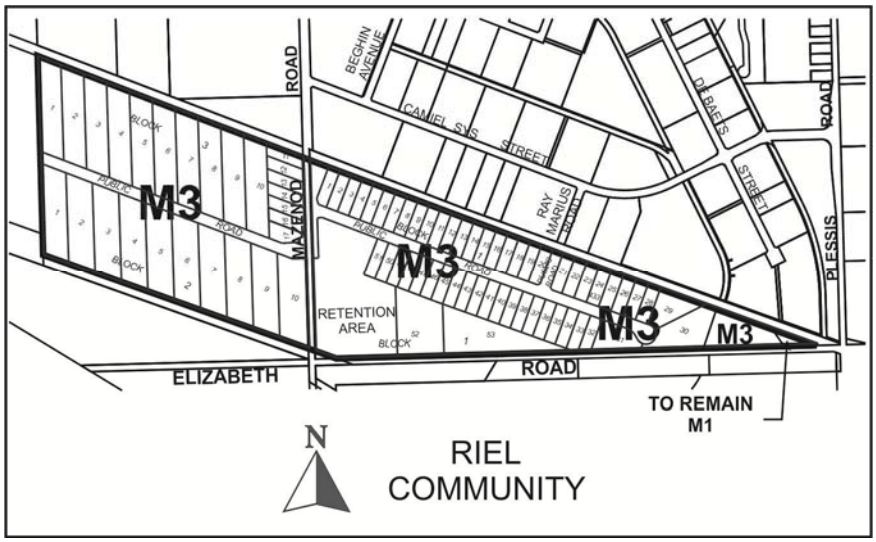
DATE: June 3, 2013

FILE: DAS 19/2013
RELATED FILES: DAV 13-127531/D

COMMUNITY: Riel
NEIGHBOURHOOD #: 5.537

SUBJECT: An application to create 80 lots zoned M3 and for the creation of public right-of-ways

LOCATION: Lands west of Plessis, south of the Winnipeg Aqueduct



APPLICANT: Terracon Develpment Ltd. (Matt Glavin)
1 TERRACON PL
WINNIPEG MB R2J 4B3

OWNER: THE CITY OF WINNIPEG
C/O PLANNING PROPERTY DEVELOPMENT SERV
65 GARRY ST WINNIPEG MB R3C 4K4

RECOMMENDATION: Approval with Conditions

REPORT SUMMARY

- The applicant is proposing to subdivide the site into 80 lots for manufacturing purposes in order to move forward with a joint venture initiated between the City of Winnipeg and Terracon Development Ltd on the subject lands. The proposal includes the creation of new public roads.
- The Public Service recommends supporting this application.

SITE DESCRIPTION

- The subject site is located west of Plessis Road, south of the Aqueduct in the St. Boniface Industrial Park neighbourhood of the St. Boniface Ward.
- The site is vacant and approximately **237 acres in area.** The land is owned by the City of Winnipeg. A letter of authorization from the City has been included in the application.
- The property is located within the Employment Lands – General Manufacturing policy area under the Complete Communities Direction Strategy and is zoned both “M3” Manufacturing Heavy and “M1” Manufacturing Light.

