Agenda – Council – May 18, 2016

Report – Executive Policy Committee – May 11, 2016

Item No. 1 Subdivision and Rezoning – Prairie Crocus Drive and Golden Boy Lane
(Transcona Ward)
File DASZ 8/2016 [c/r DAV 107094/2016D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 11, 2016, the Executive Policy Committee concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the following to Council:

1. That the plan of subdivision under File DASZ 8/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 8/2016 dated April 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 March 9, 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 8/2016 dated April 8, 2016, to "R1-M" and to "R1 L."

3. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

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

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

Report – Executive Policy Committee – May 11, 2016

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

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office.

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 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 – Executive Policy Committee – May 11, 2016

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 11, 2016, the Executive Policy Committee concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 25, 2016, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

RE: **Subdivision and Rezoning – Prairie Crocus Drive and Golden Boy Lane**
File DASZ 8/2016

For submission to: **Executive Policy Committee**

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

Report date: **April 27, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On April 25, 2016, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the plan of subdivision under File DASZ 8/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 8/2016 dated April 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 March 9, 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 8/2016 dated April 8, 2016, to "R1-M" and to "R1 L."

3. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

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

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

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

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office.

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 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.

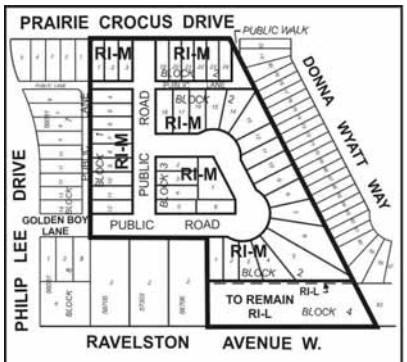
12. That the Proper Officer of the City be authorized to do all things necessary to implement the intent of the foregoing.

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

1. This is a continuation of the existing Prairie Crocus development.
2. It is consistent with other development in the area in terms of lot size.
3. It is consistent with OurWinnipeg in that it’s infill housing on infill land.
4. It brings predictability to Ravelston Avenue West.
5. It will allow home owners on Ravelston Avenue West to sell their property if they want and they will not be landlocked.
6. It allows for a much needed housing in the neighbourhood
7. It will generate taxes for the City of Winnipeg

PUBLIC HEARING SUMMARY

File:	DASZ 8/2016
Before:	East Kildonan-Transcona Community Committee Councillor Browaty, Chairperson Councillor Schreyer Councillor Wyatt
Public Hearing:	April 25, 2016 Council Building, 510 Main Street
Applicant:	Waterside Development Corp. (Robert Doolan)
Subject:	



EAST KILDONAN TRANSCONA COMMUNITY

APPLICANT : WATERSIDE DEVELOPMENT CORP.

FILE : DASZ 8/16

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 to an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT and an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT to facilitate further development of the Transcona West Neighbourhood by the creation of residential building lots and the establishment of public right-of-ways including the extension of Golden Boy Lane for future residential development. **For information, phone Mr. G. Doney, Planner, at 204-986-2688.**

Premises Affected: Prairie Crocus Drive and Golden Boy Lane

Exhibits Filed:

1. Application dated February 17, 2016
2. Notification of Public Hearing dated March 24, 2016
3. Manitoba Status of Title 1904666/1, 2708520/1, 2734061/1, 2770371/1, 2821068/1, 2821097/1
4. Letter of authorization dated January 30, 2016 from Carl Astrope and Karen Astrope to Waterside Development Corp.
5. Plans (3 pages)
6. Report from the Urban Planning Division dated April 8, 2016
7. Inspection Report

REPRESENTATIONS:

In Support:

Robert Doolan
Bill McGarry
Susan Russell
Donna Thordorson

In Opposition

Nil

For Information:

Theo Beijes

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 "6" referred to in File DASZ 8/2016

ADMINISTRATIVE REPORT

Title: DASZ 8/2016, Prairie Crocus and Phillip Lee

Issue: Proposed Plan of Subdivision and Rezoning that would:

- create 42 lots, one block that does not contain lots, two public streets and one public lane; and
- rezone the subject site from "R1-L" Residential Single-Family Large District and "RR5" Rural Residential 5 District to "R1-M" Residential Single-Family Medium District and "R1-L" District.

