Minute No. 272
Report – Standing Policy Committee on Property and Development – February 18, 2014

Item No. 5 **Subdivision and Rezoning – Charleswood Road at Harte Trail – Ridgewood South Area 1**
(Charleswood – Tuxedo Ward)
File DASZ 50/2013 [c/r DAC 17/2013]

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the plan of subdivision under File DASZ 50/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "D" for File DASZ 50/2013 dated February 4, 2014 (with such minor changes as may be required) and registration in phases in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated January 22, 2014 attached as Schedule "C" to this report, with the following amendments:

    Administrative Coordinating Group Report

    A. Plan Considerations

    - Amend Condition 4 by deleting "105m in length", and substituting "120m in length with a maximum of 24 lots"

    C. AGREEMENT CONDITIONS
    SECTION 1 - SERVICING

    - Delete Condition 19.b).
    - Delete Condition 19.c) iv.
    - Delete Condition 19.d).
    - Delete Condition 19.e).
    - Delete Condition 19.g).

Report – Standing Policy Committee on Property and Development – February 18, 2014

COUNCIL DECISION (continued):

- Add New Condition to 19. Public Reserve:
  "The Developer shall, at no cost to the City, provide the following within the public reserve areas where the primary function is pedestrian and/or bicycle connectivity as an alternate standard that will include:

  i. 2.4m compacted gravel trails;
  ii. Native grasses where practical;
  iii. Sod as necessary between the property lines and trails.

  as approved by the Directors of Public Works and Planning, Property and Development.

  Where the Developer has provided forest lands, the Developer will receive full park dedication credits for basic grade, level, sod drainage and irrigation.

  The Developer shall, at no cost to the City, provide land drainage within forest lands, for the preservation of forest and habitat all to the satisfaction and approval of the Director of Public Works."

- Amend Condition 20.a) be deleting "and will pay the full cost to convert any existing overhead services within the proposed subdivision to underground".

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "D" for File DASZ 50/2013 dated February 4, 2014" to an "R1-M" Single-Family Medium District, an "RMF-S" Residential Multi-Family Small District, and a "PR1" Parks and Recreation 1 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 for each phase of the development, which Agreement shall contain the following conditions:

Report – Standing Policy Committee on Property and Development – February 18, 2014

COUNCIL DECISION (continued):

i. That, for the development of any building, and/or accessory parking area within the lands zoned "RMF-S" Residential Multi-Family 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, exterior lighting and landscaping to the Director of Planning, Property and Development and the Assiniboia Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That the Developer shall, at no expense to the City, construct completely within the rear yards of all residentially zoned lots abutting the CNR Rivers Main Line rail right-of-way, a minimum 2.5 height berm with a uniform acoustical fence 2.0m in height, to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title of each of these proposed lots abutting the CNR Rivers Main Line rail right-of-way requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

iii. That a minimum rear yard of 28.04m shall be provided within the rear yards of the residentially zoned lots abutting the CNR Rivers Main Line rail right-of-way measured from the northern boundary of the existing right-of-way (Plan 5110) to the nearest wall of any principal building, with the understanding that the height of the berm will be increased as provided in the Proximity Guidelines and Best Practices.

iv. That the Developer shall, at no expense to the City, construct within the Planned Area abutting the Canadian National Railway (CNR) Rivers Subdivision, a uniform fence 2.0m in height, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title of the proposed lot abutting the CNR Rivers Subdivision requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

Report – Standing Policy Committee on Property and Development – February 18, 2014

COUNCIL DECISION (continued):

v. That the Developer shall, at no expense to the City, construct within the rear yards of all one and two family lots abutting the West Perimeter Highway, a 2.0m to 2.5m high noise attenuation fence, as determined by, and to the satisfaction of, the Director of Public Works, and permit the City to file a caveat against the title of each such lot, requiring the owner(s) to maintain and/or repair the fence as originally constructed, to the satisfaction of the Director of Public Works.

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 registration of the plan of subdivision in the Winnipeg Land Titles Office.

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.

Report – Standing Policy Committee on Property and Development – February 18, 2014

COUNCIL DECISION (continued):

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.

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

Report – Standing Policy Committee on Property and Development – February 18, 2014

DECISION MAKING HISTORY:

Council concurred in the request of Councillor Browaty and items 4, 5 and 6 of the Report of the Standing Policy Committee on Property and Development dated February 18, 2014 were debated and voted on concurrently.

Moved by Councillor Browaty,

That the recommendation of the Standing Policy Committee on Property and Development be adopted.

Carried

Councillors Eadie and Gerbasi asked to be recorded as having voted against the item in accordance with Rule 47(7) of the Procedure By-law 50/2007.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 19, 2014, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Assiniboia Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 18, 2014, the Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 4, 2014, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments,

Report from the Urban Planning Division

- Amend Recommendation 1 by deleting “Schedule “_” for File DASZ 50/2013 dated January 22, 2014”, and substituting “Schedule “D” for File DASZ 50/2013 dated February 4, 2014”

Report – Standing Policy Committee on Property and Development – February 18, 2014

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION: (continued)

- Amend Recommendation 2 by deleting "Schedule "_" for File DASZ 50/2013 dated January 22, 2014", and substituting "Schedule "D" for File DASZ 50/2013 dated February 4, 2014"

- Amend Recommendation 2.A.ii. by deleting "a 2.5m height berm with a uniform acoustical fence 3.0m in height", and substituting "a minimum 2.5m height berm with a uniform acoustical fence 2.0m in height"

- Amend Recommendation 2.A.iii. by deleting "30m", and substituting "28.04m", and by adding "with the understanding that the height of the berm will be increased as provided in the Proximity Guidelines and Best Practices" at the end thereof

- Amend Recommendation 2.A.v. by adding "to 2.5m" after "2.0m" and before "high noise attenuation fence"

- Delete Recommendation 2.A.vi.

Administrative Coordinating Group Report

A. Plan Considerations

- Amend Condition 4 by deleting "105m in length", and substituting "120m in length with a maximum of 24 lots".

C. AGREEMENT CONDITIONS
SECTION 1 - SERVICING

- Delete Condition 19.b).

- Delete Condition 19.c) iv.

- Delete Condition 19.d).

- Delete Condition 19.e).

- Delete Condition 19.g).

Report – Standing Policy Committee on Property and Development – February 18, 2014

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

- Add New Condition to 19. Public Reserve:
  "The Developer shall, at no cost to the City, provide the following within the public reserve areas where the primary function is pedestrian and/or bicycle connectivity as an alternate standard that will include:

  i. 2.4m compacted gravel trails;
  ii. Native grasses where practical;
  iii. Sod as necessary between the property lines and trails

  as approved by the Directors of Public Works and Planning, Property and Development.

  Where the Developer has provided forest lands, the Developer will receive full park dedication credits for basic grade, level, sod drainage and irrigation.
  The Developer shall, at no cost to the City, provide land drainage within forest lands, for the preservation of forest and habitat all to the satisfaction and approval of the Director of Public Works."

- Amend Condition 20.a) be deleting the words "and will pay the full cost to convert any existing overhead services within the proposed subdivision to underground".

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

RE: **Subdivision and Rezoning – Charleswood Road at Harte Trail – Ridgewood South Area 1**
File DASZ 50/2013

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

Prepared by: **Destiny Watt, Committee Clerk**
Assiniboia Community Committee

Report date: **February 7, 2014**

COMMUNITY COMMITTEE RECOMMENDATION:

On February 4, 2014, the Assiniboia 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 DASZ 50/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with ~~***Schedule "_" for File DASZ 50/2013 dated January 22, 2014***~~ ***Schedule "D" for File DASZ 50/2013 dated February 4, 2014*** (with such minor changes as may be required) and registration in phases in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated January 22, 2014 attached as Schedule "C" to this report, ***with the following amendments:***

   Administrative Coordinating Group Report
   B. Plan Considerations
   - ***Amend Condition 4 by deleting "105m in length", and substituting "120m in length with a maximum of 24 lots".***

   C. AGREEMENT CONDITIONS
   SECTION 1 - SERVICING
   - ***Delete Condition 19.b).***
   - ***Delete Condition 19.c) iv.***
   - ***Delete Condition 19.d).***
   - ***Delete Condition 19.e).***

- ***Delete Condition 19.g).***

- ***Add New Condition to 19. Public Reserve:***
  "The Developer shall, at no cost to the City, provide the following within the public reserve areas where the primary function is pedestrian and/or bicycle connectivity as an alternate standard that will include:

  i. 2.4m compacted gravel trails;
  ii. Native grasses where practical;
  iii. Sod as necessary between the property lines and trails.

  as approved by the Directors of Public Works and Planning, Property and Development.

  Where the Developer has provided forest lands, the Developer will receive full park dedication credits for basic grade, level, sod drainage and irrigation.

  The Developer shall, at no cost to the City, provide land drainage within forest lands, for the preservation of forest and habitat all to the satisfaction and approval of the Director of Public Works."

- ***Amend Condition 20.a) be deleting the words "and will pay the full cost to convert any existing overhead services within the proposed subdivision to underground".***

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on ~~***Schedule "_" for File DASZ 50/2013 dated January 22, 2014***~~ ***Schedule "D" for File DASZ 50/2013 dated February 4, 2014"*** to an "R1-M" Single-Family Medium District, an "RMF-S" Residential Multi-Family Small District, and a "PR1" Parks and Recreation 1 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 for each phase of the development, which Agreement shall contain the following conditions:

      i. That, for the development of any building, and/or accessory parking area within the lands zoned "RMF-S" Residential Multi-Family 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, exterior lighting and landscaping to the Director of Planning, Property and Development and the Assiniboia Community Committee for plan approval prior to the issuance of any

building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That the Developer shall, at no expense to the City, construct completely within the rear yards of all residentially zoned lots abutting the CNR Rivers Main Line rail right-of-way, ~~***a 2.5m height berm with a uniform acoustical fence 3.0m in height***~~ ***a uniform acoustical fence 2.0m in height on top of a minimum 2.5m height berm***, to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title of each of these proposed lots abutting the CNR Rivers Main Line rail right-of-way requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

iii. That a minimum rear yard of ~~***30m***~~ ***28.04m*** shall be provided within the rear yards of the residentially zoned lots abutting the CNR Rivers Main Line rail right-of-way measured from the northern boundary of the existing right-of-way (Plan 5110) to the nearest wall of any principal building, ***with the understanding that the height of the berm will be increased as provided in the Proximity Guidelines and Best Practices.***

iv. That the Developer shall, at no expense to the City, construct within the Planned Area abutting the Canadian National Railway (CNR) Rivers Subdivision, a uniform fence 2.0m in height, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title of the proposed lot abutting the CNR Rivers Subdivision requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

v. That the Developer shall, at no expense to the City, construct within the rear yards of all one and two family lots abutting the West Perimeter Highway, a 2.0m ***to 2.5m*** high noise attenuation fence, as determined by, and to the satisfaction of, the Director of Public Works, and permit the City to file a caveat against the title of each such lot, requiring the owner(s) to maintain and/or repair the fence as originally constructed, to the satisfaction of the Director of Public Works.

