Minutes – Executive Policy Committee – April 20, 2016

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 12, 2016

Item No. 2 Subdivision and Rezoning – 1462 Ravelston Avenue West and unaddressed lot on Ravelston Avenue West (Transcona Ward) File DASZ 3/2016 [c/r DAV 104002/2016D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

1. That the plan of subdivision under File DASZ 3/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2016 dated March 8, 2016, with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in Schedule "B," the report of the Administrative Coordinating Group, dated February 10, 2016, with the following amendments:

        i. Delete conditions A.5), A.8), A.9) and B.9.

        ii. Amend condition A. 6) by adding the words ", if required" after the word "property".

        iii. Add the following to the end of condition B. 15) c):

        "The path shall be routed such that its construction will have the lowest possible impact on existing trees and that it be understood that all AT paths in the development shall eventually connect El Tassi Drive to Ravelston Avenue West. The AT paths, including drainage, shall be subject to the approval of the East Kildonan-Transcona Community Committee."

        iv. Add the following new conditions:

        B. 8) c) The Developer shall construct, at the same time as the road construction, a traffic table at the easternmost location shown in blue ink on Schedule C."

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 12, 2016

B. 10) d) That the Active Transportation path in Block 3 be installed on the south side within the public right-of-way on the boulevard.

B. 15) i) That a credit be applied to future applications submitted by the Applicant in recognition of their over dedication of Public Reserve land.

B. 19) That fencing be installed in the locations identified in orange on Schedule C and that it be subject to the approval of the East Kildonan-Transcona Community Committee.

B. That the Plan of Subdivision be amended in accordance with Schedule "B," the report of the Administrative Coordinating Group, dated February 10, 2016

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "A", with the amendments shown on Schedule "D", for File DASZ 3/2016 dated March 8, 2016, to "R2" Residential Two-Family District, "R1-M" Residential Single-Family Medium District, "RMF-M" Residential Multi-Family Medium District and "PR1" Parks and Recreation 1 (Neighbourhood) District subject to the following:

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

i. That, for the development of any building, parking area, private approach, walkway, plaza garbage enclosure, fencing and other landscaping, exterior lighting, bicycle parking and exterior signage on proposed Block 7 (of Schedule "B" for File DASZ 3/2016), plans, showing the location and appearance of these aspects of the development, shall be submitted to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter all to be developed in substantial conformance with the approved plans and maintained to the satisfaction of the Director of Planning, Property and Development.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 12, 2016

ii. That fencing be installed in the locations identified in orange on Schedule C and that it be subject to the approval of the East Kildonan-Transcona Community Committee.

iii. That mobile signs be prohibited on RMF-M land.

B. That proposed Lot 17 of proposed Block 2 of Schedule "A" for File DASZ 3/2016, shown in an "R2" District on said Schedule be, instead:

i. part of the proposed public reserve to the west.

ii. rezoned to "PR1" Parks and Recreation 1 (Neighbourhood) District.

iii. recognized as part of the overall nature park of the development in which all existing trees shall be maintained.

C. That proposed Lots 18, 19 and 20 of proposed Block 2 be, instead, proposed Lots 17, 18 and 19, respectively.

D. That all private approaches to proposed Block 7 shall be from the future public street that would extend from the northern limit of the proposed north-south collector road public right-of-way (shown on Schedule "A" for File DASZ 3/2016) to the southern limit of the Ravelston Avenue West public right-of-way.

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

4. That, in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2) year period and Council approves the extension.

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

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 12, 2016

7. 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 land within one year from the date the by-law is passed, failing which the by-law will expire and the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one year period and Council approves the extension.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

9. That, in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

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

11. 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*.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 12, 2016

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

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

Carried

STANDING COMMITTEE RECOMMENDATION:

On April 12, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, with the following amendments:

- Delete recommendation 1.A.iv.B.8)c) in its entirety and replace it with the following:

  "The Developer shall construct, at the same time as the road construction, a traffic table at the easternmost location shown in blue ink on Schedule C."

- Amend recommendation 1.A.iv.B.10)d) by adding "on the south side" after "installed".

and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 21, 2016, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- That recommendation 1. A. be amended by adding the following after "February 10, 2016":

  ", with the following amendments:

  i. Delete conditions A.5), A.8), A.9) and B.9.

  ii. Amend condition A. 6) by adding the words ", if required" after the word "property".

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 12, 2016

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

iii. Add the following to the end of condition B. 15) c):

"The path shall be routed such that its construction will have the lowest possible impact on existing trees and that it be understood that all AT paths in the development shall eventually connect El Tassi Drive to Ravelston Avenue West. The AT paths, including drainage, shall be subject to the approval of the East Kildonan-Transcona Community Committee."

iv. Add the following new conditions:

B. 8) c) The Developer shall construct, at the same time as the road construction, a traffic table at the intersections shown in blue ink on Schedule C.

B. 10) d) That the Active Transportation path in Block 3 be installed within the public right-of-way on the boulevard.

B. 15) i) That a credit be applied to future applications submitted by the Applicant in recognition of their over dedication of Public Reserve land.

B. 19) That fencing be installed in the locations identified in orange on Schedule C and that it be subject to the approval of the East Kildonan-Transcona Community Committee."

- Amend recommendation 2. by adding "with the amendments shown on Schedule D" after "Schedule A".

- Delete recommendation 2. A. ii. and 2. A. iii. and replace with the following:

2. A. ii. That fencing be installed in the locations identified in orange on Schedule C and that it be subject to the approval of the East Kildonan-Transcona Community Committee.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 12, 2016

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

2. A. iii. That mobile signs be prohibited on RMF-M land.

- Add the following new recommendations:

2. B. That proposed Lot 17 of proposed Block 2 of Schedule "A" for File DASZ 3/2016, shown in an "R2" District on said Schedule be, instead:

i. part of the proposed public reserve to the west.

ii. rezoned to "PR1" Parks and Recreation 1 (Neighbourhood) District.

iii. recognized as part of the overall nature park of the development in which all existing trees shall be maintained.

2. C. That proposed Lots 18, 19 and 20 of proposed Block 2 be, instead, proposed Lots 17, 18 and 19, respectively.

2. D. That all private approaches to proposed Block 7 shall be from the future public street that would extend from the northern limit of the proposed north-south collector road public right-of-way (shown on Schedule "A" for File DASZ 3/2016) to the southern limit of the Ravelston Avenue West public right-of-way.

and forwarded to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

RE: **Subdivision Rezoning – 1462 Ravelston Avenue West and unaddressed lot on Ravelston Avenue West**
File DASZ 3/2016 [c/r DAV 104002/2016D]

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

Prepared by: **Andrew Poitras, Senior Committee Clerk**
East Kildonan-Transcona Community Committee

Report date: **March 23, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On March 21, 2016, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the plan of subdivision under File DASZ 3/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2016 dated March 8, 2016, with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in Schedule "B," the report of the Administrative Coordinating Group, dated February 10, 2016, ***with the following amendments:***

        i. Delete conditions A.5), A.8), A.9) and B.9.

        ii. Amend condition A. 6) by adding the words ", if required" after the word "property".

        iii. Add the following to the end of condition B. 15) c):

        "The path shall be routed such that its construction will have the lowest possible impact on existing trees and that it be understood that all AT paths in the development shall eventually connect El Tassi Drive to Ravelston Avenue West. The AT paths, including drainage, shall be subject to the approval of the East Kildonan-Transcona Community Committee."

iv. Add the following new conditions:

B. 8) c) The Developer shall construct, at the same time as the road construction, a traffic table at the intersections shown in blue ink on Schedule C.

B. 10) d) That the Active Transportation path in Block 3 be installed within the public right-of-way on the boulevard.

B. 15) i) That a credit be applied to future applications submitted by the Applicant in recognition of their over dedication of Public Reserve land.

B. 19) That fencing be installed in the locations identified in orange on Schedule C and that it be subject to the approval of the East Kildonan-Transcona Community Committee.

B. That the Plan of Subdivision be amended in accordance with Schedule "B," the report of the Administrative Coordinating Group, dated February 10, 2016

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "A", ***with the amendments shown on Schedule "D"***, for File DASZ 3/2016 dated March 8, 2016, to "R2" Residential Two-Family District, "R1-M" Residential Single-Family Medium District, "RMF-M" Residential Multi-Family Medium District and "PR1" Parks and Recreation 1 (Neighbourhood) District subject to the following:

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

i. That, for the development of any building, parking area, private approach, walkway, plaza garbage enclosure, fencing and other landscaping, exterior lighting, bicycle parking and exterior signage on proposed Block 7 (of Schedule "B" for File DASZ 3/2016), plans, showing the location and appearance of these aspects of the development, shall be submitted to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter all to be developed in substantial conformance with the approved plans and maintained to the satisfaction of the Director of Planning, Property and Development.