Critical Path: East Kildonan – Transcona Community Committee → Standing Policy Committee on Property and Development, Heritage and Downtown 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 8/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 8/2016 dated April 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 March 9, 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 8/2016 dated April 8, 2016, to "R1-M" and to "R1-L."

3. That, in lieu of the dedication of land, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

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

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

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

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office.

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 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 8/2016), 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, 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	April 8, 2016
File No.	DASZ 8/2016

Attachments

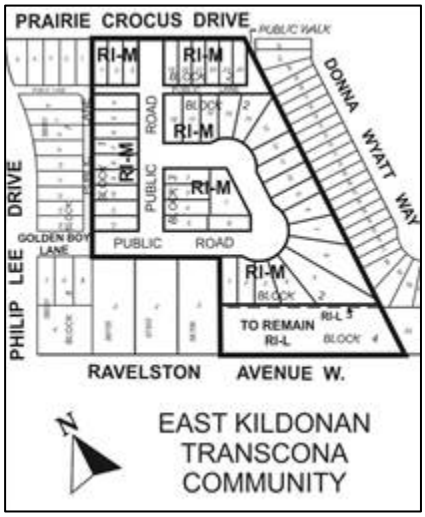
Appendix "A," Planning Discussion

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

Schedule "B," Report of The Administrative Coordinating Group, dated March 9, 2016

Appendix "A," Planning Discussion

DATE:	April 8, 2016
FILE:	DASZ 8/2016
COMMUNITY:	East Kildonan - Transcona
NEIGHBOURHOOD #:	4.417
SUBJECT:	Proposed Plan of Subdivision and Rezoning that would: - create 42 lots, one block that does not contain lots, two public streets and one public lane; and - rezone the subject site from "R1-L" Residential Single-Family Large District and "RR5" Rural Residential 5 District to "R1-M" Residential Single-Family Medium District and "R1-L" District.
LOCATION:	east of Golden Boy Lane and between Prairie Crocus Drive and Ravelston Avenue West
LEGAL DESCRIPTION:	Block 9, Plan 56081 WLTO; Lot 1, Plan 58705 WLTO; Lot 1, Plan 58706; and "all those portions of OTM Lots 89 and 90 of Parish of Kildonan which lie east of the eastern limit of Plan 15620 WLTO



APPLICANT:	Robert Doolan, Waterside Development Corp. 3615 Roblin Blvd. Winnipeg R3R 0C6
OWNERS:	Waterside Development Corp. and the City of Winnipeg
RECOMMENDATION:	Approval with Conditions