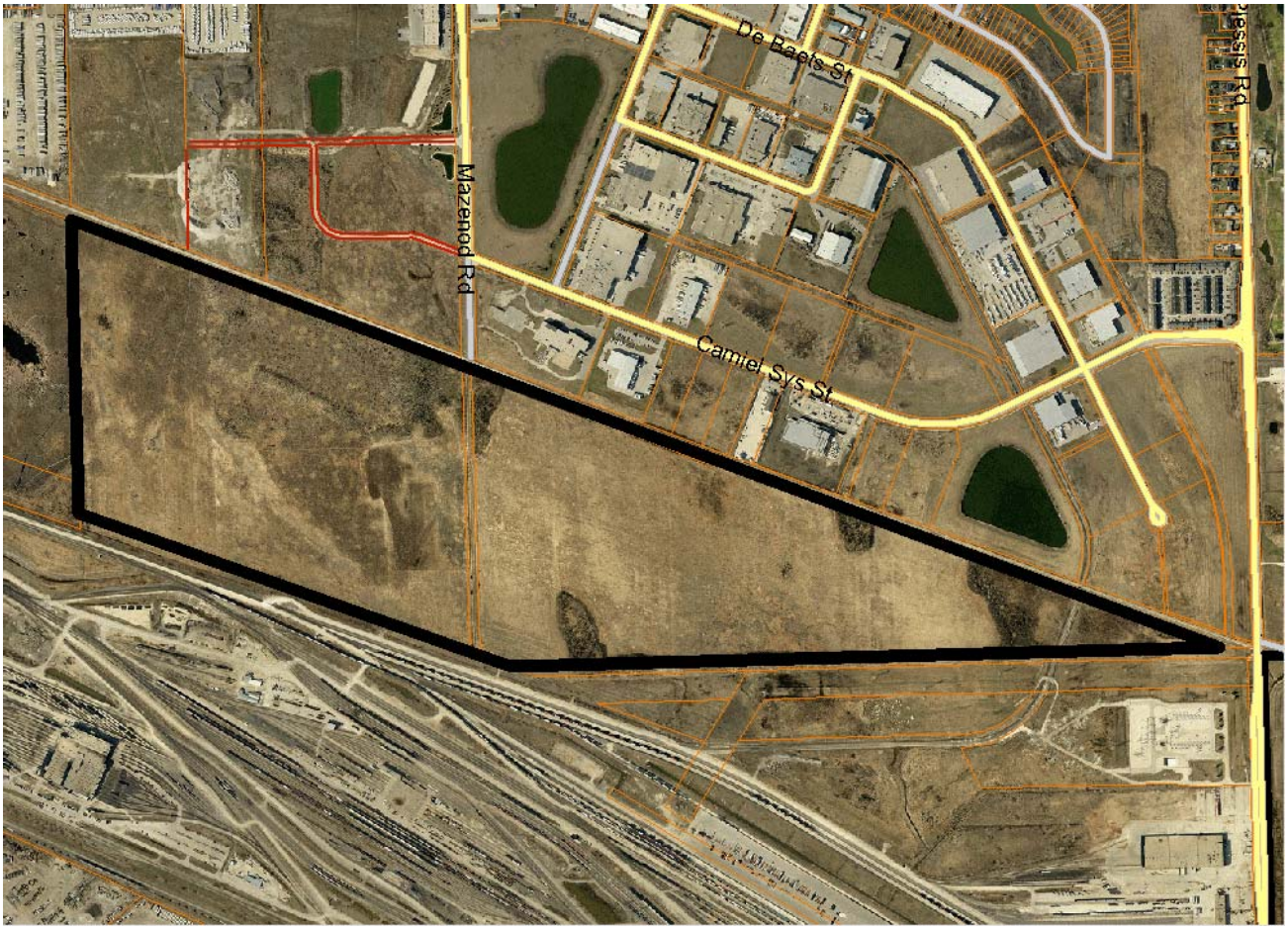


Figure 1: Aerial photograph showing the location of the subject site and surrounding area (2012)

SURROUNDING LAND USES AND ZONING (See Figure 2)

North: The Aqueduct and manufacturing properties zoned M2.

South: Elizabeth Road (unimproved), a Hydro corridor, and a rail yard zoned M3.

East: Plessis Road and rural residential lots zoned "A" Agricultural.

West: Undeveloped land zoned M3.

