Minutes – Executive Policy Committee – May 21, 2014

Minute No. 342
Report – Standing Policy Committee on Property and Development – May 13, 2014

Item No. 3 **Subdivision and Rezoning – Land located at Sugar Beet Major Redevelopment Site North of Bishop Grandin, west of the Manitoba Hydro Corridor**
(River Heights-Fort Garry Ward)
File DASZ 3/2014 [c/r DAOC 1/2014]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the plan of subdivision under File DASZ 3/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2014 dated April 9, 2013 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a servicing agreement with the City containing all the conditions outlined in Schedule B, the report of the Administrative Coordinating Group dated March 12, 2014, with the following amendment,

        i. C. AGREEMENT CONDITIONS
        SECTION I – SERVICING

            15. Delete "a pedestrian crossing from the Planned Area." and replace it with "an at grade pedestrian crossing from the Planned Area to a maximum value of $200,000.00."

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by adding the Bishop Grandin Crossing (Sugar Beet Lands) Planned Development Overlay 1 (PDO-1 Bishop Grandin Crossing), attached as Appendix B.

3. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 3/2014 dated April 9, 2013 to a "RMU" Residential Mixed Use District, a "CMU" Commercial Mixed Use District, a "PR1" Parks and Recreation District, a "PR2" Parks and Recreation District, and an "M2" Manufacturing District, subject to the following conditions:

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A. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, landscaping, and lighting to the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development;

B. That the development be limited to a maximum of 1,296 dwelling units until such time that written approval from the property owner(s) of the abutting lands to allow for an at grade pedestrian crossing to the future Plaza Drive rapid transit station from the subject lands is provided to the satisfaction of the Director of Planning, Property, and Development;

C. That for all dwelling units exceeding 1,440 units, each building permit application shall be accompanied by the following:

i. a transportation engineer's report confirming that trip generation rates for the proposed building, in combination with any buildings already approved or built on the subject lands, are within the assumed ranges (with a 20% tolerance) of the original Traffic Impact Assessment for DASZ 3/2014, to the satisfaction of the Director of Public Works. If the trip generation rates will exceed the assumed ranges of the original Traffic Impact Assessment, a new Traffic Impact Assessment and Recommendations shall be prepared to the satisfaction of the Director of Public Works to address trip generation rates and impacts beyond the assumptions of the original Traffic Impact Assessment for DASZ 3/2014;

ii. an updated servicing report confirming that the servicing capacity for the proposed building, in combination with any buildings already approved or built on the subject lands, are within the assumed ranges of the original servicing report for DASZ 3/2014, to the satisfaction of the Director of Water and Waste. If the demand will exceed the assumed ranges of the original servicing report, a new servicing report shall be prepared to the satisfaction of the Director of Water and Waste to address servicing requirements beyond the assumptions of the original servicing report for DASZ 3/2014;

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D. That prior to the issuance of any new occupancy permit and/or upon the request of the Chief of the Winnipeg Fire Paramedic Service ("WFPS"), the Developer shall install and erect, at his own expense and at no cost to the City, signs depicting the Master Plan of development on the subject property as it exists from time to time. Such signs shall clearly show the location of all existing buildings, accessory parking areas, private approaches, garbage enclosures, internal roads, building addresses and/or unit numbers, and building names, and must be posted at outside locations near the public right-of-way and internal roads on the subject property. The location, quantity, size and illumination of such signs will be determined by the Chief of WFPS. The Developer shall maintain all such signs to the satisfaction of the Chief of the WFPS;

E. That copies of the current Master Plan be provided to the Chief of WFPS prior to the issuance of any new occupancy permit and/or upon the request of the Chief of WFPS;

F. That the address number of every building on the subject property (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located;

G. Where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the WFPS;

H. That building numbers and names required to be attached or displayed by this Zoning Agreement must be of a colour that contrasts with the colour of the structure to which they are attached so as to be clearly visible from the street or internal road on which the building is located and of a height as determined by and to the satisfaction of the Chief of the WFPS;

I. That no other numbers or names are to be attached to any buildings on the subject property that could be confused with the address numbers or building names;

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J. That the owner / occupier of a building must ensure that the number assigned to a building is clearly visible from the street or internal road on which the building is located while the building is under construction as determined by and to the satisfaction of the Chief of WFPS;

K. The Developer and all successors in title to the lots in the subdivision shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the lots, private cross-access agreements with the owners of the other lots so as to ensure access to every lot at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners must submit the agreements or easements to the City Solicitor for approval prior to execution;

L. That all lighting shall upon the request of the Director of Planning, Property and Development, be equipped with whatever additional shielding, lenses, or cut-off devices as required to eliminate light trespass onto any street or abutting lot or parcel and to eliminate glare perceptual to persons on any street or abutting lot or parcel. In addition, the Director may require that the light trespass and glare be limited to a reasonable level through fixture location, height and intensity.

4. That the zoning agreement for DASZ 6/2007 (By-law 178/2007) be repealed.

5. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within thirty-six (36) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this thirty-six (36) month period and the extension is subsequently approved by Council.

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

7. 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.

8. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

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9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years 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 two-year period and Council approves the extension.

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) 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 twenty-four (24) month period and the extension is subsequently approved by Council.

11. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

12. 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.

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DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That the recommendation of the Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On May 13, 2014, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 15, 2014, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments:

- Add the following to the end of Recommendation 1. A.:

  ", with the following amendment,

  i. C. AGREEMENT CONDITIONS
  SECTION I – SERVICING

  15. Delete "a pedestrian crossing from the Planned Area." and replace it with "an at grade pedestrian crossing from the Planned Area to a maximum value of $200,000.00."

- Amend Recommendation 5 by deleting "twenty-four (24) month" and replacing it with "thirty-six (36) month" in both instances.

- Amend Recommendation 9 by deleting "one (1) year" and replacing it with "two (2) years" and deleting "the one-year period" and replacing it with "the two-year period".

- Amend Recommendation 10 by deleting "twelve (12) month" and replacing it with "twenty-four (24) month" in both instances.

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

RE: **Subdivision and Rezoning – Land located at Sugar Beet Major Redevelopment Site North of Bishop Grandin, west of the Manitoba Hydro Corridor**
File DASZ 3/2014

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

Prepared by: **Andrew Poitras, Senior Committee Clerk**
City Centre Community Committee

Report date: **April 18, 2014**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 15, 2014, the City Centre 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 under File DASZ 3/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2014 dated April 9, 2013 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a servicing agreement with the City containing all the conditions outlined in Schedule B, the report of the Administrative Coordinating Group dated March 12, 2014***, with the following amendment,***

        i. C. AGREEMENT CONDITIONS
        SECTION I – SERVICING

            15. Delete "a pedestrian crossing from the Planned Area." and replace it with "an at grade pedestrian crossing from the Planned Area to a maximum value of $200,000.00."

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by adding the Bishop Grandin Crossing (Sugar Beet Lands) Planned Development Overlay 1 (PDO-1 Bishop Grandin Crossing), attached as Appendix B.

3. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 3/2014 dated April 9, 2013 to a "RMU" Residential Mixed Use District, a "CMU" Commercial Mixed Use District, a "PR1" Parks and Recreation District, a "PR2" Parks and Recreation District, and an "M2" Manufacturing District, subject to the following conditions:

A. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, landscaping, and lighting to the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development;

B. That the development be limited to a maximum of 1,296 dwelling units until such time that written approval from the property owner(s) of the abutting lands to allow for an at grade pedestrian crossing to the future Plaza Drive rapid transit station from the subject lands is provided to the satisfaction of the Director of Planning, Property, and Development;

C. That for all dwelling units exceeding 1,440 units, each building permit application shall be accompanied by the following:

   i. a transportation engineer's report confirming that trip generation rates for the proposed building, in combination with any buildings already approved or built on the subject lands, are within the assumed ranges (with a 20% tolerance) of the original Traffic Impact Assessment for DASZ 3/2014, to the satisfaction of the Director of Public Works. If the trip generation rates will exceed the assumed ranges of the original Traffic Impact Assessment, a new Traffic Impact Assessment and Recommendations shall be prepared to the satisfaction of the Director of Public Works to address trip generation rates and impacts beyond the assumptions of the original Traffic Impact Assessment for DASZ 3/2014;

   ii. an updated servicing report confirming that the servicing capacity for the proposed building, in combination with any buildings already approved or built on the subject lands, are within the assumed ranges of the original servicing report for DASZ 3/2014, to the satisfaction of the Director of Water and Waste. If the demand will exceed the assumed ranges of the original servicing report, a new servicing report shall be prepared to the satisfaction of the Director of Water and Waste to address servicing requirements beyond the assumptions of the original servicing report for DASZ 3/2014.

D. That prior to the issuance of any new occupancy permit and/or upon the request of the Chief of the Winnipeg Fire Paramedic Service (“WFPS”), the Developer shall install and erect, at his own expense and at no cost to the City, signs depicting the Master Plan of development on the subject property as it exists from time to time. Such signs shall clearly show the location of all existing buildings, accessory parking areas, private approaches, garbage enclosures, internal roads, building addresses and/or unit numbers, and building names, and must be posted at outside locations near the public right-of-way and internal roads on the subject property.