~~***ii. That a privacy fence, at least six feet in height, shall be erected alongside the southern limit of proposed Blocks 3, 4 and 6 and the***~~

~~***eastern limit of proposed Lots 18, 19 and 20 of proposed Block 2 (all of Schedule "B" for File DASZ 3/2016).***~~

~~***iii. That any attached garage or car port, accessory to a single- or two-family dwelling, must be located no more than three feet in front of a line adjacent to, and parallel with, the front wall of the dwelling unit to which it is accessory.***~~

ii. That fencing be installed in the locations identified in orange on Schedule C and that it be subject to the approval of the East Kildonan-Transcona Community Committee.

iii. That mobile signs be prohibited on RMF-M land.

B. That proposed Lot 17 of proposed Block 2 of Schedule "A" for File DASZ 3/2016, shown in an "R2" District on said Schedule be, instead:

i. Part of the proposed public reserve to the west.

ii. Rezoned to "PR1" Parks and Recreation 1 (Neighbourhood) District.

iii. Recognized as part of the overall nature park of the development in which all existing trees shall be maintained.

C. That proposed Lots 18, 19 and 20 of proposed Block 2 be, instead, proposed Lots 17, 18 and 19, respectively.

D. That all private approaches to proposed Block 7 shall be from the future public street that would extend from the northern limit of the proposed north-south collector road public right-of-way (shown on Schedule "A" for File DASZ 3/2016) to the southern limit of the Ravelston Avenue West public right-of-way.

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

4. That, in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2) year period and Council approves the extension.

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

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

7. That the 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 land within one year from the date the by-law is passed, failing which the by-law will expire and the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one year period and Council approves the extension.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

9. That, in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.
10. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

11. 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*.

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

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

The East Kildonan-Transcona Community Committee provided the following supporting reason(s) for its recommendation:

1. This is consistent with the Transcona Area Structure Plan.
2. The El Tassi Drive connection is crucial for future transit service to the entire development in the area and will allow the loop to be completed.
3. The applicant has worked hard with the neighbourhood to address any concerns.
4. The application has density but it's not high density in terms of housing backing onto existing single family homes as it phases density from low in the south to high in the north.
5. The public reserve areas help to preserve the parkland and the existing trees in the neighbourhood.
6. The active transportation is consistent with City policy and with what has been done in other adjacent developments and will hopefully connect to future paths.

7. The traffic tables will slow down local traffic and help with the active transportation connections.
8. The fencing will provide buffering to existing neighbours.
9. The future sections of road to the south leading up to and abutting the properties on Almey Avenue ensure that the back portion of those properties aren't landlocked should property owners choose to subdivide their land in the future.
10. It is consistent with OurWinnipeg.
11. There seems to be support from the neighbourhood.
12. This represents infill development that is not green field.
13. It is near existing City services such as shopping, retail and it is serviced by an existing community centre and schools.

PUBLIC HEARING SUMMARY

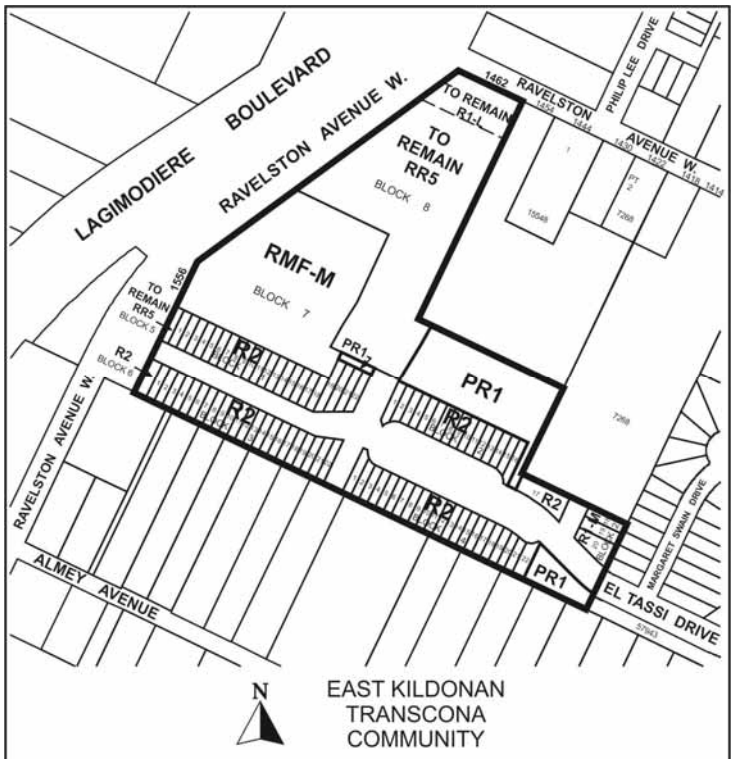
File: DASZ 3/2016 [c/r DAV 104002/2016D]

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

Public Hearing: March 21, 2016 (most recent date)
Council Building, 510 Main Street

Applicant: McGowan Russell Group Inc.
(Cathy Shendroski)

Subject:



APPLICANT : MCGOWAN RUSSELL GROUP INC.
FILE : DASZ 3/16
PROPOSAL : An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "RR5" RURAL RESIDENTIAL 5 DISTRICT and "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT, "R2" RESIDENTIAL TWO-FAMILY DISTRICT and "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the continuation of the Starlite Village Neighbourhood lands by the creation of lots, the establishment of a north-south right-of-way and the extension of El Tassi Drive right-of-way for future residential development. **For information, phone Mr. G. Doney, Planner, at 204-986-2688.**

Premises Affected:	1462 Ravelston Avenue West and unaddressed lot on Ravelston Avenue West

Exhibits Filed:

1. Amended Application dated January 29, 2016
2. Notification of Public Hearing dated February 4, 2016
3. Manitoba Status of Titles 2777792/1, 2801173/1, 2817835/1 and 2819879/1
4. Letter of authorization dated July 17, 2015 from The City of Winnipeg to McGowan Russell Group Inc.
5. Letter of authorization dated January 18, 2016 from Waterside Development Corporation to McGowan Russell Group Inc.
6. Surveyor's Building Location Certificate and sketch dated September 14, 2012
7. Starlite Additional Lots and Block Areas
8. Drawing of subject property
9. Plans (2 pages)
10. Communication dated February 28, 2016, from Gloria Woodcock with respect to the application
11. Report from the Urban Planning Division dated March 8, 2016
12. Inspection Report
13. Submission by the Applicant at the public hearing

REPRESENTATIONS:

In Support:

Susan Russell, McGowan Russell Group Inc.
Bill McGarry
Callum MacPhail
Wes Schollenberg
Donna Thordarson

In Opposition

Nil

For Information:

Jeff Cooke
Rae Christensen
George Hartwig
Brendan Toet
Lisa Toet
Gloria Woodcock

For the City:

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

Exhibit "11" referred to in File DASZ 3/2016

ADMINISTRATIVE REPORT

Title: DASZ 3/2016, Ravelston Avenue W

Issue: Proposed Plan of Subdivision and Rezoning that would:

- create 86 lots on four blocks, four blocks not divided into lots, three public reserves and three public streets; and
- rezone much of the subject site to "R2" Residential Two-Family District, "R1-M" Residential Single-Family Medium District, "RMF-M" Residential Multi-Family Medium District and "PR1" Parks and Recreation 1 (Neighbourhood) District.

Critical Path: East Kildonan – Transcona 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 3/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/2016 dated March 8, 2016, with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:
   A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in Schedule "B," the report of the Administrative Coordinating Group, dated February 10, 2016.
   B. That the Plan of Subdivision be amended in accordance with Schedule "B," the report of the Administrative Coordinating Group, dated February 10, 2016

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "A" for File DASZ 3/2016 dated March 8, 2016, to "R2" Residential Two-Family District, "R1-M" Residential Single-Family Medium District, "RMF-M" Residential Multi-Family Medium District and "PR1" Parks and Recreation 1 (Neighbourhood) District subject to the following:
   A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of *The City of Winnipeg Charter* to include the following conditions:

i. That, for the development of any building, parking area, private approach, walkway, plaza garbage enclosure, fencing and other landscaping, exterior lighting, bicycle parking and exterior signage on proposed Block 7 (of Schedule “B” for File DASZ 3/2016), plans, showing the location and appearance of these aspects of the development, shall be submitted to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter all to be developed in substantial conformance with the approved plans and maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That a privacy fence, at least six feet in height, shall be erected alongside the southern limit of proposed Blocks 3, 4 and 6 and the eastern limit of proposed Lots 18, 19 and 20 of proposed Block 2 (all of Schedule “B” for File DASZ 3/2016).

iii. That any attached garage or car port, accessory to a single- or two-family dwelling, must be located no more than three feet in front of a line adjacent to, and parallel with, the front wall of the dwelling unit to which it is accessory.