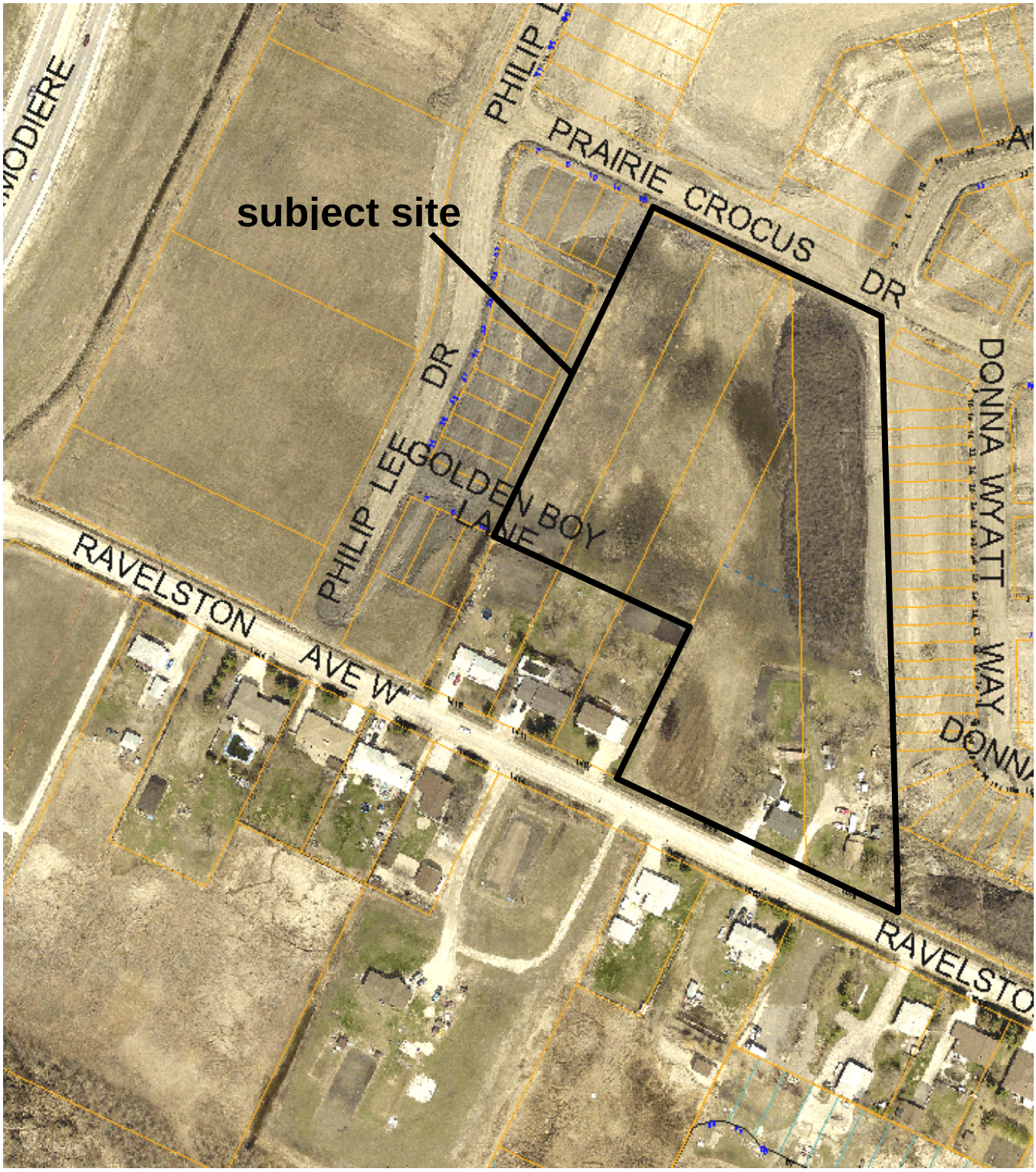
SITE DESCRIPTION

Figures 1 and 2 show the subject site, which is:

- in the Peguis Neighbourhood and the Transcona Ward;
- made up of six assessed land areas, two of which contain a single-family dwelling each and one of which is just over five feet deep, abutting Prairie Crocus Drive and owned by the City;

- in an “R1-L” Residential Single-Family Large District and an “RR5” Rural Residential 5 District of Zoning By-law 200/2006;
- in a Recent Communities policy area, which is a type of Areas of Stability policy area of