The location, quantity, size and illumination of such signs will be determined by the Chief of WFPS. The Developer shall maintain all such signs to the satisfaction of the Chief of the WFPS;

E. That copies of the current Master Plan be provided to the Chief of WFPS prior to the issuance of any new occupancy permit and/or upon the request of the Chief of WFPS;

F. That the address number of every building on the subject property (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located;

G. Where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the WFPS;

H. That building numbers and names required to be attached or displayed by this Zoning Agreement must be of a colour that contrasts with the colour of the structure to which they are attached so as to be clearly visible from the street or internal road on which the building is located and of a height as determined by and to the satisfaction of the Chief of the WFPS;

I. That no other numbers or names are to be attached to any buildings on the subject property that could be confused with the address numbers or building names;

J. That the owner / occupier of a building must ensure that the number assigned to a building is clearly visible from the street or internal road on which the building is located while the building is under construction as determined by and to the satisfaction of the Chief of WFPS;

K. The Developer and all successors in title to the lots in the subdivision shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the lots, private cross-access agreements with the owners of the other lots so as to ensure access to every lot at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners must submit the agreements or easements to the City Solicitor for approval prior to execution;

L. That all lighting shall upon the request of the Director of Planning, Property and Development, be equipped with whatever additional shielding, lenses, or cut-off devices as required to eliminate light trespass onto any street or abutting lot or parcel and to eliminate glare perceptual to persons on any street or abutting lot or parcel. In addition, the Director may require that the light trespass and glare be limited to a reasonable level through fixture location, height and intensity.

4. That the zoning agreement for DASZ 6/2007 (By-law 178/2007) be repealed.

5. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within ~~twenty-four (24) months~~ ***thirty-six (36) months*** after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this ~~twenty-four (24) month~~ ***thirty-six (36) month*** period and the extension is subsequently approved by Council.

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

7. 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.

8. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within ~~one (1) year~~ ***two (2) years*** 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~~ ***two-year*** period and Council approves the extension.

10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within ~~twelve (12) months~~ ***twenty-four (24) 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~~ ***twenty-four (24)*** month period and the extension is subsequently approved by Council.

11. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

12. 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 City Centre Community Committee provided the following supporting reasons for its recommendation:

1. This was a big brownfield with lime on it that has been sitting unseen by most people.
2. A lot of people will be living there.
3. There was a lot of collaboration between the developer and city.
4. There were a lot of roadblocks along the way but both parties worked through it admirably well and they kept the neighbourhood in the loop quite well.
5. We're getting that infill development that we need.
6. The traffic impacts are minimal enough but we'll have to keep an eye on it.
7. The naturalized landscaping and connectivity to the bike trails within and to the rest of the network will be quite beneficial.
8. Overall while I'm still worried about the connectivity to the transit station, we have enough assurances and the developer is aware of the risk and is still willing to move forward with it.

PUBLIC HEARING SUMMARY

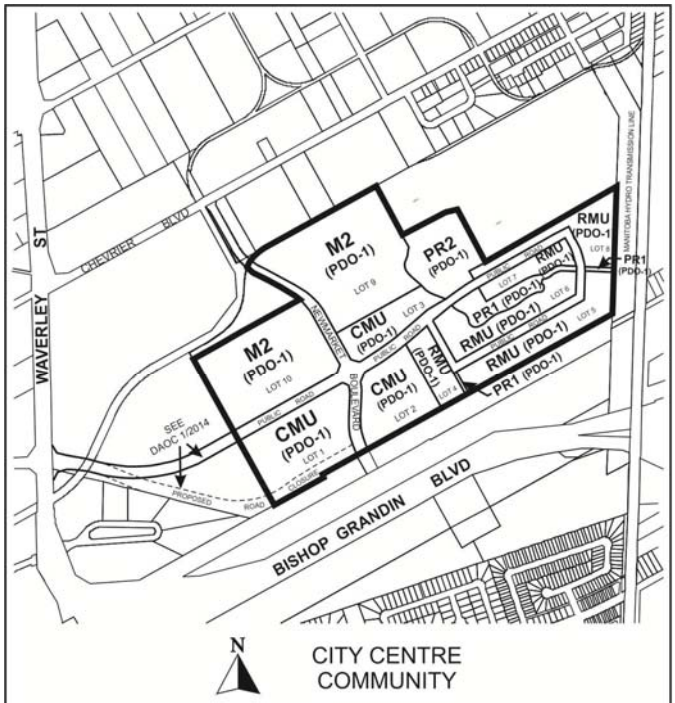
File: DASZ 3/2014

Before: City Centre Community Committee
Councillor Smith, Chairperson
Councillor Gerbasi
Councillor Orlikow

Public Hearing: April 15, 2014
Council Building, 510 Main Street

Applicant: McGowan Russell

Subject:



APPLICANT : McGOWAN RUSSELL
FILE : DASZ 3/14
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 "M2" MANUFACTURING GENERAL DISTRICT to an "RMU" RESIDENTIAL MIXED USE PDO-1 BISHOP GRANDIN CROSSING DISTRICT, "CMU" COMMERCIAL MIXED USE PDO-1 BISHOP GRANDIN CROSSING DISTRICT, "PR1" PARKS AND RECREATION 1 NEIGHBOURHOOD PDO-1 BISHOP GRANDIN CROSSING DISTRICT, "PR2" PARKS AND RECREATION 2 COMMUNITY PDO-1 BISHOP GRANDIN CROSSING DISTRICT and "M2" MANUFACTURING GENERAL PDO-1 BISHOP GRANDIN CROSSING DISTRICT to facilitate the future development of the Sugar Beet Major Redevelopment Site (Bishop Grandin Crossing) by the creation of a block plan, lots, parks and public right-of-ways. **For information, phone Mr. M. Robinson, Planner, at 204-986-3213.**

Premises Affected:	Land located at Sugar Beet Major Redevelopment Site North of Bishop Grandin, west of the Manitoba Hydro Corridor

Exhibits Filed:

1. Application dated February 18, 2014
2. Notification of Public Hearing dated March 19, 2014
3. Manitoba Status of Title 2542269/1, 2542122/1, 2542125/1, 2541745/1, 2541749/1, 2541758/1, 2541833/1, 2541841/1, 2541838/1, 2542748/1, 2542759/1, 2541721/1, 2541726/1, 2541727/1
4. Letter of authorization dated February 10, 2014 from Don Larke, Hopewell Development Corporation to McGowan Russell Group
5. Surveyor's Building Location Certificate and sketch dated August 9, 2011
6. Caveats 4108377, 4108378
7. Appendix D – PDO-1 "Bishop Grandin Crossing" By-law No. /2014
8. Plans (1 page)
9. Report from the Urban Planning Division dated April 9, 2014
10. Inspection Report
11. Submission submitted by the Applicant at the public hearing
12. Audio Recording of representations

The Winnipeg Public Service to advise that all statutory requirements with respect to this application have been complied with.

REPRESENTATIONS:

In Support:

Brad Cook
Patrick Hamilton, C. Stevenson Advisors
Don Larke, Hopewell
Aaron Hirota, McGowan Russell Group
Andrew Marquess
David Marsh, Dollon Consulting
Susan Russell, McGowan Russell

In Opposition:

Nil

For Information:

Shengxu Li

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department

Exhibit "10" referred to in File DASZ 3/2014

ADMINISTRATIVE REPORT

Title: DASZ 3/2014 – Sugar Beet Major Redevelopment Site (Bishop Grandin Crossing)

Issue: An application for consideration at the public hearing for subdivision and rezoning.

Critical Path: City Centre 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 3/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2014 dated April 9, 2013 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a servicing agreement with the City containing all the conditions outlined in Schedule B, the report of the Administrative Coordinating Group dated March 12, 2014.

2. That Winnipeg Zoning By-law No. 200/2006 be amended by adding the Bishop Grandin Crossing (Sugar Beet Lands) Planned Development Overlay 1 (PDO-1 Bishop Grandin Crossing), attached as Appendix B.

3. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 3/2014 dated April 9, 2013 to a "RMU" Residential Mixed Use District, a "CMU" Commercial Mixed Use District, a "PR1" Parks and Recreation District, a "PR2" Parks and Recreation District, and an "M2" Manufacturing District, subject to the following conditions:

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plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That the development be limited to a maximum of 1,296 dwelling units until such time that written approval from the property owner(s) of the abutting lands to allow for an at grade pedestrian crossing to the future Plaza Drive rapid transit station from the subject lands is provided to the satisfaction of the Director of Planning, Property, and Development

iii. That for all dwelling units exceeding 1,440 units, each building permit application shall be accompanied by the following:

a) a transportation engineer's report confirming that trip generation rates for the proposed building, in combination with any buildings already approved or built on the subject lands, are within the assumed ranges (with a 20% tolerance) of the original Traffic Impact Assessment for DASZ 3/2014, to the satisfaction of the Director of Public Works. If the trip generation rates will exceed the assumed ranges of the original Traffic Impact Assessment, a new Traffic Impact Assessment and Recommendations shall be prepared to the satisfaction of the Director of Public Works to address trip generation rates and impacts beyond the assumptions of the original Traffic Impact Assessment for DASZ 3/2014.

b) an updated servicing report confirming that the servicing capacity for the proposed building, in combination with any buildings already approved or built on the subject lands, are within the assumed ranges of the original servicing report for DASZ 3/2014, to the satisfaction of the Director of Water and Waste. If the demand will exceed the assumed ranges of the original servicing report, a new servicing report shall be prepared to the satisfaction of the Director of Water and Waste to address servicing requirements beyond the assumptions of the original servicing report for DASZ 3/2014.