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

4. That, in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2) year period and Council approves the extension.

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

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

7. That the 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 land within one year from the date the by-law is passed, failing which the by-law will expire and the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one year period and Council approves the extension.

8. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

9. That, in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

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

11. 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.*

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

REASON FOR THE REPORT

This report provides information, and makes recommendations, regarding the subject application (DASZ 3/2016), in terms of compliance with *OurWinnipeg*, *Complete Communities* and the *Transcona West Area Structure Plan.* It is available for consideration by Council and committees of Council and is on the City's website.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, and the associated variances are obtained, the process of creating the plan of subdivision, and rezoning the subject site, can proceed.

CONSULTATION

The City's Administrative Coordinating Group was consulted in the preparation of this report.

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Glen Doney
Date	March 8, 2016
File No.	DASZ 3/2016

Attachments

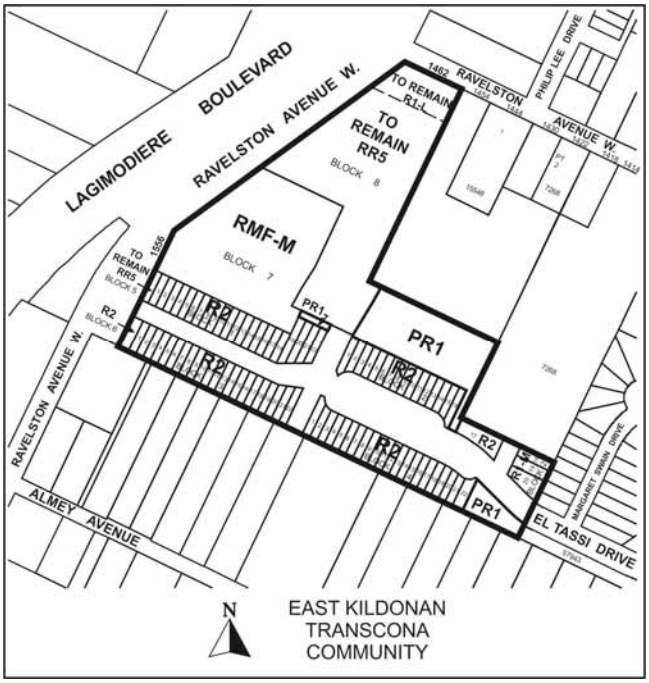
Appendix "A," Planning Discussion

Schedule "A" for File DASZ 3/2016, East Kildonan – Transcona Community Committee, dated March 8, 2016

Schedule "B," Report of The Administrative Coordinating Group, dated February 10, 2016

Appendix "A," Planning Discussion

DATE:	March 8, 2016
FILE:	DASZ 3/2016
RELATED FILES:	DAV 16-104002D
COMMUNITY:	East Kildonan - Transcona
NEIGHBOURHOOD #:	4.417
SUBJECT:	Proposed Plan of Subdivision and Rezoning that would: - create 86 lots on four blocks, four blocks not divided into lots, three public reserves and three public streets; and - rezone much of the subject site to "R2" Residential Two-Family District, "R1-M" Residential Single-Family Medium District, "RMF-M" Residential Multi-Family Medium District and "PR1" Parks and Recreation 1 (Neighbourhood) District
LOCATION:	Ravelston Avenue W
LEGAL DESCRIPTION:	Block 6, Plan 57493 WLTO; Part OTM Lot 92, Parish of Kildonan; and Lot 1, Plan 49355 WLTO



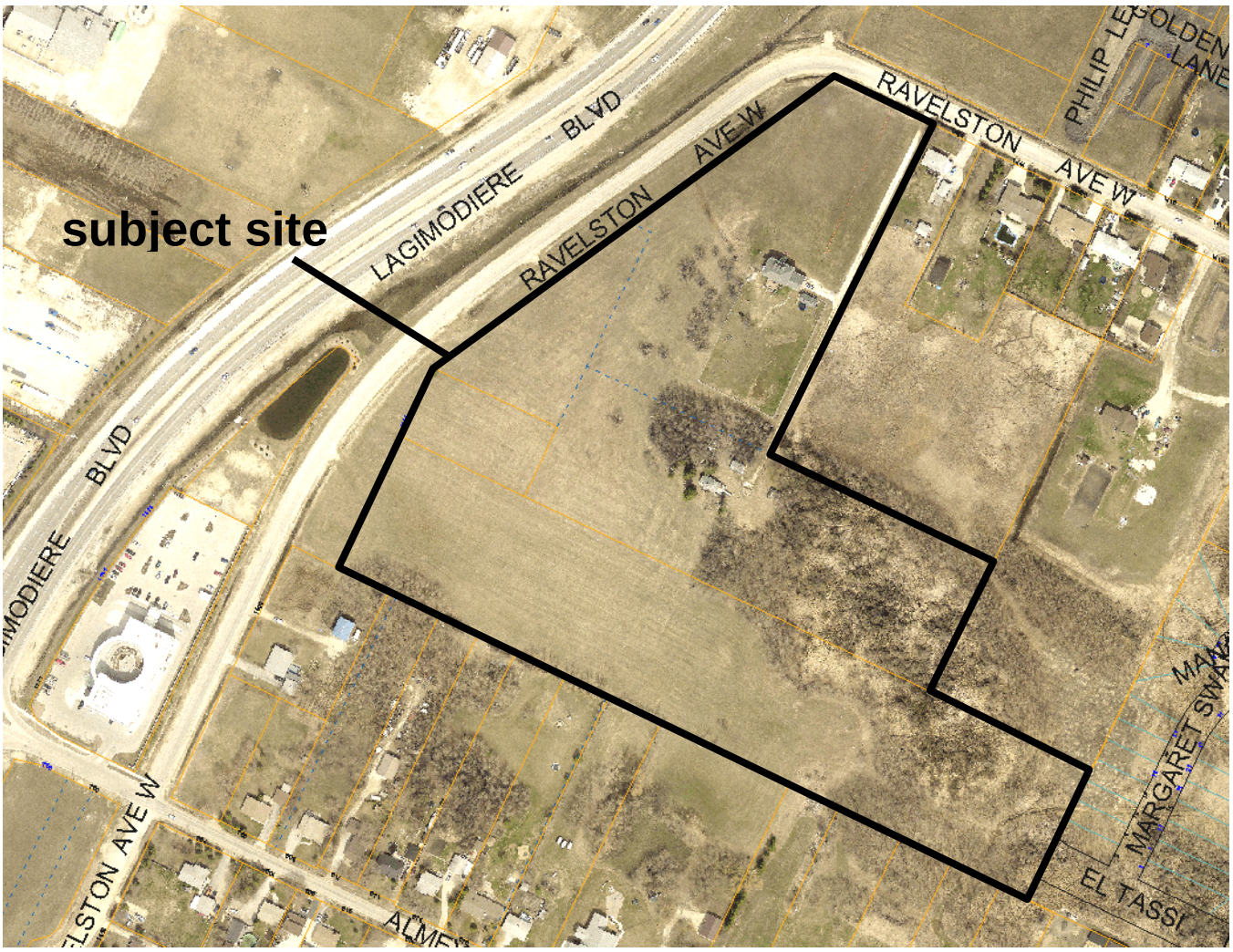
APPLICANT:	Susan Russell, McGowan Russell Group 825 St. Joseph St. Winnipeg, MB R2H 3A8
OWNERS:	Waterside Development Corp. and the City of Winnipeg
RECOMMENDATION:	Approval with Conditions

SITE DESCRIPTION

The subject site, identified on Figures 1, 2 and 3, is:

- alongside Ravelston Avenue W and abutting the west end of El Tassi Drive;
- in the Peguis Neighbourhood and the Transcona Ward;
- approximately 21 acres;
- consisting of four parcels, three of which held by Waterside Development and one of which, a one foot wide strip of land at the west end of El Tassi Drive, held by the City of Winnipeg;
- encompassing a single-family dwelling and Aspen covered areas;
- mostly in an "RR5" Rural Residential 5 District and partly in an "R1-L" Residential Single-Family Large District of Zoning By-law 200/2006;
- in an Areas of Stability policy area of *OurWinnipeg* and *Complete Communities*; and
- in a Residential Mixed-Use policy area of the *Transcona West Area Structure Plan* (Transcona West Plan).