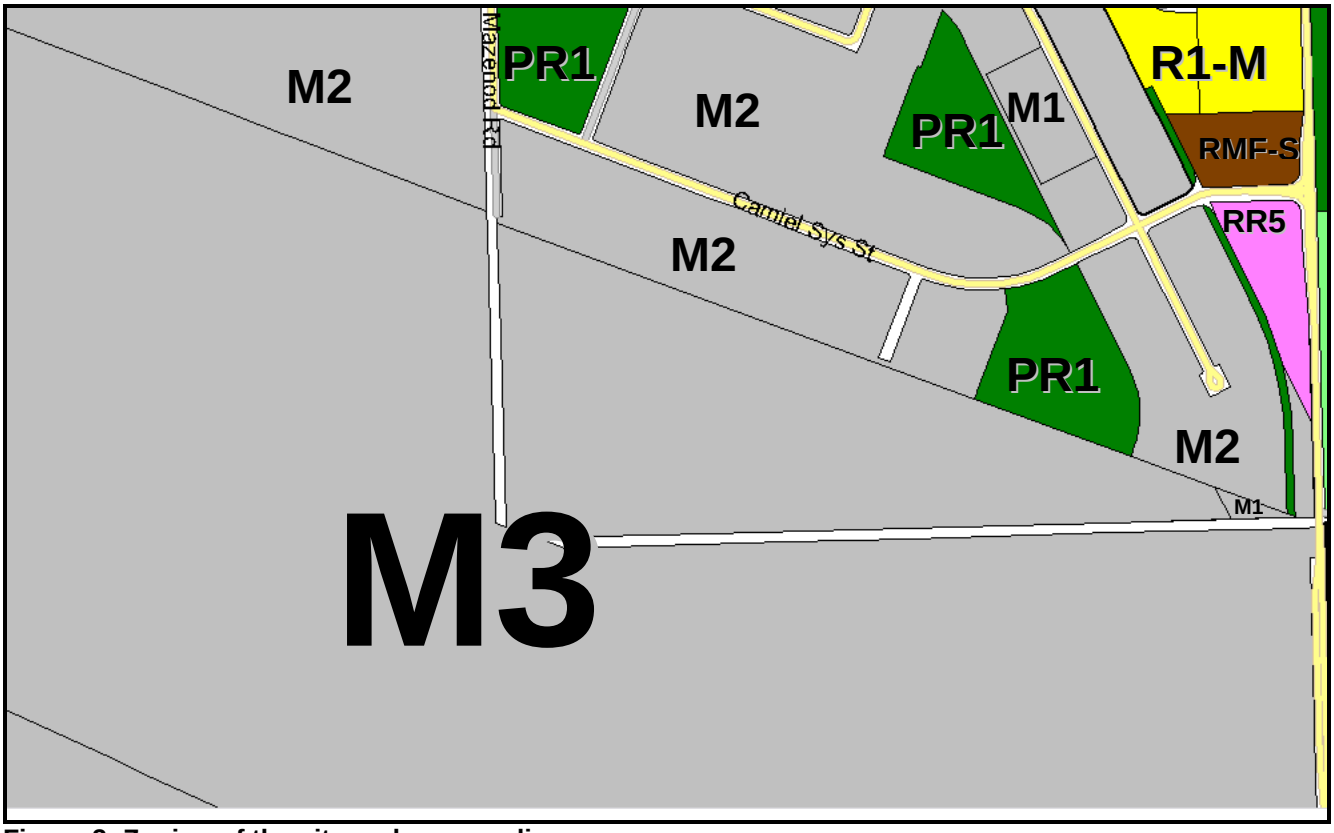


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide the site into 80 lots for manufacturing purposes (with an additional lot for a retention pond) in order to move forward with a joint venture initiated between the City of Winnipeg and Terracon Development Ltd on the subject lands.
- The proposal includes the widening of Mazenod Road and the creation of two public roads that run east/west from Mazenod Road.
- The easternmost public road will also include a connection to Ray Marius Road, which is currently unimproved.
- A variance is required for two lots not having access to an improved public street (see DAV 13-127531/D).

ANALYSIS AND ISSUES

OURWINNIPEG

- OurWinnipeg enables the "consideration of sustainable alternatives for the traditional full range of municipal services that are proven by the developer and approved by the City of Winnipeg as providing a comparable level of service and safety in an environmentally-sound and economical manner" (01-1a Direction 3).