iv. That prior to the issuance of any new occupancy permit and/or upon the request of the Chief of the Winnipeg Fire Paramedic Service ("WFPS"), the Developer shall install and erect, at his own expense and at no cost to the City, signs depicting the Master Plan of development on the subject property as it exists from time to time. Such signs shall clearly show the location of all existing buildings, accessory parking areas, private approaches, garbage enclosures, internal roads, building addresses and/or unit numbers, and building names, and must be posted at outside locations near the public right-of-way and internal roads on the subject property. The location, quantity, size and illumination of such signs will be determined by the Chief of WFPS. The Developer shall maintain all such signs to the satisfaction of the Chief of the WFPS;

v. That copies of the current Master Plan be provided to the Chief of WFPS prior to the issuance of any new occupancy permit and/or upon the request of the Chief of WFPS;

vi. That the address number of every building on the subject property (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located;

vii. Where a building on the subject property is in a location that results in its number or name not being clearly visible from the street or internal road on which it is located, the number and name must be both attached to the building and displayed

in another form that is clearly visible from the street or internal road. Where more than one building is located on a subject property lot, the requirement that the numbers and names be displayed in another form that is clearly visible from the street or internal road may be met by displaying the range of building numbers and names on that lot on signage to be approved by the Chief of the WFPS;

viii. That building numbers and names required to be attached or displayed by this Zoning Agreement must be of a colour that contrasts with the colour of the structure to which they are attached so as to be clearly visible from the street or internal road on which the building is located and of a height as determined by and to the satisfaction of the Chief of the WFPS;

ix. That no other numbers or names are to be attached to any buildings on the subject property that could be confused with the address numbers or building names;

x. That the owner / occupier of a building must ensure that the number assigned to a building is clearly visible from the street or internal road on which the building is located while the building is under construction as determined by and to the satisfaction of the Chief of WFPS;

xi. The Developer and all successors in title to the lots in the subdivision shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the lots, private cross-access agreements with the owners of the other lots so as to ensure access to every lot at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles and transit buses. The Developer and owners must submit the agreements or easements to the City Solicitor for approval prior to execution;

xii. That all lighting shall upon the request of the Director of Planning, Property and Development, be equipped with whatever additional shielding, lenses, or cut-off devices as required to eliminate light trespass onto any street or abutting lot or parcel and to eliminate glare perceptual to persons on any street or abutting lot or parcel. In addition, the Director may require that the light trespass and glare be limited to a reasonable level through fixture location, height and intensity;

4. That the zoning agreement for DASZ 6/2007 (By-law 178/2007) be repealed

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

6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.

7. 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.

8. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.

9. 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.

10. 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.

11. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

12. 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 seeks approval to rezone and subdivide the subject lands in accordance with the Bishop Grandin Crossing Area Master Plan. 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 property will be rezoned and subdivided and permits may be issued.

HISTORY

In 2007, Hopewell Development submitted an application for subdivision to provide vehicular access to the former Sugar Beets plant site, and rezoning (DASZ 6/07) from an "A" Agricultural zoning district to an "M2" Industrial zoning district (under the previous Zoning By-law). The intent was to provide for uniform zoning of the site and facilitate development of a major employment and service node. Approval of that application was conditional upon execution of Zoning and Development Agreements and payment of land dedication.

On July 20, 2011 Council adopted the Complete Communities Direction Strategy By-law 68/2010 which designated the Sugar Beets lands as a Major Redevelopment Site. On September 25, 2013 Council approved an amendment to the Complete Communities By-law to adjust the boundaries of the Sugar Beet Major Redevelopment Site on the Urban Structure map to exclude approximately 45 acres of developed industrial lands in the northeast portion of the site.

On February 14, 2014 Hopewell submitted applications for endorsement of an Area Master Plan (SP 1/14), subdivision, rezoning and Planned Development Overlay (DASZ 3/14), short form subdivision for the Hydro lands consolidation (DASSF 515/14) and road opening and closing (DAOC 1/14). This report covers recommendations related to the DASZ application, which establishes the zoning, blocks, lots, parks, and public rights-of-ways.

CONSULTATION

In preparing this Report there was consultation with:

- Public Works Department
- Transit Department
- Water and Waste Department
- Fire Department

SUBMITTED BY

Department	*Planning, Property and Development*
Prepared by	*Michael Robinson AICP, MCIP*
Division	*Urban Planning*
Date:	April 9, 2014
File No.	DASZ 3/2014

List of Schedules and Attachments

Appendix A	Administrative Report
Schedule A	DASZ 3/2014 City Centre Community Committee
Schedule B	Report of The Administrative Co-ordinating Group – March 12, 2014
Appendix B	Bishop Grandin Crossing Planned Development Overlay 2
Appendix C	Proposed Road Network Concept
Appendix D	Proposed Pedestrian Network Concept
Appendix E	Conceptual Transit Routing and Rapid Transit Connection

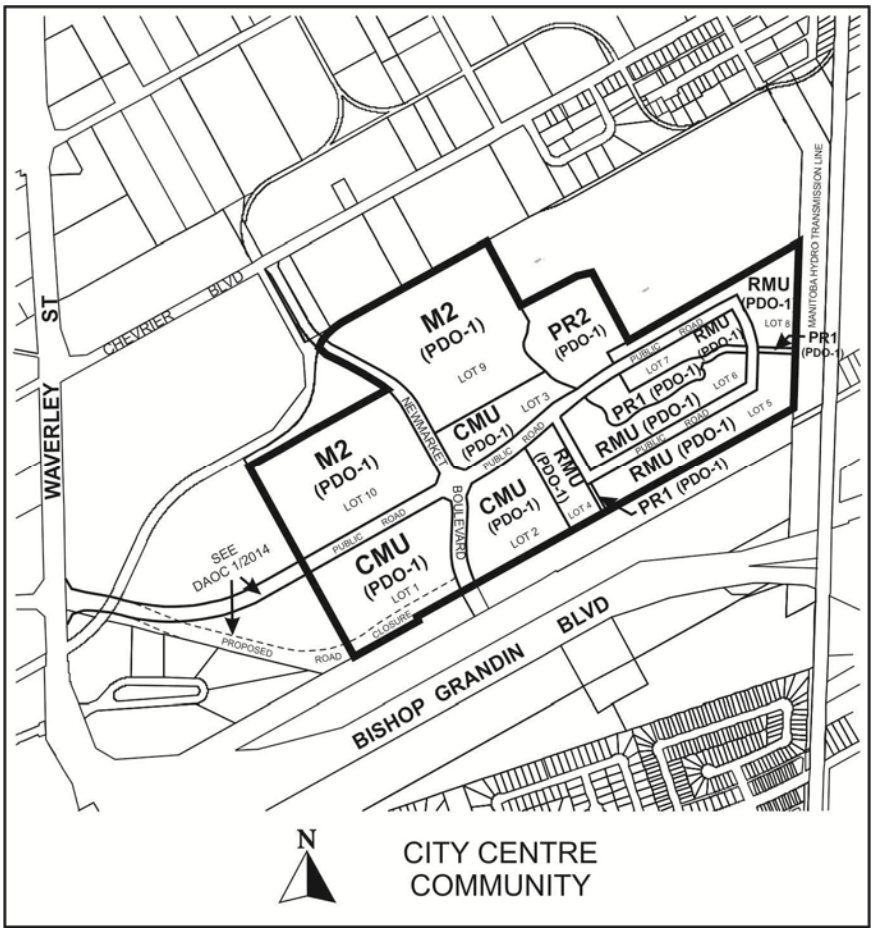
APPENDIX 'A'

DATE:	April 9, 2014
FILE:	DASZ 3/2014
RELATED FILES:	SP 1/2014, DAOC 1/2014, DASSF 515/2014
COMMUNITY:	City Centre Community
NEIGHBOURHOOD #:	1.653

SUBJECT: To rezone the subject land from an "M2" Manufacturing District to a "RMU" Residential Mixed Use, "CMU" Commercial Mixed Use District, "PR1 Parks and Recreation District, PR2 Parks and Recreation District, and "M2" Manufacturing District to facilitate the future development of the Sugar Beet Major Redevelopment Site (Bishop Grandin Crossing by the creation of a block plan, lots, parks, and public rights of ways.

LOCATION: North of Bishop Grandin Boulevard and West of the Manitoba Hydro Corridor

LEGAL DESCRIPTION: see application



APPLICANT: McGowan Russell (Susan Russell)

OWNER: Hopewell (Bishop Grandin) Development Inc.

RECOMMENDATION: Approval, with conditions,

SITE DESCRIPTION
The subject property is located on the north side of Bishop Grandin Boulevard, west of Pembina Highway and the Hydro corridor, east of Waverley Street, and south of Chevrier Boulevard, in the Chevrier neighbourhood of the River Heights – Fort Garry ward.

North: Industrial uses zoned "M2" Manufacturing District
South: City owned land zoned "A" Agricultural District and then Bishop Grandin Boulevard
East: Manitoba Hydro corridor and railroad tracks zoned "M2" Manufacturing District, "A" Agricultural District, "C3" Commercial District, and "RMF-M" Multi-Family Residential District
West: Industrial and commercial uses zoned "M2" Manufacturing District

DESCRIPTION OF THE PROPOSED DEVELOPMENT
The applicant seeks approval to rezone and subdivide the subject lands. The applicant is also seeks approval for a Planned Development Overlay (PDO-1), which modifies the underlying zoning district.

The subject parcel is approximately 131 acres in size and will be subdivided into 10 lots.

The rezoning and subdivision is intended to accommodate a mixed use development, which may include multiple-family residential uses, large and small format retail, restaurants, hotel, entertainment, office, and industrial flex space.

The associated Area Master Plan for Bishop Grandin Crossing (see SP 1/2014) provides the developer's vision for the property and policies for the Plan area. The Area Master Plan is being used to guide the DASZ application and will be used to evaluate all future development proposals for the Plan area.