Figure 1: 2014 Aerial Photography **North↑**



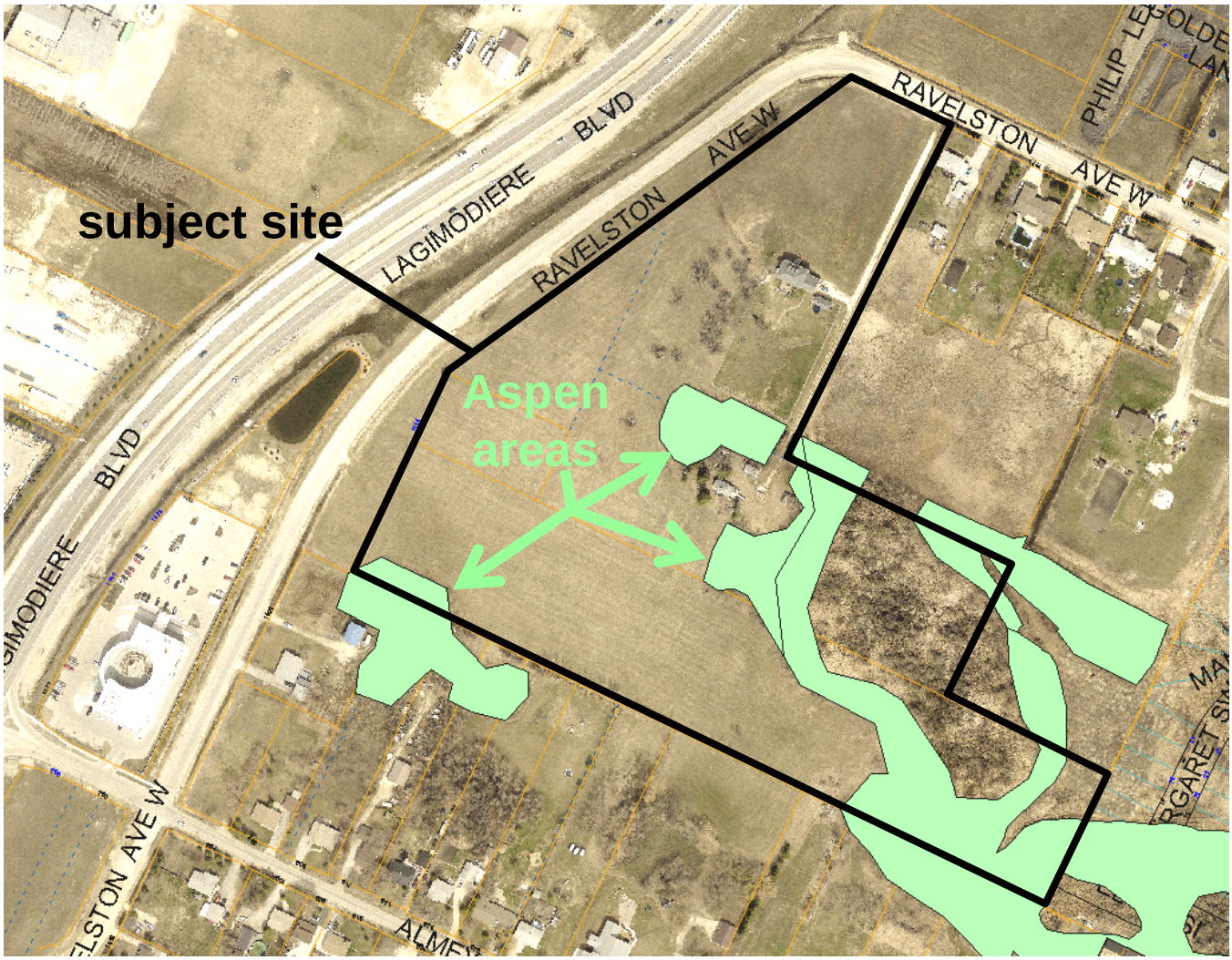
SITE CONTEXT

East, and south, of the site are lots on which are single-family dwellings. These lots are in a Residential Mixed-Use policy area of the Transcona West Plan. El Tassi Drive and a public reserve are immediately east of the site. Further east, along El Tassi Drive and Peguis Street are several multi-family dwellings under construction.

North of the site is Ravelston Avenue W. The area north of that is in a Low Density Residential policy area of the Transcona West Plan. A multi-family dwelling is proposed north of Ravelston Avenue W.

Ravelston Avenue W is also west of the site. Beyond that is Lagimodière Boulevard.

Figure 2: Aspen Areas, 2014 Aerial Photography **North↑**



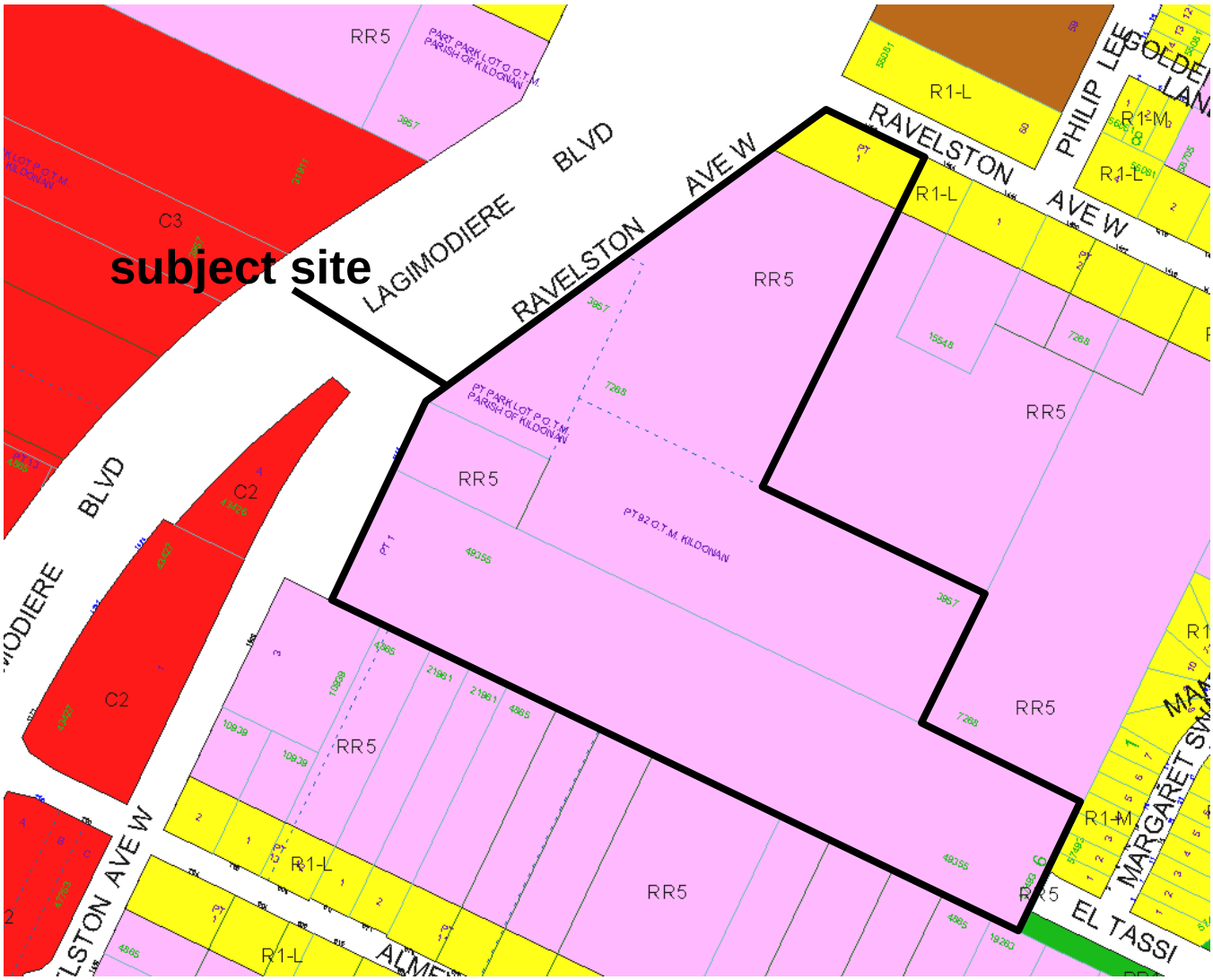
DESCRIPTION OF THE PROPOSED SUBDIVISION AND REZONING

As shown on Figure 4 and Schedule "A" to this report, the proposed plan of subdivision and rezoning would create:

- 83 lots and one small block zoned "R2";
- three lots zoned "R1-M";
- three public reserves zoned "PR1" – approximately 0.05 acres, 0.35 acres and 1.83 acres;
- one large block zoned "RMF-M";
- one small block zoned "RR5";
- one large block mostly zoned "RR5" and partly zoned "R1-L"; and
- three public streets.

Table 1 shows the key use regulations of the "R1," "R2," "RMF," and "PR1" Districts. The maximum

Figure 3: Existing Zoning and Registered Plans **North↑**



residential density in the "R2" District and the "RMF-M" District is 54.45 dwelling units per acre of site area (800 square feet of site area per dwelling unit).