Figure 1: Existing Assessed Land Areas & 2014 Aerial Photography **North↑**



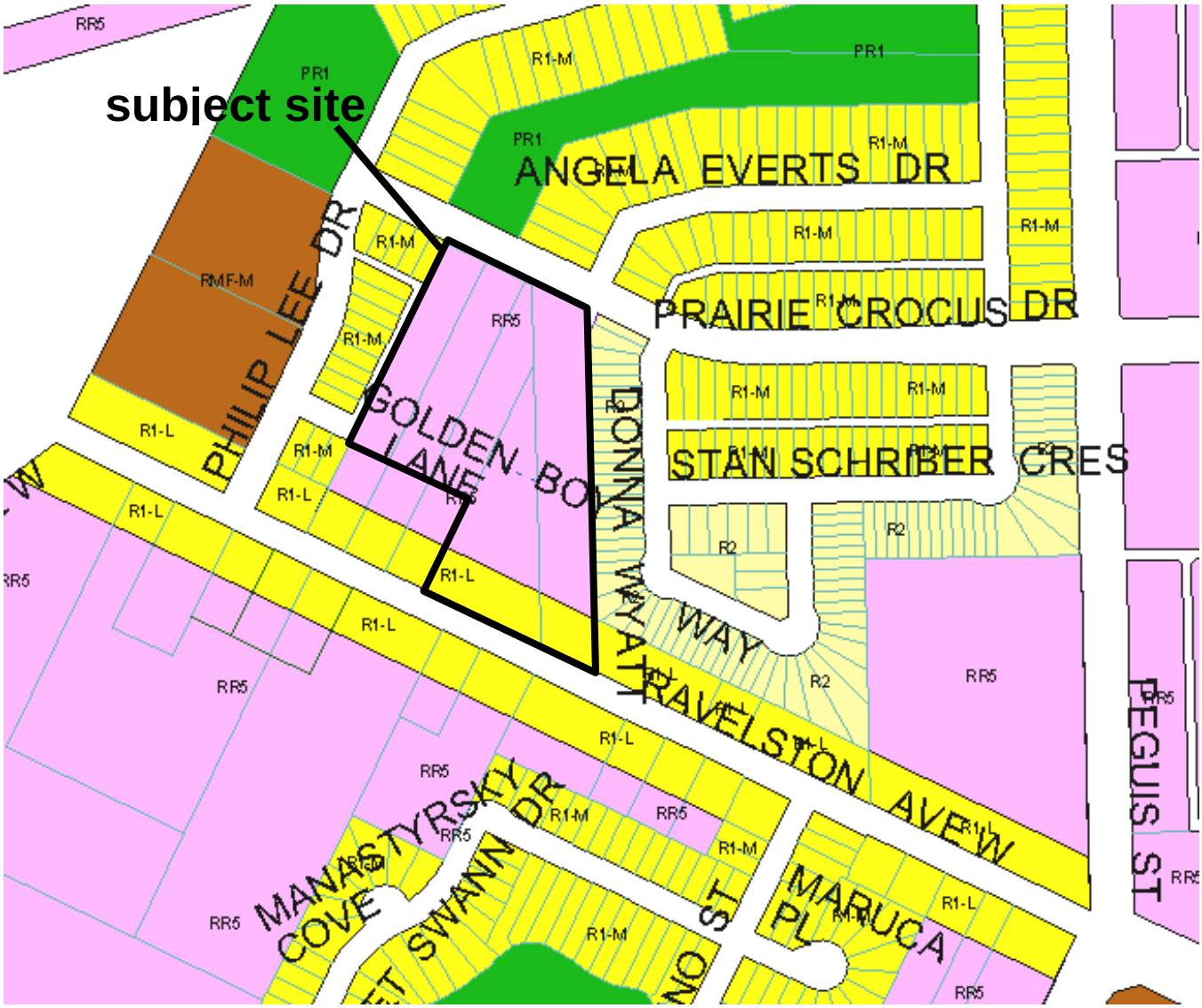
OurWinnipeg and *Complete Communities*;

- in a Low Density Residential policy area and the Special Planning Area of the *Transcona West Area Structure Plan* (Transcona West Plan);
- immediately south of Prairie Crocus Drive, which is being developed into a collector road and paths or sidewalks; and
- immediately north of Ravelston Avenue West, which has been developed into a collector road with a rural cross-section.

SITE CONTEXT

Immediately east of the subject site (the Site) are lots zoned "R2" Residential Two-Family. Side-by-sides, consisting of two dwelling units each, are being built on each pair of lots. A vacant "R1" lot is also to the east.

Figure 2: Existing Lots & Zoning **North↑**



To the north are lots zoned “R1.” A single-family dwelling is being built on each of these lots. A public reserve, zoned “PR1,” is also to the north.

To the west are other “R1” lots. Here too, a single-family dwelling is being built on each of these lots.

To the south are lots that are each partly in an “R1” District and partly in an “RR5” District. A single-family dwelling is on each of these lots.

DESCRIPTION OF THE PROPOSED SUBDIVISION, REZONING AND DEVELOPMENT

Schedule “A” to this report and Figures 3 and 4 show that the proposed plan of subdivision and rezoning would:

- create 42 lots, one block that does not contain lots, two public streets and one public lane; and
- rezone the subject site from “R1-L” Residential Single-Family Large District and “RR5” Rural Residential 5 District to “R1-M” Residential Single-Family Medium District and “R1-L” District.