A. Development concept
With the site being quite large, the site was divided into four sub-areas for planning purposes. Each of these sub-areas has a distinct character, land use focus and function contributing to the overall success of the site. The four sub-areas are described as follows:

Area 1 – Urban Mixed Use Area
This is the prime residential and transit oriented development area of the site. It is located on the east side of the site closest to the proposed transit station. It is intended to contain the broadest and most intense mix of land uses including multi-family residential in various formats plus office, hotel, restaurant, and retail. The tallest buildings on the site will be situated in this area adjacent to the station. The developer is proposing **"RMU" Residential Mixed Use** zoning with the possibility of some allowances for reduced parking standards. Through the associated PDO-1, this area will also be subject to reduced front yard setbacks (build-to lines) to bring buildings closer to the street, a preference for active uses located on the ground floor to facilitate a pedestrian oriented environment, pedestrian oriented signage, and increased building heights at the station.

Area 2 – Mixed Use Commercial Area (east and west of Newmarket Blvd)
Area 2 is intended to be a destination commercial and retail node centered at the intersection of Newmarket and Scurfield with traditional auto oriented uses. Other complementary uses would also be considered, including residential. Commercial uses could be a mixture of neighbourhood, community and regional services at a larger scale than Area 1. **"CMU" Commercial Mixed Use** zoning is proposed to implement the land use direction both east and west of Newmarket.

Area 3 – Mixed Use Employment Area (east and west of Newmarket Blvd)
This is the traditional employment area of the site and will retain its current "**M2" Manufacturing General** zoning. Area 3 will provide a transition between the existing industrial uses on the south side of Chevrier and east side of Waverley, and the commercial development in Area 2. Uses fronting on Newmarket will have a higher level of design and site treatment and may include supportive commercial or light industrial uses.

Area 4 – Parks and Open Space Area
Area 4 comprises the active recreational area east of the retention pond and the passive park areas around the pond and the trails throughout the development. Public open space in the transit oriented development area (Area 1) takes on a more urban feel with plaza spaces and a linkage to the proposed transit station. The parks and play areas have been situated within a 5 minute walking distance of the concentrated residential development in Area 1. The active park spaces will be zoned to a **"PR2" Community Parks and Recreation** zoning district and the smaller parcels and trail connections to a **"PR1" Neighbourhood Parks and Recreation** zoning district. Pedestrian and cycling infrastructure is also an important part of both the transportation and recreational components of the development linking residential development to destinations inside and outside the site.

B. Streets
Connections to the site
Planned site access is provided from three points:

1. A right in/right out intersection at Bishop Grandin and Newmarket Boulevard, which will be a newly constructed public street.

2. An extension of Scurfield Boulevard from Waverley Street

3. An extension of Newmarket Boulevard to Chevrier Boulevard

Internal roads
The internal public road system includes one east/west and one north/south collector streets as well as a local road within Area 1. A map of the proposed road network is shown in Appendix C.

More detail on the proposed road network is provided in the Mobility section of the Area Master Plan.

Pedestrian network
A pedestrian and cycling concept map is provided in Appendix D

Key highlight of the pedestrian network include:

- Pedestrian at grade connection to the rapid transit station
- Sidewalks on all collector and local public streets
- Recreation pathway from Area 1 to the public park in Area 4
- Linkages to all existing trail networks, street, and sidewalks
- Bicycle paths throughout the development

C. Underground services
The subject development, based on City of Winnipeg servicing policies, is required to be serviced to an urban standard with land drainage, water, and wastewater sewer. More detail about underground servicing is provided in the Infrastructure and Servicing Strategy Section of the Area Master Plan.

D. Transit
The internal roadway will be designed to accommodate transit service. In addition, direct pedestrian access to the future rapid transit station is being accommodated. The general path of transit through the site is shown in the Conceptual Transit Routing and Rapid Transit Station Connections map in Appendix E.

E. Phasing
Bishop Grandin Crossing is proposed to be developed over a period of 10-15 years. Phasing will be dependent on market demand and the logical sequence of infrastructure servicing. Construction would commence at the east end in Area 1 with the residential development and commercial development would follow based on market demand.

ANALYSIS AND ISSUES
A. Policies
OurWinnipeg/Complete Communities
The subject property is identified as a Major Redevelopment Site in *Complete Communities*, the City's blueprint for development. *Complete Communities* describes the characteristics of Major Redevelopment Sites as follows:

- Large, functionally obsolete or under-utilized lands, such as former industrial areas.
- Located within the existing urban framework, often along rail lines, major corridors or rapid transit.
- Often serviced by some level of existing infrastructure
- Present opportunities for transformative and strategic mixed use infill and intensification
- May present challenges to redevelopment, such as inadequate infrastructure capacity and contamination
- Site area typically 15 acres or more

It provides direction that Major Redevelopment Sites should: *Provide for Complete Communities with significant levels of mixed use, high density development, with strong urban design and attractive parks, places, and open spaces.*

It also states that Major Redevelopment Sites may be hampered to various extents by a number of impediments that reduce or preclude economic viability and that given its interest in the redevelopment of these sites, the City will work to reduce these barriers.

Complete Communities requires that landowners and other stakeholders establish local goals and objectives for a Major Redevelopment Site while taking into account its relationship to OurWinnipeg, Sustainable Transportation Direction Strategy, Downtown, Redevelopment Areas, Corridors and other Centres. This could include minimum and maximum density and employment targets.

A more detailed analysis of Our Winnipeg and Complete Communities policies relating to this development is included within the associated Area Master Plan administrative report (SP 1/2014).

B. Land Use and Zoning
The subject application includes a PDO-1 Planned Development Overlay District, which permits the underlying zoning to be modified, to allow for flexibility in the build out of the site. The PDO-1 takes into account the size, proximity to rapid transit, and the distinctive mix of uses that may occur here, because it is a Major Redevelopment Site.

Some of the key modifications to the underlying zoning districts:

- The principal and accessory use tables are modified to allow for a broader range of uses

- Flexibility in setback and height requirements is permitted.

- A Parking and Bicycle Parking Management Plan, which must be approved by the Director of Planning, Property, and Development, will replace the parking and bicycle parking requirements in the Winnipeg Zoning By-law. With Area 1, parking is reduced to 75% of the By-law minimum and capped at 150% of the By-law maximum.

- Design standards which require entrances oriented to the street, a minimum amount of building transparency facing the street, and parking to the side and rear of buildings as well as screened from view

The PDO-1 is attached in Appendix B

C. Transit

A critical issue tied to the development concept for the site and the potential for success as a transit oriented development is connection to the proposed Plaza Drive Station and rapid transit line. If the City and the developer cannot secure commitments from Manitoba Hydro and CN to support a grade level crossing to the transit station at that location, the developer will have to work with the City to rework the development concept, prepare a new Traffic Impact Analysis and re-submit it for review and endorsement. As such, the Winnipeg Public Service is recommending that:

1. The City and the developer ("Hopewell") work collaboratively with the applicable parties including CN Rail and Manitoba Hydro to secure a direct connection from the Major Redevelopment Site to the Plaza Drive (rapid transit) Station to facilitate Transit Oriented Development.
2. The density be limited until it has been confirmed by the adjoining property owners (CN and Manitoba Hydro) in writing, that they approve a grade level pedestrian crossing to the rapid transit station

D. Public Consultation

An overview of the public consultation process for this proposed development is included within the Area Master Plan and associated Area Master Plan administrative report (SP 1/2014).

E. Summary

Complete Communities has designated the subject site as a Major Redevelopment Site. Consequently, this subdivision and rezoning is:

- Consistent with the City's plans for this area, as identified in Complete Communities
- Consistent with the associated Area Master Plan, which will guide development of the area if endorsed by Council

RECOMMENDATIONS

The Winnipeg Public Service recommends approval, with conditions, for the following reasons:

- The subdivision and rezoning is consistent with the Bishop Grandin Crossing Master Plan and Major Redevelopment Site policies in Complete Communities and Our Winnipeg.

This Report Submitted by:
Michael Robinson AICP, MCIP
Planning, Property and Development Department
Urban Planning Division
PPD File # DASZ 3/2014

Schedule "A" for File No. DASZ 3/2014, City Centre Community Committee, dated April 9, 2013