The maximum height requirement is 35 feet in the "R1-M" and "R2" Districts, 60 feet in the "RMF-M" District and 30 feet in the "PR1" District.

Table 1: R1, R2, RMF & PR1 Principal-Use Regulations, including care home use specific standard

P = permitted, C = conditional, N = not allowed	zoning district			
principal use	R1	R2	RMF	PR1
dwelling, live-work	N	C	C	N
dwelling, multi-family	N	C	P	N
dwelling, single-family detached	P	P	P	N
dwelling, two-family	N	P	P	N
assisted living facility	N	N	P	N
care home	P	P	P	N
dormitory	N	N	C	N
single room occupancy	N	N	P	N
neighbourhood rehabilitation home	C	C	C	N
day care centre	C	C	C	C
community/recreation centre	C	C	C	N
library	C	C	C	N
protection and emergency services	N	N	P	N
college or university	N	N	C	N
elementary or junior high school	C	C	C	N
senior high school	C	C	C	N
park/plaza/square/playground	P	P	P	P
place of worship	C	C	C	N
transit station	N	N	C	N
utility facility, minor	P	P	P	P
boat dock, public	N	N	C	C
cemetery, mausoleum, columbarium	N	N	N	C
community gardens	P	P	P	P
gallery/museum	N	N	N	C
Care home use specific standard: maximum 6 residents.				

Variances

The minimum lot area and lot width requirements of the "RR5" District apply to proposed Blocks 5 and 8 because they are not proposed to be rezoned. The lot width and lot area requirements must be varied to accommodate proposed Block 5 to permit:

- a lot width of 21.6 feet instead of 25 feet; and
- a lot area of 2152.8 square feet instead of five acres.

The minimum lot area requirement of the "R2" District is 5,000 square feet. This requirement must be varied to accommodate proposed Block 6 to permit a lot area of 3229 square feet.

In addition, the minimum lot width and lot area requirements of the Special Boundary Conditions, which are the average lot width and lot area of existing lots near the site, must be varied to accommodate proposed Lots 18 and 19 of Block 2. These lot width and lot area requirements must be varied to permit:

- lot widths of 35 feet instead of 40.7 feet; and
- lot areas of 4090 square feet instead of 4269 square feet.

An application for approval of these proposed variances has been made under File DAV 16-104002D. The administrative report on this application recommends approval of the proposed variances.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

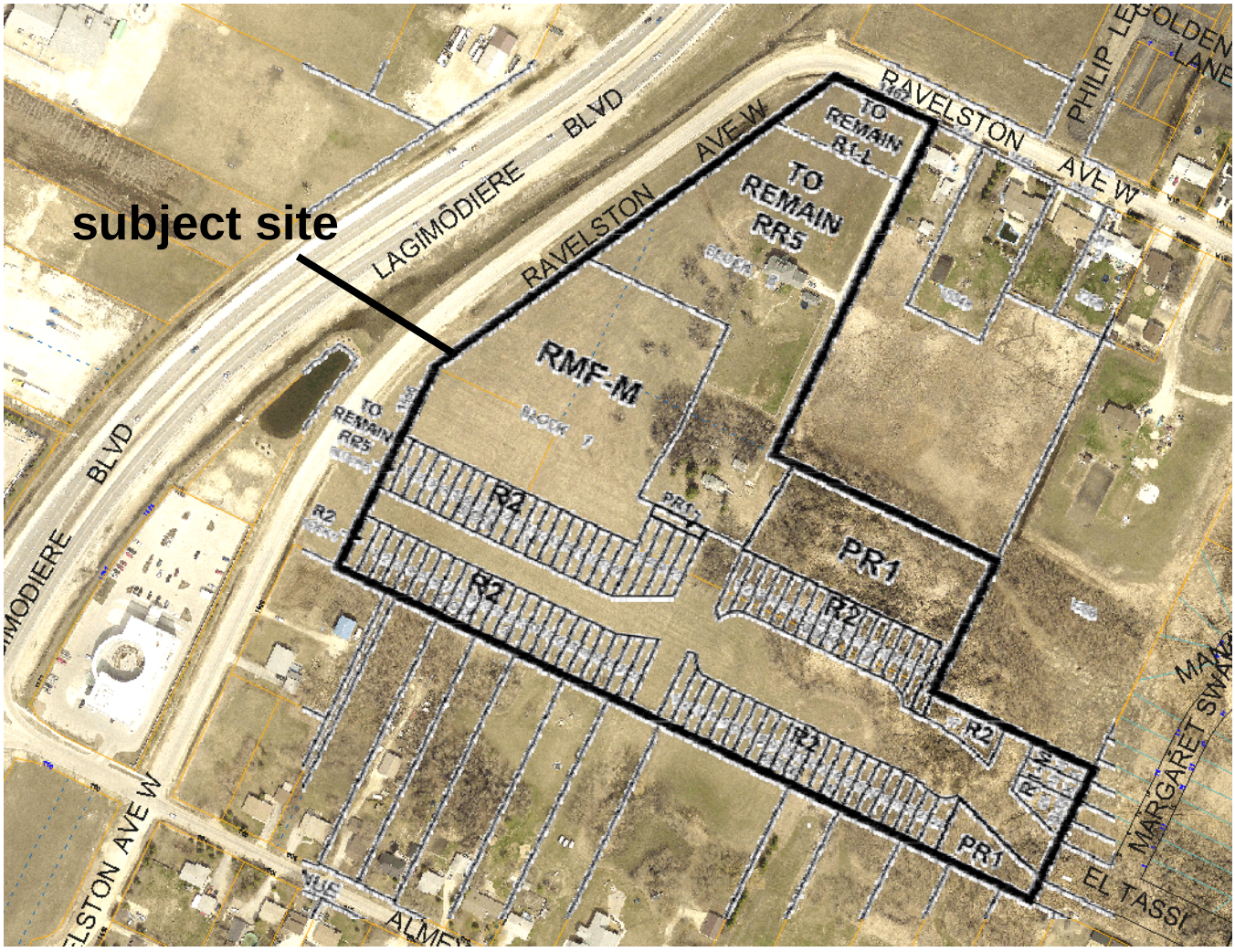
The letter of intent states that:

- a side-by-side, containing two dwelling units, would be built on each pair of lots except Lots 17 to 20 of Block 2, (resulting in 82 dwelling units);
- single-family dwellings would be built on Lots 18, 19 and 20 of Block 2;
- Lot 17 of Block 2 would not be developed and may be consolidated with land to the north in a future subdivision application; and
- the largest public reserve would retain existing trees where practical and would encompass future land drainage works.

The letter of intent does not state whether Blocks 5 to 8 would be developed. However, Block 8 cannot be developed without varying lot area and lot width requirements (and no application has ben made to do this).

Each lot that is to contain one dwelling unit of a two-unit side-by-side would be 25 feet wide and at least 105 feet deep.

Figure 4: Proposed Plan of Subdivision and Rezoning, 2014 Aerial Photography **North↑**



El Tassi Drive would become a collector road from the proposed north-south public street to the Existing El Tassi Drive. The proposed north-south public street would also become a collector road from El Tassi Drive to its northern terminus (the southern limit of proposed Block 8).

In a future plan of subdivision, the north-south public street would be extended north to Ravelston Avenue W and developed into a collector road. The collector roads would become part of at least one public transit routes.

ANALYSIS AND ISSUES

OurWinnipeg and *Complete Communities*

OurWinnipeg is the City's development plan and *Complete Communities* is a "Direction Strategy" of *OurWinnipeg* that provides additional directions and policies on land use and development in the city.

Direction 3 of 01 A of *OurWinnipeg*

This Direction requires "piped water, piped wastewater, piped land drainage and an urban standard roadway" (or an equivalent alternative approved by the City) be provided in areas where the "intensification of land-uses" is proposed. The recommended conditions that the developer enter into a development agreement and fulfill all the conditions stated in Schedule "B" to this report would ensure the development's compliance with this Direction.

Key Direction

The Key Direction of *OurWinnipeg* and *Complete Communities* that applies to the Areas of Stability policy area states: "Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population."

The proposed subdivision plan and rezoning would facilitate the development of three single-family dwellings, 41 two-unit side-by-sides on two lots each and a future multi-family development on proposed Block 7. The proposed subdivision plan, rezoning and developments would be consistent with the Key Direction stated above. The proposed subdivision plan, rezoning and developments would increase the supply and widen the selection of new housing in the area and could be at an overall density that supports a higher level of public transit service.

The quality of development on the proposed "RMF-M" block, including how it would affect the pedestrian environment in the abutting public streets, could be enhanced by requiring plans of the intended development to be submitted to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for approval.