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the Complete Communities Direction Strategy the proposed development is within the Employment Lands policy area. Some relevant policies guiding development within the Employment Lands include:
    - Consider options to encourage development of under-utilized parcels and obsolete sites.
    - Maximize the economic development potential of existing and future employment lands.
    - Consider the quality of lands required to support employment growth and encourage a suitable range and mix of features and uses that will best match the emerging needs of Winnipeg's current and future employers.
    - Allow for the development and retention of a broad range of employment lands and a variety of employment parcel sizes.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The applicant is not proposing to rezone any lands within the subject area, which are surrounded by manufacturing-zoned properties. As such, the application is compatible.

SITE DESIGN, SERVICING AND ACCESS

- The original application showed one lot encompassing the entire eastern triangular portion of the site (Lot 30). This lot actually included a portion of an active spur line. An updated plan has been provided that severs the western portion of the rail line westward to the eastern edge of the plan area (see Schedule B). Lands located east of the eastern edge of Lot 30 will remain owned by the City of Winnipeg to ensure rail access from the lands within the St. Boniface Industrial Park to Symington Yards.
- Servicing requirements must be in accordance with the attached Report of the ACG.
- It should be noted that a future application to close Mazenod Road from the southernmost public road to Elizabeth Road may be considered. Additionally, Elizabeth Road may be closed from Mazenod to Plessis.
- The Public Service has indicated that there are issues with the long dead-end included in the application. Clauses have been included in the Report of the ACG that require the developer to address these issues.
- When advertising the proposal, the easternmost triangular piece of land zoned M1 was not shown. This has been identified in Schedule "B" and does not impact the application because the application is not for a change in zoning. Furthermore, M1 is a less intensive zoning category than M3.

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 Public Service is requesting 'cash-in-lieu' for this development.

RECOMMENDATION

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

- The proposed subdivision application is consistent with OurWinnipeg and the Complete Communities Direction Strategy.
- Servicing requirements will be developed in a manner consistent with Report of the ACG.
- The creation of the lots will allow for the future development of fully-serviced manufacturing land.

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

Report Prepared by: Robert Kostiuk, MCIP
PPD File # DAS 19/2013

Schedule "A" Advertised Subdivision and Right-Of-Way Opening for DAS 19/2013

By-Law No. _____

File No. **DAS 19/13**

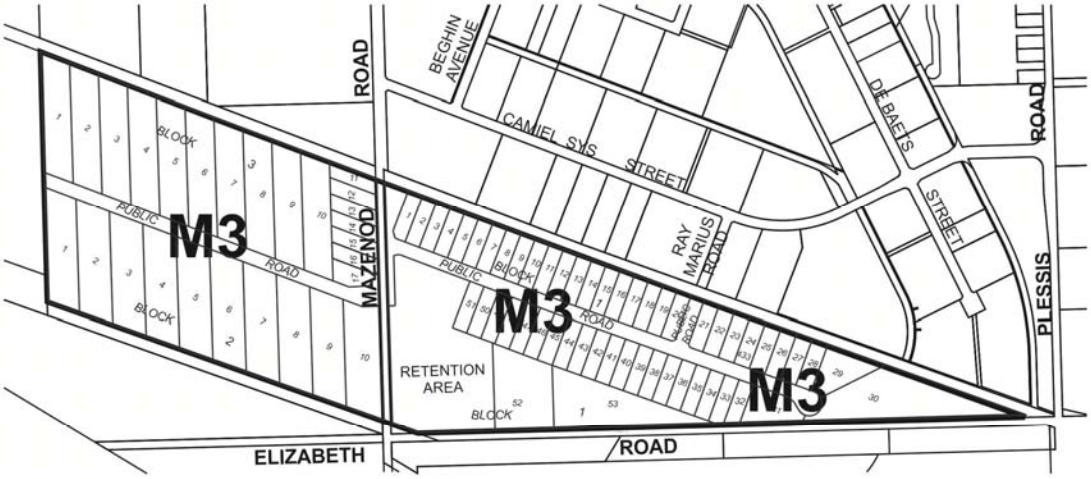
Atlas Sheet No.