The lots would range in size from 3464 square feet to 12,983 square feet.

The letter of intent states that proposed Lots 14 to 18 of Block 2 would have front approaches (driveways), even though public lane access is available. It also states that existing buildings would be demolished except those on the triangular property.

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.

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.”

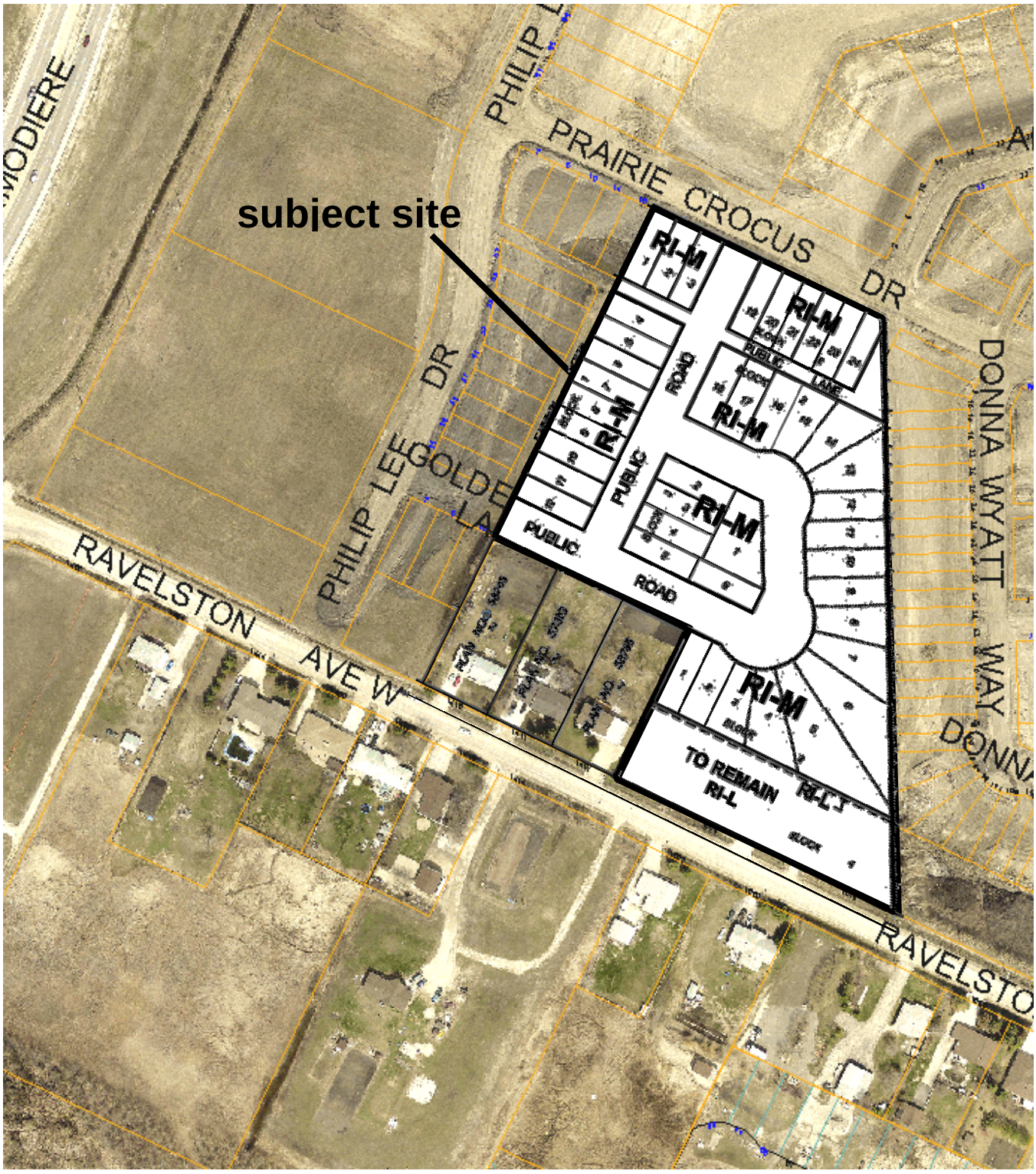
The proposed subdivision and rezoning would increase the supply and variety of “R1-M” lots and the subsequent development of these lots would increase the supply of new single-family dwellings. Some of the lots would front a local public street and back onto a public lane that would provide motor-vehicle access to those lots. Others would be the same but would front a collector public street. And other lots would front a local public street that would provide motor-vehicle access to those lots. Corner lots would also be established.