By-Law No. _____

_____

File No. **DASZ 3/14**

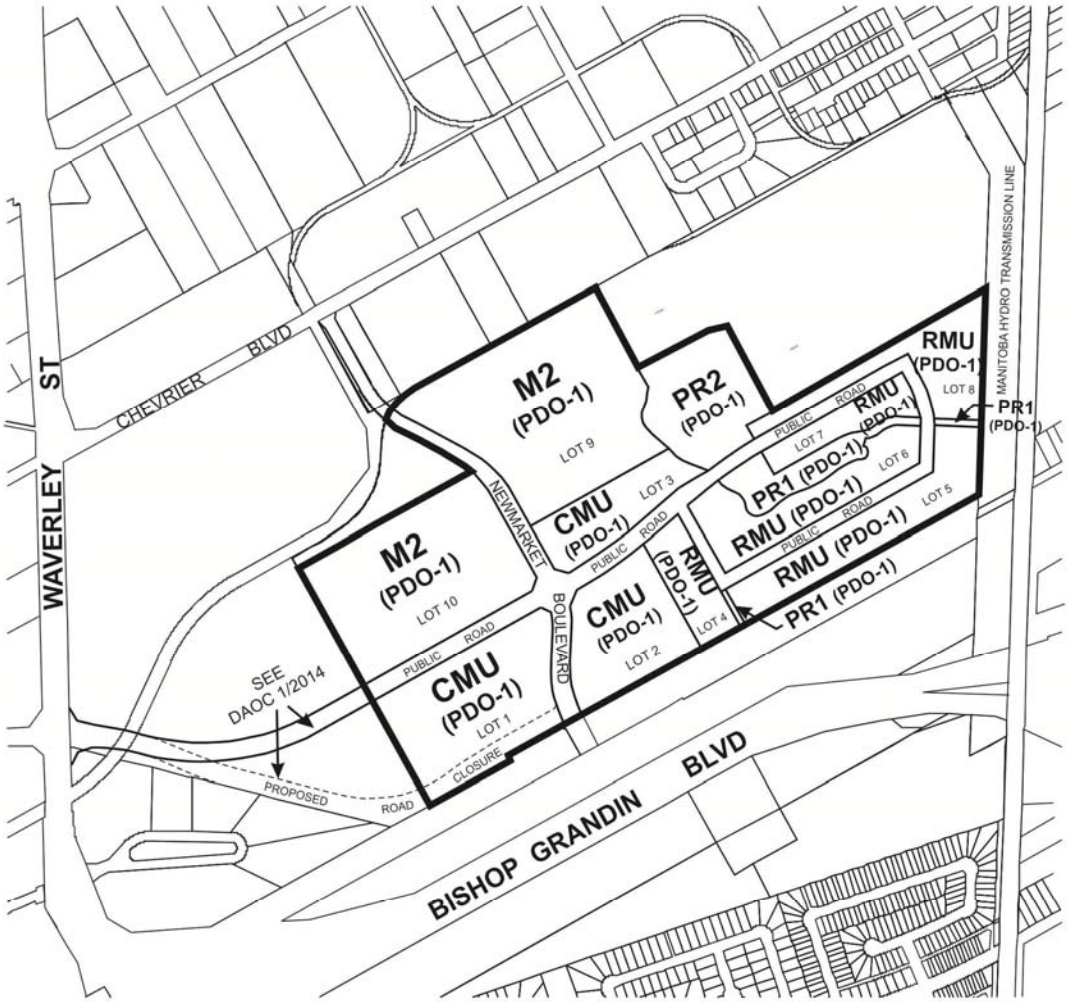
Atlas Sheet No.

N

AJ22
CITY CENTRE 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 north of Bishop Grandin Boulevard, west of the Manitoba Hydro Corridor from an "M2" MANUFACTURING GENERAL DISTRICT to an "RMU" RESIDENTIAL MIXED USE PDO-1 BISHOP GRANDIN CROSSING DISTRICT, "CMU" COMMERCIAL MIXED USE PDO-1 BISHOP GRANDIN CROSSING DISTRICT, "PR1" PARKS AND RECREATION 1 NEIGHBOURHOOD PDO-1 BISHOP GRANDIN CROSSING DISTRICT, "PR2" PARKS AND RECREATION 2 COMMUNITY PDO-1 BISHOP GRANDIN CROSSING DISTRICT and "M2" MANUFACTURING GENERAL PDO-1 BISHOP GRANDIN CROSSING DISTRICT to facilitate the future development of the Sugar Beet Major Redevelopment Site (Bishop Grandin Crossing) by the creation of a block plan, lots, parks and public right-of-ways as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – March 12, 2014

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT THE SUGAR BEET MAJOR REDEVELOPMENT SITE NORTH OF BISHOP GRANDIN, WEST OF THE MANITOBA HYDRO CORRIDOR (SP1/2014) – DASZ 3/2014

It is recommended that the approval of DASZ 3/2014, if granted, be subject to the applicant entering into a Development Agreement addressing the following items:

A. Plan Considerations

1) The centerlines of the east-west public roads (east of Newmarket Boulevard) are to be coincident and a transition is needed east of the north-south public road, 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) 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

4) 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.

5) 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.

6) The Developer shall provide a right-of-way width of 6.0m to accommodate Public Walks, to the satisfaction of the Director of Public Works.

7) The Developer shall dedicate and legally open property required for the proposed roundabout at the intersection of Newmarket Boulevard and Scurfield Boulevard (easterly extension) within the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

B. ENGINEERING REPORTS AND SERVICING CRITERIA

1. The Developer shall, provide a comprehensive servicing report, prepared by a qualified municipal engineer which will outline the provision of underground services for the proposed subdivision and adjacent lands.

2. The Developer shall submit 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 determined by and 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 determined by and 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 their share of the Lot 16 Drainage Charge (2014 Rate = $1,949.35/acre).

5. Pavement

   a) The Developer shall, at no expense to the City, construct Portland cement concrete pavements to widths of 6.5m 7.5m, 8.0m and 10.0m and thickness of 150mm and 200mm respectively in all streets within the proposed subdivision, and all related works including, but not necessarily limited to ornamental street lighting, boulevard landscaping and land drainage sewer, as determined by and to the satisfaction of the Director of Public Works.

   b) The Developer shall, at no expense to the City, construct a secondary access east of

Newmarket Boulevard, with the Planned Area, as per the City's Transportation Standards Manual, to the satisfaction of the Director of Public Works. If this roadway is considered to be a private roadway, the Developer shall enter into an Agreement with the City regarding the maintenance of this roadway, as well as use by the general public and emergency services including the appropriate Cross-Access Agreements.

6. Sidewalks

The Developer shall, at no expense to the City:

a) construct a 1.5m wide by 100mm thick Portland cement concrete sidewalks or a combination of a 1.5m wide by 100mm thick Portland cement sidewalks and a 1.5m wide asphaltic concrete bicycle lane on a standard alignment 0.3m from the property line, on both sides of all streets with a right-of-way width of 22.0m or greater, except where multi-use pathways are constructed, as determined by and to the satisfaction of the Director of Public Works;

b) construct a 1.5m wide by 100mm thick Portland cement concrete sidewalk on both sides of Scurfield Boulevard (easterly extension) between Waverley Street and the west limit of the subject Planned Area as determined by and to the satisfaction of the Director of Public Works. The City will endeavor, within the limits of its powers to make recoveries from other benefiting landowners through subsequent agreements;

c) construct a 1.5m wide by 100mm thick Portland cement concrete sidewalk on both sides of Newmarket Boulevard within the 22.0 m right-of-way section of Newmarket Boulevard between the north limit of the subject Planned Area and Chevrier Boulevard, as determined by and to the satisfaction of the Director of Public Works. The City will endeavor, within the limits of its powers to make recoveries from other benefiting landowners through subsequent agreements;

d) construct within the Public Walks a 1.5m wide by 100mm thick Portland cement concrete sidewalk and landscape the remainder including but not limited to installing fencing along the side property lines.

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

7. Scurfield Boulevard Extension

The Developer shall, at no expense to the City, extend the construction of Scurfield Boulevard (easterly extension) between Waverley Street and the north limit of the subject Planned Area to the same standards and cross-section as Scurfield Boulevard (easterly extension) within the Planned Area, west of Newmarket Boulevard and all related works including, but not necessarily limited to boulevard landscaping, ornamental street lighting, and land drainage sewer. The City will endeavor, within the limits of its powers to make recoveries from other benefiting landowners through subsequent agreements.

8. Newmarket Boulevard

a) The Developer shall, at no expense to the City, construct Newmarket Boulevard as a two lane divided roadway with an adjacent parking lane on each side, within the 32.0 m right-of-way section of Newmarket Boulevard, and all related works including, but not necessarily limited to boulevard landscaping, ornamental street lighting, and land drainage sewer, as determined by and to satisfaction of Director Public Works.

b) The Developer shall, at no expense to the City, construct a 10.0m wide by 200mm thick Portland cement concrete pavement within the 22.0m right-of-way section of Newmarket Boulevard between the north limit of the subject Planned Area and Chevrier Boulevard and all

related works including, but not necessarily limited to boulevard landscaping, ornamental street lighting, and land drainage sewer, as determined by and to satisfaction of the Director of Public Works. The City will endeavor, within the limits of its powers to make recoveries from other benefiting landowners through subsequent agreements.

9. Waverley Street and Scurfield Boulevard Intersection

a) The Developer shall, at no expense to the City, construct a double left turn lane, two through lanes, and right turn channelization for westbound lanes at the intersection of Waverley Street and Scurfield Boulevard including an overhead sign structure, as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, complete modifications to the west side of the intersection of Waverley Street and Scurfield Boulevard in order to match the east side traffic lanes, as determined by and to the satisfaction of the Director of Public Works.

10. Newmarket Boulevard and Scurfield Boulevard Roundabout

The Developer shall, at no expense to the City, construct the proposed roundabout at the intersection of Newmarket Boulevard and Scurfield Boulevard (easterly extension), as determined by and to the satisfaction of the Director of Public Works.

11. Hamilin Road Right-Turn Lane

The Developer shall, at no expense to the City, construct and/or pay to the City, in cash, on demand the costs to construct a northbound right-turn lane on Hamlin Road at McGillivray Boulevard, as determined by and to the satisfaction of the Director of Public Works

12. Bishop Grandin Boulevard Improvements

a) The Developer shall, at no expense to the City, construct and/or pay to the City in cash, the following improvements at and in the vicinity of the right-in/right-out connection on Bishop Grandin Boulevard at Newmarket Boulevard:

i. A westbound right turn deceleration lane and upstream transition;
ii. A westbound activity lane from Newmarket Boulevard to Waverley Street;
iii. A new roadway bridge/culvert structure crossing the Lot 16 Drain facility in accordance with plans and specifications as determined by and to the satisfaction of the Director of Public Works and the Director of Water and Waste;
iv. An asphaltic concrete multi-use path to a width of 3.5m along the north side of Bishop Grandin Boulevard, abutting the subject Planned Area.

and all related works, all as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, construct a second westbound left-turn storage lane and upstream transition on Bishop Grandin Boulevard at Waverley Street and all related works, as determined by and to the satisfaction of the Director of Public Works.