N

AB31
RIEL
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below on the land located on the former Elizabeth Road & Plessis Road for a plan of subdivision presently zoned "M3" MANUFACTURING HEAVY DISTRICT in order to facilitate the proposed development known as Prairie Industrial Park by the creation of lots and the establishment of a public right-of-way for future industrial development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule "B" for File No. DAS 19/2013, Riel Community Committee, dated June 3, 2013

By-Law No. _____

File No. **DAS 19/13**

Atlas Sheet No.

N

AB31
RIEL
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below on the land located on the former Elizabeth Road & Plessis Road for a plan of subdivision presently zoned "M3" MANUFACTURING HEAVY DISTRICT in order to facilitate the proposed development known as Prairie Industrial Park by the creation of lots and the establishment of a public right-of-way for future industrial development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE C

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – May 27, 2013

RE: PROPOSED SUBDIVISION OF LAND LOCATED AT FORMER ELIZABETH ROAD & PLESSIS ROAD – DAS 19/2013

It is recommended that the approval of DAS 19/2013, if granted, be subject to the applicant entering into a Development Agreement addressing the following items:

A. Plan Considerations

1. The Developer shall amend its plan to sever all lands east of lot 30 up to the east limit of the subdivision as shown on Schedule "B" attached hereto. The severed land shall be retained by the City to enable continued operation of the railway spur line contained therein.

B. Engineering Report and Servicing Criteria

1. The Developer shall submit a Traffic Impact Study, to the Public Works Department, prior to the application proceeding to Standing Policy Committee for their consideration and shall construct any upgrades to the street system, at no cost to the City, as recommended by the approved, by the Public Works Department, Traffic Impact Study and all as determined by and to the satisfaction of the Director of Public Works.

2. The Developer shall provide a comprehensive servicing report, prepared by a qualified municipal engineer, which will outline the provision of underground services for the proposed subdivision and adjacent lands, and shall submit Servicing Criteria sheets for water, wastewater and land drainage facilities including plans showing the ultimate service areas, all to the satisfaction of the Director of Water and Waste.

3. The Developer shall, prior to any construction within the vicinity of the Aqueduct and Feedermain at Ray Marius Road, provide a loading assessment report prepared by a qualified engineer with experience in the design and construction of large diameter water pipelines which will specify any special design requirements or construction techniques in order to protect this infrastructure.

C. Agreement Conditions

1. The Developer shall construct, at no expense to the City, all wastewater sewers (including lift station and forcemain) required to serve the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

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

3. The Developer shall construct, at no expense to the City, all land drainage sewers, bio-swales and stormwater retention facilities (including a piped outfall) required to serve the Planned Area and adjacent lands, as determined by, and to the satisfaction of, the Director of Water and Waste.

4. 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.

5. 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.

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

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

8. The Developer shall, at no expense to the City, extend the existing Active Transportation pathway on Mazenod Road southward into the proposed development as determined by and to the satisfaction of the Director of Public Works.

9. The Developer shall, at no expense to the City, construct paved rural cross-section roadways and all related works, and provide, and legally open right-of way as required for the proposed roads, within the proposed subdivision, all as determined by and to the satisfaction of the Director of Public Works.

10. The Developer shall, at no expense to the City, construct a temporary paved cul-de-sac vehicle turnaround, to a radius of 17.5 m, at the terminus of any temporarily dead-ended street, and provide right-of-way or easements therefore to a radius necessary to accommodate same, 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 portland cement concrete pavement to a width of 10.0m, by 200mm in thickness in Mazenod

Road between the terminus of the concrete pavement north of the Winnipeg Aqueduct and Railway right-of-way and the south limit of the Winnipeg Aqueduct and Railway right-of-way and all related works including, but not necessarily limited to, the railway crossing surface all as determined by and to the satisfaction of the Director of Public Works.