~~***vi. That the developer shall, at no cost to the city, provide continuous fencing for properties with side or rear yards abutting public reserve land, or where trails or play equipment is anticipated to be within 10' of residential property line. Said fence to be located within private property***~~

~~***and established by caveat to be the responsibility thereafter of the private property owner.***~~

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 registration of the plan of subdivision in the Winnipeg Land Titles Office.

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.

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

The Assiniboia Community Committee provided the following supporting reason(s) for its recommendation:

1. The subject proposal is impressive and has been a long project in progress involving extensive consultation.

2. The revisions to Option 2 makes every effort towards preservation of Big Bluestem and forest, including the big oaks, as well as priority preservation of portions of the Pembina Trail wherever possible.

PUBLIC HEARING SUMMARY

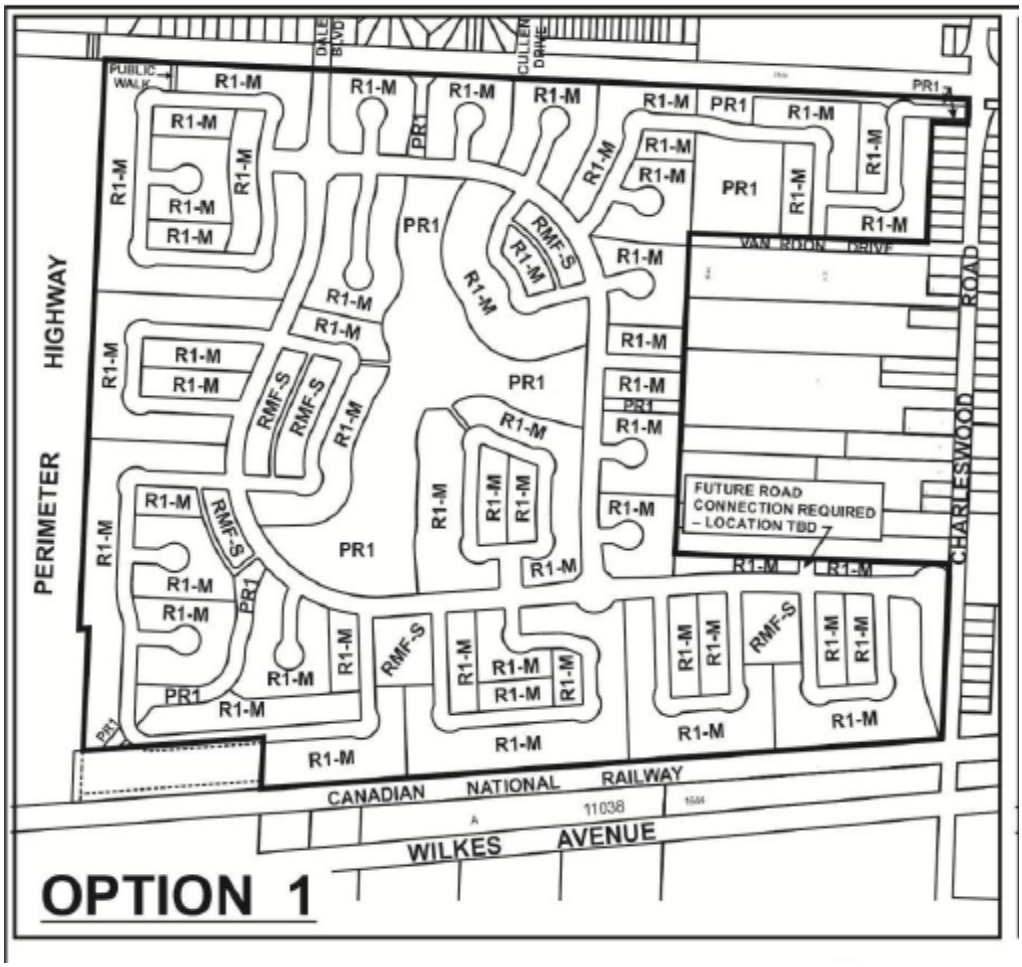
File: DASZ 50/2013

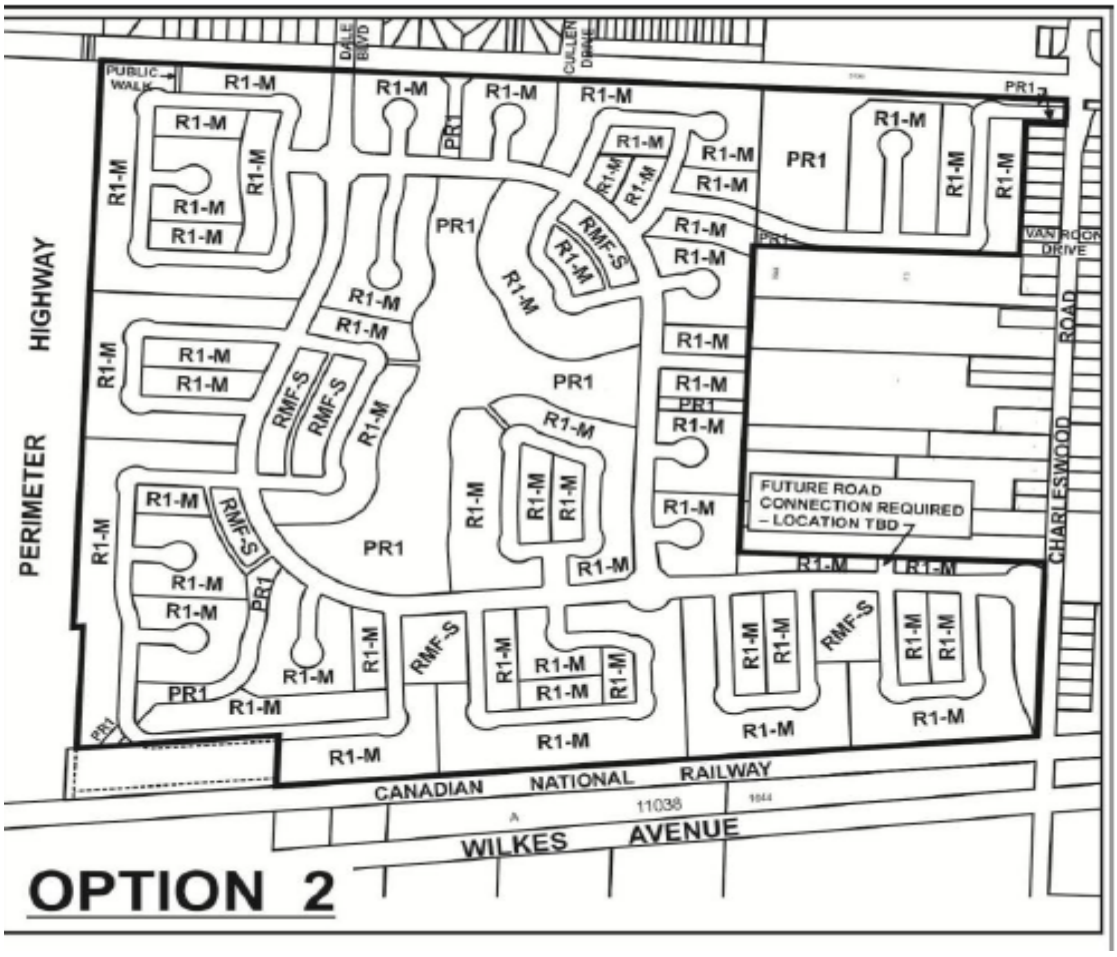
Before: Assiniboia Community Committee
Councillor Nordman, Chairperson
Councillor Fielding
Councillor Havixbeck

Public Hearing: February 4, 2014
Council Building, 510 Main Street

Applicant: Landmark Planning and Design Inc.
(Donovan Toews)

Subject:





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ASSINIBOIA COMMUNITY

APPLICANT : LANDMARK PLANNING & DESIGN CORP.
FILE : DASZ 50/13
PROPOSAL : An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "A" AGRICULTURAL DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (Medium) DISTRICT, an "RMF-S" RESIDENTIAL MULTI-FAMILY (Small) DISTRICT and a "PR1" PARKS AND RECREATION 1 DISTRICT to facilitate the development of the Ridgewood South Area 1 Neighbourhood lands by the creation of the block plan, public reserve lands and public right-of-ways for future residential development as shown as Option 1 and Option 2. **For information, phone Mr. J. Veitch, Planner, at 204-986-7728.**

Premises Affected: Charleswood Road at Harte Trail - Ridgewood South Area 1

Exhibits Filed:

1. Application dated November 25, 2013
2. Notification of Public Hearing dated December 10, 2013
3. Manitoba Status of Titles 2674550/1, 2674553/1 and 2674554/1
4. Letter of authorization dated November 18, 2013, from Ridgewood West Land Corp. to Landmark Planning and Design Inc.
5. a. Caveat 2183808/1
   b. Caveat 2183809/1
6. Plans (3 pages)
7. Report from the Urban Planning Division dated January 22, 2014
8. Inspection Report
9. Communication dated February 3, 2014, from Warren Johnson in opposition to Option 2 of the application
10. Communication dated February 4, 2014, from Gail and Nicole Langdale in opposition to the application
11. Communication dated February 4, 2014, from Holly Klos in opposition to Option 2 of the application
12. Communication dated February 4, 2014, from Erik Klos in opposition to Option 2 of the application
13. Communication dated February 3, 2014, from Bran Adams and Heather Laurie in opposition to the application
14. Proposed revisions to the recommendations outlined in the Report from the Urban Planning Division submitted by Donovan Toews, Landmark Planning and Design Inc. and Eric Vogan at the public hearing
15. Schedule “D” for File No. DASZ 50/2013 Option 2 Revised, Assiniboia Community Committee, dated February 4, 2014 submitted by Donovan Toews, Landmark Planning and Design Inc. and Eric Vogan at the public hearing
16. Communication undated from Norah Van Roon Jancik, Dorothy Van Roon Funk and Warren Funk with respect to the application, submitted by Len A.W. Van Roon at the public hearing
17. Communication dated February 4, 2014 from Len A. C. Van Roon in opposition to the application, submitted by Len A.W. Van Roon at the public hearing
18. Presentation titled “Results of the Charleswood Historical Society Surveys” submitted by Len A. W. Van Roon at the public hearing