13. Waverley Street Improvements

The Developer shall, at no expense to the City, construct or pay the costs of the following improvements at and in the vicinity of the intersection of Waverley Street and the easterly extension of Scurfield Boulevard:

a) A double southbound left turn storage lane and upstream transition including an overhead sign structure;
b) A northbound right-turn storage lane and channelization on Waverley Street in the southeast

corner of Waverley Street and Scurfield Boulevard;
c) Modifications to the existing median opening on Waverley Street as may be required;
d) All costs associated with the modification of the existing traffic control signals at intersection of Waverley Street and Scurfield Boulevard to include the proposed east leg of the intersection as determined by the Director of Public Works;
e) Advance permanent street name signs on Waverley Street, north and south of Scurfield Boulevard, as required;
f) all related works.

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

14. Traffic Control Signals

The Developer shall pay to the City, in cash, on demand if required within 5 years of full build-out, the costs 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, countdown and audible pedestrian signals at the intersection of Newmarket Boulevard and Chevrier Boulevard when and as determined by and to the satisfaction of the Director of Public Works.

15. Pedestrian Crossing To Bus Rapid Transit (BRT) Station

The Developer shall pay to the City, in cash when required, 50% of the costs for a pedestrian crossing from the Planned Area. The actual scope of work required shall be determined prior to execution of this development agreement or as mutually agreed upon by the Developer and the City.

Temporary Dead-End Street

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.

16. 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.

17. Private Approaches

There are to be no private approaches:

a) serving single or two family residential development off residential collector streets (i.e. rights-of-

way measuring 22.0m or greater in width); and

b) off of Bishop Grandin Boulevard.

18. 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.

19. 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.

20. Signage

The Developer shall install development information signs at the entrances to the subdivision, showing thereon the location of all sidewalks, public walks, active transportation facilities, community mail boxes, parks, storm water retention facilities, collector and arterial streets, Canadian National Railway Subdivision, and Manitoba Hydro with the approval of, and to the satisfaction of, the Director of Planning, Property and Development.

21. Street Name Signs

The Developer shall, at no expense to the City, cause to be installed standard reflectorized permanent street name signs at each new intersection within or adjacent to the Planned area, as determined by the Director of Public works.

22. Fencing

The Developer shall, at no expense to the City,

a) construct within the rear yards of all lots abutting the Hydro Transmission Line, a uniform fence 2.0m in height and permit the City to file a caveat against the title of each of the proposed lots abutting the hydro Transmission Line, requiring the owner(s) to maintain and/or repair the fence as originally constructed, to the satisfaction of the Director of Public Works. Said fence is intended to ensure that “pedestrian trespass” to the railway tracks adjacent the Manitoba Hydro Transmission Line does not become a consequence of the subject development, thereby jeopardizing existing and/or future anti-whistling regulations along the railway line.

b) The Developer shall, at no cost to the city, provide continuous fencing for properties abutting public reserve land. Said fencing is to be located within private property and established by caveat to be the responsibility thereafter of the private property owner. An exception will be made for the N-S fence segment at the North West of limit the larger park space and pond, abutting M2 lands, which shall provide a permanent opening. This is to ensure an access/ egress point to accommodate and promote pedestrian connectivity (and concurrently not create a remote enclosed park corner), the width of which shall be determined in consultation with the adjacent property owner by the Director of Public Works.

23. 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 landscape improvements 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 an 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) Landscape improvements of the Public Reserve lands shall be done in accordance with plans and specifications provided by the Developer and approved, prior to the commencement of construction, by the Director of Public Works. The scope of landscaping shall include grading, sodding, land drainage, irrigation and construction of paths. 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. In consideration of the higher degree of residential density, provision of additional elements such as planting, site furnishings, play equipment will be encouraged, subject to plan approval by the Director of Public Works.

c) The Developer shall provide a Public Reserve area for an active park space which will accommodate at least one full size athletic field (e.g. soccer or baseball) complete with appropriate buffers and grading; pathways and landscaping; and the ability to accommodate on-site parking as determined by the Director of Public Works.

d) The Developer shall provide a Public Reserve area for a “Plaza Space”, at the east limit of the development, which shall be a minimum 10m in width in order to serve as a pedestrian access to the proposed Bus Rapid Transit (BRT) station as determined by the Director of Public Works.

e) The Developer shall, at no expense to the City, landscape the “Plaza Space” to accommodate the intended use, which may necessitate hard surfacing with supplemental soft landscaping, as determined by and to the satisfaction of the Director of Public Works.

f) The City acknowledges the cash-in-lieu of land dedication payment of $98,418, made under DASZ 6/07, which shall be tabulated as credit back to the developer, in consideration of the fact that under the subject application, park land is required to support the housing component.

g) The Developer shall assume responsibility for all Public Reserve sites until they are developed, and throughout the maintenance period until Final Acceptance Certificate for Parks has been issued by the Director of Public Works.

h) The Developer shall, at no expense to the City, maintain Public Reserve improvements, in accordance with specifications approved by the Director of Public Works, for a period of two years following the issuance of a Construction Completion Certificate. 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 public reserve improvements.

i) Securities for Public Reserve improvements may be reduced following the issuance of a Construction Completion Certificate and site inspection and approval by the City, 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.

24. 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.

25. 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.

26. 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 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;

   b) 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 3/2014
April 8, 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.
Water & Waste Department

"Original signed by C. Desjardine, P.Eng."

C.J. Desjardine P. Eng.
Public Works Department, Transportation Division

"Original signed by D. Beaton, M.L. Arch."

D. Beaton M.L.Arch
Parks and Urban Design, Property and Planning

GJ/gj

APPENDIX B

SCHEDULE _

added TBD

BISHOP GRANDIN CROSSING PLANNED DEVELOPMENT OVERLAY 1 (PDO-1 Bishop Grandin Crossing)

Purpose

1. The purpose of this overlay is to support the redevelopment of Bishop Grandin Crossing as a Major Redevelopment Site and implement the development concept of the Bishop Grandin Crossing Area Master Plan.

Applicability

2. PDO-1 Bishop Grandin Crossing overlay district is shown on the attached Map 1.

Development Standards

3. Except to the extent modified by the standards in this overlay, all standards of this By-law apply within the boundaries shown on Map 1.

Parking and Bicycle Parking

4. Parking and Bicycle Parking Management Plan

   (1) If a property does not comply with the required amount of parking or bicycle parking, the property owner may propose to the Director a Parking or Bicycle Parking Management Plan prepared by a professional traffic engineer or parking consultant documenting that the amount of off-street parking and/or bicycle parking is adequate to meet the needs of the proposed use or combination of uses and to prevent traffic and parking congestion on surrounding streets or public lanes.

   (2) If the Director concludes that the proposed Parking and Bicycle Parking Management Plan will provide off-street parking and/or bicycle parking adequate to meet the needs of the proposed use or combination of uses and to prevent traffic congestion on surrounding streets and public lanes, the Director may approve the Parking and Bicycle Parking Management Plan and may reduce or increase the amount of parking and/or bicycle parking to conform with the approved plan.

   (3) Once a Parking and Bicycle Parking Management Plan is approved, that owner shall provide parking spaces and bicycle parking spaces in accordance with the

Parking and Bicycle Parking management plan which has been approved by the Director.

(4) Any owner of land in the PDO-1 Bishop Grandin Crossing may, in accordance with this overlay and this By-law, submit to the Director for approval:

(a) A Parking and Bicycle Parking Management Plan for the overlay district; or,

(a) an amended Parking and Bicycle Parking Management Plan for the overlay district.

5. (1) Provided that a direct pedestrian connection to rapid transit is accessible from Bishop Grandin Crossing, as determined by the Director of Planning, Property, and Development, the minimum number of parking spaces required for development within Area 1 of the PDO-1 Bishop Grandin Crossing shall be 75% of the minimum number of parking spaces prescribed by this By-law.

(2) Provided that a direct pedestrian connection to rapid transit is accessible from Bishop Grandin Crossing, as determined by the Director of Planning, Property, and Development, the maximum number of parking spaces required for development within Area 1 of the PDO-1 Bishop Grandin Crossing shall not exceed 150% of the minimum number of parking spaces prescribed by this By-law.

Area 1

6. PDO-1 Bishop Grandin Crossing Area 1 (consisting of Areas 1A, 1B, and 1C).

Applicability

(1) PDO-1 Bishop Grandin Crossing Areas 1A, 1B, and 1C are shown on Map 1 as Area 1A, Area 1B, and Area 1C respectively.

Intent

(2) In accordance with the Bishop Grandin Crossing Area Master Plan, to accommodate:

(a) A medium to high density, predominately residential district with a diversity of housing types;

(b) A vertical and horizontal mix of uses to help create an 18 hour activity zone; and,

(c) An active defined centre to create a dynamic area for a variety of users and incorporate compact, high quality, pedestrian-oriented environments by creating smaller walkable blocks.

Prohibited Use Regulations

(3) Notwithstanding other provisions of this By-law, in PDO-1 Bishop Grandin Crossing Area 1, the following principal uses are prohibited and are not allowed as permitted, conditional, accessory, or temporary uses:

(a) Dwelling, single-family detached; and,

(b) Dwelling, two-family.