The proposed subdivision and rezoning is consistent with the aforementioned Key Direction because:

- the variety of lots that would be created would increase the diversity of housing; and
- the development of single-family dwellings on the proposed lots would increase the supply of new housing.

Figure 3: Proposed Subdivision & Rezoning over Existing Assessed Land Areas & 2014 Aerial Photography

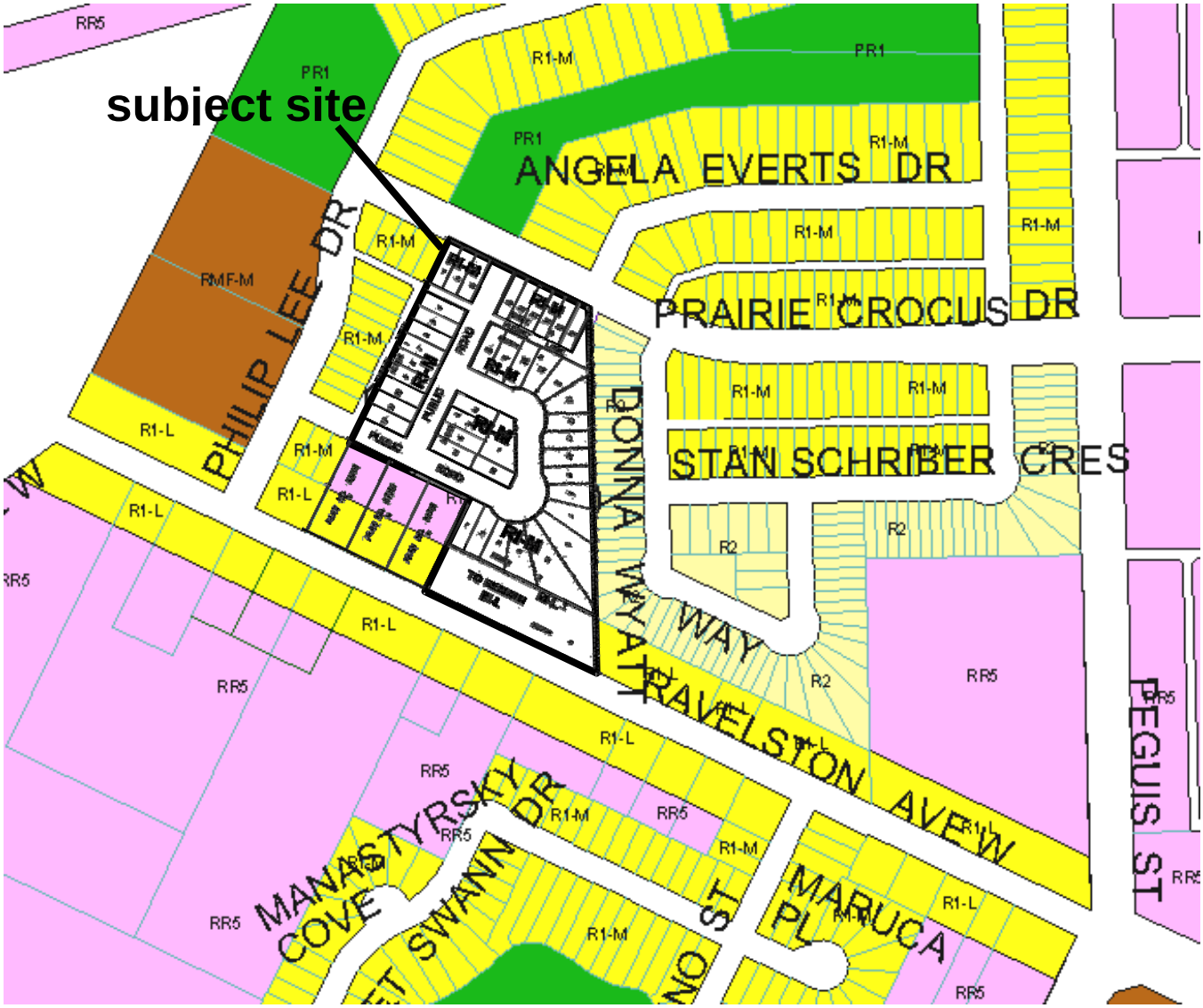
North↑



The policy under Direction 1 of Subsection 04-2 of *Complete Communites* pertains to the Recent Communities policy area of *OurWinnipeg* and *Complete Communities*. It states: "Improve the sustainability of recent residential neighbourhoods by promoting better walking… access to retail, employment and community facilities. If garages will be attached to single-family dwellings, the streetscape would be more pedestrian friendly if the garage does not project more than just a few feet in front of the dwelling to which it is attached. This is because the dwelling would be more prominent, and those inside would have a better view of the street, than would otherwise be the case, as shown in Figure 5. While Urban Planning is not recommending this form of development be required, it is encouraged.

Regarding the other pertinent directions and policies of *OurWinnipeg* and *Complete Communities*, the proposal generally complies with those directions and policies.

Figure 4: Proposed Subdivision & Rezoning over Existing Lots & Zoning **North↑**



Transcona West Area Structure Plan

Sub-subsection 5.2.2 of the Transcona West Plan states:

"… 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"

A concept plan was not submitted with the application that is the subject of this report because, as shown on Figures 3 and 4 and Schedule "A" to this report, it is clear that the proposed subdivision would not compromise the potential for subdividing abutting or nearby properties.

The minimum and maximum residential densities allowed in the Low Density Residential policy area are four dwellings and seven dwellings per acre of gross developable area.

Figure 5: Front of Attached Garage at Front of Dwelling
Source: Design Guidelines for Residential Lots, City of Kingston, October 1, 2015



The size of the gross developable area encompassing the site includes the area of half the width of the portions of public right-of-ways that are abutting the site. In this case, the gross developable area is approximately 8.4 acres.

Given that 42 single-family dwellings would be built, the density would be five dwelling units per acre of gross developable area, which complies with the Transcona West Plan.