19. Presentation titled "The 3G Committee of Charleswood – Noise & Vibration Attenuation in Ridgewood Precinct Including Sub-area #1" submitted by Otto Ament at the public hearing
20. Presentation titled "Public Works Report on The Charleswood Transportation Levy" submitted by Alan Roberts at the public hearing
21. Audio Recording of representations

REPRESENTATIONS:

In Support of Both Options:

Otto Ament
Bob Hinkelman
Glen Koblua
Scott Minty
Jason Rohs
Susan Russell
Donovan Toews, Landmark Planning and Design Inc.
Ravi Joshi and Jeff Pratte

In Support of Option 1 only:

Nil

In Support of Option 2 only:

Mike Armstrong
Darlene and Terry Boettcher
Steve Coates
Deanne Coombs
Verna Hare
Barbara Hutton
Wendy Josephson
Victoria Macdonald
Alan Roberts
Eric Vogan
Laurie Wilson-Czyrnyj

In Opposition to Option 1 only:

Darlene and Terry Boettcher
Steve Coates
Deanne Coombs
Barbara Hutton

In Opposition to Option 2 only:

Warren Johnson
Erik and Holly Klos
Verna Hare

In Opposition to Both Options:

Bran Adams and Heather Laurie
Jaclyn Clement
Gail Langdale
Nicole Langdale
Len A. W. Van Roon

For Information:

Ron Parkinson
Annette Schiller
Richard Weind
Len A. C. Van Roon
Norah Van Roon Jancik, Dorothy Van Roon Funk and Warren Funk

For the City:

Mr. B. Buyachok, Real Property Officer, Planning, Property and Development Department
Ms C. Desjardine, Community Traffic Engineer, Public Works Department
Mr. G. Jasper, Land Development Engineer, Planning, Property and Development
Mr. K. Raban, Land Development Administrator, Planning, Property and Development Department
Mr. J. Veitch, Principal Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 50/2013

ADMINISTRATIVE REPORT

Title: DASZ 50/2013 – Charleswood Road at Harte Trail - Ridgewood South Area '1'

Issue: An application for consideration at the Public Hearing to subdivide and rezone approximately 177 acres of land in the Ridgewood South Neighbourhood known as Area '1'

Critical Path: Assiniboia 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 DASZ 50/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "__" for File DASZ 50/2013 dated January 22, 2014 (with such minor changes as may be required) and registration in phases in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated January 22, 2014 attached as Schedule "C" to this report.

2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the planned area as shown on Schedule "__" for File DASZ 50/2013 dated January 22, 2014 to an "R1-M" Single-Family Medium District, an "RMF-S" Residential Multi-Family Small District, and a "PR1" Parks and Recreation 1 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 for each phase of the development, which Agreement shall contain the following conditions:

      i. That, for the development of any building, and/or accessory parking area within the lands zoned "RMF-S" Residential Multi-Family 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, exterior lighting and landscaping to the Director of Planning, Property and Development and the Assiniboia Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That, the Developer shall, at no expense to the City, construct completely within the rear yards of all residentially zoned lots abutting the CNR Rivers Main Line rail right-of-way, a 2.5m height berm with a uniform acoustical fence 3.0m in height, to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title of each of these proposed lots abutting the CNR Rivers Main Line rail right-of-way requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

iii. That a minimum rear yard of 30m shall be provided within the rear yards of the residentially zoned lots abutting the CNR Rivers Main Line rail right-of-way measured from the northern boundary of the existing right-of-way (Plan 5110) to the nearest wall of any principal building.

iv. That, the Developer shall, at no expense to the City, construct within the Planned Area abutting the Canadian National Railway (CNR) Rivers Subdivision, a uniform fence 2.0m in height, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title of the proposed lot abutting the CNR Rivers Subdivision requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

v. The Developer shall, at no expense to the City, construct within the rear yards of all one and two family lots abutting the West Perimeter Highway, a 2.0m high noise attenuation fence, as determined by, and to the satisfaction of, the Director of Public Works, and permit the City to file a caveat against the title of each such lot, requiring the owner(s) to maintain and/or repair the fence as originally constructed, to the satisfaction of the Director of Public Works.

vi. The developer shall, at no cost to the city, provide continuous fencing for properties with side or rear yards abutting public reserve land, or where trails or play equipment is anticipated to be within 10' of residential property line. Said fence to be located within private property and established by caveat to be the responsibility thereafter of the private property owner.

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 registration of the plan of subdivision in the Winnipeg Land Titles Office.

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.

REASON FOR THE REPORT

- The applicant is proposing to subdivide the approximately 177 acre lands into blocks, streets, and park land and rezone the planned area from “A” Agricultural to: “R1-M” Residential Single-Family Medium; “RMF-S” Residential Multi-Family Small; and, “PR1” Parks and Recreation 1 (Neighbourhood).
- The applicant is proposing to develop the planned area into a mixed-use residential community.
- 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 and rezoned consistent with the drawing provided in Schedule “B” of this report.

HISTORY

- **May 2011** - The applicants, other major land owners and their client(s) first initiated the creation of the subject Ridgewood South Precinct Plan.

- Introductory meetings were held with the landowners, their consultants and the Urban Planning Division.
- Three Public Open Houses were held (in April 2012, June 2012 and November 2012) to engage the community and solicit feedback to drive the planning and design process,
- Several Technical Advisory Committee (TAC) meetings were held to ensure details regarding, servicing, roadways, transit, parks and open space, emergency services, accessibility and planning were addressed.
- The proposed Ridgewood South Precinct Plan underwent two comprehensive reviews and recommended edits by the various departments that make up the City's Technical Advisory Committee for this project.
- **July 2012** - 1st Precinct Plan TAC Review and Revisions by consultant team.
- **March 18, 2013** – Consultants hold a Public Open House for the subject rezoning and subdivision application.
- **April 2013** – 2nd Precinct Plan TAC Review and Revisions by consultant team
- **April 26, 2013** - Consultant team submitted the Final Ridgewood South Precinct Plan requesting first reading be given by the City of Winnipeg Council.
- **May 29, 2013** - Council gave First Reading to By-Law No. 62/2013, to allow the Assiniboia Community Committee to conduct a public hearing with respect to the adoption of the Ridgewood South Precinct Plan.
- **June 27, 2013** – Assiniboia Community Committee Public Hearing;
    - SP 4/2012 Ridgewood South Precinct Plan adjourned to September 9, 2013 public hearing.
    - DASZ 24/2013, Area 1 of the Ridgewood South Precinct Plan adjourned to September 9, 2013 public hearing.
    - DASZ 27/2012 [c/r DAV 180359/2012D], Area 10 of the Ridgewood South Precinct Plan adjourned to September 9, 2013 public hearing.
    - DAZ 231/2012, Area 7 of the Ridgewood South Precinct Plan adjourned to September 9, 2013 public hearing.
- **September 9, 2013** – Assiniboia Community Committee Public Hearing;
    - SP 4/2012 Ridgewood South Precinct Plan recommended adoption of the associated By-law No. 62/2013 with amendments by forwarding to Council for second and third reading.
    - DASZ 24/2013, Area 1 of the Ridgewood South Precinct Plan withdrawn.
    - DASZ 27/2012 [c/r DAV 180359/2012D], Area 10 of the Ridgewood South Precinct Plan required reposting, adjourned to the October 15, 2013 Assiniboia Community Committee public hearing.
    - DAZ 231/2012, Area 7 of the Ridgewood South Precinct Plan withdrawn.

- **October 15, 2013** – Assiniboia Community Committee Public Hearing;
    - DASZ 27/2012 [c/r DAV 180359/2012D], Area 10 of the Ridgewood South Precinct Plan withdrawn.
    - Assiniboia Community Committee directed the Winnipeg Public Service to review and report back to the Community Committee within thirty (30) days on the following:
        - 1. A comprehensive review of the Charleswood Transportation Levy. The review shall include but not be limited to the following:
            - The balance of the levy account;
            - An overview of the levy including the scope and nature of the projects it can be used for;
            - Options for repurposing the existing levy to fund improvements in the area to mitigate the impacts of new development;
        - 2. The creation of a new transportation levy for the lands within the Ridgewood South Precinct Q, and forwarded to the Standing Policy Committee on Property and Development.
- **October 23, 2013** – City Council adopts the Ridgewood South Precinct Plan, (By-law No. 62/2013) with amendments as recommended by the Assiniboia Community Committee.
- **November 5, 2013** – Assiniboia Community Committee 'laid over' the Charleswood Transportation Levy Report to the January 7, 2014 public hearing.
- **January 7, 2014** – Assiniboia Community Committee concurred in the Public Service recommendation, (with one amendment) that a new levy be established for the Ridgewood South Precinct Plan area referred to as the Ridgewood Transportation Levy.

CONSULTATION

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	James Veitch
Date:	January 22, 2014
File No.	DASZ 50/2013

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule “A” — File No. DASZ 50/2013 Option 1, Assiniboia Community Committee, dated January 22, 2014
3. Schedule “B” — File No. DASZ 50/2013 Option 2, Assiniboia Community Committee, dated January 22, 2014
4. Schedule “C” — Report of the Administrative Coordinating Group

APPENDIX 'A'

DATE: January 22, 2014

FILE: **DASZ 50/2013**
RELATED FILES:

COMMUNITY: Assiniboia
NEIGHBOURHOOD #: 2.649 (Ridgewood South)

SUBJECT: The applicant is proposing to subdivide and rezone approximately 177 acres of land in Ridgewood South for the development of a residential mixed-use neighbourhood.