The quality and sustainability of development on the proposed "R2" and "R1" lots and blocks, in terms of how it would affect the pedestrian environment on the abutting public streets (and thereby make walking and public transit use more appealing), would be enhanced by requiring any attached or detached garage, accessory to a single- or two-family dwelling, to be located at, or to the rear of the front wall of the dwelling unit to which it is accessory. This would result in dwelling units having a

stronger visual connection to the abutting public streets and an improved sense of safety (from crime) for pedestrians.

Direction 1 of Section 04 of *Complete Communities*

The first and third policies 1 state, respectively:

> Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complementary to the existing scale, character and built form.
>
> Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.

The proposed subdivision plan, rezoning and developments are consistent with these policies because:

- the subdivision plan and rezoning would accommodate low intensity development along the site's southern limit consisting of two-family dwellings in "R2" Districts, a local street (in a future phase), and a public reserve in a "PR1" District;
- only low intensity uses are permitted uses in the "R2" District and the "PR1" District;
- the subdivision plan and rezoning would accommodate low intensity development along the site's eastern and northern limits consisting of single-family dwellings in an "R1-M" District, a local street (in a future phase), a westerly extension of El Tassi Drive and a public reserve in a "PR1" District that may include paths and drainage works;
- only low intensity uses are permitted uses in the "R1-M" District;
- the only area to be rezoned to accommodate medium intensity, multi-family development would be only alongside the site's western limit, beyond which are Ravelston Avenue W and Lagimodière Boulevard;
- only medium intensity uses are permitted uses in the "RMF-M" District; and
- the largest proposed public reserve would encompass some existing Aspen areas (as indicated by comparing Figure 2 to Figure 4).

Nevertheless, the lots and block that are proposed along the southern limit of the site, and the lots that are proposed along the eastern limit of the site, should include a privacy fence, at least six feet in height, along their south and east property lines, respectively. This fencing would be an acknowledgement of "the community context and address the transition between new and existing developments."

Transcona West Area Structure Plan

The Transcona West Plan has several policies regarding urban design. Compliance with these policies can be ensured in-part by:

- requiring plans of the intended development on the proposed "RMF-M" block to be submitted to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for approval; and
- requiring any attached or detached garage, accessory to a single- or two-family dwelling, to be located at, or to the rear of the front wall of the dwelling unit to which it is accessory.

Sub-subsection 5.2.2

This sub-subsection states:

"(2) Subdivision
(a) The rezoning and subdivision of land within the Special Planning Area will be considered by the Community Committee through the Development Application process in accordance with the following additional requirements:
(i) any application for subdivision shall be accompanied by a Concept Plan that demonstrates how the subdivision may be integrated into the re-subdivision of adjacent and surrounding parcels in order to ensure that the future potential for adjacent subdivision is not compromised"

The applicant submitted a "concept plan" that shows a 78.7 foot-wide north-south collector road public right-of-way extending north, from the currently proposed north-south collector, to Ravelston Avenue W. It shows the collector intersecting Ravelston W centred on the eastern limit of the site (at the north end of the site). The property east of the site, which fronts onto Ravelston W, would be reduced in width from 100.0 feet to 60.6 feet. The site's frontage on Ravelston W would be reduced from 200.0 feet to 160.6 feet.

If the future collector is shifted west, perhaps by 35 feet, the width of the property to the east would be 95.6 feet and the site's frontage on Ravelston W would be 125.6 feet. A change such as this may be recommended in the applicable future development application because it would increase the development potential of the property to the east while retaining an adequate site frontage on Ravelston W.

Map 4

This map shows a "future pathway" connecting the westerly segment of Ravelston W and Peguis Street to one another. It also shows a future pathway extending north from that pathway, to Ravelston Avenue W and beyond. This path network is being created by subdivision applications and associated development agreements.

Sub-subsection 5.4.2

This sub-subsection states:

"(1) Composition of Residential Mixed Use Areas
(a) Subject to the policies of this Plan,
(i) a significant use of land within Residential Mixed Use Areas will incorporate low, medium and higher density residential uses."

The proposed subdivision plan, rezoning and developments are consistent with this sub-subsection.

Sub-subsection 7.3.2

This sub-subsection states:

"(1) External Road Network Alignment
(d) Residential development adjacent to expressways, arterial roads and major collectors shall incorporate appropriate sound attenuation measures as outlined in the Development Agreement Parameters."

Sound attenuation measures should be implemented between the future residential uses and Lagimodière Boulevard.

REASONS FOR THE RECOMMENDATIONS

The Urban Planning Division recommends approval because, subject to conditions, the proposed plan of subdivision, rezoning and developments are consistent with *OurWinnipeg*, *Complete Communities* and the *Transcona West Area Structure Plan.*

As stated in the Analysis above, compliance with these documents can be ensured, in-part by;

- requiring the developer to enter into a development agreement and fulfill all the conditions stated in Schedule "B" to this report;
- requiring plans of the intended development on the proposed "RMF-M" block to be submitted to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for approval;
- requiring any attached or detached garage, accessory to a single- or two-family dwelling, to be located at, or to the rear of the front wall of the dwelling unit to which it is accessory; and
- requiring a privacy fence along the south and east property lines of the lots and blocks abutting the site's southern and eastern limits, respectively.

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

Report Prepared by:
Glen Doney

PPD File #:
DASZ 3/2016

Schedule "A" for File DASZ 3/2016, East Kildonan – Transcona Community Committee, dated March 8, 2016

By-Law No. _____

File No. **DASZ 3/16**

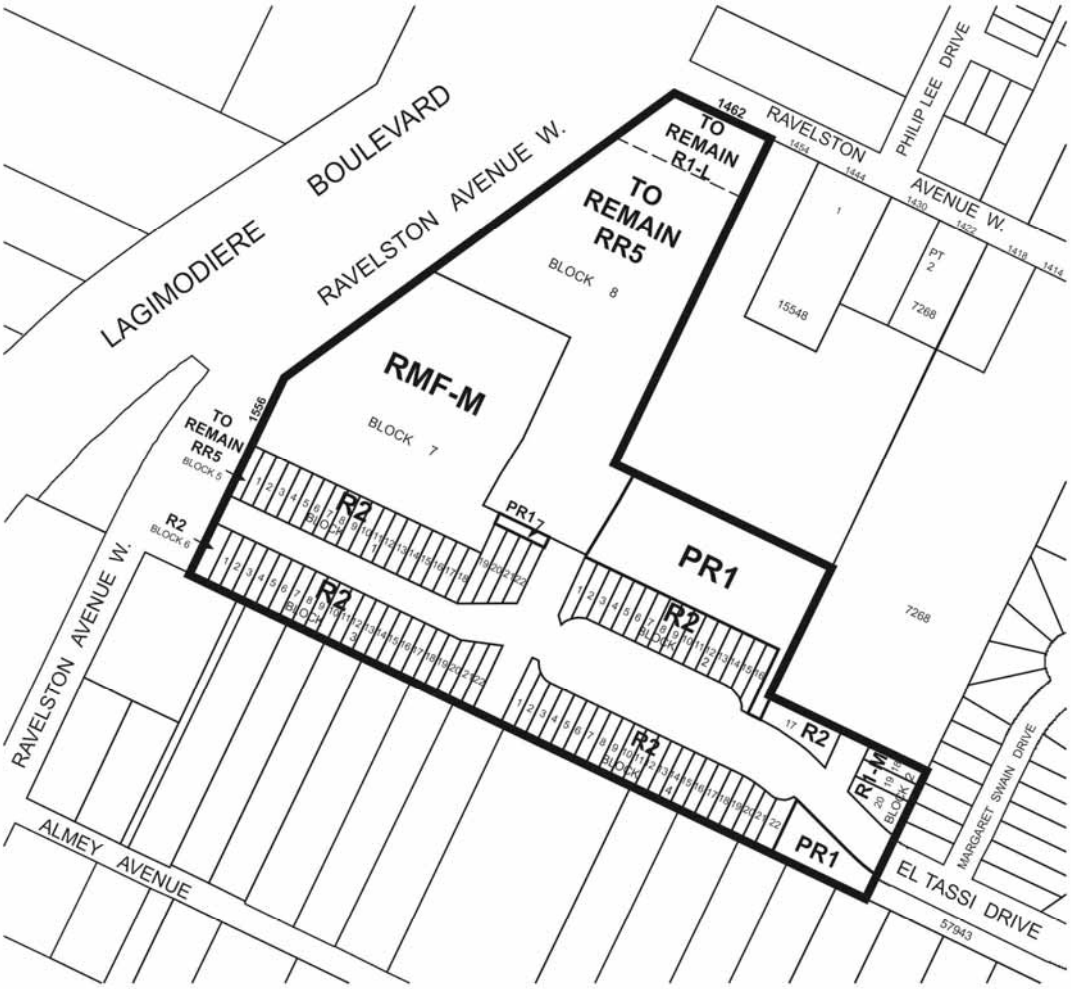
Atlas Sheet No. **Y31**

N

EAST KILDONAN TRANSCONA COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 1462 & unaddressed Lot 1 Ravelston Avenue West from an "RR5" RURAL RESIDENTIAL 5 DISTRICT and "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT, "R2" RESIDENTIAL TWO-FAMILY DISTRICT and "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the continuation of the Starlite Village Neighbourhood lands by the creation of lots, the establishment of a north-south right-of-way and the extension of El Tassi Drive right-of-way for future residential development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – February 10, 2016

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 1462 RAVELSTON AVENUE WEST AND PART LOT 1 PLAN 49355, EXTENSION OF EL TASSI DRIVE – DASZ 3/16

It is recommended that the approval of DASZ 3/2016, if granted, be subject to the applicant entering into a Development Agreement addressing the following items:

A. PLAN CONSIDERATIONS

1) The Developer shall, at no expense to the City, transfer to the City and legally open property for right-of-way for the proposed extension of El Tassi Drive, east of the proposed north-south road, to contain a minimum right-of-way width of 24.0m, with a minimum right-of-way width of 33.0m where frontage roads exists, as determined by and to the satisfaction of the Director of Public Works.