Permitted Use Regulations

(4) Notwithstanding other provisions in this By-law, in the PDO-1 Bishop Grandin Crossing Area 1, the following principal use may be approved only as conditional uses, where it is otherwise permitted:

(a) Post office/carrier depot.

(5) Notwithstanding other provisions in this By-law, in the PDO-1 Bishop Grandin Crossing Area 1, the following uses shall be permitted in addition to the permitted and conditional uses of the underlying zoning district.

(a) Office;
(b) Dwelling, live-work; and
(c) Drinking establishment.

(6) Notwithstanding other provisions in this By-law, in the PDO-1 Bishop Grandin Crossing Area 1, the following accessory uses are permitted:

(a) Outdoor dining/drinking area

Use Specific Standards

(7). Regardless of whether a use is allowed as a permitted or conditional use, the following additional standards must be met in respect of the uses identified, except as authorized by other sections of this By-law or by a Conditional Use or variance order.

(a) Dwelling, live-work
All live-work dwelling units must be accessible from the ground floor of the building in which they are located.

(b) Drinking establishment
Drinking establishments are limited to a maximum of 5,000 square feet of gross floor area

(c) Outdoor dining/drinking area
Outdoor dining and drinking areas are limited to a maximum of 100 square feet

Development and Design Standards

Dimensional Standards

(8) Notwithstanding other provisions of this By-law, in PDO-1 Bishop Grandin Crossing Area 1, development must comply with the dimensional standards listed in this subsection.

Height of Buildings

(a) In Area 1 the minimum height of a principal building is 20 feet;

(b) In Area 1A the maximum height of a principal building is 220 feet;

(c) In Area 1B the maximum height of a principal building is 160 feet; and,

(d) In Area 1C the maximum height of a principal building is 100 feet;

Yard Requirements

(e) Minimum front yard of 0 feet.

(f) Maximum front yard of 15 feet.

(g) Minimum corner side yard of 0 feet.

(h) Minimum rear yard of 15 feet.

Design Standards

(9) Notwithstanding other provisions of this By-law, in PDO-1 Bishop Grandin Crossing Area 1, development must comply with the design standards listed in this subsection.

(a) For a proposed building exceeding 100 feet in height, the owner shall include in its request for plan approval a study on the impact of the proposed building on shadow and wind, prepared by a qualified architect or design professional;

(b) Building facades:

i. All buildings must provide a main entrance on the façade of the building nearest to and facing a street;

ii. For non-residential uses, at least 30% of the area of the ground floor façade of a building facing a street must consist of unobscured windows, doors, or display areas;

(c) Building setbacks:

i. Notwithstanding subsection (8)(f) of Area 1, if the building is adjacent to a street, the front yard maximum setback of 15 feet may be exceeded by up to 50% for the purposes of incorporating a courtyard, plaza, seating area, or amenity space; and,

ii. Parking shall not be permitted between the front façade of the building and the adjacent street. Parking is to be located to the side and rear of the building, and screened from view via landscaping and fencing treatments.

Area 2

7. PDO-1 Bishop Grandin Crossing Area 2 (consisting of Areas 2A and 2B).

Applicability

(1) The PDO-1 Bishop Grandin Crossing Area 2A, and 2B are shown on Map 1 as Area 2A, and Area 2B respectively.

Intent

(2) In accordance with the Bishop Grandin Crossing Area Master Plan, to accommodate:

(a) A commercial mixed use district that permits multi-family residential development, office, employment and a wide range of commercial uses in a pedestrian friendly environment; and,

(b) Provision of a transition between Area 1 to the east adjacent to the transit station, and Area 3 to the north and west.

Permitted Use Regulations

(3) Notwithstanding other provisions in this By-law, in the PDO-1 Bishop Grandin Crossing Area 2, the following principal uses may be approved only as conditional use, where they are otherwise permitted:

(a) Post office/carrier depot.

(4) Notwithstanding other provisions of this By-law, in the PDO-1 Bishop Grandin Crossing Area 2, the following principal uses shall be permitted in addition to the permitted and conditional uses of the underlying zoning district:

(a) Office;
(b) Retail sales;
(c) Supermarket;
(d) Dwelling, live-work; and
(e) Drinking establishment.

(5) Notwithstanding other provisions in this By-law, in the PDO-1 Bishop Grandin Crossing Area 1, the following accessory uses are permitted:

(a) Outdoor dining / drinking area

Use Specific Standards

(6) Regardless of whether a use is allowed as a permitted or conditional use, the following additional standards must be met in respect of the uses identified, except as authorized by other sections of this By-law or by a Conditional Use or variance order.

(a) Dwelling, live-work
All live-work dwelling units must be accessible from the ground floor of the building in which they are located.

(b) Retail sales
Retail sales uses are limited to a maximum of 120,000 square feet in gross floor area

(c) Supermarket
Supermarkets are limited to a maximum of 120,000 square feet in gross floor area

(d) Outdoor dining/drinking area
Outdoor dining and drinking areas are limited to a maximum of 100 square feet

Development and Design Standards

Dimensional Standards

(7) Notwithstanding other provisions of this By-law, in the PDO-1 Bishop Grandin Crossing Area 2, development must comply with the dimensional standards listed in this subsection.

Height of Buildings

(a) The maximum height of a principal building is 100 feet.

Yard Requirements

(b) In Area 2A, the minimum front yard of 0 feet.

(c) In Area 2A, the maximum front yard of 15 feet.

Design Standards

(8) Notwithstanding other provisions of this By-law, in the PDO-1 Bishop Grandin Crossing Area 2A, development must comply with the design standards listed in this subsection.

(a) Building facades:

i. All buildings must provide a main entrance on the façade of the building nearest to and facing a street;

ii. For non-residential uses, at least 30% of the area of the ground floor façade of a building facing a street must consist of unobscured windows, doors, or display areas;

(b) Building setbacks:

i. Notwithstanding subsection (7)(c) of Area 2, if the building is adjacent to a street, the front yard maximum setback of 15 feet may be exceeded by up to 50% for the purposes of incorporating a courtyard, plaza, seating area, or amenity space; and,

ii. Parking shall not be permitted between the front façade of the building and the adjacent street. Parking is to be located to the side and rear of

the building, and screened from view via landscaping and fencing treatments.

Area 3

8. PDO-1 Bishop Grandin Crossing Area 3.

Applicability

(1) PDO-1 Bishop Grandin Crossing Area 3 is shown on Map 1 as Area 3.

Intent

(2) In accordance with the Bishop Grandin Crossing Area Master Plan, to accommodate:

(a) A wide range of employment, offices, and supportive commercial uses in a business park setting; and,

(b) Provision of appropriate transitions from Area 1 and Area 2

Permitted Use Regulations

(3) Notwithstanding other provisions in this By-law, in the PDO-1 Bishop Grandin Crossing Area 3, the following principal uses shall be permitted in addition to the permitted and conditional uses of the underlying zoning district:

(a) Hotel.

Development and Design Standards

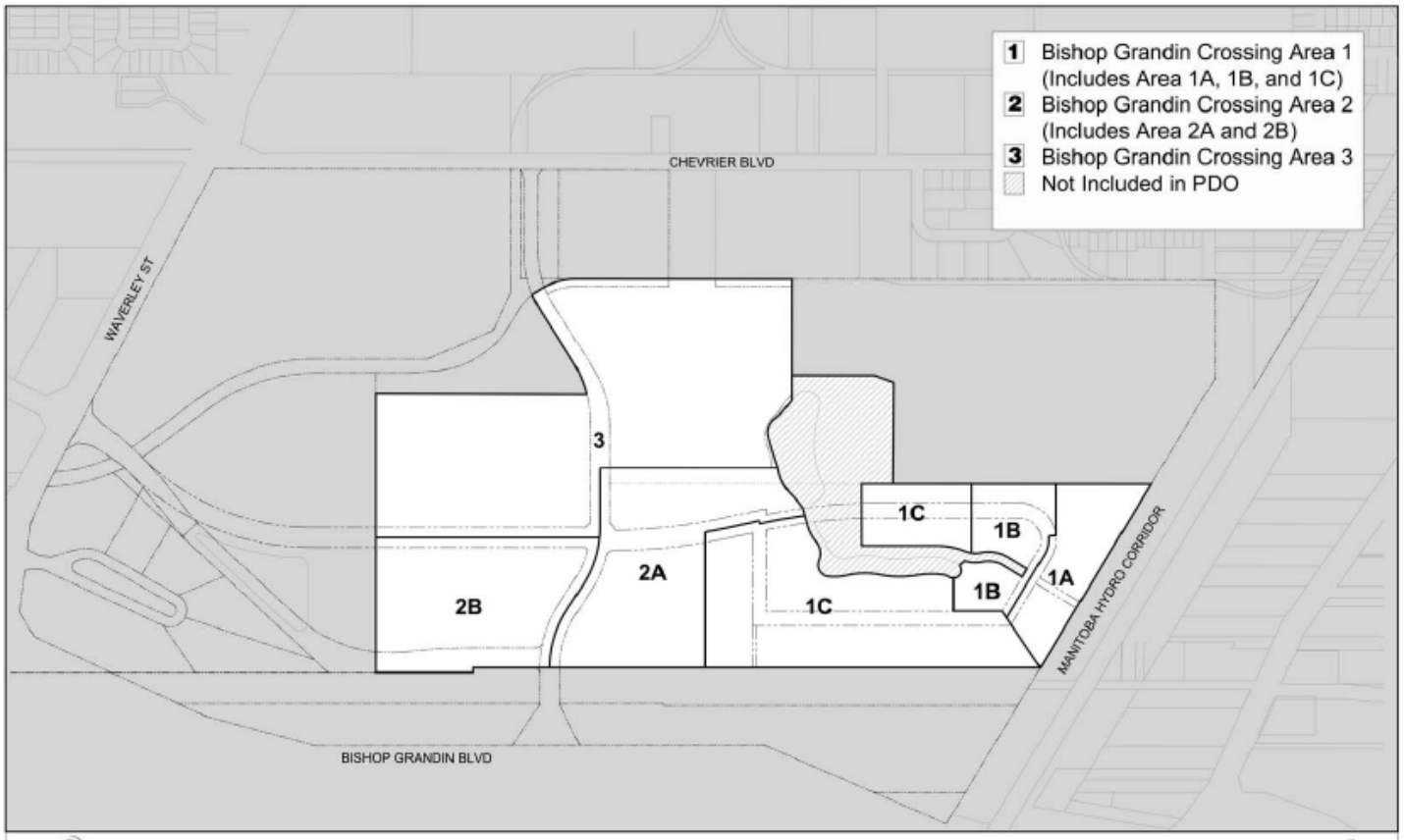
Screening

(a) All utility yards and outdoor storage areas shall be screened from public view from the street via one or a combination of design features, including, but not limited to:

i. Screening walls of at least 6 feet in height;

ii. Landscape planting, such as trees, shrubs, and ground cover;

iii. Landscape features, such as berming and retaining walls.

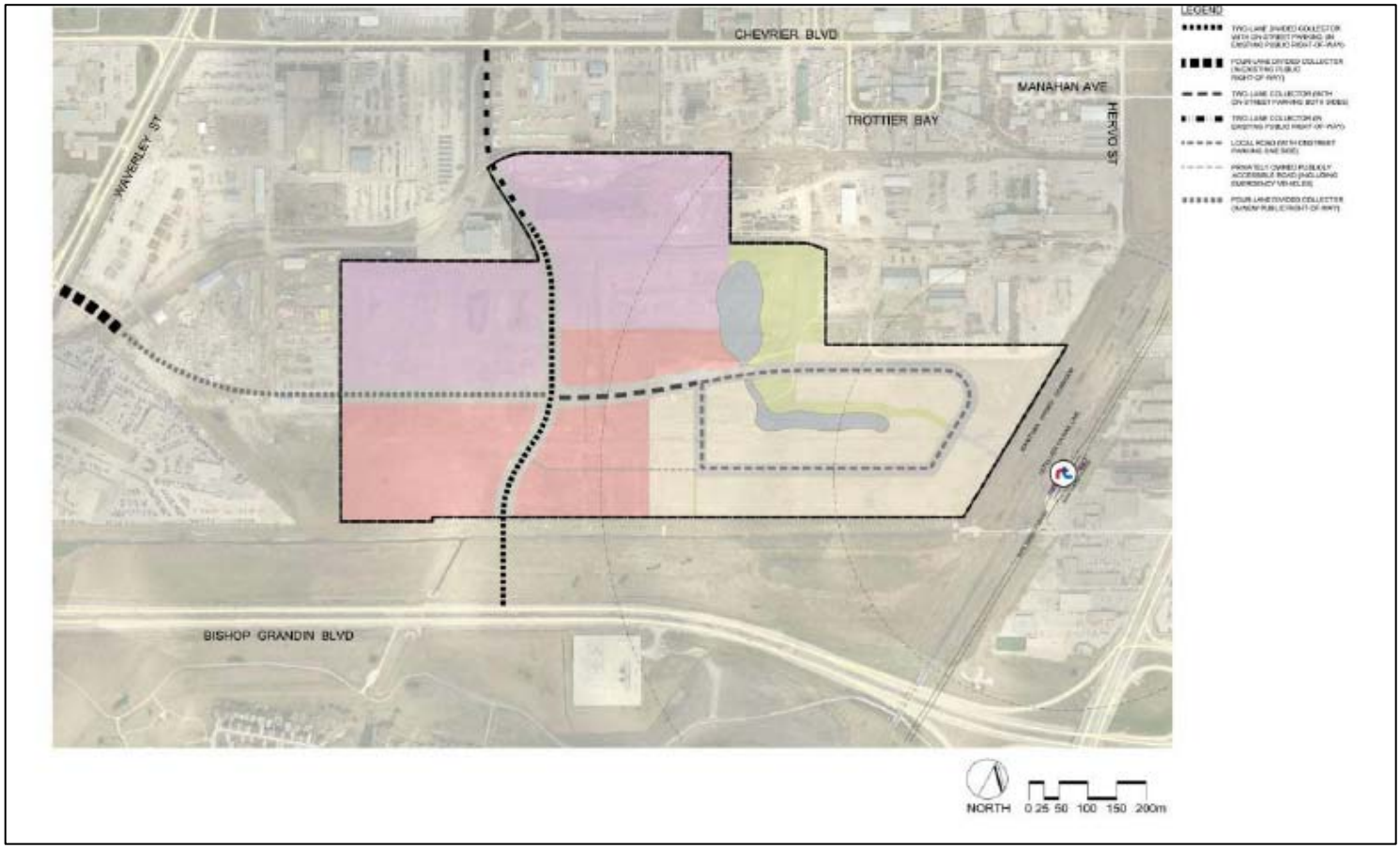


Winnipeg

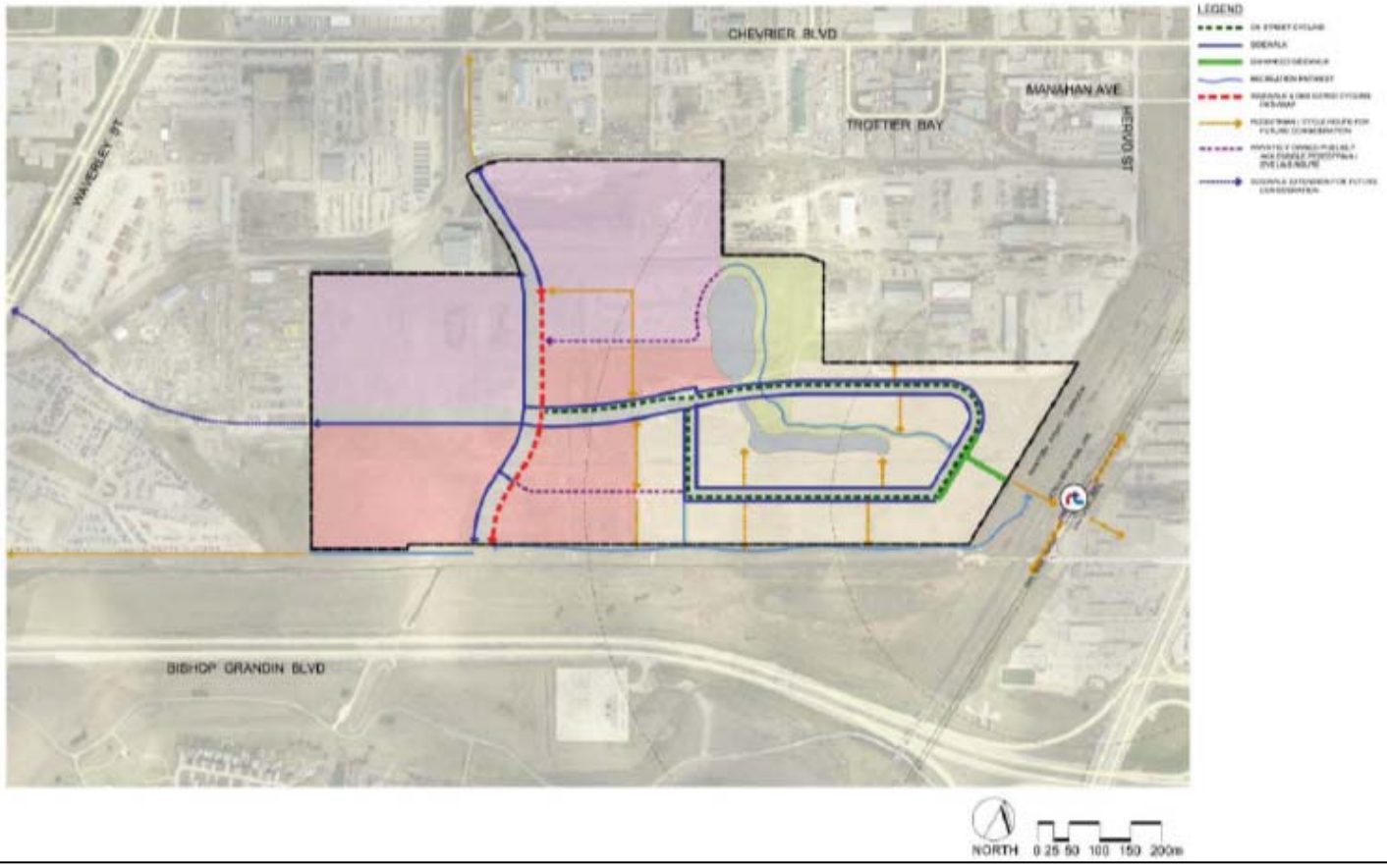
Map 1 - Bishop Grandin Crossing

N W E S

APPENDIX 'C'
Proposed Road Network Concept



APPENDIX 'D'
Proposed Pedestrian Network Concept



APPENDIX 'E'
Conceptual Transit Routing and Rapid Transit Station Connections