LOCATION: Ridgewood South Neighbourhood Precinct Plan Area "1" (as shown in the Ridgewood south Precinct Plan - By-law No. 62/2013 and in the two options pictured below)



APPLICANT: Landmark Planning & Design Inc. (Donovan Toews)
298 Waterfront Drive
Winnipeg MB, R3B 0G5

OWNER(S): Novamet Development Corp. & Qualico Developments Wpg. Ltd. One Dr. David Friesen Drive
Winnipeg, MB R3X 0G8

RECOMMENDATION: Approval with Conditions

REPORT SUMMARY

- The applicant is proposing to subdivide the approximately 177 acre lands into blocks, streets, and park land and rezone the planned area from “A” Agricultural to: “R1-M” Residential Single-Family Medium; “RMF-S” Residential Multi-Family Small; and, “PR1” Parks and Recreation 1 (Neighbourhood).
- The applicant is proposing to develop the planned area into a predominantly low density residential community including green space as well as some opportunities for multiple family development.
- The applicant has proposed two (2) options; the Urban Planning Division is supportive of either option or a potential hybrid solution which would save additional natural lands.

SITE DESCRIPTION

- The subject lands are located between the Perimeter Highway to the west and Charleswood Road to the east. Harte Trail is the northern boundary with the CNR Rivers Highline acting as the southern boundary, (also known as Area “1” in the Ridgewood South Precinct Plan). The lands are within the Ridgewood South Neighbourhood of the Charleswood - Tuxedo Ward.
- The lands are vacant and are approximately **177 acres in total area.**
- The site is identified as a **New Community** within a **Transformative Area** of the *Complete Communities* Urban Structure Map as well as part of **Precinct Q, Ridgewood South**.

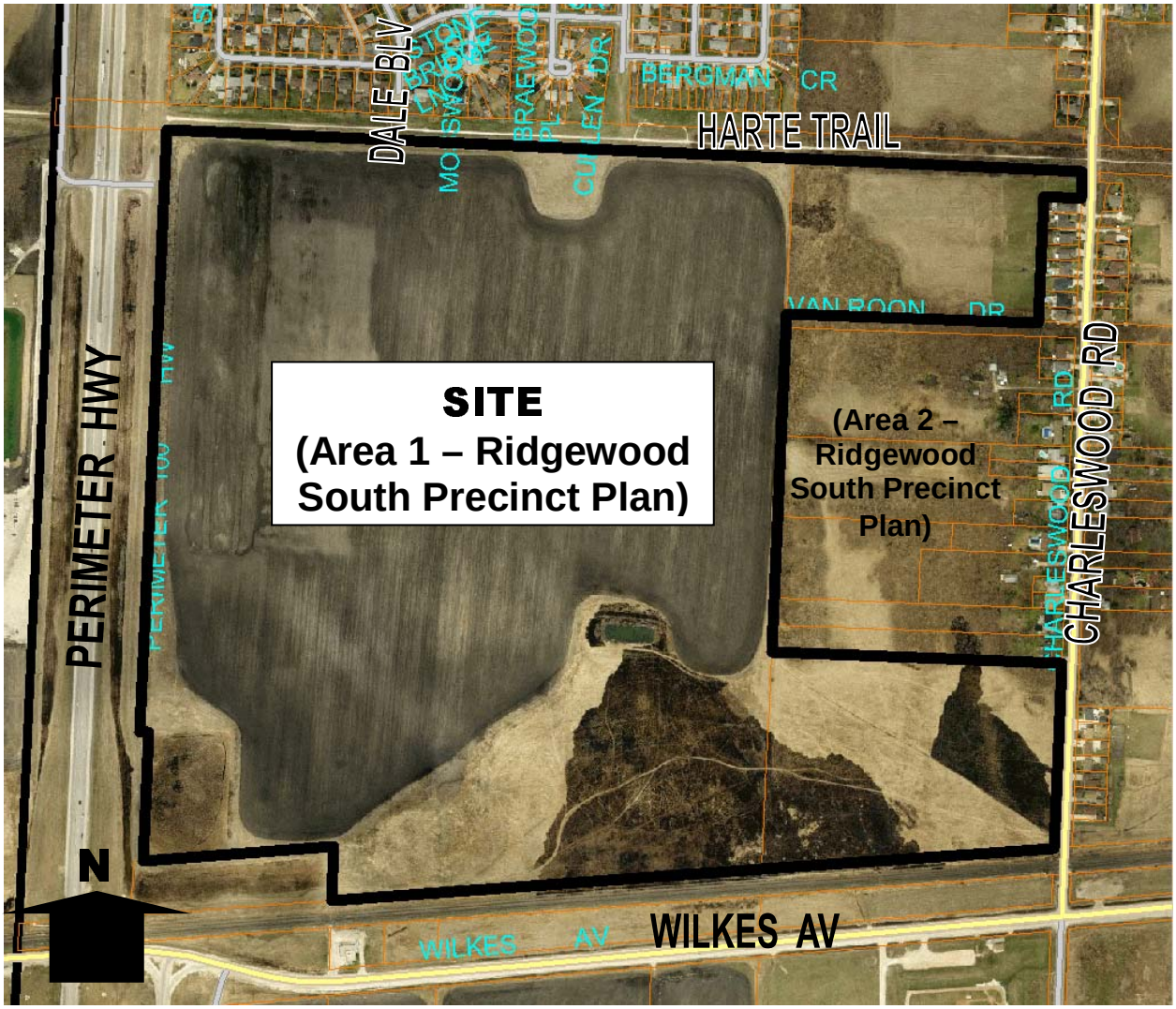


Figure 1: Aerial photograph showing approximate area of the Subject Lands (2012)

SURROUNDING LAND USES AND ZONING (See Figure 2)

North: 'A' Agricultural, (The Harte Trail),

South: 'A' Agricultural then CNR Rivers Mainline, then Wilkes Avenue,

East: 'A' Agricultural, two small pockets of 'R1-L' Residential Single Family Large

West: Perimeter Highway / City of Winnipeg western boundary.

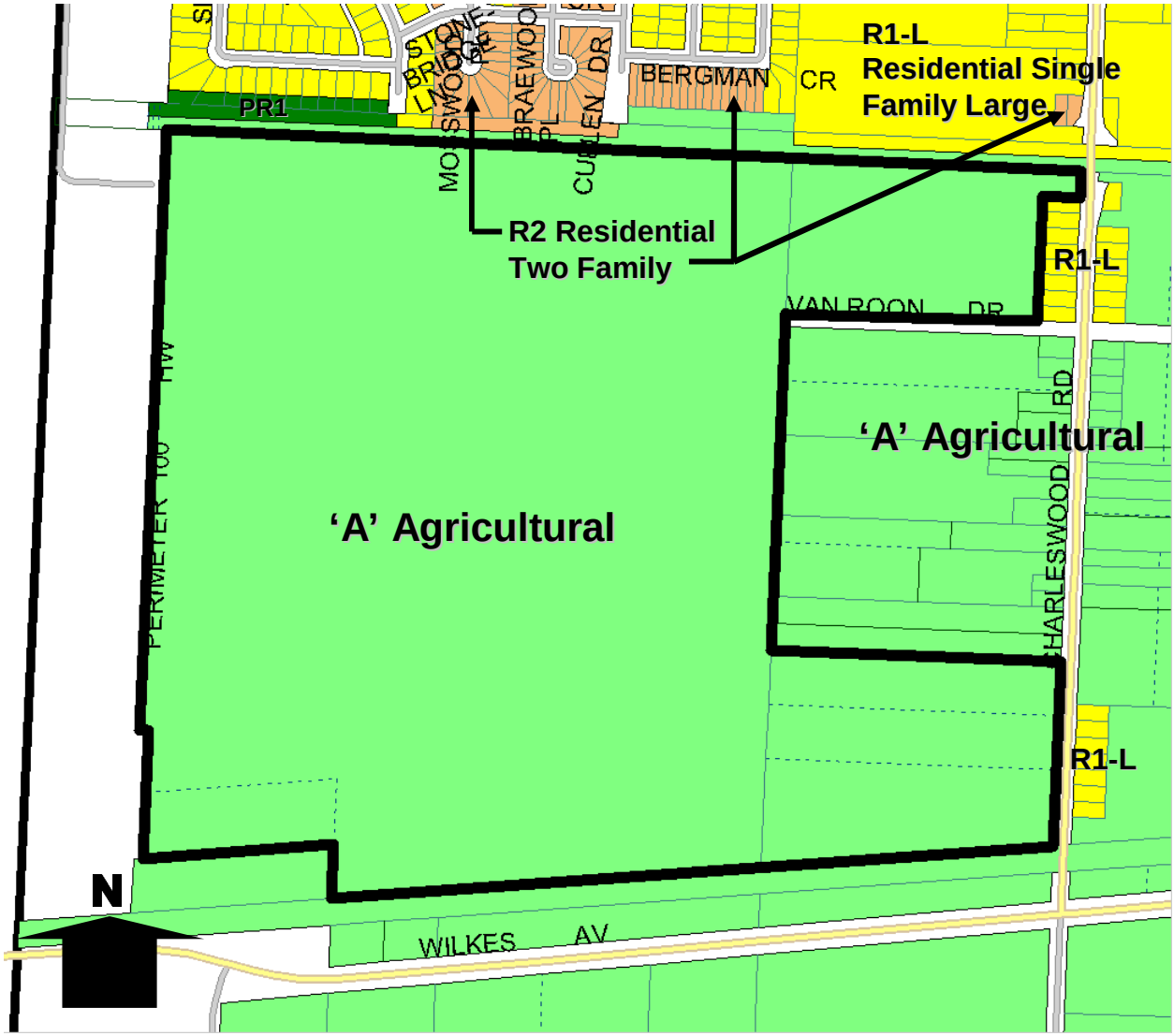


Figure 2: Zoning of the Subject Lands and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide the approximately 177 acre lands into blocks, streets, and park land and rezone the planned area from "A" Agricultural to: "R1-M" Residential Single-Family Medium; "RMF-S" Residential Multi-Family Small; and, "PR1" Parks and Recreation 1 (Neighbourhood).
- The applicant is proposing to develop the planned area into a predominantly low density residential community with some opportunities for multiple family development.