2) The Developer shall provide minimum right-of-way widths of 9.0m for all proposed frontage roads, with frontage-road terminus points to be located and designed to the satisfaction of the Director of Public Works.

3) 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.

4) The Developer shall, at no expense to the City, transfer to the City and legally open property for right-of-way, a corner cut in the southwest and northwest corner of Ravelston Avenue West and the proposed extension of El Tassi Drive, as determined by and to the satisfaction of the Director of Public Works.

5) The Developer shall, at no expense to the City, transfer to the City and legally open property for right-of-way for a roundabout at the intersection of the proposed extension of El Tassi Drive and the proposed north-south public road, as determined by and to the satisfaction of the Director of Public Works. To accommodate this, the Developer shall modify the Legal Plan to the satisfaction of the Director of Public Works. The modification of the Legal Plan will cause a reduction in R2 lots, however the kink in the proposed right-of-way is unacceptable to Public Works.

6) If the above item is deleted by the Committee, the Developer shall provide property to modify the right-of-way at and in the vicinity of the intersection of the proposed extension of El Tassi Drive and the proposed north-south public road, to the satisfaction of the Director of Public Works.

7) The minimum radius for proposed extension of El Tassi Drive is 185m.

8) The Developer shall re-designate the most westerly and smallest of the three proposed PR parcels as MF and consolidate it with the larger MF parcel.

9) The Developer shall re-designate all or most of South easterly PR1 parcel to residential, presumably as R2.

B. SERVICING REQUIREMENTS

1) Wastewater Sewers

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

2) Watermains

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

3) Land Drainage

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

4) Land Drainage Charges

The Developer shall, prior to the release of mylars, pay the following charges

a) The area Trunk Service Rate (TSR) and

b) the Kildare Avenue Trunk User Charge at $559.30/acre.

as determined by the Director of Water and Waste

5) Lot Grading

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

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

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

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

6) Ravelston Avenue West

a) The Developer shall, pay to the City, in cash, on demand, its share of the costs of the following services to be installed in Ravelston Avenue West, or alternatively construct the following services in Ravelston Avenue West, along the full length of the subject property abutting Ravelston Avenue West:

i. A 7.5m wide by 200mm thick Portland cement concrete lane of pavement and all related works
ii. Street lighting in the east boulevard
iii. Landscaping in the east boulevard
iv. A 1.5m in width by 100mm in thickness Portland cement concrete sidewalk
v. Land drainage sewer

all as determined by the Director of Public Works.

b) It is recognized that Ravelston Avenue West may be closed subject to the opening of a new north-south roadway through subsequent agreements. If Ravelston Avenue West is closed the obligation outlined in Clause 6a) will not be required.

7) Private Approaches

Private approaches serving two-family homes shall be joint use and there shall be approximately 6.1 metres between the edge of the private approach flares between lots, measured at the curb, as determined by and to the satisfaction of the Director of Public Works,

8) Pavement

a) The Developer shall, at no expense to the City, construct reinforced Portland cement concrete pavements to widths of 7.5m 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 150-mm-thick Portland cement concrete pavements to widths of 6.0m within the proposed frontage roads within the Planned Area and all related works including, but not limited to, boulevard landscaping and drainage works, all as determined by, and to the satisfaction of, the Director of Public Works.

9) Roundabout

The Developer shall, at no expense to the City, construct the a roundabout at the intersection of the proposed extension of El Tassi Drive and the proposed north-south public road if required, as determined by and to the satisfaction of the Director of Public Works

10) Sidewalks/Multi-use Pathways

a) The Developer shall, at no expense to the City, construct a 1.5m wide by 100mm thick Portland cement concrete sidewalk on the standard alignment, 0.3m off of the property line, along both sides of all streets within the Planned Area with rights-of-way measuring 22.0m in width or greater except where multi-use pathways/pedestrian and cycling facilities are to be constructed, as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, construct an east-west multi-use pathway along the proposed extension of El Tassi Drive, to the satisfaction of the Director of Public Works. The Developer shall submit options to the Public Works Department for review and approval. The Developer shall modify the right-of-ways if required, to the satisfaction of the Director of Public Works.

c) The Developer shall construct all sidewalks/multi-use pathways concurrently with the pavements with which they share the right-of-way.

11) 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.

12) 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.

13) 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.

14) Boulevards

a) The Developer shall, at no expense to the City, sod, and plant trees on all boulevards within 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 (1) year and the trees for a period of two (2) years, in accordance with specifications approved by the Director of Public Works.

15) Public Reserve

a) The Developer shall dedicate to the City as public reserve at least 8% of the land contained within the development area, landscape the dedicated land, and pay its share of the cost of services in streets abutting the dedicated land, in accordance with City policy, and as determined by, and to the satisfaction of, the Director of Planning, Property and Development. If the Developer is unable to dedicate a full 8% of the land, the Developer shall dedicate an amount of land satisfactory to the Director of Planning, Property and Development, pay to the City, or provide public reserve upgrades to the satisfaction of the Director of Public Works, the value of the difference between 8% of the land and the land actually dedicated, the value of the servicing of the land not dedicated, and the value of the landscaping of the land not dedicated.

b) Landscape improvements of the Public Reserve land(s) shall be 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 at a minimum grading, land drainage and ground cover of sod and/or an approved naturalized seed mix (the species composition shall be determined in consultation with the City naturalist).

c) Developer shall, at no expense to the City, provide a continuous path if required through the public reserve properties which serves to expand and connect to other existing and proposed AT (Active Transportation) networks, all to the satisfaction of the Director of Public Works. In consideration of clause d), any path proposed through a natural area, shall require review and approval by the City Naturalist, prior to implementation.

d) The Developer shall, at no expense to the City, ensure measures are taken to preserve and protect the natural vegetation, to the satisfaction of the City naturalist, including but not limited to tree protection and construction fencing.

e) The Developer shall provide continuous fencing or other form of property line delineation (ie: bollards) for all yards that abut Public Reserve lands. The details shall be to the satisfaction of the Director of Public Works. Said fencing to be installed on private property and established by caveat as the responsibility of the property owner for maintenance and repair.

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

g) The Developer shall, at no expense to the City, maintain the 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 for Parks. 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.

h) Securities for Public Reserve improvements shall be reduced following the issuance of a Construction Completion Certificate for Parks including a site inspection and approval by the City, but shall not be released in full until Final Acceptance Certificate for Parks has been issued and as-built drawings have been received and accepted as complete by the Director of Public Works.

16) 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.

17) 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.

18) Survey Monuments

a) Subsequent to completion of the Planned Area, as determined by the Director of Planning, Property and Development, the Developer shall pay the full costs of having all survey monuments within the Planned Area verified and/or restored by a Manitoba Land Surveyor and shall prepare a Plan of Survey Perpetuating Certain Monuments, confirming the position of all the survey monumentation within the Planned Area, for filing in The Property Registry.

b) In certain circumstances where all the survey monuments within the Planned Area have been found or restored to their original positions, upon approval by the Director of Planning, Property and Development, the requirements for Plan of Survey Perpetuating Certain Monuments may be waived.