12. The Developer shall, at no expense to the City, pay all costs associated with the installation of automatic railway crossing protection at the Mazenod Road crossing of the Winnipeg Railway, as determined by the Director of Public Works.

13. The Developer shall, at no expense to the City, construct portland cement concrete pavement to a width of 10.0m, by 200mm in thickness in Ray Marius Road between Camiel Sys Street and the south limit of the Winnipeg Aqueduct and Railway right-of-way and all related works including, but not necessarily limited to, the railway crossing surface and aqueduct crossing structure, all as determined by and to the satisfaction of the Director of Public Works and the Director of Water and Waste.

14. The Developer shall, at no expense to the City, pay all costs associated with the installation of automatic railway crossing protection at the Ray Marius Road crossing of the Winnipeg Railway, as determined by the Director of Public Works.

15. The Developer shall, at no expense to the City, cause street lighting to be installed in all roads within the proposed subdivision.

16. The Developer shall, at no expense to the City, construct a 1.5m in width by 100mm in thickness portland cement concrete sidewalk on one side of all proposed streets within the proposed subdivision and on one side of Ray Marius Road, north of the proposed subdivision to Camiel Sys Street, all as determined by and to the satisfaction of the Director of Public Works.

17. The Developer shall initiate, control, and pay all costs associated with the regular clean-up of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of houses, until completion of all construction, all as determined by, and to the satisfaction of, the Director of Public Works.

18. 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, safe condition, free of dropped and tracked-on mud, and shall undertake the regular cleaning of streets until building construction, including landscaping, is complete, all as determined by and to the satisfaction of the Director of Public Works.

19. The Developer shall, for itself, its successors, and assigns, shall covenant with the City to cut all grass and maintain all areas within the landscaped street right-of-way adjacent to each lot, between the travelled road surface and the property line, to the satisfaction of the Director of Public Works, which covenant shall be registered in the Land Titles Office by caveat against each lot within the Planned Area.

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

21. The proposed street west of Mazenod Road results in an unacceptably long dead-end approximately 875m in length. Either a temporary secondary means of access shall be provided or the dead-end shortened to an acceptable length of approximately 350m, as determined by the Director of Public Works and a temporary cul-de-sac turn-around provided. A concept plan is also required to illustrate how the remaining lands to the west of the dead-end can be developed in the future with a permanent second means of access. No building permits shall be issued on lots 1-5 in Block 2 and lots 1-6 in Block3 until such time that a secondary means of access is provided.

22. The Developer shall, at no expense to the City, construct the following permanent works as determined by the approved, by the Public Works Department, Traffic Impact Study;

    a) new auxiliary lanes, auxiliary lane extensions, transitions, transition modifications, median opening modifications, channelization modifications and all related works;
    b) new traffic control signals and traffic control signal modifications and all related works including, but not necessarily limited to pedestrian and vehicle actuation and interconnection with the adjacent traffic control signals and audible pedestrian signals;

    at the following locations and due to increase in traffic on

    a) Beghin Avenue, north of Camiel Sys Street and impact on traffic operations at the signalized intersection of Beghin Avenue/Bournais Drive and Dugald Road.
    b) Mazenod Road, north of Camiel Sys Street and impact on traffic operations at the intersection of Mazenod Road and Dugald Road.
    c) Camiel Sys Street, east of Ray Marius Road Avenue and impact on traffic operations at the intersection of Camiel Sys Street and Plessis Road.

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

23. 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.

24. The Developer shall pay the full cost of construction and landscaping supervision services provided by or on behalf of the City for field inspection, preparation of progress estimates, provision of as-built drawings by March 31 of the year

following substantial performance of the work, and all other consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

25. 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. DAS 19/2013
May 27, 2013

(Original signed by K.T. Raban, P.Eng.)
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