Residential Development

- The proposed development is intended to be predominantly low density residential. The proposal intends just over 110 acres of the 177 gross acres planned area for residential

purposes. A mix of residential zoning that allows for detached single-family homes (R1-M) and multi-family developments (RMF-S) is being requested;

- 103.55 acres – 'R1-M' Residential Single Family, Medium.
- 6.98 acres – 'RMF-S' Residential Multiple Family, Small.

Commercial Development

- There are no proposed rezoning categories that would facilitate the establishment of commercial development within the subject lands comprising Area '1'.

Parks and Greenway Network

- The design illustrates a total of 21.71 acres of public reserve lands, ('PR1' Parks and Recreation);
  - 8.41 acres – water retention ponds.
  - 13.30 acres – park lands.
- The proposed park lands are intended to provide natural areas protection, passive parks, linear parks and the widening of the Harte Trail.
- Many of the proposed residential streets have residential lots connected to proposed park lands or have pedestrian walkways connected to the linear park system.
- A key component of the organization of the park system is the proposed Greenway Network, which is comprised of a linear parkway that runs through the centre of the neighbourhood. The greenway system provides an active transportation network that helps connect the residential areas to the Harte Trail as well as other parts of the neighbourhood.
- The majority of dwellings will be within a 400 metre radius of the Greenway Network.

Streets and Sidewalks

- The roadway circulation system of the proposed subdivision design is anchored by a collector loop which takes its two main access points from the existing Dale Boulevard to the north and Charleswood Road to the south,
- The westerly / southerly portion of the collector loop will include an active transportation pathway connecting Dale Boulevard and the existing Charleswood residential area to the north with the future residential development in the Precinct Plan area to the east.
- Sidewalks are proposed on the collectors in the neighbourhood.
- There is no connection contemplated from the subject lands to the Perimeter Highway as early traffic modeling studies indicated it was not necessary.

Transit

- Transit will service the neighbourhood via the collector roads.
- Transit service will be provided when demand warrants; routes and stops will be developed and added as per Winnipeg Transit policy.
- Transit stops will be within approximately 400 metres of most dwellings.

School Site

- Due to current substantial enrolment capacity within the existing Charleswood schools no new school sites would be required within the subject lands, (Area '1') or within the entire Ridgewood South Neighbourhood.

Servicing

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

ANALYSIS AND ISSUES

OURWINNIPEG / COMPLETE COMMUNITIES

- Under the *Complete Communities Direction Strategy* of *OurWinnipeg,* the proposed development is considered a **New Community** within a **Transformative Area** of the *Complete Communities* Urban Structure Map as well as part of **Precinct Q, Ridgewood South**, (based on the Director's Precinct Q boundary adjustment based on the interrelated servicing relationships with the lands to the south).
- Key relevant Directions and policies guiding development within **New Communities** include:
    - **Key Direction** – New communities will continue to play an important role in accommodating the City's projected population growth. These New Communities will be planned as complete from the outset and will continue to achieve a high standard of sustainability in planning, design, construction and management.
    - **Vision –** New Communities are inclusive neighbourhoods with a variety of housing types within walking distance of mixed use districts that offer opportunities for shopping, employment and entertainment. These neighbourhoods are part of a larger community with interconnected open spaces, walking and cycle paths, community facilities, employment opportunities and multimodal transportation connections with the rest of the City.

    - Direction 1 – New Communities will be developed in a sustainable manner;
        - Only approve new development when a full range of municipal services, as defined in *OurWinnipeg*, can be provided in an environmentally-sound, economical and timely manner.
        - Only approve new development when there is a reasonable relationship between the supply of land and the projected demand.
        - Support new development that is adjacent to, and compatible with, existing development and which is designed to minimize the spatial use of land.
    - Direction 2 – New Communities will be established through a planning process;
        - The development of New Communities will be supported by a planning process and organized within planning precincts.
    - Direction 3 – New Communities will increase opportunities to live, work, learn and play in the same neighbourhood;
        - Encourage greater choices in housing type, density, style and tenure.

        - Provide parks at the neighbourhood and community level that address both active and passive requirements for recreation, sport and leisure and that promote connectivity and walkability between park sites and neighbourhood features.
    - Direction 4 – New Communities will be developed with complete streets enabling safe and convenient spaces for pedestrians, bicyclists, public transit ridership and motorists to promote physical activity, health and active transportation;
        - Promote the design of all streets to maximize connectivity, visual appeal, amenity space and safety where practical and cost effective.
    - Direction 5 – Encourage green development and conserve natural areas to develop new communities in a sustainable manner;
    - Direction 6 – Reflect local heritage in the development of New Communities;

- Key relevant Directions and policies guiding development within Precincts include:
    - Direction 1 – New Communities will be developed in a sustainable manner;
        - Only approve new development when a full range of municipal services, as defined in *OurWinnipeg*, can be provided in an environmentally-sound, economical and timely manner.
        - Only approve new development when there is a reasonable relationship between the supply of land and the projected demand.
        - Support new development that is adjacent to, and compatible with, existing development and which is designed to minimize the spatial use of land.

Setback from Rail Line Right-Of-Way

- Since 2008/2009, the Urban Planning Division has been recommending setbacks from rail right-of-ways that are consistent with those identified in *The Proximity Guidelines and Best Practices* (2013 update) report, which was prepared for the Federation of Canadian Municipalities and the Railway Association of Canada.
- The report lists measures to reduce issues and potential issues associated with rail uses that may impact neighbouring developments. Specifically, the report lists ways to try and reduce the potential impact of derailments, noise, vibration, and safety issues associated with rail use predominantly through setbacks, berming, and fencing.
- Recommended setbacks are associated with the type of rail line neighbouring the development. In this case, the neighbouring Rivers Subdivision is considered a main line, with two sets of tracks. The recommended setback from main lines is 30 metres (98.4 feet).
- *The Proximity Guidelines and Best Practices* report also recommends that a 3.0 metre height acoustical fence be constructed on top of a 2.5 metre (8.2 feet) berm located within the private residential lands,
- The CNR Rivers Main Line includes two sets of rail tracks, on average the line sees 30 to 40 trains per day, generating a significant amount of noise and vibration,

- The Division is recommending that no portion of a habitable room or space within a building shall be less than 30 metres (98.4 feet) from the north property line of the CNR Rivers right of way. (Habitable room or space is defined within Zoning By-Law 200/2006). The recommended setback would allow for portions of developments, such as stairwells, sheds, garages, pools, decks, gazebos, etc. to be within the setback.
- The Division is also recommending that the developer erect and maintain a uniform 3.0 metre tall acoustical fence located on top of a 2.5 metre height berm within the private residential lands located along the CNR Rivers Main Line.
- This proposed condition will be recommended on all development applications proposing residential development for all lands within the Ridgewood South Precinct Plan that share a property line with the CNR Rivers Main Line.

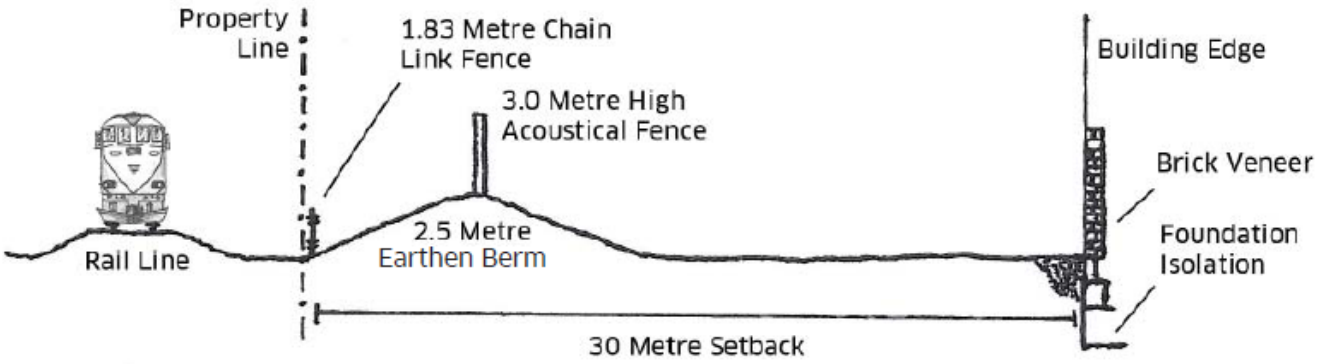


Figure 3: Standard Mitigation for New Residential Development in proximity to a Main Line Railway (page 19, *The Proximity Guidelines and Best Practices*, May 2013)

RIDGEWOOD SOUTH PRECINCT PLAN

- The Ridgewood South Precinct Plan provides the overall planning guidance for the development of Ridgewood South.
- The Ridgewood South Precinct Plan was adopted by Council October 23, 2013, (By-law 62/13).
- The proposed subdivision and rezoning application is consistent with the Ridgewood South Precinct Plan.

REZONING

- The subject lands are currently zoned 'A' Agricultural; the Agricultural zoning district is intended for general agricultural activities.
- The applicant is proposing to rezone the land from 'A' Agricultural to 'PR1' parks and Recreation, 'R1-M' Residential Single Family – Medium and 'RMF-S' Residential Multiple Family - Small, in order to create a fully-serviced suburban neighbourhood within Area '1' of the Ridgewood South Precinct.

"PR1" Parks and Recreation 1 (Neighbourhood) District

- The PR1 district is intended for sites that are generally passive neighbourhood and community parks and facilities with predominantly pedestrian and cyclist access. These sites may provide unstructured drop-in play and recreation opportunities, including play structures, passive parks, plazas and natural areas. Generally, no parking facilities are associated with these uses. These parks and open spaces typically occur in a residential neighbourhood or riverbank context and are generally accessed by residential streets.

"R1-M" Residential Single-Family Medium District

- The R1-M district requires: a minimum lot width of 25 feet, a minimum lot area of 3,500 square feet, side yards of 4 feet, a front yard of 15 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 45%.

"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.