C. 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 Servicing Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 3/2016

"*Original Signed by G. Jasper"*
G.V. Jasper P. Eng.,
Land Development Branch

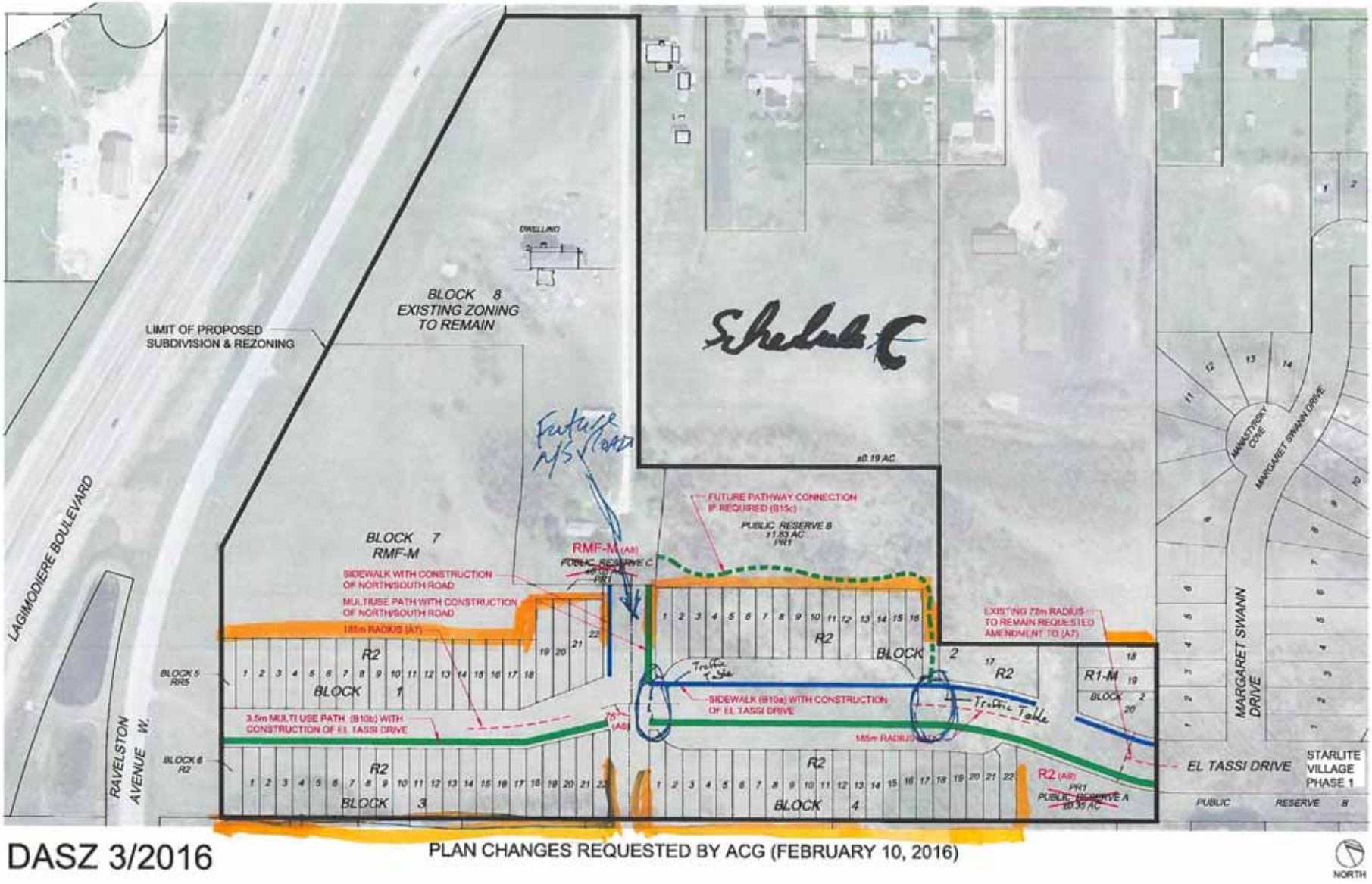
"*Original Signed by M. Gajda"*
M. Gajda, P. Eng.
Water & Waste Department

"*Original Signed by C. Desjardine"*
C.J. Desjardine P. Eng.
Public Works Department

"original signed by D.Beaton, M.L.Arch"
D. Beaton, M.L.Arch.
Parks, Riverbanks, & Community Initiatives Branch

GJ/gj

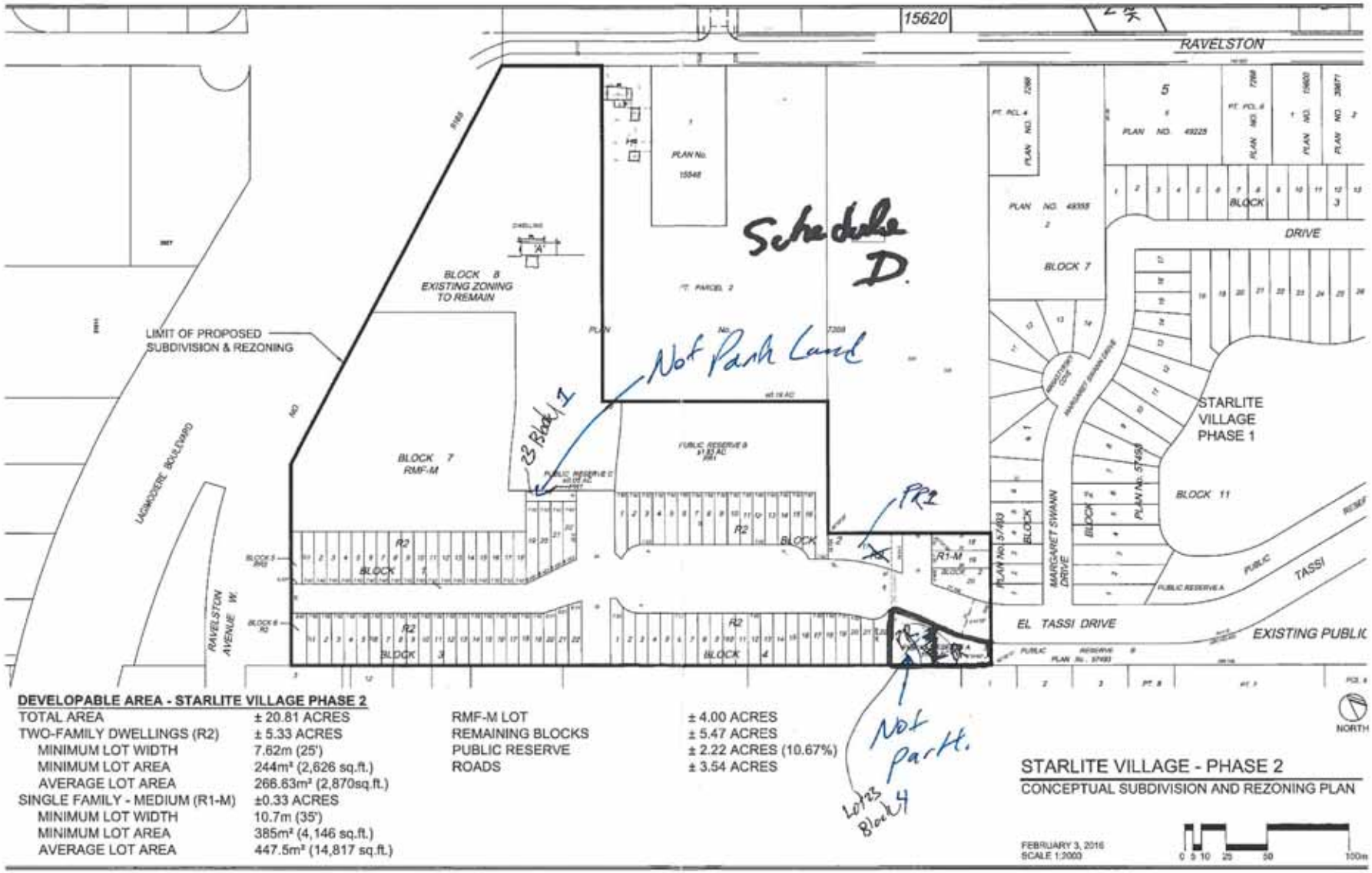
"Schedule C"



DASZ 3/2016

PLAN CHANGES REQUESTED BY ACG (FEBRUARY 10, 2016)

"Schedule D"



DEVELOPABLE AREA - STARLITE VILLAGE PHASE 2

TOTAL AREA	± 20.81 ACRES	RMF-M LOT	± 4.00 ACRES
TWO-FAMILY DWELLINGS (R2)	± 5.33 ACRES	REMAINING BLOCKS	± 5.47 ACRES
MINIMUM LOT WIDTH	7.62m (25')	PUBLIC RESERVE	± 2.22 ACRES (10.67%)
MINIMUM LOT AREA	244m² (2,626 sq.ft.)	ROADS	± 3.54 ACRES
AVERAGE LOT AREA	266.63m² (2,870sq.ft.)		
SINGLE FAMILY - MEDIUM (R1-M)	±0.33 ACRES		
MINIMUM LOT WIDTH	10.7m (35')		
MINIMUM LOT AREA	385m² (4,146 sq.ft.)		
AVERAGE LOT AREA	447.5m² (14,817 sq.ft.)		