REASONS FOR THE RECOMMENDATIONS

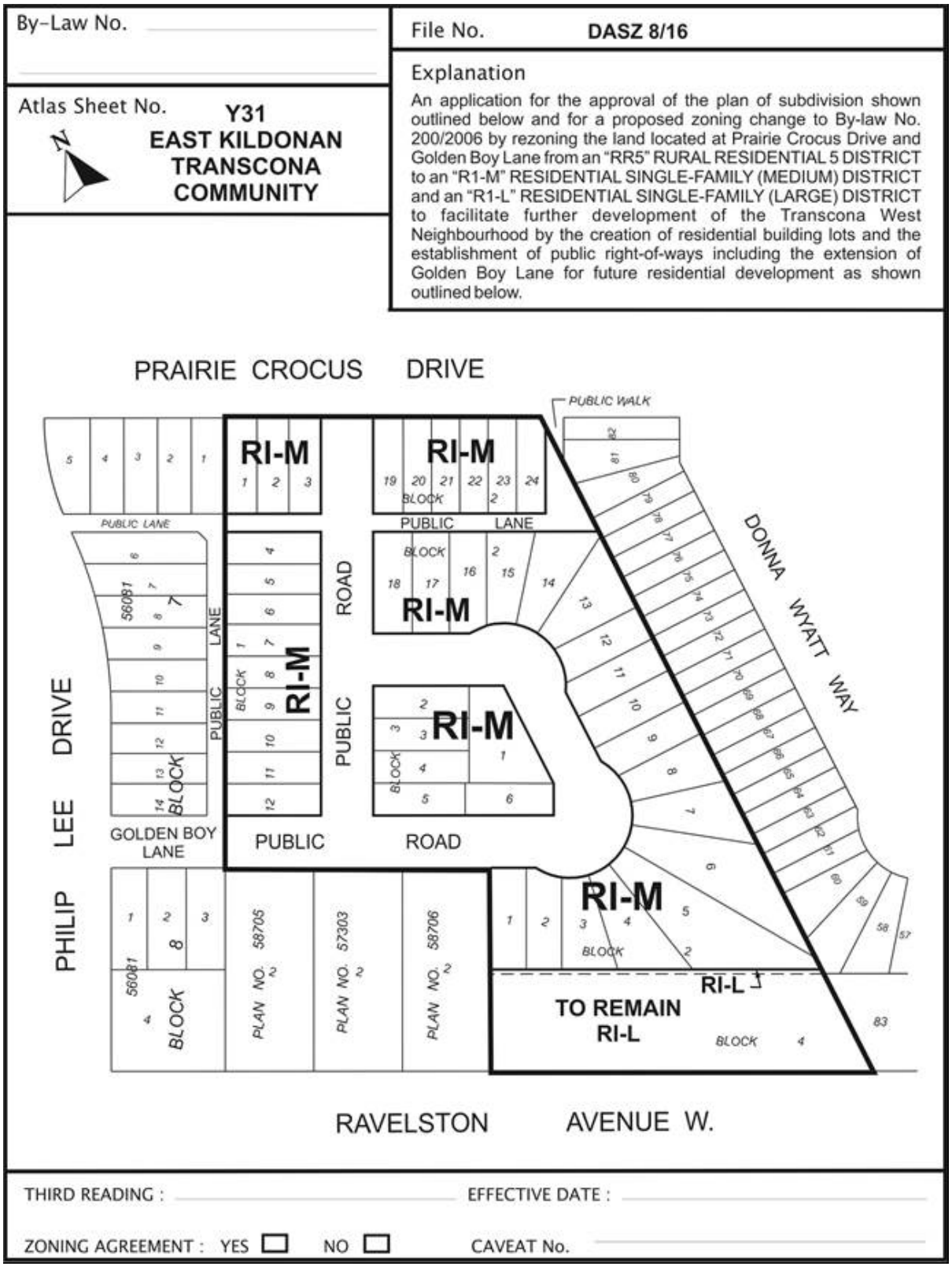
The Urban Planning Division recommends approval because the proposed plan of subdivision, rezoning and development are consistent with *OurWinnipeg*, *Complete Communities* and the *Transcona West Area Structure Plan.*

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

Report Prepared by:
Glen Doney

PPD File #:
DASZ 8/2016

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



SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – March 9, 2016

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT PRAIRIE CROCUS DRIVE AND GOLDEN BOY LANE, CROCUS MEADOWS – PHASE 3, - – DASZ 8/16

It is recommended that the approval of DASZ 8/2016, 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 and legally open, property required from the north-west corner of Lot 4, Block 1 and the south-east corner of Lot 24, Block 2 for a 3.0x3.0m corner cut, as determined by and to the satisfaction of the Director of Public Works.

2) The Developer shall provide right-of-way widths of 6.25m for each public lane serving single or two-family residential development, to the satisfaction of the Director of Public Work

B. SERVICING REPORTS

The Developer shall amend servicing reports for DASZ 11/2011 and DASZ 15/2013, prepared by a qualified municipal engineer, which shall outline the provision of underground services for the planned area and adjacent lands to the satisfaction of the Director of Water and Waste.

C. 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) Pavements

a) The Developer shall, at no expense to the City, construct 7.5m wide by 150mm thick Portland cement concrete pavements in all streets within the Planned Area and all related works including, but not necessarily limited to ornamental street lighting, boulevard landscaping and land drainage sewer, 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, within the proposed public lanes within the Planned Area serving single or two-family residential development, 5.0m wide by 150mm thick Portland cement concrete pavements, as determined by, and to the satisfaction of, the Director of Public Works.

7) Sidewalks

The Developer shall, at no expense to the City, construct a 1.5m wide by 100mm thick Portland cement concrete sidewalk and related works, on the standard alignment, 0.3m

off of the property line, along the south side of Prairie Crocus Drive for the limit of the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

8) Temporary Dead-End Street

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.

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.

9) 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.

10) 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.

11) 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.

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) 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.

14) 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.

15) 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 8/2016
April 15, 2016

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