COMPATIBILITY WITH THE SURROUNDING AREA

- The subject lands are bounded by the Perimeter Highway to the west, the CNR Rivers Main Line to the south, vacant lands and large lot residential subdivision to the east and the Harte Trail followed by single family residential development to the north, effectively buffering the proposed development from the existing development,
- Therefore the key compatibility issues with the proposed development of the subject lands, (Area '1') are:
    - Increased traffic generation and its effect on the existing road system,
    - The effect of the development on the existing Harte Trail walkway,
    - The disturbance, loss of the existing natural lands within Area '1',
    - The establishment of new residential development adjacent to the Perimeter Highway and the potential conflicts regarding noise and safety,
    - The establishment of new residential development adjacent to the CNR Rivers Main Line and the potential conflicts regarding noise, vibration and safety,
- These concerns were also raised by the public and stakeholders such as Charleswood Citizens for Habitat Protection, (CCHP) during the various public consultation sessions,
- The Public Works Transportation Division and the Urban Planning Division will be recommending several conditions in both the Zoning and Development Agreements to ensure these potential conflicts are mitigated,
- The City completed its Ecologically Significant Natural Lands Strategy for Area '1' and the applicant's proposed 4.3 acres of 'PR' zoned lands align with the report recommendations to save the Oak forest within the northern zone of Area '1',

SUBDIVISION DESIGN

Streets and Sidewalks

- The proposed development proposes connections to the north and east by way of three (3) collector roads as per the proposed roadway layout in the Precinct Plan,
- Dale Boulevard to the north will be extended into the subject lands with two connections, one at the north end of Area '1' and one at the south end to Charleswood Road,
- Figure 7, Transportation Policy Map of the Precinct Plan indicates intersection improvements will be required at the Charleswood Road and Wilkes Avenue intersection, as well as the eventual closing of Charleswood Road north of the Harte Trail,

- The proposed interior residential roads are envisioned to be a combination of bays and cul-de-sacs organized off the main collector loop and connected to the internal Greenway Network,
- Sidewalks will generally be located on both sides of the collectors.

Parks and Active Transportation

- The Greenway Network is central to the design of the development, in keeping with the Precinct Plan concept,
- This Greenway establishes a pathway system that connects the planned area to other amenities within the neighbourhood, the existing Harte Trail to the north, Wilkes Avenue to the south west, as well as the future development of Area 2 to the east,
- Mid-block crossings may require some type of traffic control to help reduce the potential of motorist/pedestrian conflict at these crossings,
- Most of the open park space is connected to the Greenway Network, with the exception of the preserved Oak forest area in the northern end of the subject lands, this protected are will be connected to the Harte Trail,
- This proposed northern 'PR' area includes a 10 metre, (32.8 foot) wide east west 'green' strip adjacent to the south side of the existing Harte Trail effectively widening the trail right of way as per the Precinct Plan policies;
    - *'The Harte Trail shall be protected and enhanced wherever possible as a naturalized route.'*

Public Transit

- The planned area is designed so that most homes and businesses are located within a 5 minute walk of a collector or street that will include Transit service.

Density

- The proposed density for the subject lands, (Area '1') shall maintain a minimum of 4.0 units per gross developable acre,
- The subdivision plan identifies 103.55 acres of 'R1-M' Residential single Family and 6.98 acres of 'RMF-S' Multiple Family, for a total residential development of 110.53 acres,
- The subdivision plan contemplates 695 single family dwellings and 108 multiple family units for a total of 803 residential units,
- The resulting Net density will be 7.32 units per acre.
- It should be noted that 7 dwelling units per net acre is generally accepted as a standard to service a neighbourhood with on-street transit. Considering the zoning proposed and the proposed dwelling unit targets, the subject neighbourhood development should reach this number. In fact, using the density policies included in the associated Neighbourhood Area Structure Plan, it is likely that the number of dwelling units within the planned area will exceed 7 dwelling units per net acre.

PUBLIC CONSULTATION

- In addition to the two year public and stake holder consultation undertaken with the Ridgewood south Precinct Plan, the applicants undertook a public consultation program for the subject application consisting of the following components;
    - *Internal stakeholder meetings (e.g. City of Winnipeg department representatives) to review project parameters and understand stakeholder concerns or ideas,*
    - *External stakeholder meetings to review project parameters and understand stakeholder concerns or ideas,*
    - *Website construction and posting,*
    - *A public open house to review project information and discuss the project.*
- The Open House was held on March 18, 2013. Approximately 148 people attended and 62 attendees filled out a written comment sheet, (42% response rate). The response rate is considered good for this type of project.
- Key Stakeholder meetings were also held to identify specific concerns / ideas with the following groups;
    - Citizens for Charleswood Habitat Preservation, (CCHP),
    - Friends of Harte Trail,
    - Charleswood Historical Society,
    - City of Winnipeg, Planning, Property and Development Department (Planning, Parks, Active Transportation) and City of Winnipeg, Public Works (Streets, Water and Waste).
- A comprehensive Public Consultation Report was submitted by the applicant in conjunction with the subject subdivision and rezoning application, summary remarks within the report conclude:
    - *'The results of the feedback suggest that there is a relatively small number of participants that object to the idea of development within the precinct as a whole, rather than the design of this subdivision in particular. While the natural area preservation, the design of the greenway network within Ridgewood West, the new naturalized lakes, and the preservation and enhancement of the Harte Trail were largely applauded, of specific concern with this subdivision is the potential negative impact to residences along Dale Boulevard. Both Charleswood Road and Cullen Drive will experience either no change or ultimately a reduction in traffic as a result of this subdivision development and/or any future subdivision within the precinct, Dale Boulevard is being called upon to function within its planned design capacity as a collector road, and as such will receive an increase in traffic as compared to today.'* (page 16, *Ridgewood West Ridgewood Precinct Plan – Area '1' Public consultation Report (Draft)* May 2013, Landmark Planning and Design)

PHASING

- In terms of the subject application's alignment with the overall phasing for the Ridgewood Precinct Plan, Area '1' has been identified as;
    - *'Areas can be serviced independent of other precinct area with minor extension of external services.'*

- The applicant has submitted one plan of subdivision and rezoning application creating blocks, park lands and public right of ways for review at the Public Hearing for the entire subject lands comprising Area '1',
- It is intended that the rezoning of each individual phase of the subdivision will come into force and effect when the block plans and lot plans are registered at the Winnipeg Land Titles Office via short-form subdivision (DASSF) applications through the City for each residential phase,
- The recommended conditions of approval listed at the beginning of this report reflect the above points. If the Assiniboia Community Committee, and ultimately Council, concurs with these conditions, Council would then pass one by-law which would approve the plan of subdivision (in accordance with the mylars submitted for the entire planned area) and rezone all lands in the entire planned area.

RECOMMENDED ZONING AGREEMENT

Plan Approval

- Building elevations and landscaping plans were not included in the subject application for the multi-family land. The Urban Planning Division is recommending that final plans be submitted to the Director of Planning, Property and Development and the Assiniboia Community Committee for the RMF-S, zoned lots 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 Assiniboia Community Committee to review final plans before development takes place for the proposed development and for any future developments on the site.
- The following guidelines should be used when evaluating future developments proposed on the RMF-S sites:
    - The site layout and building orientation should ensure that the buildings relate appropriately to the street and surrounding developments and create a cohesive visual identity for the neighbourhood.
    - Parking areas should be located behind or beside principal buildings and should be well-screened with landscaping.
    - Universally accessible connections should be linked to sidewalks.
    - Refuse storage areas and other building services should be internal to buildings or screened from view with appropriate fencing/landscaping.
    - 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.
    - Landscaping should enhance the overall development in key areas such as the development perimeter, corners, common areas, areas along pathways, and entryways.
    - The proposed development align with the policies within the Ridgewood South Precinct Plan,

Fencing and Setback Requirements

- Fencing and setback requirements consistent with those requested in the report of the Administrative Coordinating Group, (ACG) attached as Schedule ‘C’ to this report have also been incorporated into the zoning agreement.

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.
- Land dedication for this application is identified in the Report of the ACG.

RECOMMENDATION

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

- The proposed development is consistent with the *Complete Communities Direction Strategy* and the Ridgewood South Precinct Plan (By-law No. 62/2013).
- Considering the zoning proposed and the proposed dwelling unit targets, the subject neighbourhood development should reach a minimum of 7 dwelling units per net acre, which is generally accepted as a minimum standard to service a neighbourhood with on-street transit.
- The greenway park system proposed for the development effectively connects the planned area to other amenities within the neighbourhood, (i.e. the Harte Trail).

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

Report Prepared By: James Veitch
PPD File # DASZ 50/2013

Schedule "A" for File No. DASZ 50/2013 Option 1, Assiniboia Community Committee, dated January 22, 2014

By–Law No. _____

File No. **DASZ 50/13**

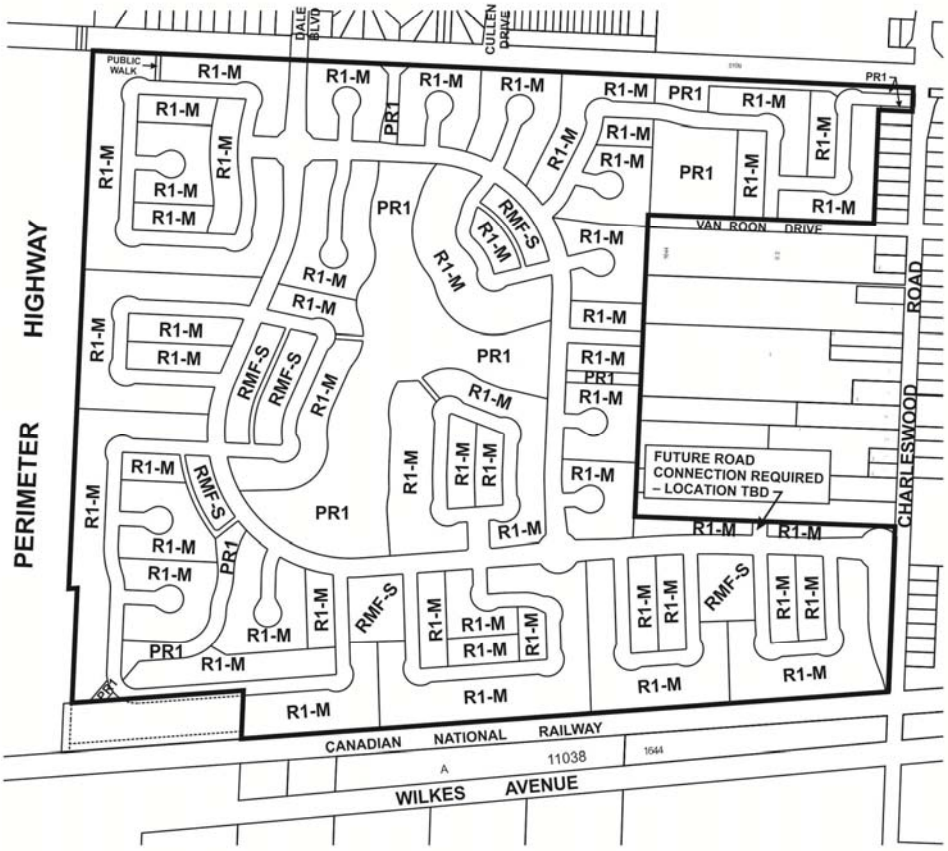
Atlas Sheet No.

N

AF11 ASSINIBOIA COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located on the west of Charleswood Road, north of CN Railway, south of Harte Trail from an "A" AGRICULTURAL DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (Medium) DISTRICT, an "RMF-S" RESIDENTIAL MULTI-FAMILY (Small) DISTRICT and a "PR1" PARKS AND RECREATION 1 DISTRICT to facilitate the development of the Ridgewood South Area 1 Neighbourhood lands by the creation of the block plan, public reserve lands and public right-of-ways for future residential development as shown outlined below.



OPTION 1

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule "B" for File No. DASZ 50/2013 Option 2, Assiniboia Community Committee, dated January 22, 2014

By–Law No. _____

File No. **DASZ 50/13**

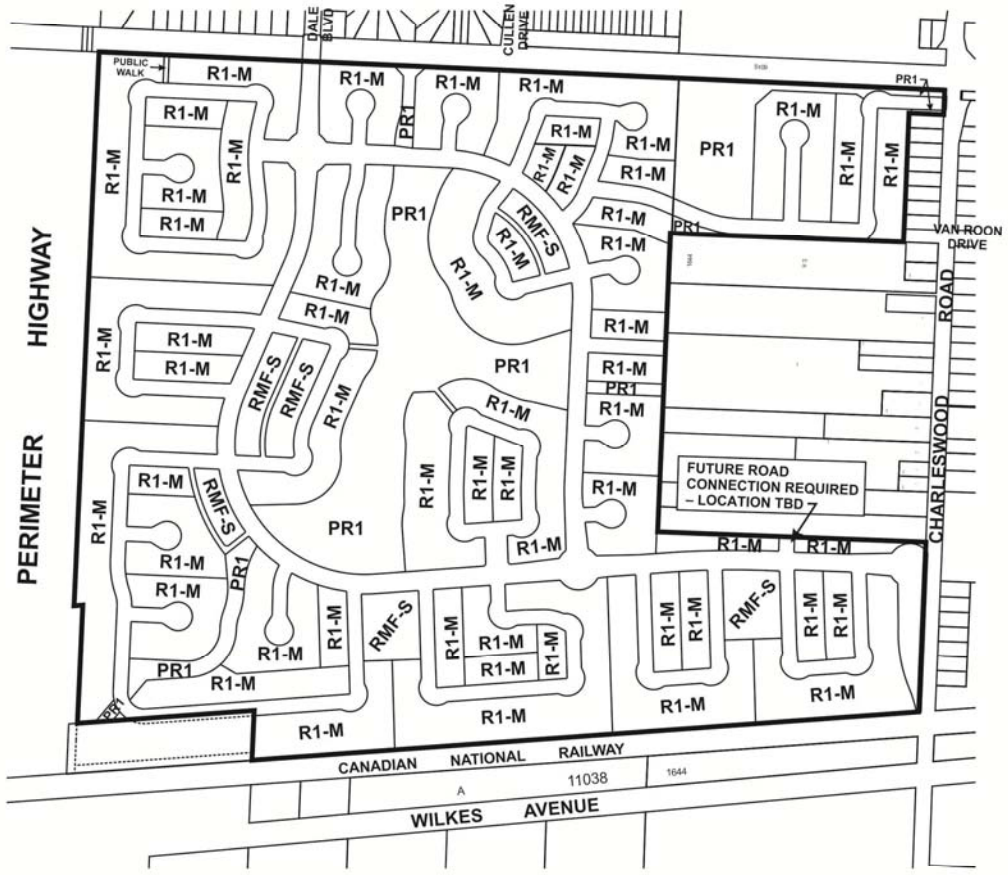
Atlas Sheet No.

N

AF11 ASSINIBOIA 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 the northwest corner of Charleswood Road and Wilkes Avenue from an "A" AGRICULTURAL DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (Medium) DISTRICT, an "RMF-S" RESIDENTIAL MULTI-FAMILY (Small) DISTRICT and a "PR1" PARKS AND RECREATION 1 DISTRICT to facilitate the development of the Ridgewood South Area 1 Neighbourhood lands by the creation of the block plan, public reserve lands and public right-of-ways for future residential development as shown outlined below.



OPTION 2

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE 'C'

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – January 22, 2014

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED WEST OF CHARLESWOOD ROAD, NORTH OF THE CN RAILWAY, SOUTH OF HARTE TRAIL – DASZ 50/2013

It is recommended that the approval of DASZ 50/2013, if granted, be subject to the applicant entering into a Development Agreement addressing the following items:

A. Plan Considerations

1. The Developer shall connect Charleswood Road from the north, directly to the proposed roundabout and shall dedicate and legally open property as right-of-way to accommodate this, to the satisfaction of the Director of Public Works.

2. The Developer shall dedicate and legally open property for right-of-way corner cuts measuring 2.0m by 2.0m in each corner of the intersection of two streets measuring 22.0m in width or greater. Right-of-way corner cuts measuring 3.0m by 3.0m are to be provided at each corner of any intersection where the angle is less than 80°, to the satisfaction of the Director of Public Works.

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

4. The Developer shall ensure that no cul-de-sac street exceeds 105m in length.

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

6. Intersections of local streets within the Planned Area are to be designed such that the angle of intersection is no less than 70° as measured in the quadrant with the acute angle.

7. Where two local residential streets intersect with a residential collector street on opposite sides of said collector, the centerlines of the local streets are to be aligned to be coincident with one another at their intersection with the collector or be offset by a minimum of 45.0m along the collector.

8. Where local residential streets are aligned to curve within 20.0m of their intersection with a residential collector street, such curves are to have a minimum centerline radius of 60.0m.

9. The Developer shall provide a right-of-way width of 6.00m to accommodate the proposed Public Walks, to the satisfaction of the Director of Public Works.

B. ENGINEERING REPORTS AND SERVICING CRITERIA

1. The Developer shall, provide, to the satisfaction of the Director of Water and Waste, 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. The report shall include an engineer's estimate of the cost to construct the regional land drainage facilities in order to determine the trunk service rate.

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

C. AGREEMENT CONDITIONS

SECTION I – SERVICING

1. Wastewater Sewers

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

2. Watermains

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

3. Lot Line Servicing

   a) The Developer shall, at no expense to the City, construct and install wastewater and water building services from the wastewater sewer and watermain, to service all lots within the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

   b) The Developer shall ensure that each sewer service remains plugged from installation until the foundation excavation has been backfilled and the roof of the dwelling has been sheathed, after which the house sewer may be connected. The Developer hereby agrees to indemnify the City against all actions, claims, demands, damages, losses, and costs, including legal and court costs, suffered or incurred by the City arising out of any failure to do so.

c) The Developer shall replace or repair any water or sewer service found to be defective within one year following the date the water is turned on for domestic use, and shall pay the City any cost incurred by the City arising out of any such defect.

4. Land Drainage

a) The Developer shall, at no expense to the City, construct and install land drainage sewers and naturalized 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.

b) 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.

c) The Developer shall pay its share of the cost of the regional land drainage system for the Planned Area as determined by the Director of Water and Waste The cost of regional land drainage facilities constructed by the Developer (including the value of the land for the stormwater retention basins) shall be credited against this charge.

5. Lot Grading

a) Upon registration of the approved plan of subdivision mylars in the Land Titles Office, the Developer shall, at no expense to the City, provide to the City all easements the City considers necessary with respect to the installation, construction, maintenance, and replacement of swales, catchbasins, and leads for drainage of the Planned Area.

b) Prior to the issuance of building permits, the Developer shall, at no expense to the City:

i. Submit to the City, for approval, a lot grading plan for the Planned Area, prepared by a municipal engineer; and

ii. Construct all swales, catchbasins, and leads necessitated by the approved lot grading plan

6. Limitation on Building

The Developer shall be limited to 400 dwelling units. This limit may be reviewed after 300 units are occupied, based on the then current traffic data and roadway network, and additional development beyond the 400 units may be permitted as determined by and to the satisfaction of the Director of Public Works.

7. Pavement

The Developer shall, at no expense to the City, construct Portland cement concrete pavements:

a) to widths of 7.5m, 8.0m and 10.0m, by 150mm and 200mm in thickness and all related works including, but not necessarily limited to street lighting, boulevard landscaping and land drainage sewer within all streets; and

b) to a width of 5.0m by 150mm in thickness in public lanes servicing single or two-family residential development and 6.0m by 150mm in thickness in public lanes servicing multi-family residential and commercial development

within the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

8. Transportation Levy

a) The Developer shall, pay to the City in cash, its share of the Ridgewood Transportation Levy.

b) The Developer shall, pay to the City in cash, on demand the full costs of the installation of traffic control signals and all related works including, but not necessarily limited to pedestrian and vehicular actuation and interconnection to adjacent traffic control signals and railway crossing protection and audible pedestrian signals, pedestrian countdown signals (if required) at the intersection of Charleswood Road and Wilkes Avenue, when and as determined by and to the satisfaction of the Director of Public Works. The Ridgewood Transportation Levy shall be responsible for the costs.

c) The Developer shall, pay to the City in cash and/or construct at no expense to the City, at the City's choice, on demand auxiliary lanes, transitions, median opening (modifications), channelization and all related works on Charleswood Road at and in the vicinity of its intersection with Wilkes Avenue as determined by and to the satisfaction of the Director of Public Works. The costs are to be equally shared by the Developer and the Ridgewood Transportation Levy.

d) The Developer shall, pay to the City in cash and/or construct at no expense to the City, at the City's choice, on demand auxiliary lanes, transitions, median opening (modifications), channelization and all related works on Wilkes Avenue at and in the vicinity of its intersection with Charleswood Road, as determined by and to the satisfaction of the Director of Public Works. The Ridgewood Transportation Levy shall be responsible for the costs.

e) The Developer shall, pay to the City in cash, on demand the costs of modifications to the existing railway crossing and the existing crossing protection at Charleswood Road and the Canadian National Rivers Subdivision, as may be required by Transport Canada and/or Canadian National Railway. The Ridgewood Transportation Levy shall be responsible for the costs.

f) Where the Developer constructs and/or pays for transportation improvements as being cost shared or the responsibility of the Ridgewood Transportation Levy, that amount shall be credited towards the Developers share of the Ridgewood Transportation Levy. Where the Developer's work in total exceeds the amount of the levy payable to the City, the City shall reimburse the Developer as monies are collected from benefitting lands.

9. Sidewalks

The Developer shall, at no expense to the City:

a) construct a 1.5m wide by 100mm thick Portland cement concrete sidewalks and a 1.5m wide asphaltic concrete bicycle path on the standard alignment, 0.3m from the property line, along both sides of all streets within the Planned area with rights-of-way measuring 22.0m in width or greater; and

b) construct within the proposed Public Walks a 1.5m wide by 100mm thick Portland cement concrete sidewalk and landscape the remainder to include:

i. Sodding on both sides of the sidewalk and

ii. fencing along the side property lines;

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

10. Temporary Dead-End Streets

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

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

11. Boulevards

a) The Developer shall, at no expense to the City, sod, and plant trees on, all boulevards within and fronting on the Planned Area, all in accordance with City specifications and guidelines and, where required, with concept plans prepared by the Developer and submitted to, and approved by, the Director of Public Works.

b) The Developer shall, at no expense to the City, maintain the sod for a period of one year and the trees for a period of two years, in accordance with specifications approved by the Director of Public Works.

12. Private Approaches

There are to be no private approaches serving single or two family residential development off residential collector streets (i.e. rights-of-way measuring 22.0m or greater in width). The subdivision is to be designed accordingly.

13. Two Means of Vehicle Access

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

14. Construction Traffic

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.

15. Signage

The Developer shall, at no expense to the City, obtain approval of and install, prior to construction, and subsequently maintain, at the entrances to the Planned Area, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, proposed sidewalks, walkways, public lanes, active transportation facilities, community mail boxes, parks, land drainage retention facilities, natural tree stands, and multiple family sites, collector and arterial streets, Perimeter Highway, Wilkes Avenue, the Harte Trail and the CNR Rivers Subdivision; all with the approval of, and to the satisfaction of, the Director of Planning, Property and Development.

16. Street Name Signs

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.

17. Fencing

The Developer shall, at no expense to the City:

a) construct within the Planned Area abutting the Canadian National Railway (CNR) Rivers Subdivision, a uniform fence 2.0m in height. and permit the City to file a caveat against the title of the proposed lots, requiring the owner(s) to maintain and/or repair or replace the fence as

originally constructed. Said fence is intended to ensure that "pedestrian trespass, to the tracks does not become a consequence of the subject development, thereby creating safety issues and jeopardizing existing and/or future anti-whistling regulations along the subject railway line;

b) construct within the rear yards of all one and two family lots abutting the West Perimeter Highway, a 2.0m to 2.5m high noise attenuation fence~~.~~ and permit the City to file a caveat against the title of the proposed lots, requiring the owner(s) to maintain and/or repair the fence as originally constructed;~~,~~

all as required and to the satisfaction of the Director of Public Works.

18. Lot Setback

All single-family and two-family residential lots backing onto the West Perimeter Highway, shall be of sufficient depth to provide a minimum rear-yard set back which together with other sound attenuation measures such as a berm and/or noise attenuation fence achieve the City's Motor Vehicle Noise Policies and Guidelines sound-level limit of 65 dBA in the typical outdoor recreation area of those lots, and the Zoning Agreement covering those lots shall stipulate this minimum rear yard.

19. Public Reserve

a). The Developer shall dedicate as Public Reserve at least 8% of the land contained within the overall development area and shall, at no expense to the City, undertake site improvements per the Development Agreement Parameters, and pay its share of the cost of services in streets abutting the dedicated land all in accordance with plans and specifications approved by the Director of Public Works. If the Developer is unable to dedicate a full 8% of the land, the Developer shall dedicate an amount of land satisfactory to the Directors of Public Works and Property, Planning & Development, and compensate the City for any shortfalls in the amount of land, servicing and improvements not provided, at the then current values, by payment of cash, or, by the provision of and equivalent value of additional site amenities in the public reserves within the planned area, as approved by the Directors of Public Works and Planning Property and Development.

b). The Developer shall provide, at no cost to the City, 2.4m paths, the surfacing of which shall be determined through the site plan approval process, within the public reserves where the primary function of the area is to provide pedestrian and/or bicycle connectivity, all to the satisfaction of and approval by the Director of Public Works.

c). It is understood that the existing natural areas within the Public Reserve lands in the NE segment of the planned area, and flanking the Harte Trail, shall be protected and preserved in accordance with the following:

i. Proposed improvements, including but not limited to the provision of pathways, shall be determined in consultation with the City Naturalist, and in accordance with plans and specifications approved by the Director of Public Works.

ii. Protective fencing shall be installed for the duration of construction along the limits of the preserved natural areas, to ensure no accidental encroachment into that area during construction.

iii. Any re-grading of land or changes in drainage patterns due to development must ensure there is no run off directed into the natural area, but shall be handled internal to that property. Drainage patterns of water out of natural areas must also be accounted for by providing drainage where necessary to maintain a neutral effect on the moisture regime.

iv. If only nominal or no improvements are required within the preserved natural areas, the value of Development Agreement Parameter governed site improvements at the then 'landscaping' rate, that would have normally been necessary, shall be tabulated and paid by the developer to the City or applied to improvements within the development, to the discretion and satisfaction of the Director of Public Works. Developer's costs associated with natural area preservation will be given fair consideration as credit towards this value, subject to the provision of detailed costs estimates, written rationale for the cost, confirmed compliance by the City Naturalist and subject to approval by the Director of Public Works.

d). Partial credit (approx. 50%) only shall be granted for linear parks along retention ponds where the width and sloped grade restricts multi-use opportunities, the determination of which shall be to the satisfaction of the Director of Planning, Property and Development.

e). If the City deems that the provision of irrigation or water service to the public reserve is not required, the Developer shall provide compensation in the form of site amenities of predetermined equivalent value. Given the degree of naturalizations occurring, it has been determined that irrigation is not required and the value has been offset by the natural area establishment.

f). The City will not compensate the Developer for the Developer's provision of serviced frontages which flank the stormwater retention basins, as these are deemed to be in excess of Park requirements.

g). The Developer shall, at no cost to the city, provide continuous fencing, or, fencing in accordance with a fencing plan, prepared by the developer in conjunction with the Urban Design Division and Parks, and subject to the review and approval of the Director of Public Works, for properties with side or rear yards abutting public reserve land. Any said fence shall to be located within private property and established by caveat to be the responsibility thereafter of the private property owner.

h). Park space development should be undertaken by the time the build out has reached 80% and completed prior to 100% build out, within the development, unless an extension of time has been previously approved by the Director of Public Works.

i). The Developer shall assume responsibility for all public reserve sites until they are developed and throughout the maintenance period.

j). The Developer shall, at no expense to the City, maintain the public open space improvements for a period of two years in accordance with specifications approved by the Director of Public Works. The City reserves the right to impose longer maintenance terms for amenities and features, such as naturalized areas, that the Director of Public Works deems to be beyond the standard scope of development. Commencement of the maintenance period will correspond with the issuance of Total Performance for Parks and shall be deemed complete by the issuance of a Final Acceptance Certificate for Parks.

k). Securities for public reserve improvements will be reduced following issuance of Total Performance, but shall not be released in full until Final Acceptance has been issued and as-built drawings have been received and accepted as complete by the Director of Public Works.

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

20. Utilities

a) The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the proposed subdivision and will pay the full cost to convert any existing overhead services within the proposed subdivision to underground to the satisfaction of the Director of Public Works.

b) The Developer shall pay all costs associated with the relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to be constructed by the Developer to serve the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

21. Litter and Refuse Control and Clean-Up

a) The Developer shall, at no expense to the City, and of its own volition, 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 substantial completion of all construction, as determined by and to the satisfaction of the Director of Public Works.

b) The cleanup 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.

22. Survey Monuments

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, shall have them

replaced by a Manitoba Land Surveyor. The Developer shall ensure that the Manitoba Land Surveyor provides the Director of Planning, Property and Development with a certificate stating that all survey monuments within the Planned Area have been verified and/or replaced, as the case may be.

SECTION II – COSTS AND FEES

1. By-laws and Approvals

The Developer shall pay all of its and the City's costs, fees, and expenses associated with the preparation and attainment of approval for registration of the Zoning By-law(s) and plan(s) of subdivision, including all Municipal Board, Land Titles Office and other fees and expenses, all survey, engineering and advertising fees and costs, and all expenses incidental to the preparation of the Agreement and the physical development of the Planned Area.

2. Professional Fees

a) The Developer shall pay to the city in cash, its share of the cost of consulting fees for the preparation of the Precinct Plan, as determined by the Director of Planning, Property and Development.

b) The Developer shall pay the full cost of all design services, including preliminary engineering studies, servicing reports, servicing criteria, construction drawings and specifications, and grading and landscaping plans and specifications, to be provided by Consulting Engineer(s) approved by the City, for the design of the municipal services, and associated works required to serve the Planned Area;

c) 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 engineering consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

3. Administration Fees

The Developer shall, prior to the release of the subdivision mylars for registration in the Land Titles Office, pay to the City, $1200.00/acre of the planned area to help defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 50/2013
January 22, 2014

"Original signed by G. Jasper, P.Eng."

G.V. Jasper P. Eng.,
Land Development Branch

"Original signed by F. Mazur, P.Eng."

F. C. Mazur, P. Eng.
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D. Beaton M.L.Arch
Parks and Urban Design, Property and Planning

GJ/gj

Schedule "D" for File No. DASZ 50/2013 Option 2 revised, Assiniboia Community Committee, dated February 4, 2014

